



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

SPECIAL PERMIT APPLICATION • COVER SHEET

In accordance with the requirements of the City of Cambridge Zoning Ordinance, the undersigned hereby petitions the Planning Board for one or more Special Permits for the premises indicated below.

Location of Premises: _____

Zoning District: _____

Applicant Name: _____

Applicant Address: _____

Contact Information: _____

Telephone #	Email Address	Fax #

List all requested special permit(s) (with reference to zoning section numbers) below. *Note that the Applicant is responsible for seeking all necessary special permits for the project. A special permit cannot be granted if it is not specifically requested in the Application.*

List all submitted materials (include document titles and volume numbers where applicable) below.

Signature of Applicant: _____

For the Planning Board, this application has been received by the Community Development Department (CDD) on the date specified below:

Date

Signature of CDD Staff

541 MASSACHUSETTS AVE, CAMBRIDGE, MA 02139



Amendment to Application for Special Permit to Operate a Co-located Registered Marijuana Dispensary & Cannabis Retail Store

September 12th, 2019

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 - PCR, Certificate of Good Standing, Executive Summary
 - Community Engagement Summary
 - Qless Summary
 - Certificate of Ownership

DIMENSIONAL FORM

Project Address:

Application Date:

	Existing	Allowed or Required (max/min)	Proposed	Permitted
Lot Area (sq ft)				
Lot Width (ft)				
Total Gross Floor Area (sq ft)				
Residential Base				
Non-Residential Base				
Inclusionary Housing Bonus				
Total Floor Area Ratio				
Residential Base				
Non-Residential Base				
Inclusionary Housing Bonus				
Total Dwelling Units				
Base Units				
Inclusionary Bonus Units				
Base Lot Area / Unit (sq ft)				
Total Lot Area / Unit (sq ft)				
Building Height(s) (ft)				
Front Yard Setback (ft)				
Side Yard Setback (ft)				
Side Yard Setback (ft)				
Rear Yard Setback (ft)				
Open Space (% of Lot Area)				
Private Open Space				
Permeable Open Space				
Other Open Space (Specify)				
Off-Street Parking Spaces				
Long-Term Bicycle Parking				
Short-Term Bicycle Parking				
Loading Bays				

Use space below and/or attached pages for additional notes:

FEE SCHEDULE

Project Address:

Application Date:

The Applicant must provide the full fee (by check or money order) with the Special Permit Application. Depending on the nature of the proposed project and the types of Special Permit being sought, the required fee is the larger of the following amounts:

- If the proposed project includes the creation of new or substantially rehabilitated floor area, or a change of use subject to Section 19.20, the fee is ten cents (\$0.10) per square foot of total proposed Gross Floor Area.
- If a Flood Plain Special Permit is being sought as part of the Application, the fee is one thousand dollars (\$1,000.00), unless the amount determined above is greater.
- In any case, the minimum fee is one hundred fifty dollars (\$150.00).

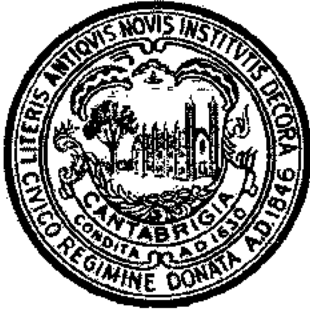
Fee Calculation

New or Substantially Rehabilitated Gross Floor Area (SF): × \$0.10 =

Flood Plain Special Permit Enter \$1,000.00 if applicable:

Other Special Permit Enter \$150.00 if no other fee is applicable:

TOTAL SPECIAL PERMIT FEE **Enter Larger of the Above Amounts:**



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

CERTIFICATION OF RECEIPT OF PLANS BY CITY OF CAMBRIDGE TRAFFIC, PARKING & TRANSPORTATION

City Department/Office:

Project Address:

Applicant Name:

For the purpose of fulfilling the requirements of Section 19.20 and/or 6.35.1 and/or 5.28.2 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a Project Review Special Permit for the above referenced development project: (a) an application narrative, (b) small format application plans at 11" x 17" or the equivalent and (c) Certified Traffic Study. The Department understands that the receipt of these documents does not obligate it to take any action related thereto.

Signature of City Department/Office Representative

Date



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

CERTIFICATION OF RECEIPT OF PLANS BY CITY OF CAMBRIDGE DEPARTMENT OF PUBLIC WORKS

City Department/Office:

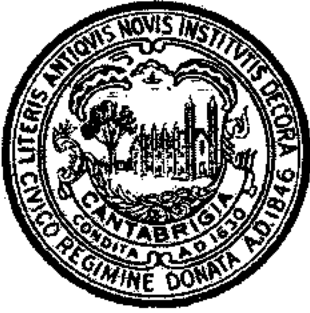
Project Address:

Applicant Name:

For the purpose of fulfilling the requirements of Section 19.20 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a Project Review Special Permit for the above referenced development project: (a) an application narrative and (b) small format application plans at 11" x 17" or the equivalent. The Department understands that the receipt of these documents does not obligate it to take any action related thereto.

Signature of City Department/Office Representative

Date



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

CERTIFICATION OF RECEIPT OF PLANS BY CITY OF CAMBRIDGE TREE ARBORIST

City Department/Office:

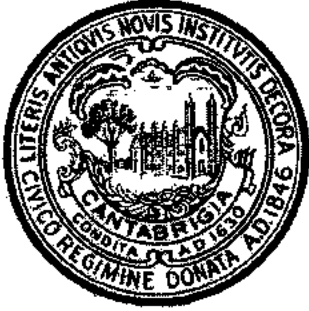
Project Address:

Applicant Name:

For the purpose of fulfilling the requirements of Section 4.26, 19.20 or 11.10 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a MultiFamily, Project Review or Townhouse Special Permit for the above referenced development project: a Tree Study which shall include (a) Tree Survey, (b) Tree Protection Plan and if applicable, (c) Mitigation Plan, twenty one days before the Special Permit application to Community Development.

Signature of City Department/Office Representative

Date



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

CERTIFICATION OF RECEIPT OF PLANS BY CITY OF CAMBRIDGE WATER DEPARTMENT

City Department/Office:

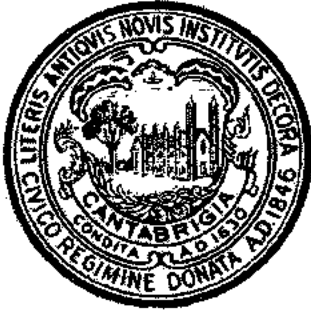
Project Address:

Applicant Name:

For the purpose of fulfilling the requirements of Section 19.20 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a Project Review Special Permit for the above referenced development project: (a) an application narrative and (b) small format application plans at 11" x 17" or the equivalent. The Department understands that the receipt of these documents does not obligate it to take any action related thereto.

Signature of City Department/Office Representative

Date



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

CERTIFICATION OF RECEIPT OF PLANS BY CITY OF CAMBRIDGE LEED SPECIALIST

City Department/Office:

Project Address:

Applicant Name:

For the purpose of fulfilling the requirements of Section 22.20 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a Special Permit for the above referenced development project: (a) an application narrative, (b) small format application plans at 11" x 17" or the equivalent and (c) completed LEED Project Checklist for the appropriate LEED building standard, accompanying narrative and affidavit. The Department understands that the receipt of these documents does not obligate it to take any action related thereto.

Signature of City Department/Office Representative

Date

Revolutionary Clinics, II, Inc.

Proposed co-located Registered Marijuana Dispensary and Cannabis Retail Store

541 Massachusetts Avenue

Project Narrative and Request for Special Permit Amendment and Relief

Summary of Proposal

On December 18, 2018, Revolutionary Clinics II, Inc., (RevC2), was granted a Special Permit by the Planning Board to operate a Registered Marijuana Dispensary, pursuant to Sections 11.800 and 10.43 of the Zoning Ordinance, at 541 Massachusetts Avenue. See Notice of Decision, Planning Board case No. 339, filed January 11, 2019.

RevC2 now proposes, pursuant to 11.802.1 (c) of the Zoning Ordinance and Chapter 55 of the Acts of 2017, *An Act to Ensure Safe Access to Marijuana*, 935 CMR 500.00, to co-locate a Cannabis Retail Store at the same site. The requested amendment to Special Permit 339 does not propose adding any off-street parking.

The proposal includes renovation of the 6,025 square feet located on the first floor of the existing structure and includes minor renovations to the exterior façade.

RevC2 has previously submitted in connection with its application for Special Permit 339, and incorporates by reference herein, Special Permit Application Forms, Project Narrative, Description of Activities, Service Area, Transportation Analysis, Community Outreach Summary, Dimensional Form and detailed architectural drawings and plan sets prepared and revised by Elton + Hampton Architects, including Context Map, Proximity Uses Map, Site Plan, Elevations, Renderings and Floor Plans. See attached as Exhibit A, Special Permit Application for RMD at 541 Massachusetts Avenue.

The site is within the Central Square Overlay District. A report was issued by the Central Square Advisory Committee, in connection with Special Permit 339, dated October 1, 2018. Moreover, also in connection with Special Permit 339, the City of Cambridge submitted Memorandums from CDD staff dated October 10, 2018 and December 10, 2018 and a Memorandum from Joseph E. Barr, Director of Traffic, Parking and Transportation dated October 12, 2018.

Requested Special Permit Relief

The project is located in the Business B (BB) District and requires a Special Permit to allow a Cannabis Retail Store use per Section 11.800, *et seq.* RevC2 seeks specific Special Permit relief per 11.803.1, 11.803.3, 11.805 and 10.43.

Project Narrative pursuant to 11.804 (a) thru (g)

- **Description of Activities: a narrative providing information about the type and scale of all activities that will take place on the proposed site, including but not limited to cultivating and processing of Cannabis Products, on-site sales, off-site deliveries, distribution of educational materials, and other programs or activities.**

RevC2 proposes to co-locate a Cannabis Retail Store at 541 Massachusetts Avenue. This site has been approved for a Registered Marijuana Dispensary. See Notice of Decision, Planning Board case No. 339, filed January 11, 2019. RevC2 will maintain its commitment to provide cannabis products to patients for medical use and will specifically designate a portion of its inventory, as required by CCC directive, for those purposes. RevC2 seeks by this application to provide cannabis products for non-medical use within the same 6,025 square foot space located on the first floor of 541 Massachusetts Avenue, Cambridge, pursuant to Ordinance No. 1404 and Section 3(a)(1)(i) of MGL Chapter 94G, as amended by Section 23 of Chapter 55 of the Acts of 2017. There will be no cultivation or processing of cannabis products at this location, nor will there be any off-site deliveries made to customers. RevC2 operates a cultivation facility in Fitchburg and all products will be pre-packaged there and there will be no packaging or repackaging of cannabis products at 541 Massachusetts Avenue. This location will be used only to purchase and transport cannabis or marijuana products from Cannabis or Marijuana Establishments and to sell or otherwise transfer these products to Cannabis or Marijuana Establishments and to consumers. This space is currently in the final phase of construction pursuant to previously issued building permits. There will be minimal changes from the approved construction plans; the changes are documented in the previously submitted Permit Drawings as revised by the attached Documents and

Plans submitted in connection with the instant application for Special Permit for Cannabis Retail Store. The Cannabis Retail Store will operate independently of the Registered Marijuana Dispensary, although it will be located within the same physical space, because the proposed operations will simply designate POS terminals for medical and non-medical purchases. There will also be an active retail dynamic, separate from the dispensary, that will be located on the prominent corner of Massachusetts Avenue and Norfolk Street. This active retail dynamic was created in response to community feedback, Planning Board suggestion and the comments made by the Central Square Advisory Committee.

The structure at 541 Massachusetts Avenue is concrete block exterior with wood framing construction typical of the day and age. Minor renovations have been made to the front façade in order to actively engage the streetscape with art and to separate the dispensary from the active retail dynamic located at the corner of Norfolk Street and Massachusetts Avenue. The interior of the building has undergone extensive remodeling to repurpose as a RMD and has been outfitted with a sophisticated security system that includes surveillance cameras, silent and audible alarms, motion detectors and real-time remote monitors that can be readily accessed by the Cambridge Police Department. Steel entry doors have been installed that are equipped with an electronic control access system and will be controlled by key card locks that create an audit trail. The exterior of the building will be monitored by surveillance cameras enabled to pan, tilt, and zoom, and with the ability to see during both day and night (without additional lighting). The perimeter of the facility will be amply lit, in compliance with the recommended standards of the Draft Outdoor Lighting Ordinance provided to the City Council by the City's Lighting Task Force, with warning and surveillance signs displayed. A secure storage vault room has been constructed and which will contain a GSA approved 13 cubic-foot, drill-resistant, steel-plated safe with keypad access that will be anchored to the floor. All security measures meet or exceed compliance with 105 CMR 725.110.

The building at 541 Massachusetts Avenue is serviced by on-street metered parking and Cambridge Municipal parking lot No. 5, which is located immediately adjacent to the rear of the building. Municipal parking lot No. 5 provides 82 automobile parking spaces and allows 2-hour parking for \$1.25 per hour between 8:00 a.m. and 6:00 p.m. There are four additional municipal parking lots within walking distance. In addition, this site is approximately 100 steps from the Central Square MBTA Red Line station, and there are 7 MBTA bus lines that connect in Central Square. There are also four Blue Bike Stations within a 5-minute walk of the site. In addition, RevC2 will provide 4 long-term bicycle parking spaces and contribute to the City Public Bike fund for 6 short-term parking spaces.

Customers will only gain access to the Cannabis Retail Store after providing a valid, government-issued photographic ID that is verified both electronically and manually. All customers will be initially greeted by a registered marijuana agent located in the security vestibule inside the main entrance, and after verification, customers will be into the dispensary where they will be greeted by a receptionist and provided an opportunity to consult in private with a RevC2 employee in the lounge area located in the south corner of the sales floor. Otherwise, customers will receive a brief orientation to the facility at the reception area immediately inside the dispensary. All RevC2 employees are trained to provide important information to all customers during this one-on-one interaction regarding the safe use of cannabis. A registered marijuana agent will then escort the customer to the display pedestals from which the customer will be able to make their selection. Products displayed will include cannabis flowers, concentrates and marijuana infused products. The customer's order will be placed on a handheld device by the registered marijuana agent, and then he/she will move to the fulfillment/point-of-sale area where payments will be processed and the product will be sealed in an opaque, tamper-resistant childproof exit bag. All exit bags will contain printed educational materials.

The customer will exit through the entrance at the security vestibule. Customers will be required to exit the facility as soon as their order has been filled, will not be allowed to loiter around the premises, and will be prohibited from ingesting any cannabis product on the premises. Any violations of state, local or CCC regulations will be reported immediately and RevC2 will respond appropriately to any potential nuisance.

RevC2 recognized the need to create a street façade that engages the sidewalk, encourages interaction, and which enhances the pedestrian corridor along Massachusetts Avenue, despite the restrictions regarding screening the interior activities from public view. Accordingly, RevC2 designed a separate storefront that will house an active retail dynamic located immediately

inside the clear glass windows on the corner of Norfolk Street and Massachusetts Avenue. Moreover, as pedestrians pass by the front entrance to the dispensary located on Massachusetts Avenue, they will be engaged by a display of local artwork that will be curated in connection with the celebrates the historical contributions of the minority community to Cambridge. This artwork will be displayed in a way to attract the attention of the pedestrian. The existing mural on the building's east wall has been preserved and there will be a mural painted on the rear façade of the building which faces Municipal Lot No. 5.

All of the alterations to the property are shown on the Plans attached hereto and incorporated herein by reference.

- Security Systems Summary

As noted above, this building will be outfitted with state-of-the-art security systems. RevC2 has retained Lan-Tel Security Systems, one of the leading security consultants in the cannabis industry which has already developed and implemented security systems for the operational RevC2 RMD located at 110 Fawcett Street in Cambridge. Confidential security information will be submitted to the Cambridge Police Department for review and feedback. During all hours when the Cannabis Retail Store is open for business, there will be live on-site security agents who have been trained in crime prevention standards and will have experience in the surveillance of highly regulated retail operations. All security measures will meet or exceed compliance with 105 CMR 725.110. The interior and exterior of the building will be outfitted with approximately 20 (twenty) high definition IR surveillance cameras that are connected to a secure video VLAN. All cameras will be stored for a minimum of ninety days. Silent and audible alarms will be added as another security layer via Access Control and Intrusion. Real-time remote monitors for Access Control and CCTV will be available 24 hours a day. Steel entry doors will be equipped with an electronic control access system and will be controlled by electric and electrical mechanical locks that create an audit trail. Staff access within the facility will be monitored by a keycard program that provides staggered levels of access to staff members. Only essential staff will be granted access to secure points within the facility, such as the vault and fulfillment area. Limited Access areas will be identified by clearly visible signs. Only designated staff, law enforcement and CCC regulatory agents will be allowed access to those areas. The perimeter will be amply lit, in compliance with the recommended standards of the Draft Outdoor Lighting Ordinance provided to the City Council by the City's Lighting Task Force, and surveillance signs will be posted.

- Law Enforcement and Public Safety Official Communication

RevC2 has contacted the Cambridge Police Department to discuss the development and implementation of its security systems. RevC2 will maintain direct communication and an open door policy with regards to all state and local law enforcement, public safety and public health agencies, including, but not limited to the CCC. This policy begins by notifying all such agencies of the presence of a Cannabis Retail Store, its security protocols and the intended operations. It continues by informing them of all on-going operations and educating them on various aspects of what the company does. This can include informing them about the products it handles, the purpose and locations of key functions in the facility, incident preparedness policies and procedures, emergency exits and assemblage locations, utility service shut off points, and emergency/post emergency contact information.

- On-Site Security Personnel

Dispensary security operations will be overseen by dedicated security agents who will be present on-site at all times during business operations. The duties of these agents are multifaceted and include monitoring and surveillance of the facility entrance and exit, perimeter inspections, and working with RevC2 staff to prevent adverse incidents from occurring. The agents will be supported by a comprehensive electronic security system comprised of cameras, motion detectors, and duress alarms, as well as comprehensive emergency procedures and employee training. RevC2 will ensure that its security agents inform all customers that loitering is prohibited. All identified violations of state, local or CCC regulations will be immediately reported.

- 24/7/365 Surveillance Cameras

A secured network of surveillance cameras will be strategically placed around the perimeter of the building and in every area

inside the building where customers will be and where regulated products are handled. This includes all entrance and exit traps, the secure waiting/education area, the display floor, the sales and fulfillment areas, the inventory safe area, all back-office entrances, exits and corridors, and the entire delivery packaging/loading/unloading area. The building will be outfitted with 20 (twenty) plus high definition IR surveillance cameras that are connected to a secure video VLAN. All cameras will be stored for a minimum of ninety days. Surveillance cameras are enabled to pan, tilt, and zoom, and ability to see during both day and night (without additional lighting). Real-time remote monitors for Access Control and CCTV will be available 24 hours a day.

- Access Control System

An automated access control panel will control all access points in the facility. The system is strategically designed to enhance personal safety and prevent diversion and theft by limiting work area access to authorized personnel only and tracking activity throughout the facility. Only personnel that are essential to the operation of a given area will be allowed access to that area. All visitors must be logged in and out, and that log will be available for inspection by the CCC at all times. All visitor identification badges shall be returned to the security vestibule upon exit.

- Alarm Systems

The facility will be equipped with two independent alarm systems on all perimeter entry points and perimeter windows. Two independent systems (access control/intrusion) will monitor the system 24 hours a day. The system provides redundant backup in the event that the primary system fails to function properly.

- Inventory Tracking and Control System

A comprehensive inventory tracking and control system is essential to the security of the facility. It allows RevC2 to maintain awareness and control over where products are at any given stage in the distribution process. RevC2 LLC will utilize a fully integrated enterprise application software package that includes cultivation management, inventory management, cash management, and employee tracking, as well as a Point-of-Sale system. In addition to daily inventory tracking procedures, a monthly inventory count will be conducted by the entire Inventory Department to ensure absolute accuracy and accountability.

- Employee Training

Staff will be hired on a 3-month probationary status. They will participate in rigorous training conducted at the RevC2 cultivation facility in Fitchburg, and will be evaluated for suitability in a restricted-access, highly regulated retail environment. Training includes the employee handbook, reading materials, lectures by professionals, hands-on training and quizzes. Legal training will cover all State & Federal laws relating to cannabis and marijuana infused products. Legal obligations of licensed cannabis establishments will be emphasized. Topics will include the CCC rules and regulations, sexual harassment, interaction with law enforcement, and the rights and responsibilities of registered marijuana agents. Legal training will include at least one two-hour session with an attorney.

Medical training will include disabled rights and sensitivity, how to identify and interact with any individual having a medical emergency, the proper uses and benefits of cannabis use and appropriate warnings.

Sales staff will be trained in safe cannabis use and will be instructed to guard against pushing retail sales. The focus will be on assisting customers in making appropriate decisions about how best to choose the type of cannabis that is right for them. Staff will be provided with ongoing training in product information as well as general service philosophy.

In addition to its focus on safety, security training will include acceptable currency identification, warning signs of possible diversion to the illegal market, lock and alarm procedures, perimeter and entrance control, robbery response techniques, conflict resolution techniques and diversion detection techniques.

- Operations

RevC2 anticipates operating a Cannabis Retail Store between the hours of 9:00 AM –11:00 PM, subject to the approval of the Planning Board.

- Careers

RevC2 anticipates hiring in excess of 25 employees for full-time positions. Employees will receive a salary, benefits, and substantial training. Because RevC2 recognizes its role as a leader in the legal cannabis marketplace, it will prioritize hiring Cambridge residents, minorities, women and other individuals that reside in areas of disproportionate impact. RevC2 will also offer employment to individuals with drug-related CORI but which are otherwise employable in a cannabis-related enterprise. As stated above, RevC2 will prioritize hiring local Cambridge residents with the aspirational goal of creating a 100% transit-oriented workforce.

- Trash Management

Any trash containing cannabis or marijuana infused products is required to be stored securely on site within the facility vault. The products will be transported back to the cultivation facility from which they were purchased wholesale and where they may be safely destroyed. A minimal amount of business related waste will be generated from the facility and disposed of by commercial trash pickup.

- Deliveries

Product deliveries will occur between two and three times each week in unmarked sprinter vans. There will be no advertising, markings, or branding indicating that the vehicle is being used to transport cannabis. Routes and times used for the transportation of cannabis and marijuana infused products are randomized. Cannabis and marijuana infused products will be transported in secure, locked storage compartments that are an after-market modification made to the transport vehicle so that the cannabis and marijuana infused products cannot be easily removed. At least two agents will staff vehicles transporting cannabis. One agent will remain in the vehicle at all times, and the other will be accompanied by a designated RevC2 staff member into the facility and within the vault where the inventory will take place. An armored car service will pick up cash as needed each week. At no time shall a transport vehicle stop or park on Massachusetts Avenue, or on any other public street, in a way that blocks emergency vehicle access or unreasonably impedes the flow of vehicle, pedestrian or bicycle travel. All loading and deliveries will occur on Norfolk Street. See the Logistics Plan PREPARED BY Howard Stein Hudson and attached hereto as Exhibit E, in response to 11.804 (e) for additional detail.

- Payment Processing and Cash Handling

RevC2 maintains a business banking relationship with a well-known financial institution and will accept cash and debit cards. Like any such business, RevC2 will employ a sophisticated cash-handling procedure that will include comprehensive employee training, strict policies and procedures for how cash is counted, handled, recorded and stored. Cash collection will occur on a timely basis to ensure that no more cash than is necessary for the ordinary course of business is kept on site.

- Traffic and Parking

RevC2 does not propose adding any off-street parking and seeks a small business exemption. Pursuant to Article 6.000, the minimum off-street parking for this use in the Business B (BB) district is 1 space per 1,800 square feet, or 4 spaces for this 6,025 square foot use at 541 Massachusetts Avenue. Per Article 6.000, 6.35.1, and Section 6.32.1, *Small Business*, parking and loading requirements shall be waived for any nonresidential use in a business district if such use would require four (4) or fewer spaces.

Nonetheless, despite the ready availability of existing off-street parking in Municipal lot No. 5, RevC2 has taken great care to develop operational procedures to ensure that customer visits are short in duration and will not result in queuing or other

congestion to enter or exit the facility. Operational procedures will be adjusted as needed to ensure optimal function of the facility. When possible, consultations will be scheduled during off-peak hours. If necessary, during the initial 6 months of operations, RevC2 will use an on-line pre-purchase and appointment only scheduling system.

Please see the enclosed Transportation Logistics Plan prepared by Howard Stein Hudson, attached hereto as Exhibit E.

Further, RevC2 has already agreed, in connection with Special Permit 339 to operate a RMD at 541 Massachusetts Avenue, to undertake the following proactive traffic mitigation efforts:

- Provide 100% MBTA T-Pass subsidies, up to the federal fringe benefit, to all employees, with a pro-rated incentive for any part-time employees;
- Provide lockers in the break room for employees that walk or bike to work;
- Compile and provide to all employees, including during employee orientation, up to date transportation information explaining all commuter options;
- Provide customers with information regarding transportation options to access the facility;
- Provide and maintain information on the Applicant's website and other distributed material on how to access the facility by all modes of transportation, with an emphasis on non-automobile modes;
- Participate in transportation-related training offered by the City of Cambridge or a local Transportation Management Association; or
- Designate a Transportation Coordinator to develop and manage the implementation of a Transportation Demand Management plan.
- Personnel Policies

Clearly defined and reinforced personnel policies will contribute to a consistently safe, focused work environment, staffed by a competent team. Adherence to proper safety protocols and adequate oversight of information will be the foundation of all personnel policies. RevC2 is dedicated to competitive pay structures, opportunities for advancement, and merit-based bonuses, and will provide employees with a highly competitive benefits package. RevC2 will not discriminate against current or potential employees based on race, color, religious creed, national origin, sex, gender identity, sexual orientation, genetic information, or ancestry of any individual, refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment, unless based upon a bona fide occupational qualification.

- Customer Education

Education is a top priority for RevC2 and will be a central theme evident throughout its Cannabis Retail Store. Educational support will be provided on a one-to-one basis beginning with the first customer visit with the goal of establishing a long-term relationship. RevC2 employees will be trained to listen attentively and provide auditory and visual educational instructions. All customers will be given printed as well as online information including scientific research related to cannabis use, how to promote an overall healthy lifestyle, the safest and most effective means of ingesting cannabis, and booklets and materials on a number of conditions, ailments, cannabis strains and products, and effects when ingested.

All customers will be instructed during the initial intake that RevC2 emphasizes respect for the surrounding neighborhood. RevC2 will provide online access and print booklets to a family of appropriate materials including; Research on Cannabis, History of Cannabis as Medicine, Comparison of Medications - Efficacy and Side-Effects, Chronic Pain and Medical Marijuana, Multiple Sclerosis and Medical Cannabis, Cancer and Medical Marijuana, HIV/AIDS and Medical Marijuana, ASA Newsletters, Talking to Your Doctor, Cannabis Safety, Guide to Using Medical Cannabis, Recipes for Non-Inhalation Delivery Methods, and a How to

Access Local Support Groups. RevC2 will also provide information and resource materials about substance abuse and marijuana addiction from national health organizations. Website and booklets will be available in English and Spanish, with more languages to follow.

Distribution of Educational Materials will be as follows:

First Visit: Customers visiting the Retail Cannabis Store for the first time will go through an intake process where they receive a primer on regulations surrounding cannabis; how to safely consume, store, and transport their product; and information regarding strains, dosage, and desired effects. All customers will be instructed that respect for the surrounding neighborhood is paramount and that public consumption, diversion, queuing, loitering, and other nuisance behaviors are not tolerated and practicing them will result in an immediate ban from all RevC2 facilities.

Visual Materials: RevC2 will display a variety of educational materials. Flyers, pamphlets, and other materials will be available in the waiting/education area as well as throughout the sales floor. There will also be signage proximate to point-of-sale terminals reminding customers about the consequences of product diversion.

Auditory Reminders: RevC2 employees will receive ample training about effective educational tools that can be used during transactions. Employees will educate customers at the point of sale about how to safely store, consume, and transport their product in a friendly, approachable manner.

Takeaway Material: Product safety guides and general informational material will be placed in each and every bag to ensure customers have access to safety materials when they intend to utilize the product. RevC2 intends to work with the Cambridge DPH to develop these materials.

(b) Context Map: A map identifying, at a minimum, the location of the proposed establishment, the locations of all other Cannabis Uses in the vicinity, the locations of all public or private schools providing education in kindergarten or any grades one through 12, and the locations of all children’s playgrounds, youth athletic fields, or other youth recreation facilities, with measured distances provided to demonstrate whether the location complies with the standards of Section 11.803 above.

Please see enclosed Context Map prepared by Howard Stein Hudson, and attached hereto as Exhibit B. The Context Map identifies both a 300 foot and 1,800 foot buffer zone around 541 Massachusetts Avenue.

The site is located more than 300 feet distant of the Henry Buckner School, a private facility that provides early childhood learning and care to approximately 70 infants, toddlers, pre-school, kindergarten and first grade children. There are no other public or private schools providing education in kindergarten or any grades one through 12, nor are there any children’s playgrounds, youth athletic fields, or other youth recreation facilities, within 300 feet of the property.

Also, as clearly stated above, RevC2 has previously been granted a special permit from the Planning Board to operate a Registered Marijuana Dispensary at 541 Massachusetts Avenue. See Special Permit Case no. 339. The premises are presently in the final stage of construction. Upon information and belief, there are other applicants contemplating entry to the Central Square Business District that have been certified as Economic Empowerment Applicants by the CCC. Those EE applicants are therefore exempt from the 1800 foot buffer between Cannabis Retail Stores per 11.803.1 (b), and one or more may be in the planning stages of seeking local approval to operate cannabis establishments within the Central Square Business District.

(c) Site Plan: A plan or plans depicting all existing and proposed development on the property, including the dimensions of the building, the detailed layout of automobile and bicycle parking, the location of pedestrian, bicycle and vehicular points of access and egress, the location and design of all loading, refuse and service facilities, the location, type and direction of all outdoor lighting on the site, and any landscape design.

Please see the enclosed Site Plan prepared by Howard Stein Hudson, attached hereto as Exhibit C.

(d) Building Elevations and Signage: Architectural drawings of all exterior building facades and all proposed signage, specifying materials and colors to be used. Perspective drawings and illustrations of the site from public ways and

abutting properties are recommended but not required.

Please see the enclosed building renderings and signage prepared by Elton + Hampton Architects, attached hereto as Exhibit D.

(e) Logistics Plan: A plan identifying the on-site or off-site locations where deliveries and loading functions will take place and a narrative describing how deliveries to the site, loading and other service functions will be conducted, as well as a plan and narrative identifying the transportation options for customers and employees, including public transportation services, on-site and off-site parking facilities, and bicycle facilities.

Please see enclosed Transportation Logistics Plan prepared by Howard Stein Hudson, attached hereto as Exhibit E.

(f) License or Registration Materials: Copies of all materials submitted to applicable state and local agencies for the purpose of licensing and/or registration, and any certification or license issued by any such agency, excluding any information required by law to be kept confidential.

Please see the enclosed documentation submitted to the Cannabis Control Commission, attached hereto as Exhibit F.

(g) Host Community Agreement: A narrative describing progress that has been made at the time of application toward establishing a host community agreement with the City of Cambridge.

RevC2 has initiated communications with the Office of the City Manager to determine the time frame for negotiation of the terms of a Community Host Agreement.

Requested Special Permit Relief per 11.803.1

This site of the proposed Cannabis Retail Store at 541 Massachusetts Avenue is located within the Business B (BB) zoning district, and pursuant to Section 11.803.1 (a), this use is permitted by the grant of special permit from the Planning Board. Moreover, the 1,800 foot buffer zone contained in 11.803.1 (b) does not apply to this proposal because RevC2 has already been granted a Special Permit to operate an RMD at this location. Please see Notice of Decision, Planning Board Case No. 339, filed January 11, 2019. All products offered to consumers will be pre-packaged off-site in childproof, tamper resistant packaging. There will be no packaging or re-packaging of cannabis or marijuana products within the proposed RevC2 facility, as all of the manufacturing, packaging and processing of products occurs in the Fitchburg cultivation facility.

Requested Special Permit Relief per 11.805

Special Permit Criteria. In granting a special permit for a Cannabis Retail Store or Cannabis Production Facility, in addition to the general criteria for issuance of a special permit as set forth in Section 10.43 of this Zoning Ordinance, the Planning Board shall find that the following criteria are met:

(a) The site is designed such that it provides convenient, safe and secure access and egress for customers and employees arriving to and leaving from the site using all modes of transportation, including drivers, pedestrians, bicyclists and public transportation users.

RevC2 does not propose adding any off-street parking and seeks a small business exemption. Pursuant to Article 6.000, the minimum off-street parking for this use in the Business B (BB) district is 1 space per 1,800 square feet, or 4 spaces for this use at 541 Massachusetts Avenue. Per Article 6.000, Section 6.32.1, *Small Business*, parking and loading requirements shall be waived

for any nonresidential use in a business district if such use would require four (4) or fewer spaces. RevC2 is creating an additional 4 long-term bicycle parking spaces and has committed to contribute to the City Public Bike fund for 6 short-term bicycle parking spaces.

Nonetheless, despite the availability of existing off-street parking in Municipal lot No. 5, RevC2 has taken great care to develop operational procedures to ensure that customer visits within the proposed Cannabis Retail Store are short in duration and will not result in lines or other congestion to enter or exit the facility. Operational procedures will be adjusted as needed to ensure optimal function of the facility. When possible, consultations will be scheduled during off-peak hours. If necessary, RevC2 will use an on-line appointment scheduling system.

Please see the enclosed Traffic Impact Statement prepared by Howard Stein Hudson, attached hereto as Exhibit E.

Further, RevC2 has previously agreed to, in connection with Special Permit 339 at this location, undertake the following proactive traffic mitigation efforts:

- Provide 100% MBTA T-Pass subsidies, up to the federal fringe benefit, to all employees, with a pro-rated incentive for any part-time employees;
- Provide lockers in the break room for employees that walk or bike to work;
- Compile and provide to all employees, including during employee orientation, up to date transportation information explaining all commuter options;
- Provide customers with information regarding transportation options to access the facility;
- Provide and maintain information on the Applicant's website and other distributed material on how to access the facility by all modes of transportation, with an emphasis on non-automobile modes;
- Participate in transportation-related training offered by the City of Cambridge or a local Transportation Management Association; or
- Designate a Transportation Coordinator to develop and manage the implementation of a Transportation Demand Management plan.

(b) On-site loading, refuse and service areas are designed to be secure and shielded from abutting uses.

The on-site loading, refuse and service area are located in a shared parking area adjacent to the rear of the property. Deliveries will occur at Municipal lot no. 5 in the shared loading parking spaces at randomized times and will consist of a single sprinter van arriving in the rear parking lot. The sprinter van will park in the designated loading zone and remain there for approximately 15 minutes. The product will be physically carried into the store in a non-descript plastic bin through the side entrance located on Norfolk Street. While the product is carried from the sprinter van to the store, the driver will remain in the van. The registered marijuana agent that hand-delivers the product to the on-site manager of the RevC2 facility is responsible for executing the manifold, participating in the inventory and communicating with the cultivation center that the delivery has been completed. Other than parking in the designated loading zone and walking into the rear entrance, all loading activity occurs within the facility itself.

The refuse and service area are also located in parking lot at the rear of the building. This area is used by several of the neighboring businesses, is decrepit and has presented an on-going challenge to the City and the community. RevC2 has committed to participate in the funding of a mural to be painted on the rear façade of the building. As stated above, all marijuana or marijuana infused products that are waste must be stored on-site and returned to the cultivation center for proper disposal. The refuse produced by this use is very minor.

(c) The building and site have been designed to be compatible with other buildings in the area and to mitigate any negative aesthetic impacts that might result from required security measures and restrictions on visibility into the building's interior.

The building construction and proposed use are consistent with the Urban Design Objectives outlined in the K2C2 Study and set forth in Section 19.30. RevC2 has invested considerable time and resources to design a dispensary that incorporates public comment, suggestions from the Planning Board and CDD staff and the input from the Central Square Advisory Committee. RevC2 believes that this facility will complement and improve the aesthetics of the surrounding neighborhood. The design will shield from the public view the entirety of the sales area and regulated material, while also engaging the community with an active retail dynamic and art displays that will be visible through the existing clear glass windows on the front facade. The proposed lighting and security measures will be sensitively placed, in compliance with the recommended standards of the Draft Outdoor Lighting Ordinance provided to the City Council by the City's Lighting Task Force, to provide a safe yet unobtrusive means of surveillance for the appropriate and most sensitive portions of the building and building sites. In addition, the design and use of the proposed facility will be consistent with and maintain the form and character desirable for the Central Square neighborhood.

(d) In retail areas, the location and design of the Cannabis Use will not detract from the sense of activity with opaque, unwelcoming façades at the ground floor. Where interior activities must be screened from public view, such areas should be screened by transparent, publicly accessible active business uses where possible. Opaque façades should be minimized, and where they are necessary they should include changing public art displays or other measures to provide visual interest to the public.

RevC2 is pleased that the language contained in 11.805 (d) seems to have been developed, in part, due to the exhaustive design process and collaborative effort demonstrated by RevC2 and the City of Cambridge in connection with its application for a Special Permit for a RMD at 541 Massachusetts Avenue.

RevC2 has created a street façade that engages the sidewalk, street and pedestrian corridor despite the CCC restrictions on visibility into the interior. The active retail dynamic at the prominent corner of Norfolk and Massachusetts Avenue as well as the rotating display of local artwork at the front façade of the building will provide ongoing opportunities for street activation. The retail area, where cannabis products are displayed, will be located behind the artwork displayed on the dividing security wall. The proposed alterations to the property are shown on the Plans attached hereto and incorporated herein by reference.

(e) If the proposed Cannabis Retail Store or Cannabis Production Facility is not proposed to include a Medical Marijuana Treatment Center, it will nevertheless provide programs to assist qualifying patients within the city or neighborhood who are registered through the Massachusetts Medical Use of Marijuana Program in obtaining services under that program.

RevC2 will absolutely maintain its status as a RMD and will absolutely remain an operational medical marijuana treatment center while also providing whatever assistance that it may lawfully provide to assist qualifying patients in Cambridge to access services through the Medical Use of Marijuana Program.

Requested Special Permit Relief per 10.43

Pursuant to section 10.43 of the Cambridge Zoning Ordinance, special permits will normally be granted where provisions of this ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public good because:

- **It appears that requirement of this Ordinance cannot or will not be met.**

With the requested Special Permit, the Project will meet all requirements of the Ordinance.

- **Traffic generated and or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character.**

RevC2 respectfully submits that its proposed use of this property will not disturb the existing right of way, pedestrian access, and will not cause a serious hazard to vehicle or pedestrian traffic. Traffic generated and patterns of access or egress will not cause congestion, hazard, or substantial change in the established neighborhood character. Central Square is a vibrant, bustling neighborhood that has historically been the center of Cambridge's cultural, commercial and social services industry. Although the neighborhood has been the site of some recent redevelopment, the RevC2 proposed Cannabis Retail Store will be designed, constructed and operated to be consistent with both the established and emerging character of the neighborhood. The entire retail space will occupy 6,025 square feet, with a portion of that dedicated to an active retail dynamic and the display of artwork. The education/intake area will allow customers to enter the facility and will prevent any loitering outside the facility (which will be strongly discouraged). After valid government issued photographic identification is produced and verified, customers will pass through a secure door into the education/intake area that leads to the retail floor. Patrons will be fully inside the facility while being educated about the RevC2 product line before they enter the sales area where transactions take place. Educational and instructional materials will be available and disseminated along with information about restrictions on public consumption, dosage, abuse and resources for help.

Additionally, this site is approximately a 1-minute walk from the Central Square MBTA Red Line Station, there are 7 MBTA bus lines that connect in Central Square and there are four Blue Bike Stations within a 5-minute walk. Although RevC2 expects that most customers will walk or use other non-automobile modes of transport, Massachusetts Avenue provides on-street metered parking and Cambridge Municipal parking lot No. 5, which is adjacent to the rear of the building, has 82 spaces and allows 2-hour parking for \$1.25 per hour between 8:00 a.m. and 6:00 p.m. There are also four additional municipal parking lots within walking distance. This is a highly transit-oriented site. For additional information regarding transportation impacts, see the Traffic Impact Statement prepared by Howard Stein Hudson, and attached hereto as Exhibit E.

- **The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use, or**

The proposed use is retail only, with an emphasis on customer education. RevC2 is a locally-owned cannabis company that has been fully vetted by the City of Cambridge, DPH and CCC. RevC2 operates a RMD at 110 Fawcett Street in Cambridge and has experienced no negative or adverse impact on neighboring uses. RevC2 is committed to setting the standard for operational excellence within the entire cannabis industry. Accordingly, there are no applicable adjacent uses that will be developed or adversely affect the nature of the proposed use. There will be no packaging, repackaging, cultivation or processing activities of any type occurring at this site.

- **Nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the city, or**

No nuisance or hazard will be created that will affect the health, safety, or welfare of the occupant of the proposed use or the citizens of the City of Cambridge. In November of 2016, nearly 80% of Cambridge voters approved Question 4, the ballot initiative to legalize the adult use of marijuana. In July of 2017, Chapter 55 of the Acts of 2017, *An Act to Ensure Safe Access to Marijuana*, was adopted. That act allows existing priority RMDs, pursuant to Section 3(a) (1) (i) of MGL Chapter 94G, as amended by Section 23 of Chapter 55 of the Acts of 2017, to co-locate an adult use dispensary within the same physical facility. The statute states in pertinent part, that local zoning ordinances or by-laws shall not;

“prevent the conversion of a medical marijuana treatment center licensed or registered not later than July 1, 2017, engaged in the cultivation, manufacture or sale of marijuana or marijuana products to a marijuana establishment engaged in the same type of activity.”

Moreover, since Cambridge first adopted its zoning in 2013, a vast majority of all city officials, department heads, community activists and elected officials have devoted an extraordinary amount of time, effort, and thought to developing standards to

apply to this emerging industry in Cambridge.

- **For other reasons, the proposed use would not impair the Integrity of the district or adjoining District, or otherwise derogate from the intent and purpose of this Ordinance, and;**

The proposed RevC2 Cannabis Retail Store will not impair the integrity of the District or the adjoining District because it is located within the designated zoning area, Business B (BB), and its use will not be apparent to the public way. Additionally, the design plan allows for patrons to quickly and safely enter the facility and remain in an intake/educational area until they are assisted by a registered marijuana agent. Because the exterior windows will remain clear glass, and because an active retail dynamic will occupy the corner of Norfolk Street and Massachusetts Avenue, the facility will enhance the pedestrian corridor along Massachusetts Avenue by offering a dynamic interaction with the streetscape in Central Square. Finally, the overall security plan provides a proven approach to safe and efficient entry and egress and establishes significant deterrent measures to prevent any noticeable nuisances associated with this emerging industry from occurring.

- **The new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30**

The building construction and proposed use are consistent with the Urban Design Objectives outlined in the K2C2 Study and set forth in Section 19.30. RevC2 has invested considerable time and resources to design a Cannabis Retail Store with design elements that will fit seamlessly with the culture of Cambridge. RevC2 believes that this facility will complement and improve the aesthetics of the surrounding neighborhood. The design will shield from the public view the entirety of the sales area and regulated material, while also engaging the community with art displays that will be visible through the existing clear glass windows on the front facade. The exterior façade will be gently renovated, with particular attention paid to restoring the historical integrity of the building. The proposed lighting and security measures will be sensitively placed, in compliance with the recommended standards of the Draft Outdoor Lighting Ordinance provided to the City Council by the City's Lighting Task Force, to provide a safe yet unobtrusive means of surveillance for the appropriate and most sensitive portions of the building and building sites. In addition, the design and use of the proposed facility will be consistent with and maintain the form and character desirable for the Central Square neighborhood.

EXHIBIT A



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

2019 JAN 11 AM 8:39

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

NOTICE OF DECISION

Case Number:	339
Address:	541 Massachusetts Avenue
Zoning:	Business B District / Central Square Overlay District
Applicant:	Revolutionary Clinics II, Inc. 9 Bartlet Street, #335, Andover, MA 01810
Owner:	545-565 Mass Ave, LLC 585 Massachusetts Avenue, Cambridge, MA 02139
Application Date:	September 20, 2018
Date of Planning Board Public Hearing:	October 16, 2018; December 18, 2018
Date of Planning Board Decision:	December 18, 2018
Date of Filing Planning Board Decision:	January 11, 2019
Application:	Request for special permits for Revolutionary Clinics II, Inc. to operate a registered marijuana dispensary pursuant to Sections 11.800 and 10.43 of the Zoning Ordinance occupying approximately 6,025 square feet in the existing building at 541 Massachusetts Avenue.
Decision:	GRANTED, with Conditions.

Appeals, if any, shall be made pursuant to Section 17 of Massachusetts General Laws, Chapter 40A, and shall be filed within twenty (20) days after filing of the above referenced decision with the City Clerk. Copies of the complete decision and final plans, if applicable, are on file with the Community Development Department and the City Clerk.

Authorized Representative of the Planning Board: Swaathi Joseph

For further information concerning this decision, please contact Liza Paden at 617-349-4647, or lpaden@cambridgema.gov.

DOCUMENTS SUBMITTED

Application Documents and Supporting Material

1. Special Permit Application submitted on 9/20/18, including, *inter alia*, Application Forms, Project Narrative, Description of Activities, Service Area, Transportation Analysis, Community Outreach Summary, Dimensional Form, and plan sets prepared by Elton + Hampton Architects, dated 7/25/18, including Context Map, Proximity Uses Map, Site Plan, Building Elevations, Renderings, and Floor Plans.
2. Revised plan sets prepared by Elton + Hampton Architects, dated 9/24/18.
3. Presentation slides shown to Planning Board on 10/16/18.
4. A letter dated 11/13/18 from Timothy R. Flaherty documenting responses to comments from the Planning Board.
5. Updated plan set dated 9/7/18 and revised through 11/6/18, prepared by Elton + Hampton Architects.
6. Presentation slides shown to Planning Board on 12/18/18.

City of Cambridge Documents

7. Report issued by Central Square Advisory Committee, dated 10/1/18.
8. Memorandum from CDD staff dated 10/10/18.
9. Memorandum from Joseph E. Barr, Director of Traffic, Parking and Transportation, dated 10/12/18.
10. Memorandum from CDD staff dated 12/10/18.

Other Documents

11. Email communication from Phillip Segó, dated 10/13/18.
12. Email communication from Charles Franklin, dated 10/14/18
13. Letter from Ellis I. Washington, St. Paul AME Church, dated 10/16/18.
14. Letter from Michael Monestime, Executive Director, Central Square Business Association, dated 12/18/18.

APPLICATION SUMMARY

The Applicant, Revolutionary Clinic II, Inc., having received a provisional certificate of registration from Massachusetts Department of Public Health, is proposing to operate a registered marijuana dispensary (RMD) at 541 Massachusetts Avenue, in Central Square, for retail sales. No cultivation or processing will occur on site. Products will be cultivated, processed, and packaged at a facility located in Fitchburg, Massachusetts. The Applicant proposes to establish the retail RMD in a portion of the existing building. The proposal includes the renovation of the existing building, approximately 6,025 square feet in area including a separate wellness retail space at the corner facing Massachusetts Avenue and Norfolk Street that will activate the street frontage. The 541 Massachusetts Avenue facility will only dispense cannabis products that are cultivated and processed at the Applicant's Fitchburg facility. The proposed facility will be designed and operated in accordance with state and local regulations for RMDs and will be subject to oversight by the Massachusetts Department of Public Health. The project does not propose adding any off-street parking, but will provide 4 long-term bicycle parking spaces and contribute to the City Public Bike fund for 6 short-term parking spaces. Loading and deliveries are proposed to be provided by secure vehicles on Norfolk Street.

FINDINGS

After review of the Application Documents and other documents submitted to the Planning Board, testimony given at the public hearing, and review and consideration of the applicable requirements and criteria set forth in the Zoning Ordinance with regard to the relief being sought, the Planning Board makes the following Findings:

1. Approval of a Registered Marijuana Dispensary (RMD, Section 11.800)

The proposed site is located within the Business B District (BB). The Planning Board may grant a special permit approving an RMD within this district upon finding that the proposal meets the criteria set forth in Section 11.804. The Board finds that these criteria are met, for the reasons set forth below.

11.804 Special Permit Criteria. In granting a special permit for a Registered Marijuana Dispensary, in addition to the general criteria for issuance of a special permit as set forth in Section 10.43 of this Ordinance, the Planning Board shall find that the following criteria are met:

(a) The Registered Marijuana Dispensary is located to serve an area that currently does not have reasonable access to medical marijuana, or if it is proposed to serve an area that is already served by other Registered Marijuana Dispensaries, it has been established by the Massachusetts Department of Public Health that supplemental service is needed.

There are currently four RMDs that have received special permits in Cambridge, three of which are in operation. The Massachusetts Department of Public Health has continued to permit additional dispensaries given that only a small number have been established thus far. The four other RMDs that have received special permits in Cambridge are in other areas of the city, all more than 1,800 feet from 541 Massachusetts Avenue, satisfying the distance requirement of Section 11.802.8.

(b) The site is located at least five hundred (500) feet distant from a school, daycare center, preschool or afterschool facility or any facility in which children commonly congregate, or if not located at such a distance, it is determined by the Planning Board to be sufficiently buffered from such facilities such that its users will not be adversely impacted by the operation of the Registered Marijuana Dispensary.

The Application Documents indicate the Henry Bucker School is located within a 500-foot distance of the site. The Board finds that the proposed RMD is sufficiently buffered and will not adversely impact the school use. This finding is based on the facts that the proposed RMD is not located on Bishop Allen Drive on which the school is located and separated by parking lots and buildings. The Board also found that the dance, music and sports facilities referenced at the hearing were either not the types of facilities encompassed by this section or were sufficiently distant and buffered from the proposed RMD.

(c) The site is designed such that it provides convenient, safe and secure access and egress for clients and employees arriving to and leaving from the site using all modes of transportation, including drivers, pedestrians, bicyclists and public transportation users.

Primary access to the facility is proposed on Massachusetts Avenue, where there is convenient access to sidewalks and various modes of public transportation. There is on-street parking, public parking lots, and bicycle parking spaces in the immediate vicinity in addition to multiple bus stops and Central Square MBTA Red Line station. The customer entry and exit are proposed through a recessed entrance on Massachusetts Avenue. The deliveries will use the Norfolk Street entrance and vehicles will use public parking or loading areas located in the vicinity. All access doors will be monitored for security purposes as required by state regulations.

(d) Traffic generated by client trips, employee trips, and deliveries to and from the Registered Marijuana Dispensary shall not create a substantial adverse impact on nearby residential uses.

A transportation analysis prepared by Howard Stein Hudson has been provided with the Application, and has been reviewed by the Traffic, Parking and Transportation Department (TP&T). While there is limited data about traffic generated by an RMD, given the anticipated client base and experience with RMDs elsewhere in Massachusetts the expectation is that the traffic will not be significantly greater than that of a typical retail establishment of similar size and should have minimal impacts on transportation in the Central Square vicinity. The proposed RMD is located in a predominantly commercial district that supports retail establishments of this scale. The Applicant has committed to submitting a loading and service delivery management plan for approval by TP&T staff and to implementing both transportation demand management (TDM) measures and a monitoring program of employee and customer visits as well as loading and pick-up activities of this project to mitigate any unexpected transportation impacts.

(e) Loading, refuse and service areas are designed to be secure and shielded from abutting uses.

Loading and delivery operations specific to the RMD are anticipated to occur approximately three times per week. An interior service area is provided for holding materials after they are delivered and refuse before it is picked up. Loading is proposed to occur using the Norfolk Street entrance as noted in the Traffic Impact Statement prepared by Howard Stein Hudson in accordance with state regulations. All regulated material waste will be transported back to the Fitchburg facility for approved disposal. All other trash will be disposed as per city regulations.

(f) The building and site have been designed to be compatible with other buildings in the area and to mitigate any negative aesthetic impacts that might result from required security measures and restrictions on visibility into the building's interior.

The Central Square Advisory Committee has reviewed this project and issued a report in support. The original proposal was changed in response to the comments from the Planning Board to include a separate retail space at the corner of Massachusetts Avenue and Norfolk Street. The exterior changes to the building proposed are meant to activate the streetscape, especially the active storefront presence on Massachusetts Avenue. The sales area and regulated material handling area are not visible from the streetscape on Massachusetts Avenue. The installation of signage and security lighting will be in conformance with local requirements for signage and lighting as well as state regulations specific to RMDs.

2. Approval of Parking, Bicycle Parking and Loading Requirements for an RMD

In approving an RMD, the Planning Board is responsible for determining the required amount of parking, bicycle parking, and loading in accordance with Section 11.802.6 of the Zoning Ordinance, as set forth below.

11.802.6 Parking and Loading. Notwithstanding anything to the contrary in Article 6.000 of this Ordinance, the required number of parking and bicycle parking (both long-term and short-term) spaces and the required number of loading bays for a Registered Marijuana Dispensary shall be determined by the Planning Board based on the transportation analysis and other information related to operational and security plans provided by the applicant. Except as set forth above, all parking, bicycle parking and loading facilities shall conform to the requirements set forth in Article 6.000.

The Application proposes no automobile parking on-site and indicates that necessary loading and service activities will occur on Norfolk Street using secure vehicles. The Applicant proposes that clients and staff will walk, drive, bike or use public transportation in order to get to the RMD; and that bicyclists will use public bicycle racks in the vicinity and that drivers will use either existing metered parking or public parking facilities near the facility in Central Square. Four long-term bicycle parking spaces are proposed within the building for the employees.

The transportation analysis provided by the Applicant and comments provided by TP&T indicate that the proposed use will likely generate only modest parking demand compared to a retail use of a similar scale, and that the loading needs of the facility can be reasonably accommodated. Therefore, the Board finds that the proposed parking and loading arrangements for the RMD will be sufficient, subject to the additional TDM and monitoring measures recommended by TP&T and agreed to by the Applicant.

For bicycle parking, the Board accepts the recommendation of TP&T that since space is limited at the site, a contribution be made to the City's Bicycle Parking Fund for six bicycle parking spaces (or three bicycle racks), as would be required for a retail establishment similar to the proposed size of the RMD.

Details of the automobile parking, bicycle parking, loading and TDM requirements are set forth in the Conditions of this Special Permit Decision.

3. General Criteria for Issuance of a Special Permit (10.43) and (20.305)

The Planning Board finds that the proposal meets the General Criteria for Issuance of a Special Permit, as set forth below.

10.43 Criteria. Special permits will normally be granted where specific provisions of this Ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:

(a) It appears that requirements of this Ordinance cannot or will not be met, or ...

With the requested special permit, the requirements of the Ordinance will be met.

(b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or ...

As set forth above in these findings, the proposed use is not expected to adversely impact traffic patterns or the retail-oriented character of the area in general.

(c) the continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use, or ...

The proposed RMD will be operated in accordance with applicable state and local regulations, and will generate pedestrian and vehicular traffic equal to, or less than, that generated by a similarly sized allowed retail use. Therefore, the RMD use and location will not adversely impact adjacent uses.

(d) nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City, or ...

The proposed RMD will be operated in accordance with applicable health and safety regulations, as well as state and local regulations particular to RMDs, which are specifically intended to prevent nuisance or hazard.

(e) for other reasons, the proposed use would impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance, and ...

The site is located within Business B District, which allows RMDs, as was recently authorized in a zoning amendment adopted by the City Council in 2017.

(f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

The proposed new use will minimally impact the design of the building, and all exterior alterations will be conducted in accordance with applicable zoning and other regulations for RMDs. The proposal includes a retail space at the corner of Massachusetts Avenue and Norfolk Street to activate street frontage as recommended by the goals and objectives of Central Square Action Plan.

20.305 Standards for Issuance of Special Permits. In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the special permit granting authority shall in addition make the following findings:

(1) The proposed development is consistent with the goals and objectives of the Central Square Action Plan:

- encourage responsible and orderly development;*
- strengthen the retail base to more completely serve the needs of the neighborhoods;*
- preserve the Square's cultural diversity;*
- create active people oriented spaces;*
- improve the physical, and visual environment;*
- provide retail establishments that serve people of diverse economic and social groups who live in the surrounding neighborhoods;*
- encourage the development of new mixed income housing; and*
- promote compatible retail adjacent to residential uses*

The Board finds the proposed uses to be consistent with these goals and objectives. The new retail use at the corner will help to strengthen the retail base by attracting additional foot traffic, while sufficiently screening the RMD activities from the streetscape. The project will not alter the physical features of the building design, provide a unique service to patrons and will be compatible with adjacent uses.

(2) The building and site designs are consistent with "Urban Design Plan for Central Square" as outlined in the "Central Square Action Plan" and the "Central Square Development Guidelines";

Moderate changes proposed for the exterior of the building including installation of wall signage, window treatments with art displays, and murals are consistent with design guidelines for Central Square. The retail use at the corner maintaining a high degree of visual transparency for the façade immediately adjacent to the sidewalk is consistent with the urban design objectives for Central Square.

(3) The building and site designs adequately screen the parking provided and are sensitive to the contributing buildings in the vicinity;

No parking is proposed.

- (4) *No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and*
- (5) *No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.*

The existing building is not listed in the National Register of Historic Places. The property is within the Central Square National Register District but the existing structure is not deemed a “contributing building”.

In addition, exterior alterations will be subject to ongoing review by Community Development Department (CDD) staff, where applicable. Therefore, the Board finds no inconsistency with applicable urban design objectives.

DECISION

Based on a review of the Application Documents, testimony given at the public hearings, and the above Findings, the Planning Board hereby GRANTS the requested Special Permits, subject to the following conditions and limitations.

1. This special permit shall authorize only Revolutionary Clinics II, Inc. (Permittee) to establish and operate a Registered Marijuana Dispensary (RMD) at 541 Massachusetts Avenue, Cambridge, in substantial conformance with the Application Documents and supplemental documents and information submitted by the Applicant to the Planning Board as referenced above. No other type of marijuana establishment is hereby permitted. Any activity that involves the cultivation, processing, manufacturing, packaging, storage, transportation, sale, or use of marijuana products for non-medical purposes shall require an amendment to this special permit, and shall require compliance with all applicable state and local regulations for such activity.
2. This special permit is not transferrable to any other RMD seeking to operate at 541 Massachusetts Avenue, and shall not apply to any RMD operated by Revolutionary Clinics II, Inc. at any other location within the City of Cambridge.
3. This special permit is conditioned upon ongoing registration of the approved RMD with the Massachusetts Department of Public Health or its successor agency, and shall terminate if such registration is terminated or fails to be renewed.
4. The approved RMD shall be operated in accordance with all applicable state and local regulations, including but not limited to regulations set forth by the Massachusetts Department of Public Health or its successor agency, as well as any additional regulations promulgated by local agencies.
5. A ground-floor active retail space, separate from the approved RMD, shall be created at the corner of Massachusetts Avenue and Norfolk Street in accordance with the revised Application Documents with revision date November 6, 2018, and presentation to the Planning Board on December 18, 2018. Such active retail space shall be occupied by retail and consumer service uses permitted in the district as set forth in Section 4.35 of the Zoning Ordinance, but not for sales of marijuana products or accessories, during the time that the approved RMD is in operation.
6. Alterations to the building shall occur in substantial conformance with the revised application documents with revision date November 6, 2018, and presentation to the Planning Board on December 18, 2018. The project shall be subject to continuing design review by the Community Development Department (“CDD”). Before issuance of each Building Permit for the project, CDD shall certify to the Superintendent of Buildings that the final plans submitted to secure the Building Permit are consistent with and meet all conditions of this Decision. As part of CDD’s administrative review of the project, and prior to any certification to the Superintendent of Buildings, CDD may present any design changes made subsequent to this Decision to the Planning Board for its review and comment.

7. The Permittee shall address the following design comments through the continuing design review process set forth above. Each of the below items shall be subject to CDD review and approval of the final design details prior to issuance of a Building Permit:
 - a. All exterior materials, colors, façade alterations and details in addition to the murals on the building façades.
 - b. Specifications for window glass, design of the window display boxes and their lighting, and options for the administration and curation of the window displays.
 - c. Any proposed mechanical equipment on the rooftop, façade or exterior of the building.
 - d. All exterior signage, lighting, and other security features that may be required by state regulations. To the extent possible, any proposed outdoor lighting shall be designed to conform to the guidelines recommended in the proposed Cambridge Outdoor Lighting Ordinance.
8. The Permittee shall coordinate with the Department of Public Works regarding any planned reconstruction of public spaces adjacent to the site.
9. The permitted operating hours of the approved RMD shall be between 9:00 AM and 9:00 PM daily.
10. There shall be no required off-street parking for the permitted RMD use. In order to meet the requirement for short-term bicycle parking spaces, the Permittee shall make a contribution to the City's Bicycle Parking Fund in accordance with Section 6.104.2-b of the Zoning Ordinance equivalent to the amount necessary to provide six (6) bicycle parking spaces or three (3) racks. Such contribution shall be made prior to the issuance of a Building Permit.
11. The Permittee shall contribute \$35,000 to the City prior to issuance of a Building Permit to improve transit services and information in Central Square and to support the use of transit for employees and patrons, such as providing real-time bus arrival information at bus stops.
12. The Permittee shall be required to implement a transportation demand management (TDM) program and a transportation monitoring and reporting program including, at a minimum, the following measures, which shall be certified by the TP&T and CDD prior to issuance of a Certificate of Occupancy for the approved RMD:
 - a. Provide 65% MBTA T-Pass subsidies, up to the federal fringe benefit limit, to all employees (may be pro-rated for part-time employees). The program shall be administered by the employer through the MBTA Corporate Pass Program.
 - b. Offer all employees Gold Level Blue Bikes bikeshare membership; to be administered through the Blue Bikes Corporate Program by the employer.

- c. Provide lockers for employees that walk or bike to work.
- d. Have available an air pump and bicycle repair tools for employees and customers to use when needed.
- e. Designate an employee of the facility as a Transportation Coordinator (TC) to manage the implementation of the TDM measures and a transportation monitoring program. The TC shall:
 - i. Post in a central and visible location (i.e. lobby for customers, break room for employees) information on available non-automobile services in the area, including, but not limited to:
 1. Available pedestrian and bicycle facilities in the vicinity of the Project site.
 2. MBTA maps, schedules and fares.
 3. "Getting Around in Cambridge" map (available from CDD).
 4. Locations of bicycle parking.
 5. Carsharing/ridematching programs.
 6. Blue Bikes bikesharing system.
 7. Carpooling/vanpooling programs.
 8. Other pertinent transportation information.
 - Instead of or in addition to posting paper MBTA schedules, provide a real-time transit and Blue Bikes display screen or tablet in a central location to help people decide which mode to choose for each trip.
 - ii. Compile up-to-date transportation information explaining all commuter options and provide to all employees. This information should also be distributed to all new employees as part of their orientation.
 - iii. Provide or describe to customers information on transportation options to access the site.
 - iv. Provide and maintain information on the project's website, newsletters, social media, etc., on how to access the site by all modes, with emphasis on non-automobile modes.
 - v. Participate in any TC training offered by the City of Cambridge or a local Transportation Management Association.
 - vi. Implement an annual transportation monitoring program which will involve surveying employees and customers on their travel modes and where they customarily park (cars and bicycles). The annual monitoring program shall continue for 10 years following the issuance of a Certificate of Occupancy for

the RMD, at which time TP&T will work with the Permittee to determine if it would be beneficial to continue the monitoring program.

1. The monitoring program shall include information/observations of the loading activities (locations and frequency of deliveries).
 2. All surveys shall be designed and conducted in a manner approved by TP&T and CDD.
 3. The form of any survey instrument or monitoring method shall be approved before issuance of the Certificate of Occupancy.
 4. Surveying shall begin one year from the date of the first Certificate of Occupancy. If the Certificate of Occupancy is issued between September 1 and February 29, the monitoring should take place during the months of September or October and be reported to the City no later than November 30. If the Certificate of Occupancy is issued between March 1 and August 31, monitoring should take place during the months of April or May and be reported to the City no later than June 30.
13. No loading bays shall be required; however, a loading and service delivery management plan that includes all delivery activity to the facility shall be submitted to and approved by TP&T prior to the issuance of a Building Permit for any improvements associated with the approved RMD. Such a plan shall include the following measures:
- a. At no time shall a vehicle park or stop on any public street or municipal parking lot in a manner that blocks traffic or impedes the flow of pedestrians or bicycles traveling on public streets.
 - b. All loading must be conducted from legal locations, without using No Stopping zones or Double Parking.
 - a. The Permittee shall cooperate with the City to resolve any issues caused by loading, pick-up and drop-off activities associated with the facility on public users and infrastructure.
 - b. In accordance with the proposal, the RMD at 541 Massachusetts Avenue shall not be used as a distribution point for home deliveries.
14. Prior to issuance of a Certificate of Occupancy for the approved RMD, CDD shall certify to the Superintendent of Buildings that all Conditions of this Special Permit Decision are met.
15. All authorized development shall abide by all applicable City of Cambridge Ordinances, including the Noise Ordinance (Chapter 8.16 of the City Municipal Code).

Voting in the affirmative to GRANT the Special Permits were Planning Board Members Louis Bacci, H Theodore Cohen, Steven Cohen, Mary Flynn, Hugh Russell, and Tom Sieniewicz, constituting at least two thirds of the members of the Board, necessary to grant a special permit.

For the Planning Board,

A handwritten signature in cursive script that reads "H Theodore Cohen". The signature is written in dark ink and is positioned above the printed name of the signatory.

H Theodore Cohen, Chair.

A copy of this decision PB #339 shall be filed with the Office of the City Clerk. Appeals, if any, shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws, and shall be filed within twenty (20) days after the date of such filing in the Office of the City Clerk.

ATTEST: A true and correct copy of the above decision has been filed on January 11, 2019 with the Office of the City Clerk, by Swaathi Joseph, duly authorized representative of the Planning Board. All plans referred to in the decision have been filed with the City Clerk on said date.

Twenty days have elapsed since the above decision was filed in the office of the City Clerk and:
_____ no appeal has been filed; or
_____ an appeal has been filed within such twenty days.

The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. This certification shall in no event terminate or shorten the tolling, during the pendency of any appeals, of the periods provided under the second paragraph of G.L. c. 40A, §6.

Date: _____, City Clerk

Appeal has been dismissed or denied.

Date: _____, City Clerk

Appendix I: Approved Dimensional Chart

	Existing	Allowed or Required	Proposed	Permitted
Lot Area (sq ft)	6,025	None	No Change	No Change
Lot Width (ft)	121	None	No Change	No Change
Total GFA (sq ft)	6,025	39,545	No Change	No Change
Residential Base	n/a	n/a	n/a	Consistent with Application Documents and applicable zoning requirements
Non-Residential Base	6,025	13,221	No Change	
Inclusionary Bonus	n/a	n/a	n/a	
Total FAR	1.0	2.75/3.0	No Change	Consistent with Application Documents and applicable zoning requirements
Residential Base	n/a	n/a	n/a	
Non-Residential Base	1.0	1.0	No Change	
Inclusionary Bonus	n/a	n/a	n/a	
Total Dwelling Units	0	n/a	0	0
Base Units	n/a	n/a	n/a	Consistent with Application Documents and applicable zoning requirements
Inclusionary Bonus Units	n/a	n/a	n/a	
Base Lot Area / Unit (sq ft)	n/a	n/a	n/a	
Total Lot Area / Unit (sq ft)	n/a	n/a	n/a	
Height (ft)	15.9	55	No Change	Consistent with Application Documents and applicable zoning requirements
Front Setbacks (ft)	0	None	No Change	
Side Setback (ft)	0	None	No Change	
Rear Setback (ft)	0	None	No Change	
Open Space (% of Lot Area)	0	None	No Change	Consistent with Application Documents and applicable zoning requirements
Private Open Space	0	None	No Change	
Permeable Open Space	0	None	No Change	
Off-Street Parking Spaces	0	0 ¹	0	0
Long-Term Bicycle Parking	0	4 ¹	4	Consistent with Application Documents and applicable zoning requirements
Short-Term Bicycle Parking	0	6 ¹	0 ²	
Loading Bays	0	0 ¹	0	

¹ Requirement determined by the Planning Board based on the transportation analysis as per Section 11.802.6.

² Provided by making a contribution to the City's Public Bicycle Parking Fund for 3 bike racks.