

Marijuana Establishment and Medical Marijuana Treatment Center Host Community Agreement Policy and Procedures

The Town of West Stockbridge is interested in engaging with potential applicants who will be responsible Adult Use Marijuana Establishment and/or a Medical Marijuana Treatment Center, a/k/a Registered Marijuana Dispensary, operators creating employment opportunities and promoting economic development to the Town. The Town has developed this Policy to establish a process for selecting eligible applicants with which to enter into Host Community Agreements.

Submission Requirements

Applicants seeking a Host Community Agreement for an Adult Use Marijuana Establishment and/or a Medical Marijuana Treatment Center shall submit one original hardcopy and one electronic copy of the following materials in an envelope clearly marked “Adult Use Marijuana Establishment” and/or “Medical Marijuana Treatment Center.” Information regarding security and any other information considered proprietary shall be sealed in an inner envelope marked “Confidential.” Submittals shall be delivered to:

Town Administrator
21 State Line Road
West Stockbridge, MA 01266
admin@weststockbridge-ma.gov

Included in the envelope shall be a check made payable to “Town of West Stockbridge” in the amount of \$300.00 to cover the cost of the Submission Review.

Each Applicant shall submit the following information:

A. Cover Letter

A 1-2 page cover letter summarizing the Applicant’s proposal and indicating why the Applicant wishes to operate a Marijuana Establishment and/or Medical Marijuana Treatment Center in the Town of West Stockbridge.

B. Intent

1. Documentation that the entity applying for the Marijuana Establishment and/or Medical Marijuana Treatment Center license with the Cannabis Control Commission is an entity registered to do business in Massachusetts.
2. Certificate of good standing, issued within the previous 90 days from submission to the Town from the Corporations Division of the Secretary of the Commonwealth.
3. A list of all Persons or Entities having Direct or Indirect Control of the Marijuana Establishment and/or Medical Marijuana Treatment Center.

4. Documentation detailing the amounts and sources of capital resources available to the applicant from any individual or entity that will be contributing capital resources for purposes of establishing or operating the Marijuana Establishment/or Medical Marijuana Treatment Center.
5. Documentation of the proposed address for the Marijuana Establishment and/or Medical Marijuana Treatment Center and evidence of property interest or site control in the form of clear title, an option to purchase, a legally enforceable agreement to give title, or documentation evidencing legal authorization to use the premises, such as a lease or option to lease.
6. Evidence that the proposed location complies with applicable buffer zones and zoning requirements in the form of a survey plan or GIS mapping showing the location and all properties and uses within applicable buffers as set forth in the Town's Zoning Bylaw

C. Management and Operations Profile -

1. Timeline for achieving operation and evidence the Marijuana Establishment and/or Medical Marijuana Treatment Center will be ready to operate within the timeline.
2. Demonstration of plan to obtain liability insurance policy.
3. Detailed operating policies and procedures for the Marijuana Establishment/or Medical Marijuana Treatment Center, including, but not limited to. the following (to the extent applicable to the proposed operations):
 - i. Security
 - ii. Traffic mitigation
 - iii. Personnel policies
 - iv. Prevention of diversion of marijuana to minors or the illicit market
 - v. Marijuana storage
 - vi. Parking plan
 - vii. Transportation and onsite deliveries both to and from the Marijuana Establishment
 - viii. Delivery to customers
 - ix. Cultivation process and procedures, including evidence of plans for compliance with Cannabis Control Commission best practices for energy use, water consumption and pesticide controls
 - x. Proposed building design and signage
 - xi. Plans for external nuisance mitigation (light, noise, emissions, odor, debris, solid waste disposal)
 - xii. Product Manufacturing process and procedures
 - xiii. Retail dispensing procedures
 - xiv. Research process and procedures
 - xv. Testing process and procedures
 - xvi. Record keeping and maintenance of financial records
 - xvii. Plan for employee staffing/local job creation
4. Qualifications of all Close Associates with managerial or operational control.

5. Disclosure of ownership interest of any Person Having Direct or Indirect Control of the proposed Marijuana Establishment and/or Medical Marijuana Treatment Center in any other licensed Marijuana Establishments and/or Medical Marijuana Treatment Centers within the Commonwealth or elsewhere (license pending or otherwise approved).
6. Training plans for employees

D. Plan for Positive Community Impacts

A proposal demonstrating municipal benefits the Marijuana Establishment and/or Medical Marijuana Treatment Center will provide to the Town, financial or otherwise, such as:

1. Description of any community or local ties to the West Stockbridge community.
2. Proposed hours of operation.
3. Proposal for ensuring the protection of public health.
4. Local hiring preferences (within confines of law).
5. Security review and cooperation with local law enforcement.
6. A proposal demonstrating municipal benefits the Marijuana Establishment and/or Medical Marijuana Treatment Center will provide to the Town, financial or otherwise.
7. Diversity plan to promote equity among minorities, women, veterans, people with disabilities, people of all gender identities and sexual orientation.
8. Status as Economic Empowerment or Social Equity Applicant.

Community Outreach Hearing

Following the submission of the above-referenced materials, the Applicant shall schedule a Community Outreach Meeting, in coordination with the Town for purposes of selecting a date and location for the Community Outreach Meeting. This meeting should minimize conflict with the meeting schedules of other municipal boards requiring notification of this meeting and in order to ensure availability and attendance of appropriate municipal representatives at the meeting.

The Community Outreach Meeting shall include, at a minimum, disclosure of the following information:

1. The type(s) of Marijuana Establishment and/or Medical Marijuana Treatment Center to be located at the proposed address.
2. Information adequate to demonstrate that the location will be maintained securely.
3. Steps to be taken by the Marijuana Establishment and/or Medical Marijuana Treatment Center to prevent diversion to minors.
4. A plan by the Marijuana Establishment and/or Medical Marijuana Treatment Center to positively impact the Town.

Submission Review

Submissions will be reviewed by the Select Board to determine if the applicant has met the minimum criteria to proceed with negotiation of a host community agreement. Applicants may be asked to appear before the Select Board to present their information in person and respond to questions.

The Select Board reserves the right to reject any application it deems to be incomplete, however it may, at its discretion, request that the omitted information or further clarifications be provided by the Applicant. The Select Board also reserves the right to reject any and all proposals if deemed to be in the Town's best interest.

The Town does not discriminate on the basis of race, sex, age, color, national origin, religion, gender identity, disability, gender identity or expression, marital or parental status, sexual orientation, transgender status, veteran status, or any other protected status.

Selection Process

Submittals will be evaluated by the Select Board according to the evaluation criteria set forth below.

To augment the information provided in the submittal, additional information and/or presentations may be required by the Select Board.

The Town will not be liable for any costs incurred by the Applicant for preparation of their application submission or their participation in subsequent submissions or presentations.

Review Criteria

- ❖ Applicant demonstrates knowledge and understanding of licensing procedures
- ❖ Applicants' management and operations team demonstrates prior experience in commercial cannabis ventures or other relevant experience in relevant fields
- ❖ Applicant has presented high quality and well-formulated management and operations plans
- ❖ The Applicant's proposal demonstrates market and financial feasibility
- ❖ The Applicant has an acceptable development timeline and ability to bring the proposed Marijuana Establishment and/or Medical Marijuana Treatment Center to timely commencement
- ❖ Community connection and local residency
- ❖ The Applicant has addressed parking and traffic management for the proposed location

- ❖ The Applicant has made financial commitments and other plans for positive community impact
- ❖ The Applicant's proposal fits within the Town's goals for geographic diversity in the locations
- ❖ Demonstration of opportunities Economic empowerment/Social Equity Applicants
- ❖ The Applicant has addressed the potential detrimental municipal impacts and proposed acceptable mitigation measures.
- ❖ The Applicant's proposal integrates into the overall goals of the Town of West Stockbridge.

Applicants deemed qualified by the Select Board will be invited to enter into negotiations for a host community agreement.

To augment the information provided in the submittal, additional information, interviews and/or presentations may be required by the Select Board.

Transfer of any host agreement shall require the prior written approval of the Select Board.

Ownership of Documents

Any material submitted by applicants shall become the property of the Town.

Public Record

Any personal or financial identifiers (e.g. SSNs, bank account numbers, etc.) contained in submittal documents shall be redacted by the applicant prior to submittal.

All information contained in submittals and not redacted as above may be open for public inspection. All security-related information furnished by the Applicant will be treated as confidential by the Town to the extent permitted by Massachusetts public records law and shall be submitted in a separate sealed envelope marked as such.