Tuesday, December 8, 2020
Medway Planning and Economic Development Board
155 Village Street
Medway, MA 02053

| Members | Andy <br> Rodenhiser | Bob <br> Tucker | Tom <br> Gay | Matt <br> Hayes | Rich <br> Di Iulio | Jessica <br> Chabot |
| :--- | :---: | :---: | :---: | :---: | :---: | :---: |
| Attendance | $\mathbf{X}$ <br> Remote | $\mathbf{X}$ <br> Remote | $\mathbf{X}$ <br> Remote | $\mathbf{X}$ <br> Remote | $\mathbf{X}$ <br> Remote | $\mathbf{X}$ <br> Remote |

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor's Orders imposing strict limitations on the number of people that may gather inside in one place, no in-person attendance will be permitted at this meeting. Board members will attend the meeting via ZOOM. Meeting access for the public is provided via ZOOM for the required opportunity for public participation in a public hearing. Members of the public may watch the meeting on Medway Cable Access: channel 11 on Comcast Cable, or channel 35 on Verizon Cable; or on Medway Cable's Facebook page @medwaycable.

## PRESENT VIA ZOOM MEETING:

- Susy Affleck-Childs, Planning and Economic Development Coordinator
- Amy Sutherland Recording Secretary
- Steve Bouley, Tetra Tech


## PUBLIC COMMENTS:

- There were no public comments


## Cottage Cluster Zoning:

The Board was introduced to Ella Wise, Senior Regional Planner with MAPC. Ella provided a Zoom presentation to the Board about cottage cluster zoning. (See Attached.) This is a component of the Living Little 2 project Medway is involved in with MAPC and the Towns of Medfield, Sherborn and Foxborough.

The purpose of this bylaw would be to provide a variety of smaller, more affordable housing Choices, including single family units, duplexes, and carriage houses. The intent is to provide housing for the needs of a diverse population. The design of the cottage cluster would provide a common open space to be shared by the neighbors. This would need a granting of a special permit for a cottage cluster for up to 8 units per acre in the AR-1, AR-11, and VR districts. This would require site plan review. The maximum unit size would be for a cottage $1,000 \mathrm{sq}$. ft ., carriage house unit 800 sq . ft., and duplex 2,000 sq. ft. (for 2 units). The minimum lot frontage would be 50 ft . The maximum impervious coverage is $50 \%$. The minimum distance between units is 12 feet. The setbacks from property would be 20 ft .

There were examples shown from the following communities: Concord, MA, Riverwalk; Cottage on Greene in E. Greenwich, RI; Bristol Crossing in Norfolk, MA; and Heritage Sands, Dennis, MA.

The site design requirements need to allow flexibility. A minimum of $75 \%$ of the housing units in a cottage cluster must be developed within a cottage court. Each of the cottage courts shall have a minimum of 4 and a maximum of 16 dwellings units. The front door of every unit in a cottage court shall be oriented towards the abutting courtyard. In regard to parking, dwelling units less than 800 sq. ft . would be required to have a minimum of 1 space per unit, maximum of 1 space per unit. For those dwelling units greater than 800 sq. ft. there would be a minimum of 1 space per unit and maximum of 2 spaces per unit.

## Ideas/Questions presented following presentation:

- Create some storage area for vehicles such as a carport instead of garage. Have some options for developers.
- Have a shed or place for bicycles/kayaks etc.
- A suggestion was made to not allow two car garages attached to the unit.
- If a garage is allowed, provide specific maximum dimensions.
- Who will maintain the grounds? Would there be common management?
- Is there a plan for a common swing set or amenities? There would be a common area space, but the specifics would need to be determined.

The Board is in receipt of a draft of the proposed cottage zoning bylaw received November 5, 2020 from MAPC. (See Attached.) The revisions reflect comments from the four participating communities and comments from several cottage housing experts (developer, planner and architect) who have reviewed the previous draft of the document. Some definitions need to be added and special permit criteria for "cottage style" architecture should be included. It was also suggested to add illustrations or images of a carriage house. Another definition and images would be needed for "sense of place". Language guiding the design of the accessory building would need to be included. Section 8.6 on affordable housing would also need to be amended to reference its applicability to cottage developments.

## PUBLIC HEARING CONTINUATION: HARMONY VILLAGE MULTIFAMILY DEVELOPMENT, SITE PLAN AND LAND DISTURBANCE PERMIT

The Board is in receipt of the following documents: (See Attached)

- Public Hearing Continuation Notice
- DRAFT Decision prepared by Susy Affleck-Childs with notes and comments offered by the applicant and project engineer.

Applicant Gary Feldman and project engineer Drew Garvin of Meridian Associates were present via ZOOM. The Board is in receipt of the draft decision for Harmony Village. The decision was reviewed.

The following are revisions to be made to the decision:

- Revision to change Harmony Estates to Harmony Village
- Language needs to be added that a leaching catch basin will be constructed at the end of the driveway to catch stormwater prior to entering Main Street. A waiver is no longer needed.
- Language for charging stations should be revised to specify that "charging station conduit will be installed in each of the garages for the 4 new units.
- Add updated deed and conveyance information to reflect the applicant as the current property owner.
- Page 12 Condition \#7 - The draft indicates a waiver is needed from the tree replacement requirement. There was a tree inventory performed by Meridian Associates. Two 30 " trees are to be removed during site preparation. The initial plan review memo from Gino Carlucci noted that there were more trees than required. The applicant feels they have met the requirements. Susy Affleck-Childs applied Medway's scenic road tree replacement formula which results in the projects needing more landscaping to mitigate the tree removal than what is proposed. There was a suggestion to see if the Design Review Committee can meet to review the updated landscaping plan prior to the voting on the decision. Member Hayes noted that the formula applied is very rigorous and may not be suitable for tree removal on the interior of lots. He asked Susy to research alternatives.
- Throughout construction, the permittee shall be responsible for keeping the constructed stormwater drainage system in a clean and well-functioning condition. It was suggested that language be added about the required monitoring for the SWWPP and reports that need to be prepared and provided. Susy Affleck-Childs will ask Consultant Bouley for assistance with language and will also look at the standard language the Conservation Commission is including in the Land Disturbance Permits it issues.
- Susy Affleck-Childs will speak with DPW Director Dave D'Amico about language for the I \& I requirement he wants included in the decision.
- There needs to be language included about snow removal whereby snow needs to be taken off site with excessive accumulation.

On a motion made by Bob Tucker, and seconded by Tom Gay, the Board voted by Roll Call to continue the hearing for Harmony Village to January 12, 2021 at 7:30 pm.

## Roll Call Vote:

Matthew Hayes aye
Bob Tucker aye
Rich Di Iulio aye
Andy Rodenhiser aye
Tom Gay
aye

## PUBLIC HEARING: Good Feels - Marijuana Special Permit:

The Chairman opened the public hearing for Good Feels.

# On a motion made by Rich Di Iulio and seconded by Bob Tucker, the Board voted by Roll Call to waive the reading of the public hearing notice. 

Roll Call Vote:

| Bob Tucker | aye |
| :--- | :--- |
| Andy Rodenhiser | aye |
| Matt Hayes | aye |
| Rich Di Iulio | aye |
| Tom Gay | aye |

The Board is in receipt of the following documents: (See Attached.)

- Public Hearing Notice updated November 30, 2020
- Marijuana Establishment special permit application dated November 9, 2020
- Project Description received November 9, 2020
- Types of Products Manufactured
- Building Fit-Out Plans by Joe the Architect
- As-Built Plan of Land, dated November 3, 2020
- Host Community Agreement with the Town of Medway dated September 8, 2020
- Declaration of Ownership Affidavit dated November 9, 2020
- Memorandum dated November 6, 2020 from Attorney Adrienne Dean
- Good Feels Security Plan
- Memo dated November 5, 20202 from Jeff Komrower of Noise Control Engineering (on behalf of the applicant) re: noise generation
- Odor generation information
- Project review memorandum dated December 2, 2020 from Susy Affleck-Childs
- Email dated November 12, 2020 form Susy Affleck-Childs to Town staff and boards/committed requesting review comments.
- Review memo dated November 16, 2020 from Charles River Pollution Control District
- Consulting services proposal dated 12-1-20 from HMMH to review the noise aspects of the project for the Board.

The applicant, Jason Reposa, was present via ZOOM. He disclosed that Chairman Rodenhiser is a neighbor. The project team is Andy Klein, Security Expert, American Alarm; Alex Siekierski, Senior Project Manager for Joe the Architect; Brady Bankston, Popularis President; Adrienne Dean, attorney; and David Rabinovitz, Advisor.

Mr. Raposa provided a presentation to explain the project. (See Attached) The applicant proposes to use $1,896 \mathrm{sq}$. ft. of the existing commercial/industrial building at 23 Jayar Road (Map 24, Parcel 014) for the production and packaging of marijuana infused products for adult recreational use. A retail marijuana operation is not proposed for this site. This site is 1.374 acres and is located on the north side of Jayar Road in the East Industrial zoning district. There will be some interior renovations to the existing building to accommodate the proposed new use to create paces for storage, processing, offices, shipping and receiving. The facility will not include any cultivation, thus there will be no odors from growing or extracting marijuana. There will be minimal noise from external equipment. The internal noise is contained within
the building envelope. The site is in a discrete location at the back of an industrial park with minimal traffic. There will be a separate loading dock and staircase entry. There will be a total of 5-6 employees by 2022. The production room will be 500 sq . ft . There are no odor concerns since this is highly processed distillate oil. The marijuana smell has been boiled off at another facility before delivery of the oil to this establishment.

In regards to the noise, there will be two pieces of equipment outside, a residential scale HVAC unit on the roof and a back-up generator near the front entrance. The applicant supplied a written letter from Jeff Komrower of Noise Control Engineering confirming compliance with the Town's current and draft noise regulations. The site will have a dumpster from Lawrence Waste. The applicant next explained issues pertaining to groundwater and waste; the property is located in the groundwater protection district. There will be small containers of cleaning supplies from Ecolab. The staff will be trained with spill kits. The applicant spoke with Kristen Mucciarone, District Engineer of the Charles River Pollution Control District. She has provided a written communication indicating there is no issue with the wastewater coming from the establishment. The regular trash/waste will be placed into a locked dumpster from Lawrence Waste Services. The applicant does not see there being any issues with traffic. A security plan has been developed by the American Alarm Company. This will include strict identification requirements for building access along with badges, keycards, and commercial grade locks. There will also be external and internal video surveillance.

The state permit application was submitted to the MA Cannabis Control Commission in October 2020. It is the hope to begin the internal building construction in February 2021 with the provisional license granted in March 2021 and the final license granted May 2021. The production launch would be June 2021. The Board was made aware that the applicant has provided the standard $\$ 500.00$ advance of plan review funds for outside consultants. This will not be sufficient for outside noise and odor consultants. Estimates from Straughan Forensics (odor consultant) and HMMH (Noise consultant) were provided. Those quotes have been forwarded to the applicant. Susy Affleck-Childs recommended that the Board vote to hire both the odor and noise consultants and to increase the plan review fee charged to the applicant.

The hearing was opened for discussion.
There was a recommendation that the applicant provide a letter from a mechanical engineer to verify that that there will be no odor dispensed into the air from the marijuana oil distillate to be used on the premises.

Selectman Glenn Trindade was present during the Zoom meeting and communicated that he thinks this is a great business for the town and is in support. He further indicated that the applicant is taking a vacant commercial space and making it a productive space.

A comment was brought up about the location of the air condenser unit on the roof and whether this will generate noise of concern. This will need to be reviewed.

Abutter John Lally was present during the Zoom meeting and he supports the application. He wants to make sure that the applicant meets all the requirements for the noise and odor performance standards and the recently proposed revised standards.

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The Board agreed to hold a special meeting on January $5^{\text {th }}$ to begin working on a decision. In the meantime, the applicant will secure a review of the odor of marijuana oil distillate from an engineer, Susy will ask outside consultant HMMH to review the equipment for noise compliance, and Mr. Reposa will provide additional funds for the outside consultants.

On a motion made by Bob Tucker and seconded by Rich Di Iulio, the Board voted by Roll Call to continue the hearing to January 5, 2021 at 7:00 pm.

## Roll Call Vote:

| Bob Tucker | aye |
| :--- | :--- |
| Andy Rodenhiser | aye |
| Matt Hayes | aye |
| Rich Di Iulio | aye |
| Tom Gay | aye |

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted by Roll Call to invoice the applicant for an additional $\$ 800.00$ for consultant services with the funds to be placed in the plan review revolving fund.

| Roll Call Vote: |  |
| :--- | :--- |
| Bob Tucker | aye |
| Andy Rodenhiser | aye |
| Matt Hayes | aye |
| Rich Di Iulio | aye |
| Tom Gay | aye |

## ZBA Petitions:

The Board is in receipt of the following: (See Attached)

- 24 Broad Acres Farm Road - Accessory Family Dwelling Unit Special Permit
- 35 Milford Street - Parcel 1A- Two Family Special Permit
- 35 Milford Street - Parcel 2A - Two Family Special Permit


## 24 Broad Acres Farm:

This application is for an addition to the existing single-family dwelling to create an accessory family dwelling unit with access from main house/garage. The proposed AFDU exceeds 800 sq. ft . in area due to elderly parents with medical issues and the need for a second bedroom for them. The owner will be occupying the main dwelling. The AFDU is in the back of the house. The Board is not opposed to this application.

## 35 Milford Street:

This petitioner seeks permission to construct a 2-family building on each of the two newly created lots. The intent of this site has changed from the initial concept a few months back when the Board voted to endorse an ANR plan for the land split. At that time, the applicant indicated the intent to construct a single family home on each lot. Board members were concerned about vehicle access onto Milford Street and the incompatibility of two duplexes

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with the neighborhood. The Board is opposed to this application. A letter will be provided to the ZBA.

On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted by Roll Call to have a letter sent to the ZBA opposing this petition.

| Roll Call Vote: |  |
| :--- | :--- |
| Bob Tucker | aye |
| Andy Rodenhiser | aye |
| Matt Hayes | aye |
| Rich Di Iulio | aye |
| Tom Gay | aye |

## PEDB MEETING MINUTES:

November 24, 2020:
On a motion made by Matt Hayes and seconded by Bob Tucker, the Board voted by Roll Call to approve the PEDB meeting minutes of November 24, 2020 as presented.

Roll Call Vote:

| Bob Tucker | aye |
| :--- | :--- |
| Andy Rodenhiser | aye |
| Matt Hayes | aye |
| Rich Di Iulio | aye |
| Tom Gay | abstained |

November 18, 2020:
On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted by Roll Call to approve the notes of the November 18, 2020 Central Business District Zoning Community Forum.

Roll Call Vote:

| Bob Tucker | abstained |
| :--- | :--- |
| Andy Rodenhiser | aye |
| Matt Hayes | aye |
| Rich Di Iulio | aye |
| Tom Gay | abstained |

## CONSTRUCTION REPORTS:

The Board is in receipt of the following: (See Attached)

- November monthly report on Evergreen Meadow prepared by project engineer Ron Tiberi.
- Tetra Tech Construction reports 5, 6 and 7 for Marzilli Site Plan, 21 Trotter Drive

Consultant Bouley informed the Board that the site has been mobilized. The construction controls have been established. The erosion controls are installed. The road has been rough

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graded to subgrade. The permit for water and sewer has been applied for. The Conservation Agent met with Consultant Bouley on site due to concerns about run off into the wetlands.

## OTHER BUSINESS:

## Millstone ARCPUD:

The Board will not release the performance guarantee until the punch list is completed. There are remaining items which the developer needs address. The future Condominium Association is working with the developer to make sure the items within the house punch lists are addressed. The applicant still needs to provide the as-built plan. The Board took no action on this.

## FUTURE MEETING:

- Tuesday, January 5, 2020 - Special Meeting


## ADJOURN: <br> On a motion made by Rich Di Iulio and seconded by Matt Hayes, the Board voted by Roll Call to adjourn the meeting.

## Roll Call Vote:

Andy Rodenhiser aye
Bob Tucker aye
Matt Hayes aye
Rich Di Iulio aye
Tom Gay aye
The meeting was adjourned at 10: 25 pm .
Prepared by,
Amy Sutherland
Recording Secretary
Reviewed and edited by,
Susan E. Affleck-Childs
Planning and Economic Development Coordinator

December 8, 2020

## Medway Planning \& Economic Development Board Meeting

## Medway Cottage Cluster Zoning

Attached is a revised draft of the cottage zoning bylaw received 11-5-20 from MAPC. The revisions incorporate the comments from the four participating communities (Medfield, Foxboro and Sharon along with Medway) as well as comments from some other cottage housing experts who have reviewed an earlier draft (architect, developer, and another town planner, all with cottage zoning experience). This is the last iteration of the draft zoning in terms of this phase of work from MAPC.

Also attached is an MAPC memo highlighting some outstanding questions and things to consider as we finalize the draft and an excel sheet showing some of the calculations from the memo.

Ella Wise, Senior Regional Planner with MAPC, will ZOOM in to provide a brief presentation on the proposal.

## Section X.X Cottage Cluster

A. Purposes. The purposes of Cottage Clusters are to provide a variety of smaller, more affordable housing choices, including single-family units, duplexes, and carriage houses, in order to meet the needs of a diverse population; encourage new residential development types that foster community and a sense of place; promote affordability and variety in housing design and site development while ensuring compatibility with surrounding land uses; encourage interaction among neighbors through the design of internal pedestrian circulation, orientation of units, and inclusion of Courtyard(s); provide common open space to be shared by neighbors; expand the benefits of potential Cottage Courts in the Oak Grove Park district to other areas of Medway; and prioritize pedestrian connectivity and minimize the impact of automobile traffic and parking.
B. Definitions. Where the following terms appear in this Section $X . X$, they shall have the following meanings.

1. Carriage Housing Unit: A small single-family dwelling located above an attached or detached garage structure in a cottage housing development
2. Community Building: A building providing indoor and/or outdoor space available for use by all residents of the Cottage Cluster, including but not limited to, a picnic shelter, tool shed, exercise room, lounge room for meetings or board games, playground, or child care room.
3. Community Garden: An open space designed as individual garden plots available to residents for horticultural purposes, including storage facilities for necessary equipment (see "Description" in Oak Grove Park Districts Table 9.6.B.1)
4. Cottage: A small detached, single-family dwelling unit with narrow massing (see "Definition" in Oak Grove Park Districts Table 9.4.C.1.A)
5. Cottage Cluster: A Cottage Court or a cohesive grouping of Cottage Courts.
6. Cottage Court: A community of small private homes arranged around a common courtyard which takes the place of private yard space and becomes an important communityenhancing element of the site. Cottage Courts may also have shared community garden plots, parking courts, and recreation buildings and facilities (see Oak Grove Park Districts Section 9.5(B)(5)(a))
7. Courtyard: A courtyard (or court) is a common open space, often surrounded by a building or buildings, that is open to the sky. Courtyards may include a variety of passive recreational activities, community gardens, and other amenities for community gatherings (see "Description" in Oak Grove Park Districts Table 9.6.B.1)
8. Exclusive Use Area: A private open space or private yard associated with a private residence not intended for public access or access by other residents of the Cottage Cluster.
9. Two Family House/Duplex: (See Section 2. Definitions)
10. Maximum unit size: A limit on the gross floor area of a residential unit, based on the total size of the original construction and any additions or other subsequent alterations, expressed as a square foot measurement.
11. Private Yard: A private open space associated with private residence or non-residential buildings not intended for public access (see "Description" in Oak Grove Park Districts Table 9.6.B.1)

## C. Applicability.

1. By Special Permit. The Planning and Economic Development Board may grant a special permit for a Cottage Cluster up to eight units per acre for any tract of land in the AR-I,

AR-II, and VR districts. A cottage cluster is subject to the requirements of site plan review, land disturbance permits, and all other generally applicable land use regulations.
2. Lots with legally pre-existing nonconforming buildings shall be eligible for a Cottage Cluster special permit provided there is no increase in any dimensional nonconformity or the creation of a new nonconformity, and the applicant can demonstrate compliance with the parking and density and dimensional requirements of this Section X.X.
D. Affordable Housing. A Cottage Cluster is subject to Section 8.6 Affordable Housing of this Bylaw.

## E. Use Regulations.

1. A Cottage Cluster special permit may provide for any of the following uses as determined by the Planning and Economic Development Board:
i. Carriage units
ii. Cottages
iii. Duplexes
2. A maximum of 15 percent of the total dwelling units may be Carriage Units.
3. A maximum of 25 percent of the total dwelling units may be Duplexes.
F. Density and Dimensional Regulations.
4. The dimensional regulations for Cottage Clusters are given in Table X.X-1 and illustrated in Figure X.X-1. Minimum lot area, maximum lot coverage, and minimum open space requirements are waived.
5. No increase. The total square footage of a dwelling unit shall not be increased. Notation shall be placed on the title to any property for the purpose of notifying future owners that any increase in total square footage of a dwelling unit is prohibited for the life of the unit or the duration of these regulations.

Table X.X-1: Dimensional Standards for Cottage Clusters

| Maximum unit size | Cottage: 1,000 square feet on first floor; 1,400 square <br> feet total <br> Carriage unit: 800 square feet <br> Duplex: 2,000 square feet on first floor; 2,800 square feet <br> structure total <br> Maximum unit size does not include area of an attached or <br> detached garage. |
| :--- | :--- |
| Minimum lot frontage | 50 feet |
| Maximum impervious <br> coverage | $50 \%$ |
| Distance between <br> dwelling units | Minimum distance between dwelling units: 12 feet, the <br> shared wall of a duplex is exempt. |
| Minimum setback | From property adjacent to the Cottage Cluster <br> development: 20 feet minimum. <br> Front: 5 feet to porches; 10 feet to porches of buildings <br> wider than 25 feet. If the housing unit is oriented towards a <br> Courtyard or other common space, the front setback shall <br> be that space between the edge of the porch and the <br> edge of the Exclusive Use Area where it meets the <br> Courtyard or other common space. |


|  | If the housing unit is oriented towards a roadway, the <br> required setback of the underlying zoning applies. |
| :--- | :--- |
| Rear: 10 feet, if the rear of a housing unit is adjacent to a |  |
| parking area, alley, or other common space. |  |, | Cottage: 28 feet |
| :--- |
| Carriage unit: 28 feet including the garage |
| Duplex: 28 feet |

Figure X.X-1. Cottage Dimensions

## 1,400 square feet total floor area



## G. Site Design

1. Purpose: To create a sense of place while allowing for flexibility based on the site context and characteristics
2. The primary development configuration of a Cottage Cluster shall be a Cottage Court. A minimum of seventy-five (75) percent of the housing units in a Cottage Cluster must be developed within a Cottage Court, per Section I.
i. There is no limit to the number of Cottage Courts.
3. The secondary configuration of a Cottage Cluster may be developed in a manner that does not meet the Cottage Court standards of Section I.
4. Any of the criteria in this section X.X.H. may be waived if, in the opinion of the Planning and Economic Development Board, and based on compelling reasons of safety, aesthetics or site design and evidence submitted by the applicant during the public hearing, the proposed project can be built without substantial detriment to the neighborhood, is compatible with the neighborhood and surrounding properties, and the project is
otherwise consistent with the intent of the bylaw. NOTE - Waivers granted to one project do not mean future projects will automatically receive the same waivers.

Figure X.X-2. Cottage Court


## H. Cottage Court Standards

1. Purpose: To build community cohesion among neighbors and a shared sense of home, while preserving personal privacy for each resident
2. A Cottage Court must be developed according to the following standards.
i. Size and Orientation
3. Each Cottage Court shall have a minimum of 4 and a maximum of 16 dwelling units.
4. Every unit in a Cottage Court shall be oriented towards and have their front door abutting the Courtyard.
ii. Courtyard
5. Purpose: To provide common green space for shared use by residents of a Cottage Court
6. A Courtyard shall have a minimum dimension of 30 feet on all sides and dwelling units shall abut the Courtyard on at least 2 sides
7. Courtyards shall serve to meet any open space requirements.
8. Each Courtyard must be sized to provide at least 400 square feet per unit. Parking areas, yard setbacks, spaces between buildings of less than 15 feet or less in width, private open space, and driveways do not qualify as Courtyard space.
9. Courtyards shall be improved for passive recreational use, including but not limited to landscaped areas, picnic areas, and gardens. Courtyards may also include community amenities, including but not limited to seating, landscaping, trails, gazebos, barbecue facilities, covered shelters, play areas, or water features. Community buildings may be included in the required Courtyard but may not occupy more than 10\% of the minimum required Courtyard area.
10. Courtyards shall be held in common ownership through a homeowners' or condominium association.
iii. Exclusive Use Area
11. Open space for exclusive use shall be provided on the front, side, and rear of each dwelling unit. The Exclusive Use Area shall be separated from the Courtyard by a walkway, landscaping, hedge, or fence. If a hedge or fence is provided, it shall not exceed 3 feet in height.
12. The Exclusive Use Area may be used for passive recreational use, including but not limited to landscaped areas, gardens, and seating. Exclusive Use Areas may also include amenities such as patios, pools, and sheds.
13. Each housing unit must be provided with a minimum of 200 square feet of usable Private Yard area, with no dimension less than 10 feet. Such open space requirements may be met with a combination of front, side, or rear locations.
iv. Front porch
14. Each Cottage abutting a Courtyard must have a covered porch oriented toward the Courtyard.
15. Each front porch must have a minimum area of 100 square feet and a minimum depth of 8 feet.
v. Privacy
16. Dwelling units must be designed so that no windows allow residents in a dwelling to peer into the living space of adjacent dwellings closer than 30 feet apart. This can be accomplished by staggering windows or by arranging dwellings with 'open' and 'closed' sides: the open side may have windows facing its own side or rear yard, and the closed side may have high windows, translucent windows, or skylights.

Figure X.X-3. Cottage Court Standards


## I. Cottage Cluster Standards

1. Purpose: To ensure community-oriented design throughout the Cottage Cluster, and to ensure that new development is well-integrated with and contributes positively to the local neighborhood.
2. Local neighborhood
i. Each unit abutting a public right-of-way (not including alleys) and that is not abutting a Courtyard must have a front façade oriented towards the public right-of-way
ii. Gated access to the Cottage Cluster is prohibited.
3. Design
i. Building design should incorporate features of traditional New England architecture, utilizing forms such as steeply pitched roofs, gables, or dormers. Highquality exterior materials and architectural details consistent with the building's cottage style should be used to provide visual interest.
4. Walkability
i. Pedestrian connections are required between each building and public right of way, Courtyard, and parking area.
5. Community buildings and other features
i. Community buildings and community space are encouraged.
6. Must be clearly incidental in use and size to the dwelling units
7. Must be no greater than one story in height
8. Must be commonly owned by the residents
9. Each unit that abuts a Courtyard must have a front door or covered porch oriented to the Courtyard
10. Any of the criteria in this section X.X.I. may be waived if, in the opinion of the Planning and Economic Development Board, and based on compelling reasons of safety, aesthetics or site design and evidence submitted by the applicant during the public hearing, the proposed project can be built without substantial detriment to the neighborhood, is compatible with the neighborhood and surrounding properties, and the project is otherwise consistent with the intent of the bylaw. NOTE - Waivers granted to one project do not mean future projects will automatically receive the same waivers.

## J. Parking Requirements

1. Purpose: To minimize visual presence, noise, and other impacts of vehicles and parking areas.
2. Number of Parking Spaces
i. Dwelling units less than 800 square feet: Minimum of 1 space per unit, maximum of 1 space per unit
ii. Dwelling units greater than 800 square feet: Minimum of 1 space per unit, maximum of 2 spaces per unit
iii. 1 guest space per 4 units
iv. Minimum and maximum parking space requirements shall include parking spaces in garages
3. Location and Design
i. Parking requirements should be considered on the scale of the overall development, rather than on a unit-by-unit basis. Parking requirements may be met in clustered parking and along access alleyways. Each required parking space, not including guest spaces, must be within 300 feet of each entrance to the associated housing unit. Parking requirements may not be fulfilled by parking on a public street.
ii. Parking for dwelling units abutting a Courtyard shall be located at the rear or side of units. Garages, carports, surface parking, and driveways shall not be located between the Courtyard and the dwelling units.
4. Where dwellings have garages accessed by a front entrance located off of a public street, such garages must be set back from the front façade of the dwelling by a minimum of one foot and have a maximum of one garage door up to 10 feet wide.
iii. Each unit may have one parking bay in a garage attached or detached from the residential unit.
iv. Surface parking areas should incorporate low impact development strategies to filter and minimize runoff. Parking areas may have gravel surfaces.
v. A shared driveway may be administered as part of a homeowners' or condominium association. Alternatively, it may be jointly owned in fee or as an easement as specified on the deeds of the owners of the properties to which it provides access. Where a homeowners' or condominium association is not utilized as the mechanism for administration, maintenance of a shared driveway is arranged between the joint owners as specified in deeded covenants.
5. Any of the criteria in this section X.X.J. may be waived if, in the opinion of the Planning and Economic Development Board, and based on compelling reasons of safety, aesthetics or site design and evidence submitted by the applicant during the public hearing, the proposed project can be built without substantial detriment to the neighborhood, is compatible with the neighborhood and surrounding properties, and the project is otherwise consistent with the intent of the bylaw. NOTE - Waivers granted to one project do not mean future projects will automatically receive the same waivers.

## K. Management

1. The applicant must prove to the Town, based upon review by the Planning and Economic Development Board, that there will be a suitable legally-binding system in place, such as homeowner association agreement or condominium association agreement, to ensure proper maintenance and funding of shared facilities, including but not limited to trash management, Courtyard, open space, shared parking areas, communal storage, communal mailbox, alleys, community building, and other site amenities and improvements.

## L. Common Water and Wastewater

1. The Cottage Cluster shall be served by a private central sanitary sewer system, central septic system, or by individual septic systems. All systems are subject to approval by the Board of Health and any other permitting authority of competent jurisdiction.

## M. Conditions, Limitations and Safeguards

1. The Planning and Economic Development Board may waive criteria and require additional criteria, including but not limited to building standards and site design, based on compelling reasons of fire safety submitted by the Medway Fire Department Chief during the public hearing.

## N. Special Permit Review Criteria

1. The Planning and Economic Development Board may grant a Cottage Cluster special permit upon finding that:
i. The proposed plan reflects and advances the goals and objectives of the Medway Master Plan and Housing Production Plan as updated;
ii. The proposed plan meets the requirements of the Cottage Cluster Bylaw;
iii. The dwellings are sited and oriented in a complementary relationship to each other, the Courtyard, and the adjacent properties with respect to style, scale, mass, setback, proportions and materials;
iv. The site plan, ingress, egress, and internal circulation is designed to prioritize safe and convenient pedestrian access;
v. Adjacent properties and nearby streets are protected and buffered from negative visual impacts of the development, if any, by landscaping or other site planning buffering techniques;
vi. Adequate provisions for snow removal or on-site storage shall be demonstrated; and
vii. The site design incorporates the site's existing topography and protects natural features to the maximum extent possible.

# Memorandum 

To: Towns of Foxborough, Medfield, Medway, and Sherborn<br>From: Ella Wise, Senior Regional Land Use Planner Alexis Smith, Senior Regional Housing and Land Use Planner<br>On: November 2, 2020<br>Re: Draft Cottage Cluster Zoning - Items to consider in next phase of work

MAPC has prepared the attached Draft Cottage Cluster Zoning Bylaw for Medway dated November 2, 2020. The Draft Bylaw is based on best practices, discussion of key considerations, and comments on a first draft of the zoning bylaw reviewed by the Town planners. In addition, the Draft Bylaw was informed by outside review by the Medway Fire Chief, a local civil engineer, Dan Fortier of the Dennis Planning Department, Jeremy Lake of Union Studio Architecture \& Community Design, and Dan Gainsboro of Now Communities.

We are excited for this Draft Bylaw to continue through the process of adoption at Town Meeting. In order to inform the final phase of the bylaw editing, outreach, and passage, we have compiled the following considerations suggested by Town staff, external reviewers, or MAPC:

1. Illustrations: Adding the following graphics to the bylaw may help to illustrate the intent of the bylaw and assist in implementation.
a. Illustration or image of a carriage house
b. Details including a door and windows to the "Cottage Dimensions" diagram
c. Diagram to illustrate how to measure setbacks
d. Diagram to illustrate a courtyard abutted by cottages on at least 2 sides
2. Cottage Cluster bylaw additions: Similarly, the following content, which could be incorporated into a Design Standards section of the Cottage Cluster bylaw or as separate design guidelines for Cottage Clusters, may help refine the bylaw and help achieve its purposes.
a. Definition of and Special Permit criteria for "cottage style" architecture
b. Definition and visual examples of a "sense of place"
c. Language guiding the design of accessory buildings
d. Low Impact Development standards

In addition, there has been discussion of adding minimum lot size, maximum impervious surface, maximum lot coverage, and minimum open space requirements. One of the main goals of the bylaw is to enable development of Cottage Clusters on small lots in order to reduce costs and environmental impacts and to promote walkability and community. It is critically important that if new requirements are added, they are thoughtfully crafted to continue to allow for small lots and to advance these goals. To understand how the dimensional requirements of the Draft Bylaw might play out in practice, partner towns have
suggested a site planning exercise as part of a potential next phase of the project; such an exercise would help inform whether additional dimensional requirements are needed.

The standards in the current version of the Draft Bylaw are intended to ensure high-quality site plans, while also providing flexibility for different parcel sizes and shapes and project variety. For example, the maximum density, minimum distance between units, and buffer from adjacent properties addresses potential concerns about the total number of units, privacy, and potential concerns of abutters. For this reason, we recommend against minimum lot sizes, which would add unnecessary constraints that could limit good projects.

More specifically, the following key design standards, proposed in the current version of the Draft Bylaw, drive the cottage cluster site plans:

- Maximum size of first floor: 1,000 square feet
- Maximum density: 8 units per acre
- Minimum courtyard area per unit: 400 square feet
- Minimum distance between units: 12 feet
- Minimum rear setback: 10 feet
- Minimum front setback: 5 feet
- Minimum buffer from adjacent property: 20 feet
- Minimum depth of porch: 8 feet
- Parking spaces per unit: Minimum 1 space / Maximum 2 spaces

The table below estimates the impacts of these standards on the site plan. Using the standards above as well as industry standards such as parking space dimensions, MAPC calculated the share of a parcel that would likely be devoted to open space, impervious surface (for the purposes of this calculation, includes parking, driveways, and building footprints), and lot coverage (a subset of impervious surface area; includes building footprint but not parking or driveways). Taken together, these indicate the percentage of the site that would likely be devoted to satisfying the standards in the Draft Bylaw. For example, a half-acre parcel with 4 units would be approximately $47 \%$ open space, based on the standards listed above, while approximately $34 \%$ would be impervious surface based on the building footprints and parking. Because a large share of the parcel area (approximately $82 \%$ ) would be accounted for, the impervious surface area would likely not increase much beyond the $34 \%$.

However, as shown in the table below, as parcel size increases, a smaller share of the parcel is needed to meet the Bylaw requirements. For example, only approximately $56 \%$ of a 4 -acre parcel is accounted for with the proposed standards, leaving room for the amount of impervious surface to substantially increase. Based on this, we suggest considering a maximum impervious surface area, which would help ensure high-quality design for larger parcels.

| Parcel size <br> (acres) | Maximum \# <br> of Units | Approx. \% <br> Parcel <br> accounted for | Approx. <br> Minimum \% <br> open space | Approx. <br> Minimum \% <br> impervious | Approx. <br> Minimum \% <br> lot coverage |
| :--- | :--- | :--- | :--- | :--- | :--- |
| 0.5 | 4 | $82 \%$ | $47 \%$ | $34 \%$ | $22 \%$ |
| 1 | 8 | $70 \%$ | $36 \%$ | $34 \%$ | $22 \%$ |
| 2 | 16 | $62 \%$ | $28 \%$ | $34 \%$ | $22 \%$ |
| 4 | 32 | $56 \%$ | $22 \%$ | $34 \%$ | $22 \%$ |

An Excel spreadsheet used to estimate the percentage open space, impervious surface, and lot coverage is included.
3. Amendments to Medway Zoning Bylaw. The following amendments to the Zoning Bylaw would help ensure consistency and clarity as the new Cottage Cluster section is added.
a. "Gross floor area" is defined in the Medway bylaw as: "The sum of the gross horizontal area of the several floors of a building, measured from the exterior faces of the exterior walls or from the center of the common walls of attached building. Gross floor area includes basement floors, attic floor space, halls, closets, stairwells, space devoted to mechanical equipment, and enclosed porches." Further clarification of the rules of measurement may be helpful to define how to measure the floor area of a $1 / 2$ story under a gable.
b. Amend Section 8.6 to apply to this new Section.
4. Finally, we recommend further review by architects and developers familiar with cottage clusters to assess the design standards and the financial feasibility of projects consistent with the bylaw.

| Standards |  |  | Parcel and unit design |  |  | Output |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Max gross floor area per unit | 1,400 | square feet | Parcel size (acres) | 1 | acres | Footprint of 1 porch | 224 | square feet |
| Max footprint of 1 unit | 1,000 | square feet | Parcel size (square feet) | 43,560 | square feet | Front yard of 1 unit | 140 | square feet |
| Max density | 8 | units per acre | Parcel width | 209 | square feet | Side yards of 1 unit | 432 | square feet |
| Min courtyard area per unit | 400 | square feet | Parcel length | 209 | square feet | Rear yard of 1 unit | 280 | square feet |
| Min distance between buildings | 12 | feet | (check that w * = parcel size) | 43,560 | square feet | Total yard of 1 unit | 672 | square feet |
| Min rear setback | 10 | feet |  |  |  | Minimum lot size | 1,896 | square feet |
| Min front setback | 5 | feet | Width of 1 unit | 28 | feet |  |  |  |
| Min buffer from adjacent properties | 20 | feet | Length of 1 unit | 36 | feet | \# of units | 8 |  |
| Min depth of porch | 8 | feet | (check that w ${ }^{*}$ = unit footprint | 1,008 | square feet | Footprint of all units w porches | 9,792 | square feet |
|  |  |  |  |  |  | Courtyard area | 3,200 | square feet |
|  |  |  |  |  |  | Private yard | 672 | square feet |
| Assumptions |  |  |  |  |  | Buffer from adjacent properties | 11,723 | square feet |
| Parking area of 1 unit | 320 | square feet |  |  |  | Parking | 5,120 | square feet |
|  |  |  |  |  |  | Total open space | 15,595 | square feet |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | \% open space | 36\% | of total parcel |
|  |  |  |  |  |  | \% impervious | 34\% | of total parcel |
|  |  |  |  |  |  | \% lot coverage | 22\% | of total parcel |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | \% area accounted for | 70\% | of total parcel |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  | lot size (total - common) | 5,045 | square feet |
|  |  |  |  |  |  | lot size (private) | 3,413 | square feet |



## Cottage Cluster Zoning Bylaw

Ella Wise, Senior Land Use Planner, MAPC Medway Planning and Economic Development Board Meeting

December 8, 2020


Concord Riverwalk
Concord, MA
13 units
6.5 units per acre



Boyde's Crossing
Norfolk, MA
40 units
4.4 units per acre


Heritage Sands
Dennis, MA
63 units
8 units per acre

## Project Process



## Purpose

伿 • Variety of smaller, more affordable housing choices


- Better meet the needs of diverse population
- Encourage residential development that fosters community and sense of place

- Provide common open space
!!
- Prioritize pedestrian connectivity


## Definitions

- Cottage: A small detached, single-family dwelling unit with narrow massing
- Cottage Court: A community of small private homes arranged around a common courtyard which takes the place of private yard space and becomes an important community enhancing element of the site. Cottage Courts may also have shared community garden plots, parking courts, and recreation buildings and facilities
- Cottage Cluster: A Cottage Court or a cohesive grouping of Cottage Courts
- Exclusive Use Area: A private open space or private yard associated with a private residence not intended for public access or access by other residents of the Cottage Cluster.
- Carriage Housing Unit: A small single-family dwelling located above an attached or detached garage structure in a cottage housing development


## Applicability

- Special Permit from Planning \& Economic Development Board
- Maximum: 8 units/acre
- AR-I, AR-II, and VR


## Use Regulations

- Carriage units, cottages, and duplexes allowed
- Maximum of $15 \%$ carriage units and $25 \%$ duplexes


## Dimensional Standards for Cottage Clusters



| Maximum unit size | Cottage: 1,000 square feet on first floor; 1,400 square feet total <br> Carriage unit: 800 square feet <br> Duplex: 2,000 square feet on first floor; 2,800 square feet structure <br> total <br> Maximum unit size does not include area of an attached or detached <br> garage. |
| :--- | :--- |
| Minimum lot <br> frontage | 50 feet |
| Maximum <br> impervious coverage | $50 \%$ |
| Distance between <br> dwelling units | Minimum distance between dwelling units: 12 feet, the shared wall <br> of a duplex is exempt. |
| Minimum setback | From property adjacent to the Cottage Cluster development: 20 feet <br> minimum. |
| Front: 5 feet to porches; 10 feet to porches of buildings wider than 25 <br> feet. If the housing unit is oriented towards a Courtyard or other <br> common space, the front setback shall be that space between the <br> edge of the porch and the edge of the Exclusive Use Area where it <br> meets the Courtyard or other common space. <br> If the housing unit is oriented towards a roadway, the required <br> setback of the underlying zoning applies. |  |
| Height | Rear: 10 feet, if the rear of a housing unit is adjacent to a parking <br> area, alley, or other common space. |
| Cottage: 28 feet <br> Carriage unit: 28 feet including the garage <br> Duplex: 28 feet |  |

## Cottage Court standards

- 4-16 units oriented towards a Courtyard
- Courtyard must be at least 30 feet on all sides and provide minimum 400 sq ft per unit
- Exclusive Use Areas must be provided on all sides of each unit totaling a minimum of 200 square feet per unit
- Front porch oriented towards Courtyard



## Site Design



- $75 \%$ of units must be within a Cottage Court
- Up to $25 \%$ of units can be developed in different configurations (for example, facing open space or in a smaller collection of just 2-3 cottages)


## Other standards

- Cottage Cluster
- Gated access prohibited
- Building design should incorporate traditional New England architecture
- Pedestrian connections between buildings and right of way prioritized
- Community buildings encouraged
- Parking (surface and structure)
- Units less than 800 sf: 1 space/unit
- Units greater than 800 sf: 1-2 spaces/unit
- 1 guest space per 4 units
- Located in rear (behind buildings)
- Clustered parking is allowed
- 1 garage allowed per unit

Next steps
-Applied for funding for next phase of zoning and community engagement
-Medway Spring 2021 Town Meeting

December 8, 2020
Medway Planning \& Economic Development Board Meeting

## Harmony Village - Public Hearing Continuation

- Public Hearing Continuation
- DRAFT Decision - Please read.

Town of Medway

## Commonwealth of Massachusetts

## PLANNING AND ECONOMIC DEVELOPMENT BOARD

## MEMORANDUM

November 25, 2020

$$
\begin{array}{ll}
\text { TO: } & \text { Maryjane White, Town Clerk } \\
& \text { Town of Medway Departments, Boards and Committees } \\
\text { FROM: } & \text { Susy Affleck-Childs, Planning and Economic Development Coordinator } \\
\text { RE: } & \text { Public Hearing Continuation for Harmony Village Multi-Family Spesia Permit, } \\
& \text { Site Plan and Land Disturbance Permit } \\
& 218 \text { and } 220 \text { Main Street } \\
& \text { Continuation Date - Tuesday, December 8, 2020 at 8:15 p.m. }
\end{array}
$$

At its November 24, 2020 meeting, the Planning and Economic Development Board voted to continue the public hearing on the application of Harmony Estates, LLC of Milford, MA for approval of a special permit, land disturbance permit, and site plan for the proposed Harmony Village multi-family development at 218-220 Main Street to Tuesday, December 8, 2020 at 7:30 p.m. The Board will begin its deliberations on this application and review a draft decision.

This continuation is also made pursuant to Chapter 53 of the Acts of 2020, enacted April 3, 2020, which grants authority to Massachusetts planning boards to reschedule public hearings to a date not more than 45 days after termination of the COVID-19 state of emergency. Presently, there is no conclusion date for the Covid-19 emergency.

UPDATED PROPOSAL - The proposed development includes renovation of the two existing single-family houses and construction of a new quad building for a total of six residential units; 21 off-street parking spaces will be provided. Access will be from a single curb cut from Main Street onto a permanent private roadway to be owned by the future condominium association. Stormwater management facilities will be constructed to manage stormwater onsite and include a sub-surface infiltration system for roof runoff and a detention basin at the southwest corner of the property. Landscaping, site lighting, buffering and a common outdoor area are planned. Connections will be made to existing Town sewer and water services in Main Street.

The site plan, titled Site Plan Review Submittal - Harmony Estates 218-220 Main Street, dated June 9, 2020, last updated September 8, 2020 was prepared by Meridian Associates, Inc. of Westborough, MA. The applicant has provided an updated concept plan dated November

12, 2020 showing one new quad building instead of one triplex and one duplex as originally proposed. The application documents and plans are on file with the Medway Town Clerk and the Community and Economic Development office at Medway Town Hall. The information is also posted at the Planning and Economic Development Board's page at the Town's web site at: https://www.townofmedway.org/planning-economic-development-board/pages/harmony-village-multi-family-housing-development

Please review the revised plan and forward any comments to me by December 2, 2020. This is the last opportunity to provide any comments on this proposed development. Please don't hesitate to contact me if you have any questions.

## Board Members

Andy Rodenhiser, Chair Robert Tucker, Vice Chair

Thomas Gay, Clerk
Matthew Hayes, P.E.,
Member
Richard Di Iulio, Member
Jessica Chabot, Associate Member


Town of Medway
COMMONWEALTH OF MASSACHUSETTS

Medway Town Hall 155 Village Street Medway, MA 02053 Phone (508) 533-3291 Fax (508) 321-4987 Email: planningboard @townofmedway.org www.townofmedway.org

# PLANNING AND ECONOMIC Development Board 

# MULTI-FAMILY HOUSING SPECIAL PERMIT, SITE PLAN \& LAND DISTURBANCE PERMIT DECISION Harmony Village - 218 \& 220 Main Street with Waivers and Conditions 

## Decision Date: TBD

Name of Applicant/Permittee: Harmony Estates, LLC
Address of Applicant: Harmony Estates, LLC
5 Exchange Street, Suite 4
Milford, MA 01757
Name/Address of Property Owners: Elliott Edwards \& Linda Resner 218 Main Street
Medway, MA 02053
Engineer: Mark Beaudry, P.E.
Meridian Associates, Inc.
69 Milk Street, Suite 208
Westborough, MA 01581
Site Plan: Harmony Estates Site Plan Review Submittal - 218-220 Main Street
Dated June 9, 2020, last revised November 12, 2020 by Meridian Associates, Inc.
Location: 218 \& 220 Main Street
Assessors' Reference: Map 55, Parcel 44
Zoning District: Agricultural Residential II
Multi-Family Housing Overlay District
I. PROJECT DESCRIPTION - The Applicant proposed to develop a 7-unit condominium community at 218-220 Main Street which is to be conveyed to the Applicant. The site is 1.22 acres in size ( $52,993 \mathrm{sq}$. ft.). The proposed project includes construction of one 3 -unit building, one 2 -unit building and the renovation of two existing single family houses. Access to the development will be from a single curb cut from Main Street via a permanent, private roadway to be known as Harmony Lane and to be owned by the future condominium association. Stormwater management facilities will be constructed to management stormwater and include a sub-surface infiltrations system for roof runoff and a detention basin at the southwest corner of the property. Landscaping, site lighting, buffering and a common outdoor space are planned. Connections will be made to the existing Town sewer and water services in Main Street. During the course of review, the plan was downsized to a total of 6 units to include renovation of the two existing single family houses and the construction of one 4 -unit building. A total of 21 off-street parking spaces will be provided.

The proposed use requires a multi-family housing special permit pursuant to Sections 5.6 .4 and 3.4 of the Town of Medway Zoning Bylaw (the "Bylaw"). site plan review and approval pursuant to Section 3.5 of the Bylaw. The property is also subject to the provisions of Article XXVII of the Medway General Bylaws, Stormwater Management and Land Disturbance for a Land Disturbance Permit
II. VOTE OF THE BOARD - After reviewing the application and information gathered during the public hearing and review process, the Medway Planning and Economic Development Board (the "Board"), on $\qquad$ , voted to 2020, on a motion made by $\qquad$ and seconded by $\qquad$
$\qquad$ with CONDITIONS a Multi-Family Housing Special Permit to Harmony Estates, LLC of Milford, MA (hereafter referred to as the Applicant or the Permittee) and to $\qquad$ a Land Disturbance Permit, and to $\qquad$ with WAIVERS and CONDITIONS as specified herein, a site plan for the construction of a six unit, condominium development and associated site improvements on the property at 218-220
Main Street as shown on a plan titled Harmony Estates Site Plan Review Submittal - 218-220 Main Street dated June 9, 2020, last revised November 12, 2020 by Meridian Associates, Inc., to be further revised as specified herein before endorsement and recording.

The motion was $\qquad$ by a vote of ___ in favor and $\qquad$ opposed.

Planning \& Economic Development Board Member

## Vote

Richard Di Iulio
Matthew Hayes
Thomas A. Gay
Andy Rodenhiser
Robert Tucker

## III. PROCEDURAL HISTORY

A. June 5, 2020 - Special permit, site plan and land disturbance permit applications and associated materials filed with the Board. Due to the COVID 19 State of Emergency and Governor Baker's Executive Orders, the Board held off on scheduling a hearing right away.
B. August 6, 2020 - Special permit, site plan and land disturbance permit applications filed with the Medway Town Clerk
C. August 6, 2020 - Public hearing notice filed with the Town Clerk and posted at the Town of Medway web site.
D. August 7, 2020 - Public hearing notice mailed to abutters and parties of interest by certified sent mail.
E. August 6 and 19, 2020 - Site plan information distributed to Town boards, committees and departments for review and comment.
F. August 10 and August 18, 2020 - Public hearing notice advertised in Milford Daily News.
G. August 25, 2020 - Public hearing commenced. The public hearing was continued to September 22, October 27, November 24, December 8, 2020 and to January _, 2021 when the hearing was closed and a decision rendered. Public hearing continuation notices were filed with the Town Clerk and distributed to Town staff, boards and committees to continue to request review comments.

## IV. INDEX OF SITE PLAN/SPECIAL PERMIT DOCUMENTS

A. The application package for the proposed Harmony Village condominium development included the following documents, plans, studies and information that were provided to the Board.

1. Multifamily Housing Special Permit application dated June 4, 2020
2. Major Site Plan application dated June 4, 2020
3. Land Disturbance Permit application dated June 4, 2020.
4. Harmony Estates Site Plan Review Submittal - 218-220 Main Street dated June 9, 2020, prepared by Meridian Associates of Westborough, MA
5. Certified Abutters List from Medway Assessor's office provided April 1, 2020.
6. Building architectural plans including elevations and floor plans for duplex and triplex by Pacific Visions Studio, LLC, dated March 12, 2020
B. During the course of the Board's review, revised plans and a variety of other materials were submitted to the Board by the Applicant and its representatives:
7. Project Description dated June 11, 2020, prepared by Drew Garvin, Meridian Associates
8. Development Impact Report dated June 19, 2020 prepared by Drew Garvin, Meridian Associates
9. Deed dated January 26, 2001 conveying 218-220 Main Street from Elliott F. Edwards to Elliott F. Edwards and Linda S. Resner
10. Purchase and Sale Agreement dated July 5, 2019 between Linda S. Resner and Gary Feldman and Marcelo Alves to purchase 218-220 Main Street
11. Letter dated February 4, 2020 from Scott Goddard of Goddard Consulting indicating there are no wetland resources on the subject property.
12. Proposed sewer flow calculations dated May 12, 2020 prepared by Meridian Associates.
13. Project Criteria Summary dated June 24, 2020 prepared by Meridian Associates
14. Request for Waiver from Site Plan Rules and Regulations (dated June 29, 2020) prepared by Meridian Associates.
15. Additional Requests for Waivers from the Site Plan Rules and Regulations (dated September 8, 2020 and November 10, 2020) prepared by Meridian Associates
16. Stormwater Management Report for 218-220 Main Street, Medway, MA dated June 10, 220 prepared by Meridian Associates
17. Stormwater Management Operations and Maintenance Plan for 218-220 Main Street, dated June 10, 2020, prepared by Meridian Associates
18. Stormwater Management Report for 218-220 Main Street, Medway, MA revised November 12, 2020 prepared by Meridian Associates.
19. Stormwater Management Operations and Maintenance Plan for 218-220 Main Street, revised November 12, 2020, prepared by Meridian Associates
20. Response letters dated August 25, 2020, September 8, 2020 and November 10, 2020 from Drew Garvin of Meridian Associates to the plan review letters from Tetra Tech and PGC Associates.
21. Email review memorandum dated September 21, 220 from Fire Chief Jeff Lynch regarding roadway width, fire hydrant accessibility, and turning access for Medway fire apparatus meeting fire code requirements,
22. Harmony Estates Site Plan Review Submittal - 218-220 Main Street revised September 8, 2020 prepared by Meridian Associates of Westborough, MA
23. Harmony Estates Site Plan Review Submittal - 218-220 Main Street revised October 22, 2020 prepared by Meridian Associates of Westborough, MA
24. Harmony Estates Site Plan Review Submittal - 218-220 Main Street revised November 12, 2020, prepared by Meridian Associates of Westborough, MA
25. Updated building elevation plans showing a quad instead of a duplex and a triplex - Insert dates and details
26. Building renovation plans for 218 and 220 Main Street - insert date and details
C. Other documentation submitted to the Board during the course of the public hearing:
27. PGC Associates plan review letters dated August 14, 2020, September 17, 2020 and November 19, 2020.
28. Tetra Tech plan review letters dated August 7, 2020 and September 18, 2020
29. Memorandum dated August 28, 2020 from the Medway Cultural Council
30. Email dated September 17, 2020 from Barry Smith, Medway DPW Water/Sewer Superintendent re: water service connection
31. Email dated August 24, 2020 from Medway DPW Director David D'Amico regarding trash pick-up
32. Design Review Committee comment memorandum dated August 19, 2020
33. Email dated May 18, 2020 from Conservation Agent Bridget Graziano regarding the absence of wetlands on the subject property
34. Email dated August 7, 2020 from Medway DPW Director David D'Amico regarding sewer connection
V. TESTIMONY - In addition to the special permit and site plan review application materials as submitted and provided during the course of its review, the Board heard and received verbal testimony from:

- Steve Bouley, P.E. of Tetra Tech, Inc., the Town's Consulting Engineer Commentary provided throughout the public hearing process.
- Gino Carlucci, PGC Associates, the Town's Consulting Planner - Commentary provided throughout the public hearing process.
- Drew Garvin, Meridian \& Associates, engineer for the Applicant - Commentary provided throughout the public hearing process
- Gary Feldman, Applicant
- Abutter Cathy Sutton, 216 Main Street
- Abutters Carmel and Daniel Bergeron, 214 Main Street
- Abutter Denise Hallman, 212 Main Street
- Abutter Krystyna McQueeney, 222 Main Street
- Abutter Terri Tiernan, 210 Main Street
- Abutters Jovante and Myriam Santos, 224 Main Street
- Property Owner Linda Resner, 218 Main Street

Additionally, the following written comments were provided and entered into the record during the public hearing:

- Email dated August 25, 2020 from Krystyna McQueeney, 222 Main Street
- Letter dated August 21, 2020 from Carmel and Daniel Bergeron, 214 Main Street
- Letter dated September 22, 2020 from Linda Resner, 218 Min Street
VI. FINDINGS - The Board, at its meeting on $\qquad$ on a motion made by and seconded by $\qquad$ , voted to approve the following FINDINGS regarding the site plan and special permit applications for the proposed Harmony Village located at 218 \& 220 Main Street. The motion was $\qquad$ by a vote of ___in favor ( ) and $\qquad$ opposed ().

MULTIFAMILY HOUSING SPECIAL PERMIT - The Board makes the following findings in relation to this development's compliance with Section 5.6.4 Multifamily Housing of the Bylaw.

## Applicability

1) Location - The site is located within the Multifamily Housing Overlay District (Section 5.6.4) and thus is eligible for a multi-family housing special permit.
2) Traffic capacity - Main Street is the town's major artery and has sufficient capacity to handle the traffic from the six residential dwelling units that are proposed. The 6 units do not rise to the level of triggering the requirement for the submittal and review of a traffic study.
3) Parcel size \& frontage - The site consists of 1.22 acres which exceeds the minimum area requirement of 22,500 square feet for the AR-II zoning district. The site has 190.08 feet of frontage on Main Street, so it meets the minimum 50-foot frontage requirement of Section 5.6.4.B (1) of the Bylaw.

## Dimensional Regulations

4) Minimum Dimensional Requirements - The dimensional requirements of the underling AR-II zoning district apply to the project, as set forth in Table 2 of Section 6 of the Bylaw. The new quad building is setback approximately 180 feet from Main Street; the minimum front setback for the AR-II district is 35 feet. The plan shows a side setback of 16.3' for the quad building where the minimum required is 15'. The plan shows a rear setback of 17.8 feet for the quad building where a 15 ' minimum is required. The plans indicate that the project complies with maximum building coverage requirements ( $17 \%$ provided vs. $30 \%$ maximum allowed) and the maximum impervious surface standards ( $35 \%$ provided vs. $40 \%$ allowed).
5) Non-Conforming Buildings - The two existing non-conforming houses do not meet the standard front (35') and side ( $15^{\prime}$ ) setbacks requirements for the AR-II zoning district. However, as they are remaining in their current location with no plans to increase their non-conformity, they are allowed per Section 5.6.4 C. 2.
6) Building Height - As indicated on the site plan, the building height will not exceed 30 feet, less than the maximum 40 feet height allowed.

## Density

7) Density - The maximum density for multifamily projects is 8 units per whole acre. With 1.22 acres, the maximum possible number of dwelling units is 8 . With 6 units, the project is under the allowed maximum.

## Special Regulations

7) Affordable Housing - With only a proposed net increase of 4 dwelling units, the provisions of Section 8.6 Affordable Housing of the Zoning Bylaw do not apply to the proposed development project.
8) Open Space - A minimum of $15 \%$ of the parcel must be open space or yard area. This requirement is met with $47 \%$ open space being provided which includes the front yards of the existing houses, the common area, and the back yards (exclusive use areas) for the new units.
9) Parking spaces - Two off-street spaces per unit (12 spaces) are the minimum required per Section 5.6.4 E. 3 of the Bylaw and 21 off-street parking spaces are provided. Each of the 4 new units will have a 2-car garage.
10) Town water and sewer service - The project will be served by Town water and sewer.
11) Number of units - The total number of units proposed (6) is less than the 40 maximum possible number of units allowed under the Bylaw.
12) Historic Properties - Section 5.6.4 E. 7 requires that historic properties determined to be "historically significant" by the Medway Historical Commission cannot be demolished unless certain criteria are met. The subject property is not located within a
historic district. However, the two existing older houses on the site will be renovated as part of this project so this is not an issue.

## Decision Criteria

13) Meets purposes of Multi-Family Housing section of the Bylaw (Section 5.6.4) and the Site Plan Rules and Regulations - The project meets the following purposes of the Multifamily Housing section of the Bylaw: (1) It provides a diversity of housing types in the form of townhouse style units; (2) It encourages the preservation of older properties with the renovation of the two existing older houses on the property.

It also meets the purpose of the Site Plan Rules and Regulations which is to provide for a uniform procedural and substantive requirements of Section 3.5 Site Plan Review of the Zoning Bylaw. The plans have been reviewed by Town officials, the Consulting Engineer and Consulting Planner to ensure that the health, safety and welfare of Town residents is protected. Impacts on traffic, parking, drainage, environmental quality, community economics and community character were considered and changes were made during the course of the hearing to improve the project.
14) Consistent with the Medway Housing Production Plan - The development meets the implementation strategies of the Housing Production Plan by providing additional multifamily housing.
15) Impact on abutting properties and adjacent neighborhoods - The impact on abutting properties and adjacent neighborhoods has been addressed through vegetative screening through a comprehensive landscaping plan, a reduction in the number of dwelling units, and the aesthetics of the buildings as reviewed by the Design Review Committee.
16) Variety of housing stock - The development increases the variety of housing stock in the community by providing a quadraplex building.
17) Designed to be reflective of or compatible with the character of the surrounding neighborhood - The project retains and renovates the two existing vintage homes which front on Main Street and are highly visible. The new construction is set back approximately 200 feet from Main Street and is well screened from adjacent properties. The architectural design of the new construction has been thoroughly reviewed by the Design Review Committee and modified to better blend with the architecture of the existing houses. Therefore, the proposed development is compatible with the surrounding neighborhood.

SPECIAL PERMIT DECISION CRITERIA - Unless otherwise specified herein, special permits shall be granted by the special permit granting authority only upon its written determination that the adverse effects of the proposed multifamily housing use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. The Board makes the following findings in accordance with Section 3.4 of the Bylaw. In making its determination, the special permit granting authority, in addition to any to any specific factors that may be set forth in other sections of the Bylaw, shall make findings on all of the applicable criteria specified below:

1) The proposed site is an appropriate location for the proposed use. The proposed use is a multifamily development on a property located within the Multi-Family Housing

Overlay District as approved by Town Meeting. Therefore, the proposed use is in an appropriate location.
2) Adequate and appropriate facilities will be provided for the operation of the proposed use. As documented in the plans and associated materials, and conditioned herein, adequate and appropriate facilities will be provided for the operation of the proposed uses. Town officials, the Town's Consulting Engineer and Consulting Planner have all reviewed the proposed facilities and site improvements. The project will be serviced by Town water and sewer systems. Private electric and gas utilities will be provided. And the stormwater management system has been designed in accordance with the applicable regulations.
3) The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians or the environment. The proposed use adds 4 residential units off a major through street and it is estimated that the development will generate minimal traffic. The entrance to the site has more than 500' of sight distance in both directions and does not create a hazard to abutters, vehicles, or pedestrians. Suitable sidewalk facilities exist on Main Street. The proposed stormwater management system has been reviewed by the Town's Consulting Engineer and will not present a hazard to the environment.
4) The proposed use will not cause undue traffic congestion or conflicts in the immediate area. Main Street has the capacity to handle the traffic from the 6 residential units. The entrance has been designed for maximum sight distance so the development will not cause undue traffic congestion or conflicts.
5) The proposed use will not be detrimental to the adjoining properties due to lighting, flooding, odors, dust, noise, vibration, refuse materials or other undesirable visual, site or operational attributes of the proposed use. The Applicant has provided documentation reviewed by the Town's Consulting Engineer that its stormwater management plan is adequate to prevent flooding. The development will utilize residential style driveway lanterns instead of traditional parking lot lighting. The plans also document that there is no light trespass. Household refuse will be disposed of by curb-side pickup at Main Street by the Town's solid waste collection service. There will be no detrimental impact on abutters due to odors, dust, noise, vibration, refuse materials or other undesirable impacts.
6) The proposed use as developed will not adversely affect the surrounding neighborhood or significantly alter the character of the zoning district. The proposed use is on a property located within the Multi-Family Housing Overlay District and incorporates the re-use of the existing two vintage houses. It is adjacent to a wofamily building and multifamily development (Anderson Village) and is nearby an independent and assisted living development currently under construction (Salmon Willows) and thus will not alter the character of the neighborhood
7) The proposed use is in harmony with the general purpose and intent of the Zoning Bylaw. The Multi-Family Housing Overlay District was established to accommodate this type of use subject to certain conditions to limit adverse impacts. The proposed use is in harmony with the general purpose and intent of the Bylaw.
8) The proposed use is consistent with the goals of the Medway Master Plan. The proposed use is consistent with the Master Plan goals of identifying housing needs and implementing projects to meet those needs such as increasing housing diversity
9) The proposed use will not be detrimental to the public good. As documented in the plans and application, and the findings and conditions of this decision, the proposed use is in accordance with the goals of the Master Plan while protecting against potential adverse impacts. The proposed development has reasonable and appropriate density in a suitable location.

For all of the above reasons, the Board finds that the beneficial impacts of the proposed Harmony Village outweigh the effects of the proposed use on the Town and neighborhood.

SITE PLAN RULES AND REGULATIONS FINDINGS - The Board shall determine whether the proposed development is in conformance with the standards and criteria set forth in the Site Plan Rules and Regulations, unless specifically waived. In making its decision, the Board makes the following findings in accordance with Section 204-8 of the Site Plan Rules and Regulations, as amended December 3, 2002, and Section 3.5 of the Bylaw:

1) Has internal circulation, queuing and egress been designed such that traffic safety is protected, access via minor streets servicing residential areas is minimized, and traffic backing up into the public way is minimized? The plan has been thoroughly reviewed by Town officials, the Consulting Engineer and Consulting Planner. No access from minor streets is necessary or available, there is no backing onto a public way, and Village Street is adequate to safely handle the additional traffic from the 11 new housing units.
2) Does the site plan show designs that minimize any departure from the character, materials, and scale of buildings in the vicinity as viewed from public ways and places? The proposed buildings are residential and their scale and materials are suitable for the site and use. The design has been reviewed by the Design Review Committee and is acceptable for its location. The buildings are located well off Village Street and are mostly not visible from the public way. There are no distinguishing buildings in the vicinity with which the proposed buildings would conflict in terms of character, materials and scale.
3) Is reasonable use made of building location, grading and vegetation to reduce the visible intrusion of structures, parking areas, outside storage or other outdoor service areas (e.g. waste removal) from public views or from (nearby) premises residentially used and zoned. The buildings are mostly set back off Village Street and are a residential use so there is no outside storage, large intrusive parking lots, or dumpsters. Appropriate vegetation is proposed to screen the development from abutting residences.
4) Is adequate access to each structure for fire and service equipment provided? The proposed structures are accessible from the driveways and are located relatively close to the street. The Fire Chief has reviewed the plans and not identified any access issues. All buildings will have sprinklers installed.
5) Will the design and construction minimize, to the extent reasonably possible, the following environmental impacts?
a) the volume of cut and fill;
b) the number of trees to be removed with particular care taken with mature trees and root systems;
c) the visual prominence of man-made elements not necessary for safety;
d) the removal of existing stone walls;
e) the visibility of building sites from existing streets;
f) the impacts on waterways and environmental resource areas;
g) soil pollution and erosion;
h) noise.

The proposed stormwater drainage system has been reviewed by the Town's Consulting Engineer and the Conservation Commission. Appropriate soil pollution and erosion controls have been incorporated into the plan. No extraordinary noise will be generated by the residential neighborhood. Visibility is limited from Village Street. No stone walls are being removed. The subject site was previously disturbed so the impact on the environment is minimal.
6) Is pedestrian and vehicular safety both on the site and egressing from it maximized? The proposed use adds 11 residential units off a major street. The entrance to the site has adequate sight distance and does not create a hazard to abutters, vehicle, or pedestrians. There is sidewalk along the north side of Village Street adjacent to the subject property. Within the site are 690 linear feet of sidewalk.
7) Does the design and will the construction incorporate, to the maximum extent possible, the visual prominence of natural and historic features of the site? There are no visually prominent natural or historic features on site.
8) Does the lighting of structures and parking area avoid glare on adjoining properties and minimize light pollution within the town? The lighting plan was reviewed by the Board's Consulting Planner and Engineer. The planned site lighting is residential in scale and minimizes light pollution. As conditioned herein, there is no light spillage off site.
9) Is the proposed limit of work area reasonable and does it protect sensitive environmental and/or cultural resources? The site plan as designed should not cause substantial or irrevocable damage to the environment, which damage could be avoided or ameliorated through an alternative development plan or mitigation measures. The limit of work is reasonable. There are no sensitive environmental resources on the subject property. .
VII. WAIVERS - At its _ _ 2020 meeting, the Board, on a motion made by and seconded by $\qquad$ , voted to grant waivers from the following provisions of the Rules and Regulations for the Submission and Approval of Site Plans, as amended December 3, 2002. The Board's action and reasons for granting each waiver request are listed below. All waivers are subject to the Special and General Conditions of Approval, which follow this section. The motion was approved by a vote of $\qquad$ in favor ( ) and $\qquad$ opposed.

## SITE PLAN SUBMITTAL REQUIREMENTS/PLAN CONTENTS

## SITE PLAN DEVELOPMENT STANDARDS

1) Section 207-9 B. Sidewalks - Five foot sidewalks shall be provided within parking areas.

The Applicant has requested a waiver from this requirement and proposes that no sidewalks be required within the development. As the development site is small in terms of both area and number of units, pedestrian circulation can be readily handled by the 20 ' wide roadway. Not constructing sidewalks also reduces the extent of impervious surfaces for which stormwater management would be needed. The Board approves this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.
2) Section 207-11 A. 4 - Site Access - Curb Cuts, Entrance and Egress Driveways Site entrances and exits shall be clearly delineated by vertical granite curbing or other approved material along the entire radius of the opening, shall extend at least twelve feet beyond each side along the gutter line of the road and at least the first twenty-five feet of a driveway, and shall be sloped at the end to preyent a vertical obstruction to exist.

The Applicant has requested a waiver from this requirement and proposes to use Cape Cod berm for the roadway opening at Main Street and has suggested that Cape Cod berm is more in keeping with a residential development. The Board disapproves this waiver request as being inconsistent with the purpose and intent of the Site Plan Rules and Regulations and requires the roundings at Main Street to be constructed of vertical granite curbing. The plan shall be revised accordingly before endorsement.
3) Section 207-11 A. 15 - Site Access - Curb Cuts, Entrance and Egress Driveways Driveways shall be designed so that stormwater, dirt, gravel, stones or other materials will not wash onto adjacent public or private streets from the driveway.

The Applicant has requested a waiver from this requirement as some stormwater runoff to Main Street is expected in the post-construction condition. However, the amount of runoff is expected to be considerably less than the existing condition due to the installation of the planned stormwater management system for the development which has been reviewed by Tetra Tech, the Board's Consulting Engineer.

MORE NEEDED HERE - Not clear what the resolution is on this. . .
4) Section 207-11 B. 2 - Internal Site Circulation and Parking Lot Drive Aisles - The perimeter of drive aisles shall be bounded with vertical granite curb.

The Applicant has requested a waiver from the use of granite curbing along the drive aisle (Harmony Lane) and to proposes to use Cape Cod berm instead. As this is a residential neighborhood, not a commercial development, the use of Cape Cod berm is more suitable. The Board approves this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.
5) Section 207-11 B. 3 - Internal Site Circulation and Parking Lot Drive Aisles - Twoway drive aisles shall be twenty-four feet wide.

The Applicant has requested a waiver from the required 24-foot roadway width and has proposed a width of 20 feet instead. Fire Chief Jeff Lynch was consulted on this adjustment and he has provided documentation that this reduced width is acceptable. Reduced width also reduces the amount of impervious pavement and the consequent stormwater runoff. A 20' wide roadway is workable for a small residential development and is consistent with small neighborhoods approved under the Subdivision Rules and Regulations. The Board approves this waiver request as being consistent with the purpose and intent of the Site Plan Rules and Regulations which will have no significant detriment to the achievement of any of the purposes of Site Plan Review and Approval.
6) Section 207-12 Parking I. Electric Vehicle Charging Stations - Industrial, commercial and multi-family sites with fifteen or more parking spaces shall provide parking spaces with electric vehicle charging stations for employee, customer and resident use. (NOTE - For a development with 5-20 parking spaces, 1 electric vehicle charging station is required.)

The Applicant has requested a waiver from this requirement noting that the installation of such charging stations is not consistent with the neighborhood character and that such charging stations are usually for public use. The Board disapproves this waiver request as being inconsistent with the purpose and intent of the Site Plan Rules and Regulations and requires the installation of one electric vehicle charging station. The Applicant has agreed to do so in one of the garages. The Plan shall be revised accordingly by adding a note to this effect.
7) Section 207-19. Landscaping - H. Tree Preservation - All hardwood trees twentyfour inches or more in diameter as measured four feet above finish grade that are to be removed from the site shall be replaced with new trees on the site.

A waiver is needed from the tree replacement requirement.
A tree inventory was performed by Meridian Associates, MA and is shown on Sheet C-3 of the Plan. The inventory identified two 30 " diameter trees that will be removed as part of site preparation and construction. Using the standard tree replacement formula of tree radius $^{2} \times 3.14$ to calculate the amount of tree area, removal of these two trees triggers a required total of $1,413 \mathrm{sq}$. inches of tree replacement. [ 15 " radius squared x $3.14=$ 706.25 sq. inches per tree. With 2 trees, it totals 1,413 sq. inches of tree replacement.]

According to the landscape plan dated September 8, 2020 prepared by Jacqueline Trainer, RLA of Meridian Associates, 52 trees hardwood and evergreen trees will be installed as part of the comprehensive landscape plan for the property. 52 three-inch caliper trees $\times 7$ sq. inches per tree $=364$ sq. inches of tree replacement plantings to be installed throughout the site. In addition, 206 miscellaneous shrubs, 445 perennials and 236 ornamental grasses will be planted throughout the site along building foundations, around the perimeter of the open parking area, and along the boundaries of the subject property adjacent to neighboring properties to provide suitable screening and buffering.
VIII. CONDITIONS - The Special and General Conditions included in this Decision shall assure that the Board's approval of this site plan complies with the Bylaw, Section 3.4 (Special Permits) and Section 5.6.4 (Multi-Family Housing), is consistent with Site Plan Rules and Regulations, that the comments of various Town boards and public officials have been adequately addressed, and that concerns of abutters and other town residents which were aired during the public hearing process have been carefully considered. The Board's issuance of a special permit and site plan approval is subject to the following conditions:

## SPECIFIC CONDITIONS OF APPROVAL

A. Notwithstanding any future amendment of the Bylaw, G.L. c.40A, or any other legislative act:

1. The maximum number of dwelling units to be developed under this special permit shall be six (one unit in each of the existing buildings) and four new dwelling units).
2. The tract(s) of land on which this multi-family development will be located shall not be altered or used except:
a) as granted by this special permit;
b) substantially as shown on the site plan entitled Harmony Estates Site Plan Review Submittal - 218-220 Main Street, dated June 9, 2020, last revised November 12, 2020 by Meridian Associates, Inc., to be be modified as specified herein; and
c) in accordance with subsequent approved plans or amendments to this special permit.
3. The tracts of land and buildings comprising Harmony Village shall not be used, sold, transferred or leased except in conformity with this special permit and shall not be further divided.
B. Plan Endorsement - Within sixty (60) days after the Board has filed its Decision with the Town Clerk, the site plan set for Harmony Village entitled Harmony Estates Site Plan Review Submittal-218-220 Main Street, dated June 9, 2020, last revised November 12, 2020 by Meridian Associates, Inc., including building elevations, floor plans and renderings, shall be further revised to reflect all Conditions and required revisions as specified herein and shall be submitted to the Board to review for compliance with the Board's Decision. (Said plan is hereinafter referred to as the Plan). Upon approval, the Permitee shall provide the revised Plan in its final form to the Board for its endorsement prior to recording at the Norfolk County Registry of Deeds along with this decision. All Plan sheets shall be bound together in a complete set.
C. Cover Sheet Revisions - Prior to plan endorsement, the cover sheet of the November 12, 2020 Plan shall be revised as follows:
4. Include the list of APPROVED Requests for Waivers
5. Add references to the architectural elevations, floor plans and renderings, and Stormwater Operations and Maintenance plan to the Drawing Index
6. Include the original plan date and the revised plan date
7. Add language that the development is subject to a performance security Covenant to be executed by the Board and recorded with the special permit and plan.
D. Other Plan Revisions - Prior to plan endorsement, the following plan revisions shall be made to the November 12, 2020 Plan.
8. Add planned location for irrigation well.
9. A sheet shall be added to the Plan to display the property's Stormwater Operations and Maintenance Plan.
10. An updated photometric plan shall be added to the Plan. The photometric plan shall comply with the Outdoor Lighting provisions of the Zoning Bylaw, Section 7.1.2.
11. Revisions shall be made to the Plan to locate snow storage areas that do not conflict with the planned landscaping. Resolve conflicts between sheets C-3 and C-5.
12. Add a detail for a shed structure for the "gang mailbox" and the roadway post light fixtures for review and approval by the Design Review Committee.
13. Add information on where trash containers will be positioned at the end of Harmony Lane for pick-up by the Town's trash removal service.
14. Granite curbing at the Harmony Lane roundings with Main Street shall be shown.
15. A note shall be added to the Plan to indicate that one garage shall include an electric vehicle charging station.
16. Sheets C-9 (Landscape Plan) shall be revised to fully identify all of the existing trees to be retained on the subject property.
17. Stormwater Revisions - The plan and associated stormwater documents shall be revised to address items $9-22$ specified in the November 18, 2020 review letter from Steve Bouley, P.E. of Tetra Tech, the Town's Consulting Engineer, attached hereto and made a part hereof.
18. ANYTHING FROM THE DRC recommendations?
E. Other Documentation - Prior to plan endorsement, the Permitee shall provide the following additional documentation to the Board:
19. Performance Security Covenant to be executed by the Permittee and the Board in a form acceptable to the Board and suitable for recording at the Registry of Deeds or Land Court, as may be applicable, for review, comment, amendment and approval by Town Counsel.
20. Copy of a sample deed to be used to convey each dwelling unit for review, comment, amendment and approval by Town Counsel. The deed shall reference the recorded Multi-Family Housing Special Permit and Plan. The deed shall clearly state that the Harmony Village Condominium Trust shall own and be responsible for the maintenance and upkeep of development's private roadway (Harmony Lane), the stormwater management system, and all other infrastructure.

## F. Recording of Plans and Documents

1. The Plan of Record associated with this special permit is titled: Harmony Estates Site Plan Review Submittal - 218-220 Main Street, dated June 9, 2020, last revised November 12, 2020 by Meridian Associates, Inc. with additional sheets for architecture and building improvements, to be further revised as specified herein.
2. No construction shall begin on the site and no building permit for any of
the new units shall be issued before the following documents are recorded at the Norfolk County Registry of Deeds:
a) This special permit decision and the Plan of Record endorsed by the Board
b) Performance Security Covenant with the Board
3. The following documents which shall be in compliance with the conditions of this decision shall be recorded at the Norfolk County Registry of Deeds prior to the issuance of the first occupancy permit for the development. The permittee shall provide proof of recording.
a) Harmony Village Condominium Master Deed
b) Declaration of Trust of Harmony Village Condominium Association
4. Within thirty days of recording, the Permittee or its assigns or successors shall provide the Board with a receipt from the Norfolk County Registry of Deeds indicating that the specified documents have been duly recorded, or supply another alternative verification that such recording has occurred.
G. Tree Preservation - The landscape inventory as shown on Sheet C-2 Existing Conditions of the Plan identified twenty existing hardwood and evergreen trees with a diameter of 15 " or greater at four feet above grade. (Section 204-5 Site Plan Contents, C. 3) Existing Landscape Inventory). Sheet C-2 also shows forty-two existing trees with a diameter of 8" -14 ".
5. Two 30" diameter trees are approved for removal during construction. One 30' diameter tree (located in the middle of the site near the parking area) will be retained.
6. Sheet C-9 Landscape Plan is to be revised to clearly identify the existing trees to be retained on the subject property and those to be removed during construction, subjeet to approval by the Board before plan endorsement.
7. During site preparation and construction of infrastructure and buildings, the Permittee and its contractors shall not remove any of the noted trees to be retained.

The noted trees shall be clearly identified in the field and verified by the Town's consulting engineer before site preparation and construction commences.
5. If any of the identified trees for retention are removed or damaged during construction, the Permittee shall be responsible for tree restoration by replacing the removed or damaged trees with nursery grade trees on a one (1) square inch per two (2) square inch replacement basis within (1) year after the tree removal or damage has occurred. The one (1) square inch per two (2) square inch replacement amount is calculated by squaring $1 / 2$ the established diameter of each tree that is removed or damaged and multiplying that amount by 3.14 to determine its trunk area (tree radius squared $x$ pi rounded to 3.14 ). The resulting figure is halved, and that square inch total is the amount of required square inches of the replacement tree(s). A 3" caliper tree equals seven (7) sq. inches. The location of the replacement trees shall be recommended by the Permittee and approved by the Planning and Economic Development Board and Tree Warden as a field change and may be located off site of the subject premises including on adjacent properties with approval of the property owner. The restoration shall be verified
by the Tree Warden as being fully and skillfully performed. The species of replacement tree(s) shall be reviewed and approved by the Tree Warden, or otherwise will be consistent with the species of the removed tree(s).
6. In lieu of tree planting, the Permittee may contribute to the Medway Tree Fund in an amount to be determined by the Board upon consultation with the Medway Tree Warden and based on wholesale pricing for 3-inch caliper trees from a reputable area landscape supplier.
H. Open Space/Yard Area - At least 15\% of the site shall be retained as open space and/or yard area in perpetuity. This is an ongoing obligation of the Harmony Village Condominium Association. This area shall be unpaved but may be landscaped or left natural, with the balance being trees, shrubs and grass suitable for the site. This area may include a play area or other communal recreational space, subject to plan modification requirements
I. Ownership/Maintenance of Common Areas

1. Harmony Lane, the stormwater drainage facilities, and all other infrastructure shall be owned and maintained by the Harmony Village Condominium Trust. It is the intent of the Board that these facilities will not be accepted by the Town of Medway.
2. The Board requires that the following aspects of the development shall be and shall remain forever private, and that the Town of Medway shall not have, now or ever, any legal responsibility for operation or maintenance of same:
a) Harmony Lane and parking areas
b) Stormwater management facilities
c) Snowplowing/sanding
d) Landscaping
e) Street lights

## J. Building Permits

1. Foundation Permits - The Board authorizes the Permittee to apply for a foundation only permit to begin construction of the quad building (Units $3-6$ ) prior to installation of the base coat of paving (binder course) on the development's roadway, Harmony Lane.
2. For the Remaining Work - Before the Board will authorize building permits for the remaining work, the following items, at a minimum must be installed and inspected and approved by the Board:
a) Roadway and parking area gravel sub-base (excluding unit driveways)
b) Roadway and parking area binder course (excluding unit driveways)
c) Drainage system completed to the proposed outfall with frame and grates set to binder grade, as well as stormwater basins, swales, infiltrations systems or any other stormwater management facilities.
d) As-built plan of each stormwater basin and forebay and all critical elevations and details of the associated structures, pipes and headwalls.
e) Street name signs in a size and form as specified by the Medway Department of Public Works, and all regulatory signs as specified on the approved Plan.
f) Stop line pavement markings.
g) Provisions for fire prevention and protection. Private water main/ service to be constructed, installed and functional.
K. Patios - To not increase stormwater runoff, all patios to be constructed in the development shall be fabricated with pervious paving materials.
L. Something from Dave D'Amico about I \& I . . .
M. Snow Removal - taken off site if needed - see language from other decisions
N. Sidewalk - Any damage to the existing sidewalk on the north side of Main Street along the subject site's frontage resulting from site infrastructure and building construction work, shall be repaired or replaced to the satisfaction of the Medway Department of Public Works before the occupancy permit is issued for the $6^{\text {th }}$ condominium.
O. Stone Walls - Any repairs to existing stone walls and any newly constructed retaining walls shall be as specified in the Stone Retaining Wall Detail included on Sheet C-8.
P. The Declaration of Trust for the Harmony Village Condominium shall include the following language: "The construction and operation of the condominium is authorized by a Multi-Family Housing Special Permit and Site Plan approval granted by the Medway Planning and Economic Development Board on $\qquad$ which is available for inspection at the Town Clerk's office and which is recorded at the Norfolk County Registry of Deeds.
Q. Underground Utilities - All electric, telephone, cable TV, and other utilities shall be located underground.
R. Water Conservation - The development is relying on the Town's public water system and the Town is being held to its Water Management Act Permit with the MA Department of Environmental Protection. The Permittee shall incorporate the following water conservation measures for construction of the development:
3. private well water for landscape irrigation
4. rain-gauge controlled irrigation systems
5. low flow household fixtures
6. water efficient appliances (dishwashers, washer/dryers, toilets, etc.)
S. Addresses - The addresses for the Harmony Village residences shall be as determined by the Medway Assessor's office upon consultation with the Medway Fire and Police Departments. All six units shall have Harmony Lane addresses.
T. Development Signage - Any future development signage for this project shall comply with the sign regulations of the Bylaw and is subject to review by the Design Review Committee.

## U. Stormwater Management

1. The project will disturb greater than one-acre and thus will require coverage under the United States Environmental Protection Agency (US EPA) National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Construction Activities.
2. Throughout construction and until transferred to the Harmony Village

Condominium Trust, the Permittee shall be responsible for keeping the constructed stormwater drainage system in a clean and well-functioning condition, and shall do nothing which would alter the drainage patterns or characteristics as indicated on the Plan approved herein without the express written approval of the Board.
3. The stormwater drainage system, water and sewer systems shall be maintained by the Permittee, its successors and assigns, and the Harmony Village Condominium Trust and shall not be dedicated to the Town. It is the intent of the Board and the Permittee that these systems shall not be accepted by the Town.
4. The Permittee and its successors and assigns shall maintain the stormwater management system in accordance with the long term operation and maintenance plan included with the stormwater/drainage report submitted with the application, as revised.
5. In the event a management company is engaged by the condominium association, the stormwater maintenance and operation plan shall be incorporated by reference in the management contract.
6. In the event that the Permittee, its successors and assigns, its agent, and the Harmony Village Condominium Trust fail to maintain the stormwater management system in accordance with the applicable guidelines for operation and maintenance, the Town may conduct such maintenance or repairs as the Town determines in its sole discretion are reasonably necessary, and the Permittee hereby consents to allow the Town and its agents, employees and contractors entry onto the Property to implement the measures set forth in such guidelines. In the event the Town conducts such maintenance or repairs, the Permittee shall promptly reimburse the Town for all reasonable expenses associated therewith; if the Permittee fails to so reimburse the Town, the Town may place a lien on the site or any unit therein to secure such payment.

OTHER CONDITIONS appropriate for the Land Disturbance Permit. I need to see what Conservation has been including.

## V. Design Review - I need to check DRC review comments

## GENERAL CONDITIONS OF APPROVAL

A. Fees - Prior to plan endorsement by the Board, the Permittee shall pay:

1. the balance of any outstanding plan review fees owed to the Town for review of the site plan by the Town's engineering, planning or other consultants; and
2. any construction inspection fee that may be required by the Board; and
3. any other outstanding expenses or obligations due the Town of Medway pertaining to this property, including real estate and personal property taxes and business licenses.

The Permittee's failure to pay these fees in their entirety shall be reason for the Board to withhold plan endorsement.
B. Other Permits - This permit does not relieve the Permittee from its responsibility to obtain, pay and comply with all other required federal, state and Town permits. The contractor for the Permittee or assigns shall obtain, pay and comply with all other required Town permits.
C. Restrictions on Construction Activities - During construction, all local, state and federal laws shall be followed regarding noise, vibration, dust and blocking of town roads. The Permittee and its contractors shall at all times use all reasonable means to minimize inconvenience to abutters and residents in the general area. The following specific restrictions on construction activity shall apply.

1. Construction Time - Construction work at the site and in the building and the operation of construction equipment including truck/vehicular and machine startup and movement and construction deliveries shall commence no earlier than 7 a.m. and shall cease no later than 6 p.m. Monday - Saturday. No construction shall take place on Sundays and federal and state legal holidays without the advance approval of the Building Commissioner. These rules do not apply to interior construction work such as painting, installation of drywall, flooring, etc.
2. The Permittee shall take all measures necessary to ensure that no excessive dust leaves the premises during construction including use of water spray to wet down dusty surfaces.
3. There shall be no tracking of construction materials onto any public way. Daily sweeping of roadways adjacent to the site shall be done to ensure that any loose gravel/dirt is removed from the roadways and does not create hazardous or deleterious conditions for vehicles, pedestrians or abutting residents. In the event construction debris is carried onto a public way, the Permittee shall be responsible for all clean-up of the roadway which shall occur as soon as possible and in any event within twelve (12) hours of its occurrence.
4. The Permittee is responsible for having the contractor clean-up the construction site and the adjacent properties onto which construction debris may fall on a daily basis.
5. All erosion and siltation control measures shall be installed by the Permittee prior to the start of construction and observed by the Board's consulting engineer and maintained in good repair throughout the construction period.
6. Construction Traffic/Parking - During construction, adequate provisions shall be made on-site for the parking, storing, and stacking of construction materials and vehicles. All parking for construction vehicles and construction related traffic shall be maintained on site. No parking of construction and construction related vehicles shall take place on adjacent public or private ways or interfere with the safe movement of persons and vehicles on adjacent properties or roadways.
7. Noise - Construction noise shall not exceed the noise standards as specified in the Medway General Bylaws and the Bylaw, SECTION V. USE REGULATIONS, Sub-Section B. Area Standards, Paragraph 2. b). as may be amended.

## D. Landscape Maintenance

1. The site's landscaping shall be maintained in good condition throughout the life of the facility and to the same extent as shown on the endorsed Plan. Any shrubs, trees, bushes or other landscaping features shown on the Plan that die shall be replaced by the following spring.
2. Within 60 days after two years after the last occupancy permit is issued, the Town's Consulting Engineer or the Building Commissioner shall conduct an initial inspection of the landscaping to determine whether and which landscape items need replacement or removal and provide a report to the Board. At any time subsequent to this initial inspection, the Town's Consulting Engineer or the Building Commissioner may conduct further inspections of the landscaping to determine whether and which landscaping items need replacement or removal and provide a report to the Board. The Board may seek enforcement remedies with the Building Commissioner/Zoning Enforcement Officer to ensure that the comprehensive landscaping plan is maintained.

## E. Snow Storage and Removal

1. On-site snow storage shall not encroach upon nor prohibit the use of any parking spaces required by the Bylaw.
2. Accumulated snow which exceeds the capacity of the designated snow storage areas on-site shall be removed from the premises within 24 hours after the conclusion of the storm event.
F. Right to Enter Property - Board members, its staff, consultants or other designated agents of the Town shall have the right to enter upon the common areas of the Harmony Village Condominium to inspect the site at any time, to ensure continued compliance with the terms and conditions of this special permit and the endorsed plan.

## G. Construction Oversight

1. Construction Account
a) Inspection of infrastructure and utility construction, installation of site amenities including landscaping by the Town's Consulting Engineer and the review of legal documents by Town Counsel is required. Prior to plan endorsement, the Permittee shall establish a construction account with the Board. The funds may be used at the Board's discretion to retain professional outside consultants to perform the items listed above as well as the following other tasks - inspect the site during construction/installation, identify what site plan work remains to be completed, prepare bond estimates, conduct other reasonable inspections until the site work is completed and determined to be satisfactory, review as-built plans, and advise the Board as it prepares to issue a Certificate of Site Plan Completion.
b) Prior to plan endorsement, the Permittee shall pay an advance toward the cost of these services to the Town of Medway. The advance amount shall be determined by the Board based on an estimate provided by the Town's Consulting Engineer.
c) Depending on the scope of professional outside consultant assistance that the Board may need, the Permittee shall provide supplemental payments to the project's construction inspection account, upon invoice from the Board.
d) Any funds remaining in the Permittee's construction inspection account after the Certificate of Site Plan Completion is issued shall be returned to the Permittee.
2. The Department of Public Works will conduct inspections for any construction work occurring in the Town's right-of way in conjunction with the Town of Medway Street Opening/Roadway Access Permit and the sewer and water connection permits.
3. The Permittee shall retain its own professional engineer licensed in the Commonwealth of Massachusetts to conduct progress inspections of the construction of the approved site improvements. Inspections shall occur at least on a monthly basis. The engineer shall prepare a written report of each inspection and provide a copy to the Board within 5 days of inspection. Failure of the Permittee to provide these reports may be reason to withhold building or occupancy permits.

## H. On-Site Field Changes

1. During construction, the Permittee may be authorized to make limited, minor, onsite field changes to the approved plan based on unforeseen site or job conditions, situations, or emergencies necessitated by field conditions or due to practical considerations. These field changes shall not alter items which may affect the site's compliance with this decision and the Bylaw nor conflict with a specific condition of the decision. Field changes shall not substantially alter the intent, layout or design of the endorsed site plan.
2. Prior to undertaking such field changes, the Permittee and/or contractor shall discuss the possible field changes with the Town's Consulting Engineer and submit a letter and drawings to the Planning and Economic Development Coordinator and the Building Commissioner describing the proposed changes and what conditions, situations, or emergencies necessitate such changes. In accordance with Section 3.5.2.C of the Bylaw, the Building Commissioner may determine that the field change is insubstantial, authorize the change, and so notify the Board. Otherwise, the Board shall review the proposed field changes at a public meeting and determine whether the proposed field changes are reasonable and acceptable based on the unforeseen conditions, situations, or emergencies and whether other options are feasible or more suitable. A written authorization of field change will be provided. Any approved field change shall be reflected in the as-built plan to be provided at project completion.

## I. Plan Modification

1. Proposed modifications (not including on-site field changes) to the endorsed plan shall be subject to review by the Board.
2. This Site Plan Approval is subject to all subsequent conditions that may be imposed by other Town departments, boards, agencies or commissions. Any changes to the site plan that may be required by the decisions of other Town boards, agencies or commissions shall be submitted to the Board for review as site plan modifications.
3. Any work that deviates from an approved site plan shall be a violation of the Bylaw, unless the Permittee requests approval of a plan modification and such approval is provided in writing by the Board.
4. The request for a Modification to a previously approved plan shall be subject to the same application and review process including a public hearing including the payment of plan modification filing fee and plan review fee and all costs associated with another public hearing including legal notice advertising. The Board shall issue its Modification Decision, file such with the Town Clerk, and provide copies to the Building Commissioner, other Town officials and the Permittee. Any modifications approved by the Board shall be made a permanent part of the approved site plan project documents and shall be shown on the final as-built plan.

## J. Plan Compliance

1. The Permittee shall construct all improvements in compliance with the approved and endorsed plan and any modifications thereto.
2. The Board or its agent(s) shall use all legal options available to it, including referring any violation to the Building Commissioner/Zoning Enforcement Officer for appropriate enforcement action, to ensure compliance with the foregoing Conditions of Approval.
3. The Conditions of Approval are enforceable under Section 3.1. F. of the Bylaw (non-criminal disposition) and violations or non-compliance are subject to the appropriate fine.

## K. Performance Security

1. Covenant - Prior to plan endorsement, the Permittee shall sign a Covenant, on a form provided by the Board, to be reviewed and approved by Town Counsel, to secure construction of the roadway and all related infrastructure and installation of utilities and services, sidewalks and site amenities as specified in the approved Plan. Reference to the Covenant shall be noted on the cover sheet of the Approved Plan. The Covenant shall specify that none of the units may be occupied or conveyed until such services are completed or an alternative form of security is provided. The Covenant shall specify that the roadway and parking area and all infrastructure including the stormwater management system shall be constructed and all utilities and services shall be installed to the satisfaction of the Board within three years of the date of plan endorsement. The Covenant shall be recorded at the Norfolk County Registry of Deeds at the same time the Decision and Plan are recorded.

## 2. Alternative Performance Security

a) At such time as the Permittee wishes to secure the building permit for the quad building, the security provided by the Covenant shall be replaced by one of the types of performance guarantees set forth in M.G.L. Ch. 41, Section 81U, which method or combination of methods may be selected and from time to time varied by the Permittee, in a sufficient amount, source and form acceptable to the Board, the Treasurer/Collector and Town Counsel. The performance guarantee shall be accompanied by an agreement which shall
define the obligations of the Permittee and the performance guarantee company including:

1) the date by which the Permittee shall complete construction
2) a statement that the agreement does not expire until released in full by the Board
3) procedures for collection upon default.
b) Amount - The amount of the performance guarantee shall be equal to $100 \%$ of the amount that would be required for the Town of Medway to complete construction of the roadway and installation of stormwater management facilities, utilities, services, pedestrian facilities and all site amenities as specified in the Decision and Plan that remain unfinished at the time the performance guarantee estimate is prepared if the Permittee failed to do so. The security amount shall be approved by the Board based on an estimate provided by the Town's Consulting Engineer based on the latest weighted average bid prices issued by the Mass Department of Transportation. The estimate shall reflect the cost for the Town to complete the work as a public works project which may necessitate additional engineering, inspection, legal and administrative services, staff time and public bidding procedures. The estimate shall also include the cost to maintain the roadway and infrastructure in the event the Permittee fails to adequately perform such. In determining the amount, the Board shall be guided by the following formula in setting the sum: estimate of the Town's Consulting Engineer of the cost to complete the work plus a $30 \%$ contingency. A performance security agreement shall be executed by the Permittee, the Board and the selected surety.
3. Adjustment of Performance Guarantee - At the Permittee's written request, the amount of the performance guarantee may be reduced from time to time over the course of the construction project by vote of the Board upon the partial completion of the roadway and infrastructure improvements as defined herein. In order to establish the amount to adjust the performance guarantee, the Town's Consulting Engineer shall prepare an estimate of the current cost for the Town to complete all work as specified on the approved Plan that remains unfinished at the time the estimate is submitted to the Board. The estimate shall be based on unit prices in the latest Weighted Average Bid Prices issued by the Mass Department of Transportation. The estimate shall reflect the cost for the Town to complete the work as a public works project, which may necessitate additional engineering, inspection, legal and administrative fees, staff time and public bidding procedures. The estimate shall also include the cost to maintain the roadway and infrastructure in the event the Permittee fails to adequately perform such. In determining the amount of the adjustment of the performance guarantee, the Board shall be guided by the following formula to determine the reduction amount: the estimate of the Town's Consulting Engineer of the cost to complete the work plus a $30 \%$ contingency. The Board may authorize up to three reductions in the amount of performance security. However, the Board shall not reduce the performance security below $\$ 40,000$.
4. Final Release of Performance Security - Final release of performance security is contingent on project completion.

## L. Project Completion

1. Special permit approval shall lapse after two years of the grant thereof if substantial use has not commenced except for good cause. The approved site plan shall be completed by the Permittee or its assignees within three years of the date of plan endorsement. Upon receipt of a written request by the Permittee filed at least thirty (30) days prior to the date of expiration, the Board may grant an extension for good cause. The request shall state the reasons for the extension and also the length of time requested. If no request for extension is filed and approved, the site plan approval shall lapse and may be reestablished only after a new filing, hearing and decision.
2. Prior to issuance of the occupancy permit for the sixth dwelling unit, the Permittee shall request a Certificate of Site Plan Completion from the Board. The Certificate serves as the Board's confirmation that the completed work conforms to the approved site plan and any conditions and modifications thereto, including the construction of any required on and off-site improvements. The Certificate also serves to release any security/performance guarantee that has been provided to the Town of Medway. To secure a Certificate of Site Plan Completion, the Permittee shall:
a) provide the Board with written certification from a Professional Engineer registered in the Commonwealth of Massachusetts that all building and site work has been completed in substantial compliance with the approved and endorsed site plan, and any modifications thereto; and
b) submit an electronic version of an As-Built Plan, prepared by a registered Professional Land Surveyor or Engineer registered in the Commonwealth of Massachusetts, to the Board for its review and approval. The As-Built Plan shall show actual as-built locations and conditions of all buildings and site work shown on the original site plan and any modifications thereto. The final As-Built Plan shall also be provided to the Town in CAD/GIS file format per MASS GIS specifications.
M. Construction Standards - All construction shall be completed in full compliance with all applicable local, state and federal laws, including but not limited to the Americans with Disabilities Act and the regulations of the Massachusetts Architectural Access Board for handicap accessibility.
N. Conflicts - If there is a conflict between the site plan and the Decision's Conditions of Approval, the Decision shall rule. If there is a conflict between this Decision and/or site plan and the Bylaw, the Bylaw shall apply.

## IX. APPEAL

The Board and the Applicant have complied with all statutory requirements for the issuance of this Decision on the terms set forth herein. A copy of this Decision will be filed with the Medway Town Clerk and mailed to the Permittee, and notice will be mailed to all parties in interest as provided in G.L. c. 40A §15.

Any person aggrieved by the decision of the Board may appeal to the appropriate court pursuant to Massachusetts General Laws, Chapter 40A, §17, which shall be filed within twenty days after the filing of this decision in the office of the Medway Town Clerk.

In accordance with G.L c. 40A, §11, no special permit shall take effect until a copy of the Decision is recorded in the Norfolk County Registry of Deeds, and indexed in the grantor index under the name of the owner of record, or is recorded and noted on the owner's certificate of title, bearing the certification of the Town Clerk that twenty days have elapsed after the Decision has been filed in the office of the Town Clerk and no appeal has been filed within said twenty day period, or that an appeal has been filed. The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. The fee for recording or registering shall be paid by the Permittee. A copy of the recorded Decision, and notification by the Permittee of the recording, shall be furnished to the Board.


## Medway Planning and Economic Development Board SITE PLAN and SPECIAL PERMIT DECISION Harmony Village - 218-220 Main Street

Approved by the Medway Planning \& Economic Development Board: $\qquad$
AYE:
$\qquad$
$\qquad$
$\qquad$
$\qquad$
$\qquad$

ATTEST:
Susan E. Affleck-Childs
Planning \& Economic Development Coordinator
COPIES TO: Michael Boynton, Town Administrator
David D'Amico, Department of Public Works
Stephanie Carlisle, DPW Compliance Officer
Michael Fasolino, Deputy Fire Chief
Bridget Graziano, Conservation Agent
Donna Greenwood, Assessor
Beth Hallal, Health Agent
Jeff Lynch, Fire Chief
Jack Mee, Building Commissioner and Zoning Enforcement Officer
Joanne Russo, Treasurer/Collector
Barbara Saint Andre, Director of Community and Economic Development
Jeff Watson, Police Department
Gary Feldman
Marcelo Alves
Drew Garvin, Meridian Associates
Steven Bouley, Tetra Tech
Gino Carlucci, PGC Associates

December 8, 2020

## Medway Planning \& Economic Development Board

 Meeting
## Good Feels - Marijuana'Special Permit

- Public Hearing Notice updated November 30, 2020
- Marijuana Establishment special permit application dated November 9, 2020
- Project Description received November 9, 2020
- Types of Products Manufactured
- Building Fit-Out Plans by Joe The Architect
- As-Built Plan of Land, dated November 3, 2020
- Host Community Agreement with the Town of

Medway dated September 8, 2020

- Declaration of Ownership Affidavit dated November 9, 2020
- Memorandum dated November 6, 2020 from Attorney Adrienne Dean
- Good Feels Security Plan
- Memo dated November 5, 2020 from Jeff Komrower of Noise Control Engineering (on behalf of the applicant) re: noise generation
- Odor generation information $\bar{V}^{5}$
- Project review memorandum dated December 2, 2020 from Susy Affleck-Childs
- Email dated November 12, 2020 from Susy AffleckChilds to Town staff and boards/committees requesting review comments.
- Review memo dated November 16, 2020 from Charles River Pollution Control District
- Consulting services proposal dated 12-1-20 from HMMH to review the noise aspects of the project for the Board. Fee estimate is $\$ 560$.

NOTE - I have requested and await receipt of a consulting services proposal from odor consultant Bruce Straughan.

NOTE - The applicant has provided the standard \$500 advance on plan review funds for outside consultants. That will not be sufficient. I recommend the Board vote to hire both the odor and noise consultants and to increase the fee to $\$ 1500$. Any unspent funds will be returned to the applicant.

Matthew Hayes, P.E., Member
Richard Di Iulio, Member
Jessica Chabot, Associate Member

# PLANNING AND ECONOMIC DEVELOPMENT BOARD 

Updated - November 30, 2020

# UPDATED NOTICE OF PUBLIC HEARING <br> Good Feels Inc. - 23 Jayar Road <br> Recreational Marijuana Establishment Special Permit <br> HEARING HAS BEEN CHANGED TO REMOTE ONLY 

In accordance with the Medway Zoning Bylaw, Section 8.10 Recreational Marijuana and the provisions of Chapter 40A, Massachusetts General Laws, notice is given that the Medway Planning and Economic Development Board will hold a public hearing on Tuesday, December 8, 2020 at 7:30 p.m. to consider the application of Good Feels Inc. of Medway, MA for approval of a special permit to operate a recreational marijuana product manufacturing establishment at 23 Jayar Road. The hearing will be held virtually via the ZOOM online meeting platform.

The applicant proposes to use $1,896 \mathrm{sq}$. ft . of the existing commercial/industrial building at 23 Jayar Road (Map 24, Parcel 014) for the production and packaging of marijuana infused products for adult recreational use. A retail marijuana operation is NOT proposed for this site.

The 1.374 acre property is owned by the William F. Reardon Revocable Trust of Medway, MA. It is located on the north side of Jayar Road in the East Industrial zoning district. The subject property is east of property owned by Ellen Realty Trust, south of property owned by John and Anne Lally, and west of property owned by 25 Jayar Road Trust. The property is located within the Town's Groundwater Protection District.

The planned scope of work includes interior renovations to the existing building to accommodate the proposed new use including the creation of spaces for storage, processing, offices, shipping and receiving. The work is shown on Good Feels Inc. Permit Plan, dated October 23, 2020, prepared by Joe the Architect, LLC of Somerville, MA. Except for the installation of an outside generator and rooftop HVAC system, no site improvements are planned.

The application and associated documents are on file at the offices of the Town Clerk and the Planning and Economic Development Board at Medway Town Hall, 155 Village Street and may be reviewed during regular business hours. Face coverings are required to enter Town Hall. The application materials have been posted at the Board's web page at: https://www.townofmedway.org/planning-economic-development-board/pages/good-feels-inc-23-jayar-road-recreational-mariiuana

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor's Orders imposing strict limitations on the number of people that may gather inside in one place, no in-person attendance will be permitted at this hearing. Board members, staff and the applicant and his representatives will attend the hearing via ZOOM. Meeting access for the public is provided via ZOOM for the required opportunity for public participation in the hearing. The ZOOM meeting link is as follows: https://us02web.zoom.us/i/82913722002?pwd=cDB6bm5rTUxiYnY1V21kME1SU3VtUT09. ZOOM access instructions will also be included on the agenda for the 12-8-20 Planning and Economic Development Board meeting which can be found at: https://www.townofmedway.org/calendar/month.

Members of the public may also watch the meeting on Medway Cable Access - channel 11 on Comcast Cable, channel 35 on Verizon Cable, or on Medway Cable's Facebook page @medwaycable.

Interested persons are invited to review the application, attend the public hearing via ZOOM, and express their views. Questions should be directed to the Planning and Economic Development office at 508-533-3291. Written comments are encouraged and may be forwarded to:
planningboard@townofmedway.org. All comments will be entered into the record during the hearing.
Andy Rodenhiser, Chairman

Planning \& Economic Development Board Town of Medway, MA

## MARIJUANA SPECIAL PERMIT APPLICATION

## INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to Section 8.9 or 8.10 of the Medway Zoning Bylaw.
The provisions of Section 3.5 Site Plan Review may also apply.
The Town's planning and engineering consultants will review the Application and provide review letters to the Planning and Economic Development Board.
A copy of those review letters will be provided to you in advance of the public hearing.
You and/or your duly authorized Agent/Designated Representative are expected to attend the Board meetings at which your Application will be considered to answer any questions and/or submit such additional information as the Board may request.
Your absence at hearings may result in a delay in the Board's review of the special permit application.

November 9
, 20

## APPLICANT INFORMATION

Applicant's Name: $\qquad$
Mailing Address:
1 Shady Ln, Medway, MA 02053

Name of Primary Contact:
Jason Reposa
Telephone: Office: $\qquad$ Cell: $\qquad$
Email address:
jason@getgoodfeels.com
$\qquad$ Please check here if the Applicant is the equitable owner (purchaser on a purchase and sales agreement.)

## PROJECT INFORMATION

Development Name: $\qquad$ Good Feels Inc. Medway Suite 6

Project Address:
23 Jayar Rd., Suite \#6, Medway, MA 02053
Plan Title:
As-Built Plan of Land in Medway, MA
Plan Date:

$$
9 / 25 / 2020
$$

Plan prepared by:
Name: $\qquad$
Firm: $\qquad$

Type of Facility:
___ Retail Registered Medical Marijuana Facility (allowed only in the Business Industrial Zoning District)
$\qquad$ Non-Retail Registered Medical Marijuana Facility (allowed only in the East and West Industrial Zoning Districts)
$\qquad$ Recreational (Adult Use) Marijuana Establishment (allowed only in the East and West Industrial Zoning Districts)

Type of Project (Check all that apply):
$\qquad$ Construction of a New Building(s)
How many buildings?
Dimensions of New Building(s)
Gross Square Footage of New Building(s) $\qquad$
$\qquad$ Renovation of Existing Structure(s)
How many buildings? $\qquad$
Building Dimensions $\qquad$ Gross Square Footage of Existing Structure(s) $\qquad$
$\qquad$ Construction of an addition to an Existing Structure
Addition Dimensions $\qquad$ Gross Square Footage of Addition $\qquad$
$\qquad$ Demolition of any structures on the site? If yes, please explain. $\qquad$
$\qquad$ Site improvements? If yes, please describe $\qquad$
$\qquad$ Use of an existing building without renovation or site changes
How many parking spaces presently exist? $\qquad$
How many new parking spaces are proposed?
0
What is the existing amount of impervious surface (buildings and paved area) on the property?
$\qquad$
How much additional impervious surface is planned? $\qquad$ 0

Please note that a Stormwater Management and Land Disturbance Permit pursuant to Medway General Bylaws Section 26 may also be needed depending on the scope of the proposed project and the amount of planned land disturbance. Consultants should check.

## PROPERTY INFORMATION

The subject property is shown on the plan as Medway Assessor's Map \# 24 , Parcel \# 014 Total Acreage of Land Area: $\quad 1.374$ acres

General Description of Property: Industrial Building

Current Use of Property: Fully occupied building. Other tenants include a software company, dance studio and gym.

Medway Zoning District Classification: East Industrial
$\qquad$ On what street? $\qquad$ Jayar Rd

Setbacks for Existing Structure (if applicable):

| Front: $\frac{30.91^{\prime}}{}$ |  |
| :--- | :--- |
| Back: | $56.40^{\prime}$ |

Side: $\frac{41.65}{}{ }^{\prime}$

Is this property pre-existing, non-conforming to the Medway Zoning Bylaw? If yes, how? $\qquad$

Is the existing structure on this property pre-existing, non-conforming to the Medway Zoning Bylaw? If yes, how? $\qquad$

Has this property received any previous variances or special permits? $\qquad$ Yes $\qquad$ No
If so, please provide a copy of each decision with this application.
Wetlands
Is any portion of the property within a Wetland Resource Area? $\qquad$ Yes $\qquad$ No

## Groundwater Protection

 Is any portion of the property within a Groundwater Protection District? x Yes $\qquad$ NoFlood Plain Is any portion of the property within a Designated Flood Plain? $\qquad$ Yes $\qquad$ No

## Access to Town Water and Sewer

Is Town water and sewer available in the street on which the proposed project has its frontage? _ $x$ Yes ___ No

## PROPERTY OWNER INFORMATION (if not applicant)

Property Owner's Name: William F. Reardon 2007 Revocable Trust
Mailing Address: 89 Main St., Suite 105, Medway, MA 02053

Primary Contact:
David Moniz

Telephone:
Office: $\qquad$ Cell: 508-223-6916

Email address: reardonproperties89@gmail.com
The owner's title to the land that is the subject matter of this application is derived under deed from: $\qquad$
$\qquad$ to William F. Reardon 2007 Revocable Trust dated $\qquad$ and recorded in Norfolk County Registry of Deeds,
Book $\qquad$ Page $\qquad$ or Land Court Certificate of Title Number $\qquad$ _,

Land Court Case Number $\qquad$ , registered in the Norfolk County Land Registry District Volume $\qquad$ , Page $\qquad$ -.

## ENGINEER:

Mailing Address:

Primary Contact:

Colonial Engineering, Inc.

11 Awl St Medway, MA 02053

Paul DeSimone

Telephone:
Office: $\qquad$ Text Cell: $\qquad$
Email address: colonial.eng@verizon.net
Registered P.E. License \#: $\qquad$

| SURVEYOR: | Colonial Engineering, Inc. |
| :--- | :--- |
|  | 11 Awl St |
|  | Medway, MA 02053 |
| Primary Contact: | Anthony Dellorco |

Telephone:
Office: 5085331644
Cell: $\qquad$
Email Address: colonial.eng@verizon.net
Registered P.L.S. License \#: 34303

| ARCHITECT: | Joe The Architect LLC |
| :--- | :--- |
| Mailing Address: | 343 Medford Street 4C |
|  | Somerville, MA 02145 |
|  | Alberto Cabre |

Telephone:
Office: 617-764-3593 Cell: $\qquad$
Email address: alberto@joethearchitect.com
Registered Architect License \#: 10708

## LANDSCAPE ARCHITECT/DESIGNER:

Mailing Address: $\qquad$
$\qquad$
Primary Contact: $\qquad$
Telephone:
Office: $\qquad$ Cell:
Email address:
Registered Landscape Architect License \#: $\qquad$
$\qquad$
Email address: Sarah.Richmond@gesmer.com

## DESIGNATED REPRESENTATIVE INFORMATION (if applicable()

Name:
None
Address: $\qquad$

Telephone:
Office: $\qquad$ Cell: $\qquad$
Email address: $\qquad$
Relationship to applicant: $\qquad$

## SIGNATURES

The undersigned, being the Applicant for approval of a Marijuana Special Permit and the Property Owner, herewith submits this application and Plan to the Medway Planning and Economic Development Board for review and approval. I hereby certify, under the pains and penalties of perjury, that the information contained in this application is a true, complete and accurate representation of the facts regarding the property and proposed development under consideration.
(If applicable, I hereby authorize None to serve as my Agent/Designated Representative to represent my interests before the Medway Planning \& Economic Development Board with respect to this application.)

I have reviewed Section 8.9 or 8.10 of the Medway Zoning Bylaw and understand and agree to the requirements and responsibilities specified therein.

In submitting this application, I authorize the Board, its consultants and agents, Town staff, and members of the Design Review Committee to access the site during the review process.

I understand that pursuant to M.G.L. 53G, the Medway Planning and Economic Development Board may retain outside professional consultants to review this application and that I am responsible for the costs associated with such reviews.

I understand that the Planning and Economic Development Board, its agents, staff, consultants, and other Town staff and committees may request additional information which I am responsible for providing to assist them in reviewing the proposed development.


Signature of Agent/Official Representative

# Good 7eels 

CANNABIS

# Project Description 



## Executive Summary

Good Feels Inc. was established in 2020 to provide safe alternatives to smoking and vaping. Our vision is to have non-combustibles be the main way to consume cannabis and to see the improvement, or elimination, of the issues that have plagued cannabis such as the failed war on drugs. We are seeking a Marijuana Product Manufacturing (MPM) license through the Cannabis Control Commision (CCC).

## Vision

With the massive public image failure of tobacco companies, we believe that smoking and vaping will never be mainstream again. We create products that bring the benefits of cannabis without the harm of consuming it through combustion.

## Mission

Good Feels creates functional and effective cannabis formulas. Our mission is to use technology to create consumer-driven products that allow consumers to get the full benefits of the cannabis plant without sacrifice.

## Project Description

The facility is located at 23 Jayar Rd., Suite \#6, Medway, MA 02053. It is a 1896 sq ft space that is leased from William F. Reardon 2007 Revocable Trust (Reardon Properties).

We are a product manufacturer, so there is no cultivation and no retail. To abutters we are for all intents and purposes odorless and noiseless, with the exception of one small residential HVAC unit.

## Noise Nuisance

We engaged with Jeffrey Komrower of Noise Control Engineering to help us determine if the facility will operate within the current and drafted bylaws. It has been determined that we are in compliance. See "Good Feels - NCE LLC Job Memo 2020-039"

## Odor Nuisance

Cannabis distillate oil is a purified ingredient which is highly processed to remove impurities and odors. Anyone with normal olfactory sensitivity will not be able to detect any odor, since all cannabis odor that is traditionally associated with cannabis, has been eliminated before we receive it. See attachments "Cannabis Oil Odor from Matt Catalano of CAC" and "Additional Cited Sources for Odor".

### 5.6.3.Groundwater Protection District

The facility is located in a Groundwater Protection District according to the Town of Medway, MA Zoning Map, updated December 27, 2019 (corrected August 4, 2020). Below is a line-by-line assessment of how Good Feels is in compliance and additional steps that we will take.
5.6.3 E(2) Prohibited Uses
a. We are not a landfill or dump
b. We will not have any liquid petroleum products on site
c. We are not a landfill
d. We will not be storing sludge or septage
e. We will not be storing deicing chemicals
f. We will not be storing animal manure
g. We will not be doing any earth removal
h. We do not generate, treat or store hazardous waste in excess of 220 lbs per month
i. We are not a automobile graveyard
j. We are not disposing of any wastewater beyond sanitary sewage
k. All potentially hazardous materials will be contained within a free standing container and a secondary containment unit adequate to contain the spilled material.
l. We are not discharging process wastewater on-site
m . We will not stockpile or dispose of deicing chemicals
n. We will not store commercial fertilizers
o. We will not use septic system cleaners
5.6.3 E(3) Uses and Activities Requiring a Special Permit
a. We are not enlarging or altering the existing uses
b. We are not using fertilizers
c. We are not using or handling toxic or hazardous materials in excess of normal household use
d. We are not constructing dams or other water controlling devices
e. There are no changes to the existing site outside of the addition of a small residential HVAC unit

List of proposed cleaning products on site
We are working with EcoLab to ensure all cleaning products are groundwater safe, proposed cleaning products are:

1. Synergex ${ }^{T M}$ Sanitizer \& Disinfectant
a. https://www.ecolab.com/offerings/synergex-sanitizer-and-disinfectant
2. DrySan ${ }^{\text {TM }}$ Duo
a. https://www.ecolab.com/offerings/drysan-duo-cleaner-and-sanitizer
3. Quik-Care ${ }^{\text {TM }}$ Foam Hand Sanitizer
a. https://www.ecolab.com/offerings/hand-sanitizers-for-hospitals/quikcare-foam-ha nd-sanitizer
4. Clean \& Smooth
a. https://www.ecolab.com/offerings/general-use-hand-soaps/clean-and-smooth
5. Ultra San
a. https://www.ecolab.com/offerings/liquid-dishmachine-products/ultra-san

Additionally we will have spill kits on site to prevent any accidental spillage in the facility. An example is found here: https://www. uline.com/BL 7013/Universal-5-Gallon-Bag-Spill-Kit

Our operating procedures for handling hazardous substances can be summarized as the following:

- Ensure all hazardous substances are properly labeled.
- Store, dispense, and/or use hazardous substances in a way that prevents releases.
- Provide secondary containment when storing hazardous substances in bulk quantities.
- Maintain good housekeeping practices for all chemical materials at the facility.
- Train staff on how to use spill kits.
- Routine checks in the hazardous substance storage area to be performed by a facilities manager.
- Monthly inspections of the hazardous substance storage area and secondary containment.


### 8.10 RECREATIONAL MARIJUANA

The following is a line-by-line assessment of how the Project adheres to Town of Medway Zoning Bylaw.
A. Purposes

1. N/A
B. Applicability
2. N/A
C. Definitions
3. $N / A$
D. Eligible Locations for Recreational Marijuana Establishments
4. We are located in East Industrial
E. General Requirements and Conditions for all Recreational Marijuana Establishments
5. We are located in a permanent structure
6. There are no medical offices or otherwise that can prescribe medical marijuana in the building
7. We are proposing hours of $10 \mathrm{am}-4 \mathrm{pm}$ Monday through Friday. No weekends.
8. No public or private school serving K-12 is located within 500 feet of the facility. We recognize that The Medway Dance Authority is located within the buffer zone of 500 feet, according to google maps. My attorney has written a letter that justifies the Dance Studio is not a K-12 public or private school.
9. There is no on-site consumption by staff or otherwise
10. We do not have a drive-through service
F. Signage
11. We will have a small sign indicating the name of the business and the suite \#. "Good Feels Inc / Suite 6"
12. We are not advertising on the exterior of the building
13. No off site signage including billboards will be employed
G. Contact Information
14. We can provide this after the permit is issued
H. Prohibition against Nuisances
15. All odor and noise is contained within the envelope of the building. There is no nuisance to abutters or the surrounding area. See above sections "Noise Nuisance" and "Odor Nuisance"
I. Openness of Premises
16. All production is contained within the envelope of the building
17. We are installing frosted glass on all windows and solid doors for the front entrance.
18. The front entrance is clearly visible from the parking lot. We employ cameras to detect when cars, pedestrians, et al approach.
19. See "I.2" above regarding preventing the view of Marijuana and Marijuana Infused Products externally
J. Special Permit Requirements
20. All documents have been supplied
21. Conditions
d. Our preferred hours of operation are $10 \mathrm{am}-4 \mathrm{pm}$ Monday through Friday. No weekends.
K. Annual Reporting
22. We will supply an annual report to the Planning and Economic Development Board, the Building Commissioner, the Health Agent, and the Police Chief no later than January 31st of each year after the commencement of operations.
L. Duration of Special Permit
23. N/A
M. Abandonment or Discontinuance of Use
24. We will remove all material, plants, equipment and other paraphernalia on abandonment or discontinuance of use prior to surrendering our license or within 6 months of ceasing operations, whichever occurs first.
N. Other Permits and Approvals
25. We are in communication with the Board of Health, Conservation Commission, and the Department of Public Services
O. Host Community Agreement
26. We have secured a Host Community Agreement with the town on the 8th of September 2020.

## Traffic and Delivery

Traffic to and from the facility is limited to employees, contracted vendors, CCC inspectors, and delivery vehicles. We will contract with a licensed delivery company to deliver our products to retail locations through Massachusetts. We will not deliver directly to customers.

## Anticipated Timeline

## December 2020

We're currently applying for a Marijuana Special Permit through the town and expect to be approved by the end of 2020. If we are required to do a follow up session with the Planning and Economic Development Board, we may end up securing our permit in January 2021. The delay of this process doesn't result in moving any upcoming timelines.

## January 2021

Our CEO will begin working with licensed cannabis companies to secure Letters of Intent (LOIs) from retail dispensaries, and form relationships with distillate oil wholesalers. If the opportunity to work with Delivery companies is available at this time, we will also begin to secure those relationships.

February 2021
We begin to build out our facility. At this point we have secured all building materials and components to ensure the completion of the build. All of the planning of risk scenarios that have taken place in 2020 has given us an advantage in managing any exogenous events that would have taken us off course.

While our builder continues to build out the facility we anticipate posting our first jobs online and in the local newspaper, the Worcester Telegram \& Gazette. Our first hires will be for Operators to help in the manufacture of our products. The CEO will continue to maintain the relationship with the CCC.

## March 2021

We expect to receive our Provisional License in March of 2021. After receiving our Provisional License we will continue building out the facility in accordance with our architectural diagrams, which details our anticipated building program.

## April 2021

The buildout has completed. We begin to finalize the hiring of our first employees and begin onboarding. Registering as an agent with the CCC and Responsible Vendor Training will be required for all employees.

Once we have employees we will secure insurance for general liability, product liability, and worker's compensation. In addition, we will help secure bank accounts for our employees from GFA CU and establish a payroll provider, and other benefits packages.

May 2021
After a successful inspection from the Cannabis Control Commission, our Final License has been granted. SOPs have been checked and double-checked. We run through the process many times and have put in place additional checks to ensure we are operating safely, securely and efficiently.

June 2021
We commence operations. The operators hired in April will begin to manufacture products and the CEO will maintain recordkeeping, financial and otherwise, and oversee operations.

## Ongoing

We will continue to improve our operations throughout the year while hitting our financial goals and our goals set forth in our Plan for Positive Impact.

# Good 7eels 

CANNABIS

## Types of Products Manufactured

Good Feels Inc will manufacture strictly non-combustible products. This is in alignment with our mission.

Good Feels creates functional and effective cannabis formulas. Our mission is to use technology to create consumer-driven products that allow consumers to get the full benefits of the cannabis plant without sacrifice.

Our focus at launch is to introduce products that are THC-forward, due to the limited accessibility of CBD, and minor cannabinoids, on the CCC licensed wholesale market.

## Policy of compliance

With regards to all edibles and beverages produced at Good Feels, we will follow all applicable regulations with regards to production. More specifically the compliance of manufacturing of 935 CMR 500.150 "Edible Marijuana Products," which include:

Edibles are NOT allowed in the following shapes:

1. the distinct shape of a human, animal, or fruit; or
2. a shape that bears the likeness or contains characteristics of a realistic or fictional human, animal, or fruit, including artistic, caricature, or cartoon renderings.

All edibles must describe shape, color, form, type, and flavor. Edibles must be listed with more specific information (i.e. square chocolate brownie, round watermelon hard candy, etc.)

In addition, the manufacture of beverage products must have a description as to form, type, and flavor. Beverages must be listed with more specific information (i.e. chai tea, lemonade, etc.)

These policies are to be as descriptive as possible to enable a reasonable person to determine the contents of the edible or beverage.

None of the proposed products have potency levels exceeding the following:

1. for a single serving of an edible marijuana product, five milligrams of active tetrahydrocannabinol (THC); and
2. in a single package of multiple edible marijuana product to be eaten, swallowed, or otherwise ingested, not more than 20 servings or 100 milligrams of active THC.

## Marijuana Infused Products

Our focus is on non-combustible products, which we define as products that are not used for vaping or smoke inhalation. Products we will offer include, but are not limited to:

1. Edibles
2. Beverages
3. Tinctures
4. Topicals, such as lotions, creams, balms, et al.

## Edibles

We're planning to include edibles in our product lineup. Currently we have experimented with a few different options, such as gummies and chocolates, two category leaders. However, we haven't fully committed ourselves to a specific product. We do not plan on manufacturing edibles on commencement of operations.

## Beverages

Our beverage line of products will consist of three flavors. Lemon-lime, Blueberry Lavender, and Berry. The products will be 5 mg THC in 8 ounce aluminium cans.

## Minor cannabinoids

As the market matures we hope to source and include minor cannabinoids into our products.

## Food Safety

We will maintain our Food Safety certificate(s) to ensure that all best practices are used in preparation of our non-combustible product line. Hazard Analysis Critical Control Point (HAACP) will be used as a systematic approach to preventative contamination from biological, physical and chemical contamination.





(2) $\begin{gathered}\text { EXISTING WEST ELEVATION } \\ 1 / 4^{\prime \prime}=1^{1}-0^{\prime \prime}\end{gathered}$ $1 / 4^{\prime \prime}=1^{-}-0^{\prime \prime}$

(A) EXISTING NORTH ELEVATION $1 / 4^{\prime \prime}=1^{1}-0^{\prime \prime}$










ZONING REQUIREMENTS ZONE EAST INDUSTRIAL AREA 20,000 S.F FRONTAGE 100
SETBACK $30^{\prime}$ SIDEYARD $20^{\circ}$ REARYARD 30' IMPERV. COVERAGE 80\%
IMPERV. COVERAGE G.P.D. 15\%

EXISTING CONDITIONS ZONE EAST INDUSTRIAL AREA 59,921 S.F. FRONTAGE 284.50 SETBACK 30.8' SIDEYARD $41.6^{\prime}$ REARYARD $56.4^{\prime}$ IMPERV. COVERAGE 60.32\% IMPERV. COVERAGE 60.32\% LOT LIES WITHIN THE G.P.D.

NON CONFORMING (IMPERV. COVERAGE) ROOF RECHARGE HAS BEEN PROVIDED

I CERTIFY THAT THE ADDITION SHOWN ON THIS PLAN CONFORMS TO THE ZONING SETBACKS OF THE TOWN OF MEDWAY MA AND DOES NOT LIE WITHIN THE FLOOD PLAIN.


AS-BUILT
PLAN OF LAND
IN
MEDWAY, MA.
SCALE: $1^{\prime \prime}=40^{\prime}$ SEPT. 25, 2020 REVISDED: NOVEMBER 3, 2020
OWNER: William \& Bettye Reardon
38 Oakland Street Medway, Ma. 02053

COLONIAL ENGINEERING INC.
11 AWL STREET MEDMAY, MA.
508-533-1644


## Good Feels Inc

## Host Community Agreement <br> Marijuana Product Manufacturing Facility <br> Medway, Massachusetts

This Host Community Agreement is entered into this $\square$ and between Good Feels Inc, with a principal office address of 1 Shady Lane, Medway (the "OPERATOR") and the Town of Medway, a Massachusetts municipal corporation with a principal address of 155 Village Street, Medway, Massachusetts 02053 ("TOWN").

WHEREAS, OPERATOR intends to locate the following: a Marijuana Product Manufacturer, as those terms are defined in G.L. c.94G, $\S 1$ and 935 CMR 500.00 (the Marijuana Product Manufacturer is referred to herein as the "MARIJUANA ESTABLISHMENT"), at 23 Jayar Rd., Medway (the "PROPERTY"); and

WHEREAS, the obligations of OPERATOR and the TOWN recited herein are specifically contingent upon OPERATOR obtaining: (a) Final License from the CCC to operate a MARIJUANA ESTABLISHMENT in the Town; and (b) zoning and building department approvals for construction and operation of a MARIJUANA ESTABLISHMENT from the TOWN; and

WHEREAS, OPERATOR has obtained a letter of non-opposition from the TOWN for the siting and operation of a MARIJUANA ESTABLISHMENT in the TOWN; and

WHEREAS, the TOWN does not oppose the siting and manufacturing of marijuana and marijuana infused products to be distributed to retail sales facilities outside and beyond the Town of Medway, and TOWN and OPERATOR both agree and stipulate that this Agreement shall also apply to the operation of a MARIJUANA ESTABLISHMENT (but not a marijuana retailer as defined in G.L. c.94G, §1); and

WHEREAS, OPERATOR intends to provide certain benefits to the TOWN in the event that OPERATOR obtains a Final License for the operation of a MARIJUANA ESTABLISHMENT from the CCC in the TOWN and has received all state and local approvals, and begins providing marijuana products to other licensed marijuana establishments; and

WHEREAS, OPERATOR and the TOWN agree that benefits provided by the OPERATOR to the Town herein represent a full commitment to the Community and further agree that this Agreement is executed pursuant to M.G.L. c. $94 \mathrm{G}, \S 3$ (d).

NOW, THEREFORE, in consideration of the above, OPERATOR offers the TOWN and the TOWN accepts this Host Community Agreement in accordance with G.L. c.94G, §3(d):

1. In the event that OPERATOR obtains a Final Certificate of Registration from CCC for the operation of a Final License for the operation of a MARIJUANA ESTABLISHMENT and receives any and all necessary and required permits and licenses issuable by the TOWN, which said permits and/or licenses allow OPERATOR to locate, occupy and operate a MARIJUANA ESTABLISHMENT in the TOWN or in any other manner commences manufacturing operations on the PROPERTY, then OPERATOR desires to and agrees to provide the TOWN with the following:
a. The OPERATOR shall pay to the Town of Medway an annual amount of three percent ( $3 \%$ ) of product sales revenue manufactured at the MARIJUANA ESTABLISHMENT to and by any retail dispensing location, paid annually on each I year anniversary of the commencement of commercial operations. Said payments are anticipated by the TOWN to be allocated for the purpose of reimbursing the Town for the costs and expenses generally implicated as a result of the location in the Town of a MARIJUANA ESTABLISHMENT. Notwithstanding anything herein to the contrary, pursuant to G.L. c. 94 G , Section 3, in no event shall payments to the TOWN amount to more than three percent ( $3 \%$ ) of the OPERATOR's gross sales of the MARIJUANA ESTABLISHMENT.
2. To satisfy the conditions of this paragraph relative to the three percent $(3 \%)$ calculations, annually on or before April $15^{\text {th }}$, the OPERATOR shall provide the Town with certified financial statements detailing receipts for the prior calendar year. Notwithstanding the provisions of Paragraph 1, at all times during the term of this Agreement, real property, owned or operated by OPERATOR shall be treated as taxable, and all applicable real estate and personal property and excise taxes for that property shall be paid either directly by OPERATOR or by its landlord. OPERATOR shall not challenge the taxability of such property and shall not submit an application for any statutory exemption from such taxes, except to ensure that the property is assessed at the fair cash value of such property as described in G.L. c. 59 § 38 .
3. Notwithstanding Paragraph 2 above: (a) if real and/or personal property owned or operated by OPERATOR is determined to be exempt for taxation or partially exempt, or (b) if the value of such property is abated with the effect of reducing or eliminating the tax which would otherwise be paid if assessed at the fair cash value of such property as described in G.L. c. 59 §38, then OPERATOR shall pay to the TOWN an amount which when added to the taxes, if any, paid on such property, shall be equal to the taxes which would have been payable on such property at fair cash value and at the otherwise applicable tax rate, if there had been no abatement or exemption. The payment described in this Paragraph 3 shall be in addition to the payments made by OPERATOR under Paragraphs 1 and 2 of this Agreement.
4. In the event that OPERATOR becomes eligible for status as a charitable organization and a related decrease or elimination of real property taxes, and tax revenue from OPERATOR's MARIJUANA ESTABLISHMENT located in the TOWN is reduced or eliminated, OPERATOR will continue to make a payment to the Town equivalent to the value of the assessed, fair cash value tax payment that would otherwise be due if the PROPERTY were taxable.
5. OPERATOR shall endeavor to hire local, qualified employees to the extent permissible by law and with the demands of OPERATOR's business, but this does not prevent Operator from hiring the most qualified candidates. OPERATOR shall also endeavor in a good faith, legal and non-discriminatory manner to use local vendors and suppliers where possible.
6. OPERATOR shall coordinate with the Medway Police Department in the development and implementation of required security measures pursuant to 935 CMR 500.110 and 935 CMR 501.110 , or any other applicable law or regulation, including in determining the placement of
exterior security cameras. OPERATOR shall maintain a cooperative relationship with the Medway Police Department, including but not limited to periodic meetings to review operational concerns and communication to Medway Police Department of any suspicious activities on the site.
7. The purpose of this Agreement is to assist the TOWN in addressing any public health, safety and other effects or impacts the Marijuana Establishment may have on the TOWN. The OPERATOR, at its sole cost and expense, shall be responsible for addressing any sound and/or odor complaints that may arise from time to time during operations of the facilities on the PROPERTY.
8. The obligations of OPERATOR and the TOWN recited herein are contingent upon the issuance of a Marijuana Establishment Final License, however characterized, as one or both may be required by the CCC, to operate such facility in the TOWN, and OPERATOR conducting operations in TOWN.
9. This Agreement shall terminate at the time that any of the following occurs: (a) the TOWN notifies OPERATOR of the TOWN's termination of this Agreement for cause (as defined below); or (b) OPERATOR ceases to operate a MARIJUANA ESTABLISHMENT in the TOWN. The term "cause" for purposes of this agreement shall include, but not be limited to: failure to make the payments required by paragraphs 1 and 7, failure to work cooperatively with the TOWN to address public safety issues or resident complaints, failure to meet any requirements of the special permit, or OPERATOR violation of any laws of the Commonwealth with respect to the operation of a MARIJUANA ESTABLISHMENT, with any such violation remaining uncured for sixty (60) days after receipt of written notice of such violation; provided however that such cure period shall be automatically extended if OPERATOR is using reasonable efforts in good faith to cure said default.
10. This Agreement is binding upon the parties hereto, their successors, assigns and legal representatives. OPERATOR shall not assign, sublet or otherwise transfer this Agreement, in whole or in part, without the prior written consent of the Town, which consent shall not be unreasonably withheld; provided however such consent shall not be required in the event such transfer or assignment is between the OPERATOR and another entity which is authorized by the CCC or other authorizing entity to operate the MARIJUANA ESTABLISHMENT for the cultivation and production of marijuana, or if such assignment or transfer is the result of a merger or consolidation with the OPERATOR.
11. OPERATOR shall comply with all laws, rules, regulations and orders applicable to the work on the MARIJUANA ESTABLISHMENT pursuant to this Agreement, such provisions being incorporated herein by reference, and shall be responsible for obtaining all necessary state and local licenses, permits, and approvals required for the performance of such work.
12. The OPERATOR shall indemnify, defend, and hold the TOWN harmless from and against any and all claims, demands, liabilities, actions, causes of action, defenses, proceedings and/or costs and expenses, including reasonable attomey's fees, brought against the TOWN, its agents,
departments, officials, employees, insurers and/or successors, by any third party arising from or relating to the development of the PROPERTY and/or MARIJUANA ESTABLISHMENT.
13. Any and all notices, or other communications required or permitted under this Agreement shall be in writing and delivered postage prepaid mail, return receipt requested; by hand; by registered or certified mail; or by other reputable delivery services, to the Parties at the addresses set forth on the first page of this Agreement or furnished from time to time in writing hereafter by one party to the other party. Any such notices or correspondence shall be deemed given when so delivered by hand, if so mailed, when deposited with the USPS or, if sent by private overnight or other delivery service, when deposited with such delivery service.
14. If any term or condition of this Agreement or any application thereof shall to any extent be held invalid, illegal or unenforceable, then the validity, legality, and enforceability of the remaining terms and conditions of this Agreement shall not be deemed affected thereby unless one or both of the Parties would be substantially or materially prejudiced.
15. This Agreement, including all documents incorporated therein by reference, constitutes the entire integrated agreement between the parties with respect to the matters described. This Agreement supersedes all prior agreements, negotiation and representations, either written or oral and it shall not be modified or amended except'by a written document executed by the Parties hereto.
16. This Agreement shall take effect on the date set forth above, and shall be applicable for as long as the OPERATOR operates the MARIJUANA ESTABLISHMENT in the TOWN, with the exception of any payments made by the OPERATOR hereunder. This payment provisions contained herein shall be applicable for a period of five (5) years and shall automatically be reopened for good faith negotiations on January 1, 2025 to discuss successor payment terms. The Parties agree that if they are unable to reach an agreement on successor payment terms, the terms of this Agreement shall be extended for a period of two (2) additional years and that the parties shall during that two year period negotiate successor payment terms for a term of five (5) years.
17. This Agreement shall be governed by, construed and enforced in accordance with the laws of the Commonwealth of Massachusetts and the parties submit to the jurisdiction of any of its appropriate courts for the adjudication of disputes arising out of this Agreement.
18. In the event that the OPERATOR shall increase the RMD or MARIJUANA ESTABLISHMENT, including building footprint, at any time following the date of this Agreement, then the OPERATOR agrees to provide to the TOWN an annual sum of money equal to one-dollar (\$1) per square foot of increased space, with said amount to be available for use by the TOWN for municipal purposes related to impacts created by the RMD or MARIJUANA ESTABLISHMENT, with said amount due on February 1 in the year following issuance of a building permit for said space increase. This amount shall be in addition to any other amounts stipulated herein, including other payments or taxes owed, and shall be paid annually on February 1st following the initial payment.
[SIGNATURES TO FOLLOW]

Agreed to by Good Feels Inc and the Town of Medway, Massachusetts as of the day of September, 2020.

FOR THE TOWN OF MEDWAY, BOARD O EECTMEN:


Glenn Trindade, Chair

FOR OPERATOR,


Jason Reposa, CEO, Good Feels

DECLARATION OF OWNERSHIP AFFIDAVIT

I, Jason Reposa, residing at 1 Shady Ln, Medway, MA 02053, being first duly subscribed and sworn under oath, state that I am the sole owner of the corporate entity commonly known as Good Feels Inc, Medway, Massachusetts, which said entity is located in Norfolk County, Massachusetts, more particularly described as:

A Massachusetts registered C Corporation in the business of Manufacturing.

EIN: 85-2648667
Massachusetts Business ID: 001454997
Organized on: August 21, 2020


Subscribed and sworn to before, a Notary Public, this $\qquad$ 09 day of $\qquad$ 2020.


BOSTON I PHILADELPHIA

Adrienne Dean, Esq.
Partner
234 Littleton Rd. \#1B
Westford, MA 01886
adrienne@yoodeanlaw.com

November 6, 2020

## VIA EMAIL ONLY

Town of Medway Planning \& Economic Development Board planningboard@townofmedway.org

## Re: Good Feels Inc's Eligibility for a Special Permit at 23 Jayar Road

## I. Introduction

The question before the Town of Medway Planning \& Economic Development Board is whether Section 8.10 E(4) of the Town of Medway Zoning Bylaw as amended on November 18, 2019 and published on January 6, 2020 (the "Zoning Bylaw"), precludes Good Feels Inc, an applicant for a product manufacturer license from the Cannabis Control Commission, from obtaining a Special Permit for its existing location at 23 Jayar Road while The Medway Dance Authority continues to operate in its existing location, an entirely separate unit within the same building. The relevant portion of the Bylaw reads as follows: "No $\mathrm{RME}^{1}$ shall be located on a lot within 500 linear feet of any lot of an existing public or private school serving students in grades K-12." It should be noted at the outset that Good Feels Inc does not meet the plain-language definition of RME; specifically, the Zoning Bylaw's definition of an "RME" references the defined terms contained in the enabling statute, M.G.L. c 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed. As set forth in the definitions section of the enabling statute, a "marijuana product manufacturer" is defined as "an entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments but not to consumers" (emphasis added).

[^0]M.G.L. c. $94 \mathrm{G}, \S 1$. Good Feels Inc is not yet licensed to conduct business as a product manufacturer. However, for the sake of respecting what must have been the intention of the drafters, the readers of this letter may assume that Good Feels Inc falls under the Zoning Bylaw definition of "RME."

As discussed below, Good Feels Inc is not precluded from obtaining a Special Permit for its existing location at 23 Jayar Road as a result of the restriction contained in Section 8.10 E(4) of the Zoning Bylaws for the following reasons: The Medway Dance Authority is neither an existing public nor private school serving students in grades K-12, and the Zoning Bylaw does not restrict the location of RMEs in relation to facilities such as The Medway Dance Authority.

## A. The Medway Dance Authority is Not a Public School Serving Students in Grades K-12

The Medway Dance Authority is not a public school serving students in grades K-12. According to the Town of Medway's webpage on schools (current as of this letter's date), the only public schools in Medway are as follows: Medway High School, Medway Middle School, Burke-Memorial Elementary School, McGovern Elementary, Tri-County Vocational Tech High School and Norfolk County Agricultural High School. As such, The Medway Dance Authority is not a public school serving students in grades K-12.
B. The Medway Dance Authority is Not a Private School Serving Students in Grades K-12 because It Does Not Meet State Regulatory Requirements Applicable to a Private School

The Medway Dance Authority is not a private school serving student in grades K-12 because it does not meet basic statutory requirements applicable to private schools regulated by the Commonwealth. In order for an organization to be regulated by the Commonwealth as a private school, the relevant local school committee must approve it, so that the children attending it will not be in violation of the Commonwealth's compulsory school attendance law, M.G.L. c. 76, School Attendance. To that end, the local school committee must determine that the organization qualifies as a private school within the meaning of M.G.L. c.76. Specifically, the local school committee must find that the private school's "instruction in all the studies required by law equals in thoroughness and efficiency, and in progress made therein, in public school in the same town..." M.G.L. c.76, §1. Sample criteria
for approval of a private school by a school committee, contained in the Department of Elementary and Secondary Education's Advisory on Approval of Massachusetts Private Schools Pursuant to Mass. Gen. Laws c. 76, $\S 1$ issued on October 2, 2007 (the "Department of Education Advisory") and attached hereto as Exhibit A, is intended to provide guidance to local school committees in approving private schools in their community. The Department of Education Advisory sets forth the instructional areas that a private school should include in its curriculum to generally be considered "equivalent" to a public school:
i) mathematics,
ii) science and technology
iii) history and social science
iv) English
v) Foreign languages
vi) The arts
vii) Physical education.

The Medway Dance Authority does not profess to offer instruction in any of the above areas other than phyical education and arguably the arts. Given that fact, it is difficult to see how The Medway Dance Authority could qualify as a "private school" within the meaning of the Commonwealth's law regulating compulsory school attendance.
C. The Zoning Bylaw Does Not Regulate the Placement of RMEs in Relation to Entities such as The Medway Dance Authority

According to its website, medwaydanceauthority.com, The Medway Dance Authority is private dance studio that provides instruction on dance to preschool and school-age children. As such, the category of facility defined in the Zoning Bylaw that it fits most easily into is "Educational/Instructional Facility, Commercial." As defined in the Zoning Bylaw, an "Educationa1/Instructional Facility, Commercial" is:

Any building or part thereof which is designed, constructed or used for education or instruction in any branch of knowledge or skill, on land that is not owned by or leased by the Commonwealth or any of its agencies, subdivisions, or body politic, or by a religious sect or denomination, or by a nonprofit educational organization, including but not limited to schools for vocational and technical training, art, dance, gymnastics, yoga, martial arts and other sports activities.

The drafters of the Zoning Bylaw amendment who added Section 8.10, "Recreational Marijuana," had this existing definition available to them; they could have chosen to draft Section 8.10 $\mathrm{E}(4)$ to read, "No RME shall be located on a lot within 500 linear feet of any lot of an existing public or private school serving students in grades K-12 or an existing Educational/Instructional Facility, Commercial." The fact that the drafters did not include such language, especially given its ready availability, shows a clear intention not to restrict the placement of such facilities in relation to RMEs.

Additional evidence that the Zoning Bylaw is not intended to restrict the location of facilities such as The Medway Dance Authority in relation to RMEs can be found in the Location Criteria governing retail Registered Medical Marijuana Facilities in Section 8.9(5)(a) of the Zoning Bylaw. As described therein, retail Registered Medical Marijuana Facilities are restricted from being located within 500 feet of any school or residence as well as any "private educational entity that provides instruction to children and youth in an ongoing, organized basis..." The Medway Dance Authority broadly fits this description. Again, this language already existed in the Zoning Bylaw at the time it was amended to add Section 8.10 governing RMEs. The fact that the drafters of Section 8.10 had this language available to them and chose not to use it strongly evidences an intention not to regulate the placement of this entity type in relation to RMEs. Furthermore, the existence of this phrase demonstrates that the drafters of the Zoning Bylaw amendments are fully capable of clearly articulating the object of their regulation. The drafters' decision not to expound the types of entities that may not be located within 500 feet of an RME beyond "existing public or private school[s] serving students in grades K-12" shows an unmistakable intent not to provide further regulatory restriction.

## II. Conclusion

For the reasons set forth above, the Zoning Bylaw does not preclude Good Feels Inc from obtaining a Special Permit for its business at its existing location at 23 Jayar Road while The Medway Dance Authority continues to operate in its existing location, in an entirely separate unit within the building located at 23 Jayar Road.


Adrienne Dean, Esq.

## Education Laws and Regulations (/lawsregs/)

## State Regulations (/lawsregs/stateregs.html)

State Laws (/lawsregs/statelaws.html)
Federal Laws (/lawsregs/fedlaws.html)

Legal Advisories (/lawsregs/advisories.html)
Arbitration Awards (/lawsregs/arbitration.html)
Litigation Reports (/lawsregs/litigation/)

## Advisory on Approval of Massachusetts Private Schools <br> Pursuant to Mass. Gen. Laws c. 76, § 1

To: School Committee Chairpersons, Superintendents of Schools, and Other Interested Parties
From: Jeffrey M. Nellhaus
Acting Commissioner of Education
Date: October 2, 2007

School committees and superintendents of schools periodically ask about their responsibilities in approving private schools in their community. This memorandum, which updates and replaces an advisory that the Department of Elementary and Secondary Education published in 1982, provides guidance to local school officials on this issue.

In order to educate students of compulsory school age (6-16) in Massachusetts, a private school, including a school with a religious affiliation, must obtain the approval of the school committee of the city or town in which the school is located. The Massachusetts compulsory school attendance law, General Laws c. 76, § 1, sets the standard by which school committees must evaluate private schools. The pertinent section provides as follows:

For the purposes of this section, school committees shall approve a private school when satisfied that the instruction in all the studies required by law equals in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town; but shall not withhold such approval on account of religious teaching . .
A private school located in a town is required to seek approval from the school committee of that town, whether or not children from the town attend the school. A school committee's approval under G.L. c. 76, § 1, means that Massachusetts children attending the private school may do so without violation of the compulsory attendance law. School committee approval is neither an evaluation of program quality nor an endorsement of any particular school. The decision to enroll a child in, or to withdraw a child from, a particular private school is one that parents must make.

## Standards for Approval of Private Schools

In order to assist private schools in its district, the school committee should have a written statement of policy and procedures by which it considers and acts upon private school applications for approval. Following are some suggested elements for such a policy. A policy should address:

- the standard for private school approval under G.L. c. $76, \S 1$ ("equals in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town.");
- the procedures for school committee approval (application process, timetable, requested documentation, site visits, procedures for periodic review of approval status, etc.);
- other agency approvals that may be required (health, safety, building and fire inspections, etc.);
- the records and materials the school is required to maintain; and
- the criteria for measuring the "thoroughness and efficiency" of private school instruction in such areas as the program of studies and curriculum, student performance assessment procedures, the length of school day and school year, staff distribution and qualifications, textbooks and materials, maintenance of student records, and compliance with applicable federal and state laws.

These guidelines are suggested rather than mandatory; they are intended to assist school committees in developing a private school review process that is open and reasonable. Because G.L. c. $76, \S 1$, does not specify the manner in which a school committee conducts its review process, school committees are afforded wide discretion in developing their own policies. The only requirement is that a school committee apply its policies and procedures consistently to all private schools located within its jurisdiction.

A sample of factors that a school committee may wish to consider in evaluating the "thoroughness and efficiency" of the instruction offered by a private school is attached. The sample criteria are not mandatory, and the school committee may adopt or amend them in any reasonable way.

## Approval of Private Special Education Schools

In addition to the school committee's approval responsibility, the Department of Elementary and Secondary Education has responsibility under G.L. c. 71B, § 10, to approve private schools that serve Massachusetts students with disabilities at public expense. That responsibility is further defined in the Massachusetts Special Education Regulations (603 CMR 28.00) and the Regulations on Program and Safety Standards for Approved Public or Private Day and Residential Special Education School Programs (603 C.M.R. 18.00) adopted by the Board of Education. The Department of Elementary and Secondary Education conducts an extensive review of private schools that apply for such approval, including their curriculum, physical facilities, personnel, and administration. Approval by the Department of Elementary and Secondary Education authorizes the private special education school to enroll students with disabilities at public expense.

Neither the school committee nor the Department of Elementary and Secondary Education may delegate to the other its own statutory function for approving private schools. By regulation, the Department may not approve a private school to serve publicly funded students with disabilities under G.L. c. $71 \mathrm{~B}, \S 10$, unless the private school has received approval by the local school committee pursuant to G.L. c. $76, \S 1$. Notwithstanding the distinction between the two approval functions, the Department recognizes that the programs offered by some private special education schools are so specialized that it is difficult for the local school committee to assess the equivalency of the programs to those offered in the public schools. Therefore, with respect to private special education schools, the school committee has a choice. The school committee may choose to perform its own evaluation of the school in accordance with G.L. c. 76, § 1, and reasonable standards set by the school committee; or the school committee may designate a public school representative, preferably a special educator, to participate in the Department of Elementary and Secondary Education's site visit review of the private school program and grant or deny local approval to the school based on the information obtained from the joint site visit. This allows the school committee to retain its independent statutory approval function while utilizing the special education expertise of the Department of Elementary and Secondary Education in evaluating the private school program. A school committee wishing to participate in the Department's site visit review of a private school should contact the Department's Office of Approved Special Education Schools (OASES) at: (781) 338-3700, or consult the OASES website (/oases/).

## Frequently Asked Questions and Answers

1. Does the Department of Elementary and Secondary Education or any other state agency have responsibility for approving private schools for purposes of the compulsory school attendance law?

No. The responsibility to consider and act upon private school applications for approval rests solely with local school committees under G.L. c. 76, § 1. The New England Association of Schools and Colleges has a program for accrediting private schools. Obtaining such accreditation, however, is voluntary and does not substitute for the approval of the local school committee required by state law.
2. If a school committee does not approve a private school, may the private school still operate as a school for Massachusetts students of compulsory school age?

No; at least not for regular attendance purposes. G.L. c. $76, \S 1$, the Massachusetts compulsory school attendance law, requires private schools to obtain the prior approval of the local school committee. Thus, attendance by a Massachusetts student between the ages of 6 and 16 at a private school operating without such approval would not fulfill the requirements of the Massachusetts compulsory school attendance law, and the student would be considered truant.
3. does a private education program providing only after-school services (e.g., academic tutoring or language immersion) require approval by the school committee under G. L. c. 76, § 1?

No. School committee approval is needed for compulsory attendance purposes and, therefore, is required only for regular day school programs. School committee approval under G.L. c. 76, § 1 is not required for privately operated programs that provide educational or tutoring services to students after school.
4. May a private school appeal a school committee's decision not to approve a private school to the Department of Elementary and Secondary Education?

No. The Department of Elementary and Secondary Education does not have jurisdiction over local private school approvals. Under G.L. c. 76 , § 1, private schools are approved by the school committee of the town in which the private school is located. A private school that disputes a school committee's or superintendent's decision may ask the school committee to review the matter. If the private school has a legal claim regarding the approval process or standards, it may have some judicial recourse.
5. Must private schools meet the 900/990 hours and 180 school days minimum standards of the Board of Education's regulations on Student Learning Time as a requirement for approval?

The Student Learning Time regulations, as such, do not apply to private schools. The stated purpose of the regulations is "to ensure that every public school in the Commonwealth provides its students with the structured learning time needed to enable the student to achieve competency in 'core subjects' and 'other subjects.' 603 C.M.R. 27.01(2). Therefore, while the school committee may consider the total student learning time and length of the school year at a private school in determining whether the school's program meets the statutory standard of "thoroughness and efficiency," these factors are not required for approval.

Note: Private special education schools that are approved by the Department to provide services to publicly funded students with disabilities are subject to state regulations on minimum school hours and school days. In addition, unapproved private special education schools in which publicly funded students are placed pursuant to 603 CMR 28.06 (3)(e) because an appropriate approved school cannot be identified must adhere to state regulations on minimum school hours and school days for those particular students.
6. Once a school is approved, is the approval subject to renewal or periodic review?

Although not required by statute, school committees are encouraged to adopt a private school approval policy that incorporates a periodic review of previously approved schools. School committees may also adopt a policy under which approval is valid until substantial changes are made in the private school's program, at which point the private school must seek re-approval.
7. To what extent may a school committee be liable for damages incurred by a private school student, by virtue of its approval of a private school?

The approval function that G.L. c. $76, \S 1$, imposes upon school committees is fairly limited. Thus, as long as a school committee acts reasonably and in good faith in carrying out its statutory approval function, its potential liability is minimal. It would be advisable to make clear in school committee policy and procedures, deliberations and votes on private school approval, as well as in correspondence with interested parties about a particular private school, just how limited the school committee's responsibility is under G.L. c. $76, \S 1$.
8. Are any of the state mandates applicable to public schools made applicable to private schools by the phrase, "when satisfied that the instruction in all the studies required by law equals in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town?"

Various state laws set forth the subjects that public schools teach. See, for example, G.L. c. 71, §§ 1, 2 and 3; G.L. c. 69, § 1D. Generally, the "thoroughness and efficiency" language in G.L. c. 76, § 1, should not be interpreted as extending particular public school mandates regarding instruction and curriculum to private schools.

## 9. May a private school seek approval if its students are not residents of the town in which the school is located?

A private school located in a town is required to seek approval from the school committee of that town, irrespective of whether children from the town attend the school.
10. Should a private school provide notification to the school committee prior to closing?

Yes. The private school should provide notice in a timely manner to the school committee from which it received approval pursuant to G.L. c. $76, \S 1$. In addition, once it has ceased operation, G.L. $71, \S 34 \mathrm{G}$ requires the owner or administrator of the school to transfer transcripts of all students and former students to the Department of Elementary and Secondary Education, except for students who are transferring to another public or private educational institution. In that case, the private school must transfer the student's records to the school that the student will be attending.
11. Should a school committee notify the Department of Elementary and Secondary Education when it approves or disapproves a private school?

Yes. Although the Department of Elementary and Secondary Education does not review, monitor, or investigate school committee decisions regarding private school approval, it does require school committees to report such information to the Department. The form, Notification of New Private School (/infoservices/data/diradmin/new-private.docx) requires the school committee to confirm that it has approved the private school, the date which the private school commenced operation, and other basic information, such as the school's street and e-mail addresses. The Department must collect and track this information for purposes of the various federal grant funds that it distributes to private schools.

In addition, the school committee should timely notify the Department of Elementary and Secondary Education if it has decided not to reapprove, or has revoked approval of, a private school, or if the school has closed. It is important for the Department to receive this information promptly, especially if the private school at issue has a special education program that the Department has approved for placement of publicly-funded students with disabilities.

The Department will refer inquiries regarding the approval status of a particular private school to the superintendent of the district in which that school is located.
12. May a school committee delegate its authority to approve or disapprove a private school to the superintendent or another school administrator?

No. Under G.L. c. 76, § 1, only the school committee has the authority to approve or disapprove a private school. However, the school committee may designate the superintendent or another school administrator to visit the private school, review relevant documentation and make a recommendation on approval to the school committee. The school committee may then vote to approve or disapprove the private school based on the superintendent's recommendation.

## Sample Criteria for Approval of a Private School by a School Committee

## 1) Population To Be Served

Admissions criteria; documentation of school's enrollment

## 2) Physical Plant/Safety

A. The school shows evidence of current:
i) Certificate of Occupancy
ii) Fire inspection
iii) Safety inspection
iv) Elevator inspection, if applicable
v) Compliance with lead paint poisoning prevention (for children under 6 years old)
vi) Compliance with other applicable federal and state health and safety standards (e.g., PCB, asbestos inspections, handicap accessibility)
vii) Copies of valid safety and health inspection certificates
B. The site, plant, and equipment adequately support the program and are operated to ensure the safety and health of the students.

## 3) Curriculum

The curriculum offered is "equivalent" to that offered in the local school system generally and, specifically, in terms of the following instructional areas:

```
i) mathematics
ii) science and technology
iii) history and social science
iv) English
v) foreign languages
vi) the arts
vii) physical education
```


## 4) Educational Materials

Textbooks and individual instructional materials, including computers and other technology, are adequate.

## 5) School Staff

The instruction provided is "thorough and efficient" based on:
i) teacher qualifications
ii) adequate student/teacher ratio
iii) regular evaluation of staff
iv) the school principal reviews criminal offender record information (CORI) of current and prospective employees and volunteers, as required by law

## 6) Administration

The school has a clearly defined organization that facilitates its objectives.

## 7) Records

A. The school maintains an adequate system of student records (e.g., attendance, health, discipline, progress reports).
B. The student records are kept in a secure and organized manner that is consistent with federal and state student record laws to the extent applicable.
C. The school maintains and timely provides transcripts in response to requests of students and former students in accordance with G.L. c. 71, § 34A.
D. The school is prepared efficiently to transfer transcripts of all students and former students to the Massachusetts Department of Elementary and Secondary Education and/or other schools should it cease operation, in accordance with G.L. c. 71, § 34G.

## 8) Student Services

The school provides adequate pupil personnel services for all students (e.g., health care procedures, guidance and counseling programs, discipline policy).

## 9) Financial Support

A. The school provides evidence of financial solvency and resources to sustain the educational program.
B. The school presents documentation of its legal status. These may include copies of the articles of incorporation and the certification of tax exempt status.

## 10) Student Learning Time

The school provides adequate student learning time (length of school year and school day) and hours of instruction in each subject.
11) Student Performance Assessment

The school periodically evaluates students' skills, competencies, and knowledge and documents their progress.

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About this Site
A-Z Site Index (/resources/A-Zindex.aspx)
Policies (/resources/policy.html)
Site Information (/resources/howto.html)
Photo Credits (/resources/credits.html)
Contact Webmaster (https://massgov.service-now.com/)
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## Most Requested

Licensure (/licensure/)
Curriculum Frameworks (/frameworks/)
MCAS (/mcas/)

MTEL (/mtel/)
Educator Services (/edeffectiveness/)
Educator Evaluation (/edeval/)
Job Opportunities (/jobs/)

## Comments/Questions

Media \& Public Records Requests (/news/)
Contact the Department (/contact/)
Contact the Board (/bese/contactinfo.html)
Contact a District or School (http://profiles.doe.mass.edu/search/search.aspx?leftNavld=11238)
Problem Resolution (/prs/)

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Massachusetts Department of Elementary and Secondary Education
75 Pleasant Street, Malden, MA 02148-4906
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# Good 7eels <br> CANNABIS 

## Security Plan

Good Feels Inc has selected American Alarm Company to provide our Security Plan, Installation and ongoing Monitoring. American Alarm Company has provided, and continues to provide, security solutions to the licensed Cannabis market.

Our plan includes:

- 24/7 video monitoring of external and internal critical points with remote live viewing
- Uninterrupted Power Supply (UPS) backup of the security system
- Strict identification requirements for building access
- Limited access areas
- Badges, keycards, commercial grade locks
- Continuously monitored alarm system
- Safes for finished products pending transport
- Comprehensive emergency response procedures and training
- Secure waste disposal


# Good 7eels 

CANNABIS

## GNL - Security Overview Good Feels Inc.

| Version: | 1 |
| :--- | :--- |
| Effective Date: | $09 / 24 / 2019$ |
| Last Revised: | $12 / 16 / 2019$ |

## Policy:

To prevent unauthorized access to Good Feels Inc's enclosed, locked facility and limited access areas, Good Feels Inc will have:

- Commercial-grade security equipment that includes:
- Alarm System;
- Surveillance System;
- Exterior lighting to facilitate surveillance;
- Electronic monitoring; and

Immediate automatic or electronic notification to alert local law enforcement agencies.

- A back-up alarm system, with all the capabilities of the primary system, provided by a different commercial-grade security company; or
- Alternate Commission-approved safeguards to ensure continuous operation of Good Feels Inc's primary security system.

All security equipment must:

- Be in good working order; and
- Inspected and tested every 30 calendar days.

Good Feels Inc must maintain a designated secure surveillance and security room. On-site surveillance rooms must remain locked and cannot be used for any other function. Access to surveillance areas shall be limited to:

- Persons essential to surveillance operations;
- Law enforcement authorities acting within their lawful jurisdiction;
- Police and fire departments;
- Security system service personnel; and
- The Commission.

A current list of authorized individuals that have access to the surveillance room must be available to the Commission on request.

Good Feels Inc must also maintain and follow detailed written security procedures that are unique to each facility that it owns and operates.

A security audit must be performed annually by a Commission-approved third-party vendor and submitted to the Commission within 30 calendar days. Good Feels Inc must pay for all costs and fees associated with the audit. If the audit identifies concerns related to Good Feels Inc's security system, Good Feels Inc must also submit a plan to mitigate those concerns within ten business days of submitting the audit.

Good Feels Inc must maintain a Security Plan for each facility, which must be shared with local law enforcement in the municipality that Good Feels Inc's facility operates. Such Security Plan shall include:

- Description of the location and operation of the security system, including the location of the central control on the premises;
- Schematic of security zones;
- Name of the security alarm company and monitoring company, if any;
- Location of motion detectors, if applicable;
- Additional safeguards as required by the Commission, if Good Feels Inc's facility poses special security concerns;
- A floor plan or layout of the facility in a manner and scope as required by the municipality; and
- A safety plan for the manufacture and production of marijuana products as required by Massachusetts marijuana law. Please see Good Feels Inc's MFG - Safety Plan SOP for more information, if applicable.

Good Feels Inc must submit a request for an alternative security provision to the Commission on a form as determined by the Commission. Upon receipt of the form, the Commission shall submit the request to the chief law enforcement officer in the municipality where the Good Feels Inc is located or will be located. The Commission shall request that the chief law enforcement officer review the request and alternative security provision requested and, within 30 days:

- Certify the requested alternate security provision; or
- Provide the Commission with a statement of reasons why the alternative security provision is not sufficient in the opinion of the chief law enforcement officer.

The Commission shall take the chief law enforcement officer's opinion under consideration in determining whether to grant the alternative security provision, provided that no determination is made. If no response is received from the chief law enforcement officer or a delegee within 30 days of submitting the request to the chief law enforcement officer, the Commission shall proceed with a determination.
All Good Feels Inc employees will be trained on security measures, emergency response and robbery prevention and response before hiring and on an annual basis.

## If Good Feels Inc is a CMO:

- Good Feels Inc will follow CMR 935.502.110 (2019) - "Security Requirements".
- Records must be kept separate and designated by adult or medical use;
- SOPs can be in one document, providing that it complies with both medical and adult-use regulations for SOPs. Otherwise, Good Feels Inc may maintain two sets of operating procedures; one applicable to medical use, and one applicable to adult use.

Policy Citations: CMR 935.500.101(1)(c)(8)(a) (2019); CMR 935.501.101(1)(c)(8)(a) (2019); CMR 935.500.110(1)(q) (2019); CMR 935.501.110(1)(q) (2019); CMR 935.500.105(1)(a) (2019); CMR 935.500.105(1)(b) (2019); CMR 935.501.105(1)(a) (2019); CMR 935.501.105(1)(b) (2019); CMR 935.500.105(2)(a) (2019); CMR 935.500.105(2)(a) (2019); CMR 935.500.110(10) (2019); CMR 935.501.110(10) (2019); CMR 935.500.110(5) (2019); CMR 935.501.110(5) (2019); CMR 935.500.110(2) (2019); CMR
935.501.110(2) (2019); CMR 935.500.110(1)(p) (2019); CMR 935.501.110(1)(p) (2019); CMR 935.500.110(1)(q) (2019); CMR 935.501.110(1)(q) (2019); CMR 935.500.110(1)(n) (2019); CMR 935.501.110(1)(n) (2019); CMR 935.502.105(1) (2019); CMR 935.502.105(9) (2019)

## Purpose:

This document outlines the general security requirements that are applicable to all license types. This SOP also serves as a checklist for ensuring that Good Feels Inc is following all Massachusetts general marijuana security regulations.

## Scope:

Security

## Employee Responsible:

Director of Security, Facility Managers

## Definitions:

Arming Station - a device that allows control of a security alarm system.
Commission - the Massachusetts Cannabis Control Commission.The Commission has authority to implement all Massachusetts Marijuana laws.
CMO - (Colocated Marijuana Operations) - an MTC operating under a medical license, and a Marijuana Establishment operating under at least one adult-use license on the same premises. Colocated Marijuana Operations pertain to cultivation, product manufacturing, and retail licenses, but not any other adult-use license.
Duress Alarm - a silent security alarm signal generated by the entry of a designated code into an Arming Station that signals an alarm user is under duress and turns off the system.
Enclosed Area - an indoor or outdoor area equipped with locks or other security devices, which is accessible only to Consumers, Marijuana Establishment Agents, Registered Qualifying Patients, or Caregivers.
Generally Accepted Accounting Principles - are a set of rules that encompass the details, complexities, and legalities of business and corporate accounting. The Financial Accounting Standards Board (FASB) uses GAAP as the foundation for its comprehensive set of approved accounting methods and practices.

Municipality - a primarily urban political unit having corporate status and usually powers of self-government.
Panic Alarm - an audible security alarm signal generated by the manual activation of a device that signals a life threatening or emergency situation and calls for a law enforcement response.

## Resources:

Tools and equipment used by Good Feels Inc's Security Department such as surveillance system, alarm system, panic buttons, failure notification system, training materials, Good Feels Inc security SOPs

## GNL - Security Overview

## A. Good Feels Inc's Security Plan

CMR 935.500.110(1)(q) (2019) CMR 935.501.110(1)(q) (2019)

1. Confirm that Good Feels Inc's Security Plan includes any additional safeguards that are required by the Commission.

CMR 935.500.110(1)(n) (2019) CMR 935.501.110(1)(n) (2019)
2. Share Good Feels Inc's Security Plan with law enforcement authorities, including police and fire departments in the municipality where Good Feels Inc's facility is located.

CMR 935.500.110(1)(q) (2019) CMR 935.501.110(1)(q) (2019)
3. Update all authorities with a copy of Good Feels Inc's Security Plan, if the plans or procedures are modified in a material way.

CMR 935.500.110(1)(q) (2019) CMR 935.501.110(1)(q) (2019)
4. Share Good Feels Inc's floor plan or layout with law enforcement authorities, in a manner and scope as required by the municipality in which Good Feels Inc's facility operates.

- Identify all flammable or combustible chemicals or materials used at Good Feels Inc's facility, and when they are used.

CMR 935.500.110(1)(p) (2019) CMR 935.501.110(1)(p) (2019)

## B. Alarm System Overview - Inspect and test the following items every $\mathbf{3 0}$ calendar days:

CMR 935.500.110(5)(f) (2019) CMR 935.501.110(5)(f) (2019)

1. A perimeter alarm on all building entry and exit points and perimeter windows, if any.

CMR 935.500.110(5)(a)(1) (2019) CMR 935.501.110(5)(a)(1) (2019)
2. A failure notification system that provides an audible, text, or visual notification within 5 minutes of any failure in the surveillance system.

CMR 935.500.110(5)(a)(2) (2019) CMR 935.501.110(5)(a)(2) (2019)
3. The following are functional and are connected to local public safety or law enforcement authorities:

- Duress alarm;
- Panic alarm; and
- Holdup alarm.

CMR 935.500.110(5)(a)(3) (2019) CMR 935.501.110(5)(a)(3) (2019)

## C. Checking Camera Coverage and Placement - Inspect and test the following every $\mathbf{3 0}$ calendar days:

CMR 935.500.110(5)(f) (2019) CMR 935.501.110(5)(f) (2019)

1. Cameras are angled to allow for the capture of the clear and certain identification of any person entering or exiting Good Feels Inc's facility, or any area within Good Feels Inc's facility.

CMR 935.501.110(5)(a)(4) (2019) CMR 935.500.110(5)(a)(4) (2019)
2. Exterior lighting is sufficient to facilitate surveillance.

CMR 935.500.110(1)(k) (2019) CMR 935.501.110(1)(k) (2019)
3. Video cameras in the following locations:

- All points of entry and exit into Good Feels Inc's facility;
- All areas that may contain marijuana;
- Vaults or safes for the purpose of securing cash;
- Any and all areas where cash is kept and processed;
- All areas where marijuana may be:
- Cultivated;
- Harvested;
- Processed;
- Prepared;
- Stored; and
- Handled.

CMR 935.501.110(5)(a)(4) (2019) CMR 935.500.110(5)(a)(4) (2019)
4. Recordings from video cameras are enabled to record 24 hours a day and be made available for viewing by the Commission on request for at least 90 calendar days. Note: Recordings shall not be destroyed or altered, and shall be retained as long as necessary if Good Feels Inc is aware of a pending criminal, civil or administrative investigation or legal proceeding for which the recording may contain relevant information.

CMR 935.500.110(5)(a)(5) (2019) CMR 935.501.110(5)(a)(5) (2019)
5. Motion Detectors and motion alert system, if applicable. Note: The use of motion detectors must be approved by the Commission or a Commission delegee.

CMR 935.500.110(5)(a)(5) (2019) CMR 935.501.110(5)(a)(5) (2019)
6. Cameras have the ability to immediately produce a clear, color still image whether live or recorded.

CMR 935.500.110(5)(a)(6) (2019) CMR 935.501.110(5)(a)(6) (2019)
7. A date and time stamp embedded in all recordings, which shall be synchronized and set correctly at all times and shall not significantly obscure the picture.

CMR 935.500.110(5)(a)(7) (2019) CMR 935.501.110(5)(a)(7) (2019)
8. The ability to remain operational during a power outage for a minimum of four hours. Note: if it appears likely that the outage will last for more than four hours, Good Feels Inc must take sufficient steps to ensure security on the premises in consultation with the Commission.

CMR 935.500.110(5)(a)(8) (2019) CMR 935.501.110(5)(a)(8) (2019)
9. Video recordings that allows for the exporting of still images in an industry standard image format, including .jpg, .bmp and .gif.

CMR 935.500.110(5)(a)(9) (2019) CMR 935.501.110(5)(a)(9) (2019)
10. Exported video shall have the ability to:

- Be archived in a proprietary format that ensures authentication of the video and guarantees that no alteration of the recorded image has taken place; and
- Be saved in an industry standard file format that may be played on a standard computer operating system.

CMR 935.500.110(5)(a)(9) (2019) CMR 935.501.110(5)(a)(9) (2019)

## D. Limited Access Areas and Facility Access Control - Confirm the following:

1. All finished marijuana products are stored in a secure, locked safe or vault in a manner to prevent diversion, theft, or loss.

CMR 935.500.110(1)(f) (2019) CMR 935.501.110(1)(f) (2019)
2. All locks are in good working order, and all entrances to Good Feels Inc's facility and limited access areas are secured to prevent unauthorized access.

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CMR 935.500.110(1)(d) CMR 935.501.110(1)(d) CMR 935.500.110(1)(h) CMR 935.501.110(1)(h) (2019)
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CMR 935.501.110(1)(d) (2019)

CMR 935.500.110(1)(h) (2019)

CMR 935.501.110(1)(h) (2019)
3. No keys are left in any locks at any time.

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CMR 935.500.110(1)(i) (2019) CMR 935.501.110(1)(i) (2019)
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4. All vaults, safes, and equipment are securely locked and protected from entry, except for the actual time required to remove or replace marijuana.

CMR 935.500.110(1)(g)(2019) CMR 935.501.110(1)(g) (2019)
5. Only authorized employees are entering limited access areas, and are not giving away any access credentials, such as keys, combinations, or access codes.

CMR 935.500.110(1)(e) (2019) CMR 935.501.110(1)(e) (2019)

## E. Training and Monitoring Good Feels Inc Personnel

CMR 935.500.105(2) (2019) CMR 935.501.105(2) (2019)

1. Provide security training to Good Feels Inc personnel before they begin conducting their duties for Good Feels Inc.
2. Provide at least eight hours of annual refresher training.
3. Conduct performance evaluations that also observe the employee's security practices, using Good Feels Inc's Internal Quality Assurance Audit SOP.
4. Confirm that all Good Feels Inc employees are visibly displaying their employee identification badges at all times
while on Good Feels Inc's premises or transporting marijuana or cash on behalf of Good Feels Inc.
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CMR 935.500.110(4)(d) (2019) CMR 935.501.110(4)(d) (2019)
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5. Document the initial and annual refresher training and all performance evaluations in Good Feels Inc's employee records.

| CMR | CMR | CMR | CMR |
| :--- | :--- | :--- | :--- |
| $995.500 .105(9)(d)(2)(e)$ | $935.501 .105(9)(d)(2)(e)$ | $935.500 .105(9)(d)(2)(\mathrm{d})$ | $935.501 .105(9)(\mathrm{d})(2)(\mathrm{d})$ |
| $(2019)$ | $(2019)$ | $(2019)$ | $(2019)$ |

## F. Requesting Alternative Security Provisions

CMR 935.500.110(2)(a) (2019) CMR 935.501.110(2)(a) (2019)

1. Submit a request for an alternative security provision, in a form and manner determined by the Commission. Note: On receipt of the form, the Commission shall submit the request to the chief law enforcement officer in the municipality where Good Feels Inc's facility $t$ is located or will be located. The Commission shall request that the chief law enforcement officer review the request and alternative security provision requested within 30 days.
2. Execute Good Feels Inc's alternative security provision upon receipt of approval from the local chief law enforcement officer, or determination from the Commission. Note: If no response is received from the chief law enforcement officer or a delegee within 30 days of submitting the request to the chief law enforcement officer, the Commission shall proceed with a determination.

| CMR 935.500.110(2)(b)(1) | CMR 935.501.110(2)(b)(1) | CMR 935.500.110(2)(c) | CMR 935.501.110(2)(c) |
| :--- | :--- | :--- | :--- |
| (2019) | $(2019)$ | $(2019)$ | $(2019)$ |

3. Amend Good Feels Inc's alternative security provision if the chief law enforcement officer provides with a statement of reasons why the alternative security provision is not sufficient in the opinion of the chief law enforcement officer.

CMR 935.500.110(2)(b)(2) (2019) CMR 935.501.110(2)(b)(2) (2019)

## G. Annual Third Party Security Audits

CMR 935.500.110(10) (2019) CMR 935.501.110(10) (2019)

1. Obtain the information for a Commission-approved vendor, and arrange for a security audit of Good Feels Inc's facility.
2. On the day of the auditor's arrival, use Good Feels Inc's Visitor Access Control SOP to allow the vendor access into Good Feels Inc's enclosed, locked facility.

CMR 935.500.110(4)(e) (2019) CMR 935.501.110(4)(e) (2019)
3. Submit a report of the audit to the Commission within 30 calendar days of the audit being conducted.

Best Practice
4. If the audit identifies concerns in Good Feels Inc's security system, submit a plan detailing how those concerns will be mitigated within 10 business days of submitting the audit to the Commission.

## H. Recordkeeping

1. Keep and maintain records relating to security, including but not limited to:

- Good Feels Inc's Security Plan;
- Written security operating procedures;
- Contracts with commercial-grade security companies;
- Invoices;
- Security equipment inspections and tests.

CMR 935.500.105(9)(a) (2019) CMR 935.501.105(9)(a) (2019)
2. Maintain all security records with generally accepted accounting principles, and make them available to the Department upon request.

CMR 935.500.105(9)(e)(2) (2019) CMR 935.501.105(9)(e)(2) (2019)
3. Maintain all records for at least two years after the closure of Good Feels Inc, in a form and location acceptable by the Commission.

CMR 935.500.105(9)(g) (2019) CMR 935.501.105(9)(g) (2019)

# Good 7eels 

CANNABIS

# MFG - Checking Camera Coverage and Placement Good Feels Inc. 

| Version: | 1 |
| :--- | :--- |
| Effective Date: | $09 / 24 / 2019$ |
| Last Revised: | $12 / 22 / 2019$ |

## Policy:

As part of its Security Plan, Good Feels Inc will maintain a commercial-grade surveillance system to help prevent loss, theft, diversion, or any other criminal activity.
Camera coverage is required for all:

- Points of entry and exit into Good Feels Inc's premises;
- In any surrounding parking lot;
- All safes and vaults;
- All areas where cash in handled;
- All limited access areas and production areas; including areas where marijuana is:
- Stored as waste;
- Rendered unusable;
- Acquired;
- Handled;

Stored;
Manufactured;

- Packaged and labeled; and

Transferred.

The Director of Security will ensure that:

- The surveillance system and its capabilities and features will operate continuously 24 hours per day, seven days per week.
- Good Feels Inc may use video cameras that use motion detectors to begin recording, so long as the motion detector system provides an alert to designated Good Feels Inc employees in a manner established in Good Feels Inc's Security Plan and approved by the Commission or a Commission Delegee.
- If Good Feels Inc receives notice that the motion detection sensor is not working correctly, it must take prompt action to make corrections and document those actions.
- Cameras are not installed in bathrooms or any other area where a legitimate expectation of privacy exists;
- Footage captured by security cameras will be archived for a minimum of 90 calendar days, and kept in a format that can be easily accessed for immediate viewing by the Commission or Commission Delegee upon request;
- Footage is kept for longer if there is an ongoing investigation, or by the Commission upon request;
- Video recordings are archived in a proprietary format that ensures authentication of the video and guarantees that no alteration of the recorded image has taken place;
- Exported video has the ability to be saved in an industry standard file format that can be played on a standard computer operating system;
- The surveillance equipment is properly functioning and maintained so that the playback quality is acceptable;
- The surveillance system has:
- On-site and off-site monitoring capabilities; and
- A printer with the capability to produce a still, color photograph from any camera image, live or recorded; and
- The date and time is synchronized, set correctly, and embedded on all surveillance recordings without significantly obscuring the picture.

The surveillance system used to monitor Good Feels Inc's manufacturing facility will:

- Be equipped with a failure notification system that provides Good Feels Inc prompt audible, text or visual notification of any failure.
- The failure notification system must provide an alert to a designated Good Feels Inc employee within five minutes of the failure, either by telephone, email, or text message; and
- Have the ability to stay operational during a power outage.

Security recordings must be maintained in the surveillance room, which must always remain locked and not be used for any other function. Access to the surveillance room will be limited to:

- People that are essential to surveillance operations;
- Law enforcement authorities acting within their jurisdiction;
- Security system service employees;
- The Commission; or
- Commission Delegee.

Good Feels Inc must maintain a list of Good Feels Inc personnel and service employees authorized to use the surveillance system, and provide it to the Commission upon request.

Good Feels Inc's Security Plan must include:

- Surveillance System Equipment Maintenance Log;
- Operating instructions for the cameras;
- Floor plan that:
- Includes a schematic of all camera locations and direction of surveillance; and
- Is shared with law enforcement authorities.

The Security Plan must be updated with local law enforcement authorities if Good Feels Inc's plans or procedures are modified in any way.

If Good Feels Inc is a CMO:

- Good Feels Inc must follow CMR 935.502.110 (2019) - "Security Requirements".
- Records must be kept separate and designated by adult or medical use;
- SOPs can be in one document, providing that it complies with both medical and adult-use regulations for SOPs. Otherwise, Good Feels Inc may maintain two sets of operating procedures; one for medical use, and one for adult use.

Policy Citations: CMR 935.500.110(5)(a)(2) (2019); CMR 935.500.110(5)(a)(4) (2019); CMR 935.500.110(5)(a)(5) (2019); CMR 935.500.110(5)(a)(6) (2019); CMR 935.500.110(5)(a)(7) (2019); CMR 935.500.110(5)(a)(8) (2019); CMR 935.500.110(5)(a)(9) (2019); CMR 935.500.110(5)(b) (2019); CMR 935.500.110(5)(d) (2019); CMR 935.500.110(5)(e) (2019); CMR 935.500.110(5)(f) (2019); CMR 935.500.110(1)(p) (2019); CMR 935.500.110(1)(q) (2019)

CMR 935.501.110(5)(a)(2) (2019); CMR 935.501.110(5)(a)(4) (2019); CMR 935.501.110(5)(a)(5) (2019); CMR 935.501.110(5)(a)(6)
(2019); CMR 935.501.110(5)(a)(7) (2019); CMR 935.501.110(5)(a)(8) (2019); CMR 935.501.110(5)(a)(9) (2019); CMR
935.501.110(5)(b) (2019); CMR 935.501.110(5)(d) (2019); CMR 935.501.110(5)(e) (2019); CMR 935.501.110(5)(f) (2019); CMR 935.501.110(1)(p) (2019); CMR 935.501.110(1)(q) (2019); CMR 935.502.105(1) (2019); CMR 935.502.105(9) (2019); CMR 935.502.110 (2019)

## Purpose:

This document describes responsibilities that will be implemented by the Director of Security, in coordination with the Facility Maintenance Manager, to ensure security and management personnel follow Good Feels Inc policies and procedures regarding coverage and placement of camera.

## Scope:

Security, Manufacturing

## Employee Responsible:

Director of Security, Manufacturing Facility Agent, Manufacturing Facility Manager, Facility Maintenance Manager

## Definitions:

CMO - (Colocated Marijuana Operations) - an MTC operating under a medical license, and a Marijuana Establishment operating under at least one adult-use license on the same premises. Colocated Marijuana Operations pertain to cultivation, product manufacturing, and retail licenses, but not any other adult-use license.
Commission - the Massachusetts Cannabis Control Commission. The Commission has authority to implement all Massachusetts Marijuana laws.
Commission Delegee(s) - other state or local officials or agencies working in cooperation with the Commission by agreement, to carry out the Commission's responsibilities and to ensure compliance with the adult-use, medical-use, and colocated operations
laws, and any other applicable federal or state laws.
Limited Access Area - an indoor or outdoor area on the premises of a marijuana establishment or MTC where marijuana is cultivated, stored, weighed, packaged, processed, or disposed, under the control of a marijuana establishment or MTC, with access limited to only the agents designated by Good Feels Inc.
Manufacture - to compound, blend, extract, infuse or otherwise make or prepare a cannabis or marijuana product.
Marijuana Establishment - a marijuana cultivator (Indoor or Outdoor), Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Microbusiness, Independent Testing Laboratory, Marijuana Retailer, Marijuana Transporter, DeliveryOnly Licensee, Marijuana Research Facility, Social Consumption Establishment or any other type of licensed Marijuana-related business, except a Medical Marijuana Treatment Center (MTC).
Medical Marijuana Treatment Center (MTC) - formerly known as a Registered Marijuana Dispensary (RMD) a licensed entity that acquires, cultivates, possesses, processes (including development of related products such as ediblemarijuana or marijuana products, MIPs, tinctures, aerosols, oils, or ointments), transports, sells, distributes, delivers, dispenses, or administers marijuana, products containing cannabis or marijuana, related supplies, or educational materials to Registered Qualifying Patients or their personal caregivers for medical use. Unless otherwise specified, MTC refers to the site(s) of dispensing, cultivation, and preparation of cannabis or marijuana for medical use.
Premises - any indoor or outdoor location over which a Marijuana Establishment, MTC, or its agents may lawfully exert substantial supervision or control over entry or access to the property or the conduct of persons.
Production Area - a Limited Access Area within the MTC or Marijuana Establishment where cannabis or marijuana is handled or produced in preparation for sale.
Transfer - the sale of marijuana or marijuana products from a marijuana establishment to a separate marijuana establishment, independent testing laboratory or MTC (but not to consumers, patients, or caregivers) subject to entry of the transaction in METRC.

## Resources:

Video surveillance equipment used by the Security Department, such as digital or network video recorders, cameras capable of meeting the Department's recording requirements, video monitors, digital archiving devices, surveillance system, Authorized Users List, Surveillance Room Access Log, Surveillance Equipment Maintenance Log, and a color printer capable of delivering still photos

## MFG - Checking Camera Coverage and Placement

## A. Perform a walkthrough of Good Feels Inc's facility and confirm that:

1. All cameras are fixed in a permanent location, and are capturing the following areas of Good Feels Inc's premises:

- At all points of entry and exit;
- In any surrounding parking lot;
- All safes and vaults;
- Security rooms;
- All areas where cash in handled; and
- All limited access and production areas where marijuana is:
- Acquired;
- Stored;
- Handled
- Manufactured; and
- Transferred.

CMR 935.501.110(5)(a)(4) (2019) CMR 935.500.110(5)(a)(4) (2019)
2. Cameras are angled to allow the capture of clear and certain identification of any person or people entering or exiting Good Feels Inc's premises or any area of Good Feels Inc's premises.

CMR 935.501.110(5)(a)(4) (2019) CMR 935.500.110(5)(a)(4) (2019)
3. Motion detectors are operational, if applicable

Best Practice
4. All cameras are placed in a manner that ensures the area meant to be captured is unobstructed by lighting equipment covers, fixtures, or other equipment.

Best Practice
5. Foliage and landscaping does not allow a person or people to conceal themselves from sight.

CMR 935.500.110(5)(g)(2019) CMR 935.501.110(5)(g) (2019)

## B. Lighting and Camera Coverage

1. Confirm that the lighting in the facility is adequate and can allow the security cameras to capture 24 daily hours of visible footage.

CMR 935.501.110(5)(a)(4) (2019) CMR 935.500.110(5)(a)(4) (2019)
2. Ensure that the perimeter of the facility is illuminated at all times.

CMR 935.500.110(1)(k) (2019) CMR 935.501.110(1)(k) (2019)
3. When necessary, install additional lighting to ensure effective recording of clear images.

Best Practice
4. Check that cameras are calibrated and focused to maximize the quality of the recorded image.

Best Practice

## C. Limiting Access to the Surveillance Room

1. Locate all surveillance equipment and surveillance recordings in a locked and secured surveillance room that is designated only for that purpose.

CMR 935.500.110(5)(b) (2019) CMR 935.501.110(5)(b) (2019)
2. Do not use the surveillance room for any other function if it on Good Feels Inc's premises.

CMR 935.500.110(5)(e) (2019) CMR 935.501.110(5)(e) (2019)
3. Limit access to any surveillance areas solely to:

- People that are essential to surveillance operations;
- Law enforcement authorities acting within their lawful jurisdiction;
- Security system service employees; and
- The Commission or the Commission Delegee.

CMR 935.500.110(5)(d) (2019) CMR 935.501.110(5)(d) (2019)
4. Maintain an Authorized Users List of personnel and service employees with access to the surveillance room. Make the list available to the Commission upon request.

CMR 935.500.110(5)(e) (2019) CMR 935.501.110(5)(e) (2019)
5. Maintain a Surveillance Room Access Log that tracks the following:

- Name of authorized employee or individual;
- Date;
- Time in;
- Time out; and
- Reason for surveillance room access.

Best Practice

## D. Other Video Surveillance Requirements

1. Test and inspect equipment at least once every 30 calendar days.

CMR 935.500.110(f) (2019) CMR 935.501.110(f) (2019)
2. Take actions to prevent intentional obstruction, tampering with, and/or disabling of cameras.

Best Practice
3. Check that all cameras are programmed with a defined home position that remains consistent when the surveillance system is tested or restarted. Ensure the defined home position feature will remain enabled at all times and allow for
automatic return to the home position.
Best Practice

## E. Recordkeeping

1. Archive footage being captured by security cameras for a minimum of 90 days. Keep in a format that can be easily accessed for immediate viewing by the Commission upon request.

CMR 935.500.110(a)(5) (2019) CMR 935.501.110(a)(5) (2019)
2. Maintain recordings for longer than 90 days if Good Feels Inc is aware of a pending civil, criminal, or administrative investigation or legal proceeding. Retain an unaltered copy of the recording until the investigation or proceeding is closed, or the entity conducting the investigation or proceeding notifies Good Feels Inc that it is not necessary to retain the recording.

CMR 935.500.110(5)(a)(5) (2019) CMR 935.501.110(5)(a)(5) (2019)
3. Document all maintenance in Good Feels Inc's Surveillance Equipment Maintenance Log. Include the following, at a minimum:

- The name of the individual(s) performing the service;
- Service date and time; and
- Reason for service to the surveillance system.

Best Practice
4. Maintain all records related to surveillance for at least two years after the closure of Good Feels Inc, in a form and location acceptable by the Commission.

CMR 935.500.105(9)(g) (2019) CMR 935.501.105(9)(g) (2019)

# Good 7eels 

CANNABIS

# MFG - Collecting Marijuana Waste <br> Good Feels Inc. 

| Version: | 1 |
| :--- | :--- |
| Effective Date: | $09 / 24 / 2019$ |
| Last Revised: | $12 / 22 / 2019$ |

## Policy:

Any of the following must be ultimately disposed of and properly destroyed in accordance with Massachusetts marijuana regulations:

- Compromised raw materials, such as trim used to produce extracts;
- Oils;
- Slabs of concentrate;
- Infused butter/cooking fats to be used for edible production;
- Tinctures; and
- Finished edibles that are in the process of being packaged and labeled and have been rendered unfit for sale

It is Good Feels Inc's responsibility to maintain policies and procedures for the disposal of marijuana waste under Massachusetts marijuana law.

Compliant disposal of marijuana waste begins with proper collection. Good Feels Inc's Manufacturing Facility Manager, in coordination with the Compliance Director, will ensure all solid marijuana waste is properly collected and disposed of.

Good Feels Inc's Manufacturing Facility Manager, in coordination with the Compliance Director, must ensure that two separate waste collection systems are maintained:

- One for marijuana containing organic waste (Please see the Definitions section of this SOP); and
- One for marijuana containing solid waste; and
- One for liquid waste containing marijuana or marijuana by-products. Note: Hazardous waste determinations must be conducted on liquid waste. Please see Good Feels Inc's Chemical and Hazardous Waste for more information.

Three separate collection receptacles will be set up for organic, solid, and liquid marijuana waste and labelled accordingly. All Good Feels Inc cultivation facility employees will be trained on how to properly handle, collect, store, and track marijuana waste or liquid waste containing marijuana or marijuana by-products prior to beginning work at Good Feels Inc's manufacturing facility.

Chemical waste, such as marijuana that has been soaked in solvents for extraction, as well as used solvents used for extraction, will be collected in separate bins. Hazardous waste determinations will be conducted on all chemical waste immediately upon generation of the chemical waste. Please see Good Feels Inc's MFG - Chemical and Hazardous Waste SOP for more information.

All Good Feels Inc manufacturing facility employees will be trained on how to properly handle, collect, store, and track marijuana waste prior to beginning work at Good Feels Inc's manufacturing facility.

Marijuana and marijuana product waste may created due to:

- By-products from manufacturing;
- Improper handling by staff;
- Contamination;
- Failed laboratory testing;
- Packaging failure;
- Expiration of product;
- Refrigerator leakage onto product packaging;
- Deterioration and degradation of product while in storage;
- Update in regulatory requirements that renders the product noncompliant;
- Product Removals and Recalls;
- Adverse events; and
- Product not meeting quality standards.

Marijuana waste may also occur from improper storage conditions, including but not limited to:

- Extremes in temperature;
- Humidity;
- Smoke and/or fumes;
- Pressure; and
- Age or radiation due to natural disasters, fires, accidents, equipment failures.

All marijuana waste awaiting destruction will be:

- Collected;
- Weighed using a calibrated scale, or counted;
- Logged in Good Feels Inc's Waste Disposal Log;
- Tracked in METRC; and
- Quarantined in the locked, secured limited access area of Good Feels Inc's manufacturing facility.

If Good Feels Inc is a CMO:

- Good Feels Inc must follow CMR 935.502.105(12) (2019) - "Waste Disposal".
- Records must be kept separate and designated by adult or medical use;
- SOPs can be in one document, providing that it complies with both medical and adult-use regulations for SOPs. Otherwise, Good Feels Inc may maintain two sets of operating procedures; one applicable to medical use, and one applicable to adult use.

Policy Citations: CMR 935.500.130(5)(c) (2019); CMR 935.501.130(5)(c) (2019); CMR 935.500.105(12)(a) (2019); CMR 935.501.105(12)(a) (2019) CMR 935.500.105(9)(f) (2019); CMR 935.501.105(9)(f) (2019); CMR 935.500.105(2) (2019); CMR 935.501.105(2) (2019) CMR 935.500.105(3)(b)(5) (2019); CMR 935.501.105(3)(b)(5) (2019); CMR 935.500.105(8)(b) (2019); CMR 935.501.105(8)(b) (2019); CMR 935.500.110(1)(g) (2019); CMR 935.501.110(1)(g) (2019); CMR 935.502.105(1) (2019); CMR 935.502.105(9) (2019); CMR 935.502.105(12) (2019); CMR 935.500.105(1)(d) (2019); CMR 935.501.105(1)(d) (2019); CMR 935.500.105(12)(c)(2)(a) (2019); CMR 935.501.105(12)(c)(2)(a) (2019); CMR 935.500.105(12)(c)(2)(b) (2019); CMR
935.501.105(12)(c)(2)(b) (2019); CMR 935.500.130(3) (2019); CMR 935.501.130(3) (2019); CMR 935.502.130 (2019); CMR 935.500.105(12)(b) (2019); CMR 935.501.105(12)(b) (2019)

## Purpose:

This SOP covers the collection of solid marijuana waste, as well as inventory tracking and recordkeeping requirements and procedures.

## Scope:

Manufacturing, Inventory Tracking, Waste, QC

## Employee Responsible:

Manufacturing Facility Agent, Manufacturing Facility Manager

## Definitions:

CMO - (Colocated Marijuana Operations) - an MTC operating under a medical license, and a Marijuana Establishment operating under at least one adult-use license on the same premises. Colocated Marijuana Operations pertain to manufacturing, product manufacturing, and retail licenses, but not any other adult-use license.
Commission - the Massachusetts Cannabis Control Commission.The Commission has authority to implement all Massachusetts Marijuana laws.
Good Feels Inc's Chosen Computerized Seed to Sale System - PC-based software designed to track the manufacturing, manufacturing and sale of marijuana and marijuana product. Good Feels Inc'S chosen computerized seed to sale system shall be used to track and record all commercial marijuana activity at the facility.
Edible Cannabis Products, Edible Marijuana Products, or Edibles - a cannabis or marijuana product that is to be consumed by humans by eating or drinking. These products, when created or sold by a Marijuana Establishment or MTC, shall not be considered a food or a drug as defined in M.G.L. c. 94, § 1.
Hazardous Waste Determination - a procedure conducted at the point of generation of chemical waste to determine if the waste is
hazardous to human health and the environment.
Limited Access Area - an indoor or outdoor area on the premises of a Marijuana Establishment or MTC where Marijuana or Marijuana Products, or their byproducts are cultivated, stored, weighed, packaged, processed, or disposed, under the control of a Marijuana Establishment or MTC, with access limited to only those Marijuana Establishment Agents designated by the Establishment or MTC. Manufacture - to compound, blend, extract, infuse or otherwise make or prepare a cannabis or marijuana product.
Marijuana-Infused Product (MIP) - a marijuana product infused with marijuana that is intended for use or consumption including, but not limited to, edible cannabis products, ointments, aerosols, oils, and tinctures. A Marijuana-infused Product (MIP), when created or sold by a Marijuana Establishment or an MTC, shall not be considered a food or a drug as defined in M.G.L. c. 94, § 1 .
METRC (Seed-to-Sale Electronic Tracking System) -a system designated by the Commission as the system of record (Seed-to-sale SOR) or a secondary electronic tracking system used by a Marijuana Establishment or an MTC or an Independent Testing Laboratory. This system shall capture everything that happens to an individual marijuana plant, from seed and manufacturing, through growth, harvest and manufacture of marijuana products and MIPs, including transportation, if any, to final sale of finished products. Seed-to-sale Electronic Tracking System shall utilize a unique-plant identification and unique batch identification. It will also be able to track agents' and Registrants' involvement with the Marijuana Product. Any secondary system used by the Marijuana Establishment or an MTC or an Independent Testing Laboratory must integrate with the SOR in a form and manner determined by the Commission.
Organic Material - any of the following source-separated materials:

- Vegetative material;
- Food material;
- Agricultural material;
- Biodegradable products;
- Biodegradable paper;
- Clean wood; or
- Yard waste.

Organic Material does not include sanitary wastewater treatment facility residuals.
Process or Processing - to harvest, dry, cure, trim and separate parts of the cannabis or marijuana plant by manual or mechanical means, except it shall not include manufacture as a definition.
Production Batch - a batch of finished plant material, cannabis resin, cannabis concentrate, or marijuana-infused product produced at the same time, using the same methods, equipment and ingredients. Good Feels Inc must assign and record an RFID tag to each production batch for the purposes of production tracking, product labeling and product recalls. All Production Batches shall be traceable to one or more cannabis or marijuana cultivation batches.
Residual Solvent - a volatile organic chemical used in the manufacture of a cannabis or marijuana product that is not completely removed by practical manufacturing techniques.
RFID - Radio-Frequency Identification - uses electromagnetic fields to automatically identify and track tags attached to objects. The tags contain electronically stored information. Passive tags collect energy from a nearby RFID reader's interrogating radio waves. Active tags have a local power source (such as a battery) and may operate hundreds of meters from the RFID reader. Unlike a barcode, the tags don't need to be within the line of sight of the reader, so it may be embedded in the tracked object.

## Resources:

Computer, METRC system, Good Feels Inc's chosen computerized seed-to-sale system, calibrated scale, biohazard container(s), Good Feels Inc Waste Log

## MFG - Collecting Marijuana Waste

## A. Employee Instructions - Instruct all manufacturing employees who handle marijuana waste, under your supervision, to:

1. Sweep up or collect any material that has been contaminated, has fallen on the floor, or has otherwise been determined to be unfit for manufacture or transfer.

CMR 935.500.105(3)(b)(5) (2019) CMR 935.501.105(3)(b)(5) (2019)
2. Determine if it is organic marijuana waste or solid marijuana waste.
3. Under video surveillance, weigh the plant material or oil waste and record the following in the appropriate Waste Log:

- Date;
- Weight;
- Strain;
- Production batch number;
- Room ID;
- RFID tag number; and
- Name of the agent responsible for collecting the waste.

CMR 935.500.105(8)(b) (2019) CMR 935.501.105(8)(b) (2019)
4. Count any units of product to be destroyed, such as bottles of tincture or a package of edibles, and record the following in the appropriate Waste Log:

- Date;
- Weight;
- Strain or product name;
- Production batch number;
- RFID tag number; and
- Name of the agent responsible for collecting the waste.

CMR 935.500.105(8)(b) (2019) CMR 935.501.105(8)(b) (2019)
5. Affix labels containing the aforementioned information to the biohazard containers the waste will be placed in.

Best Practice
6. Notify Good Feels Inc's Manufacturing Facility Manager upon creation of any chemical waste so a hazardous waste determination can be conducted. Note: Please see Good Feels Inc's Chemical and Hazardous Waste SOP for more information.

Best Practice
7. Place all solid marijuana waste in a bin labeled "Solid Marijuana Waste".
8. Place all organic marijuana waste in a bin labeled "Organic Marijuana Waste".
9. Place all liquid waste in a receptacle labeled "Liquid Marijuana Waste".
10. Refer to Good Feels Inc's MFG - Rendering Marijuana Waste SOP for procedures outlining how to render the marijuana as unusable and disposing of the marijuana waste once rendered unusable.

## B. Inventory Tracking Requirements, Including Inventory Records

1. Referencing the Waste Log, enter the following information into METRC and Good Feels Inc's chosen computerized seed-to-sale system:

- Date;
- Weight;
- Strain or product name;
- Production batch number;
- RFID tag; and
- Name of the agent responsible for collecting the waste.

CMR 935.500.105(8)(b) (2019) CMR 935.501.105(8)(b) (2019)
2. Keep and maintain all records that account for, reconcilie, and evidence all waste activity related to the disposal of marijuana. Maintain all records for at least two years after the closure of Good Feels Inc, in a form and location acceptable by the Commission. Note: Waste records are required to be kept for at least three years. However, it is considered a best practice to maintain records for the longest retention period possible provided by the Commission.

| CMR | CMR | CMR | CMR | CMR | CMR |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| $935.500 .105(9)(\mathrm{g})$ | $935.501 .105(9)(\mathrm{g})$ | 935.500.105(9)(f) | $935.501 .105(9)(\mathrm{f})$ | $935.500 .105(12)(\mathrm{d})$ | $935.501 .105(12)(\mathrm{d})$ |
| (2019) | (2019) | (2019) | (2019) | (2019) | (2019) |

# Good 7eels 

CANNABIS

# MFG - Facility Access Control <br> Good Feels Inc. 

| Version: | 1 |
| :--- | :--- |
| Effective Date: | $09 / 24 / 2019$ |
| Last Revised: | $12 / 22 / 2019$ |

## Policy:

Access control is one key component of Good Feels Inc's Security Plan. Good Feels Inc must install and maintain a commercially viable, up-to-date security alarm system to prevent unauthorized access to the following:

- Good Feels Inc's manufacturing facility;
- Limited access areas; and
- Security system equipment and recordings.

Good Feels Inc's manufacturing facility must be securely locked and protected from unauthorized entry at all times. In addition, appropriate security measures to deter and prevent the theft and diversion of marijuana and marijuana products will be implemented. All manufacturing will take place in designated production area within Good Feels Inc's securely locked limited access areas that are monitored by a surveillance camera system.

Alarm systems must have the ability to remain operational during a power outage and be equipped with a failure notification system to Good Feels Inc's manufacturing facility of any failure in the alarm system within five minutes of the failure, via telephone, email, or text message.

Good Feels Inc must have a back-up alarm system that:

- Has all the capabilities of the primary system, and is provided by a company supplying commercial grade equipment, who will be a different company than the company supplying the primary security system; or
- Must demonstrate that it meets the Commission's satisfaction alternate safeguards to ensure continuous operation of a security system.

In addition, Good Feels Inc will maintain a commercially viable, up-to-date video surveillance system. All video surveillance systems must be equipped with:

- Digital video cameras;
- 24 hours per day, 7 days per week recording capabilities; and
- The ability to remain operational during a power outage. Note: Please see the SOP Checking Camera Coverage and Placement for more information.

All external locks shall be equipped with access controls. For doors into secure storage areas and all entries and exits into the manufacturing facility, Good Feels Inc will use Underwriter's Lab (UL) approved locks and lock cylinders, which are burglary resistant, non-residential, and commercial-grade.
Good Feels Inc's manufacturing facility will be enclosed on all sides by permanent walls and doors, and secured against unauthorized entry. All facility windows will be of reinforced glass and will be tinted, in addition to being monitored by the facility's central alarm system.

On-site surveillance rooms will always remain locked and will not be used for any other function.

Additionally, the Director of Security will ensure all locks and security equipment are in good working order, and that all keys are not left in locks or stored in a location accessible to those other than specifically authorized personnel. Employee proximity cards, access codes, and other access hardware credentials will be distributed on a limited and individual basis to authorized manufacturing facility personnel.

Floor plans, elevation drawings, and all records relating to manufacturing facility access control must be kept in Good Feels Inc's Security Plan. These records are to be made available to the Commission, local law enforcement agencies, or local licensing authorities upon request.

If Good Feels Inc is a CMO:

- Operational separation must be maintained between medical and adult-use facilities;
- Agents may only perform colocated duties if they are registered under both medical and adult-use licenses;
- Good Feels Inc shall implement sufficient security measures to prevent unauthorized access into both medical and adult-use licenses by allowing only individuals that are 21 years or older into Good Feels Inc's manufacturing facility.
- Good Feels Inc must follow:
- CMR 935.502.110 (2019) - "Security Requirements".
- Records must be kept separate and designated by adult or medical use;
- SOPs can be in one document, providing that it complies with both medical and adult-use regulations for SOPs. Otherwise, Good Feels Inc may maintain two sets of operating procedures; one applicable to medical use, and one applicable to adult use.

Policy Citations: CMR 935.500.110(1) (2019); CMR 935.500.110(4) (2019); CMR 935.500.110(5) (2019); CMR 935.500.110(6)
(2019); CMR 935.501.110(1) (2019); CMR 935.501.110(4) (2019); CMR 935.501.110(5) (2019); CMR 935.501.110(6) (2019); CMR
935.502.105(1) (2019); CMR 935.502.105(9) (2019); CMR 935.502.110 (2019); CMR 935.500.502.028 (2019); CMR
935.500.105(1)(a) (2019); CMR 935.501.105(1)(a) (2019); CMR 935.500.110(1)(b) (2019); CMR 935.501.110(1)(a) (2019); CMR
935.501.110(1)(b) (2019); CMR 935.502.120 (2019); CMR 935.500.120(4) (2019); CMR 935.501.120(4) (2019)

## Purpose:

This document provides a general description of the security equipment installed, access barriers implemented, and measures taken by Good Feels Inc to secure the manufacturing facility and to prevent unauthorized access.

## Scope:

Security, Facilities

## Employee Responsible:

Director of Security, Compliance Director, Manufacturing Facility Agents, Manufacturing Facility Manager, Facility Maintenance Manager

## Definitions:

CMO - (Colocated Marijuana Operations) - an MTC operating under a medical license, and a Marijuana Establishment operating under at least one adult-use license on the same premises. Colocated Marijuana Operations pertain to manufacturing, product manufacturing, and retail licenses, but not any other adult-use license.
Commission - the Massachusetts Cannabis Control Commission. The Commission has authority to implement all Massachusetts Marijuana laws.
Commission Delegee(s) - other state or local officials or agencies working in cooperation with the Commission by agreement, to carry out the Commission's responsibilities and to ensure compliance with the adult-use, medical-use, and colocated operations laws, and any other applicable federal or state laws.
Limited Access Area - an indoor or outdoor area on the premises of a Marijuana Establishment or MTC where marijuana or marijuana products, or their byproducts are cultivated, stored, weighed, packaged, processed, or disposed, under the control of a Marijuana Establishment or MTC, with access limited to only those Marijuana Establishment Agents designated by the Establishment or MTC.
Manufacture - to compound, blend, extract, infuse or otherwise make or prepare a cannabis or marijuana product.
Marijuana Establishment - a Marijuana Cultivator (Indoor or Outdoor), Craft Marijuana Cooperative, Marijuana Product Manufacturer,
Marijuana Microbusiness, Independent Testing Laboratory, Marijuana Retailer, Marijuana Transporter, DeliveryOnly Licensee, Marijuana Research Facility, Social Consumption Establishment or any other type of licensed Marijuana-related business, except a Medical Marijuana Treatment Center (MTC).
Marijuana Establishment Agent - a board member, director, employee, Executive, manager,
Marijuana-Infused Product (MIP) - a marijuana product infused with marijuana that is intended for use or consumption including, but not limited to, edible cannabis products, ointments, aerosols, oils, and tinctures. A marijuana-infused product (MIP), when created or sold by a Marijuana Establishment or an MTC, shall not be considered a food or a drug as defined in M.G.L. c. 94, § 1. MIPs are a type of marijuana product.
Marijuana Product Manufacturer - an entity licensed to obtain, manufacture, process and package marijuana or marijuana products, and to transfer these products to other marijuana establishments or MTCs, but not to consumers.
Medical Marijuana Treatment Center (MTC) - formerly known as a Registered Marijuana Dispensary (RMD) a licensed entity that acquires, cultivates, possesses, Processes (including development of related products such as Edible Marijuana or Marijuana Products, MIPs, Tinctures, aerosols, oils, or ointments), transports, sells, distributes, delivers, dispenses, or administers Marijuana, products containing Cannabis or Marijuana, related supplies, or educational materials to Registered Qualifying Patients or their

Personal Caregivers for medical use. Unless otherwise specified, MTC refers to the site(s) of dispensing, manufacturing, and preparation of cannabis or marijuana for medical use.
Premises - any indoor or outdoor location over which a Marijuana Establishment, MTC, or its agents may lawfully exert substantial supervision or control over entry or access to the property or the conduct of persons.
Security Alarm System - a device or series of devices, intended to summon law enforcement personnel during, or as a result of, an alarm condition. Devices may include hardwired systems and systems interconnected with a radio frequency method such as cellular or private radio signals that emit or transmit a remote or local audible, visual, or electronic signal; motion detectors, pressure switches, duress alarms (a silent system signal generated by the entry of a designated code into the arming station to indicate that the user is disarming under duress); panic alarms (an audible system signal to indicate an emergency situation); and hold-up alarms (a silent system signal to indicate that a robbery is in progress).

## Resources:

Good Feels Inc's Security Plan, detailed floor plans indicating the activities performed in each area, Tools and equipment used by the Security Commission, including Underwriter's Lab (UL) approved locks and lock cylinders, employee proximity cards

## MFG - Facility Access Control

## A. Manufacturing Facility Access Control

1. Confirm that Good Feels Inc's facility prominently displays security system notification signage.

Best Practice
2. Confirm that a physical posting at all entrances of Good Feels Inc's facility that identifies the method(s) of extraction.

Such sign(s) will have the following specifications:

- A minimum of 12 inches by 12 inches;
- Lettering no smaller than one inch in height. Note: Consult with local municipal requirements, and ensure Good Feels Inc is complying with local municipal requirements if they are stricter than marijuana state law.

CMR 935.500.130(6) (2019) CMR 935.501.130(6) (2019)
3. Post Good Feels Inc's permit(s) to keep, store, handle or otherwise use flammables or combustibles at each place of operation within Good Feels Inc's manufacturing facility.

CMR 935.500.130(6) (2019) CMR 935.501.130(6) (2019)
4. Verify with the facility maintenance crew that the facility's perimeter doors are equipped with the following:

- Commercial-grade, non-residential door locks;
- Automatic locking hardware;
- Electric strike;
- Biometric access controls;
- Contact alarms to prevent unauthorized entry;
- Back-up alarm that has all the same capabilities as the primary alarm system; and
- Closed Circuit Television (CCTV) cameras that may be supplemented with fixed and pan-tilt-zoom (PTZ) cameras.

| CMR 935.500.110(5)(a)(1) | CMR 935.501.110(5)(a)(1) | CMR 935.500.110(5)(c) | CMR 935.501.110(5)(c) |
| :--- | :--- | :--- | :--- |
| (2019) | $(2019)$ | $(2019)$ | $(2019)$ |

5. Verify with the facility maintenance crew and project management team members that the facility's windows are:

- Tinted;
- Of reinforced glass;
- Equipped with hefty window locks that are visible from the outside; and
- Equipped with alarms.

| CMR 935.500.110(5)(a)(1) | CMR 935.501.110(5)(a)(1) | CMR 935.500.110(5)(c) | CMR 935.501.110(5)(c) |
| :--- | :--- | :--- | :--- |
| (2019) | $(2019)$ | $(2019)$ | $(2019)$ |

6. Install motion detectors, if used, in a location where it can adequately detect motion, but also without causing any false alarms. Note: The best location for a motion detector is usually in the corner of the room, away from any
windows, about 6 to 8 feet off the ground. Please see Good Feels Inc's CIT - Checking Camera Coverage and Placement for more information.

CMR 935.500.110(1)(a)(5) (2019) CMR 935.501.110(1)(a)(5) (2019)
7. Install smoke and fire alarms. If alarms or switches are already installed, verify that they are working properly.

Best Practice
8. Install video cameras in all areas that contain marijuana products, and at all points of entry and exit. If video cameras are already installed, verify that they are working properly. Note: Please see Good Feels Inc's Checking Camera Coverage and Placement SOP for a comprehensive list of the areas that need to be covered by video surveillance. CMR 935.500.110(a)(4) (2019) CMR 935.501.110(a)(4) (2019)
9. Check that the outside perimeter of Good Feels Inc's facility is sufficiently lit to facilitate surveillance.

CMR 935.500.110(1)(k) (2019) CMR 935.501.110(1)(k) (2019)
10. Where applicable, confirm that trees, bushes, and other foliage outside the facility will not allow for a person or persons to conceal themselves from sight. Note: Shrubs should not exceed 3 feet in height, and trees should be trimmed up to 7 feet to allow natural surveillance.

CMR 935.500.110(g) (2019) CMR 935.501.110(g) (2019)
11. Check that no marijuana products are visible to anyone from the exterior of the facility. This involves verifying the tint of the windows.

CMR 935.500.110(1)(I) (2019) CMR 935.501.110(1)(I) (2019)
12. Take measures to prohibit loitering in and around Good Feels Inc's manufacturing facility, including educating manufacturing facility personnel about confronting loiterers.

CMR 935.500.110(1)(b) (2019) CMR 935.501.110(1)(b) (2019)
13. Work with the Director of Compliance and the Manufacturing Facility Manager to make sure that all manufacturing facility personnel are visibly displaying their agent identification badge at all times while at Good Feels Inc's manufacturing facility.

CMR 935.500.110(4)(d) (2019) CMR 935.501.110(4)(d) (2019)
14. Ensure sanitary operations are maintained when permitting access to the facility.

Best Practice

## B. Limited Access Areas, Security Systems, and Surveillance Rooms - Confirm the following:

1. All limited access areas are securely locked and accessible only to the minimum number of authorized employees essential for operation.

| CMR 935.500.110(1)(e) | CMR 935.501.110(1)(e) | CMR 935.500.110(4)(c) | CMR 935.501.110(4)(c) |
| :--- | :--- | :--- | :--- |
| (2019) | (2019) | (2019) | (2019) |

2. All limited access areas are identified by the posting of a sign with the following requirements:

- A minimum of 12 inches by 12 inches;
- States " "Do Not Enter—Limited Access Area-Access Limited to Authorized Personnel Only" in lettering that is a minimum of one inch in height.

CMR 935.500.110(4)(a) (2019) CMR 935.501.110(4)(a) (2019)
3. Keys, combination numbers, passwords, and other access and security measures to the limited access area are only accessible to authorized employees.

| CMR 935.500.110(1)(i) | CMR 935.501.110(1)(i) | CMR 935.500.110(1)(j) | CMR 935.501.110(1)(j) |
| :--- | :--- | :--- | :--- |
| (2019) | $(2019)$ | $(2019)$ | $(2019)$ |

4. Restrict access to the limited access area to:

- The minimum number of employees essential for operations;
- Representatives of the Commission acting in accordance with their authority;
- Local law enforcement;
- Fire safety personnel; and
- Emergency medical personnel responding to an emergency, acting within their lawful jurisdiction and official capacity.

CMR 935.500.110(4)(c) (2019) CMR 935.501.110(4)(c) (2019)
5. Maintain security system equipment and recordings in a secure location to prevent theft, loss, destruction, and alterations. Note: If the surveillance room is on-site, keep the surveillance room locked, and do not use it for any other function.

| CMR 935.500.110(5)(b) | CMR 935.501.110(5)(b) | CMR 935.500.110(5)(e) | CMR 935.501.110(5)(e) |
| :--- | :--- | :--- | :--- |
| (2019) | $(2019)$ | $(2019)$ | (2019) |

6. Restrict access to any surveillance areas and where security equipment is stored to:

- People essential to surveillance operations;
- Law enforcement agencies acting within their lawful jurisdiction;
- Fire safety personnel;
- Security system service personnel;
- Representatives of the Commission; and
- Commission Delegees.

| CMR 935.500.110(5)(e) | CMR 935.501.110(5)(e) | CMR 935.500.110(5)(d) | CMR 935.501.110(5)(d) |
| :--- | :--- | :--- | :--- |
| (2019) | (2019) | (2019) | (2019) |

7. Maintain a current list of authorized Good Feels Inc employees and service employees who have access to any surveillance room. Make the list available to the Commission upon request.

CMR 935.500.110(5)(e) (2019) CMR 935.501.110(5)(e) (2019)
8. Keep all security equipment in full operating order and test equipment at least once every 30 calendar days.

CMR 935.500.110(5)(f) (2019) CMR 935.501.110(5)(f) (2019)
9. Notify the Commission within 24 hours of the following:

- Any incident involving theft or possible diversion of marijuana products; and
- Any suspected or known security breach or other manufacturing facility event that may compromise public health and/or safety, or which requires response by public safety personnel or law enforcement.

Note: Please see Good Feels Inc's Incident Reporting SOP for more information on this process.

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CMR 935.500.110(9)(a) (2019) CMR 935.501.110(9)(a) (2019)
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## C. Colocated Marijuana Establishments (CMOs)

1. Only allow individuals who are over 21 years old who can be positively identified into Good Feels Inc's manufacturing facility.
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CMR 935.500.110(1)(d)
(2019)
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CMR 935.501.110(1)(d) (2019)

CMR 935.501.110(1)(a) (2019)

CMR 935.500.110(1)(a) (2019)
2. Allow agents to perform tasks and duties only for the license that they are registered for.

CMR 935.500.502.028 (2019)

## D. Required floor plans

1. Maintain a Good Feels Inc's floor plan or layout of the Good Feels Inc's facility, and share with local law enforcement authorities. Describe all limited access areas in a form and manner determined by the Commission. Include the following in Good Feels Inc's floor diagram:

- Entrances and exits;
- Walls;
- Partitions;
- Counters;
- Disposal areas;
- Storage areas;
- All production areas; and
- Identification of when Good Feels Inc will be using flammable or combustible solvents or other materials.

| CMR 935.500.110(1)(p) | CMR 935.501.110(1)(p) | CMR 935.500.110(4)(b) | CMR 935.501.110(4)(b) |
| :--- | :--- | :--- | :--- |
| (2019) | $(2019)$ | $(2019)$ | $(2019)$ |

2. Share Good Feels Inc's Security Plan with law enforcement authorities, including police and fire departments, in the municipality where Good Feels Inc's manufacturing facility is located.

CMR 935.500.110(1)(q) (2019) CMR 935.501.110(1)(q) (2019)
3. Periodically update Good Feels Inc's Security Plan with all applicable law enforcement authorities, if Good Feels Inc's security plan or procedures are modified in any way.

CMR 935.500.110(1)(q) (2019) CMR 935.501.110(1)(q) (2019)

## E. Recordkeeping

1. Maintain all records related to facility access control for at least two years after the closure of Good Feels Inc, in a form and location acceptable by the Commission. Make all records available to the Commission upon request.

| CMR 935.500.105(9)(g) | CMR 935.501.105(9)(g) | CMR 935.500.105(9)(a) | CMR 935.501.105(9)(a) |
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# Good 7eels 

CANNABIS

## MFG - Opening and Closing Security Procedures Good Feels Inc.

| Version: | 1 |
| :--- | :--- |
| Effective Date: | $09 / 24 / 2019$ |
| Last Revised: | $12 / 22 / 2019$ |

## Policy:

Opening and closing of a licensed marijuana facility can present unique security risks. At these times, employees are particularly vulnerable to threats. Good Feels Inc will therefore enact strict and comprehensive policies to ensure the safety of employees during opening and closing times. This procedures will be part of Good Feels Inc's Security Plan, which is to be shared and updated as needed with local law enforcement authorities in the municipality where Good Feels Inc's manufacturing facility is located.

It is the responsibility of the Director of Security to adopt and implement opening and closing daily security inspections at Good Feels Inc's manufacturing facility. Security personnel and a Good Feels Inc manager or supervisor will perform or oversee opening and closing daily security inspections. The development of corrective actions, delegation of duties, and the mandated expedience of such corrective actions will be determined by Good Feels Inc's Director of Security.

When opening the facility, a manager or supervisor will remain a safe distance away from the facility's entrance while security personnel enters and conducts a walk-through of the facility to be certain it is safe to enter, if applicable.

When closing the facility, Good Feels Inc's security personnel and manager or supervisor will perform initial and final walk-throughs of the facility and perimeter of the premises to ensure:

- No employees, authorized individuals, or any other individuals are still present in the facility;
- All inventory and cash is secure;
- All alarm and surveillance systems are properly functioning; and
- There are no security threats outside of the building when all Good Feels Inc personnel leave.

Trees, bushes, and other foliage outside of Good Feels Inc's facility must be maintained to prevent people from concealing themselves from sight.

## If Good Feels Inc is a CMO:

- Good Feels Inc must follow CMR 935.502.110(5) (2019) - "Security and Alarm Requirements for CMOs Operating Enclosed Areas".
- Records must be kept separate and designated by adult or medical use;
- SOPs can be in one document, providing that it complies with both medical and adult-use regulations for SOPs. Otherwise, Good Feels Inc may maintain two sets of operating procedures; one applicable to medical use, and one applicable to adult use.

Policy Citations: CMR 935.500.105(1)(b) (2019); CMR 935.501.105(1)(b) (2019); CMR 935.500.105(1)(a) (2019); CMR
935.501.105(1)(a) (2019); CMR 935.500.110(1)(q) (2019); CMR 935.501.110(1)(q) (2019); CMR 935.500.110(5)(g) (2019); CMR
935.501.110(5)(g) (2019); CMR 935.502.105(1) (2019); CMR 935.502.105(9) (2019); CMR 935.502.110(5) (2019); CMR
935.502.110(6) (2019)

## Purpose:

This document describes the procedures that will be followed when opening and closing Good Feels Inc's facility in order to ensure that it is secure.

## Scope:

Security, Employees

## Employee Responsible:

Security Personnel, Manufacturing Facility Manager, Manufacturing Facility Employees

## Definitions:

Arming Station - a device that allows control of a security alarm system.
Duress Alarm - a silent security alarm signal generated by the entry of a designated code into an Arming Station that signals an alarm user is under duress and turns off the system.
Enclosed Area - an indoor or outdoor area equipped with locks or other security devices, which is accessible only to Consumers, Marijuana Establishment Agents, Registered Qualifying Patients, or Caregivers.
Panic Alarm - an audible security alarm signal generated by the manual activation of a device that signals a life threatening or emergency situation and calls for a law enforcement response.
Premises - any indoor or outdoor location over which a Marijuana Establishment, MTC, or its agents may lawfully exert substantial supervision or control over entry or access to the property or the conduct of persons.
Security Alarm System - a device or series of devices, intended to summon law enforcement personnel during, or as a result of, an alarm condition. Devices may include hardwired systems and systems interconnected with a radio frequency method such as cellular or private radio signals that emit or transmit a remote or local audible, visual, or electronic signal; motion detectors, pressure switches, duress alarms (a silent system signal generated by the entry of a designated code into the arming station to indicate that the user is disarming under duress); panic alarms (an audible system signal to indicate an emergency situation); and hold-up alarms (a silent system signal to indicate that a robbery is in progress).

## Resources:

Access control tools used by Good Feels Inc's Security Department, keycards, agent identification badges, mobile phone, back-up alarm arming station

## MFG - Opening and Closing Security Procedures

## A. Daily Security Inspections - Opening Procedures

CMR 935.500.105(1)(b) (2019) CMR 935.501.105(1)(b) (2019)

1. Enter the facility while a manager waits outside in a locked vehicle with access to a mobile phone. The manager will maintain a clear view of the facility and wait for the predetermined all-clear signal from you. Note: If the manager who is outside notices anything suspicious or does not see the all-clear signal in a reasonable period of time, he/she will immediately call 911 and Good Feels Inc's Security Department.
2. Upon entering the facility, relock the front door or gate and disarm Good Feels Inc's back-up alarm system.

| CMR 935.500.110(5)(c) | CMR 935.501.110(5)(c) | CMR 935.500.110(6)(c) | CMR 935.501.110(6)(c) |
| :--- | :--- | :--- | :--- |
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3. If you are threatened while disarming the system, enter a duress code into the alarm system keypad. Note: Duress alarms are required for indoor manufacturing facilities. If Good Feels Inc's outdoor grow requires an alternative security provision or additional safeguard, please see Good Feels Inc's GNL - Security Overview SOP for more information.

CMR 935.500.110(5)(a)(3) (2019) CMR 935.501.110(5)(a)(3) (2019)
4. After disarming the alarm system, walk around the premises and look for signs of intruders or forced entry. Pay special attention to outdoor grows, if applicable, and restrooms, closets, and other areas where an intruder may hide.


#### Abstract

- If an intruder is suspected or forced entry is noticed, immediately leave Good Feels Inc's facility and call 911 and Good Feels Inc's Security Department.


5. After checking the interior of the facility, signal the manager who is waiting outside to let him or her know they may enter.
6. Keep the front door locked until opening time.

CMR 935.500.110(1)(d) (2019) CMR 935.501.110(1)(d) (2019)
7. Perform an inspection of the facility to ensure exterior lighting is operational.

CMR 935.500.110(1)(k) (2019) CMR 935.501.110(1)(k) (2019)
8. Check the surveillance system to make sure it is fully operational. Report any problems with the surveillance system to Good Feels Inc's Director of Security immediately.

CMR 935.500.110(5)(f) (2019) CMR 935.500.110(6)(e) (2019)
9. Remove all cash and medical marijuana inventory needed for day-to-day operations from the safe or vault.

## B. Daily Security Inspections - Closing Procedures

CMR 935.500.105(1)(b) (2019) CMR 935.501.105(1)(b) (2019)

1. At closing time, lock all entry doors from the inside.

CMR 935.500.110(1)(k) (2019) CMR 935.501.110(1)(k) (2019)
2. Inform all employees to:

- Remain together and inside the building while nightly closing procedures are being conducted; and
- Wait until they are cleared to go outside by security or management.

3. Do not allow vendors, service technicians, or any other authorized individuals access into the facility unless they have been given prior authorization.
4. Perform Good Feels Inc's nightly closing procedures, such as:

- Closing and counting cash drawers;
- Uploading daily sales to METRC; and
- Ensuring employees are performing their closing duties as instructed.

5. Store all marijuana inventory and cash in the limited access area, and firmly close and lock all vault or safe doors.

Note: MTCs must store all marijuana and marijuana products inside of a locked, access-controlled space within the limited access area during non-business hours.

| CMR | CMR | CMR | CMR | CMR | CMR | CMR |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| $\begin{aligned} & 935.501 .110(1)(0) \\ & (2019) \end{aligned}$ | $\begin{aligned} & 935.500 .110(1)(0) \\ & (2019) \end{aligned}$ | $\begin{aligned} & 935.500 .110(1)(\mathrm{f}) \\ & (2019) \end{aligned}$ | $\begin{aligned} & 935.501 .110(1)(\mathrm{f}) \\ & (2019) \end{aligned}$ | $\begin{aligned} & 935.500 .110(1)(\mathrm{g}) \\ & (2019) \end{aligned}$ | $\begin{aligned} & 935.501 .110(1)(\mathrm{g}) \\ & (2019) \end{aligned}$ | $\begin{aligned} & 935.501 .110(1)(r) \\ & (2019) \end{aligned}$ |

6. Confirm that all keys that provide access to cash and marijuana products are stored where unauthorized personnel cannot access them.

| CMR 935.500.110(1)(i) | CMR 935.501.110(1)(i) | CMR 935.500.110(1)(j) | CMR 935.501.110(1)(j) |
| :--- | :--- | :--- | :--- |
| (2019) | $(2019)$ | $(2019)$ | $(2019)$ |

7. Instruct the security guard on duty to conduct an initial walk-through of the area. Pay special attention to restrooms, closets, employee lounge, storage rooms and any areas where individuals may be hiding.
8. Conduct a final walk-through of the premises before final closing. Confirm the following:

- All marijuana inventory, cash, and other negotiable items and valuables have been properly and securely stored.
- All extraction equipment is turned off and secured.
- All electronic equipment is turned off, such as space heaters.

9. Instruct security to go outside and check for potential threats.
10. Instruct employees to grab their belongings and prepare for departure from the building as a group.
11. Turn off all lights except for those lights which will allow the lobby to remain visible from the street after hours.
12. Once the security guard confirms that the outside perimeter is all clear, instruct employees to leave the building as a group. Only do so if security has cleared the exterior of the building of any potential threats.
13. Verify that the employee exit door is locked from the outside.

CMR 935.500.110(1)(k) (2019) CMR 935.501.110(1)(k) (2019)
14. Activate the back-up alarm system.

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CMR 935.500.110(5)(c) CMR 935.501.110(5)(c) CMR 935.500.110(6)(c) CMR 935.501.110(6)(c)
(2019)
15. Ensure that people are leaving the area in a safe manner, and preferably in groups of 3 or more.

Best Practice

\section*{C. Incident Reporting}
1. Notify the Commission and local law enforcement within 24 hours of any of the following:
- Suspected or known security breach that may compromise safety;
- Alarm system failure;
- Diversion, theft, or loss of marijuana;
- Any criminal action involving Good Feels Inc's facility or agent(s);
- Any suspicious act involving the manufacturing, sale, or distribution by any person;
- Alarm activation or other incident that requires a response by public safety personnel or law enforcement; and
- Any other breach of security. Note: Please see Good Feels Inc's Incident Reporting SOP for more information on this process.


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\section*{MFG - Rendering Marijuana Waste \\ Good Feels Inc.}
\begin{tabular}{|l|l|}
\hline Version: & 1 \\
\hline Effective Date: & \(09 / 24 / 2019\) \\
\hline Last Revised: & \(12 / 22 / 2019\) \\
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\end{tabular}

\section*{Policy:}

Good Feels Inc and its employees are required to render all plant material and cannabinoid-containing products into unusable waste, and then removing the unusable waste from Good Feels Inc's licensed premises. Waste that must be rendered unusable prior to leaving Good Feels Inc includes, but is not limited to, the following:
- Liquid waste containing marijuana or marijuana by-products;
- Solvents used in the processing of marijuana or extraction of concentrated marijuana;
- Any solvents discarded as a result of quality assurance testing or any other testing performed by a marijuana testing facility; and
- Any other waste as determined by the Department.

Only authorized employees can destroy marijuana and marijuana products, and to enter destroyed marijuana and marijuana waste into METRC and Good Feels Inc's chosen computerized seed-to-sale system.

Good Feels Inc will:
- Dispose of marijuana by rendering it unusable;
- Create and maintain an electronic record of this disposal; and
- Ensure at least two manufacturing facility staff members witness the disposal.

Exterior waste receptacles used for solid waste at Good Feels Inc's premises will be locked and secured to prevent unauthorized access.

For organic waste that has been rendered unusable, Good Feels Inc will ensure that it is sent to a facility that can compose or digest organic waste using an aerobic or anaerobic composter or digestor that is in compliance with 310 CMR 16.00: Site Assignment Regulations for Solid Waste Facilities.

In any event, all marijuana waste will be stored and disposed of in a manner that:
- Minimizes the potential for waste to become a vector of disease;
- Minimizes the potential for waste to attract, harbor, or become a breeding place for pests;
- Protects against contamination;
- Prevents diversion, theft or loss of unusable marijuana; and
- Provides traceability through documentation, reporting and electronic tracking.

Policy Citations: CMR 935.500.130(5)(c) (2019); CMR 935.501.130(5)(c) (2019); CMR 935.500.105(12)(a) (2019); CMR
935.501.105(12)(a) (2019); CMR 935.500.105(9)(f) (2019); CMR 935.501.105(9)(f) (2019); CMR 935.500.105(2) (2019); CMR 935.501.105(2) (2019) CMR 935.500.105(3)(b)(5) (2019); CMR 935.501.105(3)(b)(5) (2019); CMR 935.500.105(8)(b) (2019); CMR
935.501.105(8)(b) (2019); CMR 935.500.110(1)(g) (2019); CMR 935.501.110(1)(g) (2019); CMR 935.502.105(1) (2019); CMR
935.502.105(9) (2019); CMR 935.502.105(12) (2019); CMR 935.500.105(1)(d) (2019); CMR 935.501.105(1)(d) (2019); CMR
935.500.105(12)(b) (2019); CMR 935.501.105(12)(b) (2019); CMR 935.500.105(12)(c)(3) (2019); CMR 935.501.105(12)(c)(3)
(2019); CMR 935.500.105(12)(d) (2019); CMR 935.501.105(12)(d) (2019); CMR 935.500.105(12)(c)(2)(b) (2019); CMR
935.501.105(12)(c)(2)(b) (2019)

\section*{Purpose:}

This SOP covers rendering marijuana waste unusable, use of a calibrated scale, as well as inventory tracking, storage, and recordkeeping requirements.

\section*{Scope:}

Waste, Inventory Tracking, Manufacturing

\section*{Employee Responsible:}

Manufacturing Facility Manager, Manufacturing Facility Employees, Director of Compliance

\section*{Definitions:}

CMO - (Colocated Marijuana Operations) - an MTC operating under a medical license, and a Marijuana Establishment operating under at least one adult-use license on the same premises. Colocated Marijuana Operations pertain to manufacturing, product manufacturing, and retail licenses, but not any other adult-use license.
Commission - the Massachusetts Cannabis Control Commission. The Commission has authority to implement all Massachusetts Marijuana laws.
Good Feels Inc's Chosen Computerized Seed to Sale System - PC-based software designed to track the manufacturing, manufacturing and sale of marijuana and marijuana product. Good Feels Inc'S chosen computerized seed to sale system shall be used to track and record all commercial marijuana activity at the facility.
Limited Access Area - an indoor or outdoor area on the premises of a Marijuana Establishment or MTC where Marijuana or Marijuana Products, or their byproducts are cultivated, stored, weighed, packaged, processed, or disposed, under the control of a Marijuana Establishment or MTC, with access limited to only those Marijuana Establishment Agents designated by the Establishment or MTC.
Marijuana Cultivator - an entity licensed to cultivate, process and package Marijuana, and to transfer marijuana to other Marijuana Establishments or MTCs, but not to consumers. A Craft Marijuana Cooperative is a type of Marijuana Cultivator.
METRC (Seed-to-Sale Electronic Tracking System) -a system designated by the Commission as the system of record (Seed-to-sale SOR) or a secondary electronic tracking system used by a Marijuana Establishment or an MTC or an Independent Testing Laboratory. This system shall capture everything that happens to an individual marijuana plant, from seed and manufacturing, through growth, harvest and manufacture of marijuana products and MIPs, including transportation, if any, to final sale of finished products. Seed-to-sale Electronic Tracking System shall utilize a unique-plant identification and unique batch identification. It will also be able to track agents' and Registrants' involvement with the Marijuana Product. Any secondary system used by the Marijuana Establishment or an MTC or an Independent Testing Laboratory must integrate with the SOR in a form and manner determined by the Commission.
Organic Material - any of the following source-separated materials:
- Vegetative material;
- Food material;
- Agricultural material;
- Biodegradable products;
- Biodegradable paper;
- Clean wood; or
- Yard waste.

Organic Material does not include sanitary wastewater treatment facility residuals.
Process or Processing - to harvest, dry, cure, trim and separate parts of the cannabis or marijuana plant by manual or mechanical means, except it shall not include Manufacture as a definition.
Production Batch - a batch of finished plant material, cannabis resin, cannabis concentrate, or marijuana-infused product produced at the same time, using the same methods, equipment and ingredients. Good Feels Inc must assign and record an RFID tag to each production batch for the purposes of production tracking, product labeling and product recalls. All Production Batches shall be traceable to one or more cannabis or marijuana cultivation batches.
Premises - any indoor or outdoor location over which a Marijuana Establishment, MTC, or its agents may lawfully exert substantial supervision or control over entry or access to the property or the conduct of persons.
Registration Card or Agent Registration Card - an identification card issued by the Commission to a Marijuana Establishment or Laboratory Agent. The Registration Card allows access into Commission-supported databases. The Registration Card facilitates verification of an individual registrant's status, including, but not limited to the identification by the Commission and Law Enforcement Authorities.
RFID - Radio-Frequency Identification - uses electromagnetic fields to automatically identify and track tags attached to objects. The tags contain electronically stored information. Passive tags collect energy from a nearby RFID reader's interrogating radio waves. Active tags have a local power source (such as a battery) and may operate hundreds of meters from the RFID reader. Unlike a barcode, the tags don't need to be within the line of sight of the reader, so it may be embedded in the tracked object.

\section*{Resources:}

Personal protective equipment such as goggles and work gloves, high-powered blender, secure waste receptacle, calibrated scale, METRC, Good Feels Inc's chosen computerized seed-to-sale system, Waste Log

\section*{MFG - Rendering Marijuana Waste}

\section*{A. Preparing marijuana waste for disposal}

CMR 935.500.130(5)(c) (2019) CMR 935.501.130(5)(c) (2019)
1. Using Good Feels Inc's Collecting Marijuana Waste SOP, ensure all solid and organic marijuana waste is collected and tracked according to Massachusetts marijuana law and Good Feels Inc policies.

\section*{B. Authorized Employee Instructions - Assign two Good Feels Inc manufacturing facility employees to dispose of the marijuana waste under video surveillance:}

CMR 935.500.130(5)(c) (2019) CMR 935.501.130(5)(c) (2019)
1. Wear protective goggles, work gloves, and if necessary or desired, other personal protective equipment.
2. Grind marijuana. CMR 935.500.105(12)(c)(3) (2019) CMR 935.501.105(12)(c)(3) (2019)
3. Mix and incorporate the ground marijuana with solid or organic wastes so that the resulting mixture renders any marijuana unusable for its original purpose.
- Ensure that organic marijuana waste is mixed with organic material.
- Ensure that solid marijuana waste is mixed with other solid wastes. Note: It is a best practice to make the resulting mixture at least \(50 \%\) non-marijuana by volume.
\begin{tabular}{llll} 
CMR & CMR & CMR & CMR \\
\(935.500 .105(12)(\mathrm{c})(3)\) & \(935.501 .105(12)(\mathrm{c})(3)\) & \(935.500 .105(12)(\mathrm{c})(2)(\mathrm{b})\) & \(935.501 .105(12)(\mathrm{c})(2)(\mathrm{b})\) \\
\((2019)\) & \((2019)\) & \((2019)\) & \((2019)\)
\end{tabular}
C. After Waste is rendered unusable:

CMR 935.500.130(5)(c) (2019) CMR 935.501.130(5)(c) (2019)
1. Inspect the ground and incorporated marijuana waste to ensure that it has been rendered unusable. Confirm that the resulting mixture cannot easily be separated and sorted.
\begin{tabular}{llll} 
CMR & CMR & CMR & CMR \\
\(935.500 .105(12)(c)(3)\) & \(935.501 .105(12)(c)(3)\) & \(935.500 .105(12)(\mathrm{c})(2)(\mathrm{b})\) & \(935.501 .105(12)(\mathrm{c})(2)(\mathrm{b})\) \\
\((2019)\) & \((2019)\) & \((2019)\) & \((2019)\)
\end{tabular}
2. Using an approved and calibrated scale, weigh the unusable marijuana and record the waste weight in Good Feels Inc's Waste Log. Note: Ensure the waste is properly tracked in the correct Organic or Solid Marijuana Waste Log.

CMR 935.500.105(9)(f) (2019) CMR 935.501.105(9)(f) (2019)
3. Enter the below information in Good Feels Inc's Waste Log for the handling and disposal of marijuana waste:
- Date;
- Type and quantity of marijuana;
- Manner of disposal or other handling;

Location of disposal or other handling; and
Names and signatures of the two Good Feels Inc Agents present during the disposal or other handling.

CMR 935.500.105(12)(d) (2019) CMR 935.501.105(12)(d) (2019)
4. Enter the below information into METRC and Good Feels Inc's chosen computerized seed-to-sale system, as applicable:
- Date;
- Weight;
- Strain;
- Production batch number;
- Room ID;
- RFID tag number; and
- Name of the two agents who witnessed the rendering of marijuana into unusable waste.

CMR 935.500.105(9)(f) (2019) CMR 935.501.105(9)(f) (2019)
5. Keep rendered solid marijuana waste in a secured waste receptacle in possession and control of Good Feels Inc until properly released from Good Feels Inc's custody by a permitted waste facility.

CMR 935.500.105(12)(d) (2019) CMR 935.501.105(12)(d) (2019)
6. Ensure that rendered organic waste is sent to a facility that composts or digests organic waste in an aerobic or anaerobic digester that is in compliance with the requirements of 310 CMR 16.00: Site Assignment Regulations for Solid Waste Facilities.

CMR 935.500.105(12)(c)(2)(b) (2019) CMR 935.501.105(12)(c)(2)(b) (2019)
7. Keep and maintain electronic records regarding marijuana waste that accounts for, reconcilies, and evidences all waste activity related to the disposal of marijuana at Good Feels Inc's manufacturing facility for at least three years, and make these records available to the Commission upon request. Note: This period shall automatically be extended for the duration of any enforcement action or by order of the Commission.

CMR 935.500.105(12)(d) (2019) CMR 935.501.105(12)(d) (2019)

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\section*{MFG - Visitor Access Control Good Feels Inc.}
\begin{tabular}{|l|l|}
\hline Version: & 1 \\
\hline Effective Date: & \(09 / 24 / 2019\) \\
\hline Last Revised: & \(12 / 21 / 2019\) \\
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\end{tabular}

\section*{Policy:}

It is Good Feels Inc's responsibility to maintain the integrity of the security and sanitary operations when permitting access to Good Feels Inc's enclosed, locked facility. Good Feels Inc will maintain a visitor access log that will includes:
- Name of the visitor;
- Date;
- Time; and
- Purpose of visit.

Acceptable forms of government issued ID include government-issued identification with a photo, name, and date of birth.

Access to Good Feels Inc's limited access areas and production areas will be restricted to:
- The minimum number of employees essential for efficient operation;
- Agents or volunteers specifically permitted by Good Feels Inc;
- Agents of the Commission;
- Commission Delegees;
- State and local law enforcement authorities acting within their lawful jurisdictions; and
- Police, fire commissions, and emergency medical services acting in the course of their official capacity.

In addition, Good Feels Inc will restrict access to any surveillance areas to:
- People essential to surveillance operations;
- Law enforcement authorities acting within their lawful jurisdiction;
- Security system service personnel; and
- The Commission or Commission Delegee.

A current list of authorized Good Feels Inc employees and service employees who have access to any surveillance room must be maintained.

Good Feels Inc and Good Feels Inc's employees will report to the Commission and local authorities any discovered plan or act by a visitor to:
- Commit theft, burglary, underage sales, diversion of marijuana and/or marijuana product or other crime related to Good Feels Inc's operations;
- Compromise the integrity of METRC; or
- Do something that results in serious bodily injury to anyone at Good Feels Inc's facility or something that otherwise creates a material risk to public health and safety.

All Good Feels Inc Visitor Access Logs must be retained in Good Feels Inc's business records.

If Good Feels Inc is a CMO:
- Records must be kept separate and designated by adult or medical use;
- SOPs can be in one document, providing that it complies with both medical and adult-use regulations for SOPs. Otherwise, Good Feels Inc may maintain two sets of operating procedures; one applicable to medical use, and one applicable to adult use.

Policy Citations: CMR 935.500.105(4)(c) (2019); CMR 935.501.105(4)(c) (2019); CMR 935.500.105(4)(e) (2019); CMR
935.501.105(4)(e) (2019); CMR 935.500.110(1)(e) (2019); CMR 935.501.110(1)(e) (2019); CMR 935.500.110(5)(b) (2019); CMR
935.501.110(5)(b) (2019); CMR 935.500.110(5)(d) (2019); CMR 935.501.110(5)(d) (2019); CMR 935.500.110(5)(e) (2019); CMR
935.501.110(5)(e) (2019); CMR 935.502.105(1) (2019); CMR 935.502.105(9) (2019)

\section*{Purpose:}

This document covers visitor access control requirements

\section*{Scope:}

Manufacturing, Visitors, Security

\section*{Employee Responsible:}

Security Personnel, Manufacturing Facility Employee, Manufacturing Facility Manager

\section*{Definitions:}

CMO - (Colocated Marijuana Operations) - an MTC operating under a medical license, and a Marijuana Establishment operating under at least one adult-use license on the same premises. Colocated Marijuana Operations pertain to cultivation, product manufacturing, and retail licenses, but not any other adult-use license.
Commission - the Massachusetts Cannabis Control Commission. The Commission has authority to implement all Massachusetts Marijuana laws.
Commission Delegee(s) - other state or local officials or agencies working in cooperation with the Commission by agreement, to carry out the Commission's responsibilities and to ensure compliance with the adult-use, medical-use, and colocated operations laws, and any other applicable federal or state laws.
Enclosed Area - an indoor or outdoor area equipped with locks or other security devices, which is accessible only to consumers, MTC or marijuana establishment agents, registered qualifying patients, or caregivers.
Limited Access Area - an indoor or outdoor area on the premises of a marijuana establishment or MTC where marijuana is cultivated, stored, weighed, packaged, processed, or disposed, under the control of a marijuana establishment or MTC, with access limited to only the agents designated by Good Feels Inc.
Premises - any indoor or outdoor location over which a Marijuana Establishment, MTC, or its agents may lawfully exert substantial supervision or control over entry or access to the property or the conduct of persons.
Production Area - a Limited Access Area within the Marijuana Establishment where cannabis or marijuana is handled or produced in preparation for sale.
Visitor - an individual, other than a Marijuana Establishment Agent or Laboratory Agent authorized by the Marijuana Establishment or Independent Testing Laboratory to on the premises of an establishment for a purpose related to its operations and consistent with the objectives of St. 2016, c. 334, as amended by St. 2017, c. 55, M.G.L. c. 94G, and 935 CMR 500.000: Adult Use of Marijuana, provided, however, that no such individual shall be younger than 21 years old.

\section*{Resources:}

Visitor Access Log, lanyard with clear badge holder, visitor name tags

\section*{MFG - Visitor Access Control}
A. When a visitor is seeking access to Good Feels Inc's adult-use only manufacturing facility, ask for their government-issued ID. If they are not 21 years of age or older, turn then away.

CMR 935.500.105(1)(a) (2019) CMR 935.501.105(1)(a) (2019)
B. When a visitor is seeking access to Good Feels Inc's co-located facility, ask for their government-issued ID. If they are not 21 years of age or older, turn then away.

CMR 935.502.110(1)(a) (2019).
C. Do not accept consideration or compensation for permitting a visitor to enter Good Feels Inc's manufacturing facility. Note: This is not a requirement under Massachusetts marijuana law, but is considered a best practice.
D. Allow any Commission officials or other regulatory official performing their duties related to marijuana enforcement into Good Feels Inc's manufacturing facility. Note: Failure to cooperate or otherwise comply with an inspection may result in administrative or disciplinary action against Good Feels Inc. Please see the following Good Feels Inc SOPs for more information:
- Handling of Regulatory Audits and Inspections; and
- Regulatory Audit and Inspection Preparation.
\begin{tabular}{l|l|lll} 
CMR & CMR & CMR & CMR & CMR \\
\(935.500 .301(2)\) & \(935.501 .301(2)\) & \(935.500 .301(7)\) & \(935.501 .301(7)\) & \(935.500 .105(4)(\mathrm{c})\) \\
\((2019)\) & \((2019)\) & \((2019)\) & \((2019)\) & \(935.501 .105(4)(\mathrm{c})\) \\
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\end{tabular}
E. Ask the visitor to sign into the Visitor Access Log. Instruct them to include:
- Their name;
- The reason for their visit;
- Date; and
- Time of the visit.

CMR 935.500.105(4)(e) (2019) CMR 935.501.105(4)(e) (2019)
F. When they are done filling out their entry in the Visitor Access Log, ensure their ID matches the name on the Visitor Access Log.

CMR 935.501.105(4)(e) (2019) CMR 935.500.105(4)(e) (2019
G. Scan the visitor's ID and save it into Good Feels Inc's chosen computerized seed-to-sale system, if applicable.
H. Give the visitor a visitor badge that states their name and ask them to keep it visible to others at all times while they're at the
facility.
CMR 935.500.105(4)(e) (2019) CMR 935.501.105(4)(e) (2019)
I. Instruct the visitor that they must sign out on the visitor log and return their visitor badge prior to leaving Good Feels Inc's manufacturing facility.

CMR 935.500.105(4)(e) (2019) CMR 935.501.105(4)(e) (2019)
J. Escort the visitor through the manufacturing facility and production areas as needed. If there are five visitors or more being escorted at one time, ensure enough licensed personnel are available in order to ensure that no more than five visitors are escorted for each employee-escort. Note: The five visitor per employee rule is not required by Massachusetts law, but is considered a best practice for manufacturing facility access control.

CMR 935.500.105(4)(e) (2019) CMR 935.501.105(4)(e) (2019)
K. Inform the visitor(s) that touching marijuana products and any equipment and contact surfaces is strictly prohibited.
L. Remind visitors that on-site consumption of marijuana products is strictly prohibited.
M. Ask the visitor to leave the premises when they, at any time, refuse to comply with Good Feels Inc's visitor policies and rules set forth by the Commission and other applicable laws. Ask security for assistance as necessary.
N. After the visit is completed, instruct the visitor to:
- Return their visitor identification badge before leaving;
- Sign out on the Visitor Access Log; and
- Record their accurate departure time.

CMR 935.500.105(4)(e) (2019) CMR 935.501.105(4)(e) (2019)
O. Verify that the full name of the manufacturing facility employee escorting the visitor throughout the facility is documented in the Visitor Access Log, along with their agent identification card number.
P. Once you check the visitor out, ensure they immediately leave the premises.

CMR 935.500.110(1)(b) (2019) CMR 935.501.110(1)(b) (2019)
Q. Notify the Commission and local law enforcement within 24 hours of the following:
- Any incident involving theft or possible diversion of marijuana products; and
- Any suspected or known security breach or other manufacturing facility event that may compromise public health and/or safety, or which requires response by public safety personnel or law enforcement. Note: Please
see Good Feels Inc's GNL - Incident Reporting SOP for more information on this process.
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R. Maintain all visitor access logs, incident reports, and all other records related to visitors at Good Feels Inc's manufacturing facility. Make them available to the Commission upon request.

CMR 935.500.110(4)(e) (2019) CMR 935.501.110(4)(e) (2019)
S. Maintain all visitor records, including Good Feels Inc's Visitor Log, for at least two years after the closure of Good Feels Inc, in a form and location acceptable by the Commission.

CMR 935.500.105(9)(g) (2019) CMR 935.501.105(9)(g) (2019)

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\section*{GNL - Cash Handling Good Feels Inc.}
\begin{tabular}{|l|l|}
\hline Version: & 1 \\
\hline Effective Date: & \(09 / 24 / 2019\) \\
\hline Last Revised: & \(12 / 13 / 2019\) \\
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\end{tabular}

\section*{Policy:}

A major security concern within the regulated marijuana industry is secure and effective cash handling. Operating a business that is known to have large amounts of cash posseses unique security threats. Consequently, Good Feels Inc will establish and maintain policies and procedures for safe cash handling within Good Feels Inc's premises, as well as transportation of cash from Good Feels Inc's facility to Good Feels Inc's bank or DOR facility. These policies and procedures will be part of Good Feels Inc's written Security Plan. Note: Please see Good Feels Inc's GNL - Security Overview SOP for more detailed information.

Good Feels Inc is aware that the public disclosure of any security planning can jeopardize public safety. All written safety and security measures shall be treated as confidential security planning documents.

Good Feels Inc must establish and implement adequate security measures and procedures for safe cash handling and transportation. Adequate security measures shall include:
- An on-site secure locked safe or vault maintained in an area separate from retail sales areas used exclusively for the purpose of securing cash;
- Video cameras directed to provide images of areas where cash is kept, handled and packaged for transport to financial institutions or DOR facilities that are able to produce a clear, still image, whether live or recorded. Note: Cameras may be motion-sensor activated, provided that the cameras can:
- Produce a clear, still image, whether live or recorded; and
- Video cameras may use motion detection sensors to begin recording, so long as the motion detection sensor system provides an alert to designated Good Feels Inc employees in a manner established in Good Feels Inc's written security procedures and approved by the Commission or a Commission Delegee.
- A written process for securing cash and ensuring transfers of deposits to Good Feels Inc's financial institutions and DOR facilities on a regular basis.

Good Feels Inc must obtain approval for transport of cash from Good Feels Inc's financial institution or DOR facility for either:
- The use of an armored transport provider that is licensed pursuant to M.G.L. c. 147, § 25 (watch, guard or patrol agency); or
- An alternative security provision for transporting cash to its financial institution.

Good Feels Inc may request an alternative security provisions for safe cash handling and/or transportation. In this event, Good Feels Inc shall submit a request for alternative safeguards in a form and manner determined by the Commission. The Commission, upon receipt of the request, will submit the request to the chief law enforcement officer in the municipality where Good Feels Inc's facility is located.

Any approved alternative security provision must be included in Good Feels Inc's Security Plan, which must be shared with law enforcement in the municipality in which the Good Feels Inc's facility is licensed. Sufficient alternatives include the following requirements:
- The use of a locked bag for the transportation of cash from Good Feels Inc's facility to a financial institution or DOR facility;
- Requiring any transportation of cash be conducted in an unmarked vehicle;
- Requiring two registered Good Feels Inc employees to be present in the vehicle at all times during transportation of deposits;
- Requiring real-time GPS tracking of the vehicle at all times when transporting cash;
- Requiring access to two-way communications between the transportation vehicle and Good Feels Inc; and
- Prohibiting the transportation of Marijuana or Marijuana Products at the same time that cash is being transported for deposit to a financial institution or DOR facility.

All Good Feels Inc employees will be trained on Good Feels Inc's cash handling policies and procedures, including but not limited to the following:
- Counting cash casino-style at all times;
- Organizing bills by denomination;
- Facing bills;
- Securely counting and storing money within Good Feels Inc's limited access area; and
- Ensuring the safe transport of cash deposits to Good Feels Inc's bank or DOR facility.

\section*{If Good Feels Inc is a CMO:}
- Good Feels Inc must follow CMR 935.502.110(2019) - "Security Requirements".
- Records must be kept separate and designated by adult or medical use;
- SOPs can be in one document, providing that it complies with both medical and adult-use regulations for SOPs. Otherwise, Good Feels Inc may maintain two sets of operating procedures; one applicable to medical use, and one applicable to adult use.

Policy Citation(s): CMR 935.501.110(1)(o) (2019); CMR 935.500.110(1)(o) (2019); CMR 935.501.110(2)(a) (2019); CMR 935.500.110(2)(a) (2019); CMR 935.501.110(7)(a) (2019); CMR 935.500.110(7)(a) (2019); CMR 935.501.110(7)(b) (2019); CMR 935.500.110(7)(b) (2019); CMR 935.502.105(1) (2019); CMR 935.502.105(9) (2019); CMR 935.501.110(8)(c)(2) (2019); CMR 935.500.110(8)(d)(2) (2019); CMR 935.501.110(2) (2019); CMR 935.500.110(2) (2019); CMR 935.500.110(1)(q); CMR 935.501.110(7)(c) (2019); CMR 935.500.110(7)(c) (2019)

\section*{Purpose:}

This documents outlines the procedures COMPANY must take to establish safe cash handling and transportation to prevent theft, loss and associated risks to the safety of employees, customers and the general public.

\section*{Scope:}

Security

\section*{Employee Responsible:}

Compliance Director, Facility Manager, Good Feels Inc accountant

\section*{Definitions:}

Casino Counting - a method of cash counting in which each individual bill is laid out left to right and counted so surveillance cameras can record each bill. This method is useful for accountability and investigative purposes.
CMO - (Colocated Marijuana Operations) - an MTC operating under a medical license, and a Marijuana Establishment operating under at least one adult-use License on the same premises. Colocated Marijuana Operations pertain to cultivation, product manufacturing, and retail licenses, but not any other adult-use License.
Commission - the Massachusetts Cannabis Control Commission. The Commission has authority to implement all Massachusetts Marijuana laws.
End-of-Day Report - details daily transaction totals per serving period, allowing users to reconcile drawers and eliminate or reduce overages and shortages.
Denomination - the face value of a banknote
DOR - Massachusetts Department of Revenue
Manager Log - A document or set of documents where facility managers leave pertinent operational information for off-shift managers. A Manager Log also serves as a record of day-to-day events at Good Feels Inc's facility.
Point-of-Sale - A point of sale (POS) is a combination of software and hardware that a business owner needs to run transactions. The software typically encompasses a myriad of functions, including payment processing and staff, customer, and inventory management. The POS hardware includes an internet-enabled device that can run the POS software, plus transaction tools like a receipt printer and a cash drawer.

\section*{Resources:}

Bank Deposit Slips, Lockable Tamper Evident Cash Deposit Bags, POS logs, COMPANY Manager Logs, cash counter, COMPANY's Security Plan

\section*{GNL - Cash Handling}

\section*{A. Secure Areas - Compliance Director, Facility Managers}

CMR 935.501.110(1)(0) (2019) CMR 935.500.110(1)(0) (2019)
1. Maintain limited access to all areas where cash is stored, handled, and counted.
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CMR 935.500.110(7)(a)(1) CMR 935.501.110(7)(a)(1) CMR 935.500.110(1)(e) CMR 935.501.110(1)(e) (2019) (2019)
CMR 935.500.110(1)(e)
CMR 935.501.110(1)(e) (2019)

```
2. Ensure that the video cameras recording the secure cash handling area and vault are functioning properly.

CMR 935.500.110(7)(a)(2) (2019)

CMR 935.501.110(7)(a)(2) (2019)

CMR 935.501.110(5)(a)(4) (2019)

CMR 935.500.110(5)(a)(4) (2019)
3. Confirm that all vaults and cash lock boxes are in good working order.

CMR 935.500.110(1)(i) (2019) CMR 935.501.110(1)(i) (2019)
4. Instruct authorized employees to:
- Never give out codes, keys, or any other access credentials to unauthorized individuals; and - Leave keys in any locks.
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CMR 935.500.110(1)(i)
(2019)

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CMR 935.501.110(1)(i) (2019)

CMR 935.500.110(1)(j) (2019)

CMR 935.501.110(1)(j) (2019)

\section*{B. Cash Supply}

CMR 935.501.110(1)(0) (2019) CMR 935.500.110(1)(0) (2019)
1. Perform consistent change orders to maintain an adequate supply of coins, as well as smaller denominations of paper bills, such as 10 's, 5 's and 1's. Note: These smaller denominations are used quickly in cash-only transactions.
- If Good Feels Inc uses a third party service for change orders, maintain all documentation for the third party, including contracts and logs.

Best Practice
2. Instruct all Good Feels Inc employees authorized to handle cash to:
- Use casino-style counting at all times.
- Secure cash at all times using the following methods:
- Use bank bags every time cash is removed from cash registers and taken to Good Feels Inc's limited access area;
- Never leave cash unattended if it is not secured in a cash register, lockbox, or vault.
- Keep cash organized at all times, using the following methods:
- 1 's - \(\$ 25\)
1. 1 's that are grouped into sets of \(\$ 25\) can be combined into a stack of \(\$ 100\).
- 5 's - \(\$ 100\) (20 bills)
- 10 's - \(\$ 100\) (10 bills)
- 20 's - \(\$ 1,000.00\) ( 50 bills)
- 100's - \$1,000.00 (10 bills)
- Always face cash in the same direction. Keep bills tidily stacked and as crumple-free as possible;
- Organize cash by denominations, and paperclip or rubberband bills by the following:

\section*{C. Day-to-Day Operations - Facility Managers and Support Employees Authorized to Handle Cash}

CMR 935.501.110(1)(0) (2019) CMR 935.500.110(1)(0) (2019)
1. Beginning of Day:
1. Count all POS cash registers at the beginning of each day and/or shift. Report and record any and all cash discrepancies in all applicable Good Feels Inc logs.
2. Investigate and reconcile major cash discrepancies. Record all investigations and the results of the investigation in Good Feels Inc's Manager Logs and all other applicable Good Feels Inc logs.
3. Ensure each cash register is sufficiently stocked with coinages and smaller denominations so change can be given to customers, patients, or caregivers, as applicable.
2. Throughout the Day:
1. Regularly pull larger bills, such as 20 's, 50 's and 100 's, from each cash register and securely store in Good Feels Inc's vault or cash lockbox within the limited access area.
2. Within the limited access area, count cash to ensure:
- All bills are correctly organized by denomination; and
- All bills are faced correctly. CMR 935.500.110(7)(a)(3) (2019); CMR 935.501.110(7)(a)(3) (2019)
3. Organize bills by the following denominations:
1. 1's that are grouped into sets of \(\$ 25\) can be combined into a stack of \(\$ 100\).
- 1 's - \(\$ 25\)
- 5's - \$100 (20 bills)
- 10 's - \(\$ 100\) (10 bills)
- 20's - \$1,000.00 (50 bills)
- 100's - \$1,000.00 (10 bills)

\section*{D. End of Day Deposits - Facility Managers and Support Employees Authorized to Handle Cash}

CMR 935.501.110(1)(0) (2019) CMR 935.500.110(1)(0) (2019)
1. Perform an End-of-Day (EOD) close out for each point-of-sale (POS) terminal.
2. Print the End of Day Report.
3. Count the cash in each POS cash register, and notate the total. Note: Use a cash counter, if possible, to help reduce errors.
4. Reconcile the physical cash amount with the EOD Report.
5. Once the cash is reconciled, organize it by denomination.
6. Collect cash and the End of Day Report for each POS terminal. Note: If support employees are responsible for cash handling, ensure their initials and date are added to the EOD reports.
7. Place the cash, deposit slips, and EOD reports within a lockable, tamper-evident cash bag.

CMR 935.500.110(7)(a)(3) (2019) CMR 935.501.110(7)(a)(3) (2019)
8. Securely close the cash bag and place inside the vault.
9. Securely close the vault.

\section*{E. Secure Transfer of Cash to a Banking Institution}
\begin{tabular}{llll} 
CMR 935.501.110(1)(0) & CMR 935.500.110(1)(0) & CMR 935.500.110(7)(a)(3) & CMR 935.501.110(7)(a)(3) \\
(2019) & (2019) & \((2019)\) & (2019)
\end{tabular}
1. Submit a request to Good Feels Inc's financial institution or DOR facility for approval for a licensed armored transport provider, or alternative method of secure transport.
\begin{tabular}{llll} 
CMR 935.500.110(7)(a)(4) & CMR 935.501.110(7)(a)(4) & CMR 935.500.110(7)(b)(7) & CMR 935.501.110(7)(b)(7) \\
(2019) & \((2019)\) & \((2019)\)
\end{tabular}
2. Select a weekly time, at a minimum, to securely transfer cash to Good Feels Inc's financial banking institution.
3. If Good Feels Inc uses third party armored transport:
- On the day the transport guard arrives, sign them into Good Feels Inc's Visitor Log and provide them a visitor's badge.
- Escort the transport guard to Good Feels Inc's secure cash area. Do not leave them unattended under no circumstances.
- Open the vault and collect all the sealed deposit bags to be given to the guard.
- Under video surveillance, verify the amount that is to be given to the transport guard.
- Place the cash in the transport guard's custody. Ensure all the cash is secure and out of sight.
- Escort the transport guard out of Good Feels Inc's limited access area, sign them out of the Visitor Log, and ensure that the Visitor's Badge is returned.

CMR 935.500.110(4)(e) (2019) CMR 935.501.110(4)(e) (2019)
4. If Good Feels Inc uses an alternative safeguard for cash transport:
- On the day of the cash transport, verify the amount of cash to be transported to Good Feels Inc's bank
or DOR facility.
- Record the amount in Good Feels Inc's cash log.
- Place all of the cash to be transported within a locked bag.
- Confirm that the vehicle used to transport the cash has active and operational GPS.

Ensure that both Good Feels Inc employees who will be transporting the cash have working two-way communication.

Verify that no marijuana or marijuana products are being transported at the same time.

5. Document the cash transport in Good Feels Inc' Cash Transport Log. Include the following information, at a minimum:
- Date and time;

Amount of cash being transported;
- Name of the Good Feels Inc Manager handling the cash hand-off;
- Name of the transport guard who is handling the cash, if applicable; and
- Names and identification numbers of the Good Feels Inc employees responsible for the transport, if applicable.

\section*{F. Recordkeeping}
1. Maintain all records of Good Feels Inc's secure cash handling and transport procedures, and make them available to the Commission upon request. Include the following, at a minimum:
- Good Feels Inc's Security Plan;
- Armored transport:
- Written requests to Good Feels Inc's financial institution or DOR facility;
- Approvals for use of an armored transport provider from Good Feels Inc's bank or DOR facility;
- Contracts;
- Invoices;
- Cash Transport Logs.
- Alternative security provisions:
- Written requests to Good Feels Inc's financial institution or DOR facility;
- Approvals for use of an alternative safeguard from Good Feels Inc's bank or DOR facility;
- Cash Transport Logs;
- Deposit Records;
- Communications with local law enforcement in the municipality in which Good Feels Inc"s facility is located.
\begin{tabular}{l|l|l|ll} 
CMR & CMR & CMR & CMR & CMR \\
935.500.110(7)(a)(4) & \(935.501 .110(7)(\mathrm{a})(4)\) & \(935.500 .110(7)(\mathrm{b})(7)\) & \(935.501 .110(7)(\mathrm{b})(7)\) & \(935.500 .105(9)(\mathrm{e})(2)\) \\
(2019) & \((2019)\) & \((2019)\) & \((2019)\) & 935.501.105(9)(e)(2) \\
\hline
\end{tabular}

\title{
Good 7eels
}

CANNABIS

\section*{GNL - Incident Reporting Good Feels Inc.}
\begin{tabular}{|l|l|}
\hline Version: & 1 \\
\hline Effective Date: & \(09 / 24 / 2019\) \\
\hline Last Revised: & \(12 / 13 / 2019\) \\
\hline
\end{tabular}

\section*{Policy:}

Any incident that occurs on Good Feels Inc's premises or while delivery drivers are transporting Good Feels Inc's wholesale marijuana products to other licensees must be reported to the Commission, as well as local law enforcement authorities. It is Good Feels Inc's responsibility to immediately notify the Commission and local law enforcement authorities within 24 hours of discovery of any breach in security or other reportable incident.

Incident Reporting shall include, but not be limited to, the following circumstances:
- Discovery of inventory discrepancies;
- Diversion, theft, or loss of any marijuana product;
- Any vehicle accident during transportation or deliveries;
- Any criminal action involving Good Feels Inc, a Good Feels Inc agent, or occurring on or in Good Feels Inc premises;
- Any suspicious act involving the sale, cultivation, distribution, processing, or production of marijuana by any person;
- Unauthorized destruction of marijuana;
- Any loss or unauthorized alteration of records related to marijuana, Registered Qualifying Patients, Personal Caregivers, or Good Feels Inc agents;
- An alarm activation or other event that requires response by public safety personnel, including but not limited to:
- Local law enforcement;
- Municipal fire departments;
- Public works or municipal sanitation departments;
- Municipal inspectional services department; or
- Security personnel privately engaged by Good Feels Inc;
- The failure of any security alarm system due to a loss of electrical power or mechanical malfunction that is expected to last longer than eight hours; or
- Any other breach of security.

Good Feels Inc must write and submit an Incident Report to the Commission within 10 calendar days. The submission will be in a form and manner determined by the Commission, and will include the following, at a minimum:
- Details and circumstances of the incident;
- Any corrective action taken by Good Feels Inc; and
- Confirmation that the appropriate law enforcement authorities were notified.

Good Feels Inc will maintain all incident records for at least one year, or for the duration of an open investigation. All records will be made available to the Commission or local law enforcement acting within their jurisdiction upon request.

Good Feels Inc will maintain an Internal Incident Log to help track incidents. Staff will be trained to immediately notate details of incidents that occur. These details will be relayed accordingly to the appropriate management team. An Incident Report will be written and submitted to the Commission by Good Feels Inc's Security Director, in coordination with Good Feels Inc's Compliance Director.

If Good Feels Inc is a CMO, then Incident Reporting procedures and record keeping requirements must reflect both medical and adult-use regulations.
- Records must be kept separate and designated by adult or medical use; and
- SOPs can be in one document, providing that it complies with both medical and adult-use regulations for SOPs. Otherwise, Good Feels Inc may maintain two sets of operating procedures; one applicable to medical use, and one applicable to adult use.

\section*{Purpose:}

This document describes the procedures COMPANY's Director of Security and Director of Compliance need to follow upon discovery of a reportable incident.

\section*{Scope:}

Reporting Requirements

\section*{Employee Responsible:}

Director of Security, Director of Compliance, Facility Manager

\section*{Definitions:}

Commission - the Massachusetts Cannabis Control Commission.The Commission has authority to implement all Massachusetts Marijuana laws.
Premises - any indoor or outdoor location over which a Marijuana Establishment or Independent Testing Laboratory or its agents may lawfully exert substantial supervision or control over entry or access to the property or the conduct of persons.

\section*{Resources:}

Commission Incident Report Form, COMPANY Incident Log

\section*{GNL - Incident Reporting}

\section*{A. Fact Gathering, Notification to Law Enforcement, and Corrective Action - Immediately after the incident or security breach.}
1. Note the time as soon as the situation has settled down.

Best Practice
2. Instruct all Good Feels Inc agents involved in the incident to write down as many details as they can remember.

Note: Writing down information while the facts are still fresh is crucial to help capture as many incident details as possible.

Best Practice
3. Collect all information provided by all relevant Good Feels Inc agents.

Best Practice
4. Notify law enforcement and the Commission within 24 hours of discovery of the incident.

CMR 935.500.110(9)(a) (2019) CMR 935.501.110(9)(a) (2019)
5. Keep record of the notification to law enforcement, as it will be part of Good Feels Inc's Incident Report.

CMR 935.500.110(9)(b) (2019) CMR 935.501.110(9)(b) (2019)
6. Implement corrective action as needed.

CMR 935.500.110(9)(b) (2019) CMR 935.501.110(9)(b) (2019)

\section*{B. Preparing and Submitting an Incident Report}
1. Begin drafting an Incident Report, using the information provided by all Good Feels Inc agents involved in the incident. Include the following information:
- Details of the incident;
- Any corrective actions taken by Good Feels Inc; and
- Confirmation that the appropriate law enforcement was notified within 24 hours following discovery of the incident.

CMR 935.500.110(9)(b) (2019) CMR 935.501.110(9)(b) (2019)
2. Submit the Incident Report to the Commission within 10 calendar days.

CMR 935.500.110(9)(b) (2019) CMR 935.501.110(9)(b) (2019)
3. Maintain the Incident Report for at least one year. If the Incident Report serves as part of an ongoing investigation, maintain the Incident Report for the duration of the open investigation.

CMR 935.500.110(9)(c) (2019) CMR 935.501.110(9)(c) (2019)
4. Maintain the Incident Report in Good Feels Inc's records for at least two years after the closure of Good Feels Inc.
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CMR 935.500.105(9)(g)(2019) CMR 935.501.105(9)(g) (2019)

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\section*{C. RecordKeeping}
1. Maintain all incident reporting documentation in Good Feels Inc's business records for at least one year, or for two years after the closure of Good Feels Inc's business. Make all records available to the Commission upon request.
\begin{tabular}{lllll} 
CMR 935.500.110(9)(c) & CMR 935.501.110(9)(c) & CMR 935.500.105(9)(g) & CMR 935.501.105(9)(g) \\
(2019) & (2019) & (2019) & (2019)
\end{tabular}
2. If Good Feels Inc's Incident Report is part of an ongoing investigation, Good Feels Inc will maintain all documentation for the duration of the open investigation. All records will be made readily available for the Commission upon request.
\begin{tabular}{ll|l|l|l|l} 
CMR & CMR & CMR & CMR & CMR & CMR \\
\(935.500 .110(9)(c)\) & \(935.501 .110(9)(c)\) & \(935.500 .301(3)\) & \(935.500 .301(4)\) & \(935.501 .301(3)\) & \(935.501 .301(4)\) \\
(2019) & (2019) & \((2019)\) & \((2019)\) & \((2019)\) & \((2019)\) \\
\hline
\end{tabular}

NCE JOB MEMO 2020-039
TO: Jason Reposa
COMPANY: Good Feels, Inc.
FROM: Jeffrey Komrower, Noise Control Engineering
DATE: November 5, 2020
SUBJECT: Noise Predictions for Rooftop HVAC Equipment

Good Feels, Inc. is proposing to establish a Marijuana Product Manufacturing (MPM) facility located at 23 Jayar Road in Medway, MA. The location is in an industrial park and is not near any residential abutters, but still must meet noise regulations if any equipment will be installed that would be a noise source. Because of the type of facility, there is no cultivation requirements and thus no extreme requirements for supporting equipment. It is being proposed, however, to install a rooftop HVAC unit to support the facility operations. The proposed unit is an Ingersoll Rand AM-PRQ-A4AC3036A-1E-EN split system air conditioner. The location of the proposed unit is shown in Figure 1. Measurements from Google Maps show the location would be approximately 128 feet from the property line nearest the closest commercial abutter.

The Town of Medway Environmental Standards for continuous noise are as follows:
Continuous Noise. For the purposes of this bylaw, continuous noise restrictions apply to permanent non-residential uses and home-based businesses where noise is a by-product of business operations (such as from exhaust equipment). Maximum permissible sound pressure levels measured at the property line of the noise source shall not exceed the values specified in the table below. In addition, maximum permissible sounds levels measured at sensitive receptors located within one-thousand feet of the property line of the noise source for noise radiated continuously from the noise source shall not exceed the values specified in the table below. Daytime is defined as between the hours of 7:00 a.m. and 9:00 p.m. and Nighttime is defined as between the hours of 9:00 p.m. and 7:00 a.m.
\begin{tabular}{|c|c|c|}
\hline \begin{tabular}{c} 
Octave Band Center \\
Frequency (Hz)
\end{tabular} & \begin{tabular}{c} 
Daytime (dB) \\
\(\mathbf{7 : 0 0} \mathbf{a . m . - 9 : 0 0} \mathbf{~ p . m . ~}\)
\end{tabular} & \begin{tabular}{c} 
Nighttime (dB) \\
\(\mathbf{9 : 0 0} \mathbf{~ p . m . ~}-\mathbf{7 : 0 0} \mathbf{a . m}\).
\end{tabular} \\
\hline 63 & 72 & 55 \\
\hline 125 & 60 & 48 \\
\hline 250 & 53 & 42 \\
\hline 500 & 47 & 39 \\
\hline 1000 & 43 & 36 \\
\hline 2000 & 40 & 33 \\
\hline 4000 & 37 & 30 \\
\hline 8000 & 33 & 27 \\
\hline Overall Level (dBA) & 52 & 42 \\
\hline
\end{tabular}

Table 1: Town of Medway maximum permissible sound pressure levels
Sound power levels for the proposed unit were determine from the manufacturer's specification sheet and these sound power levels were converted to sound pressure levels and shown in Table 2. The sound pressure level (SPL) at the closest property line at 128 feet from the proposed location of the rooftop HVAC unit was then calculated using the basic formula for the reduction of sound pressure level as a function of distance (known as spherical spreading) which is represented by the formula:
\[
\mathrm{SPL}_{2}=\mathrm{SPL}_{1}-20 * \log \left(\mathrm{R}_{2} / \mathrm{R}_{1}\right) \mathrm{dB}
\]
where
\(\mathrm{SPL}_{2}=\) the sound pressure level at location 2
SPL \(_{1}=\) the sound pressure level at location 1
\(\mathrm{R}_{2}=\) the distance from the source to location 2
\(\mathrm{R}_{1} \quad=\) the distance from the source to location 1
The results of this calculation for the overall SPL as well as the SPL for the individual octave bands is presented in Table 2 along with the Town of Medway noise limits. It should be noted that this calculation is conservative because it does not take into account any shadow effects from the building nor the height elevation, so the actual SPL's will likely be lower than these calculations.

As can be seen from Table 2, the calculated noise levels at the property line from operation of the proposed rooftop unit are well below both the overall dBA requirements for both daytime and nighttime operation as well as the individual octave band limits. It is thus not anticipated that the operation of this rooftop unit will result in any noise pollution as described in the Town of Medway Environmental Standards.


Figure 1. Location of proposed rooftop HVAC unit
\begin{tabular}{|r|c|c|c|c|c|}
\cline { 2 - 6 } \multicolumn{1}{c|}{} & \multicolumn{3}{c|}{ Split System A/C A4AC3036A1000A } & \begin{tabular}{c} 
Town of Medway Environmental \\
Standards
\end{tabular} \\
\hline Hz & \begin{tabular}{c} 
Published \\
Sound Power \\
Levels (Lw)
\end{tabular} & \begin{tabular}{c} 
Equivalent \\
Sound Pressure \\
Levels at 3 feet
\end{tabular} & \begin{tabular}{c} 
Calculated Sound \\
Pressure Levels at \\
closest property Line \\
\((128\) feet) in dB
\end{tabular} & \begin{tabular}{c} 
Daytime Limits \\
\((7\) am to 9 PM) \\
in dB
\end{tabular} & \begin{tabular}{c} 
Nighttime Limits \\
(7am to 9 PM) \\
in dB
\end{tabular} \\
\hline Octave & dB & dB & dB & dB & dB \\
\hline 63 & 75 & 64 & 31 & 72 & 72 \\
\hline 125 & 65 & 54 & 21 & 60 & 60 \\
\hline 250 & 65 & 54 & 21 & 53 & 53 \\
\hline 500 & 66 & 55 & 22 & 47 & 47 \\
\hline 1000 & 64 & 53 & 20 & 43 & 43 \\
\hline 2000 & 59 & 48 & 15 & 37 & 40 \\
\hline 4000 & 56 & 45 & 12 & 33 & 37 \\
\hline 8000 & 53 & 42 & 9 & 52 & 33 \\
\hline OA (dBA) & 75 & 64 & 31 & 42 \\
\hline
\end{tabular}

Table 2: Predicted noise levels from rooftop HVAC equipment at nearest property line

\section*{The Smell of Cannabis}

Matt Catalano <mcatalano@commonwealthaltcare.org>
Thu, Oct 29, 2020 at 11:09 AM
To: Jason Reposa <jason@reposa.name>
Hey Jason,
We've had no type of an issue with any residual odor from bulk distillate. You should have no problem with any scent coming from as many Kilos of distillate you would be securing.

Thanks,
Matt
[Quoted text hidden]

Jason Reposa <jason@reposa.name>

\section*{Wholesale Distillate}

Gene Ray <gener@gardenremedies.com>
Mon, Dec 7, 2020 at 2:29 PM
To: Jason Reposa <jason@getgoodfeels.com>
Cc: Celena Vello <cvello@gardenremedies.com>, Jimmy Wagner <jwagner@gardenremedies.com>

Hi Jason,

Our distillate is stripped of its essential oil (or terpenes) that give it signature "weed" smell. Our bulk flower goes through a multistep process before it is finally refined into distillate. Therefore all of the of remaining plant compounds are out of the final product. The final product of distillate typically has a potency around \(+85 \%\) THC, which is then utilized to make our infused items. Our infused items, or edibles, heavily rely on distillate due to its non-existing taste of "weed".

Hope this helps.

Best,

Gene Ray
VP of Laboratory Operations

\section*{Garden Remedies}
gener@gardenremedies.com
(844) 344-2420


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\section*{Additional Cited Sources for Odor}

Below are cited sources that corroborate evidence that Cannabis distillate oil is odorless. Samples can be provided to the board for an in-person odor analysis.

An additional point to keep in mind is that the active dosage in any one beverage is limited to 5 mg per serving, per Cannabis Control Commission regulations. To put that amount into perspective, 5 mg in a 8 ounce beverage is approximately \(0.002 \%\) of its total volume.

If distillate oil contained a "weed" odor, it would flavor the beverages in an adverse way.

\section*{Sources}
1. "The method that creates pure, distilled THC also results in a concentrate that is inherently odourless and flavourless."
1. https://news. herbapproach.com/thc-distillate-facts/
2. "Dabbing or vaping distillates yields a nearly odorless vapor"
1. https://weedmaps.com/learn/dictionary/distillate/
3. "[l]t is known that the THC distillate products contain no active terpenes. They are destroyed in the process hence the lack of odor and taste of the THC distillate when consumed. The reason for them being destroyed is that they are sensitive to high temperatures and the THC distillate production is technically based on high temperatures."
1. https://www.highermentality.com/thc-distillate/



Medway Town Hall 155 Village Street Medway, MA 02053 Phone (508) 533-3291 Fax (508) 321-4987 Email: sachilds@ townofmedway.org www.townofmedway.org \\ \title{
TOWN OF MEDWAY \\ \title{
TOWN OF MEDWAY \\ Commonwealth of Massachusetts \\ PLANNING AND ECONOMIC Development Office
}

\section*{MEMORANDUM}

December 2, 2020
\begin{tabular}{ll} 
TO: & Planning and Economic Development Board \\
FROM: & Susan Affleck-Childs, Planning and Economic Development Coordinator \\
RE: & Recreational Marijuana Special Permit Application for Good Feels, LLC for 23 Jayar Road
\end{tabular}

I have reviewed the application and associated materials for a recreational marijuana special permit submitted by Good Feels, Inc. pursuant to Section 8.10 Recreational Marijuana of the Medway Zoning Bylaw as amended November 18, 2019. The petitioner seeks authorization to operate a manufacturing establishment at 23 Jayar Road to process bulk cannabis distillate oil into marijuana infused products and to package such products for delivery to licensed marijuana retail outlets. The owner and applicant is Good Feels, LLC (Jason Reposa) of Medway, MA.

The proposal is to use \(1,896 \mathrm{sq}\). ft . of the existing multi-tenant commercial/industrial building at 23 Jayar Road. The property is located in the East Industrial zoning district. A portion of the property is located within the Groundwater Protection District. The site also includes wetland resources. The property is owned by the William Reardon Revocable Trust of Medway, MA.

I have comments as follows:

\section*{ZONING - Section 8.10 Recreational Marijuana}

\section*{APPLICABILITY - Section 8.10 B.}
1. The proposed use of this space for marijuana product processing and packaging qualifies as a Recreational Marijuana Establishment (RME) as defined in SECTION 2 of the Zoning Bylaw. The premises will not be used for cultivation nor retail sales.

\section*{ELIGIBLE LOCATION - Section 8.10 D.}
2. The property at 23 Jayar Road is located in the East Industrial Zoning District which is one of the eligible locations for an RME as specified in the Zoning Bylaw. The site is 1.374 acres. The commercial/industrial building on the property is 18,212 sq. ft. in area. The applicant will use 1,896 sq. ft. of the building for the RME establishment; that space is located in the northwest corner of the property and is accessed from the parking lot on the west side of the building.

\section*{GENERAL REQUIREMENTS AND CONDITIONS - Section 8.10 E.}
3. The hours of operation shall be set by the Planning and Economic Development Board. At the time of application, the petitioner has proposed the hours of 10 am to 4 pm Monday through Friday. The specifics will be included as a condition of the special permit.
4. The proposed establishment meets the General Requirements for an RME as specified in Section 8.10 E. including being contained within a proper building which does not include residential uses or doctor's offices. The building is located more than 500 linear feet of an existing public or private school serving students in grades K-12. The Medway Dance Authority is a private dance school which is located within the same building. However, the Dance Authority is a commercial operation and does not constitute a public or private school in the meaning of the bylaw; instead it most suitably fits the definition of Education/Instructional Facility, Commercial as included in SECTION 2 Definitions of the Zoning Bylaw. To support this assertion, the applicant has provided a memorandum dated November 6, 2020 from Attorney Adrienne Dean of Yoo Dean Law of Westford, MA which presents a solid explanation to address this criterion. The application materials have been circulated to Town staff and we expect Building Commissioner Jack Mee will provide comments accordingly.
5. The proposed establishment does not include a drive-through service. There is no need for such as the establishment will not be selling its products directly to the consuming public. However, a prohibition regarding any drive-through capability can be included as a condition of the special permit if the Board so desires.
6. The petitioner has stated, in the application materials, that no smoking, burning or consumption of marijuana or marijuana infused products will be allowed on the premises. This too can be included as a condition of the special permit.

\section*{SIGNAGE - Section 8.10 F.}
7. The applicant plans to have a small sign near its entrance (on the west building façade) indicating the name of the business and Suite \#6. A sign permit through the Building Department with sign design review with the Design Review Committee is required. There are no plans for any advertising or primary wall signage on the exterior of the building, no free-standing monument sign on the front lawn, nor will they employ any off-site signage.

\section*{CONTACT INFORMATION - Section 8.10 G.}
8. Contact information for purposes of the special permit application and review process has been provided. Once the RME is up and running, the contact information should be updated to include all management staff and any holders of keys to the Good Feels premises. Maintaining this information with the Town can be included as a condition of the special permit decision.

\section*{PROHIBITION AGAINST NUISANCES - Section 8.10 H .}
9. Section 8.10 H . prohibits the creation of nuisances to abutters or the surrounding area or the creation of any hazards including but not limited to fire, explosion, fumes, odors, vapors, offensive noises. A rooftop HVAC system is proposed and the applicant has provided information regarding its noise. The applicant has also supplied information about the absence of odor from the production of marijuana infused products. The applicant's odor and noise documentation are being reviewed by separate outside consultants.
10. Section 8.10. I. 2. requires an RME to be designed and constructed such that no area or portion of the building where marijuana is processed or stored is visible from the exterior of the building. Section 8.10. I. 4 specifies that marijuana shall not be displayed or be clearly visible from the exterior of the RME. The applicant has indicated his plan to install frosted glass on all windows of their space and a solid door for the front/main entrance to preclude any visibility from outside the building.
11. Section 8.10. I. 3. specifies that the front of the building which shall include the public entrance to the RME shall be fully visible from the public street or building frontage. Both the front of the building (south façade) and the west façade are visible from Jayar Road which provides the legal frontage for the property. The entrance to the proposed RME is on the west façade of the building. It will be used by employees and for deliveries; the establishment is not a retail facility for public consumers. The entrance is visible from the northeast corner of Industrial Park Road and Jayar Road and from the site's primary parking area which is located on the west side of the building. The application materials have been circulated to Town staff and we have requested that Chief Tingley or Sergeant Watson provide comments accordingly. The applicant should followup with the Police Department to determine if there are any concerns about visibility and access.

\section*{SPECIAL PERMIT REQUIREMENTS - Section 8.10 J.}
12. Section 8.10. J. 2. requires that an RME is subject to site plan review by the Board. In this particular instance, there is no new building being proposed or site improvements undertaken that would trigger major or minor site plan review by the Board. A small portable generator is shown on the building's fit-out plan which would normally be considered under administrative site plan review. However, I would recommend the Board review that outdoor equipment as part of the special permit process so that the applicant does not need to go through a separate administrative site plan process with the Administrative Site Plan Review Team.

The petitioner has provided an as-built plan dated September 25, 2020, last revised November 3, 2020 prepared by Colonial Engineering. The Board may wish to consider having the applicant provide some enhancements to the site in keeping with the intent of the Site Plan Rules and Regulations. One example would be working with the property owner to install a suitable enclosure around the building's dumpster positioned at the northwest corner of the site. The dumpster is highly visible from Jayar Road.
13. Section 8.10. J. 3 specifies that an RME shall be limited to one or more of the possible allowed uses. The proposed use of this space for marijuana product processing and packaging qualifies as one of the possible permitted uses authorized by the Bylaw.
14. Section 8.10 J .5 . b. requires that copies of all required licenses and permits issued for the RME to the applicant by the Commonwealth of Massachusetts be included with the application. The petitioner has submitted documentation of its application filed with the Cannabis Control Commission on November 9, 2020. However, the Commission cannot issue even a Provisional License without evidence that the local approval has occurred. Accordingly, it is not possible for the applicant to have a license or permit in hand at this time from the Commission. Receipt of the required license and permit from the Cannabis Control Commission can be included as a condition of the special permit.
15. Section 8.10.J.5.c. requires the applicant to provide evidence that they have the right to use the site for an RME. The applicant has submitted a letter dated September 18, 2020 from David Moniz,

Property Manager for Reardon Properties, the owner of the subject premises, authorizing the applicant to use the space for the production of cannabis infused items. Also provided is a copy of the applicant's lease for the space dated October 28, 2020.
16. Section 8.10.J.5.d. requires the applicant to provide a statement under oath disclosing the applicant's ownership. A notarized Declaration of Ownership Affidavit signed November 9, 2020 was provided; it indicates that Jason Reposa is the sole owner of the corporate entity known as Good Feels, Inc. of Medway, MA.
17. Section 8.10.J. 5. e. requires the applicant to provide a list of all parties entitled to receive notice of the hearing for the special permit application. The area to be notified includes those owners within 300 feet of 23 Jayar Road. Lists from the Medway and Millis Assessor's offices were provided with the application. Those parties and the planning boards of the six abutting communities were notified of the application and public hearing.
18. Section 8.10. J. 5.f. requires the applicant provide a site plan which shows a detailed floor plan of the proposed RME and the various security measures. The applicant has provided building improvement plans dated 10/23/20 by Joe the Architect of Somerville, MA which address these items and include a security plan.
19. Section 8.10. J. 5. g. requires that the applicant provide a copy of the policies/procedures for delivery services. The applicant has indicated their intention to contract with a licensed delivery company to deliver products to various retail marijuana establishments throughout Massachusetts. Because this will be a RME special permit for only manufacturing, production and packaging and not for retail, there will be no deliveries directly to consumers. If the applicant has submitted additional information to the Cannabis Control Commission on how it will manage product deliveries, it would be desirable for the Board to also receive that information. A more complete policies and procedures for delivery services could be included as a condition of the decision, to be provided to the Town before an occupancy permit is issued.
20. Section 8.10.J.5.g. requires the applicant to provide a comprehensive noise mitigation plan. The applicant contracted with Noise Control Engineering (NCE) to review its operating plans; a review memo dated November 5, 2020 from noise consultant Jeff Komrower has been provided. Mr. Komrower evaluated the expected continuous operational noise for the proposed facility for compliance with the noise standards included in Section 7.3 of the Zoning Bylaw. Mr. Komrower concluded that the operation of the planned rooftop HVAC system is not expected to result in any noise pollution excess of the Town's noise standards. I have been in communication with Chris Menge of HMMH of Burlington, MA to review the NCE noise documentation and prepare a memorandum to you. That is forthcoming.
21. Section 8.10.J.5.g. requires the applicant to provide a comprehensive odor mitigation plan. The petitioner has explained that the business will infuse cannabis distillate oil, a highly processed and purified ingredient, into various marijuana products. The applicant has represented through referenced resources that cannabis distillate oil used in THC distillate products is odorless as it contains no active terpenes as those are removed in the distillation process. I have been in communication with Bruce Straughan of Colorado to review the odor information and prepare a memorandum to you. That is forthcoming.
22. Section 8.10 , J. 6. J. Procedures, a. that the special permit application and public hearing procedure for a RME shall be in accordance with Section 3.4 and G.L. c. 40A, § 9. The application has been reviewed and the public hearing has been noticed in accordance with the requirements. The public hearing notice was filed with the Town Clerk on November 12, 2020. Abutters were notified of the public hearing by certified sent mail on November 12, 2020. The hearing was advertised in the Milford Daily News on November 23 and December 1, 2020.
23. Section 8.10. J. Procedures, b. specifies that the Board must make the following findings in order to grant an RME special permit.
i. The RME is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest;
ii. The RME demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations; and
iii. The applicant has satisfied all the conditions and requirements of this Section 8.10 and Section 3.4 Special Permits of the Zoning Bylaw

\section*{Section 3.4 Special Permit Criteria}
a. The proposed site is an appropriate location for the proposed use.
b. Adequate and appropriate facilities will be provided for the operation of the proposed use.
c. The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians or the environment.
d. The proposed use will not cause undue traffic congestion or conflicts in the immediate area.
e. The proposed use will not be detrimental to the adjoining properties due to lighting, flooding, odors, dust, noise, vibration, refuse materials, or other undesirable visual, site or operational attributes of the proposed use.
f. The proposed use as developed will not adversely affect the surrounding neighborhood or significantly alter the character of the zoning district.
g. The proposed use is in harmony with the general purpose and intent of this Zoning Bylaw.
h. The proposed use is consistent with the goals of the Medway Master Plan.
i. The proposed use will not be detrimental to the public good.

NOTE - The Board will have to make these FINDINGS as part of its process to deliberate the proposal and draft the special permit.

\section*{ANNUAL REPORTING - Section 8. 10. K.}
23. Section 8.10 K . requires an RME to file an annual report with the Town, provide a copy of all current applicable state RME licenses, and demonstrate continued compliance with the conditions of the special permit. This requirement can be included as a condition to the special permit decision.

\section*{HOST COMMUNITY AGREEMENT - Section 8. 100.}
24. Section 8.10.0 specifies that each RME permitted under the Zoning Bylaw shall enter into a Host Community Agreement with the Town of Medway. A Host Community Agreement between the Town of Medway and Good Feels, Inc. was signed September 8, 2019. The decision can include a requirement that the Host Community Agreement remain current.

\section*{ZONING - Section 5.6.3 Groundwater Protection District}
25. The subject property is located in part in the Groundwater Protection District
26. Section 5.6.3 E. 2. Prohibited Uses identifies uses that are prohibited in the Groundwater Protection District. The applicant has represented that the operation of Good Feels, Inc. will not involve any of the prohibited activities specified as items a. through o. These can be noted as conditions in the decision.
27. Section 5.6.3 E. 3. Special Permit Uses identifies uses and activities that require a special permit. The applicant has represented that the operation of Good Feels, Inc. will not involve any of the special permit activities specified as items a. through e. These can be noted as conditions in the decision.

It does not appear that the use of this property for Good Feels, Inc. will adversely impact the groundwater protection district.

\section*{ZONING - TABLE 2 Dimensional and Density Regulations}

The subject property at 23 Jayar Road complies with the Zoning Bylaw for area, frontage, and setbacks.
\begin{tabular}{|c|c|c|c|c|c|c|c|}
\hline \multicolumn{8}{|l|}{PROJECT ZONING INFORMATION (LOCAL REGULATIONS)} \\
\hline Property Class & \multicolumn{7}{|l|}{El-East Industrial} \\
\hline Map/Lot & \multicolumn{7}{|l|}{24-014} \\
\hline Neighborhood & \multicolumn{7}{|l|}{East Industrial} \\
\hline Zoning Ordinance & \multicolumn{7}{|l|}{Medway Zoning \& Bylaw Map including amendments November 18, 2019} \\
\hline & \multirow[t]{2}{*}{\[
\begin{array}{|r|}
\hline \text { Zoning Data } \\
\hline \text { Use }
\end{array}
\]} & \multicolumn{2}{|l|}{\multirow[t]{2}{*}{\begin{tabular}{l}
Required \\
Industrial
\end{tabular}}} & \multicolumn{2}{|l|}{Existing} & \multicolumn{2}{|l|}{Proposed} \\
\hline \multirow[t]{4}{*}{Use 8 Lot} & & & & & & & \\
\hline & Lot Area & 20000 & sf & 59920 & units & 59920 & units \\
\hline & Impervious Coverage & 80 & \% & 63 & \% & 63 & \% \\
\hline & Gross Floor Area Footprints & & & 18185 & gsf & 18185 & gsf \\
\hline Building & Front Yard Setback & 30 & ft & 30.8 & ft & 30.8 & ft \\
\hline Setbacks & Rear Yard Setback & 30 & ft & 56.4 & ft & 56.4 & ft \\
\hline & Side Yard Setback (left) & 20 & ft & 63.3 & ft & 63.3 & \(f\) \\
\hline & Side Yard Setback (right) & 20 & t & 41.6 & \({ }^{\text {ft }}\) & 41.6 & ft \\
\hline & Street Frontage & 100 & ft & 284.50 & ft & 284.50 & ft \\
\hline Parking & \# of Parking Spaces & & & 37 & & 37 & \\
\hline Analysis & \# of Loading Spaces & & & 3 & & 3 & \\
\hline
\end{tabular}

\section*{Other}
1. The applicant has provided documentation of its community outreach efforts as required by the Cannabis Control Commission.
2. A memo was sent to Town staff and boards on November 6, 2020 requesting review comments. To date, none has been received.
\begin{tabular}{ll} 
From: & Susan Affleck-Childs \\
Sent: & Thursday, November 12, 2020 1:03 PM \\
To: & Allen Tingley ; Allison Potter; Andy Rodenhiser ; Armand Pires; Barbara Saint Andre; \\
& Barry Smith; Beth Hallal; Board of Selectmen; Bridget Graziano; David Damico; David \\
& Travalini ; Don Aicardi; Donna Greenwood; Erika Robertson; Fran Hutton Lee; Gino \\
& Carlucci; Glenn Trindade; Jack Mee; Jeff Lynch; Zach Knowlton \\
& (zknowlton@comcast.net); Jeff Watson; Jess Chabot; Joanne Russo; Kristen Mucciarone; \\
& Liz Langley; Liz Taglieri ; Matthew Buckley; Michael Boynton; Mike Fasolino; Peter \\
& Pelletier; Rindo Barese; Sandy Johnston; Stefany Ohannesian; Stephanie Carlisle; Steve \\
& Bouley \\
& Recreational Marijuana Special Use Permit application - Good Feels, Inc. for 23 Jayar \\
& Road
\end{tabular}

HI,

The Planning and Economic Development Board has received an application from Good Feels, Inc. (Jason Reposa) of Medway, MA for approval of a recreational marijuana special use permit to operate a recreational marijuana product manufacturing facility at 23 Jayar Road in the east Medway industrial park.

The Board will begin the required public hearing on Tuesday, December 8, 2020 at 7:30 p.m. The hearing will be held both LIVE and virtually via the ZOOM online meeting platform.

The applicant proposes to use 1,896 sq. ft . of the existing commercial/industrial building at 23 Jayar Road for the production and packaging of marijuana infused products for adult recreational use. A retail marijuana operation is NOT proposed for this site. The applicant has filed the application for state approval with the Massachusetts Cannabis Control Commission (CCC); however local approval is required before the CCC can issue any sort of license.

The planned scope of work includes interior renovations to the existing building to accommodate the proposed new use including the creation of spaces for storage, processing, offices, shipping and receiving. The work is shown on Good Feels Inc. Permit Plan, dated October 23, 2020, prepared by Joe the Architect, LLC of Somerville, MA. Except for the installation of an outside generator and rooftop HVAC system, no site improvements are planned. The project scope does not require site plan review.

The application materials have been posted at the Board's web page at: https://www.townofmedway.org/planning-economic-development-board/pages/good-feels-inc-23-jayar-road-recreational-marijuana

Please review the information and provide any review comments to me by December 3, 2020 so they can be distributed to the Board, included in the public hearing record, and shared with the applicant.

Thanks for your help and please let me know if you have any questions.

\section*{susy}

Susan E. Affleck-Childs
Planning and Economic Development Coordinator

Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291
sachilds@townofmedway.org

Susan Affleck-Childs
\begin{tabular}{ll} 
From: & Jason Reposa <jason@getgoodfeels.com> \\
Sent: & Monday, November 16, 2020 1:19 PM \\
To: & Susan Affleck-Childs \\
Subject: & Fwd: Cultivation + Extraction Discharge
\end{tabular}

Hi Susy, is this good enough for you? Or, should I put something more formal together?

Jason
---------- Forwarded message \(\qquad\)
From: Kristen Mucciarone < kmucciarone@,charlesriverpcd.org>
Date: Mon, Nov 16, 2020 at 1:17 PM
Subject: Cultivation + Extraction Discharge
To: Jason Reposa < jason@getgoodfeels.com>
Cc: Elizabeth Taglieri <ltaglieri@charlesriverpcd.org>

Hi Jason,

After reviewing your application, MSDS and our phone conversation today the District will not be requiring and industrial pretreatment permit. If anything changes in the future regarding your process or flow to the sewer please notify the District.

Thanks,

Kristen Mucciarone, P.E.

District Engineer/IPP Coordinator
Charles River Pollution Control District

66 Village Street
Medway, MA 02053

Office: 508-533-6762 x 21
Fax: 508-533-7652
www.charlesriverpcd.org

\section*{HMM}

700 District Avenue, Suite 800
Burlington, Massachusetts 01803
781.229.0707
www.hmmh.com

December 1, 2020

Ms. Susan Affleck-Childs
via email at sachilds@townofmedway.org
Town of Medway
155 Village Street
Medway, MA 02053

Subject: Proposal to review noise study for marijuana packaging facility
Reference: HMMH Proposal No. 20-0465
Dear Ms. Affleck-Childs:
Harris Miller Miller \& Hanson Inc. (HMMH) is pleased to assist the town of Medway with a review of a noise study for the proposed Good Feels marijuana packaging facility. This letter includes our proposed scope of work, price, and our standard contract terms, which can serve as the basis for our agreement, if you are agreeable.

\section*{Scope of Work}

HMMH will review the site plans, Medway noise ordinance, and noise study report prepared by Noise Control Engineering. We will evaluate the quality of the noise study and the potential for noise impact in the surrounding neighborhood. We will prepare a brief letter report or memorandum summarizing our review and conclusions.

\section*{Price}

HMMH is prepared to undertake the above scope of work on a time-and-materials basis for an estimated price of \(\$ 560\). We have attached our standard contract terms and conditions. If you would like to use that as a basis for our agreement, please fill out and sign the acceptance section below and return a copy to us. Should additional services be needed, Mr. Menge will be available on a time-and-materials basis at a billing rate of \(\$ 280\) per hour.

Please feel free to contact me if you have any questions or comments.
Sincerely,

\section*{Harris Miller Miller \& Hanson Inc.}


Christopher W. Mange, INCE
Senior Vice President

CC:
Attachment: HMMH standard contract terms and conditions

From:
Sent:
To:
Subject:
Attachments:

Lally, John - 0666 - MITLL <jlally@ll.mit.edu>
Monday, December 7, 2020 7:30 AM
Susan Affleck-Childs
Good Feels Inc. Public Hearing
project_description_with_attachments_for_web_page.pdf

Good morning Susy,
I do intend to zoom in to the Good Feels Inc., 23 Jayar Rd public hearing tomorrow evening. Just in case I'm not able to attend I'm sending this email and attachment to ensure they're available to the PEDB during their consideration of the Good Feels Inc. Special Permit Application and are included in the public record. I respectfully request that you please distribute this email and attachment to PEDB members and anyone else as you see fit.
1.) After reviewing the documentation on the Town's website related to this application I want to express my support for the application as currently shown and described on the Town's website and thank the applicant for locating their business In Medway.
2.) I have two requests of the PEDB:
a. Request 1 - Please make the continuous noise performance standard for this facility as described and shown in Table 1, on pages 16 \& 17 of the attached (pages \(1 \& 2\) of NCE JOB MEMO 2020-039 from NCE to Good Feels, Inc. 05Nov2020).

The reasons for this request are:
i. The noise performance standards in the existing Bylaw use outdated units and octave bands, risking claims of unenforceability and deprecation.
ii. The community late night noise levels have been measured as 27dBA \& 29dBA. This was presented at the PEDB meeting on 13Nov2018.
iii. When converted to modern units and octave bands the nighttime noise performance standard in the existing Bylaw is 47dBA
iv. Consequently, the existing Bylaw nighttime noise level is approximately 4 times the measured late night community noise levels. Recall, every 10dB increase in sound pressure level is a doubling of sound loudness.
v. Allowing a noise level 4 times the community noise level is a serious threat to the quality of life of Medway residents.
vi. The documentation on the Town's website shows the facility as currently designed will meet the requested noise performance standard without mitigation by 11 dBA , over \(100 \%\) sound loudness margin. Therefore, this should have little to no impact on the facility as presented.
1. This request is intended to protect against a change in facility operations that would cause louder noise generation than is currently documented in the application.
2. It would be a shame after all the work that's been done by the PEDB, Susy \& other Town Staff, the Team at 2 Marc Rd, and residents to restore the quality of life in and around the East Industrial Park, only to have that undone. Especially if it could be prevented by requiring more appropriate nighttime noise standards.

Cautionary Note: If for this application the PEDB decides to provide residents with more appropriate nighttime noise protections than the existing Bylaw, it is strongly encouraged to use the noise performance standards in the attached. I implore the PEDB, please do not attempt to use a separate Industrial/Residential noise standard approach that relies on noise measurements remote from the facility to protect residents. Considerable thought has been
given to the separate Industrial/Residential noise level approach and am more convinced than ever this approach will be unreliable and ineffective, especially when one considers how development may evolve over time.
b. Request 2 - Please make the odor performance standard for this facility: The detection threshold of a person with normal olfactory sensitivity at and beyond the odor source property lines.

The reasons for this request are:
i. The odor performance standard in the existing Bylaw uses arcane and outdated criteria and references, resulting in considerable confusion as to what the odor performance standard is in Medway and risking claims of unenforceability and deprecation.
ii. Ultimately, after much difficulty it was determined that the odor performance standard in the existing Bylaw is the detection threshold, so this request should have little to no impact on the facility as presented.
iii. The documentation on the Town's website shows the facility as currently designed will meet the requested odor performance standard.
1. This request is also a precaution against a change in facility operations from what is documented in the application that might result in more odor emissions.
Respectfully Submitted, John Lally, Resident. 35 Coffee Street. Medway, MA 02053

CANNABIS

\title{
Project Description
}


\section*{Executive Summary}

Good Feels Inc. was established in 2020 to provide safe alternatives to smoking and vaping. Our vision is to have non-combustibles be the main way to consume cannabis and to see the improvement, or elimination, of the issues that have plagued cannabis such as the failed war on drugs. We are seeking a Marijuana Product Manufacturing (MPM) license through the Cannabis Control Commision (CCC).

\section*{Vision}

With the massive public image failure of tobacco companies, we believe that smoking and vaping will never be mainstream again. We create products that bring the benefits of cannabis without the harm of consuming it through combustion.

\section*{Mission}

Good Feels creates functional and effective cannabis formulas. Our mission is to use technology to create consumer-driven products that allow consumers to get the full benefits of the cannabis plant without sacrifice.

\section*{Project Description}

The facility is located at 23 Jayar Rd., Suite \#6, Medway, MA 02053. It is a 1896 sq ft space that is leased from William F. Reardon 2007 Revocable Trust (Reardon Properties).

We are a product manufacturer, so there is no cultivation and no retail. To abutters we are for all intents and purposes odorless and noiseless, with the exception of one small residential HVAC unit.

\section*{Noise Nuisance}

We engaged with Jeffrey Komrower of Noise Control Engineering to help us determine if the facility will operate within the current and drafted bylaws. It has been determined that we are in compliance. See "Good Feels - NCE LLC Job Memo 2020-039"

\section*{Odor Nuisance}

Cannabis distillate oil is a purified ingredient which is highly processed to remove impurities and odors. Anyone with normal olfactory sensitivity will not be able to detect any odor, since all cannabis odor that is traditionally associated with cannabis, has been eliminated before we receive it. See attachments "Cannabis Oil Odor from Matt Catalano of CAC" and "Additional Cited Sources for Odor".

\subsection*{5.6.3.Groundwater Protection District}

The facility is located in a Groundwater Protection District according to the Town of Medway, MA Zoning Map, updated December 27, 2019 (corrected August 4, 2020). Below is a line-by-line assessment of how Good Feels is in compliance and additional steps that we will take.
5.6.3 E(2) Prohibited Uses
a. We are not a landfill or dump
b. We will not have any liquid petroleum products on site
c. We are not a landfill
d. We will not be storing sludge or septage
e. We will not be storing deicing chemicals
f. We will not be storing animal manure
g. We will not be doing any earth removal
h. We do not generate, treat or store hazardous waste in excess of 220 lbs per month
i. We are not a automobile graveyard
j. We are not disposing of any wastewater beyond sanitary sewage
k. All potentially hazardous materials will be contained within a free standing container and a secondary containment unit adequate to contain the spilled material.
I. We are not discharging process wastewater on-site
m . We will not stockpile or dispose of deicing chemicals
n. We will not store commercial fertilizers
o. We will not use septic system cleaners
5.6.3 E(3) Uses and Activities Requiring a Special Permit
a. We are not enlarging or altering the existing uses
b. We are not using fertilizers
c. We are not using or handling toxic or hazardous materials in excess of normal household use
d. We are not constructing dams or other water controlling devices
e. There are no changes to the existing site outside of the addition of a small residential HVAC unit

List of proposed cleaning products on site
We are working with EcoLab to ensure all cleaning products are groundwater safe, proposed cleaning products are:
1. Synergex \({ }^{\text {TM }}\) Sanitizer \& Disinfectant
a. https://www.ecolab.com/offerings/synergex-sanitizer-and-disinfectant
2. DrySan \({ }^{\text {TM }}\) Duo
a. https://www.ecolab.com/offerings/drysan-duo-cleaner-and-sanitizer
3. Quik-Care \({ }^{\text {TM }}\) Foam Hand Sanitizer
a. https://www.ecolab.com/offerings/hand-sanitizers-for-hospitals/quikcare-foam-ha nd-sanitizer
4. Clean \& Smooth
a. https://www.ecolab.com/offerings/general-use-hand-soaps/clean-and-smooth
5. Ultra San
a. https://www.ecolab.com/offerings/liquid-dishmachine-products/ultra-san

Additionally we will have spill kits on site to prevent any accidental spillage in the facility. An example is found here: https://www.uline.com/BL 7013/Universal-5-Gallon-Bag-Spill-Kit

Our operating procedures for handling hazardous substances can be summarized as the following:
- Ensure all hazardous substances are properly labeled.
- Store, dispense, and/or use hazardous substances in a way that prevents releases.
- Provide secondary containment when storing hazardous substances in bulk quantities.
- Maintain good housekeeping practices for all chemical materials at the facility.
- Train staff on how to use spill kits.
- Routine checks in the hazardous substance storage area to be performed by a facilities manager.
- Monthly inspections of the hazardous substance storage area and secondary containment.

\subsection*{8.10 RECREATIONAL MARIJUANA}

The following is a line-by-line assessment of how the Project adheres to Town of Medway Zoning Bylaw.
A. Purposes
1. N/A
B. Applicability
1. N/A
C. Definitions
1. \(N / A\)
D. Eligible Locations for Recreational Marijuana Establishments
1. We are located in East Industrial
E. General Requirements and Conditions for all Recreational Marijuana Establishments
1. We are located in a permanent structure
2. There are no medical offices or otherwise that can prescribe medical marijuana in the building
3. We are proposing hours of \(10 \mathrm{am}-4 \mathrm{pm}\) Monday through Friday. No weekends.
4. No public or private school serving K-12 is located within 500 feet of the facility. We recognize that The Medway Dance Authority is located within the buffer zone of 500 feet, according to google maps. My attorney has written a letter that justifies the Dance Studio is not a K-12 public or private school.
5. There is no on-site consumption by staff or otherwise
6. We do not have a drive-through service
F. Signage
1. We will have a small sign indicating the name of the business and the suite \#. "Good Feels Inc / Suite 6"
2. We are not advertising on the exterior of the building
3. No off site signage including billboards will be employed
G. Contact Information
1. We can provide this after the permit is issued
H. Prohibition against Nuisances
1. All odor and noise is contained within the envelope of the building. There is no nuisance to abutters or the surrounding area. See above sections "Noise Nuisance" and "Odor Nuisance"
I. Openness of Premises
1. All production is contained within the envelope of the building
2. We are installing frosted glass on all windows and solid doors for the front entrance.
3. The front entrance is clearly visible from the parking lot. We employ cameras to detect when cars, pedestrians, et al approach.
4. See "I.2" above regarding preventing the view of Marijuana and Marijuana Infused Products externally
J. Special Permit Requirements
5. All documents have been supplied
7. Conditions
d. Our preferred hours of operation are \(10 \mathrm{am}-4 \mathrm{pm}\) Monday through Friday. No weekends.
K. Annual Reporting
1. We will supply an annual report to the Planning and Economic Development Board, the Building Commissioner, the Health Agent, and the Police Chief no later than January 31st of each year after the commencement of operations.
L. Duration of Special Permit
1. N/A
M. Abandonment or Discontinuance of Use
1. We will remove all material, plants, equipment and other paraphernalia on abandonment or discontinuance of use prior to surrendering our license or within 6 months of ceasing operations, whichever occurs first.
N. Other Permits and Approvals
1. We are in communication with the Board of Health, Conservation Commission, and the Department of Public Services
O. Host Community Agreement
1. We have secured a Host Community Agreement with the town on the 8th of September 2020.

\section*{Traffic and Delivery}

Traffic to and from the facility is limited to employees, contracted vendors, CCC inspectors, and delivery vehicles. We will contract with a licensed delivery company to deliver our products to retail locations through Massachusetts. We will not deliver directly to customers.

\section*{Anticipated Timeline}

December 2020

We're currently applying for a Marijuana Special Permit through the town and expect to be approved by the end of 2020. If we are required to do a follow up session with the Planning and Economic Development Board, we may end up securing our permit in January 2021. The delay of this process doesn't result in moving any upcoming timelines.

\section*{January 2021}

Our CEO will begin working with licensed cannabis companies to secure Letters of Intent (LOls) from retail dispensaries, and form relationships with distillate oil wholesalers. If the opportunity to work with Delivery companies is available at this time, we will also begin to secure those relationships.

February 2021
We begin to build out our facility. At this point we have secured all building materials and components to ensure the completion of the build. All of the planning of risk scenarios that have taken place in 2020 has given us an advantage in managing any exogenous events that would have taken us off course.

While our builder continues to build out the facility we anticipate posting our first jobs online and in the local newspaper, the Worcester Telegram \& Gazette. Our first hires will be for Operators to help in the manufacture of our products. The CEO will continue to maintain the relationship with the CCC.

\section*{March 2021}

We expect to receive our Provisional License in March of 2021. After receiving our Provisional License we will continue building out the facility in accordance with our architectural diagrams, which details our anticipated building program.

April 2021
The buildout has completed. We begin to finalize the hiring of our first employees and begin onboarding. Registering as an agent with the CCC and Responsible Vendor Training will be required for all employees.

Once we have employees we will secure insurance for general liability, product liability, and worker's compensation. In addition, we will help secure bank accounts for our employees from GFA CU and establish a payroll provider, and other benefits packages.

May 2021
After a successful inspection from the Cannabis Control Commission, our Final License has been granted. SOPs have been checked and double-checked. We run through the process many times and have put in place additional checks to ensure we are operating safely, securely and efficiently.

\section*{June 2021}

We commence operations. The operators hired in April will begin to manufacture products and the CEO will maintain recordkeeping, financial and otherwise, and oversee operations.

\section*{Ongoing}

We will continue to improve our operations throughout the year while hitting our financial goals and our goals set forth in our Plan for Positive Impact.

\author{
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}

November 6, 2020

\begin{abstract}
VIA EMAIL ONLY

Town of Medway Planning \& Economic Development Board planningboard@townofmedway.org
\end{abstract}

\section*{Re: Good Feels Inc's Eligibility for a Special Permit at 23 Jayar Road}

\section*{I. Introduction}

The question before the Town of Medway Planning \& Economic Development Board is whether Section 8.10 E(4) of the Town of Medway Zoning Bylaw as amended on November 18, 2019 and published on January 6, 2020 (the "Zoning Bylaw"), precludes Good Feels Inc, an applicant for a product manufacturer license from the Cannabis Control Commission, from obtaining a Special Permit for its existing location at 23 Jayar Road while The Medway Dance Authority continues to operate in its existing location, an entirely separate unit within the same building. The relevant portion of the Bylaw reads as follows: "No \(\mathrm{RME}^{1}\) shall be located on a lot within 500 linear feet of any lot of an existing public or private school serving students in grades K-12." It should be noted at the outset that Good Feels Inc does not meet the plain-language definition of RME; specifically, the Zoning Bylaw's definition of an "RME" references the defined terms contained in the enabling statute, M.G.L. c 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed. As set forth in the definitions section of the enabling statute, a "marijuana product manufacturer" is defined as "an entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments but not to consumers" (emphasis added).

\footnotetext{
1 "RME," or "Registered Marijuana Establishment" is defined in the Zoning Bylaw as "A marijuana independent testing laboratory, marijuana product manufacturer, or marijuana cultivator, all as defined in General Laws chapter 94G, \(\S 1\), but not including Recreational Marijuana Retailers or Recreational Marijuana Social Consumption Establishments."
}
M.G.L. c. \(94 \mathrm{G}, \S 1\). Good Feels Inc is not yet licensed to conduct business as a product manufacturer. However, for the sake of respecting what must have been the intention of the drafters, the readers of this letter may assume that Good Feels Inc falls under the Zoning Bylaw definition of "RME."

As discussed below, Good Feels Inc is not precluded from obtaining a Special Permit for its existing location at 23 Jayar Road as a result of the restriction contained in Section \(8.10 \mathrm{E}(4)\) of the Zoning Bylaws for the following reasons: The Medway Dance Authority is neither an existing public nor private school serving students in grades K-12, and the Zoning Bylaw does not restrict the location of RMEs in relation to facilities such as The Medway Dance Authority.
A. The Medway Dance Authority is Not a Public School Serving Students in Grades K-12

The Medway Dance Authority is not a public school serving students in grades K-12. According to the Town of Medway's webpage on schools (current as of this letter's date), the only public schools in Medway are as follows: Medway High School, Medway Middle School, Burke-Memorial Elementary School, McGovern Elementary, Tri-County Vocational Tech High School and Norfolk County Agricultural High School. As such, The Medway Dance Authority is not a public school serving students in grades K-12.
B. The Medway Dance Authority is Not a Private School Serving Students in Grades K-12 because It Does Not Meet State Regulatory Requirements Applicable to a Private School

The Medway Dance Authority is not a private school serving student in grades K-12 because it does not meet basic statutory requirements applicable to private schools regulated by the Commonwealth. In order for an organization to be regulated by the Commonwealth as a private school, the relevant local school committee must approve it, so that the children attending it will not be in violation of the Commonwealth's compulsory school attendance law, M.G.L. c. 76, School Attendance. To that end, the local school committee must determine that the organization qualifies as a private school within the meaning of M.G.L. c.76. Specifically, the local school committee must find that the private school's "instruction in all the studies required by law equals in thoroughness and efficiency, and in progress made therein, in public school in the same town..." M.G.L. c.76, §1. Sample criteria
for approval of a private school by a school committee, contained in the Department of Elementary and Secondary Education's Advisory on Approval of Massachusetts Private Schools Pursuant to Mass. Gen. Laws c. 76, §1 issued on October 2, 2007 (the "Department of Education Advisory") and attached hereto as Exhibit A, is intended to provide guidance to local school committees in approving private schools in their community. The Department of Education Advisory sets forth the instructional areas that a private school should include in its curriculum to generally be considered "equivalent" to a public school:
i) mathematics,
ii) science and technology
iii) history and social science
iv) English
v) Foreign languages
vi) The arts
vii) Physical education.

The Medway Dance Authority does not profess to offer instruction in any of the above areas other than phyical education and arguably the arts. Given that fact, it is difficult to see how The Medway Dance Authority could qualify as a "private school" within the meaning of the Commonwealth's law regulating compulsory school attendance.
C. The Zoning Bylaw Does Not Regulate the Placement of RMEs in Relation to Entities such as The Medway Dance Authority

According to its website, medwaydanceauthority.com, The Medway Dance Authority is private dance studio that provides instruction on dance to preschool and school-age children. As such, the category of facility defined in the Zoning Bylaw that it fits most easily into is "Educational/Instructional Facility, Commercial." As defined in the Zoning Bylaw, an "Educational/Instructional Facility, Commercial" is:

Any building or part thereof which is designed, constructed or used for education or instruction in any branch of knowledge or skill, on land that is not owned by or leased by the Commonwealth or any of its agencies, subdivisions, or body politic, or by a religious sect or denomination, or by a nonprofit educational organization, including but not limited to schools for vocational and technical training, art, dance, gymnastics, yoga, martial arts and other sports activities.

The drafters of the Zoning Bylaw amendment who added Section 8.10, "Recreational Marijuana," had this existing definition available to them; they could have chosen to draft Section \(8.10 \mathrm{E}(4)\) to read, "No RME shall be located on a lot within 500 linear feet of any lot of an existing public or private school serving students in grades K-12 or an existing Educational/Instructional Facility, Commercial." The fact that the drafters did not include such language, especially given its ready availability, shows a clear intention not to restrict the placement of such facilities in relation to RMEs.

Additional evidence that the Zoning Bylaw is not intended to restrict the location of facilities such as The Medway Dance Authority in relation to RMEs can be found in the Location Criteria governing retail Registered Medical Marijuana Facilities in Section 8.9(5)(a) of the Zoning Bylaw. As described therein, retail Registered Medical Marijuana Facilities are restricted from being located within 500 feet of any school or residence as well as any "private educational entity that provides instruction to children and youth in an ongoing, organized basis..." The Medway Dance Authority broadly fits this description. Again, this language already existed in the Zoning Bylaw at the time it was amended to add Section 8.10 governing RMEs. The fact that the drafters of Section 8.10 had this language available to them and chose not to use it strongly evidences an intention not to regulate the placement of this entity type in relation to RMEs. Furthermore, the existence of this phrase demonstrates that the drafters of the Zoning Bylaw amendments are fully capable of clearly articulating the object of their regulation. The drafters' decision not to expound the types of entities that may not be located within 500 feet of an RME beyond "existing public or private school[s] serving students in grades K-12" shows an unmistakable intent not to provide further regulatory restriction.

\section*{II. Conclusion}

For the reasons set forth above, the Zoning Bylaw does not preclude Good Feels Inc from obtaining a Special Permit for its business at its existing location at 23 Jayar Road while The Medway Dance Authority continues to operate in its existing location, in an entirely separate unit within the building located at 23 Jayar Road.


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\section*{Education Laws and Regulations (|lawsregs/)}

\section*{State Regulations (/lawsregs/stateregs.html)}

State Laws (/lawsregs/statelaws.html)
Federal Laws (/lawsregs/fedlaws.html)

Legal Advisories (/lawsregs/advisories.html)
Arbitration Awards (/lawsregs/arbitration.html)

Litigation Reports (/lawsregs/litigation/)

\section*{Advisory on Approval of Massachusetts Private Schools \\ Pursuant to Mass. Gen. Laws c. 76, § 1}

To: School Committee Chairpersons, Superintendents of Schools, and Other Interested Parties
From: Jeffrey M. Nellhaus
Acting Commissioner of Education
Date: October 2, 2007

School committees and superintendents of schools periodically ask about their responsibilities in approving private schools in their community. This memorandum, which updates and replaces an advisory that the Department of Elementary and Secondary Education published in 1982, provides guidance to local school officials on this issue.

In order to educate students of compulsory school age (6-16) in Massachusetts, a private school, including a school with a religious affiliation, must obtain the approval of the school committee of the city or town in which the school is located. The Massachusetts compulsory school attendance law, General Laws c. \(76, \S 1\), sets the standard by which school committees must evaluate private schools. The pertinent section provides as follows:

For the purposes of this section, school committees shall approve a private school when satisfied that the instruction in all the studies required by law equals in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town; but shall not withhold such approval on account of religious teaching . . . .
A private school located in a town is required to seek approval from the school committee of that town, whether or not children from the town attend the school. A school committee's approval under G.L. c. 76, § 1, means that Massachusetts children attending the private school may do so without violation of the compulsory attendance law. School committee approval is neither an evaluation of program quality nor an endorsement of any particular school. The decision to enroll a child in, or to withdraw a child from, a particular private school is one that parents must make.

\section*{Standards for Approval of Private Schools}

In order to assist private schools in its district, the school committee should have a written statement of policy and procedures by which it considers and acts upon private school applications for approval. Following are some suggested elements for such a policy. A policy should address:
- the standard for private school approval under G.L. c. 76 , § 1 ("equals in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town.");
- the procedures for school committee approval (application process, timetable, requested documentation, site visits, procedures for periodic review of approval status, etc.);
- other agency approvals that may be required (health, safety, building and fire inspections, etc.);
- the records and materials the school is required to maintain; and
- the criteria for measuring the "thoroughness and efficiency" of private school instruction in such areas as the program of studies and curriculum, student performance assessment procedures, the length of school day and school year, staff distribution and qualifications, textbooks and materials, maintenance of student records, and compliance with applicable federal and state laws.

\section*{Exhibit A}

These guidelines are suggested rather than mandatory; they are intended to assist school committees in developing a private school review process that is open and reasonable. Because G.L. c. \(76, \S 1\), does not specify the manner in which a school committee conducts its review process, school committees are afforded wide discretion in developing their own policies. The only requirement is that a school committee apply its policies and procedures consistently to all private schools located within its jurisdiction.

A sample of factors that a school committee may wish to consider in evaluating the "thoroughness and efficiency" of the instruction offered by a private school is attached. The sample criteria are not mandatory, and the school committee may adopt or amend them in any reasonable way.

\section*{Approval of Private Special Education Schools}

In addition to the school committee's approval responsibility, the Department of Elementary and Secondary Education has responsibility under G.L. c. \(71 \mathrm{~B}, \S 10\), to approve private schools that serve Massachusetts students with disabilities at public expense. That responsibility is further defined in the Massachusetts Special Education Regulations ( 603 CMR 28.00) and the Regulations on Program and Safety Standards for Approved Public or Private Day and Residential Special Education School Programs (603 C.M.R. 18.00) adopted by the Board of Education. The Department of Elementary and Secondary Education conducts an extensive review of private schools that apply for such approval, including their curriculum, physical facilities, personnel, and administration. Approval by the Department of Elementary and Secondary Education authorizes the private special education school to enroll students with disabilities at public expense.

Neither the school committee nor the Department of Elementary and Secondary Education may delegate to the other its own statutory function for approving private schools. By regulation, the Department may not approve a private school to serve publicly funded students with disabilities under G.L. c. \(71 \mathrm{~B}, \S 10\), unless the private school has received approval by the local school committee pursuant to G.L. c. \(76, \S 1\). Notwithstanding the distinction between the two approval functions, the Department recognizes that the programs offered by some private special education schools are so specialized that it is difficult for the local school committee to assess the equivalency of the programs to those offered in the public schools. Therefore, with respect to private special education schools, the school committee has a choice. The school committee may choose to perform its own evaluation of the school in accordance with G.L. c. 76, § 1, and reasonable standards set by the school committee; or the school committee may designate a public school representative, preferably a special educator, to participate in the Department of Elementary and Secondary Education's site visit review of the private school program and grant or deny local approval to the school based on the information obtained from the joint site visit. This allows the school committee to retain its independent statutory approval function while utilizing the special education expertise of the Department of Elementary and Secondary Education in evaluating the private school program. A school committee wishing to participate in the Department's site visit review of a private school should contact the Department's Office of Approved Special Education Schools (OASES) at: (781) 338-3700, or consult the OASES website (/oases/).

Frequently Asked Questions and Answers
1. Does the Department of Elementary and Secondary Education or any other state agency have responsibility for approving private schools for purposes of the compulsory school attendance law?

No. The responsibility to consider and act upon private school applications for approval rests solely with local school committees under G.L. c. 76, § 1. The New England Association of Schools and Colleges has a program for accrediting private schools. Obtaining such accreditation, however, is voluntary and does not substitute for the approval of the local school committee required by state law.
2. If a school committee does not approve a private school, may the private school still operate as a school for Massachusetts students of compulsory school age?

No; at least not for regular attendance purposes. G.L. c. 76, § 1, the Massachusetts compulsory school attendance law, requires private schools to obtain the prior approval of the local school committee. Thus, attendance by a Massachusetts student between the ages of 6 and 16 at a private school operating without such approval would not fulfill the requirements of the Massachusetts compulsory school attendance law, and the student would be considered truant.
3. does a private education program providing only after-school services (e.g., academic tutoring or language immersion) require approval by the school committee under G. L. c. 76, § 1?

No. School committee approval is needed for compulsory attendance purposes and, therefore, is required only for regular day school programs. School committee approval under G.L. c. 76 , § 1 is not required for privately operated programs that provide educational or tutoring services to students after school.
4. May a private school appeal a school committee's decision not to approve a private school to the Department of Elementary and Secondary Education?

No. The Department of Elementary and Secondary Education does not have jurisdiction over local private school approvals. Under G.L. c. 76 , § 1, private schools are approved by the school committee of the town in which the private school is located. A private school that disputes a school committee's or superintendent's decision may ask the school committee to review the matter. If the private school has a legal claim regarding the approval process or standards, it may have some judicial recourse.
5. Must private schools meet the 900/990 hours and 180 school days minimum standards of the Board of Education's regulations on Student Learning Time as a requirement for approval?

The Student Learning Time regulations, as such, do not apply to private schools. The stated purpose of the regulations is "to ensure that every public school in the Commonwealth provides its students with the structured learning time needed to enable the student to achieve competency in 'core subjects' and 'other subjects.' 603 C.M.R. 27.01(2). Therefore, while the school committee may consider the total student learning time and length of the school year at a private school in determining whether the school's program meets the statutory standard of "thoroughness and efficiency," these factors are not required for approval.

Note: Private special education schools that are approved by the Department to provide services to publicly funded students with disabilities are subject to state regulations on minimum school hours and school days. In addition, unapproved private special education schools in which publicly funded students are placed pursuant to 603 CMR \(28.06(3)(e)\) because an appropriate approved school cannot be identified must adhere to state regulations on minimum school hours and school days for those particular students.
6. Once a school is approved, is the approval subject to renewal or periodic review?

Although not required by statute, school committees are encouraged to adopt a private school approval policy that incorporates a periodic review of previously approved schools. School committees may also adopt a policy under which approval is valid until substantial changes are made in the private school's program, at which point the private school must seek re-approval.
7. To what extent may a school committee be liable for damages incurred by a private school student, by virtue of its approval of a private school?

The approval function that G.L. c. \(76, \S 1\), imposes upon school committees is fairly limited. Thus, as long as a school committee acts reasonably and in good faith in carrying out its statutory approval function, its potential liability is minimal. It would be advisable to make clear in school committee policy and procedures, deliberations and votes on private school approval, as well as in correspondence with interested parties about a particular private school, just how limited the school committee's responsibility is under G.L. c. \(76, \S 1\).
8. Are any of the state mandates applicable to public schools made applicable to private schools by the phrase, "when satisfied that the instruction in all the studies required by law equals in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town?"

Various state laws set forth the subjects that public schools teach. See, for example, G.L. c. 71, §§ 1, 2 and 3; G.L. c. 69, § 1D. Generally, the "thoroughness and efficiency" language in G.L. c. 76, § 1, should not be interpreted as extending particular public school mandates regarding instruction and curriculum to private schools.

\section*{9. May a private school seek approval if its students are not residents of the town in which the school is located?}

A private school located in a town is required to seek approval from the school committee of that town, irrespective of whether children from the town attend the school.
10. Should a private school provide notification to the school committee prior to closing?

Yes. The private school should provide notice in a timely manner to the school committee from which it received approval pursuant to G.L. c. 76 , § 1. In addition, once it has ceased operation, G.L. 71, § 34G requires the owner or administrator of the school to transfer transcripts of all students and former students to the Department of Elementary and Secondary Education, except for students who are transferring to another public or private educational institution. In that case, the private school must transfer the student's records to the school that the student will be attending.
11. Should a school committee notify the Department of Elementary and Secondary Education when it approves or disapproves a private school?

Yes. Although the Department of Elementary and Secondary Education does not review, monitor, or investigate school committee decisions regarding private school approval, it does require school committees to report such information to the Department. The form, Notification of New Private School (/infoservices/data/diradmin/new-private.docx) requires the school committee to confirm that it has approved the private school, the date which the private school commenced operation, and other basic information, such as the school's street and e-mail addresses. The Department must collect and track this information for purposes of the various federal grant funds that it distributes to private schools.

In addition, the school committee should timely notify the Department of Elementary and Secondary Education if it has decided not to reapprove, or has revoked approval of, a private school, or if the school has closed. It is important for the Department to receive this information promptly, especially if the private school at issue has a special education program that the Department has approved for placement of publicly-funded students with disabilities.

The Department will refer inquiries regarding the approval status of a particular private school to the superintendent of the district in which that school is located.
12. May a school committee delegate its authority to approve or disapprove a private school to the superintendent or another school administrator?

No. Under G.L. c. 76, § 1, only the school committee has the authority to approve or disapprove a private school. However, the school committee may designate the superintendent or another school administrator to visit the private school, review relevant documentation and make a recommendation on approval to the school committee. The school committee may then vote to approve or disapprove the private school based on the superintendent's recommendation.

Sample Criteria for Approval of a Private School by a School Committee

\section*{1) Population To Be Served}

Admissions criteria; documentation of school's enrollment

\section*{2) Physical Plant/Safety}
A. The school shows evidence of current:
i) Certificate of Occupancy
ii) Fire inspection
iii) Safety inspection
iv) Elevator inspection, if applicable
v) Compliance with lead paint poisoning prevention (for children under 6 years old)
vi) Compliance with other applicable federal and state health and safety standards (e.g., PCB, asbestos inspections, handicap accessibility)
vii) Copies of valid safety and health inspection certificates
B. The site, plant, and equipment adequately support the program and are operated to ensure the safety and health of the students.

\section*{3) Curriculum}

The curriculum offered is "equivalent" to that offered in the local school system generally and, specifically, in terms of the following instructional areas:
i) mathematics
ii) science and technology
iii) history and social science
iv) English
v) foreign languages
vi) the arts
vii) physical education

\section*{4) Educational Materials}

Textbooks and individual instructional materials, including computers and other technology, are adequate.

\section*{5) School Staff}

The instruction provided is "thorough and efficient" based on:
i) teacher qualifications
ii) adequate student/teacher ratio
iii) regular evaluation of staff
iv) the school principal reviews criminal offender record information (CORI) of current and prospective employees and volunteers, as required by law

\section*{6) Administration}

The school has a clearly defined organization that facilitates its objectives.

\section*{7) Records}
A. The school maintains an adequate system of student records (e.g., attendance, health, discipline, progress reports).
B. The student records are kept in a secure and organized manner that is consistent with federal and state student record laws to the extent applicable.
C. The school maintains and timely provides transcripts in response to requests of students and former students in accordance with G.L. c. 71, § 34A.
D. The school is prepared efficiently to transfer transcripts of all students and former students to the Massachusetts Department of Elementary and Secondary Education and/or other schools should it cease operation, in accordance with G.L. c. 71, § 34G.

\section*{8) Student Services}

The school provides adequate pupil personnel services for all students (e.g., health care procedures, guidance and counseling programs, discipline policy).

\section*{9) Financial Support}
A. The school provides evidence of financial solvency and resources to sustain the educational program.
B. The school presents documentation of its legal status. These may include copies of the articles of incorporation and the certification of tax exempt status.

\section*{10) Student Learning Time}

The school provides adequate student learning time (length of school year and school day) and hours of instruction in each subject.
11) Student Performance Assessment

The school periodically evaluates students' skills, competencies, and knowledge and documents their progress.
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Policies (/resources/policy.html)
Site Information (/resources/howto.html)
Photo Credits (/resources/credits.html)
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\section*{Most Requested}

Licensure (/licensure/)
Curriculum Frameworks (/frameworks/)
MCAS (/mcas/)

MTEL (/mtel/)
Educator Services (/edeffectiveness/)
Educator Evaluation (/edeval/)
Job Opportunities (/jobs/)

\section*{Comments/Questions}

Media \& Public Records Requests (/news/)
Contact the Department (/contact/)
Contact the Board (/bese/contactinfo.html)
Contact a District or School (http://profiles.doe.mass.edu/search/search.aspx?leftNavId=11238)
Problem Resolution (/prs/)

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\section*{Contact Us}

Massachusetts Department of Elementary and Secondary Education
75 Pleasant Street, Malden, MA 02148-4906
Voice: (781) 338-3000
TTY: (800) 439-2370

QDirections (/contact/doedirections.html)
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NCE JOB MEMO 2020-039

\section*{TO: Jason Reposa}

COMPANY: Good Feels, Inc.
FROM: Jeffrey Komrower, Noise Control Engineering
DATE: November 5, 2020
SUBJECT: Noise Predictions for Rooftop HVAC Equipment

Good Feels, Inc. is proposing to establish a Marijuana Product Manufacturing (MPM) facility located at 23 Jayar Road in Medway, MA. The location is in an industrial park and is not near any residential abutters, but still must meet noise regulations if any equipment will be installed that would be a noise source. Because of the type of facility, there is no cultivation requirements and thus no extreme requirements for supporting equipment. It is being proposed, however, to install a rooftop HVAC unit to support the facility operations. The proposed unit is an Ingersoll Rand AM-PRQ-A4AC3036A-1E-EN split system air conditioner. The location of the proposed unit is shown in Figure 1. Measurements from Google Maps show the location would be approximately 128 feet from the property line nearest the closest commercial abutter.

The Town of Medway Environmental Standards for continuous noise are as follows:
Continuous Noise. For the purposes of this bylaw, continuous noise restrictions apply to permanent non-residential uses and home-based businesses where noise is a by-product of business operations (such as from exhaust equipment). Maximum permissible sound pressure levels measured at the property line of the noise source shall not exceed the values specified in the table below. In addition, maximum permissible sounds levels measured at sensitive receptors located within one-thousand feet of the property line of the noise source for noise radiated continuously from the noise source shall not exceed the values specified in the table below. Daytime is defined as between the hours of 7:00 a.m. and 9:00 p.m. and Nighttime is defined as between the hours of 9:00 p.m. and 7:00 a.m.
\begin{tabular}{|c|c|c|}
\hline \begin{tabular}{c} 
Octave Band Center \\
Frequency (Hz)
\end{tabular} & \begin{tabular}{c} 
Daytime (dB) \\
7:00 a.m. \(-\mathbf{9 : 0 0} \mathbf{~ p . m . ~}\)
\end{tabular} & \begin{tabular}{c} 
Nighttime (dB) \\
\(\mathbf{9 : 0 0} \mathbf{~ p . m . ~}-\mathbf{7 : 0 0} \mathbf{a . m}\).
\end{tabular} \\
\hline 63 & 72 & 55 \\
\hline 125 & 60 & 48 \\
\hline 250 & 53 & 42 \\
\hline 500 & 47 & 39 \\
\hline 1000 & 43 & 36 \\
\hline 2000 & 40 & 33 \\
\hline 4000 & 37 & 30 \\
\hline 8000 & 33 & 27 \\
\hline Overall Level (dBA) & 52 & 42 \\
\hline
\end{tabular}

Table 1: Town of Medway maximum permissible sound pressure levels
Sound power levels for the proposed unit were determine from the manufacturer's specification sheet and these sound power levels were converted to sound pressure levels and shown in Table 2. The sound pressure level (SPL) at the closest property line at 128 feet from the proposed location of the rooftop HVAC unit was then calculated using the basic formula for the reduction of sound pressure level as a function of distance (known as spherical spreading) which is represented by the formula:
\[
\mathrm{SPL}_{2}=\mathrm{SPL}_{1}-20^{*} \log \left(\mathrm{R}_{2} / \mathrm{R}_{1}\right) \mathrm{dB}
\]
where
\(\mathrm{SPL}_{2}=\) the sound pressure level at location 2
\(\mathrm{SPL}_{1}=\) the sound pressure level at location 1
\(\mathrm{R}_{2}=\) the distance from the source to location 2
\(\mathrm{R}_{1}=\) the distance from the source to location 1
The results of this calculation for the overall SPL as well as the SPL for the individual octave bands is presented in Table 2 along with the Town of Medway noise limits. It should be noted that this calculation is conservative because it does not take into account any shadow effects from the building nor the height elevation, so the actual SPL's will likely be lower than these calculations.

As can be seen from Table 2, the calculated noise levels at the property line from operation of the proposed rooftop unit are well below both the overall dBA requirements for both daytime and nighttime operation as well as the individual octave band limits. It is thus not anticipated that the operation of this rooftop unit will result in any noise pollution as described in the Town of Medway Environmental Standards.


Figure 1. Location of proposed rooftop HVAC unit
\begin{tabular}{|c|c|c|c|c|c|}
\hline & \multicolumn{3}{|r|}{Split System A/C A4AC3036A1000A} & \multicolumn{2}{|l|}{Town of Medway Environmental Standards} \\
\hline Hz & Published Sound Power Levels (Lw) & Equivalent Sound Pressure Levels at 3 feet & Calculated Sound Pressure Levels at closest property Line (128 feet) in dB & \begin{tabular}{l}
Daytime Limits
\[
\text { (7 am to } 9 \text { PM) }
\] \\
in dB
\end{tabular} & Nighttime Limits
\[
\begin{gathered}
(7 \mathrm{am} \text { to } 9 \mathrm{PM}) \\
\text { in } \mathrm{dB}
\end{gathered}
\] \\
\hline Octave & dB & dB & dB & dB & dB \\
\hline 63 & 75 & 64 & 31 & 72 & 72 \\
\hline 125 & 65 & 54 & 21 & 60 & 60 \\
\hline 250 & 65 & 54 & 21 & 53 & 53 \\
\hline 500 & 66 & 55 & 22 & 47 & 47 \\
\hline 1000 & 64 & 53 & 20 & 43 & 43 \\
\hline 2000 & 59 & 48 & 15 & 40 & 40 \\
\hline 4000 & 56 & 45 & 12 & 37 & 37 \\
\hline 8000 & 53 & 42 & 9 & 33 & 33 \\
\hline \(\mathrm{OA}(\mathrm{dBA})\) & 75 & 64 & 31 & 52 & 42 \\
\hline
\end{tabular}

Table 2: Predicted noise levels from rooftop HVAC equipment at nearest property line

\section*{The Smell of Cannabis}

Matt Catalano <mcatalano@commonwealthaltcare.org>
Thu, Oct 29, 2020 at 11:09 AM
To: Jason Reposa <jason@reposa.name>
Hey Jason,
We've had no type of an issue with any residual odor from bulk distillate. You should have no problem with any scent coming from as many Kilos of distillate you would be securing.

Thanks,
Matt
[Quoted text hidden]

\section*{Additional Cited Sources for Odor}

Below are cited sources that corroborate evidence that Cannabis distillate oil is odorless. Samples can be provided to the board for an in-person odor analysis.

An additional point to keep in mind is that the active dosage in any one beverage is limited to 5 mg per serving, per Cannabis Control Commission regulations. To put that amount into perspective, 5 mg in a 8 ounce beverage is approximately \(0.002 \%\) of its total volume.

If distillate oil contained a "weed" odor, it would flavor the beverages in an adverse way.

\section*{Sources}
1. "The method that creates pure, distilled THC also results in a concentrate that is inherently odourless and flavourless."
1. https://news. herbapproach.com/thc-distillate-facts/
2. "Dabbing or vaping distillates yields a nearly odorless vapor"
1. https://weedmaps.com/learn/dictionary/distillate/
3. "[l]t is known that the THC distillate products contain no active terpenes. They are destroyed in the process hence the lack of odor and taste of the THC distillate when consumed. The reason for them being destroyed is that they are sensitive to high temperatures and the THC distillate production is technically based on high temperatures."
1. https://www.highermentality.com/thc-distillatel

\＆



猚hant：508－533－3212
私A주：508－533－3216
Emtergenty： 911

Allert An Tingleg
Chitief of 细olice

December 7， 2020
To：Susan Affleck Childs
Planning and Economic Development Coordinator
From：Allen M．Tingley
Chief of Police
Re：Good Feels Cannabis－Building Security
I have reviewed the security information you forwarded me for Good Feels Cannabis Inc．Adult Recreational Marijuana manufacturing and packaging operation， 23 Jayar Road，Medway Ma．

The information regarding their security plans，physical security equipment and standard operating procedures meets the standards set forth by the Cannabis Control Commission and the Department of Public Health．

Thank You
Allen M．Tingley
Chief of Police．

Susan Affleck-Childs
\begin{tabular}{ll} 
From: & Bruce Straughan <bastraughan@comcast.net> \\
Sent: & Friday, December 4, 2020 11:26 AM \\
To: & Susan Affleck-Childs \\
Subject: & Re: Odor from Marijuana Distillate - 23 Jayar Road
\end{tabular}

Susan,
2 hours should cover it. I'll bill out at \(\$ 180\). Thanks
On 12/04/2020 7:59 AM Susan Affleck-Childs <sachilds@townofmedway.org> wrote:

Hi Bruce,

Might you be able to send me a brief email specifying the number of hours for your review of this project and include a reference to your hourly rate.

Thanks.

\section*{susy}

Susan E. Affleck-Childs
Planning and Economic Development Coordinator
Town of Medway
155 Village Street
Medway, MA 02053
508-533-3291
sachilds@townofmedway.org

From: Bruce Straughan [mailto:bastraughan@comcast.net]
Sent: Tuesday, December 1, 2020 6:38 AM
To: Susan Affleck-Childs <sachilds@townofmedway.org>
Subject: Re: FW: Odor from Marijuana Distillate

Susan,

I'm in Florida this week inspecting hurricane damage. I'll get back to you later this week after l've had a chance to size up the documents and assess the hours needed. Thanks

On 11/30/2020 1:32 PM Susan Affleck-Childs < sachilds@townofmedway.org> wrote:

Hi again,

I hit SEND before I meant to!!

From: Susan Affleck-Childs
Sent: Monday, November 30, 2020 3:27 PM
To: Bruce Straughan <bastraughan@comcast.net>
Subject: Odor from Marijuana Distillate

Hi Bruce,

Hope you are well.

We have received an application for a marijuana special use zoning permit to authorize a small manufacturing operation to produce and package marijuana
infused products to sell to retail marijuana outlets. They will use bulk marijuana oil distillate to manufacture the various products. NO CULTIVATION.

The Planning and Economic Development Board starts the public hearing on December \(8^{\text {th }}\).

The applicant will be using 1900 sq. ft. of a 1970's industrial building from which to conduct his business.

He has provided the attached description of the products they intend to make. Also attached is their plan to fit out the space. A rooftop HVAC unit is planned to support the facility's operations.

The applicant has represented that marijuana oil distillate has no odor and provided the attached documents to us. We don't know if this is true.

Would you be able to review this for us and provide a brief memo as to the likelihood of any odors emanating from the facility? Would 2 hours cover it?

Please let me know.

Thanks.
```

susy
Susan E. Affleck-Childs
Planning and Economic Development Coordinator
Town of Medway
155 Village Street
Medway, MA 02053

```
sachilds@townofmedway.org

\section*{good feels"}

Planning and Economic Development Board Meeting
December 8th, 2020

\section*{What we will discuss}
- Disclosures
- Team
- Who we are
- Location
- Specific Nuisance Concerns
- Additional Concerns: Groundwater, Waste and Traffic
- Security
- Diversion Prevention
- Licensing Process \& Anticipated Timeline

\section*{Disclosure}
- The Chairman, Andy Rodenhiser, and I are neighbors.
- I received an abutters notice about an upcoming construction project on his property but otherwise we have no relationship beyond sharing a property line.
- I respect and submit to the board's authority

\section*{Team}


Jason Reposa, Founder/CEO
- Medway resident
- 20+ years technology career
- Successful entrepreneur
- Husband and father of 3

Hiring through 2022
- Director of Operations and Compliance

V \(\wedge\) NGST
- Production Manager
- Production Operators (x4)
- Facilities Coordinator

\section*{Team}


American Alarm \({ }^{\circ}\)
and communications, inc

\section*{Andy Klein}

\section*{Security Expert}

Andy Klein, is a 5-year veteran of the security industry in commercial system design and sales. Andy received his BS in Emergency Management from the Massachusetts Maritime Academy in 2009 He is also a veteran of the United States Coast Guard. A certified firefighter, Andy is well versed in loss reduction, fire safety, and security assessments.


J t A

\section*{Alex Siekierski}

\section*{Senior Project Manager}

Alex has been with JtA from the beginning and oversees new business, processes and project delivery, as well as designing JtA projects. He holds his Master's in Architecture from Boston Architectural College, in addition to his Bachelor of Fine Arts in Design from UMASS Amherst.


Brady Bankston

\section*{President}

Popularis Construction Inc. is a reflection of my true beliefs and we run our company on the ideals of passion, craftsmanship, and service. It is my goal to continue to improve the general contracting industry and to give back to our surrounding community while doing so.


\section*{Adrienne Dean}

\section*{Partner}

Adrienne Dean is a Founding Partner of YooDean Law, P.C., a minority-owned, cannabisfocused corporate law and regulatory compliance firm with offices in Greater Boston and Philadelphia. Adrienne specializes in corporate law and marijuana company licensing and regulatory matters in the Commonwealth of Massachusetts.


\section*{David Rabinovitz}

\section*{Advisor}

David is a cannabis industry veteran. He started with a consulting assignment in 2010 and things grew from there. His experience includes business planning, deal structuring, stock plans, merger and acquisition guidance. He is also on a training vendor team for the Massachusetts Cannabis Control Commission's Social Equity and Economic Empowerment training program.

\section*{Who we are}
- Marijuana Product Manufacturer (MPM)
- Non-combustible Products
- Fast acting
- Effective
- Functional
- Sustainable Startup
- Collaborative: Willing to work with the town to mitigate any concerns

\section*{Marijuana Product Manufacturer (MPM)}
- No retail
- No cultivation
- No odors from growing or extracting Marijuana
- Minimal noise from external equipment
- Internal noise is contained within the building envelope
- Discrete location
- Minimal traffic

\section*{Location}

23 Jayar Rd., Suite 6


\section*{Zoning}

- All abutters within 300 feet have been notified of the proposed project
- Abutters are comprised of vacant lots and industrial buildings

\section*{Property Structure}
- 1,896 sq. ft. located at the rear corner of the building
- Separate loading dock and staircase entry


\section*{Property Structure (continued...)}


\section*{Property Structure (continued...)}


\section*{Small Scale}
- 1,896 sq. ft. facility
- 5-6 employees by 2022
- Not energy intensive
- Production room \(\sim 500 \mathrm{sq}\). ft.

\section*{Nuisance Considerations}
- Odor
- Noise
- Visual Impact

\section*{Odor Concerns}
- Growing? No.
- Highly processed distillate oil? Yes.
- Distillation
- Marijuana smell has been boiled off
- Only oil is left, no plant matter
- Edibles use distillate because it doesn't taste or smell like "weed"
- Supplied written letters from vendors that distillate oil has no odor

\section*{Noise Concerns}
- Two pieces of equipment outside
- Residential HVAC on roof
- Generator near front entrance
- Written letter that confirms our compliance to draft regulations
- Jeff Komrower from Noise Control Engineering

\section*{Visual Impact Concerns}
- No site plan changes
- Small ( 8 "x11") sign on door
- An additional dumpster
- HVAC on roof and generator by front entrance

\section*{Groundwater and Waste}
- Groundwater Protection
- Small containers of cleaning supplies from EcoLab
- Stored in spill proof storage cabinet
- Spill kit + staff trained on usage
- Wastewater
- Plans approved by Kristen Mucciarone, District Engineer of Charles River PCD
- Non-water waste
- Dumpster with lock from Lawrence Waste Services
- Minimal, to zero, THC in waste

\section*{Traffic and Inventory Transfers}
- Traffic types
- Staff
- Inventory transfer
- Lab tests
- Visitors
- Guests (tours, interviews)
- Vendors (utility company, Amazon packages, etc.)

\section*{Security Plan}
- Our security plan has been designed by American Alarm Company who has designed security systems for 70+ Marijuana Establishments
- Some highlights include:
- Strict identification requirements for building access
- Limited access areas with robust access control
- Badges, keycards, commercial grade locks
- External and Internal video surveillance with 24 hour recordings, 90+ day backup, remote live viewing and an uninterruptible power supply
- Redundant and continuously monitored alarm system
- Vault storage for finished products pending transport

\section*{Security Design}


\section*{Diversion Prevention}
- We are dedicated to ensuring that cannabis is accessible to only adults 21 or older
- No consumption on site
- We have a comprehensive security plan designed to prevent diversion to minors. The policies include strict adherence to identification and visitor badge requirements to ensure there are never underage or unauthorized individuals on premises.
- The security system, and compliance with the METRC seed to sale tracking program, will ensure inventory policies are followed and will prevent and quickly detect any instances of theft or product discrepancy.
- Any instances of diversion will be immediately reported to the CCC and a responsible agent will be terminated.
- All packaging and marketing will be geared towards those 21+.

\section*{Licensing Process \& Anticipated Timeline}
- October 2020 - CCC Application Submitted
- November 2020 - Special Permit Application Submitted
- December 2020/January 2021 - Special Permit Issued by Town
- February 2021 - Build Begins
- March 2021 - Provisional License Granted
- April 2021 - Build Finishes
- May 2021 - Final License Granted
- June 2021 - Launch / Production Begins

\section*{good feels"'}

Thank you!

December 8, 2020
Medway Planning \& Economic Development Board Meeting

\section*{ZBA Petitions}
- 24 Broad Acres Farm Road - Accessory Family Dwelling Unit Special Permit (attached)
- 35 Milford Street - Parcel 1A - Two-Family Special Permit (This is the location of the recently endorsed ANR plan.)
- 35 Milford Street - Parcel 2A - Two-Family Special Permit (This is the location of the recently endorsed ANR plan.)

The ZBA has circulated the above petitions to Town staff and requested review comments. The ZBA hearings on these projects are scheduled for December \(16^{\text {th }}\).

TOWN OF MEDWAY

155 Village Street
Medway MA 02053

NOTE: THE APPLICATION WILL NOT BE CONSIDERED "COMPLETE" UNLESS ALL NECESSARY DOCUMENTS, FEES, \& WAIVER REQUESTS ARE SUBMITTED. A GENERAL APPLICATION FORM MUST BE COMPLETED FOR ALL APPLICATIONS.

TO BE COMPLETED BY THE APPLICANT
\begin{tabular}{|c|c|c|}
\hline \begin{tabular}{l}
Applicant/Petitioner(s): \\
Lori M Mezoff
\end{tabular} & \multicolumn{2}{|c|}{Application Request(s):} \\
\hline \multirow[t]{2}{*}{\begin{tabular}{l}
Property Owner(s): \\
Lori M Mezoff
\end{tabular}} & Appeal & \(\square\) \\
\hline & Special Permit & \(\checkmark\) \\
\hline \multirow[t]{4}{*}{\begin{tabular}{l}
Site Address(es): \\
24 Broad Acres Farm Road, Medway MA
\end{tabular}} & Variance & \\
\hline & Determination/Finding & \\
\hline & Extension & \\
\hline & Modification & \\
\hline Parcel ID(s):
Parcel ID 18-006 & Comprehensive Permit & \(\square\) \\
\hline Old parcel ID 5-22-13 & & \\
\hline \begin{tabular}{|l}
\hline Zoning District(s): \\
AR-I
\end{tabular} & & \\
\hline \multicolumn{3}{|l|}{Registry of Deeds Book \& Page No. and Date or Land Court Certificate No. and Date of Current Title: 35777-182, 2/1/2018} \\
\hline
\end{tabular}
TO BE COMPLETED BY STAFF:
Check No.:
Date of Complete Submittal:
Comments:

Page | 1

\section*{APPLICANT/PETITIONER INFORMATION}
he owners) of the land must be included as an applicant, even if not the proponent. Persons or entities other than the owner may also serve as coapplicants in addition to the owner(s), however, in each instance, such person shall provide sufficient written evidence of authority to act on behalf of the owner(s). For legal entities such as corporations, \(\operatorname{LLCs}\), etc., list the type and legal status of ownership, the name of the trustees/officer members, their affiliation, and contact information. Please provide attachment for information if necessary.
\begin{tabular}{|l|l|}
\hline Applicant/Petitioner(s): & \begin{tabular}{l} 
Phone: \\
Lori Mezoff
\end{tabular} \\
\hline & \begin{tabular}{l} 
Email: \\
mezzie44@yahoo.com
\end{tabular} \\
\hline Address: &
\end{tabular}

\section*{24 Broad Acres Farm Rd, Medway MA}
\begin{tabular}{|l|l|}
\hline \begin{tabular}{l} 
Attorney/Engineer/Representative(s): \\
Colonial Engineering
\end{tabular} & \begin{tabular}{l} 
Phone: \\
\(508-533-1644\)
\end{tabular} \\
\begin{tabular}{l} 
Address: \\
\(11 \mathrm{AW} \mid \mathrm{St}, \mathrm{Med}\)
\end{tabular} \\
\hline \begin{tabular}{l} 
Owners): \\
Lori Mezoff
\end{tabular} & \begin{tabular}{l} 
Phone: \\
\(201-637-2895\)
\end{tabular} \\
\hline & \begin{tabular}{l} 
Email: \\
mezzie44@yahoo.com
\end{tabular} \\
\hline Mailing Address. & \\
\hline
\end{tabular}

\section*{24 Broad Acres Farm Rd, Medway MA 02053}

Please list name and address of other parties with financial interest in this property (use attachment if necessary):

Please disclose any relationship, past or present, interested parties may have with members of the ZBA:

I hereby certify that the information on this application and plans submitted herewith are correct, and that the application complies with all applicable provisions of Statutes, Regulations, and Bylaws to the best of my knowledge, and that all testimony to be given by me during the Zoning Board of Appeals public hearing associated with this application are true to the best of my knowledge and belief.



FILL IN THE APPLICABLE DATA BELOW
\begin{tabular}{|l|c|c|c|}
\hline Required Data & Bylaw Requirement & Existing & Proposed \\
\hline A. Use & & & \\
\hline B. Dwelling Units & 1 & & \\
\hline C. Lot Size & 44000 & 44009 & 44009 \\
\hline D. Lot Frontage & \(180^{\prime}\) & \(180^{\prime}\) & \(180^{\prime}\) \\
\hline E. Front Setback & \(35^{\prime}\) & \(<35^{\prime}\) & \(<35^{\prime}\) \\
\hline F. Side Setback & \(15^{\prime}\) & \(\sim 26^{\prime}\) & \(\sim 28^{\prime}\) \\
\hline G. Side Setback & \(15^{\prime}\) & \(<35^{\prime}\) & \(<35^{\prime}\) \\
\hline H. Rear Setback & \(15^{\prime}\) & \(\sim 24^{\prime}\) & \(\sim 24^{\prime}\) \\
\hline I. Lot Coverage & \(\%\) & \(24.67^{\prime} \%\) & \(32.57^{\prime} \%\) \\
\hline J. Height & \(35^{\prime}\) & \(24^{\prime}\) & \(24^{\prime}\) \\
\hline K. Parking Spaces & Exempt under 3.5 & & \\
\hline L. Other & & & \\
\hline
\end{tabular}

FOR TOWN HALL USE ONLY
To be filled out by the Building Commissioner:
\begin{tabular}{|ll}
\hline Date Reviewed & Medway Building Commissioner \\
\hline Comments: &
\end{tabular}

After completing this form, please submit an electronic copy to zoning@townofmedway.org and 4 paper copies to the Community \& Economic Development Department.

Page | 4

\title{
NOTE: THE APPLICATION WILL NOT BE CONSIDERED "COMPLETE" UNLESS ALL NECESSARY DOCUMENTS, FEES, \& WAIVER REQUESTS ARE SUBMITTED. A GENERAL APPLICATION FORM MUST BE COMPLETED FOR ALL APPLICATIONS. A GENERAL SPECIAL PERMIT APPLICATION IS REQUIRED IN ADDITION TO THIS FORM FOR AFDU'S.
}

\section*{1O ELCOMPUTODYTLAPPICRII}

Please provide evidence regarding how the Special Permit Decision Criteria, outlined below, is met. Please write " \(N / A\) " if you believe any of the Criteria is Not Applicable. Provide attachments if necessary.
1. An accessory family dwelling unit shall be located within:
a. a detached single-family dwelling (principal dwelling unit); or
b. an addition to a detached single-family dwelling principal dwelling unit); or
c. a separate structure on the same premises as a detached single-family dwelling (principal dwelling unit).
B) the addition will be to the existing single-family dwelling with access from main house/garage
2. There shall be no more than one accessory family dwelling unit associated with a detached singlefamily dwelling (principal dwelling unit).
There will only be one addition to existing family dwelling
3. No accessory family dwelling unit shall have more than one bedroom, unless a second bedroom is authorized by the Board of Appeals pursuant to 8.2.C. 8.
A second bedroom is requested in the proposed unit due to medical equipment and needs of one of the parent(s).
4. An accessory family dwelling unit shall not exceed 800 sq . ft . of gross floor area unless: a. there is an existing detached accessory structure larger than \(\mathbf{8 0 0} \mathbf{~ s q}\). ft . located on the same lot as a detached single-family dwelling (principal dwelling unit) and the Board of Appeals determines its use as an accessory family dwelling unit is in character with the neighborhood; or b. authorized by the Board of Appeals pursuant to 8.2.C.8.

The addition does exceed 800 sq ft . due to issue mentioned above to have elderly parent(s) with medical issues living within the same dwelling.
5. There shall be at least one designated off-street parking space for the accessory family dwelling unit in addition to parking for the occupants of the detached single-family (principal dwelling unit). The off-street parking space shall be located in a garage or in the driveway, and shall have vehicular access to the driveway. The location, quantity and adequacy of parking for the accessory
family dwelling unit shall be reviewed by the Board of Appeals to ensure its location and appearance are in keeping with the residential character of the neighborhood.
There is a one (1) car garage as part of the proposed unit.
6. Occupancy of the single-family dwelling (principal dwelling unit) and accessory family dwelling unit shall be restricted as follows:
a. The owners of the property shall reside in one of the units as their primary residence, except for bona fide temporary absences due to employment, hospitalization, medical care, vacation, military service, or other comparable absences which would not negate the primary residency standard. For purposes of this Section, "owners" shall mean one or more individuals who hold legal or beneficial title to the premises.
b. The accessory dwelling unit and the detached single-family dwelling (principal dwelling unit) shall be occupied by any one or more of the following:
i. the owners) of the property;
ii. the owner's family by blood, marriage, adoption, foster care or guardianship;
iii. an unrelated caregiver for an occupant of the detached single-family dwelling or the accessory family dwelling unit, who is an elder, a person with a disability, handicap or chronic disease/medical condition, or a child.
B) The owner of the property (Lori Mezoff) will be occupying main dwelling and her parents will be occupying new addition
7. An accessory family dwelling unit shall be designed so as to preserve the appearance of the singlefamily dwelling (principal dwelling unit) and be compatible with the residential character of the neighborhood. Any new separate outside entrance serving an accessory family dwelling unit shall be located on the side or in the rear of the building.
The addition is designed compatible with the residential character of the neighborhood and the entrance is on the side.

In order to encourage the development of housing units for disabled and handicapped individuals and persons with limited mobility or a chronic medical condition, the Board of Appeals may allow reasonable deviations from the Basic Requirements where necessary to install features in the accessory family dwelling unit to facilitate the care of, and access and mobility for, disabled and handicapped individuals and persons with limited mobility or a chronic medical condition. This may include, but is not limited to, authorizing a second bedroom in the accessory family dwelling unit.

If you are seeking relief under this provision, please specify the relief sought and the reasons supporting your request.
We are seeking provision as the new addition is being built specifically to accommodate the owner's parents that have chronic and progressing medical issues; it is foreseen that they will need wheelchair access and the use of a second bedroom.

ZONE AR I
AREA 44,000 S.F.
FRONTAGE 180
SETBACK 35'
SIDEYARD 15'
REARYARD \(15^{\prime}\)
LOT COVERAGE STRUCTURES 25\% IMPERVIOUS 35\% NOT WITHIN W.P.D.

EXISTING LOT COVERAGE
STRUCTURE 8.92\% IMPERVIOUS \(15.75 \%\)

PROPOSED LOT COVERAGE STRUCTURE \(12.97 \%\) IMPERVIOUS 19.60\%
I CERTIFY THAT THE PROPOSED ADDITION SHOWN ON THIS PLAN CONFORMS TO THE ZONING BY-LAWS OF THE TOWN OF MEDWAY AND DOES NOT LIE WITHIN THE FLOOD PLAIN.L


\section*{PLAN OF LAND}

\section*{IN}

\section*{MEDWAY, MA.}

SCALE:1"=40' NOV. 2, 2020
OWNER: Lori Michelle Mezoff
24 Broad Acres Farm Road Medway, Ma. 02053
COLONIAL ENGINEERING INC.
11 AWL STREET MEDWAY, MA 508-533-1644










NOTE: THE APPLICATION WILL NOT BE CONSIDERED "COMPLETE" UNLESS ALL NECESSARY DOCUMENTS, FEES, \& WAIVER REQUESTS ARE SUBMITTED. A GENERAL APPLICATION FORM MUST BE COMPLETED FOR ALL APPLICATIONS.

TO BE COMPLETED BY THE APPLICANT
\begin{tabular}{|l|ll|}
\hline \begin{tabular}{l} 
Applicant/Petitioner(s): \\
CAMERON BAGHERPOUR
\end{tabular} & & Application Request(s): \\
\hline & & \\
\hline \begin{tabular}{l} 
Property Owner(s): \\
Andrew J. Mahan \& Colleen E. Mahan f/k/a Colleen E. Garry
\end{tabular} & Appeal & \(\square\) \\
\hline & Special Permit & \(\square\) \\
\hline \begin{tabular}{l} 
Site Address(es): \\
35 MILFORD ST \\
PARCEL A-1 FROM \\
ANR PLAN DATED 10/14/2020
\end{tabular} & Variance & \(\square\) \\
\hline
\end{tabular}
TOWN CLERK STAMP
\(\square\)

Page | 1
TO BE COMPLETED BY STAFF:
Check No.:
Date of Complete Submittal:
Comments:

\section*{APPLICANT/PETITIONER INFORMATION}

The owner(s) of the land must be included as an applicant, even if not the proponent. Persons or entities other than the owner may also serve as coapplicants in addition to the owner(s), however, in each instance, such person shall provide sufficient written evidence of authority to act on behalf of the owner(s). For legal entities such as corporations, LLCs, etc., list the type and legal status of ownership, the name of the trustees/officer members, their affiliation, and contact information. Please provide attachment for information if necessary.
\begin{tabular}{|c|c|}
\hline \multirow[t]{2}{*}{Applicant/Petitioner(s): CAMERON BAGHERPOUR} & \[
\begin{array}{|l|}
\hline \text { Phone: } \\
919-434-9001
\end{array}
\] \\
\hline & \begin{tabular}{l}
Email: \\
BAGHERC@GMAIL.COM
\end{tabular} \\
\hline \multicolumn{2}{|l|}{\begin{tabular}{l}
Address: \\
83 LOVERING ST MEDWAY MA 02053
\end{tabular}} \\
\hline \multirow[t]{2}{*}{Attorney/Engineer/Representative(s): COLONIAL ENGINEERING} & \[
\begin{array}{|l|}
\hline \text { Phone: } \\
508-533-7644
\end{array}
\] \\
\hline & \begin{tabular}{l}
Email: \\
colonial.eng@verizon.net
\end{tabular} \\
\hline \multicolumn{2}{|l|}{\begin{tabular}{l}
Address: \\
11 AWL ST MEDWAY MA 02053
\end{tabular}} \\
\hline \multirow[t]{2}{*}{\begin{tabular}{l}
Owner(s): \\
Andrew J. Mahan \& \\
Colleen E. Mahan f/k/a Colleen E. Garry
\end{tabular}} & \[
\begin{array}{|l|}
\hline \text { Phone: } \\
508-962-5460
\end{array}
\] \\
\hline & Email: amahan4646@gmail.com \\
\hline \multicolumn{2}{|l|}{Mailing Address:} \\
\hline 4 Lilly St Medway, MA 02 & \\
\hline
\end{tabular}

Please list name and address of other parties with financial interest in this property (use attachment if necessary): MEDWAY MEADOWS LLC 383 MAIN ST MEDFIELD, MA 02052

Please disclose any relationship, past or present, interested parties may have with members of the ZBA:
NONE

I hereby certify that the information on this application and plans submitted herewith are correct, and that the application complies with all applicable provisions of Statutes, Regulations, and Bylaws to the best of my knowledge, and that all testimony to be given by me during the Zoning Board of Appeals public hearing associated with this application are true to the best of my knowledge and belief.


Page | 2
faceived bv.
 Date: \(\qquad\)
\begin{tabular}{|c|c|c|c|}
\hline \multicolumn{4}{|l|}{APPLICATION INFORMATION} \\
\hline & & YES & No \\
\hline Applicable Section(s) of the Zoning Bylaw: & Requesting Waivers? & & \(\square\) \\
\hline 3.4 Special Permits, 5.4 Table of Uses & Does the proposed use conform to the current Zoning Bylaw? & & \(\square\) \\
\hline Present Use of Property: & Has the applicant applied for and/or been refused a building permit? & & \(\square\) \\
\hline DEMOLISHED) & Is the property or are the buildings/ structures pre-existing nonconforming? & & \(\square\) \\
\hline \begin{tabular}{l}
Proposed Use of Property: \\
Two Family / Duplex
\end{tabular} & Is the proposal subject to approval by the BOH or BOS? & & \(\checkmark\) \\
\hline & Is the proposal subject to approval by the Conservation Commission? & & 1 \\
\hline \[
\begin{aligned}
& \hline \text { Date Lot was created: } \\
& 10 / 14 / 2020
\end{aligned}
\] & Is the property located in the Floodplain District? & & 1 \\
\hline Date Building was erected: n/a & Is the property located in the Groundwater Protection District? & & 1 \\
\hline \begin{tabular}{l}
Does the property meet the intent of the Design Review Guidelines? \\
Yes
\end{tabular} & Is the property located in a designated Historic District or is it designated as a Historic Landmark? & & \(\checkmark\) \\
\hline
\end{tabular}

Describe Application Request:
Applicant is requesting a special permit from Section 5.4, Table 1, Section C for district AR-II of the Medway Zoning Bylaws to allow for a two family dwelling/duplex, provided that the exterior of the dwelling has the appearance of a single family dwelling
\(\qquad\)

FILL IN THE APPLICABLE DATA BELOW
\begin{tabular}{|l|c|c|c|}
\hline Required Data & Bylaw Requirement & Existing & Proposed \\
\hline A. Use & & Approved for single family & Two family \\
\hline B. Dwelling Units & Two family & Vacant & Two family \\
\hline C. Lot Size & 30,000 & 31,332 & 31,332 \\
\hline D. Lot Frontage & \(150^{\prime}\) & \(\mathrm{n} / \mathrm{a}\) & \(150^{\prime}\) \\
\hline E. Front Setback & \(35^{\prime}\) & \(\mathrm{n} / \mathrm{a}\) & \(36.23^{\prime}\) \\
\hline F. Side Setback & \(15^{\prime}\) & \(\mathrm{n} / \mathrm{a}\) & \(48.46^{\prime}\) \\
\hline G. Side Setback & \(15^{\prime}\) & \(\mathrm{n} / \mathrm{a}\) & \(24.81^{\prime}\) \\
\hline H. Rear Setback & \(15^{\prime}\) & \(\mathrm{n} / \mathrm{a}\) & \(192.2^{\prime}\) \\
\hline I. Lot Coverage & \(30^{\prime} \%\) & \(\mathrm{n} / \mathrm{a}\) & \(9.05^{\prime}\) \\
\hline J. Height & \(35^{\prime}\) & \(\mathrm{n} / \mathrm{a}\) & \(30^{\prime}\) \\
\hline K. Parking Spaces & \(\mathrm{n} / \mathrm{a}\) & \(\mathrm{n} / \mathrm{a}\) & \(\mathrm{n} / \mathrm{a}\) \\
\hline L. Other & & & \\
& & & \\
\hline
\end{tabular}

\section*{FOR TOWN HALL USE ONLY}

To be filled out by the Building Commissioner:
\begin{tabular}{|ll|}
\hline Date Reviewed & \\
\hline Comments: & \\
\\
& \\
\\
\hline
\end{tabular}

After completing this form, please submit an electronic copy to zoning@townofmedway.org and 4 paper copies to the Community \& Economic Development Department.


\title{
NOTE: THE APPLICATION WILL NOT BE CONSIDERED "COMPLETE" UNLESS ALL NECESSARY DOCUMENTS, FEES, \& WAIVER REQUESTS ARE SUBMITTED. A GENERAL APPLICATION FORM MUST BE COMPLETED FOR ALL APPLICATIONS.
}

\section*{TO BE COMPLETED BY THE APPLICANT}

Please provide evidence regarding how the Special Permit Decision Criteria, outlined below, is met. Please write " \(N / A\) " if you believe any of the Criteria is Not Applicable. Provide attachments if necessary.
1. The proposed site is an appropriate location for the proposed use:

The private property is located in the Agricultural Residential II District, which allows for two family dwellings
2. Adequate and appropriate facilities will be provided for the operation of the proposed use:

N/A - proposed use remains residential
3. The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians, or the environment:
The property exceeds the requirements for area to construct a two family dwelling. Proposed use remains residential and will not create hazard to abutters, vehicles, pedestrians or the environment.
4. The proposed use will not cause undue traffic congestion or conflicts in the immediate area:

The private property is located directly on Massachusetts Route 109/Milford St which is a county thoroughfare. The proposed use will not cause undue traffic congestion or conflicts in the immediate area.
5. The proposed use will not be detrimental to the adjoining properties due to lighting, flooding, odors, dust, noise, vibration, refuse materials, or other undesirable visual, site, or operational attributes of the proposed use:
N/A - proposed use remains residential
6. The proposed use as developed will not adversely affect the surrounding neighborhood or significantly alter the character of the zoning district:
Proposed use remains residential and complies with character of zoning district as the dwelling will have the appearance of a single family home.

Page | 1
Received iv:

7. The proposed use is in harmony with the general purpose and intent of this Zoning Bylaw:

Proposed use remains residential and complies with character of zoning district as the dwelling will have the appearance of a single family home.
8. The proposed use is consistent with the goals of the Medway Master Plan:

The proposed two family dwelling will be appropriately located in a residential district - AR-II and is consistent with the goals of the Medway Master Plan.
9. The proposed use will not be detrimental to the public good:

The private property is located in the Agricultural Residential II District, which allows for two family dwellings and as such will not be detrimental to the public good.


Signature of Applicant/Petition or or Representative


FLOOR PLAN NOTES








155 Village Street
Medway MA 02053

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TO BE COMPLETED BY THE APPLICANT



Page | 1

\section*{TO BE COMPLETED BY STAFF:}

Check No.:
Date of Complete Submittal:
Comments:

Received \(\mathrm{j} y\) :


Date:

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Colleen E. Mahan f/k/a Colleen E. Garry
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\hline
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I hereby certify that the information on this application and plans submitted herewith are correct, and that the application complies with all applicable provisions of Statutes, Regulations, and Bylaws to the best of my knowledge, and that all testimony to be given by me during the Zoning Board of Appeals public hearing associated with this application are true to the best of my knowledge and belief.


Page | 2
faceived bv.
 Date: \(\qquad\)

APPLICATION INFORMATION
\begin{tabular}{|c|c|c|}
\hline & & YES NO \\
\hline Applicable Section(s) of the Zoning Bylaw: & Requesting Waivers? & \(\checkmark\) \\
\hline 3.4 Special Permits, 5.4 Table of Uses & Does the proposed use conform to the current Zoning Bylaw? & \(\square\) \\
\hline \begin{tabular}{l}
Present Use of Property: \\
SINGLE FAMILY HOME (TO BE DEMOLISHED)
\end{tabular} & \begin{tabular}{l}
Has the applicant applied for and/or been refused a building permit? \\
Is the property or are the buildings/ structures pre-existing nonconforming?
\end{tabular} &  \\
\hline Proposed Use of Property: Two Family / Duplex & \begin{tabular}{l}
Is the proposal subject to approval by the BOH or BOS? \\
Is the proposal subject to approval by the Conservation Commission?
\end{tabular} &  \\
\hline Date Lot was created:
\[
10 / 14 / 2020
\] & Is the property located in the Floodplain District? & \(\checkmark\) \\
\hline Date Building was erected: n/a & Is the property located in the Groundwater Protection District? & \[
\sqrt{ }
\] \\
\hline \begin{tabular}{l}
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\checkmark
\] \\
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Date: \(\qquad\)

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\hline A. Use & & Approved for single family & Two family \\
\hline B. Dwelling Units & Two family & Vacant & Two family \\
\hline C. Lot Size & 30,000 & 35,956 & 35,956 \\
\hline D. Lot Frontage & \(150^{\prime}\) & \(313^{\prime}\) & \(313^{\prime}\) \\
\hline E. Front Setback & \(35^{\prime}\) & \(\mathrm{n} / \mathrm{a}\) & \(73.39^{\prime}, 35,37\) \\
\hline F. Side Setback & \(15^{\prime}\) & \(\mathrm{n} / \mathrm{a}\) & \(35,37^{\prime}\) \\
\hline G. Side Setback & \(15^{\prime}\) & \(\mathrm{n} / \mathrm{a}\) & \(15,41^{\prime}\) \\
\hline H. Rear Setback & \(15^{\prime}\) & \(\mathrm{n} / \mathrm{a}\) & \(163,9{ }^{\prime}\) \\
\hline I. Lot Coverage & \(30^{\prime} \%\) & \(\mathrm{n} / \mathrm{a}\) & \(10.0 \%\) \\
\hline J. Height & \(35^{\prime}\) & \(\mathrm{n} / \mathrm{a}\) & \(30^{\prime}\) \\
\hline K. Parking Spaces & \(\mathrm{n} / \mathrm{a}\) & \(\mathrm{n} / \mathrm{a}\) & \(\mathrm{n} / \mathrm{a}\) \\
\hline L. Other & & & \\
\hline
\end{tabular}
\begin{tabular}{|ll|}
\hline FOR TOWN HALL USE ONLY & \\
\hline To be filled out by the Building Commissioner: & \\
\hline Date Reviewed & Medway Building Commissioner \\
\hline Comments: & \\
\\
\\
\\
\hline
\end{tabular}

After completing this form, please submit an electronic copy to zoning@townofmedway.org and 4 paper copies to the Community \& Economic Development Department.
\(\qquad\)


\title{
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}

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2. Adequate and appropriate facilities will be provided for the operation of the proposed use:

N/A - proposed use remains residential
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Page | 1
Received iv:

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The private property is located in the Agricultural Residential II District, which allows for two family dwellings and as such will not be detrimental to the public good.


Signature of Applicant/Petition or or Representative



December 8, 2020
Medway Planning \& Economic Development Board Meeting

\section*{Construction Reports}
- November monthly report on Evergreen Meadow prepared by project engineer Ron Tiberi

Tetra Tech construction reports are forthcoming. There has been a lot of construction activity. I will provide them to you upon receipt.

䨐

\section*{Progress Report}

\section*{Project Details}
\begin{tabular}{|c|c|c|}
\hline Project name & Evergreen & \\
\hline Location & 22 Evergreen Road & Medway MA \\
\hline Owner & Sampson Pond Development & Medway MA \\
\hline Reporting period & 11-1 thur 11-28 2020 & \\
\hline Report compiled by & Ron Tiberi P.E. & \begin{tabular}{l}
9 Mass Ave \\
Natick MA
\end{tabular} \\
\hline Date inspected/ submitted & 11/28/20 & \\
\hline
\end{tabular}

\section*{Summary}

Site contractor Mobilized; construction controls established. Erosion controls installed. Road rough graded to subgrade

\section*{Activities}

\section*{Activity 1 Construction Controls}
\begin{tabular}{|l|l|}
\hline Status & Achieved \\
\hline Objective & Layout \& Construction controls set and Provided by Cheney Engineering \\
\hline Activity dates & \multicolumn{1}{|l|}{} \\
\hline Progress & Set- grade stakes \& offsets access road \\
\hline Comments & Sanitary Facilities on-site, No construction trailers \\
\hline
\end{tabular}

\section*{Activity 2 Erosion Controls}
\begin{tabular}{|l|l|l|}
\hline Status & Achieved \\
\hline Objective & Erosion controls implemented and approved on site \\
\hline Activity dates & & \\
\hline Progress & Completed \& Maintained & \\
\hline Comments & & \\
\hline
\end{tabular}

Activity 3 Access Road
\begin{tabular}{|l|l|||||}
\hline Status & In progress \\
\hline Objective & Subgrade, Base material being brought in \\
\hline Activity dates & \\
\hline Progress & Partially completed \(20 \%\) \\
\hline Comments & \\
\hline
\end{tabular}

Activity 4 Water \& Sewer Utilities
\begin{tabular}{|l|l|}
\hline Status & Achieved \\
\hline Objective & \begin{tabular}{l} 
Sewer line and water lines connected at Evergreen and complete with stubs to end of \\
access road
\end{tabular} \\
\hline Activity dates & \\
\hline Progress & Completed \\
\hline Comments & \\
\hline
\end{tabular}
\#1


Evergreen Connections \& Patches
\#2


Stub \& Valve locations- Hydrant Installed


Sewer Manhole Installed.
\begin{tabular}{|c|c|}
\hline 100 Nickerson Road, Suite 200 Marlborough, MA 01752 & F|ELD REPORT \\
\hline iborough, MA 01752 & \\
\hline
\end{tabular}
\begin{tabular}{|l|l|l|}
\hline Project & Date & Report No. \\
21 Trotter Drive & \(11 / 19 / 2020\) & 5 \\
\hline Location & Project No. & Sheet 1 of \\
21 Trotter Drive, Medway, MA & Weather & \(21583-19018\)
\end{tabular}

\section*{FIELD OBSERVATIONS}

On Thursday, November 19, 2020, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.
1. OBSERVATIONS
A. General site conditions: Dry ground surface that is firm throughout the site. Silt fence barrier (SFB) and compost filter tubes have been installed around the perimeter of site as shown on the endorsed Plans and appear to be in good condition. Compost filter tubes are placed just inside of the SFB along the eastern portion of the erosion control limits and appear to be in good condition. Stockpiles of excavated material are present throughout the southern portion of the site. Property's main driveway appears to have been recently swept to reduce dust and to prevent tracked material from traveling onto Trotter Drive. Infiltration Basin remains stabilized with erosion control blankets and hydroseed. Straw wattles remain along the perimeter of the rip rap at the bottom of the basin.
B. TT on-site to observe drainage installation adjacent to the proposed building addition. Upon arrival, contractor has installed drainage infrastructure from proposed CB \#1 up to DMH \#4. 18" HDPE pipes and structures are placed on existing on-site gravel and also backfilled with on-site gravel. Contractor continues to install 18" HDPE pipe from DMH \#4 towards proposed DMH \#6. Spaces between the structure openings and the HDPE pipes entering the structures are sealed using brick and mortar, and lift holes are mortared as well. TT noted on-site that the current location of structures being installed do not match the endorsed Plan, and different plans with revised drainage layout is present on-site. Design engineer to submit revised drainage plan to the Medway Conservation Commission for review.
C. Foundation for proposed addition has been completed and backfilled.
\begin{tabular}{|c|c|c|c|c|c|c|c|}
\hline \multicolumn{6}{|c|}{CONTRACTOR'S FORCE AND EQUIPMENT} & \multicolumn{2}{|l|}{WORK DONE BY OTHERS} \\
\hline Sup't & & Bulldozer & 1 & Asphalt Paver & & Dept. or Company & Description of Work \\
\hline Foreman & & Backhoe & & Asphalt Reclaimer & & & \\
\hline Laborers & 2 & Loader & 1 & Vib. Roller & & & \\
\hline Drivers & & Rubber Tire Backhoe/Loader & & Static Roller & & & \\
\hline Oper. Engr. & 2 & Skid Steer & 1 & Vib. Walk Comp. & & & \\
\hline Carpenters & & Hoeram & & Compressor & & & \\
\hline Masons & & Excavator & 1 & Jack Hammer & & & \\
\hline Iron Workers & & Grader & & Power Saw & & & \\
\hline Electricians & & Crane & & Conc. Vib. & & & \\
\hline Flagpersons & & Scraper & & Tack Truck & & & \\
\hline Surveyors & & Conc. Mixer & & Man Lift & & & \\
\hline Roofers & & Conc. Truck & & Skidder & & OFFICIAL VIS & TORS TO JOB \\
\hline Mechanical/HVAC & & Conc. Pump Truck & & Compact Track Loader & & & \\
\hline & & Pickup Truck & \(5+\) & Lull & 1 & & \\
\hline & & Tri-Axle Dump Truck & & & & & \\
\hline & & Trailer Dump Truck & & & & & \\
\hline & & & & & & & \\
\hline \multicolumn{6}{|l|}{Police Details: N/A} & \multicolumn{2}{|l|}{RESIDENT REPRESENTATIVE FORCE} \\
\hline \multicolumn{6}{|l|}{Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.} & Name & Time on-site \\
\hline & & & & & & Bradley M. Picard, EIT & 12:30 P.M. - 2:30 P.M. \\
\hline & & & & & & & \\
\hline \multicolumn{8}{|l|}{NOTE: Please use reverse side for remarks and sketches} \\
\hline
\end{tabular}
\(\left.\begin{array}{|l|l|l|}\hline \text { Project } & \text { Date } & \begin{array}{l}\text { Report No. } \\
21 \text { Trotter Drive }\end{array} \\
\hline \text { Location } & 11 / 19 / 2020\end{array}\right]\)\begin{tabular}{l} 
Project No. \\
21 Trotter Drive, Medway, MA
\end{tabular}
2. SCHEDULE
A. Contractor to continue installation of drainage infrastructure on-site.
B. Paving scheduled for the week of November 30. TT will maintain communication with contractor and will inspect the site on an as-need basis.
3. NEW ACTION ITEMS
A. Submit revised drainage to the Medway Conservation Commission for review.
4. PREVIOUS OPEN ACTION ITEMS
A. Repair SFB as needed throughout the perimeter of the site. TT Update: upon inspection, SFB appears to be repaired and installed per the Plans. TT will continue to inspect the erosion controls throughout the site and identify deficiencies and/or damaged sections.
B. Contractor to submit photos of drainage system installed on the east side of the site, TT not present during installation.
5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION
A. \(N / A\)
\begin{tabular}{|l|l|l}
\hline Project & Date & Report No. \\
21 Trotter Drive & \(11 / 23 / 2020\) & 6 \\
\hline Location & Project No. & Sheet 1 of \\
21 Trotter Drive, Medway, MA & Weather & \(21583-19018\) \\
\hline Contractor & A.M. \\
RP Marzilli (Site Contractor) & P.M. OvERCAST & \begin{tabular}{l} 
Temperature \\
A.M. \\
P.M. \(45^{\circ} \mathrm{F}\) \\
\hline
\end{tabular} \\
\hline
\end{tabular}

\section*{FIELD OBSERVATIONS}

On Monday, November 23, 2020, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.

\section*{1. OBSERVATIONS}
A. General site conditions: Muddy ground surface that is soft in several areas throughout the disturbed regions of the site due to recent heavy rain. Sump pumps are in use to remove water from trenches. Silt fence barrier (SFB) and compost filter tubes have been installed around the perimeter of site as shown on the endorsed Plans and appear to be in good condition. Some sections of SFB have fallen and require maintenance on the east side of the site. Compost filter tubes are placed just inside of the SFB along the eastern portion of the erosion control limits and appear to be in good condition. Stockpiles of excavated material are present throughout the southern portion of the site. Property's main driveway appears to have been recently swept, reducing dust and preventing tracked material from traveling onto Trotter Drive. Infiltration Basin remains stabilized with erosion control blankets and hydroseed, a portion of the northwest slope adjacent to the parking lot has eroded and possibly entered the rip rap, staged water preventing investigation of the extent of material that has eroded into the rip rap. TT will assess required basin maintenance within the rip rap region once stormwater recharges. Straw wattles remain along the perimeter of the rip rap at the bottom of the basin.
B. TT on-site to inspect drainage installation adjacent to the proposed building addition. Upon arrival, contractor has installed proposed CB \#3, CB\#3A, and CB \#1A. HDPE pipes and structures are placed on existing on-site gravel and also backfilled with on-site gravel. Spaces between the structure openings and the HDPE pipes entering the structures are sealed using brick and mortar, and lift holes are mortared as well. Contractor has installed 6" HDPE pipe for proposed roof drain collection system, upstream end of pipe protected with a tied silt sack.


NOTE: Please use reverse side for remarks and sketches
\begin{tabular}{|l|l|l|}
\hline Project & Date & \begin{tabular}{l} 
Report No. \\
21 Trotter Drive
\end{tabular} \\
\hline Location & \begin{tabular}{l}
\(11 / 23 / 2020\)
\end{tabular} \\
21 Trotter Drive, Medway, MA & \(143-21583-19018\) & 2
\end{tabular}
2. SCHEDULE
A. Contractor to continue installation of drainage infrastructure on-site.
B. Paving scheduled for the week of November 30. TT will maintain communication with contractor and will inspect the site on an as-need basis.
3. NEW ACTION ITEMS
A. Repair eroded interior slope of the Infiltration Basin and stabilize as needed.
4. PREVIOUS OPEN ACTION ITEMS
A. Submit revised drainage to the Medway Conservation Commission for review.
B. Contractor to submit photos of drainage system installed on the east side of the site, TT not present during installation.
5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION
A. N/A

\begin{tabular}{|l|l|l|}
\hline Project & Date & Report No. \\
21 Trotter Drive & \(11 / 24 / 2020\) & 7 \\
\hline Location & Project No. & Sheet 1 of \\
21 Trotter Drive, Medway, MA & Weather & \(21583-19018\)
\end{tabular}

\section*{FIELD OBSERVATIONS}

On Monday, November 23, 2020, Bradley M. Picard, EIT from Tetra Tech (TT) visited the project location to inspect the current condition of the site and monitor construction progress. The following report outlines observations made during the site visit.
1. OBSERVATIONS
A. General site conditions: Dry ground surface that is firm throughout, some soft spots and puddles from recent rain events. Silt fence barrier (SFB) and compost filter tubes have been installed around the perimeter of site as shown on the endorsed Plans and appear to be in good condition. Compost filter tubes are placed just inside of the SFB along the eastern portion of the erosion control limits and appear to be in good condition. Stockpiles of excavated material are present throughout the southern portion of the site. Property's main driveway appears to have been recently swept, reducing dust and preventing tracked material from traveling onto Trotter Drive. Infiltration Basin remains stabilized with erosion control blankets and hydroseed. Straw wattles remain along the perimeter of the rip rap at the bottom of the basin.
B. TT on-site to inspect the condition of the basin following heavy rain events that caused erosion along the northwest side of the interior slope. Deposited material has traveled over the straw wattle and into the rip rap at the bottom of the basin. TT informed Contractor representative of concerns and recommended the contractor to repair the slope and remove any deposited sediment present within the rip rap. TT also recommended providing additional erosion controls on the north side of the basin where stormwater can concentrate and erode the slope.
\begin{tabular}{|c|c|c|c|c|c|c|c|}
\hline \multicolumn{6}{|c|}{CONTRACTOR'S FORCE AND EQUIPMENT} & \multicolumn{2}{|l|}{WORK DONE BY OTHERS} \\
\hline Sup't & & Bulldozer & 1 & Asphalt Paver & & Dept. or Company & Description of Work \\
\hline Foreman & & Backhoe & & Asphalt Reclaimer & & & \\
\hline Laborers & 2 & Loader & 1 & Vib. Roller & & & \\
\hline Drivers & & Rubber Tire Backhoe/Loader & & Static Roller & & & \\
\hline Oper. Engr. & 2 & Skid Steer & 1 & Vib. Walk Comp. & & & \\
\hline Carpenters & & Hoeram & & Compressor & & & \\
\hline Masons & & Excavator & 1 & Jack Hammer & & & \\
\hline Iron Workers & & Grader & & Power Saw & & & \\
\hline Electricians & & Crane & & Conc. Vib. & & & \\
\hline Flagpersons & & Scraper & & Tack Truck & & & \\
\hline Surveyors & & Conc. Mixer & & Man Lift & & & \\
\hline Roofers & & Conc. Truck & & Skidder & & OFFICIAL & ITORS TO JOB \\
\hline Mechanical/HVAC & & Conc. Pump Truck & & Compact Track Loader & & & \\
\hline & & Pickup Truck & 5+ & Lull & 1 & & \\
\hline & & Tri-Axle Dump Truck & & & & & \\
\hline & & Trailer Dump Truck & & & & & \\
\hline & & & & & & & \\
\hline \multicolumn{6}{|l|}{Police Details: N/A} & \multicolumn{2}{|l|}{RESIDENT REPRESENTATIVE FORCE} \\
\hline \multicolumn{6}{|l|}{Contractor's Hours of Work: 7:00 A.M. to 6:00 P.M.} & Name & Time on-site \\
\hline & & & & & & Bradley M. Picard, EIT & 10:15 A.M. - 11:00 A.M. \\
\hline & & & & & & & \\
\hline \multicolumn{8}{|l|}{NOTE: Please use reverse side for remarks and sketches} \\
\hline
\end{tabular}
\(\left.\begin{array}{|l|l|l|}\hline \text { Project } & \begin{array}{l}\text { Date } \\
21 \text { Trotter Drive }\end{array} & \begin{array}{l}\text { Report No. } \\
\text { Location } \\
21 \text { Trotter Drive, Medway, MA }\end{array} \\
\hline \text { FIELD OBSERVATIONS CONTINUED } & \text { Project No. } & 143-21583-19018\end{array}\right] 2 .\)\begin{tabular}{l} 
Sheet 2 of \\
\hline
\end{tabular}
2. SCHEDULE
A. Contractor to continue installation of drainage infrastructure on-site.
B. Paving scheduled for the week of November 30. TT will maintain communication with contractor and will inspect the site on an as-need basis.
3. NEW ACTION ITEMS
A. Remove accumulated sediment within basin rip rap downgradient from the eroded slope.
4. PREVIOUS OPEN ACTION ITEMS
A. Repair eroded interior slope of the Infiltration Basin and stabilize as needed.
B. Submit revised drainage to the Medway Conservation Commission for review.
C. Contractor to submit photos of drainage system installed on the east side of the site, TT not present during installation.
5. MATERIALS DELIVERED TO SITE SINCE LAST INSPECTION
A. N/A```


[^0]:    1 "RME," or "Registered Marijuana Establishment" is defined in the Zoning Bylaw as "A marijuana independent testing laboratory, marijuana product manufacturer, or marijuana cultivator, all as defined in General Laws chapter 94G, §1, but not including Recreational Marijuana Retailers or Recreational Marijuana Social Consumption Establishments."

