

TOWN OF BERLIN
MARIJUANA HOST AGREEMENT APPLICATION PROCEDURE

Effective: November 25, 2019

For the Select Board to consider negotiating and executing a final Host Community Agreement for a prospective marijuana license establishment in Berlin, the following tasks must be completed:

1. Applicant shall contact the Building Commissioner for preliminary review of the proposed site location, access, and conditions relative to local zoning compliance. The relevant portion of the Zoning Bylaw is attached to these Procedures for Applicant's reference.
2. After completing Step 1, Applicant shall schedule an appointment on a Select Board meeting agenda to make an introductory presentation to the Board on the proposed type of establishment, site access and conditions, facility size, security and other information as requested.
3. Applicant shall publicize and hold a Community Outreach Meeting at their sole expense as specified by Massachusetts Cannabis Control Commission Regulations. The meeting notice shall be publicized at a minimum in The Clinton Item, and the event should be recorded and broadcast by Berlin Cable Access TV. In addition to the required notifications in the Regulations, notification of the Community Outreach Meeting shall be sent to Berlin-Boylston Regional School District and Assabet Valley Regional Technical High School.

The Outreach Meeting must include, but is not limited to discussion of the following:

- a. Type of establishment being proposed;
 - b. Size and type of structure for the facility;
 - c. Neighborhood and environmental impacts, including but not limited to, lighting, noise, odor, water usage, traffic, etc. and any studies or data to support conclusions;
 - d. Steps or assurances on measures that will be taken to reduce or mitigate any identified impacts;
 - e. Where the proposed facility would comply with Berlin's Zoning Bylaw;
 - f. Where the proposed facility would require a deviation from Berlin's Zoning Bylaw.
4. After completing Step 3, Applicant must submit to the Select Board a package containing the following:
 - a. Summary of Community Outreach Meeting including but not limited to items 1(a) – 1(f) above;
 - b. Copy of draft license application to the Cannabis Control Commission (as public submissions are public documents, do not submit confidential business information);
 - c. Explanation or demonstration of how the Applicant will comply with any other applicable licenses or permits as may be required by Berlin Boards, Committees or Commissions (if applicable), including information regarding compliance with Berlin's Zoning Bylaw;
 - d. DRAFT Host Community Agreement.
 5. With submission of the package in Step 4, Applicant must submit a check for \$5,000 to the Select Board to be held in escrow by the Town to pay legal costs for Town Counsel's review of Applicant's submission and support to the Town in Host Community Agreement negotiations. The Select Board will not undertake to begin any review or negotiation until such time as the funds are received and deposited by the Treasurer. The Town will track all use of such funds and supply an accounting of all expenditures attributed to the account and return any unused funds once the Host Community Agreement is executed.

Should the \$5,000 held in escrow for the Town's legal costs near depletion, the Town will supply an accounting of all expenditures from the account and will invoice Applicant for anticipated remaining legal costs. The Select Board will not undertake to continue any review or negotiation until such time as the funds are received and deposited by the Treasurer. The Town will track use of such additional funds and supply a complete accounting of all expenditures from the account and return any unused funds once the Host Community Agreement is executed.

The Select Board reserves its right to withhold support or engaging in a Host Community Agreement that it deems not in the best interest of the citizens of the Town of Berlin.

Approved by the Board of Selectmen: November 25, 2019