

COMMISSIONERS
 Nelson Miller, Chair
 Ronald B. Hogan
 Glenn Cronin
 Diana Jeong
 Deano Summers



CANNABIS LICENSING AND ENFORCEMENT COMMISSION
City Hall, 215 Pleasant Street, Boardroom #105
Wednesday, March 8, 2023 at 5 PM
This meeting was recorded.

Committee Members in Attendance		
√	Nelson Miller, Chair	Bldg. Commissioner
√	Ron Hogan	Finance
√	Glenn Cronin	Chief of Police
√	Diana Jeong	Mayor's Appt.
√	Deano Summers	Council Appt.
√	Kathleen Manning Hall	Clerk <i>Non-voting mem.</i>

MINUTES

1. **Roll Call of Committee members.** Meeting was called to order at 5PM and there was a quorum sufficient to conduct business.

2. **Approval of November 30, 2022 Minutes.** *Motion by Chief Cronin to approve the minutes of November 30, 2022; seconded by Ron Hogan. All in favor, Motion passes unanimously.*

3. **Updates on Current Applicants as provided to CLEC Chair Nelson Miller.** Nelson reached out to the below applicants to get updates for today's meeting.
 - a. **Standard Naturals** – 7 Linehurst Road, Route 1 – This business is now known as Eastern Cannabis. They are on the CCC Agenda for March 9th – it will be 30 days before they get their final license. They will be installing signs on the building this week. Once license is issued by the state, they will come before the CLEC for their final vote to issue their final license - most likely by the end of April.

 - b. **Faded LLC Dris** – 53 Broadway – Chris Fevry reported to Nelson that they are actively seeking new properties and are waiting to hear about the Zoning Board of appeal changes. Chris feels that he doesn't have the support to stay in the current location. Question as to whether he needs to seek a new permit. This situation happened with a prior applicant and historically if a component changes, they are required to submit a new approval and begin again. It is not fair to other applicants to hold their approval while they look for another location. There are three components, (1) ownership team, (2) location and (3) business team. Applicant cannot remove one of those components and be allowed to move forward. If they are no longer pursuing that location, they need to let us know so we may move forward with another candidate.

 - c. **DMS Trinity** – 36 Charles Street – have received their special permit from the City Council dated April 26, 2022. Special permits are only good for one year. They have until

April 26, 2023, to exercise their Special Permit or will have to go back to the City Council and apply for a new Special Permit. At this point they should be applying for their building permit to build out their space but have not done so yet. Attorney Rob DiMarco expressed they are moving forward and have had construction cost delays. They also had the issue of wanting to change the name to another entity.

- d. **Benevolent Botanicals** – Ongoing litigation.
 - e. **Misty Mountain** – 323 Commercial St. Erik Gath in attendance. Misty Mountain is now an operating business. They reached out to Nelson to change their business operating hours. City allows for 7AM to 11PM. They are currently operating from 10AM-10PM seven days per week and wish to extend to 8AM to 11PM to satisfy their 20 employees and customers. *Motion by Ron Hogan to allow the extension of Misty Mountain Hours to 8AM-11PM, seven days per week and to notify the CLEC if anything changes; seconded by Chief Cronin; all in favor – motion passes unanimously.* Erik said there has been a price drop recently, market is saturated for cultivators – prices have gone from \$3,800 per pound to \$1,800.
4. **Update on Status of proposed Ordinance Changes.** Not many changes over last several months. Chair Miller updated on the three papers that went before the Council: (1) to change Special Permit granting authority from City Council to Planning Board; (2) to change zoning relief from a variance to special permitting process; and (3) to eliminate the requirement of principal use of building for just the marijuana business. All three papers were tabled, were not acted upon and have since expired. A City Councillor would have to refile them to have them go before Ordinance and City Council again.
 5. **Proposed Opioid Task Force Flyer reminding people to keep edibles safely stored.** Kathleen reported that at the February Opioid Task Force meeting it was revealed that there has been a 1,000% increase in accidental overdoses of children under 6 due to edibles being left on tables, counters, etc. Packaging does not have childproof locks and kids can open them and they look just like fruit snacks. The flyer was designed by her daughter and is an effort to remind folks to please store edibles where kids can't reach them. The Task Force had asked if Malden's Cannabis retailers would be willing to hand them out and also display a poster on their premises. All liked the flyer and Misty Mountain agreed to staple them to their packages if we make the flyer smaller.
 6. **New Business.**
 - a. Discussion as to the “statutory clock” ticking on Special Permits – should the CLEC allow applicants to hang on in limbo without moving forward? There is a requirement to have the special permit application to City Council within 60 days of a neighborhood meeting – however there is nothing that says that an applicant can't have more than one neighborhood meeting. Is this fair to applicants waiting to apply? There are currently two applicants in this situation. Dris/Chris Fevry (in attendance) reported he would like to move forward with the location, but the City Councillor will not support it. Chris is also waiting for results of the zoning lawsuit summary judgment to be issued March 23rd, in the meantime he is looking for other location. As his proposal was approved in its entirety, as happened with a previous candidate, he will need to submit a new application with a new location. The CLEC cannot make rules and decisions based on litigation which may take three years or more. Consensus in the end is to wait until after the decision on March 23rd to decide how to proceed.

- b.** Nelson mentioned that he has serving as Chair for one year, and it is time to elect a new Chair of the CLEC. Nelson opened nominations for a new chair. *Motion by Ron Hogan for Nelson Miller to serve one more year as Chair with the stipulation that someone else will need to step up to serve as Chair; seconded by Deano Summer; All in favor; Motion passes unanimously.*
- 7. Next Meeting:** A meeting will be scheduled at the end of April to accommodate Eastern Cannabis. At this point we may have some clarity on how to move ahead on outstanding applicant issues.

Motion to adjourn at 6 PM by Ron Hogan and seconded by Chief Cronin. All in favor, meeting is adjourned.