
SPECIAL PERMIT APPLICATION

With Site Plan Review

Elevation Retail II, LLC
Fairhaven, Massachusetts

February 2022

Rev 3.16.2022

Prepared For:

Andre Arzumanyan
Elevation Retail II, LLC
240 Bridge Street, Unit #1
Fairhaven, MA 02719

Green Seal Environmental, LLC

114 State Road, Building B, Sagamore Beach, MA 02562 | Tel: (508) 888-6034 | Fax: (508) 888-1506 | www.gseenv.com

Table of Contents

1.0	INTRODUCTION	1
2.0	EXISTING CONDITIONS.....	1
2.1	RESOURCE AREAS	1
3.0	PROPOSED CONDITIONS.....	1
3.1	ZONING COMPLIANCE SUMMARY.....	1
3.1.1	<i>Dimensional Requirements and Setbacks</i>	<i>1</i>
3.1.2	<i>Noise, Litter and Smoke Standards</i>	<i>1</i>
3.1.3	<i>Odor</i>	<i>1</i>
3.1.4	<i>Off-Street Parking and Loading</i>	<i>2</i>
3.1.5	<i>Landscaping</i>	<i>2</i>
3.1.6	<i>Signage</i>	<i>2</i>
3.1.7	<i>Traffic.....</i>	<i>2</i>
3.1.8	<i>Right of use</i>	<i>2</i>
3.1.9	<i>Facility Security.....</i>	<i>2</i>
3.2	UTILITIES.....	2
3.3	CONCURRENT PERMITTING EFFORTS.....	2
4.0	SUMMARY.....	2

FIGURES

- Figure 1 USGS Site Locus Map
Figure 2 Aerial Image

SITE PLANS

“Site Plan” – Prepared by Green Seal Environmental, LLC
Dated January 2022

APPENDICES

- Appendix A Application for Special Permit Under the Zoning Bylaw
Appendix B Abutter Information
Appendix C Supplemental Information – Marijuana Dispensary Operations
Appendix D Traffic Impact Study

1.0 Introduction

This narrative is provided in support of the Special Permit with Site Plan Review filed by Green Seal Environmental, LLC for a special permit, on behalf of Elevation Retail II, LLC (the Applicant), to operate a marijuana establishment per section 198-29.7 of the Fairhaven Zoning by-laws. The proposed project includes the internal renovation of 1,800 square-foot store located at 240 Bridge Street in Fairhaven, Massachusetts (the Property).

2.0 Existing Conditions

The Property is located at the intersection of Bridge Street and Alden Road, which provides access via an existing curb cut on both roads, within an Industrial District zoning with the Marijuana Overlay District. On site, the existing 4,800 square foot building consists of 3 store fronts; Unit #1 is 1,800 square feet in size and will be renovated for the proposed facility in question. The Property is serviced by municipal water and sewer. The site has existing stormwater controls consisting of two catch basins and 2 trench drains that flow to existing stormceptor system keeping runoff onsite.

2.1 Resource Areas

The Property is not located within a Zone I, Zone II, IWPA, ACEC, National Heritage Estimated Habitat, or FEMA floodplain per the Massachusetts GIS. A review of MassGIS shows no wetlands on or within close proximity. To the north east is the Nasketucket River over 1,000 feet away.

3.0 Proposed Conditions

The Applicant wishes to operate a marijuana dispensary at this Property. The proposed dispensary will be located inside the existing building in unit #1. There are no proposed changes to the exterior of the building. All operations will take place within the proposed facility and no marijuana product, supplies, or educational materials will be stored outside of the facility.

Operational details are included in the supplemental information packet in Appendix C.

3.1 Zoning Compliance Summary

The principal use for this proposed redevelopment can be categorized as “Marijuana Establishment” which is an allowed use via Special Permit in the Medical Marijuana Overlay District per Section 198-29.7 of the Fairhaven Zoning Bylaw.

The following summarizes how the proposed project complies with applicable zoning requirements:

3.1.1 Dimensional Requirements and Setbacks

As the Property is established, it is assumed the existing building is in conformance to the Fairhaven Zoning regulations set forth in Section 198-18 Intensity of Use Schedule.

3.1.2 Noise, Litter and Smoke Standards

There are no proposed uses of this facility that will result in detrimental effects at the Property or in the surrounding area or contravene the performance standards set forth in Section 198-24.

3.1.3 Odor

The Applicant has taken measures to ensure the ventilation system is such that no odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at the exterior of the Marijuana Establishment or at any adjoining use of property.



3.1.4 Off-Street Parking and Loading

The Property currently has 27 parking spots included 2 handicap accessible spots. The number exceeds the required 20 spaces as calculated from Section 198-27 Parking; loading and landscaping requirements B. Parking Schedule (2) Nonresidential buildings (b) Retailing: one space per 250 square feet gross leasable floor area.

Adequate off-street loading already exists in the back of the building, as shown on the Site Plan sheet C-1

3.1.5 Landscaping

A landscaping buffer strip screens the existing building from the road and does not impact the signalized intersection of Bridge Street and Alden Road as per Section 198-27 C. (4) (a).

3.1.6 Signage

In accordance with section 198-29.7 D. (7), the applicant shall install the required signage “Registration card issued by the MA Department of Public Health required”. The applicant shall install signage that indicates the smoking, burning, consumption and use of marijuana or marijuana products on the premises of the Marijuana Establishment is expressly prohibited. The applicant will comply with Fairhaven Zoning Bylaw and Sign Code as well as all State regulations governing marijuana establishments set forth in 935 CMR 502.105(4).

3.1.7 Traffic

Appendix D contains a traffic impact study performed by McMahon Associates.

3.1.8 Right of use

Appendix C contains a signed “Evidence of Site Control” which states the Owner and the Applicant have a binding agreement to operate onsite.

3.1.9 Facility Security

Appendix C contains information pertaining to the Applicant’s Security Plan.

3.2 Utilities

There are no proposed changes to the existing utilities on site. As the Property is already functioning it is assumed that the existing utilities function properly.

3.3 Concurrent Permitting Efforts

Appendix C contains information pertaining to the Applicant’s efforts with permitting a Marijuana facility with the Commonwealth of Massachusetts. The Cannabis Control Commission has issued a Provisional License.

4.0 Summary

If awarded a Special Permit, the Applicant, will comply with all reporting requirements set forth in Section 198-29.7 (G)(4)(a-d).

The Applicant, respectfully requests that the Planning Board grant the Applicant’s application for a Special Permit and Site Plan Review approval allowing it to operate.

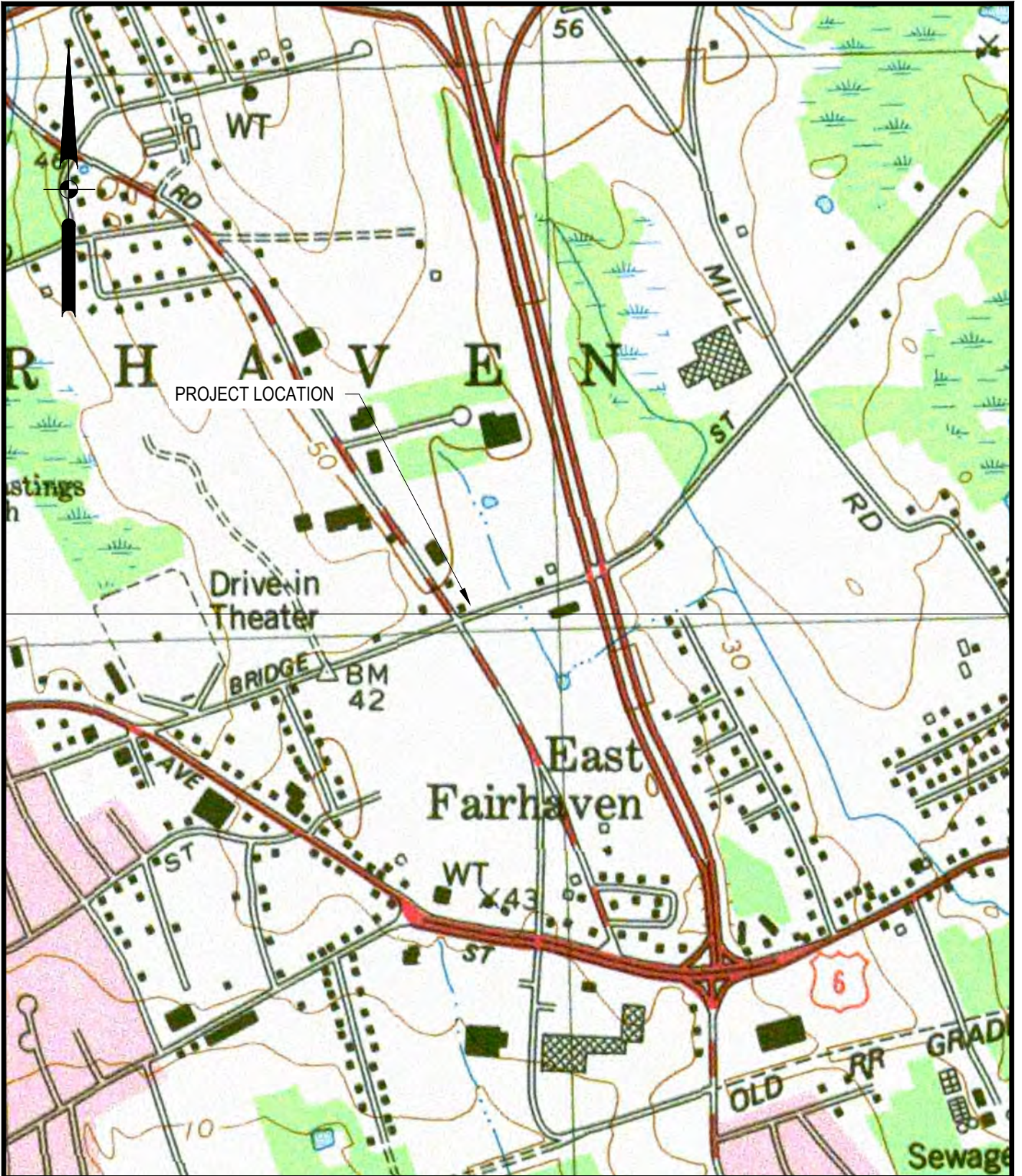


FIGURE 1



USGS SITE LOCUS MAP





PROJECT LOCATION

NOTE:

INFORMATION WAS PROVIDED BY THE OFFICE OF GEOGRAPHIC AND ENVIRONMENTAL INFORMATION (MassGIS), COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS CURRENT TO 2022.

DRAWING TITLE:

USGS IMAGERY

PREPARED FOR:

ELEVATION RETAIL II, LLC
240 BRIDGE ST, UNIT #1
FAIRHAVEN, MA 02719



Green Seal Environmental, LLC
114 State Road, Building B
Sagamore Beach, MA 02562
Tel: (508) 888-6034
Fax: (508) 888-1506
www.gseenv.com

REVISIONS	
NO./ DATE	COMMENT

CAD TECH:

TRG

CHECKED BY:

SDC

ENGINEER:

TRG

DATE:

2/16/2022

LOCUS:

240 BRIDGE ST, UNIT #1
FAIRHAVEN, MA 02719

SCALE:

1" = 500'

SHEET:

FIGURE 1

FIGURE 2



AERIAL IMAGE





PROJECT LOCATION

NOTE:

INFORMATION WAS PROVIDED BY THE OFFICE OF GEOGRAPHIC AND ENVIRONMENTAL INFORMATION (MassGIS), COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS CURRENT TO 2022.

DRAWING TITLE:

AERIAL IMAGE

PREPARED FOR:

ELEVATION RETAIL II, LLC
 240 BRIDGE ST, UNIT #1
 FAIRHAVEN, MA 02719



Green Seal Environmental, LLC
 114 State Road, Building B
 Sagamore Beach, MA 02562
 Tel: (508) 888-6034
 Fax: (508) 888-1506
 www.gseenv.com

REVISIONS	
NO. / DATE	COMMENT

CAD TECH: TRG	CHECKED BY: SDC
ENGINEER: TRG	DATE: 2/16/2022

LOCUS:
 240 BRIDGE ST, UNIT #1
 FAIRHAVEN, MA 02719

SCALE:
 1" = 500'

SHEET:
 FIGURE 2

APPLICATION FOR SPECIAL PERMIT UNDER THE ZONING BYLAW





Town Clerks Stamp

FAIRHAVEN PLANNING BOARD

Application for SPECIAL PERMIT

Fairhaven, Massachusetts

Date: January 21, 20 22

The undersigned petitions the PLANNING BOARD FOR A SPECIAL PERMIT in the manner and for the reasons herein after set forth, the application of the provisions of the zoning ordinance and MGL c. 40A, § 9 to the following described Site:

Name of Applicant(s): Andre Arzumanyan, Elevation Retail II, LLC

Applicant(s) Address: 240 Bridge Street, Unit #1, Fairhaven, MA 02719

Phone Number: (781) 316-7626 Fax Number:

Name of Owner(s): Michael Panagakos

Owner(s) Address: 133 Faunce Corner Road, Dartmouth, MA 02747

Name of Engineer/Architect: Engineer - Green Seal Environmental, LLC

Engineer/Architect Address: 114 State Road, Building B, Sagamore Beach, MA 02562

Phone Number: (508) 888-6034 Fax Number: (508) 888-1506

- 1. Location of Site: 240 Bridge Street, Unit #1
2. Assessors' Plat(s): 36 Lot No(s): 15A
3. Zoning District in which Site is located: Industrial District - B and Medical Marijauna Overlay District - MM
4. State present use of site: Commercial store fronts
5. Give size of existing building(s), if applicable: Building - 4,800 SF Unit #1 - 1,800 SF
6. Give extent of proposed alterations, if applicable: No exterior alterations.
7. Number of families building is to be used, if applicable: None
8. Have you submitted plans to the Building Inspector? Has he refused a permit?
9. Please attach a detailed narrative and any other documentation that supports your request.

Applicant Signature: [Signature]

Owner Signature: [Signature]

File one completed form with the Planning Board and one copy with the Town Clerk.



ABUTTER INFORMATION





Town of Fairhaven
Massachusetts
BOARD OF ASSESSORS
40 Center Street
Fairhaven, MA 02719

Ronnie J. Manzone, Chair
Pamela K. Davis, MAA, Member
Ellis B. Withington, Member

Delfino R. Garcia, Principal Assessor
Notary Public
Phone: (508) 979-4023
Facsimile: (508) 979-4079
Email: dgarcia@fairhaven-ma.gov

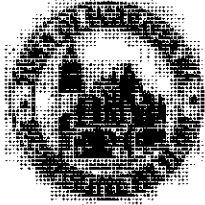
January 24, 2022

This letter certifies that the attached 300-foot abutter's list for Map-36 Lot-15A being: 240 – 244 Bridge Street Fairhaven, MA. Submitted by Andre Arzumanyan on 1/21/2022 has been checked and is accurate according to the Fairhaven Assessors' Office records.

A handwritten signature in cursive script that reads 'Melody A. Perry'.

Melody A. Perry
Principal Office Assistant
Fairhaven Assessors' Office

		SUBJECT PROPERTY 36-15A	DATED 1/24/2022
300'	ABUTTER	240-244 BRIDGE STREET	MICHAEL PANAGAKOS
	LIST		
MAP	LOT	OWNER OF RECORD /MAILING ADDRESS	PROPERTY ADDRESS
26	58	BRIDGEWATER CREDIT UNION	
		75 MAIN STREET	41 FAIRHAVEN COMMONS
		BRIDGEWATER, MA 02324	WAY
26	63	T M GUARD LLP	
		110 ALDEN ROAD	SAME
		FAIRHAVEN, MA 02719	
26-	71 &	MARIO D. RIBEIRO TRUSTEE OF THE	
	72 KEY LOT	PASTA HOUSE REALTY TRUST	SAME
		100 NALDEN ROAD	
		FAIRHAVEN, MA 02719	
30A	86A	MVP PROPERTIES LLC	
		C/O MARKEL VENTURES INC	245 BRIDGE STREET
		4521 HIGHWOODS PARKWAY	
		GLEN ALLEN, VA 23060	
36	15	CARAPACE LLC	
		2 STAR OF THE SEA DRIVE	250 BRIDGE STREET
		SOUTH DARTMOUTH, MA 02748	
36	15B	FRANK BAPTISTA ET ALI	
		115 ALDEN ROAD	SAME
		FAIRHAVEN, MA 027	
36	15C	J D REALTY NOMINEE TRUST E JAMES	
		LUTZ TRUSTEE	SAME
		6 WHALERS WAY	
		FAIRHAVEN, MA 02719	
36	15F	RAR ALDEN ROAD REALTY LLC	
		117 ALDEN ROAD	117-119 ALDEN ROAD
		FAIRHAVEN, MA 02719	
36	15G	ROBERT W PARKER TRUSTEE OF THE	
		WHALERS REALTY TRUST	3 WHALERS WAY
		15 CENTRAL AVENUE	
		FAIRHAVEN, MA 02719	



**Town of Fairhaven
Massachusetts
BOARD OF ASSESSORS**
40 Center Street
Fairhaven, MA 02719

Ronnie Manzone, Chairman
Pamela K. Davis, MAA, Member
Ellis B. Withington, Member

Delfino R. Garcia, Principal Assessor
Notary Public
Phone: (508) 979-4023
Facsimile: (508) 979-4079
Email: dgarcia@fairhaven-ma.gov

ABUTTERS LIST REQUEST FORM

Please allow 10 days from the submission of the form for the Assessor's office to complete the processing of your request.

Date of Request: 1 / 21 / 2022

Assessors Parcel ID: MAP 36 LOT 15A

Property Address: 240-244 Bridge Street

Distance Required from Parcel # listed above (Circle One): 500 300 100
(Note: if a distance is not circled, we cannot process your request)

Property Owner: Michael Panagakos

Property Owner's Mailing Address: 133 Faunce Corner Road

Town/City: Dartmouth State: MA Zip: 02747

Property Owner's Telephone # _____ - _____ - _____

Requestor's Name (if different from Owner) Andre Arzumanyan

Requestor's Address: 240 Bridge Street, Unit #1, Fairhaven, MA 02719

Requestor's Telephone # 781 316 7626

Email address: Andre.arzumanyan@gmail.com

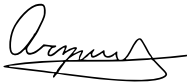
SUPPLIMENTAL INFORMATION – MARIJUANA DISPENSARY OPERATIONS



[1] ALL OWNERS AND OPERATORS
OF THE MARIJUANA ESTABLISHMENT

Signed under the pains and penalties of perjury, I, Andre Arzumanyan, President of Elevation Retail II,LLC, certify that the below are all owners and operators of the Marijuana Establishment:

NAME: ANDRE ARZUMANYAN
ENTITY: ELEVATION RETAIL II, LLC.
ADDRESS: 385 GREAT RD.
BEDFORD, MA 01730



Signature

01/24/2022

Date

Name: Andre Arzumanyan
Title: President
Entity: ELEVATION RETAIL II,LLC

[2] APPROVED PROVISIONAL LICENSE



November 18, 2021

Elevation Retail II, LLC
MRN283887
andre.arzumanyan@gmail.com

NOTICE: PROVISIONAL LICENSE APPROVED

WHY ARE YOU RECEIVING THIS NOTICE?

The Cannabis Control Commission (“Commission”) has approved the issuance of a provisional license subject to the conditions listed below. A provisional license authorizes the applicant to develop, but not operate, the proposed Marijuana Establishment or Medical Marijuana Treatment Center identified in the application, reiterated below:

Establishment Name	Elevation Retail II, LLC
License Type	Retail
Physical Address	240 Bridge St., Fairhaven, MA 02719

Commission staff recommend provisional licensure with the following conditions:

1. Final license is subject to inspection to ascertain compliance with Commission regulations.
2. Final license is subject to inspection to ascertain compliance with applicable state laws, local codes, ordinances or bylaws, and local licensing requirements.
3. Final licensure is subject to the applicant ensuring that all remaining required individuals be fingerprinted pursuant to previous Commission notifications.
4. The applicant shall cooperate with and provide information to Commission staff.
5. Provisional licensure is subject to the payment of the appropriate license fee.
6. Final license is subject to the applicant reviewing advertising strategies on social media and compliance with Commission regulations 935 CMR 500.105(4) and confirm with CCC Licensing Team.
7. Final license is subject to the applicant reviewing its diversity hiring goals and projected number of employees and provide updates to the Commission.
8. Final license is subject to the applicant updating its Diversity Plan goals, namely under the Measurements Section (bullet number one) to include veterans.
9. Final license is subject to the applicant ensuring that all persons having direct or indirect control over the license, and all newly hired employees involved in the handling or sale of marijuana or marijuana products, successfully complete the Basic Core Curriculum of the



Responsible Vendor Training Program and subsequently provide a “certificate of completion” to the Commission for each individual within 90 days of hire to be in compliance with 935 CMR 500.105(2) or 935 CMR 501.105(2).

The applicant has demonstrated compliance with the laws and regulations of the Commonwealth and suitability for licensure. Therefore, the applicant is recommended for provisional licensure.

WHAT ARE YOUR NEXT STEPS TOWARDS FINAL LICENSURE?

The following next steps are required to move your business through the licensing process unless otherwise indicated.



Step 1: Pay the Required License Fee

To complete the process for obtaining a provisional license, your license fee must be received and processed. Please access your application in the Massachusetts Cannabis Industry Portal (“MassCIP”). MassCIP will provide instructions for payment and calculate the appropriate license fee.

If you are unable to make your payment electronically through MassCIP via NCourt, please forward your payment in the form of a check, money order, or certified check along with the instruction sheet from MassCIP to one of the following:

Via USPS:	Cannabis Control Commission PO Box 412144 Boston MA 02241-2144
Via courier/overnight:	Bank of America Lockbox Services Cannabis Control Commission 412144 MA5-527-02-07 2 Morrissey Blvd Dorchester, MA 02125

Please note that if the license fee payment is made electronically through NCourt, you must follow the instructions, return to MassCIP, and ensure the payment is recorded and submitted. If you pay by check/mail, please allow 7-10 days from receipt to record your payment and for the license to be active in MassCIP.

Once your license fee is paid and recorded, this letter will serve as your provisional license and this notice shall be posted in a conspicuous location on the premises. You will not receive a “license certificate” until approved by the Commission for final licensure.



Once your payment is processed and your application is approved in MassCIP, your license will become active. The license is then valid for one (1) year. **Licensees are required to renew annually and can be done by submitting a renewal application in MassCIP and paying the required license fee at least 60 days prior to the expiration date.**



Step 2: Start Registering Agents

Once your license becomes active in MassCIP, you may now submit agent registration applications. Agent registration applications are required for all owners, employees, executives, and volunteers, pursuant to Commission regulations, who shall be 21 years of age or older.

Individuals listed on the license and any others that meet the definition of the terms above at the time of the issuance of the license shall submit agent registration applications as soon as possible to ensure full compliance with the Commission’s regulations regarding access to the facility.

When completing adult-use agent registration applications in MassCIP, the licensee will need to verify their license number, which will be the application number listed above without the “N”. For example, application number MCN456789 will have the license number MC456789. Medical Marijuana Treatment Centers are required to utilize the Medical Use of Marijuana Online System (“MMJOS”) for registering MTC agents—please contact licensing@cccmass.com for additional information on access.

All agent registration applications are reviewed within 7-10 business days. The *Guidance on Agent Registration* is available and can answer most questions about the application process and other related compliance requirements. This document can be found on the Commission’s website here: <https://masscannabiscontrol.com/public-documents/guidance-documents/>.

All registered agents shall have personnel files containing background check reports and all applicable information within those background reports were provided within the agent registration applications. The background check report in each personnel file must have been obtained within 30 days prior to the submission of the agent registration application, unless the agent registration application was approved with a submitted background check waiver.

Please note that all registered agents shall comply with the Commission’s training requirements pursuant to 935 CMR 500.105(2) and 501.105(2). All registered agents shall take a four (4) hour Responsible Vendor Training (“RVT”) course within 90 days of being hired. Additionally, all registered agents shall receive a minimum of eight (8) hours of training—the RVT course may count towards the eight (8) hour requirement. More detailed information on registered agent training can be found in the Commission’s *Guidance on Responsible Vendor Training* located here: https://masscannabiscontrol.com/wp-content/uploads/2019/09/202107_Guidance_RVT.pdf.





Step 3: Architectural Review Process

If the licensee plans to or is required to build out or renovate a facility after the issuance of a provisional license, an architectural plan request must be submitted to the Commission and receive approval prior to work being performed. Please complete an Architectural Plan Review Request form, which is located on the Commission’s website at: <https://masscannabiscontrol.com/public-documents/forms-templates/>. These requests shall be sent to inspections@cccmass.com.

Please note the request must be submitted and approved prior to starting or continuing work at the licensed premise. Additionally, architectural plan review requests will not be reviewed unless the appropriate license fee has been paid and the license is an active status (see step 1 above for additional information).



Step 4: Metrc

All licensees are required to onboard and register with the Commission’s seed-to-sale system of record—Metrc.

In order to register with Metrc, you will need your Metrc Industry Identification Number (“IIN”). This IIN will populate in MassCIP overnight following the approval of your agent registration application and will be available through MassCIP the next day (see Step 2 above for more information). Once an individual listed on the approved license (licensee) has successfully registered as an agent, they may contact Metrc at (877) 566-6506 to obtain administrator credentials and take all necessary introductory courses. Please note that there is a monthly Metrc fee that may apply to your license. Additional information about Metrc can be found here: <https://www.metrc.com/massachusetts>.



Step 5: Full Compliance with Commission Regulations & Inspection Request

If no renovations are needed, or once all construction has been completed, the licensee must request its Post-Provisional License Inspection (“PPLI”). In submitting its request, the licensee is certifying, among other compliance-related matters, that it is (1) in full compliance with the Commission’s regulations, and (2) the licensed premises is ready for Commission staff to conduct an inspection.

To request a PPLI, please submit the following documents:



1. The PPLI Request Form (which is attached to this notice).
2. A detailed floor plan of the Marijuana Establishment or Medical Marijuana Treatment Center that shows all entrances/exits, any loading bays, limited access areas including the identification of rooms utilized for cultivation, manufacturing, and retail/dispensing operations that will be accessible by the public/patients, where applicable.
3. A copy of any building permits that were required, if applicable.
4. A copy of the certificate of occupancy.
5. A copy of the limited liability insurance binder or certificate of insurance.
6. A copy of any local license or special permit that were required, where applicable.
7. Documentation demonstrating that the licensee has complied with all conditions of licensure.

Additionally, as all licensees are subject to the Commission’s regulations regarding labeling of marijuana and marijuana products, the following symbols are being provided. These symbols shall only be used by the licensee subject to this notice and in compliance with 935 CMR 500.105(5) or 935 CMR 501.105(5).



WHAT ELSE SHOULD YOU KNOW?

Once licensed, all licensees are required to be aware of, and remain in full compliance with, all applicable laws and Commission regulations. Applicable laws and Commission regulations can be found here: <https://masscannabiscontrol.com/know-the-laws-2/#laws>. Guidance documents that provide additional regulatory interpretation and policies are located here: <https://masscannabiscontrol.com/public-documents/guidance-documents/>.

While licensees are required to understand all of their compliance obligations, the Commission would like to highlight the following:

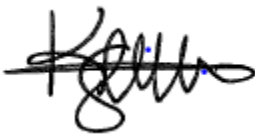
Certain License Changes	All licensees are required to submit an application and receive approval, prior to changing its business name, doing-business-as name, location, ownership or control, or the structure of its building (following the initial architectural review request, if one was made). Forms related to these requests can be found here;
-------------------------	---



	https://masscannabiscontrol.com/public-documents/forms-templates/ .
Other Information Changes	All licenses are required to keep the information/documentation they have submitted to the Commission up-to-date. Notification to the Commission is required within five (5) business days for updated plans, background check information, hours of operation, and any other information previously submitted to the Commission.
License Renewal	All licenses expire one (1) year from the date the license fee was paid and the provisional license was issued, and annually thereafter, whether or not a final license has been issued. Renewal applications require the updating of previously submitted information, updated certificates of good standing from certain state agencies, and detailed statements and documentation on the progress or success of a licensee's Plan to Positively Impact Disproportionately Harmed People and Diversity Plan. Licensees are expected to make some progress whether or not the licensee has received a final license or notice to commence operations.
Marijuana Possession	Licensees shall not possess marijuana or marijuana products for its operation prior to being approved for a final license.
Failure to Comply with Commission Regulations	Failure to remain compliant with Commission regulations may result in denial of renewal, final license, suspension, revocation, fine, or other enforcement action.

If there are any questions with regards to this notice, please contact the Commission at licensing@cccmass.com.

Sincerely,



Kyle Potvin, Esq.
 Director of Licensing
 Cannabis Control Commission



[3] EVIDENCE OF SITE CONTROL

Michael W. Panagakos
133 Faunce Corner Road
Dartmouth, MA 02747

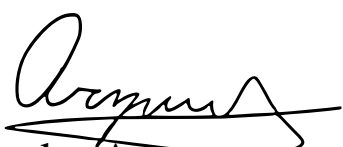
June 2, 2021

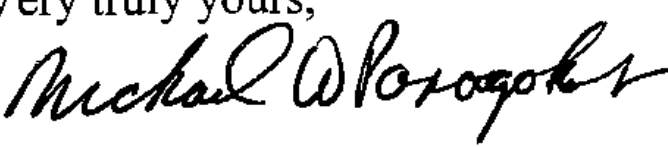
Steven J. Hoffman, Chairman
and Commissioners
Massachusetts Cannabis Control Commission
2 Washington Square
Worcester, MA 01604

Re: Elevation Retail II, LLC
Binding permission to use premises at 240 Bridge Street, Fairhaven, MA
for the purpose of conducting a registered marijuana dispensary/marijuana
establishment

Dear Chairman Hoffman and Commissioners:

I am the owner of property located at 240 Bridge Street, Fairhaven, MA (the "Property"). I am writing to advise the Commission and confirm that there is a binding agreement with Elevation Retail II, LLC which provides them with permission to utilize certain space at the Property for the purpose of conducting a registered marijuana dispensary/marijuana establishment as those terms are described in the applicable regulations, to engage in the sale of marijuana and marijuana products, for a term of ten (10) years.


Andre Arzumanyan,
Elevation Retail II LLC

Very truly yours,

Michael W. Panagakos

COMMONWEALTH OF MASSACHUSETTS

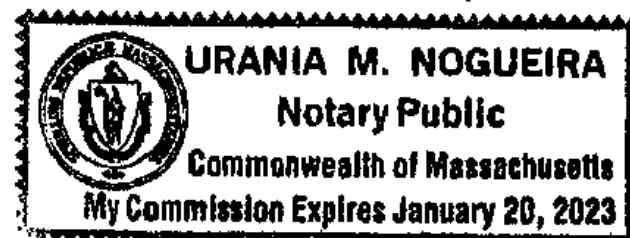
Bristol, ss

On this 2nd day of June, 2021, before me the undersigned notary public, personally appeared Michael W. Panagakos, proved to me through satisfactory evidence of identification which was MA Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.


Notary Public

My commission expires: 1/20/23

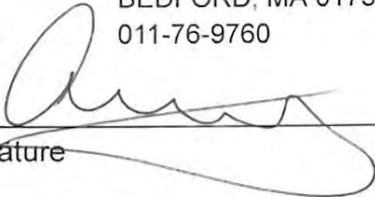
z:\panagakos\240 bridge st fair-elevation retail (8100)\hoffman 5.28.21.docx



[4] ALL PERSONS OR ENTITIES
HAVING DIRECT OR INDIRECT CONTROL

Signed under the pains and penalties of perjury, I, Andre Arzumanyan, President of Elevation Retail II, LLC, certify that the below are all of the Persons or Entities Having Direct or Indirect Control, as defined in 935 CMR 500.002.

NAME: ANDRE ARZUMANYAN
ENTITY: ELEVATION RETAIL II, LLC.
DOB: 09/15/1982
ADDRESS: 385 GREAT RD.
BEDFORD, MA 01730
SSN: 011-76-9760



Signature

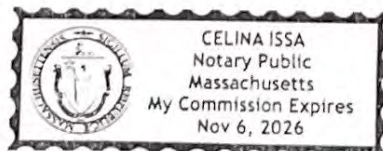
3-9-2022
Date

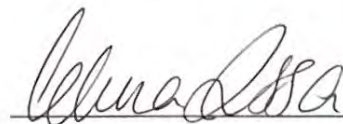
Name: Andre Arzumanyan
Title: President
Entity: ELEVATION RETAIL II, LLC

Commonwealth of Massachusetts

County of Bristol

On this 9th day of March, 2022, before me, the undersigned notary public, personally appeared Andre Arzumanyan (name of document signer), proved to me through satisfactory evidence of identification, which were Driver's License, to be the person who signed the preceding or attached document in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of (his) (her) knowledge and belief.





Notary Public Signature

[5] SECURITY PLAN

Overview

Elevation Retail (“Elevation”) is proposing to locate an Adult Use Retail Marijuana Establishment at 240 Bridge Street, and we are confident the security plan outlined below will meet all of the requirements of your office. The following proposed security plan was developed in accordance with 935 CMR 500.000 Cannabis Control Commission regulations, Town of Fairhaven Ordinances, security industry best practices, and decades of law enforcement and security experience. We are confident it will have a minimal impact on public safety services in the Town of Fairhaven and are happy to incorporate any suggestions or feedback you have into this proposed Security Plan.

The site plan review of the facility has been reviewed physically and electronically for the due diligence of designing, and commissioning a new Video Surveillance and Access Control System that includes: Perimeter Monitoring, Panic Alarms, Glass Breaks, Motion Detectors, and Intrusion Detection. An integrated Video Management System (VMS) will monitor, record, and archive video on a Network Video Recorder (NVR). FTG Security is the preferred licensed security integrator for Elevation Retail and assisted in the design and engineering of the proposed security system.

Purpose

Elevation is committed to establishing policies and procedures to ensure the compliance of the Massachusetts Cannabis Control Commission. Elevation approaches security in a single-minded, systemic, conceptually integrated manner that involves all aspects of our operation. From surveillance systems and physical design to procedures, policies, and protocols, every element of this plan has been conceived with the goal of preventing the theft or diversion of cannabis and overall

safety of our employees and customers. Elevation is confident working in combination, these safeguards will allow us to achieve that essential objective and consequently, to help us fulfill our commitment to the community and the customers we serve.

Definitions

- a. Access Control System – In the fields of physical security and information security, access control (AC) is the selective restriction of access to a place or other resource.
- b. Authorized – Permission to access a resource.
- c. Commission – The Massachusetts Cannabis Control Commission established by M.G.L.c. 10, 76, or its designee. The Commission has authority to implement the state marijuana laws, which include, but are not limited to, St. 2016, c. 334 as amended by St. 2017, c. 55, M.G.L. c. 94G, and 935 CMR 500.000.
- d. D1 Resolution – D1 is a resolution standard for TV and DVD-Video. In the NTSC system, Full D1 represents 720x480 pixels.
- e. Intrusion Detection System – Is a system that monitors network traffic for suspicious activity and issues alerts when such activity is discovered.
- f. Limited Access Area – An indoor or outdoor area on the registered premises of a Marijuana Establishment where cannabis or marijuana products or their byproducts are cultivated, stored, weighed, packaged, processed, or disposed, under the control of a Marijuana Establishment, with access limited to only those marijuana establishment Agents designated by the establishment.
- g. Marijuana Establishment (ME) – A Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Retailer, Independent Testing Laboratory, Marijuana Research Facility, Marijuana Transporter, or any other type of licensed marijuana-related business, except a medical marijuana treatment center.

- h. Marijuana Establishment Agent (Agent) – A board member, director, employee, executive, manager, or volunteer of a Marijuana Establishment, who is 21 years of age or older. Employee includes a consultant or contractor who provides on-site services to a Marijuana Establishment related to the cultivation, harvesting, preparation, packaging, storage, testing, or dispensing of marijuana.
- i. Panic Button – This is a silent security alarm system signal, generated by manual activation, to signal a life-threatening or emergency requiring an emergency response. In our system, it is activated by the pressing of one of our strategically positioned panic buttons.

Responsibilities

This plan applies to all individuals who are Agents of, or affiliated with, Elevation. Elevation management will update plans as needed per regulations or other mandates. This plan will be reviewed annually at a minimum. Access to marijuana and marijuana products will be limited to Elevation Agents who have a need and who are also capable of safeguarding such products. Unauthorized Agents and visitors will not have access to marijuana or marijuana products.

Procedures

Elevation's premises are designed, constructed, and engineered to prevent unauthorized entry. Uncompromised safety and security for employees, customers, and visitors will be significant keys to the long-term viability of the marijuana establishment facility.

1. Perimeter Controls, Monitoring, and Controlled Access

- a. Individuals who are not engaged in an activity expressly permitted under 935 CMR.500.00 are prohibited from the premises of Elevation.
- b. Proper lighting will always be used and maintained, including after normal business hours, in and around Elevation.

- c. The lighting will include areas around the premises, entry and exit points, parking areas, and the perimeter fence lines.
- d. Foliage on the premises will be maintained in a manner that does not allow persons to conceal themselves from sight.
- e. All entry points and perimeter windows will be alarmed.
- f. The perimeter will be monitored 24-hours a day by a remote monitoring center and security Agent(s).

2. Building Access Controls

- a. Access will be controlled by card proximity readers and monitored using cameras, a buzzer system, and intercoms.
- b. In addition, there may be a one-sided window in the security office allowing security agents to view individuals as they approach the main entrance to the Marijuana Establishment.

3. Windows and Doors

All windows are monitored by “Glass Break Monitoring Points” and complemented by motion detectors with video monitoring inclusive to identify unauthorized entry and/or person(s). Each door has a “Contact Monitoring Point” which is connected to the Access Control System, with each door having fixed CCTV monitoring of all entry and exit from the facility.

4. Intrusion Detection System (IDS)

The custom IDS includes intrusion detection, camera monitoring, fire alarms, motion sensors, and proximity reader components, among other features.

1. Central Monitoring Station

- a. The IDS has multiple redundancies in place to ensure connectivity with the central monitoring station including, but not limited to, a secure connection using digital, wireless, and radio-controlled frequencies.

- b. When the central monitoring station detects an intrusion, malfunction or tampering, security agents, law enforcement, and management will be notified within five (5) minutes after the failure, either by text message, email or telephone.
- c. If needed, repairs to the IDS system will be made immediately or within a maximum 24-hour period.
- d. The IDS will have all external zones activated 24-hours a day, and internal zones will be armed on a regularly scheduled time period.
- e. A daily record will be maintained at Elevation identifying the person responsible for setting and deactivating the IDS. In most cases, the system will self-arm on a regularly scheduled basis, and all exterior points of access will always be armed.
- f. A failure to activate or deactivate will be reported to the Security Manager and a record will be maintained for at least ninety (90) days.
- g. The record will have the time /date of the alarm activation, time of dispatch to Elevation, name of security staff responding, time security staff arrived on the scene, nature of the alarm, and relevant response actions.

2. Security/Surveillance Rooms

- a. All security system equipment and recordings will be maintained in a secure location on-site.
- b. The secure location will remain locked in order to prevent theft, loss, destruction, and alteration.
- c. Rooms designated for security equipment or records storage will not be used for any other function.
- d. Access to the designated rooms will be limited to those Agents that are essential to surveillance operations, law enforcement authorities, authorized security system service personnel, and the Commission.

- e. A current list of authorized Agents and service personnel that have access to designated security rooms will be made available upon request.

3. Power Outage

- a. Elevation has a separate power source that will provide electricity to all security systems in the event of a power outage.
- b. This power source will remain independent from the main power source.
- c. Elevation will immediately notify appropriate law enforcement authorities and the Commission within twenty-four (24) hours in the event of a failure of any security alarm system due to a loss or electrical power or mechanical malfunction that is expected to last longer than eight (8) hours.

4. Video Surveillance

- a. As required by 935 CMR 500.110(5)(a)(9), video recordings will allow for the exporting of still images in an industry standard image format, including .jpg, .bmp, and .gif.
- b. The exported video will have the ability to be archived in a proprietary format that ensures the authentication of the video and guarantees that no alteration of the recorded image has taken place.
- c. The exported video will also have the ability to be saved in an industry standard file format that can be played on a standard computer operating system.
- d. All recordings will be erased or destroyed prior to disposal.
- e. Video surveillance cameras are in all areas that may contain marijuana or marijuana products, including all points of entry and exit to Elevation, the perimeter of the building, and all parking lot areas.

- f. The cameras are weather and vandal resistant.
- g. As applicable, cameras will be directed at all areas where marijuana is cultivated, processed, prepared, stored, handled, and dispensed.
- h. Camera placement is capable of clearly capturing any person entering/exiting Elevation premises.
- i. All video recordings contain a date/time stamp.
- j. Cameras will be angled to capture a clear and certain identification of any person entering/exiting Elevation or restricted area.
- k. Lighting conditions will be appropriate for the area under surveillance.
- l. Video cameras will be capable of producing clear, color, high-resolution photos (live or recorded), and images will include date/time frame recording that does not obscure the photo.
- m. Twenty-four-hour recordings from all video cameras will be available for immediate viewing by the Commission upon request.
- n. These recordings will be retained for a minimum of ninety (90) days and will not be destroyed or altered.
- o. If Elevation is aware of a pending criminal, civil, or administrative investigation for which the recording may contain relevant information, the recordings will be retained as long as necessary.
- p. All security equipment (cameras, alarms, etc.) will be kept in working order and subject to inspection and testing at intervals not to exceed thirty (30) calendar days from the previous inspection.

5. Secure Storage Areas & Vaults

- a. Storage areas and vaults will have clearly posted Limited Access Area signs and be monitored by additional security measures, including surveillance in the room, and motion detection, all of which are part of the IDS.

- b. The minimum number of authorized Agents essential for the efficient operation will be granted access to storage areas and vaults.
- c. A list of authorized Agents will be kept and maintained by the Security Manager and updated as needed.
- d. Upon entry into a storage area or vault room, Agents will complete a "Security Container Check Sheet" to ensure proper records of openings, closings, deposits, and withdrawals of any inventory are maintained.
- e. Storage areas and vaults can only be accessed using a tandem two-person system to ensure quality control. In other words, no "single" individual will have the ability to access the secure area independently.
- f. Cash and medicinal inventory will always be stored separately and never commingled in the same container or vault.

6. Access Control to Limited Access Areas

- a. Limited Access Areas will be clearly identified with a posted sign that will be a minimum of 12" x 12" and states "DO NOT ENTER – LIMITED ACCESS AREA – ACCESS LIMITED TO AUTHORIZED PERSONNEL ONLY."
- b. The minimum number of authorized Agents essential for the efficient operation will have access to inventory, cash, and management offices.
- c. Access will be restricted using zoned proximity reader key cards and by maintaining internal automatic locking doors.
- d. Elevation Agents will visibly display their Elevation ID badge while performing job duties on-site or off-site.
- e. Agents may not bring bags, camera phones, backpacks, or purses from the break room into the areas where customers are present.

- f. Agents will use individual lockers for storing personal belongings during scheduled work hours.
- g. Any item that could be used for diversion may be prohibited at the discretion of the Security Manager.

5. Agent Security

1. Identification Badging

A permanent badge with photo identification will be issued to each Agent on their first day of employment with Elevation – this ID badge is in addition to the Elevation Agent registration card issued by the Commission.

- a. Elevation Agents will visibly display their Elevation ID badge at all times while performing their assigned job duties, whether on or off-site.
- b. Badges will be promptly recovered or, when appropriate, re-issued whenever an Agent's requirement for entry to Elevation no longer exists, including immediate card deactivation, due to an internal transfer, termination of employment, or for any other appropriate reasons.

2. Badge Preparation

- a. Prior to badge preparation for a new Agent, the Security Manager will ensure all required background checks have been completed and documented and the Agent is granted the appropriate level of access for the job the Agent will be performing.
- b. A color photograph will be taken, the Agent's last name and assigned Agent number will appear on the badge.
- c. The badge will include a number, date of issue, and Agent's name, and this information will be recorded in the badge log maintained as part of Elevation's recordkeeping requirements.

- d. Badges must be worn on the outer garment, above the waist. Neck lanyards are acceptable to display badges.

3. Badge Control/Accountability

- a. All permanent badge “blanks” will be individually numbered with a sequential number on the front.
- b. Permanent badges are recorded in a master log, using the preprinted sequential number on the front, date of issue, and printed name and maintained as part of Elevation’s recordkeeping requirements.
- c. Visitor badges are maintained by the Security Manager or a designated alternate.
- d. All visitor badges are individually numbered and are issued to specific individuals.
- e. The type of badge issued is determined by the purpose of the visit and verified authorized access level.
- f. Upon issue, the badge number is recorded in the visitor log.
- g. Upon departure, badges will be returned, and the departure time is recorded on the visitor log.
- h. Badges will be checked to ensure the individual has returned the same badge issued.
- i. The visitor log will be maintained as part of Elevation’s recordkeeping requirements. (See Visitor Log)

4. Proximity Access Cards

- a. In addition to the identification badges worn by all Agents, proximity card readers will secure all Limited Access Areas and only issued to those Agents who require access to Limited Access Areas to complete job functions.

- b. Access Cards will be issued and accounted for in Elevation's Access Card database and be maintained in accordance with Elevation's recordkeeping requirements.
- c. Each access card will grant access to specifically zoned areas for authorized access; access may be limited as necessary.

6. Security Levels of Access

The facility was reviewed and delineated into three levels of security access to provide the highest level of security which meets or exceeds the standards of the Cannabis Control Commission and the Town of Fairhaven. Employee access to different levels is based solely on need, and their access credentials are programmed accordingly.

- a. **Level 1:** The general public, employees, visitors, and vendors will be required to enter the facility through one entrance which is monitored by CCTV cameras as outlined in the security drawings. The reception/vestibule area will welcome all prospective clients who will "check in " with valid photo identification for presentation to the receptionist. The receptionist will process the identification through an electronic ID verification system for the purpose of validation. A panic alarm is also located at the receptionist counter. Customers must present a valid form of identification containing photograph and date of birth. Acceptable forms of ID includes:
 - Driver's license;
 - Government-issued ID card;
 - Military identification card;
 - Passport

In the event Dispensary Agents observe suspicious behavior by a customer while at the dispensary, the Dispensary Manager and/or the Security Manager will be notified and NO sale will be issued. Immediate notification to the Fairhaven Police Department shall be

made if Agents observe behavior indicating suspected diversion.

Examples of such behavior include:

- Customer appears to be under the influence of drugs or alcohol.
- Customer makes threats.
- Customer is suspected of attempting to purchase product for anyone that appears to be under the age of 21.

Dispensary Agents will refuse to dispense to a customer if there is concern the customer or public would be placed at risk.

No cell phones, cameras or other recording devices are allowed to be used within the facility to take video or photographs. Cell phones will only be allowed for communications purposes.

Elevation staff will notify any customer who appears to be taking photographs or video to cease for security reasons. Elevation premises are a “No Smoking” facility. This includes any/all types of electronic inhaling devices. Signage will be posted in the reception indicating these restrictions.

- b. **Level 2:** To enter this designated security level, everyone is required to enter through a card access controlled door. This level requires ALL EMPLOYEES to be displaying a company PHOTO ID Badge and all Vendors/Contractors to be displaying a visitor/vendor ID Badge. All Vendors/Contractors are required to be escorted by a designated dispensary agent. All contractors and vendors will be required to sign in and out.

This area is open to the general public but limits the access and free movement to other sections of the facility. Members of the general public (clients) will be escorted by a Dispensary Agent in

order to maintain a controlled environment. This entire area is monitored by CCTV cameras, and motion detectors as outlined in the security drawings. There are multiple Panic Alarms for immediate Emergency Notification to the Fairhaven Police Department at the "Point of Sale" area.

- c. **Level 3:** This is the highest level of security within the facility and limited to those who need to be in the area based on their job description and responsibilities. The company photo ID access badge will be pre-programmed for those individuals who are designated access to this area. By equipping the area with Biometrics/keypad reader, this eliminates the possibility of using another person's ID badge to gain access to this area.

This area is monitored by CCTV cameras. Entrance/egress from this area is continuously monitored by the CCTV cameras as well as perimeter alarm contact points on the entrance/egress doors if they were opened or breached. The alarm points report directly to the Access Control System as well as to a Central Monitoring Station for emergency notification. There are Motion Detectors covering this area as well as Panic Alarms as outlined in the security drawings.

7. Panic Buttons

- a. Elevation will install panic buttons to enable facility personnel to immediately notify the company's monitoring center and law enforcement if necessary.
- b. The panic alarms will be programmed to provide a locally audible sounder and a notification to the alarm monitoring station that a panic situation is occurring.

- c. The monitoring station will forego any notifications to the predetermined call priority list and call law enforcement directly, informing of the situation and location that initiated the signal.
- d. The panic alarm devices will also be strategically positioned based on ingress and egress points, shipping and receiving areas, and the cash exchange zones.
- e. The duress/panic alarm system can also be programmed to initiate silent alarms and depending on the situation and RF capability of the intrusion system; the panic alarm landscape can be modified as necessary.
- f. All the panic alarm devices will be programmed and activated under the intrusion detection alarm panel. Because this panel is integrated with the access control panel, immediate notification via email and text messaging will be sent to security personnel.
- g. All security personnel will be advised of the panic alarm, its location, and surveillance video linked to the event within minutes.
- h. The monitoring station will follow through with law enforcement and company security personnel.

Security and Surveillance Technology

Essential to our efforts to prevent and deter the criminal repurposing of our Cannabis Product, is the implementation of state-of-the-art integrated electronic security and surveillance systems.

1. Security/Surveillance Rooms

- a. All security system equipment and recordings will be maintained in a secure location on-site that will remain locked in order to prevent theft, loss, destruction, and alterations.
- b. Rooms designated for security equipment or records storage will not be used for any other function

- c. Access to the designated rooms will be limited to those Agents that are essential to surveillance operations, law enforcement authorities, authorized security system service personnel, and the Commission.
- d. A current list of authorized Agents and service personnel that have access to designated security rooms will be made available to the Commission upon request.

2. Video Surveillance System

- a. As an essential component of our effort to prevent the theft or diversion of cannabis and to assist the local law enforcement and/or others with any relevant security investigation, Elevation will install a state-of-the-art CCTV surveillance system in our facility. The Video Surveillance System is to:
 - record all activity in images of high quality and high resolution capable of clearly revealing facial detail;
 - operate 24-hours a day, 365 days a year without interruption;
 - provide a date and time stamp for every recorded frame.
- b. The system will employ a combination of interior and exterior cameras, monitors, and motion detectors to provide comprehensive coverage of the facility.
- c. Specifically, they will cover the entire interior of the marijuana establishment except for restrooms.
- d. They will also cover all building entrances and exits, as well as all areas within five feet from the exterior of the facility.

3. Cameras and Monitors at Elevation

- a. Installed outdoors in low light; interior areas will be minimum 2.0 MP day/night cameras with f/1.8 Infrared lenses and .3 LUX

minimal illumination. They offer exceptional image quality and superior sensitivity to low light environments.

- b. All cameras will be calibrated and focused on maximizing the quality of the recorded image.
- c. Additional lighting will be installed if it is deemed necessary to enhance picture clarity and brightness.
- d. The indoor non-lowlight coverage will be provided by a combination of 1.3 Megapixel Infrared interior dome day/night cameras and 5 Megapixel 180-degree IP interior dome cameras with day/night; Infrared LED, Varifocal lenses and progressive scan sensors.
- e. All cameras will be encased in vandal resistant, dust resistant protective mounts.

4. On-Site Video Monitoring and Management

- a. Authorized security personnel will be able to observe continuous real-time video feed from every camera in the facility.
- b. At least two 27" display monitors will be connected to the electronic recording security system always and will be in the manned security booth.
- c. The system enables the user to playback live video should security personnel detect anything arousing suspicion.
- d. The system software will enable management and other authorized staff to customize the monitor display to meet specific surveillance objectives.
- e. The customizable technology enables the user to monitor by room, region, or camera angle.
- f. It also allows for video and time stamped stills to be exported and shared with relevant authorities in the event of a security breach or suspicious event.

- g. The office where the video surveillance system and monitors are located will be enclosed, locked, secure, and accessible only by authorized security personnel.

5. Surveillance Integration

In the interests of optimal efficacy in our efforts to prevent theft, Elevation has designed the electronic access control system to be seamlessly integrated with our video surveillance technology. This allows security personnel to match electronic door entry data with the relevant video footage on a single interface.

- a. For example: When unusual access activity leads a security officer to request a cardholder transaction report for a specified period, the system software will also provide the investigator with all the video images associated with that cardholder's movements throughout the facility. No separate search is required.
- b. In addition, when an alarm is triggered, this seamless integration allows the user to compare past and present views of the location(s) in question.
- c. This integration of video surveillance and access control systems allows for the simultaneous retrieval of information and can save critical time in the event of a security breach or other incident.

6. Customizable Remote Video Monitoring

This system includes software that allows video content, live and/or recorded, to be remotely accessed by authorized personnel. Elevation will grant access for The Commission, State Police, and other relevant law enforcement officials that request access to video content in support of an investigation.

- a. This can be done via handset, tablet, or computer through a secure, web-based portal available 24/7.
- b. If required, the system will allow Elevation export of all relevant video footage and time-stamped stills of at least D1 resolution.

- c. The exported video will be archived in a proprietary format that ensures the authentication of the video and guarantees that no alteration of the recorded image has taken place.
- d. The video will be saved for at least 90 days.
- e. Customized dynamic mapping data, including electronic room access histories for any employee access card of interest, can also be exported and shared.

7. Security System Monitoring by the Local Police Department

If required, the Fairhaven Police Department will have access to the Video Management System from their Police Station to monitor any activities inside or outside of the facility in real time.

8. Storage of Recordings

- a. All security video recordings will be stored on a dedicated server and will have a recorded image frame rate of 12 frames per second during an alarm or motion-based recording.
- b. This secure digital storage solution is designed to store the volumes of data associated with 24/7, always on High-Definition security systems that employ the number of cameras required by our security plan.
- c. Security recordings will be retained on our onsite dedicated server for a minimum of 90 days.
- d. Our internal dedicated server will be redundant and fail-safe through the application of RAID drives.

9. Security of Server

- a. The recording system for the security cameras will be in a locked tamper proof closet accessible only to authorized personnel.

- b. The room containing the server compartment will be monitored by a separate, dedicated security alarm system identical to the alarm system described in this document.

Electronic Access Control System

At the foundation of this system is a contactless smart card electronic access control technology; all restricted areas of the facility will be accessible only via electronic access card.

- a. As indicated above, Elevation will install, maintain and manage this electronic access control system in a manner that is functionally integrated with our video surveillance solution.
- b. The flexible and secure system enables management to issue electronically coded ID cards on site, to customize access permissions based on the job description and to control and monitor access to all the rooms in the facility.

1. Customized Electronic Access ID Cards and Readers

- a. Each employee will be issued an electronic ID Card.
- b. The electronic coding customizes room access permissions based on the job description and designated responsibilities.
- c. Doors to all private areas will be equipped with door hardware that requires a contactless electronic security card for entry.
- d. All doors abutting security or IT rooms, as well as the vault door, will be equipped with a door hardware set that requires an electronic security card for entry as well as a key.

2. Access Data Tracking, Recording, and Storage

- a. All employee cardholder room entry data can be monitored in real-time by our authorized personnel.
- b. These electronic transaction records will be stored both locally and off-site for no less than 90 days.

- c. They will include the time of entry, the location of entry, and the identity of the cardholder who entered.
- d. Any requested cardholder transaction history data can be readily accessed.

3. Forty-eight (48) Hour Backup Power

The alarm, access control, and video security infrastructure will be supported with an auxiliary battery system that provides full operational viability during total AC power loss for forty-eight (48) hours.

- a. Upon power loss, the Entry-Master System works in off-line distributed mode, buffering all transactions, and automatically supports each card reader to maintain all user activity.
- b. In addition, each fixture of the facility security landscape will be incorporated into the emergency AC generator landscape.
- c. Electronic lock devices will be programmed for “fail secure,” and fire egress doors will be maintained in accordance with state and county fire code.
- d. If power is planned to be out longer than 48 hours, then the emergency generator will be activated.

4. System Maintenance

The electronic recording security system will be maintained in good working order.

- a. In the event of a malfunction of the security system predicted to last greater than 4 hours – the Agent in charge will immediately contact Elevation Management to provide for alternative security measures; Management will contact the Commission.
- b. Elevation will instruct all managers, employees, or Agents overseeing the functioning of the security system to immediately

report any malfunctioning or technical problems with the system to the Elevation Management team.

- c. The management shall train other security employees and require them to inspect all alarm and security systems monthly. Any necessary repairs or alterations will be immediately reported.

Fire and Smoke Alarms

In addition to meeting or exceeding all the comprehensive electronic alarming requirements set forth in this application, Elevation will also meet the fire and smoke alarm requirements set forth by county zoning building code.

Transportation/Delivery Procedures

Our transportation/delivery procedures will meet or exceed all CCC regulatory requirements. Agents transporting marijuana or marijuana products to Elevation will:

- a. Weigh, inventory, and account for on video all marijuana to be transported prior to its leaving the origination location;
- b. Re-weigh, re-inventory, and account for on video all marijuana transported, within eight hours after arrival at the Fairhaven Dispensary.
- c. Document and report any unusual discrepancy in weight or inventory to the CCC and Fairhaven Police Department within twenty-four (24) hours;
- d. Complete a shipping manifest in a form and manner determined by the CCC, for retention by the origination location, and carry a copy of said manifest with the products being transported;
- e. Securely transmit a copy of the manifest to the Fairhaven Dispensary prior to transport.

1. Courier Agents

- a. Deliveries will be made by (2) Courier Agents
- b. Each will have cell phone communication with the Dispensary during the transport to the Dispensary.
- c. During the delivery, at least one (1) Courier will remain with the vehicle at all times when the vehicle contains marijuana.
- d. Deliveries shall be made through the "Secure Receiving Area" (Sallyport) entrance door as noted on the Security Drawings using the designated access route during daylight hours.
- e. The transport vehicle will drive up to the Sallyport entrance and onsite Security Officers will open the Sallyport door. Delivery Agents will then enter the Sallyport and the door will be secured prior to Delivery Agents exiting the vehicle and unloading product. Product will then be stored in the "secure storage" room. Deliveries will be made using the designated access route during non-business daylight hours.

2. Delivery Times

- a. Routes are randomized.
- b. Times for delivery are not set up on a weekly timed schedule, and for security reasons, the days of the week and times are randomized to thwart any possibility of robbery.
- c. Prior to arrival of the delivery vehicle to the Dispensary, it is the responsibility of the on-site Security Officers to conduct a visual sweep of the front entrance, exit and parking lot to ensure there are no suspicious individuals/vehicles loitering in that area. Immediate notification to the Fairhaven Police Department shall be made if any suspicious person or vehicle is observed. Delivery will not be made until the route has been deemed clear.

3. Onsite Security Personnel

The facility will be staffed with a minimum of (1) onsite uniformed Security Officer during all hours of operation.

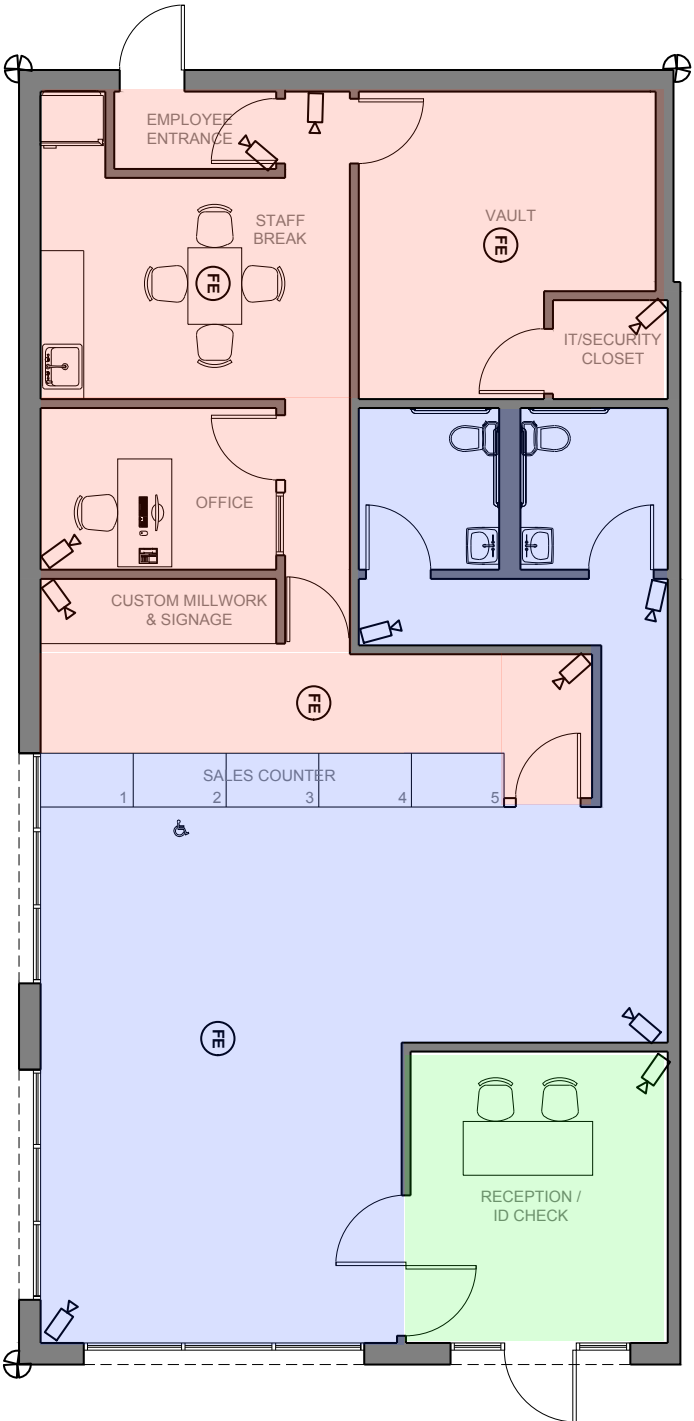
Additional security to include a Fairhaven Police officer detail shall be used as necessary at the direction of the Fairhaven Police Chief. This staffing plan shall be reviewed with the Police Chief monthly to determine if adjustments to staff levels are necessary.

Consumption of Marijuana on Premises

Consumption of marijuana products inside and outside of the facility is strictly prohibited by Elevation policy and State law. Appropriate signage shall be placed inside of the Dispensary lobby and exit areas notifying patrons of this. Onsite Security personnel shall patrol the facility exterior and parking lot, to include the exterior parking area, during all hours of operation to ensure compliance. Any patron observed violating this policy shall be requested to cease and leave the property. The Fairhaven Police Department shall be immediately notified whenever any unlawful consumption is occurring on or around the property. Identified violators shall be added to a “Banned Customer List” through our electronic ID verification system.

Audits

Elevation will, on an annual basis, obtain at its own expense, a security system audit by a vendor approved by the Commission. A report of such an audit must be submitted, in a form and manner determined by the Commission, no later than 30 calendar days after the audit is conducted. If the audit identifies concerns related to the establishment's security system, the Marijuana Establishment must also submit a plan to mitigate those concerns within ten business days of submitting the audit.



Floor Plan
Scale: 1/8" = 1'-0"

LEGEND:

FIXED VIEW CAMERA

TOTAL: 11

TRIPLE HEAD VIEW CAMERA

TOTAL: 2

FISHEYE CAMERA

TOTAL: 4

FOUR HEAD VIEW CAMERA

TOTAL: 0

SECURITY ZONES

PUBLIC AREA
LEVEL 1 SECURITY

RESTRICTED AREA
LEVEL 2 SECURITY

SECURED/ACCESS ONLY
LEVEL 3 SECURITY

NOTE:

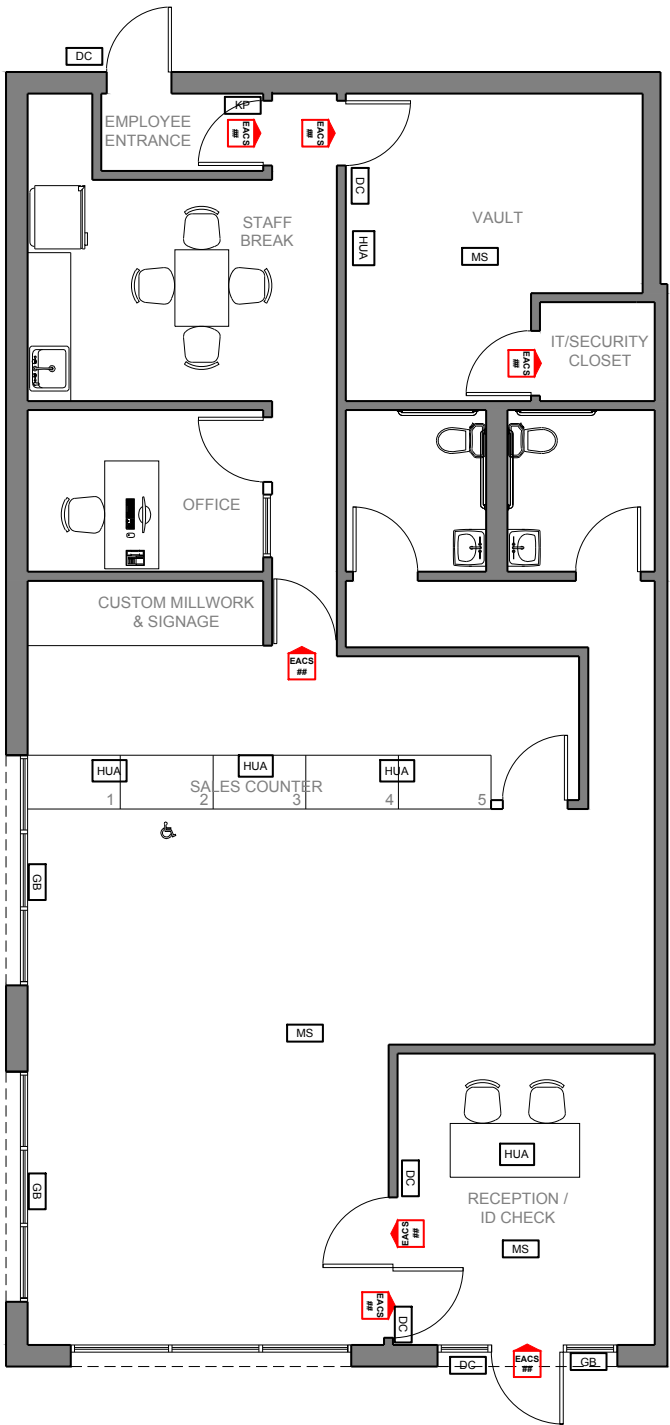
CAMERA ICON INDICATES TARGET VIDEO DIRECTION, BUT NOT FULL FIELD OF VIEW.

NO.	DATE	DESCRIPTION	REVISED	BY	CHK

240 BRIDGE ST.
FAIRHAVEN, MA 02719

VIDEO SURVEILLANCE PLAN

DATE: 03-01-22
DRAWING NO:



Floor Plan
Scale: 1/8" = 1'-0"

LEGEND:

- HUA HOLD UP ALARM BUTTON
TOTAL: 8
- DC DOOR CONTACT
TOTAL: 7
- GB GLASS BREAK DETECTOR
TOTAL: 5
- KP KEYPAD STATION
TOTAL: 1
- MS MOTION SENSOR
TOTAL: 4
- EACS # SECURE DIRECTION OF TRAVEL ELECTRONIC ACCESS CONTROL SYSTEMS DOOR
TOTAL: 9
- # SECURITY ZONES

NO.	DATE	DESCRIPTION	REV.	BY	CHK.

PROJECT TITLE: 240 BRIDGE ST. FAIRHAVEN, MA 02719

PROJECT TITLE: ACCESS CONTROL / INTRUSION PLAN

DATE: 10-13-21

DRAWING NO.: _____

STORAGE OF MARIJUANA

Elevation will ensure that all marijuana and marijuana products are stored in compliance with 935 CMR 500.105(11). Specifically, Elevation will ensure the following:

- The facility will have adequate lighting, ventilation, temperature, humidity, space, and equipment, in accordance with applicable provisions of 935 CMR 500.105 and 500.110;
- The facility will have separate areas for storage of marijuana that is outdated, damaged, deteriorated, mislabeled, or contaminated, or whose containers or packaging have been opened or breached, until such products are destroyed, in accordance with applicable provision of 935 CMR 500.105(12);
- All storage areas will be maintained in a clean and orderly condition;
- All storage areas will be free from infestation by insects, rodents, birds, and pests of any kind; and
- All storage areas will be maintained in accordance with the security requirements of 935 CMR 500.110.

Per the requirements of 935 CMR 500.110, all finished marijuana products will be stored in a secure, locked safe or vault in such a manner as to prevent diversion, theft, and loss. Furthermore, all safes, vaults, and any other equipment or areas used for the storage of marijuana products will be securely locked and protected from entry, except for the actual time required to remove or replace marijuana.

The storage of finished products will be under conditions that will protect them against physical, chemical, and microbial contamination as well as against deterioration of finished products or their containers, per the requirements of 935 CMR 500.105(3)(b)(15).

In accordance with 935 CMR 500.105(3)(c), Elevation will comply with sanitary requirements. All edible products will be prepared, handled and stored in compliance with the sanitation requirements in 105 CMR 590.000: *Minimum Sanitation Standards for Food Establishments*.

TRANSPORTATION OF MARIJUANA

Overview

Elevation will ensure that all transported marijuana and products are properly tracked through ERP Software. Elevation will properly track and label all product in the form and manner deemed acceptable by the Commission. Elevation will only transport marijuana from its licensed facilities to other licensed Marijuana Establishments as permitted by Elevation's license.

There will be no advertising, marketing or branding, including, but not limited to, vinyl-wrapped vehicles, signs, logos or markings, indicating that the vehicle is being used to transport marijuana on transportation vehicles or company cars.

In the event that any marijuana product is undeliverable or refused by the destination, Elevation will ensure that it will be transported back to Elevation's originating facility.

Elevation will staff all vehicles transporting marijuana and marijuana products with at least two Elevation agents, one of whom will remain in the vehicle at all times that the vehicle contains marijuana or marijuana products. Prior to departing the premises to transport marijuana products, Elevation will make a video record of weighing, inventorying, and accounting for all marijuana products to be transported.

When receiving transported marijuana, within eight hours after arrival, Elevation will re-weigh, re-inventory, and account for, on video, all marijuana and marijuana products received. When videotaping the weighing, inventorying, and accounting of marijuana and marijuana products before transportation or after receipt, Elevation will ensure that the video shows each product being weighed, the weight, and the manifest.

Prior to departure from its facility, Elevation will package marijuana and marijuana products in sealed, labeled, and tamper-resistant or child-resistant packaging, and ensure that marijuana and marijuana products remain as such during transportation.

All vehicles and transportation equipment used in the transportation of marijuana products requiring temperature control for safety must be designed, maintained, and equipped as necessary to provide adequate temperature control to prevent the marijuana or marijuana products from becoming unsafe during transportation, consistent with applicable requirements pursuant to 21 CFR 1.908(c). Any vehicle used to transport marijuana or marijuana products will be owned or leased by Elevation or a marijuana transporter, will be properly registered, inspected and insured in the Commonwealth, and equipped with an alarm system.

In the case of an emergency stop during the transportation of marijuana or marijuana products, Elevation will maintain a log describing the reason for the stop, the duration of the stop, the location of the stop, and any activities of its personnel exiting the vehicle.

Elevation will ensure that all routes used for the transportation of marijuana or marijuana products are randomized and remain within the Commonwealth.

Storage Requirements

Elevation will transport marijuana and marijuana products in secure, locked storage compartments that are a part of the vehicle transporting the marijuana products and cannot be easily removed. Storage and transportation of finished products will be under conditions that will protect them against physical, chemical, and microbial contamination, while also protecting against deterioration of finished products or their containers. Marijuana and marijuana products will not be visible from the outside of the vehicle.

If and when Elevation transports marijuana or marijuana products to more than one Marijuana Establishment at a time, the marijuana and marijuana products for each marijuana establishment will be kept in a separate locked storage compartment during transportation, and separate manifests will be maintained for each marijuana establishment. If and when Elevation is transporting marijuana and marijuana products to multiple marijuana establishments, Elevation will obtain permission from the Commission to adopt reasonable alternative safeguards. When transporting marijuana and marijuana products, no other products will be transported or stored in the vehicle nor will firearms be located in the vehicle or on transporting agents.

Communications

Any vehicle used by Elevation to transport marijuana and marijuana products will contain a global positioning system (GPS) monitoring device that is: 1) not a mobile device that is easily removable; 2) attached to the vehicle at all times that the vehicle contains marijuana and marijuana products; and 3) monitored by Elevation during transport of marijuana and marijuana products. Elevation will obtain an inspection from the Commission prior to initial transportation of marijuana and marijuana products and after any alteration to the locked storage compartment.

Each Elevation agent transporting marijuana products will have access to a secure form of communication with personnel at Elevation at all times that the vehicle contains marijuana and marijuana products. Elevation will utilize either two-way digital or analog

radio, cellular phones, or satellite phones for these purposes dependent upon the transportation area, base capabilities, cellular signal coverage, antenna coverage, and frequency of transportation.

Prior to and immediately after leaving Elevation premises, Elevation agents will be required to use a secure form of communication to contact agents at the Elevation facility to test communications and GPS operability. In the event that communications or the GPS system fail while on route, the Elevation agents transporting marijuana or marijuana products must return to the originating Elevation location until the communication system or GPS system is once again operational.

Marijuana establishment agents transporting marijuana or marijuana products will be required to contact the Elevation facility when stopping at and leaving any scheduled location, and regularly throughout the trip, at least every 30 minutes.

Elevation will ensure that there is an Elevation agent assigned to monitoring the GPS unit and secure form of communication, who will be required to log all official communications with marijuana establishment agents transporting marijuana products. All manifests used in the transportation of marijuana will be filled out by Elevation agents in triplicate, with the original manifest remaining with Elevation, a second copy provided to the destination marijuana establishment upon arrival, and a copy to be kept with the Elevation agent during transportation and returned to the marijuana establishment or marijuana transporter upon completion of the transportation. Elevation will securely transmit the manifest to the destination marijuana establishment via facsimile or email prior to departure.

Upon arrival at the destination marijuana establishment, Elevation's agents will compare the manifest produced by Elevation agent and the copy transmitted by facsimile or email to the destination marijuana establishment. Each manifest will include, at a minimum, the originating marijuana establishment name, address, and registration number; the names and registration numbers of the agents who transported the marijuana products; the name and registration number of the marijuana establishment agent who prepared the manifest; the destination marijuana establishment name, address, and registration number; a description of the marijuana and marijuana products being transported, including the weight and form or type of the product; the mileage of the transporting vehicle at departure from Elevation and mileage upon arrival at destination marijuana establishment, as well as mileage upon return to Elevation; the date and time of departure from Elevation and arrival at destination marijuana establishment for each transportation; a signature line for the marijuana establishment agent who receives the marijuana products; the weight and inventory before departure and upon receipt; the date and time that the transported products were re-weighed and re-inventoried; the

name of the marijuana establishment agent at the destination marijuana establishment who re-weighed and re-inventoried products; and the vehicle make, model, and license plate number.

Elevation will maintain the manifest inside of its vehicle throughout the entire transportation process until delivery is complete. All transportation manifests will be retained by Elevation for a minimum of one year and will be available for inspection by the Commission upon request.

Should any unusual discrepancy occur in weight or inventory, Elevation agents will document and report the discrepancy to the Commission and law enforcement authorities not more than 24 hours after the discovery of such a discrepancy. Elevation agents will report to the Commission and law enforcement authorities any vehicle accidents, diversions, losses, or other reportable incidents that occur during transport, not more than 24 hours after such accidents, diversions, losses, or other reportable incidents.

Each agent transporting or otherwise handling marijuana or marijuana products for Elevation will be registered as a marijuana establishment agent and have a driver's license in good standing issued by the Massachusetts Registry of Motor Vehicles for all classes of vehicle the marijuana establishment agent will operate for Elevation prior to transporting or otherwise handling Elevation's marijuana or marijuana products.

All Elevation agents will carry their registration cards at all times when transporting marijuana or marijuana products for Elevation and will produce their registration card to the Commission or law enforcement officials upon request. Elevation will use best management practices to reduce energy and water usage, engage in energy conservation, and mitigate other environmental impacts wherever possible.

Representatives of the Commission, other Commonwealth agencies, and emergency responders responding in the course of an emergency will have access to all Elevation transportation vehicles as necessary.

INVENTORY PROCEDURES

Elevation will maintain real-time inventory in compliance with 935 CMR 500.105(8), including maintaining inventory of marijuana ready for dispensing; all marijuana products; and all damaged, defective, expired, or contaminated marijuana and marijuana products awaiting disposal. All marijuana products will be tagged and tracked within Elevation's seed-to-sale tracking system.

Elevation will:

- Establish inventory controls and procedures for the conduct of inventory reviews, and comprehensive inventories of marijuana products and stored marijuana;
- Conduct a monthly inventory of all stored marijuana;
- Conduct a comprehensive annual inventory at least once every year after the date of the previous comprehensive inventory; and
- Promptly transcribe inventories if taken by use of an oral recording device.

The record of each inventory will include, at a minimum, the date of the inventory, a summary of the inventory findings, and the names, signatures, and titles of the individuals who conducted the inventory. All inventory records will be kept in accordance with Elevation's record keeping procedures. Elevation's agent's will document and report any unusual discrepancy in weight or inventory to the Commission and law enforcement authorities not more than 24 hours after the discovery of such a discrepancy.

Elevation will only sell and market inventory that is capable of being tested by Independent Testing Laboratories, except as allowed under 935 CMR 500.000.

Marijuana products reserved by Elevation for customer supply will be either maintained on-site at the retail facility or easily accessible at another location accessible to Elevation and transferable to the retail facility location within 48 hours of notification that the on-site supply has been exhausted. Elevation will perform audits of customer supply on a weekly basis and retain those records for a period of six months.

QUALITY CONTROL & TESTING

Elevation Retail will comply with the following sanitary requirements:

1. Any Elevation agent whose job includes contact with marijuana or nonedible marijuana products, including cultivation, production, or packaging, is subject to the requirements for food handlers specified in 105 CMR 300.000, and all edible marijuana products will be prepared, handled, and stored in compliance with the sanitation requirements in 105 CMR 500.000, and with the requirements for food handlers specified in 105 CMR 300.000.
2. Any Elevation agent working in direct contact with preparation of marijuana or nonedible marijuana products will conform to sanitary practices while on duty, including:
 - a. Maintaining adequate personal cleanliness; and
 - b. Washing hands thoroughly in an adequate hand-washing area before starting work, and at any other time when hands may have become soiled or contaminated.
3. Elevation's hand-washing facilities will be adequate and convenient and will be furnished with running water at a suitable temperature. Hand-washing facilities will be located in Elevation's production areas and where good sanitary practices require employees to wash and sanitize their hands and will provide effective hand-cleaning and sanitizing preparations and sanitary towel service or suitable drying devices;
4. Elevation's facility will have sufficient space for placement of equipment and storage of materials as is necessary for the maintenance of sanitary operations;
5. Elevation will ensure that litter and waste is properly removed and disposed of so as to minimize the development of odor and minimize the potential for the waste attracting and harboring pests. The operating systems for waste disposal will be maintained in an adequate manner pursuant to 935 CMR 500.105(12);
6. Elevation's floors, walls, and ceilings will be constructed in such a manner that they may be adequately kept clean and in good repair;
7. Elevation's facility will have adequate safety lighting in all processing and storage areas, as well as areas where equipment or utensils are cleaned;
8. Elevation's buildings, fixtures, and other physical facilities will be maintained in a sanitary condition;
9. Elevation will ensure that all contact surfaces, including utensils and equipment, will be maintained in a clean and sanitary condition. Such surfaces will be cleaned and sanitized as frequently as necessary to protect against contamination, using a sanitizing agent registered by the US Environmental Protection Agency (EPA), in accordance with labeled instructions. Equipment and utensils will be so designed and of such material and workmanship as to be

- adequately cleanable;
10. All toxic items will be identified, held, and stored in a manner that protects against contamination of marijuana products;
 11. Elevation will ensure that its water supply is sufficient for necessary operations, and that such water supply is safe and potable;
 12. Elevation's plumbing will be of adequate size and design, and adequately installed and maintained to carry sufficient quantities of water to required locations throughout the marijuana establishment. Plumbing will properly convey sewage and liquid disposable waste from the marijuana establishment. There will be no cross-connections between the potable and wastewater lines;
 13. Elevation will provide its employees with adequate, readily accessible toilet facilities that are maintained in a sanitary condition and in good repair;
 14. Elevation will hold all products that can support the rapid growth of undesirable microorganisms in a manner that prevents the growth of these microorganisms; and
 15. Elevation will store and transport finished products under conditions that will protect them against physical, chemical, and microbial contamination, as well as against deterioration of finished products or their containers.

Elevation's vehicles and transportation equipment used in the transportation of marijuana products or edibles requiring temperature control for safety will be designed, maintained, and equipped as necessary to provide adequate temperature control to prevent the marijuana products or edibles from becoming unsafe during transportation, consistent with applicable requirements pursuant to 21 CFR 1.908(c).

Elevation will ensure that Elevation's facility is always maintained in a sanitary fashion and will comply with all applicable sanitary requirements.

Elevation will follow established policies and procedures for handling voluntary and mandatory recalls of marijuana products. Such procedures are sufficient to deal with recalls due to any action initiated at the request or order of the Commission, and any voluntary action by Elevation to remove defective or potentially defective marijuana products from the market, as well as any action undertaken to promote public health and safety.

Any inventory that becomes outdated, spoiled, damaged, deteriorated, mislabeled, or contaminated will be disposed of in accordance with the provisions of 935 CMR 500.105(12), and any such waste will be stored, secured, and managed in accordance with applicable state and local statutes, ordinances, and regulations.

Elevation will not sell or otherwise market marijuana or marijuana products that are not capable of being tested by Independent Testing Laboratories, except as allowed under

935 CMR 500.000. No marijuana product will be sold or otherwise marketed for adult use that has not first been tested by an Independent Testing Laboratory and deemed to comply with the standards required under 935 CMR 500.160. Testing of Elevation's marijuana products will be performed by an Independent Testing Laboratory in compliance with the Protocol for Sampling and Analysis of Finished Medical Marijuana Products and Marijuana-infused Products, as amended in November 2016, published by the DPH.

Testing of Elevation's environmental media will be performed in compliance with the Protocol for Sampling and Analysis of Environmental Media for Massachusetts Registered Medical Marijuana Dispensaries published by the DPH.

Elevation's policy of responding to laboratory results that indicate contaminant levels are above acceptable limits established in the DPH protocols identified in 935 CMR 500.160(1) includes notifying the Commission within 72 hours of any laboratory testing results indicating that the contamination cannot be remediated and disposing of the production batch. Such notification will describe a proposed plan of action for both the destruction of the contaminated product and the assessment of the source of contamination.

Elevation will maintain testing results in compliance with 935 CMR 500.000 *et seq* and the record keeping policies described herein and will maintain the results of all testing for no less than one year.

All transportation of marijuana to and from Independent Testing Laboratories providing marijuana testing services will comply with 935 CMR 500.105(13). All storage of Elevation's marijuana at a laboratory providing marijuana testing services will comply with 935 CMR 500.105(11). All excess marijuana will be disposed of in compliance with 935 CMR 500.105(12), either by the Independent Testing Laboratory returning excess marijuana to Elevation for disposal or by the Independent Testing Laboratory disposing of it directly.

DISPENSING PROCEDURES

In accordance with 935 CMR 500.140(3), access to Elevation's facility is limited to individuals 21 years of age and older. Upon a customer's entry into Elevation premises, an Elevation agent will immediately inspect the customer's proof of identification and determine the individual's age. An individual will not be admitted to the premises unless the retailer has verified that the individual is 21 years of age or older by an individual's proof of identification. At the door, a designated staff member will collect valid customer identification and confirm a minimum age of 21 years old, failing the confirmation of 21 years of age or older, an individual will be prohibited from entering the premises.

Once inside the retail area, customers will enter a queue to obtain individualized service where they may select any of the products available to them with the help of an Elevation agent. If applicable, Point of sale stations for adult-use and medical sales will be physically separated as described below. Upon checkout, customers will be required to confirm their identities and age a second time. Check out also activates the seed-to-sale tracking system that is compliant with 935 CMR 500.105(8).

Per M.G.L.C. 94G § 7, sales are limited to one ounce of marijuana flower or five grams of marijuana concentrate per transaction. All required taxes will be collected at the point of sale.

Once a customer has selected a product for purchase, an Elevation agent will collect the chosen items from the designated product storage area. An Elevation agent will then scan each product barcode into the point of sale system. In the event of a flower sale, staff will weigh the chosen amount of flower and then place it in a tamper-resistant/child-resistant, resealable package that is compliant with 935 CMR 500.105(5). An Elevation agent will affix a label, as generated by the point of sale system, indicating the date, strain name, cannabinoid profile, and all applicable warnings detailed in 935 CMR 500.105.

In the event an Elevation agent determines an individual would place themselves or the public at risk, the agent will refuse to sell any marijuana products to the consumer. Elevation will use the point of sale security system to accept payment and complete sales. The system can back up and securely cache each sale for inspection.

Pursuant to 935 CMR 500.140(6)(d), Elevation will conduct a monthly analysis of its equipment and sales data to determine that no software has been installed that could be utilized to manipulate or alter sales data and that no other methodology has been

employed to manipulate or alter sales data. If any such malware is found, Elevation will immediately report the occurrence to the Commission and assist in any subsequent investigation into the matter. Elevation will maintain a record of the monthly analyses and will make it available for inspection by the Commission upon request. Further, Elevation will cooperate with the Commission and the Department of Revenue to ensure compliance with any and all taxes in accordance with the laws of the Commonwealth and 935 CMR 500.000 "Elevation will maintain and provide to the Commission on a biannual basis accurate sales data collected during the six months immediately preceding this application for the purpose of ensuring an adequate supply of marijuana and marijuana products under 935 CMR 500.140(10).

Elevation will utilize separate accounting practices at the point of sale to track marijuana product sales and non-marijuana sales.

Elevation places a premium on cleanliness, hygiene, and proper product storage to achieve and maintain successful operation of the business. In addition to regularly sanitizing surfaces with products kept separately and away from marijuana products, Elevation staff will ensure personal hygiene including washing hands throughout the day and before handling or dispensing any marijuana products. All products available for sale and consumption will be tested for impurities and subjected to Elevation's policies governing quality control per 935 CMR 500.105.

In compliance with 935 CMR 5001.140(8), Elevation will provide educational materials designed to help consumers make informed marijuana product purchases. Elevation's educational materials will describe the varying types of products available at Elevation, as well as the types and methods of consumption. The materials will offer education on cannabis titration: the method of using the smallest amount of a given marijuana product necessary to bring about the desired effect. Additional topics discussed in consumer materials will include potency; proper dosing; the delayed effects of edible marijuana products; and substance abuse and related treatment programs, marijuana tolerance, dependence, and withdrawal.

STAFFING AND PERSONNEL PLAN

Overview

Elevation will maintain personnel records as a separate category of records due to the sensitivity and importance of information concerning agents, including registration status and background check records. Elevation will keep, at a minimum, the following personnel records:

- Job descriptions for each employee and volunteer position, as well as organizational charts consistent with the job descriptions;
- A personnel record for each marijuana establishment agent;
- A staffing plan that will demonstrate accessible business hours and safe conditions;
- Personnel policies and procedures; and
- All background check reports obtained in accordance with 935 CMR 500.030.

Job Descriptions

Store Manager: The Store Manager will be responsible for the overall management of staff, standard operating procedures, scheduling, inventory, compliance, supplies, and all other tasks that arise in a dynamic retail environment. The Store Manager will:

- Oversee the day-to-day operations
- Ensure store compliance with all local, state and federal regulations including maintaining written SOPs as changes to policy and/or regulations occur and ensure compliance among team
- Oversee a distribution process that is professional, confidential and safe for all customers
- Serve as a liaison to the local community by providing accurate information to customers and citizens
- Monitor and maintaining inventory levels as well as keeping track of expiring products
- Manage financial records and daily cash handling procedures
- Maintain a clean and organized store

Assistant Store Manager: The Assistant Store Manager (ASM) motivates and organizes our team of Associates while ensuring customer satisfaction, safety, product quality, security & compliance within the store. The Assistant Store Manager will:

- Lead and support the Associate team to deliver best-in-class service
- Maintain store compliance with all local, state and federal regulations
- Oversee security measures and safety compliance

- Assist in verifying order deliveries for accuracy
- Manage cash handling procedures and record keeping while ensuring accuracy of all transactions, deposits, and records
- Assist with required paperwork and state tracking system recording
- Complete and appropriately delegate tasks assigned during scheduled shift
- Maintain open communication with the management team and other coworkers
- Work with the SM to onboard and train new Associates.
- Maintain a clean and organized store

Store Associate: Store Associates will provide guidance and educate each customer with their cannabis needs. Associates will:

- Provide each customer with best-in-class customer service
- Ensure that all forms and other paperwork are properly completed
- Comply with all state regulations and company standard practices and procedures
- Educate customers on all varieties of cannabis and cannabis-infused products in the store
- Accurately processes and dispenses cannabis to customers
- Stock/restock product
- Maintain cleanliness of display cases and store
- Operate POS system and efficiently and accurately process payments
- Complete other tasks as assigned by management

Director of Security: Under the supervision of the President, the Director of Security is responsible for the development and overall management of the Security Policies and Procedures for Elevation, while implementing, administering, and revising the policies as needed. In addition, the Director of Security will perform the following duties:

- Provide general training to Elevation agents during new hire orientation or re-current trainings throughout the year;
- Provide training specific for Security Agents prior to the Security Agent commencing job functions;
- Review and approve incident reports and other reports written by Security Agents prior to submitting to the executive management team—follow up with security agent if needed;
- Maintain lists of agents authorized to access designated areas of the Elevation facility, including cash and product storage vaults, the surveillance and network equipment room, and other highly sensitive areas of the Elevation facility;
- Lead a working group comprised of the President, Vice President, and any other designated advisors to ensure the current policies and procedures are properly

implemented, integrated, effective, and relevant to ensure the safety of Elevation agents and assets;

- Ensure that all required background checks have been completed and documented prior to an agent performing job functions; ensure agent is granted the appropriate level of access to the facility necessary to complete his/her job functions;
- Maintain all security-related records, incident reports and other reports written by security agents;
- Evaluate and determine the number of Security Agents assigned to each shift and proper shift change times; and
- Maintain frequent contact with local law enforcement authorities.

Security Agent: Security Agents monitor Elevation's security systems including alarms, video surveillance, and motion detectors. Security Agents are responsible for ensuring that only authorized individuals are permitted access to the Elevation facility by verifying appropriate ID cards and other forms of identification. In addition, Security Agents perform the following duties and other duties upon request:

- Investigate, communicate, and provide leadership in the event of an emergency such as an intrusion, fire, or other threat that jeopardizes customers, authorized visitors, and Elevation agents;
- Respond and investigate security situations and alarm calls; clearly document the incident and details surrounding the incident in a written report for the Director of Security;
- Oversee the entrance to the facility and verify the credentials of each person seeking access to the Elevation facility;
- Answer routine inquiries;
- Log entries, and maintain visitor log;
- Escort authorized visitors in restricted access areas; and
- Escort Elevation agents from the facility during non-business hours and perform security checks at designated intervals.

Inventory Manager: The Inventory Manager is responsible for inventory on a day-to-day basis as well as the weekly and monthly inventory counts and waste disposal requirements. The inventory manager will perform the comprehensive annual inventory in conjunction with the executive management team. Additional duties include, but are not limited to:

- Implementing inventory controls to track and account for all dispensary inventory;
- Implementing procedures and notification policies for proper disposal;
- Maintaining records, including operating procedures, inventory records, audit records, storage and transfer records;

- Maintaining documents with each day's beginning, acquisitions, sales, disposal, and ending inventory; and
- Proper storing, labeling, tracking, and reporting of inventory.

Inventory Associate: Inventory Associates support the Inventory Manager during day-to-day operations. Responsibilities include, but are not limited to:

- Maintaining records, including operating procedures, inventory records, audit records, storage and transfer records;
- Maintaining documents with each day's beginning, acquisitions, sales, disposal and ending inventory;
- Ensuring products are properly stored, labeled, and recorded in the POS Software system;
- Ensuring waste is properly stored; and
- Coordinating the waste disposal schedule and ensuring Elevation's policies and procedures for waste disposal are adhered to.

Human Resources Manager: The Human Resources Manager at Elevation will support the executive management team on a day-to-day basis to effectively implement all personnel policies and procedures for Elevation, including hiring processes. The Human Resources Manager will:

- Oversee hiring and release of Elevation agents;
- Review and revise Elevation personnel policies and procedures in consultation with the executive management team and department managers;
- Develop training schedules and policies for Elevation agents under the supervision of the executive management team and department managers;
- Handle any and all agent discipline as necessary;
- Ensure compliance with any and all workplace policy laws and requirements; and
- Be responsible for such additional human resources tasks as determined by the executive management team.

Agent Personnel Records

Personnel records for each agent will be maintained for at least twelve (12) months after termination of the agent's affiliation with Elevation and will include, at a minimum, the following:

- All materials submitted to the Commission pursuant to 935 CMR 500.030(2);
- Documentation of verification of references;
- The job description or employment contract that includes duties, authority, responsibilities, qualifications, and supervision;
- Documentation of all required training, including training regarding privacy and

confidentiality requirements, and the signed statement of the individual indicating the date, time, and place he or she received said training and the topics discussed, including the name and title of presenters;

- Documentation of periodic performance evaluations;
- A record of any disciplinary action taken;
- Notice of completed responsible vendor and eight-hour related duty training;
- Results of initial background investigation, including CORI reports; and
- Documentation of all security related events (including violations) and the results of any investigations and description of remedial actions, restrictions, or additional training required as a result of an incident.

Personnel records will be kept in a secure location to maintain confidentiality and will only be accessible to the agent's manager or members of the executive management team.

Staffing Plan

Hiring and Recruitment

Elevation's Human Resource Manager will engage the executive management team and management staff on a regular basis to determine if vacancies are anticipated and whether specific positions need to be created in response to company needs. Elevation's personnel practices will comply with the following, which will apply to all types of employment situations, including, but not limited to, hiring, terminations, promotions, training, wages and benefits:

- State anti-discrimination statutes and Equal Employment Opportunity Commission (EEOC) requirements;
- Elevation's Diversity Plan and Community Initiatives;
- Elevation's Plan to Positively Impact Areas of Disproportionate Impact;
- Background Checks and References;
- Mandatory reporting of criminal convictions (and termination if necessary);
- State and Federal Family Leave Act;
- Workplace Safety Laws;
- Workers' Compensation;
- State and Federal Minimum Wage Requirements;
- Non-Disclosure and Non-Complete Agreements; and
- Any other applicable local, state, or federal employment laws, rules, or regulations.

Standards of Conduct

Elevation is committed to maintaining an environment conducive to the health and well-being of customers and employees. It is Elevation's mission to provide a professional workplace free from harassment and discrimination for employees. Elevation will not tolerate harassment or discrimination on the basis of sex, race, color, national origin, age, religion, disability, sexual orientation, gender identity, gender expression, or any other trait or characteristic protected by any applicable federal, state, or local law or ordinance. Harassment or discrimination on the basis of any protected trait or characteristic is contrary to Elevation's values and is a violation of the Company Code of Conduct. Harassment is a form of discrimination. There is a broad range of behavior that could constitute harassment. In general, harassment is any verbal or physical conduct that:

- Has the purpose or effect of creating an intimidating, hostile, or offensive working environment;
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Adversely affects an individual's employment opportunities.

Employees are expected to maintain the highest degree of professional behavior. Any harassment or discrimination by employees is strictly prohibited. Further, harassing or discriminatory behavior of non-employees directed at Elevation employees or customers is also condemned and will be promptly addressed.

Violence and Weapons in the Workplace

Any and all acts of violence in the workplace will result in immediate dismissal of the employee, customer, or parties involved. Law enforcement will be contacted immediately in the case of a violent event. Weapons are not permitted to be brought on site by employees, customers, or other parties. Any employee found carrying a weapon on the premises of an Elevation facility will be immediately terminated, and any customer found carrying a weapon on the premises will be asked to leave and/or the police will be notified accordingly.

At-Will Employment

In the state of Massachusetts, employment is assumed to be at-will unless otherwise stated. At-will employment implies that employer and employee alike may terminate the work relationship at any given moment and for any legitimate purpose. Wrongful termination may be more difficult to prove in an at-will arrangement because of the freedom that each party has to end the employment. However, there are still many instances wherein a termination or discharge can be called wrongful, even in an at-will employment.

Workplace Attire

The required attire for registered agents at Elevation varies based upon required duties. New hire training and the onboarding process will go over the workplace attire specific to each role and the department manager will be responsible for ensuring compliance with all requirements is met.

Personnel Policies and Procedures

Standard Employment Practices

Elevation values the contributions of its management and staff positions. Elevation will strive to be the industry leader in workplace satisfaction by offering highly competitive wage and benefits packages and developing a culture that values a proper work-life balance, boasts a transparent and accessible executive management team, and fosters a work ethic that focuses on the mission of the company and the spirit of the adult-use marijuana program in Massachusetts.

Advancement

The organization will be structured in a relatively flat manner, with promotional opportunities within each department. Participation in training and bi-annual performance evaluations will be critical for any promotions or pay increases.

Written Policies

Elevation's written policies will address, inter alia, the Family and Medical Leave Act (FMLA), the Consolidated Omnibus Budget Reconciliation Act (COBRA), equal employment opportunity, discrimination, harassment, the Employee Retirement Income Security Act (ERISA), disabilities, workers' compensation, maintenance of personnel files, privacy, email policy, 935 CMR 500 et seq., holidays, hours, sick time, personal time, overtime, performance reviews, disciplinary procedures, working hours, pay rates, overtime, bonuses, veteran preferences, drug testing, personnel policies, military leaves of absence, bereavement leave, jury duty, CORI checks, smoking, HIPAA, confidentiality, and compliance hotline.

Investigations

Elevation will set forth policies and procedures to investigate any complaints or concerns identified or raised internally or externally in order to stay in compliance with 935 CMR 500.000 et seq.

Designated Outside Counsel

Elevation may retain counsel specializing in employment law to assist the Human Resources Manager with any issues and questions.

Job Status

Job Classifications

Positions at Elevation are categorized by rank and by department. The executive management team oversees the overall success of the mission of the company; the President is responsible for implementation of the mission and the executive management team as a whole is responsible for ensuring that all departments are properly executing their functions and responsibilities. Job classification is comprised of three rank tiers: Executive Management, Management, and Non- Management Employee.

Work Schedules

Work schedules will be either part-time, full-time, or salaried, depending on the specific position. Schedules will be set according to the needs of each department as determined by the department manager and the executive manager they report to. It is the department manager's responsibility to develop and implement a work schedule that provides necessary duty and personnel coverage but does not exceed what is required for full implementation of operations. It is also the department manager's responsibility to ensure that adequate coverage occurs on a daily basis and does not lead to unnecessary utilization of overtime coverage.

Mandatory Meetings

There will be a mandatory, recurring company-wide meeting on a monthly basis. All personnel will be notified if their attendance is required. Certain personnel, such as housekeeping staff, may not be required to attend. Each department will have a mandatory weekly meeting scheduled by the department manager. The department managers will provide agendas for all meetings and will report to their executive manager.

Breaks

Daily breaks, including lunch breaks, will comply with the laws of the Commonwealth.

Performance Reviews

Performance reviews will be conducted by executive or department managers. Reviews will be conducted at three-month intervals for new employees during the first year and at six-month intervals thereafter. A written synopsis must be provided to, and signed by, the employee under review. Reviews must be retained in each employee's employment file. Performance reviews must take into account positive performance factors and areas requiring improvement. Scoring systems may be utilized to help reflect an employee's overall performance.

Leave Policies

Elevation leave policies will comport with all state and federal statutes. All full-time employees will receive two 40-hour weeks of paid vacation per annum. Additional leave must be requested at least two weeks in advance and approved by the employee's department manager. Elevation will determine which holidays will be observed and which departments will not be required to work. Elevation will offer paid maternity leave. Additional leave will not be paid and must be approved by the department manager.

Elevation anticipates observing the following holidays:

- New Year's Day;
- Martin Luther King Day;
- Presidents' Day;
- Memorial Day;
- Independence Day;
- Labor Day;
- Thanksgiving; and
- Christmas Day;

Disciplinary Policies

Purpose

Elevation's progressive discipline policies and procedures are designed to provide a structured corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. The steps outlined below of Elevation's progressive discipline policies and procedures have been designed consistent with Elevation's organizational values, best practices, and state and federal employment laws.

Elevation reserves the right to combine or skip steps depending upon the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling, and/or training; the employee's work record; and the impact the employee's performance, conduct and/or attendance issues have on Elevation as an organization.

Procedure

Step 1: Counseling and Verbal Warning

Step 1 creates an opportunity for the immediate supervisor to schedule a meeting with an employee to bring attention to the existing performance, conduct, or attendance

issue. The supervisor should discuss with the employee the nature of the problem and/or violation of company policies and procedures. The supervisor is expected to clearly outline expectations and steps the employee must take to improve performance or resolve the problem.

Within five business days, the supervisor will prepare written documentation of a Step 1 meeting. The employee will be asked to sign the written documentation. The employee's signature is needed to demonstrate the employee's understanding of the issues and the corrective action needed.

Step 2: Written Warning

While it is hoped that the performance, conduct, or attendance issues that were identified in Step 1 have been corrected, Elevation recognizes that this may not always be the case. A written warning involves a more formal documentation of the performance, conduct, or attendance issues and consequences.

During Step 2, the immediate supervisor and a department manager or director will meet with the employee and review any additional incidents or information about the performance, conduct, or attendance issues as well as any prior relevant corrective action plans. Management will outline the consequences for the employee of his or her continued failure to meet performance, conduct and/or attendance expectations. A formal performance improvement plan (PIP) requiring the employee's immediate and sustained corrective action will be issued within five business days of a Step 2 meeting. A warning outlining that the employee may be subject to additional discipline up to and including termination if immediate and sustained corrective action is not taken may also be included in the PIP.

Step 3: Suspension and Final Written Warning

There may be performance, conduct, or safety incidents so problematic and harmful that the most effective action may be the temporary removal of the employee from the workplace. When immediate action is necessary to ensure the safety of the employee or others, the immediate supervisor may suspend the employee pending the results of an investigation.

Suspensions that are recommended as part of the normal progression of the progressive discipline policies and procedures are subject to approval from a next-level manager and the Human Resources Manager.

Depending upon the seriousness of the infraction, an employee may be suspended without pay in full-day increments consistent with federal, state and local wage-and-hour

employment laws. Non Exempt/hourly employees may not substitute or use accrued paid vacation or sick days in lieu of the unpaid suspension. Due to Fair Labor Standards Act (FLSA) compliance issues, unpaid suspension of salaried/exempt employees is reserved for serious workplace safety or conduct issues. The Human Resources Manager will provide guidance so that discipline is administered without jeopardizing the FLSA exemption status.

Pay may be restored to an employee if an investigation of the incident or infraction absolves the employee.

Step 4: Recommendation for Termination of Employment

The last and most serious step in the progressive discipline procedures is a recommendation to terminate employment. Generally, Elevation will try to utilize the progressive steps of this policy by first providing warnings, a final written warning, and/or suspension from the workplace before proceeding to a recommendation to terminate employment. However, Elevation reserves the right to combine and skip steps depending upon the circumstances of each situation and the nature of the offense, and an employee may be terminated without prior notice or disciplinary action.

Management's recommendation to terminate employment must be approved by the Human Resources Manager and department manager or designee. Final approval may be required from the President or designee.

Nothing in this policy provides any contractual rights regarding employee discipline or counseling nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between Elevation and its employees.

Appeal Process

Any employee subject to disciplinary action will have the opportunity to present information on their own behalf that may challenge information management relied upon in making the decision to issue the disciplinary action. The purpose of this appeal process is to provide insight into extenuating circumstances that may have contributed to the employee's performance, conduct and/or attendance issues, while allowing for an equitable solution.

If an employee does not present information on their own behalf during a step meeting, they will have five business days after the meeting to present such information to the supervisor who conducted the meeting.

Performance and Conduct Issues Not Subject to Progressive Discipline

Behavior that is illegal is not subject to progressive discipline and may be reported to local law enforcement. Theft, intoxication at work, fighting and other acts of violence are also not subject to progressive discipline and may be grounds for immediate termination.

Documentation

Any employee subject to progressive discipline will be provided with copies of all relevant documentation related to the progressive discipline process, including all PIPs. The employee will be asked to sign copies of this documentation attesting to their receipt and understanding of the corrective action outlined in these documents. Copies of these documents will be placed in the employee's official personnel file.

Separation of Employment

Separation of employment within an organization can occur for several different reasons. Employment may end as a result of resignation, retirement, release (end of season or assignment), reduction in workforce, or termination. When an employee separates from Elevation, the employee's supervisor must contact the Human Resources Manager to schedule an exit interview, which will typically take place on the employee's last workday.

Types of Separation

1. Resignation

Resignation is a voluntary act initiated by the employee to end employment with Elevation. The employee must provide a minimum of two (2) weeks' notice prior to resignation. If an employee does not provide advance notice or fails to actually work the remaining two weeks, the employee will be ineligible for rehire. The resignation date must not fall on the day after a holiday.

2. Retirement

An employee who wishes to retire is required to notify their department director and the Human Resources Manager in writing at least one (1) month before the planned retirement date. It is the practice of Elevation to give special recognition to employees at the time of their retirement.

3. Job Abandonment

An employee who fails to report to work or contact their supervisor for two (2) consecutive workdays will be considered to have abandoned their job without notice effective at the end of the employee's normal shift on the second day. The

department manager will notify the Human Resources Manager at the expiration of the second workday and initiate the paperwork to terminate the employee. Employees who are separated due to job abandonment are ineligible for rehire.

4. Termination

Employees of Elevation are employed on an at-will basis, and the company retains the right to terminate an employee at any time.

5. Reduction in Workforce

An employee may be laid off due to changes in duties, organizational changes, lack of funds, or lack of work. Employees who are laid off may not appeal the layoff decision through the appeal process.

6. Release

Release is the end of temporary or seasonal employment. The Human Resources Manager, in consultation with the department manager, will inform the temporary or seasonal worker of their release according to the terms of the individual's temporary employment.

Exit Interview

The separating employee will contact the HR department as soon as notice is given to schedule an exit interview. The interview will be held on the employee's last day of work or another day, as mutually agreed upon.

Return of Property

The separating employee must return all company property at the time of separation, including but not limited to, uniforms, cell phones, keys, computers, and identification cards. Failure to return certain items may result in deductions from the employee's final paycheck. All separating employees will be required to sign a Wage Deduction Authorization Agreement, allowing Elevation to deduct the costs of such items from their final paycheck.

Termination of Benefits

An employee separating from Elevation is eligible to receive benefits as long as the appropriate procedures are followed as stated above. Two weeks' notice must be given, and the employee must work the full two work weeks. Accrued vacation leave will be paid in the last paycheck. Accrued sick leave will be paid in the last paycheck.

Health Insurance

Health insurance terminates on the last day of the month of employment, unless the employee requests immediate termination of benefits. Information about the Consolidated Omnibus Budget Reconciliation Act (COBRA) continued health coverage will be provided. Employees will be required to pay their share of the dependent health and dental premiums through the end of the month.

Rehire

Former employees who left in good standing and were classified as eligible for rehire may be considered for reemployment. An application must be submitted to the Human Resources Manager, and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, when required.

Department managers must obtain approval from the Human Resources Manager or designee prior to rehiring a former employee. Rehired employees begin benefits just as any other new employee. Previous tenure will not be considered in calculating longevity, leave accruals, or any other benefits.

An applicant or employee who is terminated for violating policy or who resigned in lieu of termination from employment due to a policy violation will be ineligible for rehire.

Compensation

As an employer, Elevation believes that it is in the best interest of both the organization and Elevation's employees to fairly compensate its workforce for the value of the work provided. It is Elevation's intention to use a compensation system that will determine the current market value of a position based on the skills, knowledge, and behaviors required of a fully-competent incumbent. The system used for determining compensation will be objective and non-discriminatory in theory, application and practice. The company has determined that this can best be accomplished by using a professional compensation consultant, as needed, and a system recommended and approved by the executive management team.

Selection Criteria

1. The compensation system will price positions to market by using local, national, and industry specific survey data.
2. The market data will primarily include marijuana-related businesses and will include survey data for more specialized positions and will address significant market differences due to geographical location.
3. The system will evaluate external equity, which is the relative marketplace job worth of every marijuana industry job directly comparable to similar jobs at

Elevation, factored for general economic variances, and adjusted to reflect the local economic marketplace.

4. The system will evaluate internal equity, which is the relative worth of each job in the organization when comparing the required level of job competencies, formal training and experience, responsibility and accountability of one job to another, and arranging all jobs in a formal job- grading structure.
5. Professional support and consultation will be available to evaluate the compensation system and provide on-going assistance in the administration of the program.
6. The compensation system must be flexible enough to ensure that the company is able to recruit and retain a highly-qualified workforce, while providing the structure necessary to effectively manage the overall compensation program.

Responsibilities

The executive management team will give final approval for the compensation system that will be used by Elevation.

1. On an annual basis the executive management team will review and approve, as appropriate, recommended changes to position-range movement as determined through the vendor's market analysis process.
2. As part of the annual budgeting process, the executive management team will review and approve, as appropriate, funds to be allocated for total compensation, which would include base salaries, bonuses, variable based or incentive-based pay, and all other related expenses, including benefit plans.

Management Responsibility

1. The President is charged with ensuring that Elevation is staffed with highly-qualified, fully-competent employees and that all programs are administered within appropriate guidelines and within the approved budget.
2. The salary budget will include a gross figure for the following budget adjustments, but the individual determinations for each employee's salary adjustment will be the exclusive domain of the President: determining the appropriate head count, titles, position levels, merit and promotional increases and compensation consisting of salary, incentive, bonus, and other discretionary pay for all positions.
3. The President will ensure that salary ranges are updated at least annually, that all individual jobs are market priced at least once every two years, and that pay equity adjustments are administered in a fair and equitable manner.

Agent Background Checks

- In addition to completing the Commission's agent registration process, all agents hired to work for Elevation will undergo a detailed background investigation prior to being granted access to an Elevation facility or beginning work duties.
- Background checks will be conducted on all agents in their capacity as employees or volunteers for Elevation pursuant to 935 CMR 500.100 and will be used by the Director of Security, who will be registered with the Department of Criminal Justice Information Systems pursuant to 803 CMR 2.04: iCORI Registration and the Commission for purposes of determining the suitability of individuals for registration as a marijuana establishment agent with the licensee.
- For purposes of determining suitability based on background checks performed in accordance with 935 CMR 500.101(1), Elevation will consider:
 - a. All conditions, offenses, and violations are construed to include Massachusetts law or similar or similar law(s) of another state, the United States or foreign jurisdiction, a military, territorial or Native American tribal authority, or any other jurisdiction.
 - b. All criminal disqualifying conditions, offenses, and violations include the crimes of attempt, accessory, conspiracy, and solicitation. Juvenile dispositions will not be considered as a factor for determining suitability.
 - c. Where applicable, all look back periods for criminal conditions, offenses, and violations included in 935 CMR 500.802 commence upon the date of disposition; provided, however, that if disposition results in incarceration in any institution, the look back period will commence upon release from incarceration.
- Suitability determinations will be made in accordance with the procedures set forth in 935 CMR 500.800. In addition to the requirements established in 935 CMR 500.800, Elevation will:
 - a. Comply with all guidance provided by the Commission and 935 CMR 500.802: Tables B through D to determine if the results of the background are grounds for Mandatory Disqualification or Presumptive Negative Suitability Determination.
 - b. Consider whether offense(s) or information that would result in a Presumptive Negative Suitability Determination under 935 CMR 500.802. In the event a Presumptive Negative Suitability Determination is made, Elevation will consider the following factors:
 - i. Time since the offense or incident;
 - ii. Age of the subject at the time of the offense or incident;
 - iii. Nature and specific circumstances of the offense or incident;
 - iv. Sentence imposed and length, if any, of incarceration, if criminal;
 - v. Penalty or discipline imposed, including damages awarded, if civil or administrative;
 - vi. Relationship of offense or incident to nature of work to be performed;

- vii. Number of offenses or incidents;
 - viii. Whether offenses or incidents were committed in association with dependence on drugs or alcohol from which the subject has since recovered;
 - ix. If criminal, any relevant evidence of rehabilitation or lack thereof, such as information about compliance with conditions of parole or probation, including orders of no contact with victims and witnesses, and the subject's conduct and experience since the time of the offense, including, but not limited to, professional or educational certifications obtained; and
 - x. Any other relevant information, including information submitted by the subject.
 - c. Consider appeals of determinations of unsuitability based on claims of erroneous information received as part of the background check during the application process in accordance with 803 CMR 2.17: Requirement to Maintain a Secondary Dissemination Log and 2.18: Adverse Employment Decision Based on CORI or Other Types of Criminal History Information Received from a Source Other than the DCJIS.
- Upon adverse determination, Elevation will provide the applicant a copy of their background screening report and a pre-adverse determination letter providing the applicant with a copy of their right to dispute the contents of the report, who to contact to do so and the opportunity to provide a supplemental statement.
- After 10 business days, if the applicant is not disputing the contents of the report and any provided statement does not alter the suitability determination, an adverse action letter will be issued providing the applicant information on the final determination made by Elevation along with any legal notices required.
- All suitability determinations will be documented in compliance with all requirements set forth in 935 CMR 500 et seq. and guidance provided by the Commission.
- Background screening will be conducted by an investigative firm holding the National Association of Professional Background Screeners (NAPBS®) Background Screening Credentialing Council (BSCC) accreditation and capable of performing the searches required by the regulations and guidance provided by the Commission.
- References provided by the agent will be verified at the time of hire.
- As deemed necessary, individuals in key positions with unique and sensitive access (e.g. members of the executive management team) will undergo additional screening, which may include interviews with prior employers or colleagues.
- As a condition of their continued employment, agents, volunteers, contractors, and subcontractors are required to renew their Program ID cards annually and submit to other background screening as may be required by Elevation or the Commission.

MAINTENANCE OF FINANCIAL RECORDS

Elevation operating policies and procedures ensure financial records are accurate and maintained in compliance with the Commission's Adult Use of Marijuana regulations (935 CMR 500). Financial records maintenance measures include policies and procedures requiring that:

- Confidential information will be maintained in a secure location, kept separate from all other records, and will not be disclosed without the written consent of the individual to whom the information applies, or as required under law or pursuant to an order from a court of competent jurisdiction; provided however, the Commission may access this information to carry out its official duties.
- All recordkeeping requirements under 935 CMR 500.105(9) are followed, including:
 - Keeping written business records, available for inspection, and in accordance with generally accepted accounting principles, which will include manual or computerized records of:
 - Assets and liabilities;
 - Monetary transactions;
 - Books of accounts, which will include journals, ledgers, and supporting documents, agreements, checks, invoices, and vouchers;
 - Sales records including the quantity, form, and cost of marijuana products; and
 - Salary and wages paid to each employee and any executive compensation, bonus, benefit, or item of value paid to any individual affiliated with a marijuana establishment, including members, if any.
- All sales recording requirements under 935 CMR 500.140(6) are followed, including:
 - Utilizing a point-of-sale (POS) system approved by the Commission, in consultation with the DOR, and a sales recording module approved by DOR;
 - Conducting a monthly analysis of its equipment and sales date, and maintaining records, available to the Commission upon request, that the monthly analysis has been performed;
 - Complying with 830 CMR 62C.25.1: *Record Retention* and DOR Directive 16-1 regarding recordkeeping requirements;
 - Adopting separate accounting practices at the point-of-sale for marijuana and marijuana product sales, and non-marijuana sales;
 - Maintaining such records that would allow for the Commission and the

- DOR to audit and examine the point-of-sale system used in order to ensure compliance with Massachusetts tax laws and 935 CMR 500; and
- If collocated with a medical marijuana treatment center, maintaining and providing the Commission on a biannual basis accurate sales data collected by the licensee during the six months immediately preceding this application for the purpose of ensuring an adequate supply of marijuana and marijuana products under 935 CMR 500.140(10).
- Additional written business records will be kept, including, but not limited to, records of:
 - Compliance with liability insurance coverage or maintenance of escrow requirements under 935 CMR 500.105(10) and all bond or escrow requirements under 935 CMR 500.105(16);
 - Fees paid under 935 CMR 500.005 or any other section of the Commission's regulations; and Fines or penalties, if any, paid under 935 CMR 500.550 or any other section of the Commission's regulations.

RECORD KEEPING PROCEDURES

General Overview

Elevation has established policies regarding recordkeeping and record-retention in order to ensure the maintenance, safekeeping, and accessibility of critical documents. Electronic and wet signatures are accepted forms of execution of Elevation documents. Records will be stored at Elevation in a locked room designated for record retention. All written records will be available for inspection by the Commission upon request.

Recordkeeping

To ensure that Elevation is keeping and retaining all records as noted in this policy, reviewing Corporate Records, Business Records, and Personnel Records to ensure completeness, accuracy, and timeliness of such documents will occur as part of Elevation's quarter-end closing procedures. In addition, Elevation's operating procedures will be updated on an ongoing basis as needed and undergo a review by the executive management team on an annual basis.

- **Corporate Records:** are defined as those records that require, at a minimum, annual reviews, updates, and renewals, including:
 - Insurance Coverage:
 - Directors & Officers Policy
 - Product Liability Policy
 - General Liability Policy
 - Umbrella Policy
 - Workers Compensation Policy

- Employer Professional Liability Policy
 - Third-Party Laboratory Contracts
 - Commission Requirements:
 - Annual Agent Registration
 - Annual Marijuana Establishment Registration
 - Local Compliance:
 - Certificate of Occupancy
 - Special Permits
 - Variances
 - Site Plan Approvals
 - As-Built Drawings
 - Corporate Governance:
 - Annual Report
 - Secretary of State Filings
- **Business Records:** Records that require ongoing maintenance and updates. These records can be electronic or hard copy (preferably electronic) and at a minimum include:
 - Assets and liabilities;
 - Monetary transactions;
 - Books of accounts, which will include journals, ledgers, and supporting documents, agreements, checks, invoices, and vouchers;
 - Sales records including the quantity, form, and cost of marijuana products;
 - Salary and wages paid to each agent, and any executive compensation, bonus, benefit, or item of value paid to any individual affiliated with Elevation, including members, if any.
- **Personnel Records: At a minimum will include:**
 - Job descriptions for each agent and volunteer position, as well as organizational charts consistent with the job descriptions;
 - A personnel record for each marijuana establishment agent. Such records will be maintained for at least twelve (12) months after termination of the agent's affiliation with Elevation and will include, at a minimum, the following:
 - All materials submitted to the Commission pursuant to 935 CMR 500.030(2);
 - Documentation of verification of references;
 - The job description or employment contract that includes duties, authority, responsibilities, qualifications, and supervision;
 - Documentation of all required training, including training regarding privacy and confidentiality requirements, and the signed statement of the individual indicating the date, time, and place he or she

received said training and the topics discussed, including the name and title of presenters;

- Documentation of periodic performance evaluations; and
- A record of any disciplinary action taken.
- Notice of completed responsible vendor and eight-hour related duty training.
- A staffing plan that will demonstrate accessible business hours and safe cultivation conditions;
- Personnel policies and procedures; and
- All background check reports obtained in accordance with 935 CMR 500.030.
- **Handling and Testing of Marijuana Records**
 - Elevation will maintain the results of all testing for a minimum of one (1) year.
- **Inventory Records**
 - The record of each inventory will include, at a minimum, the date of the inventory, a summary of the inventory findings, and the names, signatures, and titles of the agents who conducted the inventory.
- **Seed-to-Sale Tracking Records**
 - Elevation will use a POS Software to maintain real-time inventory. The POS Software inventory reporting meets the requirements specified by the Commission and 935 CMR 500.105(8)(c) and (d), including, at a minimum, an inventory of marijuana plants; marijuana plant seeds and clones in any phase of development such as propagation, vegetation, flowering; marijuana ready for dispensing; all marijuana products; and all damaged, defective, expired, or contaminated marijuana and marijuana products awaiting disposal.
 - Inventory records will include, at a minimum, the date of the inventory, a summary of the inventory findings, and the names, signatures, and titles of the individuals who conducted the inventory.
- **Incident Reporting Records**
 - Within ten (10) calendar days, Elevation will provide written notice to the Commission of any incident described in 935 CMR 500.110(7)(a), by submitting an incident report, detailing the incident, the investigation, the findings, resolution (if any), confirmation that the Police Department and Commission were notified within twenty-four (24) hours of discovering the breach, and any other relevant information. Reports and supporting documents, including photos and surveillance video related to a reportable incident will be maintained by Elevation for no less than one year or the duration of an open investigation, whichever is longer, and made available

to the Commission and law enforcement authorities upon request.

- **Visitor Records**

- A visitor sign-in and sign-out record will be maintained at the security office. The record will include the visitor's name, address, organization or firm, date, time in and out, and the name of the authorized agent who will be escorting the visitor.

- **Waste Disposal Records**

- When marijuana or marijuana products are disposed of, Elevation will create and maintain a written record of the date, the type and quantity disposed of or handled, the manner of disposal or other handling, the location of disposal or other handling, and the names of the two Elevation agents present during the disposal or handling, with their signatures. Elevation will keep disposal records for at least three (3) years. This period will automatically be extended for the duration of any enforcement action and may be extended by an order of the Commission.

- **Security Records**

- A current list of authorized agents and service personnel that have access to the surveillance room will be available to the Commission upon request.
- Twenty-four (24) hour recordings from all video cameras that are available for immediate viewing by the Commission upon request and that are retained for at least ninety (90) calendar days.

- **Transportation Records**

- Elevation will retain all shipping manifests for a minimum of one (1) year and make them available to the Commission upon request.

- **Agent Training Records**

- Documentation of all required training, including training regarding privacy and confidentiality requirements, and a signed statement of the individual indicating the date, time, and place he or she received the training, the topics discussed and the name and title of the presenter(s).

- **Closure**

- In the event Elevation closes, all records will be kept for at least two (2) years at Elevation's expense in a form (electronic, hard copies, etc.) and location acceptable to the Commission. In addition, Elevation will communicate with the Commission during the closure process and accommodate any additional requests the Commission or other agencies may have.

- **Written Operating Policies and Procedures:** Policies and Procedures related to Elevation's operations will be updated on an ongoing basis as needed and undergo a review by the executive management team on an annual basis. Policies and Procedures will include the following:

- Security measures in compliance with 935 CMR 500.110;
- Agent security policies, including personal safety and crime prevention techniques;
- A description of Elevation's hours of operation and after-hours contact information, which will be provided to the Commission, made available to law enforcement officials upon request, and updated pursuant to 935 CMR 500.000.
- Storage of marijuana in compliance with 935 CMR 500.105(11);
- Description of the various strains of marijuana to be cultivated, processed or sold, as applicable, and the form(s) in which marijuana will be dispensed;
- Procedures to ensure accurate recordkeeping, including inventory protocols in compliance with 935 CMR 500.160;
- Plans for quality control, including product testing for contaminants in compliance with 935 CMR 500.160;
- A staffing plan and staffing records in compliance with 935 CMR 500.105(9);
- Emergency procedures, including a disaster plan with procedures to be followed in case of fire or other emergencies;
- Alcohol, smoke, and drug-free workplace policies;
- A plan describing how confidential information will be maintained;
- Policy for the immediate dismissal of any dispensary agent who has:
 - Diverted marijuana, which will be reported to the Police Department and to the Commission;
 - Engaged in unsafe practices with regard to Elevation operations, which will be reported to the Commission; or
 - Been convicted or entered a guilty plea, plea of *nolo contendere*, or admission to sufficient facts of a felony drug offense involving distribution to a minor in the Commonwealth, or a like violation of the laws of another state, the United States or a foreign jurisdiction, or a military, territorial, or Native American tribal authority.
- A list of all executives of Elevation, and members, if any, of the licensee must be made available upon request by any individual. 935 CMR 500.105(1)(m) requirement may be fulfilled by placing this information on Elevation's website.
- Policies and procedures for the handling of cash on Elevation premises including but not limited to storage, collection frequency and transport to financial institution(s).
- Policies and procedures to prevent the diversion of marijuana to individuals younger than 21 years old.

- Policies and procedures for energy efficiency and conservation that will include:
 - Identification of potential energy use reduction opportunities (including but not limited to natural lighting, heat recovery ventilation and energy efficiency measures), and a plan for implementation of such opportunities;
 - Consideration of opportunities for renewable energy generation, including, where applicable, submission of building plans showing where energy generators could be placed on site, and an explanation of why the identified opportunities were not pursued, if applicable;
 - Strategies to reduce electric demand (such as lighting schedules, active load management and energy storage); and
 - Engagement with energy efficiency programs offered pursuant to M.G.L.C. 25 § 21, or through municipal lighting plants.

Record-Retention

Elevation will meet Commission recordkeeping requirements and retain a copy of all records for two (2) years, unless otherwise specified in the regulations.

DELIVERY TO CUSTOMERS

Overview

A Delivery-only License or Delivery Endorsement is a necessary prerequisite for the delivery of Marijuana and Marijuana Products directly to Consumers in the Commonwealth and Delivery-Only licenses and Delivery Endorsements are currently limited, on an exclusive basis, to businesses controlled by, and with majority ownership comprised of, Certified Economic Empowerment Applicants or Social Equity Program Participants for a period of at least 24 months from the date the first Delivery-Only licensee receives a notice to commence operations.

While ER may not pursue the ability to deliver to consumers directly at this time, the company may use a third party CCC licensed Delivery Licensee that abides by the following standard operating procedures.

General Requirements

A Delivery-only License or Delivery Endorsement is a necessary prerequisite for the delivery of Marijuana and Marijuana Products directly to Consumers. Applications for a Delivery-only License or Delivery Endorsement shall be in a form and manner to be determined by the Commission.

- A. Prior to commencing operations, Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsements shall comply with all operational requirements imposed by:
 - a. 1. 935 CMR 500.105;
 - b. 2. 935 CMR 500.110(8); and
 - c. 3. 935 CMR 500.145.
- B. All individuals delivering Marijuana and Marijuana Products for a Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement directly to Consumers shall be employees of the Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement and shall hold a valid Marijuana Establishment Agent registration.
- C. All Marijuana and Marijuana Products delivered by a Delivery-only Licensee shall be obtained from a licensed Marijuana Retailer.
 - a. Delivery-only Licensees shall only obtain Marijuana or Marijuana Products for delivery from a licensed Marijuana Retailer with which the Delivery-only Licensee has a Delivery Agreement.
 - b. All agreements between a Delivery-only Licensee and a Marijuana Retailer shall be disclosed under the requirements of licensure in 935 CMR 500.101 and subject to limitations on control over Licenses under 935 CMR 500.050(1)(a).

- c. The Commission shall be notified in writing of any substantial modification to a Delivery Agreement.
- D. A Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement and Marijuana Retailer may use a Third-party Technology Platform Provider to facilitate the ordering of Marijuana or Marijuana Products by Consumers.
 - a. All agreements between a Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement and a Third-party Technology Platform Provider shall be available for inspection as part of the requirements for licensure in 935 CMR 500.101 and shall be subject to the control limitations under 935 CMR 500.050(1)(a).
 - b. The Commission shall be notified in writing within five days of any substantial modification to an agreement between a Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement and a Third-party Technology Platform Provider.
 - c. Any Third-party Technology Platform shall comply with privacy and consumer protection standards established by the Commission. 4. The Commission shall be notified in writing of an ongoing basis of any new or additional or assigned agreements between a Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement and a Third-party Technology Platform Provider within five days.
- E. The maximum retail value of Marijuana or Marijuana Products allowed in a Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement's vehicle at any one time shall be \$10,000.
- F. All Marijuana and Marijuana Product deliveries shall be tracked using the Seed-to-sale SOR as designated by the Commission.
- G. Deliveries of Marijuana or Marijuana Products by a Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement shall be geographically limited to:
 - a. The municipality identified as the Marijuana Establishment License's place of business;
 - b. Any municipality which allows for retail within its borders whether or not one is operational; or
 - c. Any municipality which after receiving notice from the Commission, has notified the Commission that delivery may operate within its borders.
- H. Limitations on the time for delivery shall comply with all municipal bylaws and ordinances, provided however, that all deliveries of Marijuana or Marijuana Products must be completed before 9:00 P.M. local time or the time determined by municipal bylaw or ordinance, whichever occurs first, and deliveries of Marijuana or Marijuana Products shall not occur between the hours of 9:00 P.M.

and 8:00 A.M., unless otherwise explicitly authorized by municipal bylaw or ordinance.

- I. Every effort shall be made to minimize the amount of cash carried in a Delivery-only Retail vehicle at any one time. Marijuana Retailers utilizing a Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement for Consumer transactions shall use best efforts to implement platforms for the electronic payment of funds. Where cash is carried by a Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement vehicle, cash shall be stored in a locked compartment.
- J. Delivery-only Retail Licensees and Marijuana Establishments with a Delivery Endorsement shall comply with the requirements of 935 CMR 500.110(7) for purposes of cash transport to financial institutions.

Orders

All orders for deliveries made by Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsements shall comply with the following requirements:

- A. All Marijuana and Marijuana Products delivered by a Delivery-only Licensee shall be obtained from a licensed Marijuana Retailer with which the Delivery-only Licensee has a Delivery Agreement.
- B. Orders for home delivery shall be received by a Marijuana Retailer and transmitted to a Delivery-only Licensee for delivery to a Residence.
- C. Only Marijuana Products that are Shelf-stable may be delivered. Products that are perishable or time and temperature controlled to prevent deterioration shall not be allowed to be delivered by a Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement.
- D. Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement shall deliver Marijuana or Marijuana Products only to the Residence address provided. Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsements shall be prohibited from delivering to college or university dormitories; and federal public housing identified at <https://resources.hud.gov/>.
- E. Delivery-only Licensees shall only deliver Marijuana or Marijuana Products for which a specific order has been received by a licensed Marijuana Retailer with which the Delivery-only Licensee has a Delivery Agreement. Delivery-only Licensees are prohibited from delivering Marijuana or Marijuana Products without a specific order destined for an identified Residence. An order may be generated directly through a Marijuana Retailer or through a Third-party Technology Platform identified to the Commission under 935 CMR 500.145(1)(e).
- F. Marijuana Establishments with a Delivery Endorsement shall only deliver Marijuana or Marijuana Products for which a specific order has been received.

Marijuana Establishments with a Delivery Endorsement are prohibited from delivering Marijuana or Marijuana Products without a specific order destined for an identified Residence. An order may be generated directly through a Marijuana Establishment with a Delivery Endorsement or through a Third-party Technology Platform identified to the Commission under 935 CMR 500.145(1)(e).

- G. Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsements are prohibited from delivery of more Marijuana or Marijuana Products to an individual Consumer than the individual possession amounts authorized by M.G.L. c. 94G, § 7(a)
 - a. (1). An Individual Order shall not exceed one ounce of Marijuana or its dry-weight equivalent. The Individual Order shall only be delivered to the individual Consumer identified on the order after verification of the individual's identity consistent with the requirements of 935 CMR 500.140(2)(d) and 935 CMR 500.145(3). Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsements shall only deliver one Individual Order, per Consumer, during each delivery.
- H. A Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement shall not deliver to the same Consumer at the same Residence more than once each calendar day and only during authorized delivery hours.
- I. For home delivery, each order must be packaged and labeled in accordance with 935 CMR 500.105(5) and (6) originating the order prior to transportation by the Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement to the Consumer.
- J. Any Marijuana or Marijuana Product that is undeliverable or is refused by the Consumer shall be transported back to the originating Marijuana Establishment that provided the product once all other deliveries included on a delivery manifest have been made. Delivery only Licensees or Marijuana Establishments with a Delivery Endorsement are prohibited from maintaining custody of Marijuana or Marijuana Products intended for delivery overnight. It shall be the responsibility of the Delivery-only Licensee or Marijuana Establishment with a Delivery Endorsement to ensure that any undelivered product is returned to the appropriate Marijuana Retailer and not retained by the Delivery-only Licensee or Marijuana Establishment with a Delivery Endorsement.

Consumer Age Verification

- A. A Marijuana Retailer shall require any Consumer making a purchase for delivery by a Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement shall require any Consumer making a purchase for delivery to have the government-issued photo identification a Consumer intends to use to verify

her or his age at the time of delivery examined and authenticated by the Marijuana Retailer prior to the first Individual Order.

- a. Pre-verification of the Consumer's identification shall be performed in-person at the Marijuana Retailer's physical location or through a Commission approved electronic means and shall include examination of the Consumer's valid, unexpired government issued photo identification that bears a date of birth in accordance with 935 CMR 500.140(2)(d). A Delivery-only Licensee or Marijuana Establishment with a Delivery Endorsement is prohibited from performing a delivery to any Consumer who has not established an account for delivery through Pre-verification of the Consumer's identification by the Marijuana Retailer.
 - b. Pre-verification of the Consumer's identification shall be performed by a Marijuana Establishment with a Delivery Endorsement through a Commission approved electronic means and shall include examination of the Consumer's valid, unexpired government issued photo identification that bears a date of birth. A Marijuana Establishment with a Delivery Endorsement is prohibited from performing a delivery to any Consumer who has not established an account for delivery through Pre-verification of the Consumer's identification.
- B. A Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement shall not deliver Marijuana or Marijuana Products to any Person other than the Consumer who ordered the Marijuana or Marijuana Products.
- C. A Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement shall verify the age and identity of the Consumer at the time at which the Marijuana or Marijuana Products are delivered to the Consumer at a Residence to ensure that Marijuana and Marijuana Products are not delivered to individuals younger than 21 years old. Prior to relinquishing custody of the Marijuana or Marijuana Products to the Consumer, the Marijuana Establishment Agent conducting the delivery shall verify that the identification of the Consumer receiving the Marijuana or Marijuana Products matches the pre-verified identification of the Consumer who placed the order for delivery by:
- a. Viewing the valid government-issued photo identification as provided for Preverification under 935 CMR 500.145(3)(a);
 - b. Viewing proof of order generated at the time of order; and 3. Receiving the signature of the Consumer who ordered the Marijuana or Marijuana Products on the manifest for the Marijuana or Marijuana Products and verifying that the signature matches the government-issued photo identification presented.

Vehicle and Transport Requirements for Home Delivery

- A. Vehicles used for home delivery by a Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement shall be owned or leased by the Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement, shall be properly registered as commercial vehicles, and inspected and insured in the Commonwealth of Massachusetts.
- B. Vehicles used for home delivery by a Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement may be parked overnight at the address identified as the Licensee's place of business or another location, provided that keeping the vehicle at the identified location complies with all general and special bylaws of the municipality.
- C. Vehicles used for delivery by a Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement shall carry liability insurance in an amount not less than \$1,000,000 combined single limit.
- D. Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement vehicle shall have no external markings, words or symbols that indicate the vehicle is being used for home delivery of Marijuana or Marijuana Products.
- E. Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsements transporting Marijuana and Marijuana Products for home delivery shall ensure that all vehicles used for deliveries are staffed with a minimum of two Marijuana Establishment Agents. At least one Marijuana Establishment Agent shall remain with the vehicle at all times that the vehicle contains Marijuana or Marijuana Products.
- F. Marijuana and Marijuana Products must not be visible from outside the vehicle.
- G. A Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement shall transport Marijuana and Marijuana Products in a secure, locked storage compartment that is a part of the vehicle and complies with the requirements of 935 CMR 500.110(8).
- H. A Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement shall maintain, in each vehicle used for deliveries of Marijuana and Marijuana Products, a secure, locked storage compartment for the purpose of transporting and securing cash used as payment. This compartment shall be separate from compartments required under 935 CMR 500.145(4)(h) for the transport of Marijuana and Marijuana Products.
- I. In the case of an emergency stop during the transportation of Marijuana or Marijuana Products, a log must be maintained describing the reason for the stop, the duration, the location, and any activities of personnel exiting the vehicle. The Marijuana Establishment Agents in the vehicle shall provide notice of the location

of the stop and employ best efforts to remain in contact with the Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement.

- J. The Marijuana Establishment Agents transporting Marijuana or Marijuana Products for home delivery shall contact the Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement fixed location when arriving at and leaving any delivery, and regularly throughout the trip, at least every 30 minutes.
- K. The Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement shall maintain a separate log for each vehicle in use for home deliveries. For each delivery, the Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement shall record:
 - a. The location of the originating Marijuana Establishment and date and time the vehicle leaves the location;
 - b. The mileage of the transporting vehicle at departure from the Marijuana Establishment mileage on arrival at each Consumer destination, and mileage on return to the Marijuana Establishment;
 - c. The date and time of departure from the Marijuana Establishment and arrival at each Consumer destination for each delivery; and
 - d. An entry indicating the date and time of the last delivery in an order.
- L. A Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement shall ensure that all delivery routes remain within the Commonwealth of Massachusetts at all times.
- M. A Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement shall make every effort to randomize its delivery routes.
- N. Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement shall not transport products other than Marijuana and Marijuana Products during times when Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement are performing home deliveries.
- O. Firearms are strictly prohibited from Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement vehicle and from Marijuana Establishment Agents performing home deliveries.

Manifests.

- A. Every home delivery shall have a manifest produced by the originating Marijuana Establishment and provided to the Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement. A manifest shall be completed in duplicate, with the original manifest remaining with the originating Marijuana Retailer, and a copy to be kept with the Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement during the delivery. The manifest shall be signed by the Consumer receiving the Marijuana or Marijuana

Products and the Marijuana Establishment Agent acting on behalf of the Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement. A signed manifest shall serve as the written record of the completion of the delivery.

- B. The manifest must, at a minimum, include:
 - a. The originating Marijuana Retailer name, address, and License number;
 - b. The name and License number of the Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement performing the home delivery;
 - c. The names and Marijuana Establishment Agent numbers of the Marijuana Establishment Agents performing the delivery;
 - d. The Consumer's name and address;
 - e. A description of the Marijuana or Marijuana Products being transported, including the weight and form or type of product;
 - f. Signature lines for the agents who transported the Marijuana or Marijuana Products;
 - g. A signature line for Consumer who receives the Marijuana or Marijuana Products; and
 - h. The Delivery-only Licensee or a Marijuana Establishment with a Delivery Endorsement vehicle make, model, and license plate number.
- C. The manifest shall be maintained within the vehicle during the entire transportation process, until all the deliveries are completed.
- D. A Marijuana Establishment shall retain all transportation manifests for no less than one year and make them available to the Commission on request.

PLAN FOR OBTAINING & MAINTAINING SUPPLY

Elevation Retail II, LLC ("ER") is led by experienced management with existing relationships in the Massachusetts marijuana industry. The company plans to leverage its existing relationships to partner with entities licensed to cultivate, manufacture, and distribute marijuana and marijuana products under 935 CMR 500.000 et seq. ER will ensure that all marijuana and marijuana products purchased from licensed marijuana cultivators and product manufacturers are in compliance with 935 CMR 500.160(9), requiring marijuana and marijuana products be tested by an Independent Testing Laboratory and deemed to comply with the standards required under 935 CMR 500.160 prior to the sale or marketing for adult use of any such marijuana or marijuana products.

ER will ensure that the transportation of any marijuana or marijuana products between any two facilities will be carried out in compliance with the transportation and security requirements of 935 CMR 500.000 et seq. All marijuana products will be tested by an Independent Testing Laboratory and will be deemed to comply with the standards required under 935 CMR 500.160 prior to the sale or marketing for adult use of any such marijuana product. ER may also contract with licensed product manufacturers to purchase marijuana for the purposes of manufacturing marijuana products for wholesale and retail sale at ER's retail marijuana establishment(s).

TRANSPORTATION OF MARIJUANA

Overview

ER will ensure that all transported marijuana and products are properly tracked through Metrc as the primary method of seed-to-sale tracking. ER will properly track and label all product in the form and manner deemed acceptable by the Commission. ER will only transport marijuana from its licensed facilities to other licensed Marijuana Establishments as permitted by ER's license.

There will be no advertising, marketing or branding, including, but not limited to, vinyl-wrapped vehicles, signs, logos or markings, indicating that the vehicle is being used to transport marijuana on transportation vehicles or company cars.

In the event that any marijuana product is undeliverable or refused by the destination, ER will ensure that it will be transported back to ER's originating facility.

ER will staff all vehicles transporting marijuana and marijuana products with at least two ER agents, one of whom will remain in the vehicle at all times that the vehicle contains marijuana or marijuana products. Prior to departing the premises to transport marijuana products, ER will make a video record of weighing, inventorying, and accounting for all marijuana products to be transported.

When receiving transported marijuana, within eight hours after arrival, ER will re-weigh, re-inventory, and account for, on video, all marijuana and marijuana products received. When videotaping the weighing, inventorying, and accounting of marijuana and marijuana products before transportation or after receipt, ER will ensure that the video shows each product being weighed, the weight, and the manifest.

Prior to departure from its facility, ER will package marijuana and marijuana products in sealed, labeled, and tamper-resistant or child-resistant packaging, and ensure that marijuana and marijuana products remain as such during transportation.

All vehicles and transportation equipment used in the transportation of marijuana products requiring temperature control for safety must be designed, maintained, and equipped as necessary to provide adequate temperature control to prevent the marijuana or marijuana products from becoming unsafe during transportation, consistent with applicable requirements pursuant to 21 CFR 1.908(c). Any vehicle used to transport marijuana or marijuana products will be owned or leased by ER or a marijuana transporter, will be properly registered, inspected and insured in the Commonwealth, and equipped with an alarm system.

In the case of an emergency stop during the transportation of marijuana or marijuana products, ER will maintain a log describing the reason for the stop, the duration of the stop, the location of the stop, and any activities of its personnel exiting the vehicle.

ER will ensure that all routes used for the transportation of marijuana or marijuana products are randomized and remain within the Commonwealth.

Storage Requirements

ER will transport marijuana and marijuana products in secure, locked storage compartments that are a part of the vehicle transporting the marijuana products and cannot be easily removed. Storage and transportation of finished products will be under conditions that will protect them against physical, chemical, and microbial contamination, while also protecting against deterioration of finished products or their containers. Marijuana and marijuana products will not be visible from the outside of the vehicle.

If and when ER transports marijuana or marijuana products to more than one Marijuana Establishment at a time, the marijuana and marijuana products for each marijuana establishment will be kept in a separate locked storage compartment during transportation, and separate manifests will be maintained for each marijuana establishment. If and when ER is transporting marijuana and marijuana products to multiple marijuana establishments, ER will obtain permission from the Commission to adopt reasonable alternative safeguards. When transporting marijuana and marijuana products, no other products will be transported or stored in the vehicle nor will firearms be located in the vehicle or on transporting agents.

Communications

Any vehicle used by ER to transport marijuana and marijuana products will contain a global positioning system (GPS) monitoring device that is: 1) not a mobile device that is easily removable; 2) attached to the vehicle at all times that the vehicle contains marijuana and marijuana products; and 3) monitored by ER during transport of marijuana and marijuana products. ER will obtain an inspection from the Commission prior to initial transportation of marijuana and marijuana products and after any alteration to the locked storage compartment.

Each ER agent transporting marijuana products will have access to a secure form of communication with personnel at ER at all times that the vehicle contains marijuana and marijuana products. ER will utilize either two-way digital or analog radio, cellular

phones, or satellite phones for these purposes dependent upon the transportation area, base capabilities, cellular signal coverage, antenna coverage, and frequency of transportation.

Prior to and immediately after leaving ER premises, ER agents will be required to use a secure form of communication to contact agents at the ER facility to test communications and GPS operability. In the event that communications or the GPS system fail while on route, the ER agents transporting marijuana or marijuana products must return to the originating ER location until the communication system or GPS system is once again operational.

Marijuana establishment agents transporting marijuana or marijuana products will be required to contact the ER facility when stopping at and leaving any scheduled location, and regularly throughout the trip, at least every 30 minutes.

ER will ensure that there is an ER agent assigned to monitoring the GPS unit and secure form of communication, who will be required to log all official communications with marijuana establishment agents transporting marijuana products. All manifests used in the transportation of marijuana will be filled out by ER agents in triplicate, with the original manifest remaining with ER, a second copy provided to the destination marijuana establishment upon arrival, and a copy to be kept with the ER agent during transportation and returned to the marijuana establishment or marijuana transporter upon completion of the transportation. ER will securely transmit the manifest to the destination marijuana establishment via facsimile or email prior to departure.

Upon arrival at the destination marijuana establishment, ER's agents will compare the manifest produced by ER agent and the copy transmitted by facsimile or email to the destination marijuana establishment. Each manifest will include, at a minimum, the originating marijuana establishment name, address, and registration number; the names and registration numbers of the agents who transported the marijuana products; the name and registration number of the marijuana establishment agent who prepared the manifest; the destination marijuana establishment name, address, and registration number; a description of the marijuana and marijuana products being transported, including the weight and form or type of the product; the mileage of the transporting vehicle at departure from ER and mileage upon arrival at destination marijuana establishment, as well as mileage upon return to ER; the date and time of departure from ER and arrival at destination marijuana establishment for each transportation; a signature line for the marijuana establishment agent who receives the marijuana products; the weight and inventory before departure and upon receipt; the date and time that the transported products were re-weighed and re-inventoried; the name of the marijuana establishment agent at the destination marijuana establishment who

re-weighed and re-inventoried products; and the vehicle make, model, and license plate number.

ER will maintain the manifest inside of its vehicle throughout the entire transportation process until delivery is complete. All transportation manifests will be retained by ER for a minimum of one year and will be available for inspection by the Commission upon request.

Should any unusual discrepancy occur in weight or inventory, ER agents will document and report the discrepancy to the Commission and law enforcement authorities not more than 24 hours after the discovery of such a discrepancy. ER agents will report to the Commission and law enforcement authorities any vehicle accidents, diversions, losses, or other reportable incidents that occur during transport, not more than 24 hours after such accidents, diversions, losses, or other reportable incidents.

Each agent transporting or otherwise handling marijuana or marijuana products for ER will be registered as a marijuana establishment agent and have a driver's license in good standing issued by the Massachusetts Registry of Motor Vehicles for all classes of vehicle the marijuana establishment agent will operate for ER prior to transporting or otherwise handling ER's marijuana or marijuana products.

All ER agents will carry their registration cards at all times when transporting marijuana or marijuana products for ER and will produce their registration card to the Commission or law enforcement officials upon request. ER will use best management practices to reduce energy and water usage, engage in energy conservation, and mitigate other environmental impacts wherever possible.

Representatives of the Commission, other Commonwealth agencies, and emergency responders responding in the course of an emergency will have access to all ER transportation vehicles as necessary.

CANNABIS WASTE DISPOSAL

1. Purpose

ER is committed to establishing policies and procedures to ensure the compliance of the Massachusetts Cannabis Control Commission (CCC). All refuse containing any part of cannabis or finished cannabis is known as “Green Waste.” Handling of cannabis and cannabis-infused products that have been declared unusable or unrecognizable. Cannabis must be disposed of in a strictly monitored and regulated capacity. Different forms of cannabis waste include but are not limited to cannabis leaves, stems, unusable cannabis flowers, roots, spent soil, stalks, and any other part of the cannabis plant or finished cannabis-infused product. All cannabis waste shall be documented. All records maintained.

2. Definitions

Commission: The Massachusetts Cannabis Control Commission (CCC).

Green Waste: Unused, surplus, returned, or out of date cannabis, recalled cannabis, and any plant debris, including dead plants, all unused plant parts, and roots.

Marijuana Establishment (ME): A Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Retailer, Independent Testing Laboratory, Marijuana Research Facility, Marijuana Transporter, or any other type of licensed marijuana-related business, except a medical marijuana treatment center.

Marijuana Establishment Agent (Agent): A board member, director, employee, executive, manager, or volunteer of a Marijuana Establishment, who is 21 years of age or older. Employee includes a consultant or contractor who provides on-site services to a Marijuana Establishment related to the cultivation, harvesting, preparation, packaging, storage, testing, or dispensing of marijuana.

3. Responsibilities

This Plan applies to all individuals who are Agents or affiliated with ER. ER management will update Plan’s as needed per regulation or other mandates. This Plan will be reviewed at a minimum annually.

4. Procedures

4.1. Green waste can occur within normal operational practices and the designated areas.

1. The reason why cannabis is unusable or has become unrecognizable can be:
 - a. General expected waste yield loss from process/repacking.
 - b. Returned product.
 - c. Expired product; or
 - d. Unusable product.
2. If green waste is due to the product being returned by a customer due to an adverse event or complaint, the Agent should also follow the processes in the Adverse Events – Recall Plan.

4.2. Documenting and completing the Cannabis Waste Disposal Log.

1. When marijuana products or waste is disposed or handled, ER must create and maintain an electronic record of the date, the type and quantity disposed or handled, the manner of disposal or other handling, the location of disposal or other handling, and the names of the two ER Agents present during the disposal or other handling, with their signatures.
2. This period shall automatically be extended for the duration of any enforcement action and may be extended by an order of the Commission.
3. Maintain the Cannabis Waste Disposal Log and ensure METRC is updated, confirmed, and verified.
 - a. Ensure the inventory is reconciled and verified accordingly.
 - b. The name of the employee who determined the expiration date and/or determined that the cannabis was unusable or unrecognizable.
 - c. Date and time of recording on a log.
 - d. The complete name of the product.
 - e. The product expiration date.
 - f. The METRC tag number (#).
 - g. Reason for disposal.
 - h. The number (#) of units.
 - i. The actual weight of the product placed into Storage (if not destroyed immediately).
 - j. The actual weight of the product when disposed of.
 - k. Verifiable inventory tracking information of the product.
 - l. Two signatures required from ER Agent. At least one signature will be either an assistant manager or a higher authority.
4. Update and confirm the METRC system has accepted changes, and inventory has been adjusted.

4.3. Cannabis Waste Disposal.

1. Cannabis and cannabis-infused products must be destroyed/disposed of after it has been determined unusable/unrecognizable following the methods outlined in this section.
2. The allowable method to render cannabis waste unusable is by mixing and incorporating cannabis waste with other ground materials, so the resulting mixture is at least (50%) non-cannabis waste by volume.
3. All recyclables and waste, including organic waste composed of or containing finished marijuana and marijuana products, shall be stored, secured, and managed per applicable state and local statutes, ordinances, and regulations.

4. All exterior waste receptacles located on the premises of ER shall be locked and secured to prevent unauthorized access.
5. Liquid waste containing marijuana or by-products of marijuana processing shall be disposed of in compliance with all applicable state and federal requirements, including but not limited to, for the discharge of pollutants into surface water or groundwater.
6. No fewer than two (2) Agents must witness and document how the solid waste or organic material containing marijuana is handled on-site including, but not limited to, the grinding up, mixing, storage and removal from ER.
7. When marijuana products or waste is disposed or handled, ER must create and maintain an electronic record of the date, the type and quantity disposed or handled, the manner of disposal or other handling, the location of disposal or other handling, and the names of the two (2) ER Agents present during the disposal or other handling, with their signatures.
8. ER shall keep these records for at least three (3) years.
9. This period shall automatically be extended for the duration of any enforcement action and may be extended by an order of the Commission.

4.4. Organic Waste Disposal.

1. Organic material, recyclable material and solid waste generated at a Marijuana Establishment shall be redirected or disposed of as follows:
 - a. Organic and recyclable material shall be redirected from disposal per the waste disposal bans described at 310 CMR 19.017: Waste Bans.
 - b. To the greatest extent feasible:
 - i. Any recyclable material as defined in 310 CMR 16.02: Definitions shall be recycled in a manner approved by the Commission; and
 - ii. Any Marijuana containing organic material as defined in 310 CMR 16.02: Definitions shall be ground up and mixed with other organic material as defined in 310 CMR 16.02 such that the resulting mixture renders any Marijuana unusable for its original purpose.
 - iii. Once such Marijuana has been rendered unusable, the organic material may be composted or digested at an aerobic or anaerobic digester at an operation that is in compliance with the requirements of 310 CMR 16.00: Site Assignment Regulations for Solid Waste Facilities.
2. Solid waste containing Marijuana generated at ER shall be ground up and mixed with other solid waste at ER such that the resulting mixture renders any marijuana unusable for its original purpose.
3. Once such marijuana has been rendered unusable, the resulting solid waste may be brought to a solid waste transfer facility or a solid waste disposal facility (e.g., landfill or incinerator) that holds a valid permit issued by the

Department of Environmental Protection or by the appropriate agency in the jurisdiction in which the facility is located.

4. Ensure all cannabis waste procedures are conducted in an area recorded by video.
5. Mixing cannabis with (50%) non-cannabis waste by volume in an agricultural biodegradable paper bag, sealing it tightly.
6. Placing the bag in an ER locked dumpster under surveillance.
 - a. Key located in a key box in the manager's office.

1.2. Maintaining Records.

The ER Manager or designated representative shall have the responsibility for the following procedures.

1. Ensure records are maintained that provide an audit trail of conformity to operational requirements and effective operation regarding the quality of service and overall management.
2. All records are to be dated, appropriate employee's signature/initials on all documents, legible, identifiable, completed, stored appropriately, and easily retrievable for inspection.
3. All records shall be retained for a minimum of (3) years or as required by state or local regulation. Records can be disposed of when the retention period has ended.
4. Statistical information shall be compiled and reviewed.
5. The review process shall look for improvements to ensure that the highest stand of quality is being met, optimal experience efficiencies, "lean processes" and cost effectiveness for the overall operation and management.
6. An after-action report should be discussed with all employees on the event and its findings.

ODOR CONTROL PLAN

Elevation Retail II,LLC. (“ER”) will ensure that no material odor-emitting activities will occur on site. All marijuana and marijuana products will arrive pre-packaged from a licensed cultivation and product manufacturing facility located in the Commonwealth and all Marijuana and marijuana products will be packaged in sealed, opaque, odor-resistant packaging that is specifically designed to eliminate marijuana odor. ER does not intend for any loose, unpackaged marijuana to be present within the facility at any time. As such, odor will not be detectable on employees as they depart the facility or on abutting properties at any time.

The highest concentration of marijuana and marijuana products will be in ER’s secured storage vault. Although the product packaging has been designed to eliminate odors, ER will employ carbon filtration odor scrubbers or other state of the art air filtration equipment in this area to ensure that odor does not disperse throughout the facility. The locations of the air filtration equipment will be indicated in ER’s application for a Building Permit and installed by a licensed contractor.

ER will designate a specific member of staff within the facility or a qualified third party service vendor to oversee the maintenance of all filtration systems. Records of system maintenance will be retained on site. In the event of a complaint, records of any odor nuisance complaints received by ER from the Town, local residents, or other parties will be maintained by ER’s management and addressed immediately. ER can also report any received complaints to a representative designated by the Town if the Town deems necessary. ER’s general manager will be responsible for coordinating with all stakeholders, including customers, neighbors, local administration members, and executive management to remedy any odor control issues and provide resolution response in writing.



TRAFFIC IMPACT STUDY



MEMORANDUM

TO: Mr. Andre Arzumanyan

FROM: Jeffrey T. Bandini, P.E., PTOE

DATE: February 8, 2022

RE: Traffic Assessment
Proposed Retail Marijuana Dispensary
240 Bridge Street, Fairhaven, Massachusetts

McMahon Associates has completed a traffic assessment for the proposed Retail Marijuana Dispensary (RMD) development project to be located at 240 Bridge Street in Fairhaven, Massachusetts, in the northeast corner of the signalized intersection of Bridge Street and Alden Road. This memorandum outlines the project description, site location, traffic volumes, crash analysis, trip generation, and site access and circulation associated with the proposed project.

Project Description

The existing site consists of a 4,800 square foot (s.f.) commercial building comprised of three retail units. Based on the Site Plan provided by the project team and dated January 20, 2022, the project would occupy the 1,800 s.f. Unit #1 of the existing commercial building previously occupied by a cycle studio that closed in Summer 2021. Access to the site would continue to be provided by two full-access driveways, one on the north side of Bridge Street, and one on the east side of Alden Road, each located approximately 200 feet from the signalized intersection. The project would maintain the existing parking layout and circulation on the site, which includes 29 parking spaces including two accessible spaces, and one-way counterclockwise circulation within the site. internal roadway located north and east of the existing structure. The Site Plan is provided as an attachment.

Project Location

The site is located at 240 Bridge Street and is bounded by Bridge Street to the south, Alden Road to the west, commercial properties to the north, and undeveloped open space that provides access to a car dealership to the east. The project site location is shown in Figure 1.

Bridge Street is classified by the Massachusetts Department of Transportation (MassDOT) as an urban collector under Town of Fairhaven jurisdiction, primarily providing access to commercial land uses within the vicinity of the project site. Bridge Street runs in the east-west directions through the Town of Fairhaven, providing connections to regional routes such as US Route 6 and Route 240. Bridge Street includes two vehicle travel lanes, one in each direction and provides a sidewalk on the south side of the roadway. No bicycle facilities are provided along the roadway. The posted speed limit along Bridge Street is 35 miles per hour in both directions.

Alden Road is classified by MassDOT as an urban minor arterial under Town of Fairhaven jurisdiction, primarily providing access to commercial land uses. Alden Road runs in the north-south directions through the Town of

Fairhaven. North of Bridge Street, Alden Road includes two vehicle travel lanes, one in each direction while south of Bridge Street Alden Road includes four vehicle travel lanes, two in each direction. Sidewalks are provided on the west side of the roadway. No bicycle facilities are provided along the roadway. The posted speed limit along Alden Road is 35 miles per hour in both directions.



Figure 1
Site Location Map
Proposed Retail Marijuana Dispensary
Fairhaven, Massachusetts

Traffic Volumes

Historical traffic data collected by MassDOT was used to review traffic volume in the vicinity of the project site. Weekday afternoon Turning Movement Counts (TMC) were reviewed from MassDOT for the intersection of Bridge Street and Alden Road located directly southwest of the project site. The TMCs were conducted on Tuesday August 21, 2018 during the weekday afternoon peak period (4:00 PM to 6:00 PM). To convert the peak hour volumes from the TMCs to an average daily traffic (ADT) value, the percentage of peak hour volumes compared to the daily volume (K-factor) was researched from August 2018 traffic volumes at the MassDOT Continuous Count Station (ID# 38) located on I-195 east of the Acushnet River. Based on this count station, the K-factor was 8.4%. Based on a review of 2018 MassDOT Seasonal Adjustment Factors, August 2018 traffic volumes are higher than the average month; therefore, no seasonal adjustment was applied to the August 2018 traffic volumes. A summary of the ADT and weekday afternoon peak hour traffic volumes on Bridge Street and Alden Road are shown in Table 1 and provided as an attachment.

Table 1: Bridge Street and Alden Road Traffic Volumes

Location	Direction	2018 Afternoon Peak ⁽¹⁾	2018 ADT ⁽²⁾ (vpd)
Bridge Street	Eastbound	540	--
	Westbound	<u>770</u>	--
	TOTAL	1,310	15,600
Alden Road	Northbound	720	--
	Southbound	<u>630</u>	--
	TOTAL	1,350	16,100

(1) Peak Hour volumes based on TMCs conducted on Tuesday August 21 2018 at intersection of Alden Road at Bridge Street. Peak hour 4:00 PM - 5:00 PM.

(2) Average Daily Traffic based on K factor of 8.4% applied to peak hour volumes.

As shown in Table 1, the ADT along Bridge Street was approximately 15,600 vehicles per day (vpd) in 2018. The weekday afternoon peak hour volume from the TMC count is approximately 1,310 vehicles per hour in 2018. The ADT along Alden Road was approximately 16,100 vpd in 2018. The weekday afternoon peak hour volume from the TMC count is approximately 1,350 vehicles per hour in 2018.

Crash Analysis

Crash data was obtained from MassDOT for the most recent five-year period available to analyze reported crashes within the vicinity of the site driveways. This data includes complete yearly crash summaries for 2015 through 2019. Over the five-year period analyzed, there were no reported crashes that occurred at the two existing site driveways on Bridge Street and Alden Road.

Site-Generated Traffic

The Institute of Transportation Engineers (ITE) is a national research organization of transportation professionals. Their publication, *Trip Generation Manual, 11th Edition*, provides traffic generation information for various land uses compiled from studies conducted by members nationwide. Vehicle trip estimates for the proposed 1,800 s.f. RMD were generated based on data presented in this publication for Land Use Code (LUC) 882 – Marijuana Dispensary.

Trips associated with the former cycle studio that previously occupied Unit #1 in the existing commercial building were removed from the vehicle trips estimated to be generated by the proposed RMD to determine the number of net new trips to the site. Vehicle trip estimates for the former cycle studio land use were generated based on data for LUC 492 – Health/Fitness Club based on the 1,800 s.f. unit. The net increase in vehicle trips as a result of the project is presented in Table 2.

Table 2: Trip Generation for Proposed Project

Description	Weekday PM			Saturday Midday		
	In	Out	Total	In	Out	Total
Marijuana Dispensary ⁽¹⁾	17	17	34	26	26	52
- Previous Cycle Studio Land Use ⁽²⁾	-10	-7	-17	-3	-3	-6
Total New Trips	7	10	17	23	23	46

(1) ITE Land Use Code 882 (Marijuana Dispensary), based on 1,800 s.f.

(2) ITE Land Use Code 492 (Health/Fitness Club), based on 1,800 s.f.

As shown in Table 2, the project is anticipated to generate approximately 17 additional vehicle trips (7 entering vehicles, and 10 exiting vehicles) during the weekday afternoon peak hour, and 46 additional vehicle trips (23 entering vehicles, and 23 exiting vehicles) during the Saturday midday peak hour.

Project Access and Circulation

As shown in the attached site plan, the project site would continue to be accessed via the two existing site driveways on Bridge Street and Alden Road. The proposed project would maintain the existing parking layout on the site, which provides 29 parking spaces including two accessible spaces, and the one-way counterclockwise circulation north and east of the existing building.

Conclusions

Based on a review of the project, the proposed RMD located at 240 Bridge Street is not anticipated to result in a significant impact on traffic operations on the adjacent roadway network. Based on the ITE trip generation data, when comparing the proposed RMD to the former cycle studio, additional vehicle trips anticipated to be generated by the development would equate to less than one new trip every three minutes during the weekday afternoon peak hour and less than one new trip every minute during the Saturday midday peak hour.

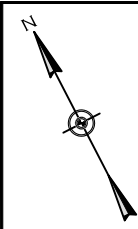
Please do not hesitate to contact me should you require any further information.

Attachments:

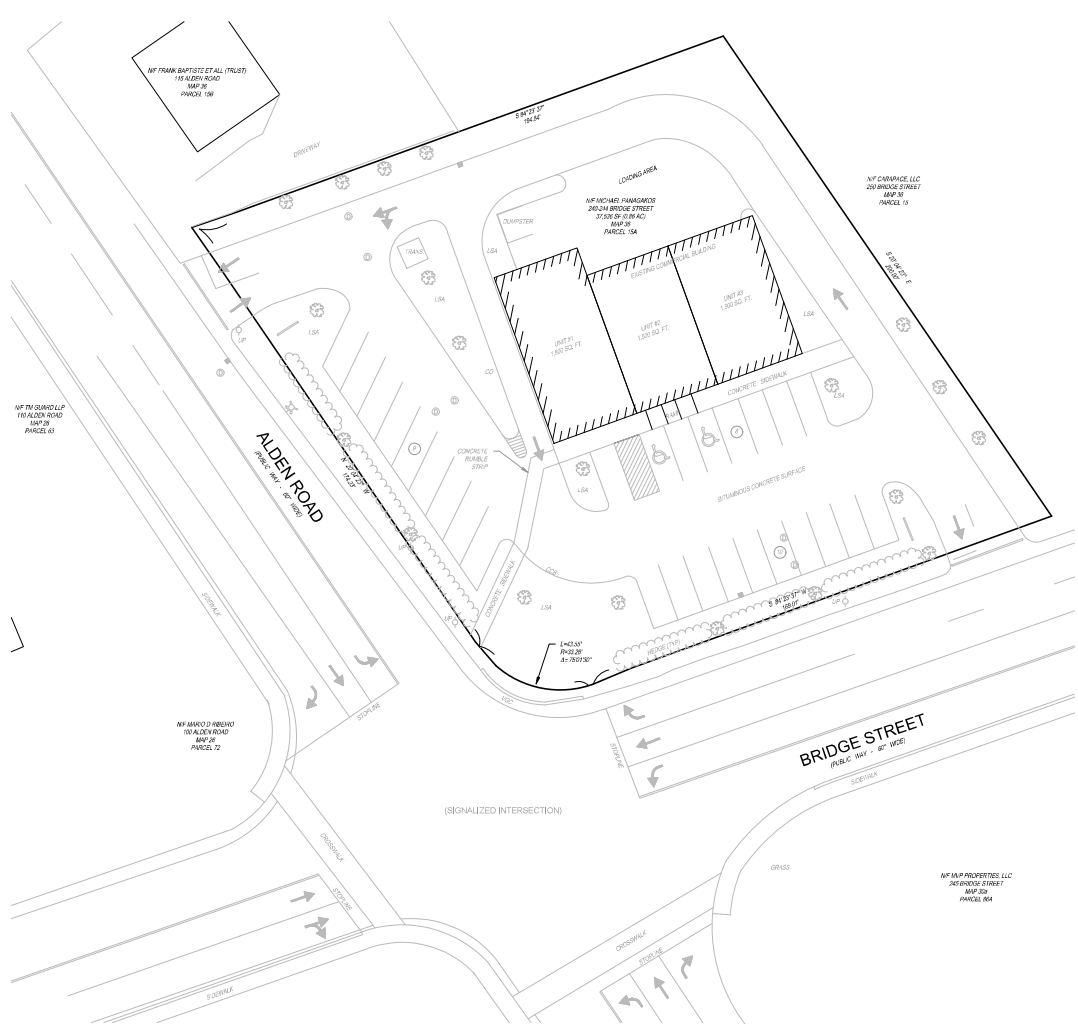
Site Plan
Traffic Volume Summary

ATTACHMENT 1

Site Plan



- NOTES**
- THE PURPOSE OF THIS PLAN IS TO SEEK A SPECIAL PERMIT FOR A MARIJUANA ESTABLISHMENT UNDER SECTION 19A-26(7) OF THE FAIRHAVEN ZONING BY-LAWS. THE PROPOSED FACILITY WILL BE LOCATED IN THE EXISTING STRUCTURE AND THERE WILL BE NO CHANGE IN EXTERIOR DESIGN ELEMENTS SUCH AS LIGHTING, PARKING, UTILITIES AND LANDSCAPING, ET CETERA.
 - IN ACCORDANCE WITH 935 CMR 500.110(3) THERE ARE NO KNOWN PRE-EXISTING PUBLIC OR PRIVATE SCHOOLS PROVIDING EDUCATION IN KINDERGARTEN OR ANY OF GRADES ONE THROUGH 12 WITHIN 500-FT OF THE PROPERTY BOUNDARIES OF THE SUBJECT PARCEL.
 - THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.
 - OWNER OF RECORD:
MICHAEL PANAGAKOS
133 FAIRVIEW CORNER ROAD
DARTMOUTH, MA 02747
 - ASSESSORS REFERENCE
MAP 30 LOT 15A
LOT AREA: 0.23 AC (0.86 AC)
NO WETLANDS
ZONING: INDUSTRIAL DISTRICT
OVERLAY: MEDICAL WAREHOUSE OVERLAY DISTRICT
MIN AREA - 50,000 SF
MIN FRONTAGE - 140 FEET
CORRIDOR/USP/LAND - 35,000 SF
PERCENT OF MINIMUM LOT AREA: 70%
SETBACKS:
F: 50 FT, S: 25 FT, R: 50'
MAXIMUM BUILDING HEIGHT: 40'
MAXIMUM BUILDING COVERAGE: 25%
MAXIMUM LOT COVERAGE: 65%
 - DEED REFERENCE:
-BOOK 4882 PAGE 22
SOUTH BRISTOL COUNTY REGISTRY OF DEEDS
 - PLAN REFERENCES:
PLAN BOOK 151 PAGE 88
SOUTH BRISTOL COUNTY REGISTRY OF DEEDS
 - VERTICAL DATUMS BASED UPON NAVD88 IN US SURVEY FEET.
 - UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE BASED UPON VISIBLE ABOVE GROUND EVIDENCE AND RECORD INFORMATION AND ARE ONLY APPROXIMATE. CONTRACTORS RESPONSIBLE FOR TAKING ALL NECESSARY PRECAUTIONS BEFORE BEGINNING ANY EXCAVATION. (DGS/SAFE 1-888-344-2233)
 - PARCEL AND RIGHT OF WAY LINES WERE OBTAINED FROM THE MASSACHUSETTS GIS AND UNRECORDED SITE PLANS.
 - TOPOGRAPHIC FEATURES TAKEN FROM MASSACHUSETTS GIS DATA LAYER AND ORTHOGRAPHIC PHOTOGRAPHY.



PLAN VIEW
SCALE: 1" = 20'

LEGEND
THESE LINETYPES MAY BE FOUND IN THE DRAWINGS:

LINETYPE	DESCRIPTION
	TREE LINE
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	EXISTING DRAIN
	EXISTING GAS
	EXISTING OVERHEAD WIRE
	EXISTING WATER LINE
	EXISTING SEWER LINE
	LOT LINE (SUBJECT PARCEL)
	LOT LINE (ADJUTERS)
	UNDERGROUND ELECTRIC

ABBREVIATIONS
THESE STANDARD ABBREVIATIONS MAY BE FOUND IN THE DRAWINGS.

CCB	CAPE COD BERMA
CMP	CORRUGATED METAL PIPE
EM	ELECTRIC METER
FP	FLAG POLE
FDC	FIRE DEPARTMENT CONNECTION
FTE	FINISH FLOOR ELEVATION
LCB	LEACHING CATCH BASIN
LP	LIGHT POLE
LSA	LANDSCAPE AREA
MHB.F	MASS. HIGHWAY BOUND FOUND
SBB	SLOPED BITUMINOUS BERMA
SBF	SLOPED GRANITE FOUND
SGC	SLOPED GRANITE CURB
TRANS	TRANSFORMER
UP	UTILITY POLE
WV	WATER VALVE
VCC	VERTICAL CONCRETE CURB



LOCUS MAP
NOT TO SCALE

GREEN SEAL ENVIRONMENTAL LLC
114 STATE ROAD, BUILDING B
SAGAMORE BEACH, MA 02562
TEL: (508) 888-6034
FAX: (508) 888-1506
WWW.GSEENV.COM

THESE DRAWINGS ARE THE PROPERTY OF THE DESIGN ENGINEER, GREEN SEAL ENVIRONMENTAL, LLC. UNAUTHORIZED REPRODUCTION FOR ANY PURPOSE IS AN INFRINGEMENT UPON COPYRIGHT LAWS. VIOLATORS WILL BE SUBJECT TO PROSECUTION.

DIMENSIONS ARE AS INDICATED.

USE OF THIS PLAN CONSTITUTES ACCEPTANCE OF TERMS AND CONDITIONS SET FORTH IN ACCOMPANYING PROJECT DOCUMENTATION.

IT IS THE RESPONSIBILITY OF THE USER TO CONFIRM DISCREPANCIES WITH THE ENGINEER PRIOR TO USE.

REVISIONS

NO.	DATE	COMMENT

PURPOSE:
SPECIAL PERMIT
MARIJUANA ESTABLISHMENT

LOCUS:
240 BRIDGE STREET, UNIT #1
FAIRHAVEN, MA 02719

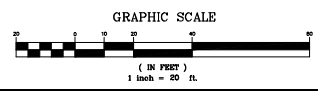
PREPARED FOR:
ELEVATION RETAIL II, LLC

DRAWING TITLE:
SITE PLAN

CAD TECH: TRG	CHECKED BY: JDP
ENGINEER: SDC	DATE: 1/20/2022

SCALE:
AS NOTED

SHEET:
C-1



PARKING & USE ANALYSIS

TENANT	AREA	USE	PARKING
UNIT 1 ELEVATED RETAIL, LLC	1,800 SF	MARIJUANA DISPENSARY (PROPOSED)	RETAIL (1/250 SF) = 8 SPACES
UNIT 2 T-MOBILE	1,500 SF	RETAIL	RETAIL (1/250 SF) = 6 SPACES
UNIT 3 REACH NAILS AND SPA	1,500 SF	SPA	RETAIL (1/250 SF) = 6 SPACES
			REQUIRED 20 SPACES
			PROVIDED 27 SPACES

ATTACHMENT 2

Traffic Volume Summary

Turning Movement Count Data - 8024170

Int ID: 8024170
 Community: FAIRHAVEN
 Road 1: ALDEN ROAD
 Road 2: BRIDGE STREET
 Corridor:
 Road 3:
 Road 4:

TMC Data

Display	Date	PHV	Peak Hour	Duration	TMC Owner
<input checked="" type="radio"/>	Tuesday, August 21, 2018	2264	4:00 PM	3:30 PM - 5:30 PM	rpa10

<<< < > >>> 1-1 of 1 mm/dd/yyyy Go To Date

Notes

Note Date

NB EB SB WB

Glossary Hide Diagram

Vehicles

Start Time	Left	Thru	Right	Ped	Total
3:30 PM	12	90	46	0	148
3:45 PM	8	45	36	0	89
4:00 PM	14	79	46	1	139
4:15 PM	2	65	56	0	122
4:30 PM	14	57	38	0	109
4:45 PM	12	47	34	0	93
5:00 PM	6	51	41	1	99
5:15 PM	4	61	48	0	113
Total	72	489	344	2	911
App %	7.90	54.34	37.76		
Total %	1.64	11.27	7.83		20.75

Turning Movement Count Data - 8024170

Int ID: 8024170
 Community: FAIRHAVEN
 Road 1: ALDEN ROAD
 Road 2: BRIDGE STREET
 Corridor:
 Road 3:
 Road 4:

TMC Data

Display	Date	PHV	Peak Hour	Duration	TMC Owner
<input checked="" type="radio"/>	Tuesday, August 21, 2018	2264	4:00 PM	3:30 PM - 5:30 PM	rpa10

<<< < > >>> 1-1 of 1 mm/dd/yyyy Go To Date

Notes

Note Date

NB EB SB WB

Glossary Hide Diagram

Vehicles

Start Time	Left	Thru	Right	Ped	Total
3:30 PM	42	60	11	1	113
3:45 PM	30	57	7	3	94
4:00 PM	42	81	2	0	105
4:15 PM	40	39	14	0	93
4:30 PM	49	55	3	0	107
4:45 PM	49	45	8	0	102
5:00 PM	49	52	10	0	111
5:15 PM	40	61	8	0	109
Total	341	430	63	4	834
App %	40.89	51.56	7.55		
Total %	7.77	9.79	1.43		18.99

Turning Movement Count Data - 8024170

Int ID: 8024170
 Community: FAIRHAVEN
 Road 1: ALDEN ROAD
 Road 2: BRIDGE STREET
 Corridor:
 Road 3:
 Road 4:

TMC Data

Display	Date	PHV	Peak Hour	Duration	TMC Owner
<input checked="" type="radio"/>	Tuesday, August 21, 2018	2264	4:00 PM	3:30 PM - 5:30 PM	rpa10

<<< < > >>> 1-1 of 1 mm/dd/yyyy Go To Date

Notes

Note Date

NB EB SB WB

Glossary Hide Diagram

Vehicles

Start Time	Left	Thru	Right	Ped	Total
3:30 PM	40	56	22	0	121
3:45 PM	32	68	26	0	126
4:00 PM	48	69	32	0	149
4:15 PM	46	81	35	0	162
4:30 PM	39	76	42	0	157
4:45 PM	36	83	40	0	159
5:00 PM	57	54	40	0	151
5:15 PM	31	67	32	0	130
Total	329	557	269	0	1155
App %	28.48	48.23	23.29		
Total %	7.49	12.89	6.13		26.30

Turning Movement Count Data - 8024170

Int ID: 8024170
 Community: FAIRHAVEN
 Road 1: ALDEN ROAD
 Road 2: BRIDGE STREET
 Corridor:
 Road 3:
 Road 4:

TMC Data

Display	Date	PHV	Peak Hour	Duration	TMC Owner
<input checked="" type="radio"/>	Tuesday, August 21, 2018	2264	4:00 PM	3:30 PM - 5:30 PM	rpa10

<<< < > >>> 1-1 of 1 mm/dd/yyyy Go To Date

Notes

Note Date

NB EB SB WB

Glossary Hide Diagram

Vehicles

Start Time	Left	Thru	Right	Ped	Total
3:30 PM	50	68	61	0	179
3:45 PM	46	70	56	0	172
4:00 PM	39	68	62	1	167
4:15 PM	48	80	77	1	205
4:30 PM	48	72	86	0	205
4:45 PM	46	80	64	0	190
5:00 PM	40	69	81	0	190
5:15 PM	49	72	62	0	183
Total	366	577	548	2	1491
App %	24.65	38.70	36.75		
Total %	8.34	13.14	12.48		33.96