

Apothca, Inc.
MRN284429

APPLICATION OF INTENT REVIEW

1. Name and address of the proposed Marijuana Establishment:

Apothca, Inc.
54A Hyde Park Ave, Boston, MA 02130

2. Type of license sought (if cultivation, its tier level and outside/inside operation) and information regarding the application submission:

Retail

The application was reopened four (4) times for additional information.

3. The applicant is a licensee or applicant for other Marijuana Establishment and/or Medical Marijuana Treatment Center license(s):

Type	Status	Location
Retail	Commence Operations	Arlington
Cultivation, Tier 5/I (30,001– 40,000 sq. ft.)	Final License	Fitchburg
Product Manufacturing	Final License	Fitchburg
Retail	Commence Operations	Lynn
MTC	Commence Operations	Fitchburg – Boston
MTC	Commence Operations	Fitchburg – Lynn
MTC	Commence Operations	Fitchburg - Arlington

4. List of all required individuals and their roles in the Marijuana Establishment:

Individual	Role
Joseph Lekach	Person Having Direct/Indirect Control
Rachmil Lekach	Person Having Direct/Indirect Control
Isaac Lekach	Person Having Direct/Indirect Control
Andrew Young	Person Having Direct/Indirect Control

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Charles Vavrus	Person Having Direct/Indirect Control
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5. List of all required entities and their roles in the Marijuana Establishment:

Entity	Role
Artcan, LLC	Entity Having Direct/Indirect Control
Lekach Family Green Trust	Entity Having Direct/Indirect Control
Charles Vavrus, Jr. Revocable Trust	Entity Having Direct/Indirect Control

6. Applicant's priority status:

MTC Priority

7. The applicant and municipality executed a Host Community Agreement on December 21, 2021.
8. The applicant conducted a community outreach meeting on January 3, 2022 and provided documentation demonstrating compliance with Commission regulations.
9. The Commission received a municipal response from the City/Town of Boston on January 3, 2021 stating the applicant was in compliance with all local ordinances or bylaws.
10. The applicant proposed the following goals for its Plan to Positively Impact Disproportionately Harmed People:

#	Goal
1	Reduce barriers to entry in the commercial adult-use cannabis industry by hiring at least 20% of its agents from areas of disproportionate impact, specifically Fitchburg, Lynn, and Boston.
2	Host two (2) industry-specific educational seminars per year in Boston, Lynn, or Fitchburg.

BACKGROUND CHECK REVIEW

11. There were no disclosures of any past civil or criminal actions, occupational license issues, or marijuana-related business interests in other jurisdictions.
12. There were no concerns arising from background checks on the individuals or entities associated with the application.

MANAGEMENT AND OPERATIONS PROFILE REVIEW

13. The applicant states that it can be operational within four and half (4.5) months of receiving the provisional license(s).



14. The applicant's proposed hours of operation are the following:

Day(s)	Hours of Operation
Monday	11:00 a.m. to 7:00 p.m.
Tuesday-Saturday	10:00 a.m. to 8:00 p.m.
Sunday	11:00 p.m. to 8:00 p.m.

15. The applicant submitted all required summaries of plans, policies, and procedures for the operation of the proposed establishment. The summaries were determined to be substantially compliant with the Commission's regulations.
16. The applicant proposed the following goals for its Diversity Plan:

#	Goal
1	Maintain at least 50% of its employees that are women (25%), minorities (25%), veterans (10%), persons with disabilities (5%) and LGBTQ+ (5%)
2	Offer promotions, career counseling, and training to provide all employees with equal opportunity for growth and to decrease turnover, as opportunities become available.
3	Promote diversity and support the local economy through purchasing goods and services from vendors, contractors, and professional service providers that are Certified Minority Owned (5%), Certified Woman Owned (5%), and Certified Veteran Business Owned (5%) businesses.

17. Summary of cultivation plan (if applicable):

Not applicable.

18. Summary of products to be produced and/or sold (if applicable):

Not applicable.

19. Plan for obtaining marijuana or marijuana products (if applicable):

The applicant plans to obtain marijuana from its affiliated licenses. If the need arises, the applicant will obtain marijuana or marijuana products by contracting with other licensed establishments.

RECOMMENDATION

Commission staff recommend provisional licensure with the following conditions:

1. Final license is subject to inspection to ascertain compliance with Commission regulations.

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2. Final license is subject to inspection to ascertain compliance with applicable state laws, local codes, ordinances or bylaws, and local licensing requirements.
3. Final license is subject to the applicant reviewing its Plan to Positively Impact Disproportionately Harmed People and consider focus of plan for host Area of Disproportionate Impact designated community of Boston and provide any update in accordance with 935 Code Mass. Regs. § 500.101(1)(a)11.
4. Prior to final licensure, and upon receiving a commence operations notice, applicant shall ensure full compliance with consumer education material requirements in accordance with 935 CMR 500.140 (6), namely bullet seven by adding the telephone number for the Massachusetts Substance Use Helpline.
5. Final license is subject to the applicant reviewing its Diversity Plan to identify any spending goals with LGBTQ or Disabled Citizen-owned certified businesses.
6. The applicant shall cooperate with and provide information to Commission staff.
7. Provisional licensure is subject to the payment of the appropriate license fee.
8. Prior to performing job functions, all provisional licensees shall ensure that all current Marijuana Establishment, Medical Treatment Center, and Independent Testing Laboratory Agents involved in the handling or sale of Marijuana for adult and medical use shall have attended and successfully completed the Basic Core Curriculum of the Responsible Vendor Training Program to be designated a "Responsible Vendor" and provide a "certificate of completion" to the Commission upon request. In addition, all newly hired employees involved in the handling or sale of marijuana or marijuana products must also successfully complete the Basic Core Curriculum of the Responsible Vendor Training Program within 90 days of hire, in compliance with 935 CMR 500.105(2) or 935 CMR 501.105(2).

The applicant has demonstrated compliance with the laws and regulations of the Commonwealth and suitability for licensure. Therefore, the applicant is recommended for provisional licensure.

