

Ember Gardens NBR, LLC

MRN283710

APPLICATION OF INTENT REVIEW

1. Name and address of the proposed Marijuana Establishment:

Ember Gardens NBR, LLC
d/b/a Ember Gardens
1 Nauset Street, New Bedford, MA 02746

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 one (1) time 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 licenses and Marijuana Courier applications/licenses under the names of Fuego Farms, Inc., Ember Gardens Production, LLC, Ember Gardens Delivery, LLC, Ember Gardens NBP, LLC, Ember Gardens Boston, LLC, Ember Gardens Cape Cod, LLC and Ember Gardens Delivery, LLC.

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

Individual	Role
George Friedlander	Person Having Direct/Indirect Control
Steven Soscia	Person Having Direct/Indirect Control
Shane Hyde	Person Having Direct/Indirect Control
Daniel Gilan	Person Having Direct/Indirect Control

Provisional License Executive Summary 1



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

Entity	Role
Ember Gardens Holdings, LLC	Entity Having Direct/Indirect Control
NEC Capital, LLC	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 6, 2022.
8. The applicant conducted a community outreach meeting on April 14, 2022 and provided documentation demonstrating compliance with Commission regulations.
9. The Commission sent a municipal notice with a copy of the application to the City/Town of New Bedford on November 18, 2022. The Commission did not receive a response within 60 days pursuant to 935 CMR 500.102(1)(d).
10. The applicant proposed the following goals for its Plan to Positively Impact Disproportionately Harmed People:

#	Goal
1	Provide educational access to workforce training in concert with its strategic partner Cannabis Community Care and Research Network (CCOE) to four (4) students (21+) who are individuals negatively impacted by the war on drugs or is a spouse or family member of someone impacted.

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 10 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	10:00 a.m. to 7:00 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 women (25%), minorities (25%), veterans (5%), persons with disabilities (5%), and LGBTQ+ (5%) for its hiring initiatives.
2	Give preference to vendors and contracts who are woman-owned (7%), minority-owned (7%), veteran-owned (2%), businesses owned by persons with disabilities (2%), and LGBTQ+-owned (2%).

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. Prior to final licensure, in accordance with 935 CMR 500.140 (6) (a-j) please provide the commission with a copy of your consumer education. To ensure compliance, consumer educational materials shall include subsections; a – j, 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.

