



248 State Rd., Westport, MA 02790

RECEIVED

October 13, 2020

WESTPORT  
PLANNING BOARD

October 13, 2020

Project No. 20-007SP.420

Mr. James Hartnett, Town Planner  
Westport Planning Board  
856 Main Road

RE: **WESTPORT- Response to Peer Review  
Coastal Healing  
248 State Road (Route 6)  
Westport, Massachusetts**

Mr. Hartnett:

We have reviewed the peer review comments from S.W. Cole Engineering, Inc., dated 09/18/20 and have prepared the following responses for your consideration. The prepared responses are in **bold text** and located below each of the comments from SW Cole.

Please notify us if there are any issues that need additional clarification.

Sincerely  
Diego Bernal

---

1.(Sec. 9.9.1: "...The purpose intent of this section is to regulate the siting of Marijuana Establishment by minimizing the adverse impacts on adjacent properties, ... and other places where children congregate, ...")

As a medical marijuana distribution facility which serviced clients by appointment only, the operation could control the clientele and number of visitors to their facility which minimized impacts on the adjacent properties. As a recreational operation the store will also be limited to appointments only. The clientele and numbers should be more controllable than a free open retail. Limiting all customers to areas viewed from Rte. 6 will move the clientele further away from the bowling alley. There is though a possibility detrimentally impacting the adjacent property economically. (A question to ask: "Will some parents not allow their children to go to

the bowling alley to hang out because of the clientele using the facility next door?” This will have an economic impact on the bowling alley.)

**The Marijuana industry is one of the most closely monitored and heavily regulated. The requirements imposed on the state level for licensure are extremely strict. All signage for the establishment and advertising is controlled by the Cannabis Control Commission. The property is located in a business district along a heavily travelled commercial corridor. It is not in proximity to any areas identified as being places where children congregate. The neighboring property is not designated as a facility where “children congregate”. The “question to ask” posed by the review engineer exemplifies a true misunderstanding of the marijuana regulations within the Commonwealth as well as the allowed usage by adults. Nonetheless, The Applicant has been in direct contact with our neighbors (Holiday Lanes). After prolonged discussions with Holiday Lanes about our business and operations they have voiced no objection to us. *Please see letter from Holiday Lanes.***

2. As was shown in the original Medical Marijuana Distribution facility submission which has not changed in this submission, the building is divided into several separate entities; some being: growing rooms, processing areas, lab, personnel support areas, and finally retail area. The latter area comprises a gross 841 SF. Of that, 150 SF is the security checkpoint and another 375 SF comprise the display cases and the employee space. This leaves 316 SF for the customer portion of the retail area, some of which is lost with the in-swinging doors.

Sec. 8.3.1 requires 1 parking space for every 200 SF of retail stores. Using the gross square footage of the retail space this would translate to 4 parking spaces. Considering an average of 1.5 customers per vehicle, this regulation considers about 6 customers in the store at once. With a customer area of 316 SF, this would equate to approximately 53 SF per person, or a 7.25 Foot square for each person. The “COMMERCIAL PROPERTY SAFETY REQUIREMENTS: MAXIMUM OCCUPANCY” notes that the typical maximum floor area allowance per occupant for a mercantile as being 60 SF. This would be in line with the 6 customers in that space at once. In the Site Plan Review Petition, the Applicant states that “Distribution for adult use will be conducted by appointment only.” Per the new Codified Zoning By-Laws: (Sec. 9,9,9) “All visits to Medical Marijuana Treatment Centers shall be by appointment only.” As such, this facility will only be accessed by appointment only. Therefore, if operated properly, the Applicant can control its clientele, the number in the facility at once and the number waiting outside. Highly recommend that the Board requires the Applicant to provide a Standard Operation Procedure (SOP) to be included as a condition for approval with the project. Also recommend that their license to operate be dependent on the strict adherence to this SOP.

The SOP should provide the number of customers that can be in the retail spaces at once. Based on the discussion above I would say no more than 6 at once. The SOP should also state the number of customers that can be waiting outside for an appointment.

**The main objective of this section is to provide a proposed Standard Operating Procedure (SOP) for Retail Sales, that when enacted, will prevent the backup of retail customers that**

could create either a traffic or a parking issue. Coastal Healing will mitigate these potential problems by using a “by appointment only” system that will control both the number and the time of day in which visitors can access the retail space. By using the “by appointment only” system Coastal Healing will have complete control of the number of customers that can visit the retail space at any point in time, and can adjust (decrease or increase) the number of customers (i.e., appointments) based on real-time data, for example, the duration of customer visits to the retail space and the availability of parking. As part of our SOP Coastal Healing will ensure that there are an adequate number of empty parking spaces available in order to prevent any traffic backlog in and out of the facility.

Based on a simple space analysis of the retail area there can be approximately 6 customers inside our dispensary at a time. Accordingly, we will have 6 points of sale in the retail space, a point of sale for each of those customers. How much time is spent at the point of sale? After consultation with the owners of the Brockton retail facility, we concluded that most customers spend less than 5 minutes in the retail space. In an abundance of caution, we can consider that our customers may spend approximately double that time in our retail space (i.e., 10 minutes). This would result in a total of 36 customer visits per hour, with appointments being offered in 10 minutes blocks. Therefore, considering that at any one time there are 6 customers in the retail space, 6 customers waiting outside for their appointment (maximum of 10 minutes wait time), and 6 customers arriving for their appointment 20 minutes ahead of time, there is a need for a maximum of 18 parking spaces. Our Site Plan has been approved with a total of 44 parking spaces of which 31 are dedicated to our retail customers, thus leaving 13 open parking spaces as a reserve for our retail customers.

The expected opening date for Coastal Healing will be in late March, 2021. The initial opening of the facility will be limited to providing retail services for Medical customers only, and by “by appointment only”. The opening in March will begin with a small number of medical customers per hour (from 6 to 12) with no recreational retail sales. While this scenario will clearly prevent any traffic and parking issue, the roll out of our medical services in March will be used to provide real-world data to adjust the assumptions of the time each customer spends at the dispensary, a key factor in the future scheduling of appointments. In the future, when there is an expansion into recreational sales, we are committed to beginning with 50% capacity scenario (i.e., a total of 18 customers per hour) and slowly increase the capacity with the goal of maintaining the targeted number of 13 open reserve parking spaces. If, for any reason, there is a decrease from the 13 open reserve parking spaces, our appointments will be adjusted to reduce the number of customers visits per hour. This SOP will prevent any parking or traffic issues arising from retail visits to our facility.

3. (Sec. 9,9,3,4: Building and parking areas shall be clearly visible from the street.)

A waiver is being requested for the parking located behind the facility. Note that the entrance to the retail portion is located on the west side of the facility toward the back. Westport Officers passing by the facility on Route 6 toward Sanford Road will have no view of the entrance until

they have past and they look back or they stop and turn in. Also, if a queue forms at the entrance and it wraps to the rear of the facility, it will give law enforcement no view of these people from the street.

With a SOP in place as noted above, there are realistically more than sufficient customer parking with the 17 spaces provided on the southwest and northwest sides of the facility. The proposed 28 customer spaces and 4 overflow spaces are far too great a number for the available area within the retail space. If the operator strictly adheres to the SOP and correctly limits appointments, 17 spaces should be adequate to meet their requirements. Those 17 spaces are visible from the Rte. 6. Any queuing outside should be restricted to the sidewalk along the northwest and southwest sides of the building along the sidewalk being provided. This would provide a safe space to queue along with being visible from Rte. 6. The SOP should also note how they will restrict queuing at the rear of the building and limit parking at the rear to employees only. A fence with an operable gate may be one way to accomplish both of these restrictions.

**There will be designated employee parking in the north side the building and customer parking will be directed, by security personnel, to the south and west side of the facility, locations that are visible from State Rd. The Applicant has provided parking in excess of the requirements found within the Town of Westport Bylaws and Regulations. In addition, any potential outside retail customer queue will be directed, by security personnel, to the west side of the facility, a location that is visible from the State Rd.**

4. The Traffic Impact Study provided is the same one that was commented on before. My second review comments to this Study still hold. Unfortunately, talking to Jim Harnett, the State DOT defers to the Town's comments and does minimal review. With that in mind, take a good look at what is being proposed. If the Board chooses to require a SOP that limits all access to appointments and controls the number at the facility at once, the impacts to traffic should be controllable.

**Please refer to the proposed Standard Operating Procedure for Retail Sales (Question 2, above). In summary, the SOP will prevent the backup of retail customers that could create either a traffic or a parking issue. The proposed "by appointment only" system will control both the number and the time of day in which visitors can access the retail space. These appointments can be adjusted (decreased or increased) to ensure that there are an adequate number of empty parking spaces available in order to prevent any traffic backlog in and out of the facility.**