

BERKSHIRE ROOTS, INC.

MCN281590

MPN281427

MRN281585

MXN281322

BACKGROUND & APPLICATION OF INTENT REVIEW

1. Name of the Marijuana Establishment:

Berkshire Roots, Inc.

2. Address of the Marijuana Establishment:

501 Dalton Avenue, Pittsfield, MA 01201

3. Type of license(s) sought:

Cultivation, Tier 2—Indoor (5,001-10,000 sq. ft) (MCN281590)

Product Manufacturing (MPN281427)

Retailer (MRN281585)

Transporter with Other Existing Marijuana Establishment License (MXN281322)

4. Applicant is a licensee or applicant for other Marijuana Establishment license(s):

The applicant is not a licensee or applicant for any other Marijuana Establishment licenses.

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

Albert Wojtkowski—President

Kurt Hospot—General Manager

Dennis DePaolo—Chief Operating Officer

Stephanie Aussubel—Chief Executive Officer

Joseph Baillargeon—Director of Production

Thomas McMenemy—Operations Manager

Andrea Nuciforo—Close Associate

Matthew Feeney—Close Associate

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

KO Resources, LLC owns Berkshire Roots, Inc. The applicant certified that no other entities or individuals who may have an interest in K.O. Resources, LLC, and who would otherwise be required to be individually listed in the license applications, have been omitted.

7. Priority status of applicant:

RMD Priority (RP201903)

8. Location and status of business if it is an RMD:

The RMD is in compliance with the Department of Public Health (DPH).
The RMD business will be co-located with the adult-use business in Pittsfield.
The RMD has Final Certificate of Registration for dispensing, cultivation and processing.

9. Information regarding host community agreement certification:

The Host Community Agreement was executed on May 24, 2018; certification provided.

10. Information regarding community outreach meeting:

The community outreach meeting was held on May 8, 2018.
Notice was published at least seven days prior in the Berkshire Eagle.
The applicant certified notice to the municipality and abutters.
The applicant certified compliance with the community outreach meeting requirements.

11. Any objections regarding compliance with local ordinances and bylaws presented by the municipality:

No objections were communicated to the Commission.
The Commission received responses from the municipality on the following dates:
a. September 7, 2018 (for the retail license application); and
b. September 12, 2018 (for the cultivation, product manufacturing, and transportation license applications).

The municipality certified that the applicant was in compliance with all local ordinances and bylaws for all license types sought.

12. Summary of plan to positively impact areas of disproportionate impact:

The applicant plans to positively impact the City of Pittsfield in the following ways:
a. Prioritize the hiring of local and disadvantaged workers;
b. Conduct community outreach in order to promote health, wellness, and cannabis education; and
c. At a minimum, support one local charitable organization that participates in health, wellness, and human services.

The applicant plans to evaluate and measure the success of its actions annually to ensure that its goals are being achieved.

SUITABILITY REVIEW

13. Concerns arising from background checks on individuals associated with the application:

No concerns.

14. Concerns arising from background checks on entities associated with the application:

No concerns.

15. Applicant's disclosure of any past civil or criminal actions:

No disclosures.

16. Applicant's disclosure of any occupational license issues:

No disclosures.

17. Applicant's disclosure of any business interests in other jurisdictions:

No disclosures.

18. Status of applicant's compliance with the Department of Revenue and Secretary of the Commonwealth:

June 15, 2018 | Certificate of Good Standing, Secretary of the Commonwealth
(Certification Number: 18060324550)
April 11, 2018 | Certificate of Good Standing, Department of Revenue
(Letter ID: L0552880256)

MANAGEMENT AND OPERATIONS REVIEW

19. Applicant's proposed timeline to become operational in the adult-use market:

The applicant is a vertically-integrated RMD that is operational in the medical-use market. The applicant is able to be operational in the adult-use market within two weeks from being issued a provisional license.

20. Applicant's proposed hours of operation:

Cultivation and product manufacturing operations:
Monday-Sunday—24 hours/day
Retailer and transportation operations:
Tuesday-Sunday—10:00 a.m. to 6:00 p.m. (closed on Monday)

21. Applicant's compliance with submitting summaries of the following plans, policies and procedures:

- a. Security Plan
- b. Prevention of Diversion Plan
- c. Storage of Marijuana Plan

- d. Transportation Plan
- e. Inventory Procedures
- f. Quality Control and Testing Procedures
- g. Personnel Procedures
- h. Dispensing Procedures
- i. Record-Keeping Procedures
- j. Maintenance of Financial Records Policy
- k. Diversity Plan

The applicant is fully compliant with submitting all summaries. All summaries were determined to be substantially compliant with the requirements listed in 935 CMR 500.105 through 935 CMR 500.160 as applicable. Full compliance will be reviewed during inspections and will be required before a final license is issued.

22. Summary of diversity plan:

The applicant plans to do the following:

- a. Build a diverse staff that is comparable to the demographics of Pittsfield;
- b. Build relationships with diverse institutions in order to recruit and hire potential employees; and
- c. Continue to search for and remove barriers for people of diverse backgrounds to ensure they have access to opportunities within the applicant's company.

The applicant plans to accomplish its goals by doing the following:

- a. Collect and analyze demographic data to compare to its organization's diversity;
- b. Perform exit surveys and collect employment data to improve diversity and overall retention of its employees; and
- c. Develop a written plan for continuous improvement.

23. Summary of cultivation plan (if applicable):

The applicant explained its cultivation process through the following areas:

- a. Obtaining particular strains;
- b. Propagation stage;
- c. Flowering stage; and
- d. Harvesting stage.

The applicant plans to install and implement sustainable and environmentally conscious amenities, equipment, and lighting for its cultivation facility with the goal of reducing its carbon footprint.

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

The list of products that will be produced include, but are not limited, to the following:

- a. Vaporizer cartridges;
- b. Oil;
- c. Cookies;
- d. Brownies;
- e. Chocolates;
- f. Tinctures;

- g. Lozenges;
- h. Cannabis-infused mineral waters;
- i. Patches; and
- j. Salves.

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

The applicant is a vertically-integrated RMD and is applying for adult-use cultivation and product manufacturing licenses. If the need arises, it plans to procure additional supply from Marijuana Establishments licensed by the Commission.

26. ISO 17025 Certifying Body and Certificate Number (if applicable):

Not applicable.

RECOMMENDATION

Commission staff recommend issuing provisional licenses to the applicant with the following conditions:

- (1) Final licenses are subject to certification that the applicant remains in compliance with DPH regulations, 105 CMR 725.000;
- (2) Final licenses are subject to inspection and audit to ascertain compliance with the requirements listed in 935 CMR 500.105 through 935 CMR 500.160 as applicable;
- (3) Final licenses are subject to inspection and audit to ascertain that the facilities are compliant with all applicable state and local codes, bylaws, ordinances, and regulations;
- (4) The applicant shall cooperate with and provide information to Commission investigators, agents, and employees upon request; and
- (5) Provisional licenses are subject to the payment of the appropriate license fee pursuant to 935 CMR 500.005.

This recommendation was based on the applicant's demonstrated compliance with the laws and regulations of the Commonwealth, suitability for licensure, and upon the evaluation of the thoroughness of the applicant's responses to the required criteria.

Commission staff certify that a due diligence review of the applications were performed. As of this date, the applicant has demonstrated compliance with the laws and regulations of the Commonwealth and suitability for licensure. Accordingly, the applicant is recommended for provisional licensure with the previously mentioned conditions.