Re: Request for Information

Dear Mr. Greenberg,

This letter is to inform you that the Department of Public Health (“Department”) has reviewed Life Essence, Inc.’s Siting Profile (Application 1 of 3). The Siting Profile requires the following information before the Department may complete its evaluation:

1. The Offer for Lease Option for the Northampton site states that the RMD would be using “adjoining common spaces.” Please explain what these common spaces are and with whom the RMD would be sharing these common spaces.

2. The Offer for Lease Option for the Northampton site states that “The undersigned proposes to utilize the Premises for a medical and retail marijuana establishment licensed by the Massachusetts Cannabis Control Commission…” The applicant has applied for registration with the Massachusetts Department of Public Health, not the Cannabis Control Commission. Please explain this language.

3. The Offer for Lease Option for the Northampton site does not indicate the square footage to be leased by the applicant. Resubmit the Offer for Lease Option with this information included.

4. The address of the Holyoke site is unclear. The table in Section B states that the address is “56 Canal Street,” but the Offer to Purchase states that the building is located on 56 Canal Street, North Bridge Street, and 7 North Bridge Street. Also, the tables in Section B of Siting Profiles 2 and 3, the applicant states that the Holyoke Site will include “contiguous properties identified in LOI.” In light of this information, please provide the following information:
   a. Clarify and explain the address of the Holyoke site;
   b. Provide a map of the Holyoke site which clearly identifies the properties that Life Essence, Inc. would be utilizing as an RMD;
c. Explain why the “continuous properties identified in the LOI” are not included in the Holyoke site as identified in Siting Profile 1; and
d. Explain how many buildings the applicant will be occupying in Holyoke, where the buildings are located in relation to each other, and what activities will happen in each building.

5. The Offer to Purchase for the Holyoke site states that there is an “Exhibit A,” but it has not been submitted. Please submit Exhibit A.

6. The Offer to Purchase for the Holyoke site states that the Purchase and Sale Agreement was to be executed within 15 days of the Offer, which was October 31, 2018. Please submit the Purchase and Sale Agreement for review.

7. The Offer to Purchase for the Holyoke site does not name the seller of the property, but only “Owner of Record.” When submitting the Purchase and Sale Agreement, ensure that the name of the seller is included.

8. Please submit the deed to the Holyoke property demonstrating that the Seller of the property owns the site and is able to sell the property to Life Essence, Inc.

9. In its response to Section D, the applicant has not answered the question in regards to its Holyoke location. Please resubmit a complete response to Section D that includes this information.

10. In regards to the applicant’s response to Section E, please explain how the applicant arrived at the calculations within the “VARIANCE” fields.

11. Please note that the Department has initiated the verification process for the letter of support/non-opposition from the Mayor of Holyoke. We are awaiting responses so that it may be completed. We will notify the applicant if further information is needed.

If the applicant has been requested to resubmit their response to a question, please do so using the page on the application form for that particular question, and include an initialed attestation at the bottom of the page. The applicant need not resubmit the entire application and may submit only the page for the particular question that needs to be submitted.

Please remember to type all responses in the information or materials resubmitted to the Department, other than any required signatures, as well as include the name of the Applicant Corporation and the number of the application (e.g., Application 1 of 1) at the top of each page of the resubmitted information or materials.

Please resubmit the additional or revised information as outlined above, via U.S. mail or hand-delivery, to:

Department of Public Health
Medical Use of Marijuana Program
RMD Applications
99 Chauncy Street, 11th Floor
Boston, MA 02111
Upon receipt, the Department will review the information and will notify the applicant if it will proceed or if further information is required.

If you have questions or need assistance, you may contact the Department at 617-660-5370 or RMDapplication@state.ma.us.

Sincerely,

Elizabeth Chen, PhD, MBA, MPH
Assistant Commissioner
Massachusetts Department of Public Health