

TOWNSHIP OF WEST ORANGE
TASKFORCE AND ADVISORY COMMITTEE REGARDING CANNABIS BUSINESS

EVALUATION REPORT

**APPLICATION FOR RESOLUTION OF LOCAL SUPPORT FOR THE SUITABILITY
OF A CANNABIS BUSINESS WITHIN THE TOWNSHIP OF WEST ORANGE –
CANNABIS RETAIL - MICROBUSINESS**

Overview

The Township of West Orange Taskforce and Advisory Committee Regarding Cannabis Business (the “Taskforce”) presents this Evaluation Report for the evaluation of the application submitted by the Library of New Jersey, Inc. (“Library”) seeking a Resolution of Local Support for the Suitability of a Cannabis Business (“Resolutions of Local Support”) consistent with N.J.A.C. 17:30-5.1(g) of the regulations promulgated by the New Jersey Cannabis Regulatory Commission (the “Commission”). Library is seeking a Resolution of Local Support as part of its application to operate a Cannabis Retail Microbusiness within the Township of West Orange (the “Township”).

Library submitted their application for a Resolution of Local Support (the “Application”) on July 19, 2022. On July 27, 2022, the Township was provided a letter from the Commission advising that Library was awarded a conditional license to allow Library to “move forward in the licensing process and apply for an annual license through an abbreviated licensing process.”

Library’s initial application listed a proposed Cannabis Retail location at 78 Ashland Avenue with a letter of intent from the owners of the property at 78 Ashland Avenue and did not include corporate formation documents as required as part of the Application. Library was advised that the corporate formation documents would be needed in order for the Application to proceed. In response, on August 18, 2022, Library forwarded its Certificate of Formation to the Taskforce. Later that evening, the Taskforce held a meeting wherein they reviewed and discussed Library’s Application without having the benefit of reviewing Library’s corporate formation documents. The Taskforce tabled the application to allow for additional review based on the supplemented documents.

On August 22, 2022, Library provided additional documents to the Taskforce, including a proposed lease agreement for a new location for Library’s proposed cannabis microbusiness at 24 Park Avenue. On August 30, 2022, Library provided a fully executed copy of the lease agreement at 24 Park Avenue.

On September 14, 2022, the Taskforce discussed these changes to Library Application. Specifically, the Taskforce addressed the fact that this new proposed location for 24 Park Avenue was already a proposed location for the Application submitted by Applicant Kemistry,

LLC (“Kemistry”) and that a Resolution of Local Support had already been issued to Kemistry by way of the Township Council’s adoption of Resolution 122-22 on April 26, 2022.

The Taskforce determined that until confirmation could be obtained from Kemistry that it was no longer proceeding with 24 Park Avenue as its proposed location for a cannabis retail microbusiness, it could not proceed on a Resolution of Local Support for that same property to a different applicant.

On September 27, 2022, the Taskforce issued a letter to Kemistry to request confirmation that it would not be proceeding with 24 Park Avenue as a proposed location for Kemistry’s cannabis retail microbusiness. On October 3, 2022, Kemistry confirmed that it was not proceeding with 24 Park Avenue as its proposed location, but that it was in the process of obtaining a new proposed location for its cannabis retail microbusiness.

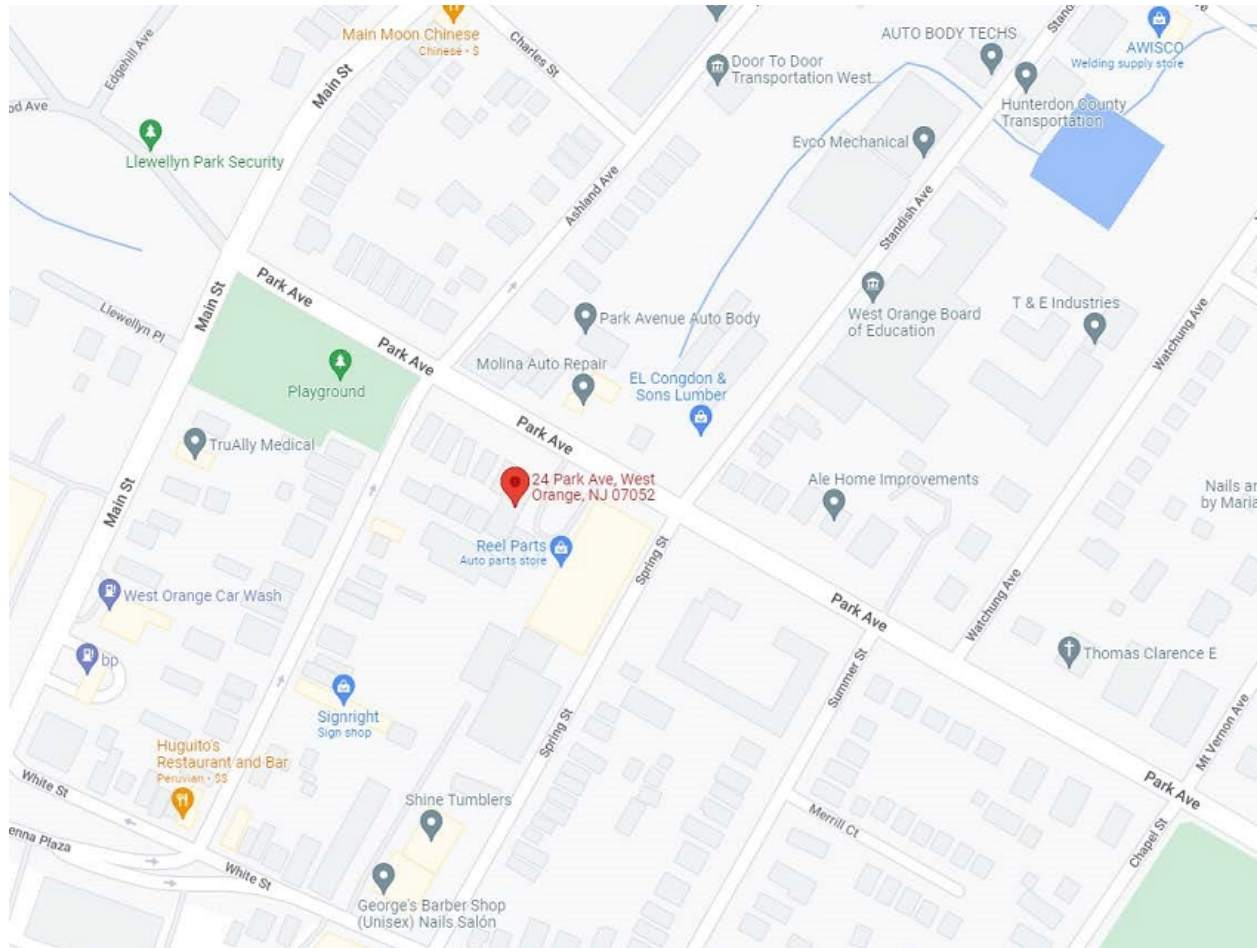
On the evening of October 10, 2022, the Taskforce met to review Library’s Application, including a meeting with representatives from Library via Zoom video conference. Corey Dishmen and Charles Penn appeared before the Taskforce on behalf of Library to discuss the Application for a Resolution of Local Support.

In addition, the Committee utilized a legal advisor to assist in evaluating Library’s application and preparation of this Evaluation Report: Mark Y. Moon, Esq. from the office of the Township Attorney, Richard D. Trenk, Esq.

Evaluation

	<u>NAME</u>	<u>PROPOSED LOCATION</u>
	The Library of New Jersey, Inc.	24 Park Avenue

In its application, Library proposes the operation of a Cannabis Retail Microbusiness at 24 Park Avenue. The location is within an I Zone which includes Cannabis Retail as a conditional use within the zone.



As the proposed location of Library's proposed Cannabis Retail Microbusiness had previously been evaluated when the Taskforce recommended issuance of a Resolution of Local Support to Kemistry, the Taskforce reiterated its determination that the location and building facility at the location were suited for the operation of a Cannabis Retail Microbusiness.

As noted in the Evaluation Report for Kemistry, the proposed location has a two-story office building with a parking lot also located on the property. The building also has an attached garage located at the back of the parking area.



During its presentation to the Taskforce Mr. Dishman described his ties to the Township community advising that he was a resident of the Township with children who attended West Orange schools. He emphasized his deep fondness and connection to the West Orange community and his dedication to contribute to the community.

Library reiterated that it was a certified minority owned business enterprise and confirmed that it had obtained a certification from the State of New Jersey.

Both Mr. Dishman and Mr. Penn discussed their background, experience, and expertise in the cannabis industry demonstrating both their knowledge regarding the finance and retail components that are critical to the successful operation of a cannabis retail business.

Library discussed some of the initial media attention it received when it represented in 2021 that it wanted to be “the state’s first Black-owned recreational cannabis retail shop.” See <https://patch.com/new-jersey/westorange/west-orange-man-wants-bring-marijuana-shop-his-hometown>

In response to questions from the Taskforce, Library addressed its relationship with AYR Wellness, a national vertically integrated cannabis company. Library explained that AYR Wellness was an investor in the enterprise, but would not have any ownership or operational control of the proposed Cannabis Retail Microbusiness. Instead, Library explained that AYR support and partial funding of the proposed Cannabis Retail Microbusiness was simply a bridge

investment to assist in the initial formation of the operations in support of minority owned business.

Library also addressed questions and concerns regarding the environmental innovations it intended to implement in its operations to minimize the amount of waste generated in operations and the security measures it intended to implement at the proposed location.

Mr. Dishman emphasized Library's commitment to education and training as a means of fostering opportunities for Township residents to both counteract the misinformation about the cannabis industry and to provide professional training and opportunities for those interested in potential career opportunities in the industry.

Library also addressed specific concerns regarding the types of products that it intended on selling at its retail microbusiness advising that vape products would constitute a minimal percentage of inventory at its proposed Cannabis Retail Microbusiness.

Therefore, based on these reasons, the Taskforce recommends the issuance of a Resolution of Local Support for Library.

Conclusion/Recommendation

Based on the Taskforce's review and evaluation of Library's application and for the reasons set forth in this Evaluation Report, the Taskforce recommends to the Township Council that it adopt a Resolution of Local Support for the Suitability of a Cannabis Business consistent with N.J.A.C. 17:30-5.1(g) to the Library.