

City of Cambridge

Commission for Persons with Disabilities

51 Inman Street · Cambridge, MA · 02139-1732

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Nicole Horton-Stimpson
Chair

Debbie Cheng
Elizabeth Dean-Clower
Gary Dmytryk
Sandy Durmaskin
Maria Fontellio
Zahra Kanji
Bet MacArthur
Naomi Pinson
Alicia Zeh-Dean

Michael Muehe
*Executive Director/
ADA Coordinator*

Kate Thurman
Project Coordinator

Katie Ashwill
Pro Bono Associate

The next meeting of the Cambridge Commission for Persons with Disabilities will be held in the 2nd Floor Conference Room at 51 Inman Street on Thursday, March 10, 2016 at 5:30 p.m.

PLEASE MAKE EVERY EFFORT TO ARRIVE BY 5:30 PM

AGENDA

Please turn OFF your cell phones before the meeting begins. Thank you.

NOTE: CCPD meetings may be audio recorded for the purpose of taking minutes.

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|---|---------|--|
| 1. Introductions | 2 min. | |
| 2. Approval of February 11 Minutes | 2 min. | |
| 3. Announcements | 2 min. | CCPD staff / board |
| 4. Update on Medical Marijuana | 30 min. | Matt Allen, Field Director
ACLU of MA |
| 5. Chair's Report
<i>Nominations for Chair & Secretary</i> | 20 min. | Nicole Horton-Stimpson |
| 6. Public Works Update | 5 min. | Debbie Cheng |
| 7. Police Community Liaison | 5 min. | Jack Albert |
| 8. Disability Reframed Film Series | 5 min. | Bet MacArthur |
| 9. Project Coordinator's Report | 5 min. | Kate Thurman |
| 10. Public Input | 3 min. | general public |
| 11. Old Business | 2 min. | |
| 12. New Business | 2 min. | |

This is a scent-free meeting. In consideration of individuals with environmental illness and/or multiple chemical sensitivity, please refrain from wearing perfume, after-shave or any other scented products to our meetings. Thank you for your consideration.

The City of Cambridge, Commission for Persons with Disabilities, does not discriminate on the basis of disability. The Commission for Persons with Disabilities will provide auxiliary aids and services, written materials in alternative formats, and reasonable modifications in policies and procedures to persons with disabilities upon request.



Approved 4/14/16

Cambridge Commission for Persons with Disabilities (CCPD)

Minutes for Thursday, March 10, 2016

51 Inman Street, 2nd Floor Conference Room, Cambridge, MA 02139

Meeting was called to order at 5:38PM

Present

Members: Debbie Cheng, Elizabeth Dean-Clower (by phone), Gary Dmytryk, Maria Fontellio, Nicole Horton-Stimpson, Zahra Kanji, Bet MacArthur, and Alicia Zeh-Dean.

Absent: Sandy Durmaskin and Naomi Pinson.

Alternates: Donald Summerfield

Staff: Kate Thurman

Guests: Matt Allen, Field Director, ACLU of MA; and Naeem Ahmed, Community Member.

Documents/Materials Used:

- Agenda
- Minutes from February 11
- Implementing medical cannabis dispensaries in Cambridge
- Flyer for Disability Reframed/ReelAbilities April 5 screening of *Mimi and Dona*

Minutes:

A motion to amend the February 11, 2016 minutes to add the following under New Business was seconded and passed:

Maria Fontellio introduced the idea of providing training on serving customers with disabilities to staff at Eastern Bank, where she works. She will work with Michael Muehe and Kate Thurman to set something up, as they routinely conduct such trainings.

Medical Marijuana Update: Matt Allen, Field Director, ACLU of Massachusetts, provided an update on medical marijuana dispensaries in MA. Please see attached document, implementing medical cannabis dispensaries in Cambridge, for details.

Some additional points that were discussed include:

- Many MA localities are trying to obstruct implementation of regulations for medical marijuana dispensaries
- MA dispensaries are required to be licensed by DPH
- Benefits of medical marijuana for people with serious medical conditions
- Proposal for opening a dispensary in Cambridge on Mass Ave between Porter and Harvard Squares, at the corner of Ellery Street

- Gary Dmytryk said that this proposed dispensary must go through a four step process before being able to open in their proposed location:
 - A zoning petition to allow them to open the dispensary outside the zones that the City designated for dispensaries
 - An official letter of support to submit with their application for a license to DPH
 - Being granted a license to operation by DPH
 - Getting a special permit from the City to open a dispensary
- Patients must present a DPH-issued medical marijuana identification card to even enter a dispensary in MA
- It is vital that medical marijuana is accessible to people with disabilities.
- Landlords are not required to lease space to medical marijuana dispensaries, which can be a challenge.
- Safe access to medical cannabis requires that it be:
 - Physically accessible to everyone
 - Tested for contaminants
 - Affordable

Bet MacArthur made a motion that the board agree to ask Michael Muehe to communicate to the Planning Board and City Council the sense of the group that we want to support the 2012 referendum passed by the citizens of the City of Cambridge in favor of the regulated use of medical marijuana for symptom management and that the Planning Board should do whatever it can do to provide the community with accessible, safe and affordable registered medical marijuana dispensaries.

The motion was seconded by Alicia Zeh-Dean and passed unanimously with eight votes.

[Editor's note: see attached email dated March 14, 2016 from Michael Muehe to the Cambridge City Council and Cambridge Planning Board regarding CCPD Board's motion supporting medical marijuana dispensaries].

Chair's Report: Nicole Horton-Stimpson opened the floor for nominations for the positions of Chair and Secretary.

Bet MacArthur nominated Gary Dmytryk for Chair. Mr. Dmytryk accepted the nomination.

Maria Fontellio nominated Zahra Kanji for Secretary. Ms. Kanji will consider the nomination.

Nominations will be taken again at the April 14 meeting and elections will be held at the May 12 meeting.

Public Works Update: Debbie Cheng reported that the City's construction moratorium will be lifted on March 21, but will still be weather dependent. It is generally not lifted until April 1, but the mild weather is allowing for construction to resume sooner.

Ms. Cheng reported that DPW has weekly meetings with all the contractors for both public and private construction jobs. The first few meetings are presentations by City employees on work zone safety, maintaining accessibility, traffic plans, etc. City employees make these presentations. She said that the City is again looking at a very busy construction season and she asked that members email her, Michael Muehe or Kate Thurman with any accessibility issues around construction sites so they may be addressed.

Police Community Liaison: Kate Thurman reported on behalf of Deputy Superintendent Jack Albert. There was a hit and run accident in February in which a Somerville resident, who was later caught, hit a Cambridge woman using a wheelchair on Columbia Street in the early morning hours. The woman remains in critical condition at a local hospital. [Editor's note: the victim, Dorothy Steele, sadly passed away from her injuries on March 15]

The Police Department is stepping up efforts to keep pedestrians safe by deploying officers to keep cyclists off the sidewalks.

Disability Reframed:

Bet reported that Disability Reframed and ReelAbilities Boston Film Festival will screen *Mimi and Dona* on April 5 at the Cambridge Main Library. She encouraged folks to post about the event on Facebook, and to go to the Disability Reframed Facebook group and indicate that they will be attending.

Project Coordinator's Report: Kate Thurman reported that the MAAB denied Cinderella's application for variance exempting them from providing an accessible entrance into their newly renovated restaurant. The building owner was subpoenaed for the hearing, but did not show up.

She also said that she is working with the City's Director of Communication to set up a Constant Contact account in order to streamline email announcements; once in place, people will be able to easily subscribe, manage preferences and unsubscribe from CCPD emails. This will bring CCPD into compliance with spam laws.

The meeting adjourned at 7:23PM

Respectfully submitted by Kate Thurman



MEMO

TO: Cambridge Disability Commission

FROM: Matt Allen, Field Director, ACLU of MA, mallen@aclum.org

DATE: March 10, 2016

SUBJECT: Implementing medical cannabis dispensaries in Cambridge

BACKGROUND

The medical marijuana program in Massachusetts is built from best practices around the country, effectively striking the balance between safe access for patients and the necessary regulations to keep communities safe and secure. It was endorsed by a wide array of public health groups including the Mass. Nurses Association, Mass. Association of Public Health, New England Coalition for Cancer Survivors, Leukemia and Lymphoma Society, and the Massachusetts Patient Advocacy Alliance. The ACLU of Massachusetts also supported the effort, and was involved in the drafting of the bill.

The initiative passed in 2012 with over 63% approval statewide and 79% in Cambridge. While the law required the state to implement dispensaries by the end of 2012, the application and approval process faced several delays, so only recently have registered marijuana dispensaries (RMDs) started to come online.

STATUS OF IMPLEMENTATION

The law required the state to license at least one dispensary per county but no more than 35 dispensaries statewide by the end of 2012. These limits expired at that time. Currently, 15 dispensaries, licensed under the Patrick administration, have received registrations to operate. Four of those are up and running. The Baker administration has since opened a second round of licensing; no dispensaries have yet been approved.

The dispensaries that are currently open include:

NETA, Brookline
NETA, Northampton
Central Ave Compassionate Care, Ayer
ATG, Salem

WHO ARE PATIENTS?

Medical marijuana patients suffer from a wide array of serious illnesses, including cancer, ALS, MS, ulcerative colitis, and other conditions. Many patients find that medical marijuana is an effective treatment alternative to opioid based medications such as Oxycontin. To access medical marijuana at a dispensary, patients must undergo a full clinical check up by a doctor and register with the state.

Patients at New England Treatment Access in Northampton are an average of 47 years old. One quarter are over the age of 60.ⁱ



STATE REGULATIONS

The medical marijuana law in Massachusetts includes extensive controls at the state level in order to relieve municipalities from the burden of regulating the day to day operations of registered marijuana dispensaries (RMDs). Patients must:

- obtain a recommendation from a doctor with whom they have a bona fide patient-physician relationship,
- register with the state and receive a state issued identification card,
- renew the recommendation and card annually.

The state Department of Public Health is required to:

- verify doctors' recommendations,
- maintain a database of all patients who have received and doctors who have written recommendations,
- license no more than five dispensaries per county by January 2014, meaning no community will host more than one dispensary.

RMDs are required to:

- follow strict security plans including state-of-the-art video surveillance,
- track inventory from seed to sale,
- admit only patients with a recommendation that has been verified by the state,
- locate at least 500 yards from a school or daycare center (or less if a municipality reduces the buffer zone through local regulation),
- limit how much medicine they provide to each patient,
- prohibit on site consumption of medical marijuana,
- coordinate with local law enforcement regarding panic alarms and access to surveillance.

As an extra measure to prevent abuse of the system, the law created a new felony for anyone who defrauds the medical marijuana system for profit.

LOCAL REGULATIONS

The experience of other states has demonstrated that when well regulated, dispensaries offer a needed resource to patients while having a positive impact on communities. Dispensaries function more effectively when local authorities and dispensary operators work together to address any community concerns.

What have cities and towns done?

Boston: The Boston Public Health Commission also considered local regulations for RMDs in 2013, approving a resolution that allows the agency to have an ongoing role in regulating dispensaries. The resolution allows the city to:

- set hours of operation for RMDs,
- require RMDs to work with abutters and community members to address ongoing concerns around operation,



- establish a local licensing procedure including annual inspections and license renewal,
- place further restrictions on signage and to require additional security measures.

Some cities and towns have opted for onerous regulations in response to political opposition from the community. Advocates for those with disabilities should oppose regulations that would hinder patient access including:

- Zoning in industrial zones or away from public transportation,
- Requiring patients visit the dispensary by appointment only,
- Requiring large payments to the municipality, the costs of which are ultimately passed on to patients,
- Severely restricting hours of operation.

PUBLIC SAFETY AND YOUTH USE

Studies on public safety: Because of strict security measures that are required, well regulated dispensaries increase public safety in the vicinity.

- A 2010 study commissioned by the Los Angeles Police (LAPD) found that banks are more likely to get robbed than dispensaries and that the claim that dispensaries attract crime "Does not bear out," according to the LAPD chief.ⁱⁱ
- A 2012 UCLA study found that dispensaries do not attract crime.ⁱⁱⁱ
- A 2014 study by the University of Colorado found dispensaries have the same impact on neighborhoods as coffee shops, and that residents do not perceive a dispensary as an undesirable use of a storefront.^{iv}

Studies on youth rates of use: Research also demonstrates that medical marijuana laws have no negative impact on youth.

- A recent study published in the Journal of Adolescent Health found that medical marijuana laws do not increase youth use.^v A 2011 Harvard study came to the same conclusion.^{vi}

ADDITIONAL RESOURCES

[Medical Cannabis Dispensaries in the Commonwealth of Massachusetts](#), prepared by Americans for Safe Access

[The Massachusetts Patient Advocacy Alliance](#), Nichole Snow
[Americans for Safe Access](#)

ⁱ http://www.masslive.com/news/index.ssf/2015/10/whats_the_average_age_of_a_nor.html

ⁱⁱ <http://www.dailynews.com/20100117/lapd-chief-pot-clinics-not-plagued-by-crime>

ⁱⁱⁱ <http://www.usnews.com/news/articles/2012/06/06/report-medical-marijuana-dispensaries-not-linked-to-neighborhoodcrime>

^{iv} http://blogs.westword.com/latestword/2014/02/medical_marijuana_dispensaries_denver_neighborhoods_impact.php

^v <http://www.sciencedaily.com/releases/2014/04/140423102754.htm>

^{vi} http://catalyst.harvard.edu/pdf/chirp/Medical_Marijuana_Report.pdf

From: Muehe, Michael
Sent: Monday, March 14, 2016 5:04 PM
Subject: CCPD Board motion supporting medical marijuana dispensaries

Dear Cambridge City Council and Cambridge Planning Board:

At its monthly meeting on March 10, 2016, the Cambridge Commission for Persons with Disabilities Advisory Board ("CCPD Board") unanimously passed a motion in support of the 2012 statewide ballot referendum passed by the citizens of the Commonwealth of Massachusetts (and of the City of Cambridge) in favor of the regulated use of medical marijuana for symptom management, and the CCPD Board hereby requests that the Cambridge Planning Board do whatever it can to provide the community with accessible, safe and affordable registered medical marijuana dispensaries.

All the best,

Michael

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Michael J. Muehe
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Please Note City of Cambridge Business Hours
Mondays: 8:30 AM - 8:00 PM
Tuesdays - Thursdays: 8:30 AM - 5:00 PM
Fridays: 8:30 AM - 12:00 Noon