

CALYX PEAK OF MA, INC.
MRN283842

BACKGROUND & APPLICATION OF INTENT REVIEW

1. Name and address of the proposed Marijuana Establishment:

Calyx Peak of MA, Inc.
16 New Ocean Street, Swampscott, MA 01907

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 once (1) 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 3/Indoor (10,001 to 20,000 sq. ft.) | Provisional License | Worcester |
| Product Manufacturing | Provisional License | Worcester |

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

| Individual | Role |
|------------------------|---------------------|
| Mark Niedermeyer | Director |
| Hyong-Gue Michael Bang | Director |
| Paul Song | Director |
| Edward Schmults | Director |
| Erin Carachilo | Executive / Officer |
| Boem Lee | Owner / Partner |
| Howard Keum | Close Associate |
| Daniel Wittlinger | Close Associate |



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

| Entity | Role |
|------------------------------------|---|
| CPC-CPOG 2017 LLC | Majority owner of Calyx Peak of MA, Inc. |
| Bosim 1628 Management Company, LLC | Initial capital contributor to Calyx Peak of MA, Inc. |

6. Applicant's priority status:

General Applicant

7. The applicant and municipality executed a Host Community Agreement on December 16, 2020.
8. The applicant conducted a community outreach meeting on August 20, 2020 and provided documentation demonstrating compliance with Commission regulations.
9. The Commission sent the municipal notice to the City/Town of Swampscott on February 19, 2021. To date, the Commission has not received a response.
10. The applicant proposed the following goals for its Positive Impact Plan:

| # | Goal |
|---|---|
| 1 | Make a minimum annual financial contribution of at least \$5,000 to the CultivatED program. |
| 2 | Hire at least 25% of its employees from Worcester and other areas of disproportionate impact. |
| 3 | Grant its employees with sixteen (16) hours paid leave annually, to participate in a neighborhood service project, initiated and organized by Calyx Peak. |

SUITABILITY REVIEW

11. There were disclosures of any past civil or criminal actions, occupational license issues, or marijuana-related business interests in other jurisdictions. None of the disclosures raised suitability issues.
12. There were no concerns arising from background checks on the individuals or entities associated with the application.

MANAGEMENT AND OPERATIONS REVIEW



13. The applicant states that it can be operational in early winter of 2022 after receiving the provisional license(s).
14. The applicant's proposed hours of operation are the following:

Monday – Saturday: 9:00 a.m. – 10:00 p.m.
Sunday: 11:00 a.m. – 6:00 p.m.
15. The applicant submitted all applicable and 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 | Hire at least 50% individuals who identify as women, and 20% of individuals who identify as minorities, people with disabilities, and LGBTQ+ individuals ("Plan Population"). |
| 2 | Prioritize working with ancillary services of the supply chain that are owned or managed by those meeting the criteria of the Plan Population. |

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

The establishment intends to obtain marijuana or marijuana products from its provisionally licensed cultivation and product manufacturing establishment.

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 and local codes, ordinances, and bylaws.
3. Final licensure is subject to the applicant providing Commission staff, upon inspection, an amended Plan to Positively Impact Disproportionately Harmed People with updated strategies for outreach to residents of Disproportionately Impacted designated communities in closer proximity to the proposed Swampscott location.
4. Final licensure is subject to the applicant providing Commission staff, upon inspection, clarification on how a contribution to CultivatEd may assist the applicant's Swampscott location.
5. Final licensure is subject to the applicant ensuring that all remaining required individuals be fingerprinted pursuant to previous Commission notifications.
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.

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.

