



**City of Newton, Massachusetts**  
Department of Planning and Development  
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone  
(617) 796-1120  
Telefax  
(617) 796-1142  
TDD/TTY  
(617) 796-1089  
[www.newtonma.gov](http://www.newtonma.gov)

Ruthanne Fuller  
Mayor

Barney S. Heath  
Director

---

## **HOST COMMUNITY AGREEMENT ADVISORY GROUP RECOMMENDATION**

**DATE:** August 30, 2019

**TO:** Mayor Ruthanne Fuller

**FROM:** Host Community Agreement Advisory Group

**SUBJECT:** **Host Community Agreement Recommendation for The Green Harbor Dispensary, LLC, proposing a marijuana retailer at 1136 Beacon Street**

---

### **EXECUTIVE SUMMARY**

The Green Harbor Dispensary, LLC (hereafter "Green Harbor") is proposing to become a co-located registered medical marijuana dispensary (RMD) and recreational marijuana retailer at 1136 Beacon Street, in Newton Four Corners. Members of the management team met with the Host Community Agreement (HCA) Advisory Group on May 16, 2019.

The applicant has a management team experienced in small business management, health care, retail and the marijuana industry. The site presents transportation and safety challenges for the high turnover nature of the use. The site currently has dedicated parking, but it is shared with several of the abutting retail and restaurant uses. The applicant failed to provide detailed plans for site improvements, transportation management, sustainability and equity. For these reasons, and those discussed in more detail below, the HCA Advisory Group does not recommend moving forward with a Host Community Agreement for Green Harbor's RMD/marijuana retailer at 1136 Beacon Street.



CRITERIA FOR CONSIDERATION:

- I. Security – *Whether there is a sufficient commitment to public safety and a sufficient plan for controlling access to areas with marijuana and preventing sales to underage populations, and other similar factors.*

Green Harbor proposes surveillance cameras with 24/7 monitoring and onsite uniformed security officers during all hours of operation. Adult Use customers will be monitored by cameras and will show valid photo identification to the receptionist. Employees will have photo ID badges, which provide specific levels of access. Outside vendors, contractors, and customers will also carry identification and visitor badges at all times. Access to restricted areas will be strictly controlled, with posted notices in plain sight. All areas are monitored by CCTV cameras. Furthermore, all employees will receive basic safety training, including usage of duress alarms.

The exterior areas will also be monitored by cameras and will cover all entrances and exits and staff will be trained in anti-diversion measures. Deliveries would happen at the rear door and a camera would be aimed at this location. Green Harbor stated they would share video with the police department and they would be willing to cooperate with other stores to share data and prevent customers from visiting multiple stores in the same day.

Michael Terrizzi is identified as the head of Security. Mr. Terrizzi is the owner of Platinum Protection Systems, LLC, which provides guidance for security and information technology solutions. He has experience in the design of security plans that involve local law enforcement and implementing state of the art security systems for marijuana establishments in Massachusetts as well as other industries. Mr. Terrizzi is currently in the process of implementing security solutions at Green Harbor's Middleborough cultivation facility.

The security plan presented appears sufficient to protect the safety of customers and employees and to prevent crime and diversion.

- II. Public Health – *Whether there is a commitment to help monitor and mitigate health impacts to the neighborhood and to Newton's youth and adult populations, assistance with local substance abuse prevention programming, and other similar factors.*

The applicant stated they would include materials created by the Department of Health and Human Services in their store. They state they are committed to public health and

would organize and hold educational programs about marijuana use by partnering with local substance abuse programs and schools and presenting the risks of marijuana, particularly to minors.

III. Community Relations – *What are the plans for community outreach and addressing community concerns, experience with the Newton community, and other similar factors.*

Green Harbor will hold the state-mandated community outreach meeting and has indicated they are open to regular communication with the neighbors. They have also emphasized the role Green Harbor could play in improving public safety and education regarding marijuana use. The CEO/President of Green Harbor is also the owner of All Star Liquors in Newton Highlands and one of the Directors of Retail owns Mr. K's Discount Wine and Spirits, also in Newton Highlands, so they are familiar with Newton. The Director of Retail has been identified as the point person until a store manager is hired. While the management team has local ties, they would benefit from a more detailed community relations plan and dedicated staff with community relations experience.

IV. Experience – *What are the professional experiences and qualifications of the management team and other similar factors.*

The Green Harbor management team has entrepreneurial experience, as well as experience with technology, retail, marketing, marijuana cultivation, and starting small businesses. Green Harbor has another dispensary in Provincetown, Massachusetts, as well as a cultivation facility in Middleborough.

Mukesh Patel, Chief Executive Officer at Green Harbor, owns and operates several businesses in the liquor and hotel industry with over 20 years of experience managing retail operations and working with flagship hotels. Mr. Patel has extensive experience in financial operations, both in the profit and non-profit sectors, with particular emphasis on cash management, cash controls, financial planning and reporting. Mr. Patel also holds a Masters in Agriculture.

Nick Patel, the Chief Financial Officer at Green Harbor, has experience in marketing technology solutions, business process/implementation, and financial analysis. He has previously worked as a consultant for clients such as Merrill Lynch and Cox Communications assisting in developing efficient business processes and developing tech solutions for marketing. He has received 8 months of training inside a local Massachusetts cultivation/dispensary facility to learn policies/procedures, business operations,

management, and compliance requirements in operating a facility. The role involves helping develop standard operating procedures, branding strategy, market research, and reinforcing policies.

Jonathan Napoli of Cannassist LLC is a consultant for Green Harbor and has cultivation and RMD experience. Rashmi Patel and Kamalesh Patel are the Directors of Retail and have over 20 years combined retail experience in the liquor industry and starting multiple business ventures. Daniel Reis, Director of Cultivation, was formerly part of Curaleaf, a national marijuana company that is operational in Massachusetts and Greenleaf Compassionate Care in Rhode Island.

The Green Harbor management team includes significant experience in the retail industry, as well as some experience in marijuana cultivation and operations. The Green Harbor team lacks strong experience in community relations, however.

V. Sustainability – *What are the proposed sustainable and renewable energy practices, and other similar factors.*

The applicant stated they are exploring energy efficient fixtures and appliances within the store, including sustainable packaging for marijuana products. There are few details on waste disposal practices, transportation demand management, or other aspects of sustainability, however.

VI. Equity – *What are the qualifications of the Applicant under state Economic Empowerment and/or Social Equity programs.*

Green Harbor does not qualify for the state Economic Empowerment or Social Equity programs. They are a minority-owned company and a priority RMD applicant under the state system. However, their application includes very little information about diversity in hiring, how they will positively impact areas and communities of disproportionate impact, or other opportunities to further social equity initiatives as part of the marijuana retail establishment.

- VII. Economic Value – *What is the amount of additional economic value the business would bring to Newton, e.g., new jobs, additional local tax revenue, increased property value, commitment to diverse and local hiring, commitment to use of local businesses for construction, supplies, product, and other business needs, openness to long-term community impact fees, and other similar factors.*

The proposed store would employ 7-10 employees. Green Harbor has indicated they would contribute 3% of gross revenues to the City as a community impact fee through the Host Community Agreement, in addition to the 3% local sales tax. Green Harbor would provide opportunities for citizens of Newton and hire local vendors where feasible. Green Harbor estimates that it will provide the City with annual revenue of up to \$300,000 (inclusive of the HCA fee and the 3% sales tax).

- VIII. Context – *Whether the proposed facility is not clearly inappropriate in terms of location, operations as well as transportation, traffic and parking, with those final decisions reserved for the City Council during the Special Permit process.*

The proposed site is located at 1136 Beacon Street, in the Four Corners area. The site is located more than a half mile from the nearest marijuana use, an approved Registered Medical Marijuana Dispensary (RMD) at 24-26 Elliot Street. The site is also more than 500 feet from any public or private k-12 school.

The 9,500 square foot parcel is in the Business 2 (BU2) zone in a commercial strip along the south side of Beacon Street and is also accessible via Beaconwood Road to the east. The abutting properties along Beacon Street are largely commercial and retail buildings, although there are at least 16 private residences located within 300 feet of the proposed RMD/marijuana retailer. Most of said residences are located to the south of the property on Beaconwood Road and connecting side streets. There are also some residential properties on the north side of Beacon Street, opposite the proposed site.

The existing building is a stand-alone one-story, approximately 3,300 square-foot, building, constructed circa 1950. The building contains two retail spaces and the proposed space was most recently occupied by Edible Arrangements. Within the building, 1,600 square feet would be dedicated to the marijuana use, and the remaining space would be dedicated to Ravioli's, the pizza restaurant located at 1134 Beacon Street. The building has front and rear doors and customers would be required to enter through the front door. Deliveries would occur at the rear of the building. The applicant would need an easement from the adjacent building for the proposed additional parking and

maneuverability to be practicable on the site.

The proposed parking area is accessed via both Beacon Street and Beaconwood Road. The existing plan shows eight parking stalls, two of which are blocked by dumpsters. The applicant stated they would remove the dumpsters and believe they could fit 12 or 13 parking stalls onsite, though a plan was not provided. It is unclear where the dumpsters for both the marijuana establishment and the restaurant would be located once moved. Information regarding the typical parking demands of the adjacent restaurant were not included. Substantial striping for pedestrians and parking for cyclists are both currently unavailable on the site. Parking would be for customers only and employees would be required to park offsite or take public transportation. No landscaping is shown on the plans and it is unclear if the trees and landscaping at the rear of the site between the parking facility and adjacent residence would be removed to facilitate the parking. The parking facility is easily visible from the street and from the building, but the site is constrained and lacks adequate space to provide safe, secure loading and trash areas. It is unclear if the proposed parking would be adequate given the lack of information regarding the current parking demands and utilization. The site is also connected both at the front and rear to parking for the adjacent commercial strip which has several high intensity, high turnover uses. The site is proximate to both MBTA bus lines and train lines. The applicant did not present details for where employees might park or transportation demand management measures that may be utilized to discourage driving.

#### RECOMMENDATION:

The Green Harbor Dispensary, LLC has a management team with extensive retail experience, marijuana experience and connections to Newton. The team lacks experience in community relations and they did not present sufficient detail to show how they meet the established criteria, particularly related to community relations, equity, sustainability and site context. The proposed site presents transportation and circulation challenges as the parking area is shared and lacks adequate space for secure loading and trash. The parking is shared with an adjacent restaurant and it is unclear if the number of stalls is adequate or how many stalls could be created. The parking at both the front and rear of the building is also connected to the adjacent commercial uses which include uses with high parking demands.

The Advisory Group has significant concerns regarding the lack of proposed details, lack of

commitment to community relations, sustainability, and equity and the adequacy and security of the parking facilities and the buffers from adjacent residential uses. Therefore, the HCA Advisory Group does not recommend moving forward with a host community agreement for The Green Harbor Dispensary, LLC at 1136 Beacon Street.