

BERKSHIRE WELCO LLC
MCN281949

BACKGROUND & APPLICATION OF INTENT REVIEW

1. Name and address of the proposed Marijuana Establishment:

Berkshire Welco LLC
89-93 Ashley Falls Rd, Sheffield, MA 01257

2. Type of license sought (if cultivation, its tier level and outside/inside operation) and information regarding the application submission:

Cultivation, Tier 7 / Outdoor (50,001 – 60,000 sq.ft.)

The application was reopened once for additional information.

3. The applicant is a licensee or applicant for other Marijuana Establishment and/or Medical Marijuana Treatment Center license(s):

| Type | Status | Location |
|--|-----------------------|-----------|
| Cultivation, Tier 5 / Indoor (30,001 – 40,000 sq.ft) | Provisional License | Sheffield |
| Product Manufacturing | Application Submitted | Sheffield |
| Retail | Application Submitted | Sheffield |

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

| Individual | Role |
|------------------|---------------------|
| Christopher Weld | Executive / Officer |
| Michael Cohen | Executive / Officer |
| Nial DeMena | Close Associate |
| Peter Steimer | Close Associate |

5. Applicant's priority status:

General Applicant



6. The applicant and municipality executed a Host Community Agreement on December 22, 2018.
7. The applicant conducted a community outreach meeting on January 17, 2019 and provided documentation demonstrating compliance with Commission regulations.
8. The Commission received a municipal response from the municipality on November 1, 2019 stating the applicant was in compliance with all local ordinances and bylaws.
9. The applicant proposed the following goals for its Positive Impact Plan:

| # | Goal |
|---|---|
| 1 | Provide at least two (2) cannabis educational seminars on the harms of cannabis use before the age of 21 in high schools located in North Adams and Pittsfield. |
| 2 | Recruit 5% of individuals who have had past drug convictions and 5% whose parents or spouses have drug convictions for its hiring initiatives. |

SUITABILITY REVIEW

10. There were no concerns arising from background checks on the individuals or entities associated with the application.
11. There were no disclosures of any past civil or criminal actions, occupational license issues, or marijuana-related business interests in other jurisdictions.

MANAGEMENT AND OPERATIONS REVIEW

12. The applicant states that it can be operational within two (2) months of receiving its provisional license.
13. The applicant’s proposed hours of operation are the following:

Monday – Sunday: 8:00 a.m. – 8:00 p.m.
14. The applicant submitted all applicable and required summaries of plans, policies, and procedures for the operation of the proposed establishment. The summaries were determined to be substantially compliant with the Commission’s regulations.
15. The applicant proposed the following goals for its Diversity Plan:

| # | Goal |
|---|--|
| 1 | Recruit 50% of individuals who are minorities, women, people identifying as LGBTQ+, veterans, and persons with disabilities for its hiring initiatives |



| | |
|---|--|
| 2 | Utilize 25% of outside vendors that qualify as diverse. |
| 3 | Participate in career day programs and/or job fairs in Pittsfield and North Adams at least twice a year. |

16. Summary of cultivation plan (if applicable):

The applicant submitted a cultivation plan that demonstrates the ability to comply with the Commission’s regulations.

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

Not applicable.

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

Not applicable.

RECOMMENDATION

Commission staff recommend provisional licensure with the following conditions:

1. Final license is subject to inspection to ascertain compliance with Commission regulations;
2. Final license is subject to inspection to ascertain compliance with applicable state laws and local codes, ordinances, and bylaws;
3. The applicant shall cooperate with and provide information to Commission staff;
4. Provisional licensure is subject to the payment of the appropriate license fee;
5. Prior to final licensure, and upon inspection, the applicant shall submit to the Commission staff an updated Diversity Plan with measurable and quantifiable goals;
6. Prior to final licensure, and upon inspection, the applicant shall submit to the Commission staff an updated Positive Impact Plan (PIP) that fully complies with the Commission’s Guidance on Required Positive Impact Plans and will ensure that all monetary and volunteer time donations to organizations have documentation from the organizations stating they will receive such donations and those donations will directly impact the Disproportionately Impacted Area; and
7. Prior to final licensure, and upon inspection, the applicant shall have a standard operating plan that complies with cash handling and transportation requirements pursuant to 935 CMR 500.110(7).

The applicant has demonstrated compliance with the laws and regulations of the Commonwealth and suitability for licensure. Therefore, the applicant is recommended for provisional licensure.

