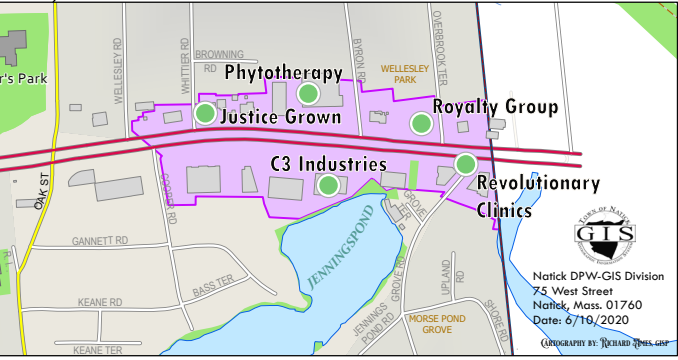
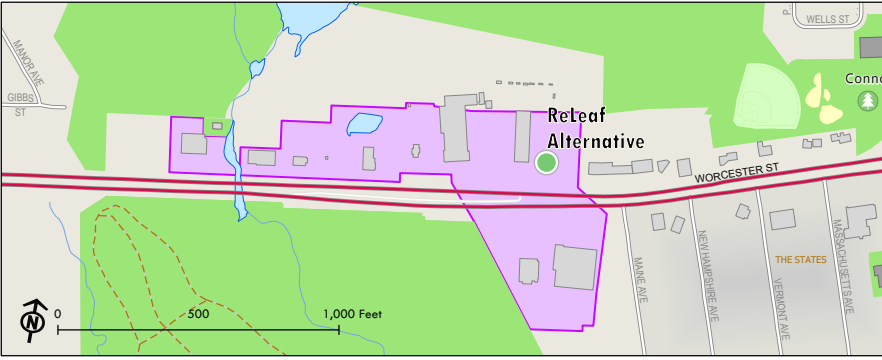
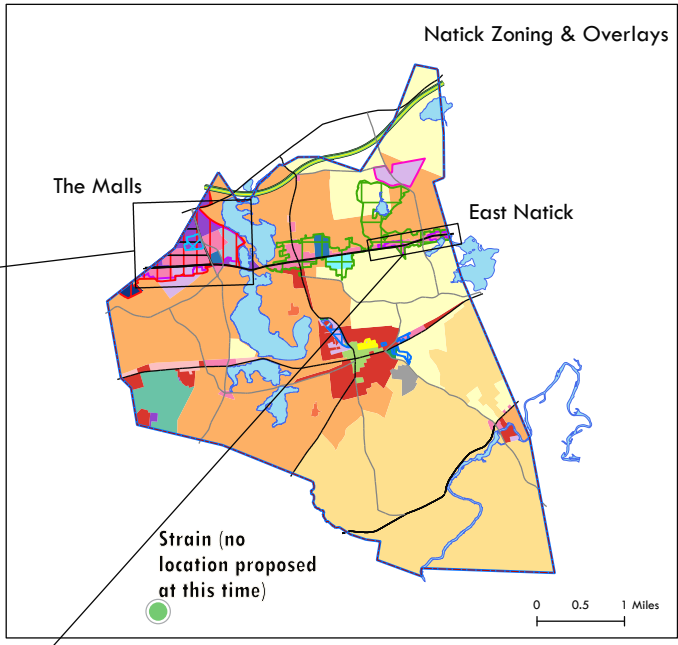
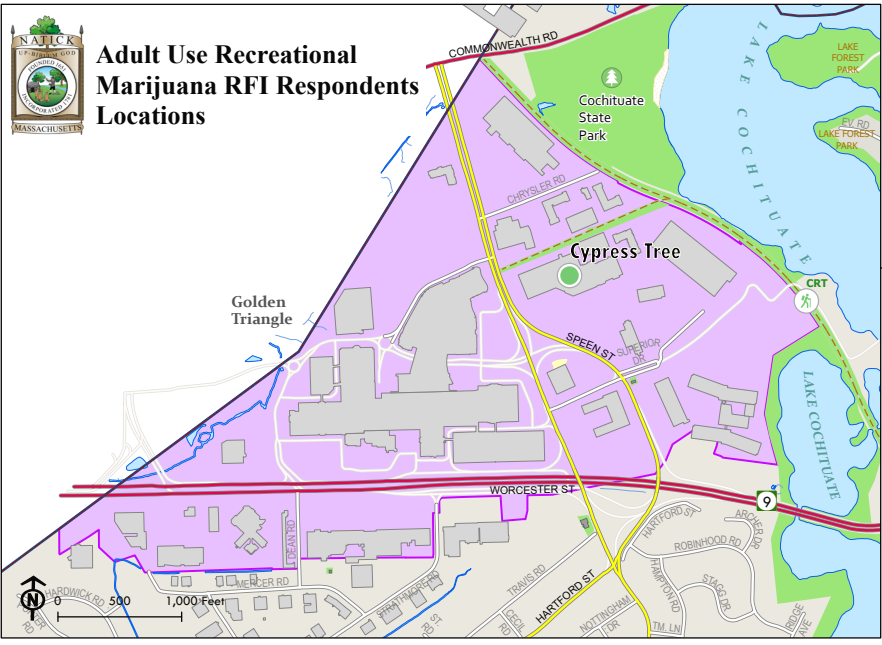




**Adult Use Recreational  
Marijuana RFI Respondents  
Locations**



**ARTICLE 29 - Warrant Article Title**

Amend Zoning By-Laws to Create  
Residential Buffer Zones Regarding  
Licensed Marijuana Retailer Establishments  
Under Section III-K.2: Adult Use  
Marijuana Establishments

Revised on 03/16/2021

Natick DPW-GIS Division  
75 West Street  
Natick, Mass. 01760  
Date: 6/19/2020  
CARTOGRAPHY BY: RICHARD PHILLIPS

## Introduction and Background

In summer 2020, some Jennings/Morses Ponds residents learned that a retail marijuana store was proposed at the end of Grove Rd, a busy cut-through neighborhood road used to access Rte 9 while avoiding the Oak Street intersection. The proposed location was just over a hundred feet from the nearest home, near school bus stops, and at a location where teenagers walk by on the way to buy snacks at the nearby CVS and Dunkin' Donuts.

Concerned, several of us reached out to our immediate neighbors in over 140 households, only to discover that none of them knew about the proposed store either. Furthermore, we learned that, unbeknownst to the entire neighborhood, the East Natick area of Rte 9 around the Oak Street Intersection and up to the Wellesley town line, had been previously designated by the town as part of a Retail Marijuana Overlay District. We were all stunned. How could it be that we had not been made aware of this? Residents of the other neighborhoods abutting the Oak Street intersection were equally unaware.

So this is where our story began — a story that had us winding our way through a maze of town (and state) online documents, laws, and processes to try to understand how this happened. We attended many Select Board meetings, submitting a petition, numerous statements, and letters to vocalize our concerns — trying to understand what input we had, as citizens and residents, in the decision-making process. After a months long-process of inquiry, we came to the conclusion that proposing a 300-foot residential buffer zone for retail marijuana establishments was our best course of action in order to address the concerns of *all* abutting neighborhoods.

Let us state at the outset — *we do not condemn* marijuana legalization, *do not oppose* medical and recreational marijuana use, or object to retail sales of marijuana in Natick. In fact, we recently made a statement of support for the Cypress Tree location at the Cloverleaf Mall, which has now moved into Host Agreement status. That location meets our proposed 300-foot residential zoned buffer requirement, and guarantees adequate parking and traffic flow.

Rather, as the reasoned voices of residents, homeowners, and taxpayers, we are explaining our rationale for **Article 29 - Amend Zoning By-Laws to Create Residential Buffer Zones Regarding Licensed Marijuana Retailer Establishments under Section III-K.2: Adult Use Marijuana Establishments**. This proposal asks Town to vote to create a residential buffer zone to provide for the placement of Licensed Marijuana Retailer Establishments in suitable locations, to minimize adverse impacts of said Establishments on residential neighborhoods and streets, where children congregate, live and play; by regulating the siting, design, placement, and security of Licensed Marijuana Retailer Establishments; and move that the Town vote to amend Zoning Bylaws Section III-K.2: Adult Use Marijuana Establishments under Section 5. Place. to insert as 5.4 and renumber everything following: ***“No Licensed Marijuana Retailer Establishment shall be located within three hundred (300) feet of a Town of Natick boundary line, or residential zoned property. The distance shall be measured in a straight line, without regard to intervening structures, from the nearest exterior wall of the Licensed Marijuana Retailer Establishment facility, or accessory structure associated with said use, to the nearest Town of Natick boundary line or property boundary line of residential zoned property,”*** or otherwise act thereon.

**Article 29 brings Retail Marijuana Establishments into alignment with Natick’s current Medical Marijuana Dispensaries 300-foot residential buffer zone bylaw.** We hope by the conclusion of this presentation you will fully understand our rationale and support the Article.

## NEIGHBORHOOD IMPACT: Traffic

Natick’s Zoning By-laws **VI-DD SPECIAL PERMIT PROCEDURES AND SITE PLAN REVIEW 2.b** regarding Special Permits states: “*the proposed use will not have adverse effects which outweigh its beneficial effects for both the neighborhood and the Town, in view of the particular characteristics of the site and of the proposal in relation to that site...*” and further states “*...adequacy of traffic flow and safety, including parking. Consideration of traffic flow and safety and parking and loading shall consider effects on nearby and collector streets at both peak and off peak hours*”

### Customer Volume Makes Retail Marijuana Different from Typical Retail Establishments

According to a July 2019 Gallup poll, 15% of adults in the Eastern US consume marijuana<sup>1</sup>. Using this data, let us look at how many adult cannabis consumers could visit the two Natick locations per month, drawing from both Natick and neighboring towns Wayland, Weston and Wellesley (excluding Dover and Sherborn for the purpose of this estimate), which have banned retail marijuana.

	Wayland	Weston	Wellesley	Natick	TOTAL	
Total Population (US Census 2019)	13,835	12,124 <sup>+</sup>	28,670	36,050	90,679	+ Number corrected from previous iteration
Population over 21 (US Census 2019)*	10,238	8,972	21,216	26,677	67,102	* Persons under 18 plus 1% per year to age 21 = average 26%; 21 and older = average 74%
Percentage of Regular Cannabis Adult Consumers**	1,536	1,346	3,182	4,002	<b>10,065</b>	**Industry average: 15% of adults are regular cannabis users

Based on industry averages, users purchase cannabis 2x per month with the average transaction taking about five to seven minutes. Using the total of 90,679 above, we can extrapolate the potential number of post-COVID visits to the two Natick stores could be 20,130 per month or, split between two locations, 10,065 visits per month each. We also need to add an unknown number of visits from users who commute up and down Rte 9 on any given day.

Respondent analysis anticipated a 42% increase in car trips at a marijuana retail store versus a typical retail store. Based on original proposals, respondents estimated a higher amount of visits per day 500 (to 700+), approximately 15,000-21,000 visits per store, per month.<sup>2 ^</sup>

Selected Retail Marijuana Establishment respondents must apply for a Special Permit from the town that includes requirements for traffic flow, safety, and parking, as listed in paragraph one above. In addition, considerations for the resulting traffic effects on nearby and collector roads in neighborhoods must be taken into account.

### **What impact would this volume of visits and vehicles have on abutting neighborhoods?**

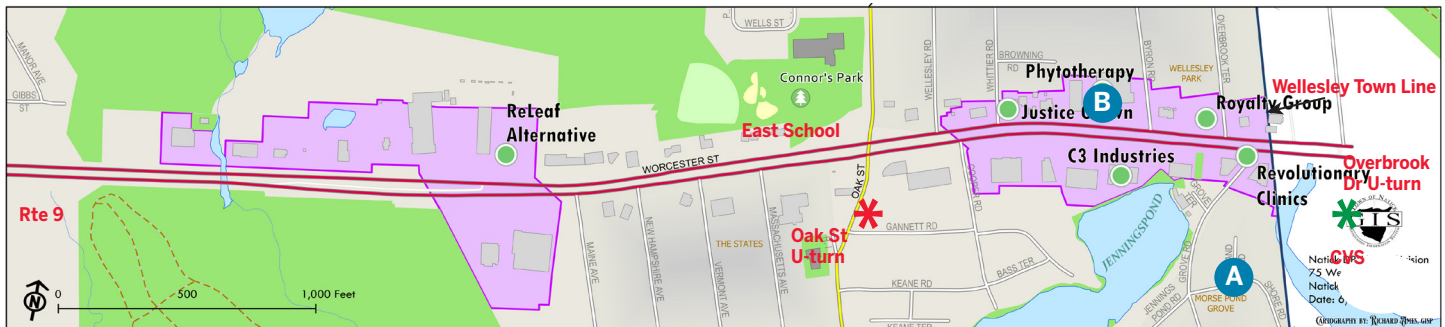
<sup>1</sup><https://news.gallup.com/topic/marijuana.aspx>

<sup>2</sup>We used respondent supplied percentage applied: removal of retail trips from total trips, or 58% of total visits for retail customers, which yields  $1712 \times .58 = 992.96 / 2 = 496.48$  trips.

<sup>^</sup>3/16/2021 revision to paragraph.

### Impact on Densely Populated Abutting Neighborhoods with Narrow Roads

For the purposes of discussing the proposed Article's 300-foot residential buffer zone, we focus on the Marijuana District Overlay Map below. The Commonwealth of Massachusetts recognized the need to protect minors, and mandated that marijuana establishments be located 500 feet away from designated areas frequented by children such as schools, libraries, parks, and playgrounds. The map shows, due to proximity to the East School and its recreational fields, that most of the available retail space is in effect, pushed to the east side of Oak Street. **Locations east of Oak Street would substantially increase cut-through traffic in the surrounding neighborhoods.**<sup>^^</sup>



The area's residential neighborhoods with their narrow roads, and no curbed sidewalks, were not designed to handle this amount and type of traffic. For example, the densely populated Jennings/Morses Pond neighborhood **A** has walkers, joggers, cyclists and children at bus stops that must share these roads with morning commuters, shoppers, church goers, and others who speed through. That neighborhood and the one directly across Rte 9 **B** have both struggled with increasing traffic as the Waze app recommends that drivers use these roads to avoid the lights at the Oak St. / Rte 9 intersection **\***. Several neighborhood residents using the roads for recreational activity have told us they have already experienced "near misses" with vehicles operated by distracted and impaired drivers.

### Impact from Rte 9, Oak Street and Overbrook Drive Traffic on Abutting Neighborhoods

The section of Rte 9 between the Natick Oak Street intersection and Wellesley Overbrook Drive intersection **\*** is routinely backed up during heavy commuter hours and holidays. Inadequate parking, enter/exit capabilities, and heavy customer volume in a retail marijuana establishment will further add to backups and traffic congestion between the two intersections. Residents of the abutting neighborhoods are dependent on this already heavily congested section of Rte 9 to gain access to their own neighborhoods.

When leaving a retail marijuana establishment located on Rte 9 between the Oak Street and Overbrook Drive intersections, reversing direction will require making a left lane U-turn at one or the other intersection. Both U-turns will thus experience increased volume, especially troublesome during busy commuting hours and holidays where they back up, often into the pass-through lane. It is our experience that most departing customers in this stretch of Rte 9 desiring to head west, east, or south choose to cut through surrounding neighborhoods to avoid already long lines at these U-turns.

### Inadequate Parking's Impact on Abutting Side Streets/Businesses and Rte 9 Traffic

Current Natick zoning parking-lot requirements are based on a building's gross square footage, however this does not take into consideration the 42% increase in car trips at a marijuana retail store versus a typical retail store as outlined on page 3. Any retail marijuana location needs to accommodate this increased parking load — as inadequate spaces will lead to overflow parking on residential side streets and other businesses' parking lots, as well as back-up traffic onto Rte 9 pass-through lanes (see Cultivate example page 5).

<sup>^^</sup> 3/16/2021 revision to paragraph.



## NEIGHBORHOOD IMPACT: Culture, Health and Safety

The Commonwealth of Massachusetts recognized the need to protect minors by mandating that retail marijuana establishments be located 500 feet away from designated areas frequented by children such as schools, libraries, parks, playgrounds, etc. **In 2014, the Town of Natick sponsored and enacted a 300' residential buffer zone around medical marijuana dispensaries with the same intent in mind. Retail marijuana should not be treated differently from medical marijuana. It should be brought into conformity with the current medical use bylaw for the health of our residential neighborhoods, where our children live and play.**

### **The Current Natick Bylaw Mandating 300-Foot Buffer Zone Around Medical Marijuana Dispensaries Section 323. USE AND OTHER ZONING REGULATIONS**

#### **323.8 Registered Marijuana Dispensaries. 323.4 - Adult Uses**

**323.43** *The premises in which the proposed adult use is to take place is located a distance of at least three hundred (300') feet from: the Town boundary line or a residential district zone boundary line; or from a church; or from: a public or private: school, park, playground or day care facility.*

### **The Value of Healthy Neighborhoods**

Selected Retail Marijuana Establishment respondents must apply for a Special Permit from the town. This permit requires consideration for the resulting effects of their operation on the essential culture and social structure of neighborhoods. Natick neighborhoods include diverse communities of families, retirees, and working professionals. Some families have lived in these neighborhoods for generations, others for decades and, more recently, a new wave of young families has moved into our neighborhoods. These are neighborhoods where many residents have felt safe enough to leave doors unlocked during the day and neighbors look out for each other. Residents want to hold on to the essential character and social structure of Natick neighborhoods that have made them safe and friendly places to live. **Without a residential buffer zone, Natick residents abutting a Marijuana Retail Establishment would not only have to deal with safety issues around traffic, but also with nuisance issues and security details due to the special security requirements of retail marijuana stores.**

### **Safety, Traffic and Nuisance Examples - Framingham and Marlborough**

An employee at 'Cultivate,' a retail marijuana store in Framingham, (where there are no residential buffer zone), told us about these recurring issues:

- After 5 pm and on weekends there is a steady stream of traffic which can be hard to control.
- Back ups from the parking lot onto Rte 9 are a common problem.
- There is constant activity in the parking lot, so an employee is outside making sure people don't leave children in cars, checking ID's, policing COVID protocols, and telling car occupants not to idle and to move along after they have picked up purchases.
- The employee has to also 'police' people in order to prevent them from parking at a nearby store, because this store "gets very angry".
- The employee says doing this work at night is "scary".
- **There have been persistent complaints from the abutting neighborhood.**



*School bus stop just hundreds of feet from a proposed location.*



*Customers queuing outside in the parking lot of Cultivate, Framingham*

We also visited Garden Remedies, a retail marijuana store in Marlborough, (where there is no residential buffer zone), and witnessed customers using purchases in the parking lot (see photo below).

**Maintaining Consistent Values Message to Teens**

The Natick180 Coalition provides the town with a comprehensive grade 5-12 curriculum to prevent and reduce substance abuse. A recent press release from the organization stated, “As retail and medical cannabis establishments become more widespread across the Commonwealth, the Natick180 Coalition and the Substance Prevention Alliance of Needham (SPAN) are collaborating on an educational event entitled “Cannabis and the Teen Brain.” On Natick180’s website Under “Know Your Risk”, they list positive influencers as “community norms that discourage substance use among young people.”



Customers using their purchases in the parking lot of Garden Remedies, Marlborough

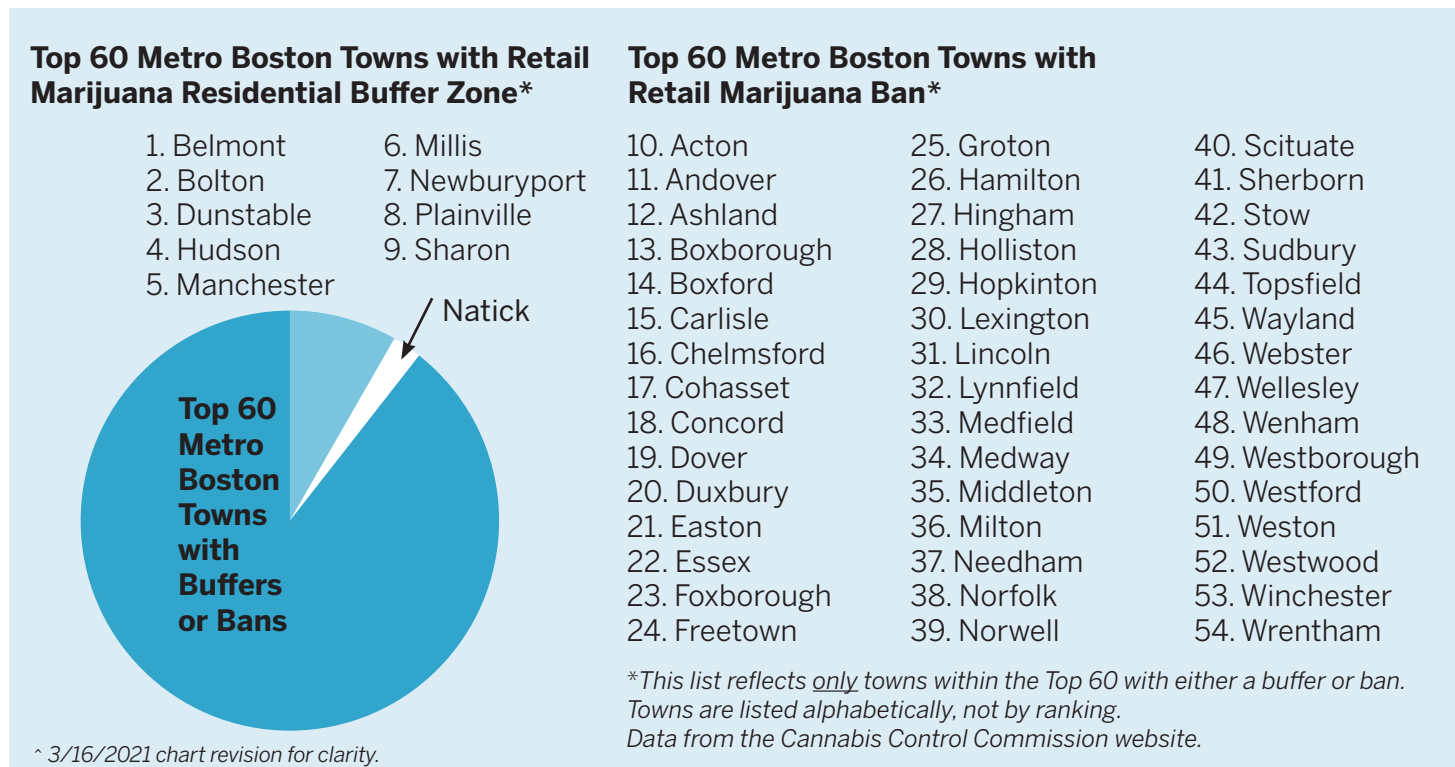
One Natick teen in our neighborhood asked her mom, “I don’t get it. Why would school be teaching me and my friends about the risks of marijuana use and then put a store right in our neighborhood?” **A 300-foot buffer zone around residential zoned neighborhoods would send a message to this and other Natick teens that our community reflects consistent messaging and values to its impressionable young people.**

**How Have Other Metro Boston Towns with Top Ranked High Schools Responded to Retail Marijuana?**

Natick has striven to improve the educational performance of its schools, making great strides in recent years. According to the 2020 US News and World Report Ranking of the Top 60 High Schools in Metropolitan Boston, Natick ranks 59th.

**What are the policies of other towns in that top 60 ranking regarding retail marijuana establishments?**

Take a look...

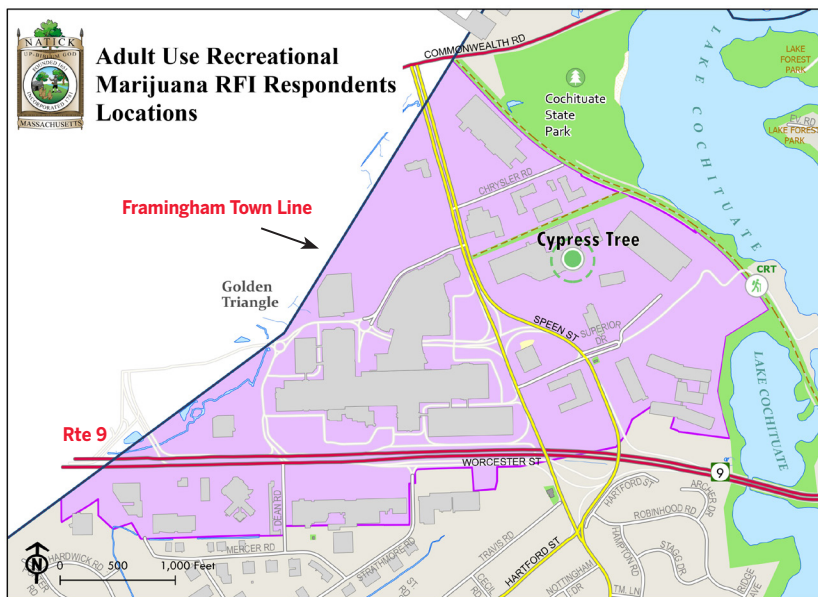


## In Summary

Responsible siting of Natick’s retail marijuana establishments must take into account all abutting Natick residential neighborhoods and our children where they learn, play, and *live*. **By enacting Article 29, and using responsible siting, the town of Natick can still achieve the benefit of authorizing two retail marijuana establishments with attendant tax revenue, while also preserving the character, social structure, health, and safety of abutting residential neighborhoods — now and into the future.**

**In 2014, Natick had the foresight to enact a 300-foot residential buffer zone around medical marijuana dispensaries, which are located in industrial district zones.** Retail marijuana establishments that abut residentially zoned areas will have even greater impact on neighborhood residents, including children and teens. **It’s time to recognize the value of this precedent, and achieve consistency, by bringing Retail Marijuana into conformity with Natick’s medical marijuana buffer zone bylaw.**

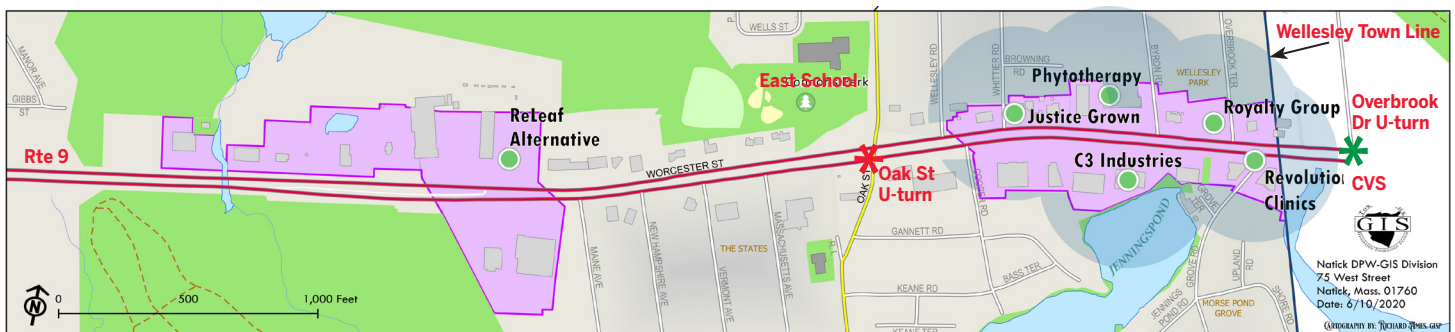
**We urge you to support Article 29 - Amend Zoning By-Laws to Create Residential Buffer Zones Regarding Licensed Marijuana Retailer Establishments under Section III-K.2: Adult Use Marijuana Establishments.**



- Pink areas indicate Marijuana Overlay Districts
- Dash green circles indicate 300-foot buffer that doesn't impact residential neighborhoods<sup>^^^</sup>
- Grey area indicates 300-foot area that does impact residential neighborhoods

< This overlay district is within a large commercially zoned area with potential locations well distanced from residential zoned property lines.

v The overlay district east of Oak Street shows 300 feet affect abutting residential areas (in grey). The overlay left of Oak Street intersection would not conform to 300-foot buffer because, although not impacting a neighborhood, the protected wetlands are zoned residential.<sup>^^^</sup>



<sup>^^^</sup> 3/16/2021 map and copy revisions.



### Massachusetts Towns with Retail Marijuana Residential Buffer Zones\* (as of 3/2021)

Abington	Bolton	Fitchburg	Manchester	Plainville
Amherst	Brimfield	Franklin	Marion	Rockland
Ashburnham	Buckland	Georgetown	Maynard	Sharon
Attleboro	Conway	Hadley	Millis	Shirley
Ayer	Dartmouth	Hatfield	New Bedford	Somerset
Becket	Dighton	Hudson	Newburyport	Springfield
Belmont	Dunstable	Leicester	Otis	Tyngsborough
Berlin	Erving	Malden	Paxton	Westfield

*\*This list does not include towns that have mandated that retail marijuana stores be located in industrial zones.*

### Massachusetts Towns with Retail Marijuana Bans (as of 3/2021)

Acton	Danvers	Lancaster	Norwood	Upton
Acushnet	Dedham	Lawrence	Orleans	Wakefield
Agawam	Dennis	Lexington	Peabody	Walpole
Alford	Dover	Lincoln	Pembroke	Wayland
Andover	Duxbury	Longmeadow	Randolph	Webster
Ashland	East Bridgewater	Ludlow	Raynham	Wellesley
Auburn	East Longmeadow	Lynnfield	Reading	Wenham
Avon	Easton	Mattapoisett	Revere	West Bridgewater
Barre	Essex	Medfield	Rockport	West Springfield
Bedford	Everett	Medway	Sandwich	Westborough
Bellingham	Falmouth	Merrimac	Saugus	Westford
Bourne	Foxborough	Methuen	Scituate	Westhampton
Boxborough	Freetown	Middleton	Sherborn	Weston
Boxford	Groveland	Milford	South Hadley	Westport
Boylston	Hamilton	Milton	Southborough	Westwood
Braintree	Hampden	Monroe	Southbridge	Weymouth
Bridgewater	Hanson	Monterey	Southwick	Whitman
Burlington	Hanover	Mount Washington	Spencer	Wilbraham
Canton	Harwich	Needham	Sterling	Wilmington
Carlisle	Hingham	New Marlborough	Stoneham	Winchester
Chatham	Holden	Norfolk	Stoughton	Woburn
Chelmsford	Holliston	North Andover	Stow	Wrentham
Cohasset	Hopkinton	North Reading	Sudbury	Yarmouth
Concord	Hull	Northborough	Sutton	
Cummington	Ipswich	Norwell	Topsfield	

Created by the **Jennings/Morses Pond Neighborhood (JMPN) Working Group**.  
JMPN has no association with, or financial interest in, any Retail Marijuana Establishments.