

CANNABIS CONTROL COMMISSION

October 12, 2023

10:00 AM

Remote via [Microsoft Teams Live*](#)

PUBLIC MEETING MINUTES

Documents:

- Application Materials associated with:
 - Staff Recommendations on Changes of Ownership
 - Staff Recommendations on Renewal Licenses
 - Staff Recommendations on Provisional Licenses
 - Staff Recommendations on Final Licenses
 - Staff Recommendations on Responsible Vendor Training
 - Staff Recommendations on Responsible Vendor Training Renewals
- [Meeting Packet](#)

In Attendance:

- Acting Chair Ava Callender Concepcion
- Commissioner Nurys Z. Camargo
- Commissioner Kimberly Roy
- Commissioner Bruce Stebbins

Minutes:

1) Call to Order

- The Acting Chair (AC) recognized a quorum and called the meeting to order.
- The AC gave notice that the meeting is being recorded.
- The AC gave an overview of the agenda.

2) Commissioners' Comments & Updates – 00:13:52

- Commissioner Roy noted that Commission staff submitted the regulations to the Secretary of State's office and the shift of focus to the model Host Community Agreement (HCA). Commissioner Camargo celebrated the completion of the regulations and discussed social consumption. The AC discussed an interview she did with WBUR and noted the potential topics in the next regulatory round.

3) Minutes for Approval – 00:30:16



- July 27, 2023
 - Commissioner Roy moved to approve the July 27, 2023, Commission public meeting minutes.
 - Commissioner Stebbins seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the July 27, 2023, Commission public meeting minutes.
- 4) Executive Director and Commission Staff Report – 00:30:53
- Staff updated the Commission regarding the filing of the regulations, external communications, government affairs and Human Resources. Director of Licensing Kyle Potvin (DOL Potvin) presented the Executive Director’s report for staff. Commissioner Camargo discussed the impact of oversaturation in the cultivation license. Commissioner Roy mentioned issues with businesses closing, revoking, surrendering or not renewing their licenses. Chief People Officer Debra Hilton-Creek (CPO Hilton-Creek) gave an update on human resources.
- 5) Staff Recommendations on Changes of Ownership – 01:05:49
- Licensing Manager Tsuko Defoe presented on behalf of the licensing department the Staff Recommendations for Changes of Ownership, Renewals, Provisionals, Final licenses, Responsible Vendor Training and Responsible Vendor Training Renewals.
1. H&H Cultivation, LLC.
- Commissioner Camargo moved to approve the Change of Ownership.
 - Commissioner Roy seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
- 6) Staff Recommendations on Renewals – 01:07:17
- Commissioner Roy highlighted Berkshire Roots application and Commissioner Stebbins noted that that the community colleges in Holyoke had been incredible partners in terms of offering classes and opportunities for people to enter this new industry.
 - Commissioner Roy made a motion to approve items numbered 1-29, 31, 32, and 34-55 on the agenda.
 - Commissioner Camargo seconded the motion.



- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the renewal roster of items numbered 1-29, 31, 32, and 34-55 on the agenda.
- Commissioner Stebbins read his conditions.
- Commissioner Stebbins moved to approve the renewal roster of items 30 and 33 on the agenda, subject to the conditions articulated by Commissioner Stebbins.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the renewal roster items 30 and 33, subject to the conditions articulated by Commissioner Stebbins.
- Commissioner Camargo moved to take a ten-minute recess until 11:41AM.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved a ten-minute recess until 11:41AM (RETURNED AT 1:36:37).

7) Staff Recommendations on Provisional Licenses – 01:36:07

1. Build a Life Legacy, LLC (#MRN284875), Retail

- Commissioner Camargo moved to approve the provisional license.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the provisional license.



2. Burn Bright, LLC (#MCN283849), Cultivation, Tier 1/Indoor
 - Commissioner Roy and Stebbins stated their conditions.
 - Commissioner Camargo moved to approve the provisional license, subject to the conditions articulated by Commissioner Roy and Commissioner Stebbins.
 - Commissioner Stebbins seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the provisional license, subject to the conditions articulated by Commissioner Roy and Commissioner Stebbins.
3. Community Growth Partners Boston, LLC (#MRN284256), Retail
 - Commissioner Roy moved to approve the provisional license.
 - Commissioner Stebbins seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the provisional license.
4. Elevated Roots III, LLC (#MRN284995), Retail
 - Commissioner Stebbins read his proposed condition.
 - Commissioner Camargo moved to approve the provisional license.
 - Commissioner Roy seconded the motion, subject to the condition articulated by Commissioner Stebbins.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the provisional license, subject to the condition articulated by Commissioner Stebbins.
5. Gas Bus, LLC (#MDA1320), Marijuana Delivery Operator
 - Commissioner Stebbins stated his two proposed conditions.
 - Commissioner Stebbins moved to approve the provisional license, subject to the conditions articulated by Commissioner Stebbins.
 - Commissioner Roy seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes



- Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the provisional license, subject to the conditions articulated by Commissioner Stebbins.

6. Herbal Power, LLC (#MRN284973), Retail

- Commissioner Camargo moved to approve the provisional license.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the provisional license.

7. Kur Retailers, LLC (#MRN284652), Retail

- Commissioner Roy proposed a condition.
- Commissioner Roy moved to approve the provisional license, subject to the conditions articulated by Commissioner Roy.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the provisional license, subject to the condition articulated by Commissioner Roy.

8. UC Retail, LLC (#MRN284774), Retail

- Commissioner Roy stated her proposed condition.
- Commissioner Camargo moved to approve the provisional license, subject to the conditions articulated by Commissioner Roy.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the provisional license, subject to the conditions articulated by Commissioner Roy.



9. Underground Legacy Social Club, LLC (#MRN284914), Retail
- Commissioner Stebbins moved to approve the provisional license.
 - Commissioner Camargo seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the provisional license.

8) Staff Recommendations on Final Licenses – 01:53:23

1. Blue Collar Botany Corp. (#MC281751), Cultivation, Tier 1 / Indoor
2. Blue Collar Botany Corp. (#MP281520), Product Manufacturing
3. Budega, Inc. (#MR281353), Retail
4. CastleLeaf, LLC (#MR284521), Retail
5. Elevated Cultivation Co., LLC (#MC282873), Cultivation, Tier 3 / Indoor
6. Elevation Retail II, LLC (#MR283887), Retail
7. Green Choice Dispensaries, LLC (#MR283234), Retail
8. JDM Sales, Inc. (#MR283519), Retail
9. Kapnos, Inc. (#MC283154), Cultivation, Tier 2 / Indoor
10. Trifecta Farms, Corp. (#MC283350), Cultivation, Tier 2 / Indoor
11. Trifecta Farms, Corp. (#MP282030), Product Manufacturing
12. Uma Flowers Lunenburg, LLC (#MR284518), Retail
13. Green Meadows Farm, LLC (#RMD3633), Vertically Integrated Medical Marijuana Treatment Center

- Commissioner Camargo moved to approve the final license roster from one to thirteen as indicated on the agenda.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the final license roster from one to thirteen.

9) Staff Recommendations on Responsible Vendor Training – 01:54:54

1. Next Chapter Solutions, LLC (#RVN453179)
 - Commissioner Roy moved to approve the staff recommendation on the responsible vendor training program.
 - Commissioner Stebbins seconded the motion.
 - The AC took a roll call vote:



- Commissioner Camargo – Yes
- Commissioner Roy – Yes
- Commissioner Stebbins – Yes
- AC Concepcion – Yes
- The Commission unanimously approved the staff recommendation on the responsible vendor training program.

10) Staff Recommendations on Responsible Vendor Training Renewals – 01:56:48

1. Anthony Bartucca (#RVR453140)

- Commissioner Camargo moved to approve the responsible vendor training renewal.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the responsible vendor training renewal.

2. Cannabis Trainers (#RVR453138)

- Commissioner Roy moved to approve the responsible vendor training renewal.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the responsible vendor training renewal.

3. Stoker Consulting (#RVR453136)

- Commissioner Stebbins moved to approve the responsible vendor training renewal.
- Commissioner Camargo seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the responsible vendor training renewal.
- Commissioner Roy moved to recess for thirty-three minutes until 12:50 PM.
(2:02:28)
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:



- Commissioner Camargo – Yes
- Commissioner Roy – Yes
- Commissioner Stebbins – Yes
- AC Concepcion – Yes
- The Commission unanimously approved the recess.

11) Commission Discussion and Votes – 02:39:55

1. Regulatory Review Discussion: Delivery License Type *Vote Possible*

- The AC and Commissioner Camargo presented issues relative to the delivery license type and offered potential amendments to the regulations. Commissioner Camargo discussed the issue of employee safety in these vehicles. Director Khumalo stated that they had collected data that showed from January 2021 to present, the Commission had seen approximately 40 incidents that had been reported to the Commission. Commissioner Camargo asked for clarification around the 40 incidents across transportation licenses and if she was also talking about third-party transporters. Director Khumalo confirmed that she was also talking about third-party transporters and noted the deterrent value in having another agent in the vehicle and confirmed that the Commission had not received a report where a delivery agent had experienced bodily harm. Commissioner Roy asked for a legal opinion as to whether there are any prohibitions in the statute or regulations that would not conflict with the statute when it comes to delivery, specifically regarding delivery to “no towns.” Acting General Counsel Andrew Carter (AGC Carter) offered to produce a memorandum regarding delivery to “no towns.” Enforcement Counsel Rebecca Lopez (EC Lopez) offered a historical context regarding the delivery topic and suggested further researching the point-of-sale in the memorandum. Commissioner Stebbins explained the maturity of the market and that it might be an opportunity for the Commission to work with those currently considered no delivery municipalities to gauge their interest. The AC discussed medical deliveries and compared those to the adult-use deliveries. Commissioner Camargo discussed repackaging marijuana. Director Khumalo stated as far as repackaging was concerned, they may repackage flower into single strain raw pre-rolls because currently such activities are considered repackaging flower, but that repackaging does not include infused pre-rolls. Commissioner Camargo discussed education, training, or bulletins for the operators around repackaging. Commissioner Roy asked if there had been any notices of deficiency around white labeling with delivery operators or any issues with white labeling or repackaging in the past. Director Khumalo confirmed.
- Commissioner Camargo moved to recess for ten-minutes until 03:10 PM. (4:43:48)
- Commissioner Roy seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes



- AC Concepcion – Yes
 - The Commission unanimously approved the recess until 3:10PM. Returned 04:58:47.
2. Audit Update
- Chief Operating Officer Alisa Stack (COO Stack) presented the update regarding the State Auditor's report. Commissioner Roy asked about aligning the Commission's policy with the Massachusetts Department of Agricultural Resources (MDAR) regarding hemp and noted that in 2018 the Commission adopted the Department of Public Health's existing testing protocols which were ten parts per billion and MDAR as zero parts per billion. Commissioner Stebbins explained that the state auditors review every agency on a five-year rolling basis. He added the auditor was clear that they will be able to assess the Commission's actions coming forward in a future audit, but that it was a good report.
3. Boston Office Lease Discussion
- COO Stack discussed that the state budget was not fully funded to the request made by the Commission and that cuts were likely needed to preserve programming and personnel. COO Stack added the motion the Commission staff was requesting would empower Operations Manager Meghan Dube (Manager Dube) to negotiate with the Division of Capital Asset Management and Maintenance (DCAMM) on behalf of the Commission. Commissioner Stebbins advocated for the preservation of payroll and staff over the office space. Commissioner Camargo noted the difficulty in recruiting talent without a Boston office. The AC explained that in front of her were two motion options the team had drafted, and one was if the Commission wanted to move in the direction of closing the office completely and the other was the shared space option that they outlined. Commissioner Camargo mentioned that she wanted to hear from staff about closing the Boston office. Commissioner Roy stated that she thought the gradual option was the way to start. AGC Carter suggested that the board make the ultimate decision and then direct staff to execute on that decision. Commissioner Stebbins stated he was of the feeling that he wanted to empower Manager Dube to have the opportunity to negotiate with DCAMM. The AC asked her fellow Commissioners if anyone was willing to close the Boston office. She stated that would give Manager Dube the call of action to close the space. The AC stated what was compelling to her was AGC Carter's point where he mentioned having the option of Boston as being appealing to not only current employees, but prospective employees. AGC Carter noted that he and his team were Boston-based and that the legal industry is Boston-based. He added that when the team files regulations with the Secretary of State, when they go to Superior Court, when they go to the legislature and federal court, it is all in the state capital. Commissioner Stebbins advocated for staff to move ahead with DCAMM to sublet that premium office space that they have available right now.



- Commissioner Stebbins moved to reduce the Commission’s Boston office lease square footage and direct Commission staff to take all actions necessary to effectuate the Commission’s vote and discussion.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the motion to reduce the Commission’s Boston office lease square footage and direct Commission staff to take all actions necessary to effectuate the Commission’s vote and discussion.

4. Sixth Annual Activities Report

- Director of Government Affairs and Policy Matt Giancola (DGAP Giancola) stated the annual activities report was a legislatively mandated report of the Commission’s major activities from the past year. He noted that every Commission department participated in the development of the report and stated that generally the date found in the report was from the previous fiscal year, approximately July 2022 to July 2023. He added that if the report met their approval, he would request a motion authorizing staff to disseminate the report to the legislature and executive branch officials will be conducted. Commissioner Roy noted the report discussed public awareness and the lack of funding and what they did creatively despite the lack of funding and offered an amendment to the report. The AC asked DGAP Giancola if Commissioner Roy’s amendment should be incorporated into the motion language. DGAP Giancola stated he could add the subject to the edits described by Commissioner Roy. DGAP Giancola noted the motion to approve the sixth annual activities report subject to the revisions and edits as suggested by Commissioner Roy and authorized staff to distribute the report to the legislature and appointing authorities.
- Commissioner Roy moved to approve the sixth annual activities report subject to the revisions and edits as suggested by Commissioner Roy and authorized staff to distribute the report to the legislature and appointing authorities.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the motion to approve the sixth annual activities report subject to the revisions and edits as suggested by Commissioner Roy and authorized staff to distribute the report to the legislature and appointing authorities.



12) Next Meeting Date – 06:05:35

- The AC noted the next meeting would be on Monday October 16, 2023. She noted they would continue the conversation on delivery, they would also have an update on Social Consumption, and there was another topic in terms of an interim ED.
- The AC noted the November 9, 2023, meeting which was also the date of the regulation promulgation, and that they would have a conversation about the AC position. She added that December 14, 2023, was the other noted meeting. The AC noted the November 9, 2023, meeting would also be virtual and added there was a possibility of another meeting in November depending on what they needed to discuss. Commissioner Roy asked when the AC thought the topic of microbusinesses was appropriate to schedule. The AC stated they could discuss it, but she thought it would be discussed during the November 9, 2023, meeting.
- Commissioner Camargo mentioned the three COVID-19-related orders that would expire on December 31st and asked how they could be placed on the agenda. She asked if Commissioners wanted to take on the three topics and work with the team. She noted they could talk about it on Monday, but mentioned December was right around the corner. Commissioner Stebbins stated it was a great question and the AC was empowered to set the agenda and he thought it would be helpful for them as a team to think about a future discussion. Commissioner Stebbins noted the Commission may decide not to extend some of orders and that the Commission had some good discussions in past meetings about how to address the three orders.

13) Adjournment – (6:16:27)

- Commissioner Roy moved to adjourn.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the motion to adjourn.

