

# FAQ- Buena Vista Township Medical Marijuana Facilities Application (9.26.18)

Below is a list of questions we have received regarding the process for applying for a Medical Marijuana Facilities license in Buena Vista Township. This will be updated as more questions are received.

## SCORECARD QUESTIONS

1. At least 1 owner owns the building where the medical marijuana facility is located.

Will a contractually bound purchase agreement suffice in order to obtain this point? The bulk of municipalities we have applied in thus far have accepted a purchase agreement as sufficient proof of ownership but I wanted to confirm that Buena Vista Charter Township will accept this as well.

**Yes. A contractually bound purchase agreement will suffice.**

2. Donate at least \$30,000 to the Buena Vista Parks Improvement Fund.

Is the Township seeking us to provide this monetary donation prior to submitting our application for a municipal license within the Township? We have charitably donated within many of the municipalities that we have been granted licenses within, however, we have not been required by a municipality to do so prior to licensure. Would a letter of intent or statement of affirmation to donate to the Buena Vista Park Improvement Fund contingent upon being granted licensure within the Township suffice to meet this requirement and obtain the point?

**Your business may provide a monetary donation following the application process if you are granted licensure. The LOI should be submitted with your application.**

3. At least 500 feet from another medical marijuana facility, at least 1,000 feet from another medical marijuana facility, at least 1,500 feet from another medical marijuana facility.

This is a requirement we have seen in other municipalities as well, however, typically municipalities that ask for such a requirement have elected to grant licensure by way of a first-come, first-serve basis so that there is a pecking order so to speak of who is in violation of these predetermined distance requirements. It is unclear to us as to how you will determine who is in violation of the distance discrepancy as you are accepting all applications under a specified time window and reviewing them all concurrently. We are looking for a thorough explanation as to how these points will be allocated.

**The township will count these points based on the current Medical Marijuana facilities operating in the township. No facility will miss points because of another proposed facility nearby.**

4. Provide a sidewalk/pathway along frontage of facility, provide at least 500 feet of pathway, provide at least 1,000 feet of pathway, provide at least 1,500 feet of pathway.

Our proposed facility currently only has 500 feet of frontage. Moving beyond the 500 feet of frontage we currently possess would mean that we are altering neighboring properties. Is the Township seeking for us to work with our neighbors and alter their right of way in order to obtain these points?

**The Township will work with any applicant for the design, location and installation of a pathway in Buena Vista Township.**

5. At least 1 owner has an advanced medical degree; Applicant holds and maintains documented medical certifications or licenses.

Will a licensed optometrist who is part of our proposed ownership structure suffice for each of these requirements?

**Yes, a licensed optometrist would qualify for this criteria.**

6. As it relates to the word Applicant generally does Applicant refer to the business entity, the leading stakeholder, or all proposed stakeholders? The ordinance defines Applicant as a person who applies for a Township license and any person who holds any direct or indirect ownership interest in the applicant. However, throughout the scoring rubric there seems to be a distinction where at times the sole word Applicant is used, and at other times the statement Applicant or any owners of the Applicant is used. This causes some confusion as to why that distinction is made in particular. Are we to assume that each time Applicant is used on the scoring rubric it includes all of the proposed members, or are we to assume Applicant is referring to the leading proposed stakeholder unless specified otherwise as noted above?

**For the criterion specific to Compliance History and Business Litigation, Applicant is refereeing to all proposed members. For all other uses of Applicant, it is referring to the lead proposed stakeholder.**

7. As it relates to distances from existing medical marijuana facilities operating within the Township we would like to include the closest existing and operational facility within proximity of our proposed site on our location area map. Does the Township have a complete and comprehensive list of all of the currently existing medical marijuana operations within its jurisdiction? If so, how may I go about obtaining such a list? If the Township does not have such a list of existing and operational facilities then how will the Township verify and award these points?

**This criteria will be based on approved medical marijuana facilities at the time of application. The Township has not yet issued any licenses for medical marijuana facilities in the Township. As licenses are issued, a list will be kept identifying their location.**

8. A single company is proposing co-located growing facility and and processing facility, both under common ownership, in accordance with rule 24. (collated licensed facilities). Does the applicant pay two separate application fees - one for each local license?

**Yes, each license will require a separate fee.**

9. In the application it asks for a copy of the applicant's pre-qualification letter from the state "if available" my question is; Does an applicant HAVE to pre-qualified from the state in order to be eligible for a license in BV?

**No, an applicant does not have to be pre-qualified from the state in order to be eligible for a license in Buena Vista.**

10. Are we require to submit a separate Site Plan Application (along with our MMFLA application) to the township?

**Yes, a separate site plan and special land use application is required.**

11. How copies of the (Site Plan) application are required?

**A total of 14 copies of the site plan will be required for the site plan and special land use approval.**

12. Does the applicant need to be person submitting the application to the township or can we have a representative submit the application on behalf of the applicant (i.e., attorney, authorized agent, or employee)?

**An authorized representative may submit the application to the Township.**