

Ember Gardens Cape Cod LLC

MRN284542

APPLICATION OF INTENT REVIEW

1. Name and address of the proposed Marijuana Establishment:

Ember Gardens Cape Cod LLC
41 MA-6A, Orleans, MA 02653

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):

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 cultivation, product manufacturing, retail, delivery courier pre-certification, and a delivery operator license under the names of Fuego Farms Inc., Ember Gardens Boston, LLC, and Ember Gardens Delivery, LLC.

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

Individual	Role
Anita Halani	Person Having Direct/Indirect Control / Capital Contributor
Shane Hyde	Person Having Direct/Indirect Control
George Friedlander	Person Having Direct/Indirect Control
Daniel Gillan	Person Having Direct/Indirect Control

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

Provisional License Executive Summary 1



Entity	Role
Ember Gardens Holdings LLC	Entity Having Direct/Indirect Control

6. Applicant's priority status:

Expedited Applicant: (Social Equity Program Participant/Woman-Owned Business/Minority-Owned Business)
(George Friedlander / 10.5% of Ownership / SE304227)

7. The applicant and municipality executed a Host Community Agreement on November 5, 2021.
8. The applicant conducted a community outreach meeting on December 7, 2021 and provided documentation demonstrating compliance with Commission regulations.
9. The Commission received a municipal response from the Town of Middleborough on March 22, 2022, 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	Provide a donation in the amount of \$16,000 to CCOE in order to provide scholarships to four (4) students who are Massachusetts residents that were disproportionately impacted by the war on drugs.

BACKGROUND CHECK 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 PROFILE REVIEW

13. The applicant states that it can be operational within eight (8) months of receiving the provisional license(s).
14. The applicant's proposed hours of operation are the following:

Day(s)	Hours of Operation
Monday-Sunday	8:00 a.m. to 10:00 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	Recruit 25% Woman, 25% Minorities, 5% Veterans, 5% Persons with disabilities; and 5% LGBTQ+ for its hiring initiatives.
2	Utilize 20% diversity suppliers, 20% will be broken down into the following goals: 7% Woman, 7% Minorities, 2% Veterans, 2% Persons with disabilities; and 2% LGBTQ+-owned businesses.

17. 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.
2. Final license is subject to inspection to ascertain compliance with applicable state laws, local codes, ordinances or bylaws, and local licensing requirements.
3. The applicant shall cooperate with and provide information to Commission staff.
4. Provisional licensure is subject to the payment of the appropriate license fee.
5. Final license is subject to the applicant, in accordance with 935 CMR 500.146(5) 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 and must also include the phone number for the Massachusetts Substance Use Helpline.

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.

