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June 30, 2020

Adam Turner  
Executive Director  
Martha's Vineyard Commission  
PO Box 1447  
Oak Bluffs, MA 02557

Dear Mr. Turner:

In preparation for the July 2, 2020 meeting of the Martha's Vineyard Commission ("MVC"), enclosed please find a Customer Demand Management Protocol (the "Protocol"), which sets forth a comprehensive plan to allow Patient Centric of Martha's Vineyard, Ltd. ("PCMV") to commence operations for a co-located medical and adult-use marijuana retail facility at 510 State Road in West Tisbury under a controlled "appointment-only" format. The Protocol provides the MVC, the Town of West Tisbury, and/or their designees complete discretion to determine the number of appointments to be scheduled per hour and the process for increasing the number, decreasing the number, or eliminating the requirement altogether.

In conjunction with the Protocol, PCMV expects to file a revised site plan as well as a landscaping plan and lighting plan for the project shortly. The new site plan will remove three parking spaces from the area between the building and State Road to allow easier access and egress from the parking area. The site plan will still allow for 19 parking spaces for medical and adult-use customers, which results in an effective parking capacity of 76 customers per hour, utilizing 15-minute appointment periods. The site plan will also provide for six foot stockade fencing on the perimeter of the portions of the property nearest abutters to diminish noise emanating from the operation of the facility.

A lighting plan will propose lights on the east and west sides of the existing building, on timers, to illuminate the main parking and employee parking spaces. A landscape plan will illustrate additional landscaping features along State Road to screen passersby on State Road from the vehicles in the main parking area to the west of the building.

To accommodate for the removal of two employee-only parking spaces, PCMV will implement an employee ride-share program.

PCMV looks forward to engaging the MVC on July 2, 2020 to discuss any proposed additions, changes or other recommendations for inclusion in the Protocol. The Protocol is intended to serve

as the basis for the terms of an enforceable agreement as suggested by the MVC at the last hearing. The enforceable agreement can then be drafted, negotiated and discussed at a subsequent MVC meeting, at which time the MVC may consider such agreement in the context of the revised site plan, lighting plan and landscaping plan.

Please do not hesitate to contact me if you have any further questions regarding this matter.

Sincerely,



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Phil Silverman, Esq.

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## **Customer Demand Management Protocol**

Patient Centric of Martha's Vineyard, Ltd. ("PCMV") seeks to manage customer demand through the implementation of an appointment only policy for its initial operations. An appointment only policy requires that customers schedule an allotted entry time prior to arriving at PCMV's facility. The use of this policy will allow PCMV to closely monitor the number of customers within its facility at any given time; prevent external queuing and long wait times through measured entry into the facility; and control the number of vehicle on streets adjacent to PCMV's facility seeking to use the facility, limiting unintentional traffic or hazardous pedestrian conditions.

**Please be advised that the material outlined within this document will be commemorated within an enforceable agreement between PCMV, the Martha's Vineyard Commission (the "MV Commission"), and the Town of West Tisbury that provides for the following:**

### *I. Obtaining an Appointment*

Customers may schedule appointments through the following means:

- A. Telephone through a designated PCMV booking number;
- B. Online through an appointment portal on PCMV's website; or
- C. Pre-scheduling a customer's next appointment while on site.

Upon confirmation of their appointment, a customer will receive an email from PCMV confirming their appointment date and time, providing a link to modify their reservation, and providing information about parking, public transit accessibility, and cyclist parking.

The average customer or patient takes no longer than 15 minutes within a marijuana facility between entry to departure. As such, PCMV will phase appointments in 15-minute intervals. Understanding that some customers or patients will arrive early or late to their appointments, PCMV will permit the scheduling of five appointments per fifteen minutes, or 20 appointments per hour. Customers or patients who arrive early for their appointment will be permitted to wait in an indoor waiting area and will be notified by text, buzzer, or a customer service representative when it is their turn to be served.

### *II. Parking Solutions*

**Parking Availability:** PCMV's proposed site offers 22 spaces for its exclusive use as follows:

- A. Four parking spaces will be designated for use by registered patients in the Medical Use of Marijuana Program. PCMV will utilize the parking spaces closest to the building to facilitate ease of access for ill patients. The parking spaces will be notated by clear signage that reads "Medical Patient Parking Only".
- B. Three parking spaces will be designated for use by employees of PCMV's facility. PCMV will utilize the parking spaces away from customer parking to facilitate ease of access to the facility for all customers. The parking spaces will be notated by clear signage that reads

“Staff Parking Only.”

- C. One parking space will be designated as a handicap van accessible parking space.
- D. One parking space will be designated as an express space during peak hours for use by customers who have preordered products. Customers will be directed to this parking space by parking lot attendants. This parking space is anticipated to be filled for five minutes per visit.
- E. The remaining 13 parking spaces will be available for adult-use consumers.

Ride-Share Program: At peak times, PCMV anticipates that 8 employees will be on site. Depending on staff preference, PCMV will utilize a Guaranteed Ride Program to ensure that employees are able to arrive and depart the facility without utilizing customer parking in PCMV’s lot, parking in nearby retail lots, or experiencing difficulty accessing work. Coordinated each week at staff meetings, managerial staff will offer other colleagues a ‘Guaranteed Ride’ program and will be compensated for their willingness to do so.

Parking and Facility Capacity: The average customer/patient visit takes no longer than 15 minutes within a marijuana facility between entry to departure, with the vast majority of customers taking significantly less time. As such, PCMV will utilize parking capacity as means through which to identify the number of appointments it can accommodate.

Because the average transaction takes no longer than 15 minutes, each of PCMV’s non-employee parking spaces can accommodate four customers per hour and these allotted spaces can accommodate 76 medical and retail customers per hour. PCMV’s internal facility is able to accommodate this facility load.

### *III. Arriving at the Facility*

For at least the first three (3) months of operation, the first peak season, and as long is deemed necessary by Town officials and/or other parties designated by the MV Commission (the “Designated Official(s)”), PCMV will employ two parking lot attendants - one at the entrance and the other centrally located in the parking area - to allow for the safe and efficient flow of customers/patients in and out of the parking lot.

The parking lot attendants will be equipped with tablets that show a list of scheduled appointments by name and time and offer the ability to book an appointment if availability exists.

If a Customer/Patient Has an Appointment: The customer/patient will provide their name and the parking lot attendant will confirm their arrival. The parking lot attendants will direct customers/patients to available parking spaces to eliminate backups occurring in and out of the lot

and assist in ensuring that customers/patients safely traverse the parking lot when walking in and out of the facility.

If a Customer/Patient Does Not Have an Appointment: Should a customer/patient arrive at PCMV's facility without an appointment, either on foot or by vehicle, they will be granted access if an appointment time is available.

If an appointment is available, the parking lot attendant will register the appointment quickly for the customer. The parking lot attendant will direct customers/patients to available parking spaces to eliminate backups occurring in and out of the lot and assist in ensuring that customers/patients safely traverse the parking lot when walking in and out of the facility.

If an appointment is not available at that time, they will be directed to PCMV's website or phone number to schedule an appointment. The Parking Lot Attendants will direct them to the Turnaround in order to exit the area.

#### *IV. Future Modifications to Appointment-Only Practices*

Each time PCMV seeks to increase the number of appointments accepted within its facility to allow for an additional customer per 15-minute increment, it shall request same in writing from the Designated Official(s) and provide notice of the request to abutters within 300 feet of the facility at least 21 days prior to the proposed increase. The Designated Official(s) must determine whether to approve or deny the request in writing within 14 days following the request. Should the Designated Official(s) decline PCMV's request, PCMV may appeal the decision to the MV Commission. Should the Designated Official(s) approve the request, abutters may appeal the approval to the MV Commission.

The MV Commission will reserve the right to decrease the number of appointments per 15-minute increments during its appointment-only operation upon appropriate evidence of the need for same or provide for seasonal schedules as to the number of allowable appointments.

Should PCMV seek to remove appointment-only operations altogether, it must provide notice of its intention to abutters within 300 feet of the facility at least 21 days prior to the proposed increase and first obtain the approval of the MV Commission.

In the event that the MV Commission allows for the removal of appointment-only operations altogether, it reserves the right to re-implement appointment-only operations upon appropriate evidence of the need for same.