

TOWNSHIP OF CHESTERFIELD

RESOLUTION NO. 2023-2-1

RESOLUTION AUTHORIZING MUNICIPAL SUPPORT FOR VERDURE VENTURES LLC TO RECEIVE A CLASS 1 CANNABIS CULTIVATOR AND CLASS 2 CANNABIS MANUFACTURER LICENSE FROM THE NEW JERSEY CANNABIS REGULATORY COMMISSION TO OPERATE WITHIN CHESTERFIELD TOWNSHIP

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c.16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six (6) marketplace classes of licensed cannabis businesses, specifically including Class 1 cannabis cultivator and Class 2 cannabis manufacturer licenses; and

WHEREAS, Section 31a of the Act authorizes municipalities to adopt by ordinance the number of Class 1 cannabis cultivator and Class 2 cannabis manufacturer licenses that will be available in a municipality; and

WHEREAS, on July 28, 2022 the Chesterfield Township Committee adopted Ordinance 2022-12 (the “Ordinance”), which established that the number of cannabis businesses in the Township shall not exceed three (3) and that a single entity that holds multiple licenses at the same location (i.e. a cannabis cultivator license and a cannabis manufacturer license) shall be considered one cannabis business; and

WHEREAS, Ordinance 2022-12 established that Cannabis Cultivators, Manufacturers, and Wholesales shall be permitted in the “C” Commercial Zoning District, “OP” Office Park Zoning District, and “AG” Agricultural Zoning District, and in any Redevelopment Areas and Rehabilitation Areas established in the Township, as conditional uses; and

WHEREAS, the New Jersey Cannabis Regulatory Commission issued guidance to the State's municipalities on December 10, 2021, in which it stated the following:

Municipalities that limit the number of cannabis businesses allowed to operate within the municipal borders should not issue letters or resolutions of support in excess of the number of cannabis businesses allowed to operate within the border unless such letters or resolutions of support specify that license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local license limit is reached.

WHEREAS, Verdure Ventures LLC has requested the Township's support to locate a Class 1 cannabis cultivator and Class 2 cannabis manufacturer business in the Township; and

WHEREAS, Verdure Ventures LLC submitted a concept plan for the Township's review; and

WHEREAS, representatives of Verdure Ventures LLC appeared at a Township Committee meeting to more formally present the proposal to establish a cannabis cultivator and manufacturer business in the Township; and

WHEREAS, the Township Committee has determined that the cannabis cultivator and manufacturer license being sought may operate subject to Planning Board approval within the Township at the proposed location; and

WHEREAS, the proposed location for Verdure Ventures LLC, which has a common address of 463 Ward Avenue, Chesterfield, NJ, and is reflected on the Official Tax Map of the Township of Chesterfield as Block 104, Lot 4, in the "OP" Office Park Zoning District, is a location that is zoned by the municipality for the proposed use. Necessary approvals are to be sought from the Township Planning Board; and

WHEREAS, in light of the foregoing, the Township Committee recognizes that the location proposed by Verdure Ventures LLC is appropriately located or otherwise suitable for the activities related to the operations of a Class 1 cannabis cultivator and Class 2 cannabis manufacturer; and

WHEREAS, the Township Committee recognizes that the location proposed by Verdure Ventures LLC complies with local codes and ordinances, as they relate to its proximity to the

closest church, synagogue, temple, or other place used exclusively for religious worship, as well as the closest school, playground, park, or child daycare facility; and

WHEREAS, pursuant to Ordinance 2022-12, the number of cannabis businesses in the Township shall not exceed three (3); and

WHEREAS, as of the date of this Resolution, no other cannabis businesses exists in the Township of Chesterfield, no other cannabis cultivator or manufacturer has been approved for licensure to be located in the Township of Chesterfield; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Committee of Chesterfield Township, in the County of Burlington, in State of New Jersey as follows:

1. The above recitals are hereby incorporated as if restated herein in full.
2. The Mayor and Committee of Chesterfield Township find and determine that Verdure Ventures LLC has presented Chesterfield Township with sufficient evidence that it is ready, willing and able to operate a successful and safe cannabis business within Chesterfield Township.
3. Chesterfield Township has set a limit of three (3) cannabis businesses under the Ordinance. The issuance of a Class 1 cannabis cultivator and class 2 cannabis manufacturer license to Verdure Ventures LLC by the Cannabis Regulatory Commission would not exceed that limit.
4. Chesterfield Township has imposed a limit on the number of cannabis businesses, and asserts that, pursuant to the State's guidance, the license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local business limit of three is reached (subject to all necessary zoning and planning board approvals and local license approvals).
5. The Mayor and Committee of Chesterfield Township formally express their support for Verdure Ventures LLC with respect to its application to the New Jersey Cannabis Regulatory Commission for a Class 1 cannabis cultivator and class 2 cannabis manufacturer license.
6. Nothing in this Resolution shall preclude the Mayor and Committee from issuing additional resolutions or letters of municipal support to other applicants, to the extent that may be permissible under the regulations promulgated by the Cannabis Regulatory

Commission, nor shall it limit the Mayor and Committee's authority with respect to any request for input from the Cannabis Regulatory Commission as to their preferred licensee.

7. Nothing in this Resolution is intended to affirm that Verdure Ventures LLC will ultimately be granted a license from Chesterfield Township to operate a cannabis business within Chesterfield Township, as evidence of compliance with Chesterfield Township's laws, zoning law, and regulations will be required to be demonstrated by the applicant at the appropriate time.
8. A certified copy of this resolution shall be provided to the appropriate representatives of Verdure Ventures LLC.
9. This Resolution shall take effect immediately.

CHESTERFIELD TOWNSHIP COMMITTEE

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I, Caryn M. Hoyer, Clerk of the Township of Chesterfield in the County of Burlington and State of New Jersey do hereby certify the foregoing Resolution to be a true and accurate copy of the Resolution approved by the Township Committee at a duly advertised meeting held on February 9, 2023 at which a quorum was present.

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Caryn M. Hoyer, RMC  
Township Clerk