

ARTICLE 29 - Warrant Article

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

“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”

INTRODUCTION AND BACKGROUND

Jennings/Morses Ponds Neighborhood Working Group (JMPN) :

- Does not condemn marijuana legalization.
- Does not oppose medical and recreational marijuana use.
- Does not object to retail sales of marijuana.

Article 29 brings Retail Marijuana Establishments into alignment with Natick's current Medical Marijuana Dispensaries 300-foot residential buffer zone bylaw.

Our only intent is to protect residential neighborhoods.

INTRODUCTION AND BACKGROUND

- Began our efforts in August 2020:
 - Attended Select Board and Community Outreach meetings
 - Submitted a neighborhood petition, statements, and letters to vocalize concerns...
 - ... to no actionable effect.
- Proposing Retail Marijuana Establishments be in suitable locations that minimize adverse traffic, safety, and social impacts on residential neighborhoods and roads, where young children and teens play, *and* live -- now and into the future.

NEIGHBORHOOD IMPACT: Traffic

Customer Volume Makes Retail Marijuana Different from Typical Retail Establishments

- How many consumers could visit two Natick locations, drawing from Natick *and* neighboring Wayland, Weston and Wellesley (where retail marijuana is banned)?

	Wayland	Weston	Wellesley	Natick	TOTAL	
Total Population (US Census 2019)	13,835	12,124+	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	10,065	**Industry average: 15% of adults are regular cannabis users

- Post-COVID two stores can expect 20,130 visits per month or **10,065 visits per month each store.**

NEIGHBORHOOD IMPACT: Traffic

Customer Volume Makes Retail Marijuana Different from Typical Retail Establishments

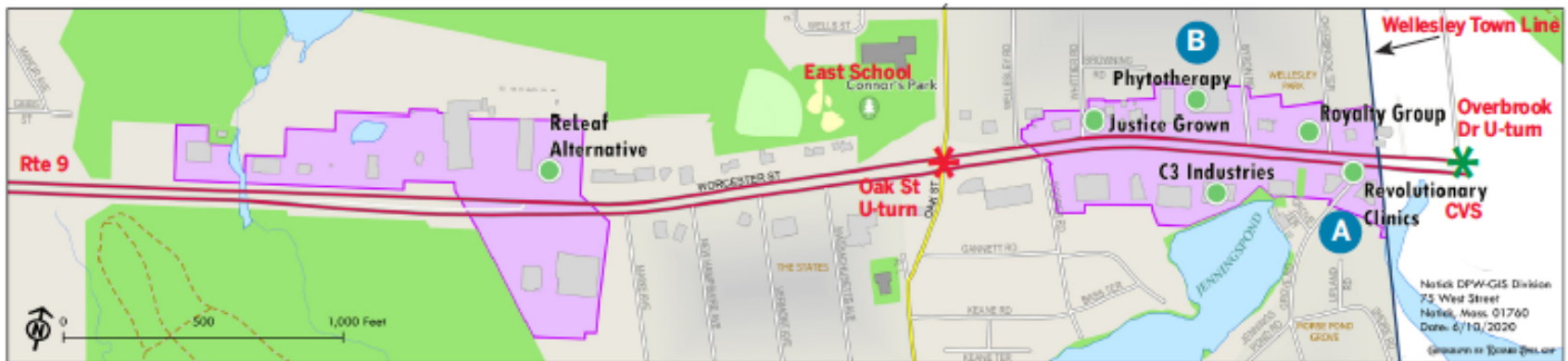
- **42% more car trips** at a marijuana retail store versus typical retail store.
- Respondents have even higher estimates of 500 (to 700+) visits per day, **15,000- 21,000 visits per store, per month.**



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

NEIGHBORHOOD IMPACT: Traffic

Impact on Densely Populated Abutting Neighborhoods



- Due to proximity to East School and recreational areas, most locations are pushed to the east side of Oak Street (pink area right side of map)
- Locations east of Oak Street would increase cut-through traffic in surrounding neighborhoods (A and B).

NEIGHBORHOOD IMPACT: Traffic

Impact on Densely Populated Abutting Neighborhoods

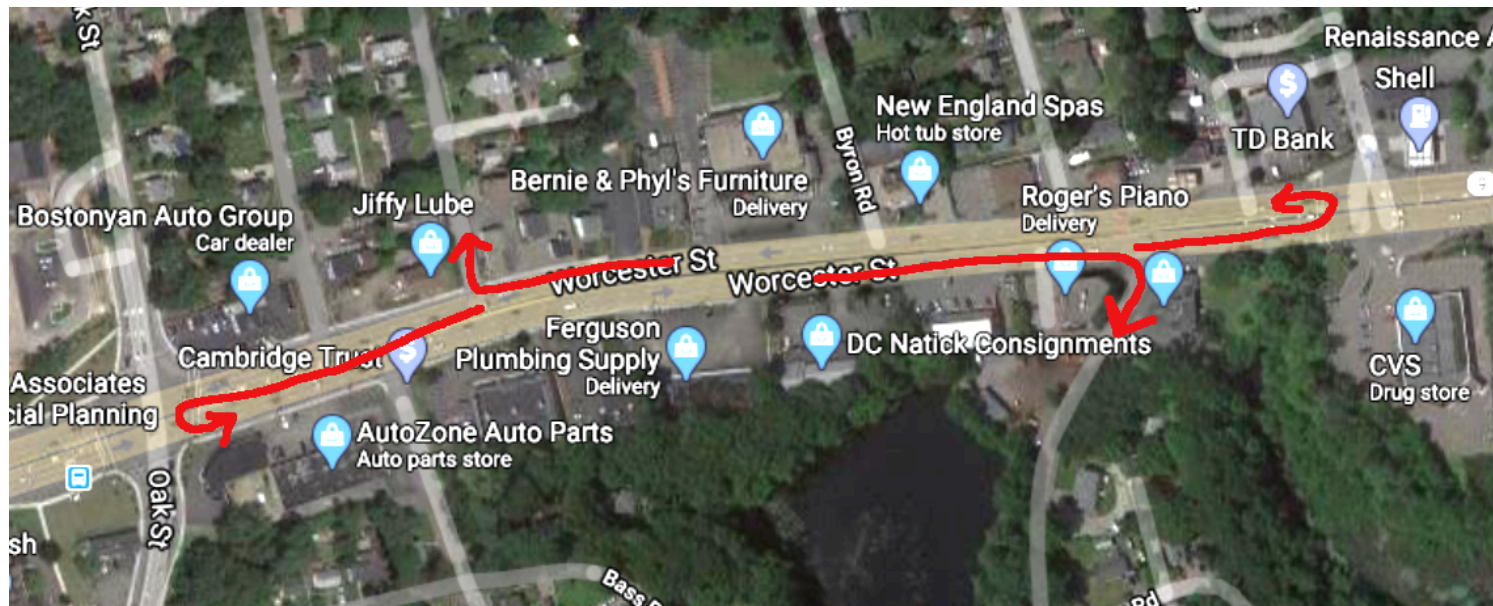
- Abutting neighborhoods have narrow roads, and no curbed sidewalks: not designed to handle this traffic burden.
- Walkers, joggers, cyclists, parents with baby strollers, young children, and teens must share these roads with vehicles.
- Waze app already recommends drivers use Rte 9 neighborhood roads to avoid the lights at Oak St / Rte 9 intersection.



NEIGHBORHOOD IMPACT: Traffic

Rte 9, Oak St, Overbrook Dr Impact on Abutting Neighborhoods

- Rte 9 between Oak Street intersection and Overbrook Drive intersection routinely backs up.
 - Backed up intersection U-turns mean departing customers cut through abutting neighborhoods to avoid long lines.



NEIGHBORHOOD IMPACT: Traffic

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

- Natick zoning parking lot requirements based on a building's gross square footage.
- No consideration for 42% increase in car trips at marijuana retail store versus typical retail store.



- Locations with inadequate parking spaces will create:
 - overflow parking on residential roads
 - overflow parking in other businesses' parking lots
 - back-ups onto Rte 9 pass-through lanes and more traffic congestion

NEIGHBORHOOD IMPACT: Culture, Health and Safety

Current Natick Bylaw Medical Marijuana Dispensary Buffer Zone

- 2014 Town of Natick sponsored and enacted 300-foot residential buffer zone around Medical Marijuana Dispensaries.
- ***Retail marijuana, with higher projected volume, should be brought into conformity with Natick's existing medical marijuana bylaw.***

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.*

NEIGHBORHOOD IMPACT: Culture, Health and Safety

The Value of Healthy Neighborhoods

- Impact of Retail Marijuana operations on the essential culture and social structure of neighborhoods must be considered -- stores must not have adverse effects that outweigh beneficial ones.
- Equating Retail marijuana stores to liquor stores is a false equivalent, evidenced by the Commonwealth's mandated buffer and security requirements.
- Without residential buffer zone, residential abutters will not only have to deal with traffic, but also safety and security/nuisance impacts.

NEIGHBORHOOD IMPACT: Culture, Health and Safety

Safety, Traffic and Nuisance Examples from Other Towns without Buffer Zones

- At Marlborough's Garden Remedies:
 - We witnessed customers using purchases in parking lot (photo right)
- Framingham 'Cultivate' employee said despite monitoring:
 - Traffic back ups onto Rte 9
 - Customers leave children in cars and idle/don't move along
 - Customers park in nearby store's lot
 - **Receive persistent complaints from abutting neighborhood**



NEIGHBORHOOD IMPACT: Culture, Health and Safety

Maintaining Consistent Values Message to Teens

- Natick180 Coalition (grade 5-12 substance abuse curriculum)
 - “Cannabis and the Teen Brain” event press release begins, *“As retail and medical cannabis establishments become more widespread across the Commonwealth...”*
 - Lists *“community norms that discourage substance use among young people”* as positive influencers.

300-foot buffer around residential zoned neighborhoods shows Natick teens that our community reflects consistent messaging and values to its young people.

“I don’t get it. Why would school be teaching me and my friends about the risks of marijuana use and then [the town] put a store right in our neighborhood?” - Natick Neighborhood Teen

NEIGHBORHOOD IMPACT: Culture, Health and Safety

How Have Other Massachusetts Towns Responded to Retail Marijuana?

Retail Marijuana Residential Buffer Zones*

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

**as of 3/2021*

Retail Marijuana Bans*

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

IN SUMMARY

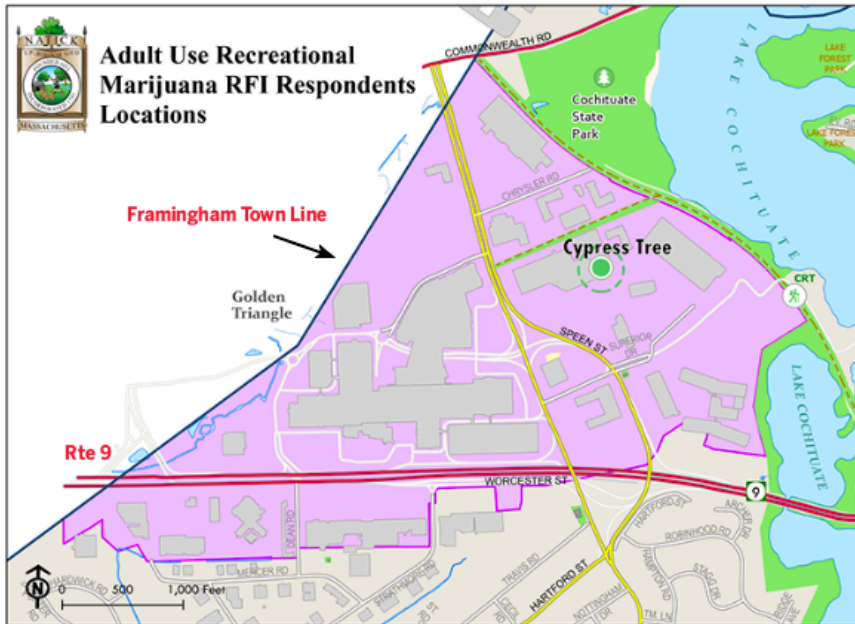
- **Responsible siting of retail marijuana establishments** must minimize adverse traffic, safety, and social impacts on residential neighborhoods and roads, where our young children and teens learn, play, *and* live.



IN SUMMARY

- **By enacting Article 29, Natick can both:**
 - **Achieve** the benefit of **two retail marijuana establishments** with attendant tax revenue,
 - and*
 - **Preserve** the character, social structure, health, and safety of **abutting residential neighborhoods**
- now and into the future.*

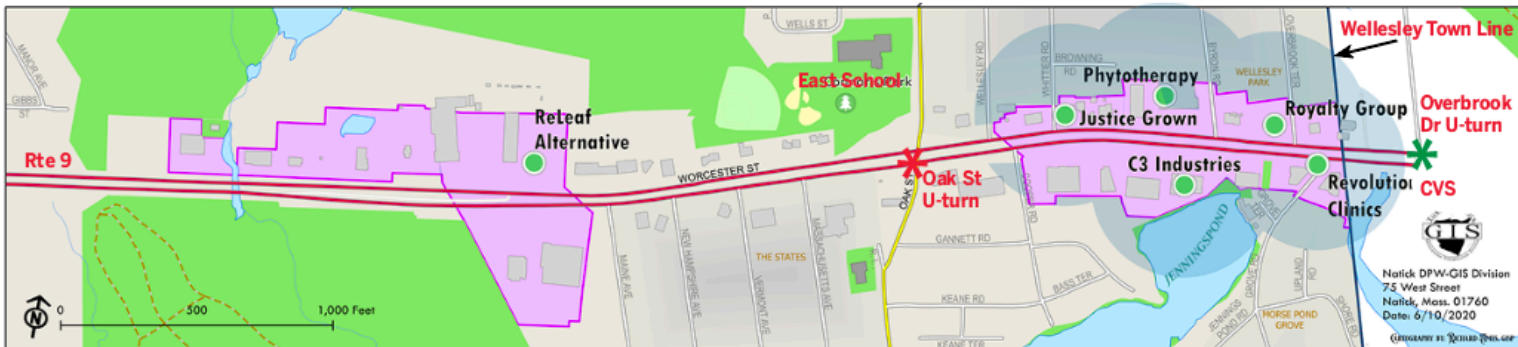
IN SUMMARY



- Pink areas indicate Marijuana Overlay Districts
- Dash green circles indicate 300-foot buffer that doesn't impact residential neighborhoods^{^^^}
- 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.^{^^^}



^{^^^} 3/16/2021 map and copy revisions.

IN SUMMARY

- In 2014, Natick had the **foresight** to enact a 300-foot residential buffer zone around Medical Marijuana Dispensaries.
- Expedience and convenience **should not supersede sound policy**.
- It's time to acknowledge this **precedent** and to achieve **consistency** by bringing Retail Marijuana Establishments into conformity with existing Medical Marijuana bylaw.

**Support Article 29 - Amend Zoning By-Laws
to Create Residential Buffer Zones
Regarding Licensed Marijuana Retailer Establishments**