

CANNABIS CONTROL COMMISSION

**April 9, 2020  
10:00AM**

**Cannabis Control Commission  
Remote Participation  
PUBLIC MEETING MINUTES**

**Documents:**

- Application materials for the following applications:
  - Canna Provisions, Inc.
  - Cultivate Holdings, LLC
  - Theory Farms, LLC
  - Nature's Remedy of Massachusetts, Inc. (#MRN282049), Retail
  - Theory Wellness, Inc. (#MCR139866)
  - Greener Leaf, Inc. (#MRR205568)
  - Nature's Remedy of Massachusetts, Inc. (#MCR139865)
  - Nature's Remedy of Massachusetts, Inc. (#MPR243511)
  - Nature's Remedy of Massachusetts, Inc. (#MRR205564)
  - Nature's Remedy of Massachusetts, Inc. (#MRR205570)
  - Atlantic Medicinal Partners, Inc. (#MRR205569)
  - Nova Farms, LLC (#MCR139868)
  - Beacon Compassion, Inc. (#MCR139871)
  - Beacon Compassion, Inc. (#MPR243516)
  - Silver Therapeutics, Inc. (#MRR205573)
  - Berkshire Roots, Inc., (#RMD505)
  - Green Meadows Farms, LLC, Vertically Integrated Medical Marijuana Treatment Center
  - Just Healthy, LLC, Vertically Integrated Medical Marijuana Treatment Center
  - Holistic Industries, Vertically Integrated Medical Marijuana Treatment Center
  - Theory Wellness, Inc., (#RMD305)
  - Alternative Compassion Services, Inc., (#RMD585)
  - Patriot Care Corp., (#RMD165)
  - Beacon Compassion Center, Inc., Vertically Integrated Medical Marijuana Treatment Center
  - Curaleaf Massachusetts, Inc., (#RMD765)
  - Green Gold Group, Inc., (#RMD786)
  - Mass Alternative Care, Inc, Vertically Integrated Medical Marijuana Treatment Center
  - Phytotherapy, Inc., Vertically Integrated Medical Marijuana Treatment Center



- Emerald Grove, Inc, Vertically Integrated Medical Marijuana Treatment Center
- Central Avenue Compassionate Care, Inc (#RMD145)
- Apothca Inc. (#MC281276), Cultivation, Tier 5 / Indoor
- Apothca Inc. (#MP281455), Product Manufacturer
- Boston Bud Factory Inc (#MR281525), Retail
- Canna Provisions, Inc. (#MR281778), Retail
- Cannabis Connection, Inc. (#MR281362), Retail
- Cultivate Holdings, LLC (#MR282522), Retail
- Eagle Eyes Transport, Inc. (#MT281320), Third-Party Transporter
- Haverhill Stem, LLC (#MR281327), Retail
- HVV Massachusetts, Inc. (#MC282121), Cultivation, Tier 3 / Indoor
- HVV Massachusetts, Inc. (#MP281657), Product Manufacturer
- HVV Massachusetts, Inc. (#MR282578), Retail
- Old Planters of Cape Ann, Inc. (#MR282588), Retail
- TDMA, LLC (#MR282376), Retail
- Temescal Wellness of Massachusetts, LLC (#MR282033), Retail
- The Heirloom Collective, Inc. (#MC281438), Cultivation, Tier 2 / Indoor
- The Heirloom Collective, Inc. (#MP281407), Product Manufacturer
- ARL Healthcare, Inc. (#MCN281622), Cultivation, Tier 4 / Indoor
- ARL Healthcare, Inc. (#MPN281681), Product Manufacturer
- ARL Healthcare, Inc. (#MRN282382), Retail
- Berkley Botanicals, LLC (#MCN282081), Cultivation, Tier 2 / Indoor
- Berkley Botanicals, LLC (#MPN281642), Product Manufacturer
- Berkley Botanicals, LLC (#MRN281458), Retailer
- BWell Holdings, Inc. (#MRN282825), Retail
- CNA Stores, Inc. (#MCN282190), Cultivation, Tier 4 / Indoor
- CNA Stores, Inc. (#MPN281691), Product Manufacturer
- CNA Stores, Inc. (#MRN281744), Retail
- CNA Stores, Inc. (#MRN282576), Retail
- Commcan, Inc. (#MRN283001), Retail
- Fourtwenty Industries, Co. (#MBN281535), Microbusiness (Cultivation and Product Manufacturing Operations)
- Fuego Farms, Inc. (#MCN282234), Cultivation, Tier 2 / Indoor
- Fuego Farms, Inc. (#MPN281716), Product Manufacturer
- Hemp Holistics, LLC (#MBN281425), Microbusiness (Cultivation Operations)
- Hennep, Inc. (#MRN281450), Retail
- Highminded, LLC (#MPN281662), Product Manufacturer
- Highminded, LLC (#MRN282318), Retail
- Holistic Industries, Inc. (#MCN282056), Cultivation, Tier 3 / Indoor
- Holistic Industries, Inc. (#MPN281630), Product Manufacturer
- Hudson Botanical Processing, LLC (#MPN281588), Product Manufacturer
- Humboldt Masters, LLC (#MCN282102), Cultivation, Tier 4 / Indoor
- Humboldt Masters, LLC (#MPN281467), Product Manufacturer
- Liberty Compassion, Inc. (#MCN282178), Cultivation, Tier 2 / Indoor



- Liberty Compassion, Inc. (#MPN281752), Product Manufacturer
- Massmedicum Corp. (#MCN281929), Cultivation, Tier 7 / Indoor
- Massmedicum Corp. (#MPN281687), Product Manufacturer
- Massmedicum Corp. (#MRN282715), Retail
- Massmedicum Corp. (#MRN283004), Retail
- Royalty Group, LLC (#MRN282088), Retail
- Sun Mass II, LLC (#MRN281816), Retail
- Sun Mass II, LLC (#MCN281732) Cultivation, Tier 8 / Indoor
- Supercritical Mass Laboratories, Inc. (#MPN281321), Product Manufacturer
- The Botanist, Inc. (#MRN282160), Retail
- The Botanist, Inc. (#MRN282186), Retail
- The Old Bank, LLC (#MRN282467), Retail
- Tigertown, LLC (#MRN282818), Retail
- Tower Three, LLC (#MCN281652), Cultivation, Tier 2 / Indoor
- Treeworks of Massachusetts, LLC (#MPN281343), Product Manufacturer
- Wellman Farm, Inc. (#MPN281317), Product Manufacturer

**In Attendance:**

- Chairman Steven Hoffman
- Commissioner Kay Doyle
- Commissioner Jennifer Flanagan
- Commissioner Britte McBride
- Commissioner Shaleen Title

1. Call to Order

- The Chairman recognized a quorum.

2. Chairman's Comments & Updates

- The Chairman expressed his gratitude and respect for first responders, healthcare professionals, and essential workers.
- The Chairman also thanked staff for its continued productivity while working from home, resulting in a large list of licenses to consider at this meeting.
- The Chairman also announced that applications are open for the second cohort of the Social Equity Program.
- Chairman asked the Executive Director to give an update on the Amended Cease and Desist Order.
  - Executive Director discussed the Amended Cease and Desist Order, which would allow for adult-use operations to supplement the supply chain for medical operations subject to certain conditions.
  - Over a ten-day period that there's a 158% increase in patient registrations, therefore there will be additional demand on medical supply.



- In order to accommodate the need, MTCs, if they attest that they need supply, MTCs could use adult-use product manufacturers, cultivators, and retail products during the state of emergency to supplement the medical-use supply chain.
    - The attestation must be submitted by an MTC demonstrating the need of additional supply and naming the adult use facility that will meet that demand.
  - The Chairman noted that this was an issue raised at the emergency meeting on April 3, 2020, and this action is in response to that.
  - The Chairman gave an overview of the agenda and how he would facilitate the meeting given the unique remote format.
  - The Chairman asked for a motion to take a 10-minute recess.
  - Commissioner Doyle moved to recess for 10 minutes.
  - Commissioner Flanagan seconded the motion.
  - The Commission unanimously voted to recess for 10 minutes.
3. Minutes for Approval
- The Chairman asked for comments on Minutes from February 6, 2020.
  - Commissioner Title moved to approve the minutes from February 6, 2020.
  - Commissioner Doyle seconded the motion.
  - The commission unanimously approved the minutes from February 6, 2020
  - March 5, 2020
  - The Chairman asked for comments on the minutes from March 5, 2020.
  - Commissioner McBride moved to approve the minutes from March 5, 2020.
  - Commissioner Flanagan seconded the motion.
  - The Commission unanimously approved the minutes from March 5, 2020.
4. Staff Recommendations on Changes of Ownership
- a. Canna Provisions, Inc.
- Director Potvin presented the Staff Recommendation for change of ownership.
  - The Chairman asked for questions and comments then asked for a motion to approve the change of ownership.
  - Commissioner Doyle moved to approve the change of ownership.
  - Commissioner Title seconded the motion.
  - The Commission unanimously approved the change of ownership.
- b. Cultivate Holdings, LLC
- Director Potvin presented the Staff Recommendation for change of ownership.
  - The Chairman asked for questions and comments then asked for a motion to approve the change of ownership.
  - Commissioner McBride moved to approve the change of ownership.
  - Commissioner Flanagan seconded the motion.
  - The Commission unanimously approved the change of ownership.



c. Theory Farms, LLC

- Director Potvin presented the Staff Recommendation for change of ownership.
- The Chairman asked for questions and comments then asked for a motion to approve the change of ownership.
- Commissioner Title moved to approve the change of ownership.
- Commissioner Doyle seconded the motion.
- The Commission unanimously approved the change of ownership.

5. Staff Recommendations on Changes of Location

a. Nature's Remedy of Massachusetts, Inc. (#MRN282049), Retail

- Director Potvin presented the Staff Recommendation for change of location.
- The Chairman asked for questions and comments then asked for a motion to approve the change of location.
- Commissioner Flanagan moved to approve the change of location.
- Commissioner McBride seconded the motion.
- The Commission unanimously approved the change of location.

6. Staff Recommendations on Renewals

- The Chairman noted the Commission's practice of considering renewals in a roster, unless a Commissioner has requested a specific consideration. There will be three rosters: (i) Three adult-use applications subject to the two conditions requested by Commissioner Flanagan; (ii) The remainder of the adult-use applications with a condition from Commissioner Doyle in addition to the conditions requested by Commissioner Flanagan; and (iii) all medical-use applications.
- Adult-use applications subject to the two conditions requested by Commissioner Flanagan
  - Commissioner Flanagan requested two conditions.
    - Proposed condition 1: within 90 days of the removal of the State of Emergency declaration all adult-use licensees must notify the Cannabis Control Commission of updated actions taken on the Plans to Positively Impact disproportionately harmed people.
    - Proposed condition 2: within 90 days of the removal of the State of Emergency declaration all adult-use licensees must notify the Cannabis Control Commission of updated actions taken on the Diversity Plans.
  - The Chairman asked for additional questions and comments then for a motion to approve the renewal, subject to the conditions requested by Commissioner Flanagan.
  - Commissioner Doyle moved to approve the renewal, subject to the conditions requested by Commissioner Flanagan.
  - Commissioner Title seconded the motion.



- The Commission unanimously approved the renewal, subject to the conditions requested by Commissioner Flanagan.
- remainder of the adult-use applications with a condition from Commissioner Doyle in addition to the conditions requested by Commissioner Flanagan
  - The Chairman noted that the conditions requested by Commissioner Flanagan will apply to these applications as well.
    - Proposed condition 1: within 90 days of the removal of the State of Emergency declaration all adult-use licensees must notify the Cannabis Control Commission of updated actions taken on the Plans to Positively Impact disproportionately harmed people.
    - Proposed condition 2: within 90 days of the removal of the State of Emergency declaration all adult-use licensees must notify the Cannabis Control Commission of updated actions taken on the Diversity Plans.
  - Commissioner Doyle requested a condition.
    - Proposed condition: update timeline for commencing operations of MTCs colocated with these licenses.
  - The Chairman asked for a motion to approve the roster of renewals, subject to the conditions requested by Commissioners Doyle and Flanagan.
  - Commissioner McBride moved to approve the roster of renewals, subject to the conditions requested by Commissioners Doyle and Flanagan.
  - Commissioner Flanagan seconded the motion.
  - The Commission unanimously approved the renewals, subject to the conditions requested by Commissioners Doyle and Flanagan.
- All medical-use licenses
  - Commissioner Title requested a condition.
    - Proposed condition: submit program to provide reduced cost or free Marijuana to patients with documented Verified Financial Hardship, as required under 501.050(1)(h), to the Commission within 60 days. Include a progress update on implementing the plan, if applicable, and the website where the plan is posted, if applicable.
  - The Chairman asked for additional questions and comments then asked for a motion to approve the remaining roster of renewals.
  - Commissioner Doyle moved to approve the remaining roster of renewals, subject to the condition requested by Commissioner Title.
  - Commissioner Flanagan seconded the motion.
  - The Commission unanimously approved the remaining roster of renewals, subject to the condition requested by Commissioner Title.

a. Theory Wellness, Inc. (#MCR139866)



- b. Greener Leaf, Inc. (#MRR205568)
- c. Nature's Remedy of Massachusetts, Inc. (#MCR139865)
- d. Nature's Remedy of Massachusetts, Inc. (#MPR243511)
- e. Nature's Remedy of Massachusetts, Inc. (#MRR205564)
- f. Nature's Remedy of Massachusetts, Inc. (#MRR205570)
- g. Atlantic Medicinal Partners, Inc. (#MRR205569)
- h. Nova Farms, LLC (#MCR139868)
- i. Beacon Compassion, Inc. (#MCR139871)
- j. Beacon Compassion, Inc. (#MPR243516)
- k. Silver Therapeutics, Inc. (#MRR205573)
- l. Berkshire Roots, Inc., (#RMD505)
- m. Green Meadows Farms, LLC, Vertically Integrated Medical Marijuana Treatment Center
- n. Just Healthy, LLC, Vertically Integrated Medical Marijuana Treatment Center
- o. Holistic Industries, Vertically Integrated Medical Marijuana Treatment Center
- p. Theory Wellness, Inc., (#RMD305)
- q. Alternative Compassion Services, Inc., (#RMD585)
- r. Patriot Care Corp., (#RMD165)
- s. Beacon Compassion Center, Inc., Vertically Integrated Medical Marijuana Treatment Center
- t. Curaleaf Massachusetts, Inc., (#RMD765)
- u. Green Gold Group, Inc., (#RMD786)
- v. Mass Alternative Care, Inc, Vertically Integrated Medical Marijuana Treatment Center
- w. Phytotherapy, Inc., Vertically Integrated Medical Marijuana Treatment Center
- x. Emerald Grove, Inc, Vertically Integrated Medical Marijuana Treatment Center
- y. Central Avenue Compassionate Care, Inc (#RMD145)

## 7. Staff Recommendations on Final Licenses

- The Chairman noted that final licenses are considered as rosters, unless specifically requested to be considered individually by a Commissioner. There will be two rosters consisting of: (i) that for which Commissioner Title will recuse herself and (ii) the remainder roster.
- a. Apothca Inc. (#MC281276), Cultivation, Tier 5 / Indoor
- b. Apothca Inc. (#MP281455), Product Manufacturer
- c. Boston Bud Factory Inc (#MR281525), Retail
- d. Canna Provisions, Inc. (#MR281778), Retail
- e. Cannabis Connection, Inc. (#MR281362), Retail
- f. Cultivate Holdings, LLC (#MR282522), Retail
- g. Eagle Eyes Transport, Inc. (#MT281320), Third-Party Transporter
- h. Haverhill Stem, LLC (#MR281327), Retail
- i. HVV Massachusetts, Inc. (#MC282121), Cultivation, Tier 3 / Indoor
- j. HVV Massachusetts, Inc. (#MP281657), Product Manufacturer
- k. HVV Massachusetts, Inc. (#MR282578), Retail
- l. Old Planters of Cape Ann, Inc. (#MR282588), Retail





m. TDMA, LLC (#MR282376), Retail

n. Temescal Wellness of Massachusetts, LLC (#MR282033), Retail

- Director Potvin presented the Staff Recommendation for final license.
- The Chairman asked for additional comments and then for a motion to approve the final license.
- Commissioner McBride moved to approve the final license.
- Commissioner Doyle seconded the motion.
- The Commission voted to approve the final license by a vote of four in favor (Doyle, Flanagan, Hoffman, McBride) and one recusal (Title).

o. The Heirloom Collective, Inc. (#MC281438), Cultivation, Tier 2 / Indoor

p. The Heirloom Collective, Inc. (#MP281407), Product Manufacturer

- Remainder Roster
  - Commissioner Title commented that going back to October 2018 she had been collecting and reviewing Host Community Agreements (HCAs) and abstained from votes in which she felt the associated HCA went beyond the law. Commissioner Title said she will no longer continue that practice for the sake of time. Commissioner Title thanked her Commissioners, legislators, and various stakeholders who have pushed for the requisite change.
  - The Chairman asked for additional questions and comments then asked for a motion to approve the remaining roster of final licenses.
  - Commissioner Title moved to approve the remaining roster of final licenses.
  - Commissioner McBride seconded the motion.
  - The Commission unanimously approved the remaining roster of final licenses.

#### 8. Staff Recommendations on Provisional Licenses

- The chairman noted that generally, the Commission considers provisional licenses individually, but given the unique format of this meeting, provisional licenses will be considered in groups based on the applicant entity.

a. ARL Healthcare, Inc. (#MCN281622), Cultivation, Tier 4 / Indoor

b. ARL Healthcare, Inc. (#MPN281681), Product Manufacturer

c. ARL Healthcare, Inc. (#MRN282382), Retail

- Director Potvin presented the Staff Recommendation for all three ARL Healthcare, Inc. provisional licenses.
- The Chairman asked for questions and comments then asked for a motion to approve all three of the provisional licenses.
- Commissioner Title moved to approve all three of the provisional licenses.
- Commissioner McBride seconded the motion.
- The Commission unanimously approved all three of the provisional licenses.

d. Berkley Botanicals, LLC (#MCN282081), Cultivation, Tier 2 / Indoor

e. Berkley Botanicals, LLC (#MPN281642), Product Manufacturer

f. Berkley Botanicals, LLC (#MRN281458), Retailer





- Director Potvin presented the Staff Recommendation for all three Berkley Botanicals, LLC provisional licenses.
- The Chairman asked for questions and comments then asked for a motion to approve all three of the provisional licenses.
- Commissioner Doyle moved to approve all three of the provisional licenses.
- Commissioner Title seconded the motion.
- The Commission unanimously approved all three of the provisional licenses.

g. BWell Holdings, Inc. (#MRN282825), Retail

- The Chairman noted that this is an expedited applicant due to Disadvantaged Business Enterprise (DBE) status.
- Director Potvin presented the Staff Recommendation for provisional license.
- Commissioner Doyle noted that the name of the applicant is similar to the name of another applicant and asked Director Potvin whether the two are affiliated and/or located in a similar region.
  - Director Potvin said it is very similar in name to another applicant. Based on the application materials the two are not affiliated. This applicant is located in Provincetown, which is geographically distinct from the other applicant.
- The Chairman asked for questions and comments then asked for a motion to the provisional license.
- Commissioner McBride moved to approve the provisional license.
- Commissioner Doyle seconded the motion.
- The Commission unanimously approved the provisional license.

h. CNA Stores, Inc. (#MCN282190), Cultivation, Tier 4 / Indoor

i. CNA Stores, Inc. (#MPN281691), Product Manufacturer

j. CNA Stores, Inc. (#MRN281744), Retail

k. CNA Stores, Inc. (#MRN282576), Retail

- The Chairman noted that this was an expedited application based on its status as a DBE.
- Director Potvin presented the Staff Recommendation for all four CNA Stores, Inc. provisional licenses.
- Commissioner Flanagan requested a condition
  - Proposed Condition: Provide more details relative to the social media campaign by stating specific topics that will be highlighted and who the intended audience is.
- The Chairman asked for questions and comments then asked for a motion to approve all three of the provisional licenses, subject to the condition requested by Commissioner Flanagan.
- Commissioner Title moved to approve all three of the provisional licenses, subject to the condition requested by Commissioner Flanagan.
- Commissioner McBride seconded the motion.
- The Commission unanimously approved all three of the provisional licenses, subject to the condition requested by Commissioner Flanagan.



l. Commcan, Inc. (#MRN283001), Retail

- Director Potvin presented the Staff Recommendation provisional license.
- The Chairman asked for questions and comments then asked for a motion to the provisional license.
- Commissioner Doyle moved to approve the provisional license.
- Commissioner Title seconded the motion.
- The Commission unanimously approved the provisional license.

m. Fourtwenty Industries, Co. (#MBN281535), Microbusiness (Cultivation and Product Manufacturing Operations)

- The Chairman noted that this was a priority review applicant based on the license type and Social Equity Program participant status.
- Director Potvin presented the Staff Recommendation provisional license.
- Commissioner Flanagan requested a condition.
  - Proposed condition: provide information on how donations to MRCC and C3RN will specifically impact the mentioned disproportionately impacted area as the letters do not provide such information.
- Commissioner Title requested a condition.
  - Proposed condition: revise diversity plan to define “people from diverse backgrounds” and adjust 10% goal to be objectively reasonable.
- The Chairman asked for questions and comments then asked for a motion to the provisional license, subject to the conditions requested by Commissioners Flanagan and Title.
- Commissioner Title moved to approve the provisional license, subject to the conditions requested by Commissioners Flanagan and Title.
- Commissioner McBride seconded the motion.
- The Commission unanimously approved the provisional license, subject to the conditions requested by Commissioners Flanagan and Title.

n. Fuego Farms, Inc. (#MCN282234), Cultivation, Tier 2 / Indoor

o. Fuego Farms, Inc. (#MPN281716), Product Manufacturer

- Director Potvin presented the Staff Recommendation for both Fuego Farms, Inc. provisional licenses.
- Commissioner Flanagan requested a condition.
  - Proposed condition: provide information on how donations C3RN will specifically impact Holyoke as the letter does not provide such information.
- The Chairman asked for questions and comments then asked for a motion to approve both of the provisional licenses, subject to the condition requested by Commissioner Flanagan.
- Commissioner Title moved to approve both of the provisional licenses, subject to the condition requested by Commissioner Flanagan.
- Commissioner McBride seconded the motion.
- The Commission unanimously approved both of the provisional licenses, subject to the condition requested by Commissioner Flanagan.



- p. Hemp Holistics, LLC (#MBN281425), Microbusiness (Cultivation Operations)
- The Chairman noted that this was an expedited application based on license type.
  - Director Potvin presented the Staff Recommendation for provisional license.
  - The Chairman asked for questions and comments then asked for a motion to the provisional license.
  - Commissioner Doyle moved to approve the provisional license.
  - Commissioner Title seconded the motion.
  - The Commission unanimously approved the provisional license.
- q. Hennep, Inc. (#MRN281450), Retail
- Director Potvin presented the Staff Recommendation for provisional license.
    - Proposed condition: Adjust diversity plan goal to employ women in 20% of “retail positions and or management” to be clear and objectively reasonable, and fix typo identifying “people of all gender identities and sexual orientations” as a target group to hire.
  - The Chairman asked for questions and comments then asked for a motion to the provisional license, subject to the condition requested by Commissioners Title.
  - Commissioner McBride moved to approve the provisional license, subject to the condition requested by Commissioner Title.
  - Commissioner Doyle seconded the motion.
  - The Commission unanimously approved the provisional license, subject to the condition requested by Commissioner Title.
- r. Highminded, LLC (#MPN281662), Product Manufacturer
- s. Highminded, LLC (#MRN282318), Retail
- The Chairman noted that this was an expedited application based on their DBE status.
  - Director Potvin presented the Staff Recommendation for both Highminded, LLC provisional licenses.
  - Commissioner Flanagan requested a condition.
    - Proposed condition: provide specific information on the training sessions that will be conducted. Specifically, who is the intended audience, what is the subject matter of the training, is there an educational component to it besides personal experience, and how does this positively effect entry into the cannabis industry.
  - The Chairman asked for questions and comments then asked for a motion to approve both of the provisional licenses, subject to the condition requested by Commissioner Flanagan.
  - Commissioner McBride moved to approve both of the provisional licenses, subject to the condition requested by Commissioner Flanagan.
  - Commissioner Doyle seconded the motion.
  - The Commission unanimously approved both of the provisional licenses, subject to the condition requested by Commissioner Flanagan.
- t. Holistic Industries, Inc. (#MCN282056), Cultivation, Tier 3 / Indoor



- Director Potvin presented the Staff Recommendation for both Holistic Industries, Inc. provisional licenses, subject to separate votes.
- The Chairman asked for questions and comments then asked for a motion to approve the provisional license.
- Commissioner Title moved to approve the provisional license.
- Commissioner McBride seconded the motion.
- The Commission unanimously approved the provisional license

u. Holistic Industries, Inc. (#MPN281630), Product Manufacturer

- Commissioner McBride noted that applicant provided a product plan that generally described categories of products, but not detailed list of products was not included. Commissioner McBride would also like to better understand their use of “pharmaceutical grade” oil and whether this will be available on both the medical and adult use side.
  - Proposed condition: provide a list of products indicated in their product plan and provide in writing what they mean, including, for example potency.
- The Chairman asked for questions and comments then asked for a motion to approve the provisional license, subject to the condition requested by Commissioner McBride.
- Commissioner Doyle moved to approve the provisional license, subject to the condition requested by Commissioner McBride.
- Commissioner Title seconded the motion.
- The Commission unanimously approved the provisional license, subject to the condition requested by Commissioner McBride.

RECESS

- The Chairman asked for a motion to recess for 10 minutes
- Commissioner Doyle moved to take a 10-minute recess.
- Commissioner Title seconded the motion.
- The Commissioner unanimously voted to recess for 10 minutes

v. Hudson Botanical Processing, LLC (#MPN281588), Product Manufacturer

- Director Potvin presented the Staff Recommendation provisional licenses.
- Commissioner Title requested a condition:
  - Proposed condition: review definition of disproportionately harmed people as defined in regulations and guidance and revise positive impact plan accordingly. The plan seems to be based on a mistaken assumption that all of Worcester is an area of disproportionate impact.
- The Chairman asked for questions and comments then asked for a motion to approve the provisional license, subject to the condition requested by Commissioner Title.
- Commissioner Flanagan moved to approve the provisional license, subject to the condition requested by Commissioner Title.
- Commissioner Doyle seconded the motion.



- The Commission unanimously approved the provisional license, subject to the condition requested by Commissioner Title.

w. Humboldt Masters, LLC (#MCN282102), Cultivation, Tier 4 / Indoor

x. Humboldt Masters, LLC (#MPN281467), Product Manufacturer

- Director Potvin presented the Staff Recommendation for both Humboldt Masters, LLC provisional licenses.
- Commissioner Flanagan requested a condition.
  - Proposed condition: provide a revised positive impact plan and specifically include which organizations they will be donating to and remove the section that describes attaining Social Justice Leader Status. This is not an appropriate action for the positive impact plan.
- The Chairman asked for questions and comments then asked for a motion to approve both of the provisional licenses, subject to the conditions requested by Commissioner Flanagan.
- Commissioner McBride moved to approve both of the provisional licenses, subject to the conditions requested by Commissioner Flanagan.
- Commissioner Doyle seconded the motion.
- The Commission unanimously approved both of the provisional licenses, subject to the conditions requested by Commissioner Flanagan.

y. Liberty Compassion, Inc. (#MCN282178), Cultivation, Tier 2 / Indoor

z. Liberty Compassion, Inc. (#MPN281752), Product Manufacturer

- The Chairman noted that this was an expedited application based on their DBE status.
- Director Potvin presented the Staff Recommendation for both Liberty Compassion, Inc. provisional licenses.
- Commissioner Title requested a condition.
  - Proposed condition: revise diversity plan to include measurable goals.
- The Chairman asked for questions and comments then asked for a motion to approve both of the provisional licenses, subject to the condition requested by Commissioner Title.
- Commissioner Doyle moved to approve both of the provisional licenses, subject to the condition requested by Commissioner Title.
- Commissioner Flanagan seconded the motion.
- The Commission unanimously approved both of the provisional licenses, subject to the condition requested by Commissioner Title.

aa. Massmedicum Corp. (#MCN281929), Cultivation, Tier 7 / Indoor  
(considered with applications (cc) and (dd) below)

- Director Potvin presented the Staff Recommendation for all four Massmedicum Corp. provisional licenses, subject to two votes.

bb. Massmedicum Corp. (#MPN281687), Product Manufacturer

- The Chairman noted that this was an expedited application based on their DBE status.



- Director Potvin presented the Staff Recommendation for both Liberty Compassion, Inc. provisional licenses.
- Commissioner Title requested a condition:
  - Proposed condition: revise diversity plan goal to hire 5% women to be objectively reasonable.
- Commissioner McBride requested a condition.
  - Proposed condition: ensure that Commission inspectors review packaging for powdered drink mix (e.g. fruit punch, grape, lemon-lime, orange) prior to being offered for sale.
- The Chairman asked for questions and comments then asked for a motion to approve provisional license, subject to the conditions requested by Commissioners McBride and Title.
- Commissioner Title moved to approve the provisional license, subject to the conditions requested by Commissioners McBride and Title.
- Commissioner Doyle seconded the motion.
- The Commission unanimously approved the provisional license, subject to the conditions requested by Commissioners McBride and Title.

cc. Massmedicum Corp. (#MRN282715), Retail

dd. Massmedicum Corp. (#MRN283004), Retail

- Commissioner Title requested a condition
  - Proposed condition: revise diversity plan goal to hire 5% women to be objectively reasonable.
- The Chairman asked for questions and comments then asked for a motion to approve three of the provisional licenses (all but Product Manufacturer), subject to the condition requested by Commissioner Title.
- Commissioner Doyle moved to approve three of the provisional licenses (all but Product Manufacture), subject to the condition requested by Commissioner Title.
- Commissioner McBride seconded the motion.
- The Commission unanimously approved three of the provisional licenses (all but Product Manufacturer), subject to the condition requested by Commissioner Title.

ee. Royalty Group, LLC (#MRN282088), Retail

- The Chairman noted that this was an expedited application due to DBE status.
- Director Potvin presented the Staff Recommendation provisional licenses.
- The Chairman asked for questions and comments then asked for a motion to approve the provisional license.
- Commissioner Title moved to approve the provisional license.
- Commissioner McBride seconded the motion.
- The Commission unanimously approved the provisional license.

ff. Suns Mass II, LLC (#MRN281816), Retail

- Director Potvin presented the Staff Recommendation for. provisional licenses.



- Commissioner Title requested a condition.
  - Proposed condition: revise diversity plan goal to hire 5% women to be objectively reasonable.
- The Chairman asked for questions and comments then asked for a motion to approve the provisional license, subject to the condition requested by Commissioner Title.
- Commissioner Title moved to approve the provisional license, subject to the condition requested by Commissioner Title.
- Commissioner Doyle seconded the motion.
- The Commission unanimously approved the provisional license, subject to the condition requested by Commissioner Title

gg. Suns Mass, LLC (#MCN281732) Cultivation, Tier 8 / Indoor

- Director Potvin presented the Staff Recommendation provisional license.
- Commissioner Title requested a condition.
  - Proposed condition: revise diversity plan goal to hire 5% women to be objectively reasonable.
- The Chairman asked for questions and comments then asked for a motion to approve the provisional license, subject to the condition requested by Commissioner Title.
- Commissioner Flanagan moved to approve the provisional license, subject to the condition requested by Commissioner Title.
- Commissioner McBride seconded the motion.
- The Commission unanimously approved the provisional license, subject to the condition requested by Commissioner Title.

hh. Supercritical Mass Laboratories, Inc. (#MPN281321), Product Manufacturer

- Director Potvin presented the Staff Recommendation provisional license.
- Commissioner McBride requested a condition.
  - Proposed condition: product description states an offer of a wide range of pharmaceutical grade safe, consistent, and effective distilled oils and infused products for the marijuana patients and recreational consumers of Massachusetts. Provide in writing what is meant by “pharmaceutical grade” and, if it is associated with potency, what is the expected potency in products considered pharmaceutical grade
- Commissioner Doyle commented that the name of the applicant refers to laboratories and Commissioner Doyle is concerned that the name is confusing or misleading given that there is a license type for laboratories. Commissioner Doyle said she is not proposing a condition but wants to flag this concern for the applicant as an issue to consider.
- The Chairman asked for questions and comments then asked for a motion to approve the provisional license, subject to the condition requested by Commissioner McBride.
- Commissioner Flanagan moved to approve the provisional license, subject to the condition requested by Commissioner McBride.
- Commissioner Title seconded the motion.





- The Commission unanimously approved the provisional license, subject to the condition requested by Commissioner McBride.

ii. The Botanist, Inc. (#MRN282160), Retail

jj. The Botanist, Inc. (#MRN282186), Retail

- The Chairman noted that this application was on the February meeting agenda and was tabled until today.
- Director Potvin presented the Staff Recommendation for both The Botanist, Inc. provisional licenses.
- Commissioner Title had questions for Enforcement Counsel Payer. First, Commissioner Title acknowledged the work that went into the application since the February meeting and thanked the staff for their work and the applicant for their cooperation. Commissioner Title noted that the applicant was responsive and cooperative, and she recognized the effort that it took to accomplish such progress.
- Commissioner Title asked Enforcement Counsel if this was a case of first impression.
  - Enforcement Counsel Payer said that the questions that were raised in the course of the investigation, in particular taking into account the November amendment to the regulations with respect to Ownership and Control, were unique in nature.
- Commissioner Title asked about the resources that the Commission expended to deal with this application and asked Enforcement Counsel Payer to comment on the time and whether he would characterize this as a significant dedication of staff time.
  - Enforcement Counsel Payer said it was a significant amount of time of Enforcement Counsel, Chief of Investigations and Enforcement and investigations staff going back to the spring of 2019. This included investigation conferences, reviewing documentation, and developing investigative findings. Each of those stages required dedicated staff time.
- Commissioner Title further commented that the Commission is making progress, but she still has concerns with respect to this application, in particular with respect to whether controlling relationships were properly disclosed as such, especially given the change in regulations, public discussions, and the ability for an applicant to know what the parameters and definitions with respect to control and ownership are. These were concerns raised previously and not addressed. Commissioner Title said she is also interested in how the Commission's actions would incentivize or disincentivize the proper disclosure of relationships.
- Commissioner Title noted she is also concerned about the amount of staff time dedicated to this application as a result of the initial disclosure by the applicant, noting that the licensing and enforcement team is tasked with so much else, including the public health emergency, inspections, and other resources.
- Commissioner Title expressed concern that voting to advance these applications might encourage other applicants to take similar action with respect to controlling relationships, requiring a similar devotion of staff resources.
- Given the significant nature of controlling relationships and the use of staff resources, Commissioner Title said she thinks these applications need further consideration in particular with respect to the initial disclosure of controlling relationships.



- Commissioner McBride asked Enforcement Counsel to give a ballpark guess, comparing before and after the recent amended regulations, the amount of time spent on investigating control of ownership.
  - Enforcement Counsel Payer stated that it would be difficult to give an accurate answer off the cuff, but noted that within the investigations department, a financial task force has been organized and the Commission has engaged Citrin Cooperman to assist with that work, but the changes included in the regulation amendment as of November 2019 did provide greater clarity and aided the investigations team in their work.
- Commissioner Title asked Enforcement Counsel Payer to discuss his comfort with coming back to with a recommendation to address the concerns expressed.
  - Enforcement Counsel Payer said the concerns with respect to control and ownership have been addressed as a result of amendments to the relationship, but that the enforcement staff could provide recommendations with respect to the initial disclosure.
- Commissioner Doyle thanked Commissioner Title and asked for clarity with respect to the actions being considered, confirming that the initial disclosure of the potential ownership and control issues is something that needs to be considered, separate and distinct from whether the issues of ownership and control have been resolved, when considering whether to grant these licenses.
- Commissioner Title noted that the concerns about the initial disclosure itself have not been addressed and Commissioner Title would like to see that addressed before considering the applications.
- Commissioner Title moved to table the application and consider a recommendation from enforcement staff with respect to the initial disclosure.
- Commissioner McBride seconded the motion.
- The Commission approved the motion by a vote of three in favor (Doyle, McBride, Title) and two against (Flanagan and Hoffman).

kk. The Old Bank, LLC (#MRN282467), Retail

- Director Potvin presented the Staff Recommendation for the provisional license.
- The Chairman asked for questions and comments then asked for a motion to approve the provisional license.
- Commissioner Flanagan applauded the applicant's creativity in making a positive impact to an area of disproportionate impact, given the closest ADI is 50 miles away.
- Commissioner McBride moved to approve the provisional license.
- Commissioner Doyle seconded the motion.
- The Commission unanimously approved the provisional license.

ll. Tigertown, LLC (#MRN282818), Retail

- The Chairman noted that this was an expedited application due to DBE status.
- Director Potvin presented the Staff Recommendation for the provisional licenses.



- The Chairman asked for questions and comments then asked for a motion to approve the provisional license.
  - Commissioner Doyle moved to approve the provisional license.
  - Commissioner Title seconded the motion.
  - The Commission unanimously approved the provisional license.
- mm. Tower Three, LLC (#MCN281652), Cultivation, Tier 2 / Indoor
- Director Potvin presented the Staff Recommendation for the provisional license.
  - The Chairman asked for questions and comments then asked for a motion to approve the provisional license.
  - Commissioner Flanagan wanted to highlight for the applicant the advertising requirements in the Commission’s regulations when sponsoring golf tournaments and 5k races.
  - Commissioner Flanagan moved to approve the provisional license.
  - Commissioner McBride seconded the motion.
  - The Commission unanimously approved the provisional license.
- nn. Treeworks of Massachusetts, LLC (#MPN281343), Product Manufacturer
- Director Potvin presented the Staff Recommendation for both the provisional license.
  - Commissioner McBride requested a condition.
    - Currently security plan states “tree works will also implement policies and procedures for situations following inadvertent diversion or loss of marijuana and marijuana products.” Prior to licensure applicant needs to provide written policies and procedures for inadvertent diversion or loss of marijuana products (would be good if they linked it to preventive measures).
  - Commissioner McBride further noted that the applicant’s dark chocolate products include “with mint and Oreos.” Oreos is a trademarked name, so applicant should be aware of that in developing packaging and marketing for these products.
  - The Chairman asked for questions and comments then asked for a motion to approve the provisional license, subject to the condition requested by Commissioner McBride.
  - Commissioner Doyle moved to approve the provisional license, subject to the condition requested by Commissioner McBride.
  - Commissioner Title seconded the motion.
  - The Commission unanimously approved the provisional license, subject to the condition requested by Commissioner McBride.
- oo. Wellman Farm, Inc. (#MPN281317), Product Manufacturer
- The Chairman noted that this was an expedited application due to DBE status.
  - Director Potvin presented the Staff Recommendation for the provisional license.
  - The Chairman asked for questions and comments then asked for a motion to approve the provisional license.
  - Commissioner Doyle moved to approve the provisional license.
  - Commissioner Flanagan seconded the motion.



- The Commission unanimously approved the provisional license.
- The chairman thanked Director Potvin and Enforcement Counsel Payer and all the staff that have worked and supported the Commission's business and the overall industry.
- Commissioner Doyle moved to recess.
- Commissioner McBride seconded the motion.
- The Commission unanimously voted to take a recess.

## 9. Commission Discussion and Votes

### a. Delegation of Authority: Applications for Energy Extensions

- Commissioner Doyle noted that in the most recent change in regulation, there was a mechanism by which licensees could apply for an extension of time for complying with energy and environmental requirements, which is different than a waiver. As extension applications come in, it is clear that the Executive Director needs delegated authority from the Commission to grant those extensions in a timely manner.
- Commissioner Doyle moved to delegate to the Executive Director the authority to grant Energy Extensions as they come in and as he sees appropriate.
- Commissioner Flanagan seconded the motion.
- The commission unanimously voted to delegate authority to the Executive Director to grant extension applications.

### b. Update: Best Management Practices for Water Usage

- Commissioner Doyle gave an overview of Best Management Practices for Water Usage, which included a standard from water usage studies that said 6 gallons of water per plant per day. Advocates came forward and demonstrated that the 6-gallon standard was based on conditions outside of Massachusetts. Commissioner Doyle is therefore asking the Commission for permission to change this standard. Commissioner Doyle also thanked the advocates for the change for doing so with reliable data to demonstrate the point.
- Commissioner Doyle moved to delete the reference to "6 gallons per day per plant" and language around it in the Best Management Practices for Water Usage, as determined by Commissioner Doyle and staff working on it.
- Commissioner McBride seconded the motion.
- The Commission unanimously approved the motion.

## 10. New Business that the Chairman did not anticipate at time of posting

- Commissioner McBride proposed that the Commission draft a letter to the Massachusetts congressional delegation to have marijuana industry included in federal relief legislation, which may be needed as a result of the impacts of the economic impacts of Covid-19. Commissioner McBride volunteered to draft the letter and work with staff to finalize it.
- Commissioner Title supported the idea and offered assistance in drafting such a letter.
- The Chairman asked whether the Commission would reconvene to vote on the final letter.
- Commissioner McBride proposed that the letter would be drafted and would lean on staff to circulate and get comment and address the comments.



- The Chairman noted that this is a timely issue and would hope that it be drafted and sent prior to the next meeting, without violating public meeting laws.
- Commissioner McBride moved the commission draft a letter to the Massachusetts congressional delegation advocating for federal assistance for the Commission's licensees.
- Commissioner Title seconded the motion.
- The Commission unanimously approved the motion.

#### 11. Next Meeting Date

- May 7, 2020
- The Chairman noted that we currently plan to hold the meeting at the Commission's headquarters, but that is obviously subject to unfolding circumstances surrounding the public health emergency.

#### 12. Adjournment

- Commissioner Flanagan moved to adjourn the meeting.
- Commissioner Doyle seconded the motion.
- The Commission unanimously voted to adjourn.

