

## **Marijuana Advisory Team (MAT) Meeting Minutes**

**Held on May 18, 2021 on Zoom at 1:00 PM**

### **Present:**

Thatcher W. Kezer III, COO

Shane O'Brien, Senior Planner, PCD

Victor Pereira, Deputy Chief of Administration, Police Department

Officer Keith Strange, Police Department

Dana Haagensen, Fire Department

Mary Ellen Kelley, CFO

Michael Tusino, Building Commissioner, Department of Inspectional Services

Mollie Amaral, Community Outreach Coordinator, PCD

### **Legal Counsel:**

Amanda Zuretti, Esq., Petrini & Associates, P.C., designee for City Solicitor

### **Minutes:**

Thatcher Kezer brought up the first item under "Upcoming Interviews" on the agenda. He suggested that representatives for Cultivate Leicester, Inc. ("Cultivate") attend MAT meeting on June 2<sup>nd</sup> 2021 with representatives for new owners. Mr. Kezer mentioned that Cultivate is requesting permission for delivery services.

Shane O'Brien mentioned adding certain FAQs to MAT page.

<https://masscannabiscontrol.com/applicants-licensees/frequently-asked-questions/>

Mr. Kezer brought up the second item under "Upcoming Interviews" on the agenda was to sit down with representatives from Temescal Wellness ("Temescal") to review security issues in their parking lot. Officer Strange explained that the Police Department is has concerns about incident reporting at Temescal. Officer Strange stated, to give reference from the time they opened, there have been 220 reported sales a day with 0 reportable incidents. Officer Strange stated that in comparison, Cultivate reported 11 reportable incidents and Nova Farms, LLC ("Nova Farms") reported 3. Officer Strange stated that the Police Department would like to discuss incident reporting with Temescal.

Mr. Kezer stated that he and the Mayor met with representatives from Beacon Compassion, Inc. (“Beacon”) which holds a Host Community Agreement (HCA) a Registered Marijuana Dispensary executed October 20, 2015. Mr. Kezer stated that the City did not execute an HCA for retail marijuana with Beacon in 2019 as Beacon had not obtained needed permits for their building or shown readiness to begin operations. Mr. Kezer mentioned that Beacon has been acquired by new owners and is looking for upgrades to their facility and hoping to be opened up for retail of marijuana.

Mr. Kezer stated that the City already has 6 adult use retail HCA including 3 that have not opened yet but are making progress. Mr. Kezer stated that because adult use retail marijuana establishments are limited to 6 under the City’s General Ordinances [Article VII, Section 9.3] it would require the City Council to approve 7 or more adult use retail marijuana HCAs. Attorney Zuretti stated that under M.G.L. c. 94G, section 3(d) the maximum duration of a HCAs is 5 years and that the 6 retail establishment limit is established by law M.G.L. c. 94G, section 3 (2)(ii), which allows a municipality to [limit the number of marijuana retailers to fewer than 20 per cent of the number of licenses issued within the city or town for the retail sale of alcoholic beverages not to be drunk on the premises where sold under M.G.L. c. 138, section 15, i.e., “package store licenses”]. Mr. Kezer mentioned that from what he understands, that 6 is an established number and to go below 6, it would be required to go to the ballot, above 6 would require City Council approval. Attorney Zuretti stated that 6 was decided because it is 20% of packaged store license and that further limitation of the number or type of marijuana establishments would require a ballot question [per M.G.L. c. 94G, section 3(d) section 2 and 5(e)] . Mr. Kezer asked everyone their thoughts about going through whole due diligence process first if City Council will not change number or if just getting all the information first would make more sense.

Attorney Zuretti asked if inquirers are being guided to the MAT portal for applications. Mary Ellen Kelly asked about who the contact person is. Mr. Kezer stated that HCAs for marijuana delivery licenses are currently restricted to Social Equity applicants. Mr. O’Brien stated that delivery for first 36 months, we can only take Certified Economic Empowerment Priority Applicants and/or Social Equity Program Participants in accordance to Cannabis Control Commission, and they must be pre-certified through the Cannabis Control Commission. Attorney Zuretti stated that Beantown Bud Hub, LLC, [which had inquired about an HCA in September 2020] is pre-certified. Attorney Zuretti mentioned that the MAT should talk to Cultivate to ask if they are getting pre-certified for marijuana delivery and asked where vehicles would kept if there is no warehouse for a marijuana courier.

Mr. Kezer brought up agenda item “Finalize HCA language for applicants/interviews.” Mr. O’Brien asked about what the comfort level is for some architectural plans or to look at a building permit. Attorney Zuretti stated that people should meet with the Building Commissioner for site plan review and that they should already have a lease agreement or an intention to lease at the time of application for an HCA.

Mr. O'Brien mentioned that the landlord for Saxonville Mills is willing to work with Dakota Krug for another location. Mr. Kezer brought up about risk of getting a lease and being approved for plan. Attorney Zuretti stated that the invitation to enter into an HCA is the end of process, ready to do business, viable in Framingham.

Mr. Kezer brought up next agenda item, about Nova Farms emailing a request to have expanded hours of operation. Mr. Kezer stated that the response to them was when successfully operated for at least 6 months and have an updated satisfactory Police Department review. Officer Strange also responded about doing that review. Mr. Kezer stated that if they meet police requirements of security first then we would be willing to expand their hours.

Ms. Kelly asked about who to designate for financial person for MAT meetings. Mr. Kezer mentioned talking about who would best fill that role.

Mr. O'Brien asked about approving the meeting minutes. Mr. Kezer stated that he is not ready to approve minutes at this time.

The MAT Meeting concluded and adjourned at 1:45 PM on May 18, 2021.