

48 Shank Painter Road  
PROPERTY ADDRESS OF PROJECT



19-18  
CASE NO.

**TOWN OF PROVINCETOWN PLANNING BOARD**

**SITE PLAN REVIEW BY SPECIAL PERMIT  
OR  
SPECIAL PERMIT**

TO THE TOWN CLERK, PROVINCETOWN, MASSACHUSETTS: *(please print legibly)*

1. The undersigned hereby files with specific grounds for this Special Permit application:

Applicant seeks a **SITE PLAN REVIEW BY SPECIAL PERMIT** under:

- Article 4, Section 4015, a (1) Developments consisting of the aggregate of residential units that will result in two or more residential units;
- Article 4, Section 4015, a (2) Developments consisting of more than 2,000 sq. ft. of new commercial area;
- Article 4, Section 4015, a (3) Developments of properties consisting of an existing or proposed drive-through facility or raised loading dock;
- Article 4, Section 4015, a (4) Development of commercial properties that have curb cuts greater than 25% of their existing or proposed street frontage; and
- Article 4, Section 4015, a (5) New construction or additions or any excavation, land removal or earth moving of more than 750 cu. yds. that will alter the topography from natural grade, whether or not subject to a building permit.

Applicant seeks a **SPECIAL PERMIT** under:

- Article 2, Section 2440, B14, Marijuana Establishments, Retail or B15, Marijuana Establishments, Industrial;
- Article 4, Section 4180, Inclusionary and Incentive Zoning By-Law

2. **PRIOR RELIEF GRANTED TO PROPERTY:**  SPECIAL PERMIT  VARIANCE  UNKNOWN

3. **PLEASE ATTACH AND SUBMIT A SEPARATE PAGE LISTING REQUESTED WAIVERS FROM ARTICLE 4 REQUIREMENTS**

4. **PLEASE ATTACH AND SUBMIT A NARRATIVE DESCRIBING YOUR PROJECT**

5. **Applicant/Representative** Katherine Braucher Adams, Esq., Schlesinger and Buchbinder, LLP, o/b/o Heal, Inc.

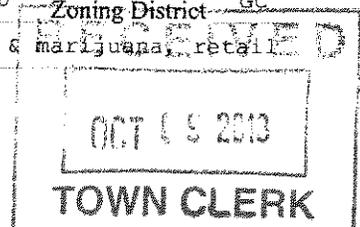
1200 Walnut Street, Newton, MA 02461-1267	(full name)	kadams@sab-law.com	(email)
(mailing address including zip code)			(617) 965-3500
			(phone number)

6. **Owner (if other than applicant)** 48 Shankpainter LLC et al

22 Roundwood Road, Newton, MA 02464	(full name)	(email)
(legal mailing address including zip code)		(phone number)

7. **Property located at:** 48 Shank Painter Road (email) Assessors Map & Parcel 7-3-1-0 Zoning District GC

Present use of premises multi-use resid Proposed use of premises resid & marijuana, retail



Complete the following tables if the application involves a new structure, or an addition, alteration or change to an existing structure.

Summary Notes-

-Green Area = 30% min  
 -Lot Coverage = 40% max

-30% left over for driveways, palletized decks, patios, etc.

-Lot Coverage = Total Area covered by structures or roofed (including pools greater than 4000 gallons)

Green Area= total area – lot coverage – parking, driveways, walkways, palletized decks, patios and any hardscape

Lot Coverage and Density Summary				
1	Total Lot Area (sq. ft.)		6,883 +/-	
2	Total number of buildings on the lot	existing	principal	1
			accessory	1 (pool shed)
		proposed	principal	1
			accessory	1 (pool shed)
3	Total number of dwelling units on the lot	existing	2	
		proposed	1	
4	Total number of commercial accommodation units	existing	0	
		proposed	0	
5	Total Lot Coverage area (sq. ft.)	existing	2,983 +/-	
		proposed	3,081 +/-	
6	Percentage Lot Coverage (#5 / #1) x 100	existing	43.3%	
		proposed	44.8%	
7	Total Green Area (sq. ft.)	existing	1,982 +/-	
		proposed	1,153 +/-	
8	Percentage Green Area(#7 / #1) x 100	existing	28.6%	
		proposed	16.8%	

Signing this application declares that the statements and information on the foregoing application are true and accurate, to the best of your knowledge and belief. Signing this application also signifies that you have read and fully understand the attached instructions and general information.

*Kathryn Adams (0/6/0 Heel, Inc.)*  
 Applicant's Signature

*10/9/18*  
 date

*Kathryn Adams (0/6/0  
 48 Shankpainter, LLC  
 and H. Preston, LLC)*  
 Owner's Signature

*10/9/18*  
 date

48 Shank Painter Road  
PROPERTY ADDRESS OF PROJECT



CASE NO. 19-19

**TOWN OF PROVINCETOWN PLANNING BOARD**

**SITE PLAN REVIEW BY SPECIAL PERMIT  
OR  
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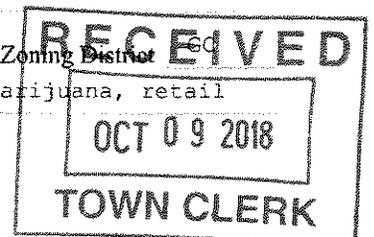
5. **Applicant/Representative** Katherine Braucher Adams, Esq., Schlesinger and Buchbinder, LLP, o/b/o Real, Inc.

1200 Walnut Street, Newton, MA 02461-1267 kadams@sab-law.com (617) 965-3500  
(mailing address including zip code) (full name) (email) (phone number)

6. **Owner (if other than applicant)** 48 Shankpainter LLC et al

22 Roundwood Road, Newton, MA 02464 (full name) (email)  
(legal mailing address including zip code) (phone number)

7. **Property located at:** 48 Shank Painter Road Assessors Map & Parcel 7-3-1-0 Zoning District EC  
 Present use of premises multi-use resid Proposed use of premises resid & marijuana, retail



7. Deed Book & Page:

30887/113

or Land Court Certificate #:

Complete the following tables if the application involves a new structure, or an addition, alteration or change to an existing structure.

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Signing this application declares that the statements and information on the foregoing application are true and accurate, to the best of your knowledge and belief. Signing this application also signifies that you have read and fully understand the attached instructions and general information.

*Kathleen Adams (10/10 Head, Inc.)*  
 Applicant's Signature

*10/9/18*  
 date

*Kathleen Adams*  
 Owner's Signature  
*(10/10) 48 Shearpointers, LLC*  
*and H. Preston, LLC*

*10/9/18*  
 date

48 SHANK PAINTER, LLC  
22 ROUNDWOOD ROAD  
NEWTON, MA 02458

H. PRESTON, LLC  
231 NEWTONVILLE AVE  
NEWTON, MA 02458

October 1, 2018

Patricia Faass, Manager  
Heal, Inc.  
4 Irving Road  
Weston, MA 02493

RE: OPTION TO LEASE 48 SHANK PAINTER ROAD, PROVINCETOWN,  
MASSACHUSETTS

Dear Ms. Faass,

This letter shall confirm that Heal, Inc. has a binding option to lease Unit 1 at 48 Shank Painter Road, Provincetown, Massachusetts (the "Leased Premises"). The purpose of this letter is to grant the option and to set forth the material terms and conditions of the proposed lease between the Landlord and Tenant named below. This option to lease is intended to be binding on both Landlord and Tenant who agree to negotiate in good faith and execute a detailed Lease Agreement containing the terms set forth below and such other terms and conditions as are customary in leases for property of this nature. Please acknowledge the acceptance of the terms below.

LANDLORD: 48 SHANK PAINTER, LLC  
22 ROUNDWOOD ROAD  
NEWTON, MA 02458

H. PRESTON, LLC  
231 NEWTONVILLE AVE  
NEWTON, MA 02458

PROPERTY  
ADDRESS: 48 Shank Painter Road  
Provincetown, MA 02657

**LEASED PREMISES:** Unit 1 containing approximately 748 rentable square feet located at 48 Shank Painter Road, Provincetown, MA and one outdoor parking space which shall be assigned to the Tenant.

**TENANT:** Heal, Inc.  
4 Irving Road  
Weston, MA 02493

**LEASE**

**COMMENCEMENT:** Upon the later to occur of (a) the issuance of a provisional certificate for a Registered Marijuana Dispensary ("RMD") by the Massachusetts Department of Public Health ("DPH"), (b) the issuance of a provisional certificate for a Marijuana Establishment ("ME") the Massachusetts Cannabis Control Commission ("CCC"), and (c) the receipt of a special permit and all related licenses, permits, and approvals required by the Town of Provincetown to operate a co-located RMD and ME at the site (collectively, the "Licenses, Permits and Approvals").

In the event that the Tenant does not obtain the Licenses, Permits and Approvals on or before March 31, 2019, Tenant has the right to extend this option agreement for up to an additional six months upon written notice to Landlord on or before March 31, 2019. If the Tenant does not exercise its right to extent the term of this agreement as provided above, , the Landlord may terminate this option agreement.

**TERM:** Five (5) years or such longer term as otherwise agreed upon by the parties.

**USE:** Premises to be used as a collocated RMD/ME for the dispensing of marijuana.

**BASE RENT:** \$ [REDACTED] per month for the first lease term. The Landlord shall be responsible for timely payment of all real estate taxes associated with the property. The Landlord shall maintain its existing casualty and liability insurance policies for the property.

**OPTION**

**PAYMENTS:** Beginning on \_\_\_\_\_, 2018 and continuing on the first day of every month prior to the commencement of the lease ("the Option Period") Tenant shall make non-refundable monthly option payments of \$1,000 to the Landlord.

**MODIFICATIONS:** Tenant shall have the right to modify the interior of the building as well as the parking layout to the extent that such work is permitted by the Town of Provincetown.

**MAINTENANCE:** Landlord shall maintain and be responsible for the roof and structure of the building and the Leased Premises. Landlord shall contract and pay for snowplowing at the premises and maintaining the landscaping of the Property.

**INSURANCE:** Tenant shall, at all times during the terms of the Lease, furnish and maintain a general liability policy with a combined single occurrence limit of not less than \$1,000,000.00 for its operations at the premises, and will name the Landlord as an additional insured on said liability policy.

**ACCESS:** Tenant shall have access to the premises and the parking facilities 24 hours per day, 7 days per week, 52 weeks per year, to the extent permitted by the Town of Provincetown.

**SECURITY:** Tenant shall contract for and install security for the premises.

**ASSIGNMENT:** Tenant shall have the right to assign this Option and the lease to an entity which controls, or which is under the control, of the Tenant, or an entity in common ownership with Tenant and may also assign the lease to an unrelated person or entity subject to the Landlord's consent, which consent shall not be unreasonably withheld, conditioned or delayed.

#### **LANDLORD**

**COOPERATION:** Landlord shall cooperate with Tenant in connection with Tenant's efforts to obtain the Licenses, Permits and Approvals which shall include, without limitation, executing applications and related documents as owner of the premises, provided, however, that Landlord shall not be required to incur any costs or expenses in connection with the same.

#### **TERMS OF**

**AGREEMENT:** The Landlord and Tenant agree that this letter agreement shall be binding between the parties. It is understood that Tenant needs final approval from the Massachusetts Department of Public Health, the Cannabis Control Commission and the Town of Provincetown before the commencement of occupancy under the lease. The parties agree to execute a mutually satisfactory lease agreement which incorporates the terms and conditions set forth above as well as such usual and customary provisions as are found in a commercial lease of this nature. The parties

further agree that the terms of this letter agreement shall govern until the lease is executed.

This letter agreement is binding between the parties who agree to execute a mutually satisfactory lease agreement incorporating the terms and conditions set forth above.

48 SHANK PAINTER, LLC

\_\_\_\_\_  
By: James Bonaccorsi, Member

Date: \_\_\_\_\_

H. PRESTON, LLC.

\_\_\_\_\_  
By: Timothy Sheehan, Member

Date: \_\_\_\_\_

Agreed to and Accepted by:

HEAL, INC.

By: \_\_\_\_\_  
Patricia Faass, CEO

Date: \_\_\_\_\_

48 SHANKPAINTER, LLC  
22 ROUNDWOOD ROAD  
NEWTON, MA 02458

H. PRESTON, LLC  
231 NEWTONVILLE AVE  
NEWTON, MA 02458

September 27, 2018

Ms. Mita Battaglia  
Permit Commission  
260 Commercial Street  
Provincetown, MA 02657

Re: 48 Shank Painter Road

Dear Ms. Battaglia,

This letter will serve to confirm we have reviewed the enclosed application for Heal, Inc., and that we hereby authorize Katherine Adams of the law firm of Schlesinger and Buchbinder LLP to sign any and all documents on behalf of 48 Shankpainter LLC with respect to a special permit application and any other zoning relief required for the above-referenced property.

Very truly yours,

  
JAMES BONACCORSI,  
48 Shankpainter LLC,  
a Massachusetts limited liability company

By:   
Name: JAMES BONACCORSI  
Its: member

H. Preston, LLC  
a Massachusetts limited liability company

By:   
Name: Timothy S. Sheehan, Member  
Its:

QUITCLAIM DEED

We, **Ari D. Ackerman**, an unmarried man of Astoria, New York, and **Richard Conley**, an unmarried man of Provincetown, Massachusetts (the "Grantors")

for consideration paid and in full consideration of **SEVEN HUNDRED TWENTY-FOUR THOUSAND and 00/100 Dollars (\$724,000.00)**, grant to

**48 Shankpainter LLC**, a Massachusetts limited liability company of 22 Roundwood Road, Newton, MA 02464, and **H. Preston, LLC** of 231 Newtonville Avenue, Newton, MA 02458, as tenants in common (the "Grantees"),

with **QUITCLAIM COVENANTS**,

the land with the buildings thereon, located at 48 Shank Painter Road, Provincetown, Barnstable County, Massachusetts, bounded and described as follows:

Being LOT 1 as shown on a plan of land entitled "Plan of Land showing a Division of land, #48 Shank Painter Road, Provincetown, MA prepared for Joseph Taves, owner: Jane Taves, Deed Book 12257, Page 248, October 6, 2011, Scale 1" = 20'" by Outermost Land Survey, Inc. Donald T. Poole P.L.S. recorded with Barnstable Registry of Deeds in Plan Book 643, Page 49.

Also with the benefit of an exclusive perpetual easement recorded with the Barnstable County Registry of Deeds at Book 27192, Page 193.

Meaning and intending to convey and hereby conveying all of the same premises conveyed to Grantors by deed of Jane Taves dated March 8, 2013 and recorded with the Barnstable County Registry of Deeds in Book 27192, Page 191.

Grantors hereby affirm under penalties of perjury that no other party has any other right of homestead, and hereby release all claims of homestead.

REMAINDER OF PAGE INTENTIONALLY BLANK

MASSACHUSETTS STATE EXCISE TAX  
BARNSTABLE COUNTY REGISTRY OF DEEDS  
Date: 11-09-2017 @ 11:27am  
Ct1#: 494 Doc#: 57430  
Fee: \$2,476.08 Cons: \$724,000.00

BARNSTABLE COUNTY EXCISE TAX  
BARNSTABLE COUNTY REGISTRY OF DEEDS  
Date: 11-09-2017 @ 11:27am  
Ct1#: 494 Doc#: 57430  
Fee: \$2,215.44 Cons: \$724,000.00

48 Shank Painter Road, Provincetown, MA

WITNESS my hand and seal this 2<sup>ND</sup> day of ~~October~~ NOVEMBER, 2017

Richard Conley  
Richard Conley

COMMONWEALTH OF MASSACHUSETTS

County of Barnstable, ss

On this 2<sup>nd</sup> day of ~~October~~ November, 2017, before me, the undersigned notary public, personally appeared the above-named Richard Conley, proved to me through satisfactory evidence of identification, which was MADC to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as his free act and deed and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief.

Notary Public:

My Commission expires: 9-18-20



TREVOR A. MCCARTHY  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires September 18, 2020

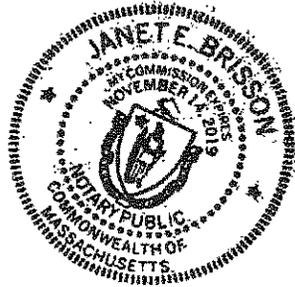
WITNESS my hand and seal this 3rd day of ~~October~~ <sup>November</sup>, 2017

Ari D. Ackerman  
Ari D. Ackerman

COMMONWEALTH OF MASSACHUSETTS

County of Barnstable, ss

On this 3rd day of ~~October~~ <sup>November</sup>, 2017, before me, the undersigned notary public, personally appeared the above-named Ari D. Ackerman, proved to me through satisfactory evidence of identification, which was NY D.L. to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as his free act and deed and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief.



Janet E. Brisson  
Notary Public: Janet E. Brisson  
My Commission expires: 11-14-19

**Heal, Inc./48 Shank Painter Road  
Project Narrative and Waivers Requested  
Special Permit and Special Permit By Site Plan Review Application  
October 9, 2018**

The attached is an application for a Special Permit from the Planning Board under Article 2, §2440, B14, of the Zoning By-laws of the Town of Provincetown, for a co-located Retail Marijuana Establishment, a co-located adult use and medical dispensary (“the dispensary”), and an application for Site Plan Review by Special Permit under Article 4, §4015.a.(4) of the Zoning By-laws of the Town of Provincetown, for a development of commercial property with a curb cut of greater than 25% of its existing or proposed street frontage.

The locus is located in the GC zoning district, and is presently developed with a home containing two residential units – a one-bedroom unit and a three-bedroom unit. The petitioner proposes to develop the 748 square foot one-bedroom unit into a dispensary. The three-bedroom unit will not be included in the lease and the owner intends for that unit to remain residential. The dispensary use is allowed by special permit in the GC district. Site improvements related to parking and access are proposed for the new use.

The existing residential units each have a gravel driveway wide enough for two cars. The existing driveways are located partly in the town’s right of way. The proposed parking configuration removes the parking spaces from the right of way, and thus is consistent with the town’s planning goals of eventually adding sidewalks to Shank Painter Road. In the site’s current constrained configuration, the cars must back up to exit the site. In order to improve the safety of the site’s traffic flow, and in accordance with s. 2474, the parking is being reoriented to enable drivers to turn and drive forward out of the site.

The two uses on the site will require a total of five parking spaces, and three are proposed. Accordingly, the petitioner has filed a special permit application with the Zoning Board of Appeals to request relief from the parking requirements of s.2472. A handicapped stall and entrance ramp are being proposed for the facility, which will serve a population (those with a medical condition that may benefit from medical marijuana) who may have mobility issues. Accordingly, providing parking and access for those who need it is a priority for the petitioner. The petitioner notes that there is a municipal parking lot directly across the street which often has spaces available. Furthermore, the petitioner expects that its customers who are not mobility challenged will walk or bike to the site, and will provide a bike rack in anticipation thereof.

The site is presently non-conforming as to Green Space and Lot Coverage. The existing Green Area is 1,982 square feet (28.8%) and the minimum allowable Green Area is 30%. The existing Lot Coverage is 2,983 square feet (43.3%), and the maximum allowable Lot Coverage is 40%. The proposed changes to the parking will necessitate paving of the HC accessible stall and loading area, and the introduction of an accessible ramp will result in a decrease in the Green Space to 1,153 square feet (16.8%) and an increase in the lot coverage to 3,081 square feet (44.8%). The petitioner requests a modest extension of the existing Green Area nonconformity in order to pave improve the HC stall, as described above. In order to minimize the scope of this waiver, the non-HC stalls will not be paved.

### Benefits to Provincetown

The proposed dispensary will provide social and economic benefits to the Town, through the provision of medicine to the community and a local preference hiring policy. The petitioner ("Heal") contemplates the following benefits to the Provincetown Community:

- Heal will be open year-round, and is committed to providing medical marijuana to those patients who will benefit from it. In furtherance of this goal, Heal is designing the site to accommodate those with mobility limitations by adding a ramp and a van accessible, paved, parking stall in front of its building. Heal will provide counseling and guidance to medical marijuana patients
- Heal has proposed to pay 3% of all of its Provincetown sales to the town on a quarterly basis.
- Heal will provide free or reduced cost medical marijuana on a sliding scale to registered patients with a documented financial hardship.
- Heal proposes to establish a fund to assist moderate and low income, year-round Provincetown residents who wish to change their outside light fixtures to be dark sky compliant. Heal will add \$2,500.00 per year to this fund.
- Heal proposes to establish an annual summer internship stipend of \$2,500 for a college student from Provincetown (or, at the Town's discretion, from a nearby community) who is interested in wetlands and environmental studies to provide that student with the opportunity to review the current wetlands in Provincetown, with the goal of establishing (and maintaining) a baseline understanding of the health of the wetlands and generate low cost ideas for supporting the future existence of the wetlands.

- Heal proposes to provide Helping Our Women with a \$2,500 annual stipend to enable HOW to provide taxi or UBER vouchers to its clients.
- Heal also intends to establish a rotation program whereby one of Heal's employees will volunteer for one day per month at one a selection of charitable organizations in town.

The proposed dispensary will produce no adverse effects as the proposed location on Shank Painter Road is adjacent to other commercial properties including Stop and Shop, the existing public ways are more than sufficient for the additional traffic, and the existing site will be improved by the removal of parking from the public right of way. The applicant will work with the Provincetown Police Department to address security concerns.

The proposed Medical Marijuana Treatment Center is in accordance with the Zoning By Laws of the Town of Provincetown and is consistent with the Local Comprehensive Plan, adheres to the design requirements of §4163, has no detrimental impact on public amenities and abutting properties, protects the natural features of the site, is safe for vehicular traffic and conforms with the §3430 lighting standards.

#### Article 4, §4030 Waivers Requested

- i. lot coverage, §4140
- ii. green space, §4150
- iii. curb radii, §4163(2)
- iv. way width, §4163(3)
- v. street trees, §4600



## Memorandum

To: Mr. Alexander Oliphant  
12 Cross Street  
Newton, Massachusetts 02465

Date: October 8, 2018

Project #: 13858.00

From: Randall C. Hart,  
Principal

Re: Proposed Dispensary  
48 Shank Painter Road  
Provincetown, Massachusetts

---

VHB, Inc. has conducted an assessment of potential traffic generation associated with the proposed medical/recreational marijuana dispensary (the Project) to be located at 48 Shank Painter Road in Provincetown, Massachusetts. Currently the site is developed with a home containing two residential units, a one-bedroom unit and a three-bedroom unit. The Petitioner proposes to develop the 748 square foot one-bedroom unit into a dispensary. The existing residential units each have a gravel driveway wide enough for two cars. The proposed parking configuration removes the parking spaces from the right of way and thus is consistent with the town's planning goals of eventually adding sidewalks to Shank Painter Road. In the site's current constrained configuration, parked cars must back up to exit the site. To improve the safety of the site's traffic flow, the parking is being re-oriented to enable drivers to turn and drive forward out of the site.

### Project Traffic Generation

#### Trip Generation

The proposed project will include the renovation and re-occupancy of approximately 748 sf of existing residential space to a marijuana dispensary. The Institute of Transportation Engineers (ITE) Trip Generation Manual 10<sup>th</sup> Edition<sup>1</sup> provides traffic generation rates for Marijuana Dispensary's under Land Use Code 882. The land use category includes both medical and retail distribution in the data set. Based on the ITE data, Table 1 presents the estimated traffic generation associated with the reuse of the space:

---

<sup>1</sup> Trip Generation, 9<sup>th</sup> Edition, Institute of Transportation Engineers, Washington D.C., 2012.

101 Walnut Street  
PO Box 9151  
Watertown, MA 02472-4026  
P 617.924.1770

**Table 1 Trip Generation Summary**

Time Period	Movement	Proposed Dispensary Trips
Weekday Evening	Enter	8
Peak Hour <sup>a</sup>	<u>Exit</u>	<u>8</u>
	Total	16
Weekday <sup>a</sup>	Enter	95
	<u>Exit</u>	<u>95</u>
	Total	190
Saturday Midday	Enter	13
Peak Hour <sup>a</sup>	<u>Exit</u>	<u>14</u>
	Total	27
Saturday <sup>a</sup>	Enter	97
	<u>Exit</u>	<u>97</u>
	Total	194

<sup>a</sup> Based on ITE Trip Generation 10<sup>th</sup> Edition; Land Use Code 882 Marijuana

As shown in Table 2, the proposed project would be expected to result in an approximately 190 vehicle trips (95 in/95 out) on a weekday, 16 vehicle trips (8 entering/8 exiting) during the weekday evening peak hour, approximately 194 vehicle trip (97 in/97 out) on a Saturday, and approximately 27 vehicle trips (13 entering/14 exiting) during the Saturday midday peak hour.

**Conclusion**

VHB has conducted a traffic generation assessment to assess potential traffic generation associated with the renovation and reuse of approximately 748 sf of space at 48 Shank Painter Road, in Provincetown, Massachusetts. As outlined above the reuse of the space will result in minor traffic increases critical peak hour periods. This assessment does not consider that many customers are likely to walk and or bike to the proposed facility which would reduce the traffic generation associated with the site. The proposed parking configuration removes the parking spaces from the right of way, and thus is consistent with the town’s planning goals of eventually adding sidewalks to Shank Painter

Ref: 13858.00  
October 8, 2018  
Page 3

road. In the site's current constrained configuration, parked cars must back up to exit the site. To improve the safety of the site's traffic flow, the parking is being re-oriented to enable drivers to turn and drive forward out of the site

Ref: 13858.00  
October 8, 2018  
Page 4

## Appendix

**ITE TRIP GENERATION WORKSHEET**

(10th Edition, Updated 2017)

LANDUSE: Marijuana Dispensary  
 LANDUSE CODE: 882  
 SETTING/LOCATION: General Urban/Suburban  
 JOB NAME:  
 JOB NUMBER:

Independent Variable --- 1,000 Sq. Feet Gross Floor Area

FLOOR AREA (KSF): 0.6

**WEEKDAY**

RATES:	# Studies	R^2	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	4	--	252.70	79.74	791.22	2	0	4	50%	50%
AM PEAK OF GENERATOR	4	--	20.88	6.33	63.51	2	0	4	52%	48%
PM PEAK OF GENERATOR	9	--	29.93	5.88	128.38	2	0	4	50%	50%
AM PEAK (ADJACENT ST)	4	--	10.44	1.17	31.08	2	0	4	56%	44%
PM PEAK (ADJACENT ST)	12	--	21.83	2.94	98.65	2	0	4	50%	50%

TRIPS:

	BY AVERAGE			BY REGRESSION		
	Total	Enter	Exit	Total	Enter	Exit
DAILY	190	95	95	N/A	N/A	N/A
AM PEAK OF GENERATOR	16	8	8	N/A	N/A	N/A
PM PEAK OF GENERATOR	22	11	11	N/A	N/A	N/A
AM PEAK (ADJACENT ST)	8	4	3	N/A	N/A	N/A
PM PEAK (ADJACENT ST)	16	8	8	N/A	N/A	N/A

**SATURDAY**

RATES:	# Studies	R^2	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	4	--	259.31	75.34	852.03	2	0	4	50%	50%
PEAK OF GENERATOR	4	--	36.43	10.85	118.92	2	0	4	50%	50%

TRIPS:

	BY AVERAGE			BY REGRESSION		
	Total	Enter	Exit	Total	Enter	Exit
DAILY	194	97	97	N/A	N/A	N/A
PEAK OF GENERATOR	27	14	14	N/A	N/A	N/A

**SUNDAY**

RATES:	# Studies	R^2	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	--	--	--	--	--	--	--	--	--	--
PEAK OF GENERATOR	--	--	--	--	--	--	--	--	--	--

TRIPS:

	BY AVERAGE			BY REGRESSION		
	Total	Enter	Exit	Total	Enter	Exit
DAILY	N/A	N/A	N/A	N/A	N/A	N/A
PEAK OF GENERATOR	N/A	N/A	N/A	N/A	N/A	N/A



To: Mr. Alexander Oliphant  
12 Cross Street  
Newton, Massachusetts 02465

Date: October 8, 2018

Memorandum

Project #: 13858.00

From: Randall C. Hart,  
Principal

Re: Proposed Dispensary  
48 Shank Painter Road  
Provincetown, Massachusetts

---

VHB, Inc. has conducted an assessment of potential traffic generation associated with the proposed medical/recreational marijuana dispensary (the Project) to be located at 48 Shank Painter Road in Provincetown, Massachusetts. Currently the site is developed with a home containing two residential units, a one-bedroom unit and a three-bedroom unit. The Petitioner proposes to develop the 748 square foot one-bedroom unit into a dispensary. The existing residential units each have a gravel driveway wide enough for two cars. The proposed parking configuration removes the parking spaces from the right of way and thus is consistent with the town's planning goals of eventually adding sidewalks to Shank Painter Road. In the site's current constrained configuration, parked cars must back up to exit the site. To improve the safety of the site's traffic flow, the parking is being re-oriented to enable drivers to turn and drive forward out of the site.

## Project Traffic Generation

### Trip Generation

The proposed project will include the renovation and re-occupancy of approximately 748 sf of existing residential space to a marijuana dispensary. The Institute of Transportation Engineers (ITE) Trip Generation Manual 10<sup>th</sup> Edition<sup>1</sup> provides traffic generation rates for Marijuana Dispensary's under Land Use Code 882. The land use category includes both medical and retail distribution in the data set. Based on the ITE data, Table 1 presents the estimated traffic generation associated with the reuse of the space:

---

<sup>1</sup> Trip Generation, 9<sup>th</sup> Edition, Institute of Transportation Engineers, Washington D.C., 2012.

101 Walnut Street  
PO Box 9151  
Watertown, MA 02472-4026  
P 617.924.1770

**Table 1 Trip Generation Summary**

Time Period	Movement	Proposed Dispensary Trips
Weekday Evening	Enter	8
Peak Hour <sup>a</sup>	<u>Exit</u>	<u>8</u>
	Total	16
Weekday <sup>a</sup>	Enter	95
	<u>Exit</u>	<u>95</u>
	Total	190
Saturday Midday	Enter	13
Peak Hour <sup>a</sup>	<u>Exit</u>	<u>14</u>
	Total	27
Saturday <sup>a</sup>	Enter	97
	<u>Exit</u>	<u>97</u>
	Total	194

<sup>a</sup> Based on ITE Trip Generation 10<sup>th</sup> Edition; Land Use Code 882 Marijuana

As shown in Table 2, the proposed project would be expected to result in an approximately 190 vehicle trips (95 in/95 out) on a weekday, 16 vehicle trips (8 entering/8 exiting) during the weekday evening peak hour, approximately 194 vehicle trip (97 in/97 out) on a Saturday, and approximately 27 vehicle trips (13 entering/14 exiting) during the Saturday midday peak hour.

**Conclusion**

VHB has conducted a traffic generation assessment to assess potential traffic generation associated with the renovation and reuse of approximately 748 sf of space at 48 Shank Painter Road, in Provincetown, Massachusetts. As outlined above the reuse of the space will result in minor traffic increases critical peak hour periods. This assessment does not consider that many customers are likely to walk and or bike to the proposed facility which would reduce the traffic generation associated with the site. The proposed parking configuration removes the parking spaces from the right of way, and thus is consistent with the town’s planning goals of eventually adding sidewalks to Shank Painter

Ref: 13858.00  
October 8, 2018  
Page 3

road. In the site's current constrained configuration, parked cars must back up to exit the site. To improve the safety of the site's traffic flow, the parking is being re-oriented to enable drivers to turn and drive forward out of the site

Ref: 13858.00  
October 8, 2018  
Page 4

## Appendix

**ITE TRIP GENERATION WORKSHEET**

(10th Edition, Updated 2017)

LANDUSE: Marijuana Dispensary  
 LANDUSE CODE: 882  
 SETTING/LOCATION: General Urban/Suburban  
 JOB NAME:  
 JOB NUMBER:

Independent Variable --- 1,000 Sq. Feet Gross Floor Area

FLOOR AREA (KSF): 0.6

**WEEKDAY**

RATES:	# Studies	R^2	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	4	--	252.70	79.74	791.22	2	0	4	50%	50%
AM PEAK OF GENERATOR	4	--	20.88	6.33	63.51	2	0	4	52%	48%
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TRIPS:

	BY AVERAGE			BY REGRESSION		
	Total	Enter	Exit	Total	Enter	Exit
DAILY	190	95	95	N/A	N/A	N/A
AM PEAK OF GENERATOR	16	8	8	N/A	N/A	N/A
PM PEAK OF GENERATOR	22	11	11	N/A	N/A	N/A
AM PEAK (ADJACENT ST)	8	4	3	N/A	N/A	N/A
PM PEAK (ADJACENT ST)	16	8	8	N/A	N/A	N/A

**SATURDAY**

RATES:	# Studies	R^2	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	4	--	259.31	75.34	852.03	2	0	4	50%	50%
PEAK OF GENERATOR	4	--	36.43	10.85	118.92	2	0	4	50%	50%

TRIPS:

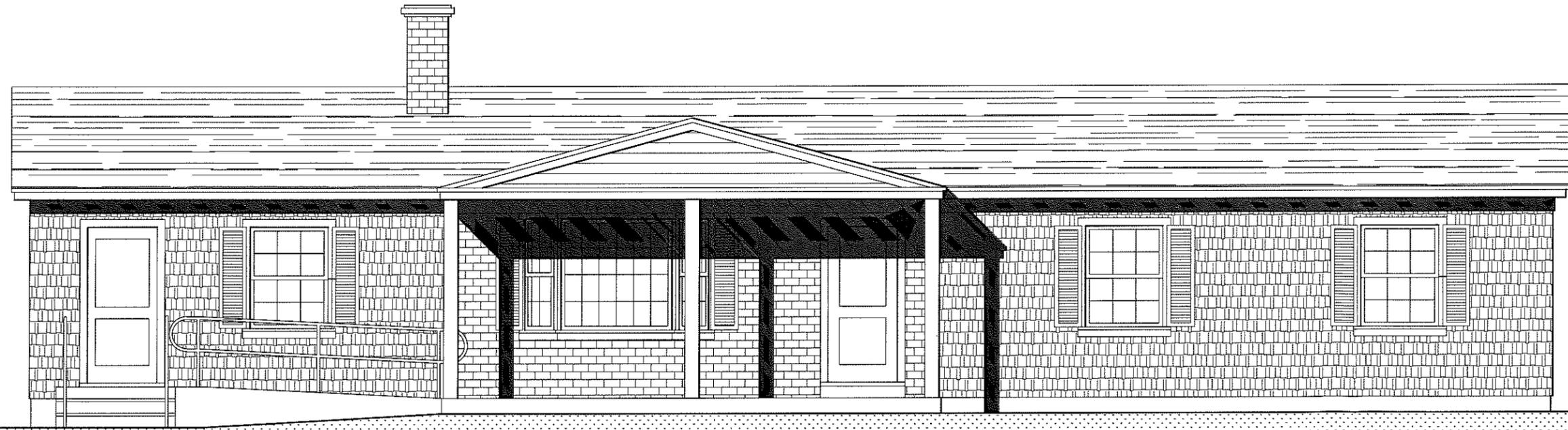
	BY AVERAGE			BY REGRESSION		
	Total	Enter	Exit	Total	Enter	Exit
DAILY	194	97	97	N/A	N/A	N/A
PEAK OF GENERATOR	27	14	14	N/A	N/A	N/A

**SUNDAY**

RATES:	# Studies	R^2	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	--	--	--	--	--	--	--	--	--	--
PEAK OF GENERATOR	--	--	--	--	--	--	--	--	--	--

TRIPS:

	BY AVERAGE			BY REGRESSION		
	Total	Enter	Exit	Total	Enter	Exit
DAILY	N/A	N/A	N/A	N/A	N/A	N/A
PEAK OF GENERATOR	N/A	N/A	N/A	N/A	N/A	N/A



EAST ELEVATION

TED SMITH  
Architect, LLC

TEDSMITHARCHITECT@GMAIL.COM

12 Darinmouth Place, Boston, Massachusetts, 02116  
422 Commercial Street, Provincetown, Massachusetts, 02657  
617.247.0023

48 SHANK PAINTER ROAD  
Provincetown, Massachusetts

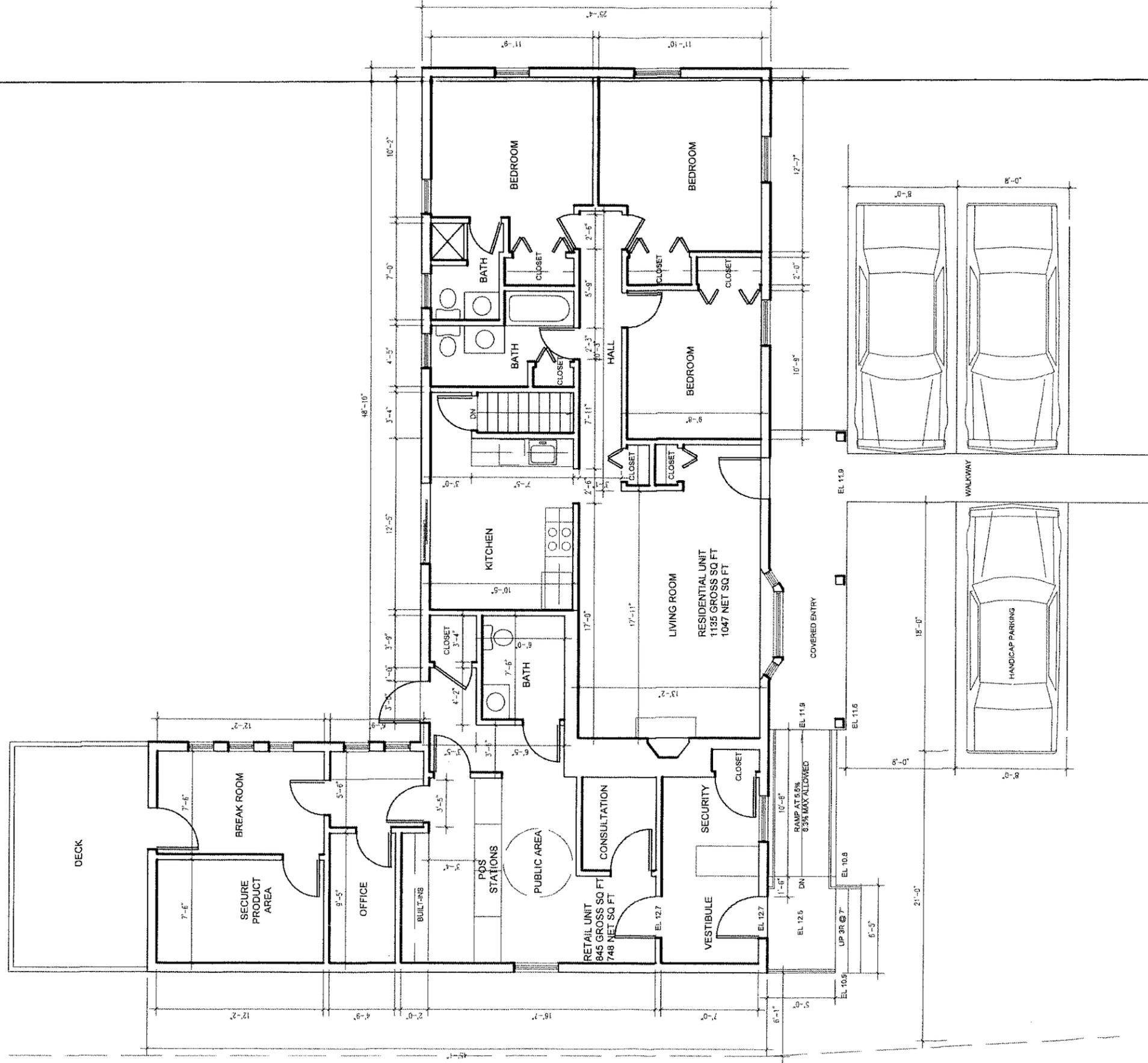
EAST ELEVATION

SCALE 1/8" = 1' - 0"

DATE 26 SEPTEMBER 2018

SHEET NUMBER

A1.1



**TED SMITH**  
**Architect, LLC**

TEDSMITHARCHITECT@GMAIL.COM  
 12 Dartmouth Place, Boston, Massachusetts . 02116  
 422 Commercial Street, Provincetown, Massachusetts . 02657  
 617 . 247 . 0023

**48 SHANK PAINTER ROAD**  
 Provincetown, Massachusetts

**FIRST FLOOR PLAN**

DATE 26 SEPTEMBER 2018 SCALE 1/8" = 1'-0"

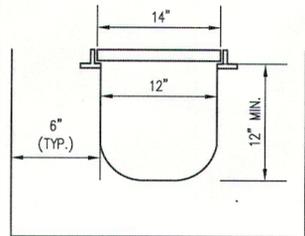
SHEET NUMBER

**A1.1**

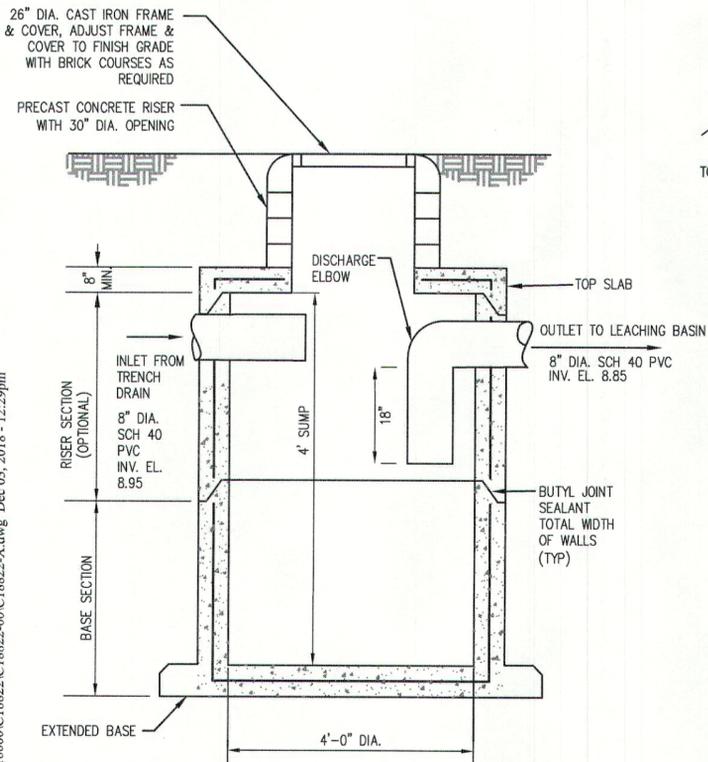
# ZONING COMPLIANCE TABLE

ZONING DISTRICT: GENERAL COMMERCIAL DISTRICT		USE: MULTI-USE RESIDENTIAL	
SUBJECT	REQUIRED	EXISTING	PROPOSED
LOT AREA	5,000 SF	6,883± S.F.	NO CHANGE
FRONTAGE	50 FT	85.36 FT	NO CHANGE
FRONT YARD	20 FT	15.5± FT	NO CHANGE
SIDE YARD	6 FT	6.1± FT (SOUTHEAST)	NO CHANGE
REAR YARD	10 FT	1.2± FT	NO CHANGE
LOT COVERAGE (SECTION 4140)	40% (MAX.)	2,983± S.F. (43.3%)	3,081± S.F. (44.8%)
GREEN AREA (SECTION 4150)	30% (MIN.)	1,982± S.F. (28.8%)	1,153± S.F. (16.8%)
TREES (SECTION 4053)	1/ 35 PARKING SPACES	2 TREES*	2 TREES/ 3 PARKING SPACES*
STREET TREES (SECTION 4600)	1/50' FRONTAGE (85.36'/50')	2 TREES*	2 TREES*
BUILDING HEIGHT (GABLE ROOF)	33 FT	15.5± FT	15.5± FT
CURB CUT (SECTION 4015.a(4))	CC WIDTH/ LOT FR. : (CC: 17.7'+17.3'=35.0')/(FR: 85.36') =41.0% (EXIST.); 56.1% PROP.		

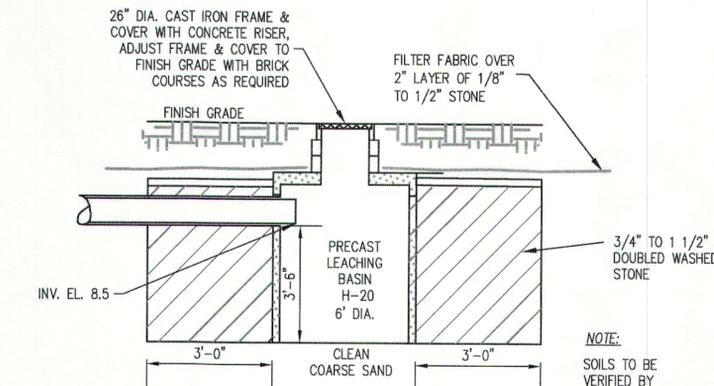
NOTE : RESIDENTIAL USES SHALL COMPLY WITH RES3 DISTRICT  
 \* TREES ARE LOCATED IN THE VICINITY OF THE PARKING SPACES/STREET BUT ARE NOT ON LOCUS.



TRENCH DRAIN DETAIL



PRECAST CONCRETE DRAIN MANHOLE



LEACHING BASIN DETAIL

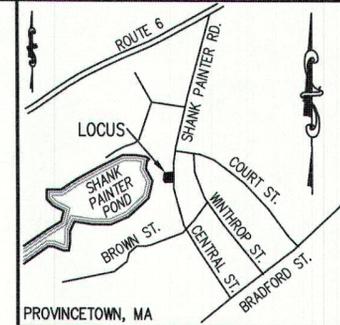
# PARKING TABLE

USE	REQUIREMENT
MISC (RMD): 800± SF @	1.0 SPACE PER 350 SF = 800/350 = 2.3 ROUNDED TO 3 SPACES
RES. APT.: 1 MULTI-BEDROOM DWELLING UNIT @	1.5 SPACES PER 1 BEDROOM UNIT = 1.5 x 1 = 1.5 ROUNDED TO 2 SPACES
	TOTAL = 5 SPACES
	REQUIRED PARKING = 5 SPACES*
	PROPOSED PARKING = 3 SPACES*

\* A PARKING WAIVER WAS GRANTED BY THE ZBA 11/8/18, CONDITIONED THAT THE 3 ONSITE SPACES ARE DEDICATED TO THE PROPOSED COMMERCIAL USE, AND RESIDENTIAL USE SPACES ARE TO BE OFFSITE.  
 HANDICAP PARKING NOTE: 1 HCP SPACE REQ'D. UP TO 25 PARKING SPACES: 1 HCP SPACE PROVIDED. (VAN)  
 DRAINAGE NOTE: ALL STORMWATER RUNOFF TO BE CONTAINED ONSITE. ROOF RUNOFF TO BE DIRECTED TO GUTTER DOWNSPOUTS, DRYWELLS/LEACHING BASINS, AND GRAVEL PARKING AREAS.  
 LIGHTING NOTE: SITE LIGHTING DETAILS TO BE PROVIDED BY TED SMITH ARCHITECT LLC.

## OWNER:

48 SHANKPAINTER LLC OF  
 22 ROUNDWOOD ROAD,  
 NEWTON, MA &  
 H. PRESTON, LLC OF 231  
 NEWTONVILLE AVENUE,  
 NEWTON, MA



KEY MAP  
NO SCALE

## PLAN REFERENCES:

ASSESSORS MAP 7-3, PARCEL 1  
 LOT 1 PLAN BOOK 643, PAGE 49  
 \*PLAN SHOWING EXISTING SITE CONDITIONS\* BY  
 COASTAL ENGINEERING, CO. DATED 09-25-18.

## DATUM NOTE:

ELEVATIONS SHOWN HEREON ARE BASED ON  
 THE NORTH AMERICAN VERTICAL DATUM 1988  
 (NAVD 1988)

## FLOOD NOTE:

FLOOD ZONE AE EL. 9 AS SHOWN ON FEMA  
 FIRM PANEL #25001C0112J DATED JULY 16,  
 2014

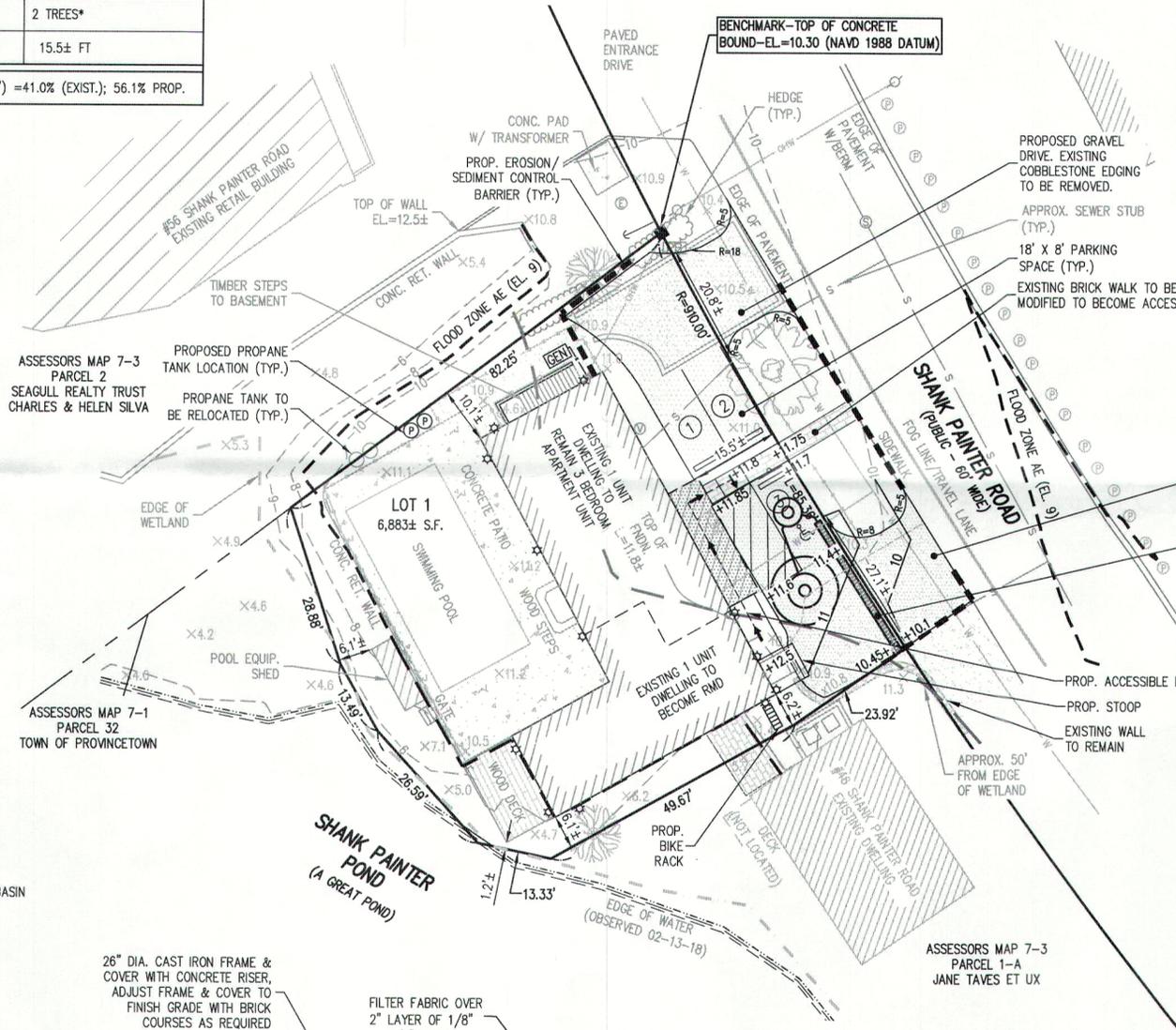
## LEGEND

### EXISTING

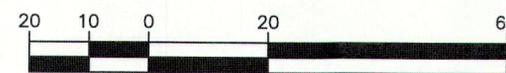
- BOUND
- ⊙ SEWER MANHOLE
- ⊙ SEPTIC VENT
- ⊙ ELECTRIC MANHOLE
- ⊙ ELECTRIC METER
- ⊙ PULL BOX
- ⊙ POST
- ⊙ UTILITY POLE
- GUY WIRE
- STOCKADE FENCE
- WOOD FENCE
- SPLIT RAIL FENCE
- OHW OVERHEAD UTILITY LINE
- W WATER LINE
- 10 CONTOUR
- x11.2 SPOT ELEV.

### PROPOSED

- ① NUMBER OF PARKING SPACES
- ♿ VAN ACCESSIBLE PARKING SPACE
- 10 CONTOUR
- +10.0 SPOT GRADE
- T.O.W. TOP OF WALL
- HCP SIGN
- GEN. GENERATOR W/ CONNECTION
- ☆ LIGHT FIXTURE (SEE LIGHTING NOTE)



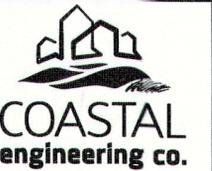
PLAN



1 inch = 20 ft.

NOTE:  
 SOILS TO BE  
 VERIFIED BY  
 ENGINEER PRIOR TO  
 SETTING DRAINAGE  
 STRUCTURES

ISSUED FOR PERMITTING 12-1-2018



250 Cranberry Hwy, Orleans, MA 02653  
 508.255.6511 P 508.255.6700 F



PROJECT  
 HEAL, INC. PROVINCETOWN, MA  
 48 SHANK PAINTER ROAD  
 SHEET TITLE  
 PLAN SHOWING PROPOSED  
 SITE IMPROVEMENTS

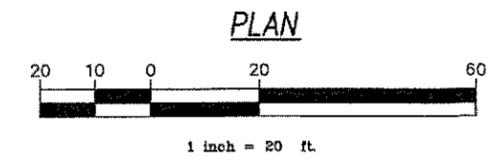
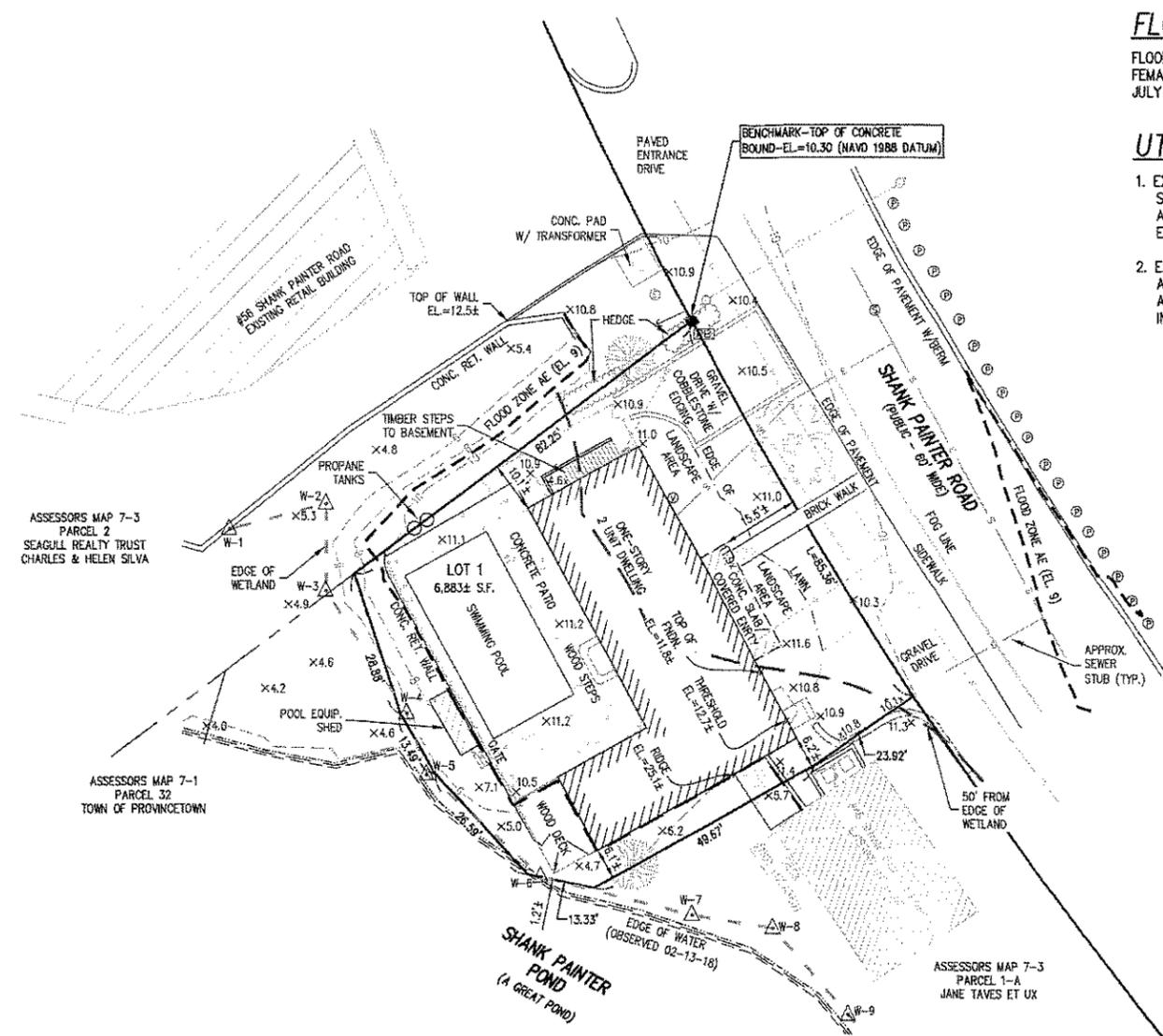
SCALE AS NOTED  
 DRAWING FILE C18822-X.dwg  
 DATE REV. 12-1-2018 40-23-18  
 DRAWN BY SRM  
 CHECKED BY

C2.11

1 OF 1 SHEETS  
 PROJECT NO. C18822.00

RECEIVED  
 DEC 04 2018  
 TOWN CLERK

MASS. COORD. SYSTEM NAD 1983 MAINLAND ZONE

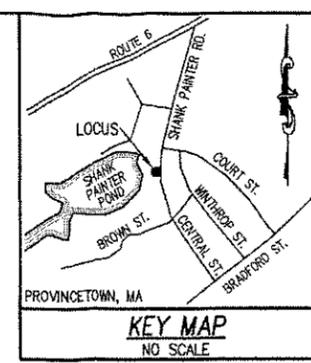


**PLAN REFERENCES:**  
 ASSESSORS MAP 7-3, PARCEL 1  
 LOT 1 PLAN BOOK 643, PAGE 49

**DATUM NOTE:**  
 ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM 1988 (NAVD 1988)

**FLOOD NOTE:**  
 FLOOD ZONE AE EL. 9 AS SHOWN ON FEMA FIRM PANEL #25001C0112J DATED JULY 16, 2014

**UTILITY NOTES:**  
 1. EXISTING UTILITIES HAVE BEEN SHOWN WHENEVER POSSIBLE AND ARE SHOWN AS APPROXIMATE FROM EXISTING RECORDS.  
 2. EXISTING UTILITIES, UNDERGROUND AND OVERHEAD, MAY EXIST IN ADDITION TO THE UTILITY INFORMATION SHOWN ON THIS PLAN.



**COASTAL engineering co.**  
 260 Cranberry Hwy, Orleans, MA 02653  
 508.255.6551 P 508.255.6700 F

**KEY MAP**  
 NO SCALE

- LEGEND**
- BOUND
  - ⊙ SEWER MANHOLE
  - ⊙ SEPTIC VENT
  - ⊙ ELECTRIC MANHOLE
  - ⊙ ELECTRIC METER
  - ⊙ PULL BOX
  - ⊙ POST
  - ⊙ UTILITY POLE
  - GUY WIRE
  - STOCKADE FENCE
  - WOOD FENCE
  - SPLIT RAIL FENCE
  - OVERHEAD UTILITY LINE
  - WATER LINE
  - SEWER LINE
  - CONTOUR
  - ⊙ SPOT ELEV.
  - W-3 WETLAND FLAG
  - EDGE OF WETLAND

NO.	DATE	REVISION	BY

SEAL

PROJECT: HEAL, INC. PROVINCETOWN, MA  
 48 SHANK PAINTER ROAD  
 SHEET TITLE: PLAN SHOWING EXISTING SITE CONDITIONS

SCALE: AS NOTED  
 DRAWING FILE: C18822-X.dwg  
 DATE: 09-25-18  
 DRAWN BY: MAP/SRM  
 CHECKED BY:

I HEREBY CERTIFY THAT THE CONDITIONS SHOWN HEREON ARE LOCATED AS THEY EXISTED ON THE GROUND AS OF 2-13-18, WETLAND FLAGS LOCATED 9-21-18.

DATE: SEPT. 27, 2018  
 P.L.S.

**C1.21**  
 1 OF 1 SHEETS  
 PROJECT NO. C18822.00

F:\SDSK\PROJECTS\18000\C18822\C18822-00\C18822-X.dwg Sep 27, 2018 - 12:52pm