

BERKSHIRE WELCO, LLC
MCN281317

BACKGROUND & APPLICATION OF INTENT REVIEW

1. Name of the Marijuana Establishment and its application number:

Berkshire Welco, LLC

2. Address of the Marijuana Establishment:

1375 Main Street, Sheffield, MA 01257

3. Type of license sought (if cultivation, its tier level and outside/inside operation):

Cultivation, Tier 5/Indoor (30,001-40,000 sq. ft)

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

Product Manufacturing (application submitted)
Retailer (application submitted)

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

Christopher Weld—Executive
Michael Cohen—Executive
Nial DeMena—Close Associate
Peter Steimer—Close Associate
Scott Holland—Close Associate

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

No other entity, other than the applicant, appear to have direct or indirect authority over the Marijuana Establishment.

7. Priority status of applicant:

General applicant.

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

Not applicable.

9. Information regarding host community agreement certification:

The Host Community Agreement was executed on March 20, 2018; certification provided.

10. Information regarding community outreach meeting:

The community outreach meeting was held on March 27, 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 a response from the municipality on November 7, 2018, stating that the applicant was in compliance with all local ordinances and bylaws.

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

The applicant plans to do the following:

- a. Host job fairs with Berkshire Community Action's Project Reconnect to target individuals who reside in Pittsfield for employment; and
- b. Host education seminars on best business practices in the marijuana industry.

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 marijuana-related business interests in other jurisdictions:

Not applicable.

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

June 18, 2018 | Certificate of Good Standing, Secretary of the Commonwealth
(Certification Number: Not Applicable.)

June 19, 2018 | Certificate of Good Standing, Department of Revenue
(Letter ID: L2107952256)

MANAGEMENT AND OPERATIONS REVIEW

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

The applicant states that it can begin operations in May 2019.

20. Applicant's proposed hours of operation:

Monday-Sunday: 8:00 a.m. to 8:00 p.m.

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. Develop relationships with organizations serving minorities, women, people of all gender identities and sexual orientations, veterans, and persons with disabilities for employment referrals;
- b. Provide briefings to representatives from recruitment sources concerning current and future job openings;
- c. Encourage employees to refer diverse applicants for employment;
- d. Participating in career day programs; and
- e. Establish recruitment efforts at higher learning institutions.

23. Summary of cultivation plan (if applicable):

The applicant submitted a detailed cultivation plan that discussed the following items:

- a. General cultivation practices;
- b. Energy and environmental efficiency standards;
- c. Pest management practices; and
- d. Sanitation practices.

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

Not applicable.

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

Not applicable.

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

Not applicable.

RECOMMENDATION

Commission staff recommend issuing a provisional license with the following conditions:

- (1) Final license is subject to inspection and audit to ascertain compliance with the requirements listed in 935 CMR 500.105 through 935 CMR 500.160 as applicable;
- (2) Final license is subject to inspection and audit to ascertain that the facilities are compliant with all applicable state and local codes, bylaws, ordinances, and regulations;
- (3) The applicant shall cooperate with and provide information to Commission investigators, agents, and employees upon request; and
- (4) Provisional license is 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 was 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.