

## Ember Gardens Production, LLC

MCN283722

MPN282196

### **APPLICATION OF INTENT REVIEW**

1. Name and address of the proposed Marijuana Establishment:

Ember Gardens Production, LLC  
198 Mill Village Road, Deerfield, MA 01342

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

Cultivation, Tier 3/Indoor (10,001 – 20,000 sq. ft.)  
Product Manufacturing

The applications were 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 and marijuana courier applications and/or licenses under the names of Fuego Farms, Inc., Ember Gardens Delivery, LLC, Ember Gardens Boston, LLC, Ember Gardens Cape Cod, LLC, and Ember Gardens NBP, LLC.

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

Individual	Role
Shane Hyde	Person Having Direct/Indirect Control
Daniel Gillan	Person Having Direct/Indirect Control
George Friedlander	Person Having Direct/Indirect Control
Stephen Soscia	Person Having Direct/Indirect Control



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

Entity	Role
Ember Gardens Holdings, LLC	Entity Having Direct/Indirect Control / Capital Contributor
NEC Capital, LLC	Entity Having Direct/Indirect Control

6. Applicant's priority status:

General Applicant

7. The applicant and municipality executed a Host Community Agreement on May 4, 2022.
8. The applicant conducted a community outreach meeting on March 24, 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 Deerfield on August 8, 2020. 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 an annual donation in the amount of \$16,000 to CCOE in order to provide scholarships to four (4) students who have been disproportionately harmed by the war on drugs.
2	Recruit at least one (1) of the sponsored students from the scholarship program who has been disproportionately impacted by the war on drugs or is a spouse or family member disproportionately impacted by the war on drugs for its hiring initiatives.

### **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.
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 one 1 ½ years of receiving the provisional license(s).

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

Day(s)	Hours of Operation
Monday-Sunday	Open 24 hours per day

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 general staff, management and executive positions
2	Cultivate diversity among suppliers, vendors, and service providers by contracting with 7% Woman; 7% Minorities; 2% Veterans; 2% Persons with disabilities; and 2% LGBTQ+ -Owned business enterprises.

17. Summary of cultivation plan (if applicable):

The applicant submitted a cultivation plan that demonstrates the ability to comply with the Commission's regulations.

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

#	Product
1	Flower Products (1gram pre-rolled joints sold individually and as multi-packs; 1/2 gram pre-rolled joints sold individually and as multi-packs; Cannagar; "Infused Cannabis" - cannabis flower combined with cannabis extracts)
2	Extracts (Distillate; Rick Simpson Oil; Wax; Shatter; Budder; Sap; Crumble; Live Resin; Bubble Hash; Rosin; Vaporizer 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.

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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. Final licensure is subject to the applicant reviewing its Positive Impact Plan and clarifying its focus on Orleans residents for internship and scholarship programs as provided on Page 2 and provide any update in accordance with 935 Code Mass. Regs. § 500.101(1)(a)11.
5. The applicant shall cooperate with and provide information to Commission staff.
6. Provisional licensure is subject to the payment of the appropriate license fee.
7. Prior to final licensure please inform the Commission of your “Additional Operational Plans for Indoor Marijuana Cultivators” 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 500.120(12), and 935 CMR 500.120(14).
8. 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.

