

Marijuana Advisory Team (MAT) Meeting Minutes



Application Number	CAN180008
Company Name	Temescal Wellness Inc.
Date of MAT Meeting	December 17, 2018
Location of Meeting	Executive Conference Room
Type of Application	Marijuana Retail Establishment

Attendance	
Temescal Wellness	<ul style="list-style-type: none"> Attorney Jim Hanrahan, Bowditch & Dewey Red Rebholz, Temescal Wellness Julia Germaine, Temescal Wellness
MAT	<ul style="list-style-type: none"> Thatcher W. Kezer III, COO, Chair Mary Ellen Kelly, CFO Sam Wong, Department of Public Health, Director Chief Joseph Hicks, Fire Department Officer Keith Strange, Police Department Deputy Chief Victor Pereira, Police Department Jacquetta Van Zandt, Senior Policy Advisor, Mayor's Office Michael Tusino, Building Commissioner, Department of Inspectional Services Amanda Loomis, Planning Board Administrator
Legal Council	<ul style="list-style-type: none"> Attorney Amanda Zuretti, Petrini & Associates

Welcome and Introductions

Thatcher W. Kezer III, Chair, welcomed the group and provided a brief overview of how the Marijuana Advisory Team (MAT) would conduct the meeting, and review the applications and materials provided. Mr. Kezer further stated that the MAT's function is to provide a recommendation to the Mayor for consideration of Host Community Agreements (HCA).

The members in attendance at the meeting introduced themselves.

Presentation Temescal Wellness

Attorney Hanrahan provided a brief review of the activities that would occur during the week of December 17, 2018. Such activities included the Technical Review Team (TRT) meeting on December 18, 2018, and the Planning Board open public hearing on Thursday, December 20, 2018. Attorney Hanrahan turned the presentation over to Ted Rebholz.

Mr. Rebholz stated that the Temescal Wellness Registered Marijuana Dispensary (RMD) is currently located at 665 Cochituate Road. Temescal Wellness has operated in this location as an RMD since opening in September of 2018, without any complaints and/or issues. The Temescal Wellness team has also been operating its headquarters at 665 Cochituate Road since the summer of 2018, on the second floor of the structure.

Mr. Rebholz stated that Temescal Wellness is the only organization that has followed through with its agreement with Framingham. Temescal Wellness has hired dozens of people at living wage jobs that included dental, health, and vision insurance. Mr. Rebholz provided an overview of Temescal Wellness' operations in New Hampshire, where the organization received four licenses, one includes a production facility in Manchester, New Hampshire. Temescal Wellness also operates in Maryland and operates under all three license types, of which, Temescal Wellness was the first to get all three up and running. Mr. Rebholz summarized that Temescal Wellness operates in nine municipalities across three states and were first to open in all communities except for one location. It was further stated that Temescal Wellness' presence is also in Hudson and Pittsfield, Massachusetts, of which marijuana retail establishment sales have been approved by the Cannabis Control Commission (CCC) and will open in January of 2019.

Mr. Rebholz reinforced that the office location for Temescal Wellness is located on the second floor of 665 Cochituate Road. Additionally, Mr. Rebholz stated that he purchased a home two towns over, showing further commitment to Framingham. Mr. Rebholz further stated that Amy Fisher and Lisa Cats (Head of Sales and Marketing) are both located at 665 Cochituate Road.

Mr. Rebholz provided an overview of the organization's security operations. It was noted that security and compliance is a focus of Temescal Wellness every day, and audits occur multiple times prior to a Framingham audit.

It was stated that both Mr. Kezer and Dr. Wong have both visited the 665 Cochituate Road location, in addition to Michael Cannon, District 4 City Council and Dennis Giombetti, District 5 City Council. Both George King, Councilor At-large and Cheryl Tully Stoll, Councilor At-large have been invited to visit the site but have not attended.

In closing, an overview of meetings with abutters to the site, in addition to the other tenants at 665 Cochituate Road have taken place. Delivery operations and how products are delivered were reviewed. It was noted that everything is pre-packaged, no processing takes place on-site.

It was further reviewed how off-street parking would occur and that Temescal Wellness did not anticipate the issues experienced in Leicester.

Temescal Wellness anticipates opening as a marijuana retail establishment in either quarter two or three of 2019.

Marijuana Advisory Team (MAT) Review

Mr. Kezer thanked Temescal Wellness for their presentation and overview of their organization and then opened the floor to members of the MAT for questions and comments.

- Michael Tusino requested clarification regarding the need to tenant fit out of the space for the addition of marijuana retail sales. Temescal Wellness noted that internal fit out was completed prior to the opening of the RMD and that no additional fit out was required for the addition of marijuana retail sales.
- Jacquetta Van Zandt stated that she did not have any comments at this time.
- Victor Pereira stated that the Police Department would be conducting a comprehensive check of the organization and that registered agents would be checked annually for any disqualifying factors.
- Chief Joseph Hicks stated that he did not have any comments at this time.
- Sam Wong provided an overview of the Board of Health's review of adult use marijuana, noting that the process is much simpler than the RMD process.
- Amanda Loomis requested clarification regarding left hand turns in and out of the site, in addition to clarification regarding the separation of delivery operations.
- Mary Ellen Kelly stated that she had reviewed the tax returns and noted that the organization only started collecting revenue in 2018. Ms. Kelly further requested clarification regarding the first medical sales in June of 2018, the relocation of the headquarters, and the types of jobs created.
- Attorney Amanda Zuretti provided a series of questions to Temescal Wellness, which included:
 - A request for clarification regarding the co-location of the RMD and the marijuana retail operations pursuant to the review of the final licensure and on-site security. In summary, a majority of the information is detailed for the RMD, however, how will this location be co-located regarding signage, and internal and external diversion control? How will Temescal Wellness regulate what is taking place in the parking lot, especially with the addition of the new operation and the queuing of clients? Will clients be separated to allow for a dedicated patient and consultation area?
 - Temescal Wellness responded that the facility has been designed to manage and meet entrance protocols, where medical patients will receive priority services and entry, and that there will be a separate area

dedicated to patients and consultation. The marijuana retail will be a queuing standing line.

- How will Temescal Wellness prepare for internal and external diversion?
 - Temescal Wellness responded that the organization will use the same license reader for both medical and non-medical clients. Additionally, there will be only one entrance and exit, and the ID has to be scanned prior to entrance into the facility. The parking lot will have controls that include 3 cameras around the structure.
- Attorney Zuretti stated that it is understood that one ounce is considered a legal gift from one person to another as long as both individuals were over 21. However, the giving of medical marijuana to another person is considered diversion. It was further questioned how Temescal Wellness will manage this on-site.
 - Temescal Wellness responded that medical patients have to sign a contractual agreement with the RMD and that this will be the same for marijuana retail customers.
- Attorney Zuretti requested a copy of the notice of lease for the marijuana retail operations, noting that the lease term is less than 7 years, and will need a copy in writing.
 - Attorney Hanrahan stated that they would provide a copy of the lease agreement.
- Attorney Zuretti requested clarification regarding banking and financial operations for the organization. It is noted that Century Bank is the financial institution for the RMD but that they have not made a public statement that they are accepting marijuana establishment funds.
 - Temescal Wellness stated that they are expecting this announcement to be released shortly, but they are in discussions with other banks. Mr. Rebholz stated that Temescal Wellness and the industry are not just a cash business any longer. They are able to accept PIN based debit and CAN pay, which allows bank account to bank account transfers, they are ACH approved. Temescal Wellness also has cyber security insurance for additional protection.
- Attorney Zuretti requested clarification regarding the HCAs provided by both Pittsfield and Hudson. Specifically, why there was only one provided by Hudson.
 - Temescal Wellness stated that Hudson only provided one HCA, which was to allow for both RMD and marijuana retail sales, while Pittsfield provided two. Attorney Hanrahan requested clarification as to whether Framingham would provide a draft of the HCA.

Open Discussion

Once all members of the MAT had an opportunity to ask questions and gain clarification, Mr. Kezer opened the meeting for discussion.

Mr. Rebholz stated that Temescal Wellness has recently made a \$100,000 investment for new security improvements. Security is about 40 percent of the investment; the remainder is access control and monitoring sensors.

Mr. Kezer stated that the City has a strong desire for diversity and local hiring. How will Temescal Wellness achieve this? About the three percent tax, which was adopted by Framingham and is the maximum, would Temescal Wellness be responsive to support a three percent impact fee?

- Temescal Wellness responded that the company is presently 40 percent female, and 20 percent non-Caucasian. It was further stated that the workforce would reflect the diversity of the Framingham population. Temescal Wellness spends a lot of time developing its employees and recently participated in a career fair in Framingham, and another one in Worcester. One of the better predictors as to whether a person will stay in a position is the commute time, which is why Temescal Wellness focuses on hiring Framingham residents.
- Temescal Wellness stated that concerning the impact fee, they agreed to the three percent and would want to review this in a year to make sure that it is reasonable.

Attorney Hanrahan stated that Temescal Wellness required all Bowditch and Dewey employees working with the organization be properly trained by Temescal Wellness. Attorney Hanrahan stated that he has never had a client require this.

Closing

Mr. Kezer thanked Temescal Wellness for coming in for the MAT meeting. It was noted that any additional submittals, requests, and/or questions should go through Ms. Loomis. Mr. Kezer stated that there will be a series of MAT meetings over the next several weeks and recommendations will be made to the Mayor regarding HCA.