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July 2, 2014

**BY HAND**

Ms. Linda Finucane  
Chief Committee Clerk  
Newton Board of Aldermen  
1000 Commonwealth Avenue  
Newton, MA 02459-1449

Re: Petition of Garden Remedies, Inc./697 Washington Street

RECEIVED  
Newton City Clerk  
2014 JUL -2 PM 2:03  
David A. Olson, CMC  
Newton, MA 02459

Dear Linda,

I am enclosing herewith a copy of the Provisional Certificate of Registration dated June 27, 2014 issued by Karen van Unen, Executive Director of the Medical Use of Marijuana Program, Department of Public Health for the Commonwealth of Massachusetts to Garden Remedies, Inc.

Please let me know if you have any questions with respect to the foregoing.

Very truly yours,



Stephen J. Buchbinder

SJB/mer  
enclosure

cc: (By Hand, w/enclosure)  
Ms. Alexandra Ananth, Chief Planner  
Mr. Stephen Pantalone, Senior Planner  
Ouida C. M. Young, Associate City Solicitor  
Alderman Marc C. Laredo  
Alderman Gregory R. Schwartz  
Alderman Susan S. Albright  
Alderman Deborah Crossley  
Alderman Scott F. Lennon  
Alderman John W. Harney  
Alderman James R. Cote  
Alderman Richard A. Lipof  
Alderman Marcia T. Johnson  
Alderman Emily Norton  
(By First Class Mail, w/enclosure)  
Dr. Karen Munkacy



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
Bureau of Health Care Safety and Quality  
Medical Use of Marijuana Program  
99 Chauncy Street, 11<sup>th</sup> Floor Boston, MA 02111

DEVAL L. PATRICK  
GOVERNOR

JOHN W. POLANOWICZ  
SECRETARY

Tel: 617-624-5062  
www.mass.gov/dph

June 27<sup>th</sup>, 2014

BY U.S. MAIL AND E-MAIL

Garden Remedies, Inc.  
Dr. Karen Munkacy  
116 Chestnut Hill Road  
Newton, MA 02467

RECEIVED  
Newton City Clerk  
2014 JUL -2 PM 2:03  
David A. Olson, OMC  
Newton, MA 02459

Re: Provisional Certificate of Registration to Operate a Registered Marijuana Dispensary

Dear Dr. Munkacy:

Please be advised that you have been selected to receive a Registered Marijuana Dispensary ("RMD") Provisional Certificate of Registration and to move forward to the Inspectional Phase. In the Inspectional Phase, the Department of Public Health ("Department") will verify, among other things, that you will operate in compliance with the RMD operational requirements, see 105 CMR 725.105 (A)-(Q), and security requirements, see 105 CMR 725.110(A)-(F). Furthermore, the Department may impose other conditions that the Department determines necessary to ensure the RMD will operate in accordance with applicable Massachusetts laws and regulations.

In addition to the general Inspectional Phase conditions noted above, the issuance of this RMD Provisional Certificate of Registration is subject to the following ongoing conditions:

1. All dispensary agents and investors shall be subject to a background check in the manner approved by the Department prior to commencing work as a dispensary agent or investing funds in the RMD.
2. The RMD shall be subject to inspection and audit to ensure that its facilities are compliant with all applicable state and local codes, bylaws, ordinances and regulations.
3. The RMD shall comply with the Humanitarian Medical Use of Marijuana Act, Ch. 369 of the Acts of 2012 (the "Act") as implemented by Department Regulations, 105 CMR 725.000, et seq., during the period of its provisional registration, except as expressly waived in writing by the Department pursuant to 105 CMR 725.700.
4. The RMD shall be subject to inspection and audit to ensure compliance with any applicable law or regulation, including laws and regulations of the Commonwealth

relating to taxes, child support, workers compensation, and professional and commercial insurance coverage.

5. The RMD shall be subject to inspection and audit to ensure the RMD shall at all times operate in a manner not been detrimental to the public safety, health, or welfare.
6. The RMD shall be subject to inspection and audit to ensure that has sufficient financial resources to meet the requirements of the Act or 105 CMR 725.000, et seq.
7. The RMD shall cooperate with and provide information to Department inspectors, agents and employees upon request.
8. The RMD shall, as necessary, amend its bylaws to expressly require compliance with 725.100(A)(1), by expressly stating that the RMD shall "at all times operate on a non-profit basis for the benefit of registered qualifying patients" and shall "ensure that revenue of the RMD is used solely in furtherance of its nonprofit purpose." If the bylaws do not expressly include such requirement, they shall be amended within thirty days of the date of this letter and the amended bylaws shall be filed with the Department by mail at the above address and by email at [RMDapplication@state.ma.us](mailto:RMDapplication@state.ma.us).

The Department will be in contact with you to schedule a meeting regarding the Inspectional Phase.

This letter shall serve as your Provisional Certificate of Registration, with conditions. It is within DPH's discretion to revoke this Provisional Certificate of Registration at any time. Please note the Department reserves the right to set additional regulatory fees to defray the administrative costs of the Medical Marijuana Program pursuant to section 13 of the Act. Please also note that you must keep current all information required by 105 CMR 725.000, et seq., or as otherwise required by the Department pursuant to 725.100(F)(4), that you may not make certain changes without prior approval from the Department pursuant to 725.100(F)(1)-(3). Should you have any questions, please contact the Department at [RMDapplication@state.ma.us](mailto:RMDapplication@state.ma.us).

Sincerely,



Karen van Unen  
Executive Director  
Medical Use of Marijuana Program