

Tempest Inc., RMRE Site Plan: Waivers Requested
**(Pursuant to Town of Phillipston Zoning Bylaw: Twentieth Revision, May 8, 2019:
(Sec.19)(VI)(2)(e)(xxvii))**

1. Waiver Requested for Zoning Bylaw (Sec.19)(VI)(2)(e)(x) “Landscaping” (p.47)
“The screening of parking areas facing public ways and residential zones or uses shall be required.”
 - a. The applicant respectfully requests a waiver for this requirement as it is not practicable to screen the parking lot from the state road directly in front of the site, and as the applicant intends to leave the non-developed portions of the lot in its current, wooded, natural state, the site shall be screened from those parcels adjacent to it, just not screened from the road directly in front of the site.

2. Waiver Requested for Zoning Bylaw (Sec.19)(VI)(2)(e)(xxv)(i) “Other” (p.50)
“Clear identification of each area intended to be used as OPEN SPACE on the site with the square footage of each such area shown.”
 - a. The applicant respectfully requests a waiver for this requirement as it is not intending to clear open space, but rather, is intending to leave any undeveloped area wooded as it is in its current, natural form.

3. Waiver Requested for Zoning Bylaw (Sec.19)(III)(1) “Alternative Energy” (p.42)
“[I]n reviewing a site plan, the Planning Board shall consider the following:...alternative energy.”
 - a. The applicant respectfully requests a waiver for this consideration of the Planning Board (in reviewing a proposed site plan) because it has determined that the site is not suitable for alternative energy installations (such as solar or wind) due to the topography and natural conditions at the site.

4. Waiver Requested for Zoning Bylaw Article 29 “Marijuana Establishments” (Part IV)(Sec.4)(13)(e) “Energy Efficiency and Conservation” (p.17 of Annual Town Meeting Warrant, May 8, 2019)
 - a. The applicant respectfully requests a waiver for this application requirement, which seeks a written plan for the Marijuana Establishment’s energy efficiency and conservation plan. The majority of the energy efficiency and conservation compliance plans required by the Cannabis Control Commission pertain to cultivator and processor licensees, and as such, there is little for a retail establishment to plan for in this regard.
 - b. Nevertheless, during the design and construction phase of the project, Tempest Inc. plans on identifying and implementing potential energy-use reduction opportunities (such as natural lighting, renewable construction materials, and high efficiency lighting/appliances). Tempest Inc., will monitor energy consumption and make adjustments to operations based on energy usage data. It will develop procedures for identifying energy savings opportunities when engaging in new construction and/or replacing

old systems/appliances/etc. Tempest Inc. will make energy efficiency decisions on a cost/benefit analysis basis with an eye toward recognizing that externalities are costs that must be accounted for during said analysis.