

Blue Sky Organics, LLC
MDA1264

APPLICATION OF INTENT REVIEW

1. Name and address of the proposed Marijuana Establishment:

Blue Sky Organics, LLC
16 Maguire Court, Newton, MA 02459

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

Marijuana Delivery Operator

The application was reopened three (3) times for additional information.

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

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

Please note that individuals and/or entities associated with the proposed application(s) are also associated with other adult-use marijuana courier pre-certification under the name of Kosher Group, LLC.

4. The applicant was pre-certified by the Commission for Marijuana Delivery Operator on July 9, 2021. Pursuant to 935 CMR 500.101(2)(b), the applicant demonstrated a propensity to successfully operate a Marijuana Establishment.
5. List of all required individuals and their roles in the Marijuana Establishment:

Individual	Role
John Caruso	Person Having Direct/Indirect Control
Jay Jentz	Person Having Direct/Indirect Control

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



No other entity appears to have ownership or control over this proposed Marijuana Establishment.

7. Applicant's priority status:

Expedited Applicant (Social Equity Program Participant)
(John Caruso / 51% Ownership / SE303608)

8. The applicant and municipality executed a Host Community Agreement on December 15, 2021.
9. The applicant conducted a community outreach meeting on August 19, 2021 and provided documentation demonstrating compliance with Commission regulations.
10. The Commission received a municipal response from the City/Town of Newton on February 17, 2022 stating the applicant was in compliance with all local ordinances or bylaws.
11. The applicant proposed the following goals for its Plan to Positively Impact Disproportionately Harmed People:

#	Goal
1	Recruit 25% of its workforce that are Massachusetts residents who have either personally suffered from an opioid addiction, or who have parents of spouses who have been affected by the opioid epidemic.
2	Work in conjunction with a nationwide training company to design and present enrichment programs for its employees, tailored to specifically help the City of Newton and its residents by focusing on local data and current public health trends that exist in the city related to this epidemic. Additionally, programming will include skill based seminars, such as accounting, advertising, ethics, and technology training. Educational seminars will be provided three (3) times per year.

BACKGROUND CHECK REVIEW

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

MANAGEMENT AND OPERATIONS PROFILE REVIEW

14. The applicant states that it can be operational within 9-12 months of receiving the provisional license(s).



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

Day(s)	Hours of Operation
Monday-Sunday	10:00 a.m. to 9:00 p.m.

16. 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.
17. The applicant proposed the following goals for its Diversity Plan:

#	Goal
1	Recruit at least 10% veterans, 10% minorities, 20% women, 5% persons with disabilities and 5% LGBTQ+ for its hiring initiatives.
2	Support cannabis businesses that are minority-owned, women-owned, social equity program entrepreneurs and certified economic empowerment candidates with a goal of having at least 10% of its wholesale contracts go to these identified businesses at least in proportion to their representation in the MA industry.

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 ensuring that all remaining required individuals be fingerprinted pursuant to previous Commission notifications.
4. Final licensure is subject to the applicant providing an updated Plan to Positively Impact Disproportionately Harmed People that focuses on an area of disproportionate impact under the Plan to Positively Impact Disproportionately Harmed People guidance that promotes and encourages full participation in the regulated cannabis industry by individuals from communities disproportionately harmed by cannabis prohibition and enforcement and to positively impact those communities under M.G.L. c. 94G, § 4 in Massachusetts.
5. Final License is subject to the applicant reviewing and providing clarification on Goal #2 of the Plan to Positively Impact Disproportionately Harmed People and how it relates to M.G.L. c. 94G, § 4.
6. Final licensure is subject to the applicant reviewing and providing clarification to Program #2 of the Plan to Positively Impact Disproportionately Harmed People and how that relates



to M.G.L. c. 94G, § 4, specifically to the Town of Newton, which is currently not an area of disproportionate impact as defined by the Commission.

7. The applicant shall cooperate with and provide information to Commission staff.
8. Provisional licensure is subject to the payment of the appropriate license fee.
9. Final license is subject to the applicant submitting a new Plan to Positively Impact Disproportionately Harmed People that demonstrates how the establishment will positively impact people from communities that have previously been disproportionately harmed by marijuana prohibition and enforcement in accordance with 935 CMR 500.101(1)(a)11.
10. 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).
11. Final licensure is subject to, in accordance with 935 CMR.146(5) the applicant providing the Commission with a copy of its consumer education. To ensure compliance, consumer educational materials shall include subsections; a – j, as listed in said regulation.

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.

