

WESTERN FRONT, LLC

Application for Special Permit Cannabis Retail Store

98 Winthrop Street, Cambridge, MA 02138

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TIMOTHY R. FLAHERTY

August 24, 2021

Catherine Preston Connolly, Chair
Planning Board for the City of Cambridge
344 Broadway
Cambridge, MA 02139

RE: Application for Special Permit for Cannabis Retail Store, 98 Winthrop Street

Dear Madam Chair;

On behalf of Western Front, LLC, (Western Front) please accept this Application for a Special Permit to operate a Cannabis Retail Store at 98 Winthrop Street in Harvard Square, submitted pursuant to Section 10.43 and 11.800, et al., of the Cambridge Zoning Ordinance.

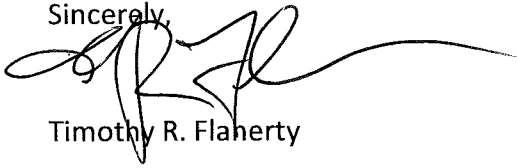
As you may know, Western Front is a locally-owned certified Economic Empowerment Applicant that was founded in 2018 by Mr. Marvin E. Gilmore, Jr. Mr. Gilmore is an iconic figure in the history of the City of Cambridge. He is the grandson of slaves who became a highly decorated World War II veteran, was named a Chevalier of the Legion of Honor, founded the 1st black-owned bank in the Northeast, was a national leader in the civil rights movement, and through his efforts in operating the Western Front jazz and reggae club in Cambridge and developing some 50 acres of dilapidated land in Roxbury and the South End which then attracted the Digital Corporation, Morgan Memorial Hospital and the BU bio-medical laboratories, he is recognized as a major contributor to the social, cultural, business and philanthropic vibrancy of the minority community in this region. He is joined on the Board of Managers of Western Front by two local, young minority leaders in Dennis Benzan, a former Cambridge City Councillor, lawyer and entrepreneur, and Omowale Moses, a former stand-out athlete at CRLS who founded MathTalk and served on the Board of Trustees for the Cambridge Public Library.

The proposed Cannabis Retail Store will occupy a vacant space in the rear of 98 Winthrop Street behind the active street frontage of the Red House restaurant. The building, known as the Cox-Hicks house, circa 1806, is a diminutive, two-story gable-roofed structure that retains its original staircase, chimney, fireplaces, mantels and interior trim. It is a contributing building in the Harvard Square National Register District and was designated a

Cambridge Landmark in 1989. This space formerly housed a Register Marijuana Dispensary, also known as a Medical Marijuana Treatment Center, and the modifications that were made for that use all received Certificates of Appropriateness from the Cambridge Historical Commission. Other than installing appropriate signage, Western Front will make no further alterations to the property.

Because we view our entrance to the legal cannabis marketplace as historic, and because our core mission is to provide social and economic justice to local members of the minority community who have been disproportionately harmed by the ill-advised and selective enforcement of criminal statutes that prohibited the use of cannabis, we strongly believe that this historical building is most appropriate for our facility. On behalf of Mr. Gilmore and Western Front, we appreciate the opportunity to submit this Application for Special Permit to the Planning Board. If you have any questions or concerns, or if any member of the Planning Board or CDD staff would like to discuss the details of this application further, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Timothy R. Flaherty', with a long horizontal flourish extending to the right.

Timothy R. Flaherty

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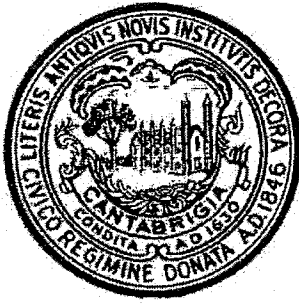
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VOLUME I

Section 1



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: 98 Winthrop Street, Unit1, Cambridge, MA 02138

Zoning District: Business B (BB) / Harvard Square Overlay District

Applicant Name: Western Front, LLC

Applicant Address: 699 Boylston Street, 12th Floor, Boston, MA 02116

Contact Information: 617-227-1800 TimothyRFlaherty@gmai

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.*

Western Front, LLC is applying for a Special Permit to operate a Cannabis Retail Store pursuant to Section 10.40 and Section 11.800, et al., of the Cambridge Zoning Ordinance.

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

Application Forms: Special Permit Cover Sheet, Dimensional Form, Fee Schedule, Ownership Certificate (Volume I)
Project Narrative: Compliance with Zoning, Compliance with Specific Criteria applicable to Special Permit, compliance with General Special Permit Criteria (Volume I)
Attachments: Transportation Logistics Plan (Volume III), Architectural Drawings including Site Context Map, Street Context and Views, Floor Plans, Exterior Elevations, Interior Views and Renderings (Volume II), EEA certification (Volume III) notarized

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

DIMENSIONAL FORM

Project Address:

Application Date:

	Existing	Allowed or Required (max/min)	Proposed	Permitted
Lot Area (sq ft)	3,582	No minimum	3,582	
Lot Width (ft)	36.54	No minimum	36.54	
Total Gross Floor Area (sq ft)	2,760/1,589*	No minimum	2,760/1,589	
Residential Base	0	71,622 max	0	
Non-Residential Base	2,760	65,653.5	2,760	
Inclusionary Housing Bonus	n/a	21,486.6	0	
Total Floor Area Ratio	0.77	2.75/3.0	0.77	
Residential Base	0	2.75	0	
Non-Residential Base	0.77	3.0	0.77	
Inclusionary Housing Bonus	0	.30	0	
Total Dwelling Units	0	88	0	
Base Units	0	79.5	0	
Inclusionary Bonus Units	0	8	0	
Base Lot Area / Unit (sq ft)	0	300	0	
Total Lot Area / Unit (sq ft)	0	271	0	
Building Height(s) (ft)	18'4"	80'	18'4"	
Front Yard Setback (ft)	0	0	0	
Side Yard Setback (ft)	0	0	0	
Side Yard Setback (ft)	0	0	0	
Rear Yard Setback (ft)	0	0	0	
Open Space (% of Lot Area)	0	0	0	
Private Open Space	0	0	0	
Permeable Open Space	0	0	0	
Other Open Space (Specify)	0	0	0	
Off-Street Parking Spaces	0	See 6.32.1	2	
Long-Term Bicycle Parking	0	n/a	2**	
Short-Term Bicycle Parking	0	2	0***	
Loading Bays	0	0	0	

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

See attached page for footnotes

Footnotes to Dimensional Form

*Total GFA of 98 Winthrop is 2,760 sq ft/ Cannabis Retail Store GFA is 1,589 sq ft

**Applicant will install 2 Long-Term Bicycle Parking spaces within premises

***Applicant will make a contribution to the Short-Term Public Bicycle Parking Fund per 6.104.2

OWNERSHIP CERTIFICATE

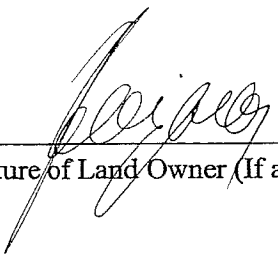
Project Address: 98 Winthrop Street, Unit1, Cambri **Application Date:** 3/22/21

This form is to be completed by the property owner, signed, and submitted with the Special Permit Application:

I hereby authorize the following Applicant: Western Front, LLC
at the following address: 699 Boylston Street, 12th Floor Boston, MA 02116
to apply for a special permit for: Cannabis Retail Store
on premises located at: 98 Winthrop Street, Unit 1, Cambridge, MA
for which the record title stands in the name of: Timbuktu Real estate, LLC
whose address is: 10 Eliot Street, Cambridge, MA 02138

by a deed duly recorded in the:

Registry of Deeds of County:	Book:	Page:
<i>OR</i> Registry District of the Land Court,		
Certificate No.: <u>247928</u>	Book: <u>1481</u>	Page: <u>27</u>




Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)


To be completed by Notary Public:

Commonwealth of Massachusetts, County of Suffolk

The above named Paul Overgacy personally appeared before me,
on the month, day and year 3/18/2021 and made oath that the above statement is true.

Notary: 

My Commission expires: 11/21/25

 **JOSEPH A. COLUNTINO, JR.**
Notary Public
Commonwealth of Massachusetts
My Commission Expires
November 21, 2025

FEE SCHEDULE

Project Address: 98 Winthrop Street, Cambridge, MA **Application Date:** 8/25/21

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): 1,589 × \$0.10 = \$158.90

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

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

TOTAL SPECIAL PERMIT FEE **Enter Larger of the Above Amounts: \$158.90**

VOLUME I

Section 2

Western Front, LLC

Proposed Cannabis Retail Store at 98 Winthrop Street

Project Narrative and Request for Special Permit Relief

Introduction

Western Front, LLC (“Western Front” and the “Applicant”) is applying for a Special Permit to operate a Cannabis Retail Store pursuant to section 11.800 of the Cambridge Zoning Ordinance to be located at 98 Winthrop Street, Unit 1, Cambridge, MA 02138. Western Front is a certified Economic Empowerment Applicant that is organized as a limited liability company with a Board of Managers comprised of Marvin Gilmore, Dennis Benzan, and Omowale Moses, all life-long Cantabridgians.

Western Front currently operates an Adult-Use Retail Marijuana Establishment at 121 Webster Avenue, Chelsea, MA. At its Chelsea location, Western Front employs a workforce made up of Chelsea residents and minority individuals from areas of disproportionate impact who are paid a starting wage that is greater than any other dispensary in Massachusetts. Western Front has collaborated with ROCA, the Chelsea Collaborative, and other local organizations to recruit employees. The overriding mission of Western Front is to create social and economic justice for members of local minority communities who have been disproportionately harmed by the pervasive impact of the selective and targeted criminal prosecutions encouraged by the ill-advised enforcement of laws that criminalized the use of cannabis.

Summary of Proposal

Western Front, a duly certified Economic Empowerment Applicant, is proposing to operate a Cannabis Retail Store in the side and rear portion of the first floor of the existing building at 98 Winthrop Street, while also occupying space on the second floor for storage of the security mainframe and an employee break room. The Applicant does not propose to conduct home delivery from this location but recognizes that evolving market conditions may require a pivot to that collateral use in the future. For that reason, the Applicant requests relief from the Planning Board to allow the Traffic, Parking and Transportation Department to administratively review any future proposals to the Applicant’s current Transportation Logistics Plan to include home delivery, thereby obviating the need for Planning Board review.

The proposal does not include adding any off-street automobile or bicycle parking spaces, but the Applicant will create two long-term bicycle parking spaces within the premises for employee use. The Cannabis Retail Store will be located behind the active restaurant frontage at 98 Winthrop Street and will be accessed through a modest entrance set back approximately 20 feet from the pedestrian way. The building is located within the Harvard Square Overlay District and the Harvard Square Neighborhood Conservation District. In 2017, in connection with a separate proposal to repurpose the space for use as a Registered Marijuana Dispensary (RMD), the Cambridge Historical Commission reviewed the proposed exterior alterations and issued a Certificate of Appropriateness for the project. See PB Case Number 325, Healthy Pharms, Inc., dated April 26, 2017. The Applicant proposes to make no changes to the exterior of 98 Winthrop Street other than appropriate signage and updated lighting. The Applicant will solicit guidance from the Cambridge Historical Commission as to these minor modifications.

In addition, the prior applicant also sought and received a variance from the Architectural Access Board which granted relief from providing a landing for the main entrance ramp at the front door for reasons of impracticability. See Volume III, Section 4 for copies of the AAB decision and related documents.

In April of 2019, the Cambridge Inspectional Services Department issued a cease-and-desist order to the prior RMD because Healthy Pharms, Inc., had sold 100% of its common shares to Mission Partners USA LLC. Pursuant to Section 11.802.3 of the Cambridge Zoning Ordinance, “[A] special permit authorizing the establishment of a Cannabis Retail Store or Cannabis Production facility shall be valid only for the licensed or registered entity to which the special permit was issued ... if the license or registration for a Cannabis Use has not been renewed or has been revoked, transferred to another controlling entity or relocated to a different site, a new special permit shall be required prior to issuance of a Certificate of Occupancy.” Since the issuance of the order to cease and desist in 2019, the space has remained vacant.

The Applicant does not propose that cultivation or processing will occur on site. Loading and deliveries are proposed to occur through “live loading” in secure vehicles using Winthrop Street. In layman’s terms, “live loading” means that the transport vehicle will remain occupied by a Registered Marijuana Agent on Winthrop Street while a second Registered Marijuana Agent is escorted inside the facility by the general manager or a dedicated assistant manager. The “live loading” will occur before 11:00 a.m. Deliveries will occur on randomized days three times per week.

Because 98 Winthrop Street was designed and repurposed for use as a RMD in accordance with state and local regulations in 2017, and because those modifications remain compliant with existing state and local regulations, the Applicant does not propose making any additional alterations to the existing structure beyond improved signage and lighting compliant with all city ordinances and any on-going design review by CDD. The Inspectional Services Department (ISD) has informed Western Front that an inspection of the premises will take place as a condition precedent to the issuance of a Certificate of Occupancy.

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.* Western Front 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)

- (a) 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.**

The Applicant proposes to operate a boutique Cannabis Retail Store that will provide cannabis products for non-medical use within approximately 1,207 square feet located in the side and rear portion of the first floor of 98 Winthrop Street, Cambridge. The security system mainframe and employee break room will be located within approximately 382 square feet of space on the second floor. The second-floor break room is outfitted with lockers for employee use. The two long-term bicycle parking spaces will be

created in the first-floor storage space and the Applicant will have available an air pump and bicycle repair tools for employees and customers to use when needed. This location was designed, approved and repurposed in 2017 for use as an RMD. The RMD ceased operations in 2019 per order of Cambridge ISD. The existing restaurant, Red House, was reduced in size and has remained in operation in the front area of the first floor.

There will be no cultivation or processing of cannabis products at this location. All products will be pre-packaged off-site and there will be no packaging or repackaging of cannabis products. This location will be used 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. As noted previously, the Applicant does not propose conducting home delivery from this location but recognizes that evolving market conditions may require a pivot to that collateral use in the future. For that reason, the Applicant requests relief from the Planning Board to allow the Traffic, Parking and Transportation Department to administratively review any future proposals to the Applicant's current Transportation Logistics Plan to include home delivery, thereby obviating the need for Planning Board review.

The structure at 98 Winthrop Street, as mentioned above, underwent substantial repurposing in 2017 to place the former RMD operations behind an active restaurant frontage. The proposed Cannabis Retail Store is accessed through a separate entrance that is set back approximately 20 feet from the sidewalk and pedestrian way on Winthrop Street. The design places all proposed operations behind an active restaurant frontage, minimizing any interruption in the streetscape. Since the existing modifications were previously approved by both state and local regulators for use as a RMD, the Applicant does not propose reconstructing any element of the existing structure. The Applicant has confirmed that all prior modifications which were completed in 2017 remain compliant with current building codes, including electrical and fire safety requirements, and ISD has informed the Applicant that an inspection will occur prior to the issuance of a Certificate of Occupancy. All of the existing security systems meet or exceed all security requirements promulgated by the CCC and contained in 105 CMR 725.110. The structure is serviced by superior access to public transit and is highly accessible for pedestrians and bicyclists. The Harvard Square MBTA Red Line station is within two city blocks and 9 MBTA bus lines connect in Harvard Square. In addition to the several public bike racks located in Harvard Square, there are 3 BlueBikes bike share stations within a 3-minute walk of 98 Winthrop Street, as well as seven public parking facilities located within ¼ mile in addition to ample, if competitive, on-street metered parking.

The prior modifications to the space included the installation of a sophisticated security system that includes surveillance cameras, silent and audible alarms, motion detectors, and real-time remote monitors that are readily accessed by the Cambridge Police Department. All entry doors are equipped with an electronic control access system that is controlled by key card locks that create an audit trail. The exterior of the building is monitored by surveillance cameras with the ability to see during both day and night (without additional lighting). The perimeter of the facility is 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 contains a GSA approved 13 cubic-foot, drill-resistant, steel-plated safe with keypad access that is anchored to the floor.

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 Western Front ambassador who will be stationed outside the front entrance. This ambassador will be responsible for monitoring Winthrop Street to prevent queuing, to assist security personnel in identifying and reporting any violation of the Western Front Community Norms Agreement, and to manually check identification of customers while providing a safe and dignified greeting. After accessing the facility, customers will meet a Registered Marijuana Agent located in the security vestibule directly inside the main entrance, and after verification, customers will be admitted to a secure waiting/education area where they will receive a brief orientation to the facility and be required to execute a Community Norms Agreement. The Community Norms Agreement will notify all customers that any violations, such as loitering or public consumption, with specific reference to public consumption at or within Winthrop Park, will terminate their privilege to enter and make use of a Western Front facility. All Western Front employees will be trained to provide important information regarding the safe use of cannabis to all customers during this one-on-one interaction. A Registered Marijuana Agent will then direct the customer to the display cases 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 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 same 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 or about the premises. On-site security personnel will actively monitor the interior and perimeter of the proposed Cannabis Retail Store, with specific attention paid to Winthrop Park and the pedestrian way on Winthrop Street, and will identify any Western Front patrons that fail to conform their conduct to the requirements of the Community Norms Agreement. Those patrons will be banned from future use of any Western Front facility. On-site security personnel will maintain a daily log of activity and any criminal violations will be immediately reported to the Cambridge Police Department.

In addition to being a certified Economic Empowerment Applicant, Western Front, is a locally owned and operated cannabis company. The entire Board of Managers, namely, Marvin Gilmore, Dennis Benzan, and Omowale Moses, were born and raised in Cambridge, attended and graduated from the Cambridge Public Schools, and are Cambridge residents. This life-long connection to the City of Cambridge provides an authentic appreciation for the special character, integrity and historical significance of Harvard Square. Western Front recognizes the need to minimize any interruption of the active pedestrian corridor that could be caused by customer queuing on Winthrop Street. To avoid disruption, customers will be allowed to queue inside the dispensary in the hallway located between the secure entry vestibule and the education/intake area. The hallway can comfortably accommodate between 15-20 customers, but the

Applicant will queue no more than 10 to remain compliant with the total occupancy load of 20. Any Covid-19 restrictions that are promulgated by state or local officials will be immediately implemented. During the initial opening and on a continuing as-needed basis, the Applicant will station an additional employee immediately outside the front entrance to assist the Western Front ambassador. This employee will discourage queueing on Winthrop Street through the use of Q-Less, an interactive appointment software application, that will allow customers to visit other locations within the active retail district in Harvard Square while waiting for an appointment. The Applicant has conferred with the owner operator of Charlie's Kitchen Restaurant, who is also the Applicant's landlord, and has developed a contingency plan that will allow customers to queue within Charlie's Kitchen if the need arises. Based upon recent data compiled at Western Front's Chelsea dispensary, customer visits average approximately 7-10 minutes. The Applicant expects that customer visits to 98 Winthrop Street will be more efficient due to the limited space within the sales floor.

All previously completed alterations to the property are shown on the Exterior Elevations and Interior Views that were prepared by Huth Architects. See Volume II, Section 1, F. Exterior Elevations, and 1, G. Interior Views, attached hereto.

1. Security Systems Summary

As noted above, this building has been outfitted with a state-of-the-art security system. East Coast Security Consultants developed and installed measures that meet or exceed all security requirements of 105 CMR 725.110. Prior to commencing operations, all confidential security information will be submitted to the Cambridge Police Department for review and feedback. During all hours when the proposed Cannabis Retail Store is open for business, there will be security agents on-site who have been trained in crime prevention standards and have experience in the surveillance of highly regulated retail operations. The interior and exterior of the building has been outfitted with high-definition IR surveillance cameras that are connected to a secure video VLAN. All footage is stored for a minimum of ninety days. Silent and audible alarms are located throughout the dispensary as another security layer via Access Control and Intrusion. Real-time remote monitors for Access Control and CCTV are available 24 hours a day. Entry doors are equipped with an electronic control access system and are controlled by electrical and mechanical locks that create an audit trail. Staff access within the facility is monitored by a keycard program that provides staggered levels of access to staff members. Only essential staff is 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, members of law enforcement and CCC regulatory agents will be allowed access to those areas. The perimeter is 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.

2. Law Enforcement and Public Safety Official Communication

Western Front will seek to 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. Western Front has contacted the Cambridge Police Department to discuss the development and implementation of its security systems.

3. On-Site Security Personnel

Western Front has contracted with WesCon Personal Protection, Inc., a minority-owned and operated security firm that was founded by Cambridge native Mark Conrad. WesCon will provide dedicated security agents that will oversee all dispensary security operations during all business hours. The duties of these agents are multifaceted and include monitoring the facility entrance and exit, conducting perimeter inspections, troubleshooting to prevent adverse incidents from occurring and identifying and reporting any violations of the Community Norms Agreement. The security 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. Western Front will ensure that its security agents, as well as its ambassadors, inform all customers that loitering and public consumption is strictly prohibited. Any identified violations of law will be immediately reported to the Cambridge Police Department.

4. 24/7/365 Surveillance Cameras

A secured network of high- definition IR surveillance cameras that are connected to a secure video VLAN has been 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 exits, 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 delivery packaging/loading/unloading area. All footage will be stored for a minimum of ninety days. Surveillance cameras are enabled 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.

5. Access Control System

An automated access control panel regulates 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. All visitor identification badges shall be returned to the security vestibule upon exit.

6. Alarm Systems

The facility is 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 of a systems malfunction.

7. Inventory Tracking and Control System

A comprehensive inventory tracking and control system is essential to the security of the facility. It allows Western Front to maintain awareness and control over where products are at any given stage in the distribution process. Western Front will utilize Leaf Logix, a fully integrated enterprise application software package that includes tools for cultivation management, inventory management, cash management, and employee tracking, as well as a Point-of-Sale system. Leaf Logix interfaces well with METRC, the software used by the CCC for its seed-to-sale tracking program and Western Front has used it at its Chelsea location since the commencement of business operations. 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.

Western Front will also offer customers the ability to order online through online ordering software system called "Dutchie". Western Front has also used Dutchie since commencing operations in Chelsea and has seen how this software expedites the ordering process by allowing customers to pre-order items and to eliminate any need for queuing. Once an on-line order is received, that order is fulfilled and the customer is notified that the order is ready. Customers who order on-line enter the facility without delay, immediately complete the financial transaction and retrieve their product in an accelerated process.

8. Employee Training

Staff will be hired on a 3-month probationary status. All new hires will participate in rigorous training conducted at the Western Front dispensary in Chelsea, and will be evaluated for suitability in a restricted-access, highly regulated retail environment. Our internal training program includes a comprehensive review of the Western Front employee handbook, additional hand-out materials, several hands-on training modules and in-person presentations offered by experienced cannabis professionals. Legal training covers all State and Federal laws relating to cannabis and marijuana infused products. Legal obligations of licensed cannabis establishments, including applicable state and federal law, is emphasized. Topics include the CCC rules and regulations, sexual harassment, interaction with law enforcement, and the rights and responsibilities of Economic Empowerment Applicants. Legal training includes at least one two-hour session with an attorney.

Medical training includes 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 are trained in safe cannabis use and are instructed to guard against pushing retail sales. The focus is on assisting customers to make appropriate decisions about how best to choose the type of

cannabis that is right for them. Staff is provided with ongoing training in product information as well as general service philosophy.

In addition to its focus on safety, security training includes 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.

All staff members must become a Registered Marijuana Agent. The CCC requires all employees to participate in their training program and to submit to a background check prior to becoming a Registered Marijuana Agent.

9. Operations

Western Front anticipates operating a Cannabis Retail Store at 98 Winthrop Street between the hours of 9:00 AM –10:00 PM, 7 days per week, subject to the approval of the Planning Board.

10. Careers

Western Front anticipates hiring approximately of 20 full and part-time employees for positions at the proposed Cannabis Retail Store at 98 Winthrop Street. Employees will receive a salary, benefits, and substantial training. Because Western Front is a certified Economic Empowerment Applicant, and is a Cambridge-centric entity, it will hire 100% of its employees that reside in either Cambridge, or areas of disproportionate impact, by the first day of business. Western Front will prioritize hiring and actively recruit local Cambridge residents.

11. Trash Management

Any trash containing cannabis or marijuana infused products is required to be stored securely on site within the facility vault. Those 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.

12. Deliveries

Product deliveries will occur three times each week in unmarked sprinter vans. Because Winthrop Street is closed to vehicles between 2:00 a.m. and 11:00 a.m., Western Front will schedule deliveries to take place prior to 11:00 a.m. on a randomized basis. There will be no advertising, markings, or branding indicating that the vehicle is being used to transport cannabis. Cannabis and marijuana infused products are 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 staff vehicles transporting cannabis. One agent is required to remain in the transport vehicle, while the second agent will be accompanied by a Western Front assistant manager into the facility and within the vault where the inventory shall take place. This so-called “live Loading” will occur directly in front of the set-back entrance on Winthrop Street. An armored car service will pick up cash as needed each week. At no time shall a transport vehicle stop or park on Winthrop

Street, 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. The agent that remains in the unmarked sprinter van will be instructed by the assistant manager that if any emergency vehicles need access to Winthrop Street, he should simply circle the block and not impede access. See Volume III, Section 1, Transportation Logistics Plan prepared by Vanasse & Associates, Inc., attached hereto in response to 11.804 (e) for additional detail.

13. Payment Processing and Cash Handling

The Applicant maintains a business banking relationship with Century Bank and will accept cash and debit cards. Western Front employs a sophisticated cash-handling procedure at its Chelsea dispensary that will be mirrored here and which includes comprehensive employee training and strict 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.

14. Traffic and Parking

The Applicant does not propose adding any off-street parking or bicycle parking. Western Front will implement a Transportation Demand Management plan that encourages customers and employees to use non-automobile modes of transport to and from the site. Western Front will prioritize hiring Cambridge residents and people from areas of disproportionate impact and will encourage all employees to make use of public transportation. Western Front is committed to implementing a Transportation Demand Management (TDM) that reduces single-occupant-vehicle (SOV) trips to and from the site.

Western Front 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 on Winthrop Street. Operational procedures will be adjusted as needed to ensure optimal function of the facility. If required, consultations will be scheduled during off-peak hours. Western Front will use “Q-Less”, an interactive appointment software application, that will allow customers to visit other locations within the retail district of Harvard Square while waiting to be contacted by Western Front to return for an appointment. Western Front will also use an on-line ordering software system called “Dutchie”, which is currently being used in our Chelsea adult-use retail marijuana establishment. Dutchie improves the efficiency of customer visits by allowing customers to pre-order their selection from any device. Upon their arrival, the on-line order has been fulfilled and is ready for pick-up, thereby allowing the customer to avoid waiting in line. Dutchie reduces the amount of time the customer spends inside the dispensary and also eliminates that customer from a queue.

See Volume III, Section 1, Transportation Logistics Plan prepared by Vanasse & Associates, Inc., attached hereto.

Further, Western Front will undertake the following proactive traffic mitigation efforts:

1. Provide 100% MBTA T-Pass subsidies to all employees, with a pro-rated incentive for any part-time employees. The program will be administered by Western Front through the MBTA Corporate Pass/Perk Program;
2. Offer employees Gold-Level BlueBikes bike-share membership. The program will be administered by Western Front through the BlueBike Corporate Program;
3. Provide lockers in the break room for employees who walk or bike to work;
4. Provide access to an air pump and bicycle repair tools for customers and employees when needed;
5. Provide two (2) long-term bicycle parking spaces for use by employees who bike to work;
6. Provide a \$35,000 one-time transportation impact contribution to the city;
7. Provide a \$800 one-time contribution to the City's Public Bike Parking fund in lieu of short-term bicycle parking;
8. Designate a Transportation Coordinator to develop and manage the implementation of a Transportation Demand Management plan and a transportation monitoring program if required. The Transportation Coordinator will;
 - a. Post in a central and visible location (i.e., sales floor for customers and break room for employees) information on available non-automobile transportation services in the area, including but not limited to:
 - i. Available pedestrian and bicycle facilities near the Project site;
 - ii. MBTA maps, schedules and fares;
 - iii. "Getting Around Cambridge" map (available at the CDD office);
 - iv. Locations of bicycle parking;
 - v. BlueBikes regional public bikeshare program;
 - vi. Carpool-matching programs;
 - vii. Other pertinent transportation information-Rather than posting paper MBTA schedules, Western Front will display a real-time transportation screen in the reception area.
 - b. Compile and provide to all employees up-to-date transportation information explaining all commuter options. This information should also be distributed to all new employees during orientation.
 - c. Provide customers with sustainable transportation information to access the site.
 - d. Provide and maintain information on Western Front's public website, newsletters, social media, etc., on how to access the site by all modes of transportation, with an emphasis on non-automobile modes.
 - e. Participate in any Transportation Coordinator training offered by the city or local transportation Management Association.

9. If requested by TP&T or CDD, Western Front will provide information on employee and customer travel modes and where they customarily park, as well as information on leading and delivery operations. Surveys of employees and customers will be designed and conducted in a manner approved by TP&T and CDD.

The proposed location is highly-transit oriented and is serviced by superior access to public transportation. As noted in our Transportation Logistics Plan, the Red Line MBTA Harvard Square station is approximately a three-minute walk from the site and the #66, #71, #72, #73, #74, #75, #77, (personal favorite) #78, #86 and #96 MBTA buses all connect there. In addition, the #86 MBTA Bus stops at 16 Eliot Street, while the #66 MBTA Bus stops at the intersection of JFK and Eliot. Likewise, the #66 and #74 MBTA Buses stop at Eliot Street at Bennet Street, and the #71 and #73 MBTA Buses stop at Mt. Auburn Street at University Road. There are 3 BlueBikes stations within a three-minute walk and garage parking that can accommodate 265 vehicles is located at 65 JFK Street.

15. Personnel Policies

Western Front, as previously stated, is a certified Economic Empowerment Applicant. This certification requires that 75% of its employees will reside in areas of disproportionate impact by the first day of business. As stated previously, Western Front intends to hire 100% of its employees from either Cambridge or areas of disproportionate impact.

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. Western Front is dedicated to competitive pay structures, opportunities for advancement, and merit-based bonuses, and will provide employees with a highly competitive benefits package. Western Front 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.

Western Front anticipates hiring approximately 20 employees for full and part-time positions and will provide preferential hiring to Cambridge residents.

16. Customer Education

Education is a top priority for Western Front and will be a central theme evident throughout this proposed 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. All 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

related booklets and materials on physical conditions, healing ailments, cannabis strains and products, and effects when ingested.

All customers will be required to review and sign a Community Norms Agreement, in which they certify that they understand that the privilege to utilize any Western Front facility is contingent on respect for the surrounding neighborhood. Emphasis will be placed on respecting Winthrop Park. Western Front 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. Western Front 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.

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 required to review and sign a Community Norms Agreement, in which they certify that they understand that the privilege to utilize a Western Front store is contingent on respect for the surrounding neighborhood. Public consumption, diversion, queuing, loitering, and other behaviors will not be tolerated and practicing them will result in an immediate ban from all Western Front facilities.

Visual Materials: Western Front 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: Western Front employees will receive 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.

Takeaway Material: Product safety guides and general informational material will be placed in each bag to ensure customers have access to safety materials when they intend to utilize the product. Western Front 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 Volume II, Section 1, B. Context Map, prepared by Huth Architects, attached hereto.

There are no other operational Cannabis Uses in the vicinity, although the Planning Board has granted two special permits for Cannabis Retail Stores to be located at 31 Church Street and 57 JFK Street, respectively.

The site is located more than 300 feet distant from the University Lutheran Church. Representatives of Western Front have contacted Pastor Reed of the University Lutheran Church to discuss this proposal and to share our presentation and solicit comment. This site is not located within 300 feet of any public or private schools providing education in kindergarten or grades 1 through 12, or any children's playgrounds, youth athletic fields, or other youth recreation facilities.

As previously stated, Western Front is a certified Economic Empowerment Applicant and is therefore exempt from the 1,800-foot buffer between Cannabis Retail Stores per 11.803.1 (b).

There are no other children's playgrounds, youth athletic fields or other youth recreation facilities within 300 feet of the property.

(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 Volume II, Section 1, B. Context Map, C. Street Context and Views, and D. Site Plan, prepared by Huth Architects, attached hereto.

(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 Volume II, Section 1, F. Exterior Elevations and G. Interior Views, prepared by Huth Architects, attached hereto.

(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 Volume III, Section 1, Transportation Logistics Plan prepared by Vanasse & Associates, attached hereto.

(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 Volume III, Section 2, confirmation of approved Economic Empowerment Status, dated May 28, 2021, and EEA license number EE202211 granted May 22, 2018, and Volume III, Section 3, Certificate of Organization, notarized June 9, 2021, attached hereto.

(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.

Western Front 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 98 Winthrop Street 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 Western Front is a certified Economic Empowerment Applicant. Please see Volume III, Section 2, confirmation of approved Economic Empowerment Status, dated May 28, 2021, attached hereto. 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 Western Front facility.

Requested Special Permit Relief per 11.803.3

The site is not located within 300 feet of a pre-existing public or private school providing education in kindergarten or any of the grades 1 through 12, nor is it within 300 feet of a pre-existing public children's playground, public youth athletic field or public youth recreation facility. Winthrop Square, a public park, is located within 300 feet but it does not contain play features or other uses that are exclusively for use by children nor is Winthrop square listed as either a Sports Field or Playground in Cambridge's Parks and Playgrounds Guide.

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.

The location of this site provides superior access to public transit and is highly accessible for pedestrians and bicyclists. Western Front 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. 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. The Applicant will provide two long-term bicycle parking spaces within the premises for employee use and will contribute to the City's Public Bike Parking fund per Section 6.104.2.

As noted previously, the Applicant does not propose conducting home delivery from this location but recognizes that evolving market conditions may require a pivot to that collateral use in the future. For that reason, the Applicant requests relief from the Planning Board to allow the Traffic, Parking and Transportation Department to administratively review any future proposals to the Applicant's current Transportation Logistics Plan to include home delivery, thereby obviating the need for Planning Board review.

Western Front has proposed a Transportation Demand Management (TDM) plan to provide traffic mitigation and monitoring measures to protect against any potential traffic impacts and will provide a \$35,000 one-time transportation impact contribution to the city.

Moreover, Western Front 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, Western Front will use an on-line appointment scheduling system.

Please see Volume III, Section 1, for the enclosed Transportation Logistics Plan prepared by Vanasse & Associates, Inc., attached hereto.

Further, Western Front will undertake the following proactive traffic mitigation efforts:

1. Provide 100% MBTA T-Pass subsidies to all employees, with a pro-rated incentive for any part-time employees. The program will be administered by Western Front through the MBTA Corporate Pass/Perk Program;
2. Offer employees Gold-Level BlueBikes bike-share membership. The program will be administered by Western Front through the BlueBike Corporate Program;
3. Provide lockers in the break room for employees who walk or bike to work;
4. Provide access to an air pump and bicycle repair tools for customers and employees when needed;
5. Provide two (2) long-term bicycle parking spaces for use by employees who bike to work;
6. Provide a \$35,000 one-time transportation impact contribution to the city;
7. Provide a 4800 one-time contribution to the City's Public Bike Parking fund per Section 6.104.2, in lieu of short-term bicycle parking;
8. Designate a Transportation Coordinator to develop and manage the implementation of a Transportation Demand Management plan and a transportation monitoring program if required. The Transportation Coordinator will;

- a. Post in a central and visible location (i.e., sales floor for customers and break room for employees) information on available non-automobile transportation services in the area, including but not limited to:
 - viii. Available pedestrian and bicycle facilities near the Project site;
 - ix. MBTA maps, schedules and fares;
 - x. “Getting Around Cambridge” map (available at the CDD office);
 - xi. Locations of bicycle parking;
 - xii. BlueBikes regional public bikeshare program;
 - xiii. Carpool-matching programs;
 - xiv. Other pertinent transportation information-Rather than posting paper MBTA schedules, Western Front will display a real-time transportation screen in the reception area.
 - b. Compile and provide to all employees up-to-date transportation information explaining all commuter options. This information should also be distributed to all new employees during orientation.
 - c. Provide customers with sustainable transportation information to access the site.
 - d. Provide and maintain information on Western Front’s public website, newsletters, social media, etc., on how to access the site by all modes of transportation, with an emphasis on non-automobile modes.
 - e. Participate in any Transportation Coordinator training offered by the city or local Transportation Management Association.
9. If requested by TP&T or CDD, Western Front will provide information on employee and customer travel modes and where they customarily park, as well as information on leading and delivery operations. Surveys of employees and customers will be designed and conducted in a manner approved by TP&T and CDD.

(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 is located on Winthrop Street directly in front of the structure. Deliveries will occur two to three times per week at randomized times prior to 11:00 a.m., and will consist of a single sprinter van arriving in the front of 98 Winthrop Street. The sprinter van will “live park” in the designated loading zone and remain there for approximately 15 minutes. The phrase “live park” is intended to communicate that one Registered Marijuana Agent will remain in the transport vehicle at all times while the second Registered Marijuana Agent will be escorted into the facility by the general manger or dedicated assistant manager with the product. The product will be physically carried into the store in a non-descript plastic bin through the front entrance located on Winthrop Street. The Registered Marijuana Agent that hand-delivers the product to the on-site manager of the Western Front 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 “live parking” directly in front of the entrance to the facility in the designated loading zone and walking into the entrance, all loading activity occurs within the facility itself.

All regulated waste will be transported back to the cultivation facility from which it originated for approved disposal. All other trash will be disposed of per city regulations.

(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.

Other than installing appropriate signage and updated lighting, there are no exterior changes to the building proposed in connection with this application for Special Permit. Minor exterior modifications were previously approved and completed in connection with PB Case Number 325, Healthy Pharms, Inc., which included the replacement of the door at the entrance to the dispensary and the installation of additional signage and security lighting. Those modifications were completed in compliance with City and CCC regulations. The Applicant will solicit guidance from the Cambridge Historical Commission as to its proposed signage and lighting as depicted in the attached graphics at Volume II, Section 1, F. Exterior Elevations, attached hereto. The sales area and regulated material handling area is not visible from the streetscape.

(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.

The retail area, where cannabis products are displayed, is located behind the restaurant frontage and is not visible from the streetscape. See Volume II, Section 1, D. Ground Floor Plan, attached hereto.

(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.

Western Front will provide 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:

a. 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.

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

Western Front 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. Harvard Square is a vibrant, bustling neighborhood that has been the center of Cambridge's unique cultural, commercial and historical significance. Although Harvard Square is the site of major redevelopment, the Western Front proposed Cannabis Retail Store is contemplated to fit seamlessly within both the historical and emerging character of the Square. The entire retail space will occupy 1,207 square feet, with a portion of that dedicated to education and intake. This space 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 Western Front 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 two city blocks from the Harvard Square MBTA Red Line Station, there are 16 MBTA bus lines that connect in Harvard Square and there are several public bike racks and three Blue Bike Stations within a 5-minute walk. Although Western Front expects that most customers will walk or use other non-automobile modes of transport, surrounding streets provide on-street metered parking and there are seven public parking facilities within walking distance. This is a highly transit-oriented site. For additional information regarding transportation impacts, see Volume III, Section 1, Transportation Logistics Plan prepared by Vanasse & Associates, Inc., attached hereto.

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 use is retail only, with an emphasis on customer education. Western Front is a locally-owned cannabis company that has been certified as an Economic Empowerment Applicant. The Board of Managers is committed to setting the standard for operational excellence, not only within the Equity Programs established by the CCC, but 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.

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

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 with requirements that people from communities that have been disproportionately harmed by marijuana law enforcement are included in the new legal marijuana industry. These programs were developed in responses to evidence which demonstrates that certain populations, particularly Black and Latinos, have been disproportionately impacted by high rates of arrest and incarceration for marijuana and other drug crimes as a result of state and federal drug policy. Criminalization has had long-term ill effects, not only on the individuals arrested and incarcerated, but on their families and communities. Although Cambridge was not one of the 29 cities designated as an area of disproportionate impact, the city has established a regulatory scheme that prioritizes Economic Empowerment Applicants such as the Western Front. 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.

- e. **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 Western Front 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. This area will also provide space for queueing and will minimize any interruption of the pedestrian corridor along Winthrop Street. 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.

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

The project is consistent with the urban design objectives set forth by the city in Section 19.30. The design shields from the public view the entirety of the sales area and regulated material, while the active restaurant frontage engages the streetscape. The exterior façade will not be altered and the historical integrity of the building will remain untouched. The proposed lighting and security measures have been 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 dispensary and its operations. The Western Front facility will be consistent with and maintain the form and character desirable for Harvard Square.

VOLUME I

Section 3

Community Engagement Summary

1. February 24, 2021 Community Outreach Meeting

On Wednesday, February 24, 2021, Western Front hosted a Zoom community outreach meeting that began at approximately 6:10 p.m. and lasted until 8:30 p.m. Unfortunately, Western Front experienced technical difficulties with the original zoom link and was forced to create a new link that was emailed to approximately 25 neighbors who had expressed an interest in attending the meeting. As a result of this technical error, Western Front recognized that the public notice requirements were not satisfied and therefore created a second public notice for a second Zoom community meeting on March 19, 2021. The second meeting was conducted without any technical errors.

Approximately 25 neighbors attended the first meeting on February 24, 2021, during which a presentation was made to discuss the application for a Special Permit for an Adult-Use Marijuana Retailer license at 98 Winthrop Street (the "Premises") pursuant to 935 CMR 500.101 and other applicable laws and regulations promulgated thereunder, including those promulgated thereunder by the Cannabis Control Commission. The presentation included graphics, elevations, floor plans and security systems plans.

2. March 19, 2021 Community Outreach Meeting

On March 19th, during our second Zoom community meeting, only 5 neighbors attended.

The information that was information that was presented at each of the Community Outreach Meetings included, but was not limited to:

1. The type(s) of Adult-Use Marijuana Establishment to be located at the Premises;
2. Information adequate to demonstrate that the Adult-Use Marijuana Establishment location will be maintained securely;
3. Steps to be taken by the Adult-Use Marijuana Establishment to prevent Diversion to minors;
4. A plan by Adult-Use Marijuana Establishment to positively impact the community; and
5. Information adequate to demonstrate that the location will not constitute a nuisance to the community by noise, odor, dust, glare, fumes, vibration, heat or other conditions likely to cause nuisance.

On February 24, the community members and attendees were encouraged to ask questions and did receive answers from representatives of Western Front. Several attendees expressed a level of discomfort related to the Cookies Retail Cannabis Store that has been proposed for 57 JFK Street. Most community members felt that the scale of that proposal was too large and the location was too close to Winthrop Park. By contrast, the neighbors were pleased with the scale of Western Front's proposal and the fact that the active restaurant frontage would remain. Many neighbors expressed concern that customers may ingest marijuana in public or congregate at the Park during business hours.

In response to neighbors' concerns about the potential for disruption within Winthrop Park, Western Front explained that our security personnel in Chelsea walk the premises on an hourly basis and look for any nuisances. It was also explained that the only nuisance we have encountered in Chelsea was when a

few customers parked in an adjacent private parking lot. Western Front also explained that there have been no instances of public consumption or crime and that other existing dispensaries in Brookline and Salem have not encountered additional crime; in fact, we explained that the data points to a decrease in so-called nuisance crimes because of the heavy security presence of this use.

Representatives of Western Front explained that they simply can't control any specific customer's behavior once the customer leaves the premises, but that if any customer is observed violating the Community Norms Agreement, they will be reported to law enforcement and barred from the premises.

Several community members expressed concern about Cookies Retail marketing and asked about the Western Front marketing. Representatives explained that the CCC has specific advertising regulations that prohibit the use of animals, characters or other images that could be appealing to children.

One member of the community asked what the financial and ownership structures were for Western Front and asked whether there was any joint venture with so-called "big cannabis" companies. The representatives of Western Front responded that there are no such relationships and that Western Front is an authentic, Economic Empowerment Applicant that has raised seed capital from family and friends. Representatives of Western Front also explained that the business model of an EE applicant is vastly different from the existing RMDs in Cambridge and that the profits margins project to be dramatically less than the vertically integrated companies. Essentially, it was explained that because Western Front does not have its own cultivation center, it must wholesale marijuana and marijuana products at 50% of retail from a vertically integrated company and then resell to the marketplace.

Other community members wanted to know how many dispensaries will be permitted in Harvard Square and noted that 31 Church Street had received approval but has not yet opened. It was explained that there is no cap on the number of dispensaries in Harvard Square but that only EE applicants can site within the 1,800 foot buffer zone. It was also explained that according to state statute, the city must allow no less 20% of the total number of 40 retail package store licenses, or 8 dispensaries. The overwhelming majority of attendees were very supportive of this project but expressed concern that if they stated their support publicly it might create a precedent for the Planning Board to incorrectly assume the community supported the Cookies Retail proposal.

On March 19th, the meeting was less well attended. One neighbor theorized that the community was feeling fatigued after participating in public comment during the Planning Board meeting earlier in the week. Again, neighbors expressed concern about interference with Winthrop Park and representatives again made commitments to actively monitor our customers and enforce our community norms agreement. Questions were also asked about the proposed signage and whether it would change in size from that which remains for Healthy Pharms. Western Front representatives explained that all signage will be reviewed by the city and that it will be similar in size and content to the signage presently on site. The community members who attended all expressed support for the Western Front proposal at 98 Winthrop and expressed gratitude that Western Front had included specific references to Winthrop Park in our revised presentation.

3. Public Notice

A copy of both Community Outreach Meeting Notices for the February 24th and the March 19th meetings was sent to the Cambridge Planning Board, the Cambridge Public Health Department and was

placed on file with the Cambridge City Clerk at City hall located at 795 Massachusetts Avenue, Cambridge, MA 02139. These Notices were also mailed seven (7) calendar days prior to the community outreach meeting to the abutters of 98 Winthrop Street, the proposed address of the Marijuana Establishment, to the owners of land directly opposite on any public or private street or way, and to abutters to the abutters within three hundred (300) feet of the property line of the project as they appeared on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town.

4. Other Outreach Efforts

Western Front representatives have met with most of the stakeholders in the Harvard Square area to discuss our plans and to listen to concerns, comments and suggestions. These meetings have included multiple conversations, individually and collectively, with members of the Winthrop Park Trust, Harvard Square Business Association, Harvard Square Neighborhood Association, and local businesses such as Black Sheep Bagel, Shay's, Grendel's Den, Charlie's Kitchen, Red House and other appurtenant businesses.

Representatives have also discussed these plans with CDD staff, the Office of the City Manager, ISD, and several members of the Cambridge City Council.

Western Front has also communicated with several residents, neighbors and community activists. Western Front has also discussed this proposal with Pastor Reed of the University Lutheran Church, and we have made efforts to communicate with Harvard University.

VOLUME III

Section 1

MEMORANDUM

TO: Western Front, LLC
c/o Dennis A. Benzan, Esquire
Law Offices of Dennis A. Benzan, LLC
1 Pine Street
Cambridge, MA 02139

FROM: Scott W. Thornton, P.E. *and*
Jennifer Conners
Vanasse & Associates, Inc.
35 New England Business Center Drive
Suite 140
Andover, MA 01810-1066

DATE: August 31, 2021

RE: 8872

SUBJECT: Transportation Logistics Plan
Proposed Retail Dispensary – 98 Winthrop Street
Cambridge, Massachusetts

Vanasse & Associates, Inc. (VAI) has completed a Transportation Logistics Plan in order to determine potential impacts associated with the proposed cannabis dispensary to be located at 98 Winthrop Street in Cambridge, Massachusetts (hereafter referred to as “the Project”). The purpose of this memorandum is to identify available public transit options, evaluate parking supply, evaluate loading/delivery areas and the impacts on nearby streets, sidewalks, and surrounding neighborhoods, estimate traffic volumes expected to be generated by the proposed facility, and recommend a Transportation Demand Management (TDM) Plan for customers, employees, and delivery/loading activities, in order to minimize Project impacts. The general scope of this assessment is outlined in the City of Cambridge Transportation Logistics Plan Guidelines.

PROJECT DESCRIPTION

As proposed, the Project entails conversion of the existing medical marijuana dispensary to a recreational marijuana store. The proposed 1,589± square foot (sf) cannabis retail store will be located on the side and in the rear portion of the first floor of 98 Winthrop Street behind an active restaurant frontage (The Red House restaurant). Access to the proposed dispensary will be provided through a separate entrance set back approximately 20 feet from the sidewalk on Winthrop Street. The proposed facility will operate with three registers and will be open seven days a week from 9:00 AM to 10:00 PM, Monday through Sunday. The proposal does not include the addition of any parking spaces. A total of 2 bicycle parking spaces will be provided on site. Figure 1 depicts the site location in relation to the local roadway network.

INTRODUCTION

As part of this study, a comprehensive field inventory of available public transit options, parking supply, loading zone, pedestrian, and bicycle facilities within the study area was undertaken in February 2021, within 500 feet and 1/4-mile radius around the site. Figures 2 and 3 graphically depict a survey of the inventory.



PEDESTRIAN AND BICYCLE FACILITIES

The Project site is conveniently located in a pedestrian-friendly area and will be accessed by customers at the store entrance onto Winthrop Street. Within the study area, sidewalks are provided along both sides of all streets with painted crosswalks provided at the intersections. Available public transit and bike facilities/stations are provided within less than a 5-minute walk. Approximately, 105 nearby public bike racks are available within a 500-foot radius of the site, providing a total storage capacity for 210 bicycles.

PUBLIC TRANSPORTATION SERVICES

The Project site is conveniently located within a 4- to 5-minute walk of the Massachusetts Bay Transit Authority (MBTA) Harvard Station. As such, a significant portion of employees and customers will utilize transportation to access the site. Public transportation services are provided within the study area by the MBTA for bus and subway service. A description of the bus routes within the site vicinity is depicted on Figure 4. Within the study area, the MBTA operates the following bus and subway services:

**Table 1
MBTA BUS SERVICE SUMMARY^a**

Route	Service	Stop Closest to Site	Distance from Site	Distance Walking	Frequency ^b
1	Harvard Square - Nubian Station	Massachusetts Avenue at Holyoke Street	0.3 mi north	5 minutes	
66	Harvard Square - Nubian Station	Eliot Street at Bennett Street	190 ft west	1 minute	
68	Harvard - Kendall/MIT	Massachusetts Avenue at Johnston Gate	557 ft. north	3 minutes	
69	Harvard - Lechmere	Massachusetts Avenue at Johnston Gate	557 ft north	3 minutes	
71	Watertown Square - Harvard	Mt Auburn Street at University Road	500 ft west	2 minutes	
73	Waverley Square - Harvard	Mt Auburn Street at University Road	500 ft west	2 minutes	<i>Weekday</i>
74	Belmont Center - Harvard via Concord Avenue	Eliot Street at Bennett Street	190 ft west	1 minute	8 to 40 minutes
75	Belmont Center - Harvard via Fresh Pond Parkway	Eliot Street at Bennett Street	190 ft west	1 minute	<i>Saturday</i> 7 to 42 minutes
77	Arlington Heights - Harvard	Eliot Street at Bennett Street	190 ft west	1 minute	
78	Arlmont Village - Harvard	Eliot Street at Bennett Street	190 ft west	1 minute	
86	Sullivan - Reservoir	Eliot Street at Bennett Street	190 ft west	1 minute	
96	Medford Square - Harvard	Eliot Street at Bennett Street	190 ft west	1 minute	

^aBased on MBTA Transit Near Me website.

^bBased on MBTA Bus Arrival Departure Times Oct-Dec 2020.

MBTA SUBWAY SERVICE SUMMARY

Line	Stop Closest to Site	Distance from Site	Distance Walking	Frequency
MBTA Red Line Braintree/Alewife	Harvard Square	0.2 Miles North	4 minutes	9-16 minutes



PARKING DEMAND

The Project proposes to use existing on- and off-street public parking. In order to determine the availability of parking spaces, a parking supply survey was conducted within 500 feet around the site. The survey was conducted based on the Cambridge GIS data and field observations. The inventory consists of on-street parking coded by regulation (e.g., metered two-hour parking, metered one-hour parking, metered 30-minute parking, private parking spaces, handicap parking spaces, loading zones, etc.) and three existing parking garages in the vicinity of the site. It is important to note that due to the impacts of COVID-19, no parking demand surveys were conducted within the study area. Table 2 and Figure 5 summarize the parking supply for the available customer parking within a 500-foot radius of the site.

**Table 2
CAMBRIDGE VEHICLE PARKING SUPPLY^a**

<i>On Street Parking</i>		
<i>Street</i>	<i>Supply</i>	
	<i>Metered</i>	<i>HC</i>
<i>MT Auburn Street</i>	8	1
<i>Brattle Street</i>	2	1
<i>Eliot Street</i>	1	
<i>JFK Street</i>	31	3
Total On-Street Supply	42	5
<i>Parking lot/Garage</i>		
<i>Eliot Street Garage (Private)</i>	265	
<i>Municipal Lot #2</i>	42	
<i>Charles Square Garage (Private)</i>	600	
Total Garage Supply	907	
TOTAL PARKING SUPPLY	949	

^aBased on Cambridge GIS data and field observations

As shown in Table 2, a total supply of 949 spaces are available within a 500-foot radius of the site. Due to the location of the facility, customers are expected to travel primarily by non-automobile modes. For customers that must drive, there are several existing commercial and public parking facilities in the Harvard Square vicinity. It is important to note that additional public parking is available at several garages outside of the 500-foot radius zone. It is VAI’s opinion that parking needs for the Project can be accommodated by the existing parking facilities in Harvard Square.

LOADING DEMAND

Loading and deliveries are expected to occur through “live loading”¹ in secure vehicles using an existing loading zone area onto Winthrop Street. There are multiple loading zones along Elliot Street and JFK Street. Deliveries will occur between two and three times each week in an unmarked sprinter van. Because Winthrop Street is closed to vehicles between 11:00 AM and 2:00 AM, all deliveries will be scheduled to take place prior to 11:00 AM on a randomized basis. The sprinter van will “live park”² in the designated

¹ Live Loading: Means that the truck will load or unload the items in short period of time.

² Live park: The parking of a vehicle while the motor remains running, and usually with the driver or a passenger remaining inside.



loading zone and remain there for approximately 15 minutes. Cash collection is expected to occur no more than two-three times per week. All regulated waste will be transported back to the cultivation facility from which it originated for approved disposal. All other trash will be disposed per city regulations. The loading zone is expected to be utilized 17 times per week.

DROP-OFF AREA

Winthrop Street is closed to vehicles between 11:00 AM to 2:00 AM, therefore customer drop-off (i.e., Uber, Lyft, and others) will not be available along the site frontage. Customers are expected to be dropped off at Eliot Street and JFK Street.

PROJECT-GENERATED TRAFFIC

Unlike many other types of land uses, regulated marijuana dispensaries are a new use in the Commonwealth and standardized data regarding how comparable facilities operate is not yet available. In order to establish traffic characteristics for the proposed cannabis facility, empirical trip rates obtained prior to the occurrence of the COVID-19 pandemic from two similar facilities located within Massachusetts urban areas were used. The similar facilities are located at 160 Washington Street, Brookline, Massachusetts (NETA Brookline) and at 50 Grove St, Salem, Massachusetts (Alternative Therapies Group). Customer counts were collected at these facilities in June/July of 2019 during typical weekday evening peak hour (4:00 to 6:00 PM) and during a typical Saturday midday peak hour (11:00 AM to 2:00 PM). Based upon the data from both sites, an average trip-generation rate per register were developed.

As per TP&T's request, VAI conducted a new customer count at the NETA Brookline dispensary to better understand current trip rates. The counts were collected in February of 2021 during a weekday afternoon/evening peak period (12:00 PM to 6:00 PM) and during a Saturday midday peak period (11:00 AM to 2:00 PM).

In comparison to the June 2019 counts, the new data shows a decrease in the number of customers of approximately 32 to 49 percent during the peak hours. It was also observed that there was a change in the peak hour during the weekday evening time period. The peak hour in the 2019 data occurred at 4:00 PM, while the peak time in the 2021 data occurred at 1:00 PM. It is important to note that the NETA facility is currently operating by appointment only, which, conjunction with impacts caused by COVID-19, may have led to a decrease in the number of customers over the peak period. Based upon this data comparison, it can be concluded that even during current conditions the existing NETA Brookline Cannabis facility remains busy and it is expected to continue as such until other facilities in the Boston area are developed.

In order to provide a conservative analysis, trip rates from the 2019 data were utilized to project future trips for the proposed facility. The conservative estimation of the trip-generation expected during opening condition is presented on Table 3 with background calculations contained in the Appendix.



The Applicant also operates a retail cannabis dispensary in Chelsea which opened in November 2020. Data on transactions from this store indicates a much lower sales rate with an average of between 10 and 15 customers per hour during the peak hours of on both weekdays and Saturdays. This information is offered as another data point for COVID-period cannabis sales and was not used in the estimation of project trip generation.

It is important to note that the trip projections for the Project presented are for the initial opening period and as more dispensaries open, the trip-generation will be reduced significantly.

Project-Generated Traffic-Volume Summary

As can be seen in Table 3, the cannabis dispensary is predicted to generate approximately 49 vehicle trips (24 vehicles entering and 25 exiting) expected during the weekday evening peak hour, and 37 vehicle trips (19 vehicles entering and 18 exiting) expected during the Saturday midday peak hour. It should be noted that up to 40 percent of customer peak-hour trips will be transit, pedestrian, and bicycle. It is important to note that these estimates are conservatively high and given the project area, actual vehicle-trip generation should be significantly less.

QUEUEING ANALAYSIS

Based upon recent data compiled at Western Front’s Chelsea dispensary, customer visits average approximately 7 to 10 minutes. The Applicant recognizes the need to minimize any interruption of the active pedestrian corridor caused by the potential for customers queueing onto Winthrop Street. To avoid disruption, customers will be allowed to queue inside the hallway of the dispensary located between the secure entry vestibule and the education/intake area. This area can accommodate approximately 20 to 25 people queued; however, Cambridge Inspectional Services Department (ISD) is limiting capacity to 20 persons total, including employees.

Notwithstanding the ISD-imposed occupancy limits, a queue analysis was conducted to address concerns from the City of Cambridge. This queue analysis does not consider the ISD limits which would artificially lower the occupancy levels. The queue analysis was conducted using the processing information from the Chelsea store. The opening condition queue analysis is presented in Table 4 with background calculations contained in the Appendix. It should be noted that this is a theoretical exercise and due to ISD requirements, the queues noted below will not occur in practice.

Table 4
QUEUE ANALYSIS

Queue Performance/Operating Characteristics		
Average server utilization	91%	busy
Average number of customers in the queue	14	in queue
Average waiting time in the queue	19.5	minutes
Probability (% of time) system is empty	9%	empty

As can be seen in Table 4, it is expected that an average of 14 customers in line could be waiting to be served, with a waiting time of approximately 20 minutes during the highest peak period. The queue area



located inside the hallway of the dispensary between the secure entry vestibule and the education/intake area could accommodate approximately 20 to 25 people in a queued situation. As noted above, ISD has indicated a 20-person limit on occupancy of the facility. Therefore, the customer queues noted in Table 4 cannot occur. If more customers arrive than can be accommodated under the ISD-capacity limit, additional crowd control measures will be adopted. These are identified below.

CROWD AND CUSTOMER MANAGEMENT LOGISTICS

The Applicant is committed to developing operational procedures to ensure that customer visits are short in duration and will not result in lines, congestion to enter and exit the facility, or other congestion onto Winthrop Street or exceedance of the occupancy limits as defined by ISD. In anticipation of possible large crowds during the opening days and months, the following are being proposed:

- ***Additional Staff:*** There will be additional security/concierge specifically focused on managing crowds and ensuring that the 20-person indoor limit is not exceeded. The concierge is expected to primarily focus their efforts outside of the building to enforce crowd control. The additional staff will also orient/advise customers waiting at the dispensary's front door to schedule an appointment using the app so that there is no congestion along Winthrop Street. These additional staff members will serve as concierge and will not replace the required security and check in personnel as required by the Cannabis Control Commission (CCC) regulations.
- ***Crowd Management Software/Technology:*** The Applicant will utilize "Q-Less" appointment scheduling and queue management system designed to allow customers to schedule an appointment via mobile phone or our website will be utilized. The app will update customers via text message and then notify the customer when it is their turn. The interactive appointment software application will allow customers to visit other locations within the active retail district in Harvard Square while waiting for an appointment.
- ***Coordinate with Cambridge Police:*** In advance of its opening day, Western Front, LLC will coordinate with the Cambridge Police Department to arrange for the appropriate details, discuss any potential logistics for crowd management, and share any industry information the police may find useful.

BICYCLE PARKING

Because of the limited space available at the Project site to accommodate short-term bicycle parking, the Applicant will satisfy their obligations to short-term bike parking by contributing to the City's bicycle parking fund.

Long-term bicycle parking will be provided inside the building for staff. Indoor bicycle parking for two bicycles will be provided.



TRANSPORTATION DEMAND MANAGEMENT (TDM)

In order to minimize any traffic and parking impact generated by the Project, the Applicant is proposing a comprehensive TDM. The goal of the TDM plan is to advise and encourage employees and customers to travel in a healthy transportation choice, such as walking, bicycling, public transit, or carpooling. The following measures will be implemented in an effort to reduce the number of vehicle trips generated and is consistent with retail cannabis stores in Cambridge:

- Provide 100% MBTA T-Pass subsidies to all employees, with a pro-rated incentive for any part-time employees. The program will be administered by Western Front through the MBTA Corporate Pass/Perk Program;
- Offer employees Gold-Level BlueBikes bike-share membership. The program will be administered by Western Front through the BlueBikes Corporate Program;
- Provide lockers in the break room for employees who walk or bike to work;
- Provide access to an air pump and bicycle repair tools for customers and employees when needed;
- Provide two (2) long-term bicycle parking spaces for use by employees who bike to work;
- Provide a \$35,000 one-time transportation impact contribution to the city;
- Provide a \$800 one-time contribution to the City’s Public Bike Parking fund in lieu of short-term bicycle parking;
- Designate a Transportation Coordinator to develop and manage the implementation of a Transportation Demand Management plan and a transportation monitoring program if required. The Transportation Coordinator will:
 - Post in a central and visible location (i.e., sales floor for customers and break room for employees) information on available non-automobile transportation services in the area, including but not limited to:
 - Available pedestrian and bicycle facilities near the Project site;
 - MBTA maps, schedules and fares;
 - “Getting Around Cambridge” map (available at the CDD office);
 - Locations of bicycle parking;
 - BlueBikes regional public bikeshare program;
 - Carpool-matching programs;
 - Other pertinent transportation information-Rather than posting paper MBTA schedules, Western Front will display a real-time transportation screen in the reception area.
- Compile and provide to all employees up-to-date transportation information explaining all commuter options. This information should also be distributed to all new employees during orientation.
- Provide customers with sustainable transportation information to access the site.
- Provide and maintain information on Western Front’s public website, newsletters, social media, etc., on how to access the site by all modes of transportation, with an emphasis on non-automobile modes.



- Participate in any Transportation Coordinator training offered by the city or local transportation Management Association.
- If requested by TP&T or CDD, Western Front will provide information on employee and customer travel modes and where they customarily park, as well as information on loading and delivery operations. Surveys of employees and customers will be designed and conducted in a manner approved by TP&T and CDD.

The above strategies will encourage non-auto travel by the employees and customers.

TRANSPORTATION MONITORING AND REPORTING PROGRAM

- The transportation coordinator will implement an annual transportation monitoring program which will involve surveying employees and customers on their travel modes and where they customarily park (cars and bikes). This monitoring data should help to inform the development of future dispensary projects. The annual monitoring program shall be in place for 10 years following the issuance of the Project's occupancy permit at which discussion with the TP&T will occur to determine if it would be beneficial to continue the monitoring program.
- The monitoring program should include observations of the loading spaces and loading activities on Winthrop Street, similar to the analysis conducting by Hayes Engineering, Inc. in December 2016.
- All surveys shall be designed and conducted in a manner approved by the Community Development Department.
- Approval of the form of any survey instrument or monitoring method should be approved before issuance of the Certificate of Occupancy.
- Surveying shall begin one year from the date of the first Certificate of Occupancy. If the Certificate of Occupancy is issued between September 1st and February 29th, the monitoring should take place during the months of September or October and be reported to the City no later than November 30th. If the Certificate of Occupancy is issued between March 1st and August 31st, monitoring should take place during the months of April or May and be reported to the City no later than June 30th.

LOADING AND SERVICE DELIVERY OPERATIONS AND MANAGEMENT PLAN

- Loading/deliveries and cash pickups shall only occur between 2:00 AM and 11:00 AM when Winthrop Street is open to vehicles for loading activities for businesses on the street.
- Existing loading spaces in the area, such as the loading spaces southeast of the facility on Winthrop Street, should be used.
- At no time shall a vehicle park or stop on Winthrop Street in a manner that blocks emergency vehicle access or impedes the flow of pedestrians or bicycle travel on Winthrop Street.



- The Applicant shall monitor/observe the use of the loading spaces on Winthrop Street to identify the best days/times for deliveries and pickups when those loading spaces are most available/unoccupied. It is understood that deliveries and pickups will be randomized for security reasons.
- At no time should the delivery of marijuana or the removal of refuse interfere with, or otherwise affect, abutting uses.
- As committed in the Special Permit application, the Applicant will provide a loading and service delivery management plan that includes all delivery activity to the facility, to TP&T for approval prior to issuance of a building permit.

If loading pick-up/drop-off activities cause issues on public users and infrastructure on Winthrop Street (e.g., vehicles blocking other vehicles, illegal parking, etc.) then the Applicant will work with the City to resolve it.

It is important to note that the facility will not service home deliveries so no outbound delivery activity will occur in connection with this location.

CONCLUSIONS

VAI has completed a Transportation Logistics Plan of the potential impacts on the transportation infrastructure associated with the proposed cannabis dispensary to be located at 98 Winthrop Street in Cambridge, Massachusetts. Based on this assessment, we have concluded the following with respect to the Project:

- The initial opening of the proposed facility will result in significant customer activity, which will be reduced over time as more dispensaries open.
- Parking in the area is available, however, the site is serviced by superior access to public transit and is highly accessible for pedestrians and bicycles which help reduce auto travel to the site and encourage transit usage.
- Public transportation is available in the immediate Project vicinity to accommodate both employees and customers.
- The Project proponent has committed to an aggressive TDM plan to reduce automobile travel to the site and promote transit, bicycle, and walking.

In consideration of the above, we have concluded that the Project can be accommodated within the confines of the existing transportation infrastructure in a safe and efficient manner.



Cannabis Retail Stores Summary Form

Project Site:		
1	Store Address.	98 Winthrop St
2	Total floor area of store (including sales, back of house, other).	1,589 sf
3	Retail sales area (including customer waiting areas).	Retail Sales and Waiting Area = 822 SF
4	Maximum customer capacity – sales area.	7 – limited based on ISD requirements
5	Maximum customer capacity – waiting area.	8 – limited based on ISD requirements
Employees:		
6	Number of full-time employees (total).	Total employees: 15
7	Number of part-time employees (total).	Total employees: 5
8	Maximum number of employees on-site at one time.	5 employees on-site plus 1 concierge outside
	Employee mode shares:	Obtained from American Community Survey 2015-2019 5-year estimates for U.S. Census Tract 3541.
9	% single-occupancy vehicle (SOV) (including ride-hailing):	21.8%
10	% high-occupancy vehicle (HOV):	3.2%
11	% public transit:	30%
12	% walk:	27.1%
13	% bike:	6.3%
14	% other:	11.6%
Customers:		
15	Number of customers per day.	363 Customers
16	Maximum number of customers expected at any one time.	15 Customers
	Customer mode shares:	Based upon Sira Natural's Survey 2018
17	% single-occupancy vehicle (SOV) (including ride-hailing):	41%
18	% high-occupancy vehicle (HOV):	13%
19	% public transit:	16%
20	% walk:	19%
21	% bike:	6%
22	% other:	5%

Transit Availability:	
23	<p>List the public transportation services within ¼ mile of the site, including type (subway, bus, bike share), walking distance, and frequency.</p>
	<p><u>Subway</u></p> <ul style="list-style-type: none"> • MBTA Red line - 0.2 Miles North - 4 minutes – Frequency: 9 -16 minutes <p><u>Bus</u></p> <ul style="list-style-type: none"> • 1 - Harvard Square - Nubian Station via Massachusetts Avenue – 0.3 Miles north – 8-10 minutes • 66 - Harvard Square - Nubian Station - 190 ft west – 9-15 minutes • 68 - Harvard - Kendall/MIT - 557 ft. north - 40 minutes • 69 - Harvard – Lechmere - 557 ft. north - 10-25 minutes • 71 - Watertown Square – Harvard – 500 ft west - 15 minutes • 73 - Waverley Square – Harvard - 500 ft west – 5-20 minutes • 74 - Belmont Center - Harvard via Concord Avenue - 190 ft west - 30 minutes • 75 - Belmont Center - Harvard via Fresh Pond Pkwy - 190 ft west - 30 minutes • 77 - Arlington Heights – Harvard - 190 ft west – 10-13 minutes • 78 - Arlmont Village – Harvard - 190 ft west – 20-30 minutes • 86 - Sullivan – Reservoir - 190 ft west – 10-11 minutes • 96 - Medford Square – Harvard - 190 ft west – 10-30 minutes <p><u>Bike Share (BLUEbike)</u></p> <ul style="list-style-type: none"> • Harvard Kennedy School at Bennett St/Eliot St – 350 ft west/south – 1-minute walking – 23 Docks • Harvard Square at Brattle St/Eliot St - 0.1 Miles north – 2 minutes walking – 15 Docks • Harvard Square at Mass Ave/Dunster – 0.2 Miles north – 4 minutes walking – 19 Docks
24	<p>List the duration and frequency of public transit services for weekdays and weekends.</p>
	<p><u>Subway</u></p> <ul style="list-style-type: none"> • Weekday Frequency (Peak Hour): 9 minutes • Off-Peak/Weekends Frequency: 12 to 16 minutes <p><u>Bus</u></p> <ul style="list-style-type: none"> • Weekday Frequency: 8 to 40 minutes • Saturday Frequency: 8 to 42 minutes
Auto Parking Availability:	
25	<p>List public parking facilities within 500 feet of site (with addresses/locations, distance, and number of spaces) and parking occupancy for minimum one weekday (e.g., minimum 10 am, 12 pm, 3 pm, 5 pm, 7 pm), and minimum one Saturday (e.g., minimum noon, 3 pm and 7 pm).</p>
	<p style="text-align: center;"><u>Parking Garage</u></p> <ol style="list-style-type: none"> 1. Eliot Street Garage – 265 spaces Address: 65 John F. Kennedy Street Access: Eliot St. Distance: 0.1 Miles South - 2 Minutes walking 2. Municipal Lot #2 – 42 spaces Address: 110 Mt. Auburn Street Access: Mt. Auburn or Bennett Distance: 190 ft West - 1 Minute walking 3. Charles Square Garage – 600 spaces Address: 14 University Road Access: Bennet St. Distance: 0.1 Miles South 2 Minutes walking <p style="text-align: center;"><u>On Street Parking</u></p> <p>On Street Parking within 500 ft Radius (Metered) = 42 spaces</p> <p style="text-align: center;"><u>Vacant Spaces</u></p> <p>Due to the impacts of COVID-19, no parking demand surveys were conducted within the study area.</p>
26	<p>Estimated peak parking demand needed for employees.</p>
	<p style="text-align: center;">2</p>

27	Estimated peak parking demand for customers.	8						
28	Number of employee parking spaces on-site.	0						
29	Number of customer parking spaces on-site.	0						
30	Number of employee parking spaces off-site (describe location and distance from site).	0						
31	Number of customer parking spaces off-site (describe location and distance from site).	0						
Bicycle Parking Availability:								
32	Number of Employee long-term bicycle parking spaces on the Project site.	2						
33	Number of Customer short-term bicycle parking spaces on the Project site.	0 (Approximately 105 nearby public bike racks are available within 500ft radius distance from the site)						
34	Number of public bicycle parking spaces within 100 feet of the main entrance of the site.	0 bike storage spaces (approximately 46 public bike racks are available within 200 ft)						
Loading and Delivery:								
35	Address of proposed Loading and Delivery Service Location (note whether it is on-street or off-street).	All loading deliveries will be handled utilizing an existing loading zone area on Winthrop Street. There are multiple Loading Zones along Elliot Street and JFK Street. Product deliveries will occur between two to three times each week. The Applicant will schedule delivery times to take place prior to 11:00 AM on a randomized basis.						
36	List the types of loading and delivery trips that will service the site (e.g., product delivery, cash pick-up, refuse collection) and expected number of trips per week for each type.	Product: <u>2-3 times per week</u> Cash: <u>2-3 times per week</u> Trash: <u>2-3 times per week</u> (Trash returns to the grow facility)						
Project Trip Generation:								
37	Daily, Morning and Evening Peak Hour Employees and Customer trip generation by mode.		Employees			Customers ^d		
			Daily ^a	Evening ^b	Saturday ^c	Daily ^e	Evening	Saturday
		SOV	3	1	1	298	36	26
		HOV	0	0	0	94	12	10
		Transit	4	2	1	116	14	12
		Walk	3	1	1	138	16	14
		Bike	1	0	0	44	4	4
Other	1	0	0	36	4	4		

^aBased on number of employees each day (5 on-site and 1 concierge outside at any one time).

^bAssumed 30% of employees trip occurs on typical weekday evening peak hour.

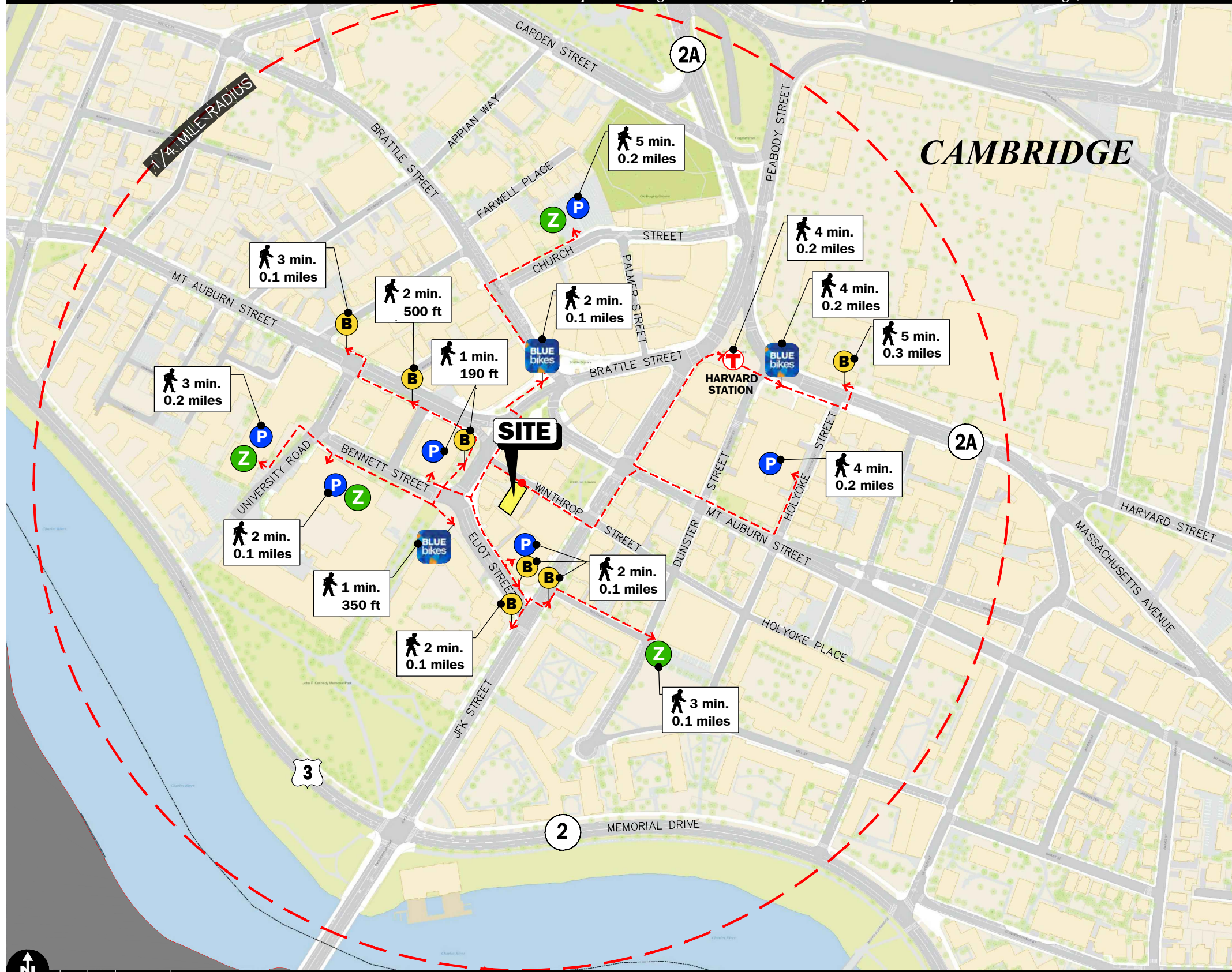
^cAssumed 25% of employees trip occurs on typical Saturday midday peak hour.

^dPerson trips.

^eEstimated based on ITE trip rate comparison.



Figure 1
Site Location Map



Legend:

- B Bus Stop
- P Bus Stop
- Z Zipcar and Ride Share
- T Train Station
- XX MBTA Bus Lines
- BLUE BIKES Bluehub stations
- Pedestrian Route
- x min. Walking Time from Site
x.x miles Walking Distance from Site

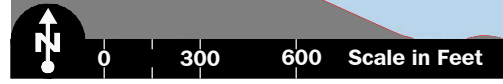


Figure 3
Public Transit
Pedestrian/Bikes Route
98 Winthrop Street

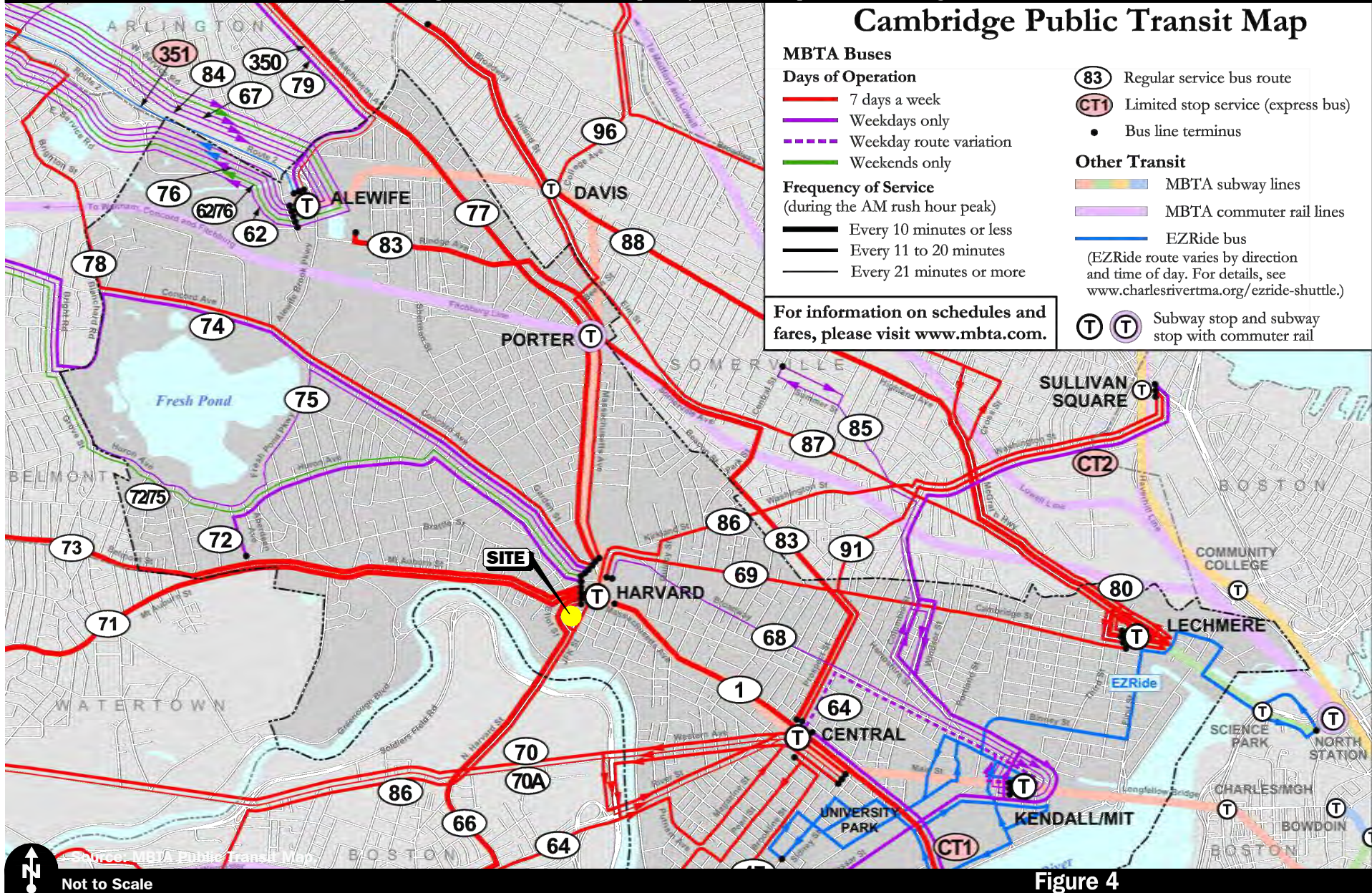


Figure 4
 MBTA Public Transit
 98 Winthrop Street

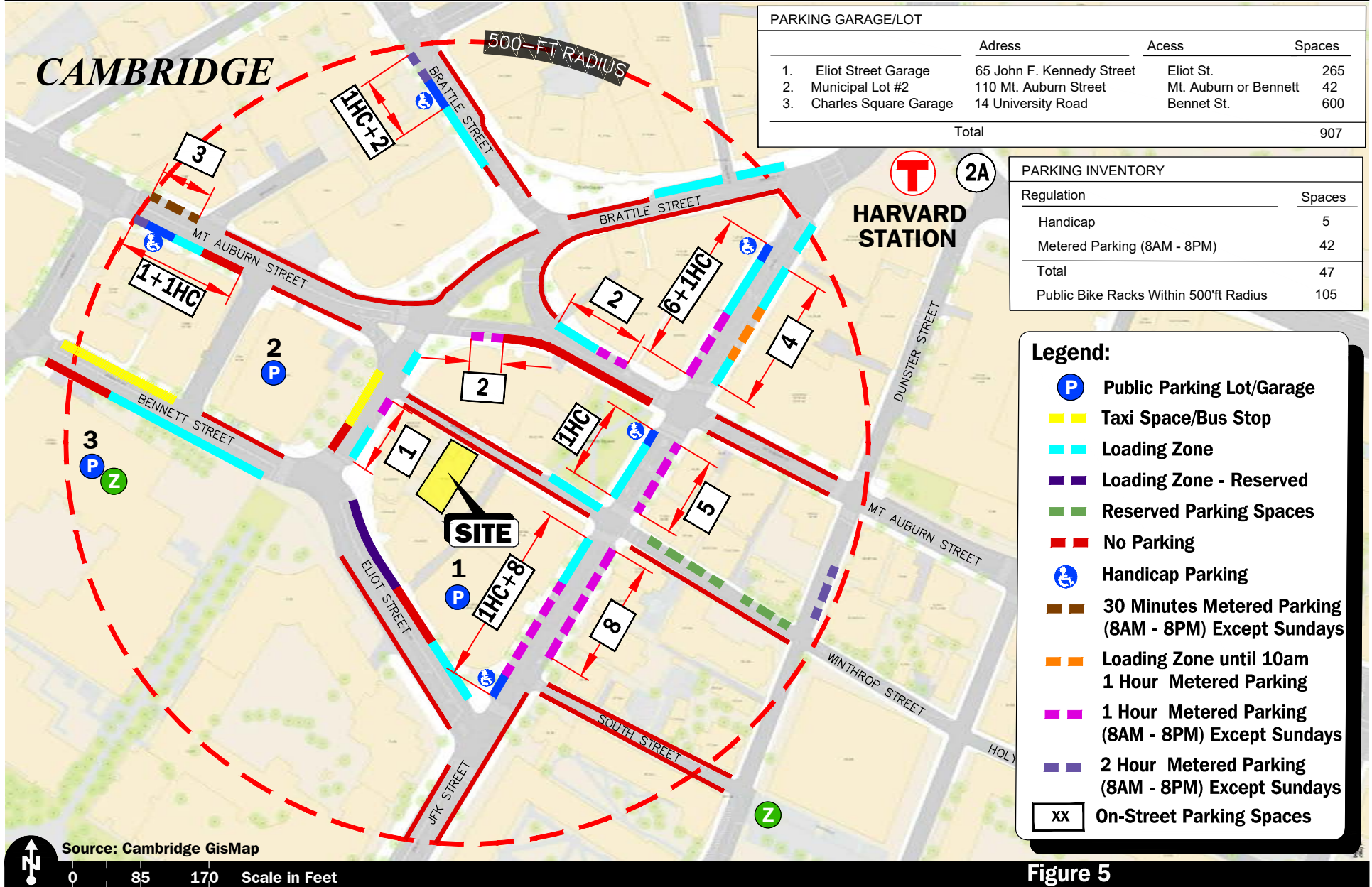


Figure 5
Parking Alternative
Parking Lot/Garage
On-Street Parking
98 Winthrop Street

Table 3
TRIP GENERATION SUMMARY CANNABIS DISPENSARY

Time Period/Direction	Person Trips							Customer Vehicles Trips ^b	Employee Vehicles Trips	Total Vehicle Trips
	Proposed Cannabis Dispensary (3 Registers) ^a	Drive-Alone Trips (41%)	Ridesharing Trips (13%)	Transit Trips (16%)	Pedestrian Trips (19%)	Bicycle Trips (6%)	Other Trips (5%)			
<i>Weekday Evening Peak Hour:</i>										
Entering	43	18	6	7	8	2	2	24	0	24
<u>Exiting</u>	<u>43</u>	<u>18</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>2</u>	<u>2</u>	<u>24</u>	<u>1</u>	<u>25</u>
Total	86	36	12	14	16	4	4	48	1	49
<i>Saturday Midday Peak Hour:</i>										
Entering	35	13	5	6	7	2	2	18	1	19
<u>Exiting</u>	<u>35</u>	<u>13</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>2</u>	<u>2</u>	<u>18</u>	<u>0</u>	<u>18</u>
Total	70	26	10	12	14	4	4	36	1	37

^aBased on customer counts conducted at existing cannabis dispensaries in Brookline and Salem.

Projection of 14.2 customers per register during weekday evening and 11.5 customers per register during Saturday midday.

^bDrive-alone plus rideshare person trips divided by vehicle occupancy ratio of 1.07 persons per vehicle per Census Tract 3541, Middlesex County, Massachusetts.



VOLUME III

Section 2



May 28, 2021

Western Front, LLC
MR281907 / MR283179
attorneytflaherty@hotmail.com

NOTICE: ECONOMIC EMPOWERMENT PRIORITY APPLICANT STATUS
APPROVED

WHY ARE YOU RECEIVING THIS NOTICE?

The Cannabis Control Commission (“Commission”) has reviewed your Economic Empowerment Priority Applicant notification pursuant to 935 CMR 500.104(1)(b)(3). Following the review of the submitted information, the Commission has determined that the licensee and license(s) identified above are approved as being classified with the Economic Empowerment Priority Applicant status.

Please note that the license(s) identified above are now entitled to utilize any applicable application, license, or other applicable fee waivers pursuant to 935 CMR 500.005(1)(b). Additionally, all applicable license records now reflect this status approval.

WHAT ARE YOUR NEXT STEPS?

There are no required next steps regarding this notice. However, it may be prudent to have a copy of this notice on hand as proof of certification may be requested by third parties such as municipal officials or departments during the local approval process.

If you should have any questions regarding this notice, please email licensing@cccmass.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Kyle Potvin".

Kyle Potvin, Esq.
Director of Licensing
Cannabis Control Commission





Massachusetts Cannabis Industry Portal (MassCIP)

Cannabis Control Commission > My Licenses > Economic Empowerment Priority

This page provides details about your application(s) for Economic Empowerment Priority certification. You may use this page to:

- Start a brand new application
- View the status of your applications
- Return to an application that is in progress and not yet submitted
- Withdraw an application that is in progress, but has not been submitted

If you would like to begin or continue working on applications for a different type of license, certification or registration you may do so by navigating to this page.

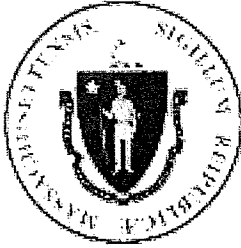
License # EE202211 | (Active)

WESTERN FRONT, LLC | 699 Boylston St. 12th. Floor Boston, MA 02116

Your license (# EE202211) was issued on 5/22/18. The certification will remain active until the expiration date of 5/22/19.

VOLUME III

Section 3



**The Commonwealth of Massachusetts
William Francis Galvin**

Minimum Fee: \$500.00

Secretary of the Commonwealth, Corporations Division
One Ashburton Place, 17th floor
Boston, MA 02108-1512
Telephone: (617) 727-9640

Annual Report

(General Laws, Chapter)

Identification Number: 001322367

Annual Report Filing Year: 2020

1.a. Exact name of the limited liability company: WESTERN FRONT, LLC

1.b. The exact name of the limited liability company as amended, is: WESTERN FRONT, LLC

2a. Location of its principal office:

No. and Street: 121 WEBSTER AVENUE
City or Town: CHELSEA State: MA Zip: 02150 Country: USA

2b. Street address of the office in the Commonwealth at which the records will be maintained:

No. and Street: 699 BOYLSTON STREET
12TH FLOOR
City or Town: BOSTON State: MA Zip: 02116 Country: USA

3. The general character of business, and if the limited liability company is organized to render professional service, the service to be rendered:

CARRY ON ANY LAWFUL BUSINESS, TRADE, PURPOSE OR ACTIVITY, INCLUDING THE PURSUIT OF LICENSES IN THE CANNABIS INDUSTRY, AS PROVIDED FOR BY THE COMMONWEALTH OF MA THROUGH ITS CANNABIS CONTROL COMMISSION.

4. The latest date of dissolution, if specified:

5. Name and address of the Resident Agent:

Name: TIMOTHY R. FLAHERTY, ESQ.
No. and Street: 699 BOYLSTON STREET
12TH FLOOR
City or Town: BOSTON State: MA Zip: 02116 Country: USA

6. The name and business address of each manager, if any:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
MANAGER	OMOWALE MOSES	699 BOYLSTON STREET BOSTON, MA 02119 USA
MANAGER	MARVIN E GILMORE JR	699 BOYLSTON STREET BOSTON, MA 02116 USA
MANAGER	DENNIS A BENZAN	699 BOYLSTON STREET BOSTON, MA 02116 USA

7. The name and business address of the person(s) in addition to the manager(s), authorized to execute documents to be filed with the Corporations Division, and at least one person shall be named if there are no managers.

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
SOC SIGNATORY	TIMOTHY RICHARD FLAHERTY ESQ.	699 BOYLSTON STREET BOSTON, MA 02116 USA

8. The name and business address of the person(s) authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
REAL PROPERTY	TIMOTHY RICHARD FLAHERTY ESQ.	699 BOYLSTON STREET BOSTON, MA 02116 USA

9. Additional matters:

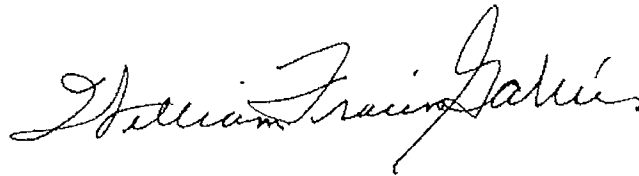
SIGNED UNDER THE PENALTIES OF PERJURY, this 10 Day of December, 2020,
ADAM MORALES , Signature of Authorized Signatory.

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are

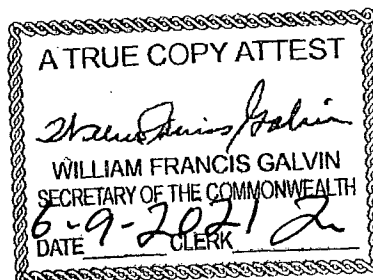
deemed to have been filed with me on:

December 10, 2020 10:11 AM



WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth



VOLUME III

Section 4



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

JAY ASH
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Professional Licensure
Office of Public Safety and Inspections
Architectural Access Board

1 Ashburton Place, Rm 1310 • Boston • Massachusetts • 02108
V: 617-727-0660 • www.mass.gov/aab • Fax: 617-727-0665

JOHN C. CHAPMAN
UNDERSECRETARY OF
CONSUMER AFFAIRS AND
BUSINESS REGULATION

CHARLES BORSTEL
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

THOMAS HOPKINS
EXECUTIVE DIRECTOR

TO: Local Building Inspector
Local Disability Commission
Independent Living Center

Docket Number V 17 196

FROM: ARCHITECTURAL ACCESS BOARD

RE: Cox Hicks House (The Red House)
98 Winthrop Street
Cambridge

Date: 7/9/2017

Enclosed please find the following material regarding the above location:

- Application for Variance
- Decision of the Board *w/ conditions*
- Notice of Hearing
- Correspondence
- Letter of Meeting

The purpose of this memo is to advise you of action taken or to be taken by this Board. If you have any information which may assist the Board in reaching a decision in this case, you may call this office or you may submit comments in writing.



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

JAY ASH
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
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CHARLES BORSTEL
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

THOMAS HOPKINS
EXECUTIVE DIRECTOR

Docket Number V 17 196

NOTICE OF ACTION

RE: **Cox Hicks House (The Red House), 98 Winthrop Street**
1. A request for a variance was filed with the Board by **David Rubino** (Applicant) on **July 11, 2017**
The applicant has requested variances from the following sections of the **06** Rules and Regulations of the Board:

<u>Section:</u>	<u>Description:</u>
24.4	Petitioner seeks relief from having to provide a landing for the main entrance ramp at the front door.

2. The application was heard by the Board as an incoming case on Monday, **August 7, 2017**

3. After reviewing all materials submitted to the Board, the Board voted as follows:

GRANT: the variance to Sections 24.4 **as proposed** in the application submitted, for the reason that impracticability (see definitions of impracticability in Section 5 of 521 CMR) has been proven in this case and on the condition that the petitioner provide as suggested, the five (5) bulleted items requested in Michael Muehe's letter dated June 19, 2017 (attached)

Photographs of the completed accessible elements proposed for the project are required to be submitted to the Board for it's files, at the completion of the project.

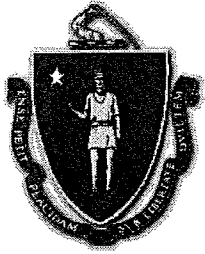
PLEASE NOTE: All documentation (written and visual) verifying that the conditions of the variance have been met must be submitted to the AAB Office as soon as the required work is completed.

Any person aggrieved by the above decision may request an adjudicatory hearing before the Board within 30 days of receipt of this decision by filing the attached request for an adjudicatory hearing. If after 30 days, a request for an adjudicatory hearing is not received, the above decision becomes a final decision and the appeal process is through Superior Court.

Date: July 9, 2017

cc: Local Disability Commission
Local Building Inspector
Independent Living Center

Walter White F.H.
Chairperson
ARCHITECTURAL ACCESS BOARD



The Commonwealth of Massachusetts
Department of Public Safety
Architectural Access Board

One Ashburton Place, Room 1310
Boston Massachusetts 02108-1618

Phone: 617-727-0660

Fax: 617-727-0665

www.mass.gov/dps

Docket Number

(Office Use Only)

APPLICATION FOR VARIANCE

In accordance with M.G.L., c.22, § 13A, I hereby apply for modification of or substitution for the rules and regulations of the Architectural Access Board as they apply to the building/facility described below on the grounds that literal compliance with the Board's regulations is impracticable in my case.

PLEASE ENCLOSE:

- 1) A filing fee of \$50.00 (Check/Money Order) made payable to the "Commonwealth of Massachusetts" and all supporting documentation (e.g. plans in 11" x 17" format, photographs, etc.). In addition, the complete package (including plans, photographs and the completed "Service Notice") must be submitted to all parties via compact disc.
- 2) If you are a tenant seeking variance(s), a letter from the owner of the building authorizing you to apply on his or her behalf is required.
- 3) The completed "Service Notice" form provided at the end of this application certifying that a copy of your *complete application* has been received by the Local Building Inspector, Local Disability Commission (if applicable), and Local Independent Living Center for the city/town that the property in question resides in. A list of the local entities can be found by calling the Architectural Access Board Office or the Local City/Town Clerk. For a list of the Local Independent Living Centers you can either call the Architectural Access Board Office or visit the Massachusetts Statewide Independent Living Council website at <http://www.masilc.org/membership/cils>.

1. State the name and address of the owner of the building/facility:

Paul Overgaag 10 Eliot St., Cambridge, MA

E-mail: Paul@theredhouse.com

Telephone: (617) 549-6840

2. State the name and address of the building/facility:

The Red House 98 Winthrop St., Cambridge, MA

3. Describe the facility (i.e. number of floors, type of functions, use, etc.):

2 story historic workers cottage in Harvard Sq. with single story addition currently serving as a restaurant and cafe.

4. Total square footage of the building: 3,192 sq. ft. Per floor: _____

a. total square footage of tenant space (if applicable): 1,193 sq. ft.

5. Check the work performed or to be performed:

____ New Construction _____ Addition
[x] Reconstruction/Remodeling/Alteration _____ Change of Use

6. Briefly describe the extent and nature of the work performed or to be performed (use additional sheets if necessary):

A portion of the existing building (currently occupied entirely by a restaurant) will be separated to allow a second tenant in the rear of the building.

7. State each section of the Architectural Access Board's Regulations for which a variance is being requested:

7a. Check appropriate regulations:

____ 1996 Regulations _____ 2002 Regulations [x] 2006 Regulations

Table with 2 columns: SECTION NUMBER, LOCATION OR DESCRIPTION. Row 1: 24.4, Landings - main entrance ramp - no landing at front door

8. Is the building historically significant? [x] yes _____ no. If no, go to number 9.

8a. If yes, check one of the following and indicate date of listing:

- ____ National Historic Landmark
____ Listed individually on the National Register of Historic Places
____ Located in registered historic district
[x] Listed in the State Register of Historic Places
____ Eligible for listing

8b. If you checked any of the above and your variance request is based upon the historical significance of the building, you must provide a letter of determination from the Massachusetts Historical Commission, 220 Morrissey Boulevard, Boston, MA 02125.

9. For each variance requested, state in detail the reasons why compliance with the Board's regulations is impracticable (use additional sheets if necessary), including but not limited to: the necessary cost of the work required to achieve compliance with the regulations (i.e. written cost estimates); and plans justifying the cost of compliance.

Distance from sidewalk to front door does not allow a ramp with a landing.

Adding a landing would increase the slope beyond 1:12.

10. Has a building permit been applied for? NO

Has a building permit been issued? _____

10a. If a building permit has been issued, what date was it issued? _____

10b. If work has been completed, state the date the building permit was issued for said work: _____

11. State the estimated cost of construction as stated on the above building permit:

11a. If a building permit has not been issued, state the anticipated construction cost:

\$100,000

12. Have any other building permits been issued within the past 36 months? NO

12a. If yes, state the dates that permits were issued and the estimated cost of construction for each permit: _____

13. Has a certificate of occupancy been issued for the facility? YES

If yes, state the date: 2002

14. To the best of your knowledge, has a complaint ever been filed on this building relative to accessibility? yes no

15. State the actual assessed valuation of the **BUILDING ONLY**, as recorded in the Assessor's Office of the municipality in which the building is located: \$596,400

Is the assessment at 100%? YES

If not, what is the town's current assessment ratio? _____

16. State the phase of design or construction of the facility as of the date of this application: CONSTRUCTION DOCUMENT PREPARATION

17. State the name and address of the architectural or engineering firm, including the name of the individual architect or engineer responsible for preparing drawings of the facility:

HUTH ARCHITECTS - DAVID RUBINO

E-mail: david@hutharchitects.com

Telephone: (617) 965-4601

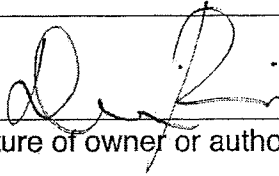
18. State the name and address of the building inspector responsible for overseeing this project:

David Byrne - City of Cambridge, Inspectional Services Dept.
831 Massachusetts Ave, Cambridge, MA 02139

E-mail: dbryne@cambridgema.gov

Telephone: (617) 349-6100

Date: 3/3/2017



Signature of owner or authorized agent

PLEASE PRINT:

David Rubino - Huth Architects

Name

313 Washington St., Ste 212

Address

Newton

MA

02458

City/Town

State

Zip Code

david@hutharchitects.com

E-mail

(617) 965-4601

Telephone

**ARCHITECTURAL ACCESS BOARD VARIANCE APPLICATION
SERVICE NOTICE**

I, _____, as _____
 for the Petitioner _____ submit a
 variance application filed with the Massachusetts Architectural Access Board on _____
 20 _____.

**HEREBY CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT I SERVED OR
 CAUSED TO BE SERVED, A COPY OF THIS VARIANCE APPLICATION ON THE FOLLOWING
 PERSON(S) IN THE FOLLOWING MANNER:**

	<u>NAME AND ADDRESS OF PERSON OR AGENCY SERVED</u>	<u>METHOD OF SERVICE</u>	<u>DATE OF SERVICE</u>
1			
2			
3			

**AND CERTIFY UNDER THE PAINS AND PENALTIES OF PERJURY THAT THE ABOVE
 STATEMENTS TO THE BEST OF MY KNOWLEDGE ARE TRUE AND ACCURATE.**

 Signature: Appellant or Petitioner

On the _____ Day of _____ 20 _____
 PERSONALLY APPEARED BEFORE ME THE ABOVE NAMED

 (Type or Print the Name of the Appellant)

 NOTARY PUBLIC

 MY COMMISSION EXPIRES

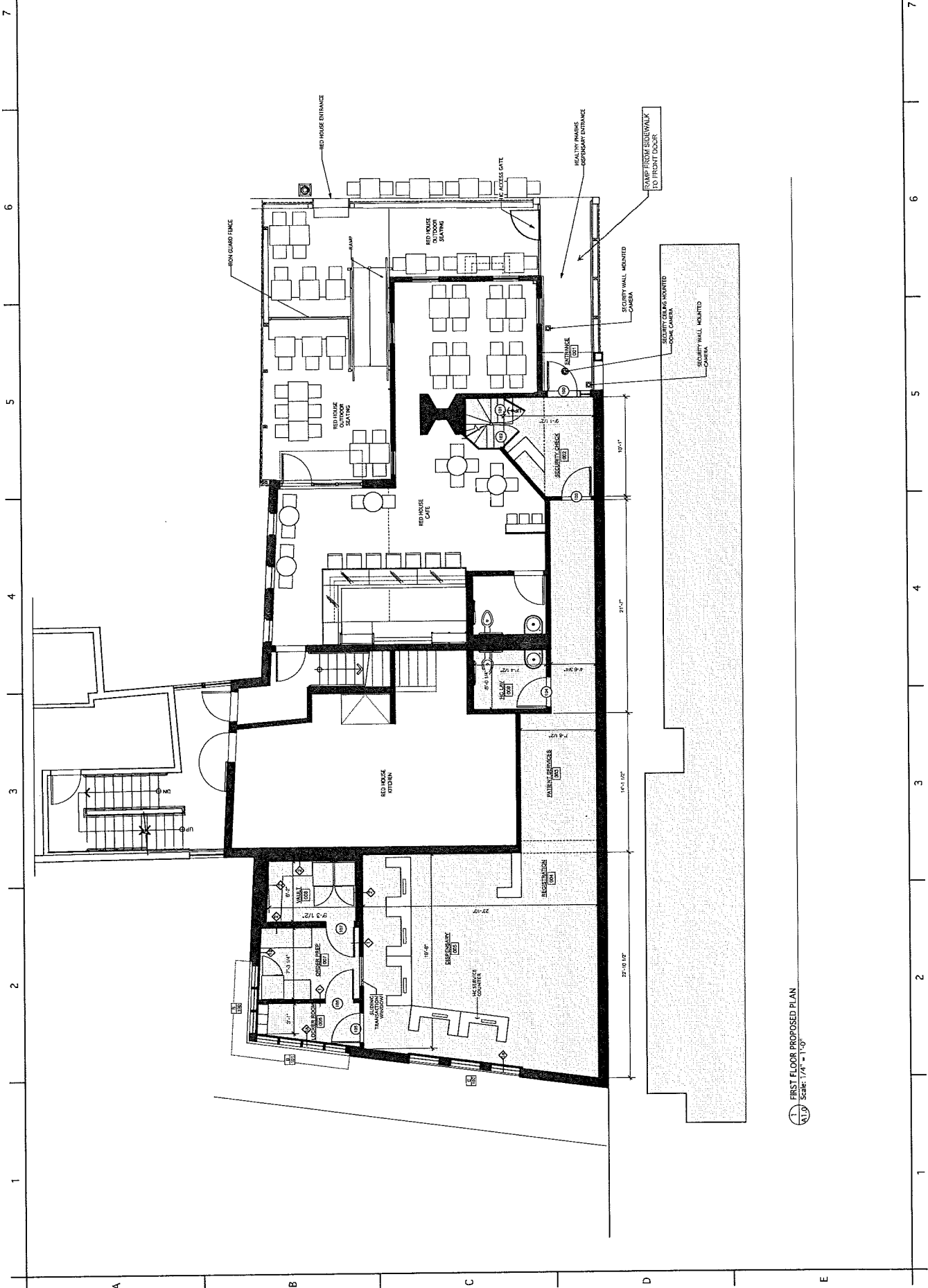
Drawn By:	ATD/2017
Check By:	JMS
Reviewed:	JMS
Notes:	JMS
Date:	10/10/17

Drawing Name:
FIRST FLOOR

Approved:

Scale: AS SHOWN

Sheet No.: **A1.0**



1. FIRST FLOOR PROPOSED PLAN
A1.0 Scale: 1/4" = 1'-0"



RAMP TO FRONT DOOR - 98
WINTHROP ST., CAMBRIDGE, MA



The Commonwealth of Massachusetts
 William Francis Galvin, Secretary of the Commonwealth
 Massachusetts Historical Commission - State Historic Preservation Office

The Americans with Disabilities Act Consultation Process Form

Name of Property: Cox Hicks house - 98 Winthrop St. (currently The Red House)
 Address of Property: Street: 98 Winthrop Street
 City: Cambridge County: Middlesex State: Massachusetts Zip: 02138

Historic Designation/Status/Listing:

- National Historic Landmark Date of Listing _____
- Listed Individually in National Register of Historic Places Date of Listing 07/27/1988
- Located in registered historic district (specify Harvard Square) Date of Listing 07/27/1988
- Listed in State Register of Historic Places Date of Listing 07/27/1988
- Eligible for listing (prepare and submit MHC inventory form, attach to application)
- City of Cambridge Historic Landmark 1/23/1989

Project Contact:

Name: David Rubino - Huth Architects
 Street: 313 Washington St., Ste 212 City: Newton
 State: MA Zip: 02458 Daytime Telephone Number: (617) 965-4601

Property Owner:

Name: Timbuktu Real Estate LLC
 Street: 10 Elliot St. City: Cambridge
 State: MA Zip: 02138 Daytime Telephone Number: (617) 540-6840

Signature: _____

Consultation with individuals with disabilities and their organizations:

Name: Michael Muehe

Organization: Cambridge Commissions for People with Disabilities

Street: 51 Inman St. City: Cambridge

State: MA Zip: 02139 Daytime Telephone Number: (617) 349-4692

Signature: *Michael Muehe*

Attach comments to form.

Consultation with local historical commission

Name: Charles Sullivan

Organization: Cambridge Historical Commission

Street: 831 Massachusetts Ave. City: Cambridge

State: MA Zip: 02139 Daytime Telephone Number: (617) 349-6165

Attach comments to form.

Describe major significant architectural features of property. Include the overall shape of the building, its materials, craftsmanship, decorative details, interior space and features, as well as various aspects of its site and environment.

The ca. 1806 Cox-Hicks house is a diminutive two-story gable-roofed structure two bays (one room) wide and two rooms deep, with a central chimney. The original entrance remains on the east side. The house retains its original staircase, chimney, fireplaces, mantels and interior trim. It is considered a rare survivor of the most minimal urban housing of the late 18th or early 19th centuries. The Cox-Hicks house is a contributing building in the Harvard Square National Register District and was designated a Cambridge Landmark in 1989. Exterior alterations since 1989 – including the restaurant addition, patio and landscaping – have all received Certificates of Appropriateness from the Cambridge Historical Commission.

Explain why applying the General Requirements for Barrier Free Access would threaten or destroy the historic significance of the property.

Architectural feature(s): The Cox Hicks house is a diminutive two-story gable-roofed structure, two bays (one room) wide, two rooms deep with a central chimney.

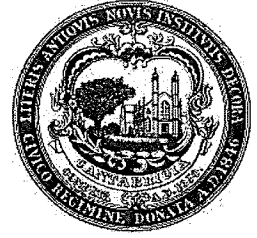
Approximate date(s) of feature(s): ca. 1806.

Describe existing condition(s): The original entrance remains on the east side. The house retains its original staircase, chimney, fireplaces, mantels and interior trim.

Describe the proposed alternative Barrier Free Access solution under the Special Rule [4.1.793]. Include photographs, drawings, and all pertinent information to assist us in our review.

Addition of an automatic door opener at main entrance (presently installed). The automatic door opener will be combined with required security checkpoint to ensure continuous monitoring by on-site staff. The call button for the opener will be located at the public sidewalk and will alert on-site security personnel to the arrival of those requiring access. A security monitoring program will ensure that the electronic components are continuously maintained and kept in working order.

City of Cambridge
Commission for Persons with Disabilities
51 Inman Street · Cambridge, MA · 02139-1732
617-349-4692 voice · 617-492-0235 tty · 617-349-4766 fax



Michael Muehe
Executive Director/ADA Coordinator

Kate Thurman
Disability Project Coordinator

June 19, 2017

Thomas P. Hopkins, Director
Massachusetts Architectural Access Board
One Ashburton Place, Room 1301
Boston, MA 02108

RE: Healthy Pharms/The Red House, 98 Winthrop Street, Cambridge

Dear Mr. Hopkins and Members of the Board:

On behalf of the Cambridge Commission for Persons with Disabilities, I am writing to express our support for the Architectural Access Board ("AAB") variance applications to be submitted for Healthy Pharms/The Red House, 98 Winthrop Street, Harvard Square, Cambridge.

We have carefully reviewed the draft AAB variance applications in this case, including all supporting documentation, and have met with and discussed all of the relevant issues in this case with Paul Overgaag (owner) and David Rubino, Huth Architects (architect).

Based on both the significant historical preservation concerns and the substantial physical constraints presented in this case, we have concluded that the circumstances described in this variance application warrant a finding of impracticability. Therefore, we would support and hereby request that AAB grant a variance in this case, based on technological infeasibility and historical preservation concerns. Our support for AAB variances is conditioned upon Healthy Pharms/The Red House agreeing to the following conditions:

1. Healthy Pharms/The Red House to develop and publicize a reasonable priority service and seating policy for customers with disabilities, consistent with Americans with Disabilities Act (ADA) requirements, and publicize this on all their website(s), social media outlets and other publicity materials.
2. Healthy Pharms/The Red House to formulate a written policy and training program for all employees, so that everyone understands what their obligations are under the ADA and other relevant laws, including those requirements regarding service animals.
3. Healthy Pharms/The Red House to provide automatic door openers on all facility entrances and restroom doors.



Thomas P. Hopkins
June 19, 2017
Page 2

4. Lower a section of The Red House's beverage bar to a height that is accessible for customers with disabilities, including those who use wheelchairs and other mobility devices, consistent with both state AAB and federal ADA accessibility standards.
5. Ensure and affirm that all other elements, including restrooms, of these two facilities (Healthy Pharms/The Red House) shall fully comply with both AAB and ADA standards (except, of course, those elements covered by any AAB variances).

We respectfully request, should the AAB grant variances in this case, that it impose these or similar conditions as part of its decision.

Thank you for your consideration of these remarks on these proposed AAB variances. If you have any questions or need any additional information, please don't hesitate to contact me.

Best regards,



Michael Muehe
Executive Director/ADA Coordinator

cc: Paul Overgaag
David Rubino, Huth Architects