



Massachusetts Cannabis Control Commission

Marijuana Product Manufacturer

General Information:

License Number: MP282074
Original Issued Date: 07/14/2023
Issued Date: 07/14/2023
Expiration Date: 07/14/2024

ABOUT THE MARIJUANA ESTABLISHMENT

Business Legal Name: Elevated Access Center, Inc.

Phone Number: 617-803-2100 Email Address: rproctor@elevatedaccesscenter.org

Business Address 1: 400 Cordwainer Drive

Business Address 2: Lot #9

Business City: Norwell

Business State: MA

Business Zip Code: 02061

Mailing Address 1: 175 Derby Street

Mailing Address 2: Suite 12

Mailing City: Hingham

Mailing State: MA

Mailing Zip Code: 02043

CERTIFIED DISADVANTAGED BUSINESS ENTERPRISES (DBES)

Certified Disadvantaged Business Enterprises (DBEs): Not a DBE

PRIORITY APPLICANT

Priority Applicant: no

Priority Applicant Type: Not a Priority Applicant

Economic Empowerment Applicant Certification Number:

RMD Priority Certification Number:

RMD INFORMATION

Name of RMD: Elevated Access Center, Inc

Department of Public Health RMD Registration Number:

Operational and Registration Status: Obtained Provisional Certificate of Registration only

To your knowledge, is the existing RMD certificate of registration in good standing?: yes

If no, describe the circumstances below: Elevated Access Center's license expired on 7/2019, as we would not renew until the CCC issued the final medical and adults use regulations.

PERSONS WITH DIRECT OR INDIRECT AUTHORITY

Person with Direct or Indirect Authority 1

Percentage Of Ownership: 100

Percentage Of Control: 100

Role: Owner / Partner

Other Role:

First Name: Robert

Last Name: Proctor

Suffix:

Gender: Male

User Defined Gender:

What is this person's race or ethnicity?: White (German, Irish, English, Italian, Polish, French)

Specify Race or Ethnicity:

ENTITIES WITH DIRECT OR INDIRECT AUTHORITY

No records found

CLOSE ASSOCIATES AND MEMBERS

No records found

CAPITAL RESOURCES - INDIVIDUALS

No records found

CAPITAL RESOURCES - ENTITIES

No records found

BUSINESS INTERESTS IN OTHER STATES OR COUNTRIES

No records found

DISCLOSURE OF INDIVIDUAL INTERESTS

No records found

MARIJUANA ESTABLISHMENT PROPERTY DETAILS

Establishment Address 1: 400 Cordwainer Drive

Establishment Address 2: Lot #9

Establishment City: Norwell

Establishment Zip Code: 02061

Approximate square footage of the Establishment: 20300

How many abutters does this property have?: 4

Have all property abutters have been notified of the intent to open a Marijuana Establishment at this address?: Yes

HOST COMMUNITY INFORMATION

Host Community Documentation:

Document Category	Document Name	Type	ID	Upload Date
Certification of Host Community Agreement	HCA_Certification_Signed.pdf	pdf	6107342abde213399f80d207	08/01/2021
Community Outreach Meeting Documentation	Attachment B.pdf	pdf	63d49c1ea6f09f000862d3cb	01/27/2023
Community Outreach Meeting Documentation	Attachment C.pdf	pdf	63d49c3ca6f09f000862d3e2	01/27/2023
Plan to Remain Compliant with Local Zoning	Plan To Remain Compliant with Local Zoning .pdf	pdf	63d49ceda6f09f000862d43a	01/27/2023
Community Outreach Meeting Documentation	COM Attestation Form.pdf	pdf	63d49e41a6f09f000862d577	01/27/2023
Community Outreach Meeting Documentation	attachment A.pdf	pdf	63d4a7f6a6f09f000862da34	01/27/2023
Community Outreach Meeting Documentation	COM Materials Posted.pdf	pdf	63d6f0c9a6f09f00086369a9	01/29/2023
Certification of Host Community Agreement	Virtual COM Approval .pdf	pdf	63d6f2a7a6f09f0008636a01	01/29/2023

Community Outreach Meeting Documentation	EAC COM Attendees (1).pdf	pdf	63d9e56aa8e2750007163be9	01/31/2023
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Total amount of financial benefits accruing to the municipality as a result of the host community agreement. If the total amount is zero, please enter zero and provide documentation explaining this number.: \$

PLAN FOR POSITIVE IMPACT

Plan to Positively Impact Areas of Disproportionate Impact:

Document Category	Document Name	Type	ID	Upload Date
Plan for Positive Impact	Positive impact plan (EAC)2.0.pdf	pdf	63aa00d3522535000853a189	12/26/2022

ADDITIONAL INFORMATION NOTIFICATION

Notification:

INDIVIDUAL BACKGROUND INFORMATION

Individual Background Information 1

Role: Owner / Partner Other Role: CEO/President
First Name: Robert Last Name: Proctor Suffix:
RMD Association: Not associated with an RMD
Background Question: no

ENTITY BACKGROUND CHECK INFORMATION

No records found

MASSACHUSETTS BUSINESS REGISTRATION

Required Business Documentation:

Document Category	Document Name	Type	ID	Upload Date
Articles of Organization	Entity of Conversion.pdf	pdf	610ab83fc618dd39aab5005a	08/04/2021
Bylaws	EAC Bylaws (FINAL)-compressed.pdf	pdf	6224263911f5a30789d98217	03/05/2022
Articles of Organization	MA Corporations Search Entity Summary.pdf	pdf	62244d150034de07b094746d	03/06/2022
Department of Revenue - Certificate of Good standing	EAC Certificate of Good Standing.pdf	pdf	6341c4172bb6940008624da0	10/08/2022
Articles of Organization	eac1LAW OFFICES OF-part-2.pdf	pdf	63aa3e6a522535000853b88f	12/26/2022
Department of Unemployment Assistance - Certificate of Good standing	COG UA affidavit .pdf	pdf	63d71581a6f09f0008637207	01/29/2023
Secretary of Commonwealth - Certificate of Good Standing	Sec of Commonwealth - COG eac.pdf	pdf	63e6cf9e35eb06000887ce88	02/10/2023

No documents uploaded

Massachusetts Business Identification Number: 001328995

Doing-Business-As Name:

DBA Registration City: Hingham

Date generated: 08/02/2023

BUSINESS PLAN

Business Plan Documentation:

Document Category	Document Name	Type	ID	Upload Date
Plan for Liability Insurance	Elevated Access Center letter to CCC.pdf	pdf	62019ac8f2351e085f729df1	02/07/2022
Proposed Timeline	Proposed Timeline EAC (FINAL).pdf	pdf	630551ced239e20007dbe924	08/23/2022
Business Plan	EAC Business Plan (FINAL) (1).pdf	pdf	630580cdd239e20007dbff15	08/23/2022

OPERATING POLICIES AND PROCEDURES

Policies and Procedures Documentation:

Document Category	Document Name	Type	ID	Upload Date
Sample of unique identifying marks used for branding	Unique Identifying Mark EAC (FINAL).pdf	pdf	6220f9f10034de07b094699e	03/03/2022
Quality control and testing	Quality Control EAC (FINAL).pdf	pdf	6220fa269ca34b074e79e5c6	03/03/2022
Prevention of diversion	Prevention of Diversion EAC SOP (1).pdf	pdf	62227d31e938dd07a5f50485	03/04/2022
Restricting Access to age 21 and older	Restricting Access to 21+ EAC (FINAL).pdf	pdf	62227d4243c5a40747317e35	03/04/2022
Transportation of marijuana	Transportation of Marijuana EAC (FINAL).pdf	pdf	62227d560d00f5077626b237	03/04/2022
Personnel policies including background checks	Personnel Policies SOP EAC (FINAL).pdf	pdf	62227d72177b01078937cd01	03/04/2022
Qualifications and training	Qualification and Training EAC (FINAL).pdf	pdf	62227dbf0d00f5077626b23d	03/04/2022
Energy Compliance Plan	Energy Efficiency and Conservation Plan EAC (FINAL).pdf	pdf	62227dcce938dd07a5f5048b	03/04/2022
Inventory procedures	EAC Inventory Procedures EAC (FINAL).docx.pdf	pdf	62227def11f5a30789d9800f	03/04/2022
Maintaining of financial records	Maintaining Financial Records EAC (FINAL).pdf	pdf	62227e9c0d00f5077626b241	03/04/2022
Safety Plan for Manufacturing	Manufacturing Safety Plan EAC (FINAL) (1).pdf	pdf	6222abaf0d00f5077626b2db	03/04/2022
Security plan	Security Plan EAC (FINAL).pdf	pdf	622574d60034de07b094753b	03/06/2022
Plan to Obtain Marijuana	Plan To Obtain Marijuana EAC SOP.pdf	pdf	62942f8deb816b00086b80fd	05/29/2022
Record Keeping procedures	Recordkeeping SOP EAC .pdf	pdf	630a74d944fa35000ad9b9e3	08/27/2022
Storage of marijuana	Storage of Marijuana SOP_EAC_RFI2.docx.pdf	pdf	630a7ae644fa35000ad9bc23	08/27/2022
Types of products Manufactured.	Types of Products Manufactured SOP EAC (FINAL).pdf	pdf	634b91c976c6660008276f27	10/16/2022
Diversity plan	Diversity Plan EAC 2.0.docx.pdf	pdf	63aa00fc522535000853a1ec	12/26/2022
Method used to produce products	production methods EAC.pdf	pdf	63ace951a0fd020008ea9ea9	12/28/2022

ATTESTATIONS

I certify that no additional entities or individuals meeting the requirement set forth in 935 CMR 500.101(1)(b)(1) or 935 CMR 500.101(2)(c)(1)

have been omitted by the applicant from any marijuana establishment application(s) for licensure submitted to the Cannabis Control Commission.: I Agree

I understand that the regulations stated above require an applicant for licensure to list all executives, managers, persons or entities having direct or indirect authority over the management, policies, security operations or cultivation operations of the Marijuana Establishment; close associates and members of the applicant, if any; and a list of all persons or entities contributing 10% or more of the initial capital to operate the Marijuana Establishment including capital that is in the form of land or buildings.: I Agree

I certify that any entities who are required to be listed by the regulations above do not include any omitted individuals, who by themselves, would be required to be listed individually in any marijuana establishment application(s) for licensure submitted to the Cannabis Control Commission.: I Agree

Notification:

I certify that any changes in ownership or control, location, or name will be made pursuant to a separate process, as required under 935 CMR 500.104(1), and none of those changes have occurred in this application.:

I certify that to the best knowledge of any of the individuals listed within this application, there are no background events that have arisen since the issuance of the establishment's final license that would raise suitability issues in accordance with 935 CMR 500.801.:

I certify that all information contained within this renewal application is complete and true.:

ADDITIONAL INFORMATION NOTIFICATION

Notification:

COMPLIANCE WITH POSITIVE IMPACT PLAN

No records found

COMPLIANCE WITH DIVERSITY PLAN

No records found

PRODUCT MANUFACTURER SPECIFIC REQUIREMENTS

No records found

HOURS OF OPERATION

Monday From: Open 24 Hours	Monday To: Open 24 Hours
Tuesday From: Open 24 Hours	Tuesday To: Open 24 Hours
Wednesday From: Open 24 Hours	Wednesday To: Open 24 Hours
Thursday From: Closed	Thursday To: Open 24 Hours
Friday From: Open 24 Hours	Friday To: Open 24 Hours
Saturday From: Open 24 Hours	Saturday To: Open 24 Hours
Sunday From: Open 24 Hours	Sunday To: Open 24 Hours

Host Community Agreement Certification Form

Instructions

Certification of a host community agreement is a requirement of the application to become a Marijuana Establishment (ME) and Medical Marijuana Treatment Center (MTC). Applicants must complete items 1-3. The contracting authority for the municipality must complete items 4-8. Failure to complete a section will result in the application not being deemed complete. This form should be completed and uploaded into your application. Please note that submission of information that is "misleading, incorrect, false, or fraudulent" is grounds for denial of an application for a license pursuant to 935 CMR 500.400(2) and 501.400(2).

Certification

The parties listed below do certify that the applicant and municipality have executed a host community agreement on the specified date below pursuant to G.L. c. 94G § 3(d):

1. Name of applicant:

Elevated Access Center, Inc.

2. Name of applicant's authorized representative:

Robert Proctor, President/CEO

3. Signature of applicant's authorized representative:



4. Name of municipality:

Norwell, Massachusetts

5. Name of municipality's contracting authority or authorized representative:

Peter Morin



6. Signature of municipality's contracting authority or authorized representative:



7. Email address of contracting authority or authorized representative of the municipality (*this email address may be used to send municipal notices pursuant to 935 CMR 500.102(1) and 501.102(1).*):

pmorin@townofnorwell.net

8. Host community agreement execution date:

6/30/20

Attachment B

Attention Property Abutter

Dear Neighbor,

Notice is hereby given that a virtual Community Outreach Meeting for a proposed Marijuana Establishment is scheduled for April 29, 2021, at 6:00 PM. The proposed cultivation and manufacturing facility is anticipated to be located at 400 Cordwainer Drive, Norwell, MA 02061.

There will be an opportunity for the public to ask questions.

The virtual Community Outreach Meeting via Zoom can be joined by using the following link:

<https://zoom.us/j/93376199584?pwd=M3lORXhZemZmVnJGQ0VsRXp0WEdMdz09>

Or by telephone (929) 205 6099 Using Meeting ID:9337619 9584

The passcode to enter the meeting is: 059582

If you have a question you would like addressed; please submit it in advance to

info@elevatedaccesscenter.org.

Thank you,

Robert Proctor, CEO

Elevated Access Center

Attachment B

Attn: Norwell Town Administrator and Select Board

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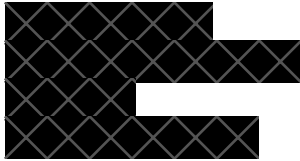
The passcode to enter the meeting is: 059582

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Robert Proctor, CEO
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Attachment C



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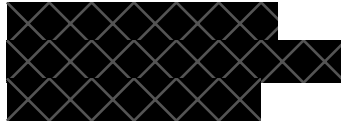
<https://zoom.us/j/93376199584?pwd=M3lORXhZemZmVnJGQ0VsRXp0WEEdMdz09>

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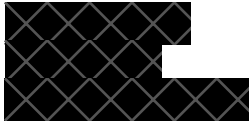
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Thank you,
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Elevated Access Center

Plan To Remain Compliant With Local Zoning

<p>EAC</p> <p>SOP 408</p>	Title: Plan To Remain Compliant SOP	
	Last Updated:	01/01/2022
	Approved By:	Hope Marian
	Effective Date:	01/01/2022

Plan to Remain Compliant with Local Zoning

Elevated Access Center (EAC) plans to remain compliant with the Local Zoning laws of the Town of Norwell and will:

- a) adhere to the provisions of the Zoning Bylaw by the Town of Norwell and all other provisions for recreational cannabis;
- b) comply with all local rules/codes, regulations, ordinances, and bylaws;
- c) adhere to the provisions of Massachusetts General Law Chapter 94G;
- d) contain all marijuana establishments (ME) within a building or structure;
- e) conduct hours of operation that are within the limits set by the special permit granting authority of the Town of Norwell;
- f) be located within a permanent building and will not be located in a trailer, cargo container, motor vehicle or other similar nonpermanent enclosures;
- g) have no outside storage of marijuana, related supplies or promotional materials;
- h) ventilate the marijuana establishment in such a manner that no: pesticides, insecticides, or other chemicals or products used in cultivation or processing are dispersed into the outside atmosphere. Also, no odor from marijuana will be detected by a person with a normal sense of smell at the exterior of the ME or at any adjoining use or property;
- i) apply for and receive commercial site plan review from the Planning Board in accordance with MGL Ch. 40A and all applicable Zoning Bylaws by the Town of Norwell;
- j) meet all dimensional, parking, landscaping, and signage requirements of the Zoning Bylaw of the Town of Norwell;
- k) provide the town with the names, address, phone number, and email addresses of all management, staff, and key holders of the marijuana establishment, including a minimum of two

(2) operators or managers which the facility identifies as contact persons to whom one can provide notice of operating problems associated with the marijuana establishment;

l) provide to the Town of Norwell a copy of its Articles of Incorporation or equivalent documents, a current Certificate of Legal Existence from the Secretary of the Commonwealth, and the most recent annual report;

m) provide to the Town of Norwell copies of all required licenses and permits issued to Elevated Access Center by the Commonwealth of Massachusetts and any of its agencies for the marijuana establishment, including the Cannabis Control Commission;

n) provide to the Town of Norwell details showing all proposed security measures for the marijuana establishment, including lighting, fencing, gates and alarms, etc., to ensure the safety of persons and to protect the premises from criminal activity.

o) provide to the Town of Norwell the resumes of the applicant and all members of the marijuana establishment management, including company history, references, and relevant experience;

p) remove all material, plants, equipment and other paraphernalia prior to ceasing operations.

q) design the establishment to minimize any adverse impacts on abutters and other parties in interest, as defined in MGL Ch. 40A, Sec 11;

METRC Compliance

When providing cannabis from Elevated Access Center's cultivation to our internal manufacturing lab or another Marijuana Establishment (ME), the following information shall be recorded in the internal system to CCC:

a) the amount, strain, and batch number of cannabis provided internally through METRC or a Marijuana Establishment;

b) the name and ME registration certificate number of the other Marijuana Establishment;

c) the name and Marijuana Establishment Agent Registration card number of the Marijuana Establishment agent who received the cannabis and/or products on behalf of the other Marijuana Establishment; and

d) the date on which the cannabis was provided to the Marijuana Establishment;



OFFICE OF
BOARD OF APPEALS

TOWN OF NORWELL

345 MAIN STREET, P.O. BOX 295
NORWELL, MASSACHUSETTS 02061
(781) 659-8018 • Fax (781) 659-1892

Members

Lois S. Barbour, Chair
Philip Y. Brown, Vice Chair
David Lee Turner, Clerk

Associate Members

Thomas P. Harrison
Ralph J. Rivkind

FINDINGS AND DECISION

of

The Norwell Board Of Appeals

File No. 18-18

A Public Hearing (the Hearing) by the Norwell Zoning Board of Appeals (the Board) was scheduled on October 3, 2018, under Ch. 40A, Sec. 9, at the Norwell Town offices, 345 Main Street, Norwell, MA on the Application (the Application) of:

Elevated Access Center, Inc.
175 Derby Street, Suite 12
Hingham, MA 02043

The Application proposes a **Site Plan Review** (Section 1500) and a **Special Permit** under Sections 1420 and 2341(n) of the Norwell Zoning Bylaw to construct a two-story building with a building footprint of approximately 20,300 sq.ft. for use as a medical marijuana treatment center as defined in the Norwell Zoning Bylaws for cultivating and processing of medical marijuana, and related offices. The Property (the Property), hereinafter described, is located at and known as 400 (Lot 9) Cordwainer Drive, in Business District C-1, as shown on Assessors Map 11D Block 17 Lot 87 and recorded at Registry of Deeds Book 49780 Page 154.

Notice of the opening of the public hearing on October 3, 2018, was posted at the Norwell Town Hall and duly advertised in the *Norwell Mariner* on September 13, 2018, and September 20, 2018, and such notice sent to abutters and others pursuant to statute. The Application and plans were submitted to the Planning Board and distributed to other interested and requisite boards, committees, and offices for review with comments and recommendations received, as noted in the File Documentation section below

At the opening of the public hearing on the evening of October 3, 2018, Jeffrey A. De Lisi, Esq., of Ohrenberger, De Lisi & Harris, LLP, representing the Applicant introduced his client, Robert Proctor, who is the sole owner of the applicant and ownership entities, Elevated Access Center, Inc. and Corse Made Good, LLC, respectively, and Paul J. Mirabito, CE, PLS of Ross Engineering Company, Inc. Attorney De Lisi made a substantive presentation to the Board that consisted of a procedural history and addressed many use and site specific interests related to the proposal and the Application.

No member of the audience stood to speak in favor of or in opposition to the application.

FILE DOCUMENTATION: The following documents, plans and reports were received into evidence over the course of the Public Hearing process:

1. Assessors' card for the property
2. Abutters' list
3. Letter of July 31, 2018 to the Board from Attorney De Lisi re Application for Public Hearing Special Permit and Site Plan Review, Lot 9, 400 Cordwainer Drive – Assessor's Map 11D Block 17 Parcel 87, Elevated Access Center, Inc. – Applicant, received and date-stamped by the Town Clerk and Board of Appeals on August 1, 2018.
4. Application for Public Hearing completed and signed by the property owner and Applicant, dated July 31, 2018 with completed Form ZBA-1A Supplemental Information.
5. Certificate of Good Standing from the Secretary of the Commonwealth of Massachusetts for the applicant entity, Elevated Access Center, Inc.
6. Deed dated May 4, 2018 and recorded with the Plymouth County Registry of Deeds at Book 49780, Page 154 demonstrating that Course Made Good, LLC is the existing owner of the property.
7. A copy of Findings and Decision of the Board (File No. 15-12) filed with the Norwell Town Clerk on March 8, 2016 and recorded with the said Registry at Book 47455, Page 144.
8. Plan set entitled "Site Plan for 400 Cordwainer Drive in Norwell, Massachusetts", dated July 30, 2018, prepared by Ross Engineering Company Inc. of 683 Main Street, Norwell, MA, signed and sealed by Paul Joseph Mirabito, Registered Land Surveyor, and Gregory J. Tansey Registered Professional Engineer, consisting of the following drawings, as received by the Board on August 1, 2018:

Sheet 1 Cover Sheet
Sheet 2 Existing Conditions Plan (Paul Joseph Mirabito, R.L.S. only)
Sheet 3 Site Layout Plan
Sheet 4 Utilities Plan
Sheet 5 Drainage and Grading Plan
Sheet 6 Sight Distance Plan
Sheet 7 Construction Details Plan I
Sheet 8 Construction Details Plan II
Sheet 9 Construction Details Plan III.

9. Report and Recommendations of the Norwell Planning Board dated September 13, 2018, recommending approval of the special permit and site plan.
10. Mylar of above referenced Site Plan, revised through _____ so as to include a registry block, a Board sign-off block, and the required certifications.

RECEIVED
2018 OCT 18 AM 8:17
TOWN CLERK

FINDINGS OF THE BOARD:

Based upon the evidence submitted by the Applicant, including the Exhibits and the Plans submitted, as modified endorsed by the Board, the Board finds:

1. The property consists of one parcel, identified on Assessors Map as 11D Block 17 Lot 87, and Lot 9 Cordwainer Drive in the application, and also known and numbered as 400 Cordwainer Drive.
2. The parcel consists of 2.87 acres with 258.54 feet of frontage on Cordwainer Drive, a private way.
3. The parcel is located within the Business C-1 Zone. The lot is currently vacant with no building or structure situated thereon.
4. The parcel is not located within Norwell's Aquifer Protection District, as shown on the Town's Aquifer Protection District map, dated 2010, although it is shown on that map as located within Zone C of a State Water Supply Protection Area.
5. The proposed 1-story building has a footprint of 20,300 sq. ft.
6. The Applicant does not propose retail medical marijuana sales, and therefore the Applicant seeks approval for cultivation and processing only of medical marijuana.
7. All activities will be confined to the interior of the building, which will have a state-of-the-art HVAC air filtration system to prevent spread of any pathogens deleterious to the plants in one area from spreading to other growing areas in the building.
8. For security purposes, all deliveries to and from the site will be confined to a secure, enclosed area within the building. Drivers will not be allowed to store money or product within the vehicles, except in transit to and from a specified delivery location.
9. The product will be sold as permitted by regulations of the Massachusetts Department of Public Health.
10. All parts of the plant will be utilized in production with any remaining plant material to be "composted" and reused as such within the building.
11. The building is proposed to be accessible seven days a week from 8:00 A.M. to 8:00 P.M.
12. The building will be owned and constructed by Course Made Good, LLC, a Massachusetts limited liability company. The applicant, Elevated Access Center, Inc. will be the holder of the RMD license issued by the Commonwealth of Massachusetts, and will operate the business on the property.
13. The licensing of a registered marijuana dispensary (RMD) is a multi-phase application licensing process at the State level. The Applicant is waiting for approval to enter the final application phase.
14. The proponent, as an RMD, is required to follow a specified State regulatory process.
15. Norwell was chosen as a location because of the Medical Marijuana Treatment Center bylaw adopted at Town Meeting in 2013, property location relative to Route 3, and general siting in Plymouth County, as well as proximity to hospitals and cancer treatment centers. The lot under consideration is one of a handful of suitable sites available; other locations explored by the Applicant had setback issues and/or concerns relating to proximity of lots containing residences, schools, and daycare facilities.
16. In 2016 the Board issued a site plan approval and special permit to a different applicant to operate a RMD on the Property having the exact same footprint, but for a two-story building and containing a retail sales component. The proposal before the Board in 2018 is a scaled-down version of the prior permitted project; it is the exact same site and building footprint, but has one less floor than was

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previously allowed and does not contain a retail sales component. The Board's peer review consultant, John C. Chessia, P.E., of Chessia Consulting Services, confirmed that there are no material deviations between the 2016 site plan and the 2018 site plan.

17. **Norwell Planning Board Recommendations:** The Norwell Planning Board voted to recommend approval of the Site Plan with the condition that the Board incorporate the conditions approval recommended by the Planning Board in 2016, and that the final plan set be revised to include a registry block, a block for Board sign-off, and the required certifications. The site plan conditions which the Planning Board recommended in 2016, and therefore incorporate by reference in this decision, are as follows:

- a) The applicant shall provide a final landscape plan developed by a landscape designer to be approved by ZBA.
- b) All lighting shall be Dark Sky compliant and no lighting shall be directed toward Cordwainer Drive. The lighting layout shall be consistent with the SKE-1 plan dated 1/15/16.
- c) Plans shall be tied in to the Mass Grid system.
- d) The stormwater report section pertaining to illicit discharges shall be certified by a P.E.
- e) The plans shall include a general note that states all underground precast structures shall be capable of withstanding HS-20 loading.
- f) The final roof drain system shall be designed consistent with the civil design plans.
- g) Plans shall indicate that the water pipe from the well shall be slip lined and there shall be no connections between the well and public water lines.
- h) A post indicator valve (PIV) shall be installed and a detail included in the plan set.
- i) A design data sheet shall be required to be submitted to the Water Department for any backflow device.
- j) Plans shall indicate that valves are to be manufactured by Mueller (see detail sheet materials list item 1.5)
- k) Prior to Land Clearing: The applicant shall provide the 21E report.
- l) Prior to Land Clearing: The applicant shall provide construction phase plans to be approved by ZBA. Plans shall be submitted one month prior to land clearing.
- m) Prior to Land Clearing: The applicant shall provide a Storm Water Pollution Prevention Plan (SWPPP) with the NYPDES Construction Works Permit. Plans shall be submitted one month prior to land clearing.
- n) Prior to Occupancy: A final site review of the installed lighting shall be approved by ZBA.
- o) Prior to Occupancy: A street sign for Cordwainer Drive shall be placed at the intersection of Accord Park Drive.
- p) The Special Permit shall be valid for a period of three (3) years from the date of the decision. The applicant shall apply to renew the license as per section 2341.n.5 of the Norwell Zoning Bylaw.
- q) The final plan set endorsed by the Board shall include a registry block, a block for Board sign-off, and the required certifications.

18. **Procedure, Section 1530:** The Applicant complies with Section 1530, *Procedure*, of the NZBL, as all information required therein has been provided.

19. **Criteria for Approval, Section 1540:** As required in NZBL, Section 1540, *Criteria for Approval*, the Board has considered that the proposed Project constitutes a reasonable use of the site for the purposes permitted by the

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- regulations for the district in which it is located. The Board finds such use is allowed in Business District C-1 by Special Permit under Section 2341(n).
20. **NZBL Section 1541** requires the Board to consider, "*The protection of the district in which the site is located and adjoining district against detrimental, offensive, or incompatible uses or structures on the site.*" The Board finds that design changes for the proposed project resulting from the Planning Board Recommendations and additional comments by the Town's consulting engineer as incorporated into the Planning Board comments, adequately address Section 1541 and issues raised during the course of the public hearing as such use is allowed in Business District C-1 by Special Permit under Section 2341(n).
21. **NZBL Section 1542** requires the Board to consider, "*The convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets and land.*" Based upon the plans submitted by the Applicant, comments received by various Town of Norwell officials, departments, boards, committees, and consultants, and compliance with Planning Board Recommendation #15 to provide signage to identify Cordwainer Drive, the Board finds this requirement will, upon installation of such signage that shall also identify the roadway as a "private way", be satisfied. Further, as noted by the Planning Board, pedestrian movement is minimal with no sidewalks within the industrial park but would be confined to areas on-site. As further noted, sight lines are adequate based upon the sight distance plan, as reviewed by the Town's consultant.
22. **NZBL Section 1543** requires the Board to consider "*The adequacy of the methods of disposal for sewage, refuse, and other wastes resulting from the uses permitted on the site, and the methods of drainage for surface water from its parking spaces and driveways.*"
- a. The Board finds this requirement has been satisfied, based upon the Planning Board recommendation to the Board of Appeals, relating to sewage, refuse, and other wastes:
 - i. The Applicant has made adequate provisions for the disposal of sewage as the "Board of Health has reviewed and approved the septic system."
 - ii. "Chessia Consulting has reviewed the stormwater drainage and is satisfied that the proposed system will contain most water on site and no increases of stormwater would flow onto surrounding properties."
 - iii. The Commonwealth of Massachusetts regulations concerning RMDs require employees to be trained by the state in matters such as proper waste disposal of plant material (935 CMR 500.105(2)(b)(7), compel the retention waste disposal records (935 CMR 500.105(9), and mandate the adherence to best management practices concerning waste disposal (935 CMR 500.105(12).
 - b. Further, the Plans submitted shows an outside dumpster with fencing will be placed on site for disposal of refuse and other wastes. Provisions for marijuana plant waste has been described by the Applicant and the Board finds such handling to be comprehensive and reasonable.
23. **Grant of Uses Allowed by Special Permit in Business District C, 2341(n)**, to allow a Medical Marijuana Treatment Center:
- (n) 1. The facility is located in Business District C-1 and is allowed by special permit of the Board of Appeals.
 - (n) 2. The proposed medical marijuana treatment center is not located within five hundred (500) feet of any lot with a residence, school or daycare facility.

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- (n) 3. The hours of operation shall be daily from 8:00 A.M. to 8:00 P.M., except Federal holidays.
- (n) 4. This special permit under NZBL Section 2341(n) is granted to Elevated Access Center, Inc. and is not transferable and shall remain exclusively with the Applicant, who shall exclusively operate the business described in the application. The Special Permit shall automatically terminate on the date the applicant alienates that title or leasehold interest in the premises.

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DECISION OF THE BOARD:

On October 3, 2018, based upon the Application, file documentation, testimony during the public hearing, and the Board's findings above, upon a motion duly made and seconded, the Board **VOTED** unanimously to grant the following:

1. **Site Plan Approval** under Norwell Zoning Bylaw Section 1500 for construction of the proposed approximately 20,300 square foot 1-story building, located on Lot 9, 400 Cordwainer Drive, heretofore to be known and numbered as **400 Cordwainer Drive**, for use as a registered marijuana dispensary and
2. **Special Permit**, as a Medical Marijuana Treatment Center, under Norwell Zoning Bylaw Section 2341(n).

The above vote and relief granted are subject to the following *Special Conditions* and *Conditions Applying to All Decisions*.

SPECIAL CONDITIONS:

1. **Occupancy Permit.** The Property shall be developed in accordance with the Plans approved and endorsed by the Board for identification purposes with all subsequent revisions to be reviewed and approved by the Town's peer-review consultant. The details and requirements in the endorsed Plans shall be observed and implemented. **The Inspector of Buildings shall issue a Certificate of Occupancy only after the Applicant has meet all compliance requirements, including final review of As-Built Plans by the Town's peer-review consultant. No temporary occupancy permit may be issued unless and until the Applicant is in full compliance with this decision.**
2. **Endorsed Plans:** A copy of the complete set of the Plans, endorsed by the Board for compliance identification, shall be filed with the Town Clerk with this Decision or within fifteen (15) days thereafter, as provided in Section 1550 of the Norwell Zoning Bylaw.
3. **Plan Compliance:** Any deviation from the Plans as endorsed by the Board, and as specified in Conditions Applying to All Decisions below, except minor modifications thereto in the opinion of the Town's peer-review consultant/project monitor shall be subject to review by the Town's Consulting Engineer at the expense of the Applicant and may require at the sole discretion of the Board of Appeals. Modification of this Decision in compliance with the Open Meeting Law and public hearing process, as detailed in the Board's Rules and Regulations.
4. **Planning Board Recommendations:** **Prior to land clearing**, the Applicant shall provide evidence that the project plans comply with recommendations of the Norwell Planning Board, as detailed in the Board's Findings in Paragraph 17, Sections a-q inclusive, which are incorporated by reference as Special Conditions of this decision, except as further specifically modified in Special Conditions Paragraphs 5-21 below.

5. **Chessia Consulting Services (CCS) Recommendations:** Prior to land clearing, the Applicant shall provide evidence that it complies with all of CCS's recommendations contained in the September 13, 2018 memorandum to the Board of Appeals from the Planning Board.
6. **Landscape Plan (CCS #1):** Prior to issuance of a building permit, the Applicant shall provide a landscape plan, prepared by a landscape designer for review and approval of the Town's consultant/project monitor.
7. **Dark Sky compliant lighting (CCS #2):** Prior to issuance of a building permit, the applicant shall provide evidence that the lighting plan has been reviewed for compliance with this decision and modified to meet this recommendation.
8. **Mass Grid (CCS #3):** Prior to endorsement of the project plans, the Applicant shall provide evidence that the plans have been modified to meet this recommendation.
9. **Stormwater Report – Illicit Discharge Certification (CCS #4):** Prior to issuance of a building permit, evidence shall be provided that an Illicit Discharge Statement has been completed to meet this recommendation.
10. **Subsurface Stormwater Leaching Galley System (CCS #5):** Prior to endorsement of the project plans, the Applicant shall provide evidence that the plans have been modified to meet this recommendation.
11. **Final Roof Drain System (CCS #6):** Prior to issuance of a building permit, the Applicant shall provide evidence that the plans have been modified to meet this recommendation.
12. **Water Pipe connecting from the irrigation well (CCS #7):** Prior to issuance of a building permit, the Applicant shall provide evidence that the plans have been modified to meet this recommendation.
13. **Post indicator valve (CCS #8):** Prior to issuance of a building permit, the Applicant shall provide evidence that the plans have been modified to meet this recommendation.
14. **Backflow Device (CCS #9):** Prior to issuance of a building permit, the Applicant shall provide evidence that the plans have been modified to meet this recommendation.
15. **Plan revisions (CCS #10):** Prior to endorsement of the project plans, the Applicant shall provide evidence that the plans have been modified to meet this recommendation.
16. **Construction Phase plans (CCS #12):** A minimum of one month prior to land clearing, the Applicant shall provide evidence that the plans have been submitted to meet this recommendation.
17. **Storm Water Pollution Prevention Plan (SWPPP) and NPDES Construction Works Permit (CCS #13):** Prior to land clearing, the Applicant shall provide evidence to meet this recommendation.
18. **Lighting (CCS #14):** Prior to issuance of a Certificate of Occupancy, the Applicant shall provide evidence that the plans have been modified to meet this recommendation.
19. **Street Sign (CCS #15):** Prior to issuance of a Certificate of Occupancy, the Applicant shall provide evidence that a street sign for Cordwainer Drive (Private Way) is placed at the intersection of Accord Park Drive.
20. **On-Site Signage:** Signage must comply with 105 CMR 105(L). Further, all external property signs shall conform to requirements of the Norwell Zoning Bylaw and are subject to permitting by the Building Inspector with any required approval of the Board of Appeals.
21. **Hazardous Materials:** Any and all hazardous materials shall be disposed of according to any and all local, state, and federal regulations.
22. **Host Community Agreement:** The Applicant shall provide the Town Administrator as the designee of the Board of Selectmen with a copy of the fully executed host community agreement for the registered marijuana dispensary prior to commencement of business operations and shall notify the Board of Appeals at the time such documentation has been delivered.

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23. **RMD Operational Requirements:** The Applicant shall comply with operational and security requirements for registered marijuana dispensaries of 105 CMR 725, et seq. and 935 CMR 500, et seq., as may be amended from time to time or successor regulations (collectively, the "Regulations").
24. **Orders and/or Notifications to the Applicant from the Commissioner of Public Health:** The Applicant shall report to the Town Administrator as the administrative arm of the Board of Selectmen and further notify the Board of Appeals of any orders issued by the Commissioner of Public Health or his/her designee under the Regulations or any suspensions, revocation, or surrender of registration under the Regulations, as may be amended from time to time or successor regulations.

CONDITIONS APPLYING TO ALL SITE PLAN DECISIONS:

1. **RECORDING OF THE DECISION:** A certified copy of this Decision with all documents referenced below shall be filed with the Registrar of Deeds or Recorder of the Land Court, as appropriate. The applicant shall return a copy of the recording fee receipt to the Board of Appeals for its files. Such recording by the Applicant shall be a precondition to the issuance of a building permit for the project.
2. **PLAN SET AND DOCUMENTS TO BE RECORDED WITH THIS DECISION:** The Applicant shall file the following mylar® sheets, described in Paragraph 8 of the File Inventory, as endorsed by the Board of Appeals, and detailed below, with the Registrar of Deeds and/or Recorder of the Land Court, specifically:
 - Sheet 3 Site Layout Plan.
 - Sheet 4 Site Utilities Plan.
 - Sheet 5 Drainage and Grading Plan.
3. **EFFECTIVE DATE OF APPROVAL:** The building Site Plan approval granted by the Board of Appeals shall take effect only at such time as this Decision, supporting documents as referenced above, and the approved plan set are filed with the Office of the Town Clerk of the Town of Norwell, and recorded with the Registrar of Deeds or Recorder of the Land Court. **NOTE: Evidence of recording of the Board's Decision and documents specified above shall be provided to the Building Inspector, prior to issuance of any building permit.**
4. **LAPSE OF SITE PLAN APPROVAL:** The applicant shall complete any work described in the site plan approved by the Board of Appeals within one year of the date this Decision is filed with the Office of the Town Clerk or approval granted herein shall lapse.
5. **LAPSE OF SPECIAL PERMIT:** The applicant must exercise any Special Permit granted by the Board of Appeals within two years of the date this Decision is filed with the Office of the Town Clerk or it shall lapse.
 - a. Any Special Permit issued by the Board of Appeals for the proposed use as a registered marijuana dispensary (RMD) shall remain exclusively with the Applicant, which shall be the owner or lessee of the premises described in the application. The Special Permit shall terminate automatically on the date the Applicant alienates that title or leasehold interest in the premises.
 - b. Further, this Special Permit, allowed by NZBL Section 2341(n) shall be valid for a period of three (3) years from the date this decision is filed with the Town Clerk.
 - i. The Special Permit granted for this use shall be renewed for successive three (3) year periods, provided that a written request for renewal is filed with the Board of Appeals not less than three (3) months prior to the expiration of the then-existing Special Permit.
 - ii. Publication of notice of a Special Permit renewal request shall be made in the same manner as required for the original application for this Special Permit. Such renewal request will be granted unless, prior to the expiration of the then-existing Special Permit, a written objection to the

TOWN OF NORWELL
TOWN CLERK

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renewal, stating reasons, is submitted to the Board of Appeals. In the event of an objection, a public hearing on the renewal of the Special Permit shall be held and shall follow the process of the original Special Permit application.

- iii. The expiring Special Permit shall remain in effect until the conclusion of any required public hearing and decision of the Board of Appeals to either grant or deny the Special permit renewal. In granting the Special Permit renewal, the Board of Appeals may impose additional conditions, including without limiting the foregoing, time limits to correct violations, change in the hours of operation, and requirement of provision of additional landscaping, fencing, or screening, upon which a specific lapse of time without correction or compliance shall result in immediate revocation of the Special Permit.
6. **EXTENSION OF APPROVALS:** The Board of Appeals may grant an extension of such time as it may deem necessary to carry the approved site plan into effect. However, the applicant must file an application for any such extension prior to expiration or a new Site Plan and/or Special Permit application shall be required. Any such extension(s) shall be certified by the Board of Appeals to the Town Clerk and shall include the date on which any such extension is to lapse.
7. **PEER REVIEW ESCROW:** Consistent with the practice of the Town, escrow deposits shall be provided and maintained in compliance with the Board's Rules and Regulations for any required Peer Review by the Town's consultant and monitoring of the project during the construction phase to ensure compliance with the Board's decision, as well as peer review of project interim and final as-built plans.
8. **PRECONSTRUCTION MEETING:** At least forty-eight (48) hours prior to any initial site work, a pre-construction meeting shall be held with the Applicant, Applicant's contractor, a representative of the Board of Appeals (if available), its consulting peer review engineer/ project monitor, and representatives of the Town departments having an interest in the plan and construction. Said meeting shall be for the purpose of familiarization with the project, the conditions of approval, and the project's construction sequence and timetable and is intended to be consistent with the practice of the Town.
9. **CONSTRUCTION WORK DELAY:** Consistent with the practice of the Town, if work activity on the project site ceases for a period of more than one month, appropriate notification must be given to the Inspector of Building prior to restarting work. The Applicant shall also notify the Board's construction monitor of any anticipated work stoppages and restarts.
10. **CONSTRUCTION MONITORING:** This project is subject to the construction monitoring and escrow requirements contained in Article H of the Rules and Regulations of the Board of Appeals, ratified 6/25/14, and any revisions thereto as may be adopted from time to time.
11. **CERTIFICATES OF OCCUPANCY:** No certificate of occupancy, including a temporary certificate, shall be issued until such time as ALL conditions of the Board's decision are met.
12. **DESIGN ENGINEER CERTIFICATION:** Prior to the issuance of any occupancy permit, the Applicant's registered professional engineer, landscape architect, and such other professionals that prepared the approved plans, shall certify to the Board or its agent that the location and elevation of all underground utilities, including drainage, water and sewer, and landscaping plan substantially conform to the plans approved by the Board of Appeals and reviewed by its consulting engineer.
13. **PEER REVIEW:** Further, the project design shall be checked against the filed As Built plans and reviewed by the Town's consulting engineer at the sole expense of the Applicant for compliance with the project plans as approved by the Board of Appeals and detailed in this decision or any modifications thereto, prior to issuance of any Certificate of Occupancy.

14. **AS-BUILT PLANS:** *Prior to issuance of a Certificate of Occupancy*, the property owner or Applicant shall provide *As-built* plans, signed and stamped by a registered professional engineer, landscape architect, and/or professional land surveyor, as appropriate, in accordance with Section 1560 of the Norwell Zoning Bylaw. These plans shall show:

- a. Pavement locations, building locations, lot lines, driveway locations, all utilities above and below ground such as water, gas, electric, septic, telecommunication, utility poles, manholes with rim elevations and inverts, catch basin rims and inverts, other drainage with pipe size and invert.
- b. All utility easements; ties from building foundations to utility services.
- c. Final site grading including all drainage structures and lot grading to demonstrate conformance to the approved drainage design, with a certification as to final grading that is.


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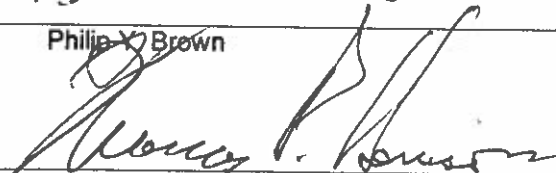
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Lois S. Barbour


Philip X. Brown


Thomas P. Harrison

*This space reserved for
Date Stamp of Town Clerk*

Date Filed with Office of the Town Clerk

NOTICE OF APPELLATE RIGHTS: Any decision of the Board of Appeals may be appealed pursuant to Massachusetts General Laws, Chapter 40A, Section 17, to the Land Court or Superior Court Department within twenty (20) days after filing of the written decision with the Town Clerk. Any construction or pre-construction activity is undertaken at the applicant's risk during the appeal period.

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OFFICE OF TOWN CLERK

Community Outreach Meeting Attestation Form

Instructions

Community Outreach Meeting(s) are a requirement of the application to become a Marijuana Establishment (ME) and Medical Marijuana Treatment Center (MTC). 935 CMR 500.101(1), 500.101(2), 501.101(1), and 501.101(2). The applicant must complete each section of this form and attach all required documents as a single PDF document before uploading it into the application. If your application is for a license that will be located at more than one (1) location, and in different municipalities, applicants must complete two (2) attestation forms – one for each municipality. Failure to complete a section will result in the application not being deemed complete. Please note that submission of information that is “misleading, incorrect, false, or fraudulent” is grounds for denial of an application for a license pursuant to 935 CMR 500.400(2) and 501.400(2).

Attestation

I, the below indicated authorized representative of that the applicant, attest that the applicant has complied with the Community Outreach Meeting requirements of 935 CMR 500.101 and/or 935 CMR 501.101 as outlined below:

1. The Community Outreach Meeting was held on the following date(s): 4/29/21
2. At least one (1) meeting was held within the municipality where the ME is proposed to be located.
3. At least one (1) meeting was held after normal business hours (this requirement can be satisfied along with requirement #2 if the meeting was held within the municipality and after normal business hours).



4. A copy of the community outreach notice containing the time, place, and subject matter of the meeting, including the proposed address of the ME or MTC was published in a newspaper of general circulation in the municipality at least 14 calendar days prior to the meeting. A copy of this publication notice is labeled and attached as "Attachment A."

a. Date of publication:

4/14/21

b. Name of publication:

Norwell Mariner

5. A copy of the community outreach notice containing the time, place, and subject matter of the meeting, including the proposed address of the ME or MTC was filed with clerk of the municipality. A copy of this filed notice is labeled and attached as "Attachment B."

a. Date notice filed:

4/14/21

6. A copy of the community outreach notice containing the time, place, and subject matter of the meeting, including the proposed address of the ME or MTC was mailed at least seven (7) calendar days prior to the community outreach meeting to abutters of the proposed address, and residents within 300 feet of the property line of the applicant's proposed location as they appear on the most recent applicable tax list, notwithstanding that the land of the abutter or resident is located in another municipality. A copy of this mailed notice is labeled and attached as "Attachment C." Please redact the name of any abutter or resident in this notice.

a. Date notice(s) mailed:

4/14/21

7. The applicant presented information at the Community Outreach Meeting, which at a minimum included the following:
- The type(s) of ME or MTC to be located at the proposed address;
 - Information adequate to demonstrate that the location will be maintained securely;
 - Steps to be taken by the ME or MTC to prevent diversion to minors;
 - A plan by the ME or MTC to positively impact the community; and
 - Information adequate to demonstrate that the location will not constitute a nuisance as defined by law.
8. Community members were permitted to ask questions and receive answers from representatives of the ME or MTC.



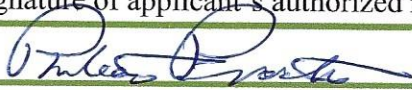
Name of applicant:

Elevated Access Center, Inc.

Name of applicant's authorized representative:

Robert Proctor

Signature of applicant's authorized representative:



NOTICE OF MORTGAGEE'S SALE OF REAL ESTATE

AD#13953867
Mariner 4/14, 4/21,
4/28, 2021

You are invited to
**In Print
and
Online**



All about you.

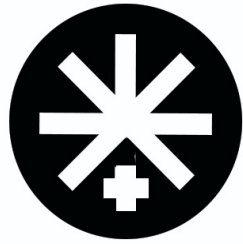
**WICKED
LOCAL**

Elevated Access Center, Inc's Community Outreach Meeting materials were posted 24 hours before the meeting at the following link:

<https://elevatedaccesscenter.wixsite.com/eac-community-outrea>

I, Peter Morin hereby authorize Elevated Access Center, Inc. to host their Community Outreach Meeting virtually in accordance with M.G.L. 94I, M.G.L. c. 94G, and the final administrative order allowing virtual web-based Community Outreach Meetings.

By: Peter J. Morin



ELEVATED
ACCESS CENTER

To Whom it May Concern,

On April 29th, 2021, Elevated Access Center, Inc. held a virtual Community Outreach Meeting with thirteen recorded attendees.

Thank you,
Robert Proctor, CEO

Positive Impact Plan - Elevated Access Center

EAC SOP 401	Title: Positive Impact Plan	
	Last Updated:	10/01/2022
	Approved By:	Hope Marian
	Effective Date:	10/01/2022

Positive Impact Plan Regulatory Acknowledgements

The applicant will adhere to the requirements outlined in 935 CMR 500.105(4), which provides the permitted and prohibited advertising, branding, marketing, and sponsorship practices of every Marijuana Establishment.

No actions taken or programs instituted by the applicant will violate the Commission's regulations concerning limitations on ownership or control or other applicable state laws. No donation or program to support any specifically named organizations or the furtherance of their goals has been proposed, as this is a direct program from the applicant.

Programs:

Our company's Positive Impact Plan (PIP) comprises four programs that will be implemented by company staff and management;

1. Hiring a workforce focusing on residents of the City of Brockton, an Area of Disproportionate Impact
2. Provide business educational tours and workshops in our facility to connect the communities we grew up in and the people we grew up with to the complexities and successes of the regulated cannabis industry.
3. Community outreach and engagement within the neighborhoods of Brockton to educate residents about our Latino/Latina, minority, and Social Equity-owned business.
4. Food and clothing drive on-site for non-monetary donations to the local food bank and charitable clothing services.

Goals:

1. To hire a minimum of 50% Latino/Latina residents from the City of Brockton, an Area of Disproportionate Impact

2. Provide a monthly facility tour focusing on local residents from underserved neighborhoods. As part of such tours, educational materials will be created to provide to tour participants in helping them understand the steps to entering the regulated cannabis industry. Some monthly tours will have themes such as Seed to Sale tracking or Cultivation Assistant 101.
3. Quarterly community outreach by employees in City of Brockton neighborhoods to disseminate educational materials on the Social Equity Program and industry opportunities.
4. Fill a container with 50 pounds of clothing for our clothing drive and one 50-pound box for our food drive for donation to local residents quarterly.

Metrics:

1. After one year of operations, are 50% of our management and staff Black and Latino or residents from the City of Brockton?
2. Have we provided 12 tours (one 1 hour per month) to the public, focusing on word-of-mouth outreach in our community to encourage underserved residents to attend?
3. Have we written, printed, and disseminated educational materials about the steps to entering the cannabis industry at our tours?
4. Was evidence for such tours provided via flyers left at residences, outreach, and word-of-mouth advertising in Brockton?
5. Have we gathered staff once a quarter to walk the local neighborhoods with an intent to disseminate educational materials and speak directly to residents about the Social Equity program and our woman, minority, and Social Equity owned business?
6. Have we weighed or measured our clothing bin and food box to reach our goal of 50 pounds each for donation quarterly?

Elevated Access Center, Inc. acknowledges that the progress or success of its plan must be documented upon renewal, one year from provisional licensure and each year thereafter.

D

The Commonwealth of Massachusetts

William Francis Galvin

Secretary of the Commonwealth

One Ashburton Place, Boston, Massachusetts 02108-1512

FORM MUST BE TYPED

**Articles of Entity Conversion of a
Domestic Non-Profit with a Pending Provisional
or Final Certification to Dispense Medical Use Marijuana
to a Domestic Business Corporation**
(General Laws Chapter 156D, Section 9.53; 950 CMR 113.30)

FOR

Elevated Non-Profit Corporation is a registrant
with the Department of Public Health
in accordance with 105 CMR 725.100(C)
as of May 2, 2018.

Bryan Harter
Bryan Harter

Director

Medical Use of Marijuana Program
Bureau of Healthcare Safety and Quality
Massachusetts Department of Public Health

- (1) Exact name of the non-profit: Elevated Non-Profit Corporation

001223747

- (2) A corporate name that satisfies the requirements of G.L. Chapter 156D, Section 4.01:

Elevated Access Center, Inc.

- (3) The plan of entity conversion was duly approved in accordance with the law.

- (4) The following information is required to be included in the articles of organization pursuant to G.L. Chapter 156D, Section 2.02(a) or permitted to be included in the articles pursuant to G.L. Chapter 156D, Section 2.02(b):

ARTICLE I

The exact name of the corporation upon conversion is:

Elevated Access Center, Inc.

ARTICLE II

Unless the articles of organization otherwise provide, all corporations formed pursuant to G.L. Chapter 156D have the purpose of engaging in any lawful business. Please specify if you want a more limited purpose:*

To transact business as a registered marijuana dispensary in accordance with Massachusetts law and to engage in any other lawful business.

4

P.C.

ARTICLE III

State the total number of shares and par value, * if any, of each class of stock that the corporation is authorized to issue. All corporations must authorize stock. If only one class or series is authorized, it is not necessary to specify any particular designation.

WITHOUT PAR VALUE		WITH PAR VALUE		
TYPE	NUMBER OF SHARES	TYPE	NUMBER OF SHARES	PAR VALUE
CNP	275,000			

ARTICLE IV

Prior to the issuance of shares of any class or series, the articles of organization must set forth the preferences, limitations and relative rights of that class or series. The articles may also limit the type or specify the minimum amount of consideration for which shares of any class or series may be issued. Please set forth the preferences, limitations and relative rights of each class or series and, if desired, the required type and minimum amount of consideration to be received.

None.

ARTICLE V

The restrictions, if any, imposed by the articles or organization upon the transfer of shares of any class or series of stock are:

None.

ARTICLE VI

Other lawful provisions, and if there are no such provisions, this article may be left blank.

See attached Article VI.

Note: The preceding six (6) articles are considered to be permanent and may be changed only by filing appropriate articles of amendment.

ARTICLE VI

1. Authority of directors to create new classes and series of shares. The board of directors, acting without the shareholders, may (a) reclassify any unissued shares of any authorized class or series into one or more existing or new classes or series, and (b) create one or more new classes or series of shares, specifying the number of shares to be included therein, the distinguishing designation thereof and the preferences, limitations and relative rights applicable thereto, provided that the board of directors may not approve an aggregate number of authorized shares of all classes and series which exceeds the total number of authorized shares specified in the Articles of Organization approved by the shareholders.

2. Minimum number of directors. The board of directors may consist of one or more individuals, notwithstanding the number of shareholders.

3. Personal liability of directors to corporation. No director shall have personal liability to the corporation for monetary damages for breach of his or her fiduciary duty as a director notwithstanding any provision of law imposing such liability, provided that this provision shall not eliminate or limit the liability of a director (a) for any breach of the director's duty of loyalty to the corporation or its shareholders, (b) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (c) for improper distributions under Section 6.40 of Chapter 156D of the General Laws of Massachusetts, or (d) for any transaction from which the director derived an improper personal benefit.

4. Shareholder vote required to approve matters acted on by shareholders. The affirmative vote of a majority of all the shares in a voting group eligible to vote on a matter shall be sufficient for the approval of the matter, notwithstanding any greater vote on the matter otherwise required by any provision of Chapter 156D of the General Laws of Massachusetts.

5. Shareholder action without a meeting by less than unanimous consent. Action required or permitted by Chapter 156D of the General Laws of Massachusetts to be taken at a shareholders' meeting may be taken without a meeting by shareholders having not less than the minimum number of votes necessary to take the action at a meeting at which all shareholders entitled to vote on the action are present and voting.

6. Authorization of directors to make, amend or repeal bylaws. The board of directors may make, amend or repeal the bylaws in whole or in part, except with respect to any provision thereof which by virtue of an express provision in Chapter 156D of the General Laws of Massachusetts, the Articles of Organization or the bylaws requires action by the shareholders.

ARTICLE VII

The effective date of organization of the corporation is the date and time the articles were received for filing if the articles are not rejected within the time prescribed by law. If a later effective date is desired, specify such date, which may not be later than the 90th day after the articles are received for filing:

ARTICLE VIII

The information contained in this article is not a permanent part of the articles of organization.

- a. The street address of the initial registered office of the corporation in the commonwealth:
175 Derby Street, Suite 12, Hingham, MA 02043
- b. The name of its initial registered agent at its registered office:
Robert A. Proctor
- c. The names and addresses of the individuals who will serve as the initial directors, president, treasurer and secretary of the corporation (an address need not be specified if the business address of the officer or director is the same as the principal office location):

President: Robert A. Proctor

Treasurer: Robert A. Proctor


Secretary: Benjamin W. Proctor

Director(s): Robert A. Proctor; Benjamin W. Proctor

- d. The fiscal year end of the corporation:
December 31 ✓
- e. A brief description of the type of business in which the corporation intends to engage:
Cultivate, transport, and distribute marijuana to the extent permitted by Massachusetts law ✓
- f. The street address of the principal office of the corporation:
175 Derby Street, Suite 12, Hingham, MA 02043
- g. The street address where the records of the corporation required to be kept in the commonwealth are located is:

175 Derby Street, Suite 12, Hingham, MA 02043, which is
(number, street, city or town, state, zip code)

- ☒ its principal office;
- ☐ an office of its transfer agent;
- ☐ an office of its secretary/assistant secretary;
- ☐ its registered office.

Signed by:  _____
(signature of authorized individual)

- ☐ Chairman of the board of directors,
- ☒ President,
- ☐ Other officer,
- ☐ Court-appointed fiduciary,

on this 23rd day of April, 2018

COMMONWEALTH OF MASSACHUSETTS

1311240

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

**Articles of Entity Conversion of a
Domestic Non-Profit with a Pending Provisional or
Final Certification to Dispense Medical Use Marijuana
to a Domestic Business Corporation**
(General Laws Chapter 156D, Section 9.53; 950 CMR 113.30)

3319

I hereby certify that upon examination of these articles of conversion, duly submitted to me, it appears that the provisions of the General Laws relative thereto have been complied with, and I hereby approve said articles; and the filing fee in the amount of \$ 475 having been paid, said articles are deemed to have been filed with me this 22 day of May, 20 18, at 12:18 a.m./p.m. (a)
time

Effective date: _____
(must be within 90 days of date submitted)



WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth


Examiner
Trang N.
Name approval

Filing fee: Minimum \$250

SECRETARY OF THE
COMMONWEALTH
2018 MAY 22 PM 12:18
CORPORATIONS DIVISION

C

TO BE FILLED IN BY CORPORATION
Contact Information:

M

Gregory P. Hillier Esq., c/o Schlossberg LLC

35 Braintree Hill Office Park, Ste. 401

Braintree, MA 02184

Telephone: 781-848-5028

Email: ghillier@sabusinesslaw.com

Upon filing, a copy of this filing will be available at www.sec.state.ma.us/cor. If the document is rejected, a copy of the rejection sheet and rejected document will be available in the rejected queue.

AMENDED AND RESTATED
BYLAWS
OF
ELEVATED ACCESS CENTER, INC.

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ARTICLE I

SHAREHOLDERS

Section 1. Annual Meeting. The annual meeting of shareholders shall be held on the first Monday of May of each year (or if that be a legal holiday then in the place where the meeting is to be held on the next succeeding full business day) at the hour fixed by the Directors or the President and stated in the notice of the meeting. The purposes for which the annual meeting is to be held, in addition to those prescribed by the Articles of Organization, shall be for electing directors and for such other purposes as shall be specified in the notice for the meeting, and only business within such purposes may be conducted at the meeting. In the event an annual meeting is not held at the time fixed in accordance with these Bylaws or the time for an annual meeting is not fixed in accordance with these Bylaws to be held within 13 months after the last annual meeting was held, the Corporation may designate a special meeting held thereafter as a special meeting in lieu of the annual meeting, and the meeting shall have all of the effect of an annual meeting.

Section 2. Special Meetings. Special meetings of the shareholders may be called by the President or by the Directors, and shall be called by the Secretary, or in case of the death, absence, incapacity or refusal of the Secretary, by another officer, if the holders of at least 10 per cent, or such lesser percentage as the Articles of Organization permit, of all the votes entitled to be cast on any issue to be considered at the proposed special meeting sign, date, and deliver to the Secretary one or more written demands for the meeting describing the purpose for which it is to be held. Only business within the purpose or purposes described in the meeting notice may be conducted at a special shareholders' meeting.

Section 3. Place of Meetings. All meetings of shareholders shall be held at the principal office of the Corporation unless a different place is specified in the notice of the meeting or the meeting is held solely by means of remote communication in accordance with Section 11 of this Article.

Section 4. Requirement of Notice. A written notice of the date, time, and place of each annual and special shareholders' meeting describing the purposes of the meeting shall be given to shareholders entitled to vote at the meeting (and, to the extent required by law or the Articles of Organization, to shareholders not entitled to vote at the meeting) no fewer than seven nor more than 60 days before the meeting date. If an annual or special meeting of shareholders is adjourned to a different date, time or place, notice need not be given of the new date, time or place if the new date, time or place, if any, is announced at the meeting before adjournment. If a new record date for the adjourned meeting is fixed, however, notice of the adjourned meeting shall be given under this Section to persons who are shareholders as of the new record date. All notices to shareholders shall conform to the requirements of Article III.

Section 5. Waiver of Notice. A shareholder may waive any notice required by law, the Articles of Organization, or these Bylaws before or after the date and time stated in the notice. The waiver shall be in writing, be signed by the shareholder entitled to the notice, and be delivered to the Corporation for inclusion with the records of the meeting. A shareholder's attendance at a meeting: (a) waives objection to lack of notice or defective notice of the meeting, unless the shareholder at the beginning of the meeting objects to holding the meeting or

transacting business at the meeting; and (b) waives objection to consideration of a particular matter at the meeting that is not within the purpose or purposes described in the meeting notice, unless the shareholder objects to considering the matter when it is presented.

Section 6. Quorum.

(a) Unless otherwise provided by law, or in the Articles of Organization, these Bylaws or a resolution of the Directors requiring satisfaction of a greater quorum requirement for any voting group, a majority of the votes entitled to be cast on the matter by a voting group constitutes a quorum of that voting group for action on that matter. As used in these Bylaws, a voting group includes all shares of one or more classes or series that, under the Articles of Organization or the Massachusetts Business Corporation Act, as in effect from time to time (the "MBCA"), are entitled to vote and to be counted together collectively on a matter at a meeting of shareholders.

(b) A share once represented for any purpose at a meeting is deemed present for quorum purposes for the remainder of the meeting and for any adjournment of that meeting unless (1) the shareholder attends solely to object to lack of notice, defective notice or the conduct of the meeting on other grounds and does not vote the shares or otherwise consent that they are to be deemed present, or (2) in the case of an adjournment, a new record date is or shall be set for that adjourned meeting.

Section 7. Voting and Proxies. Unless the Articles of Organization provide otherwise, each outstanding share, regardless of class, is entitled to one vote on each matter voted on at a shareholders' meeting. A shareholder may vote his or her shares in person or may appoint a proxy to vote or otherwise act for him or her by signing an appointment form, either personally or by his or her attorney-in-fact. An appointment of a proxy is effective when received by the Secretary or other officer or agent authorized to tabulate votes. Unless otherwise provided in the appointment form, an appointment is valid for a period of 11 months from the date the shareholder signed the form or, if it is undated, from the date of its receipt by the officer or agent. An appointment of a proxy is revocable by the shareholder unless the appointment form conspicuously states that it is irrevocable and the appointment is coupled with an interest, as defined in the MBCA. An appointment made irrevocable is revoked when the interest with which it is coupled is extinguished. The death or incapacity of the shareholder appointing a proxy shall not affect the right of the Corporation to accept the proxy's authority unless notice of the death or incapacity is received by the Secretary or other officer or agent authorized to tabulate votes before the proxy exercises his or her authority under the appointment. A transferee for value of shares subject to an irrevocable appointment may revoke the appointment if he or she did not know of its existence when he or she acquired the shares and the existence of the irrevocable appointment was not noted conspicuously on the certificate representing the shares or on the information statement for shares without certificates. Subject to the provisions of Section 7.24 of the MBCA and to any express limitation on the proxy's authority appearing on the face of the appointment form, the Corporation is entitled to accept the proxy's vote or other action as that of the shareholder making the appointment.

Section 8. Action at Meeting. If a quorum of a voting group exists, favorable action on a matter, other than the election of Directors, is taken by a voting group if the votes cast within the group favoring the action exceed the votes cast opposing the action, unless a greater number of affirmative votes is required by law, or the Articles of Organization, these Bylaws or a resolution of the Board of Directors requiring receipt of a greater affirmative vote of the shareholders, including more separate voting groups. Directors are elected by a plurality of the votes cast by the shares entitled to vote in the election at a meeting at which a quorum is present. No ballot shall be required for such election unless requested by a shareholder present or represented at the meeting and entitled to vote in the election.

Section 9. Action without Meeting by Written Consent.

(a) Action taken at a shareholders' meeting may be taken without a meeting if the action is taken either: (1) by all shareholders entitled to vote on the action; or (2) to the extent permitted by the Articles of Organization, by shareholders having not less than the minimum number of votes necessary to take the action at a meeting at which all shareholders entitled to vote on the action are present and voting. The action shall be evidenced by one or more written consents that describe the action taken, are signed by shareholders having the requisite votes, bear the date of the signatures of such shareholders, and are delivered to the Corporation for inclusion with the records of meetings within 60 days of the earliest dated consent delivered to the Corporation as required by this Section. A consent signed under this Section has the effect of a vote at a meeting.

(b) If action is to be taken pursuant to the consent of voting shareholders without a meeting, the Corporation, at least seven days before the action pursuant to the consent is taken, shall give notice, which complies in form with the requirements of Article III, of the action (1) to nonvoting shareholders in any case where such notice would be required by law if the action were to be taken pursuant to a vote by voting shareholders at a meeting, and (2) if the action is to be taken pursuant to the consent of less than all the shareholders entitled to vote on the matter, to all shareholders entitled to vote who did not consent to the action. The notice shall contain, or be accompanied by, the same material that would have been required by law to be sent to shareholders in or with the notice of a meeting at which the action would have been submitted to the shareholders for approval.

Section 10. Record Date. The Directors may fix the record date in order to determine the shareholders entitled to notice of a shareholders' meeting, to demand a special meeting, to vote, or to take any other action. If a record date for a specific action is not fixed by the Board of Directors, and is not supplied by law, the record date shall be the close of business either on the day before the first notice is sent to shareholders, or, if no notice is sent, on the day before the meeting or, in the case of action without a meeting by written consent, the date the first shareholder signs the consent. A record date fixed under this Section may not be more than 70 days before the meeting or action requiring a determination of shareholders. A determination of shareholders entitled to notice of or to vote at a shareholders' meeting is effective for any adjournment of the meeting unless the Board of Directors fixes a new record date, which it shall do if the meeting is adjourned to a date more than 120 days after the date fixed for the original meeting.

Section 11. Meetings by Remote Communications. Unless otherwise provided in the Articles of Organization, if authorized by the Directors: any annual or special meeting of shareholders need not be held at any place but may instead be held solely by means of remote communication; and subject to such guidelines and procedures as the Board of Directors may adopt, shareholders and proxyholders not physically present at a meeting of shareholders may, by means of remote communications: (a) participate in a meeting of shareholders; and (b) be deemed present in person and vote at a meeting of shareholders whether such meeting is to be held at a designated place or solely by means of remote communication, provided that: (1) the Corporation shall implement reasonable measures to verify that each person deemed present and permitted to vote at the meeting by means of remote communication is a shareholder or proxyholder; (2) the Corporation shall implement reasonable measures to provide such shareholders and proxyholders a reasonable opportunity to participate in the meeting and to vote on matters submitted to the shareholders, including an opportunity to read or hear the proceedings of the meeting substantially concurrently with such proceedings; and (3) if any shareholder or proxyholder votes or takes other action at the meeting by means of remote communication, a record of such vote or other action shall be maintained by the Corporation.

Section 12. Form of Shareholder Action.

(a) Any vote, consent, waiver, proxy appointment or other action by a shareholder or by the proxy or other agent of any shareholder shall be considered given in writing, dated and signed, if, in lieu of any other means permitted by law, it consists of an electronic transmission that sets forth or is delivered with information from which the Corporation can determine (i) that the electronic transmission was transmitted by the shareholder, proxy or agent or by a person authorized to act for the shareholder, proxy or agent; and (ii) the date on which such shareholder, proxy, agent or authorized person transmitted the electronic transmission. The date on which the electronic transmission is transmitted shall be considered to be the date on which it was signed. The electronic transmission shall be considered received by the Corporation if it has been sent to any address specified by the Corporation for the purpose or, if no address has been specified, to the principal office of the Corporation, addressed to the Secretary or other officer or agent having custody of the records of proceedings of shareholders.

(b) Any copy, facsimile or other reliable reproduction of a vote, consent, waiver, proxy appointment or other action by a shareholder or by the proxy or other agent of any shareholder may be substituted or used in lieu of the original writing for any purpose for which the original writing could be used, but the copy, facsimile or other reproduction shall be a complete reproduction of the entire original writing.

Section 13. Shareholders List for Meeting.

(a) After fixing a record date for a shareholders' meeting, the Corporation shall prepare an alphabetical list of the names of all its shareholders who are entitled to notice of the meeting. The list shall be arranged by voting group, and within each voting group by class or series of shares, and show the address of and number of shares held by each shareholder, but need not include an electronic mail address or other electronic contact information for any shareholder.

(b) The shareholders list shall be available for inspection by any shareholder, beginning two business days after notice is given of the meeting for which the list was prepared and continuing through the meeting: (1) at the Corporation's principal office or at a place identified in the meeting notice in the city where the meeting will be held; or (2) on a reasonably accessible electronic network, provided that the information required to gain access to such list is provided with the notice of the meeting. If the meeting is to be held solely by means of remote communication, the list shall be made available on an electronic network.

(c) A shareholder, his or her agent, or attorney is entitled on written demand to inspect and, subject to the requirements of Section 2(c) of Article VI of these Bylaws, to copy the list, during regular business hours and at his or her expense, during the period it is available for inspection.

(d) The Corporation shall make the shareholders list available at the meeting, and any shareholder or his or her agent or attorney is entitled to inspect the list at any time during the meeting or any adjournment.

ARTICLE II **DIRECTORS**

Section 1. Powers. All corporate power shall be exercised by or under the authority of, and the business and affairs of the Corporation shall be managed under the direction of, its Board of Directors.

Section 2. Number and Election. The Board of Directors shall consist of one or more individuals (notwithstanding the number of shareholders), with the number fixed by the shareholders at the annual meeting or by the Board of Directors. Except as otherwise provided in these Bylaws or the Articles of Organization, the Directors shall be elected by the shareholders at the annual meeting.

Section 3. Vacancies. If a vacancy occurs on the Board of Directors, including a vacancy resulting from an increase in the number of Directors: (a) the shareholders may fill the vacancy; (b) the Board of Directors may fill the vacancy; or (c) if the Directors remaining in office constitute fewer than a quorum of the Board, they may fill the vacancy by the affirmative vote of a majority of all the Directors remaining in office. A vacancy that will occur at a specific later date may be filled before the vacancy occurs but the new Director may not take office until the vacancy occurs.

Section 4. Change in Size of the Board of Directors. The number of Directors may be fixed or changed from time to time by the shareholders or the Board of Directors, and the Board of Directors may increase or decrease the number of Directors last approved by the shareholders.

Section 5. Tenure. The terms of all Directors shall expire at the next annual shareholders' meeting following their election. A decrease in the number of Directors does not shorten an incumbent Director's term. The term of a Director elected to fill a vacancy shall expire at the next shareholders' meeting at which Directors are elected. Despite the expiration of a

Director's term, he or she shall continue to serve until his or her successor is elected and qualified or until there is a decrease in the number of Directors.

Section 6. Resignation. A Director may resign at any time by delivering written notice of resignation to the Board of Directors, its chairman, or to the Corporation. A resignation is effective when the notice is delivered unless the notice specifies a later effective date.

Section 7. Removal. The shareholders may remove one or more Directors with or without cause but if a Director is elected by a voting group of shareholders, only the shareholders of that voting group may participate in the vote to remove him or her. A Director may be removed for cause by the Directors by vote of a majority of the Directors then in office but, if a Director is elected by a voting group of shareholders, only the Directors elected by that voting group may participate in the vote to remove him or her. A Director may be removed by the shareholders or the Directors only at a meeting called for the purpose of removing him or her, and the meeting notice must state that the purpose, or one of the purposes, of the meeting is removal of the Director.

Section 8. Regular Meetings. Regular meetings of the Board of Directors may be held at such times and places as shall from time to time be fixed by the Board of Directors without notice of the date, time, place or purpose of the meeting.

Section 9. Special Meetings. Special meetings of the Board of Directors may be called by the President, by the Secretary, by any two Directors, or by one Director in the event that there is only one Director.

Section 10. Notice. Special meetings of the Board must be preceded by at least two days' notice of the date, time and place of the meeting. The notice need not describe the purpose of the special meeting. All notices to directors shall conform to the requirements of Article III.

Section 11. Waiver of Notice. A Director may waive any notice before or after the date and time of the meeting. The waiver shall be in writing, signed by the Director entitled to the notice, or in the form of an electronic transmission by the Director to the Corporation, and filed with the minutes or corporate records. A Director's attendance at or participation in a meeting waives any required notice to him or her of the meeting unless the Director at the beginning of the meeting, or promptly upon his or her arrival, objects to holding the meeting or transacting business at the meeting and does not thereafter vote for or assent to action taken at the meeting.

Section 12. Quorum. A quorum of the Board of Directors consists of a majority of the Directors then in office, provided always that any number of Directors (whether one or more and whether or not constituting a quorum) constituting a majority of Directors present at any meeting or at any adjourned meeting may make any reasonable adjournment thereof.

Section 13. Action at Meeting. If a quorum is present when a vote is taken, the affirmative vote of a majority of Directors present is the act of the Board of Directors. A Director who is present at a meeting of the Board of Directors or a committee of the Board of Directors when corporate action is taken is considered to have assented to the action taken unless: (a) he or

she objects at the beginning of the meeting, or promptly upon his or her arrival, to holding it or transacting business at the meeting; (b) his or her dissent or abstention from the action taken is entered in the minutes of the meeting; or (c) he or she delivers written notice of his or her dissent or abstention to the presiding officer of the meeting before its adjournment or to the Corporation immediately after adjournment of the meeting. The right of dissent or abstention is not available to a Director who votes in favor of the action taken.

Section 14. Action Without Meeting. Any action required or permitted to be taken by the Directors may be taken without a meeting if the action is taken by the unanimous consent of the members of the Board of Directors. The action must be evidenced by one or more consents describing the action taken, in writing, signed by each Director, or delivered to the Corporation by electronic transmission, to the address specified by the Corporation for the purpose or, if no address has been specified, to the principal office of the Corporation, addressed to the Secretary or other officer or agent having custody of the records of proceedings of Directors, and included in the minutes or filed with the corporate records reflecting the action taken. Action taken under this Section is effective when the last Director signs or delivers the consent, unless the consent specifies a different effective date. A consent signed or delivered under this Section has the effect of a meeting vote and may be described as such in any document.

Section 15. Telephone Conference Meetings. The Board of Directors may permit any or all Directors to participate in a regular or special meeting by, or conduct the meeting through the use of, any means of communication by which all Directors participating may simultaneously hear each other during the meeting. A Director participating in a meeting by this means is considered to be present in person at the meeting.

Section 16. Committees. The Board of Directors may create one or more committees and appoint members of the Board of Directors to serve on them. Each committee may have one or more members, who serve at the pleasure of the Board of Directors. The creation of a committee and appointment of members to it must be approved by a majority of all the Directors in office when the action is taken. Article III and Sections 10 through 15 of this Article shall apply to committees and their members. To the extent specified by the Board of Directors, each committee may exercise the authority of the Board of Directors. A committee may not, however: (a) authorize distributions; (b) approve or propose to shareholders action that the MBCA requires be approved by shareholders; (c) change the number of the Board of Directors, remove Directors from office or fill vacancies on the Board of Directors; (d) amend the Articles of Organization; (e) adopt, amend or repeal Bylaws; or (f) authorize or approve reacquisition of shares, except according to a formula or method prescribed by the Board of Directors. The creation of, delegation of authority to, or action by a committee does not alone constitute compliance by a Director with the standards of conduct described in Section 18 of this Article.

Section 17. Compensation. The Board of Directors may fix the compensation of Directors.

Section 18. Standard of Conduct for Directors.

(a) A Director shall discharge his or her duties as a Director, including his or her duties as a member of a committee: (1) in good faith; (2) with the care that a person in a like position would reasonably believe appropriate under similar circumstances; and (3) in a manner the Director reasonably believes to be in the best interests of the Corporation. In determining what the Director reasonably believes to be in the best interests of the Corporation, a Director may consider the interests of the Corporation's employees, suppliers, creditors and customers, the economy of the state, the region and the nation, community and societal considerations, and the long-term and short-term interests of the Corporation and its shareholders, including the possibility that these interests may be best served by the continued independence of the Corporation.

(b) In discharging his or her duties, a Director who does not have knowledge that makes reliance unwarranted is entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, if prepared or presented by: (1) one or more officers or employees of the Corporation whom the Director reasonably believes to be reliable and competent with respect to the information, opinions, reports or statements presented; (2) legal counsel, public accountants, or other persons retained by the Corporation, as to matters involving skills or expertise the Director reasonably believes are matters (i) within the particular person's professional or expert competence or (ii) as to which the particular person merits confidence; or (3) a committee of the Board of Directors of which the Director is not a member if the Director reasonably believes the committee merits confidence.

(c) A Director is not liable for any action taken as a Director, or any failure to take any action, if he or she performed the duties of his or her office in compliance with this Section.

Section 19. Conflict of Interest.

(a) A conflict of interest transaction is a transaction with the Corporation in which a Director of the Corporation has a material direct or indirect interest. A conflict of interest transaction is not voidable by the Corporation solely because of the Director's interest in the transaction if any one of the following is true:

(1) the material facts of the transaction and the Director's interest were disclosed or known to the Board of Directors or a committee of the Board of Directors and the Board of Directors or committee authorized, approved, or ratified the transaction;

(2) the material facts of the transaction and the Director's interest were disclosed or known to the shareholders entitled to vote and they authorized, approved, or ratified the transaction; or

(3) the transaction was fair to the Corporation.

(b) For purposes of this Section, and without limiting the interests that may create conflict of interest transactions, a Director of the Corporation has an indirect interest in a transaction if: (1) another entity in which he or she has a material financial interest or in which

he or she is a general partner is a party to the transaction; or (2) another entity of which he or she is a director, officer, or trustee or in which he or she holds another position is a party to the transaction and the transaction is or should be considered by the Board of Directors of the Corporation.

(c) For purposes of clause (1) of subsection (a), a conflict of interest transaction is authorized, approved, or ratified if it receives the affirmative vote of a majority of the Directors on the Board of Directors (or on the committee) who have no direct or indirect interest in the transaction, but a transaction may not be authorized, approved, or ratified under this Section by a single Director. If a majority of the Directors who have no direct or indirect interest in the transaction vote to authorize, approve, or ratify the transaction, a quorum is present for the purpose of taking action under this Section. The presence of, or a vote cast by, a Director with a direct or indirect interest in the transaction does not affect the validity of any action taken under clause (1) of subsection (a) if the transaction is otherwise authorized, approved, or ratified as provided in that subsection.

(d) For purposes of clause (2) of subsection (a), a conflict of interest transaction is authorized, approved, or ratified if it receives the vote of a majority of the shares entitled to be counted under this subsection. Shares owned by or voted under the control of a Director who has a direct or indirect interest in the transaction, and shares owned by or voted under the control of an entity described in clause (1) of subsection (b), may not be counted in a vote of shareholders to determine whether to authorize, approve, or ratify a conflict of interest transaction under clause (2) of subsection (a). The vote of those shares, however, is counted in determining whether the transaction is approved under other Sections of these Bylaws. A majority of the shares, whether or not present, that are entitled to be counted in a vote on the transaction under this subsection constitutes a quorum for the purpose of taking action under this Section.

Section 20. Loans to Directors. The Corporation may not lend money to, or guarantee the obligation of a Director of, the Corporation unless: (a) the specific loan or guarantee is approved by a majority of the votes represented by the outstanding voting shares of all classes, voting as a single voting group, except the votes of shares owned by or voted under the control of the benefited Director; or (b) the Corporation's Board of Directors determines that the loan or guarantee benefits the Corporation and either approves the specific loan or guarantee or a general plan authorizing loans and guarantees. The fact that a loan or guarantee is made in violation of this Section shall not affect the borrower's liability on the loan.

ARTICLE III

MANNER OF NOTICE

All notices hereunder shall conform to the following requirements:

(a) Notice shall be in writing unless oral notice is reasonable under the circumstances. Notice by electronic transmission is written notice.

(b) Notice may be communicated in person; by telephone, voice mail, telegraph, teletype, or other electronic means; by mail; by electronic transmission; or by messenger or

delivery service. If these forms of personal notice are impracticable, notice may be communicated by a newspaper of general circulation in the area where published; or by radio, television, or other form of public broadcast communication.

(c) Written notice, other than notice by electronic transmission, if in a comprehensible form, is effective upon deposit in the United States mail, if mailed postpaid and correctly addressed to the shareholder's address shown in the Corporation's current record of shareholders.

(d) Written notice by electronic transmission, if in comprehensible form, is effective: (1) if by facsimile telecommunication, when directed to a number furnished by the shareholder for the purpose; (2) if by electronic mail, when directed to an electronic mail address furnished by the shareholder for the purpose; (3) if by a posting on an electronic network together with separate notice to the shareholder of such specific posting, directed to an electronic mail address furnished by the shareholder for the purpose, upon the later of (i) such posting and (ii) the giving of such separate notice; and (4) if by any other form of electronic transmission, when directed to the shareholder in such manner as the shareholder shall have specified to the Corporation. An affidavit of the Secretary or an Assistant Secretary of the Corporation, the transfer agent or other agent of the Corporation that the notice has been given by a form of electronic transmission shall, in the absence of fraud, be prima facie evidence of the facts stated therein.

(e) Except as provided in subsection (c), written notice, other than notice by electronic transmission, if in a comprehensible form, is effective at the earliest of the following: (1) when received; (2) five days after its deposit in the United States mail, if mailed postpaid and correctly addressed; (3) on the date shown on the return receipt, if sent by registered or certified mail, return receipt requested; or if sent by messenger or delivery service, on the date shown on the return receipt signed by or on behalf of the addressee; or (4) on the date of publication if notice by publication is permitted.

(f) Oral notice is effective when communicated if communicated in a comprehensible manner.

ARTICLE IV **OFFICERS**

Section 1. Enumeration. The Corporation shall have a President, a Treasurer, a Secretary and such other officers as may be appointed by the Board of Directors from time to time in accordance with these Bylaws. The Board may appoint one of its members to the office of Chairman of the Board and from time to time define the powers and duties of that office notwithstanding any other provisions of these Bylaws.

Section 2. Appointment. The officers shall be appointed by the Board of Directors. Each officer has the authority and shall perform the duties set forth in these Bylaws or, to the extent consistent with these Bylaws, the duties prescribed by the Board of Directors or by direction of an officer authorized by the Board of Directors to prescribe the duties of other officers.

Section 3. Qualification. The same individual may simultaneously hold more than one office in the Corporation.

Section 4. Tenure. Officers shall hold office until the first meeting of the Directors following the next annual meeting of shareholders after their appointment and until their respective successors are duly appointed, unless a shorter or longer term is specified in the vote appointing them.

Section 5. Resignation. An officer may resign at any time by delivering notice of the resignation to the Corporation. A resignation is effective when the notice is delivered unless the notice specifies a later effective date. If a resignation is made effective at a later date and the Corporation accepts the future effective date, the Board of Directors may fill the pending vacancy before the effective date if the Board of Directors provides that the successor shall not take office until the effective date. An officer's resignation shall not affect the Corporation's contract rights, if any, with the officer.

Section 6. Removal. The Board of Directors may remove any officer at any time with or without cause. The appointment of an officer shall not itself create contract rights. An officer's removal shall not affect the officer's contract rights, if any, with the Corporation.

Section 7. President. The President when present shall preside at all meetings of the shareholders. He or she shall be the chief executive officer of the Corporation except as the Board of Directors may otherwise provide. The President shall perform such duties and have such powers additional to the foregoing as the Directors shall designate.

Section 8. Treasurer. The Treasurer shall, subject to the direction of the Directors, have general charge of the financial affairs of the Corporation and shall cause to be kept accurate books of accounts. He or she shall have custody of all funds, securities, and valuable documents of the Corporation, except as the Directors may otherwise provide. The Treasurer shall perform such duties and have such powers additional to the foregoing as the Directors may designate.

Section 9. Secretary. The Secretary shall have responsibility for preparing minutes of the Directors' and shareholders' meetings and for authenticating records of the Corporation. The Secretary shall perform such duties and have such powers additional to the foregoing as the Directors shall designate.

Section 10. Standards Of Conduct For Officers. An officer shall discharge his or her duties: (a) in good faith; (b) with the care that a person in a like position would reasonably exercise under similar circumstances; and (c) in a manner the officer reasonably believes to be in the best interests of the Corporation. In discharging his or her duties, an officer, who does not have knowledge that makes reliance unwarranted, is entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, if prepared or presented by: (1) one or more officers or employees of the Corporation whom the officer reasonably believes to be reliable and competent with respect to the information, opinions, reports or statements presented; or (2) legal counsel, public accountants, or other persons retained by the Corporation as to matters involving skills or expertise the officer reasonably

believes are matters (i) within the particular person's professional or expert competence or (ii) as to which the particular person merits confidence. An officer shall not be liable to the Corporation or its shareholders for any decision to take or not to take any action taken, or any failure to take any action, as an officer, if the duties of the officer are performed in compliance with this Section.

ARTICLE V **PROVISIONS RELATING TO SHARES**

Section 1. Issuance and Consideration. The Board of Directors may issue the number of shares of each class or series authorized by the Articles of Organization. The Board of Directors may authorize shares to be issued for consideration consisting of any tangible or intangible property or benefit to the Corporation, including cash, promissory notes, services performed, contracts for services to be performed, or other securities of the Corporation. Before the Corporation issues shares, the Board of Directors shall determine that the consideration received or to be received for shares to be issued is adequate. The Board of Directors shall determine the terms upon which the rights, options, or warrants for the purchase of shares or other securities of the Corporation are issued and the terms, including the consideration, for which the shares or other securities are to be issued.

Section 2. Share Certificates. If shares are represented by certificates, at a minimum each share certificate shall state on its face: (a) the name of the Corporation and that it is organized under the laws of The Commonwealth of Massachusetts; (b) the name of the person to whom issued; and (c) the number and class of shares and the designation of the series, if any, the certificate represents. If different classes of shares or different series within a class are authorized, then the variations in rights, preferences and limitations applicable to each class and series, and the authority of the Board of Directors to determine variations for any future class or series, must be summarized on the front or back of each certificate. Alternatively, each certificate may state conspicuously on its front or back that the Corporation will furnish the shareholder this information on request in writing and without charge. Each share certificate shall be signed, either manually or in facsimile, by the President or a Vice President and by the Treasurer or an Assistant Treasurer, or any two officers designated by the Board of Directors, and shall bear the corporate seal or its facsimile. If the person who signed, either manually or in facsimile, a share certificate no longer holds office when the certificate is issued, the certificate shall be nevertheless valid.

Section 3. Uncertificated Shares. The Board of Directors may authorize the issue of some or all of the shares of any or all of the Corporation's classes or series without certificates. The authorization shall not affect shares already represented by certificates until they are surrendered to the Corporation. Within a reasonable time after the issue or transfer of shares without certificates, the Corporation shall send the shareholder a written statement of the information required by the MBCA to be on certificates.

Section 4. Record and Beneficial Owners. The Corporation shall be entitled to treat as the shareholder the person in whose name shares are registered in the records of the Corporation or, if the Board of Directors has established a procedure by which the beneficial owner of shares

that are registered in the name of a nominee will be recognized by the Corporation as a shareholder, the beneficial owner of shares to the extent of the rights granted by a nominee certificate on file with the Corporation.

Section 5. Lost or Destroyed Certificates. The Board of Directors of the Corporation may, subject to Massachusetts General Laws, Chapter 106, Section 8-405, determine the conditions upon which a new share certificate may be issued in place of any certificate alleged to have been lost, destroyed, or wrongfully taken. The Board of Directors may, in its discretion, require the owner of such share certificate, or his or her legal representative, to give a bond, sufficient in its opinion, with or without surety, to indemnify the Corporation against any loss or claim which may arise by reason of the issue of the new certificate.

Section 6. Right of First Refusal. No shareholder of the corporation shall sell, assign, pledge or otherwise transfer (collectively, "transfer") any of the shares of stock of the corporation or any right or interest therein, whether voluntarily or by operation of law, or by gift or otherwise, except by a transfer which meets the following requirements:

(a) If any shareholder (the "Selling Shareholder") proposes to transfer any shares of stock of the corporation (the "Offered Shares"), then the Selling Shareholder shall first give written notice of the proposed transfer (the "Transfer Notice") to the corporation. The Transfer Notice shall name the proposed transferee and state the number of Offered Shares, the price per share and all other material terms and conditions of the transfer.

(b) For 15 days following its receipt of such Transfer Notice, the corporation shall have the option to purchase all or any lesser part of the Offered Shares at the price and upon the terms set forth in the Transfer Notice. In the event the corporation elects to purchase all of the Offered Shares, it shall give written notice of its election to the Selling Shareholder within such 15-day period, and the settlement of the sale of such Offered Shares shall be made as provided below in Subsection (d).

(c) If the corporation does not elect to acquire all of the Offered Shares, the corporation shall, within 15 days after receipt of the Transfer Notice, give written notice of its decision to the holders of stock of the corporation other than the Selling Shareholder ("Eligible Shareholders"). Such notice shall state the number of Offered Shares available for purchase. Each Eligible Shareholder shall be entitled to purchase that proportion of the Offered Shares available for purchase as the number of shares of common stock owned by him or her bears to the total number of issued and outstanding shares of common stock of the corporation then owned by all Eligible Shareholders. For this purpose, any shares of convertible preferred stock of the corporation then outstanding shall be treated as if converted into the number of shares of common stock into which such shares may then be converted. Within ten days after mailing of such notice to the Eligible Shareholders, each Eligible Shareholder shall give written notice to the corporation and the Selling Shareholder stating how many shares of his or her pro rata allotment he or she will purchase and how many additional shares he or she will purchase if additional Offered Shares are made available. If an Eligible Shareholder fails to respond in writing within this ten-day period to the notice given by the corporation, the right of such Eligible Shareholder to acquire his or her proportionate part of the Offered Shares of the Selling

Shareholder shall terminate. If one or more Eligible Shareholders do not elect to acquire his or her full pro rata shares of the Offered Shares available, these Offered Shares shall be allocated to each other Eligible Shareholder in the same proportion as the Eligible Shareholder's holdings of common stock bears to the aggregate of all Eligible Shareholders' holdings of common stock (treating all shares of convertible preferred stock as if converted into common stock). If any Eligible Shareholder is thereby given the right to purchase a greater number of Offered Shares than he or she has subscribed for, the excess shall be reallocated to the other Eligible Shareholders on the same proportionate basis described above. The corporation shall allocate and reallocate the shares available according to this procedure, but it shall have discretion to allocate amounts of less than 100 shares as it sees fit in its sole discretion. All allocations and reallocations pursuant to this Subsection (c) must be completed within 14 days after the end of the ten-day period referred to above.

(d) If the corporation and/or Eligible Shareholders elect to acquire all, but not less than all, of the Offered Shares, the corporation shall so notify the Selling Shareholder and settlement shall be made at the principal office of the corporation in cash within 30 days after the corporation receives the Transfer Notice; provided that if the terms of payment set forth in the Transfer Notice were other than cash against delivery of such consideration, the corporation and/or the Eligible Shareholders shall pay for the Offered Shares on the same terms and conditions set forth in the Transfer Notice.

(e) If the corporation and/or the Eligible Shareholders do not elect to acquire all of the Offered Shares, the Selling Shareholder may, within the 90-day period following the expiration of the option rights granted to the corporation and the Eligible Shareholders, transfer the Offered Shares to the proposed transferee or any other purchaser, provided that this sale shall not be on terms and conditions more favorable to the purchaser than those contained in the Transfer Notice. Notwithstanding any of the above, all Offered Shares transferred pursuant to this Section shall be subject to the provisions of this Section in the same manner and to the same extent as before the transfer.

(f) The following transactions shall be exempt from the provisions of this Section:

(1) A shareholder's transfer of any or all of his or her shares either during his or her lifetime or on death by will or intestacy to his or her immediate family or to a trust the beneficiaries of which are exclusively one or more of the shareholder and a member or members of the shareholder's immediate family. "Immediate family" shall mean spouse, lineal descendant, father, mother, brother or sister of the shareholder making the transfer;

(2) A shareholder's bona fide pledge or mortgage of his or her shares with a commercial lending institution;

(3) A corporate shareholder's transfer of any or all of its shares pursuant to and in accordance with the terms of any merger, consolidation, share exchange, reclassification of shares or capital reorganization of the corporate shareholder, or pursuant to a sale of substantially all of the stock or assets of a corporate shareholder;

(4) A corporate shareholder's transfer of any or all of its shares to any or all of its shareholders;

(5) A transfer by a shareholder that is a partnership to any or all of its partners or retired partners, or to the estate of any partner or retired partner;

(6) A transfer by a shareholder that is a limited liability company to any or all of its members or retired members, or to the estate of any member or retired member;

(7) A transfer pursuant to an agreement among the shareholder and other shareholder(s) of the corporation providing for "take-me-along" or "co-sale" rights or any stock restriction agreement between the shareholder and the corporation;

(8) A transfer to a person who is already a shareholder of the corporation;

(9) A transfer to the guardian or conservator of the shareholder; and

(10) Any transfer pursuant to an effective registration statement filed by the corporation with the Securities and Exchange Commission;

provided, however, that in any such case, except as otherwise provided in Subsection (j) below, the transferee or other recipient shall receive and hold such shares of stock subject to the provisions of this Section and there shall be no further transfer of such shares of stock except in accordance with this Section.

(g) A shareholder of the corporation shall be deemed to have given a Transfer Notice to the corporation and to have offered to sell all of the shares of stock of the corporation then held by such shareholder:

(1) if such shareholder dies and as a result any transfer of stock is to be made other than as permitted by Subsection (f)(1) above;

(2) if such shareholder applies for or consents to the appointment of a custodian, receiver, trustee or liquidator of any of his or her properties;

(3) if such shareholder admits in writing his or her inability to pay his or her debts as they mature;

(4) if there is a dissolution, termination of existence, liquidation, insolvency or business failure of the shareholder;

(5) if there is a composition or an assignment or trust mortgage for the benefit of creditors by the shareholder;

(6) upon the commencement by or against the shareholder of any proceeding under the United States Bankruptcy Code or any other federal or state bankruptcy,

reorganization, receivership, insolvency or other similar law affecting the rights of creditors generally; or

(7) if that shareholder's shares are subject to (i) attachment or execution of a judgment or (ii) any other transfer by court order, operation of law, by gift or otherwise without consideration (other than pursuant to Subsection (f)).

If any offer is deemed to have been made under this Subsection (g), the corporation and/or the Eligible Shareholders may elect to purchase all or any portion of such Offered Shares, and the price to be paid by the corporation and/or the Eligible Shareholders for the Offered Shares so deemed to be offered shall be the most recent valuation for such shares of stock established by the Board of Directors. If the shares are not purchased by the corporation and/or the Eligible Shareholders but are transferred to other parties, the transferred shares shall thereafter be released from all restrictions under this Section.

(h) The corporation may assign its rights to purchase shares of stock in any particular transaction under this Section to one or more persons or entities.

(i) Any sale or transfer, or purported sale or transfer, of securities of the corporation shall be null and void unless the terms, conditions and provisions of this Section are strictly observed and followed.

(j) The foregoing right of first refusal shall terminate upon the closing of the first public offering of securities of the corporation that is effected pursuant to a registration statement filed with, and declared effective by, the Securities and Exchange Commission under the Securities Act of 1933, as amended (other than an offering registered on Form S-4, Form S-8 or any successor forms) that results in aggregate gross proceeds to the corporation (aggregate sales price to the public less underwriters' discounts) of at least \$10,000,000.00; or

upon the sale of all or substantially all of the shares or business of the corporation, by merger, consolidation, share exchange, sale of assets or otherwise.

(k) The following legend shall be noted conspicuously on the front or back of certificates representing certificated shares of stock of the corporation and shall be contained in the information statement required by Section 6.26(b) of the Massachusetts Business Corporation Act, as amended from time to time, for uncertificated shares of stock of the corporation:

The shares of stock represented by this certificate are subject to certain restrictions on transfer and/or rights of first refusal set forth in the charter and/or Bylaws of the corporation, a copy of both are available for inspection by a prospective investor without charge at the office of the secretary of the corporation.

(l) Whenever the neuter, masculine or feminine gender or the plural or singular number is used herein, it shall be deemed to represent whatever gender or number the context or circumstances require.

ARTICLE VI
CORPORATE RECORDS

Section 1. Records to be Kept.

(a) The Corporation shall keep as permanent records minutes of all meetings of its shareholders and Board of Directors, a record of all actions taken by the shareholders or Board of Directors without a meeting, and a record of all actions taken by a committee of the Board of Directors in place of the Board of Directors on behalf of the Corporation. The Corporation shall maintain appropriate accounting records. The Corporation or its agent shall maintain a record of its shareholders, in a form that permits preparation of a list of the names and addresses of all shareholders, in alphabetical order by class of shares showing the number and class of shares held by each. The Corporation shall maintain its records in written form or in another form capable of conversion into written form within a reasonable time.

(b) The Corporation shall keep within The Commonwealth of Massachusetts a copy of the following records at its principal office or an office of its transfer agent or of its Secretary or Assistant Secretary or of its registered agent:

(i) its Articles or Restated Articles of Organization and all amendments to them currently in effect;

(ii) its Bylaws or restated Bylaws and all amendments to them currently in effect;

(iii) resolutions adopted by its Board of Directors creating one or more classes or series of shares, and fixing their relative rights, preferences, and limitations, if shares issued pursuant to those resolutions are outstanding;

(iv) the minutes of all shareholders' meetings, and records of all action taken by shareholders without a meeting, for the past three years;

(v) all written communications to shareholders generally within the past three years, including the financial statements furnished under Section 16.20 of the MBCA for the past three years;

(vi) a list of the names and business addresses of its current Directors and officers; and

(vii) its most recent annual report delivered to the Massachusetts Secretary of State.

Section 2. Inspection of Records by Shareholders.

(a) A shareholder is entitled to inspect and copy, during regular business hours at the office where they are maintained pursuant to Section 1(b) of this Article, copies of any of the records of the Corporation described in said Section if he or she gives the Corporation written notice of his or her demand at least five business days before the date on which he or she wishes to inspect and copy.

(b) A shareholder is entitled to inspect and copy, during regular business hours at a reasonable location specified by the Corporation, any of the following records of the Corporation if the shareholder meets the requirements of subsection (c) and gives the Corporation written notice of his or her demand at least five business days before the date on which he or she wishes to inspect and copy:

(1) excerpts from minutes reflecting action taken at any meeting of the Board of Directors, records of any action of a committee of the Board of Directors while acting in place of the Board of Directors on behalf of the Corporation, minutes of any meeting of the shareholders, and records of action taken by the shareholders or Board of Directors without a meeting, to the extent not subject to inspection under subsection (a) of this Section;

(2) accounting records of the Corporation, but if the financial statements of the Corporation are audited by a certified public accountant, inspection shall be limited to the financial statements and the supporting schedules reasonably necessary to verify any line item on those statements; and

(3) the record of shareholders described in Section 1(a) of this Article.

(c) A shareholder may inspect and copy the records described in subsection (b) only if:

(1) his or her demand is made in good faith and for a proper purpose;

(2) he or she describes with reasonable particularity his or her purpose and the records he or she desires to inspect;

(3) the records are directly connected with his or her purpose; and

(4) the Corporation shall not have determined in good faith that disclosure of the records sought would adversely affect the Corporation in the conduct of its business.

(d) For purposes of this Section, "shareholder" includes a beneficial owner whose shares are held in a voting trust or by a nominee on his or her behalf.

Section 3. Scope of Inspection Right.

(a) A shareholder's agent or attorney has the same inspection and copying rights as the shareholder represented.

(b) The Corporation may, if reasonable, satisfy the right of a shareholder to copy records under Section 2 of this Article by furnishing to the shareholder copies by photocopy or other means chosen by the Corporation including copies furnished through an electronic transmission.

(c) The Corporation may impose a reasonable charge, covering the costs of labor, material, transmission and delivery, for copies of any documents provided to the shareholder.

The charge may not exceed the estimated cost of production, reproduction, transmission or delivery of the records.

(d) The Corporation may comply at its expense, with a shareholder's demand to inspect the record of shareholders under Section 2(b)(3) of this Article by providing the shareholder with a list of shareholders that was compiled no earlier than the date of the shareholder's demand.

(e) The Corporation may impose reasonable restrictions on the use or distribution of records by the demanding shareholder.

Section 4. Inspection of Records by Directors. A Director is entitled to inspect and copy the books, records and documents of the Corporation at any reasonable time to the extent reasonably related to the performance of the Director's duties as a Director, including duties as a member of a committee, but not for any other purpose or in any manner that would violate any duty to the Corporation.

ARTICLE VII **INDEMNIFICATION**

Section 1. Definitions. In this Article the following words shall have the following meanings unless the context requires otherwise:

"Corporation", includes any domestic or foreign predecessor entity of the Corporation in a merger.

"Director" or "officer", an individual who is or was a Director or officer, respectively, of the Corporation or who, while a Director or officer of the Corporation, is or was serving at the Corporation's request as a director, officer, partner, trustee, employee, or agent of another domestic or foreign corporation, partnership, joint venture, trust, employee benefit plan, or other entity. A Director or officer is considered to be serving an employee benefit plan at the Corporation's request if his or her duties to the Corporation also impose duties on, or otherwise involve services by, him or her to the plan or to participants in or beneficiaries of the plan. "Director" or "officer" includes, unless the context requires otherwise, the estate or personal representative of a Director or officer.

"Disinterested Director", a Director who, at the time of a vote or selection referred to in Section 4 of this Article, is not (i) a party to the proceeding, or (ii) an individual having a familial, financial, professional, or employment relationship with the Director whose indemnification or advance for expenses is the subject of the decision being made, which relationship would, in the circumstances, reasonably be expected to exert an influence on the Director's judgment when voting on the decision being made.

"Expenses", includes counsel fees.

“Liability”, the obligation to pay a judgment, settlement, penalty, fine including an excise tax assessed with respect to an employee benefit plan, or reasonable expenses incurred with respect to a proceeding.

“Party”, an individual who was, is, or is threatened to be made, a defendant or respondent in a proceeding.

“Proceeding”, any threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, arbitrative, or investigative and whether formal or informal.

Section 2. Indemnification of Directors and Officers.

(a) Except as otherwise provided in this Section, the Corporation shall indemnify to the fullest extent permitted by law an individual who is a party to a proceeding because he or she is a Director or officer against liability incurred in the proceeding if: (1) (i) he or she conducted himself or herself in good faith; and (ii) he or she reasonably believed that his or her conduct was in the best interests of the Corporation or that his or her conduct was at least not opposed to the best interests of the Corporation; and (iii) in the case of any criminal proceeding, he or she had no reasonable cause to believe his or her conduct was unlawful; or (2) he or she engaged in conduct for which he or she shall not be liable under a provision of the Articles of Organization authorized by Section 2.02(b)(4) of the MBCA or any successor provision to such Section.

(b) A Director's or officer's conduct with respect to an employee benefit plan for a purpose he or she reasonably believed to be in the interests of the participants in, and the beneficiaries of, the plan is conduct that satisfies the requirement that his or her conduct was at least not opposed to the best interests of the Corporation.

(c) The termination of a proceeding by judgment, order, settlement, or conviction, or upon a plea of nolo contendere or its equivalent, is not, of itself, determinative that the Director or officer did not meet the relevant standard of conduct described in this Section.

(d) Unless ordered by a court, the Corporation may not indemnify a Director or officer under this Section if his or her conduct did not satisfy the standards set forth in subsection (a) or subsection (b).

Section 3. Advance for Expenses. The Corporation shall, before final disposition of a proceeding, advance funds to pay for or reimburse the reasonable expenses incurred by a Director or officer who is a party to a proceeding because he or she is a Director or officer if he or she delivers to the Corporation:

(a) a written affirmation of his or her good faith belief that he or she has met the relevant standard of conduct described in Section 2 of this Article or that the proceeding involves conduct for which liability has been eliminated under a provision of the Articles of Organization as authorized by Section 2.02(b)(4) of the MBCA or any successor provision to such Section; and

(b) his or her written undertaking to repay any funds advanced if he or she is not wholly successful, on the merits or otherwise, in the defense of such proceeding and it is ultimately determined pursuant to Section 4 of this Article or by a court of competent jurisdiction that he or she has not met the relevant standard of conduct described in Section 2 of this Article. Such undertaking must be an unlimited general obligation of the Director or officer but need not be secured and shall be accepted without reference to the financial ability of the Director or officer to make repayment.

Section 4. Determination of Indemnification. The determination of whether a Director officer has met the relevant standard of conduct set forth in Section 2 shall be made:

(a) if there are two or more disinterested Directors, by the Board of Directors by a majority vote of all the disinterested Directors, a majority of whom shall for such purpose constitute a quorum, or by a majority of the members of a committee of two or more disinterested Directors appointed by vote;

(b) by special legal counsel (1) selected in the manner prescribed in clause (a); or (2) if there are fewer than two disinterested Directors, selected by the Board of Directors, in which selection Directors who do not qualify as disinterested Directors may participate; or

(c) by the shareholders, but shares owned by or voted under the control of a Director who at the time does not qualify as a disinterested Director may not be voted on the determination.

Section 5. Notification and Defense of Claim; Settlements.

(a) In addition to and without limiting the foregoing provisions of this Article and except to the extent otherwise required by law, it shall be a condition of the Corporation's obligation to indemnify under Section 2 of this Article (in addition to any other condition provide in these Bylaws or by law) that the person asserting, or proposing to assert, the right to be indemnified, must notify the Corporation in writing as soon as practicable of any action, suit, proceeding or investigation involving such person for which indemnity will or could be sought, but the failure to so notify shall not affect the Corporation's objection to indemnify except to the extent the Corporation is adversely affected thereby. With respect to any proceeding of which the Corporation is so notified, the Corporation will be entitled to participate therein at its own expense and/or to assume the defense thereof at its own expense, with legal counsel reasonably acceptable to such person. After notice from the Corporation to such person of its election so to assume such defense, the Corporation shall not be liable to such person for any legal or other expenses subsequently incurred by such person in connection with such action, suit, proceeding or investigation other than as provided below in this subsection (a). Such person shall have the right to employ his or her own counsel in connection with such action, suit, proceeding or investigation, but the fees and expenses of such counsel incurred after notice from the Corporation of its assumption of the defense thereof shall be at the expense of such person unless (1) the employment of counsel by such person has been authorized by the Corporation, (2) counsel to such person shall have reasonably concluded that there may be a conflict of interest or position on any significant issue between the Corporation and such person in the conduct of the

defense of such action, suit, proceeding or investigation or (3) the Corporation shall not in fact have employed counsel to assume the defense of such action, suit, proceeding or investigation, in each of which cases the fees and expenses of counsel for such person shall be at the expense of the Corporation, except as otherwise expressly provided by this Article. The Corporation shall not be entitled, without the consent of such person, to assume the defense of any claim brought by or in the right of the Corporation or as to which counsel for such person shall have reasonably made the conclusion provided for in clause (2) above.

(b) The Corporation shall not be required to indemnify such person under this Article for any amounts paid in settlement of any proceeding unless authorized in the same manner as the determination that indemnification is permissible under Section 4 of this Article, except that if there are fewer than two disinterested Directors, authorization of indemnification shall be made by the Board of Directors, in which authorization Directors who do not qualify as disinterested Directors may participate. The Corporation shall not settle any action, suit, proceeding or investigation in any manner which would impose any penalty or limitation on such person without such person's written consent. Neither the Corporation nor such person will unreasonably withhold their consent to any proposed settlement.

Section 6. Insurance. The Corporation may purchase and maintain insurance on behalf of an individual who is a Director or officer of the Corporation, or who, while a Director or officer of the Corporation, serves at the Corporation's request as a director, officer, partner, trustee, employee, or agent of another domestic or foreign corporation, partnership, joint venture, trust, employee benefit plan, or other entity, against liability asserted against or incurred by him or her in that capacity or arising from his or her status as a Director or officer, whether or not the Corporation would have power to indemnify or advance expenses to him or her against the same liability under this Article.

Section 7. Application of this Article.

(a) The Corporation shall not be obligated to indemnify or advance expenses to a Director or officer of a predecessor of the Corporation, pertaining to conduct with respect to the predecessor, unless otherwise specifically provided.

(b) This Article shall not limit the Corporation's power to (1) pay or reimburse expenses incurred by a Director or an officer in connection with his or her appearance as a witness in a proceeding at a time when he or she is not a party or (2) indemnify, advance expenses to or provide or maintain insurance on behalf of an employee or agent.

(c) The indemnification and advancement of expenses provided by, or granted pursuant to, this Article shall not be considered exclusive of any other rights to which those seeking indemnification or advancement of expenses may be entitled.

(d) Each person who is or becomes a Director or officer shall be deemed to have served or to have continued to serve in such capacity in reliance upon the indemnity provided for in this Article. All rights to indemnification under this Article shall be deemed to be provided by a contract between the Corporation and the person who serves as a Director or officer of the

Corporation at any time while these Bylaws and the relevant provisions of the MBCA are in effect. Any repeal or modification thereof shall not affect any rights or obligations then existing.

(e) If the laws of the Commonwealth of Massachusetts are hereafter amended from time to time to increase the scope of permitted indemnification, indemnification hereunder shall be provided to the fullest extent permitted or required by any such amendment.

ARTICLE VIII **FISCAL YEAR**

The fiscal year of the Corporation shall be the year ending with December 31 in each year.

ARTICLE IX **AMENDMENTS**

(a) The power to make, amend or repeal these Bylaws shall be in the shareholders. If authorized by the Articles of Organization, the Board of Directors may also make, amend or repeal these Bylaws in whole or in part, except with respect to any provision thereof which by virtue of an express provision in the MBCA, the Articles of Organization, or these Bylaws, requires action by the shareholders.

(b) Not later than the time of giving notice of the meeting of shareholders next following the making, amending or repealing by the Board of Directors of any By-Law, notice stating the substance of the action taken by the Board of Directors shall be given to all shareholders entitled to vote on amending the Bylaws. Any action taken by the Board of Directors with respect to the Bylaws may be amended or repealed by the shareholders.

(c) Approval of an amendment to the Bylaws that changes or deletes a quorum or voting requirement for action by shareholders must satisfy both the applicable quorum and voting requirements for action by shareholders with respect to amendment of these Bylaws and also the particular quorum and voting requirements sought to be changed or deleted.

(d) A By-Law dealing with quorum or voting requirements for shareholders, including additional voting groups, may not be adopted, amended or repealed by the Board of Directors.

(e) A By-Law that fixes a greater or lesser quorum requirement for action by the Board of Directors, or a greater voting requirement, than provided for by the MBCA may be amended or repealed by the shareholders, or by the Board of Directors if authorized pursuant to subsection (a).

(f) If the Board of Directors is authorized to amend the Bylaws, approval by the Board of Directors of an amendment to the Bylaws that changes or deletes a quorum or voting requirement for action by the Board of Directors must satisfy both the applicable quorum and voting requirements for action by the Board of Directors with respect to amendment of the Bylaws, and also the particular quorum and voting requirements sought to be changed or deleted.

ARTICLE X
S STATUS

If the stockholders of the Corporation elect to be taxed under Subchapter S of the Internal Revenue Code, no Stockholder shall thereafter transfer his shares (i) to a person who does not agree not to revoke such election, or (ii) to a non-resident alien, or (iii) to a trust, Corporation or other organization that may not be a Stockholder of a Corporation electing under Subchapter S, or (iv) to two or more persons if the effect thereof will be to increase the number of Stockholders to more than the number permitted by Section 1361 of the Internal Revenue Code of 1986, as amended. Such a transfer may be permitted by the prior consent of persons owning a majority of the outstanding shares of the Corporation. No transfer of shares shall be registered unless prior thereto the person in whose name the shares are to be registered agrees in writing not to try to revoke the S election. Such agreement shall be in a form satisfactory to the counsel for the Corporation.

Corporations Division

Business Entity Summary

ID Number: 001328995

[Request certificate](#)[New search](#)

Summary for: ELEVATED ACCESS CENTER, INC.

The exact name of the Domestic Profit Corporation: ELEVATED ACCESS CENTER, INC.**Converted from** **ELEVATED NON-PROFIT CORPORATION** **on** 05-23-2018**Entity type:** Domestic Profit Corporation**Identification Number:** 001328995**Date of Organization in Massachusetts:** 05-22-2018**Last date certain:****Current Fiscal Month/Day:** 12/31**Previous Fiscal Month/Day:** 12/31**The location of the Principal Office:**

Address: 175 DERBY ST., SUITE 12

City or town, State, Zip code, HINGHAM, MA 02043 USA

Country:

The name and address of the Registered Agent:

Name: ROBERT A. PROCTOR

Address: 175 DERBY ST., SUITE 12

City or town, State, Zip code, HINGHAM, MA 02043 USA

Country:

The Officers and Directors of the Corporation:

Title	Individual Name	Address
PRESIDENT	ROBERT A. PROCTOR	175 DERBY ST., SUITE 12 HINGHAM, MA 02043 USA
TREASURER	ROBERT A. PROCTOR	175 DERBY ST., SUITE 12 HINGHAM, MA 02043 USA
SECRETARY	ROBERT A. PROCTOR	175 DERBY ST., SUITE 12 HINGHAM, MA 02043 USA
DIRECTOR	ROBERT A. PROCTOR	175 DERBY ST., SUITE 12 HINGHAM, MA 02043 USA

Business entity stock is publicly traded: ☐**The total number of shares and the par value, if any, of each class of stock which this business entity is authorized to issue:**

Class of Stock	Par value per share	Total Authorized		Total issued and outstanding
		No. of shares	Total par value	No. of shares
CNP	\$ 0.00	275,000	\$ 0.00	0

☐ **Consent**
☐ **Confidential Data**
☐ **Merger Allowed**
☐ **Manufacturing**
View filings for this business entity:

ALL FILINGS
Administrative Dissolution
Annual Report
Application For Revival
Articles of Amendment

[View filings](#)

Comments or notes associated with this business entity:

[New search](#)



Commonwealth of Massachusetts
Department of Revenue
Geoffrey E. Snyder, Commissioner

mass.gov/dor

Letter ID: L1047804864
Notice Date: September 24, 2022
Case ID: 0-001-705-838



CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE



ELEVATED ACCESS CENTER INC
175 DERBY ST STE 12
HINGHAM MA 02043-4035

Why did I receive this notice?

The Commissioner of Revenue certifies that, as of the date of this certificate, ELEVATED ACCESS CENTER INC is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.

What if I have questions?

If you have questions, call us at (617) 887-6400 or toll-free in Massachusetts at (800) 392-6089, Monday through Friday, 9:00 a.m. to 4:00 p.m..

Visit us online!

Visit mass.gov/dor to learn more about Massachusetts tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights, and MassTaxConnect for easy access to your account:

- Review or update your account
- Contact us using e-message
- Sign up for e-billing to save paper
- Make payments or set up autopay

Edward W. Coyle, Jr., Chief
Collections Bureau

LAW OFFICES OF
ROBERT PHILIP HILSON
A PROFESSIONAL CORPORATION
175 DERBY STREET, SUITE 12
HINGHAM, MASSACHUSETTS 02043

(781) 740-4118

October 18, 2022

Cannabis Control Commission
2 Washington Square
Worcester, MA 01604

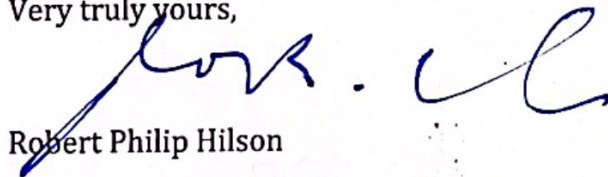
RE: Elevated Access Center Inc.

To Whom it May Concern,

On behalf of Elevated Access Center Inc., please be advised that Benjamin Proctor does not have any direct or indirect authority at Elevated Access Center, Inc.

Previously, Benjamin Proctor was listed as the Clerk and Director on the Articles of Organization. He has been removed from the Articles of Organization and thus, has no direct or indirect authority with Elevated Access Center, Inc.

Very truly yours,



Robert Philip Hilson

cc: Robert Proctor



The Commonwealth of Massachusetts
Secretary of the Commonwealth
State House, Boston, Massachusetts 02133

William Francis Galvin
Secretary of the
Commonwealth

Date: February 09, 2023

To Whom It May Concern :

I hereby certify that according to the records of this office,

ELEVATED ACCESS CENTER, INC.

is a domestic corporation organized on **May 22, 2018** , under the General Laws of the Commonwealth of Massachusetts. I further certify that there are no proceedings presently pending under the Massachusetts General Laws Chapter 156D section 14.21 for said corporation's dissolution; that articles of dissolution have not been filed by said corporation; that, said corporation has filed all annual reports, and paid all fees with respect to such reports, and so far as appears of record said corporation has legal existence and is in good standing with this office.



In testimony of which,

I have hereunto affixed the

Great Seal of the Commonwealth

on the date first above written.

A handwritten signature in blue ink, reading "William Francis Galvin".

Secretary of the Commonwealth

Certificate Number: 23020226120

Verify this Certificate at: <http://corp.sec.state.ma.us/CorpWeb/Certificates/Verify.aspx>

Processed by: ili



January 25, 2022

Cannabis Control Commission
Union Station
2 Washington Square
Worcester MA 01604

Re: Insurance for Elevated Access Center

To Whom it May Concern:

We are working with Elevated Access Center and will be able to provide General Liability and Product Liability coverage for their operation. This policy will have limits of \$1,000,000 per occurrence and \$2,000,000 Aggregate with a \$5,000 Deductible.

Our agency insures several cannabis operations across the state. There is not a doubt we will be able to place coverage for this insured when the time arises.

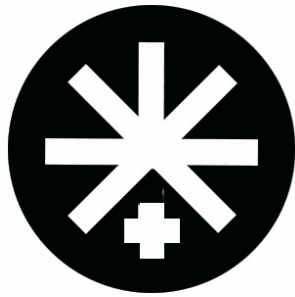
Thank you.

A handwritten signature in black ink, appearing to read "Brian Boucher", written over a horizontal line.

Brian Boucher

President

Brian.boucher@lighthouseins.net



ELEVATED
ACCESS CENTER

BUSINESS PLAN

8/1/2022

Elevated Access Center, Inc.
401 Faunce Corner Drive
Norwell, MA 02061
info@elevatedaccesscenter.org

Overview

Elevated Access Center, Inc. (EAC) will have a cultivation and manufacturing facility located at 400 Cordwainer Drive (Lot #9), Norwell, the lot is 2.87 acres and we anticipate the facility being 20,300 sq ft. The cultivation facility is a Tier 2, which provides us with 10,000 square feet of canopy. Elevated Access Center, Inc. is registered as a Corporation in the Commonwealth of Massachusetts.

The location is solely owned by the CEO, Robert Proctor. The site work and geotechnical analysis have been completed successfully. Elevated Access Center has a signed Host Community Agreement (HCA) with the Norwell Town Administrator.

Main Goals

- To own and operate cannabis cultivation facilities in the state of Massachusetts.
- To produce high-grade cannabis bulk oil and build a recognizable brand.
- To produce high-quality infused products, including edibles and topicals.
- To be fully compliant with all state and local municipalities.
- To become an industry leader in the blossoming extraction industry.
- To have the EAC brand become a trusted name for high-quality cannabis products.

Mission Statement

To become the premier provider of high-quality cannabis and related products to all consumers. We are driven by the passion to focus on providing the community with quality cannabis while promoting positive social equity and sustainability.

Vision Statement

To be a lead distributor of high-quality cannabis products with mindful applications to maximize the consumer experience.

Business Structure

Elevated Access Center is a licensed corporation in the Commonwealth of Massachusetts. We currently hold all needed Certificates of Good Standing, from the Commonwealth of MA and IRS/MA Tax Connect.

Management & Organizational Profile

Robert Proctor, Chief Executive Officer & Majority Investor

Robert previously owned and operated APA, LLC for 30 years. APA, LLC provided HVAC equipment as a manufacturer's representative to Fortune 100 and Fortune 500 Companies. APA provided specialized equipment for hospitals, research facilities, laboratories, and

universities. Under Mr. Proctor's leadership, APA achieved steady growth every year. His experience will solidify a strong, growing company that will provide a low-cost product with high quality for customers.

Additional Management TBD

Our Products

Elevated Access Center, Inc. will carry a variety of available products. These include smokeable flower, edibles, topicals, concentrates, and more. Edibles include baked goods, chocolate bars, lozenges, beverages, and other food-based products. The flower will be available in a wide variety of strains and potencies. We have conscious growing practices, such as growing organic and having strict stock control to ensure high-quality products. A variety of concentrates will be formulated, such as shatter, live resin, hash, wax, etc. Other types of products created will be capsules, chewable tablets, pre-filled oil vape cartridges, tinctures, and more.

Main Objectives

Year 1: Securing a Tier 2 cultivation and manufacturing license. Brand and distribute our product line throughout

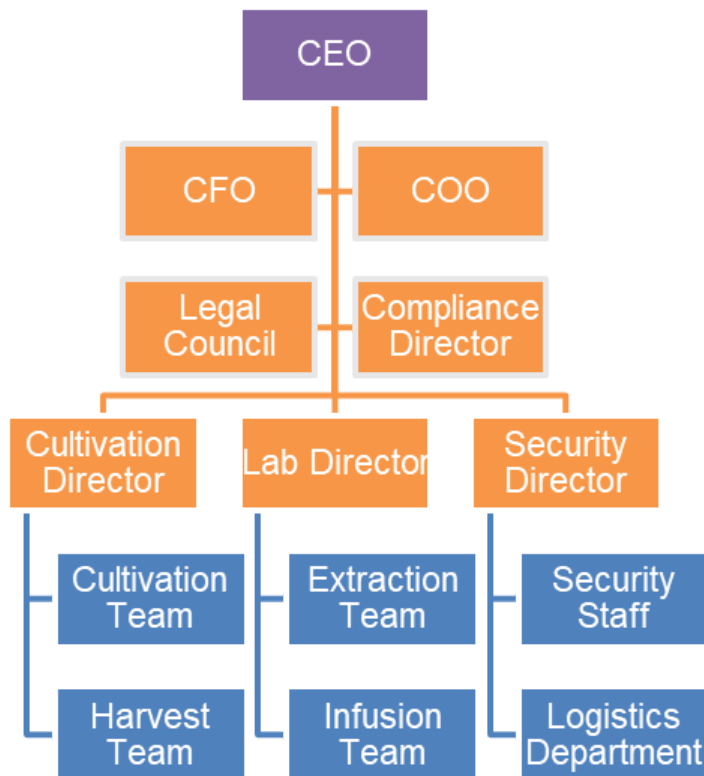
Massachusetts. Net annual income to support operational expenses. Monthly sales and capacity increased steadily throughout the first year.

Year 3: Continue to build on reputation, build on customer loyalty, and prepare for year 5.

Year 5: Expand, overtake the local competition, and rebrand their establishments to EAC, Inc.

Year 7: Anticipating recreational marijuana will be legal on a federal level in the future, seek options of merging/selling with other well-established dispensaries throughout the region gaining more market share.

Basic Organizational Chart



Products & Services

In addition to our traditional products, Elevated Access Center, Inc. will offer a wide range of products and services that will allow us to serve as many customers and patients. Some of the products we intend to include, but will not be limited to:

- Flower
- Concentrates
- Edibles
- Topical salves
- Creams/lotions
- RSO
- Suppositories
- Patches
- Tinctures
- Sprays
- Beverages
- Predosed Oil Vaporizers

Product Quality – Elevated Access Center, Inc. will offer the best cannabis products to establish its brand and provide the most desirable products for its clients. We will solicit feedback from our retail partners and customers to continuously improve product offerings.

Pricing – Elevated Access Center, Inc. will set its price very competitively based on the current market.

Financial Summary

	\$	Quarter 1	Quarter 2	Quarter 3	Quarter 4
CAPEX					
CAPEX (cultivation)					
Land & Development		0	0	0	0
Building for Cultivation, build out		12,000	0	0	0
Growing Equipment		35,040	0	0	0
Lighting System		17,760	0	0	0
Alarm & Security System		3,456	0	0	0
Monitoring - Video & Camera System		2,419	0	0	0
Computer System		1,728	0	0	0
Office Building/Room		0	0	0	0
Computers and office furniture		0	0	0	0
CAPEX (extraction/manufacturing)					
Building for Equipment, build out		0	7,500	0	0
Extraction Equipment		0	37,500	0	0
Post-Processing Lab/Refining Equipment		0	22,500	0	0
Vacuum Ovens		0	3,000	0	0
Automated Machines for Filling Pens and Cartridges		0	3,750	0	0
Freezer/Refrigerators		0	2,250	0	0
Alarm & Security System		0	2,625	0	0
Monitoring - Video & Camera System		0	2,250	0	0
Computer System		0	1,125	0	0
CAPEX (retail)					
Land & Development		0	0	0	0
Space improvements including finishing/painting, kitchen, office space, bathrooms, etc.		0	43,500	0	0
Security system including multiple camera feeds and metal/weapons detectors		0	18,000	0	0
Furniture, Display Counters, Refrigerators, Freezers, Multiple POS/ Cash Registers, Registration Computer, Commercial Label Printer, Storage Hardware and Shelving		0	16,500	0	0
Cost for Computer Software (Accounting Software, Payroll Software, CRM Software, Microsoft Office, QuickBooks Pro)		0	3,000	0	0
Total		72,403	163,500	0	0

OPEX				
COGS - Cost of Goods Sold	11,961	30,805	44,306	47,512
G&A Expenses - Initial & General Costs	56,075	6,075	6,075	6,075
G&A Expenses - Cultivation	9,750	9,750	9,750	9,750
G&A Expenses - Extraction/Manufacturing	0	5,950	5,950	5,950
G&A Expenses - Retail	0	15,500	23,250	23,250
SG&A Expenses - Marketing & Sales Expenses	0	4,455	6,683	6,683
Salaries & Benefits	0	0	0	0
SG&A Expenses - Misc.	1,975	1,173	1,472	1,472
Total	79,760	73,708	97,486	100,692
Total, CAPEX and OPEX	152,164	237,208	97,486	100,692

Compliance

EAC will ensure that the company remains in compliance with all security, financial, operational, record keeping, and everything that is required by 935 CMR 500.000: the adult use of marijuana, and local laws; as well as requests from the CCC as they may change over time. It is a priority for the company and the team that EAC follows all necessary regulations and all ensures appropriate training for all employees to ensure everyone is aware of the regulatory and compliance requirements.

- 1) EAC ensures that we maintain an escrow account with no less than \$15,000 expressly for:
 - a) Destruction of cannabis goods necessitated by violation;
 - b) The cost and compensation of a Court Appointee;
 - c) The cessation of operation of the ME;
 - d) Such other uses as the Commission may authorize to ensure public health, safety, and welfare.
- 2) EAC will maintain training and business operations within the guidelines of the CCC requirements and specific to our approved SOP and reviewed operating manual.
- 3) Products are all tested and cleared for safety as required by the CCC.
- 4) Cannabis will always be transported to and from the facility in a manner that is approved and compliant with the CCC requirements.
- 5) All Company employees will be provided with training as required by the regulations.
- 6) All employment records will be kept and maintained for the CCC's review and inspection as required in the Records Keeping Policy.
- 7) EAC will work with the local authority, the CCC, and law enforcement as needed for any investigation that may come up.

SWOT Analysis

STRENGTHS <ul style="list-style-type: none">• New growing technologies will allow significantly decrease electricity bills and increase profit while competitive prices• Diversification of business - cultivation and• Manufacturing Diversified, Strategic Partnerships• Extensive industry knowledge	WEAKNESSES <ul style="list-style-type: none">• Product liability/potential federal legal issues• Enhanced risk of financial/IRS scrutiny• Possibility of crop loss due to pests, heat, human error, etc.• Lack in the professional workforce for a cannabis industry• High energy consumption
OPPORTUNITIES <ul style="list-style-type: none">• High growth industry• Growing interest and demand for natural, alternative medicine• Trend toward greater cannabis legalization, including the use of cannabis for recreational purposes• Global Market	THREATS <ul style="list-style-type: none">• A significant drop in wholesale pricing• Possible cannabis laws changing on a state or federal level• Indicators of a slowed global economy• Large companies are entering the market

Marketing Plan

Online advertising platforms are placing strict rules on how companies can market their products. Google, Facebook, and Twitter all have advertising policies that restrict the promotion of the sale of cannabis. Google's policy prohibits ads that promote "substances that alter mental state for recreation." Facebook restricts any "illegal, prescription, or recreational drugs." And Twitter bans "illegal drugs" and substances that cause "legal highs." Instagram and Facebook have decided to go a step further by removing pages of cannabis-related businesses. The most effective strategies for legal marijuana companies are direct marketing at industry conferences and other events, and building communities around marijuana-related concerns such as health and wellness. Elevated Access Center's marketing and sales strategy will be based on generating long-term personalized relationships with wholesale buyers and brand loyalty.

Marketing and advertising campaign includes

- Business and industry associations
- Business events, and conferences: It also includes event sponsorships, health, or related industry events to gain brand exposure and bring the EAC name to the forefront of the community.
- Brand development: It includes compliant branded products such as shirts, hats, grinders, cases/containers, etc., that will be offered through retail locations.
- Brochures: We will produce high-quality brochures that will be distributed to retailers who we partner with for distribution.

- Website: We will have a professionally designed website.
- Information kits for clients: Information kits will include registration forms, brochures, and general information on the adult use of marijuana. They will also provide information on how to process orders.
- Social Media: We will have a significant social media presence. Appropriate forums will be monitored daily, with dedicated staff resources to be active and knowledgeable participants. We will develop a social media content strategy including Twitter, Facebook, Instagram, and LinkedIn. Our staff will be trained in the legalities of promoting our products.
- Billboards: Any billboard marketing done will comply with all local and state laws.
- Guerrilla marketing: Implementing a guerrilla marketing division to focus on low-cost unconventional marketing tactics that yield maximum results.

Competition

Several small and medium-sized cultivation and manufacturing facilities are operational and/or opening soon in Massachusetts. We will generally share the same retailers and processing partners. Instead of viewing these other entities as competition, we will engage in co-branding projects, partnerships, and limited edition product lines. We will endeavor to create relationships with brands with whom we share customers.

There are several large-scale vertical operators open in MA; they tend to urge their clients to purchase large suites of product options when they are only looking to purchase some of the products offered. It will be EAC's greater challenge to find retailers who are able to purchase our products while balancing their individual SKU matrixes. We will compete heavily in product diversity, scarcity, etc.

Target Customer

Our target customer is the first licensed cannabis retailer in MA, and an adult-use consumer who will be familiar with our brand/products. We will create pop-up tables at dispensaries so that we can interact directly with our consumers through in field marketing.

Sales Forecast

From a 10,000 sq ft canopy, we project 60 grams per square foot with five harvests per year; we expect 6,622 lbs of flower. We can expect up to 10% loss = 6,000 lbs.

6000 lbs at 20% yield post-extraction = 952.4 lbs of oil = 432 liters

Liters are currently selling between \$20,000 - \$25,000 in the wholesale market

Raw cannabis oil/distillate = \$2.14M annually

Combined into infused products revenue could as much as triple in the right market conditions.

Operations Plan

The physical address of our cultivation and manufacturing facilities, will be 400 Cordwainer Drive, Norwell, MA 02061.

Premises will be located in a 20,000-30,000 sf building with adequate power to service both operations. The cultivation operation will take up a minimum of 16,000 sf and will be adequate to house and grow up to 10,000 sf of the canopy. The manufacturing and office premises will take up the remainder of the building and will include extraction equipment, vacuum ovens, packaging machines, corporate offices, storage/vaults, and a transportation area. This facility will offer a significant advantage in developing and manufacturing our flowers, compounds, and edibles.

Our cultivation & manufacturing area will include:

- Clone Room
- Vegetative Rooms
- Flowering Rooms
- Drying Rooms
- Trim Rooms
- Curing Rooms
- Extraction Rooms
- Compounding Rooms
- Cannabis Infusion Production Room
- Warehouse Design
- Storage Room
- Packaging Rooms
 - Cultivation
 - Manufacturing

a) A warehouse environment provides maximum control, and therefore the most reliable consistent cannabis crops can be produced in properly designed warehouse grow rooms.

b) Without natural light, warehouse grow rooms depend on intelligent grow lights, which need to replicate the parts of the sunlight spectrum that the cannabis plants need at each stage of growth. Lighting is a key component in an integrated system.

c) Air filtration and circulation systems are essential for controlling heat buildup and eliminating exhaust odors. It is critical that the air circulation in a cannabis warehouse is designed in conjunction with the grow lights because lighting systems emit large amounts of heat.

d) There are various irrigation systems for growing cannabis that are appropriate for growing in a warehouse: including drip irrigation, hydroponic flood benches, or trough benches.

e) The irrigation system should be designed in conjunction with a nutrient management system for maximizing the production yield of cannabis plants.

- f) Environmental computer. The cultivation automation control systems will monitor all the plants' nutrients, lights, air circulation, and irrigation needs of the plants
- g) De-humidification to optimize the growing environment.
- h) Computer-controlled CO₂ injection and monitoring.

Extraction Technology

Supercritical CO₂ Extraction Method

We intend to use the High Production Extraction system, which efficiently extracts botanical oils without thermal degradation at industry-leading processing rates. The system utilizes Dual-Phase Pumping System, which is a liquid pump that allows for high CO₂ flows at higher pressures. The Diaphragm Compressor Technology gas pump for energy efficiency and cold separation; these systems will provide high production with a wide range of processing options for supercritical and subcritical extractions.

Ethanol Advantages:

- The FDA classifies ethanol as “Generally Regarded as Safe,” or GRAS, meaning that it is safe for human consumption.
- Ethanol is safer than butane and more effective than supercritical CO₂.
- The ethanol removed from the finished concentrate can be reused in multiple extractions, which effectively eliminates the production of chemical waste.
- The ethanol extraction method is great for creating full-spectrum extracts and tinctures.

Hydrocarbon Advantages:

The butane/Propane extraction technique is the most cost-efficient extraction method available. With an average extraction cycle of less than one hour, BHO is the fastest commercial extraction method. That is nine times faster than the average 9 hours comparable CO₂ supercritical extraction cycle.

Certified BHO extraction is safe and, if correctly installed, poses no safety risk or risk to the environment. BHO extraction is also US FDA-approved. This method of extraction is currently also widely used to extract vegetable oils from seeds such as soybeans, canola, sunflower, and flax.

This system can resolve some ethanol extraction disadvantages, including the limitation in the products that can be produced and high post-processing labor-intensive, involving the use of several different methods of refinement and filtration. That is why we intend to use a High Production Extraction system, which is equipped for both ethanol and hydrocarbon-based solvents, to get a primary cannabis extract. Will identify the available equipment and most current new technologies when outfitting the facility.

We anticipate the process will require a double-jacketed reactor, walk-in freezer, or chest freezer, which allows for keeping a constant negative temperature on the solvent while the extraction process takes place. To achieve this, the cryogenic chiller takes the coolant down to -20°C, and this is pumped between the glass layers in the reactor. The solvent will be kept in the inner container, and the frozen material will be soaked for a period of time. The rotary evaporator stays under vacuum, which allows distillation and reclaims the alcohol at low temperature, thus keeping the more volatile molecules intact. The reclaimed alcohol will then be reused for another extraction.

Yields: We assume a 20% yield, while 25-30% yields can be achieved, but for planning, 20% is a good baseline to accommodate the multiple factors, including strains.

Transportation

1. Cannabis items will be transferred only between licensed premises by two registered Agents as required by 935 CMR 500.000: adult use of marijuana.

2. All individuals authorized to transport cannabis items will have a valid Driver's License.

3. EAC will ensure:

- Keep marijuana items in transit shielded from public view;
- Use a vehicle for transport that is:
 - Insured at or above the legal requirements in Massachusetts;
 - Capable of securing (locking) the cannabis items during transportation;
 - Equipped with an alarm system, and
 - Capable of being temperature controlled if perishable marijuana items are being transported.
- Use CTS, generate a printed transport manifest that accompanies every transport of cannabis items that contains the following information
 - The name, contact information of a licensee representative, licensed premises address, and license number of the licensee transporting the cannabis items;
 - The name, contact information of the licensee representative, licensed premises address, and license number of the licensee receiving the delivery;
 - Product name and quantities (by weight or unit) of each cannabis item contained in each transport, along with the UIDs for every item;
 - The date of transport and approximate time of departure;
 - Arrival date and estimated time of arrival;
 - Delivery vehicle make and model and license plate number; and
 - Name and signature of the licensee's representative accompanying the transport.

4. EAC will generate the manifest of this rule at least 24 hours in advance of initiating transportation.

5. All cannabis items will be packaged in shipping containers and labeled with a UID tag prior to transport.

6. EAC will provide a copy of the transport manifest to each licensed premise receiving the inventory described in the transport manifest.
7. EAC will be able to provide a copy of the printed transport manifest and any printed receipts for marijuana items delivered to law enforcement officers or other representatives of a government agency if requested to do so while in transit.
8. EAC will contact the Commission immediately or as soon as possible under the circumstances if a vehicle transporting cannabis items is involved in an accident that involves product loss.
9. EAC will provide temperature control for perishable marijuana items during transport.
10. EAC will notify the Commission in advance of the location of every stop at an unlicensed location that exceeds two hours in duration and will make the vehicle and its contents available for inspection upon request.

Tracking Solution

EAC intends to use METRC's tracking system, allowing cannabis businesses to remain compliant. EAC will also use a special seed-to-sale tracking solution for every level of the integrated business to help to identify key data points to streamline and optimize inventory management at each phase of the operation: cultivation, processing, destruction and waste, transportation, and lab testing.

Training Plans

1. Train employees at the time of hire on business operations and compliance.
2. Within 90 days, the employees will be provided with Responsible Vendor Training (RVT) by one of the approved RVT vendors.
3. Train employees for 8 hours annually after hire.
4. Training plan and training log will be available for inspection on the licensed premises.
5. Any person entering data into either of the Cannabis Tracking System (CTS) first be trained by the CTS administrator.
6. EAC will ensure all individuals remain compliant with a valid Marijuana Agent Registration Card, have completed a required RVT training, and maintain 8 hours of annual job-specific training while working on behalf of the ME.

Physical Security Plan

We have located our cultivation and processing facility in an approved industrial zone that includes manufacturing and industrial businesses. Located on a large lot within a secured fence, the facility has numerous intrinsic security features and is easily converted to high-security use.

The facility will be the sole occupant in the building. It sits in the middle of a secured lot, not visible from the street, set back from high traffic intersections, is the necessary distance to the nearest public road, has secure means of ingress and egress, is not accessible to foot traffic, is in an area of low vehicular traffic and is in an area with little or no non-commercial traffic. It is the necessary distance from any schools, freeways, residential housing, or places of worship. One entrance, one side exit, and three roll-up steel doors for deliveries. There are no windows. Car access also will be limited.

A site plan demonstrating the entire structure of the center, including the street(s), parking lot(s), other tenants within the facility, and any other entities that physically border the facility, is shown in an attachment. Areas, where cannabis is kept or handled have no external doors or windows and can be accessed only within the facility.

To increase security, all main access point door hinges will be equipped with hinge-pin-locking screws to increase security. This configuration yields optimal conditions for surveillance. These existing design elements will make unauthorized access extremely unlikely and act as a deterrent to discouraging theft.

Operating Costs

Cultivation, \$	Year 1	Year 2	Year 3	Year 4	Year 5
Cultivation Electricity	12,790	17,209	17,209	17,209	17,209
Cultivation Water	451	608	608	608	608
Cultivation Labor	28,600	31,200	31,200	31,200	31,200
Growing Solutions	4,988	6,300	6,300	6,300	6,300
Seeds/Clones	11,025	12,600	12,600	12,600	12,600
Trimming & Packaging	259	389	389	389	389
Other Costs	756	1,134	1,134	1,134	1,134
Lab testing	6,000	9,000	9,000	9,000	9,000
Other Direct Cultivation Costs					
Grow Light Bulbs	1,800	540	540	540	540
Other Supplies	1,765	882	882	882	882
Other costs	0	0	0	0	0
Cultivation Taxes	0	0	0	0	0
Total	68,433	79,861	79,861	79,861	79,861
Extraction/Processing, \$	Year 1	Year 2	Year 3	Year 4	Year 5
Processing Costs	2,569	3,853	3,853	3,853	3,853
Processing Labor	20,800	31,200	31,200	31,200	31,200
Transport costs	734	1,101	1,101	1,101	1,101
Other costs	0	0	0	0	0
Lab Testing costs	4,800	6,400	6,400	6,400	6,400
Other costs	0	0	0	0	0
Direct Costs (Products)					
Oils, wax, shatter (1000mg)	125	293	300	300	300
Disposable Vape Pens (500mg)	415	971	996	996	996
Pre-filled Cartridges (500mg)	0	0	0	0	0
Total	29,442	43,817	43,850	43,850	43,850
Manufacturing, \$	Year 1	Year 2	Year 3	Year 4	Year 5
Manufacturing Costs					
Direct Labor Salaries					
Packaging Material					
Other costs					
Total					
Retail Cannabis Business Tax	29,472	80,697	84,205	84,205	84,205
Other Direct Salaries & Benefits	7,237	9,142	9,142	9,142	9,142

SG&A Costs

\$	Year 1	Year 2	Year 3	Year 4	Year 5
SG&A Expenses					
G&A Expenses - Initial & General Costs					
Legal Fees & Licensing for setting up	50,000	0	0	0	0
Website/Ecommerce platform development	0	0	0	0	0
Other initial expenses	0	0	0	0	0
General expenses (from the second year)	0	0	0	0	0
Licensing and other legal fees (from the second year)	0	25,000	25,000	25,000	25,000
Property Taxes	0	0	0	0	0
Professional Services, Commercial Insurance	24,300	24,300	24,300	24,300	24,300
Other General Costs	0	0	0	0	0
G&A Expenses - Cultivation					
Building Renting	25,200	25,200	25,200	25,200	25,200
Building Maintenance	1,200	1,200	1,200	1,200	1,200
Equipment Maintenance	1,500	1,500	1,500	1,500	1,500
Administrative expenses	2,100	2,100	2,100	2,100	2,100
Inventory Control Systems, Security & Other Software Services	9,000	9,000	9,000	9,000	9,000
G&A Expenses - Extraction/Manufacturing					
Building Renting	7,875	10,500	10,500	10,500	10,500
Building Maintenance	1,313	1,750	1,750	1,750	1,750
Equipment Maintenance	1,838	2,450	2,450	2,450	2,450
Administrative expenses	1,575	2,100	2,100	2,100	2,100
Inventory Control Systems, Security & Other Software Services	5,250	7,000	7,000	7,000	7,000
G&A Expenses - Retail					
Building Renting	36,000	54,000	54,000	54,000	54,000
Building Maintenance	3,333	5,000	5,000	5,000	5,000
Equipment Maintenance	2,667	4,000	4,000	4,000	4,000
Administrative expenses	4,000	6,000	6,000	6,000	6,000
Inventory Control Systems, Security & Other Software Services	16,000	24,000	24,000	24,000	24,000
Community Service, Improvements (as % of gross profit)	0	0	0	0	0

SG&A Expenses - Marketing & Sales Expenses					
Marketing Expenses, including PR, Branding, Online and Offline advertising	17,820	26,730	20,048	13,365	8,910
Other Marketing & Sales Expenses	0	0	0	0	0
Brokers and Sellers Fees	0	0	0	0	0
SG&A Expenses - Misc.	6,093	6,640	6,439	6,239	6,105
Salaries & Benefits	0	0	0	0	0
Total	217,063	238,470	231,587	224,704	220,115

Revenue Projections

\$	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Revenue	294,718	806,967	842,052	842,052	842,052
COGS - Cost of Goods Sold	134,584	213,517	217,058	217,058	217,058
Gross Profit	160,134	593,450	624,994	624,994	624,994
% of revenue	54%	74%	74%	74%	74%
SG&A Expenses					
G&A Expenses - Initial & General Costs	74,300	49,300	49,300	49,300	49,300
G&A Expenses - Cultivation	39,000	39,000	39,000	39,000	39,000
G&A Expenses - Extraction/ Manufacturing	17,850	23,800	23,800	23,800	23,800
G&A Expenses - Retail	62,000	93,000	93,000	93,000	93,000
SG&A Expenses - Marketing & Sales Expenses	17,820	26,730	20,048	13,365	8,910
Senior Management Salaries & Benefits	0	0	0	0	0
IT Salaries & Benefits	0	0	0	0	0
Other Salaries & Benefits	0	0	0	0	0
SG&A Expenses - Misc.	6,093	6,640	6,439	6,239	6,105
Total SG&A Expenses	217,063	238,470	231,587	224,704	220,115
Operating Income (EBITDA)	-56,929	354,980	393,407	400,290	404,879
% of revenue	-19%	44%	47%	48%	48%
Depreciation and Amortization	10,421	12,804	12,804	12,804	12,804
Earnings Before Interest & Taxes (EBIT)	-67,350	342,176	380,604	387,487	392,075
Interest Expense	-42,380	-53,051	-45,512	-37,016	-23,584
Earnings Before Taxes (EBT)	-109,730	289,125	335,092	350,471	368,492
Income Tax	33,628	135,388	151,354	152,277	153,358
Net Income	-143,358	153,737	183,737	198,193	215,133
% of revenue	-49%	19%	22%	24%	26%

Cash Flow Projections

\$	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Net Income	-143,358	153,737	183,737	198,193	215,133
Cash Flow from Operations					
Depreciation	10,421	12,804	12,804	12,804	12,804
Change in Receivables	-26,314	-8,771	0	0	0
Change in Inventory	-10,386	-3,205	0	0	0
Change in Accounts Payable	13,367	3,205	0	0	0
Total Cash Flow from Operations	-156,270	157,769	196,541	210,997	227,937
Cash Flow from Investing					
Capital Expenditures (CAPX)	-235,903	0	0	0	0
Other	0	0	0	0	0
Total Cash Flow from Investing	-235,903	0	0	0	0
Cash Flow from Financing					
Revolver Issuance / (Repayment)	450,000	0	0	0	0
Long-Term Debt Issuance / (Repayment)	-18,750	-112,500	-112,500	-112,500	-93,750
Paid in Capital	0	0	0	0	0
Drawings (profit share)	0	0	0	0	0
Total Cash Flow from Financing	431,250	-112,500	-112,500	-112,500	-93,750
Total Change in Cash	39,077	45,269	84,041	98,497	134,187
Beginning Period Cash	0	39,077	84,346	168,387	266,884
Ending Period Cash	39,077	84,346	168,387	266,884	401,071

Balance Sheet

\$	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
Assets					
Current Assets					
Cash	39,077	84,346	168,387	266,884	401,071
Receivables	26,314	35,086	35,086	35,086	35,086
Inventory	10,386	13,591	13,591	13,591	13,591
Total Current Assets	75,777	133,022	217,063	315,561	449,748
Long Term Assets					
Property Plant & Equipment (PPE), gross	235,903	235,903	235,903	235,903	235,903
Accumulated Depreciation of PPE	-10,421	-23,225	-36,029	-48,832	-61,636
PP&E, net	225,482	212,678	199,874	187,071	174,267
Total Assets	301,259	345,700	416,938	502,631	624,015
Liabilities					
Current Liabilities					
Accounts Payable	13,367	16,572	16,572	16,572	16,572
Total Current Liabilities	13,367	16,572	16,572	16,572	16,572
Long Term Liabilities	431,250	318,750	206,250	93,750	0
Total Liabilities	444,617	335,322	222,822	110,322	16,572
Equity					
Paid-in Capital/Drawings	0	0	0	0	0
Retained Earnings	-143,358	10,378	194,116	392,309	607,443
Current Period Retained Earnings	-143,358	10,378	194,116	392,309	607,443
Total Equity	-143,358	10,378	194,116	392,309	607,443
Total Liabilities and Equity	301,259	345,700	416,938	502,631	624,015

Industry Analysis

Nineteen states have legalized cannabis for adults over the age of 21. Thirty seven states and the District of Columbia have various cannabis programs.

Market Size - Massachusetts

The Massachusetts market has the potential to reach over \$2 billion in revenue. This is based on an analysis that the market is relative to Colorado, the most established, regulated, and regulated adult use market. Colorado sales per resident were \$269 in 2017 and grew to \$277 in 2018, indicating the signs of a maturing market. Projecting that per capita number onto the Massachusetts 6.9 million population yields a \$1.875B market. Based on the state's higher income of 8.45%, the market potential exceeds \$2.0 billion.

Quality Control

EAC SOP 323	Title: Quality Control, Sample Distribution, & Testing SOP	
	Last Updated:	12/01/2021
	Approved By:	Hope Marian
	Effective Date:	12/01/2021

Purpose

Elevated Access Center, Inc. "The Company" maintains compliance with 935 CMR 500.120(12)(i) Policies and procedures for developing and providing Quality Control Samples to employees to ensure product quality and determine whether to make the product available to sell. The Company's policies and procedures include methods by which The Company will adequately track, record, and document all Quality Control Samples developed on or provided from the licensed Premises in satisfaction of 935 CMR 500.120(14). The Company's policies and procedures further prohibit the consumption of Quality Control Samples on the Licensed Premises. Policies and procedures for packaging marijuana and White Labeling Marijuana Cultivators retain all Wholesale Agreements entered into with Delivery Operators and have them available to the Commission upon request.

The Company will cultivate, develop, and process these products safely and securely within CCC's guidelines and regulations.

Product Quality Standards

As per 935 CMR 500.105(3)(a), The Company processes cannabis and cannabis products safely and sanitary. The Company processes the leaves and flowers of the female Marijuana plant only, which shall be:

1. Well cured and free of seeds and stems.
2. Free of dirt, sand, debris, and other foreign matter;
3. Free of contamination by mold, rot, other fungus, pests, and bacterial diseases and satisfying the sanitation requirements in 105 CMR 500.000, and if applicable, 105 CMR 590.000: State Sanitary Code Chapter X – Minimum Sanitation Standards for Food Establishments;
4. Prepared and handled on food-grade stainless steel tables with no contact with Licensees' or Marijuana Establishment Agents' bare hands; and
5. Packaged in a secure area.

Food Handling Standards

As per 935 CMR 500.105(3)(b) The Company complies with the following sanitary requirements: The Company's Agent whose job includes contact with Marijuana or non-Edible Marijuana Products, including cultivation, production, or packaging, are subject to the

requirements for food handlers specified in 105 CMR 300.000: Reportable Diseases, Surveillance, and Isolation and Quarantine Requirements. Any Agent working in direct contact with the preparation of Marijuana or non-Edible Marijuana Products conforms to sanitary practices while on duty, including:

- a. Maintaining adequate personal cleanliness as described in detail in the Personnel Policies SOP; and
- b. Washing hands thoroughly in an adequate hand-washing area before starting work and at any other time when hands may have become soiled or contaminated.

Hand-washing facilities are adequate and convenient and furnished with running water at a suitable temperature. Hand-washing facilities are located in the Marijuana Establishment in Production Areas. Good sanitary practices require employees to wash and sanitize their hands and provide effective hand-cleaning and sanitizing preparations and sanitary towel service or suitable drying devices.

There is sufficient space for equipment placement and storage of materials necessary to maintain sanitary operations; litter and waste are properly removed and disposed of to minimize the development of odor and minimize the potential for the waste attracting and harboring pests. The operating systems for waste disposal are maintained adequately pursuant to 935 CMR 500.105(12). Floors, walls, and ceilings are constructed to be adequately kept clean and in good repair with adequate safety lighting in all Processing and storage areas and areas where equipment or utensils are cleaned.

Buildings, fixtures, and other physical facilities are maintained in sanitary conditions. All contact surfaces, including utensils and equipment, are clean and sanitary. Such surfaces are cleaned and sanitized as frequently as necessary to protect against contamination, using a sanitizing agent registered by the U.S. Environmental Protection Agency (EPA), in accordance with labeled instructions. Equipment and utensils are designed and of such material and workmanship as to be adequately cleanable; all toxic items are identified, held, and stored in a manner that protects against contamination of Marijuana Products. Toxic items may not be stored in an area containing products used in the cultivation of Marijuana. The Commission may require a Marijuana Establishment to demonstrate the intended and actual use of any toxic items found on the Premises.

The Company's water supply is sufficient for necessary operations. Any private water source can provide a safe, potable, and adequate water supply to meet the Marijuana Establishment's needs. Plumbing is of adequate size and design and adequately installed and maintained to carry sufficient quantities of water to required locations throughout the Marijuana Establishment. Plumbing properly conveys sewage and liquid disposable waste from the Marijuana Establishment. There are no cross-connections between the potable and wastewater lines. The Company provides its employees with adequate, readily accessible toilet facilities maintained in a sanitary condition and in good repair.

Products that can support the rapid growth of undesirable microorganisms are held to prevent the growth of these microorganisms. Storage and transportation of finished products are under conditions that protect them against physical, chemical, and microbial contamination and against deterioration of finished products or their containers. All vehicles and transportation equipment used in the transportation of Marijuana Products or Edibles requiring temperature control for safety are designed, maintained, and equipped as necessary to provide adequate temperature control to prevent the Marijuana Products or Edibles from becoming unsafe during transportation, consistent with applicable requirements pursuant to 21 CFR 1.908(c).

The Company ensures all Edibles are prepared, handled, and stored in compliance with the sanitation requirements in 105 CMR 590.000: State Sanitary Code Chapter X: Minimum Sanitation Standards for Food Establishments.

Testing Requirements

As Per 935 CMR 500.140 (7), No Marijuana Product, including Marijuana, may be sold or otherwise marketed for adult use that has not first been tested by Independent Testing Laboratories, except as allowed under 935 CMR 500.000. The product complies with the standards required under 935 CMR 500.160. Potency levels derived from the Cannabinoid Profile, including the amount of delta-nine-tetrahydrocannabinol (9-THC) and other Cannabinoids contained within Finished Marijuana or Marijuana Product to be sold or otherwise marketed, are recorded in the Seed-to-sale SOR.

As per 935 CMR 500.160, The Company will ensure no Marijuana Product, including Marijuana, may be sold or otherwise marketed for adult use that is not capable of being tested by Independent Testing Laboratories, except as allowed under 935 CMR 500.000. Testing of Marijuana Products shall be performed by an Independent Testing Laboratory in compliance with a protocol(s) established in accordance with M.G.L. c. 94G, § 15 and in a form and manner determined by the Commission including, but not limited to, the Protocol for Sampling and Analysis of Finished Marijuana and Marijuana Products for Marijuana Establishments, Medical Marijuana Treatment Centers, and Colocated Marijuana Operations.

Testing of environmental media (e.g., soils, solid growing media, and water) is performed in compliance with the Protocol for Sampling and Analysis of Environmental Media for Massachusetts Registered Medical Marijuana Dispensaries published by the Commission.

Marijuana is tested for the Cannabinoid Profile and contaminants as specified by the Commission, including, but not limited to, mold, mildew, heavy metals, plant growth regulators, and the presence of Pesticides. In addition, to these contaminant tests, final ready-to-sell Marijuana Vaporizer Products are screened for heavy metals and Vitamin E Acetate (VEA) in accordance with the relevant provisions of the Protocol for Sampling and Analysis of Finished Marijuana and Marijuana Products for Marijuana Establishments, Medical Marijuana Treatment Centers, and Colocated Marijuana Operations. The Commission may, at its discretion, require additional testing were necessitated to safeguard the public health or public safety and so identified by the Commission.

The Company has a written policy for responding to laboratory results that indicate contaminant levels are above acceptable limits established in the protocols identified in 935 CMR

500.160(1). The Policy includes:

1. Notifying the Commission within 72 hours of any laboratory testing results indicating that the contamination cannot be remediated and disposing of the Production Batch.
2. Notifying the Commission of any information regarding contamination as specified by the Commission or immediately upon request by the Commission.

The notification would be from both the Company and the Independent Testing Laboratory, separately and directly. The notification from the Company would describe a proposed plan of action for both the destruction of the contaminated product and the assessment of the source of contamination.

The Company maintains all testing results for no less than one year. Testing results shall be valid for one year. Marijuana or Marijuana Products with testing dates in excess of one year are deemed expired and may not be dispensed, sold, transferred, or otherwise conveyed until retested.

The sample distribution method complies with 935 CMR 500.120(14) by ensuring quality control samples' proper transfer and distribution. The Company provides Quality Control Samples of Marijuana flower to its employees to ensure product quality and determine whether to make the product available to sell.

- The team will visually inspect the products at the facility.
- The team will ensure proper labels, dates, test results, and all other packaging requirements.
- The team members will take the products for sampling home after their shifts and are expected to consume them in a safe, legal, and compliant environment.

Provision of a Quality Control Sample under 935 CMR 500.120(14) is not considered a prohibited practice under 935 CMR 500.105(4)(b)20. Samples are provided to employees under 935 CMR 500.120(14); the staff is trained that they may not be consumed on the Licensed Premises, sold to another licensee or Consumer; and are tested in accordance with 935 CMR 500.160.

The Company limits marijuana products in the following aggregate amount of Quality Control Samples to all employees in a calendar month period:

- Four grams per strain of Marijuana flower and no more than seven strains of Marijuana flower.

Samples provided by the Company under 935 CMR 500.120(14) are assigned a unique, sequential alphanumeric identifier and entered into the Seed-to-sale SOR in a form and manner to be determined by the Commission, and further, are designated as "Quality Control Sample."

These samples provided under 935 CMR 500.120(14) have a legible, firmly Affixed label on which the wording is no less than 1/16 inch in size containing, at 1 minimum, the following information:

1. A statement that reads: "QUALITY CONTROL SAMPLE NOT FOR RESALE";
2. The name and registration number of the Marijuana Cultivator;
3. The quantity, net weight, and type of Marijuana flower contained within the package; and
4. A unique sequential, alphanumeric identifier assigned to the Cultivation Batch associated with the Quality Control Sample that is traceable in the Seed-to-sale SOR.

Upon providing a Quality Control Sample to an employee, the Company records:

1. The reduction in the quantity of the total weight or item count is reduced under the unique alphanumeric identifier associated with the Quality Control Sample;
2. The date and time the Quality Control Sample was provided to the employee;
3. The agent registration number of the employee receiving the Quality Control Sample; and
4. The name of the employee as it appears on their agent registration card.

The Company has and will ensure training on policies and procedures for developing and providing Quality Control Samples to employees as per 935 CMR 500.130(5)(k) for the purpose of ensuring product quality and determining whether to make the product available to sell. Policies and procedures include methods by which the Company or our CCC license business partners will adequately track, record, and document all Quality Control Samples developed on or provided from, the licensed Premises in satisfaction of 935 CMR 500.130(8). Policies and procedures further prohibit the consumption of Quality Control Samples on the Licensed Premises.

As per 935 CMR 500.130(9), the Company provides Quality Control Samples of Marijuana Products to its employees for the purpose of ensuring product quality and determining whether to make the product available to sell. This is not considered a prohibited practice under 935 CMR 500.105(4)(b)20.

The Company provides samples to employees under 935 CMR 500.130(9), and these products may not be consumed on the licensed Premises, may not be sold to another licensee or Consumer; and are tested in accordance with 935 CMR 500.160.

The Company is limited to providing the following aggregate amounts of Quality Control Samples to all employees in a calendar month period:

1. Five (5) grams of Marijuana concentrate or extract including, but not limited to, tinctures;
2. Five hundred milligrams of Edibles, whereby the serving size of each individual sample does not exceed five milligrams and otherwise satisfies the potency levels set forth in 935 CMR 500.150(4); and
3. Five units of sale per Cannabis product line and no more than six individual Cannabis product lines. For purposes of 935 CMR 500.130(8) purposes, a Cannabis product line shall mean items bearing the same Stock Keeping Unit Number.

The Company ensures all Quality Control Samples provided under 935 CMR 500.130(8) are assigned a unique, sequential alphanumeric identifier and entered into the Seed-to-sale SOR in a

form and manner to be determined by the Commission, and further, shall be designated as "Quality Control Sample."

The Company's Quality Control Samples provided under 935 CMR 500.130(9) have a legible, firmly affixed label. The wording is no less than 1/16 inch in size containing at 1 minimum the following information:

1. A statement reads: "QUALITY CONTROL SAMPLE NOT FOR RESALE";
2. The name and registration number of the Marijuana Product Manufacturer;
3. The quantity, net weight, and type of Marijuana flower contained within the package; and
4. A unique sequential, alphanumeric identifier assigned to the Production Batch associated with the Quality Control Sample that is traceable in the Seed-to-sale SOR.

Upon providing a Quality Control Sample to an Employee, the Company records:

1. The quantity of the total weight or item count is reduced under the unique alphanumeric identifier associated with the Quality Control Sample;
2. The Quality Control Sample was provided to the Employee;
3. The agent registration number of the employee receiving the Quality Control Sample; and
4. The name of the Employee as it appears on their agent registration card.

The Quality Control Sample Distribution records will be maintained within employee records controlled through the Human Resources Department.

Sanitation, Odor & Quality Control

All secured storage areas will be maintained in a clean and orderly condition and free from infestation by insects, rodents, birds, and pests through the use of integrated pest management practices and techniques as the regular disposal of trash. In addition, all floors, walls, and ceilings shall be kept in good repair. A checklist will be kept of any maintenance activity, cleaning, sanitization, or inspection of these activities. This checklist will be kept in the appropriate physical or electronic file for a period of at least one year.

Employees will be responsible for maintaining a high standard of cleanliness, including wearing appropriate outer garments, washing hands, securing jewelry, separating food or beverage consumption from areas containing cannabis and cannabis products, and generally limiting contamination.

Employees will clean EAC on a nightly basis. The facility's exterior will be cleaned of debris on a daily basis, and the vegetation surrounding the facility will frequently be trimmed. Floors, walls, and ceilings are constructed to be adequately kept clean and in good repair. There will be sufficient space for equipment placement and storage of materials necessary for maintaining sanitary operations. All contact surfaces, including utensils and equipment, will be maintained in a clean and sanitary condition. Such surfaces will be cleaned and sanitized on a daily basis to protect against contamination, using a sanitizing agent registered by the U.S. Environmental Protection Agency, in accordance with labeled instructions. EAC will use equipment and utensils designed and constructed of such material and workmanship to be adequately cleanable.

Climate Control

To guarantee the integrity of all cannabis and cannabis products, all storage areas will have regulated lighting, ventilation, temperature, and humidity to ensure that the identity, strength, quality, and purity of all cannabis are not adversely affected.

Personal Protective Equipment (PPE)

The following shall be clean or new prior to each use:

- Face covering (or disposable respirator when necessary)
- Nitrile gloves (required in cultivation and production areas)
- Lab coats (required in cultivation and production areas)
- Hairnets and beard nets (required in cultivation and production areas)
- Eye protection (if necessary or desired)

Restricting Access

EAC SOP 402	Title: Restricting Access SOP	
	Last Updated:	12/01/2021
	Approved By:	Hope Marian
	Effective Date:	012/01/2021

This SOP outlines the access needs and restrictions for employees of EAC (the Company) based on their job functions and responsibilities, building access restrictions for customers, and Staffing restrictions for human resources.

Senior management has access to all areas of the facility, upper management has access to all areas of their department, and staff has access to areas that are required to access to perform their jobs.

To see what areas of the facility any staff member should have access to, please reference the Restricted Access Employee Matrix below.

Restricting Access Policy refers to the CCC age, use, and purchasing restrictions. Security protocols for enforcing age restriction can be found in training materials for Refusing Customer Access and Identification of fake IDs. The Company will engage a 3rd party Security Company to monitor the building and the door during operating hours. Those security guards are properly trained on how to spot fake IDs to ensure that there is no access to the building to anyone under 21 years old as per 935 CMR 500.002 and how to refuse entry in a nonconfrontational manner. These security guards will inspect the IDs of all guests and patrons of the business.

Hiring and Staffing restrictions for employees under the age of 21 can be found in Record-Keeping as per 935 CMR 500.029 and 935 CMR 500.030.

A. Process

The Company will utilize a proximity access FOB (key card) system to regulate access throughout the facility. The system is managed at the individual cardholder level. At any point, the Company will disable access to the cardholder or restrict their access based on a schedule. The system will also report attempts by individuals to utilize their card when it has been disabled. The Company will restrict access to any room containing security and surveillance monitoring equipment to persons essential to surveillance operations, law enforcement agencies, security system service employees, and the CCC's authorized representative. In addition, the Company will keep security and surveillance rooms locked at all times and will not use the rooms for any other purpose or function.

A person that is not a holder of a valid employee identification card of the Company is prohibited from accessing the restricted and secure areas of the facility unless they receive authorization and obtain a visitor identification badge from the Company.

The Company will maintain all security system equipment and video surveillance systems in a secure location to prevent theft, loss, destruction, or alterations. In addition, the Company will limit access to security equipment to employees essential to surveillance operations, law enforcement agencies, security system service employees, the CCC, and others when approved by the CCC.

B. Access Control Entry Points

A defined access control entry point regulates the flow of individuals/visitors by requiring them to pass through an identified door to reach certain areas. This door will be monitored by alarms and video systems to detect and identify individuals entering or exiting the restricted area.

Elevated Access Center will establish an interior access control entry point between the manufacturing, cultivation, and hallway. Any general public visitor or client can enter the dispensary from the secured areas. This point separates the “restricted access” area from the public and limited access areas. Restricted access areas will only be accessible to employees requiring such access to perform functions, regulates, and access may be scheduled.

Individuals entering through the exterior door adjacent to the **VESTIBULE** will also be recorded and detected by the video and alarm systems. The general public will not be permitted to enter this door.

C. Hardware Overview

Each employee will be given a FOB key card printed at the facility. FOB key cards will contain the employee’s picture, name, position, and a unique serial number associated with the employee. This FOB card will grant access to specific areas the employee is authorized to enter when used with a security pin code specific to the employee. An electronic log of employees, pin codes, and their associated FOB serial numbers will be kept on file for at least ten years. In addition, the Company will maintain an electronic backup system for all access codes and electronic records. Employees must visibly wear their FOB key card on their person at all times while at the facility and will take their FOB key card home. Any lost or stolen access FOB key card must be reported to the CCC and senior management immediately.

The Company’s alarm system also works with the keycard to promote accountability and tracking. Every time an employee uses their access proximity security card and/or

PIN to enter an area, The Company's alarm system will electronically record and maintain the employee's information, the time and date the employee entered the room, and how long the employee was in the room. In addition, the alarm and access control systems will flag any time a door is left open for longer than ten seconds. A log of all entries into restricted rooms will be maintained with the security records. Doors that do not require an access control system will have door key locks.

D. Two factor Authentication

The access control entry points and secured areas will be equipped with a commercial-grade combination proximity reader and pin code reader such as the APO DK-2866. Authorized individuals will present their proximity access control card at the proximity reader and enter their pin. If they are currently authorized to enter, the locking device at the entry point will be released. Only those employees who need to access particular areas of the facility will be given the necessary authorization.

Because there is a potential for an unauthorized person to discover the pin code of the keypad, the combination will be changed at irregular intervals not to exceed 90 days. All employees will also be given a duress pin code that they can enter into the keypad, which will signal to local law enforcement in an emergency situation.

The Company will not allow keys to be left in locks and will not allow keycards or keys to be stored or left in a location accessible to persons other than registered, authorized employees.

There will be a mechanical override available where required, and the emergency keys to override the locking mechanism will be "high security" keys and cores to prevent duplication. Emergency keys will only be distributed to senior management or responding emergency personnel. Only employees will be given access cards and be authorized in the system. Only those employees who need to access particular areas of the facility will be given the necessary access.

Restricted Access Employee Matrix:

N a m e	Title	B r e a k R o o m		Staff Entrance	OFFICES	Vault	Security Booth	Security Control Room	IT Room	Cultivation Rooms	Processing Rooms	Kitchen
	Ownership	X	X		X	X	X	X	X	X	X	X
	Executive Management	X	X		X	X	X	X	X	X	X	X
	Dept. Management	X	X		X	X				X	X	X
	Cultivation Staff	X	X							X		
	Security Manager	X	X		X	X	X	X	X	X	X	X
	Processing Staff	X	X								X	X
	Inventory Specialist	X	X			X						
	Wholesale Staff	X	X			X						

Personnel Policies

EAC SOP 209	Title: Personnel Policies SOP
	Last Updated: 03/01/2021
	Approved By: Hope Marian
	Effective Date: 04/01/2021

Purpose

The Personnel Policies SOP is intended to ensure employees understand the expectations of performance and are duly aware of the responsibilities of their position and the applicable laws and regulations, as well as the standards of our organization and is written to align with the regulations as outlined in 935 CMR 500.105(1). Authorized Marijuana Establishment Agents (“Agents”) on the licensed premises must follow all policies and procedures in accordance with Elevated Access Center’s (“EAC”) Standard Operating Procedures (“SOPs”) and in accordance with all state and local laws and applicable regulations.

Staffing Plan and Human Resources Procedures

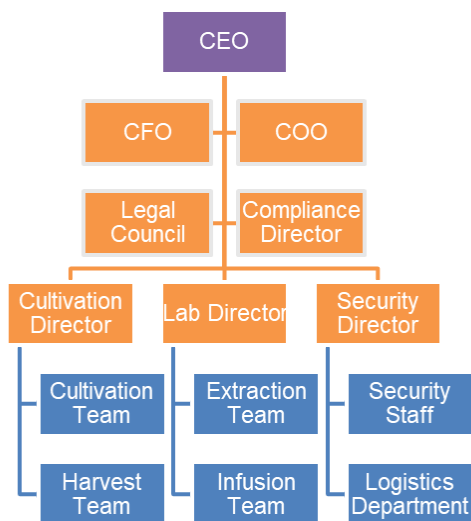
Hiring, Documentation, and Job Descriptions

- The Company will assign department managers responsible for establishing and updating the job descriptions and executive leadership to determine the organizational structure.
- The company is responsible for storing, organizing, updating, and communicating changes to the job descriptions. Paper or electronic copies can be made available to the employee. All job descriptions can be written in MSFT Word and stored on the network.
- Job descriptions are ever-evolving and are attached in their most current state.
- When a position is available, the job will be posted as per the Company’s Human Resources Policies. The posting of all positions will follow the guidelines set forth in the Company’s Diversity Plan.
- Our policy is that all job postings will be offered internally to our employees before hiring outside the organization.
- The employee is responsible for submitting a resume that aligns with the job description and demonstrating the ability to conceptually understand and comply with all qualifications, duties, and standards of their particular job description.
- The administrative team will store all resumes of hired employees on the network.
- GM and Department Manager will interview all prospective employees in person or in a video conference. A phone screen may or may not be initiated prior to the interview. The GM and Department Manager, at their discretion, may also include other personnel in the interview process.
- The administrative team will submit to the employees (and they will sign that they will/have read) any updated job description and immediately respond with any inquiries

or challenges to the stated policy. Otherwise, it is assumed the employee will comply with the updates.

- Employees are responsible for reading and signing all necessary artifacts from the employee handbook.
- In addition, it is stated that employees must sign a non-compete and non-disclosure agreement.
- In order to be employed by our organization, an employee must be eligible to obtain an ME Agent Card.
- The office Manager will issue agent cards when they are renewed.

Org Chart



Training and Supervision

- The GM has ultimate accountability and responsibility for the management of the administrative team and the Department Manager.
- The Department Manager has ultimate accountability and responsibility for the Cultivation Staff and other employees who support EAC operations.
- The GM and designated facility manager will train and supervise all personnel on daily tasks and work with each position directly to help amend and update any policy or procedure documents as processes are refined for efficiency.
- All registered Agents will be required to complete an RVT training within 90 days of hire.
- All department managers will be required to ensure each employee has been provided with the minimum 8 hours of job-specific annual training requirements.
- Records of all internal training and the required RVT completion will be maintained by Human Resources in each agent's employee file.

As Per 935 CMR 500.105(2), The Company ensures that all Marijuana Establishment Agents complete minimum training requirements prior to performing job functions.

- At a minimum, ME Agents receive a total of eight hours of training annually. The eight-hour total training requirement is tailored to the roles and responsibilities of the job function of each agent.
- A minimum of four hours of training is from Responsible Vendor Training Program courses established under 935 CMR 500.105(2)(b). Any additional RVT hours over the four-hour RVT requirement are counted toward the eight-hour total training requirement.
- Non-RVT training will be conducted in-house by the Marijuana Establishment or by a third-party vendor engaged by the Marijuana Establishment. Basic on-the-job training Marijuana Establishments provided in the ordinary course of business may be counted toward the eight-hour total training requirement.
- Agents responsible for tracking and entering products into the Seed-to-sale SOR receive training in a form and manner determined by the Commission. At a minimum, staff receives eight hours of ongoing training annually.
- The Company maintains records of compliance with all training requirements noted above. Such records shall be maintained for four years, and The Company will make such records available for inspection on request.
- Individuals who are both a Marijuana Establishment Agent and MTC Agent at the Company receive the training required for each license under which the agent is registered, including, without limitation, with respect to patient privacy and confidentiality requirements, which may result in instances that would require such an agent to participate in more than eight hours of training.

Personnel Record Keeping Policy:

Elevated Access Center “EAC” (The Company) will maintain all personnel records for all employees from the time of hire to a minimum of 12 months after termination as per 935 CMR 500.105(1)(9). The company will maintain records as follows

- The company will maintain job descriptions for each employee and volunteer position, as well as organizational charts consistent with the job descriptions;
- The company will maintain a personnel record for each Marijuana Establishment Agent. Such records shall be maintained for at least 12 months after termination of the individual's affiliation with the marijuana establishment and shall include, at a minimum, the following:
 - All materials submitted to the commission pursuant to 935 CMR 500.030(2);
 - Documentation of verification of references;
 - The job description or employment contract that includes duties, authority, responsibilities, qualifications, and supervision;
 - Documentation of all required training, including training regarding privacy and confidentiality requirements, and the signed statement of the individual indicating the date, time, and place he or she received said training and the topics discussed, including the name and title of presenters;
 - Documentation of periodic performance evaluations;

- A record of any disciplinary action taken; and
- Notice of completed Responsible Vendor Training Program and in-house training for Marijuana Establishment Agents required under 935 CMR 500.105(2).
- The Company maintains a staffing plan that will demonstrate accessible business hours and safe cultivation conditions;
- The Company maintains personnel policies and procedures, including:
 - EAC Code of ethics;
 - EAC will conduct business honestly and ethically wherever operations are maintained. We strive to improve the quality of our services, products, and operations and will maintain a reputation for honesty, fairness, respect, responsibility, integrity, trust, and sound business judgment. Our managers and employees are expected to adhere to high standards of business and personal integrity as a representation of our business practices, at all times consistent with their duty of loyalty to EAC.

We expect that officers, directors, and employees will not knowingly misrepresent EAC and will not speak on behalf of EAC unless specifically authorized. The confidentiality of trade secrets, proprietary information, and similar confidential commercially-sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.) about EAC or operations, or that of our customers or partners, is to be treated with discretion and only disseminated on a need-to-know basis (see policies relating to privacy).

Violation of the Code of Ethics can result in discipline, up to and including termination of employment. The degree of discipline imposed may be influenced by the existence of voluntary disclosure of any ethical violation and whether or not the violator cooperated in any subsequent investigation.

- EAC Whistleblower policy
 - EAC believes that Whistleblower policies are critical tools for protecting individuals who report activities believed to be illegal, dishonest, unethical, or otherwise improper.
 - The organization will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, poor work assignments, and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Human Resources Director immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

- Whistleblower protections are provided in two important areas: confidentiality and retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, comply with the law, and provide accused individuals their legal rights of defense.
- Individuals protected include
 - the employee, or a person acting on behalf of the employee, who reports to a public body or is about to report to a public body a matter of public concern; or
 - the employee who participates in a court action, an investigation, a hearing, or an inquiry held by a public body on a matter of public concern.
- EAC will not discharge, threaten, or otherwise discriminate against an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment.
- EAC will not disqualify an employee or other person who brings a matter of public concern, or participates in a proceeding connected with a matter of public concern, before a public body or court, because of the report or participation, from eligibility to bid on contracts with the organization; receive land under a district ordinance; or receive another right, privilege, or benefit.
- The provisions of this policy do not
 - require the organization to compensate an employee for participation in a court action or in an investigation, hearing, or inquiry by a public body;
 - prohibit the organization from compensating an employee for participation in a court action or in an investigation, hearing, or inquiry by a public body;
 - authorize the disclosure of information that is legally required to be kept confidential; or
 - diminish or impair the rights of an employee under a collective bargaining agreement.
- Limitation to protections
 - A person is not entitled to the protections under this policy unless he or she reasonably believes that the information reported is, or is about to become, a matter of public concern; and reports the information in good faith.
 - A person is entitled to the protections under this policy only if the matter of public concern is not the result of conduct by the individual seeking protection, unless it is the result of conduct by the person that was required by his or her employer.

- Before an employee initiates a report to a public body on a matter of public concern under this policy, the employee shall submit a written report concerning the matter to the organization's chief executive officer.
 - However, the employee is not required to submit a written report if they believe with reasonable certainty that the activity, policy, or practice is already known to the chief executive officer; or that an emergency is involved.
- Relief and penalties
 - A person who alleges a violation of this policy may bring a civil action, and the court may grant appropriate relief; a person who violates or attempts to violate this policy is also liable for a civil fine of not more than ten thousand dollars (\$10,000.00).
- Procedures
 - If an employee has knowledge of or a concern about illegal or dishonest/fraudulent activity, the employee is to contact their immediate supervisor or the Human Resources Director. The receiving supervisor will promptly submit all reports or concerns of illegal and dishonest activities to the Human Resources Director, who is responsible for investigating and coordinating any necessary corrective action. Any concerns involving the Human Resource Director should be reported to the chief executive officer.
 - The whistleblower is not responsible for investigating the alleged illegal or dishonest activity or determining fault or corrective measures; appropriate management officials are charged with these responsibilities.
- Examples of illegal or dishonest activities include violations of federal, state, or local laws, billing for services not performed or for goods not delivered, and other fraudulent financial reporting. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to disciplinary action.
- Supplemental information
 - Definitions
 - "Whistleblower" is defined by this policy as an employee who reports, to one or more of the parties specified in this policy, an activity that he/she considers to be illegal, dishonest, unethical, or otherwise improper.
 - "Employee," or "public employee," means a person who performs a service for wages or other remuneration under a

- contract of hire, written or oral, express or implied, for the district.
- “Matter of public concern” means a violation of a state, federal, or municipal law, regulation, or ordinance; b. a danger to public health or safety; and/or c. gross mismanagement, substantial waste of funds, or a clear abuse of authority.
- “Public body” includes an officer or agency of a. the federal government; b. the state; c. a political subdivision of the state including a municipality or a school district; and d. a public university in the state.
- EAC Disabilities Policy and Notice: The Americans with Disabilities Act, Title I: Employment, prohibits employers with 15 or more employees and all state and local government employers from firing, refusing to hire or rehire, or otherwise discriminating against a “qualified” person with a disability on the basis of disability and obligates employers to provide reasonable accommodations. To be “qualified,” a person must be able to perform the essential functions of the job, either with or without reasonable accommodation. Employers are not required to provide an accommodation that would eliminate an essential function of an employee’s job or would pose an “undue hardship” for the employer. Accommodation is provided at the employer’s expense unless the employer can demonstrate that it would pose an undue financial hardship. You can find more information at: <https://www.mass.gov/service-details/about-employment-rights>
- All background check reports obtained in accordance with M.G.L c. six § 172, 935 CMR 500.029, 935 CMR 500.030, and 803 CMR 2.00: Criminal Offender Record Information (CORI).

Drug, Smoke, and Alcohol Policy

The company maintains a DRUG, SMOKE, and ALCOHOL FREE WORKPLACE POLICY as per 935 CMR 500.105(1).

The Company is committed to providing a safe, healthy, and productive work environment. Consistent with this commitment, it is the intent of The Company to maintain a drug and alcohol-free workplace. Being under the influence of alcohol, illegal drugs (as classified under federal, state, or local laws), or other impairing substances while on the job may pose a serious health and safety risk to others, and will not be tolerated.

Prohibited Conduct

The Company expressly prohibits employees from engaging in the following activities when they are on duty or conducting Company business or on Company premises (whether or not

they are working):

- The use, abuse, or being under the influence of alcohol, illegal drugs, or other impairing substances.
- The possession, sale, purchase, transfer, or transit of any illegal or unauthorized drug, including prescription medication that is not prescribed to the individual or drug-related paraphernalia.
- The illegal use or abuse of prescription drugs.

For purposes of this policy as it relates to the use or possession, other than "Work Required Possession," the term "Work Required Possession" means the possession for work purposes only, of Cannabis and any of its component or chemical parts, required to perform an employee's job at a duly licensed Company facility engaged in the Cannabis industry.

While the use of marijuana has been legalized under some state laws for medicinal and/or recreational uses, it remains an illegal drug under federal law. The Company does not discriminate against employees solely based on their lawful off-duty use of marijuana. You may not consume or be under the influence of marijuana while on duty or at work. If you have a valid prescription for medical marijuana, refer to the Company Disability Accommodation Policy for additional information.

Nothing in this policy is meant to prohibit your appropriate use of over-the-counter medication or other medication that can legally be prescribed under both federal and state law if it does not impair your job performance or safety or the safety of others. If you take over-the-counter medication or other medication that can legally be prescribed under both federal and state law to treat a disability, inform your manager/supervisor if you believe the medication may impair your job performance, safety, or the safety of others or if you believe you need a reasonable accommodation before reporting to work while under the influence of that medication.

Employer-Sponsored Events

From time to time, The Company may sponsor social or business-related events where alcohol or cannabis may be served. This policy does not prohibit the use or consumption of alcohol or cannabis at these events. However, if you choose to consume alcohol or cannabis at such events, you must do so responsibly and maintain your obligation to conduct yourself properly and professionally at all times.

Treatment and/or Rehabilitation

The Company may assist you in seeking treatment or rehabilitation for drug or alcohol dependency. In such cases, The Company may consider your continued employment as long as concerns regarding safety, health, production, communication, or other work-related matters are adequately addressed. The Company may also require you to obtain a medical clearance and agree to random testing and a "one-strike" rule as a condition of continued employment.

Violations

Violation of this policy may result in disciplinary action, up to and including termination of employment.

The following activities and conduct by Authorized Agents, Visitors, or any person on EAC's property shall be prohibited.

- The unlawful use, possession, solicitation for, distribution of, or sale of narcotics or other illegal drugs, alcohol, tobacco, or prescription medication on the licensed premises without a prescription, while conducting official work duties off-site, or while otherwise representing the company professionally to other industry members, vendors, customers, government officials, and the public.
- Being impaired by legal drugs or under the influence of illegal drugs or alcohol while performing workplace duties.
- Possession, use, solicitation for, distribution of, or sale of illegal drugs away from the workplace.

Violations of this drug, alcohol, and tobacco-free workplace policy are subject to disciplinary sanctions up to and including the termination of employment. Appropriate remedies for violations may include but are not limited to substance abuse counseling, treatment program, referral to law enforcement, discipline, or discharge from employment. Compliance with EAC's policies and rules is mandatory and is a condition of employment.

Employees shall promptly notify the General Manager (or Human Resources) of any citation, arrest, and/or conviction related to alcohol or drug use no later than five days after such citation, arrest, and/or conviction.

Personnel Confidential Records Maintenance

The Company shall maintain a Confidential Information and other records as required by 935 CMR 500.105(1)(9) the CCC and privacy policies as follows:

- Confidential records will be kept in a fireproof locked file cabinet in a locked office, either the Human Resources Office or the Security Office.
- Records will be accessible only by the agent responsible to those records, and that person may share records with onsite managers as necessary and appropriate.
- Confidential digital records will be kept on an internal computer, and in a shared drive in a locked folder, only the agent responsible to those records and the executive management and may have the passcode to the folder.
- Agents who are responsible to the Company's confidential records will be provided with training on confidential records maintenance.

Disciplinary Action

- The GM and Department Manager is accountable for all employee disciplinary actions.
 - Direct supervisors can enforce policy, procedures, and safety regulations on behalf of the GM and Department Manager, but all compliance issues need to be advanced to the GM and Department Manager.
 - The administrative team will document all disciplinary actions in the agreed-upon format and store them in the user's personnel file.
 - This action requires the name of the employee, the date of the incident, a description of the non-compliance, and a signature from the supervisor who witnessed the event.
 - The GM or Department Manager will levy all disciplinary action. Depending on the severity of the action, the disciplinary protocol can result in re-education all the way through and including termination of employment.
- The following are examples of disciplinary steps taken based on various actions and include but are not limited to:
 - Additional training: improper protocol, or missing steps, not completing forms, attitude adjustments.
 - Indefinite Suspension: Horseplay, improper rigging, or usage of equipment that results in injury to oneself or others.
 - Termination: Direct violation of any state or federal law regarding workplace safety.
 - Providing/Diverting marijuana to anyone not authorized to possess marijuana in accordance with the provisions set forth by the CCC regulations.
 - Theft of company assets.
 - Any theft of cannabis, flower, stems, or plant material will be reported immediately to the CCC, and the employee will be terminated.
 - Physical harm inflicted onto any employee or self.
 - Providing false information to the organization, especially related to felony convictions.
 - Failure to notify the organization of changes in felony conviction status.
 - In the event the disciplinary action requires the involvement of local law enforcement or emergency services, security personnel must be informed and may be required to detain or remove the employee from the premises.
- Employees who need additional training will be eligible for a Productivity Improvement Plan. This is a 60-day program that prevents an employee from receiving any promotions or increases in compensation while they adhere to our regulations.

Immediate Dismissal Policy

The Company maintains the following policy for the immediate dismissal of any Marijuana

Establishment Agent as per 935 CMR 500.105(1) as follows:

- Any agent who is known to have diverted Marijuana, which shall be reported to Law Enforcement Authorities and to the Commission;
- Any agent who is known to have engaged in unsafe practices with regard to the operation of the Marijuana Establishment, which shall be reported to the Commission; or
- Any agent who is known to have been convicted or entered a guilty plea, plea of nolo contendere, or admission to sufficient facts of a felony drug offense involving distribution to a minor in the Commonwealth, or a like violation of the laws of any Other Jurisdiction.

Cleanliness, Hygiene, and Personal Protective Equipment (PPE)

The Company will maintain excellent cleanliness standards and exceptional personal hygiene requirements as per 935 CMR 500.105(3)b. Agents will be trained on the following expectations:

- Each authorized Agent must wear clean, approved clothing appropriate for the duties they perform. If required or directed by a Department Manager or Department Policy, may wear a laboratory garment or coat as provided or approved by management.
- Each agent must wear the personal protective equipment (PPE) listed in each procedure to protect themselves and cannabis and cannabis products from contamination; and
- Each agent must practice good sanitation and health habits while at the Production Facility and at all times while conducting official work duties or responsibilities, including while conducting work duties off-site.
- The establishment's management must take reasonable measures and precautions to ensure the following:
 - **Disease control:** Any person who, by medical examination or supervisory observation, is shown to have, or appears to have, an illness, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination by which there is a reasonable possibility of food, food-contact surfaces, or food-packaging materials becoming contaminated, must be excluded from any operations which may be expected to result in such contamination until the condition is corrected unless conditions such as open lesions, boils, and infected wounds are adequately covered (e.g., by an impermeable cover). Personnel must be instructed to report health conditions to their supervisors.
 - **Cleanliness.** All persons working in direct contact with cannabis, cannabis products, ingredients or input materials, food, food ingredients, food-contact surfaces, and food-packaging materials and any cannabis product packaging and labeling materials must conform to hygienic practices while on duty to the extent necessary to protect against allergen cross-contact and contamination of food. The methods for maintaining cleanliness include:
 - Wearing outer garments suitable to the operation in a manner that protects against allergen cross-contact and against the contamination of food,
 - food-contact surfaces, or food-packaging materials.
 - Maintaining adequate personal cleanliness.
 - Washing hands thoroughly (and sanitizing if necessary to protect against

undesirable microorganisms) in an adequate hand-washing facility before starting work, after each absence from the workstation, and at any other time when the hands may have become soiled or contaminated.

- Maintaining suitable fingernails for production and manufacturing duties includes keeping fingernails trimmed, filed, and maintained so that edges and surfaces are cleanable; fingernails should not have fingernail polish or artificial fingernails attached.
- Removing all unsecured jewelry and other objects that might fall into food, equipment, or containers and removing hand jewelry that cannot be adequately sanitized when food is manipulated by hand. Suppose such hand jewelry cannot be removed. In that case, it may be covered by material that can be maintained in an intact, clean, and sanitary condition. It effectively protects against the contamination of the food, food-contact surfaces, and packaging materials.
- Maintaining gloves is used in handling cannabis products or food in intact, clean, and sanitary conditions.
- Wearing, where appropriate, in an effective manner, hair nets, headbands, caps, beard covers, or hair restraints.
 - Storing personal belongings separate from areas where production materials or cannabis products are exposed, and equipment/utensils are washed.
 - Confining the following to areas where food may be exposed or where equipment or utensils are washed: eating food, drinking beverages, or using tobacco.
- Taking any other necessary precautions to protect against allergen cross-contact and contamination of food, food-contact surfaces, or food-packaging materials with microorganisms or foreign substances (including sweat, hair, cosmetics, tobacco, chemicals, and medicines applied to the skin).

Special Notes

- **During the COVID-19 Pandemic, maintaining adequate personal cleanliness and hygiene helps prevent the spread of the virus.**
- **Employees will be expected to wear a mask at work while performing their duties.**
- **Employees will be expected to use hand sanitizer throughout the day.**

Each Authorized Agent shall clean their hands and the exposed portions of their arms for at least 20 seconds, using a cleaning compound in a hand-washing sink that is appropriately equipped, and shall do so:

- Immediately upon entrance to the marijuana establishment;
- Immediately before working with marijuana plants;
- Immediately before preparing concentrated marijuana or marijuana products, including, without limitation, working with exposed marijuana products, clean equipment, and utensils or unwrapped single-service and single-use articles;
- After touching any bare human body parts other than their clean hands and exposed portions of arms, including, without limitation, surrogate prosthetic devices for hands and arms;
- After using the toilet facilities;
- After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating or drinking;
- After handling soiled equipment or utensils;
- During preparation or extraction of concentrated marijuana or marijuana products, as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks;
- When switching between working with unprocessed marijuana products or uncooked food products and working with finished concentrated marijuana or marijuana products;
- Before donning gloves for working with marijuana products;
- After engaging in other activities that contaminate the hands;
- Before beginning any cultivation or production procedure, including, without limitation, working with plants, equipment, or utensils; and
- As often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.

Hand Washing Procedures

1. The Authorized Agent shall rinse both hands, exposed portions of the arms (including surrogate prosthetic devices for hands and arms if applicable) under clean, running, warm water.
2. The Authorized Agent shall apply an amount of cleaning compound recommended by the manufacturer of the cleaning compound; and
3. rub hands and arms together vigorously for at least 15 seconds while:
 - a. paying particular attention to removing soil from underneath the fingernails during the cleaning procedure; and
 - b. creating friction on the surfaces of the hands and arms, fingertips, and areas between the fingers.
4. The Authorized Agent shall thoroughly rinse hands and arms under clean, running the warm water at a minimum temperature of 100°F (37.8°C).
5. Immediately following steps # 1 – 4, the Authorized Agent shall dry their hands and arms using a clean paper towel.

The following shall be clean or new prior to each use:

- Face covering (or disposable respirator when necessary)
- Nitrile gloves (required in cultivation and production areas)

- Lab coats (required in cultivation and production areas)
- Hairnets and beard nets (required in cultivation and production areas)
- Eye protection (if necessary or desired)

Company Provided Supplies for Employees as needed:

- PPE supplies
- Panic Button
- Safety Radio or 2-way Radio
- “Accident Investigation Report”
- “Employee Accident Report Form”

Qualifications and Training

EAC SOP 212	Title: Qualifications and Training	
	Last Updated:	03/01/2021
	Approved By:	Hope Marian
	Effective Date:	12/01/2021

Purpose

This SOP outlines the qualifications that EAC (the Company) requires for all positions as well as training that is required for all positions as per 935 CMR 500.105.

Qualifications

- Education High School diploma or equivalent two years post-secondary education in a related field preferred
- Work Experience Required 4+ years experience in a fast-paced client-service intensive industry - agricultural or manufacturing background preferred; 2+ years experience in a management role (building and leading a team to success; lead by example)
- Work history showing progressive responsibility, willingness to accept additional projects or challenges.
- Required Knowledge Computer & equipment operations necessary for running an office/retail center (Seed to Sale Tracking System; Word; Excel; office equipment such as copiers/telephone systems)
- Thorough understanding of how to achieve results in a highly compliant environment
- Arithmetic necessary for basic inventory and cash management
- Familiarity with history and varieties of cannabis preferred but not required
- Outstanding phone, email, and in-person customer service and teamwork skills/etiquette
- Ability to communicate clearly and calmly in a positive and didactic manner
- Skilled in performing job duties in a fast-paced environment with the ability to stay even keeled in periods of stress
- Demonstrated proactivity, flexibility, adaptability, and multi-tasking
- Ability to maintain confidentiality and a high level of ethical conduct; absolute reliability and integrity Skilled in accurate cash management and inventory control
- Ability to effectively plan and prioritize with focus and attention to detail
- Ability to work effectively in both leading and being part of a team
- All staff, employees, managers, directors and officers will complete RVT training with an approved vendor within 90 days of hire, and the records will be held by the company for 4 years.
- All employees will receive 8 hours of job-specific training before they begin their jobs and 8 hours of annual training.

Physical Requirements

- Extended time standing, walking, bending, and reaching
- Ability to lift and carry up to 50 pounds for a distance of 100 feet
- Reliable transportation
- Must be 21 years of age or older as per 935 CMR 500.000: adult use of marijuana

Intended Training for Employees Outline

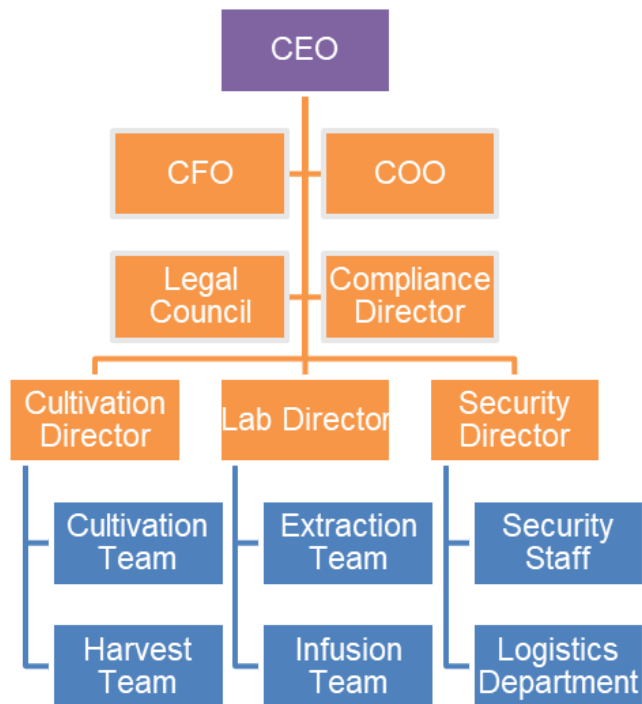
- Security for all employees Department Description
 - Security Position Descriptions
 - **Security Manager**
 - **Logistics Manager**
 - Security Responsibilities
 - Emergency Situations
 - What system are used
- Inventory Training for all employees
 - Inventory Position Descriptions
 - **Inventory Manager**
 - Inventory Position Responsibilities
 - The Company's Inventory Systems Training
 - METRC Basics
- Manufacturing for all employees
 - Manufacturing best practices
 - Hazards
 - PPE/Cleanliness/Sanitation
- The Company's HR and Compliance Requirements for all employees
 - All SOPs and supporting documentation that is included in our application to the CCC will be included in the training program for all departments of the Company.
 - HR and Confidentiality Requirements
- Security Department Systems Training
 - What system are used
 - Monitoring the System
 - Perimeter Control Walks
 - Emergency Situations
 - Accessibility; Login/Password
 - Basic system configuration and controls
- Inventory Department Training
 - METRC Advanced
 - Accessibility; Login/Password
 - Receiving Inventory Physically
 - Weighing and Proper use of the Scales
 - Basic system configuration and controls
- Manufacturing Department
 - **Lab Director**
 - **Extraction Staff**
 - **Kitchen/Product Manager**
 - **Kitchen/Infusion Staff**
 - Trichome Development
 - Cannabinoid and Terpene effects and manipulation
 - Extraction Methods
 - Safety/MSD Sheets
- Cultivation Department
 - **Cultivation Director**
 - **Cultivation Staff**
 - Cultivation Standards/Expectations/Safety
 - Equipment Maintenance

- Plant Health/warning signs/approved remedies
- Prohibited chemicals
- Transportation Department
 - **Drivers**
 - Transportation Compliance and Requirements
 - Client Routes
 - Tracking information
 - Forms and chain of custody requirements
 - ID checking

8 hours of internal Cannabis Industry Training

- History of Cannabis
- Prohibition
- Re-Legalization
- The MA Cannabis Landscape
- Impact Plan, Values and Mission of the Company
- Cannabis Product Training
- Basic Cultivation
- Basic Manufacturing
- Customer Service Training
- Checking the ID
- Assisting with Transportation

Org Chart:



EAC Energy Efficiency and Conservation

EAC SOP 102	Title: Energy Efficiency and Conservation SOP	
	Last Updated:	03/01/2021
	Approved By:	Hope Marian
	Effective Date:	04/01/2021

Energy Compliance Overview

935CMR500.105(15) Energy Efficiency and Conservation. A Marijuana Establishment shall demonstrate consideration of the following factors as part of its operating plan and application for licensure:

- (a) Identification of potential energy use reduction opportunities (such as natural lighting and energy efficiency measures), and a plan for implementation of such opportunities;
- (b) Consideration of opportunities for renewable energy generation including, where applicable, submission of building plans showing where energy generators could be placed on the site, and an explanation of why the identified opportunities were not pursued, if applicable;
- (c) Strategies to reduce electric demand (such as lighting schedules, active load management, and energy storage); and
- (d) Engagement with energy efficiency programs offered pursuant to M.G.L. c. 25, § 21, or through municipal lighting plants.

EAC “The Company” has conducted significant due diligence on the proposed site to ensure it is appropriate for use as a cannabis cultivation and manufacturing facility and expedite the construction process and become operational upon licensure. Due diligence includes a review of the existing utilities serving the site and their capacity to serve the proposed facility adequately. In addition, the Company’s team has relied on an industry expert advisor to assist and advise on estimated usage demand prepare adequate infrastructure and equipment/technology selections and resource allocations. After a preliminary engineering review, the Company has determined that our plans and site are compatible with the proposed maximum usage capacities. The company continues exploring all options for renewable energy and resources, maximizing efficiency and minimizing power usage throughout all aspects of the facility and operation.

Energy Compliance Policy

The Company is committed to building this company with energy use goals rooted in sustainability throughout all aspects of the business and demonstrated through sensible management and standard operating procedures focused on espousing industry best practices to minimize the carbon footprint associated with the ME.

In order to be compliant with the Energy and Environment Compiled Guidance published in January of 2020, the Company will perform the following duties;

Identification and implementation of potential energy-use reduction opportunities:

- The Manager will be responsible for monitoring monthly energy consumption by auditing utility reports provided by utility providers and reviewing operational tools provided to manage energy consumption. They will make necessary adjustments to operations based on energy usage data as needed.
- During facility upgrades, renovations, or expansions, the manager will incorporate researching best practices in all areas to provide guidance to minimize energy consumption for future ongoing operations.
- When equipment fails and/or needs to be replaced, the manager will seek to source equipment that utilizes the optimal energy efficient solution for the identified need.
- All energy-use reduction programs will be implemented and continuously improved through strict standard operating procedures and internal energy and waste audits.
- The Company will include New England Perennials and native plants into the landscape design; once these plants are established, they will not have to be watered as much, and they are the plants that local pollinators are looking for.
- The Company will engage a waste company that offers recycling and composting services.

Engagement with energy efficiency programs offered pursuant to M.G.L. c. 25, § 21, or through municipal lighting plants.

- During the design and development phase, the Company's executive leadership will engage a licensed engineering firm to analyze available energy efficiency programs offered pursuant to M.G.L. c. 25, § 21, or through municipal lighting plants.
- Upon establishing all utility accounts, the Company's executive leadership will request notifications from service providers on incentives and opportunities to ensure awareness of current campaigns.
- During the Company's annual internal energy and waste audit, the manager will engage with subject matter experts most knowledgeable (utility account representatives, vendors, independent audit firms) of available energy efficiency programs offered to evaluate the suitability of engaging such offers in accordance with the energy compliance guidelines set forth by the Commission.

Consideration of opportunities for renewable energy generation, including, where applicable, submission of building plans showing where energy generators could be placed on the site, and an explanation of why the identified opportunities were not pursued, if applicable;

- Considerations for renewable energy resources are initially made based on the existing conditions of the property and continuously evaluated annually during an internal energy audit procedure. During the design and development phase of the project, the Company will contract licensed engineers to evaluate opportunities for renewable energy generation and strategic placement of energy generators if deemed necessary. If not, documentation of why opportunities were not pursued will be recorded by the subject matter expert and approved by the manager.
- The manager will evaluate all utilities for the proposed establishment's most effective and appropriate supply decisions. As part of the annual internal energy and waste audit,

the manager will evaluate whether renewable energy sources are more prudent and effective means of consumption.

- As part of any facility upgrades, renovations, or expansions, as well as part of any failed or needing replaced equipment; the manager will evaluate all alternative energy opportunities as a prerequisite during the design and development phases of the proposed project prior to selection of solution. With a subject matter expert, the manager will determine the most appropriate path forward.

Strategies to reduce electric demand (such as lighting schedules, active load management, and energy storage); and

- The Company will be using energy-efficient equipment in most of the major power and water consumption areas such as HVAC equipment, LED work lighting, LED cultivation lighting, HVAC condensate recycling, and advanced 6-to-1 water reclamation rate water filtration. Together these items make up 70%+ of the facility's total power and water consumption. This HVAC equipment is world-renowned for its efficiency, and most state and federal governments provide extreme energy efficiency rebates or credits for utilization.
- All the employees will be encouraged to bring in a water bottle when they begin working. They will be provided with a water bottle station installed in the employee area to refill their reusable water bottles. This will help us cut back on plastic waste.
- All of the buildings' lights are on motion sensors and will turn off automatically when there is no movement in space. This will ensure lights aren't left on all day when they aren't in use.
- Through ongoing operations, the manager will audit the utility reports for consumption swings outside of acceptable variances described in the standard operating procedure for the annual audit
- During the manager's annual internal energy and waste audit, existing and non-existing active load/demand management and energy storage opportunities will be considered and evaluated for suitability on a case-by-case basis based on criteria deemed essential by a licensed subject matter expert.

Additional Requirements for Cultivation Facilities

- During the design and development phase, the Company's executive leadership will select operational cultivation equipment aligned with the organization's commitment to sustainability in collaboration with licensed engineers and subject matter experts. All electrical, mechanical, plumbing, waste disposal, and fire suppression equipment will be evaluated based on compliance with the energy guidance issued by the Commission.
- After selecting specific energy-using equipment, standard operating procedures will be developed, maintained, and continuously improved upon. This documentation will cover how each particular item of equipment is tested, calibrated, maintained, and re-tested to ensure proper operational functionality.
- The manager will perform annual performance tests on all major energy-using equipment, including, but not limited to, horticultural lighting, HVAC systems, and dehumidification systems.

Maintaining Financial Records

EAC SOP 309	Title: Maintaining Financial Records SOP	
	Last Updated:	07/01/2021
	Approved By:	Hope Marian
	Effective Date:	04/01/2021

Elevated Access Center will value records as a means to improve operations, manage finances, assist internal and external audits, and provide the commission or law enforcement with information. Therefore, EAC will keep and maintain upon the licensed premises for a ten-year period unless otherwise required, true, complete, legible, and current books and records. All required records will be made available for inspection if requested by the CCC.

Records

The financial records of a Marijuana Establishment shall be maintained in accordance with generally accepted accounting principles. Written records that are required and are subject to inspection include, but are not necessarily limited to, all financial and business records required in any section of 935 CMR 500.105(9)(e):

Business records, which shall include manual or computerized records of:

1. Assets and liabilities;
2. Monetary transactions;
3. Books of accounts shall include journals, ledgers, supporting documents, agreements, checks, invoices, and vouchers;
4. Sales records, including the quantity, form, and cost of marijuana products; and
5. Salary and wages paid to each employee, or stipend, executive compensation, bonus, benefit, or item of value paid to any persons having direct or indirect control over the marijuana establishment.

In addition, the following records will be maintained:

- Records relating to the disposal of cannabis, cannabis products, and waste
- Records related to the sale of cannabis and/or any product containing cannabis and merchandise or product that does not contain cannabis
- Transportation records such as manifests
- Records of all samples sent to an independent testing lab and the quality assurance test results
- Inventory tracking records and inventory records maintained in Metrc, as well as records maintained by the facility outside the inventory control management system
- Manufacturing records, which at a minimum will include:
 - The form and types of cannabis and/or any product containing cannabis products maintained at the facility daily
 - Production records, including extraction, refining, manufacturing, packaging, and labeling.
- Employee records in accordance with 935 CMR500.001

- Records of any theft, loss, or other unaccountability of any cannabis and/or any product containing cannabis per 935 CMR 500.001

Following the closure of a Marijuana Establishment, all records shall be kept for at least two years at the expense of the Marijuana Establishment and in a form and location acceptable to the Commission.

Storage

Elevated Access Center plans to use offsite cloud storage. The CCC will provide supervision of the records system. Records will be secured and backed up daily on an encrypted cloud service to prevent tampering, theft, or destruction of records. In addition, records will have safeguards against unauthorized erasures and changes in data after the information has been entered and verified by EAC. All physical documents, such as transaction records, inventory records, security records, audit records, business records, and financial records, will be stored electronically in redundant and geographically dispersed tier-rated data centers to provide the maximum level of security and compliance with all state and federal document storage and confidentiality rules. This policy of recordkeeping:

- Guarantees the confidentiality of the information stored in the system
- Is capable of providing safeguards against erasures and unauthorized changes in data after the information has been entered and verified by EAC
- Is capable of placing a litigation hold or enforcing a records retention hold for purposes of conducting an investigation, or pursuant to ongoing litigation
- Is capable of being reconstructed in the event of a computer malfunction or accident destroying the data bank

EAC will maintain financial records, which will include the following:

- Records that reflect all financial transactions and the business's financial condition, including contracts for services performed or received related to EAC.
- Purchase invoices, bills of lading, manifests, sales records, copies of bills of sale, and any supporting documents, including the items and/or services purchased, from whom the items were purchased, and the date of purchase
- Bank statements and canceled checks for all accounts relating to EAC
- Accounting and tax records related to EAC and facility investors.
- EAC will maintain employee records, which will include the following:
 - All records relating to the hiring of employees, including salaries, applications, documentation of verification of references, and any other related materials.

EAC Manufacturing Safety Plan

EAC 109	Title: Manufacturing Safety and Hazard Communication Plan	
	Last Updated:	12/01/2021
	Approved By:	Hope Marian
	Effective Date:	12/1/2021

1.0 Worker Safety Principles and Practices

Elevated Access Center, Inc. ("EAC") shall ensure the implementation of policies and procedures that ensure compliance with Occupational Safety and Health Administration (OSHA) regulations for workplace safety. Safety topics addressed herein include required quarterly inspections, required personal protective equipment (PPE), SDS review, employee safety training, EAC's hazard communication policy, general safety rules, and facility safety requirements. As a condition of employment, all employees must comply with all applicable safety policies, practices, and procedures listed in EAC's Employee Manual and provided to each employee upon hire. Safety training is provided as often as necessary and annually at a minimum. This plan demonstrates EAC's concern for the safety of our workers, products, and facility, as well as our ability to establish and maintain a safe and OSHA-compliant workplace. EAC is committed to

- providing a workplace free from serious hazards;
 - Promoting the overall health and safety of all employees;
 - Maintaining open communication between owners, managers, and employees about the potential risks and hazards associated with any work performed at the facility;
 - Providing clear safety policies and procedures intended to reduce the potential risks and hazards as much as possible; and
- Establishing mechanisms for evaluating and improving safety policies and procedures on an on-going basis.

Please refer to 2.1 for additional training program information.

1.1 EAC Responsibilities

EAC understands the importance of ensuring all employees have a thorough understanding of what is required of them to stay safe on the job; therefore, safety training is provided and updated in plain language. During this training, a written Hazard Communication Policy detailing the hazards employees may be exposed to during their work and providing proper precautions. To maintain safety standards as easily as possible, EAC shall use color codes, posters, labels, and signs to warn employees of potential hazards when applicable and maintain a copy of SDS for all hazardous chemicals readily available for employees to access necessary. EAC shall maintain detailed records of all work-related injuries, illnesses, emergencies, and incidents in accordance with OSHA recordkeeping requirements. Employees and their authorized representatives may access these health records upon request.

Procedures shall be developed and implemented to immediately address all non-compliance issues discovered by an inspection or evaluation. If necessary, we will post OSHA citations at or near any work areas involved in non-compliance. Each citation must remain posted until the violation has been corrected or for three (3) working days, whichever is longer. Violations shall be corrected by the deadline contained in the OSHA citation, and abatement verification documentation shall be

submitted as required. To further correct any shortcomings found during inspections and ensure compliance with all local laws, EAC has established a line of communication with the local departments and other important regulatory authorities.

EAC holds the authority of OSHA in high regard and is therefore committed to upholding OSHA's safety standards and regulations. To do so, we will:

- Examine workplace conditions and requires regular, comprehensive inspections;
- Provide OSHA compliant medical examinations and training;
- Provide employees, former employees, and their representatives with access to the Log of Work Related Injuries and Illnesses (OSHA Form 300);
- Timely report all work-related fatalities, and all work-related in-patient hospitalizations, amputations, and losses of an eye to the nearest OSHA office within twenty-four (24) hours using the following toll-free numbers OSHA: 1-800-321-OSHA (6742); TTY 1-877-889-5627;
- Not discriminate against employees who exercise their rights under the OSHA Act; and
- Posts at a prominent location within the workplace, the OSHA Job Safety, and Health: It's the Law poster.

1.2 Employee Responsibilities

As part of maintaining their general responsibilities, all employees must:

- Adhere to all safety policies and procedures established by EAC;
- Participate in trainings, inspections, and evaluations as necessary;
- Report safety concerns to a facility manager or the Safety Coordinator; and
- Report injury or illness incidents immediately, and follow all applicable procedures.

2.0 Safety Coordinator and Safety Committee

EAC shall designate an employee as the internal Safety Coordinator, who oversees all safety related matters and serves as chair for the EAC Safety Committee. The Safety Coordinator is the primary contact for safety related matters. EAC will appoint members of a Safety Committee comprised of at least one (1) manager and one (1) employee from each operational unit (i.e., cultivation, processing, and transportation) and at least one (1) owner or member of the Board. The purpose of the Safety Committee is to oversee all safety related matters and serve as a decision-making authority for the facility's safety matters, including those regarding certain incident reports, safety concern reports, suggested policy evaluations and revisions, and any possible changes in procedure.

2.1 Responsibilities of the Safety Coordinator

The Safety Coordinator is responsible for overseeing the implementation of the EAC safety program. The Safety Coordinator shall:

- Review organization safety policy and procedures annually;
- Maintain accurate records and annually report the results of workplace accident and injury trend analysis;
- Recommend actions to reduce the frequency and severity of accidents and illnesses;
- Integrate safety rules, reminders, and best practices into the day-to-day activities of all employees;
- Coordinate the new employee orientation and safety training programs;
- Assist the facility managers with any accident investigation;

- Conduct and record periodic safety inspections to identify unsafe conditions or practices and to determine remedies;
- Ensure all employees are properly trained on hazardous conditions in the facility;
- Ensure all termination points for gas, electric, and water service are marked and known to employees; and
- Make recommendations to the COO on matters pertaining to safety.

2.2 Reporting Safety Concerns

All employees receive an orientation to EAC's safety rules upon hire and thereafter. All employees are encouraged to bring any unsafe conditions or practices to the attention of their direct supervisor without repercussion. Managers communicate these concerns to the Safety Coordinator, who then responds to the concerns within twenty-four (24) hours.

2.3 Injury Claims

All employees are provided with an explanation of the workers' compensation system and the benefits it provides by the Human Resources Manager. If the Human Resources Director is unavailable, these items are the responsibility of the COO or the Director of Compliance.

2.4 Inspections Required

The facility shall be inspected quarterly in the first year of operations and at least annually after that by the Quality Control Team or Safety Coordinator to identify potential hazards using the OSHA Self-Inspection Checklist. The purpose of the inspections is to prevent hazardous material and chemical incidents that could result in injury or illness to any employee, visitor, or environment. Once identified, a facility manager must correct all hazards as soon as possible. If the hazard is extreme, the inspector, in their discretion, may contact the COO to recommend termination of operations until corrected.

2.5 Personal Protective Equipment (PPE) Requirements

PPE for eyes, face, head, and extremities, including protective clothing, respiratory devices, and protective shields and barriers, are provided, used, and maintained in a sanitary and satisfactory condition. PPE is required wherever hazards of processes, environment, chemical hazards, or mechanical irritants may be encountered and may cause injury or impairment in the function of any part of the body through absorption, inhalation, or physical contact. The Safety Coordinator and Quality Control Team, in coordination with the facility manager, assess the facility to determine if hazards are present or are likely to be present, which necessitate the use of PPE. If such hazards are present, or likely to be present, the facility manager selects, and has each employee use the types of PPE that will provide protection from the hazards identified in the hazard assessment; communicates selection decisions to each employee, and selects PPE that properly fits each employee.

Employees are required to wear all PPE specified on the SDS or manufacturer's label when handling and using a hazardous material. The Safety Coordinator provides detailed training to each employee who is required to use PPE regarding:

- When PPE is necessary;
- What PPE is necessary;
- How to properly don, doff, adjust, and wear PPE;
- What limitations of the PPE exist; and

- How to properly care, maintain, and dispose of the PPE.

EAC shall verify that each affected employee has received and understands the required training through a written certification that contains the name of each employee trained, the date(s) of training, and identifies the subject of the certification.

2.6 Recordkeeping

The Safety Coordinator, in coordination with the Human Resources Director maintains records in the secure cloud-based storage system, including

- A written copy of this program and the OSHA standard;
- All copies of initial and ongoing training content and documentation of attendance;
- All fit test records including the make, model, and size of a respirator if required;
- All copies of the physician's written recommendation regarding each employee's ability to wear a respirator;
- All copies of the results of any hazard assessments including air monitoring; and
- All other records mentioned within this plan.

Hazard Communication Plan

2.7 Overview

To ensure that information about the dangers of all hazardous chemicals used by EAC is known by all affected agents, the following hazard communication program has been developed and implemented. Under this program, workers will be informed of the requirements of the OSHA Hazard Communication Standard, the operations where exposure to hazardous chemicals may occur, and how workers can access this program, as well as labels and SDSs.

This program applies to any chemical known to be present in the workplace so that workers may be exposed under normal conditions of use or in a foreseeable emergency. All work areas that involve potential exposure to chemicals are part of the hazard communication program.

The General Manager is the program coordinator, with overall responsibility for the program, including reviewing and updating this plan as necessary. The Compliance Manager may also assist with implementing this program by conducting compliance audits, providing staff training and access to this plan, and answering questions.

2.8 Agent Information and Training

The General Manager is responsible for employee information and training, with assistance from the Compliance Manager and Facility Managers. Every agent who will be potentially exposed to hazardous chemicals will receive initial training on the Hazard Communication Program before starting work.

The training program for new agents will include at least one full shift dedicated to training purposes, including reading and reviewing the Hazard Communications Plan, a tour of all work areas with attention to the storage of and affected areas by hazardous materials, location of the Material Safety Data Sheets and Safety Data Sheets, location of all Personal Protective Equipment, review of all pesticide and/or chemical labels, and demonstrations on the proper and safe use of all hazardous

materials, including pesticides and/or chemicals, and the proper use of personal protective equipment and other facility equipment. The training requirements and topics are listed in the Hazard Communication Training Outline, found below as Exhibit B.

In addition, each new agent should be required to 'shadow' another, more experienced agent or the facility manager at least one time, or more times as needed, on the proper and safe use of all hazardous materials, including pesticides and/or chemicals.

The manager responsible for training all new agents must immediately review all deficiencies and incidents involving new agents and take the appropriate corrective actions necessary to prevent exposure to hazardous materials and ensure proper implementation of this program.

Prior to introducing a new chemical hazard into any work area, each agent in that work area will be given information and training as outlined above for the new chemical hazard. Training for new chemical hazards in any work area may be completed in a group training session.

[See Exhibit B Hazard Communication Training Outline below.](#)

All new agents must sign a Hazardous Material Training Acknowledgement Form upon completion of initial training and every time after completing training for any new chemical hazards. The acknowledgment form shall be signed by both the agent and the manager responsible for training and be provided to the Compliance Manager for recordkeeping.

2.9

[See Exhibit C Hazard Communication Training Acknowledgement Form below.](#)

2.10 Program Availability

Copies of the hazard communication program are available in the facility manager's office. The General Manager, Compliance Manager, or Facility Manager shall make it available to any agent or inspector upon request. In addition, EAC shall provide an annual review of the Hazard Communications Plan and facility-based reviews with all managers and agents.

2.11 Facility and Agent Safety

Preparation

The Facility Manager is responsible for ensuring facility and worker safety measures are adhered to at all times. All required signage and notices must be posted conspicuously, attracting attention to the area requiring the notice, such as a specific room, cabinet, hallway, doorway, etc. The following lists provide basic prevention, handling, and response tips. Each occurrence or incident must be immediately reported to management and handled carefully and thoroughly.

Personal Protective Equipment (PPE)

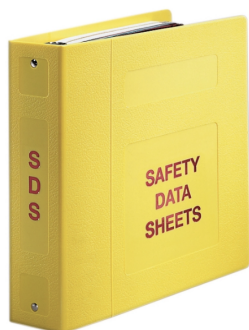
In addition to your required company cultivation uniform, the following shall be clean or new prior to each use according to Part 1: Title XXI: Chapter 149: Section 6C

1. Nitrile gloves (required)
2. Lab coats (required)
3. Hairnets or beard nets (required)
4. Safety glasses (if necessary or desired)
5. Disposable respirator (if necessary or desired)
6. Tyvek Body Suit (as needed)

Supplies

1. Agent registration card
2. Telephone
3. Wet floor sign
4. Chemical door sign and storage sign
5. Spill kit
6. MSDS for all chemicals

MSDS (or SDS) - Material Safety Data Sheets



Phosphoric Acid (Acid used in injector/fertigation system)

Prevention	Handling	Spill and Leak Disposal
<p>Wear proper PPE, including chemical-resistant gloves, an apron, <i>a long-sleeved shirt</i>, and a face shield.</p> <p>Only management may work with phosphoric acid.</p> <p><u>Two people</u> must be present <u>any time</u> phosphoric acid is handled.</p> <p>Prepare spill kit prior to handling.</p>	<p>Eyes—Wash immediately; seek medical attention immediately.</p> <p>Skin—Flush with water.</p> <p>Breathing—Move to fresh air, get medical attention.</p> <p>Swallowing—Drink large quantities of water, vomit, and then get medical attention.</p>	<p>NO ONE shall enter the spill area unless wearing appropriate PPE.</p> <p>Apply a thin layer of baking soda on the spill or leak to neutralize the acid.</p> <p>Ventilate area.</p> <p>Absorb in kitty litter, sand, or similar material.</p>

Natural Gas Leak

Detection	Handling	Follow-Up
<p>Mercaptan is added to the natural gas to give it a rotten egg smell.</p>	<p>Evacuate staff from the building.</p> <p>Inform the neighbors.</p> <p>Turn off the main valve to gas line.</p> <p>Call a licensed plumber to address the issue.</p>	<p>Ensure with the contractor/building owner.</p>

Carbon Monoxide

Handling	Follow-Up
<p>If the carbon monoxide detector goes off, evacuate the room and check on all employees.</p>	<p>Find out why levels were high and correct. It could be from an improperly burning CO2 generator.</p>

Electrical Hazards

Potential Hazards	Prevention	Handling	Follow-Up
<p>Wet conditions.</p> <p>Exposed electrical parts.</p> <p>Damaged tools (ground pin, outer insulation on tools).</p> <p>Overloaded circuits.</p>	<p><u>Always</u> inspect power tools and any other electrical device before using.</p> <p>Do not overload circuits.</p>	<p>When <u>any</u> suspected hazard is present, shut off the circuit breaker for the relevant circuit.</p> <p>If necessary, shut off all power at the main breaker.</p> <p>When in doubt, call a licensed electrician.</p> <p>In the event of an injury, have the employee go to the nearest Workers Comp facility. In an emergency, call 911.</p>	<p>Make sure deficient area is immediately fixed.</p>

Wet Floor

Handling	Follow-Up
<p>1. Post wet floor signs when necessary.</p> <p>2. Use squeegee and/or mop to clean up spills as soon as possible.</p>	<p>1. Ensure a wet floor sign is posted until the area is completely dry.</p>



2.12 Accident and Hazard Documentation

Preparation

EAC employs strict policies to ensure the highest level of accident prevention. In addition to overseeing all procedures and activities of Agents and contractors, the Facility Manager is responsible for documenting all accidents or occurrences required by state and local laws, as well as the standards set by EAC.

Personal Protective Equipment (PPE)

In addition to your required company cultivation uniform, the following shall be clean or new prior to each use according to MA regulations.

1. Nitrile gloves (required)
2. Lab coats (required)
3. Hairnets or beard nets (required)
4. Safety glasses (if necessary or desired)
5. Disposable respirator (if necessary or desired)
6. Tyvek safety suit (if necessary)

Supplies

1. Agent registration card
2. Panic button
3. Facility keys and/or access codes
4. "Accident Investigation Report"
5. "Employee Accident Report Form"

Policy and Procedure

Accident Investigation

1. The Facility Manager must complete the "Accident Investigation Report" for each accident with all required information.
2. The Facility Manager must contact the General Manager immediately and provide the completed "Accident Investigation Report."
3. The General Manager will provide further instructions for handling the accident, including reporting the accident to the state and local authorities if necessary.

Agent Accident Report

1. The Facility Manager must complete the "Employee Accident Report Form" for each agent accident with all required information.
2. The Facility Manager must contact the General Manager immediately and provide the completed "Employee Accident Report Form."
3. The General Manager will provide further instructions for handling the accident, including submitting a worker's compensation claim or reporting the accident to the state and local authorities if necessary.
4. If the accident was due to environmental or work conditions, the General Manager is responsible for identifying and resolving the cause.

2.13 Container Labeling

The Facility Manager will verify that all containers received for use will be clearly labeled in accordance with the requirements of [HazCom 2012](#), including but not limited to the following:

- A product identifier,
- pictogram,
- hazard statement,
- signal word,
- precautionary statements, and
- the supplier's contact information, including name and address.

The Facility Manager, supervisor, or designated agent in each work area will ensure that all secondary containers are labeled with the original supplier's label or an alternative workplace label. Agents needing help locating a label or understanding its information and recommended safety guidelines should contact the General Manager, Compliance Manager, or Facility Manager.

The Compliance Manager will review the company labeling procedures quarterly and update labels as required.

2.14 Safety Data Sheets

The General Manager, in coordination with the Compliance Manager and Facility Managers is responsible for establishing and monitoring the company Safety Data Sheet ("SDS") program.

The Facility Manager or designated Agent must obtain an SDS upon receiving any hazardous materials or chemicals shipments. The Facility Manager or Agent must review the SDS and ensure all of the needed information is included on the SDS pursuant to HazCom 2012.

If an SDS is not received at the initial shipment, the Facility Manager or designated Agent must immediately notify the General Manager and Compliance Manager. The General Manager or Compliance Manager will contact the shipment supplier to request the appropriate SDS. Any hazardous materials or chemicals without an appropriate SDS must be quarantined and clearly labeled "DO NOT USE" and shall not be used for any purposes until an SDS is available.

More Information about Safety Data Sheets

The Hazard Communication Standard (HCS) (29 CFR 1910.1200(g)), revised in 2012, requires that the chemical manufacturer, distributor, or importer provide Safety Data Sheets (SDSs) (formerly MSDSs or Material Safety Data Sheets) for each hazardous chemical to downstream users to communicate information on these hazards. The information contained in the SDS is largely the same as the MSDS, except now the SDSs are required to be presented in a consistent, user-friendly, 16-section format. This brief provides guidance to help workers who handle hazardous chemicals to become familiar with the format and understand the contents of the SDSs.

The SDS includes information such as the properties of each chemical; the physical, health, and environmental health hazards; protective measures; and safety precautions for handling, storing, and transporting the chemical. The information contained in the SDS must be in English (although it may be in other languages as well).

[Click here for the OSHA Hazard Communication Standard Brief about Safety Data Sheets](#)

SDS Availability

Copies of SDSs for all hazardous chemicals to which agents are exposed or are potentially exposed will be kept in the immediate work areas where such hazardous materials or chemicals are stored. Copies will be stored in each facility's compliance binder and/or inside each facility manager's office.

SDSs will be readily available to all workers in each work area during each work shift. If an SDS is not available, agents must contact the General Manager, Compliance, or Facility Manager.

When revised SDSs are received, the General Manager, in coordination with the Compliance Manager and Facility Managers, will be responsible for reviewing the SDSs received for safety and health implications and initiating any needed changes in workplace practices, including updating standard operating procedures, updating the Hazard Communication Plan, and making available to agents the necessary personal protective equipment and posting any needed warnings or precautionary statements.

2.15 Chemical Warning Labels

Purpose

The warning label provides important information about a chemical attached to the container itself. The same information (and more) should be available on an SDS, but only the warning label affixed to a container should identify exactly which chemical is inside a particular container. The label communicates to the user and protects whoever may use the chemical in the future -- including EAC managers and agents.

Label Information

A label on a primary or original container must include

- a Product identifier;
- Signal Word;
- Hazard statement(s);
- Pictogram(s);
- Precautionary statement(s), and
- Name, address, and telephone number of the chemical manufacturer, importer, or another responsible party.

Each secondary container of hazardous chemical in the workplace shall be labeled, tagged, or marked with either:

- All of the information from the primary or original container, OR
- The product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to employees under the hazard communication program, will provide employees with the specific information regarding the physical and health

hazards of the hazardous chemical. Signs, placards, process sheets, batch tickets, operating procedures, or other written materials may be used in lieu of affixing labels to individual stationary process containers.

See 29 CFR 1910.1200(f)(7) for additional information.

Appendix A of 29 CFR 1910.1200 clearly states that employees exposed to health hazards must be apprised of changes in body functions and the signs and symptoms that may occur to signal the changes. The definition of "hazard classification" indicates that only the intrinsic hazardous properties of chemicals are considered. Hazard classification incorporates three steps:

- (a) Identification of relevant data regarding the hazards of a chemical;
- (b) Subsequent review of those data to ascertain the hazards associated with the chemical; and (c) determination of whether the chemical will be classified as hazardous and the degree of hazard. For example, if, when inhaled, the chemical causes lung damage, then that is the appropriate warning. Lung damage is the hazard, not inhalation.

There are some situations where the specific target organ effect is not known. A more general warning statement would be permitted where this is the case. For example, if the only information available is an LC50 test result, "harmful if inhaled" may be appropriate.

The facility is not required to label portable/secondary containers into which hazardous chemicals are transferred from labeled containers and intended only for the immediate use of the agent who performs the transfer (for that shift only – will be discarded after). This exemption applies only to containers used by the person who transferred the chemical from the labeled container under paragraph 29 CFR 1910.1200(f)(8). Containers containing hazardous chemicals that will be utilized by agents other than the one performing the transfer, including agents on other shifts, must be labeled with the information required by paragraph 29 CFR 1910.1200(f)(6).

It is imperative that agents fully understand the information held on the SDS format, the labeling system, and the meaning of the labels (including pictograms).

2.16 Non-routine Tasks

Periodically, agents are required to perform hazardous non-routine tasks. Prior to starting work on such projects, each affected agent will be provided specific information from the Facility Manager about the hazardous chemicals they may encounter during such activity. This information will include specific chemical hazards, protective and safety measures the worker should use, and steps the company is taking to reduce the hazards, including ventilation, respirators, the presence of another worker (buddy systems), and emergency procedures.

2.17 Informing Other Employers/Contractors

The Facility Manager's responsibility is to provide other employers and contractors with information about hazardous chemicals that their workers may be exposed to on this work site and suggested precautions for workers. EAC's policy is not to employ or contract service workers to perform work in affected areas at affected times, such as during the use of pesticides in cultivation rooms, unless necessary and only if approved by the General Manager. The General Manager and Compliance Manager's responsibility is to obtain information about hazardous chemicals used by other employers to which EAC workers may be exposed if work is being performed off-site. However, that is generally not permissible under EAC's policies.

2.18 List of Hazardous Chemicals

A list of all known hazardous chemicals will be maintained by each Facility Manager for their respective facility location, and the Compliance Manager should maintain copies. This list includes the name of each chemical and the work area(s) in which each chemical is used. Further information on each chemical may be obtained from the SDSs, located in the compliance binder or Facility Manager's office.

When new chemicals are received, this list is updated within five days of introduction into the workplace. The list will be audited at least once annually by the Compliance Manager, or more often as needed or as part of a complete facility audit.

Current List

Last Updated: 10/13/2017 by Braly Joy, General Manager		
<i>OSHA Certified Chemical</i>	<i>Location</i>	<i>Purpose</i>
Isopropyl Alcohol	Cultivation Facility general storage	Cleaning
Lysol	All facilities general storage	Cleaning
Phosphoric Acid	Cultivation Facility water room	Water/nutrients
Simple Green	Cultivation Facility general storage	Cleaning
WD-40	All facilities general storage	Cleaning
Windex	All facilities general storage	Cleaning
Cease	Cultivation Facility secure storage	Pest control
Eagle 20	Cultivation Facility secure storage	Pest control
Eco mite Plus	Cultivation Facility secure storage	Pest control
Safer Soap	Cultivation Facility general storage	Cleaning

2.19 Exhibit A: Pictograms and Hazard Symbols



Explosives, Self Reactives, Organic Peroxides



Flammables, Self Reactives, Pyrophorics, Self-Heating, Emits
Flammable Gas, Organic Peroxides



Oxidizers



Compressed Gas



Corrosives



Acute Toxicity (Severe)



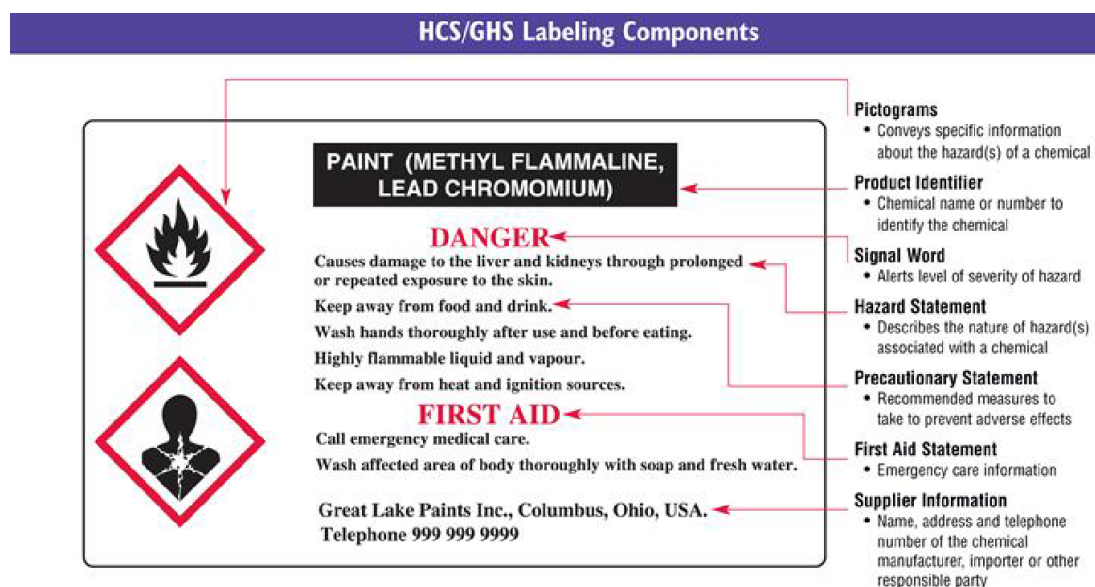
Irritant, Dermal Sensitizer, Acute Toxicity (Harmful)



Carcinogen, Respiratory Sensitizer, Reproductive Toxicity, Target Organ Toxicity, Mutagen, Aspiration Toxicity



Environmental Toxicity



GHS – “The Globally Harmonized System of Classification and Labeling of Chemicals.”

Hazard Statement – a statement assigned to a hazard class and category that describes the nature of the hazards of a hazardous product, including, where appropriate, the degree of hazard.

Pictogram is a graphical composition that may include a symbol and other graphic elements, such as a border, background pattern, or color intended to convey specific information.

Precautionary Statement – a phrase that describes recommended measures to minimize or prevent adverse effects resulting from exposure to a hazardous product or improper storage or handling of a hazardous product.

Signal Word is a word used to indicate the relative severity of hazard and alert the reader to a potential hazard on the label. The GHS uses “Danger” and “Warning” as signal words.

Supplemental Label Element – any additional non-harmonized type of information supplied on the container of a hazardous product that is not required or specified under the GHS.

2.20 Exhibit B: Hazard Material Training Outline

Overview

Elevated Access Center must inform and train agents at the time of their initial assignment to a work area where hazardous chemicals are present and whenever a new hazard is introduced into the work area. The General Manager is responsible for employee information and training, with assistance from the Compliance Manager and Facility Managers. Every agent who will be potentially exposed to hazardous chemicals will receive initial training on the Hazard Communication Program before starting work.

In addition to the general training topics listed here, the training manager should provide training, including reviewing and demonstrating all information that needs to be disclosed pursuant to HazCom 2012, and should cover all labels and SDSs in the facility.

Required Topics

Employees must be informed of the hazards in their workplace and trained regarding those hazards.

Agents shall be informed of:

- The requirements of [29 CFR 1910.1200](#) or [1926.59](#);
- Any operations in their work area where hazardous chemicals are present; and,
- The location and availability of the written hazard communication program, in the facility's compliance binder and/or in the Facility Manager's office, including the required list(s) of hazardous chemicals, and safety data sheets (SDSs) required by the Hazard Communication Plan.

Agent training shall include:

- The methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area (such as monitoring conducted by EAC, continuous monitoring devices, visual appearance or odor of hazardous chemicals when being released, etc.);
- The physical and health hazards of the chemicals in the work area;
- The measures agents can take to protect themselves from these hazards, including specific procedures EAC has implemented to protect employees from exposure to hazardous chemicals, such as appropriate work practices, emergency procedures, and personal protective equipment (PPE) to be used; and,
- The details of the Hazard Communication Program developed by EAC, including an explanation of the labeling system and the SDS, and how employees can obtain and use the appropriate hazard information.

2.21 Exhibit C: Hazard Material Training Acknowledgement Form

Hazardous Material Training

I, _____, acknowledge receiving information and training in regards to hazardous materials on the premises of EAC. A description of the information and training received is below:

Agent Information and Training

Facility Managers are responsible for conducting job-specific hazard training on chemicals used by their agents. After attending training, each agent will sign this form to verify that they attended the training, received written materials, and understands the EAC policies on hazard communication. Before starting work, each new agent will attend a health and safety orientation and receive information and training on the following:

1. An overview of the requirements contained in OSHA's HAZCOM standard: 29 CFR 1910.1200.
2. Chemicals present at EAC.
3. Location and availability of our written Hazard Communications Program.
4. Physical hazards and health effects of EAC's hazardous chemicals.
5. Methods and observation techniques used to determine the presence or release of hazardous chemicals in the work area.
6. How to reduce or prevent exposure to these hazardous chemicals by using engineering controls, work practices, and personal protective equipment.
7. Steps EAC has taken to prevent exposure to these chemicals.
8. Emergency procedures to follow if an agent is exposed to chemicals.
9. How to read labels and review MSDS/SDS to obtain appropriate information.

Sanitation:

The company will ensure that all edible marijuana products shall be prepared, handled, and stored in compliance with the sanitation requirements in 105 CMR 590.000. Including (and as it applies to our business):

- 590.001: Purpose and Definitions
- 590.002: Management and Personnel
- 590.003: Food 590.004: Equipment, Utensils and Linen
- 590.005: Water, Plumbing and Waste
- 590.006: Physical Facilities
- 590.007: Poisonous or Toxic Materials
- 590.008: Compliance and Enforcement
- 590.009: Special Requirements
- 590.010: Guidance for Retail Operations
- 590.011: Statutory Requirements
- 590.012: Examination and Embargo of Food
- 590.013: Vending Machines
- 590.014: Permits: Suspension and Revocation
- 590.015: Service of Orders/Hearings
- 590.016: Criminal Penalties
- 590.017: Advisory Committee
- 590.018: Severability

Printed Name: _____

Date: _____

Signature: _____

Supervisor Name: _____

Date: _____

Supervisor Signature: _____

Recordkeeping Practices

EAC SOP 107	Title: Recordkeeping SOP	
	Last Updated:	07/25/2022
	Approved By:	Hope Marian
	Effective Date:	07/25/2022

Elevated Access Center, Inc. will value records as a means to improve operations, manage finances, assist internal and external audits, and provide the Department or law enforcement with information. Therefore, EAC will keep and maintain the licensed premises for a 3-year period unless otherwise required, accurate, complete, legible, and current books/records. All the necessary records will be made available for inspection if requested by the CCC. The following records will be maintained:

1. Records relating to the disposal of cannabis, infused products, and waste
2. Waste records will be kept for at least three years according to 935 CMR 500.105(12).
3. Records related to the sale of cannabis and/or any product containing cannabis
4. Transportation records such as manifests
5. Records of all samples sent to an independent testing lab and the quality assurance test results
6. Security records
7. Inventory tracking records and inventory records are maintained in Metrc and maintained by the facility outside the inventory control management system
8. Manufacturing records, which at a minimum will include:
9. The form and types of cannabis and/or any product containing cannabis products are maintained at the facility daily
10. Production records, including extraction, refining, manufacturing, packaging, and labeling
11. Financial records in accordance with CMR 500.105
12. Employee records in accordance with CMR 500.105
13. Records of any theft, loss, or other unaccountability of any cannabis and/or any product containing cannabis per CMR 500.105

EAC plans to use offsite cloud storage. Records will be secured and backed up daily on an encrypted cloud service to prevent tampering, theft, or destruction of records. In addition, records will have safeguards against unauthorized erasures and changes in data after the information has been entered and verified. All physical documents, such as transaction records, inventory records, security records, audit records, business records, and financial records, will be stored electronically in redundant and geographically dispersed tier-rated data centers to provide the maximum level of security and compliance with all state and federal document storage and confidentiality rules. This policy of record keeping:

1. Guarantees the confidentiality of the information stored in the system
2. It is capable of providing safeguards against erasures and unauthorized changes in data after the information has been entered and verified by EAC
3. Is capable of placing a litigation hold or enforcing a records retention hold for purposes of conducting an investigation or pursuant to ongoing litigation
4. Is capable of being reconstructed in the event of a computer malfunction or accident resulting in the destruction of the data bank

EAC will maintain financial records, including the following:

1. Records that clearly reflect all financial transactions and the business's financial condition, including contracts for services performed or received that relate to EAC
2. Purchase invoices, bills of lading, manifests, sales records, copies of bills of sale, and any supporting documents, including the items and/or services purchased, from whom the items were purchased, and the date of purchase
3. Bank statements and canceled checks for all accounts relating to EAC
4. Accounting and tax records related to EAC and investors in the facility
5. In a manner that is in accordance with generally accepted accounting principles in accordance with 935 CMR 500.105(1), 935 CMR 500.105(9).

EAC will maintain employee records, including the following:

1. All records relating to hiring employees, including applications, documentation of verification of references, and any other related materials.
2. An employee log includes the following information for every current and former employee:
 - a. Employee name, address, phone number, and emergency contact information.
 - b. Registration number and access credential description
 - c. Date of hire and date of separation from employment and the reason for the separation
 - d. All training, education, and disciplinary records.
 - e. Salary and wages paid to each employee, and any executive compensation, bonus, benefit, or item of value paid to any individual affiliated with any entity
 - f. Documentation that each employee has been successfully trained in accordance with the operations plan submitted as part of the EAC application and in compliance with CMR 500.110
 - g. Visitor logs are maintained in accordance with CMR 500.110

EAC will maintain the following personnel records for each employee:

- a. Job description
- b. A personnel record for each employee
- c. A staffing plan that will demonstrate accessible business hours and safe cultivation conditions
- d. Personnel policies and procedures
- e. All background check reports were obtained in accordance with 935 CMR 500.0030 and 935 CMR 500.105(9).

EAC will maintain written Standard Operating Procedures in accordance with 935 CMR 500.105(1). The CCC will review the methods of record-keeping as required, accessing both manufacturers and procedures for uploading documentation as well as cybersecurity threats.

Compliance Citations

935 CMR 500.105(9)(12), 935 CMR 500.110

Diversity Plan

EAC SOP 400	Title: Diversity Plan	
	Last Updated:	9/01/2022
	Approved By:	Hope Marian
	Effective Date:	9/01/2022

Summary Overview

Elevated Access Center, Inc. (EAC) is seeking to open a cannabis cultivation and manufacturing facility in Norwell, Massachusetts. EAC is committed to being an agent of positive change in the community, seeking to promote and ensure diversity in the workforce. Ideally, a cross-section of the individuals employed by our company will reflect the demographic makeup of our community.

Elevated Access Center is committed to creating an inclusive, respectful and safe environment that will actively confront and challenge racism, sexism, homophobia, transphobia, religious bigotry, and other forms of harassment and discrimination.

Regulatory Acknowledgements

Elevated Access Center acknowledges and will adhere to the requirements set forth in 935 CMR 500.105(4), which provides the permitted and prohibited advertising, branding, marketing, and sponsorship practices of every Marijuana Establishment. No actions taken or programs instituted by Elevated Access Center will violate the Commission's regulations concerning limitations on ownership, control, or other applicable state laws.

Elevated Access Center will implement the following Diversity Plan, which promotes and encourages equity in its operations by attracting, employing, retaining, and promoting not only employees but also board members, contractors, and service providers, from diverse and "Underrepresented Communities" (women, minorities, persons with disabilities, LGBTQ+ persons and veterans) while complying with the Suitability Standards set forth in 935 CMR 500.800.

Programs:

The following programs will help achieve our diversity goals:

1. Local Job Fair

Elevated Access Center will host at least one live job fair annually in the City of Brockton. The job fair will be advertised in English and Spanish in local print publications and on social media platforms like Indeed.com and Masslive.com. The objective is to reach members of Underrepresented Communities.

2. Company Representation at Community Job Fairs

Participate in job and recruitment fairs, no less than annually and as frequently as recruitment needs dictate, that specifically address members of underrepresented communities.

3. Employee Development

Elevated Access Center will develop a program where 100% of employees will shadow their immediate supervisor to help develop skills and gain knowledge that will help with career advancement.

Goals:

1. Elevated Access Center's Diversity Plan goal is to hire and maintain a workforce comprising at least 70% members of Underrepresented Communities as outlined below:

- 60% women
- 50% minorities
- 10% veterans
- 10% LGBTQ+
- 10% persons with disabilities

2. Elevated Access Center will develop a program where employees will be offered opportunities to shadow their immediate supervisor to help develop skills and gain knowledge that will help with career advancement. This shadowing period will occur one day a week for three months.

Metrics:

The following metrics will be evaluated and documented annually to determine the effectiveness of our Diversity Plan efforts:

1. Have members of Underrepresented Communities been hired and retained for at least 70% of the available positions?
2. Have we hosted an annual job fair advertised through MassHire?
3. Have we attended at least one job and recruitment fair whose audience is predominantly members of underrepresented communities?
4. Have we advertised available positions in diverse media with the objective of more effectively reaching members of underrepresented communities?
5. Have all employees been offered opportunities to engage in shadow training, and how many members of underrepresented communities have engaged in shadow training?