

Main Street Medicinals

DRI 723

Martha's Vineyard Commission

April 28, 2022

Main Street Medicinals

- Applicant:** Noah Eisendrath, Main Street Medicinals LLC
- Owner:** Mechanic Street RE Holdings LLC
- Address:** 65 Mechanic Street, Tisbury
- Checklist:** 3.1f (change of use/intensity), 3.1j (high traffic generator)
– *with concurrence*
- Permits:** Tisbury Planning Board Special Permit for marijuana cultivation and sale, Building Permit

LUPC: 2/8/21, 3/7/22 – Voted unanimously both times to recommend public hearing

MVC: 3/17/22 – Voted 14-2-1 to concur with the referral

Additions to the record since 3/17/22

- Revised renderings
- Policies and Procedures for Cultivation
- Transportation Demand Management Program memo
- Host Community Agreement
- Planning Board – Applicant correspondence
- Updated staff report

(Revised lighting plan is still pending)



Tisbury, MA

Contact

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Search

Abutters

Layers

CAI ArcGIS

OAK BLUFFS





Tisbury, MA

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Search



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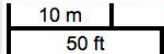
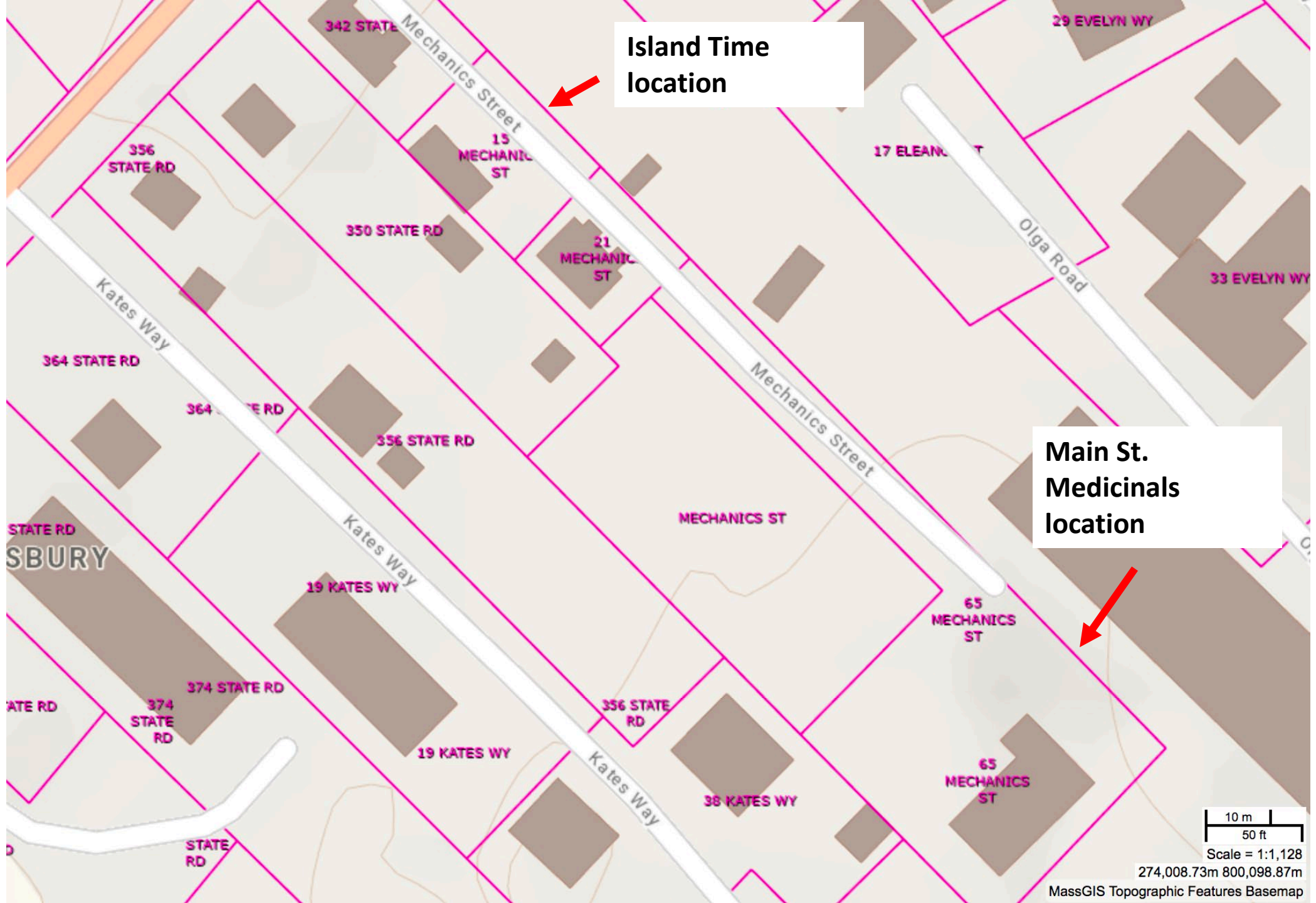
Layers



**Island Time
location**



**Main St.
Medicinals
location**



Scale = 1:1,128

274,008.73m 800,098.87m

MassGIS Topographic Features Basemap





Proposal

- Renovate and repurpose existing 7,448 ft² (4,900 ft² footprint) sheet metal building previously occupied by an auto repair shop
- Total proposed floor area = 7,964 ft²
- Produce and sell marijuana and marijuana-infused products for medical and recreational use, and to other RMEs on Island
- Security: Video cameras, remote monitoring, alarms, onsite security personnel, designated exit, access control vestibules, and other protocols for customer entrance

Proposal

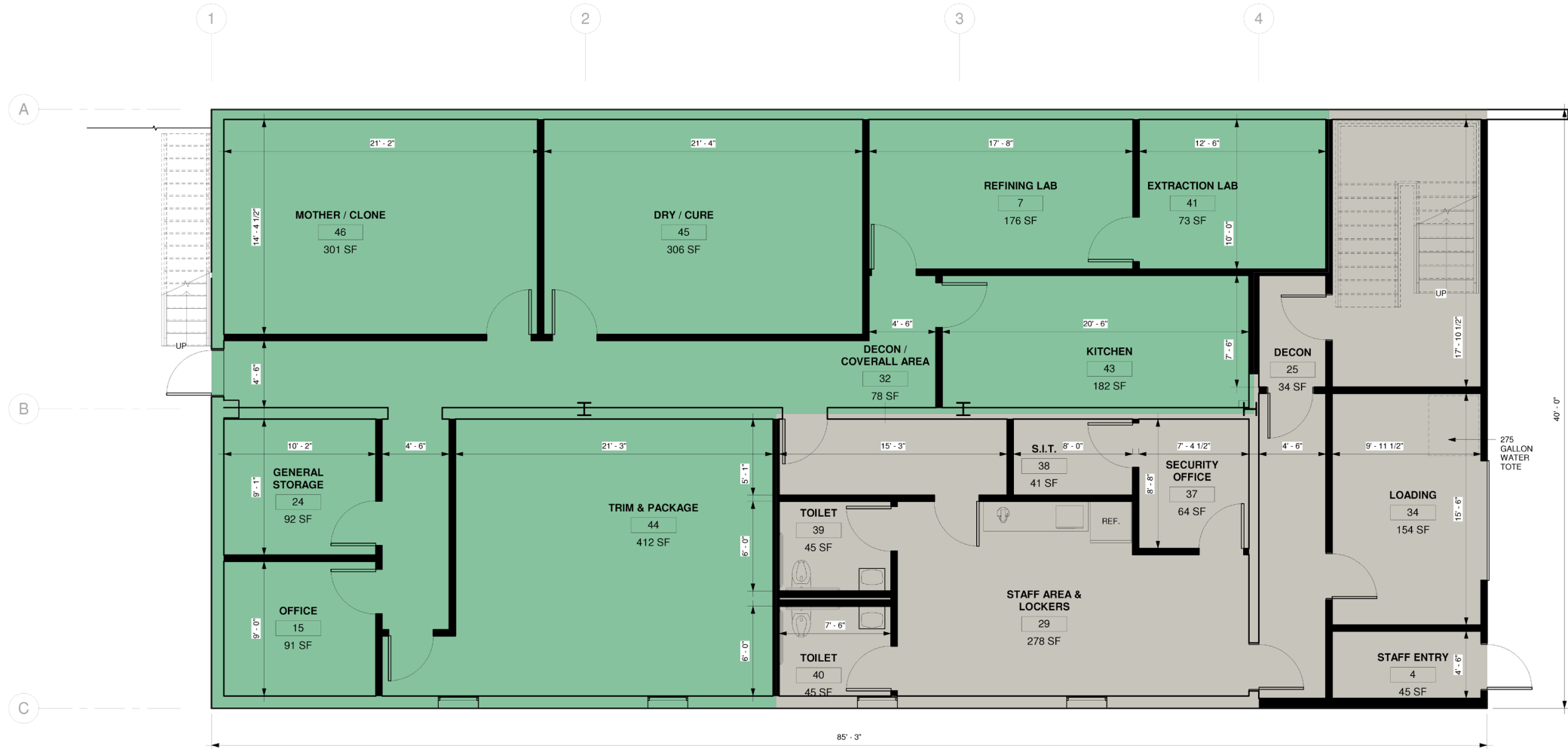
Proposed main level: 4,553 ft²

- Main level retail (dispensary): 680 ft²
- Main level cultivation: 2,732 ft²
- Common areas: 1,141 ft²

Proposed basement: 3,411 ft²

- Basement cultivation, processing, and testing: 2,212 ft²
- Common areas: 1,199 ft²

Proposed
lower level



① PROPOSED LOWER LEVEL FLOOR PLAN
1/4" = 1'-0"

Building Square Footage:

Existing Total: 4,900 SF
Proposed Total: 7,964 SF
Proposed Total Retail: 680 SF
Proposed Total Cultivation: 4,944 SF
Proposed Total Common Area: 2,340 SF

Proposed Basement Square Footage: 3,411 SF
Basement Retail: 0 SF
Basement Cultivation: 2,212 SF
Basement Common Area: 1,199 SF

Proposed Main Level Square Footage: 4,553 SF
Main Level Retail: 680 SF
Main Level Cultivation: 2,732 SF
Main Level Common Area: 1,141 SF



RETAIL

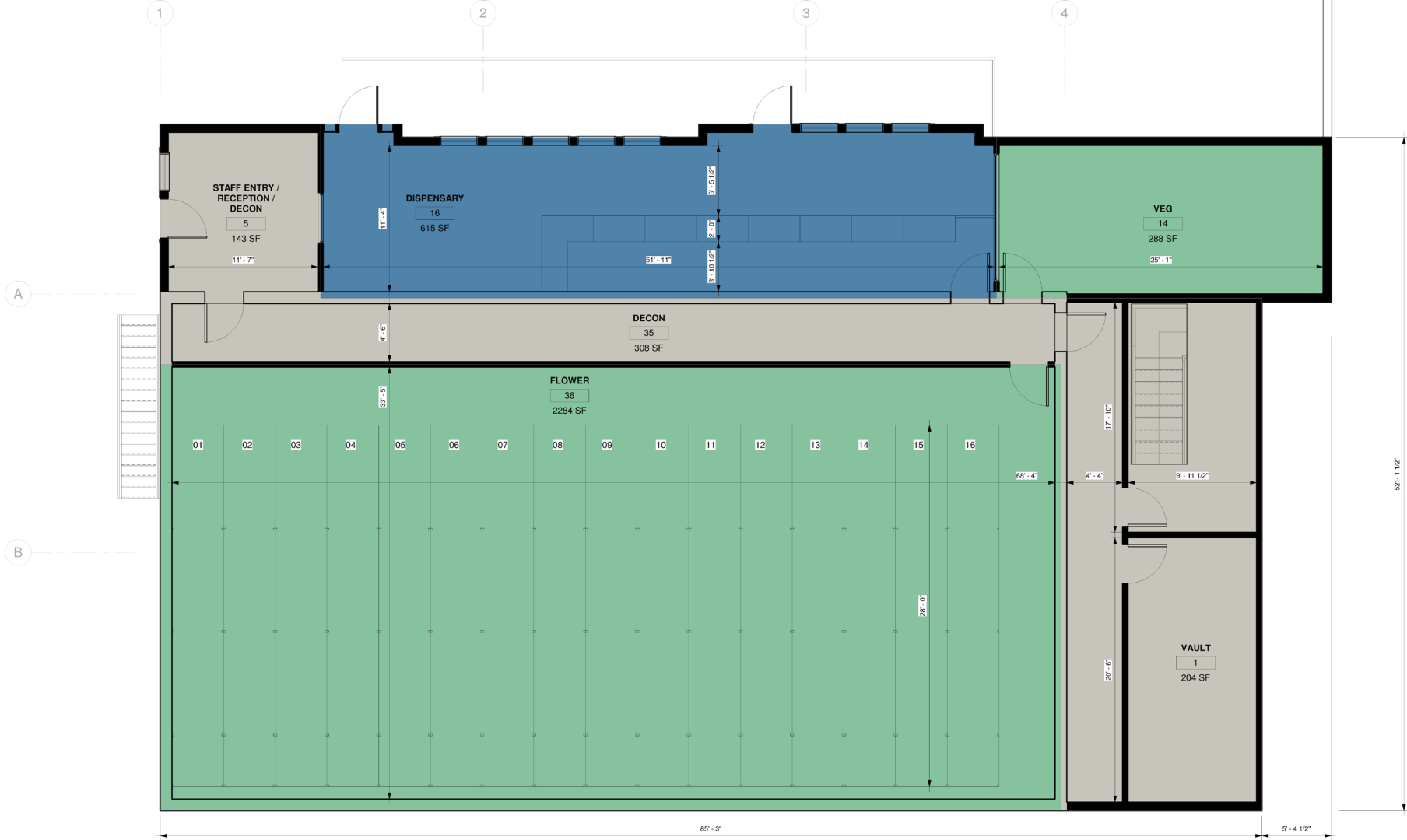


CULTIVATION



COMMON AREA

Proposed
main level



Building Square Footage:

Existing Total: 4,900 SF
Proposed Total: 7,964 SF
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Proposed Main Level Square Footage: 4,553 SF
Main Level Retail: 680 SF
Main Level Cultivation: 2,732 SF
Main Level Common Area: 1,141 SF



1 MAIN LEVEL FLOOR PLAN
1/4" = 1'-0"

16 ROWS @ 112 SF BENCH / ROW = 1,792 SF CANOPY / TIER
1,792 SF CANOPY / 16 SF PER LIGHT = 112 LIGHTS
112 LIGHTS X 2 TIERS = 224 LIGHTS
1 LIGHT = 2LBS/CYCLE X 6 CYCLES/ YEAR = 12 LBS / YEAR PER LIGHT
224 LIGHTS = 2,688 LBS X \$6,400/LB = \$17,203,200



MAIN STREET
MEDICINALS





Planning concerns

- Town regulation and review
- Traffic and transportation
- Environment (wastewater, prior uses, energy)
- Stormwater and drainage
- Economic development
- Island housing needs
- Municipal services
- Safety and health
- Night lighting

Town regulation and review

- Tisbury has adopted bylaws related to registered marijuana establishments (RMEs), and registered marijuana dispensaries (RMDs), which are allowable by special permit.
- The applicant has outlined how it will comply with the various criteria for obtaining a special permit, and has proposed additional restrictions related to the advertisement, marketing, and branding of products.
- The applicant has obtained a Host Community Agreement from the Town of Tisbury.
 - *Host Community Impact Fee (\$20,000 initial payment, plus 3% of gross sales annually, with quarterly payments)*
 - *Property and excise taxes*
 - *Contributions to the Tisbury Affordable Housing Trust, and other fees*
 - *Annual written reports to the Town selectmen*
 - *Work with the Tisbury Police Department to prevent diversion of marijuana products to ineligible users and to review security plans*
 - *Annual inspections by Town departments*
 - *Community Outreach Meeting prior to the start of operations*
 - *Local Labor Hiring Preference*
 - *Other requirements*
- As part of its ongoing public hearing for the project, the Tisbury Planning Board has discussed issues related to traffic, infrastructure, housing, public space, and drainage.

Traffic and transportation

Fuss & O'Neill traffic analysis on behalf of the applicant:

- Project would generate 28 vehicle trips (14 each way) during the weekday afternoon peak hour, and 48 trips (24 each way) during the Saturday peak hour (a 1% and 2% increase, respectively)
- Highest impact would be on the northbound approach of the Mechanic Street – State Road intersection
- Project would not have a significant impact on traffic in the area

Fraser Poly-Engineering Services (FPES) peer-review at request of Planning Board:

- Included field reconnaissance
- Concluded that the project would “adversely affect all the intersections” in the project area
- Sited a need for expanded rights of way and other travel demand and safety measures including two-way turn lanes
- Focused largely on a proposed egress-only driveway onto Eleanor Street

Revised Fuss & O'Neill analysis:

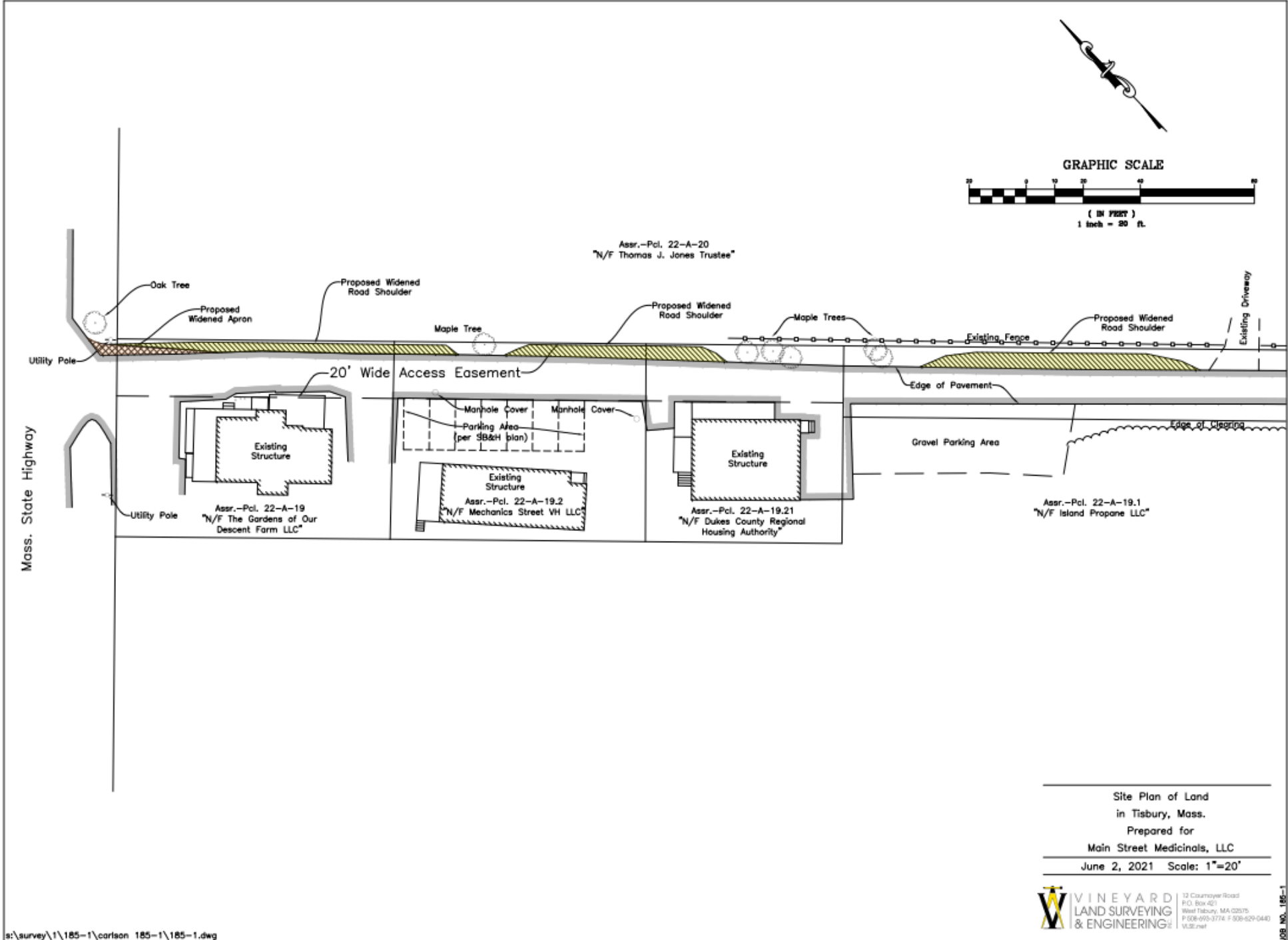
- Noted that peer review did not challenge the projected peak-hour trip generation
- Maintained that the project would have no significant impact on existing conditions
- Revisions primarily dealt with the projected east-west trip distribution (50/50 vs. 75/50), and incorporation of the particular geometry of existing intersections

Possible extension





Right of way plan



Fuss & O’Neill revised level of service (LOS) impacts

LOS is measurement of operating conditions based on factors such as speed, travel time, maneuverability, delay, and safety.

Two-Way Stop Controlled Intersections (Critical Movements)	Friday Afternoon Peak Hour			Saturday Midday Peak Hour		
	No-Build	Build	Build Drive	No-Build	Build	Build Drive
Cook Road at State Road						
Westbound Left Turn	LOS A	LOS A	LOS A	LOS A	LOS A	LOS A
Northbound Approach	LOS D	LOS D	LOS D	LOS D	LOS D	LOS D
Pine Tree Road at State Road						
Eastbound Left Turn	LOS B	LOS B	LOS B	LOS B	LOS B	LOS B
Southbound Approach	LOS F 95.7 s	LOS F 63 s	LOS F 63 s	LOS F 61.3 s	LOS F 71.4 s	LOS F 71.4 s
Evelyn Way at State Road						
Westbound Left Turn	LOS A	LOS B	LOS B	LOS A	LOS A	LOS A
Northbound Approach	LOS C	LOS C	LOS C	LOS C	LOS C	LOS C
Café Drive at State Road						
Eastbound Left Turn	LOS A	LOS A	LOS A	LOS A	LOS A	LOS A
Southbound Approach	LOS E	LOS E	LOS E	LOS E 49.5 s	LOS F 52.9 s	LOS F 52.9 s
Mechanic Street at State Road						
Westbound Left Turn	LOS A	LOS A	LOS A	LOS A	LOS A	LOS B
Northbound Approach	LOS D	LOS D	LOS D	LOS D 32.9 s	LOS E 35.4 s	LOS E 36.9 s
Colonial Drive at State Road						
Eastbound Left Turn	LOS A	LOS A	LOS A	LOS A	LOS A	LOS A
Southbound Approach	LOS F 69.5 s	LOS F 71.2 s	LOS F 73.1 s	LOS F 75.3 s	LOS F 78.5 s	LOS F 80.7 s
High Point Lane at State Road						
Eastbound Left Turn	LOS A	LOS A	LOS A	LOS A	LOS A	LOS A
Westbound Left Turn	LOS A	LOS A	LOS A	LOS A	LOS A	LOS A
Northbound Approach	LOS D	LOS D	LOS D	LOS D	LOS D	LOS D



Tisbury, MA

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Café Drive @ State Road
Southbound approach: **E → F**
(Saturday mid-day peak hour)

Evelyn Way @ State Road
Westbound L turn: **A → B**
(Friday PM peak hour)

Mechanic Street @ State Road
Westbound L turn: **A → B**
Northbound approach: **D → E**
(Saturday mid-day peak hour)

**Level of Service: Projected changes
with Main Street Medicinals and
extension of Mechanic Street
(Fuss & O'Neill analysis)**



Traffic and transportation

Fuss & O'Neill letter to Planning Board in Jan. 2022 stated that the following conclusions had been reached by both parties:

- East-west trip generation is adequately addressed in the revision
- Pre-existing and projected traffic congestion in the area in general is not attributed to the proposed development
- The proposed extension driveway is feasible, but FPES requested more detailed plans

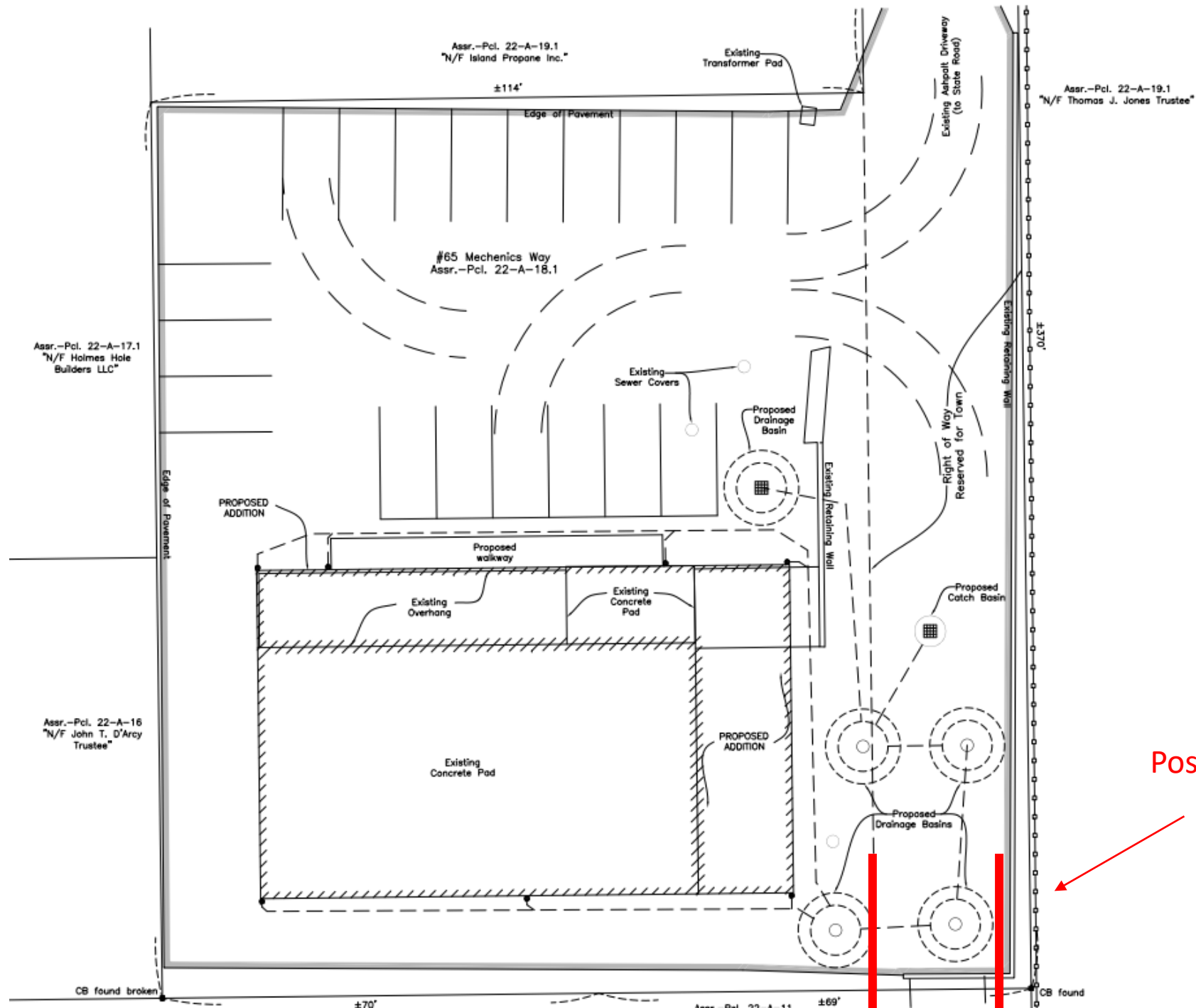
Traffic and transportation: Mitigation

- Applicant has proposed widening Mechanic Street to the north (while avoiding existing maple trees) and extending the street to include a driveway for customers that would exit onto Eleanor Street. The extension would provide access back onto State Road via High Point Lane. (Draft license agreement with Select Board is pending final Planning Board review.)
- Applicant will fund the reconstruction of an existing sidewalk on State Road within 500 linear feet of Mechanic Street along State Road, and the refreshment of pavement markings and signage at key points along State Road, subject to approval by the MA Dept. of Transportation.
- Employees will be issued discounted bus passes and encouraged to park offsite, and bike racks could potentially be installed on the property. Employees would be required to commute by public transit or bicycle, or to use off-site parking. (Planning Board has some concerns about this.)

Traffic and transportation

Transportation demand management plan by Fuss & O'Neill:

- *Provide a pre-paid bus fare pass to any employee who is able to utilize the VTA system to commute to the dispensary.*
- *Prominently display all public transit schedules in a visible location at the dispensary.*
- *Provide VTA maps depicting station locations to both employees and customers in order to supply transit users with the information required to utilize the system.*
- *Require that employees park at the nearby park and ride and utilize an existing footpath to walk to the site.*
- *Incentivize employees to carpool with small bonuses or other programs as appropriate.*
- *Explore the possibility of implementing an appointment only restriction to limit the number of customers during peak periods as to alleviate any adverse traffic impacts.*



Possible extension



Environment

Wastewater

- The property is within the Tashmoo Pond watershed
- Existing 1,000-gallon septic system rated for 210 gallons per day (GPD)
- Proposed wastewater flow would be reduced from 210 to 190 GPD
 - Up to 12 employees working onsite at once
 - Commercial kitchen: 50 GPD
 - Retail space: 50 GPD
 - Warehouse staff: 60 GPD
 - Testing and kitchen staff: 30 GPD
 - *Confirmed by staff: Based on System Sewage Flow Design Criteria from the Code of Massachusetts Regulations (CMR)*
- About 161 pounds of nitrogen per year would be applied in the cultivation area, with about 75% of runoff reused for irrigation, and the rest discharged into a tight tank inside the building for disposal off-Island by Clean Harbors Environmental Services (as requested by the Tisbury Planning Board), or potential agricultural use on the Island.

Staff review:

- *Projected wastewater flow will be less than calculation for existing, which means less nitrogen.*
- *The nutrient-rich water from cultivation must be removed from the watershed. The proposal for removal by Clean Harbors will be sufficient. If effluent will be used for local agriculture, applicant should return to LUPC.*

Policies and Procedures for Cultivation

- State regulatory requirements
- Efforts to limit contamination of product
- Security and safety
- Pest management
- Growing conditions and standards
- Building code requirements
- Potential recalls
- Product handling
- Requirement to develop policies to reduce energy use and waste
- Odor mitigation
- Use of product samples for vendors and employees
- Storage
- Waste disposal
- Record retention

Environment

Prior uses

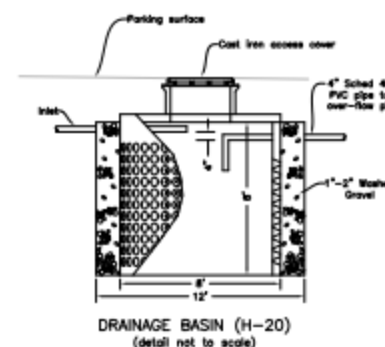
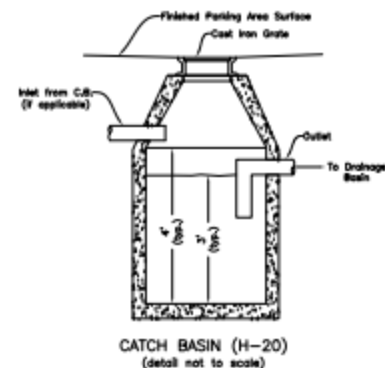
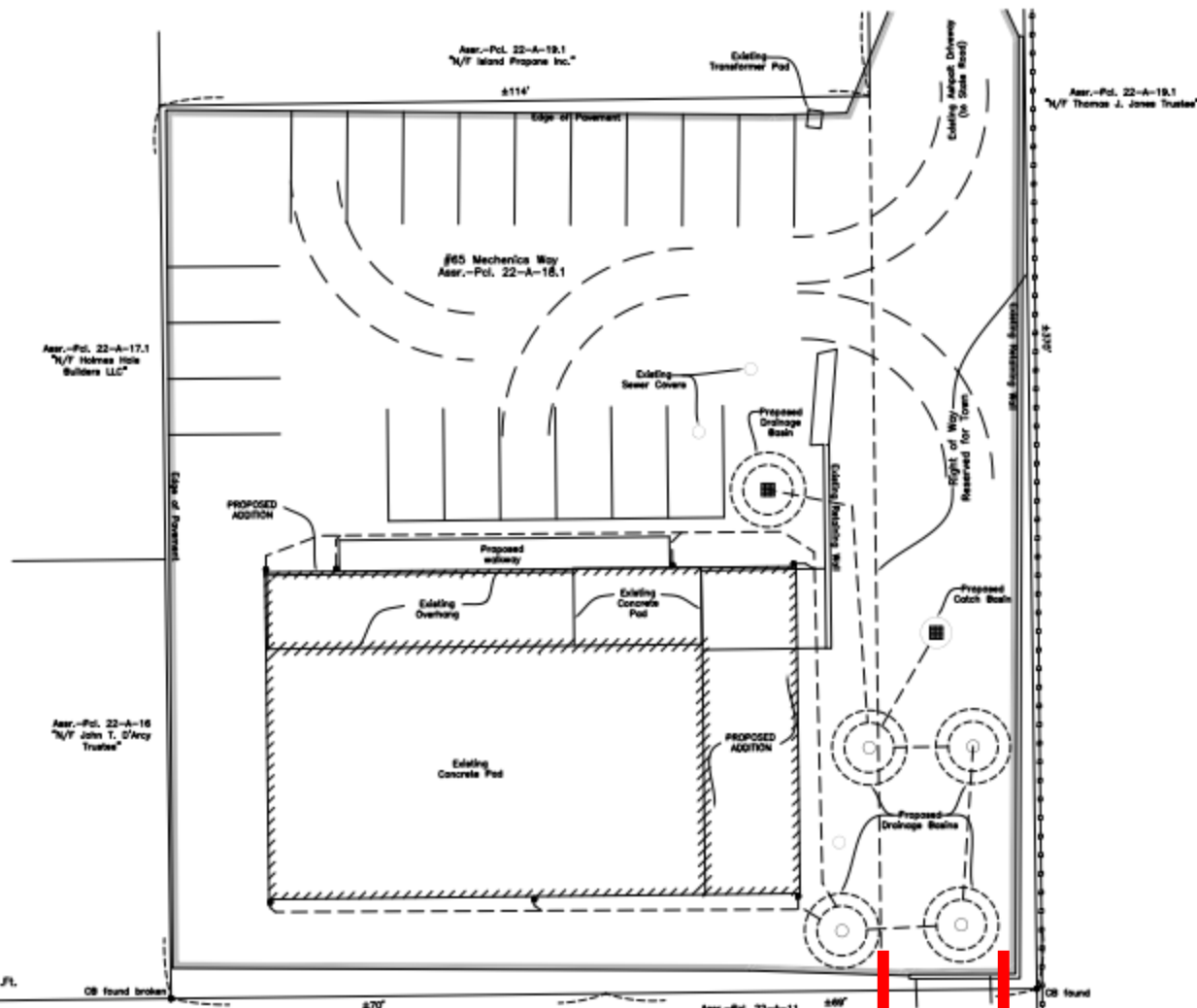
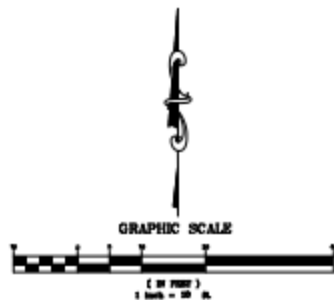
A 2021 Phase 1 Environmental Site Assessment by Green Environmental Inc. on behalf of the applicant noted the use of motor oil, brake fluid, and other substances associated with the auto repair shop, but found no evidence of Recognized Environmental Conditions (RECs) in connection with the property.

Energy

The building is currently heated by propane. The applicant has stated that the renovated building will be all-electric with rooftop solar panels and an HVAC system that includes a desiccant wheel (dehumidifier) to increase efficiency. LED lighting would be used throughout, including for cultivation.

Stormwater and drainage

- Parking area would remain impervious
- Drainage plan designed for a 25-year storm
 - One proposed drainage basin in the parking area north of the building
 - Four proposed drainage basins, along with a proposed catch basin, in the southeast corner of the lot
 - Planning Board has stated that it will require confirmation from a licensed engineer that the plan is adequate for the proposed commercial use



Possible extension

Parking & Stormwater Drainage
Plan in
Tisbury, Mass.
Prepared for
Main Street Medicinals, LLC
Scale 1" = 10' January 20, 2022



DESIGN NOTES:

Design Storm Event: 25 Year 1-Hour storm
2.3 inches/Hour (0.1917 FL)
8'x8' Drainage Basin Capacity ±800 Cu.Ft./Hour

RUN OF CALCULATIONS:

Building Area = ±4,490 Sq.Ft.
Paved Surface = 11,105 + 3,220 = 14,325 Sq.Ft.
Total Area = 18,815 Sq.Ft.
Runoff = 18,815 Sq.Ft. x 0.1917 FL = 3,606 Cu.Ft.
Drainage Capacity = (5 Pits) x (800 Cu.Ft./Pit) = 4,000 Cu.Ft.

NOTES:

1. This plan is intended for the purposes of design and location of a sub-surface drainage system to handle stormwater roof and parking area runoff.
2. Construction of the drainage system shall not occur during periods of rain or snow to avoid saturation.
3. Gravel used shall for the Drainage structures shall be 1" - 2" washed stone unless otherwise specified.
4. Drainage pits have be designed for clean sands with a permeability of 5 ft per day or less as per soil testing performed by VLS. If soil conditions found during excavation differ from clean sand, the design engineer shall be notified before proceeding with the installation.
5. There shall be no heavy machinery used within 3' above any leaching area, to avoid compaction.
6. The down spout drain line shall consist of 4" shed. 40 PVC solid pipe and have a negative pitch to the leaching area of 2% minimum.
7. Elevation Datum ±0.5 G.S.
8. Roof runoff calculation is based on assumed roof and parking area contribution areas for a 1 hour 10 year storm event.

LEGEND:

- Denotes Down Spout Drain

Economic development

- Applicant intends to hire up to 21 employees (up to 12 onsite at once), including managers, sales agents, drivers, and others.
- The Host Community Agreement requires that the applicant hire on-Island workers wherever possible.
- Employees would receive training through the MA Cannabis Control Commission, either onsite or remotely.
- Applicant also intends to utilize local businesses for construction.
- Proposed hours of operation are 10AM–8PM, seven days a week.
- Retail operation would be on a walk-in basis, although the applicant plans to work with the town on determining a traffic level above which the model would switch to appointment-only.

Island housing needs

- Applicant has signed a non-binding letter of intent to lease a four-bedroom house in Tisbury (with occupancy of up to eight people and parking for five cars) to house four Main Street Medicinals employees year-round.
- If housing cannot be obtained, the applicant will contribute \$20,000 per year, pro-rated against the number of housing units the applicant has provided in a given year, to the Dukes County Regional Housing Authority.
- Under the Host Community Agreement, the applicant must also contribute at least \$25,000 annually to the Tisbury Affordable Housing Committee. The required contribution would increase 2.5% annually.

Municipal services

- The applicant has stated that the Town could receive up to 6% of the projected annual retail income associated with the business, through the 3% local sales tax option and the additional Host Community Impact Fee of up to 3%.
- Annual revenues are projected at \$6–\$8 million, so Town receipts could fall in the range of \$300,000–\$480,000.
- The impact fee is intended to defray “additional expenses and impacts upon the Town's road system, law enforcement, fire protection services, inspectional services and permitting services, public health services, and other additional unforeseen impacts.”

Safety and health

- The applicant has prepared consumer and patient education materials and has offered to work with the Town to monitor and mitigate potential health impacts related to marijuana consumption. (Sample materials have been provided.)
- Health measures would also include labelling and packaging to comply with state and local requirements, and efforts to support substance abuse education and prevention programs.
- Host Community Agreement requires the applicant to work with the Tisbury Policy Department on a Diversion Plan to prevent the diversion of marijuana and related products to ineligible users, and to review the security plan, to the extent required by the department.
- Proposed security at the site currently includes cameras, remote monitoring, alarms, onsite security personnel, a sally port, access control vestibules, and other protocols for customer entrance.

The Tisbury Police Chief provided the following statement to the applicant:

In my opinion based on calls for service and traffic data so far compiled, traffic generated by the Island Time dispensary has not been problematic or caused concerns for our agency. I do not currently have any concerns about the operation of your proposed facility as I am aware that this type of business is regulated by state statute and local licensing. I will reserve the right to review any security protocols and bring up any concerns that I may have later, if applicable.

Night lighting

- The applicant had provided a preliminary lighting plan with downward shielded area lighting in three locations around the building, and downward shielded parking lights at 10 locations around the parking areas. (Spec sheets not provided.)
- Security cameras proposed for the site will have infrared technology, which may allow for lower lighting conditions, although the applicant has stated that the minimum amount of lighting for safety and security will be provided.

Based on earlier plan



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& ENGINEERING

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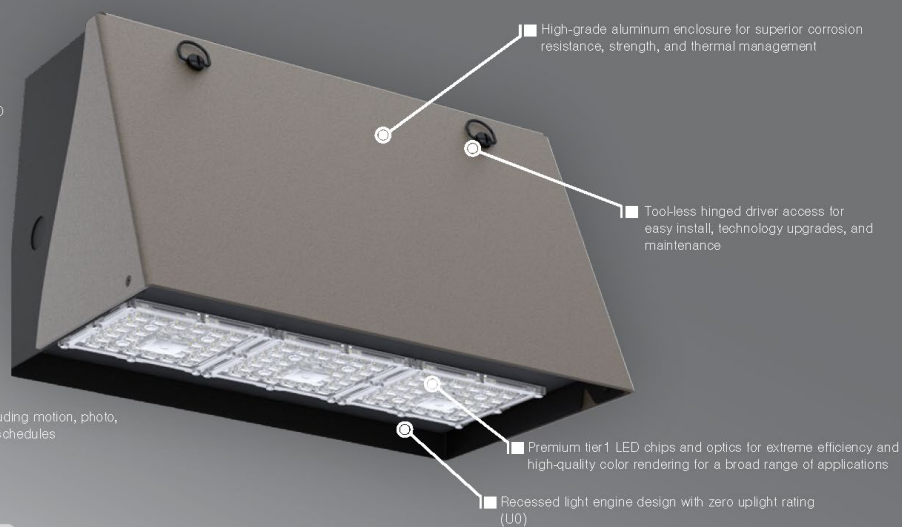
Proudly engineered and manufactured in Wisconsin, USA – our NAFCO® family of LED lighting products combines 50 years of manufacturing expertise with premium components and top-notch Midwestern workmanship. From high-output outdoor applications to extreme indoor industrial environments – NAFCO® series products drastically reduce energy consumption and maintenance costs and come supported by Will's unmatched design, engineering, and project support capabilities.

■ Output options over 30,000 lumens

■ Proprietary black anodized heat sink for maximum thermal dissipation and low LED junction temperature

■ True Amber and Phosphor Converted (PC) Amber premium LED chip options

■ Wireless and onboard control options including motion, photo, dimming, daylight harvesting, zones, and schedules



Wall Mount LED Lighting

NAFCO® WCX

NAFCO® PRODUCT FAMILY

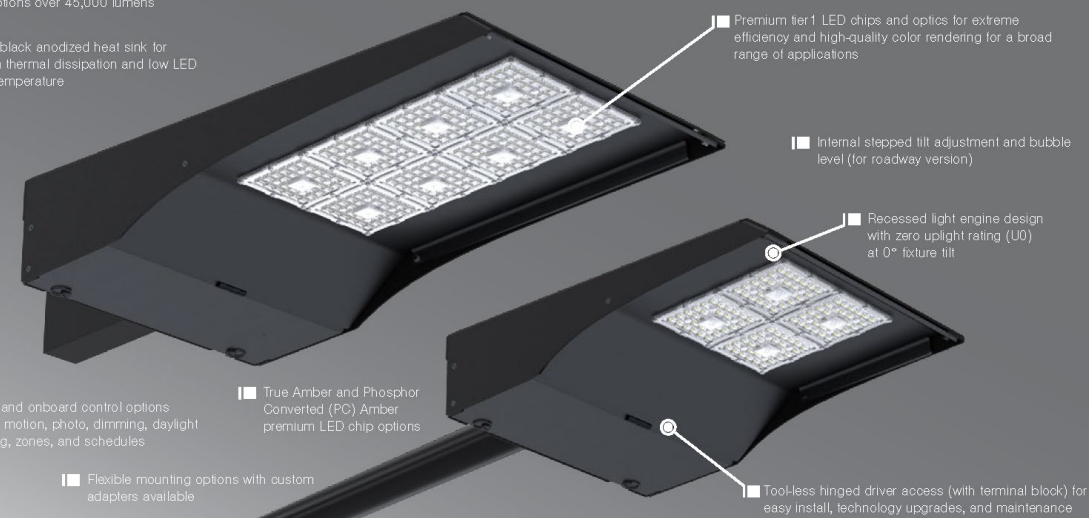
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■ Output options over 45,000 lumens

■ Proprietary black anodized heat sink for maximum thermal dissipation and low LED junction temperature

■ Wireless and onboard control options including motion, photo, dimming, daylight harvesting, zones, and schedules

■ Flexible mounting options with custom adapters available



Area/Flood/Roadway LED Lighting

NAFCO® SLX

Planning board comments (summary)

Traffic

- Location of two marijuana businesses on the same road
- Impacts on State Road and the area in general
- Proposed extension should be monitored at six- and 12-month periods
- Biking and walking to the site is not realistic for customers
- Need to determine Park and Ride capacity
- Project would need to be monitored to determine if appointment-only model is needed

Other

- Sign-off from engineer on drainage plan
- Ventilation and related impacts to neighborhood
- Clarity on the use of social media and advertising
- Clarification of any limits on the HCA fees
- Is the housing proposal adequate?
- Implications for future planning in the area