

Berkshire Kind, Inc.

MPN282222

APPLICATION OF INTENT REVIEW

1. Name and address of the proposed Marijuana Establishment:

Berkshire Kind, Inc.
343 Pecks Road, Pittsfield, MA 01201

2. Type of license sought and information regarding the application submission:

Product Manufacturing

The application was reopened two (2) 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
Cultivation, Tier 2/Indoor (5,001 – 10,000 sq. ft.)	Provisional License	Pittsfield

The applicant is not an applicant or licensee for any other license type.

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

Individual	Role
Philip Silverman	Person Having Direct/Indirect Control
Steve Pica	Person Having Direct/Indirect Control / Capital Contributor

5. List of all required entities and their roles in the Marijuana Establishment:

Entity	Role
Whalers Trading	Entity Having Direct/Indirect Control / Capital Contributor



6. Applicant's priority status:

General Applicant

7. The applicant and municipality executed a Host Community Agreement on June 30, 2022.
8. The applicant conducted a community outreach meeting on September 1, 2022, and provided documentation demonstrating compliance with Commission regulations.
9. The Commission received a municipal response from the City/Town of Pittsfield on January 24, 2023 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	Recruit individuals who are residents of Pittsfield and who are Massachusetts residents that have prior drug convictions.
2	Provide mentoring, professional, and technical services related to the inclusion in the cannabis industry for individuals and businesses within the City of Pittsfield facing systemic barriers.

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 seven (7) months of receiving the provisional license(s).
14. The applicant's proposed hours of operation are the following:

Day(s)	Hours of Operation
Monday-Saturday	8:00 a.m. to 6:00 p.m.
Sunday	Closed

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	Recruit women (50%), minorities (13.5%), veterans (10%), persons with disabilities (10%), and persons who identify as LGBTQ+ (10%).
2	Provide industry-specific educational, mentoring, and technical services to women, minorities, veterans, persons with disabilities and persons who identify as LGBTQ+.
3	Utilize veteran and MWBE businesses for vending and contracting needs.

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

#	Product
1	Gummies (pineapple, citrus, passion fruit and tropical punch)
2	Juice Shot Beverage (passion fruit, tropical punch, pineapple, citrus and tart cherry)
3	12 oz Juice (passion fruit, tropical punch, pineapple and citrus)
4	Iced Tea Beverage (yerba matte, blueberry, and pomegranate hibiscus)
5	Coconut Water (coconut, passion fruit, tropical punch, pineapple and citrus)
6	Pre-Roll
7	Flower
8	Vape Cartridges

RECOMMENDATION

Commission staff recommend provisional licensure with the following conditions:

1. Final license is subject to inspection to ascertain compliance with Commission regulations.
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 licensure is subject to the applicant providing Commission staff, upon inspection, with a detailed list of all proposed products to be produced with specific information as to types, forms, shapes, colors, and flavors.
4. The applicant shall cooperate with and provide information to Commission staff.
5. Provisional licensure is subject to the payment of the appropriate license fee.
6. Prior to final licensure please inform the Commission of your “Additional Operational Plans for Product Manufacturers” as it relates to Quality Control Samples. Licensees that opt to provide Quality Control Samples must include written policies and procedures in accordance with 935 CMR 500.130(5)(k) and 935 CMR 500.130(9).

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.

Provisional License Executive Summary 3



