

## TOWN OF GOSHEN

### **Host Community Agreement Policy and Procedure for Marijuana Establishment and Medical Marijuana Treatment Center Applicants**

The Town 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 of Goshen has developed this Policy to establish a process for reviewing eligible applicants with which to enter into Host Community Agreements.

#### **Application Requirements**

Applicants seeking a Host Community Agreement for an Adult Use Marijuana Establishment and/or a Medical Marijuana Treatment Center shall submit four (4) hardcopies 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.” Applications shall be delivered to:

Town of Goshen, Attn: Select Board Chair, 40 Main St, Goshen, MA 01032

Included in the envelope shall be a check made payable to “Town of Goshen” in the amount of \$500.00 to cover the cost of the Submission Review.

Applicants shall be asked to provide the town a check or money order, made payable to the “Town of Goshen” in the amount of \$5,000.00 to be deposited into a G.L. c.44 sec.53A gift account for purposes of covering legal expenses associated with the review of applications and the negotiation of a host community agreement, with the balance of unused funds to be returned to the applicant at the time the host community agreement is signed, and/or the applicant rescinds its application, or additional funds to be provided if the negotiations are protracted.

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 Goshen.

#### **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 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.
5. 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. 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
  - xviii. Financial Disclosure to show the marijuana establishment has capital to commence and sustain operations
  - xix. Decommissioning plan pursuant to 935 CMR 500.105, including evidence of sufficient insurance and/or bond

3. Qualifications of all Close Associates with managerial or operational control.
4. 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).
5. 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 Goshen 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, as defined in 935 CMR 500.00

**Community Outreach Meeting**

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.

### **Application Review**

Applications will be reviewed by the Select Board to determine if the applicant has submitted the requisite information 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 if deemed to be in the Town's best interest, also reserves the right to reject any and all applications.

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.

### **Negotiation Process**

Applicants deemed qualified by the Select Board will be invited to enter into negotiations for a host community agreement. A member of the Select Board or a town official appointed by the Board, shall engage in host community agreement negotiations with the Applicant and a proposed draft host community agreement shall be subject to final approval and execution by the Select Board.

Applicants may be asked to appear before the Select Board to present the proposed draft host community agreement in person and respond to questions. The Select Board may deny, approve or request an amendment to the negotiated proposed draft host community agreement in its sole discretion.

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 application documents shall be redacted by the applicant prior to submittal.

All information contained in applications 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.

## **Disclosure**

Pursuant to G.L. c.94G §3, its implementing regulations at 935 CMR 500.000, *et seq.* and 935 CMR 501.000, *et seq.*, any Marijuana Establishment and/or Medical Marijuana Treatment Center seeking to operate in the Town of Goshen must execute a host community agreement. The host community agreement sets forth agreed conditions for marijuana establishment located within the Town and may include, but is not limited to, stipulations of responsibilities between the Town and the marijuana establishment operations. In addition to executing a host community agreement, Marijuana Establishments and/or Medical Marijuana Treatment Centers must comply with all local ordinances and regulations, including, but not limited to, obtaining a special permit from the Special Permit Granting Authority.

Policy voted on by Goshen Select Board, Friday 3-19-2021

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