

ADVESA

SOMERVILLE

MEMORANDUM

To: Somerville Planning Board

From: Jessica Pelletier, Advessa MA, Inc D/B/A Blue River Terps

CC: Planning, Presentation and Zoning Staff

Date: November 15, 2021

Subject: 690-694 Broadway, P&Z 21-050

Advessa MA, Inc. ("Advessa") reviewed the Staff Memo submitted to the Planning Board relative to Advessa's Special Permit application to operate a cannabis retail store at 690-694 Broadway, Somerville, MA.

After reviewing the Staff Memo, Advessa makes the following response:

I. Parking and Mobility

Bike Corral

Advessa agrees to work with the Mobility Committee in placing a bike corral, for at least 10 bikes, on Broadway that is within 300 feet of the proposed cannabis retail store.

Parking Spaces

Advessa participated in numerous meetings with the Ball Square neighborhood and listened to a number of their concerns including inadequate parking in the neighborhood. Advessa agreed to rent 8-10 parking spaces on Boston Ave in Medford, which is less than 300 feet from the proposed cannabis retail store. This was all done to alleviate the

parking situation that neighbors state that exists currently in Ball Square, and what they perceive would be exasperated by the addition of a cannabis retail store.

Advesa has no plans to charge customers for use of these parking spaces. In fact, Advesa's plan is to promote alternative modes of transportation to the store, and not advertising that it has available parking for customers.

With the above being said, Advesa is willing accept conditions imposed by the Board relative to the parking spaces, which could include the reduction of the amount of parking spaces, charging customers for the use of the parking spaces, and/or eliminating the parking spaces.

Loading

The parking space behind the proposed cannabis retail store is large enough to hold most vehicles that are used to transport cannabis and cannabis infused products to the proposed cannabis retail store. The parking space is 18 feet long. The average van used to deliver products is 12- 16 feet long. Thus, using the parking space behind the store for loading and secure deliveries, will not encroach on interfere with the use of the sidewalk on Josephine Ave.

In addition, there is a "loading zone" on the corner of Broadway and Josephine Ave. This loading zone is directly across the street from the proposed cannabis retail store. It less than 100 feet from the proposed delivery door at the store. The loading zoning would be able to handle any delivery vehicles that are bigger than the average used vehicle and longer than 18 feet. Thus, Advesa does not believe that it needs a loading zone added to Josephine Ave.

With the above being said, if the Board believes that an additional loading zones needs to added to Josephine Ave, Advesa agrees to petition the Traffic Commission for an on street loading zone on Josephine Ave. It would suggest that if the Board is adding the condition of a loading zone on Josephine Ave, that it limit the hours of the use of the space as a loading zone to hours between the peak hours during the day, or to similar hours of use that have been designated in other squares

in the city. This would keep from losing a metered parking space in Ball Square completely.

Advesa agrees with staff's recommendation to every extent possible, to schedule deliveries outside peak hours when loading activities are most likely to cause conflict with other sidewalk users. Advesa will make every effort possible to ensure that deliveries will occur outside the hours of 7:30 am to 9:30 am, and 4:30 pm and 6:30 pm on weekdays and 11 am to 1 pm on Saturdays.

II. Visual Relationship to the Public Realm

Ground Floor Fenestration

As the Board is aware, the Cannabis Control Commission's regulations, require that no cannabis or cannabis infused products can be seen from the public realm. However, pedestrian street zoning ordinance requires that ground floor fenestration be at a minimum of 70%.

As the Board may be aware, Advesa's plan does not include any work substantial - structure work - other than painting the front and affixing new signs to the building that are in accordance with the Somerville's sign ordinance. The fenestration plan is to have the waiting room area visible to the public. The remaining frontage will have local artwork and sculptures set back in the windows about 4 feet. The linear fenestration of the windows for the waiting time room make up 39% of the total linear feet of the store front that is 49 linear feet.

As the Board may be aware, the current fenestration of the location is 25%. The redesign of the windows and doors will increase the area of fenestration to 69%. Please see the attached Exterior Elevation Fenestration Plan.

As for the exit door, leading out from the retail sales floor, Advesa agrees to change the door window from frosted glass to opaque glass. In addition, it will work with the Cannabis Control Commission's Architectural Design Division with the hope of being able to have clear glass for the door instead of opaque glass, but still being able to shield the retail sales floor from public.

III. Permit Conditions

(Language in **Bold** is additional or changed language as to what the Staff proposes as conditions.)

Advesa accepts the following conditions that are recommend by the Sales use, Planning, Preservation & Zoning Staff :

Conditions

- A written narrative or descriptive checklist identifying the completion or compliance with permit conditions must be submitted to the Inspectional Services Department at least ten (10) working days in advance of a request for a final inspection.

Construction Documents

- Material specifications from suppliers must be submitted to confirm fenestration glazing is compliant with the VLT and VLR ratings required by the Somerville Zoning Ordinance.
- Existing and proposed fenestration calculations must be submitted to confirm compliance with Article 2.4.5.a.i. The fenestration percentage cannot be reduced from existing conditions.
- Frosted glass is prohibited.

Mobility

- Advesa MA shall direct all deliveries to occur outside of 7:30am to 9:30am on weekdays; 4:30pm to 6:30pm on weekdays; and 11am to 1pm on Saturdays to every extent possible.
- Advesa MA shall provide a TransitScreen (or its substantial equivalent) displaying real time MBTA and bike share information within the commercial space in a location that is visible by pedestrians outside the storefront display windows.

- As voluntarily committed to in the TIS, Advesa shall designate an on-site transportation coordinator.
- As voluntarily committed to in the TIS, Advesa shall utilize electronic queueing and pre-order systems for all customers.
- Retail sales to walk-in customers are prohibited. Customer visits must be by appointment only.
- Any change to the means of sales (i.e. changes to appointment-only) requires a new Transportation Impact Study (TIS). The scope of the TIAS must be approved by the Director of Mobility
- Advesa MA shall provide employees 100% subsidized MBTA passes, or up to the federal maximum Qualified Transportation Fringe benefits per current U.S. Internal Revenue Code (\$270 per month in 2021), subject to annual increases.
- Advesa MA shall provide employees 100% subsidized Bluebikes public bikeshare memberships, subject to annual rate increases.
- Advesa MA shall post information about non-vehicular services available in the area on the website and in materials posted at the store.
- Advesa MA shall provide discounts or other incentives to customers who take non-vehicular or public transportation modes to the site, **subject to such discounts and/or incentives being approved by the Cannabis Control Commission, so as to ensure that such discounts and/or incentives are not prohibited under chapter 94G of the Massachusetts General Laws and the CCC's regulations.**
- Advesa MA shall commit to annual monitoring and reporting of the appointment- only recreational marijuana operations model. The annual report shall include at least the following information:
 - A statistically valid travel surveys of employees and customers.
 - A status update on the implementation of all TDM measures.

Permit Validity

- This Decision must be recorded with the Middlesex County Registry of Deeds prior to applying for a Building Permit.
- Approval is limited to Advesa MA, Inc and is not transferable to any successor in interest.
- This permit is valid subject to Advesa MA, Inc having a fully executed and active Host Community Agreement with the City of Somerville.

Public Record

- Physical copies of all submittal materials as permitted by the Review Boards must be submitted for the public record in accordance with the document format standards of the ISD/PB/ZBA Submittal Requirements.
- A copy of the Recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted for the public record.

Transportation

- Advesa MA shall apply to the Somerville Traffic Commission for the creation of an on-street loading zone on Josephine Ave.
- Advesa MA shall install a bike corral containing a minimum of 10 bicycle parking spaces, or its substantial equivalent, within three hundred (300) feet of 690-694 Broadway. Final location and design must be approved by the Director of Mobility.
- On- and off-site accessory parking is prohibited. **Advesa is willing to accept this condition from the Board, after the Board has had a chance to conduct the public hearing and heard from the public on the issue of parking in the area.**