

**COMMISSIONERS**  
 Ronald B. Hogan, Acting Chair  
 Diana Jeong  
 Nelson Miller  
 Kevin Molis



**CANNABIS LICENSING AND ENFORCEMENT COMMISSION**  
**City Hall, 215 Pleasant Street, Mayor's Conference Room, 4<sup>th</sup> Floor**  
**Wednesday, March 8, 2022 at 5 PM**  
*This meeting was recorded.*

	VACANCY	Council Appt.
√	Ron Hogan	Finance
Absent	Kevin Molis	Chief of Police
√	Nelson Miller	Bldg. Commissioner
√	Diana Jeong	Mayor's Appt.
√	Kathleen Manning Hall	Clerk <i>Non-voting mem.</i>

**MINUTES**

- 1. Roll Call of Committee members.** Meeting was called to order at 5 PM and there was a quorum sufficient to conduct business.
- 2. Approval of October 6, 2021 Minutes.** *Motion by Nelson Miller to approve the minutes of October 6, 2021; seconded by Diana Jeong. All in favor, Motion passes unanimously.*
- 3. Nomination of Chair.** As former Chair Jenelle DeVits stepped down from the Commission as of December 31<sup>st</sup>, Ron suggested nominating an Interim Chair until the City Council's new member is seated. Chief Molis will also be retiring in June of this year. *Motion by Nelson Miller to nominate Ron Hogan as Interim Chair, seconded by Diana Jeong. All in favor, Ron Hogan will serve as Interim Chair.*
- 4. Update on City Council Appointment.** The City Council received no applicants for their vacancy when they posted for Jenelle DeVits' replacement in December. They reposted the vacancy today - it is a two-week application period. Knowing that Commissioner DeVits was stepping down, the CLEC believes it best to wait for the new member to be seated before beginning the process with new applicants. Notwithstanding that, Ron thought it prudent to have this meeting to update current applicants. He updated that the CLEC accomplished a lot in a relatively short period of time. The Commission began meeting in March 2019, adopted a process, advertised the application period, interviewed eight applicants and moved four candidates forward in the process. Only two of the four have moved on. Even with the pandemic, the Committee has put forth a lot of effort to move applicants forward, including reopening the application period two more times since 2019. It takes

much more time for retail Cannabis businesses to be established as compared to medical businesses.

**5. Applicant Status Updates:**

- a. **Misty Mountain Shop** – 323 Commercial Street – was approved by the CLEC in 2019. Received Special Permit from the City Council, provisional approval from the State, and is in the process of their buildout – still undergoing construction.
- b. **Standard Naturals, LLC** – 7 Linehurst Road – was approved by CLEC, received Special Permit from City Council, provisional license from the State, and is in the process of their buildout. About halfway through building a brand-new building. Well into the process.
- c. **DMS Trinity** – 36 Charles Street applied in the first round in 2019. Had some support but did not move forward at that time. Reapplied and were approved to move forward in 2021. Held three community meetings - missed the deadline twice. Will go before Planning Board tomorrow night, the next step will be to apply for the Special Permit from the City Council. They are in the process but have a road ahead of them.
- d. **Benevolent Botanicals** – 926 Eastern Ave. This is a local led group, multi-prong operation, with growing, cultivating, and retail. The CLEC spent a lot of time on this applicant. They ultimately gained CLEC approval after financing was arranged. They are the first applicant that required a variance from the buffer zone setback. The Board of Appeal (BOA) did not find their proposal to hit any of the four state thresholds, so they were denied the variance. The City Council cannot grant a variance of a buffer zone. Applicants must go before the City Council with all regulations being met. The applicant has since filed a lawsuit suing the City, filed an Open Meeting Law Complaint and have appealed the decision of BOA. The Appeal will go before the state court system – the court can uphold the BOA’s decision or remand it back to the BOA. No further action will be taken until the situation is resolved.

**6. Discussion on updated Ordinance for fifth license.** Malden is capped at five licenses. One license is held for a Malden resident, economic empowerment, social equity, or minority applicant. Benevolent Botanicals would satisfy this requirement, however due to pending litigation this spot will remain open until the Benevolent Botanicals situation is resolved. There could be more than one economic empowerment, social equity candidate - this would need to be taken up when the new member is seated. During the first round of applicants, it wasn’t anticipated that of the four original CLEC approved applicants, only two would be moved forward.

**7. Communication/reach out from Center Harvest.** 65 Commercial Street (former Midas Building). This applicant applied in 2019 and 2021 and did not have the support to move forward. They were unhappy with their result. They reached out to CLEC members and the Mayor although the CLEC believes that all communications should be through the body not one on one conversations with applicants. They were frustrated that they didn’t receive information on why no one advocated for them to move forward. They felt our process was arbitrary and unfair and feel it would be helpful to get more feedback, so applicants better understand where they stand. They may apply again. No other candidates have come forward with an issue with our process and many praised the CLEC’s process. This feedback will be discussed with the full membership when the fifth member is seated.

New applicants that applied in the September-October 2021 application period are:

1. Faded LLC d/b/a DRIS (second application), 53 Broadway, Malden
2. Soothing Elements, LLC, 1130 Eastern Ave., Malden

**8. Discuss next steps for remaining license.**

- a. Changes in process – will be discussed when new commissioner is appointed.
- b. Timing – Awaiting appointment of new commissioner. Kathleen will reach out to the candidates to let them know they should be preparing to present to the CLEC.

**9. New Business.** No new business. Kathleen will forward link of today's meeting to the people who have applied.

**10. Next Meeting: t/b/d**