

Misty Mountain Shop, LLC

MRN282634

APPLICATION OF INTENT REVIEW

1. Name and address of the proposed Marijuana Establishment:

Misty Mountain Shop, LLC
323 Commercial Street, Malden, MA 02148

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 two (2) 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.

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

Individual	Role
Erik Gath	Person Having Direct/Indirect Control
Abbigail Gunther	Person Having Direct/Indirect Control
Tim Gunther	Person Having Direct/Indirect Control
Karen Hawkes	Person Having Direct/Indirect Control
Ryan Gath	Person Having Direct/Indirect Control / Capital Contributor
Shannon McInnis	Person Having Direct/Indirect Control / Capital Contributor

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

Entity	Role
TGunther Group, LLC	Entity Having Direct/Indirect Control

Provisional License Executive Summary 1



Ivy Mae	Entity Having Direct/Indirect Control
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6. Applicant's priority status:

General Applicant

7. The applicant and municipality executed a Host Community Agreement on March 8, 2021.
8. The applicant conducted a community outreach meeting on January 27, 2021 and provided documentation demonstrating compliance with Commission regulations.
9. The Commission received a municipal response from the municipality on July 28, 2021 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	Assist individuals located in Lynn and Social Equity Participants succeed in starting a cannabis business by providing engineering consulting and energy compliance consulting services at a discounted rate, with a delayed payment schedule, or other financing options and by finding affordable contractors, consultants and other professionals.

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 five (5) months of receiving the provisional license(s).
14. The applicant's proposed hours of operation are the following:

Day(s)	Hours of Operation
Monday-Thursday, Sunday	10:00 a.m. to 8:00 p.m.
Friday-Saturday	10:00 a.m. to 11:00 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 50% women, 40% minorities, 30% veterans, 10% persons with disabilities, and 15% LGBTQ+ for their hiring initiatives.

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

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. Final licensure is subject to the applicant ensuring that all remaining required individuals be fingerprinted pursuant to previous Commission notifications.
4. The applicant shall cooperate with and provide information to Commission staff.
5. Provisional licensure is subject to the payment of the appropriate license fee.
6. Final license is subject to the applicant reviewing its diversity hiring goals and projected number of employees and provide any updates to the Commission accordingly.
7. Final license is subject to the applicant ensuring compliance with 935 CMR 500.050(7)(c), namely, not providing direct or indirect compensation to Independent Testing Laboratories, in the execution of its Plan to Positively Impact Disproportionately Harmed People.
8. Final license and commencement of operations is subject to the applicant shall ensuring full compliance with all consumer education material requirements applicable to its license type in accordance with 935 CMR 500.140 (6) (a-j).

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.

