

June 5, 2023

VIA ELECTRONIC SUBMISSION

Township of West Orange Planning Board
Attn: Jamilet Baquerizo Vite, Board Secretary
66 Main Street
West Orange, New Jersey 07052

Re: Request for Special Meeting
Pure Natural Vibes, LLC (“Applicant”)
Application for Conditional Use Approval
470 Prospect Avenue, Suite 100 (Block 84.01, Lot 60)

Dear Ms. Baquerizo Vite :

As you’re aware, this office represents Pure Natural Vibes, LLC (“Applicant”), in its application for conditional use approval before the Township of West Orange Planning Board (“Application”).

Applicant received conditional license approval from the New Jersey Cannabis Control Commission on July 29, 2022, for a micro-retail cannabis dispensary located in West Orange, and a copy of that conditional approval letter is enclosed herewith. Since July 1, 2022, Applicant has been paying rent to the property owner for the above-referenced commercial space without the ability to generate any revenue until all approvals are garnered for the operation of the proposed Class 5 micro retail cannabis dispensary. Applicant is positioned to finalize the local license with the Township in short order, which itself is contingent on proof of satisfaction of the various conditions of the conditional use standard, in order to secure the necessary zoning permits for fitout and ultimate operation of the dispensary.

Given the length of time permitting has taken to date for the project overall, Applicant is in a rather unique position of having state licensure virtually complete, and simply requires finalizing its local approvals as a threshold to its operations. The Application itself proposes no actual site improvements, and is most akin to a change in use application for occupancy of an existing retail space. Only by virtue of this use being a conditional use within the zone is the Board’s review required. Accordingly, Applicant respectfully requests that a special meeting be scheduled in late June, in an effort to secure Planning Board review and approval for this straight-forward application. We will have a representative present at the Board’s June 7, 2023 meeting to be able to discuss scheduling, should the Planning Board be so inclined, and we are available at the Board’s convenience to provide the direct testimony required in support of the Application.

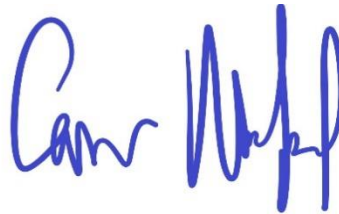
GIBBONS P.C.

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We understand that certain fees are associated with holding a special meeting, pursuant to Section 25-55.1 of the Township's Code. The Applicant fully understands that such fees may be assessed against the escrow posted for this application, to the extent same are required, and that payment of those fees may require an additional escrow deposit.

We appreciate the Board's consideration of this request, and look forward to presenting this Application at a special meeting later this month.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Cameron W. MacLeod". The signature is fluid and cursive, with the first name "Cameron" written in a larger, more prominent script than the last name "MacLeod".

Cameron W. MacLeod
Director

Encl.
Cc: (via email)

Pure Natural Vibes, LLC
Diana P. McGovern, Esq.
Paul Grygiel, AICP, PP
John J. Hess, PE, CME



State of New Jersey
CANNABIS REGULATORY COMMISSION

PHILLIP D. MURPHY
Governor

P.O. BOX 216
TRENTON, N.J. 08625-0216

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CHARLES BARKER, *Commissioner*
JEFF BROWN, *Executive Director*

July 29, 2022

Pure Natural Vibes LLC
Nordia Gibbs
ngibbs@purenaturalvibes.com
434 Lincoln Avenue, C1
Orange, New Jersey 07050

*Re: FINAL AGENCY DECISION
APPROVAL OF CONDITIONAL LICENSE APPLICATION*

Dear Nordia Gibbs:

Congratulations! The New Jersey Cannabis Regulatory Commission ("NJ-CRC") has received and reviewed your application for a Class 5 Cannabis Retailer to operate an adult personal-use cannabis business in the state of New Jersey. Upon the completion of the NJ-CRC's review, your application for a conditional license has been approved.

Pursuant to N.J.A.C. 17:30-7.2(f), the NJ-CRC shall approve a conditional license application where the applicant (1) has submitted a complete conditional license application in accordance with N.J.A.C. 17:30-7.3 and the notice of application acceptance pursuant to N.J.A.C. 17:30-6.1; (2) has scored sufficiently high to be issued a conditional license in accordance with the criteria included in the notice of application acceptance pursuant to N.J.A.C. 17:30-6.1 and 7.3; (3) is qualified to hold a conditional license pursuant to N.J.A.C. 17:30-7.4; and (4) has submitted application fees pursuant to N.J.A.C. 17:30-7.17. The above-referenced entity has satisfied all criteria.

Following this written notice of approval, the license applicant must notify the NJ-CRC within five (5) business days whether it will accept the license, or if it will abandon the license. Acceptance or abandonment of the license can be supplied by a letter from the applicant's listed primary contact, submitted electronically to crc.licensing@crc.nj.gov. Pursuant to N.J.A.C. 17:30-7.5(c), failure of the applicant to notify the NJ-CRC of its decision to accept or abandon the license by the specified deadline shall result in the license being deemed abandoned.

Should you choose to accept this license, the NJ-CRC will continue to verify information contained in your application and notify you when to submit the required conditional license application approval fee established at N.J.A.C. 17:30-7.17. Following receipt of the conditional license application approval fee,

the NJ-CRC will issue the conditional license and provide the same to the applicant.

Acceptance of the license, submission of the conditional license application approval fee, and issuance of the conditional license by the NJ-CRC to the applicant triggers the beginning of the conditional license phase as established at N.J.A.C. 17:30-7.6. During the conditional license phase, the conditional license holder must (1) establish control of the proposed site; (2) gain municipal approval; and (3) develop and submit a conditional license conversion application. The conditional license phase commences on the date the conditional license is issued to the license applicant and expires after 120 calendar days. Pursuant to N.J.S.A. 24:6I-36b.(2)(d)(i) the NJ-CRC may extend the conditional license phase of any applicant for an additional 45 calendar days at its discretion. **To create better efficiency and to support new applicants, the NJ-CRC will automatically extend the conditional license phase for the above-listed applicant for an additional 45 calendar days.** The applicant may satisfy the conditional license phase and begin the process to convert to an annual license at any time prior to the end date for the conditional license phase. The additional 45 calendar days are offered as a courtesy and to prevent the necessity of the applicant submitting a formal request for extension.

During the conditional license phase, the conditional license holder shall not engage in purchasing, possessing, selling, cultivating, manufacturing, or selling cannabis or cannabis products. N.J.A.C. 17:30-7.6(e). Failure to adhere to this restriction may subject the applicant to adverse action by the Commission and may expose the applicant to law enforcement action.

The following activities are permitted during the conditional license phase:

1. The conditional license holder may obtain additional funding by adding new loans or gifts from new or existing financial sources not listed in the conditional license application. Conditional license applicants are reminded, however, that during the conversion phase, the NJ-CRC may investigate and may conduct probity review of the license applicant, its owners, principals, and related entities and their finances, ownership, and control structure (See N.J.A.C. 17:30-7.7(e)), and conditional license holders are therefore advised to not execute any additional financing agreements that have not been received and reviewed by the NJ-CRC;
2. The conditional license holder may change the proposed location of the cannabis business, and such new location shall be reflected in the conditional license conversion application;
3. The conditional license holder may notify the NJ-CRC of its intention to abandon the license, which will then be returned to the Commission; and
4. The majority share of the ownership interest in the license holder shall remain the same as at the time of license issuance, however:
 - a. An owner or passive investor of the conditional license holder may transfer ownership interest to another qualified party; and
 - b. The conditional license holder may add new qualified owners and principals.

Certain businesses are subject to the following additional restrictions:

1. A Diversely-Owned Business conditional license holder shall not make any ownership interest transfer that causes the license applicant to no longer comply with the Diversely-Owned business criteria, pursuant to N.J.A.C. 17:30-6.4;
2. An Impact Zone Business conditional license holder shall not make any ownership interest transfer that causes the license applicant to no longer comply with the Impact Zone Business criteria, pursuant to N.J.A.C. 17:30-6.5;

3. A Social Equity Business conditional license holder shall not make any ownership interest transfer that causes the license applicant to no longer comply with the Social Equity Business criteria, pursuant to N.J.A.C. 17:30–6.6;
4. A Microbusiness conditional license holder shall not make any ownership interest transfer that causes the license applicant to no longer comply with the Microbusiness criteria, pursuant to N.J.A.C. 17:30–6.7; and
5. A conditional license holder shall not violate the limitations on owners and principals, pursuant to N.J.A.C. 17:30–6.8.

Prior to the end of the conditional license phase, the applicant must submit its conditional cannabis business conversion application pursuant to N.J.A.C. 17:30-7.8. If granted, the license will be converted from a conditional license to an annual license, subject to all conditions set forth in N.J.A.C. 17:30-7.9 through 7.14.

As a conditional license awardee, you are subject to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization (“CREAMM”) Act as well as all regulations implementing the CREAMM Act, set forth at N.J.A.C. 17:30. The NJ-CRC recommends that you familiarize yourself with those sections of the regulation pertaining to conditional cannabis licenses, specifically N.J.A.C. 17:30-7.2 through 7.8.

Again, congratulations on your successful application and thank you for your interest in working with the NJ-CRC to establish a safe and equitable cannabis industry for the state of New Jersey. Should you have any questions regarding this correspondence, please submit your inquiry to the NJ-CRC Licensing inbox at crc.licensing@crc.nj.gov.

Sincerely,

A handwritten signature in black ink, appearing to be 'DH' followed by a horizontal line.

Dianna Houenou
Chairperson
New Jersey Cannabis Regulatory Commission