



# Massachusetts Cannabis Control Commission

## Marijuana Product Manufacturer

### General Information:

License Number: MP281400  
Original Issued Date: 07/22/2020  
Issued Date: 08/12/2021  
Expiration Date: 08/12/2022

## ABOUT THE MARIJUANA ESTABLISHMENT

Business Legal Name: Peak Limited LLC

Phone Number: 978-764-3455  
Email Address: matt@peak-limited.com

Business Address 1: 114 Jewett Street  
Business City: Georgetown Business State: MA Business Zip Code: 01833  
Business Address 2:  
Mailing Address 1: 114 Jewett Street  
Mailing City: Georgetown Mailing State: MA Mailing Zip Code: 01833  
Mailing Address 2:

## CERTIFIED DISADVANTAGED BUSINESS ENTERPRISES (DBES)

Certified Disadvantaged Business Enterprises (DBEs): Not a DBE

## PRIORITY APPLICANT

Priority Applicant: no  
Priority Applicant Type: Not a Priority Applicant  
Economic Empowerment Applicant Certification Number:  
RMD Priority Certification Number:

## RMD INFORMATION

Name of RMD:  
Department of Public Health RMD Registration Number:  
Operational and Registration Status:  
To your knowledge, is the existing RMD certificate of registration in good standing?:  
If no, describe the circumstances below:

## PERSONS WITH DIRECT OR INDIRECT AUTHORITY

### Person with Direct or Indirect Authority 1

Percentage Of Ownership: 51  
Percentage Of Control: 50



First Name: Ken Last Name: Kumph Suffix:  
Marijuana Establishment Name: Peak Limited LLC Business Type: Marijuana Cultivator  
Marijuana Establishment City: Georgetown Marijuana Establishment State: MA

Individual 5

First Name: Ken Last Name: Kumph Suffix:  
Marijuana Establishment Name: Peak Limited LLC Business Type: Marijuana Cultivator  
Marijuana Establishment City: Georgetown Marijuana Establishment State: MA

Individual 6

First Name: Ken Last Name: Kumph Suffix:  
Marijuana Establishment Name: Peak Limited LLC Business Type: Marijuana Product Manufacture  
Marijuana Establishment City: Georgetown Marijuana Establishment State:  
MA

MARIJUANA ESTABLISHMENT PROPERTY DETAILS

Establishment Address 1: 114 Jewett Street  
Establishment Address 2:  
Establishment City: Georgetown Establishment Zip Code: 01833  
Approximate square footage of the Establishment: 6019 How many abutters does this property have?:  
1  
Have all property abutters have been notified of the intent to open a Marijuana Establishment at this address?: Yes

HOST COMMUNITY INFORMATION

Host Community Documentation:

Document Category	Document Name	Type	ID	Upload Date
Certification of Host Community Agreement	Host Community Agreement Certification Form.pdf	pdf	5bb225d08e8761559496aeef	10/01/2018
Community Outreach Meeting Documentation	Peak Limited Community Outreach Form with Exhibits.pdf	pdf	5bb225ec2c8858559aa31743	10/01/2018
Plan to Remain Compliant with Local Zoning	Compliance with local codes.pdf	pdf	5bb2266543bd2355d6b611c6	10/01/2018

Total amount of financial benefits accruing to the municipality as a result of the host community agreement. If the total amount is zero, please enter zero and provide documentation explaining this number.: \$1

PLAN FOR POSITIVE IMPACT

Plan to Positively Impact Areas of Disproportionate Impact:

Document Category	Document Name	Type	ID	Upload Date
Plan for Positive Impact	Peak Limited - Plan for Positive Impact 2019.08.22.pdf	pdf	5d5effc0c544c91e011c5085	08/22/2019

ADDITIONAL INFORMATION NOTIFICATION

Notification: I Understand

INDIVIDUAL BACKGROUND INFORMATION

Individual Background Information 1

Date generated: 09/24/2021

**Role:** **Other Role:**  
**First Name:** Matthew **Last Name:** Kumph **Suffix:**  
**RMD Association:** Not associated with an RMD  
**Background Question:** no

**Individual Background Information 2**

**Role:** **Other Role:**  
**First Name:** Kenneth **Last Name:** Kumph **Suffix:**  
**RMD Association:** Not associated with an RMD  
**Background Question:** no

**ENTITY BACKGROUND CHECK INFORMATION**

No records found

**MASSACHUSETTS BUSINESS REGISTRATION**

Required Business Documentation:

Document Category	Document Name	Type	ID	Upload Date
Department of Revenue - Certificate of Good standing	Peak Limited cert of good standing .pdf	pdf	5bc621083fbe330c461d1e08	10/16/2018
Articles of Organization	Peak Limited Certificate of Organization.pdf	pdf	5c8d4580c4b7a71b66d1591c	03/16/2019
Bylaws	Peak - Operating Agreement.pdf	pdf	5c8d45933d84de123a61412c	03/16/2019
Secretary of Commonwealth - Certificate of Good Standing	Peak Limited LLC - Certificate of Good Standing - 2019-02-08.pdf	pdf	5c8d45a9293a5312448ec123	03/16/2019

Certificates of Good Standing:

Document Category	Document Name	Type	ID	Upload Date
Secretary of Commonwealth - Certificate of Good Standing	SOS - COGS 2021.06.14.pdf	pdf	60f5e3acda52e3026d4641c9	07/19/2021
Department of Revenue - Certificate of Good standing	DOR - COGS 21.06.16.pdf	pdf	60f5e3adaa87100331f66ac2	07/19/2021
Department of Unemployment Assistance - Certificate of Good standing	7.21.21 Peak Limited LLC - DUA Attestation Certification of No Employees.pdf	pdf	60f81590fb983a0274aaff6d	07/21/2021

Massachusetts Business Identification Number: 001329934

Doing-Business-As Name:

DBA Registration City:

**BUSINESS PLAN**

Business Plan Documentation:

Document Category	Document Name	Type	ID	Upload Date
Business Plan	business-plan-peak-limited-optimizied.pdf	pdf	5b9d89d203a477392d0a4946	09/15/2018
Plan for Liability Insurance	Plan to Obtain Liability Insurance.pdf	pdf	5bb6d9b08266760285ba6470	10/04/2018
Proposed Timeline	Updated Timeline (Manufacturing - 114 Jewett).pdf	pdf	60f5e3df8d6c3f02b7d1deeb	07/19/2021

## OPERATING POLICIES AND PROCEDURES

Policies and Procedures Documentation:

Document Category	Document Name	Type	ID	Upload Date
Method used to produce products	methods-to-produce-optimized.pdf	pdf	5b9d8a6a5a6f093923e5178f	09/15/2018
Sample of unique identifying marks used for branding	sample-marks.pdf	pdf	5b9d8a8baa953e3937b5b90a	09/15/2018
Personnel policies including background checks	Personnel Policies including background checks.pdf	pdf	5b9d8d23aa953e3937b5b910	09/15/2018
Record Keeping procedures	recordkeeping-optimized.pdf	pdf	5b9d8d3f37742339413959eb	09/15/2018
Qualifications and training	qualifications-optimized.pdf	pdf	5b9d8dc689bc002d9918c1fa	09/15/2018
Inventory procedures	Inventory Procedure .pdf	pdf	5bb6dd522f2ea102ad5b78a4	10/04/2018
Separating recreational from medical operations, if applicable	separate med from rec.pdf	pdf	5bb6dd5cf747bc02b7d2236e	10/04/2018
Maintaining of financial records	Maintenance of Financial Records.pdf	pdf	5bb6dd754253fa027574e9cc	10/04/2018
Transportation of marijuana	Transportation of Marijuana.pdf	pdf	5bb6ddff8266760285ba647a	10/04/2018
Storage of marijuana	Storage.pdf	pdf	5bb6de01f2f9f2028f5213b4	10/04/2018
Security plan	Security Plan.pdf	pdf	5bb6de281499570299868d9c	10/04/2018
Quality control and testing	Quality Control and Testing for Contaminants_.pdf	pdf	5bb6de894253fa027574e9d0	10/04/2018
Prevention of diversion	Diversion Prevention (1).pdf	pdf	5bb6deb71cc320027b4b20c8	10/04/2018
Restricting Access to age 21 and older	21 Years of Age and Older ID check.pdf	pdf	5bb6df0a8266760285ba647e	10/04/2018
Dispensing procedures	Dispensing Procedures.pdf	pdf	5bb6df44f2f9f2028f5213b8	10/04/2018
Types of products Manufactured.	Peak Limited - Types of Products Produced 2019.012.26.pdf	pdf	5e05290fb7ff09534ba010e1	12/26/2019
Diversity plan	Diversity Plan 2021.pdf	pdf	60f5e3f4fb983a0274aaf954	07/19/2021
Energy Compliance Plan	6.30.21 Peak Limited LLC Energy Compliance Plan.pdf	pdf	60f858e97a4b3b034a6837bb	07/21/2021

## ATTESTATIONS

I certify that no additional entities or individuals meeting the requirement set forth in 935 CMR 500.101(1)(b)(1) or 935 CMR 500.101(2)(c)(1) have been omitted by the applicant from any marijuana establishment application(s) for licensure submitted to the Cannabis Control Commission.: I Agree

I understand that the regulations stated above require an applicant for licensure to list all executives, managers, persons or entities having direct or indirect authority over the management, policies, security operations or cultivation operations of the Marijuana Establishment; close associates and members of the applicant, if any; and a list of all persons or entities contributing 10% or more of the initial capital to operate the Marijuana Establishment including capital that is in the form of land or buildings.: I Agree

I certify that any entities who are required to be listed by the regulations above do not include any omitted individuals, who by themselves, would be required to be listed individually in any marijuana establishment application(s) for licensure submitted to the Cannabis Control Commission.: I Agree

Notification: I Understand

I certify that any changes in ownership or control, location, or name will be made pursuant to a separate process, as required under 935 CMR 500.104(1), and none of those changes have occurred in this application.: I Agree

I certify that to the best knowledge of any of the individuals listed within this application, there are no background events that have arisen since

the issuance of the establishment's final license that would raise suitability issues in accordance with 935 CMR 500.801.: I Agree

I certify that all information contained within this renewal application is complete and true.: I Agree

#### ADDITIONAL INFORMATION NOTIFICATION

Notification: I Understand

#### COMPLIANCE WITH POSITIVE IMPACT PLAN

##### Progress or Success Goal 1

**Description of Progress or Success:** Peak Limited LLC (the "Company") is currently in the process of raising capital for its Marijuana Establishment and has not yet commenced operations. However, Peak's executive team, Ken and Matt Kumph (father and son) have worked diligently to effectuate its plan for positive impact and plan for the seamless execution of the same once operational. The Company respectfully submits the following as evidence of its compliance and implementation of its positive impact plan: (i) the Company has scheduled a virtual cannabis licensing educational program for September 2021. During this educational program, the Company will discuss all aspects of the licensing process with attendees including, identifying the hurdles and difficulties the Company has experienced; (ii) the Company has scheduled an event through its "Reach Your Peak" initiative for October 2021. The Company's "Reach Your Peak" initiative is intended to provide access to outdoor focused activities for individuals from areas that have been disproportionately impacted by the war on drugs. This Reach Your Peak program will be advertised in the Haverhill Gazette, Lowell Sun and Lynn Daily Item, in accordance with the Company's positive impact plan. Interested persons will meet at a designated location and be provided free transportation to and from a hiking trail. Food and drinks will be provided before and after the hiking trip; and (iii) the Company intends to commence its hiring process in Q1 of 2022. The Company will post notices in newspapers that service the nearby areas of disproportionate impact of Haverhill, Lowell and Lynn. The Company will update the Commission with evidence of these events upon completion. The Company has also made numerous attempts to provide charitable contributions and community service hours to its previously identified partner, Team Haverhill's Small Projects-Big Impacts" organization. To date, and notwithstanding Kevin Burke, Team Haverhill's president's statements of interest in working with the Company, there has been no response to the Company's inquiries regarding charitable contributions or community service hours. Finally, the Company has updated its positive impact plan to be more in keeping with the Commission's current guidance and regulations regarding positive impact plans and a copy of the updated plan has been submitted herewith.

#### COMPLIANCE WITH DIVERSITY PLAN

##### Diversity Progress or Success 1

**Description of Progress or Success:** Peak Limited LLC (the "Company") is currently in the process of raising capital for its Marijuana Establishment and has not yet commenced operations. However, Peak's executive team, Ken and Matt Kumph (father and son) have prepared their business to open with a diverse and well-trained staff pursuant to its diversity plan. The Company intends on commencing its hiring process in Quarter 1 and will be posting notices for jobs in newspapers that service the nearby areas of disproportionate impact of Haverhill, Lowell and Lynn for three months during its hiring process in accordance with its diversity plan. Additionally, the Company intends to purchase a membership through "LinkedIn Learning" for its diversity and inclusion programming. LinkedIn offers over 1800 courses on diversity through its learning platform, including courses on Diversity, Inclusion and Belonging; Diverse Recruiting; Adding Value through Diversity; Supporting the "whole self" at work; Managing a Diverse Team; Leadership Strategies for Women; and the Importance of Diversity. The Company remains committed to its hiring goals and has updated its diversity plan, a copy of which is submitted herewith, to reflect said commitment and ensure that its diversity plan is consistent with the Commission's current guidance and regulations.

#### PRODUCT MANUFACTURER SPECIFIC REQUIREMENTS

##### Item 1

Label Picture:

Document Category	Document Name	Type	ID	Upload Date
	6.15.21 Peak Limited LLC Manufacturer Specific Requirements.pdf	pdf	60f5e47f0bb484027d8c09eb	07/19/2021

Name of Item: N/A

Item Type: Flower

Item Description: Not Applicable. Peak Limited LLC has not yet commenced operations.

## HOURS OF OPERATION

<b>Monday From: 8:00 AM</b>	<b>Monday To: 7:00 PM</b>
<b>Tuesday From: 8:00 AM</b>	<b>Tuesday To: 7:00 PM</b>
<b>Wednesday From: 8:00 AM</b>	<b>Wednesday To: 7:00 PM</b>
<b>Thursday From: 8:00 AM</b>	<b>Thursday To: 7:00 PM</b>
<b>Friday From: 8:00 AM</b>	<b>Friday To: 7:00 PM</b>
<b>Saturday From: 8:00 AM</b>	<b>Saturday To: 7:00 PM</b>
<b>Sunday From: 8:00 AM</b>	<b>Sunday To: 7:00 PM</b>



## Host Community Agreement Certification Form

The applicant and contracting authority for the host community must complete each section of this form before uploading it to the application. Failure to complete a section will result in the application being deemed incomplete. Instructions to the applicant and/or municipality appear in italics. Please note that submission of information that is "misleading, incorrect, false, or fraudulent" is grounds for denial of an application for a license pursuant to 935 CMR 500.400(1).

### Applicant

I, Matthew Kumph, (*insert name*) certify as an authorized representative of Peak Limited LLC (*insert name of applicant*) that the applicant has executed a host community agreement with Georgetown (*insert name of host community*) pursuant to G.L.c. 94G § 3(d) on September 10, 2018 (*insert date*).

Signature of Authorized Representative of Applicant

### Host Community

I, Joseph A Bonavita, (*insert name*) certify that I am the contracting authority or have been duly authorized by the contracting authority for Town of Georgetown (*insert name of host community*) to certify that the applicant and Town of Georgetown (*insert name of host community*) has executed a host community agreement pursuant to G.L.c. 94G § 3(d) on 9/17/18 (*insert date*).

Signature of Contracting Authority or  
Authorized Representative of Host Community

## Community Outreach Meeting Attestation Form

The applicant must complete each section of this form and initial each page before uploading it to the application. Failure to complete a section will result in the application being deemed incomplete. Instructions to the applicant appear in italics. Please note that submission of information that is “misleading, incorrect, false, or fraudulent” is grounds for denial of an application for a license pursuant to 935 CMR 500.400(1).

I, Matthew Kumph, (*insert name*) attest as an authorized representative of Peak Limited LLC (*insert name of applicant*) that the applicant has complied with the requirements of 935 CMR 500 and the guidance for licensed applicants on community outreach, as detailed below.

1. The Community Outreach Meeting was held on August 16, 2018 (*insert date*).
2. A copy of a notice of the time, place, and subject matter of the meeting, including the proposed address of the Marijuana Establishment, was published in a newspaper of general circulation in the city or town on August 9, 2018 (*insert date*), which was at least seven calendar days prior to the meeting. A copy of the newspaper notice is attached as Attachment A (*please clearly label the newspaper notice in the upper right hand corner as Attachment A and upload it as part of this document*).
3. A copy of the meeting notice was also filed on August 9, 2018 (*insert date*) with the city or town clerk, the planning board, the contracting authority for the municipality, and local licensing authority for the adult use of marijuana, if applicable. A copy of the municipal notice is attached as Attachment B (*please clearly label the municipal notice in the upper right-hand corner as Attachment B and upload it as part of this document*).
4. Notice of the time, place and subject matter of the meeting, including the proposed address of the Marijuana Establishment, was mailed on August 7, 2018 (*insert date*), which was at least seven calendar days prior to the community outreach meeting to abutters of the proposed address of the Marijuana Establishment, and residents within 300 feet of the property line of the petitioner as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town. A copy of one of the notices sent to abutters and parties of interest as described in this section is attached as Attachment C (*please clearly label the municipal notice in the upper right hand corner as Attachment C and upload it as part of this document; please only include a copy of one notice and please black out the name and the address of the addressee*).

5. Information was presented at the community outreach meeting including:
  - a. The type(s) of Marijuana Establishment to be located at the proposed address;
  - b. Information adequate to demonstrate that the location will be maintained securely;
  - c. Steps to be taken by the Marijuana Establishment to prevent diversion to minors;
  - d. A plan by the Marijuana Establishment to positively impact the community; and
  - e. Information adequate to demonstrate that the location will not constitute a nuisance as defined by law.
  
6. Community members were permitted to ask questions and receive answers from representatives of the Marijuana Establishment.

**Attachment A**  
**Newspaper Notice**

**LEGAL NOTICE OF COMMUNITY  
OUTREACH MEETING REGARD-  
ING AN ADULT-USE MARIJUANA  
ESTABLISHMENT PROPOSED BY  
PEAK LIMITED LLC**

Notice is hereby given that a Community Outreach Meeting for Peak Limited LLC's proposed Marijuana Establishment is scheduled for August 16, 2018 at 7:00pm at the Georgetown VFW Hall, 435 Andover Street, Georgetown, MA 01833. The proposed Marijuana Product Manufacturer and Marijuana Transporter is anticipated to be located at 114 Jewett Street, Georgetown, MA 01833. Community members will be permitted, and are encouraged, to ask questions and receive answers from representatives of Peak Limited LLC.

A copy of this notice is on file with the Town Clerk, the Board of Selectmen's office, and the Planning Department, and a copy of this Notice was published in a newspaper of general circulation and mailed at least seven (7) calendar days prior to the community outreach meeting to the abutters of the proposed address of the proposed Marijuana Establishment, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred (300) feet of the property line of the petitioner as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town.

NT - 8/9/18

**Attachment B**  
**Municipal Notice**

**LEGAL NOTICE OF COMMUNITY OUTREACH MEETING REGARDING AN ADULT-  
USE MARIJUANA ESTABLISHMENT PROPOSED BY PEAK LIMITED LLC**

Notice is hereby given that a Community Outreach Meeting for Peak Limited LLC's proposed Marijuana Establishment is scheduled for August 16, 2018 at 7:00pm at the Georgetown VFW Hall, 435 Andover Street, Georgetown, MA 01833. The proposed Marijuana Product Manufacturer and Marijuana Transporter is anticipated to be located at 114 Jewett Street, Georgetown, MA 01833. Community members will be permitted, and are encouraged, to ask questions and receive answers from representatives of Peak Limited LLC.

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**RECEIVED  
TOWN CLERK  
GEORGETOWN, MA**

**AUG 9 2018 -11 :55 AM**

**GEORGETOWN**

**AUG 09 2018**

**BOARD OF SELECTMEN  
TOWN ADMINISTRATOR**

**RECEIVED  
AUG 9 2018  
GEORGETOWN PLANNING BOARD**

**Attachment C**  
**Abutter Notice**

9414 7266 9904 2097 2104 73

**TO:**  
Kumph Kenneth A Trustee  
Jewett Realty Trust  
113 Jewett Street  
Georgetown, MA 01833

**SENDER:** Daniel Glissman

**REFERENCE:** 108259-000000

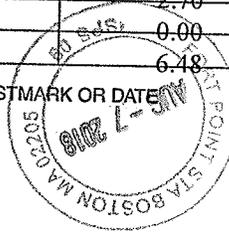
PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	0.48
	Certified Fee	3.30
	Return Receipt Fee	2.70
	Restricted Delivery	0.00
	Total Postage & Fees	6.48

**USPS®**  
**Receipt for**  
**Certified Mail®**

No Insurance Coverage Provided  
Do Not Use for International Mail

POSTMARK OR DATE



2. Article Number



9414 7266 9904 2097 2104 73

3. Service Type **CERTIFIED MAIL®**

4. Restricted Delivery? (Extra Fee)  Yes

1. Article Addressed to:

Kumph Kenneth A Trustee  
Jewett Realty Trust  
113 Jewett Street  
Georgetown, MA 01833

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature  
 Agent  
 Addressee

D. Is delivery address different from item 1?  
If YES, enter delivery address below:  
 Yes  
 No

**Reference Information**

108259-000000

Daniel Glissman

PS Form 3811, January 2005

Domestic Return Receipt

LEGAL NOTICE OF COMMUNITY OUTREACH MEETING REGARDING AN ADULT-  
USE MARIJUANA ESTABLISHMENT PROPOSED BY PEAK LIMITED LLC

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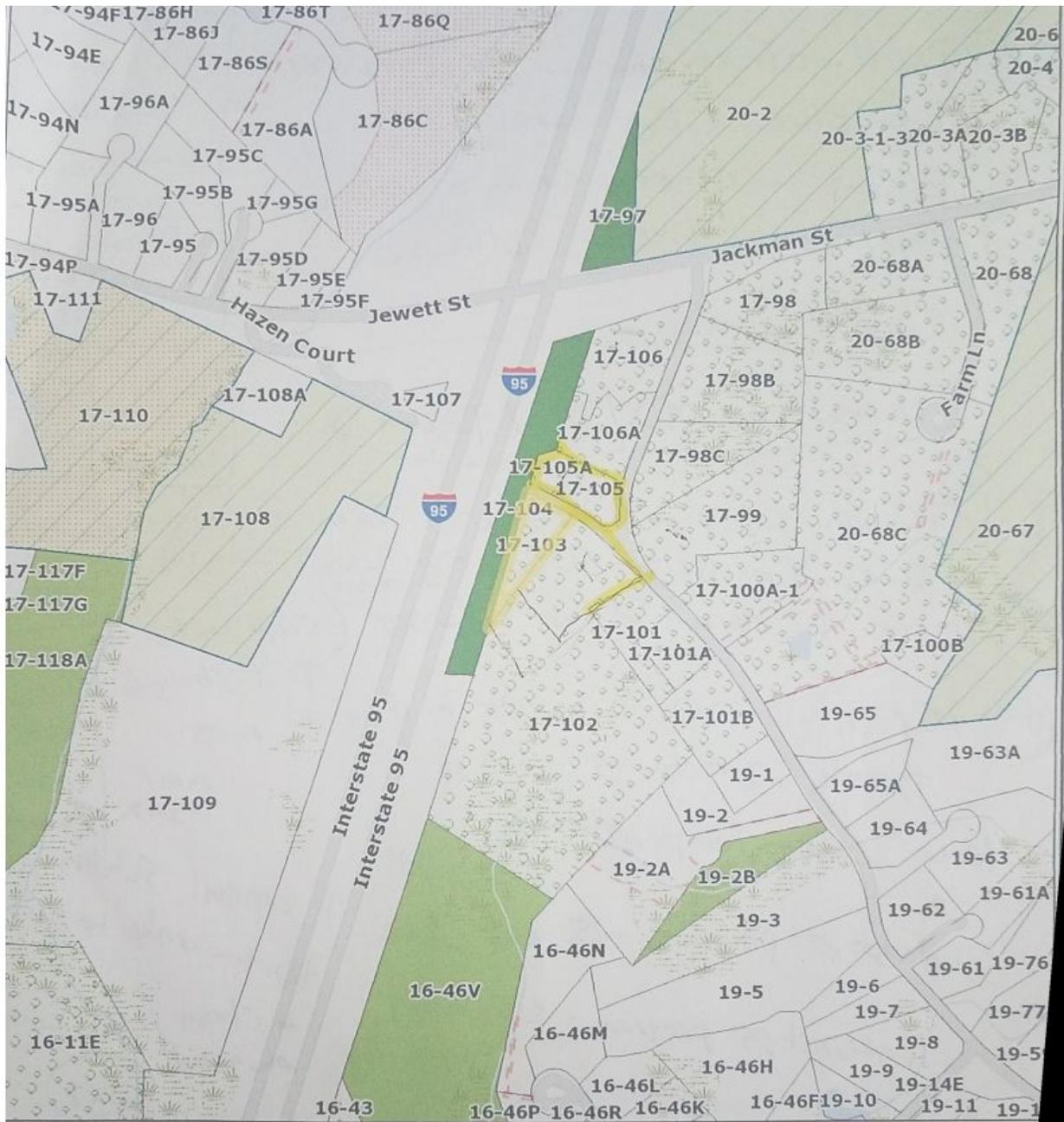
## **Plan for Compliance with all Local Requirements**

We are working extensively with the town of Georgetown, where we will be operating, to guarantee that we are in compliance with all local codes, ordinances, and bylaws. To date, we have already had extensive discussions with Police Chief Cudmore and Fire Chief Mitchel, who both fully support our business and operations plans, as well as the Selectman, especially Doug Dawes. Furthermore, our local operations and activities will comply with a Special Use Permit that the town has drafted. The Special Use Permit consists of conditions we must meet in order to become operational and remain operational pursuant to the Town of Georgetown's By-Laws, specifically Article 23: Recreational Marijuana Bylaw. Such special use permit will be reviewed and re-issued annually.

In conjunction with the town, and pursuant to state law MGL chapter 94G, § 3(5)(d), and 935 CMR 500.101(1)(a)(8), (2)(b)(6) we have developed a detailed host agreement plan, attached in another section of this application, to ensure that not only our operations, but our relationship with the town, comports precisely with what the town of Georgetown envisions for our facility and its role in the community.

In accordance with Article 23: Recreational Marijuana Bylaw (3)Locations, our facility will not be located in Lancaster, per the Use Regulation Schedule, Section 220-8-4 (F). Our facility is not located within 500 feet of a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12, child care facility, library, playground, public park, youth center or other similar facility in which minors commonly congregate in an organized and ongoing manner, as measured in a straight line.

Below is a map of the Massachusetts Marijuana Overlay District. We have highlighted the parcel of land, Lot 17-105, that the Company anticipates using for its manufacturing facility. It is clearly located within the Marijuana Overlay District as approved by Georgetown on May 7, 2018.



- Geogrids
  - Roads
  - Parcels
  - Trails
  - Easements
  - Road Right of Way
    - Accepted
    - Unaccepted
  - Hydrographic Features
    - Streams
    - Wetlands
  - Zoning Overlays
    - Medical Marijuana District
    - Conservation Restrictions
- Chapter Status  
 61A  
 61B
- Open Space  
 State  
 Municipal  
 Private
- 1" = 603 ft



Horizontal Datum: MA Stateplane Coordinate System, Datum NAD83, Meters. Data Sources: The data for this map was produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of Georgetown. Additional data provided by the Executive Office of Environmental Affairs/MassGIS. The information depicted on this map is for planning purposes only. It may not be adequate for legal boundary definition or regulatory interpretation. THE TOWN OF GEORGETOWN MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE TOWN OF GEORGETOWN DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.

# Peak Limited, LLC - Request of costs incurred by Town in relation to Marijuana Establishment

Islam, Ashfin

Tue 6/15/2021 11:02 AM

To: 'townclerk@georgetownma.gov' <townclerk@georgetownma.gov>;

To Whom It May Concern:

This office represents Peak Limited, LLC (the "Company") in connection with the licensing and permitting of its marijuana establishment located at [114 Jewett Street, Georgetown, Massachusetts](#) (the "Marijuana Establishment"). The Company's license from the Cannabis Control Commission ("CCC") for the Marijuana Establishment is currently up for renewal, and as part of its renewal process, the Company must request the records of any costs incurred by its host municipality, reasonably related to the operation of the Marijuana Establishment.

Accordingly, pursuant 935 CMR 500.103(4)(f) and the CCC's renewal application requirements, we are respectfully requesting the records of any costs incurred by the Town of Georgetown reasonably related to the operation of the Marijuana Establishment. In accordance with M.G.L. c. 94G, § 3(d), any cost to a city or town imposed by the operation of a Marijuana Establishment or MTC shall be documented and considered a public record as defined by M.G.L. c. 4, § 7, cl. 26.

Please do not hesitate to contact me directly at 617-515-3272 if you have any comments or questions. Thank you in advance for your assistance.

Best,

Ashfin

**Ashfin Islam**



Prince Lobel Tye LLP

[One International Place, Suite 3700](#)

[Boston, Massachusetts 02110](#)

617 960 8165 Direct

617 515 3272 Mobile

[\[jaislam@princelobel.com\]](mailto:jaislam@princelobel.com)[\[jaislam@princelobel.com\]](mailto:jaislam@princelobel.com)



Marijuana Establishment Municipal Response  
Attestation

In accordance with Section 935 CMR 500.103(4)0 of the Massachusetts Code of Regulations, and in support of the renewal application of Peak Limited LLC (the "Applicant") the undersigned Matthew Kumph, Owner and Manager of the Applicant, hereby confirms and certifies to the Cannabis Control Commission (the "CCC") that:

1. On June 15, 2021 counsel for the Applicant submitted a written request to the Applicant's Host Community requesting records of any costs to the municipality reasonably related to the operation of the Applicant's Marijuana Establishment;
2. The Applicant has provided a copy of the request in connection with its renewal application; and
3. As of the date of this attestation, **no response** has been received from the Host Community

Under penalties of perjury I declare that I have examined this certification and to the best of my knowledge and belief it is true, correct and complete, and I further declare that I have authority to sign this document.

Dated as of July 21, 2021

*Matthew Kumph*

---

Name: Matthew Kumph

## **Plan for Positive Impact**

Peak Limited LLC (the “**Company**”) is basing its headquarters in Georgetown MA, an area that has not been identified by the Commission as an area of disproportionate impact. However, Haverhill, Lowell and Lynn have been designated as areas that have been **disproportionately impacted by the war on drugs** by the Commission and are located approximately 6.5, 23 and 22 miles (respectively) from Georgetown. Accordingly, the Company intends to focus its efforts in those communities and on Massachusetts residents who have, or have parents or spouses who have, past drug convictions.

The Company intends to focus its brand on outdoor lifestyle products and as such hopes to find ways to positively impact the abovementioned communities and Massachusetts residents through outdoor focused activities such as hiking, biking, paddle boarding, kayaking, canoeing and skiing.

In its first year of operations, the Company will implement the following goals, programs and measurements pursuant to this Plan for Positive Impact.

### **Goals:**

The Company’s goals for this Positive Impact Plan are as follows:

1. Hire, in a legal and non-discriminatory manner, **25% of its employees** from Haverhill, Lowell, and Lynn and/or Massachusetts residents who have, or have parents or spouses who have, past drug convictions;
2. Contribute a minimum of **forty (40) hours** of volunteer time to Team Haverhill’s “Small Projects-Big Impacts” initiatives;
3. Provide at least **two (2)** informational sessions on the cannabis industry for residents of Haverhill, Lowell and Lynn and/or Massachusetts residents who have, or have parents or spouses who have, past drug convictions;
4. Contribute **Ten Thousand and 00/100 Dollars (\$10,000.00)** to the Commission’s Social Equity Fund; and
5. Host **two (2)** events through its “Reach Your Peak” initiative.

### **Programs:**

In an effort to reach the abovementioned goals the Company shall implement the following practices and programs:

1. In an effort to ensure it has the opportunity to interview, and hire, individuals from Haverhill, Lowell and Lynn and/or Massachusetts residents who have, or have parents or spouses who have, past drug convictions, the Company will post a notice at the municipal

offices in Haverhill, Lowell and Lynn six (6) months prior to opening. The Company will also post monthly notices for six (6) months prior to opening in newspapers of general circulation in those municipalities such as the Haverhill Gazette, Lowell Sun and Lynn Daily Item. The aforementioned notices will state that the Company is specifically looking for Massachusetts residents, who are 21 years or older, and have past drug convictions for employment.

Such residency, or prior drug conviction status, will be a positive factor in hiring decisions, but this does not prevent the Company from hiring the most qualified candidates and complying with all employment laws and other legal requirements.

2. In an effort to ensure that it will meet its volunteering goals, the Company will encourage its employees to volunteer by providing work related incentives such as 2-4 paid volunteer days with Team Haverhill's "Small Projects-Big Impacts". Team Haverhill's 'Small Projects – Big Impact' initiative supports a few small community projects each year that make a positive impact in Haverhill, an area classified as disproportionately impacted by the war on drugs by the Commission. Their projects include landscaping days at the Clement Farm disc-golf course, Portland Street playground cleanup and the Hilldale cemetery cleanup as well as other charitable donations and neighborhood events.
3. In an effort to ensure that the attendees at its informational events are individuals from Haverhill, Lowell and Lynn and/or Massachusetts residents who have, or have parents or spouses who have, past drug convictions, the Company shall post a notice at the municipal offices in Haverhill, Lowell and Lynn two (2) weeks prior to each session. The Company will also post weekly notices beginning at least two (2) weeks in advance of each session in newspapers of general circulation in those municipalities such as the Haverhill Gazette, Lowell Sun and Lynn Daily Item. The aforementioned notices will state that the Company is specifically looking for Massachusetts residents who are 21 years or older and have past drug convictions to attend said informational sessions. Informational sessions will be geared towards marijuana production and cultivation and based on topics including, but not limited to, information on how to build a career in the cannabis industry with a specific focus on individuals living in disproportionately impacted areas or who have prior arrest records but are still eligible for employment.
4. The Company respectfully submits that it is eager to support the Commission's Social Equity Fund when created. If the Commission's Social Equity Fund is not established within the first year of its operations, the Company will endeavor to identify and fund accelerator programs that provide aid to start-up companies owned by individuals from disproportionately harmed communities, provided such programs do not violate the Commission's requirements regarding limitations on the Company's control of more than three (3) licenses in a particular marijuana establishment license class. To date, the Company is only aware of one such program but anticipates that other programs will be established as the cannabis industry in Massachusetts matures and more facilities become operational. The Company would like the opportunity to assess other programs to ensure they align with the Company's corporate goals before committing to fund any such programs.

5. In an effort to ensure that the attendees at its Reach Your Peak events are individuals from Haverhill, Lowell and Lynn and/or Massachusetts residents who have, or have parents or spouses who have, past drug convictions, the Company shall post a notice at the municipal offices in Haverhill, Lowell and Lynn **two (2) weeks** prior to each session. The Company will also post **weekly notices** beginning at least **two (2) weeks in advance** of each session in newspapers of general circulation in those municipalities such as the **Haverhill Gazette, Lowell Sun and Lynn Daily Item**. The Company respectfully submits that it will comply with the advertising, branding, marketing and sponsorship practices as outlined in 935 CMR 500.105(4) with respect to these events. The abovementioned notices for these events, and the events themselves, will not include any Company advertisements, marketing materials or branding. To the extent the Commission deems necessary, notices and event programming materials will be made available to the Commission for review and inspection prior to publishing.

In an effort to ensure that it meets its event goals for the Reach Your Peak initiative, the Company will identify one of the members of its management team as its **“Reach Your Peak Liaison”** and task that member with planning trips and programs centered around outdoor activities, including but not limited to hiking, foliage tours, biking, paddle boarding, kayaking, canoeing, white water rafting, and skiing.

The Company is passionate about this program and believes that it will have a positive impact on these communities and residents by providing individuals with opportunities to experience the outdoors.

### **Annual Review**

The Company will annually review the following criteria in an effort to measure the success of its Plan to Positively Affect Areas of Disproportionate Impact:

1. Identify number of employees hired through its job development initiatives;
2. Identify the Company’s overall financial and volunteer support provided to local charities and community groups;
3. Identify the number of educational events it holds and the attendance at the same;
4. Identify the amount of funds it has contributed to the Commission’s Social Equity Fund or other accelerator programs; and
5. Identify the number of individuals that participate in its “Reach Your Peak” initiative.

The Company affirmatively states that it: (1) it has reached out and received written confirmation (attached hereto) from Team Haverhill’s “Small Projects – Big Impacts” initiatives confirming that the charity will accept donations and volunteers from the Company; (2) acknowledges and is aware, and will adhere to, the requirements set forth in 935 CMR 500.105(4) which provides the permitted and prohibited advertising, branding, marketing, and sponsorship practices of every Marijuana Establishment; and (3) any actions taken, or programs instituted, will not violate the Commission’s regulations with respect to limitations on ownership or control or other applicable state laws.

**1**

Team Haverhill, Inc.  
P.O. Box 5034  
Haverhill, MA 01835



May 14, 2019

To Whom It May Concern;

I am writing this letter to confirm that I have spoken with Matthew Kumph of Peak Limited LLC, and am excited to learn about his commitment to Team Haverhill projects and the Haverhill community on the whole.

Team Haverhill is an independent, volunteer action group dedicated to making Haverhill a better place to live, learn, work and play. We are always in need of additional volunteers and support. Peak Limited's pledge to support our Small Projects Big Impact initiative and our annual River Ruckus festival will make a difference.

Our Small Projects - Big Impact initiative focuses on multiple small community projects each year that make a positive impact in our city. These are usually hands-on painting, planting and clean-up projects. Most of these projects involve several weeks of planning and a team of 10-20 volunteers on project-day.

Team Haverhill's River Ruckus is an annual festival featuring live music, a classic car show, the Kids Zone, great local foods, and spectacular fireworks over the Merrimack River. The festival brings the community together for a day of family fun along the Riverwalk and the Riverfront Cultural District; to boost the local economy; and to boast about what Haverhill has to offer. The River Ruckus is Haverhill's largest free community festival and takes hundreds of volunteer hours in planning and event-day support.

Team Haverhill looks forward to the volunteer efforts and support of Matthew Kumph and his organization. Please feel free to contact me directly for any additional information. I am happy to answer any questions about Team Haverhill, Inc. and the role we play in our community.

Respectfully,

A handwritten signature in blue ink that reads "Kevin M. Burke".

Kevin Burke  
President  
Team Haverhill, Inc.



## CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE

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PEAK LIMITED LLC  
114 JEWETT ST  
GEORGETOWN MA 01833-1814

### ***Why did I receive this notice?***

The Commissioner of Revenue certifies that, as of the date of this certificate, PEAK LIMITED LLC is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

**This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.**

### ***What if I have questions?***

If you have questions, call us at (617) 887-6367 or toll-free in Massachusetts at (800) 392-6089, Monday through Friday, 8:30 a.m. to 4:30 p.m..

### ***Visit us online!***

Visit [mass.gov/dor](http://mass.gov/dor) to learn more about Massachusetts tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights, and MassTaxConnect for easy access to your account:

- Review or update your account
- Contact us using e-message
- Sign up for e-billing to save paper
- Make payments or set up autopay

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Edward W. Coyle, Jr., Chief  
Collections Bureau



**The Commonwealth of Massachusetts  
William Francis Galvin**

Minimum Fee: \$500.00

Secretary of the Commonwealth, Corporations Division  
One Ashburton Place, 17th floor  
Boston, MA 02108-1512  
Telephone: (617) 727-9640

Special Filing Instructions

**Certificate of Organization**

(General Laws, Chapter )

Identification Number: 001329934

1. The exact name of the limited liability company is: PEAK LIMITED LLC

**2a. Location of its principal office:**

No. and Street: 114 JEWETT STREET  
City or Town: GEORGETOWN State: MA Zip: 01833 Country: USA

**2b. Street address of the office in the Commonwealth at which the records will be maintained:**

No. and Street: 114 JEWETT STREET  
City or Town: GEORGETOWN State: MA Zip: 01833 Country: USA

**3. The general character of business, and if the limited liability company is organized to render professional service, the service to be rendered:**

THE GENERAL CHARACTER OF THE BUSINESS OF THE LLC SHALL BE MANUFACTURING, AND ANY OTHER BUSINESS IN WHICH A MASSACHUSETTS LIMITED LIABILITY COMPANY IS AUTHORIZED TO ENGAGE.

**4. The latest date of dissolution, if specified:**

**5. Name and address of the Resident Agent:**

Name: ROBERT P. MALONEY  
No. and Street: PRINCE LOBEL TYE LLP  
ONE INTERNATIONAL PLACE, SUITE 3700  
City or Town: BOSTON State: MA Zip: 02110 Country: USA

I, ROBERT P. MALONEY resident agent of the above limited liability company, consent to my appointment as the resident agent of the above limited liability company pursuant to G. L. Chapter 156C Section 12.

**6. The name and business address of each manager, if any:**

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
MANAGER	MATTHEW KUMPH	114 JEWETT STREET GEORGETOWN, MA 01833 USA
MANAGER	KENNETH KUMPH	114 JEWETT STREET GEORGETOWN, MA 01833 USA

**7. The name and business address of the person(s) in addition to the manager(s), authorized to execute documents to be filed with the Corporations Division, and at least one person shall be named if there are no managers.**

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code

**8. The name and business address of the person(s) authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property:**

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
REAL PROPERTY	KENNETH KUMPH	114 JEWETT STREET GEORGETOWN, MA 01833 USA
REAL PROPERTY	MATTHEW KUMPH	114 JEWETT STREET GEORGETOWN, MA 01833 USA

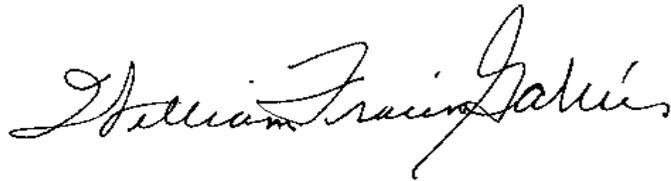
**9. Additional matters:**

**SIGNED UNDER THE PENALTIES OF PERJURY, this 31 Day of May, 2018,**  
KENNETH KUMPH  
*(The certificate must be signed by the person forming the LLC.)*

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are deemed to have been filed with me on:

May 31, 2018 12:04 PM

A handwritten signature in black ink, reading "William Francis Galvin". The signature is written in a cursive style with a large, prominent initial "W".

WILLIAM FRANCIS GALVIN

*Secretary of the Commonwealth*

# PEAK LIMITED LLC

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## OPERATING AGREEMENT

A Massachusetts Limited Liability Company

**THIS OPERATING AGREEMENT** of Peak Limited LLC (the "**Company**") is made effective as of the 15<sup>th</sup> day of October, 2018 by and between Kenneth Kumph and Matthew Kumph as the initial managers of the Company (collectively, the "**Managers**," and each individually, a "**Manager**"), and the persons executing this agreement as the members of the Company (the "**Members**").

**NOW THEREFORE** the Members, the Managers and the Company agree as follows:

### ARTICLE 1 - DEFINED TERMS

Section 1.1 **Definitions**. In addition to the terms defined elsewhere in this Agreement, the terms defined in this Article shall, for the purposes of this Agreement, have the meanings herein specified.

(a) "**Act**" means the Massachusetts Limited Liability Company Act, as the same may be amended from time to time.

(b) "**Certificate**" means the Certificate of Organization of the Company and any and all amendments thereto and restatements thereof filed on behalf of the Company pursuant to the Act.

(c) "**Code**" means the United States Internal Revenue Code of 1986, as amended from time to time, or any corresponding Federal tax statute enacted after the date of this Agreement.

(d) "**Percentage Interest**" shall mean, with respect to any Member, as of any date, the percentage set forth on Exhibit A attached hereto. In the event that all or any portion of a Member's interests are transferred in accordance with the terms of this Agreement, the transferee shall succeed to the Percentage Interest of the transferor.

(e) "**Person**" includes any individual, corporation, association, partnership (general or limited), joint venture, trust, estate, limited liability company, or other legal entity or organization.

(f) "**Profits**" or "**Losses**" means, for each fiscal year, an amount equal to the Company's taxable income or loss for such fiscal year, determined in accordance with Section 703, 704 and 705 of the Code (but including in taxable income or loss, for this purpose, all items of income, gain, loss or deduction required to be stated separately pursuant to Section 703(a)(1) of the Code), with such adjustments as are required by the Code or are deemed necessary or desirable by the Managers.

(g) "**Regulations**" means the income tax regulations, including temporary regulations, promulgated under the Code, as such regulations may be amended from time to time (including corresponding provisions of succeeding regulations).

### ARTICLE 2 - FORMATION AND TERM

Section 2.1 **Formation**. The Members and the Company agree to form the Company as a limited liability company pursuant to the provisions of the Act, and agree that the rights, duties and liabilities of the Members shall be as provided in the Act, except as otherwise provided herein. The Managers shall execute, deliver and file the Certificate and any and all amendments thereto and restatements thereof.

Section 2.2 Term. The term of the Company shall commence on the date the Certificate is filed with the Massachusetts Secretary of State's Office, and shall continue until the Company is dissolved in accordance with the provisions of this Agreement and the Act.

Section 2.3 Registered Agent and Office. The Company's registered agent and office shall be Robert P. Maloney, Prince Lobel Tye LLP, One International Place, Suite 3700, Boston, MA 02110. At any time, the Managers may designate another registered agent and/or registered office.

Section 2.4 Principal Place of Business. The principal place of business of the Company shall be located at 114 Jewett Street, Georgetown, MA 01833. At any time, the Managers may change the location of the Company's principal place of business.

Section 2.5 Purpose. The purpose of the Company shall be to engage in manufacturing, and to engage in any all business in which a Massachusetts limited liability company is authorized to engage.

### ARTICLE 3 - MEMBER

Section 3.1 Powers of Member. No Member shall have any power with regard to the management of the Company except pursuant to the express terms of this Agreement.

Section 3.2 Distributions. Distributions to the Members shall be made pro rata, in proportion to their respective Percentage Interests, as, if and when the Managers determine that such distributions are appropriate in their sole discretion. In this regard, the Managers may consider such matters as the repayment of obligations to creditors and the setting aside of amounts to be retained by the Company for any purpose, including the conduct of the Company's business affairs. Distributions may be made in cash or in other property, as reasonably determined by the Managers. Distributions other than in cash shall be valued as reasonably determined by the Managers.

(a) Prohibited Distributions. Notwithstanding anything to the contrary contained herein, the Company shall not make any distribution to the Member if such distribution would violate the Act or other applicable law.

(b) Withholding Taxes. The Company is authorized to withhold from distributions to the Members, and to pay over to a federal, state or local government, any amounts required to be withheld pursuant to the Internal Revenue Code of 1986, as amended, or any other provisions of any other federal, state, local or foreign law. Any amounts so withheld shall be treated as having been distributed to the Members pursuant to Section 5.3 for all purposes of this Agreement.

Section 3.3 Restrictions on Admission. No Person may become a Member unless he, she or it qualifies as a party allowed to hold an interest in all licenses and registrations held by the Company, including to the extent applicable: (a) a Registered Marijuana Dispensary Certificate of Registration issued pursuant to (1) the Humanitarian Medical Use of Marijuana Act, Ch. 369 of the Acts of 2012 and its implementing regulations 105 CMR 725.000, et seq. or (2) Mass. General Laws Ch. 94I and its implementing regulations 105 CMR 725.000, et seq. as applicable; and/or (b) a Marijuana Establishment pursuant to Mass. General Laws Ch. 94G and its implementing regulations 935 CMR 500.000, et seq., each as applicable to the Company's business.

### ARTICLE 4 - CAPITAL ACCOUNTS, CONTRIBUTIONS AND ALLOCATIONS

Section 4.1 Capital Accounts. A Capital Account shall be established and maintained on the books and records of the Company for each Member (each, a "Capital Account") in accordance with the provisions of this Section 4.1 and Section 1.704-1(b) of the Code and the regulations issued thereunder. Each Member has made a Capital Contribution to the Company and shall have initial Capital Account

balances equal to the amount of his or her Capital Contribution.

(i) To each Member's Capital Account there shall be credited such Member's Capital Contributions, such Member's distributive share of Profits and the amount of any Company liabilities assumed by such Member or that are secured by any Company Property distributed to such Member.

(ii) To each Member's Capital Account there shall be debited the amount of cash and the Gross Asset Value of any Company Property distributed to such Member pursuant to any provision of this Agreement, such Member's distributive share of Losses, and the amount of any liabilities of the Company assumed by such Member or that are secured by any property contributed by such Member to the Company.

(iii) In the event that all or a portion of any interest in the Company is Transferred in accordance with this Agreement, the Transferee shall succeed to the Capital Account of the Transferor to the extent it relates to the Transferred interest.

The foregoing provisions, and the other provisions of this Agreement relating to the maintenance of Capital Accounts are intended to comply with Section 1.704-1(b) of the Regulations and shall be interpreted and applied in a manner consistent with such Regulations. In the event that the Managers shall determine that it is prudent to modify the manner in which the Capital Accounts, or any debits or credits thereto (including, without limitation, debits or credits relating to liabilities that are secured by contributed or distributed property or that are assumed by the Company or the Members) are computed in order to comply with such Regulations, the Managers may make such modification, provided that it is not likely to have a material effect on the amounts distributable to any Member pursuant to this operating agreement upon the dissolution and liquidation of the Company. The Managers shall also (i) make any adjustments necessary or appropriate to maintain equality between the aggregate Capital Accounts of the Members and the amount of Company capital reflected on the Company's balance sheet, as computed for book purposes in accordance with Regulations Section 1.704-1(b)(2)(iv)(q) and make any appropriate modifications in the event unanticipated events might otherwise cause this Agreement not to comply with Regulations Section 1.704-1(b).

Section 4.2 Profits and Losses. Profits and losses shall be allocated in a manner complying with the requirements of Code Sections 704, 705 and 706 and the Treasury Regulations thereunder.

Section 4.3 Member's Interest. No Member has any interest in specific Company property, unless and until distributed to such Member.

Section 4.4 Status of Capital Contributions. No Member shall be required to lend any funds or make Capital Contributions to the Company or to make any additional Capital Contributions to the Company.

## **ARTICLE 5 - MANAGEMENT**

Section 5.1 Management of the Company. The Company shall be managed exclusively by the Managers. The Managers shall have full, sole and exclusive and complete discretion, right, power, and authority to manage, control and make all decisions affecting the business and affairs of the Company and to do or cause to be done any and all acts, at the expense of the Company on the terms provided herein, deemed by the Managers to be necessary or appropriate to effectuate the business, purposes and objectives of the Company as set forth in this Agreement. The Managers, with the consent of the Members, may amend this Agreement. A Manager may resign by giving at least five (5) days written notice to all of the Members. A Manager may be removed by the majority vote of the Members by an instrument in writing.

Section 5.2. Limitation of Liability. Except to the extent that the Massachusetts General Laws prohibits the elimination or limitation of liability of managers for breaches of fiduciary duty, no Manager shall

be personally liable to the Company or its Members for monetary damages for any breach of fiduciary duty as a Manager, officer or agent of the Company, notwithstanding any provision of law imposing such liability. No amendment to or repeal of this provision shall apply to or have any effect on the liability or alleged liability of any Manager for or with respect to any acts or omissions occurring prior to such amendment.

Section 5.3 Indemnification. The Company shall, to the fullest extent permitted by law, indemnify any Manager made, or threatened to be made, a party to an action or proceeding, whether criminal, civil, administrative or investigative, by reason of being a Manager, officer or agent of the Company or any predecessor entity, provided, however, that the Company shall indemnify any such director or officer in connection with a proceeding initiated by such Manager, officer or agent only if such proceeding was authorized by the Members of the Company.

(a) The indemnification provided for in this Section 5.3 shall: (i) not be deemed exclusive of any other rights to which those indemnified may be entitled under this Agreement or any other agreement or vote of members or disinterested managers or otherwise, both as to action in their official capacities and as to action in another capacity while holding such office, (ii) continue as to a person who has ceased to be a Manager, officer or agent of the Company, and (iii) inure to the benefit of the heirs, executors and administrators of a person who has ceased to be a Manager, officer or agent of the Company. The Company's obligation to provide indemnification under this Section 5.3 shall be offset to the extent of any other source of indemnification or any otherwise applicable insurance coverage under a policy maintained by the Company or any other person.

(b) Expenses incurred by a Manager, officer or agent of the Company of the Company in defending a civil or criminal action, suit or proceeding by reason of the fact that he or she is or was a Manager, officer or agent of the Company shall be paid by the Company in advance of the final disposition of such action, suit or proceeding upon receipt of an undertaking by or on behalf of such Manager, officer or agent of the Company to repay such amount if it shall ultimately be determined that applicable law requires that he or she not be indemnified by the Company. Notwithstanding the foregoing, the Company shall not be required to advance such expenses to a Manager, officer or agent of the Company who is a party to an action, suit or proceeding brought by the Company that alleges willful misappropriation of corporate assets, disclosure of confidential information or any other willful and deliberate breach by such Manager, officer or agent of the Company of his or her duty to the Company or its members.

(c) The foregoing provisions of this Section 5.3 shall be deemed to be a contract between the Company and each Manager, officer or agent who serves in such capacity at any time while this Agreement is in effect, and any repeal or modification thereof shall not affect any rights or obligations then existing with respect to any state of facts then or theretofore existing or any action, suit or proceeding theretofore or thereafter brought based in whole or in part upon any such state of facts.

Section 5.4 Reliance by Third Parties, Apparently Authority. Any person dealing with the Company may rely on a certificate signed by the Managers as to any of the following: (i) the identity of the Members and Managers hereunder; (ii) the existence or nonexistence of any fact or facts which constitute conditions precedent to acts by the Managers or the Members or are in any other manner germane to the affairs of this Company; (iii) whether a specified Person is authorized to execute and deliver any instrument or document of the Company; (iv) the authenticity of any copy of this Agreement and amendments thereto; or (v) any act or failure to act by the Company or as to any other matter whatsoever involving the Company or any Member or Manager.

## **ARTICLE 6 - BOOKS AND RECORDS**

Section 6.1 Books and Records; Accounting. The Manager(s) shall keep or cause to be kept at the address of the Company (or at such other place as the Manager(s) shall determine in its discretion) during the term of the Company true and complete accounts, books and records regarding the business and financial condition of the Company and copies of the Company's federal, state, and local income tax

returns and financial statements for the six most recent years. Any Member will be granted access to inspect and copy Company records during normal business hours and with reasonable advance notification at the requesting Member's expense.

Section 6.2 Financial Statements. The Company will send to all Members not more than 90 days after the end of each Fiscal Year a financial report prepared in accordance with accounting principles used to prepare the Company's federal income tax return and the information and statements needed by the Members to enable them to prepare their federal, state and local tax returns for such period. Tax returns and financial statements shall be prepared by an accountant selected by the Manager(s).

Section 6.3. Tax Elections. The Managers are hereby authorized to make elections and prepare and file returns regarding any federal, state or local tax obligations of the Company, and to serve as the "Tax Representative" of the Company for purposes of Section 6231(a)(7) of the Code, with power to manage and represent the Company in any administrative proceeding of the Internal Revenue Service in his sole discretion, provided that he shall make any tax election requested by the remaining Members holding a Majority Interest if such election does not materially increase the tax obligations of any other Member.

**ARTICLE 7 - DISSOLUTION, LIQUIDATION AND TERMINATION**

Section 7.1 Events Causing Dissolution. The Company shall be dissolved and its affairs shall be wound up upon the occurrence of any of the following events: (a) upon the election of the Members by a majority vote; (b) the entry of a decree of judicial dissolution under the Act; or (d) the sale or disposition of all or substantially all of the property of the Company.

Section 7.2 Liquidation. Upon dissolution of the Company, the Managers shall carry out the winding up of the Company and shall immediately commence to wind up the Company's affairs; provided, however, that a reasonable time shall be allowed for the orderly liquidation of the assets of the Company and the satisfaction of liabilities to creditors so as to enable the Members to minimize the normal losses attendant upon a liquidation. The Company shall terminate when all of the assets of the Company, after payment of or due provision for all debts, liabilities and obligations of the Company, have been distributed to the Members in the manner provided for in this Article and the Certificate has been cancelled in the manner required by the Act.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement to be effective as of the date first above written.

**MEMBERS:**

By: K. Kumph  
Kenneth Kumph

By: M. Kumph  
Matthew Kumph

**MANAGERS:**

By: K. Kumph  
Kenneth Kumph

By: M. Kumph  
Matthew Kumph

**Exhibit A**

**PERCENTAGE INTERESTS**

<b>Member</b>	<b>Percentage Interest</b>
<b>Kenneth Kumph</b>	<b>49%</b>
<b>Matthew Kumph</b>	<b>51%</b>



*The Commonwealth of Massachusetts*  
*Secretary of the Commonwealth*  
*State House, Boston, Massachusetts 02133*

William Francis Galvin  
Secretary of the  
Commonwealth

February 8, 2019

TO WHOM IT MAY CONCERN:

I hereby certify that a certificate of organization of a Limited Liability Company was filed in this office by

**PEAK LIMITED LLC**

in accordance with the provisions of Massachusetts General Laws Chapter 156C on **May 31, 2018.**

I further certify that said Limited Liability Company has filed all annual reports due and paid all fees with respect to such reports; that said Limited Liability Company has not filed a certificate of cancellation or withdrawal; and that said Limited Liability Company is in good standing with this office.

I also certify that the names of all managers listed in the most recent filing are:  
**MATTHEW KUMPH, KENNETH KUMPH**

I further certify, the names of all persons authorized to execute documents filed with this office and listed in the most recent filing are: **MATTHEW KUMPH, KENNETH KUMPH**

The names of all persons authorized to act with respect to real property listed in the most recent filing are: **MATTHEW KUMPH, KENNETH KUMPH**



In testimony of which,  
I have hereunto affixed the  
Great Seal of the Commonwealth  
on the date first above written.

*William Francis Galvin*

Secretary of the Commonwealth

## **Business Plan, Staffing and Site Plans**

Kenneth and Matthew Kumph have organized Peak Limited, LLC for the purpose of obtaining a marijuana product manufacturer license.

If Peak Limited, LLC receives the license, it will lease, as tenant, a portion of an existing building at 114 Jewett St., Georgetown, MA from its owner, Premier Holdings, LLC (113 Jewett St., Georgetown, MA), and remodel the leased portion into a fully compliant marijuana manufacturing establishment there that is fully approved by the Town of Georgetown authorities.

The other tenant of Premier Holdings, LLC at the 114 Jewett St. address is the Cabinet Shop division of Premier Builders, Inc. (113 Jewett St., Georgetown, MA).

Matthew Kumph is the CEO of Peak Limited. Matthew attended Norwich University and obtained a bachelor's degree in construction management from Wentworth Institute. While there, he studied with some of the best construction minds in Massachusetts. He holds a certification in OSHA-30, a Hoisting Engineers License, a Wentworth Construction Certificate, a Lean Construction certification and a BIM Professional Certificate. Matthew is a manager, a leader and a construction professional who knows not only how to build homes, but also how to build a business. Over the last decade, Matt has grown from a site supervisor to general superintendent and VP at Premier Builders.

Matt is a lifelong resident of northeastern Massachusetts and has deep roots in the community. Many local officials know him by name, giving him a unique advantage when it comes to securing necessary approvals. His business is built on the good name of his family, something he works every day to uphold.

Matt also is a committed outdoorsman. As a Boy Scout, he learned the importance of preserving and appreciating the natural world. The skills he learned in achieving the rank of Life scout still carry through his activities, and he is committed to being as environmentally friendly as possible. At every free opportunity, Matt is out exploring nature, including hiking.

Kenneth Kumph is an investor and advisor and a landlord to Peak Limited as a member of Premier Holdings, LLC and is the president of Premier Builders, Inc. He has over thirty years of experience in commercial and residential construction. As the president of Premier Builders, Ken grew the business from a small operation to one that now employs twenty local residents. Ken got his start as a carpenter's apprentice before working his way up the ladder to become a project manager and eventually setting out on his own.

As a lifelong Massachusetts resident, Ken believes it is critical to give back to the place that gave him so much. He is a member of the Georgetown Athletic Association, and coaches and donates regularly to local youth sports. His business sponsors local teams and he donated the labor and materials to construct new baseball facilities, dugouts and equipment sheds at Georgetown High School. He also sponsors events in local schools, including Senior Graduate Safe Week and educational trips around the country.

Ken also routinely donates time and materials to help the less fortunate. He was a team

leader for Habitat for Humanity's "Builders Blitz," where they constructed a duplex home for two families in less than a week. He also volunteered 16 members of his crew to help renovate and install finish carpentry for a building in Ipswich

Ken holds a Bachelor's degree in building construction from Wentworth Institute of Technology. He is a member of the board of the Cabinet Makers Association, and is a member in good standing of the National Home Builders Association and the National Kitchen and Bath Association.

Upon licensure, Peak Limited's management will take a phased approach to production and hiring because it believes it will lead to the attainment of the highest levels of compliance and product quality.

A phased approach will allow the company to commission its new facility and new equipment, to analyze market demand in order to determine the right product selection, to perfect its formulations and processes (see Types of Products Made and Methods Used to Produce Products sections of this application), and to best train its new staff.

A phased approach will also allow Peak Limited to develop good business relationships with other licensed marijuana establishments and enable its sales staff to meet and work with its licensed marijuana retailer customers, its buyers to meet and work with its licensed marijuana cultivator vendors and its quality control staff to meet and work with the licensed independent testing laboratories.

#### **Staffing.**

The staffing/organization chart at the start of operations is shown in **Figure 1** where there will be an expected 11.2 FTE and the anticipated staffing/organization chart at full-scale operations is shown in **Figure 2** where there will be an expected 27.2 FTE (security officers are on the premises 24 hrs./365 days).

The General Manager (GM) will also hold the positions of Director of Sales, HR Manager & Compliance Director from startup, anticipated to be four separate positions at full-scale operations: GM, Compliance Director, Business & HR Manager, and Director of Sales. Similarly, the position of Production, QC and EHS Director is anticipated to become two positions at full-scale operations (Production Director, and QC and EHS Director).

All board members, directors, executives, managers, employees, and volunteers will be classified as marijuana establishment agents. Peak Limited's management expects to make use of, from time to time, certain professional services provided by external consultant service providers, independent contractors aged 21 and over, as shown in **Figures 1 and 2**, who will be classified and treated as visitors under 935 CMR 500.002: Definitions and under 935 CMR 500.110: Security Requirements For Marijuana Establishments should they need to come to Peak Limited's manufacturing establishment to perform their services. Examples of said certain professional services include occupational health and safety services, legal services, training services, payroll and HR services, peer review process engineering services, and independent, third-party auditing services (e.g., accounting, quality, security). Said external consultant service

providers will always be under the constant escort and supervision of a marijuana establishment agent during the time they are admitted to the manufacturing establishment.

Additional details describing the various management positions shown on the staffing/organization charts of **Figure's 1 and 2** are given in the Qualifications and Training section of this application.

#### **Site Plans.**

Peak Limited's proposed Site Plan is shown in **Figures 3-6** and will be finalized after all inspections and approvals by the Town of Georgetown have been completed.

The proposed Emergency Evacuation Plan is shown in **Figures 7-9** and will be finalized after all inspections and approvals by the Town of Georgetown have been completed.

The Security Plan is shown in **Figures 10-13** where the locations of the security equipment shown are approximate at this time and will be updated and refined by a professional security services firm during construction and as the various equipment and fixtures are put into their final places. Invision Security Group of King of Prussia, PA has analyzed the current layouts and has given an estimate for the number of security fixtures needed (such as cameras, intercoms, sounders and motion detectors, etc.) and this estimate is tabulated and shown in **Table 1**. The updated plans will be finalized after all inspections and approvals by the Town of Georgetown have been completed. Importantly, for clarification, the Emergency Exit Doors 1 & 2, shown in **Figures 5, 9 and 12** are strictly one-way exit "crash doors" which lead into the Cabinet shop. They are reinforced doors, alarmed and under the direct view of video-recording security cameras that are monitored by the security officer stationed in the Control Room.

Proposed layouts with examples of manufacturing equipment and supporting fixtures are shown in **Figures 14-16** and will be finalized after all local inspections and approvals by the Town of Georgetown have been completed.

Other details relating to **Figures 1-16** are given in other sections of this application.

FIGURE 1. Organization Chart at Start of Operations.

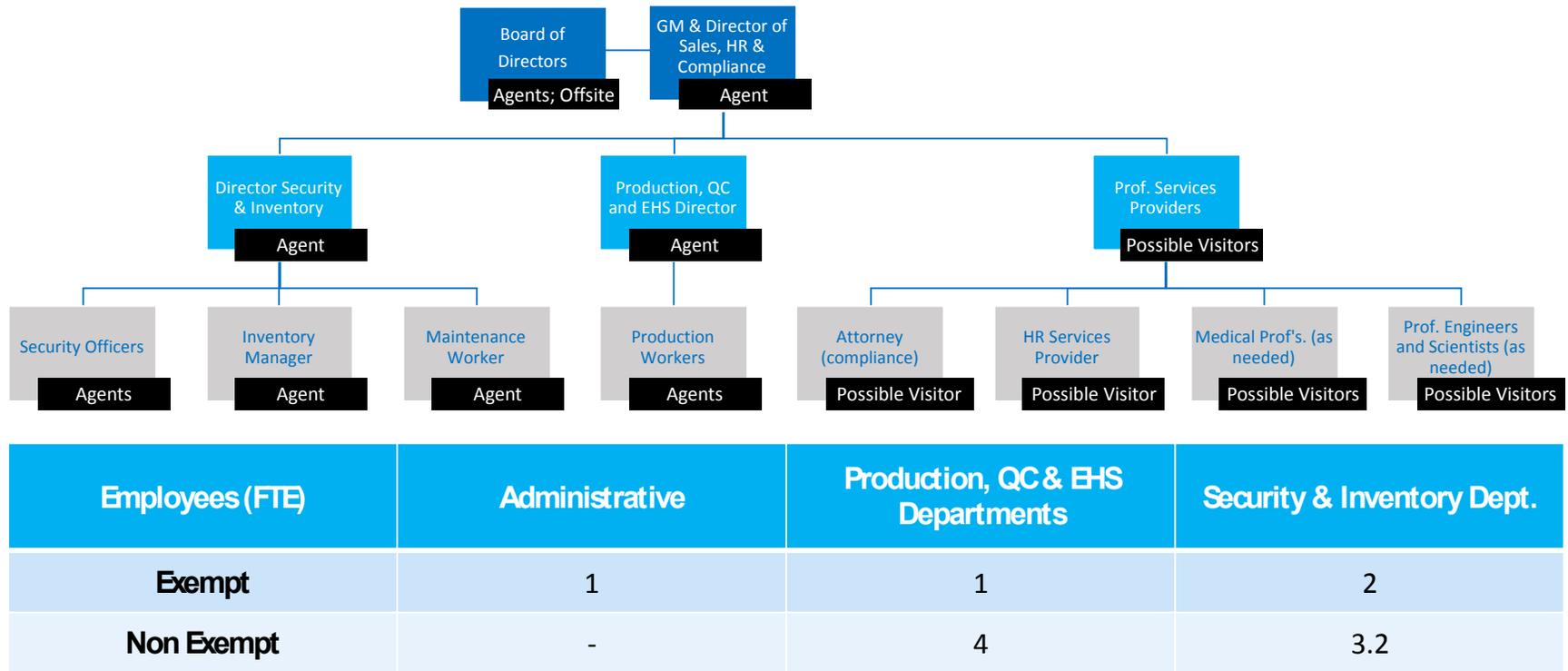
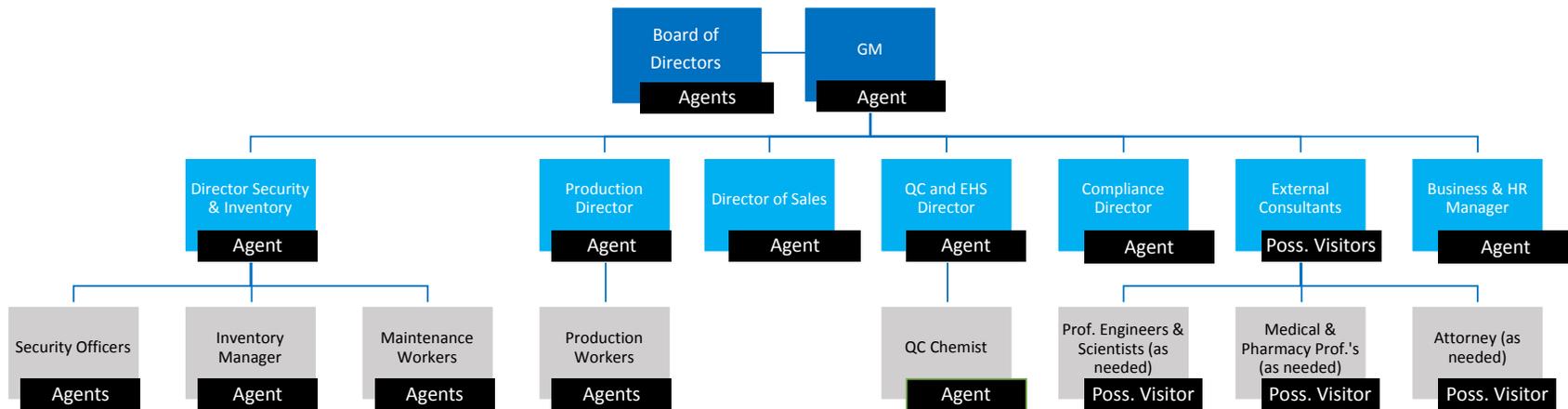


FIGURE 2. Anticipated Organization Chart at Full-Scale Operations.



Employees (FTE)	Administrative	Production Dept.	Security & Inventory Dept.	QC & EHS Department
<b>Exempt</b>	4	1	2	2
<b>Non Exempt</b>	-	Up to 14/shift	4.2	-

FIGURE 3. Peak Limited Manufacturing Establishment Site Plan (aerial view, 1/4).

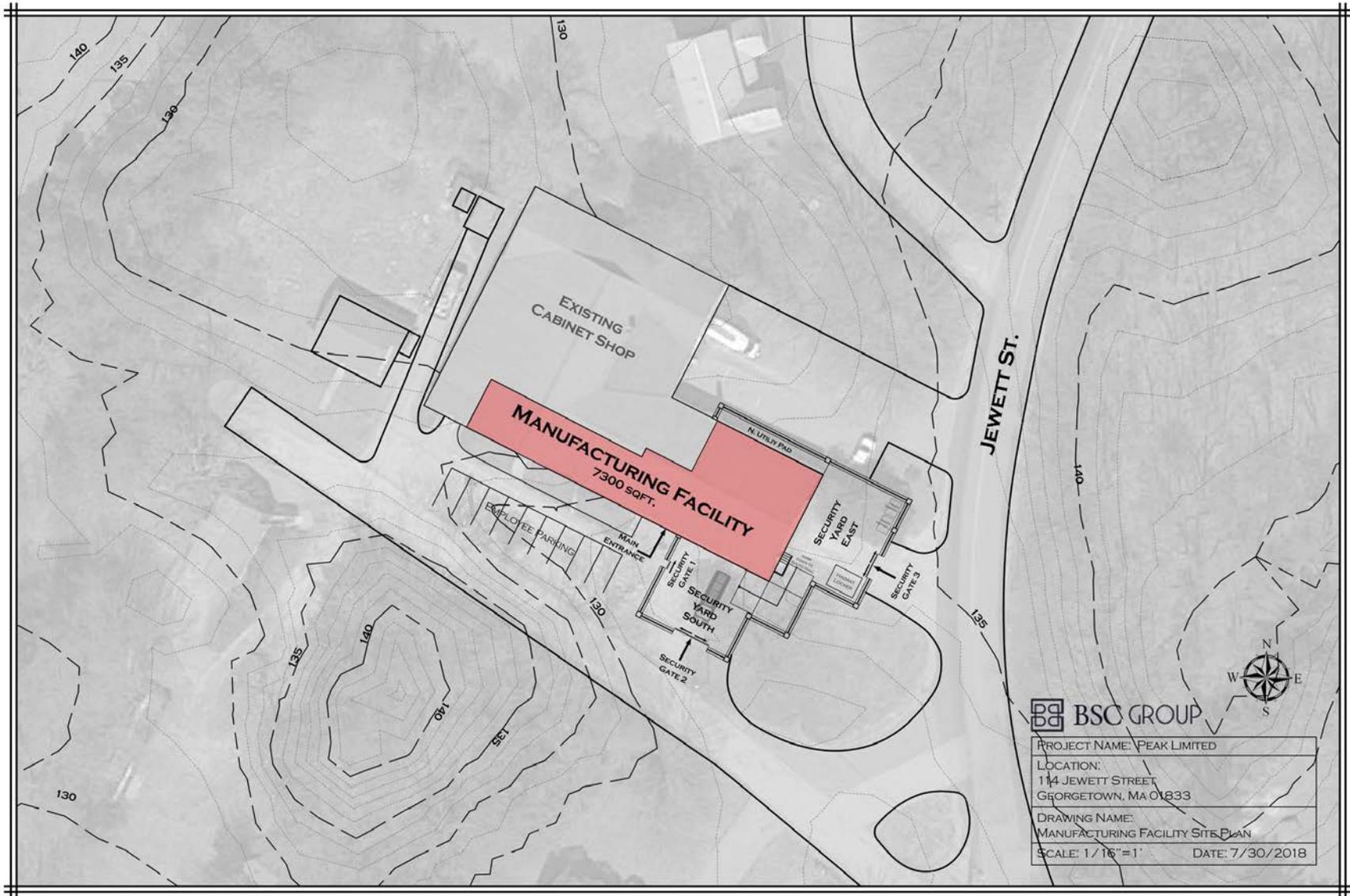


FIGURE 4. Peak Limited Manufacturing Establishment Site Plan (Services Level, 2/4).

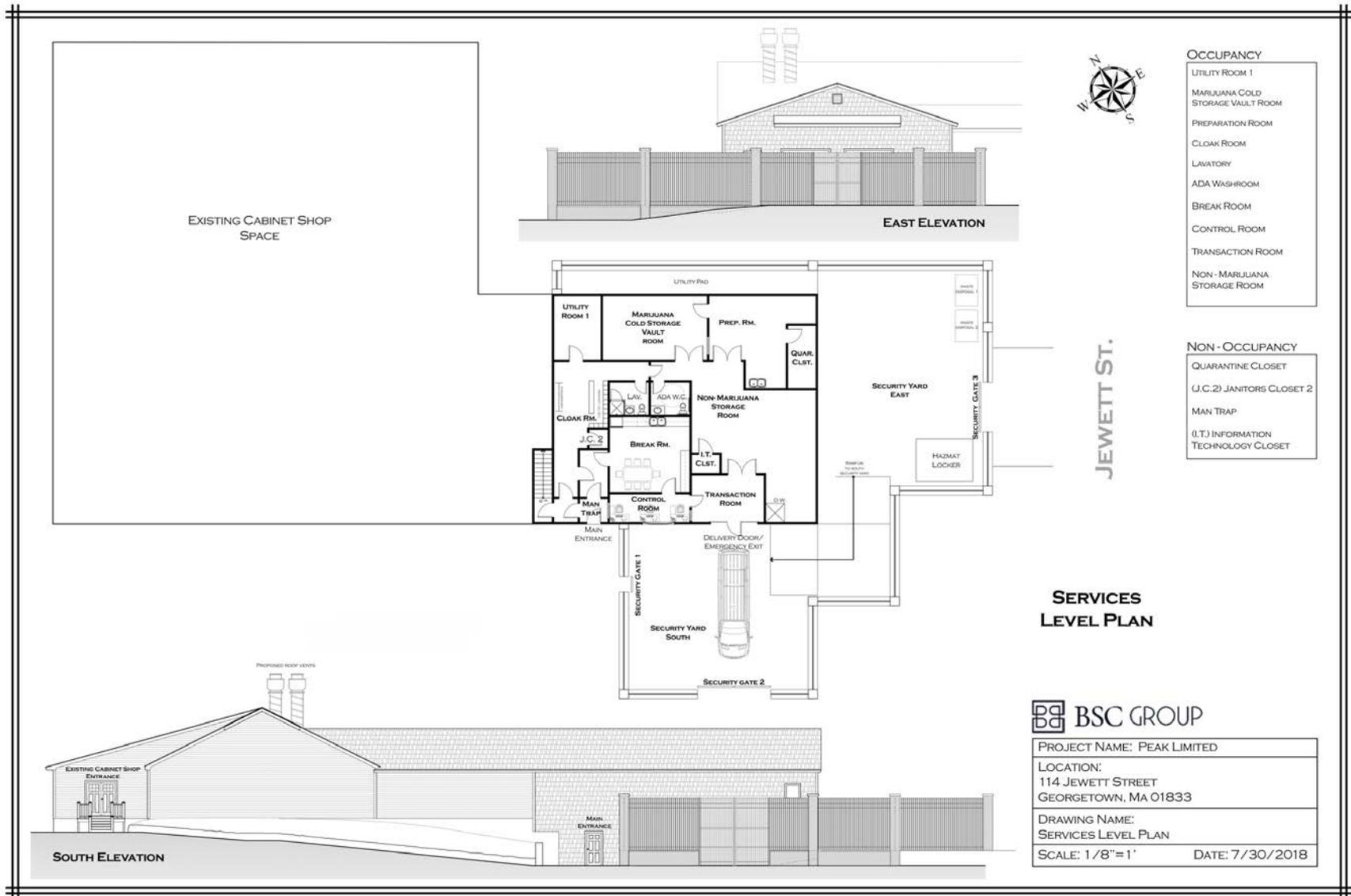


FIGURE 5. Peak Limited Manufacturing Establishment Site Plan (Production Level, 3/4).

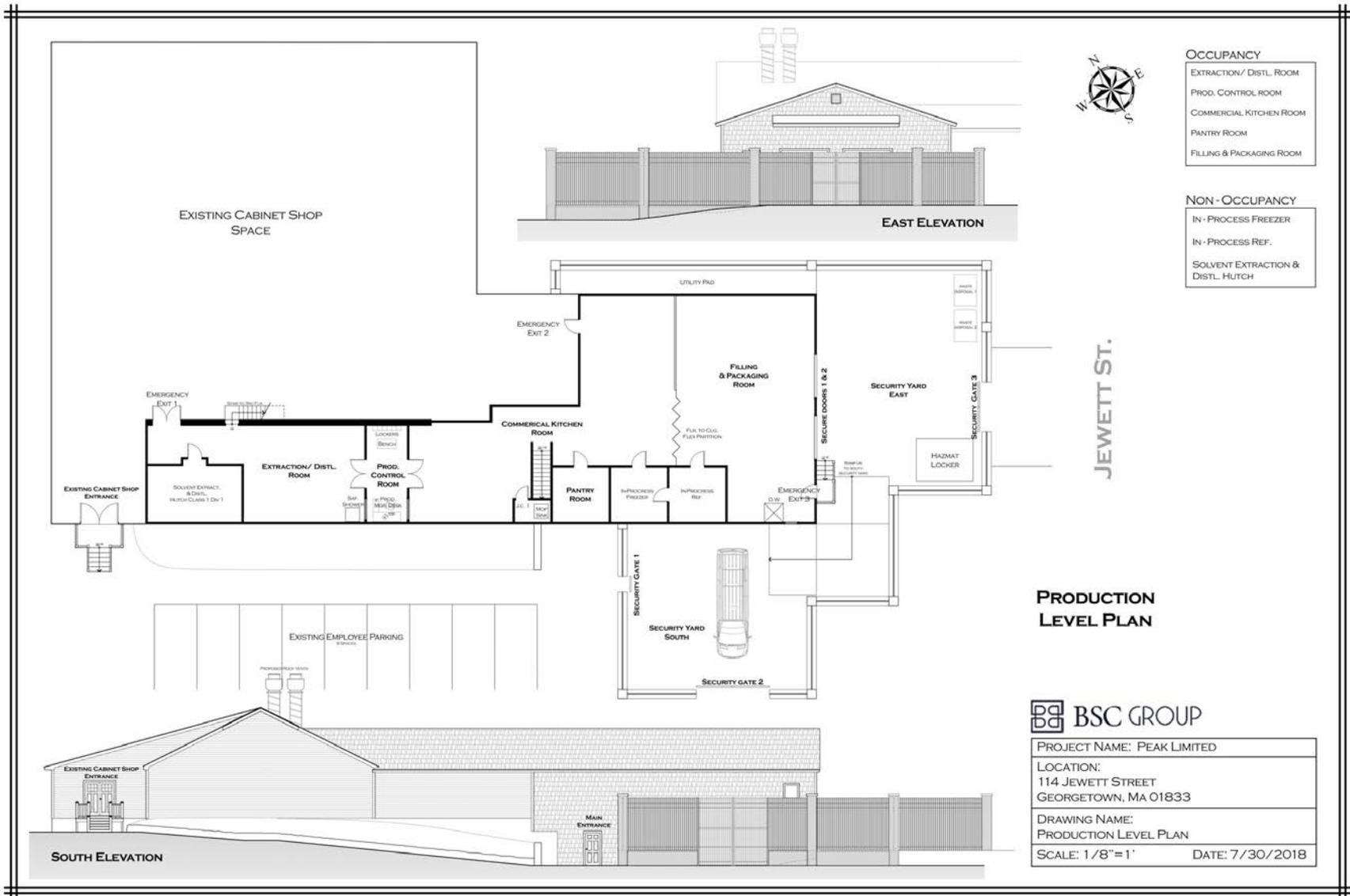


FIGURE 6. Peak Limited Manufacturing Establishment Site Plan (Mechanical Loft Level, 4/4).

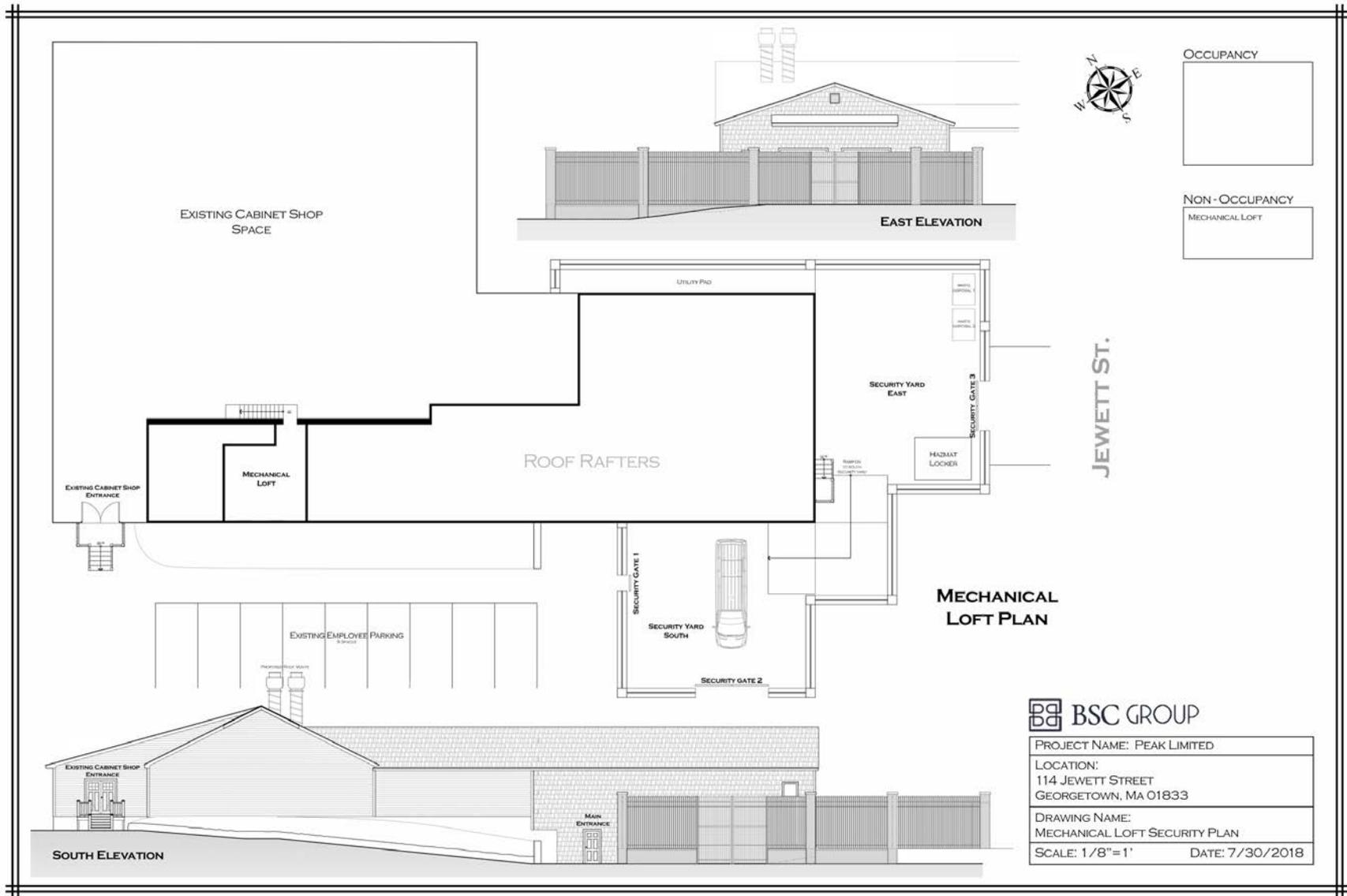


FIGURE 7. Peak Limited Emergency Evacuation Plan (aerial view, 1/3).

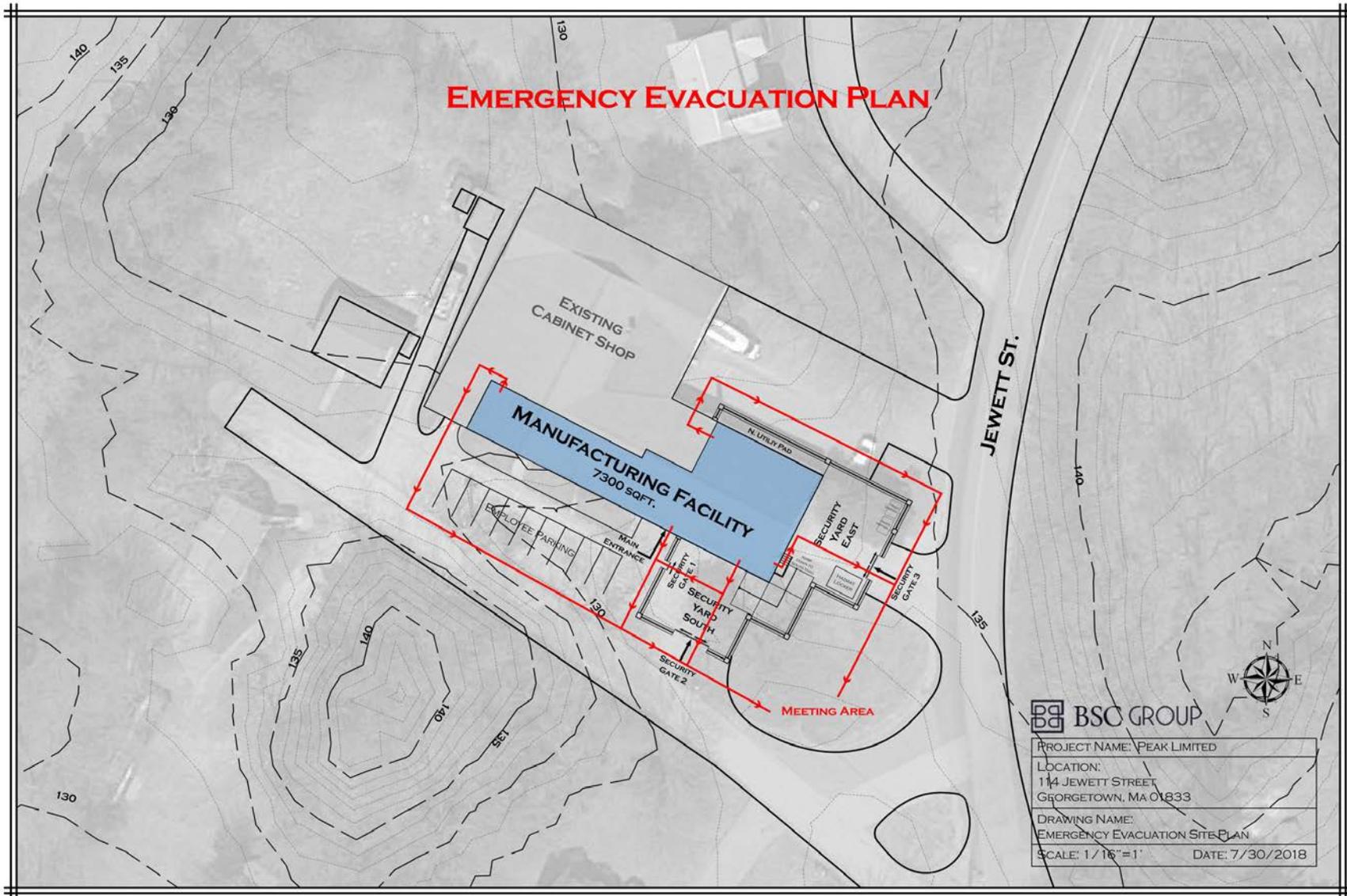
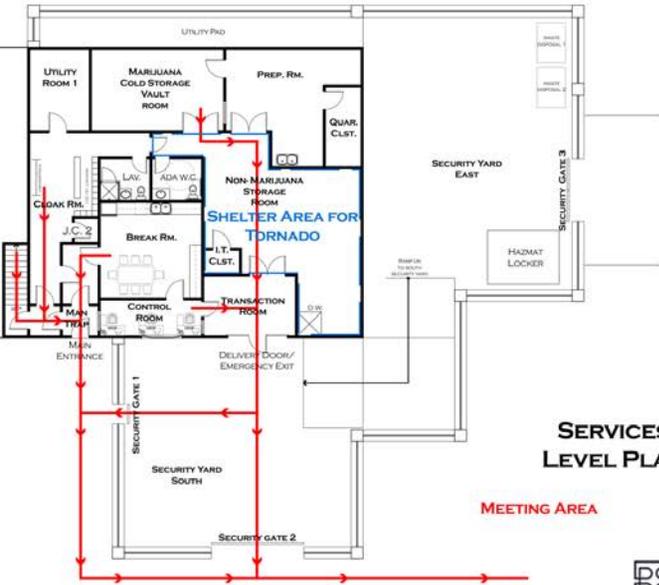


FIGURE 8. Peak Limited Emergency Evacuation Plan (Services Level, 2/3).

# EMERGENCY EVACUATION PLAN



EXISTING CABINET SHOP SPACE



- OCCUPANCY**
- UTILITY ROOM 1
  - MARIJUANA COLD STORAGE VAULT ROOM
  - PREPARATION ROOM
  - CLOAK ROOM
  - LAVATORY
  - ADA WASHROOM
  - BREAK ROOM
  - CONTROL ROOM
  - TRANSACTION ROOM
  - NON - MARIJUANA STORAGE ROOM
- NON - OCCUPANCY**
- QUARANTINE CLOSET
  - (J.C.2) JANITORS CLOSET 2
  - MAN TRAP
  - (I.T.) INFORMATION TECHNOLOGY CLOSET

JEWETT ST.

SERVICES LEVEL PLAN

MEETING AREA



PROJECT NAME: PEAK LIMITED	
LOCATION: 114 JEWETT STREET GEORGETOWN, MA 01833	
DRAWING NAME: EMERGENCY EVACUATION SERVICES PLAN	
SCALE: 1/8" = 1'	DATE: 7/30/2018

FIGURE 9. Peak Limited Emergency Evacuation Plan (Production Level, 3/3).

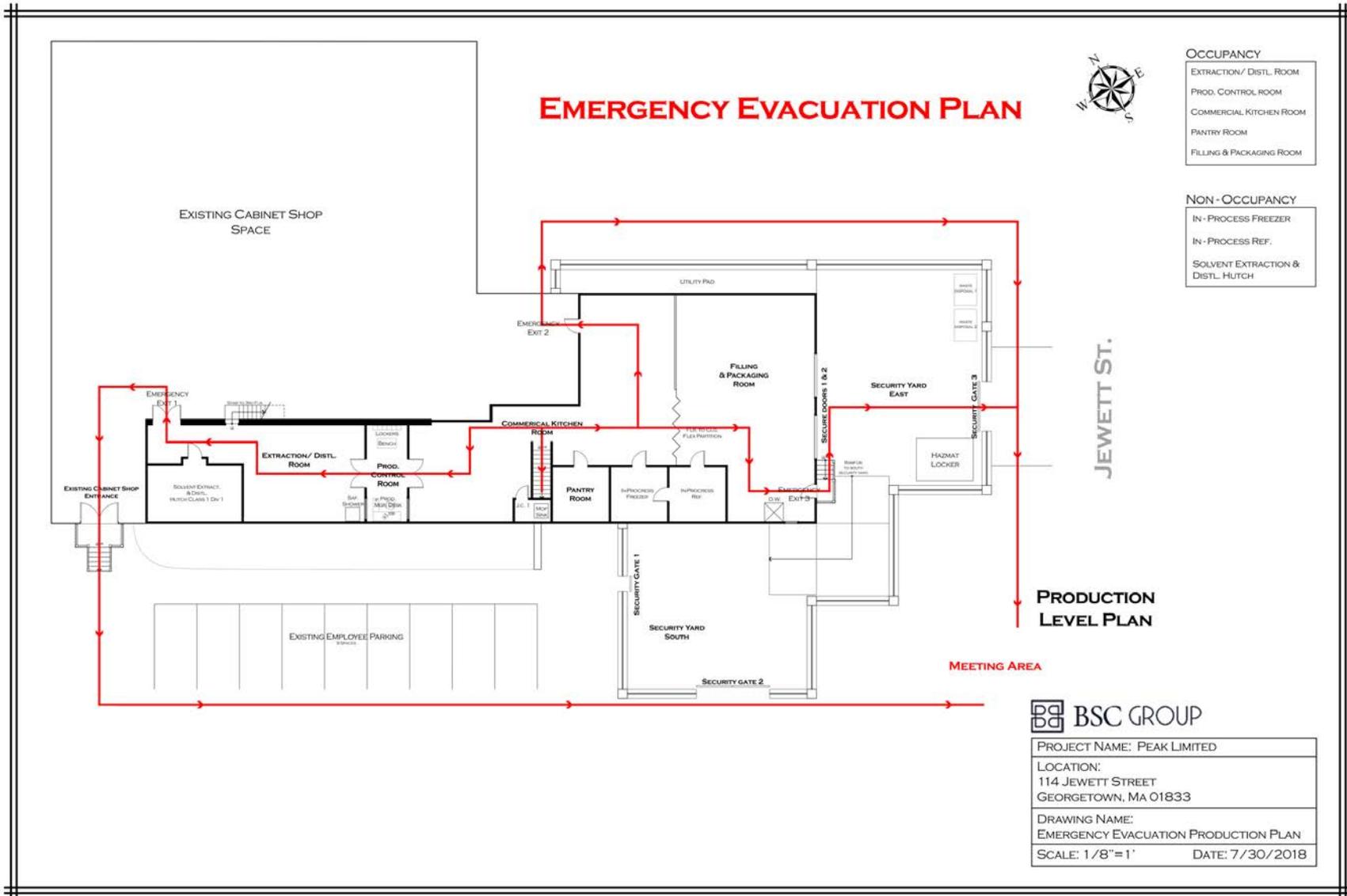


FIGURE 10. Peak Limited Security Plan (aerial view, 1/4).

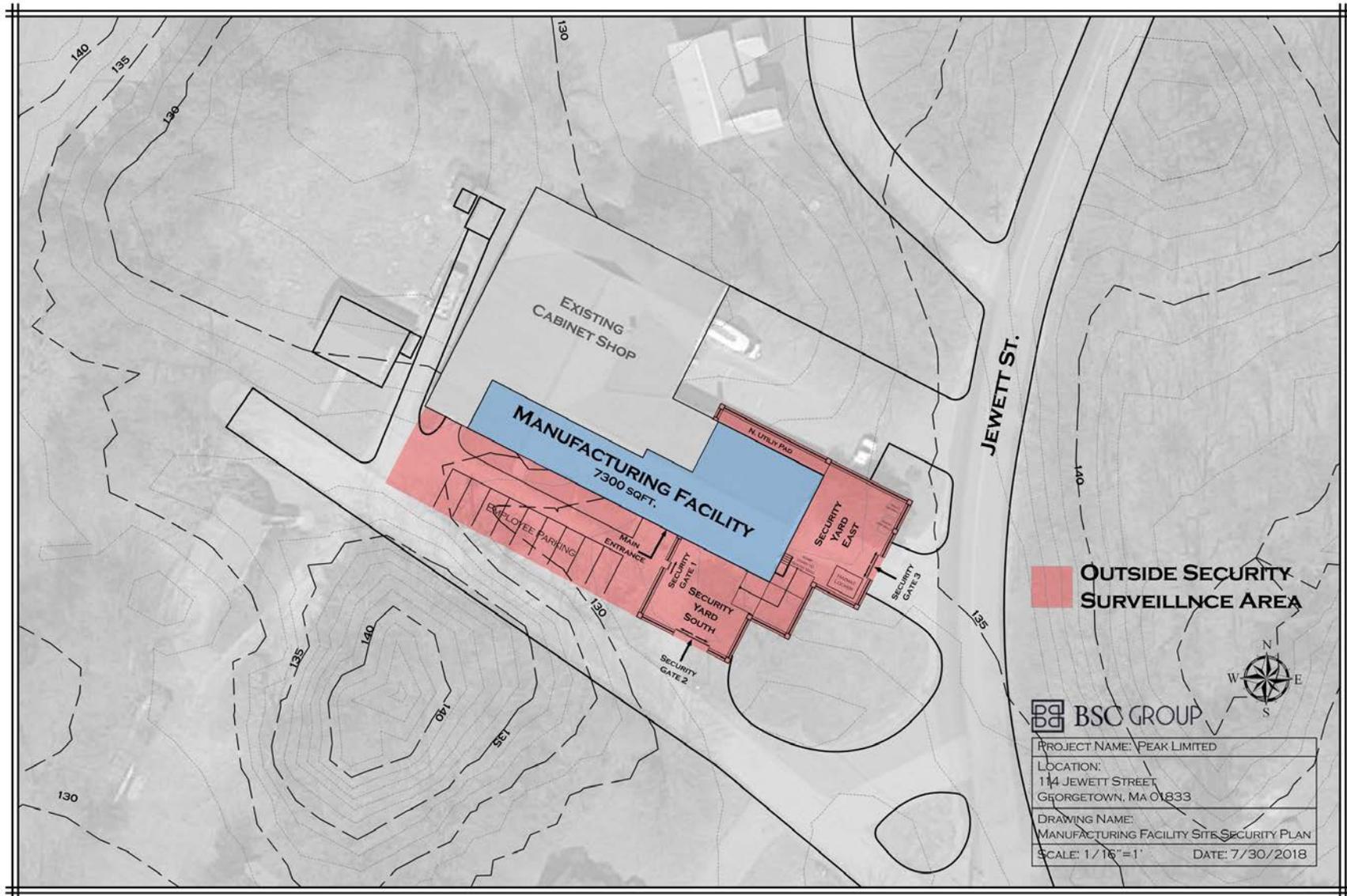


FIGURE 11. Peak Limited Security Plan (Services Level, 2/4).

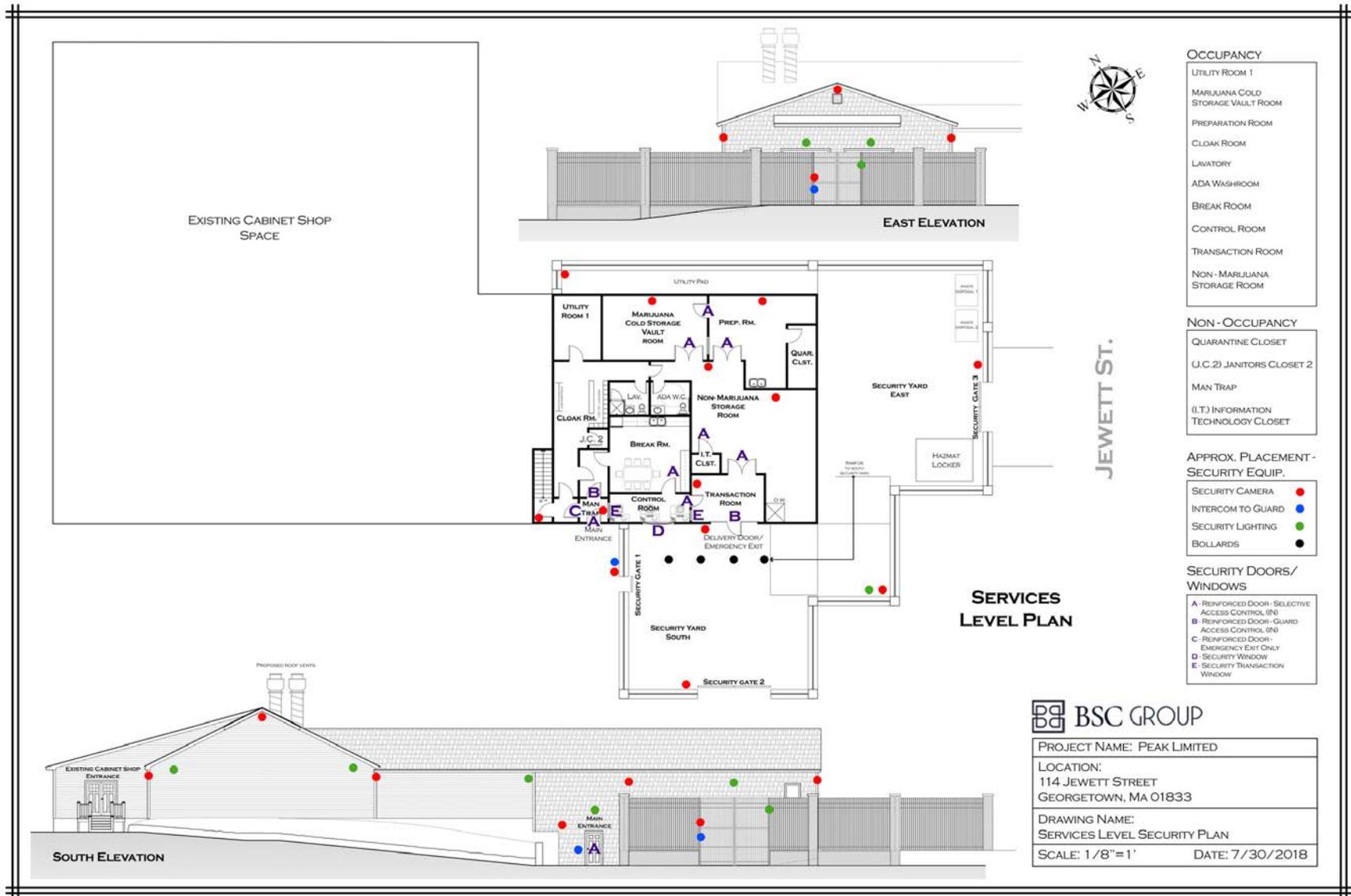


FIGURE 12. Peak Limited Security Plan (Production Level, 3/4).

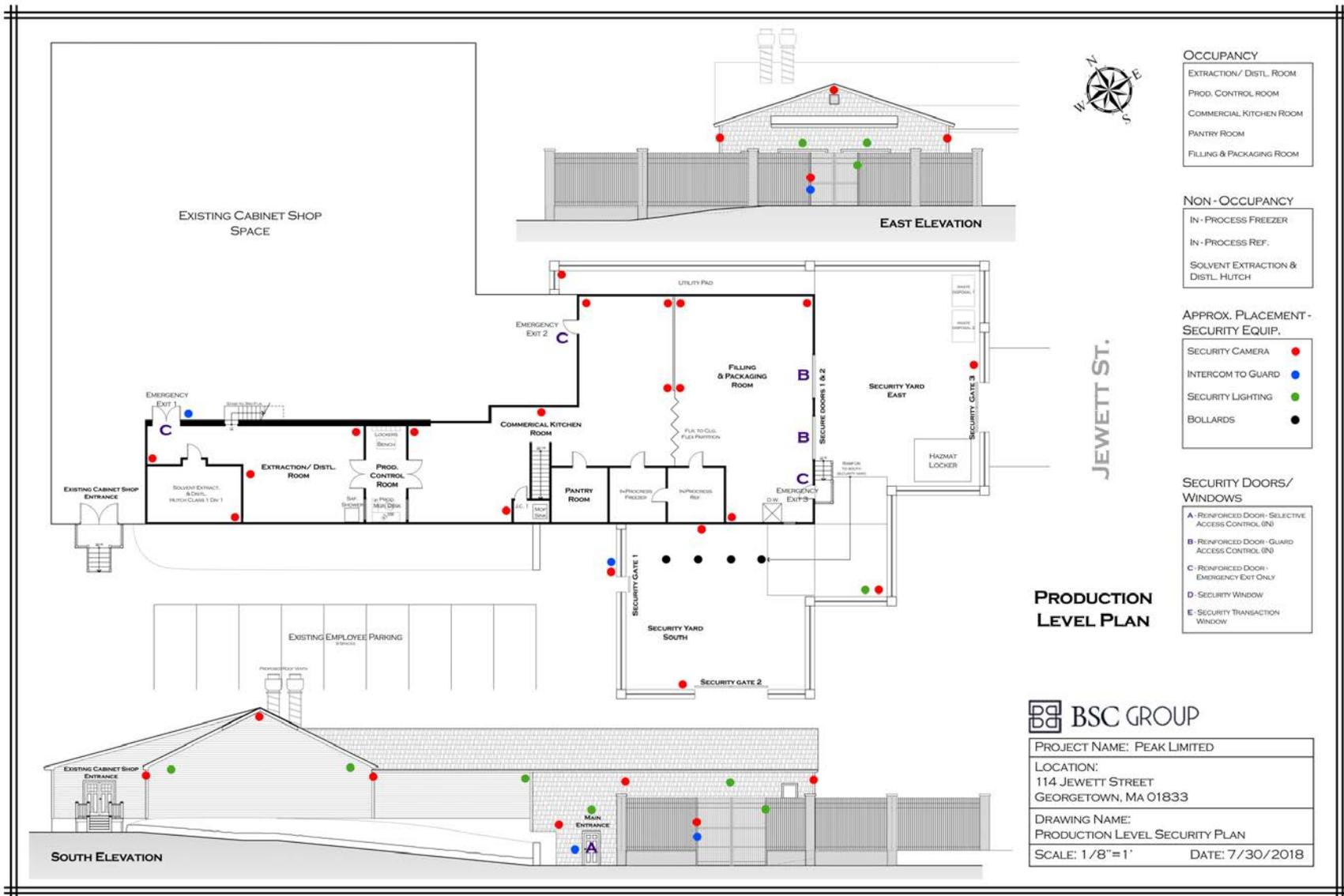


FIGURE 13. Peak Limited Security Plan (Mechanical Loft Level, 4/4).

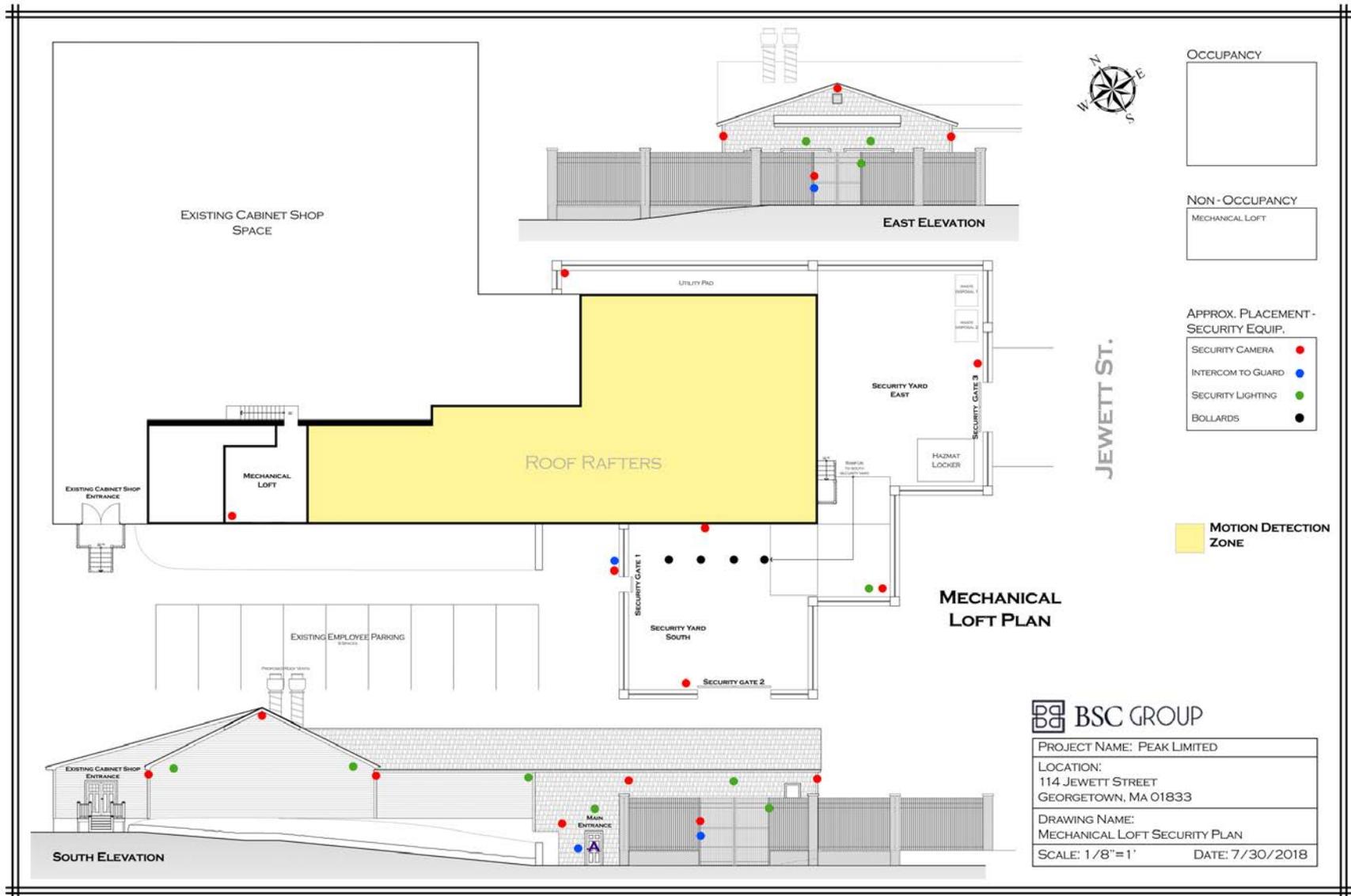


FIGURE 14. Layouts of manufacturing equipment and supporting fixtures (Services Level, 1/3).

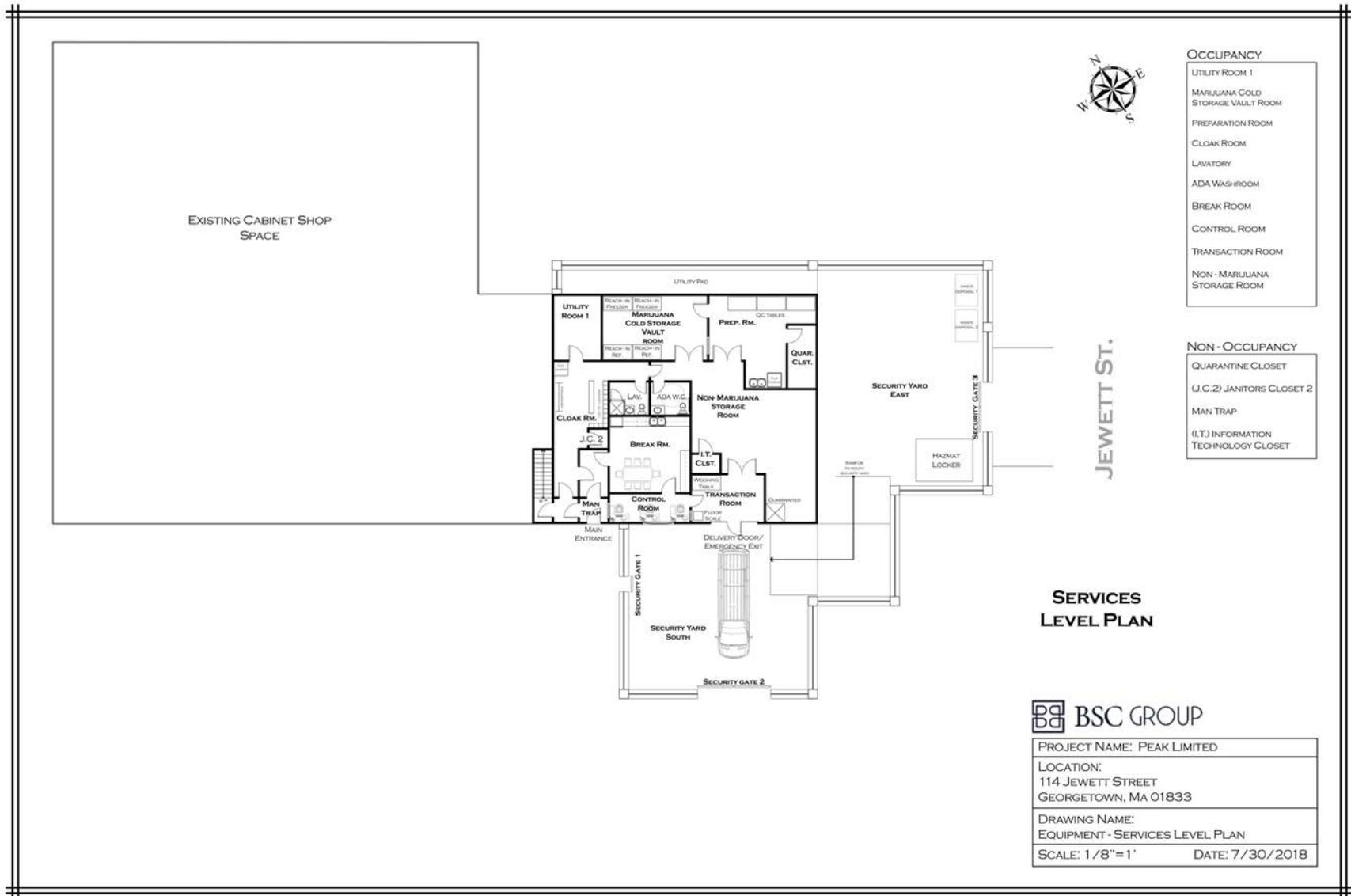


FIGURE 15. Layouts of manufacturing equipment and supporting fixtures (Production Level, 2/3).

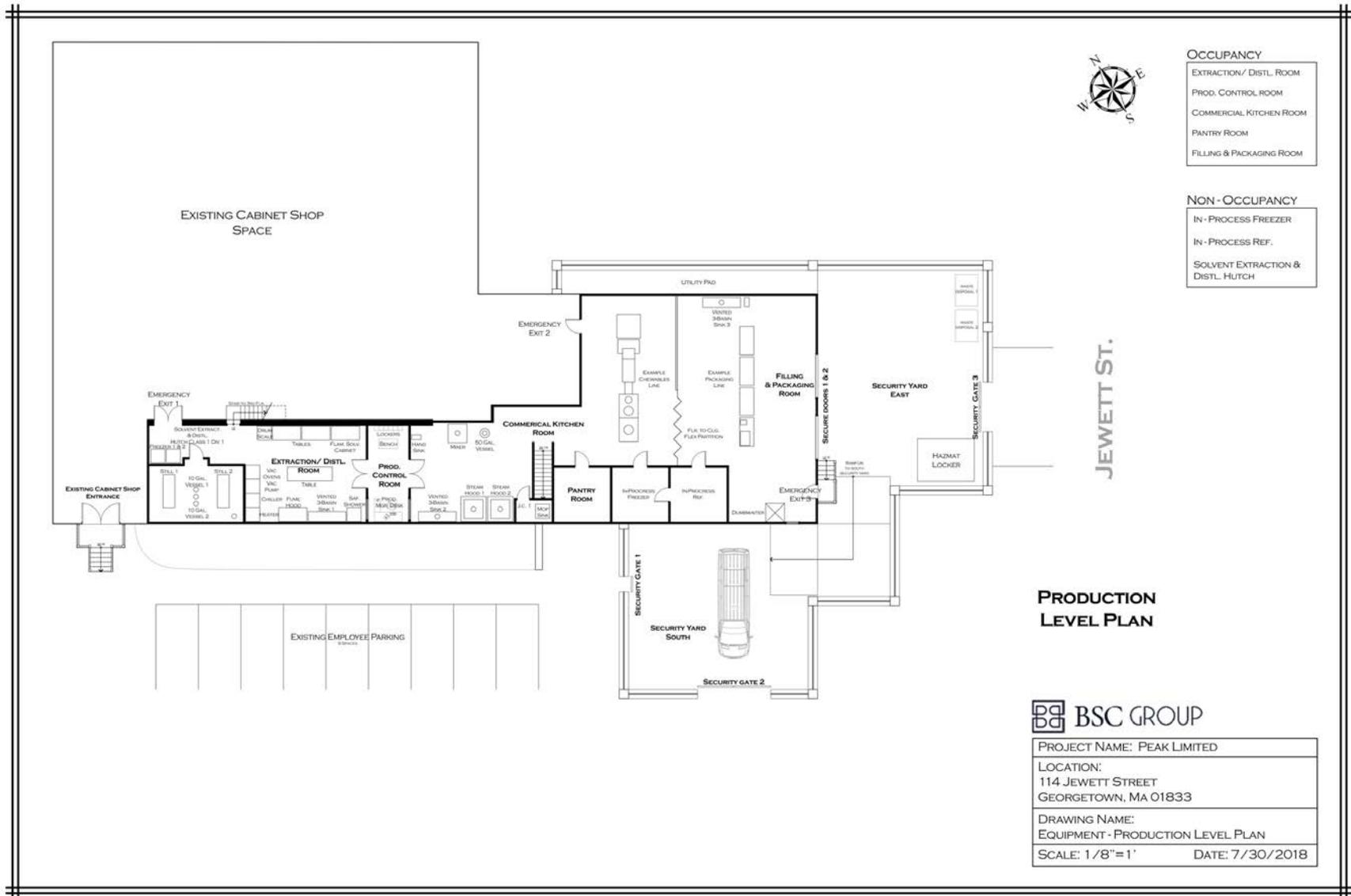


FIGURE 16. Layouts of manufacturing equipment and supporting fixtures (Mechanical Loft Level, 3/3).

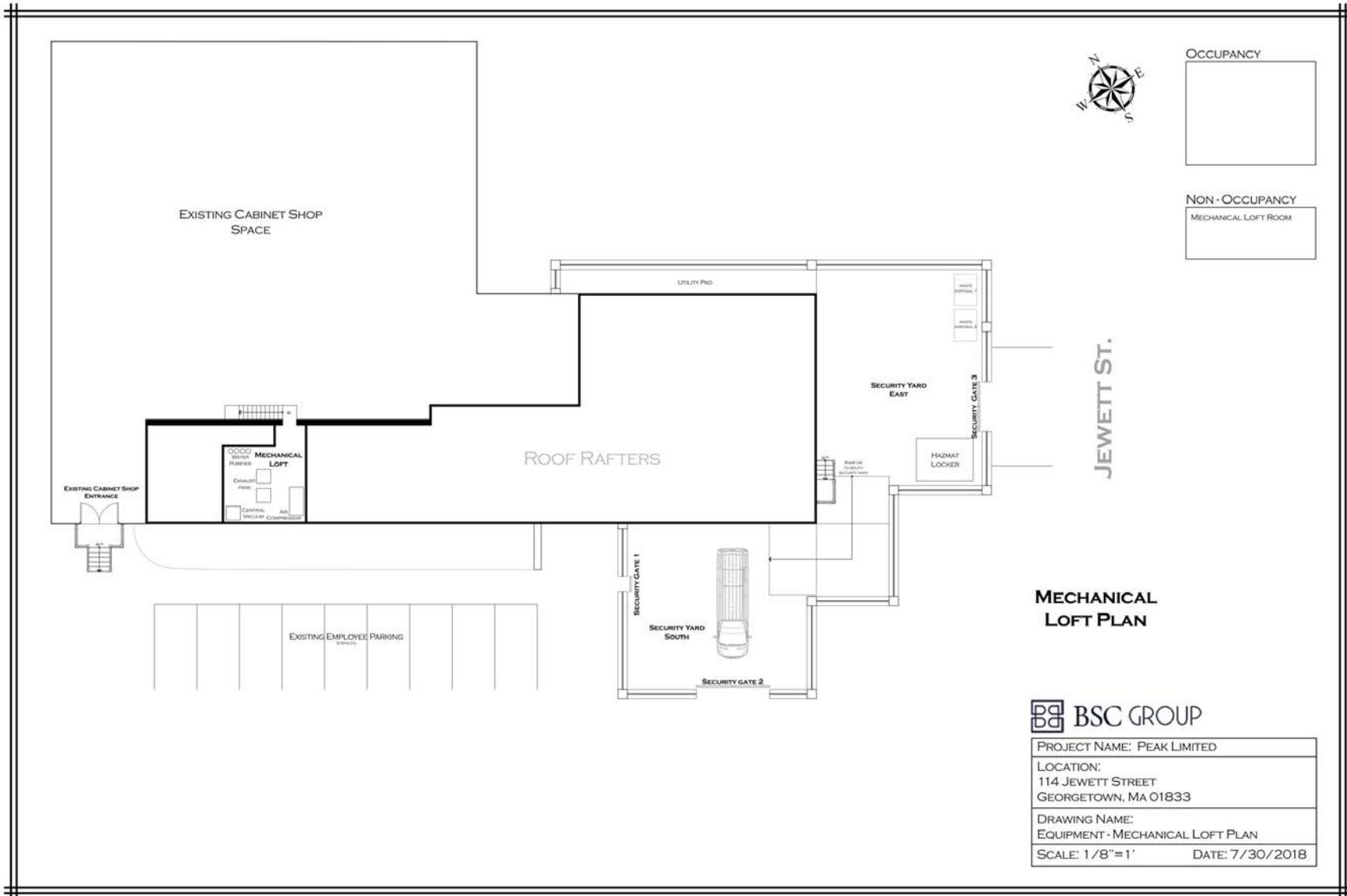


TABLE 1. Estimated Number of Security Fixtures and Devices by Type Needed.

## Totals by Element Type

	Element Name	Quantity
	Fixed Camera	70
	Card Reader	9
	Intercom End Point	9
	Request to Exit	11
	Elec Lockset	2
	Door Position Switch	2
	Intercom Master Station	1
	Motion Detector	34
	IDS Keypad	12
	Alarm Sounder	7
	Alarm Strobe	2

## Plan to Obtain Liability Insurance

America's marijuana industry involves the protection of high value assets. This includes assets involved in cultivation, manufacturing, transportation and dispensation. The unprecedented growth and financial success of the cannabis industry has created an opportunity for insurance companies. America's leading insurance providers have begun to enter the cannabis landscape. In addition, marijuana specific insurance providers also provide reliable and affordable coverage options. This has created a competitive market for us to choose from. Peak Limited LLC (the "**Company**") will work with an insurance broker licensed in the Commonwealth of Massachusetts to obtain insurance that meets or exceeds the requirements set forth in 935 CMR 500.105 (10).

Pursuant to 935 CMR 500.105(10) the Company shall obtain and maintain general liability insurance coverage for no less than \$1,000,000 per occurrence and \$2,000,000 in aggregate, annually, and product liability insurance coverage for no less than \$1,000,000 per occurrence and \$2,000,000 in aggregate, annually, or such amount as otherwise approved by the Commission. The deductible for each policy shall be no higher than \$5,000 per occurrence.

As our security plan details, we entrust only the most reputable, industry-leading professionals with the responsibility of protecting our products, people, and property. In addition to the physical and cyber security protocols outlined before, the Company will also acquire insurance for our business operation, including liability insurance. We will provide insurance vendors with the opportunity to enter into a competitive bidding process. We will obtain quotes for liability insurance from both insurance providers who specialize in the cannabis industry, such as Viridis, as well as global industry insurance providers like Brown and Brown.

Each potential vendor will be provided with the opportunity to conduct complete facility walkthroughs and provide us with a detailed quote. The Company will select the vendor that provides us with the strongest coverage and the best rate.

Pursuant to 935 CMR 500.105(10)(b) if the Company is unable to obtain minimum liability insurance coverage as required by 935 CMR 500.105(10)(a) the Company will place in escrow (the "**Liability Insurance Escrow Account**") a sum of no less than Two Hundred and Fifty Thousand and 00/100 (\$250,000.00) or such other amount approved by the Commission, to be expended for coverage of liabilities. If the Company is unable to obtain minimum liability insurance coverage as required by 935 CMR 500.105(10)(a) the Company will properly document such inability through written records that will be retained in accordance with the Company's Record Retention Policy (incorporated herein by reference). If the Liability Insurance Escrow Account is used to cover such liabilities, it will be replenished within ten (10) business days of such expenditure.

The Company will submit reports documenting compliance with 935 CMR 500.105(10) in a manner and form determined by the Commission pursuant to 935 CMR 500.000.

High valued assets, cultivation and manufacturing of federally illegal products, and constantly changing regulations and guidelines will require an inclusive, yet versatile insurance coverage plan that ensures the protection of our most valuable assets, our people, as well as our property and products.

## Personnel Policies Including Background Checks

### Background Checks

Because of the security sensitivity of the operations Peak Limited will be conducting, any and all employees with authorization to our facilities will undergo strict screening before being offered a position.

Our strict screening process includes and is not limited to:

- Fingerprint background check pursuant to 935 CMR 500.101.
  - All employees will undergo a background check, and all employees (not limited to executives, owners, and management) will be required to complete the following forms:
    - CORI Authorization Form
    - IVES Form 4506-T
    - Disclosure and Acknowledgment Form
    - Release Authorization Form
- Digital identity investigation of all public profiles and public information
- Risk assessment

We believe that our personnel is the most important factor in running not only a compliant and efficient business, but also in guaranteeing the safety and security of our product and premises.

- a. Criminal and character background checks: Any potential employee found to have any record of criminal activity, fraudulent or dishonest behavior will be disqualified from employment—this disqualification is non negotiable.
  - b. References: All potential employees will be required to provide a minimum of three professional references from previous employers. A Human Resource manager will directly contact these references and ask specific questions about the potential employee regarding:
    - i. General character
    - ii. Trustworthiness, including:
      1. Level of security clearance achieved
      2. Specific responsibilities reflecting trust in employee (for example-counting/handling cash, opening/closing shop, supervising other employees and/or inventory)
    - iii. Work habits
    - iv. Record of insubordination or deceit (if any)
    - v. Standing in the community
- 2) Once offered a position, employees will undergo an extensive onboarding process that will feature their acknowledgment and understanding of and assent to all of our company's security, safety, surveillance and diversion prevention protocols. This component of the onboarding process will serve to create a first and dominant impression

with the employee that these subjects are exceedingly serious and are a constant and uncompromising priority of company's.

### **Facility access**

Pursuant to 935 CMR 500.110(1)(d)-(e) and 935 CMR 500.110(4) all doors into and out of the facility and all doors into and out of different areas of the facility where different operations are conducted will be secured by commercial-grade automatically locking doors. The only means of opening these doors will be with an individualized swipe card that every employee is issued. Every employee will know that any movement they make into any room housing marijuana in any form, will be documented—making the prospect of diverting product and “getting away with it” a virtual impossibility.

- i. Employees will only be able to open the doors to the rooms in which they are specifically granted access, which will be only they rooms in which they are authorized to work.
  1. The security software will maintain a log of every instance a door is open and closed that includes:
    - a. The employee identification number of the employee who opened the door
    - b. The date/time
    - c. The number and location of the security camera with coverage of that door.

### **Zero tolerance policy**

Any and all incidents of security breach or product diversion will be treated with the following response:

- 1) Employment termination, effective immediately
- 2) Pursuit of all available legal recourse against employee (civil suits)
- 3) Complete cooperation with and encouragement of all prosecutorial options (criminal law)

## Record-keeping Procedures

Peak Limited's record-keeping policies and procedures are in strict compliance with all record-keeping requirements under 935 CMR 500.000 and are thoroughly described in written documentation entitled "Documents, Records Retention and Record-keeping Policies and Procedures". These policies and procedures, together with good record-keeping training (as part of agent onboarding and orientation training and also more detailed job specific training for those agents who keep records) and retraining, ensure accurate, written, inspectable records, documents and record-keeping procedures in compliance with 935 CMR 500.000, in particular compliance with 935 CMR 500.105(1), (8) and (9), and also in compliance with good accounting and manufacturing standards and practices, and further in compliance with employee privacy laws.

Peak Limited's Director of Security & Inventory is responsible for compliance with the company's record-keeping policies and procedures and shares responsibility with the company's attorney (from start-up) and its expected Compliance Director (expected position at full-scale operations) for keeping current with any new record-keeping compliance rules and directives of the Cannabis Control Commission.

The Director of Security & Inventory is responsible for maintaining the security of and safeguarding all the company's valuable documents, records and items including

- operating policies and procedures documents,
- security records including visitor logs, security camera recordings, security daily rounds and inspection records, motor vehicle driver's logs, GPS logs, and service records,
- required licenses and certificates,
- minutes of important meetings, such as the meetings of the Board of Directors and the meetings of Peak Limited's committees,
- communications with government agencies,
- email records,
- records of internal, independent and governmental audits and inspections including the results of financial, security, inventory, quality, facilities, human resources and regulatory audits and inspections,
- shipping, receiving and inventory records including inventories of all goods and equipment subject to Peak Limited's chain of custody protocols, transportation and carriage records, such as, for example, manifests, waybills and bills of lading, including

all incoming and outgoing marijuana transportation manifests, and all waste storage, disposal and recycling records and waste shipping manifests including those specified under 935 CMR 500.105 (12) and witness documentation under 935 CMR 500.105 (12) (d),

- business and financial records including those specified under 935 CMR 500.105 (9) (e), commercial invoices, purchase orders, payroll, and receipts,
- production records for every batch made or attempted including Production Batch Tickets, Product Development Batch Tickets, cleaning, sanitization and disinfection records, batch-making procedures, equipment settings and conditions, in-process control analytics records, and product packaging and labels records,
- quality control (QC) records including daily, monthly, quarterly and yearly QC rounds and inspection records, records of Independent Testing Lab results for every marijuana precursor to a Production Batch and for the marijuana products manufactured, equipment installation, configuration, inspection and service records and logs, records of acceptance for goods and equipment subject to Peak Limited's chain of custody protocols and the specification criteria for these, records of release for all products manufactured and the specification criteria for these, facilities and equipment commissioning records, maintenance and facilities records, and retained product samples,
- human resources policies, staffing plans, job descriptions, training records and personnel files, background search results, and related materials including those specified under 935 CMR 500.105 (9) (d) and also including personnel occupational health and safety (e.g., respirator fit test) records, and further including other training records such as Responsible Vendor Training records specified in 500.105 (2)(b)(5), also including records of job-specific training, and OSHA 300/301 reports and logs, and
- environment, health and safety (EHS) records including the slides and attendance records of the monthly hazard communication, Right to know and security communication meetings, weekly and monthly safety inspection records, indoor/outdoor environmental testing records, industrial hygiene records including fume hood testing records, and Safety Data Sheets (formerly known as Material Safety Data Sheets),

as described in the "Documents, Records Retention and Recordkeeping Policies and Procedures" operations document which is in strict compliance with the record-keeping requirements under 935 CMR 500.000. The Director of Security & Inventory regularly audits the company's records and record-keeping systems to ensure the company operates in a manner consistent with its records retention and record-keeping policies and reports their findings to the company's General Manager.

Additional details associated with these records and record-keeping procedures are given in other sections of this application, in particular the Methods to Produce Products, Inventory Procedures, Qualifications and Training, and QC and Testing sections.

### **Record-keeping Systems, Privacy and Security.**

Peak Limited's policies and procedures documents will be managed within commercial document management software having legal hold, versioning/revision history, audit log, strong security and file retention (back-up and archiving) features.

Also, the company will install and operate a secure commercial, electronic Real-time Inventory or Seed to Sale Tracking system, as described under 935 CMR 500.000, that fully integrates and communicates with the Cannabis Control Commission's reporting and compliance system.

The company will keep on hand assignable, sequentially numbered, hardcover, bound record-books to assign to specific agents should electronic systems fail due to unforeseen circumstances and also for the keeping of certain records, such as, for example, production records, product development records and equipment maintenance and log books.

The company expects to install and operate other specialized commercial software for record-keeping and business management purposes including purchasing and inventory management software for ordering, inventorying and tracking goods (and not used in any way as a replacement for the required electronic Real-time Inventory or Seed to Sale Tracking system), work order and requisitioning software, Safety Data Sheet management software with fire code reporting features, timecard software, and payroll and accounting software.

Peak Limited's Director of Security & Inventory is additionally responsible for maintaining the security of and safeguarding all of the equipment and devices that store and process the company's valuable documents and records, such as computers, servers, inventory scanners, freezers (that store small samples of retained products which are also considered valuable records), fire-rated safes and fire-rated, locked, file cabinets, and the records/data they contain, and all communications equipment (Internet, telephony, etc.).

Also specified within the company's "Documents, Records Retention and Record-keeping Policies and Procedures" are policies and procedures that protect the privacy of the company's agents. The private personal, health and other confidential information and records of Peak Limited's agents is stamped, tagged or filed as "PRIVATE" and kept secure and separate from other records. For example, if the information is in electronic form it is stored encrypted and, for example, if the information is in a tangible form it is kept in an independent, fire-rated, locked, file cabinet. Peak Limited's Human Resources Manager and its Director of Security & Inventory are designated as the company's privacy officials who determine who may view agent's private information based on a deliberative, rules-based process. As part of their employment with the company, the Human Resources Manager and Director of Security & Inventory are required to sign an agreement promising not to disclose the private information of employees to any other person or party.

The company's valuable document and records are normally kept in the Control Room (safe and file cabinets) and in the Marijuana Cold Storage Vault Room (retained samples) of the Services Level (**Figure 11**) when they are not being used. The IT Closet houses servers, Internet hubs, telecom equipment, security camera equipment and recorder and other sensor/alarm equipment. While the entire establishment shown in **Figures 10-13** is a secure, controlled access facility, these rooms and closets are specialized for anti-intrusion and anti-theft, always locked, reinforced, monitored, and access strictly limited and controlled. As explained in the Business Plan, Staffing and Site Plans section of this application, the security plan and layouts shown in **Figures 10-13** are provisional and will be finalized by Town of Georgetown authorities at the completion of construction.

FIGURE 10. Peak Limited Security Plan (aerial view, 1/4).

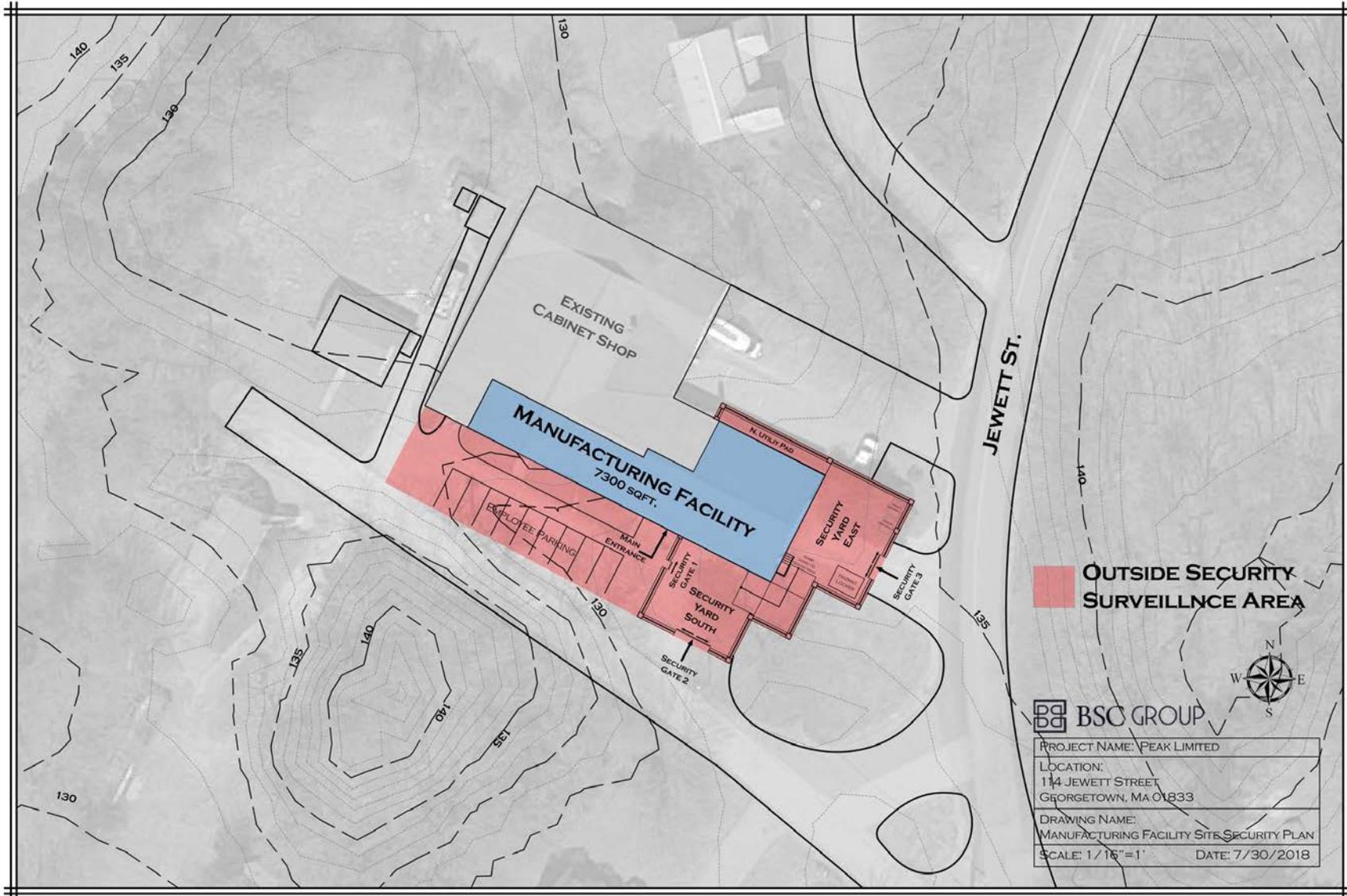


FIGURE 11. Peak Limited Security Plan (Services Level, 2/4).

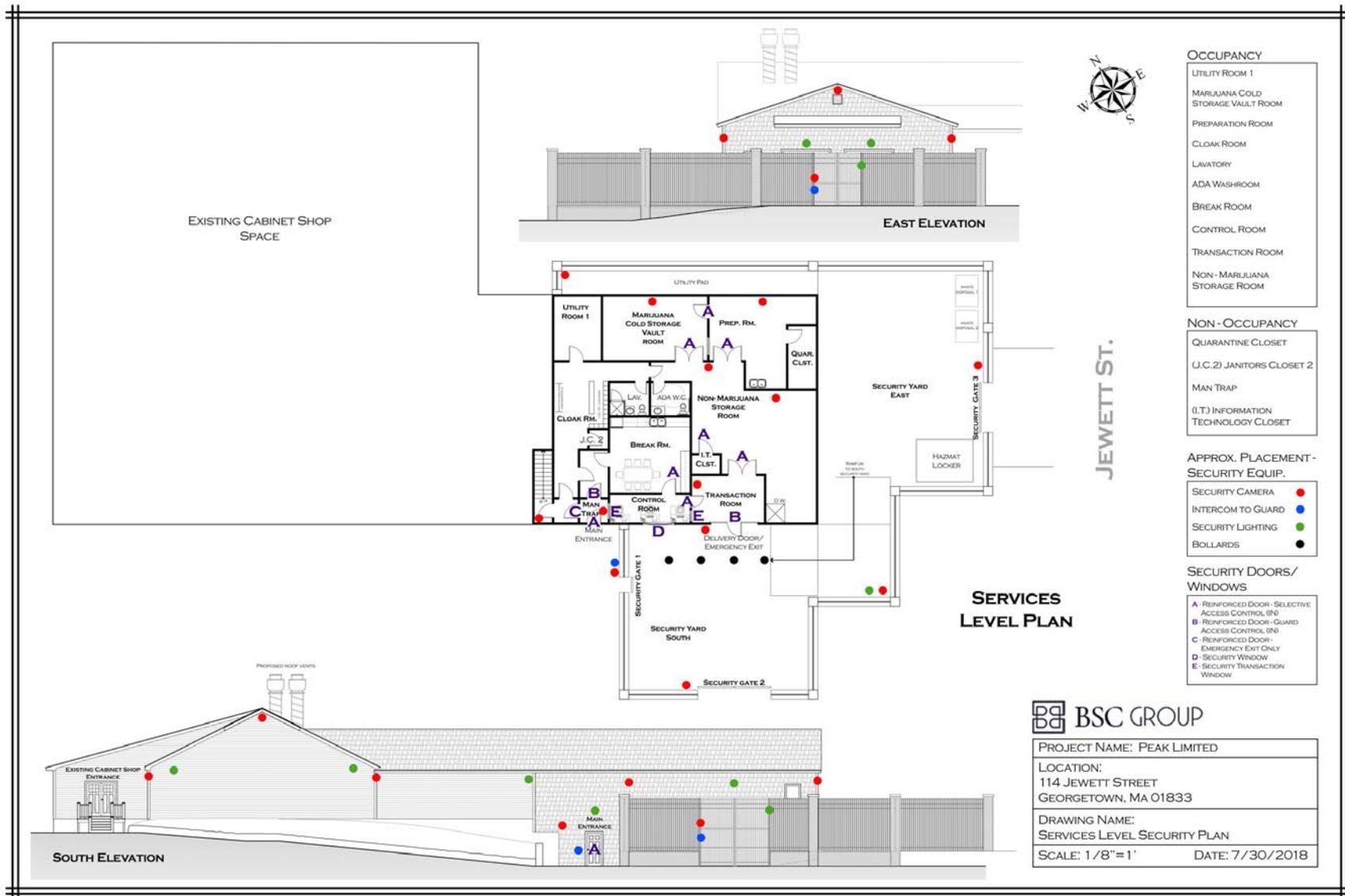


FIGURE 12. Peak Limited Security Plan (Production Level, 3/4).

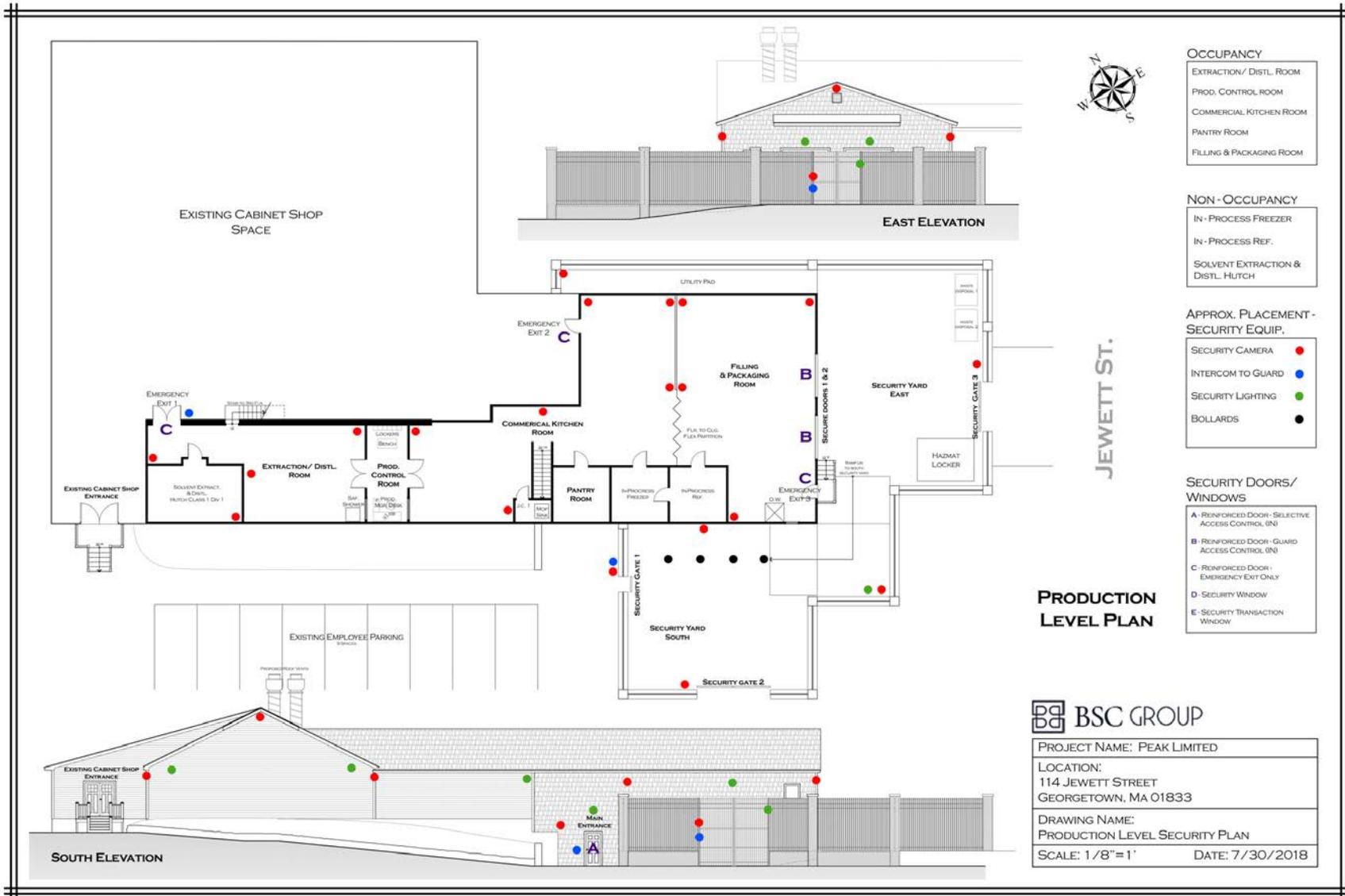
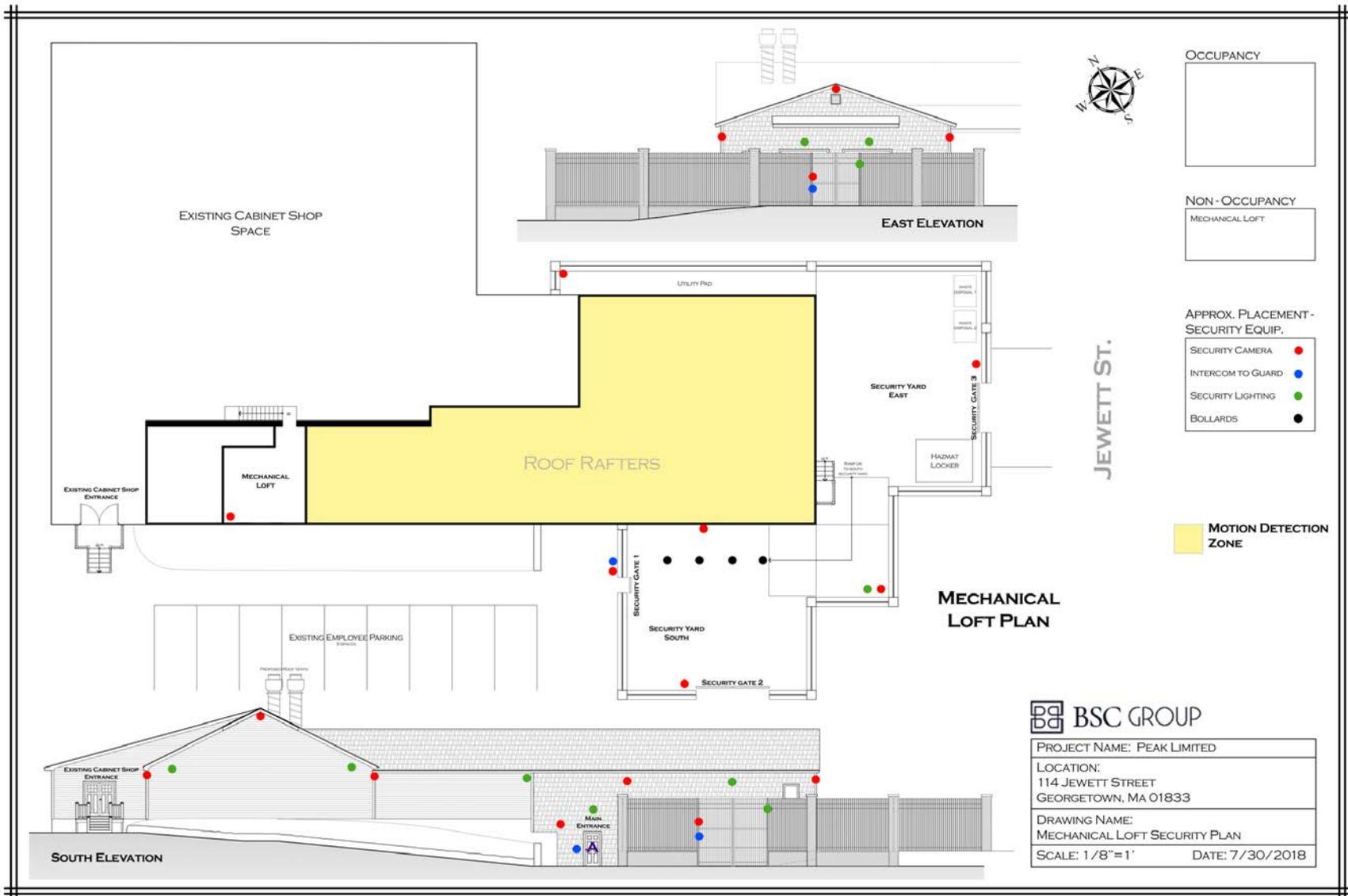


FIGURE 13. Peak Limited Security Plan (Mechanical Loft Level, 4/4).



## Qualifications & Training

### **General Qualifications.**

All of Peak Limited's board members, directors, executives, managers, employees, and volunteers will be approved and granted cards as marijuana establishment agents associated with its establishment by the Massachusetts Cannabis Control Commission in accordance with 935 CMR 500.000: Adult Use Of Marijuana (MA Reg. #1361, Dated 3-23-18), in particular Sections

500.030: Registration of Marijuana Establishment Agents;

500.031: Denial of a Registration Card;

500.032: Revocation of a Marijuana Establishment Agent Registration Card;

500.033: Void Registration Cards;

500.800: Background Check Suitability Standard for Licensure and Registration; and

500.802: Suitability Standard for Registration as a Marijuana Establishment Agent.

Because Peak Limited's management is applying for a Marijuana Product Manufacturer license type then its marijuana establishment agents will only be allowed to perform work consistent with the product manufacturing license: "to obtain, manufacture, process and package cannabis or marijuana products and to transfer these products to other Marijuana Establishments, but not to consumers", as quoted under 935 CMR 500.002: Definitions.

### **Qualifications and Professional Credential Requirements for director, manager and certain professional agents.**

As discussed in the Business Plan, Staffing and Site Plans section of this application, Peak Limited will take a phased approach to staffing. Staffing/organization charts are given in **Figure 1** (at start of commercial operations) and **Figure 2** (expected at full-scale commercial operations).

Agents having multiple titles at the start of commercial operations, or really any manager agents of Peak Limited, will have access to professional service providers, such as an attorney to advise on compliance, a human resources and accounting professional to advise on these matters, and engineering, scientific and medical professionals to advise on occupational safety, sanitation, industrial hygiene, QC, and processing matters. These advisors may, from time to time be admitted to the manufacturing establishment to advise, and if so they will be classified as visitors and be under the constant escort of a Peak Limited agent. Importantly, these services providers sign a confidentiality agreement promising to keep all of Peak Limited's business and employee information as confidential information and their work products are retained and secured within Peak Limited's manufacturing establishment or on secure servers under Peak Limited's control (also see Record-keeping section of this application).

Manager and certain professional agents' responsibilities are summarized in **Table 2**. Additional responsibilities and duties for these and other agents are discussed in other sections of this application. Full job description records can be found in every agent's human resources file.

Qualifications (in addition the general qualifications to become an agent) and Professional Credential Requirements for management and certain professional agents are summarized in **Table 3**.

### **Agent Training and/or Certification Requirements.**

Peak Limited's policies and procedures associated with qualifications and training are directed by its Employee Training Committee, organized as shown in **Figure 17**, and are formulated to comply with all training and certification requirements and specifications under 935 CMR 500.000 as well as compliance standards of other regulatory agencies such as the MassDEP, MassDPH, US DOT, US EPA and US OSHA.

Training and/or certification requirements for Peak Limited marijuana establishment agents and persons authorized as visitors are given in **Table 4**.

Peak Limited's documented "Onboarding and Orientation Training Program" listed in **Table 4** is a first training program for its new hire agents, not intended to take the place of other required training but to equip and empower the new hire agent with the fundamentals to make the right decisions from the first day of employment and not to feel overwhelmed in order to ensure personal safety, product safety, security and their successful employment. For example, in the Onboarding and Orientation Training Program the new hire agent is

- shown the company's organization chart and formally introduced to their coworkers, safety buddy, supervisor and director level manager;
- explained the mechanisms by which corporate decisions are made and how Peak Limited's management committees are organized (see, for example, **Figures 17 and 18**);
- trained in Peak Limited's workplace policies and procedures including the policy for immediate dismissal, the payroll, benefits, grievance, reprimand and alcohol, drug and smoke-free workplace policies, the company's environment, health and safety (EHS) policies, including the chemical hygiene plan, rules for waste disposal, the meaning of building alarms and how to respond, the emergency evacuation plan (see **Figures 7-9**), and the emergency response procedure, the confidential information policy, the documents, records retention and record-keeping policies and procedures, the employee's Right to know protections and how to access Safety Data Sheets (SDSs), the location of the Massachusetts and Federal labor laws poster, the company's corporate security, marijuana anti-diversion, and crime prevention techniques policies; and
- issued their identification badge and any computer account, door access codes, keys and combinations

and, the new hire agent's supervisor carefully explains their specific job expectations and responsibilities, gives the new hire a commentary safety and security tour of the entire facility, assists the new hire to select the appropriate personal and product protective workwear and other

equipment and tools, and trains the new hire to properly, professionally, successfully and safely do their job.

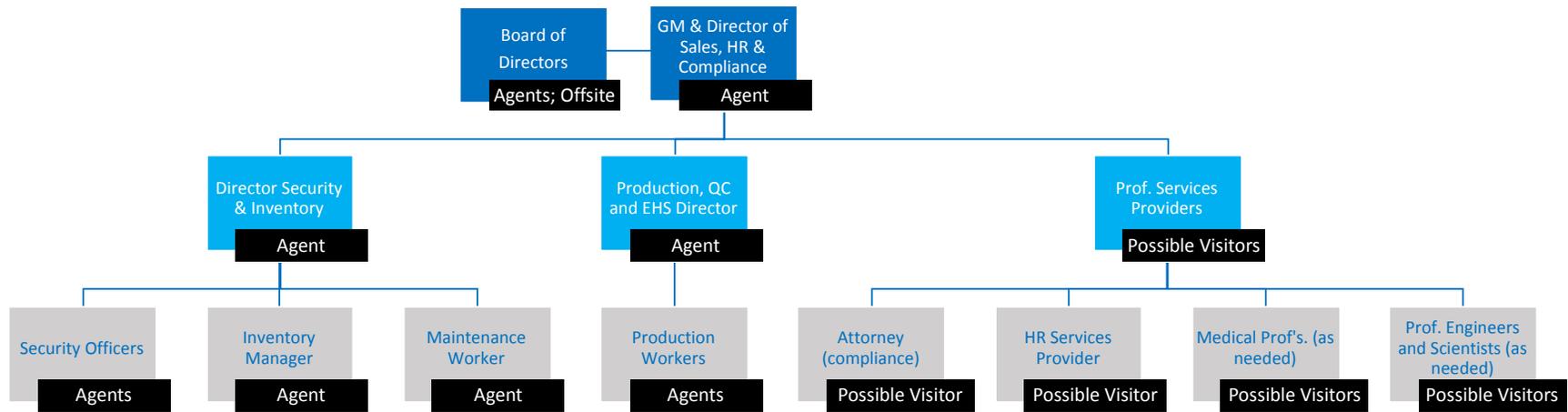
Records of these activities are documented and kept in the employee's human resources file.

Peak Limited's documented "Environment, Health, Safety & Security (EHS&S) Policy and Rules for Visitors" referred to in **Table 4** defines clear rules and procedures for visitors to the manufacturing establishment and their Peak Limited agent escorts in order to ensure security, facilities protection, personal protective safety, product safety and environmental protection. This is considered training for both the visitor and the agent escort because the visitor must be made aware of Peak Limited's policies before they arrive to the manufacturing establishment to do their work. In some cases, for example when the visitor is a contractor planning installation or remodeling work, the policies need to be communicated weeks in advance. Peak Limited's Director of Security and Inventory is the decision-making authority on all matters pertaining to visitor access.

Three training services providers have expressed an interest in assisting Peak Limited with its training needs and these are Bluefin Consultants of Cambridge, MA (expertise: sanitation), Lach Training & Consulting of Lexington, MA (expertise: organizational development), and the Institute for Environmental Education of Wilmington, MA (expertise: OSHA and hazardous waste).

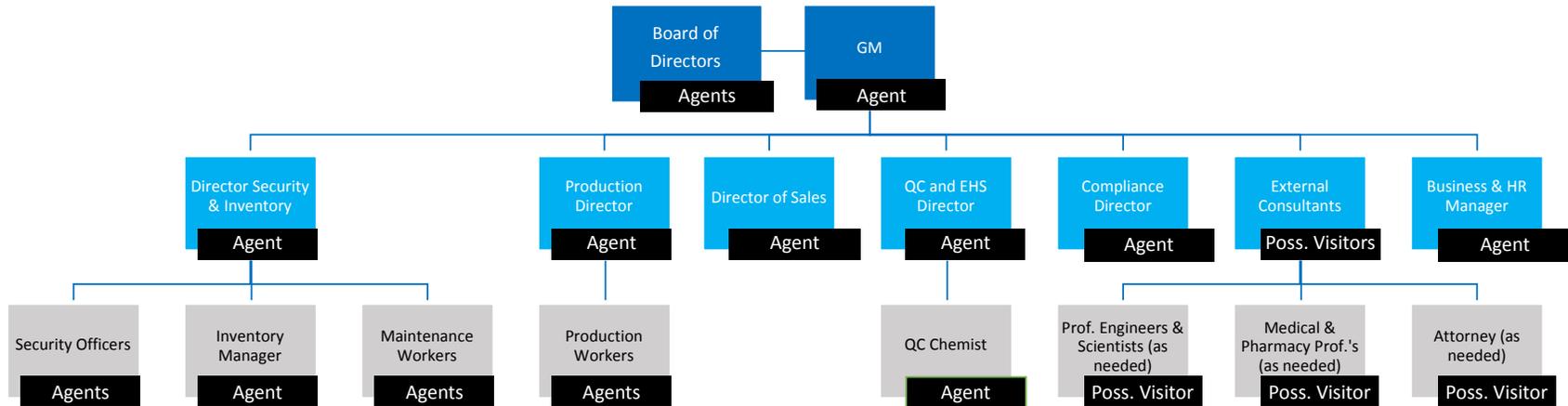
Peak Limited hopes to initiate an employee development program that will assist all of its employees reach their education, training and certification goals that are consistent with its business area.

FIGURE 1. Organization Chart at Start of Operations.



Employees (FTE)	Administrative	Production, QC & EHS Departments	Security & Inventory Dept.
Exempt	1	1	2
Non Exempt	-	4	3.2

FIGURE 2. Anticipated Organization Chart at Full-Scale Operations.



Employees (FTE)	Administrative	Production Dept.	Security & Inventory Dept.	QC & EHS Department
<b>Exempt</b>	4	1	2	2
<b>Non Exempt</b>	-	Up to 14/shift	4.2	-

Table 2. Summary of manager and certain professional agents' responsibilities.

Agent	Summary of Responsibilities
<p>General Manager (GM) &amp; Director of Sales, HR and Compliance (position at start of commercial operations)</p>	<p>Reports to Peak Limited's Board of Directors. Responsible for the faithful execution of all decisions and directives of Peak Limited's Board of Directors. Responsible for the company's operating profit and loss. Responsible for the company's compliance with all laws and regulations that the company is subject to. Responsible for the accuracy and finalization of all of the company's financial, security, inventory, quality, labor, waste, production and inventory records, audits and reports. Responsible for advancing the cannabis industry in Massachusetts. Responsible for participating in all of the company's committees it is assigned to.</p> <p>And, during the startup stage:</p> <p>Responsible for making certain the company's operations policies and procedures conform to all laws and regulations that the company is subject to and that the company's agents are following them.</p> <p>Responsible for the company's books, commercial and payroll transactions in accordance with the company's operating policies and procedures. Responsible for equal opportunity hiring of qualified personnel and training, rewarding, reprimanding and dismissing them in accordance with the company's operating policies and procedures.</p> <p>Responsible for ethically and compliantly conducting business sales transactions with the company's customers, including training and clarifying Peak Limited's terms of sale and product stewardship requirements and policies.</p>
<p>Director of Sales (anticipated position by full scale operations)</p>	<p>Reports to the General Manager. Responsible for ethically and compliantly conducting business sales transactions with the company's customers, including training and clarifying Peak Limited's terms of sale and product stewardship requirements and policies. Responsible for participating in all of the company's committees it is assigned to.</p>

Table 2 (CONTINUED). Summary of manager and certain professional agents' responsibilities.

<p>Business and Human Resources Manager (anticipated position by full scale operations)</p>	<p>Reports to the General Manager. Responsible for the company's books, commercial and payroll transactions in accordance with the company's operating policies and procedures. Responsible for equal opportunity hiring of qualified personnel and training, rewarding, reprimanding and dismissing them in accordance with the company's operating policies and procedures. Responsible for participating in all of the company's committees it is assigned to.</p>
<p>Compliance Director (anticipated position by full scale operations)</p>	<p>Reports to the General Manager. Responsible for making certain the company's operations policies and procedures conform to all laws and regulations that the company is subject to and that the company's agents are following them. Responsible for participating in all of the company's committees it is assigned to.</p>
<p>Director Security &amp; Inventory</p>	<p>Reports to the General Manager. Responsible for the strategic vision and day to day execution of the company's security, record-keeping, storage, shipping and receiving, transportation, and inventory operations policies and procedures. Responsible for conducting job-specific training of all direct and indirect reports in its department. Responsible for participating in all of the company's committees it is assigned to.</p>
<p>Production, QC and EHS Director (position at start of commercial operations)</p>	<p>Reports to the General Manager. Responsible for the strategic vision and faithful day to day execution of the company's production, EHS and quality operations policies and procedures. Responsible for conducting job-specific training of all direct and indirect reports in its departments. Responsible for participating in all of the company's committees it is assigned to.</p>
<p>Production Director (anticipated position by full scale operations)</p>	<p>Reports to the General Manager. Responsible for the strategic vision and faithful day to day execution of the company's production operations policies and procedures. Responsible for conducting job-specific training of all direct and indirect reports in its department. Responsible for participating in all of the company's committees it is assigned to.</p>
<p>QC and EHS Director (anticipated position by full scale operations)</p>	<p>Reports to the General Manager. Responsible for the strategic vision and faithful day to day execution of the company's EHS and quality operations policies and procedures. Responsible for conducting job-specific training of all direct and indirect reports in its department. Responsible for participating in all of the company's committees it is assigned to.</p>

Table 2 (CONTINUED). Summary of manager and certain professional agents' responsibilities.

<p>QC Chemist (anticipated position by full scale operations)</p>	<p>Reports to the QC and EHS Director. Responsible for the faithful day to day execution of the company's EHS and quality operations policies and procedures. Responsible for the safety and job performance compliance for all those agents assigned under its supervision. Responsible for participating in all of the company's committees it is assigned to.</p>
<p>Inventory Manager</p>	<p>Reports to the Director Security &amp; Inventory. Responsible for the faithful day to day execution of the company's record-keeping, storage, shipping and receiving, transportation, and inventory operations policies and procedures. Responsible for the safety and job performance compliance for all those agents assigned under its supervision. Responsible for participating in all of the company's committees it is assigned to.</p>

Table 3. Qualifications and Professional Credential Requirements for management and certain professional agents.

Agent	Qualifications at time of hire	Professional Credential (at time of hire or attainable)
General Manager (GM) & Director of Sales, HR and Compliance (position at start of commercial operations)	Bachelor's degree in science, engineering, business or management and at least 5 years management experience in a manufacturing industry.	None at time of hire; will assess future credentialing as part of employee's development plan.
Director of Sales (anticipated position by full scale operations)	Associate's degree and at least 3 years experience in sales or marketing (sales or marketing preferred degree; cannabis preferred industry).	None at time of hire; will assess future credentialing as part of employee's development plan.
Business and Human Resources Manager (anticipated position by full scale operations)	Associate's degree in business, information technology, accounting or a closely related field (Bachelor's degree preferred)	Professional credential in human resources (for exmpl., Associate Professional in Human Resources (aPHR™) from the HR Certification Institute or Society for Human Resources Management Certified Professional (SHRM-CP)) or makes continuous progress toward, and achieves credential within 3 years of hire.
Compliance Director (anticipated position by full scale operations)	Minimum Bachelor's degree (MS or JD degree preferred) and at least 3 years professional experience in a highly regulated industry or in a law firm.	None at time of hire; will assess future credentialing as part of employee's development plan.

Table 3 (CONTINUED). Qualifications and Professional Credential Requirements for management and certain professional agents.

Director Security & Inventory	Bachelor's degree in business administration, accounting, criminal justice, law enforcement, security or a closely related field.	Professional credential in a security related field (such as Certified Protection Professional (CPP®) by the American Society for Industrial Security or Certified Fraud Examiner (CFE®) by the Association of Certified Fraud Examiners) or achieves one of these credentials within 18 months of hire.
Production, QC and EHS Director (position at start of commercial operations)	Bachelor's degree in chemistry, microbiology, food science, chemical engineering or a closely related field.	Professional credential in <ul style="list-style-type: none"> <li>a) a safety or industrial hygiene related field (for example, Associate Safety Professional/Certified Safety Professional (ASP/CSP®) by the Board of Certified Safety Professionals, Certified Industrial Hygienist/Certified Associate Industrial Hygienist (CIH/CAIH) by the American Board of Industrial Hygiene) or achieves one of these credentials within 18 months of hire; and</li> <li>a) a food safety related field such as Certified Professional in Food Safety (CP-FS) by the National Environmental Health Association or achieves one of these credentials within 18 months of hire.</li> </ul>
Production Director (anticipated position by full scale operations)	Bachelor's degree in chemistry, microbiology, food science, chemical engineering or a closely related field (degree in food science or chemical engineering preferred)	Professional credential in a food safety related field such as Certified Professional in Food Safety (CP-FS) by the National Environmental Health Association or achieves one of these credentials within 18 months of hire.

Table 3 (CONTINUED). Qualifications and Professional Credential Requirements for management and certain professional agents.

<p>QC and EHS Director (anticipated position by full scale operations)</p>	<p>Bachelor's degree in chemistry, microbiology, food science, chemical engineering or a closely related field (degree in chemistry or microbiology preferred)</p>	<p>Professional credential in a safety or industrial hygiene related field (for example, Associate Safety Professional/Certified Safety Professional (ASP/CSP®) by the Board of Certified Safety Professionals, Certified Industrial Hygienist/Certified Associate Industrial Hygienist (CIH/CAIH) by the American Board of Industrial Hygiene) or achieves one of these credentials within 18 months of hire</p>
<p>QC Chemist (anticipated position by full scale operations)</p>	<p>Bachelor's degree in chemistry, biology, clinical laboratory science or a closely related field.</p>	<p>Professional credential in</p> <ul style="list-style-type: none"> <li>a) a safety or industrial hygiene related field (for example, Associate Safety Professional/Certified Safety Professional (ASP/CSP®) by the Board of Certified Safety Professionals, Certified Industrial Hygienist/Certified Associate Industrial Hygienist (CIH/CAIH) by the American Board of Industrial Hygiene) or achieves one of these credentials within 18 months of hire; OR</li> <li>b) a food safety related field such as Certified Professional in Food Safety (CP-FS) by the National Environmental Health Association or achieves one of these credentials within 18 months of hire.</li> </ul>
<p>Inventory Manager</p>	<p>Associate's degree in business, information technology, accounting, criminal justice, law enforcement, security or a closely related field.</p>	<p>Professional credential in a inventory or supply chain related field (for exmpl., APICS Certified in Production and Inventory Management (CPIM)) or makes continuous progress toward, and achieves credential within 4 years of hire.</p>

Table 4. Training and/or Certification Requirements.

Person(s)	Training and/or Certification
Every Peak Limited agent (all board members, directors, executives, managers, employees, and volunteers)	must successfully complete Responsible Vendor Training under 935 CMR 500.105(2)(b) prior to performing job functions by an education provider approved by the Massachusetts Cannabis Control Commission (on-going training: at a minimum, eight hours annually).
Every Peak Limited agent (excluding those board members who do not serve in an operations role)	<p>must</p> <ul style="list-style-type: none"> <li>a) successfully complete Peak Limited’s documented “Onboarding and Orientation Training Program” prior to performing job functions;</li> <li>b) successfully complete training in Peak Limited’s Real-time Inventory/Seed-to-sale Tracking system prior to performing any job function requiring its use;</li> <li>c) successfully complete an Occupational Safety 10-hr General Industry training course provided by an OSHA recognized training provider and supplemented with provisions that are unique to MA (MassDOS) prior to performing job functions;</li> <li>d) attend Peak Limited’s required monthly Environment, Health, Safety and Security Meeting including Hazard, Right to Know, HACCP, and Marijuana Security Communications (or review meeting materials in case of excused absence);</li> <li>e) successfully complete an Equality, Diversity and Inclusion training course within 90 days of hire (on-going training: at a minimum, six hours of on-going training annually);</li> <li>f) successfully complete a First Aid, CPR and AED training course approved by National Safety Council or equivalent premier organization within 120 days of hire unless they have a personal or religious objection to such as course;</li> <li>g) successfully complete a fire extinguisher and fire suppression systems training course provided by local fire department or competent trainer successfully within 120 days of hire.</li> </ul>

Table 4 (CONTINUED). Training and/or Certification Requirements.

<p>Every Peak Limited agent who operates a vehicle for the purpose of transporting marijuana products</p>	<p>must</p> <ul style="list-style-type: none"> <li>a) have a driver’s license in good standing issued by the Massachusetts Registry of Motor Vehicles endorsed for the class of vehicle they will operate prior to transporting marijuana products;</li> <li>b) successfully complete a defensive driving course, min 6-hr, with emphasis on pertinent MassDOT and MassDEP laws and rules approved by National Safety Council or equivalent premier organization, within 90 days of hire.</li> </ul>
<p>The at least one per shift, full-time Peak Limited manager agent named as Person in Charge Certified in Food Protection Management under 105 CMR 590.003</p>	<p>must, prior to the start of commercial operations,</p> <ul style="list-style-type: none"> <li>a) have completed a food protection management training program conducted by trainers who meet the recommended instructor qualification identified in the MassDPH “Massachusetts Guideline for Food Protection Manager Training Programs”, and who include in their training, the provisions of 105 CMR 590.000 that are unique to Massachusetts;</li> <li>b) have a unexpired certificate indicating a passing score on the Food Protection Manager Certification exam recognized in Massachusetts provided by ServSafe, Prometric, Learn2Serve, Nat. Reg. of Food Saf. Prof., or AboveTraining;</li> </ul> <p>and, must maintain the validity of their certificate by participating in on-going training and re-examination.</p>
<p>Every Peak Limited agent whose job includes contact with marijuana or nonedible marijuana products, including their direct line manager agent</p>	<p>is subject to the requirements for food handlers specified in 105 CMR 300.000: Reportable Diseases, Surveillance, and Isolation and Quarantine Requirements and must successfully complete a training course that informs and educates them of their obligations prior to performing job functions; said training course provided by an educator deemed qualified by MassDPH.</p>

Table 4 (CONTINUED). Training and/or Certification Requirements.

<p>Every Peak Limited agent working in direct contact with preparation of marijuana or nonedible marijuana products, including their direct line manager agent</p>	<p>a) is subject to the requirements for food handlers specified in 105 CMR 300.000: <b>Reportable Diseases, Surveillance, and Isolation and Quarantine Requirements</b> and must successfully complete a training course that informs and educates them of their obligations prior to performing job functions; said training course provided by an educator deemed qualified by MassDPH;</p> <p>b) must successfully complete a Food Handlers training course that includes or is supplemented with provisions of 105 CMR 590.000 and 105 CMR 500.000 and that are unique to Massachusetts prior to performing job functions; said training course provided by an educator deemed qualified by MassDPH.</p>
<p>The at least one Peak Limited manager agent who manages waste storage and waste ground shipping manifest preparation</p>	<p>must, prior to the start of commercial operations, successfully complete the appropriate managers level training required by the US EPA, MassDEP and US DOT (retraining: every 1 yr. (EPA), every 3 yrs. (DOT)).</p>
<p>Every Peak Limited agent performing waste handling tasks</p>	<p>must successfully complete the appropriate operations level employee training required by the US EPA, MassDEP and US DOT (retraining: every 1 yr. (EPA), every 3 yrs. (DOT)).</p>
<p>Every authorized visitor to Peak Limited’s manufacturing establishment</p>	<p>must, with respect to training, agree to abide by Peak Limited’s documented “Environment, Health, Safety &amp; Security (EHS&amp;S) Policy and Rules for Visitors” which is explained to them by their Peak Limited agent host and escort as part of the admission process to the establishment.</p>

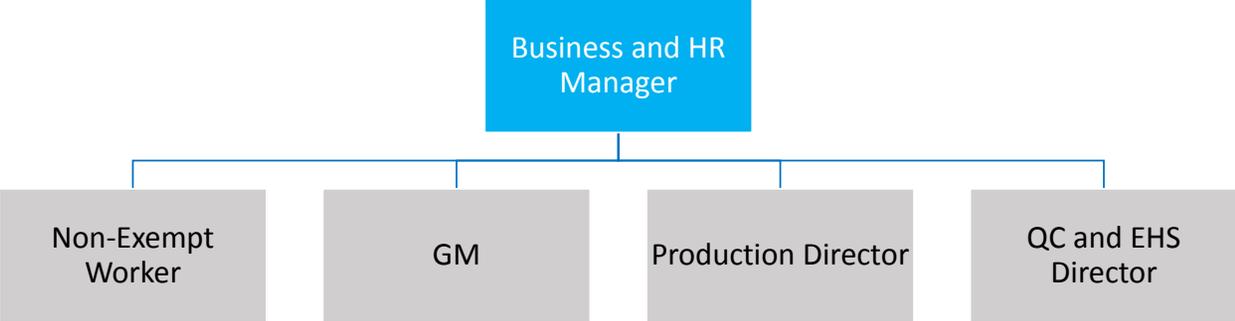


**Fig. 17. Employee Training Committee at Startup and Full Scale**

**At Startup**



**Full Scale**



**Fig. 18. Environment, Health, and Safety Committee**

**At Startup**



**Full Scale**

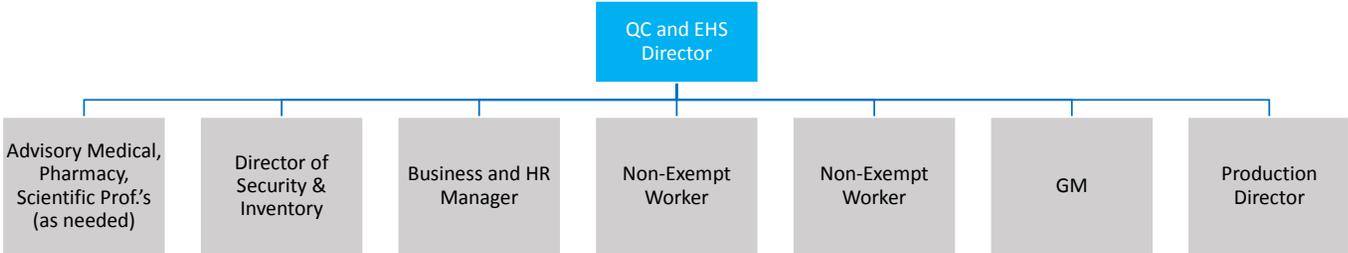


FIGURE 7. Peak Limited Emergency Evacuation Plan (aerial view, 1/3).

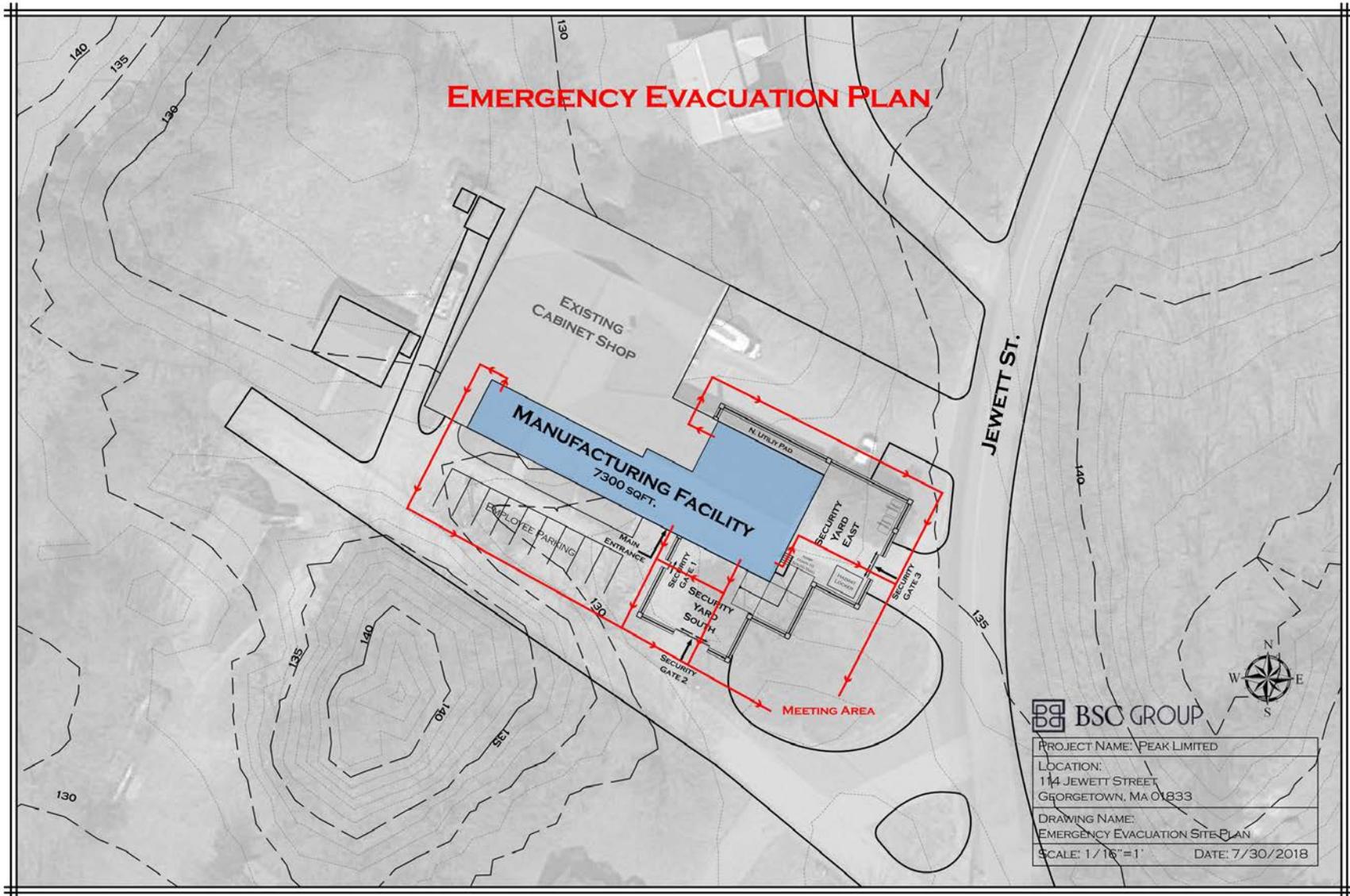


FIGURE 8. Peak Limited Emergency Evacuation Plan (Services Level, 2/3).

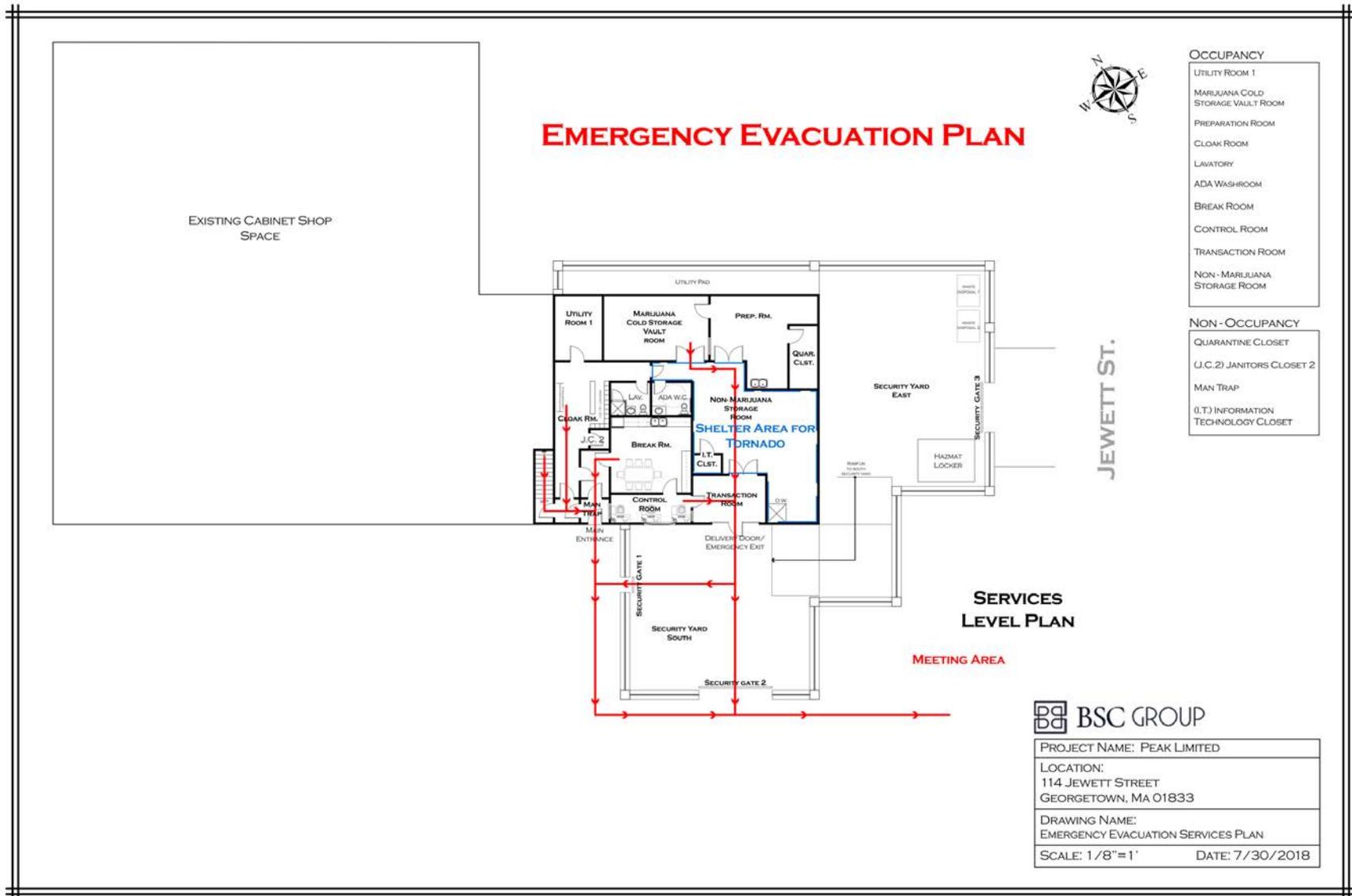


FIGURE 9. Peak Limited Emergency Evacuation Plan (Production Level, 3/3).

# EMERGENCY EVACUATION PLAN

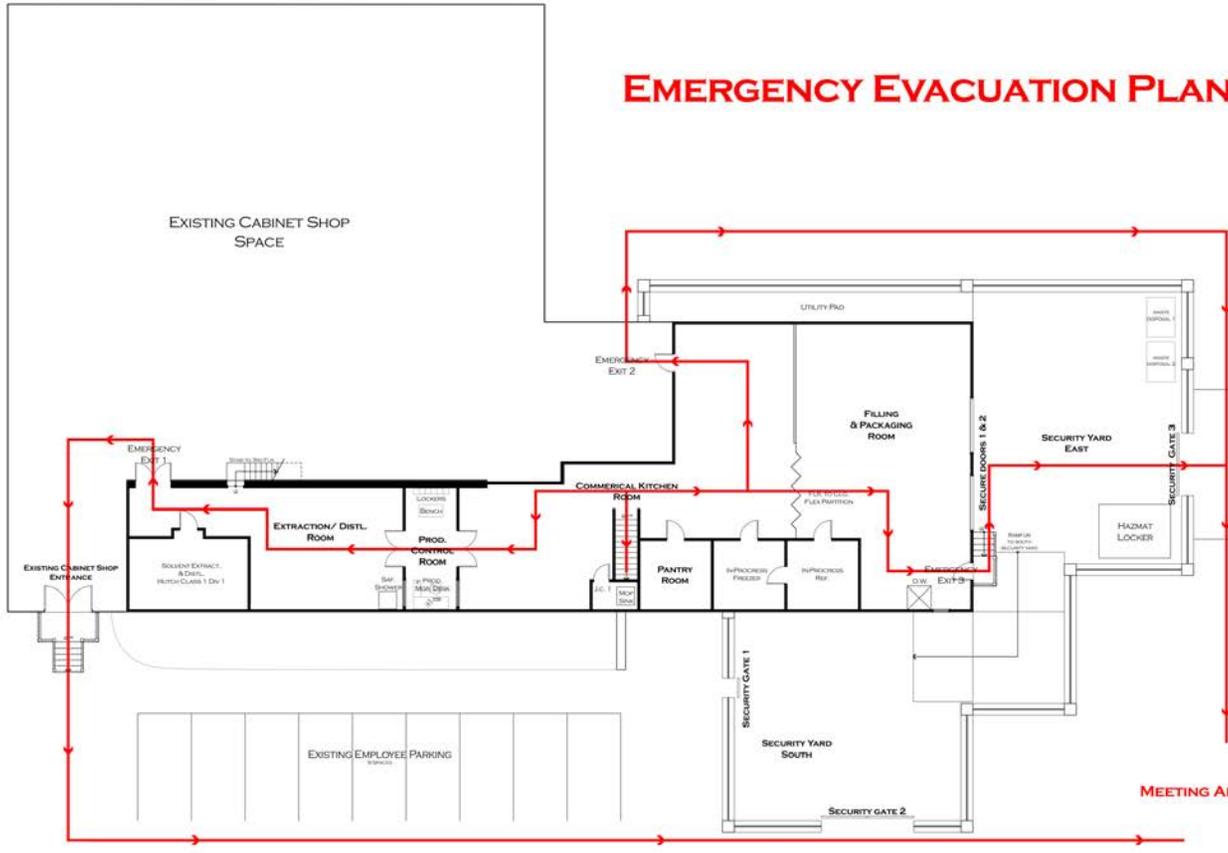


**OCCUPANCY**

- EXTRACTION/ DISTL. ROOM
- PROD. CONTROL ROOM
- COMMERCIAL KITCHEN ROOM
- PANTRY ROOM
- FILLING & PACKAGING ROOM

**NON - OCCUPANCY**

- IN - PROCESS FREEZER
- IN - PROCESS REF.
- SOLVENT EXTRACTION & DISTL. HUTCH



JEWETT ST.

**PRODUCTION LEVEL PLAN**



PROJECT NAME: PEAK LIMITED	
LOCATION: 114 JEWETT STREET GEORGETOWN, MA 01833	
DRAWING NAME: EMERGENCY EVACUATION PRODUCTION PLAN	
SCALE: 1/8" = 1'	DATE: 7/30/2018

## **Separating Medical products from Recreation products**

This application is exclusively for a license to operate a recreational marijuana manufacturing facility under 935 CMR 500.000 *et al.*, “Adult Use of Marijuana”, and all application materials and operations will comply with all rules and regulations found therein. Because there will be no medical marijuana products at the facility whatsoever under 105 CMR 725.000 *et al.*, “Implementation of an Act for the Humanitarian Medical Use of Marijuana”, this section regarding the separation of medical from recreational marijuana products is not applicable to this application.

### **Maintaining of Financial Records:**

Peak Limited LLC (the “**Company**”) shall keep and maintain records of the Marijuana Establishment in accordance with generally accepted accounting principles. Such records shall be available for inspection by the Commission, upon request and shall include, but not be limited to, all financial records required in any section of 935 CMR 500.000, and business records, in accordance with 935 CMR 500.105(e), which shall include manual or computerized records of:

1. Assets and liabilities;
2. Monetary transactions;
3. Books of accounts, which shall include journals, ledgers, and supporting documents, agreements, checks, invoices, and vouchers;
4. Sales records including the quantity, form, and cost of marijuana products; and
5. Salary and wages paid to each employee, stipend paid to each board member, and any executive compensation, bonus, benefit, or item of value paid to any individual affiliated with a Marijuana Establishment, including members of the nonprofit corporation, if any.

Furthermore, consistent with the Company’s *Dispensing Policy*, the Company shall implement the following policies for Recording Sales

1. The Company shall utilize a point-of-sale (“**POS**”) system approved by the Commission, in consultation with the Massachusetts Department of Revenue (“**DOR**”).
2. The Company may also utilize a sales recording module approved by the DOR.
3. The Company shall not utilize any software or other methods to manipulate or alter sales data at any time or under any circumstances.
4. The Company shall conduct a monthly analysis of its equipment and sales data to determine that no software has been installed that could be utilized to manipulate or alter sales data and that no other methodology has been employed to manipulate or alter sales data. The Company shall maintain records that it has performed the monthly analysis and produce it upon request to the Commission. If the Company determines that software has been installed for the purpose of manipulation or alteration of sales data or other methods have been utilized to manipulate or alter sales data:
  - a. it shall immediately disclose the information to the Commission;
  - b. it shall cooperate with the Commission in any investigation regarding manipulation or alteration of sales data; and
  - c. take such other action directed by the Commission to comply with 935 CMR 500.105.
5. The Company shall comply with 830 CMR 62C.25.1: Record Retention and DOR Directive 16-1 regarding recordkeeping requirements.
6. The Company shall adopt separate accounting practices at the POS for marijuana and marijuana product sales, and non-marijuana sales.
7. The Company shall allow the Commission and the DOR audit and examine the POS system used by a retailer in order to ensure compliance with Massachusetts tax laws and 935 CMR 500.000;

Following closure of a Marijuana Establishment, the Company shall keep all records for at least two years at the Company's expense and in a form and location acceptable to the Commission.

This policy may also be referred to by the Company as the “**Financial Record Maintenance and Retention Policy**”.

The Company will keep diligent and detailed records of all transactions and information related to company finances and sales. The Company will design all financial recordkeeping procedures pursuant to 935 CMR 500.101(1)(c)(7)(j), (2)(e)(8)(j); 830 CMR 62C.25.1 “Record Retention”; and DOR Directive 16-1 “Recordkeeping Requirements for Sales and Use Tax Vendors Utilizing Point of Sale (POS) Systems”.

1. All documents related to any transactions made by the business will be maintained in both digital and hard copy on the premises.
  - a. All hard copy records will be scanned to a digital “Financial Records” folder and will then be physically filed in our “Financial Records” filing cabinet in the back offices.
  - b. Such transactional record shall include:
    - i. Receipts from all payments made by the business for (and any contracts that may be in place related to) such goods and services as:
      1. Input supplies for conducting manufacturing operations
      2. Equipment for manufacturing operations
      3. Tools, supplies, parts for manufacturing
      4. Repair, maintenance, landscape services
      5. Utilities
      6. Payroll
        - a. Broken down by position
      7. Advertisements, including both:
        - a. The actual advertisement, and
        - b. The receipt or contract from the advertiser
      8. Packaging and labelling supplies
      9. Computer/technology/internet services and equipment
      10. Security systems, including
        - a. Alarms
        - b. Surveillance cameras and monitoring services
        - c. In-person security
        - d. Armed vehicle transport
    - ii. Receipts from all payments made to the business from vendors for manufactured products, and any contracts that may be in place related to such purchasing agreements.
  - c. All tax records for
    - i. Local, county, state, federal
    - ii. Sales, excise, real estate, etc
  - d. All banking records, including
    - i. Banks doing business with
    - ii. Accounts and account numbers

- iii. Bank fees and interest rates
  - e. All other accounting records, including
    - i. Pro formas
    - ii. P&L statements and projections
    - iii. Records of all activity in Quickbooks
- 2. All physical and digital records will be kept in easily readable/understandable/reproducible format.
- 3. All inventory tracking system records will be maintained digitally
- 4. All records of any financial or tax audits conducted either
  - a. Internally, or
  - b. Externally by
    - i. A private third party, or
    - ii. A government agency

## **Quality Control and Testing for Contaminants**

### **Testing of Marijuana**

Peak Limited LLC (the “**Company**”) shall not sell or otherwise market for adult use any marijuana product, including marijuana, that is not capable of being tested by Independent Testing Laboratories, except as allowed under 935 CMR 500.000.

The Company shall engage an Independent Testing Laboratory to test its marijuana products in compliance with the *Protocol for Sampling and Analysis of Finished Medical Marijuana Products and Marijuana-infused Products*, as amended in November, 2016, published by the DPH and to test its environmental media (e.g., soils, solid growing media, and water) in compliance with the *Protocol for Sampling and Analysis of Environmental Media for Massachusetts Registered Medical Marijuana Dispensaries* published by the DPH.

The Company shall test for contaminants as specified and required by the Commission, including but not limited to mold, mildew, heavy metals, plant-growth regulators, and the presence of pesticides not approved for use on marijuana by the Massachusetts Department of Agricultural Resources.

The Company shall notify the Commission within seventy-two (72) hours of receipt in writing of any laboratory testing results indicating that the marijuana or marijuana products contaminant levels are above acceptable limits established in the DPH protocols identified in 935 CMR 500.160(1) that contamination cannot be remediated, an must be disposed of. The notification from the Company shall describe a proposed plan of action for both the destruction of the contaminated product and the assessment of the source of contamination. The Company shall ensure that notification come from both the Marijuana Establishment and the Independent Testing Laboratory, separately and directly.

The Company shall maintain the results of all testing for no less than one year.

All transportation of marijuana to and from Independent Testing Laboratories providing marijuana testing services shall comply with the Company’s Transportation Policy and 935 CMR 500.105(13).

All excess marijuana shall be disposed of in compliance with the Company’s Disposal Policy and 935 CMR 500.105(12), either by the Independent Testing Laboratory returning excess marijuana to the source Marijuana Establishment for disposal or by the Independent Testing Laboratory disposing of it directly.

### **Handling of Marijuana**

The Company shall handle and process in a safe and sanitary manner. The Company shall implement the following policies:

(a) The Company shall process the leaves and flowers of the female marijuana plant only, which shall be:

1. Well cured and generally free of seeds and stems;
2. Free of dirt, sand, debris, and other foreign matter;
3. Free of contamination by mold, rot, other fungus, and bacterial diseases;
4. Prepared and handled on food-grade stainless steel tables; and
5. Packaged in a secure area.

(b) The Company shall comply with the following sanitary requirements:

1. Any marijuana establishment agent whose job includes contact with marijuana or nonedible marijuana products, including cultivation, production, or packaging shall comply with the requirements for food handlers specified in 105 CMR 300.000: Reportable Diseases, Surveillance, and Isolation and Quarantine Requirements;
2. Any marijuana establishment agent working in direct contact with preparation of marijuana or nonedible marijuana products shall conform to sanitary practices while on duty, including:
  - a. Maintaining adequate personal cleanliness; and
  - b. Washing hands thoroughly in an adequate hand-washing area before starting work, and at any other time when hands may have become soiled or contaminated.
3. The Company shall supply adequate and convenient hand-washing facilities furnished with running water at a suitable temperature. Hand-washing facilities shall be located in the Marijuana Establishment in production areas and where good sanitary practices require employees to wash and sanitize their hands, and shall provide effective hand-cleaning and sanitizing preparations and sanitary towel service or suitable drying devices;
4. The Company shall supply sufficient space for placement of equipment and storage of materials as is necessary for the maintenance of sanitary operations;
5. Litter and waste shall be properly removed, disposed of so as to minimize the development of odor and minimize the potential for the waste attracting and harboring pests. The operating systems for waste disposal shall be maintained in an adequate manner pursuant to 935 CMR 500.105(12);
6. Floors, walls, and ceilings shall be constructed in such a manner that they may be adequately kept clean and in good repair;
7. The Company shall ensure that there will be adequate safety lighting in all processing and storage areas, as well as areas where equipment or utensils are cleaned;
8. Buildings, fixtures, and other physical facilities shall be maintained in a sanitary condition;
9. All contact surfaces, including utensils and equipment, shall be maintained in a clean and sanitary condition. Such surfaces shall be cleaned and sanitized as frequently as necessary to protect against contamination, using a sanitizing agent registered by the US Environmental Protection Agency (EPA), in accordance with labeled instructions.

Equipment and utensils shall be so designed and of such material and workmanship as to be adequately cleanable;

10. All toxic items shall be identified, held, and stored in a manner that protects against contamination of marijuana products;
11. The Company's water supply shall be sufficient for necessary operations. Any private water source shall be capable of providing a safe, potable, and adequate supply of water to meet the Marijuana Establishment's needs;
12. Plumbing shall be of adequate size and design, and adequately installed and maintained to carry sufficient quantities of water to required locations throughout the Marijuana Establishment. Plumbing shall properly convey sewage and liquid disposable waste from the Marijuana Establishment. There shall be no cross-connections between the potable and wastewater lines;
13. The Company shall provide its employees with adequate, readily accessible toilet facilities that are maintained in a sanitary condition and in good repair;
14. Products that can support the rapid growth of undesirable microorganisms shall be held in a manner that prevents the growth of these microorganisms; and
15. Storage and transportation of finished products shall be under conditions that will protect them against physical, chemical, and microbial contamination as well as against deterioration of finished products or their containers.
16. All vehicles and transportation equipment used in the transportation of marijuana products or edibles requiring temperature control for safety must be designed, maintained, and equipped as necessary to provide adequate temperature control to prevent the marijuana products or edibles from becoming unsafe during transportation, consistent with applicable requirements pursuant to 21 CFR 1.908(c).

(c) The Company shall comply with sanitary requirements. All edible products shall be prepared, handled, and stored in compliance with the sanitation requirements in 105 CMR 590.000: Minimum Sanitation Standards for Food Establishments.

Peak Limited's quality control policies and procedures, including policies and procedures for the testing of its products for potential contaminants, are described in the company's written operations document entitled "Quality Control (QC) Policies and Procedures". Good QC practices go hand in hand with good environment, health and safety (EHS) practices, and Peak Limited's policies and procedures pertaining to EHS are described in the written operations document entitled "Environment, Health and Safety (EHS) Policies and Procedures" which includes the company's "Chemical Hygiene Plan", "Waste Disposal Plan", "Emergency Response Plan" and "Emergency Evacuation and Shelter Plan".

Peak Limited's Production, QC and EHS Director (from start-up) and its expected QC and EHS Director (at full scale operations) is responsible for complying with the company's QC and EHS policies and procedures and shares responsibility with the company's attorney (from start-up) and its expected Compliance Director (expected position at full-scale operations) for keeping current with any new quality, including contaminant testing and sanitation compliance, rules and directives of the Cannabis Control Commission and the MassDPH as well as keeping current with new workplace and occupational safety, environmental compliance and waste

disposal rules and directives of the Cannabis Control Commission, MassDEP and other departments and agencies of the Commonwealth.

An expected position at full-scale operations is the QC Chemist, who will report to, and be trained for its job by, the QC and EHS Director. Additional remarks about the QC Chemist position are given in the Qualifications and Training section of this application.

As a summary, Peak Limited's QC policies and procedures ensure that the company's products (labeled, tamper and child resistant packaged marijuana products), and the company's

- processes and specifications used to make these products,
- facilities, including the design and fixtures, where these products are made,
- processing equipment and wares used to make these products,
- ingredients, precursors, additives, processing aids and materials, direct- or indirect-product contacting, used to make these products, and
- workforce employed to make these products and to maintain and sanitize the facilities and equipment,
- processes and specifications used for storing (warehousing) and transporting these products, and
- directions for the retail shelf storage/merchandising of these products are all proper and in compliance with the company's own internal requirements (e.g., specifications, acceptance and release criteria), the specifications and requirements under the statutes and regulations of the Town of Georgetown's Board of Health, and the specifications and requirements under 935 CMR 500.000, in particular with the specifications and requirements for labeling and packaging, sanitation, agent training, dosing, record-keeping, contamination control, and residual solvent and contaminant testing.

And, even further in particular with testing under 935 CMR 500.160, in particular testing conducted by Independent Testing Laboratories. And, even further in particular with the requirement to have a written policy for responding to laboratory results that indicate contaminant levels are above acceptable limits established in the MassDPH protocols identified in 935 CMR 500.160(1) with an obligation to notify the Cannabis Control Commission within 72 hours of any laboratory testing results indicating that the contamination cannot be remediated and disposing of the production batch.

### **Peak Limited's Foundations for Good QC Practice**

Good QC practice is achieved, in part, by having a highly effective employee training program. Peak Limited's employee training will be formal, forward thinking and highly effective and will be overseen by its Employee Training Committee (see **Figure 17**; see also, Qualifications and Training section of this application).

As good QC practice goes hand in hand with good EHS practice, Peak Limited's employees will attend the company's monthly Environment, Health, Safety and Security Meeting that includes Hazard, Right to Know, HACCP, and Marijuana Security Communications. These meetings are arranged and conducted by Peak Limited's EHS Committee (see **Figure 18**).

Production facility having thoroughly specified layouts, fixtures and mechanicals is a key aspect of Good QC. As discussed in the Methods Used to Produce Products section of this application, Peak Limited will create a “Facility Design and Operations Manual” for the renovated facility it creates and will conduct a formal commissioning process before operations begin. And, the commissioning of future major new equipment, fixtures and processes will be conducted after authorization by a peer review committee composed of experts, stakeholders and operators (see **Figures 23 and 24** for composition) where not only does the committee contemplate and document the EHS-related considerations for the new equipment and fixtures, but also contemplates and documents the QC-related considerations, such as, for example, materials of contact, leachables, wear, compatibility, wetted parts, surface roughness, and cleaning and disinfecting related considerations, attributes and properties.

Having thorough, well-contemplated acceptance and release specifications and criteria for its products, precursors and ingredients, etc., and for the direct and indirect product-contacting processing and services equipment used to make them will also be established. Good QC practice is further achieved by having scientifically valid inspection and testing procedures and methods in place to make these acceptance and release determinations. Peak Limited will have a committee, the Product Approval, Review & Stewardship (PARS) Committee (**Figure 19**), to make these and other acceptance and release specifications and criteria, which are incorporated into a dossier that the committee prepares for every new product. Additional discussion of the PARS Committee and its role can be found in the Types Of Products Manufactured and Methods Used to Produce Products sections of this application. Peak Limited’s inspection and testing methods are discussed further below.

Strict controls over the way goods enter, move within, and leave the facility is vital. This control starts with the identification of goods subject to control or chain of custody protocols (which is a list of goods created and updated by the PARS Committee and the Director of QC and EHS) and includes

- marijuana, marijuana products, in-process marijuana-containing intermediates,
- all waste, including marijuana containing- or marijuana byproduct waste (before and after rendering unusable),
- processing equipment, wares and fixtures classified as product- or ingredient- contacting,
- containers and packages used for products,
- capital equipment and fixtures,
- solvents, gases and chemicals,
- substances used as ingredients, additives or auxiliaries, and
- indirect product-contact substances, such as lubricants, equipment and materials.

The list is part of the company’s chain of custody policies that are described in its “Shipping, Receiving and Storage Policies and Procedures” operations document. All agents are trained to deliver, or to direct delivery of (during procurement for example), all goods that are subject to Peak Limited’s chain of custody protocols, and nearly all other inbound goods, to the Transaction Room of Peak Limited’s establishment for receivables processing as explained in the

Inventory Procedures section of this application. This provides an important first level of control to ensure that only the right goods and equipment are used in production.

Subsequent chain of custody steps involve the proper inspecting, testing (for certain goods), and labeling (including status, storage conditions, unique tracking ID and date-timestamp tags and labels) of goods as they are installed, or routed throughout the facility (from receiving to storage to production-inbound to in-process to production-outbound to storage to shipping). Key aspects of these protocols are discussed further in the Inventory Procedures and Methods Used to Produce Products sections of this application, and also embodied in the company's "Shipping, Receiving and Storage Policies and Procedures", "Quality Control (QC) Policies and Procedures", and "Production Level and Batch Ticket Policies and Procedures" operations documents.

To be clear, all production-inbound goods that are subject to Peak Limited's chain of custody protocols, in particular marijuana, do not proceed to the Production Level of the facility, and are prohibited to be used in production unless they have been inspected, tested (for certain goods) and authorized to be released to production by the QC and EHS Director and also carry the tag "RELEASED INBOUND TO PRODUCTION", signed/dated by the QC & EHS Director. As part of this QC inspection, testing and release process, the batch of marijuana inspected, tested and released to production must first pass all required tests conducted by a licensed Independent Testing Laboratory.

Also, to be clear, in addition to other requirements for shipping marijuana products, such as the transportation manifest requirements, for example, the company's marijuana products may not leave Peak Limited's facility unless they have been inspected, tested, and authorized to be released by the QC and EHS Director and also carry the tag "APPROVED FOR OUTBOUND SHIPPING, signed/dated QC & EHS Director". As part of this QC inspection, testing and release process, the batch of marijuana product inspected, tested and released for outbound shipping must first pass all required tests conducted by a licensed Independent Testing Laboratory. Slightly different, but similarly rigorous and careful, QC procedures for authorizing the release of rendered-unusable marijuana waste, for marijuana returns and recalls, and for samples of marijuana products sent to the Independent Testing Labs for testing.

## **Testing Equipment and Inspections**

As mentioned above, all precursor marijuana used for production and all marijuana products produced must pass all of the required tests specified under 935 CMR 500.000 as conducted by a licensed Independent Testing Laboratory. Additionally, Peak Limited will have its own internal testing and inspection equipment and procedures to help ensure that it produces products of the highest quality.

## **Internal Testing Equipment**

Good QC testing practice is founded on good statistical sampling and sample preparation practices, scientifically valid and validated methods, and the use of calibrated and well-maintained equipment.

As mentioned in the Methods Used to Produce Products section of this application, the company will have a gas chromatograph (GC) for in-process analysis for solvents in certain processes and the company will also likely use the GC for other analyses, in particular for the analysis of terpenes and sesquiterpenes in some of its intermediates and products. As is well known to terpene chemists, hot injection port volatilization of terpenoids causes significant molecular rearrangement and so Peak Limited may have a GC that has an injection port capable of thermal ramping or cool-on-column volatilization. Peak Limited may also employ GC olfactometry (GC/O) in product development to develop new terpene and ester formulations that can be used as additives for its products.

Peak Limited will also have a high-performance liquid chromatography instrument (an HPLC, see **Figure 26**) for determining cannabinoid content in some in-process control analytics and in some incoming marijuana batches. The company will also have a size exclusion column for the HPLC to screen for polymeric products, such as poly(myrcene), in some products. Some incoming batches of marijuana will be screened for aflatoxins and ochratoxin using HPLC, a benchtop fluorometer (**Figure 26**) or wet-chemical or colorimetric test kits. Foreign matter will be analyzed under a dissection microscope with a counting grid. Foodborne pathogens in some incoming marijuana batches will be analyzed by traditional microbiology techniques such as plate streaking or by qPCR (see **Figure 26**) and one of these techniques will also be used to determine the shelf life for some preserved products. The company will also have a water activity analyzer to assist it in shelf life determinations for some products.

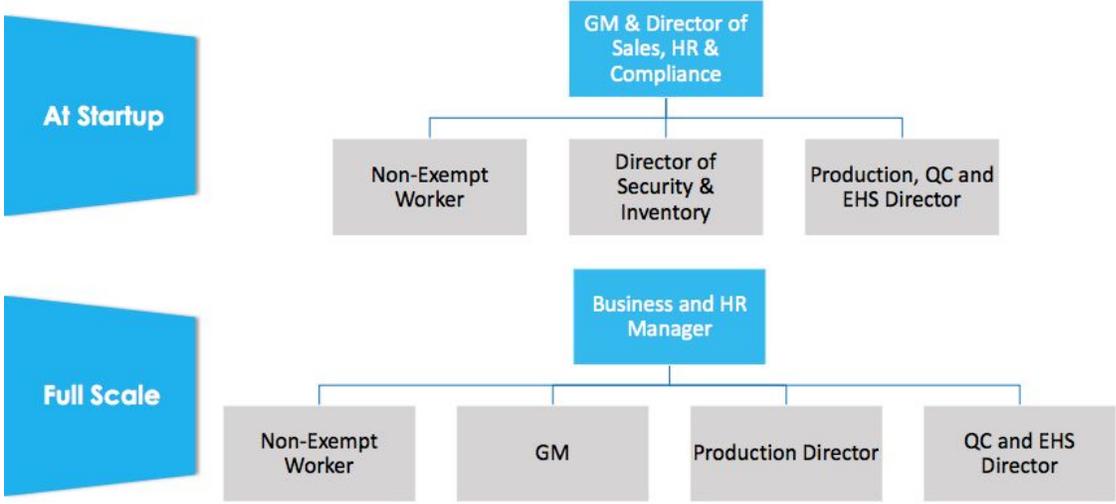
The company will have a spectrophotometer, such as a Hach DR1900 Portable Spectrophotometer, which is useful for multiple purposes including water and metals analyses. The company will also have a pH meter, turbidimeter, titrator, refractometer, and drying balance which are all useful for multiple purposes.

## **QC Inspections**

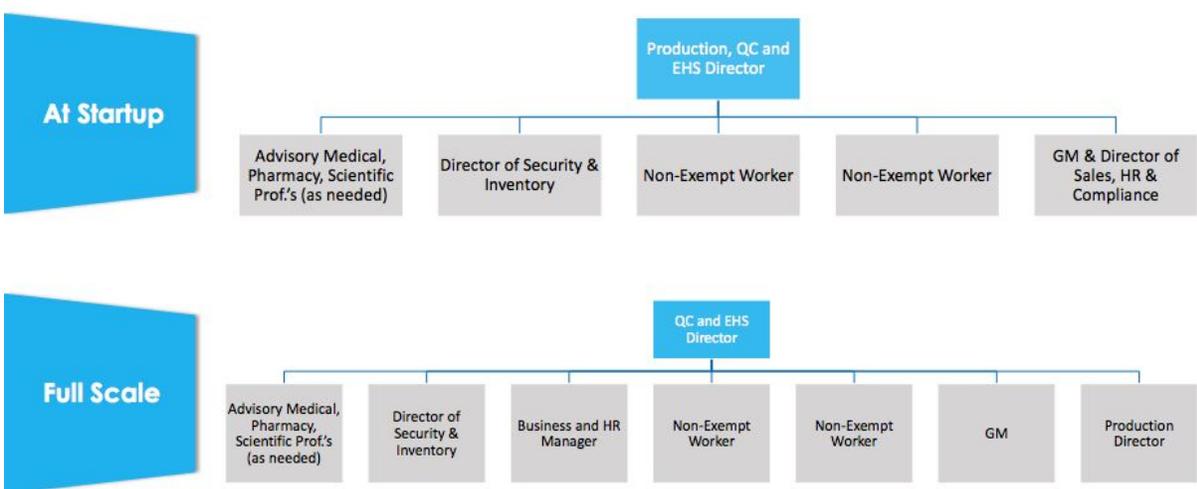
Peak Limited's QC and EHS staff members make multiple inspection rounds throughout the entire facility every shift. During these inspection rounds they check and/or sample various systems, equipment, ingredients, precursors, in-process goods, finished goods, and waste in order to ensure that all compliance standards are being met. Some of these checks and samples are required immediately or multiple times in a shift (for example, water systems and when new marijuana deliveries are received), others once per shift (for example, grounding bus bars and integrity, refrigerator/freezer temperatures, filling machine calibrations and scale calibrations), per day (for example, alarm sensors), semi-weekly to monthly (for example, surface microbial swabbing and vacuum pump oil inspection), or per year (for example, fume hood certifications). A calendar is kept in order to keep these rounds properly scheduled. Records are kept of the inspections findings, observations and test results. Immediate action is taken when adverse

findings or results are discovered or obtained and members of the QC and EHS department have the authority to stop production and shipment accordingly until the adverse issue is resolved.

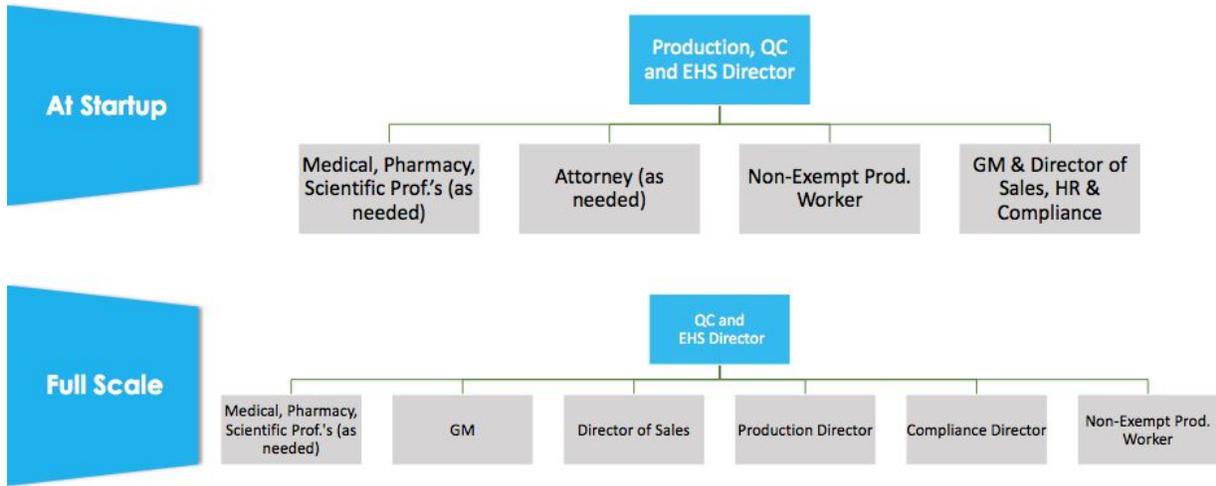
**Fig. 17. Employee Training Committee at Startup and Full Scale**



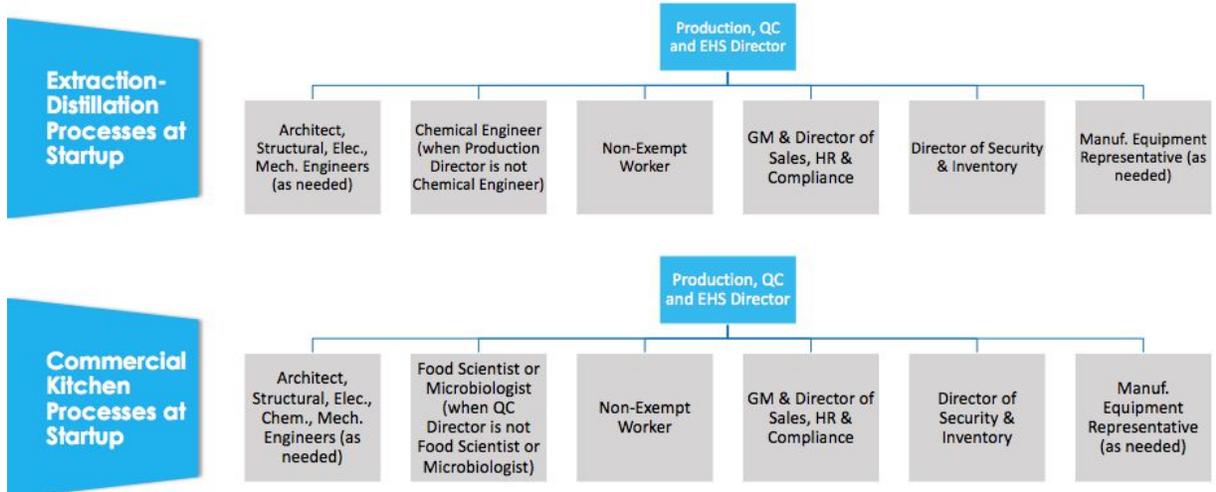
**Fig. 18. Environment, Health, and Safety Committee**



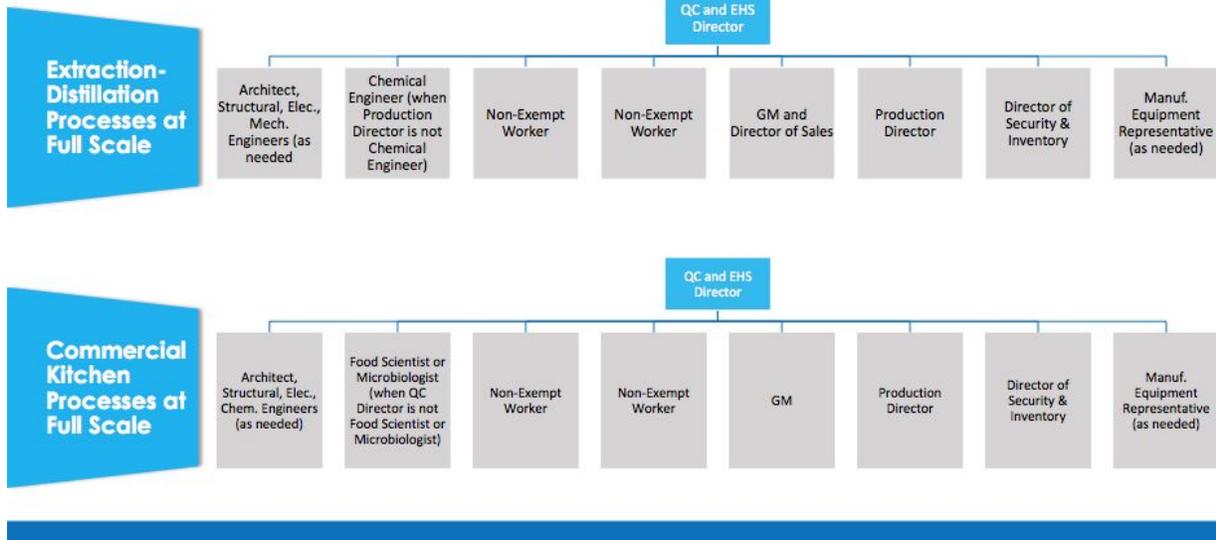
**Fig. 19. Product Approval, Review & Stewardship Committee**



**Fig. 23. New or Scaled-up Manuf. Process Commissioning Committees**



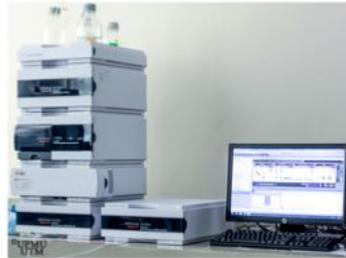
**Fig. 24. New or Scaled-up Manuf. Process Commissioning Committees**



**Fig. 26. QC and Food Safety Testing Equipment**



Fluorometer for Food Safety (mycotoxins)



HPLC (for cannabinoid concentrations)



qPCR for Food Safety (foodborne pathogens)

## 21 Years of Age and Older

It shall be a policy of the Company that the Company will positively identify individuals seeking access to the premises of the Marijuana Establishment, or to whom marijuana or marijuana products are being transported pursuant to 935 CMR 500.105(14) (if applicable) to limit access solely to individuals 21 years of age or older.

We will provide training to employees regarding ID and documentary verification. All employees must adhere to company policies and procedures, and all regulations pursuant to 935 CMR 500.105(2)(b)(7)(d), and 935 CMR 500.140(2)-(3)

Because we are only manufacturing marijuana, we will not have customers to ID check. The only individuals to ensure are at least 21 years of age are employees and visitors. It shall be a policy of the Company that all board members, directors, employees, executives, managers, and volunteers must be 21 years of age or older;

1. Before being offered employment, and in additional to all other employee background checking and screening, employees will be required to produce a valid birth certificate or government issued ID to prove they are at least 21 years of age.
- 2.
3. Check Identification of Visitors
  - a. Upon entering the waiting area, a visitor will present to an employee a government-issued ID.
    - i. The employee will:
      1. Swipe the ID into the scanner, and
      2. Verify the ID software has:
        - a. Read the ID
        - b. Verified its authenticity
        - c. Saved the ID info
        - d. Taken a snapshot of the front and back of the ID
      3. Provide the ID back to the visior
      4. Maintain an escort of the visitor at all times within the facility

It shall be a policy of the Company that it shall reserve all rights to cancel contracts with Marijuana Establishments that receive a complaint, deficiency statement, cease and desist order or suspension for allowing access or making sales to persons under age 21

## Diversity Plan

Peak Limited LLC (the “**Company**”) understands and appreciates the importance of diversity and as such is committed to actively working to ensure a diverse work place is created in the Company.

It is a policy of the Company to promote equity among people of color, particularly Black, African American, Hispanic, Latinx, and Indigenous people, women, veterans, persons with disabilities, and L.G.B.T.Q. + in the operation of the Marijuana Establishment. To the extent permissible by law, the Company will make jobs available to people of color, particularly Black, African American, Hispanic, Latinx, and Indigenous people, women, veterans, persons with disabilities, and L.G.B.T.Q. +, but this does not prevent the Company from hiring the most qualified candidates and complying with all employment laws and other legal requirements.

Specifically, as it relates to its own internal practices, the Company will implement the following policies in connection with its diversity plan:

### Goals:

1. The Company shall seek parity in its work force based on the American Community Survey (ACS) 2010 U.S. Census. *Workforce availability statistics for the Total Civilian Labor Force for Massachusetts are as follows: Women 48.8%, Minorities 20.7%, Persons with Disabilities 12%, and Veterans 3.5%<sup>1</sup> and L.G.B.T.O. + 10%.*
2. It shall be a goal of the Company to offer *advancement to management and executive positions internally*, thereby providing opportunities to its diverse workforce, to the extent its workforce has been filled by diverse individuals, for advancement.
3. It shall be a goal of the Company to ensure that all of its employees receive *training on diversity and sensitivity*.

### Programs:

To the extent reasonably practicable, the Company shall Implement the following programs:

1. In an effort to ensure it has the opportunity to interview, and hire a diverse staff, the Company will post *monthly notices* for *three (3) months* during the hiring process in newspapers of general circulation such as the *Haverhill Gazette, Lowell Sun and Lynn Daily Item* and post a notice at the municipal offices in *Haverhill, Lowell and Lynn* for *three (3) months* during the hiring process. The aforementioned notices will state that the Company is specifically looking for people of color, particularly Black, African American, Hispanic, Latinx, and Indigenous people, women, veterans, persons with disabilities, or L.G.B.T.Q. +, to work for the Company.

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<sup>1</sup> <https://www.mass.gov/files/2017-08/census-2010-workforce-availability.pdf>

2. In an effort to ensure the Company meets its goal of offering advancement to management and executive positions internally, the Company shall offer **100% of the Company's opportunities for** advancement internally. Additionally, in an effort to ensure that its staff has opportunities to train for management positions, the Company shall offer **a management training day once a quarter**. This management training day shall be made available to all employees and will allow employees to shadow management and learn how to perform additional duties and responsibilities of management. Additional duties may include, but are not limited to, opening and closing the facility, reviewing inventory and placing orders, staff scheduling requirements and the implementation of certain security and emergency protocols.

All opportunities for management level employment will first be offered internally via notices sent electronically to employees and posted in employee common areas.

3. As described above, it is a goal of the Company to seek parity in its workforce. Accordingly, the Company shall form a diversity and equity committee to monitor the Company's progress towards meeting those goals. This committee will meet **quarterly** to review and assess the Company's hires and hiring practices. **Meeting Minutes** will be provided to the Commission on request and for the Company's annual license renewal application.
4. The Company shall require that **one hundred percent (100%)** of its employees receive education on diversity, implicit biases and sensitivity within the **first ninety (90) days of employment and once annually thereafter**. The Company's educational programs on diversity, implicit biases and sensitivity shall include, but not be limited to: (1) Harassment, Diversity & Sensitivity Training; (2) Sexual Harassment Prevention & Awareness Training; (3) Discrimination Free Workplace; (4) Violence in the Workplace; (5) Harassment in the Workplace (for Management); (6) Diversity and Sensitivity in the Workplace (for Management); (7) Unconscious Bias Training; (8) Ethics; and (9) Drug and Alcohol-Free Workplace.

To the extent reasonably practicable and as allowed by law, the Company shall implement the following measurements:

- a. Pursuant to 935 CMR 500.103(4)(a) the Company's diversity and equality committee shall prepare an annual report identifying the Company's efforts to encourage diversity in the work place, in compliance with 935 CMR 500.101(1)(c)(7)(k) and this Diversity Policy. Specifically, said report shall identify the demographics of its employee population including but not limited to identifying the gender, race, sexual orientation and disabled status of its employees without identifying the employee specifically and to the extent each employee is willing to share such information.

Additionally, this report will include the following metrics:

- i. Number of individuals from the target demographic groups who were hired and retained after the issuance of a license;

- ii. Number of promotions for people falling into the target demographics since initial licensure and number of promotions offered;
- iii. Number of jobs created since initial licensure;
- iv. Number of job postings in publications with supporting documentation; and
- v. Number and subject matter of internal trainings held on diversity, implicit biases and sensitivity and the number of employees in attendance.

The Company affirmatively states that: (1) it acknowledges and is aware, and will adhere to, the requirements set forth in 935 CMR 500.105(4) which provides the permitted and prohibited advertising, branding, marketing, and sponsorship practices of every Marijuana Establishment; (2) any actions taken, or programs instituted, will not violate the Commission's regulations with respect to limitations on ownership or control or other applicable state laws and (3) the Company will be required to document progress or success of this plan, in its entirety, annually upon renewal of this license.

This policy may also be referred to by the Company as the “**Diversity Plan**”.

## Peak Limited LLC

### Energy Compliance Plan

Peak Limited LLC (the “**Company**”) shall meet all applicable environmental laws, regulations, permits and other applicable approvals, including, but not limited to, those related to water quality and quantity, wastewater, solid and hazardous waste management and air pollution control, including prevention of odor and noise pursuant to 310 CMR 7:00: *Air Pollution Control*. The Company will use additional best management practices as determined by the Commission in consultation with the working group established under St. 2017, c. 55 78(b) or applicable departments or divisions of the Executive Office of Energy and Environmental Affairs (the “EOEEA”) to reduce energy and water usage, engage in energy conservation and mitigate other environmental impacts, including but not limited to:

- Identification of potential energy use reduction opportunities (such as natural lighting and energy efficiency measures), and a plan for implementation of such opportunities;
- Consideration of opportunities for renewable energy generation including, where applicable, submission of building plans showing where energy generators could be placed on the site, and an explanation of why the identified opportunities were not pursued, if applicable;
- Strategies to reduce electric demand (such as lighting schedules, active load management, and energy storage); and
- Engagement with energy efficiency programs offered pursuant to M.G.L. c. 25, § 21, or through municipal lighting plants.

The Company shall provide energy and water usage reporting to the Commission in a form determined by the Commission, including but not limited to, guidance documents for Best Management Practices for Water Use approved by the Commission on April 4, 2019. The Company shall submit, in connection with its license renewal application, a report of its cultivation energy and water usage over the twelve (12) month period prior to renewing its licensure. If minimum standards or best management practices are not established by the time of an application for initial licensure, the Company will satisfy such standards or best management practices as a condition of license renewal, in addition to any terms and conditions of any environmental permit regulating the licensed activity.

Additionally, the Company shall, at a minimum, be subject to the following energy efficiency and equipment standards:

- (a) The building envelope for the Facility shall meet minimum Massachusetts Building Code requirements and all Massachusetts amendments (780 CMR: *State Building Code*), International Energy Conservation Code (IECC) Section C402 or The American Society of Heating, Refrigerating and Air-conditioning Engineers (ASHRAE) Chapters 5.4 and 5.5 as applied or incorporated by reference in 780 CMR: *State Building Code*, except that because this facility will be built using an existing building, the Company may demonstrate

## Peak Limited LLC

compliance by showing that the envelope insulation complies with code minimum standards for Type Factory Industrial F-1, as may be further defined by guidance issued by the Commission.

- (b) If the Company is unable to generate 80% of its total annual on-site energy use for all fuels (expressed on a MWh basis) from onsite or renewable generating sources, renewable thermal generation, as provided in M.G.L. c. 25A § 11F and 11F½, then it shall ensure that its Horticulture Lighting Power Density does not exceed 50 watts per square foot.
- (c) The Company shall provide third-party safety certification by an OSHA NRTL or SCC-recognized body, which shall certify that products meet a set of safety requirements and standards deemed applicable to horticultural lighting products by that safety organization as well as certification from a licensed Massachusetts Mechanical Engineer that the HVAC and dehumidification systems meet Massachusetts building code as specified in this 935 CMR 501.120(12)(c) and that such systems have been evaluated and sized for the anticipated loads of the facility (as applicable).
- (d) If the Company is unable to generate 80% of its the total annual on-site energy use for all fuels (expressed on a MWh basis) from an onsite clean or renewable generating source, renewable thermal generation, as provided in M.G.L. c. 25A § 11F and 11F½, the Heating Ventilation and Air Condition (HVAC) and dehumidification systems shall meet Massachusetts Building Code requirements and all Massachusetts amendments (780 CMR: State Building Code), IECC Section C.403 or ASHRAE Chapter 6 as applied or incorporated by reference in (780 CMR: *State Building Code*).
- (e) Employees and visitors shall be required to wear eye protection near operating horticultural lighting equipment.
- (f) Prior to final licensure, the Company shall demonstrate compliance with 935 CMR 500.120(11) and 935 CMR 500.105(15) by submitting an energy compliance letter prepared by a licensed Massachusetts Professional Engineer, Registered Architect or a Certified Energy Auditor or Manager (as certified by the Association of Energy Engineers) with supporting documentation, together with submission of building plans pursuant to 935 CMR 500.103.

This policy may also be referred to by the Company as the “**Energy Compliance Policy**”.