

Mr. Dunkelberger and Members of the Board,

I am writing on behalf of MMJ Strategies LLC whose application for a marijuana retail store to be operated in the C-3 zone is on the waiting list. If the other license applications fail to meet the criteria under local law to get a license to operate, our license application will be allowed to proceed.

We are writing to object to the Planning Board's consideration of the final land use application by IDC5 LLC for 181-185 State Road because this land use application represents a change of location from the location that IDC5 submitted its pre-application for. The Town's ordinance governing marijuana businesses and the related guidance allowed each entity to submit multiple pre-applications for a license, but only one preapplication per separate property. The Town also accepted multiple preapplications per separate property, but only one preapplication was accepted per unique entity (TIN) for each separate property. The Ordinance explains that if a license for a marijuana retail store becomes available, then the Town will invite the next applicant on the wait list for the corresponding zone to submit an application. However, Ordinance § 5.11.9(D) is clear that "applications will not be processed from the wait list if there have been any material changes to ownership, as indicated on the ownership affidavit, or **where there is a change to location of the premises.**" The Ordinance defines "Premises" as the "physical location at which a Marijuana Business is to conduct its business." Ordinance § 5.11.2.

Here, IDC5 submitted its preapplication for the location of 181 State Road. However, the final use application is for 181 **and 185** State Road, which represents a change of location to the premises from the physical location listed in the preapplication. Accordingly, the Planning Board is prohibited by Ordinance § 5.11.9(D) from processing IDC5's final land use application, and MMJ Strategies respectfully requests that the Planning Board decline to approve the IDC5's application on these grounds.

Thank you,



Nicholas Friedman

Owner/MMJ Strategies LLC