



## CANNABIS CONTROL COMMISSION

**November 10, 2022**

**10:00 AM**

**Via Remote Participation via [Microsoft Teams Live\\*](#)**

### PUBLIC MEETING MINUTES

#### **Documents:**

- Application Materials associated with:
  - Staff Recommendations on Changes of Ownership
    - Ember Gardens Cape Cod, LLC
    - Temescal Wellness of Massachusetts, LLC
  - Staff Recommendations on Provisional Licenses
    - Curaleaf Processing, Inc. (#REN281303), Marijuana Research Facility
    - Delivered, Inc. (#MDA1303), Marijuana Delivery Operator
    - Debilitating Medical Condition Treatment Centers (#MRN281621), Retail
    - Ember Gardens Production, LLC (#MCN283722), Cultivation, Tier 3 / Indoor
    - Ember Gardens Production, LLC (#MPN282196), Product Manufacturer
    - Greenwayv, Inc. (#MCN283707), Cultivation, Tier 3 / Indoor
    - Greenwayv, Inc. (#MPN282209), Product Manufacturer
    - I & I Rose Garden, LLC (#MRN284031), Retail
    - Natural Agricultural Products, LLC (#MRN284177), Retail
    - Northeastcann, Inc. (#MRN284438), Retail
    - The Blue Jay Botanicals (#DOA100159), Marijuana Courier
    - Western Front, LLC (#MRN284389), Retail
  - Staff Recommendations on Final Licenses
    - B Leaf Wellness Centre, LLC (#MR281356), Retail
    - Beacon Compassion, Inc. d/b/a UpTop (#MR284569), Retail
    - Capeway Cannabis, LLC (#MR282446), Retail



- Community Growth Partners Northampton Operations, LLC d/b/a Rebelle (#MC282162), Cultivation, Tier 3 / Indoor
- Green Meadow Farm, LLC (#MR284280), Retail
- Green River Cannabis Company, Inc. (#MR282175), Retail
- Holistic Health Group, Inc. d/b/a Suncrafted (#MR283126), Retail
- KG Collective, LLC (#MR284181), Retail
- Morando Brands, LLC (#MP281488), Product Manufacturing
- Root 2 Naturals, LLC (#MB281675), Microbusiness)
- Rooted In, LLC d/b/a Rooted in Roxbury (#MR284261), Retail
- Sira Naturals, Inc. (#MP281613), Product Manufacturing
- Solurge, Inc. (#MC281300), Cultivation, Tier 3 / Indoor
- Southcoast Apothecary, LLC d/b/a Ascend (#MR283075), Retail
- Staff Recommendations on Renewals
  - 6 Bricks, LLC. (#MRR206151)
  - 617 Therapeutic Health Care, Inc. (#MRR206242)
  - B.O.T Realty, LLC (#MRR206254)
  - Bada Bloom!, Inc. (#MCR140335)
  - COASTAL CULTIVARS, INC. (#MCR140343)
  - Coil Brothers LLC (#MPR243862)
  - Community Care Collective, Inc. (#MRR206215)
  - Community Growth Partners Northampton Operations LLC (#MCR140349)
  - dba EMJ LLC (#MCR140353)
  - Emerald Grove, Inc. (#MPR243872)
  - Emerald Grove, Inc. (#MCR140338)
  - Evergreen Strategies, LLC. (#MRR206248)
  - Gibby's Garden LLC (#MBR169298)
  - Green Era LLC (#MRR206246)
  - Green Era LLC (#MRR206245)
  - Green Era LLC (#MRR206217)
  - Green Highland LLC (#MCR140347)
  - Green Highland LLC (#MPR243883)
  - Green Highland LLC (#MRR206255)
  - Greenhouse Naturals LLC (#MRR206238)
  - Highdration LLC (#MPR243858)
  - I & I Rose Garden LLC (#MPR243868)
  - Impressed LLC (#MCR140316)
  - Just Healthy, LLC (#MRR206264)
  - Just Healthy, LLC (#MPR243889)



- Just Healthy, LLC (#MCR140360)
  - JustinCredible Cultivation, LLC (#MCR140333)
  - Lifted Genetics, LLC (#MCR140320)
  - Littleton Apothecary LLC (#MRR206218)
  - Mainely Productions LLC (#MCR140357)
  - Massachusetts Green Retail, Inc. (#MRR206224)
  - New England Cannabis Corporation, Inc. (#MPR243867)
  - New England Cannabis Corporation, Inc. (#MCR140328)
  - New Green LLC (#MRR206210)
  - Nova Farms, LLC (#MPR243869)
  - Nova Farms, LLC (#MCR140329)
  - Other Side Agronomy, Inc. (#MCR140342)
  - Pepperell Roots, LLC (#MCR140366)
  - Pepperell Roots, LLC (#MPR243892)
  - Power Fund Operations (fka) Silver Therapeutics, Inc. (#MCR140375)
  - ProVerde Laboratories, Inc. (#ILR267910)
  - Pudding Hill Farm LLC (#MCR140374)
  - Smokey Leaf (#MRR206257)
  - TDMA LLC (#MRR206236)
  - Temescal Wellness of Massachusetts, LLC (#MPR243870)
  - Temescal Wellness of Massachusetts, LLC (#MCR140330)
  - Terpene Journey, LLC (#MRR206188)
  - The Blue Jay Botanicals, Inc. (#MRR206240)
  - The Green Harbor Dispensary, LLC (#MRR206233)
  - The Hub Craft, LLC (#MCR140314)
  - Volcann LLC (#MRR206253)
  - 4BROS, INC. (#RMD1325)
  - ACK Natural, LLC (#RMD1627)
  - Apothca, Inc. (#RMD1065)
  - ARL Healthcare (#RMD1085)
  - Cresco HHH, LLC (#RMD686)
  - Cultivate Leicester, Inc (#RMD485)
  - Ermont, Inc (#RMD225)
  - Sanctuary Medicinals, Inc. (#RMD605)
  - Sanctuary Medicinals, Inc. (#RMD1128)
- Report re: Access & Equity Group: Discussion on Disproportionately Impacted Areas
  - Memorandum re: Draft Executive Director Performance Review Tool
  - Job Description: Senior IT Support Specialist
  - Memorandum re: Consideration of New Host Community Agreement Requirements



## **In Attendance:**

- Chair Shannon O'Brien
- Commissioner Nurys Z. Camargo
- Commissioner Ava Callender Concepcion
- Commissioner Kimberly Roy
- Commissioner Bruce Stebbins

## **Minutes:**

### 1) Call to Order

- The Chair recognized a quorum and called the meeting to order.
- The Chair gave notice that the meeting was being recorded.
- The Chair gave an overview of the agenda.

### 2) Chair's Comments and Updates – 00:01:40

- Commissioner Concepcion noted that she looked forward to Access and Equity group's discussion on Disproportionately Impacted Areas. She emphasized the importance of the topic and extended her gratitude to the group for their work and leadership in compiling the information for today's discussion.
- Commissioner Camargo stated that she was grateful to hear that people were applying for the new Cannabis Social Equity Advisory Board and noted that the deadline was extended to November 15, 2022. She encouraged all interested to apply and explained that more information was available at [masstreasury.org](https://masstreasury.org). She echoed Commissioner Concepcion's comments on the Access and Equity group's presentation on the Area of Disproportionate Impact Study and thanked stakeholders for submitting public comment on the matter. She thanked the Commission's Legal Department and the Executive Director for their work and leadership in working with Commissioners to discuss the operational side of the regulatory review and promulgation process. She also noted the Commission's petition process. She encouraged the public to learn about the process and use it to ensure that the Commission gets feedback as it embarks on a regulatory review and promulgation process.
- Commissioner Roy thanked veterans and reflected on the Veteran's Day Holiday. She noted that the Research Sub-Committee, of which she is the liaison for the Commission, will soon be focusing on veterans and helping them remove barriers to access of medical cannabis. She noted that on November 21, 2022, the Sub-Committee would convene, deliberate, and vote on recommendations to remove said



barriers. Specifically, if approved, these recommendations would include the following: (1) allow Veterans to register as qualifying patients with proper documentation from the VA healthcare system, in lieu of having a medical cannabis certifying physician; (2) allow Medical Marijuana Treatment Centers to offer discounts and donation for Veterans and other programs to increase access. She also noted that the Commission could further support for Veterans by adding a Veteran Justice Leadership Category to the current Leadership Rating program; (3) to add PTSD and Opioid Use Disorder to the list of Debilitating Medical Conditions to constitute a Qualified Medical Patient; (4) to add a Veteran liaison to the Massachusetts Cannabis Advisory Board. She also noted that, for more information, a link could be found on the Commission's Website. She thanked the Commission's staff and the IT Department.

- Commissioner Stebbins echoed Commissioner Concepcion and Camargo's comments and noted that he also looked forward to discussing important topics on the agenda. He shared an update regarding a trip he recently took with Commissioner Camargo to Springfield, where they visited the marijuana retailer 6Bricks. He noted that the business is a black-owned and family-owned enterprise. He explained that they met with the Mayor of Springfield, his staff, and the Latino Economic Development Corporation and discussed the importance of the social equity program and new legislation. Commissioner Stebbins noted his excitement that the first research and development facility was on the agenda for the Commission's consideration and vote. He indicated that he was pleased that Massachusetts was leading the way in that regard. He also noted the Veteran's Day Holiday and thanked all Veterans for their service. He noted some of the opportunities in the industry for Veterans, encouraged licensees to recruit Veterans to the cannabis workforce, and include these priorities in their renewal application.
- Chair O'Brien echoed Commissioner Stebbins' comments related to 6Bricks. The Chair announced there would be two new appointing authorities to the Commission: new Governor Maura Healey and the new Attorney General Andrea Campbell and noted that she looked forward to working with them, especially regarding the Cannabis Social Equity Fund. The Chair thanked State Treasurer Deborah B. Goldberg for her work receiving applications for the new Cannabis Social Equity Advisory Boards that will ensure the new fund's success. The Chair also thanked Commission's staff for their work.

### 3) Minutes for Approval – 00:15:45

- September 15, 2022
  - The Chair asked if the Commissioners had a chance to review the minutes and whether there were questions or edits.



- Commissioner Stebbins moved to approve the minutes for September 15, 2022, Commission public meeting.
- Commissioner Roy seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Camargo – Yes
  - Commissioner Concepcion – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Yes
- The Commission unanimously approved the minutes for the September 15, 2022, Commission public meeting.

4) Executive Director’s Report – 00:16:40

- The Executive Director gave an overview of licensing data, starting on page 211 of the [Meeting Packet](#).
  - Commissioner Roy asked a clarifying question regarding the Disadvantaged Business Enterprise (DBE) status. Specifically, who does it encompass, and what are the benefits related to DBE status.
    - The Executive Director noted, per the regulations, that the DBE status includes women, veteran, and minority-owned businesses. That designation is granted by the Supplier Diversity Office. He explained that the Supplier Diversity Office grants that designation, and the way to qualify for this status would be to first take the class through the Supplier diversity office. He also noted that DBE allows for expedited review, which is considered lower than priority review. He mentioned that there are also fee waivers for DBE businesses.
  - Commissioner Concepcion asked a clarifying question related to the research license, the differences between the licensing and permitting process for the research agenda, and how this information will be delivered to the commission.
    - The Executive Director stated that the information would be relayed in a subsequent slide in his presentation. He explained the two-part process of licensing a research facility; one is the actual licensing of the entity or of the facility where the business is located, but the second piece is considering their proposed research. The Executive Director stated that the reason is that the research was for the public good, and the Commission wanted to create a process by which the members of the Commonwealth could access this knowledge and understand it. He said that the Commission does not have an



institutional review board that would require a review of this nature. Therefore, this review would ensure adequate research was being conducted to benefit the state. He noted the lack of research being conducted around the country and pointed out this license will help to prove specific arguments through these permits.

- Commissioner Roy noted that cannabis had outpaced cranberries as the state's number one export.
  - The Executive Director said he believed that it was reflection of the market's maturity in Massachusetts. He attributed the industry's growth to the fact that the cannabis industry was ingrained into the local economy.
- Commissioner Concepcion asked a clarifying question regarding the difference between Certified Patients and Certified Active Patients.
  - The Executive Director explained the difference is that Certified Patients had gone to a provider, the provider had entered them into our system and had been recommended for cannabis. Certified Active Patients had finished that registration process, uploaded their identification, filled out the form and had been issued their registration.
- Commissioner Roy asked a clarifying question about what the +0 means on the MMJ Licensing and Registration Data slide.
  - The Executive Director explained that it meant no additional Registered Certifying Physicians or Nurse Practitioners were added in the last month. He explained that next month he plans to bring a year over year statistic for his presentation.
- Chair O'Brien asked a clarifying question as to how the Commission had reached out to Nurse Practitioners and Registered Certifying Physicians to ensure adequate supply and access for patients.
  - The Executive Director said there are formal occupational groups like the Massachusetts Medical Society, and others. He noted that these groups lobbied for oversight of the medical industry in Chapter 55 of the Acts of 2017. He mentioned, however, that only one person is a Registered Physician Assistant. He welcomed suggestions from others on ways to reach more Physician Assistants. He mentioned that the hesitation to participate in the industry may stem from the federal prohibition and people's association with healthcare facilities or institutions that receive federal money. He explained that these circumstances create an environment where practices specialize in cannabis specific clients and who may rely on those high fees for



business. The Executive Director said he believed bringing in more healthcare providers into the field might require some form of alternative payment methods. He expressed his frustration that traditional medicine seems to not have embraced medical cannabis today in Massachusetts. He also noted that there is not enough scientific consensus to understand how cannabis interacts with other medications. He noted the Medical Marijuana Patients cancer treatment and the desire to better understand this interaction for these patients and their treatment. He ended his comment by welcoming feedback on ways to better outreach to the healthcare industry.

- Chair O'Brien said she appreciated the ED's response and that it offered her greater clarity and mentioned she would be happy to help with outreach.
- Commissioner Roy asked a clarifying question about more information on the end-of-life care and how that is reflected in our regulations.
  - The Executive Director said there are two ways: one is access for residents, and two for end-of-life care for out of state patients. He also noted the reality that patient numbers fluctuate because of these end-of-life care options and that it is a privilege to be able to offer this care to these patients.
- Commissioner Camargo asked a clarifying question about expired MTC licenses and their status.
  - The Executive Director explained those are licensees who chose not to renew their license for various reasons depending on the business.
- The Director of Equity Programming and Community Outreach, Silea Williams (Director Williams), provided an overview of the Commission's Equity Programming and Community Outreach, starting on page 219 of the Meeting Packet.
  - Commissioner Roy thanked Director Williams for her presentation and asked a clarifying question about when she could receive the toolkit literature discussed in the presentation.
    - Director Williams responded that her team was working with the Communications Department to print the toolkits and will be made available as the Commissioners move through the list of communities,
  - Commissioner Roy asked a clarifying question on when the Toolkits would be made available.
    - Director Williams noted that she did not have a proposed timeline but would confirm and follow up with the Commission.
  - Commissioner Stebbins thanked Director Williams for her presentation and noted that he is always impressed with the energy she brings to the job and her



great work. Commissioner Stebbins asked how communities could be engaged in facilitating social equity. He also stated that he was happy to hear about program participants and their ability to send feedback. He noted that there were a number of applicants in cohort three who did not reach the acceptance stage and asked if plans were implemented to engage some of those participants in cohort four.

- Director Williams noted that those applicants would be reengaged for cohort four.
- Commissioner Stebbins noted his reasoning for asking the question.
- Commissioner Stebbins noted his support to change the ancillary track name because he felt that it does not adequately capture what the track does.
- Commissioner Concepcion thanked Director Williams for her presentation and work. She asked how many people have participated in all three social equity cohorts.
  - Director Williams noted that just over 800 participants had gone through the Social Equity Program.
  - Commissioner Camargo noted that the exact number was 871.
- Commissioner Concepcion asked, out of the 871, how many participants were from areas of disproportionate impact.
  - Director Williams responded that she did not have the information and would follow-up with the Commissioner when she found the specific number.
- Commissioner Concepcion asked if Director Williams knew what was the most common qualifying criteria seen for the Social Equity Program.
  - Director Williams said that living in an area of disproportionate impact in combination with not exceeding 400% of the medium area income were the most common qualifying criteria.
  - Commissioner Concepcion asked for the next most common qualifying criteria.
  - Director Williams noted that she did not have the answer and would follow up with the Commissioner.
- Commissioner Camargo thanked Director Williams for her presentation and her work and leadership on the topic. She also noted that Director Williams had begun her tenure at the Commission in HR but had been promoted to lead the Equity Department. She echoed Commissioner Stebbins comments related to a name change of the ancillary tracts and explained that the ancillary track of the Social Equity Program allowed more folks to get involved in the Cannabis industry. She noted that small businesses like cleaning and painting companies are needed for cannabis businesses to operate. She asked a



clarifying question related to the survey of previous Social Equity Participants.

- Director Williams said she had previously precured that information through certain vehicles by surveying through the advanced coursework.
- Commissioner Camargo said municipalities are still not understanding the Commission's equity mandate and asked how the Commission was educating cities and towns about the mandate. She also expressed her frustration at the inequities occurring at the municipal level.
  - Director Williams said she was working with the Director of Government Affairs and Policy to develop a municipal engagement strategy. She stated this would be rolled out with the cohort four recruitment efforts.
- Commissioner Camargo noted her time in Springfield with the Mayor and her hope that folks would reach out to the Commission if they have any questions. She also explained that she hoped local officials realized they could be a barrier to entry to the market for these licensees.
  - The Executive Director noted the new legislation includes a provision requiring the Commission to issue regulations on minimum standards for Host Community Agreements to help standardize the process and create a model HCA. The Executive Director noted this change is late, but now there is a ripe opportunity to help fix these issues.
- Commissioner Camargo thanked the Executive Director for his work in building out the social equity program.
  - Chief Communications Officer Cedric Sinclair (Chief Sinclair), noted that his team had been meeting regularly with municipalities and Boston and were looking to expand that discussion across the state.
- Commissioner Roy asked whether there would be live physical events where the Commission brings people together or if it was going to remain virtual.
  - Director Williams said they are assessing that question now and whether parts of the Social Equity Program could be in person.
- Commissioner Roy recommended reaching out to the Justice Supports Centers across the state or reentry centers and create a portal where the Commission could pair folks with jobs in the industry.
- Chair O'Brien asked what the Commission was doing to accommodate for people who do not have a smart phones or laptops and asked a clarifying question about outreach to those communities.



- Director Williams noted the use of the Community Outreach Toolkit and or printed cards to conduct outreach to various communities. She also noted other forms of media used to conduct outreach.
- Chair O'Brien expressed her desire to work with Director Williams to reach those hard-to-reach communities.
- Commissioner Concepcion asked why there was such an uptick in applicants for this cohort despite being virtual.
  - Director Williams said she had yet to survey the Social Equity program participants but noted additional promotional efforts and vast awareness of the Commission, leading to high demand for the program.
- Commissioner Concepcion noted that in a previous meeting there was a conversation of there not being any caps on this program and her understanding that it was tied to the fact that this program was virtual.
  - Director Williams said they were considering caps if in-person classes resume.
  - Chief Sinclair said part of the conversation is that the program has capacity in some areas but noted that the entrepreneurial track is full and might require a cap in the future, while other tracks have lots of space. He also noted that they might have to put in second sessions of specific courses or provide videos modules that could be self-paced.
- Commissioner Roy asked if the curriculum would be updated because of Chapter 180 of the Acts of 2022.
  - Director Sinclair said they were constantly refining their coursework and would for this new law.
- Commissioner Roy asked if they surveyed the social equity program participants at the end of their coursework. She also asked if there was a common thread in the responses.
  - Director Williams said there is a survey that participants complete about the course and ways to improve the course. She said they also survey Social Equity Participants who participate in the program through the self-paced module. She mentioned the former Chair did facilitate a course about predatory lending because of the feedback received from stakeholders.
- Commissioner Camargo thanked her fellow Commissioners for talking about the Social Equity Program as a tool in communities. She mentioned the traditional cannabis community is growing. She said the DIA study helped the Commission talk about the Social Equity Program and thought that conversation helped.



- Commissioner Concepcion asked why people were denied from participating in Social Equity program for the third cohort and whether they kept a list of people who were denied.
  - Director Williams noted that they don't use the term denied but that some applicants could not prove eligibility on the set criteria and thus were not accepted into the last cohort. She noted that there is a way to tell if an applicant had re-applied.
- Chair O'Brien thanked the equity team for their presentation and leadership on the topic.

Commissioner Roy moved to take a fifteen-minute recess.

- Commissioner Camargo seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Camargo – Yes
  - Commissioner Concepcion – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O'Brien – Yes
- The Commission unanimously approved taking a fifteen-minute recess, returning at 11:55 AM (1:55:30)
- The Executive Director thanked Director Williams and Chief Sinclair for their presentation. He noted one of the driving forces in the large cohort three was the exclusive delivery license. He provided general updates related to the Commission's work and including that that Commission had an open bid through February and encouraged vendors to apply for numerous opportunities at the Commission on COMMBUYS.
  - The Executive Director also addressed a question raised by Commissioner Roy about how the Commission receives feedback from operators and referenced the predatory lending conversation that arose from discussions with operators. He also referenced Commissioner Roy's comment on a portal to licensees like the one done by the state of California and wanted to announce that his team is working on a similar version for Massachusetts and thanked Commissioner Stebbins for helping with that vision.
  - The Executive Director also announced schedule METRC outages for December.
- The Executive Director gave an update on the regulatory process and prioritizing items required by the new law Ch. 180 of the Acts of 2022.
- The Executive Director gave an update on the Commission's hiring activity.



- Commissioner Roy asked if the Executive Director could announce who the people who were promoted internally.
  - The Executive Director responded that the Senior Press Secretary is Tara Smith, and the Investigator was Olivia Koval.
- The Executive Director listed an update on the hiring process and the jobs that were being interviewed for at the Commission.

5) Staff Recommendations on Changes of Ownership – 02:06:00

1. Ember Gardens Cape Cod, LLC

- Licensing Manager Tsuko Defoe (Licensing Manager Defoe) presented the Staff Recommendation for Change of Ownership.
- The Chair asked for questions or comments.
- Commissioner Camargo moved to approve the Change of Ownership.
- Commissioner Concepcion seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Camargo – Yes
  - Commissioner Concepcion – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Yes

The Commission unanimously approved the Change of Ownership.

2. Temescal Wellness of Massachusetts, LLC

- Licensing Manager Defoe presented the Staff Recommendation for Change of Ownership.
- The Chair asked for questions or comments.
- Commissioner Concepcion moved to approve the Change of Ownership
- Commissioner Roy seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Camargo – Yes
  - Commissioner Concepcion – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Yes
- The Commission unanimously approved the Change of Ownership.

6) Staff Recommendations on Provisional Licenses – 02:08:30



1. Curaleaf Processing, Inc. (#REN281303), Marijuana Research Facility
  - Licensing Manager Defoe presented the Staff Recommendation for Provisional License.
  - The Chair asked for questions or comments.
  - Commissioner Stebbins requested a condition.
    - Proposed condition: Prior to Final Application for Licensure, review Diversity Plan and clarify goal of 420 new diverse suppliers and organizations as provided on Page 1 and provide any update in accordance with 935 Code Mass. Regs. § 500.101(1)(c) 8k.
  - Commissioner Camargo asked a clarifying question regarding Commissioner Stebbins condition.
    - Commissioner Stebbins confirmed the condition was regarding the licensee's in-state activity.
  - Commissioner Roy moved to approve the Provisional License, subject to the condition requested by Commissioner Stebbins.
  - Commissioner Stebbins seconded the motion.
  - The Chair took a roll call vote:
    - Commissioner Camargo – Yes
    - Commissioner Concepcion – Yes
    - Commissioner Roy – Yes
    - Commissioner Stebbins – Yes
    - Chair O'Brien – Yes
  - The Commission unanimously approved the Provisional License subject to the condition requested by Commissioner Stebbins.
2. Delivered, Inc. (#MDA1303), Marijuana Delivery
  - Licensing Manager Defoe presented the Staff Recommendation for Provisional License. The Chair asked for questions or comments.
  - Commissioner Roy proposed a condition.
    - Proposed condition: In accordance with 935 CMR 500.146 (5), A Delivery Operator shall make available educational materials about Finished Marijuana Products to Consumers. A Delivery Operator shall have an adequate supply of current educational material available for distribution. Prior to final licensure please provide the commission with a copy of your consumer education. To ensure compliance, consumer educational materials shall include subsections; a – j, as listed in said regulation and must also include the phone number for the Massachusetts Substance Use Helpline.



- Commissioner Camargo noted that the applicant was a part of the first SEP program Cohort.
  - Commissioner Stebbins moved to approve the Provisional License, subject to the condition requested by Commissioner Roy.
  - Commissioner Camargo seconded the motion.
  - The Chair took a roll call vote:
    - Commissioner Camargo – Yes
    - Commissioner Concepcion – Yes
    - Commissioner Roy – Yes
    - Commissioner Stebbins – Yes
    - Chair O’Brien – Yes
  - The Commission unanimously approved the Provisional license, subject to the condition requested by Commissioner Roy.
3. Debilitating Medical Condition Treatment Centers (#MRN281621), Retail
- Licensing Manager Defoe presented the Staff Recommendation for Provisional License.
  - The Chair asked for questions or comments.
  - Commissioner Camargo moved to approve the Provisional License.
  - Commissioner Concepcion seconded the motion.
  - The Chair took a roll call vote:
    - Commissioner Camargo – Yes
    - Commissioner Concepcion – Yes
    - Commissioner Roy – Yes
    - Commissioner Stebbins – Yes
    - Chair O’Brien – Yes
  - The Commission unanimously approved the Provisional License.
4. Ember Gardens Production, LLC (#MCN283722), Cultivation, Tier 3 / Indoor
- Licensing Manager Defoe presented the Staff Recommendation for both Ember Gardens Production, LLC Provisional Licenses.
  - The Chair asked for questions or comments.
  - Commissioner Roy proposed a condition solely to apply to the Cultivation Tier 3/Indoor license.
    - Proposed condition: Prior to final licensure, please inform the Commission of your “Additional Operational Plans for Indoor Marijuana Cultivators” as it relates to Quality Control Samples. Licensees that opt to provide Quality Control Samples must include written policies and procedures in accordance with 935 CMR 500.120(12), and 935 CMR 500.120(14).



- Commissioner Stebbins Proposed a condition to apply to both Ember Gardens Production, LLC.
  - Proposed condition: Prior to Final Application for Licensure, review Positive Impact Plan and clarify focus on Orleans residents for internship and scholarship programs as provided on Page 2 and provide any update in accordance with 935 Code Mass. Regs. § 500.101(1)(a)11.
- Commissioner Roy moved to approve the Provisional License, subject to the condition requested by Commissioners Roy and Stebbins.
- Commissioner Stebbins seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Camargo – Yes
  - Commissioner Concepcion – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Yes
- The Commission unanimously approved the Provisional License, subject to the conditions requested by Commissioner Roy and Stebbins.

5. Ember Gardens Production, LLC (#MPN282196), Product Manufacturer

- Licensing Manager Defoe presented the Staff Recommendation for Provisional License
- The Chair asked for questions or comments.
- Commissioner Roy requested a condition to solely apply to the Product Manufacturer license.
  - Proposed condition: Prior to final licensure please inform the Commission of your “Additional Operational Plans for Product Manufacturers” as it relates to Quality Control Samples. Licensees that opt to provide Quality Control Samples must include written policies and procedures in accordance with 935 CMR 500.130(5)(k) and 935 CMR 500.130 (9).
- Commissioner Roy moved to approve the Provisional Licenses subject to the conditions requested by Commissioners Roy and Stebbins.
- Commissioner Stebbins seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Camargo – Yes
  - Commissioner Concepcion – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Yes



- The Commission unanimously approved the Provisional License subject to the conditions requested by Commissioners Roy and Stebbins.

6. Greenwayv, Inc. (#MCN283707), Cultivation, Tier 3 / Indoor

- Licensing Manager Defoe presented the Staff Recommendation for Provisional License for both Greenwayv, Inc. Licenses.
- The Chair asked for questions or comments.
- Commissioner Roy requested a condition to solely apply to the Cultivation Tier 3/Indoor license.
  - Proposed condition: Prior to final licensure please inform the Commission of your “Additional Operational Plans for Indoor Marijuana Cultivators” as it relates to Quality Control Samples. Licensees that opt to provide Quality Control Samples must include written policies and procedures in accordance with 935 CMR 500.120(12), and 935 CMR 500.120(14).
- Commissioner Stebbins moved to approve the Provisional License, subject to the condition requested by Commissioner Roy.
- Commissioner Camargo seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Camargo – Yes
  - Commissioner Concepcion – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Yes
- The Commission unanimously approved the Provisional, subject to the condition requested by Commissioner Roy.

7. Greenwayv, Inc. (#MPN282209), Product Manufacturer

- The Chair asked for questions or comments.
- Commissioner Roy requested a condition to solely apply to Product Manufacturer license.
  - Proposed condition: Prior to final licensure please inform the Commission of your “Additional Operational Plans for Product Manufacturers” as it relates to Quality Control Samples. Licensees that opt to provide Quality Control Samples must include written policies and procedures in accordance with 935 CMR 500.130(5)(k) and 935 CMR 500.130 (9).
- Commissioner Camargo moved to approve the Provisional License, subject to the condition requested by Commissioner Roy.
- Commissioner Concepcion seconded the motion.
- The Chair took a roll call vote:



- Commissioner Camargo – Yes
- Commissioner Concepcion – Yes
- Commissioner Roy – Yes
- Commissioner Stebbins – Yes
- Chair O’Brien – Yes
- The Commission unanimously approved the Provisional License, subject to the condition requested by Commissioner Roy.

8. I & I Rose Garden, LLC (#MRN284031), Retail

- Licensing Manager Defoe presented the Staff Recommendation for Provisional License.
- The Chair asked for questions or comments.
- Commissioner Roy requested a condition.
  - Proposed condition: Prior to final licensure, in accordance with 935 CMR 500.140 (6) please include the phone number for the Massachusetts Substance Use Helpline on your consumer education.
- Commissioner Concepcion moved to approve the Provisional License, subject to the condition requested by Commissioner Roy.
- Commissioner Roy seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Camargo – Yes
  - Commissioner Concepcion – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Abstained
- The Commission unanimously approved the Provisional License, subject to the condition requested by Commissioner Roy.

9. Natural Agricultural Products, LLC (#MRN284177), Retail

- Licensing Manager Defoe presented the Staff Recommendation for Provisional License.
- The Chair asked for questions or comments.
- Commissioner Roy requested a condition.
  - Proposed condition: Prior to final licensure, in accordance with 935 CMR 500.140 (6) please include the phone number for the Massachusetts Substance Use Helpline on your consumer education.
- Commissioner Roy moved to approve the Provisional License, subject to the condition requested by Commissioner Roy.
- Commissioner Stebbins seconded the motion.



- The Chair took a roll call vote:
  - Commissioner Camargo – Yes
  - Commissioner Concepcion – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Yes
- The Commission unanimously approved the Provisional License, subject to the condition requested by Commissioner Roy.

10. Northeastcann, Inc. (#MRN284438), Retail

- Licensing Manager Defoe presented the Staff Recommendation for Provisional License.
- The Chair asked for questions or comments.
- Commissioner Roy requested a condition.
  - Proposed condition: Prior to final licensure, in accordance with 935 CMR 500.140 (6) please include the phone number for the Massachusetts Substance Use Helpline on your consumer education.
- Commissioner Stebbins moved to approve the Provisional License, subject to the condition requested by Commissioner Roy.
- Commissioner Camargo seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Camargo – Yes
  - Commissioner Concepcion – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Yes
- The Commission unanimously approved the Provisional License, subject to the condition requested by Commissioner Roy.

11. The Blue Jay Botanicals (#DOA100159), Marijuana Courier

- Licensing Manager Defoe presented the Staff Recommendation for Provisional License
- The Chair asked for questions or comments.
- Commissioner Camargo moved to approve the Provisional License.
- Commissioner Concepcion seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Camargo – Yes
  - Commissioner Concepcion – Yes
  - Commissioner Roy – Yes



- Commissioner Stebbins – Yes
- Chair O’Brien – Yes
- The Commission unanimously approved the Provisional License.

12. Western Front, LLC (#MRN284389), Retail

- Licensing Manager Defoe presented the Staff Recommendation for Provisional License.
- Commissioner Camargo Recused herself and went off camera.
- The Chair asked for questions or comments.
- Commissioner Roy requested a condition.
  - Proposed condition: Prior to final licensure, in accordance with 935 CMR 500.140 (6) please include the phone number for the Massachusetts Substance Use Helpline on your consumer education.
- Commissioner Concepcion moved to approve the Provisional License, subject to the condition requested by Commissioner Roy.
- Commissioner Roy seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Camargo – Recused
  - Commissioner Concepcion – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Yes
- The Commission approved the Provisional License 4-0, subject to the condition requested by Commissioner Roy.

7) Staff Recommendations on Final Licenses – 02:32:06

- The Chair noted that Final Licenses would be considered in two roster (1) Adult-Use Licenses items numbered 1 through 12 and 14, as identified on the agenda, (2) Solurge, Inc.
- Adult-Use Roster
  - The Chair noted that the Adult-Use Final License roster will consist of items numbered 1 through 12, and 14 as identified on the agenda.
  - The Chair asked for questions or comments.
  - Commissioner Roy moved to approve the roster of Adult-Use Final Licenses.
  - Commissioner Stebbins seconded the motion.
  - The Chair took a roll call vote:
    - Commissioner Camargo – Yes
    - Commissioner Concepcion – Yes



- Commissioner Roy – Yes
    - Commissioner Stebbins – Yes
    - Chair O’Brien – Yes
  - The Commission unanimously approved the Adult-Use roster of Final Licenses.
- Solurge, Inc. (#MC281300), Cultivation, Tier 3 / Indoor
    - The Chair noted that the Adult-Use roster consists of item numbered 13 as identified on the agenda.
    - The Chair asked for questions or comments.
    - Commissioner Concepcion asked whether the chair was recusing herself on this license.
      - The Chair noted that she will be abstaining from the vote.
    - Commissioner Roy moved to approve the roster of Adult-Use Final Licenses.
    - Commissioner Stebbins seconded the motion.
    - The Chair took a roll call vote:
      - Commissioner Camargo – Yes
      - Commissioner Concepcion – Yes
      - Commissioner Roy – Yes
      - Commissioner Stebbins – Yes
      - Chair O’Brien – Abstained

The Commission approved the Final Licenses with four in favor and one abstention.

8) Staff Recommendations on Renewals – 02:34:40

- The Chair noted that Renewals would be considered as one or more rosters; There are two rosters: (1) Adult-use applications, items numbered 1 through 55, as identified on the agenda, (2) Medical-use applications items numbered 52 through 60, as identified on the agenda.
- Adult-Use
  - The Chair noted that the adult-use Renewal roster will consist of items numbered 1 through 51, as identified on the agenda.
  - The Chair asked for questions or comments.
  - Commissioner Stebbins moved to approve the roster of adult-use Renewals.
  - Commissioner Camargo seconded the motion.
  - The Chair took a roll call vote:
    - Commissioner Camargo – Yes
    - Commissioner Concepcion – Yes



- Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Yes
  - The Commission unanimously approved the adult-use Renewals.
- Medical-Use
  - The Chair noted that the Medical-Use Renewal roster will consist of items numbered 52 through 60 as identified on the agenda.
  - The Chair asked for questions or comments.
  - Commissioner Camargo moved to approve the roster of adult-use Renewals.
  - Commissioner Stebbins seconded the motion.
  - The Chair took a roll call vote:
    - Commissioner Camargo – Yes
    - Commissioner Concepcion – Yes
    - Commissioner Roy – Yes
    - Commissioner Stebbins – Yes
    - Chair O’Brien – Yes
  - The Commission unanimously approved the roster of medical -use Renewals.

1. 6 Bricks, LLC. (#MRR206151)
2. 617 Therapeutic Health Care, Inc. (#MRR206242)
3. B.O.T Realty, LLC (#MRR206254)
4. Bada Bloom!, Inc. (#MCR140335)
5. COASTAL CULTIVARS, INC. (#MCR140343)
6. Coil Brothers LLC (#MPR243862)
7. Community Care Collective, Inc. (#MRR206215)
8. Community Growth Partners Northampton Operations LLC (#MCR140349)
9. dba EMJ LLC (#MCR140353)
10. Emerald Grove, Inc. (#MPR243872)
11. Emerald Grove, Inc. (#MCR140338)
12. Evergreen Strategies, LLC. (#MRR206248)
13. Gibby's Garden LLC (#MBR169298)
14. Green Era LLC (#MRR206246)
15. Green Era LLC (#MRR206245)
16. Green Era LLC (#MRR206217)
17. Green Highland LLC (#MCR140347)
18. Green Highland LLC (#MPR243883)
19. Green Highland LLC (#MRR206255)



20. Greenhouse Naturals LLC (#MRR206238)
21. Highdration LLC (#MPR243858)
22. I & I Rose Garden LLC (#MPR243868)
23. Impressed LLC (#MCR140316)
24. Just Healthy, LLC (#MRR206264)
25. Just Healthy, LLC (#MPR243889)
26. Just Healthy, LLC(#MCR140360)
27. JustinCredible Cultivation, LLC (#MCR140333)
28. Lifted Genetics, LLC (#MCR140320)
29. Littleton Apothecary LLC (#MRR206218)
30. Mainely Productions LLC (#MCR140357)
31. Massachusetts Green Retail, Inc. (#MRR206224)
32. New England Cannabis Corporation, Inc. (#MPR243867)
33. New England Cannabis Corporation, Inc. (#MCR140328)
34. New Green LLC (#MRR206210)
35. Nova Farms, LLC (#MPR243869)
36. Nova Farms, LLC (#MCR140329)
37. Other Side Agronomy, Inc. (#MCR140342)
38. Pepperell Roots, LLC (#MCR140366)
39. Pepperell Roots, LLC (#MPR243892)
40. Power Fund Operations (fka) Silver Therapeutics, Inc. (#MCR140375)
41. ProVerde Laboratories, Inc. (#ILR267910)
42. Pudding Hill Farm LLC (#MCR140374)
43. Smokey Leaf (#MRR206257)
44. TDMA LLC (#MRR206236)
45. Temescal Wellness of Massachusetts, LLC (#MPR243870)
46. Temescal Wellness of Massachusetts, LLC (#MCR140330)
47. Terpene Journey, LLC (#MRR206188)
48. The Blue Jay Botanicals, Inc. (#MRR206240)
49. The Green Harbor Dispensary, LLC (#MRR206233)
50. The Hub Craft, LLC (#MCR140314)
51. Volcann LLC (#MRR206253)
52. 4BROS, INC. (#RMD1325)
53. ACK Natural, LLC (#RMD1627)
54. Apothca, Inc. (#RMD1065)
55. ARL Healthcare (#RMD1085)
56. Cresco HHH, LLC (#RMD686)



- 57. Cultivate Leicester, Inc (#RMD485)
- 58. Ermont, Inc (#RMD225)
- 59. Sanctuary Medicinals, Inc. (#RMD605)
- 60. Sanctuary Medicinals, Inc. (#RMD1128)

Commissioner Concepcion moved to take a thirty-minute lunch recess.

- Commissioner Camargo seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Camargo – Yes
  - Commissioner Concepcion – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Yes
- The Commission unanimously approved taking a thirty-minute lunch recess, returning at 1:10 PM (03:11:11)

## 9) Commission Discussion and Votes

### 1. Access & Equity Group: Discussion on Disproportionately Impacted Areas

- The Access and Equity Group consisting of Licensing Specialist Tixa Chukwuezi (Licensing Specialist Chukwuezi), Paralegal Sabiel Rodriguez (Paralegal Rodriguez), and Project Manager Meghan Dube (Manager Dube) gave an overview of 2021 Disproportionate Impact Study and Recommendations starting on page 249 of the Meeting Packet.
- Commissioner Roy thanked the group and asked if adding the Worcester census track would have to be adopted with all of the recommendations and if the group could talk more about that piece.
  - Paralegal Rodriguez responded in the affirmative and explained that a vote is required to be taken by the Commissioners to change the ADI designation.
  - Commissioner Roy noted that she felt comfortable voting on these recommendations today because the vote is narrow to fix a clerical error.
- The Chair noted that it was the first time the Commissioners were viewing this material because of the open meeting law and supported voting for the recommendations.
- Commissioner Stebbins thanked the group for the presentation and their work. He noted his support of the view that the Commission could vote for these recommendations at this meeting. He noted the Gettman study and the method of using census track. Still, he emphasized the need to expand these areas to the



- surrounding neighborhoods because these stats can divide streets and communities despite being neighbors. Commissioner Stebbins also asked whether it was worth researching data before 1971.
- Manager Dube responded that this question would be great to incorporate into the Commission's State of the Data Report.
  - Commissioner Roy asked whether the Commission would want to subtract any communities from the list.
    - Commissioner Concepcion responded that the question of removing communities remained with the Commissioners.
    - Manager Dube agreed and noted the alternative methods of obtaining a list outside the two studies referenced in the presentation.
  - Commissioner Camargo thanked the group for the presentation and their work. She asked how the group concluded that the omission of the Worcester Census track was a clerical error.
    - Manager Dube noted the presence of the track in the list of the top poverty areas in Worcester.
    - Paralegal Rodriguez noted that on page four of the study that Dr. Gettman indicated that the Worcester track in question satisfied the criteria to be added to the ADI list because it had the highest rate of unemployment in Worcester.
  - Commissioner Camargo asked what implementation would look like regarding the groups recommendation to rerun the report as far as time and resources.
    - The Executive Director thanked the group and said that question needs to be determined with the Research Department.
    - Dr. Julie Johnson, the Director of Research (Dr. Johnson), noted that the Commission is under contract with the UMASS Donahue for the consultation study through December, which she is trying to extend until August to help with further analysis based on these recommendations.
  - Commissioner Camargo noted that she brought up the issue of Lawrence last year because she cared about this issue and noted her concern as the fourth cohort will begin soon. She also thanked the group for their presentation and noted that there is still much work to be done with the ADI to get the policy right.
  - Chair O'Brien asked Commissioner Camargo what her concerns were going into the fourth cohort and what the commission might be missing in relation to Lawrence?
    - Commissioner Camargo responded that Lawrence was left out of past rounds because of the data and lack of outreach. She noted that last year the SEP program was about to open its process so she advocated for adding Lawrence then because of the high demographics of Latinos in the community. She also noted the unemployment rate is 12% and the area income is 24% lower than the poverty line. She commented her concern that the community was already



left out twice and that adding the census track in Worcester in addition to Lawrence would be a good thing for the Commission going forward.

- The Executive Director noted a number of communities that did not contribute data to the study. He explained that Boston was a known community left out of the study, but efforts were made before the study to bring in that data. The Executive Director explained that it wasn't until after the study was done that he learned which communities were left out. He also noted that there was plenty of anecdotal evidence that suggested Lawrence would qualify, including the fact that it is a gateway city.
- Chair O'Brien asked if all gateway cities included in the list of ADI.
  - The Executive Director didn't believe so but stated the UMass study recommendations would have put them on the list.
  - Dr. Johnson noted that 55 municipalities that were excluded from the study because most communities do not have the resources and tend to be smaller communities.
- Commissioner Camargo added that just like this Worcester track being a clerical error, so was Lawrence not being added to the list of communities that are considered ADI. She noted that this discussion occurred months ago and noted the importance of getting this issue right.
- Commissioner Concepcion thanked the group for the presentation and work. She noted the gaps in both studies. She referenced the collateral consequences of using the arrest data and quoted the presentation on the subject and its importance. She also pointed out that despite the noted importance, both criteria the impact of conviction, sentencing and other sanctions was not included or considered and noted in some of these recommendations it is also limited to just arrest data. She also noted that the Commission's regulations discussing both arrest and conviction data for cannabis. She commented that both of these studies do not narrow down to just cannabis either as opposed to all drug arrests. She mentioned that the census tracks maybe harmful to use going forward in ways we identify ADIs. She also wanted to ask Dr. Johnson about the first recommendation and whether it was possible to extract the cannabis related data from the Donahue study.
  - Dr. Johnson said it might be, but it would have to be a conservative estimate because the data is not perfectly aligned and so there might be gaps which is why we were inclusive with the number originally. She also noted that after arrest, the data is not always reported by municipalities and because of that the data would be skewed to favor municipalities who have the resources to capture that data.
- Commissioner Concepcion noted the timing difference between the studies with the Gettman study being conducted in a two-month period and the Donahue study being



- over a year. She also reminded the Commissioners the reason for choosing NIBRS last March was because it was a part of the procurement process and to be mindful of the importance of the equity mandate to our work which is used as an example.
- Chair O'Brien asked how the Commission would go about deciding the difference between (1) tracks and neighborhoods and (2) why the Commission was spending so much time evaluating Lawrence if it seems to fit in with our criteria for an ADI?
    - Commissioner Concepcion clarified that the census tracks were identified by the Gettman study and continued in the Donahue study and was not something that the Commission evaluated as a tool to use going forward and should have been evaluated.
    - The Executive Director explained the lack of knowledge that Lawrence would be left out of the original survey data. He mentioned that there was a robust discussion about the census tracks with former Commissioners and weighed the considerations on how to set the boundaries. He noted the census track was not redrawn and was carried over into the Donahue study and if the Commission wants to reconsider this issue, he would be happy to help.
  - Commissioner Roy made a comment about the fact that arrest data doesn't link back to the area where the person was from but where the arrest took place and offered that point as a suggestion if the Commission is considering looking into a change. She also asked Dr. Johnson about whether additional data can extract cannabis possession verses cannabis distribution.
    - Dr. Johnson explained that all data must be comparable and cannot favor one community over the other. She said she could extract that data, but we cannot extract post-arrest data and therefore it is not comparable across municipalities. She explained that she could do another study to extract that data further.
  - Commissioner Roy asked whether the research team was using data from county correctional facilities, department of correction and federal facilities.
    - Dr. Johnson said the data varies once you look at the post-arrest and a lot of those systems are paper records so review would take a lot of time and resources to conduct.
  - Commissioner Stebbins thanked Commissioner Camargo for her advocacy for the city of Lawrence. He also asked Dr. Johnson about whether the vendor could work on this issue and extract this data before the contract expires in December.
    - Dr. Johnson said under the current ISA, they are contracted for consultation and not review of data through December. The Legal and Research teams have decided to hold off on the ISA till August and edit the statement so that they would be able to update those data sets.



- Commissioner Camargo moved to adopt the spirit of the group’s recommendations and have the Executive Director and staff, including the research team, and the equity program and policy team coordinate with a racially diverse research team to analyze and implement the appropriate data sets, methodologies and research to recommend and update to ADI designation and in the interim she suggested adopting the Gettman study’s recommendation, in addition to the Worcester track mentioned and the city of Lawrence.
- Commissioner Stebbins wanted Commissioner Camargo to explain her first motion in greater detail because it seemed to entail additional research agenda items.
- Commissioner Camargo suggested researching this issue in greater detail and discussed utilizing staff and other researchers to discover what else the Commission needs to make accurate ADI. She also referenced her fellow commissioner’s questions on additional data and mentioned supporting the spirit of the group’s recommendation through this motion.
- Chair O’Brien asked what Commissioner Camargo meant by a diverse research team and whether that would require hiring additional researchers.
- Commissioner Camargo meant when hiring outside vendors, like for the Donahue survey, she felt like there was a lack of a racial lens there and oversight because of it and hopes to change that if this topic is researched again.
- Chair O’Brien expressed concern over the multifaceted motion by Commissioner Camargo and debated on making it two motions.
- Commissioner Roy expressed her opinion that she sees three different concepts and was getting confused that they were being rolled into one motion.
- The Chair asked the General Counsel for clarity on the current motion before the Commissioners.
- General Counsel Christine Baily (General Counsel Baily) said her understanding is there is a current motion before the Commissioners that Commissioner Camargo is asking you to take a vote on the motion. In this case, someone can seek to amend the motion and debate the amendment but as of right now there are not amendments offered and the motion is on the floor as read by Commissioner Camargo.
- Commissioner Stebbins noted that the motion had yet to be seconded, which indicates that the motion can still be amended.
- Chair O’Brien asked the commissioner to repeat her motion.
- Commissioner Camargo repeated her motion.
- Chair O’Brien asked whether this motion was clear to everyone.
- Commissioner Roy asked to clarify the “racially diverse research team” language and whether she meant that requirement for the external research team.
- Commissioner Camargo responded in the affirmative and said she was concerned with the research going back in time and that is why she suggested that provision.



- Commissioner Stebbins asked whether Commissioner Camargo would be amendable to breaking up her motion into three motions and expressed his desire to discuss different aspect of these three issues.
- Commissioner Camargo said she was not amendable to changing her motion.
- Commissioner Stebbins said he appreciated that feedback and her motion’s spirit. He said he had different thoughts about Lawrence as opposed to the Worcester track. He also noted his desire to rethink the census tracks as opposed to adding this single track in Worcester and hopes the Commission will revisit this discussion around using census tracks in the future.
- Commissioner Roy noted she also felt more comfortable breaking down this motion to three different motions and conversations about each.
- Commissioner Camargo said that we know the census track is not perfect and there could be another way until we run this report and figure out another way to designate these areas, but we are stuck with this methodology until we do that work.
- Commissioner Concepcion seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Camargo – Yes
  - Commissioner Concepcion – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Yes
- The Commission unanimously approved the motion.

## 2. Draft Executive Director Performance Review Tool

- Commissioner Stebbins provided an overview on the topic. He explained that the Commission updated the Executive Director Performance Evaluation and Compensation Process last year. He noted that the process focused on transparency and offered a meaningful perspective from Commissioners.

## 3. Access Job Description: Senior IT Support Specialist

- The Executive Director presented the job description.
- Commissioner Roy made a motion to approve the creation of the new Senior IT Support Specialist.
- Commissioner Stebbins Seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Camargo – Yes
  - Commissioner Concepcion – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes



- Chair O'Brien – Yes
  - The Commission unanimously approved the creation of the new role.
4. Consideration of New Host Community Agreement (HCA) Requirements
- The Executive Director and General Counsel Baily gave an update and overview on the topic.
  - Commissioner Stebbins thanked the Executive Director and General Counsel and noted his support for the prudent approach. He explained the perceived confusion regarding the new law between both licensees and municipalities and said he appreciates the clarification.
    - The Executive Director responded that one additional area of the legislation would allow municipalities to waive the HCA requirement and the Commission would need to create a form to handle that process.
  - Commissioner Roy said she received many questions about HCA regulation and wondered whether this decision would be distributed to municipalities.
    - The Executive Director said this information was in the Public Meeting Packet, and the Commission was currently working with cities and towns to understand this process. He also explained that he was seeking the Commission's support for this change and hoped the Commissioners would support him in this effort and, if approved, would work with Massachusetts Municipal Association to get the information out to members.
  - Commissioner Camargo thanked the Executive Director for this motion and said she knew this was a difficult decision and offered support for the motion.
  - Chair O'Brien asked a clarifying question as to whether the Executive Director was offering a motion and whether he had language in mind for said motion.
  - Executive Director Collins proposed the motion language.
  - Chair O'Brien asked a clarifying question on the timing of the implementation and noted that the topic would be one of the first issues tackled by the Commission during the regulatory review and promulgation process.
    - The Executive Director noted that the emphasis is on before November 9, 2023.
  - Commissioner Stebbins moved for the Commission to vote not to consider application's compliance with M.G.L. c. 94G, §3(d)(1)-(2), (i)-(iii) and Section 3, until the commission has promulgated relevant regulations which will occur on or before November 9, 2023; further, that the Commission encourages communities to consult counsel in order to consider whether their existing or pending HCAs comply with the new requirements.
  - Commissioner Camargo seconded the motion.
  - The Chair took a roll call vote:
    - Commissioner Camargo – Yes
    - Commissioner Concepcion – Yes



- Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Yes
- The Commission unanimously approved to consider application’s compliance with M.G.L. c. 94G, §3(d)(1)-(2), (i)-(iii) and Section 3, until the commission has promulgated relevant regulations which will occur on or before November 9, 2023; further, that the Commission encourages communities to consult counsel in order to consider whether their existing or pending HCAs comply with the new requirements.

10) New Business the Chair Did Not Anticipate at the Time of Posting – 05:08:04

- No new items were identified.

11) Next Meeting Date – 05:08:06

- The chair noted that the next meeting would be on December 8, 2022, via Teams at 10:00AM.
- Commissioner Camargo thanked the staff for accommodating a December public meeting as historically the Commission did not meet in December.

12) Adjournment – 05:09:05

- The Chair said she would entertain a motion to adjourn.
- Commissioner Concepcion moved to adjourn.
- Commissioner Roy seconded the motion.
- The Chair took a roll call vote:
  - Commissioner Camargo – Yes
  - Commissioner Concepcion – Yes
  - Commissioner Roy – Yes
  - Commissioner Stebbins – Yes
  - Chair O’Brien – Yes
- The Commission unanimously approved the motion.

