

January 2, 2019

Paul Warren  
71 Carlton Street  
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Delivered in Person at Select Board Meeting

Town of Brookline Select Board  
Brookline Town Hall  
333 Washington Street  
Brookline, MA 02445

Re: Ascend Mass, LLC Proposal at 1024A - 1032 Beacon Street

Members of the Board:

The purpose of this correspondence is to request that you do not enter into a host community agreement with Ascend at 1032 Beacon Street for the following reasons:

**First, there is overwhelming opposition to this site.**

At a prior Select Board meeting I delivered to you 707 signed opposition letters. Today, I have brought along an additional 517 letters for a total of 1,224. These opposition letters are from individuals and families who reside in condos, apartments, and single family homes. They also include letters from business owners, operators, and employees. Many come from Town Meeting Members. The common theme in these letters is that a marijuana store within Saint Mary's is not feasible.

**Second, Subdividing the property puts Whole Foods at Risk.**

As you now know from Chris Tsouros's letter dated December 18, Whole Foods is grandfathered in at its current location, based on the site's original status as a grocery store. Absent that grandfathering, Whole Foods would be required to have more than 30 parking spaces, which is clearly impossible. There are valid concerns that a subdivision forced by Ascend and the landlord would create two new lots, each of which would need to conform to current zoning, and may invalidate the Whole Foods' lease. A decision to subdivide the property by Ascend and the landlord could result in Whole Foods leaving the neighborhood. Trading a grocery store for a marijuana store would be a crisis for the community, and a lousy public-policy outcome.

**Third, subdividing the property invalidates Ascend's Community Outreach Meeting.**

The CCC requires that the Community Outreach Meeting include information adequate to demonstrate that the location will be maintained securely. Ascend's security plan presented at the Community Outreach Meeting on October 25, 2018 was based on a 6,200 square foot facility that utilized multiple doors, the first floor for retail and the basement for securing and storing product. A new, yet to be defined, subdivided site would have a different configuration and security plan necessitating a restart of their pre-application and a new, state required Community Outreach Meeting. And finally, the CCC requires that the Community members be

permitted to ask questions and receive answers from company representatives on their proposed plans. If the site changes then the plans change. The community must be allowed to ask questions of Ascend at a new Community Outreach Meeting should Ascend put a new site and new plan forward.

**Fourth, the site is within 500 feet of the McKinley Middle School and is unlawful.**

We have submitted the Brooks survey, based on field measurements which comply with the stated standard in the CCC Regulations, which conclusively shows that the distance between 1032 Beacon and the McKinley School violates the buffer zone requirements. We are very confident that our survey will stand up to scrutiny by Town professionals and other governing bodies at both the local and state level.

**Fifth, Ascend does not appear to have site control.**

Last week, a leasing broker put two large “For Lease” signs up at 1032 Beacon Street. It is not clear, based on Ascend’s public information, that they have a valid lease for 1032 Beacon Street. In their October 2<sup>nd</sup> letter to Trevor Johnson, they say in writing “The Property has been leased by Ascend.” But, at the community meeting on October 25<sup>th</sup>, the landlord stated, and I quote, “there is currently no finalized lease, we are working on it.” That was three weeks AFTER Ascend’s letter to Trevor, saying that they had a lease.

These points are so important that I feel a need to be quite direct. The community does NOT know what Ascend’s proposal is. The issues raised are so basic that you should not abdicate responsibility to the state’s Cannabis Control Commission for defining and establishing the actual Ascend proposal. That responsibility lies with this Select Board. It is your role as our elected officials, to look out for the welfare of this town, its neighborhoods, and its residents. That is not the role of a new, overburdened state-level Commission.

Obviously, from the stack of 1,200 plus letters, a large number of thoughtful, well-informed people feel strongly that retail marijuana in St. Mary’s does not work. They would be very upset at the thought that fundamental issues were overlooked and not even addressed by their elected officials before moving forward with a Host Community Agreement with Ascend.

Thank you for your attention and consideration in the matter.

Very truly yours,

Paul Warren  
71 Carlton Street  
Save St. Mary’s Neighborhood, CORP