



State of New Jersey
CANNABIS REGULATORY COMMISSION

PHILLIP D. MURPHY
Governor

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DIANNA HOUEYOU, *Chair*
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MARIA DEL CID-KOSSO, *Commissioner*
CHARLES BARKER, *Commissioner*
JEFF BROWN, *Executive Director*

SHEILA Y. OLIVER
Lt. Governor

RESOLUTION 2023-82
CONSIDERATION OF APPLICATIONS TO CONVERT FROM CONDITIONAL TO ANNUAL CLASS 5 CANNABIS RETAILER LICENSE

WHEREAS, the New Jersey Cannabis Regulatory Commission (“the Commission”), established pursuant to P.L. 2019, c.153, known and cited as the “Jake Honig Compassionate Use Medical Cannabis Act,” is charged with implementing the provisions of that Act as well as P.L.2021, c.16, known and cited as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act”; and

WHEREAS, on August 19, 2021, the Commission adopted rules pursuant to N.J.S.A. 24:6I-35(a)(1) that established the licensure process for cannabis businesses and testing laboratories; and

WHEREAS, N.J.A.C. 17:30-6 through 7 outline the application process and requirements for both conditional license applicants and annual license applicants, including eligibility requirements and limitations for social equity businesses, diversely owned businesses, and impact zone businesses; and

WHEREAS, the Commission issued a Notice of Application Acceptance (“Notice”) on November 9, 2021, outlining the specific criteria for the types of applications the Commission would accept, and the dates on which the Commission would begin accepting those applications; and

WHEREAS, the Notice also outlined the specific priority by which applications would be reviewed by the Commission; and

WHEREAS, pursuant to the Notice, the Commission began accepting applications for Class 1 Cannabis Cultivator, Class 2 Cannabis Manufacturer, and Testing Laboratories licenses on December 15, 2021; and

WHEREAS, pursuant to the Notice, the Commission began accepting applications for Class 5 Cannabis Retailer licenses on March 15, 2022; and

WHEREAS, pursuant to N.J.A.C. 17:30-6.1(d), the Commission shall review and score cannabis business license applications based on the priority designation of applications as set forth in the regulation and the Notice; and

WHEREAS, pursuant to N.J.A.C. 17:30-6.1(d), the Commission shall approve and issue licenses to applicants that receive a full score or greater; and

WHEREAS, to review applications thoroughly and efficiently, the Commission developed an application review process that included the following chronological steps for each application received:

1. Priority assignment;
2. Priority verification;
3. Review assignment;
4. Completeness review;
5. Scoring;
6. Qualification, Limitations, Financial/Management Agreement review;
7. Quality Control;
8. Recommendation to the Board of Commissioners; and

WHEREAS, for applications deemed incomplete in any respect, the application was sent back to the applicant with direction on how to appropriately cure any deficiencies in the application; and

WHEREAS, upon resubmission of a cured application, the application was placed in line for review in accordance with its priority designation and the time at which it was resubmitted; and

WHEREAS, N.J.A.C. 17:30-7.8 sets forth the requirements for a conditional licensee to convert to an annual license; and

WHEREAS, pursuant to N.J.A.C. 17:30-7.8, the mandatory application requirements for all conditional conversion license applicants include:

1. Submission of any updates to Persons of Interest or Entities of Interest, and any other changes to mandatory information previously submitted as part of the conditional license application;
2. A site plan of the proposed location, including a floor plan and a description of the suitability of the location, which may include renderings, architectural plans, or engineering plans;
3. Evidence of compliance with local codes and ordinances for the proposed location, which may include, but not be limited to: (a) the distance from the closest church, synagogue, temple, or other place used exclusively for religious worship; or (b) the distance to the closest school, playground, park, or child daycare facility;
4. Zoning approval, which shall consist of a letter or affidavit from appropriate municipal officials that the location will conform to municipal zoning requirements allowing for activities related to the operations of the proposed cannabis cultivator,

cannabis manufacturer, or cannabis retailer, as will be conducted at the proposed cannabis business premises, and any variances granted concerning the operation of a cannabis business;

5. Proof of local support for the license applicant, which shall be demonstrated by a resolution adopted by the municipality's governing body, or, where the municipality has no governing body, a written letter of support from the municipality's executive;
6. Documentation demonstrating that the license applicant will have final site control of the premises upon approval of the application;
7. An attestation signed by a bona fide labor organization stating that the license applicant has entered into a labor peace agreement with such bona fide labor organization, except that a conditional license holder operating as a microbusiness is exempt from this requirement; and
8. For a Social Equity Business, Diversely Owned Business, or Impact Zone Business, evidence the license applicant is still in compliance with the requirements of the designations; and

WHEREAS, conditional conversion license applicants must submit all required application materials as outlined on pages 18 through 21 in the Commission's Notice, receive full points for all scored application measures, and satisfy all criminal history background check requirements under N.J.A.C. 17:30-7.12; and

WHEREAS, for conditional conversion applications deemed incomplete in any respect, the application was sent back to the applicant with direction on how to appropriately cure any deficiencies in the application; and

WHEREAS, upon resubmission of a cured application, the application was placed in line for review in accordance with its priority designation and the time at which it was resubmitted; and

WHEREAS, the below list of conditional licensees have submitted applications to convert their conditional Class 5 Cannabis Retailer licenses to annual licenses, have cured their application as necessary, have passed review by Commission staff, and are recommended by Commission staff for approval;

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Cannabis Regulatory Commission pursuant to N.J.S.A. 24:6I-35(a)(1) and N.J.A.C. 17:30-6 through 7 the following conditional licensee has satisfied the requirements set forth in regulation, and the Commission has determined to approve the licensee's conditional cannabis business conversion application to convert to an annual license:

No.	Applicant ID	Applicant Business Name	License Type	Business Category
1	2330	Phasal LLC	Retailer	Standard

Submitted by



Dianna Houenou, Chair

CERTIFICATION

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Cannabis Regulatory Commission at its meeting held on the 2nd day of March 2023.



Christopher Riggs, Chief Counsel

Vote on the Approval of This Resolution	Motion	Second	Yes	No	Abstain	Absent
Commissioner Barker				X		
Commissioner Del Cid-Kosso		X	X			
Commissioner Delgado	X		X			
Chairwoman Houenou			X			
Commissioner Nash					X	