

**BERKSHIRE KIND, INC.**  
MCN282303

**BACKGROUND & APPLICATION OF INTENT REVIEW**

1. Name and address of the proposed Marijuana Establishment:

Berkshire Kind, Inc.  
50 Woodland Avenue, Pittsfield, MA 01201

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

Cultivation, Tier 2/Indoor (5,001 – 10,000 sq. ft.)

The application was reopened one (1) time for additional information.

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

The applicant is not an applicant or licensee for any other license type.

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

Individual	Role
Philip Silverman	Owner / Partner
David Holmes	Manager
Michael Greenberger	Capital Contributor

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

Entity	Role
Whalers Trading, LLC	Entity with Direct or Indirect Authority

6. Applicant's priority status:

General Applicant



7. The applicant and municipality executed a Host Community Agreement on April 1, 2020.
8. The applicant conducted a community outreach meeting on November 19, 2019 and provided documentation demonstrating compliance with Commission regulations.
9. The Commission received a municipal response from the municipality on July 30, 2020 stating the applicant was in compliance with all local ordinances or bylaws.
10. The applicant proposed the following goals for its Positive Impact Plan:

#	Goal
1	Recruit 50% of individuals who reside within Pittsfield and have no prior experience and 20% of individuals who reside within Pittsfield and have prior drug convictions.
2	Provide industry-specific mentoring, professional, and technical services for individuals and businesses within the City of Pittsfield who face systemic barriers with a goal of having ten (10) attendees per educational session and support the advancement in the cannabis industry of four (4) individuals and/or businesses per year with continued mentoring.

### **SUITABILITY REVIEW**

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

### **MANAGEMENT AND OPERATIONS REVIEW**

13. The applicant states that it can be operational within eight (8) months of receiving the provisional license(s).
14. The applicant's proposed hours of operation are the following:  
  
Monday – Sunday: 9:00 a.m. – 5:00 p.m.
15. 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.
16. The applicant proposed the following goals for its Diversity Plan:



#	Goal
1	Increase opportunities and access for entry in the commercial adult-use cannabis industry by recruiting Minorities (12.6%); Women (50%); Veterans (10%); Persons with Disabilities (10%); and individuals who identify as LGBTQ+ (10%) with no prior training or experience in the cannabis industry.
2	Provide industry-specific education, mentoring, and technical services for Minorities, Women, Veterans, Persons with Disabilities, or individuals who identify as LGBTQ+ with a goal of having five (5) of the listed individuals attend each educational session and support the advancement of two (2) of the listed individuals and/or MWBE businesses per year with continued mentoring.
3	Increase the utilization of Veteran and MWBE businesses for vending and contracting within Berkshire Kind, specifically prioritize working with Veteran and MWBE contractors, raw material suppliers, and consulting firms with a goal of utilizing 20% of its contracted services/purchases over \$5,000 to be from Veteran and/or MWBE businesses within the State of Massachusetts.

17. Summary of cultivation plan (if applicable):

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

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

Not applicable.

19. 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. Final licensure is subject to the applicant ensuring that all remaining required individuals be fingerprinted pursuant to previous Commission notifications;
4. The applicant shall cooperate with and provide information to Commission staff; and
5. Provisional licensure is subject to the payment of the appropriate license fee.

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.

