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September 30, 2014

BY EMAIL

Ms. Alexandra Ananth
Department of Planning and Development
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459-1449

Re: Garden Remedies, Inc./697 Washington Street/Petition #167-14

Dear Alexandra,

I want to advise you of two updates respecting the above petition. Dr. Munkacy and her team recently met with representatives from the Department of Public Health (the "DPH"). As you know, under DPH's regulations, patients may purchase up to ten ounces of marijuana at a time from a dispensary, provided that said quantity constitutes a sixty-day supply for the patient. Several Newton residents expressed concerns related to patients carrying large amounts of cash into the dispensary and large quantities of product out of the dispensary.

In response to these concerns, Dr. Munkacy asked DPH whether Garden Remedies would be permitted to limit the amount of marijuana that could be sold to a patient in a given transaction. The DPH responded that such a limit would be permissible, so long as the limitations are part of a clearly stated policy and published in literature and on the company's website.¹ Accordingly, Garden Remedies intends to limit its onsite transactions to one ounce per customer per visit, with the balance of the order delivered to the patient's home. Payment for the amount to be delivered would be due at the time of delivery, and would not be collected from the patient at the dispensary. It is Garden Remedies' expectation that this policy of limiting onsite sales to one ounce at a time will limit the amount of cash that is coming into the dispensary, as well as limiting the amount of product which a patient carries out of the dispensary.

The second update relates to installing an ATM machine onsite. DPH informed Garden Remedies that dispensaries will not be permitted to install ATM machines onsite because DPH has determined that banking is not a permitted activity within a dispensary.

¹ Please note that DPH also explained that Garden Remedies must dispense some product to patients at the dispensary, and that the latter may not function solely as an educational facility, with products available only by delivery.

SCHLESINGER AND BUCHBINDER, LLP

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Please let me know if you have any other questions or require further information prior to the continued hearing on October 7th, 2014.

Very truly yours,



Stephen J. Buchbinder

SJB/mer

cc: (By Email)
Linda Finucane, Chief Committee Clerk
Mr. Stephen Pantalone, Senior Planner
Alderman Susan Albright
Alderman Marcia Johnson
Alderman Emily Norton
Dr. Karen Munkacy