



MEMORANDUM

TO: Cannabis Regulatory Commission Board
FROM: Jeff Brown, Executive Director
SUBJECT: Change of Location Request Acreage CCF NJ
DATE: [APRIL 13, 2023](#)

BACKGROUND: Acreage CCF NJ has requested approval from the Cannabis Regulatory Commission (herein referenced as “Commission” and “CRC”) to amend their permit and change their originally approved location in Atlantic City for its medical only dispensary, “The Botanist.” They provided a variety of reasons for requesting the change, including uncertainty on municipal approval. Below is a synopsis of the request and Staff’s recommendation for disposition of the matter.

AUTHORITY: As a medical only dispensary, this awardee is subject to the medicinal cannabis regulations set forth in N.J.A.C. 17:30A. In order to establish a consistent process for awardees to request changes to their applications, the awardee has been informed that it must follow N.J.A.C. 17:30A-7.8 which is the designated subchapter for “Amendments to Alternative Treatment Center permits”.

- (a) An ATC shall submit to the Commission an application for an amended permit, together with fees, if applicable, pursuant to N.J.A.C. 17:30A-7.10, prior to any:
1. Change of the alternative treatment center's location;
 2. Change of the alternative treatment center's ownership;
 3. Change of the alternative treatment center's name;
 4. Change in the alternative treatment center's capacity; or
 5. Modification of or addition to the alternative treatment center's physical plant.
- (b) The Alternative Treatment Center shall submit the application to the permitting authority no later than 30 business days prior to the change.

Additionally, ATCs have been provided this additional guidance for submitting their request for amendments, specifically for (a)(1) “change of Alternative Treatment Center’s location”:

Alternative Treatment Centers must comply with the regulatory process for amending an ATC permit set forth at N.J.A.C. 17:30A-7.8 and must submit the requisite fees set forth at N.J.A.C. 17:30A-7.10. In lieu of a formal application for an amended permit, the CRC



will accept a written request outlining the reasons for the location change, submitted on the ATC’s letterhead. In addition, the CRC requires either a letter of support from the municipality in which the ATC will be sited, or a Resolution if formal action has been taken by the governing body, as well as a lease/purchase agreement or letter of intent establishing site control at the new location.

The fee to apply for a change of location for an ATC is \$10,000.00.

REQUESTS:

ACREAGE CCF NJ (“THE BOTANIST”)

Current Location in Application: Atlantic City

Proposed New Location: Pennsauken

Operations Proposed: Retailing

Reason for Request: A letter was submitted on November 15, 2022, from Senior Director of Compliance, Security, & Regulatory Affairs for Acreage Holdings, Lynsi Sheckler, outlining the request. Ms. Sheckler outlined that the City of Atlantic City has not allowed adult use sales to commence within the city, though they are in development of opening adult use sales in the future. However, the Botanist’s current location is not within the limits that the City has currently defined as an area where adult use sales may operate. This has created significant uncertainty for the Botanist. Ms. Sheckler cites Pennsauken’s population of 35,703 residents, as well as Camden county’s population of 523,711 residents as reason for the move, as the high populations will allow the Botanist to serve a significantly higher number and variety of patients and consumers that currently do not have access to cannabis within the township of Pennsauken.



SUBMISSION	Letter w/ Rationale:	Yes
	Municipal Approval:	Yes (Letter of Support signed by Mayor Jessica Rafeh, of the Township of Pennsauken, dated September 30, 2022, approving a proposed Class 5 Retailer, expanded ATC license within the municipality, and included Pennsauken's Cannabis Zoning Ordinance and Approval Area Map)
	Site Control:	Yes (Lease Agreement to operate at 6950 River Road on the corner of River Road and Sherman Avenue in Pennsauken, New Jersey)
	Fee:	Paid

RECOMMENDED CONDITIONS ON APPROVAL: Acreage CCF has satisfied the regulatory requirements for a location change and is recommended for approval. However, because the Botanist AC is an operating medical dispensary as condition of approval, Acreage CCF should be required to submit a patient transition plan to the CRC to outline how existing patients at this location will be assisted in transitioning to other dispensaries.



APPENDIX

N.J.A.C. 17:30A-7.8 - Amendments to alternative treatment center permit

(a) An ATC shall submit to the Commission an application for an amended permit, together with fees, if applicable, pursuant to N.J.A.C. 17:30A-7.10, prior to any:

1. Change of the alternative treatment center's location;
2. Change of the alternative treatment center's ownership;
3. Change of the alternative treatment center's name;
4. Change in the alternative treatment center's capacity; or
5. Modification of or addition to the alternative treatment center's physical plant.

(b) The alternative treatment center shall submit the application to the permitting authority no later than 30 business days prior to the change.

N.J.A.C. 17:30A-7.10 – Fees

(a) The following fees apply:

1. The annual fee for the review of a permit renewal application for an alternative treatment center is \$ 20,000.
2. The fee to apply for a change of location of the alternative treatment center is \$ 10,000.
3. The fee to apply for a change of capacity or any physical modification or addition to the facility is \$ 2,000; and
4. The fee to apply for the transfer of ownership of a permit is \$20,000.

(b) Fees shall be paid by certified check, money order, or any other form of payment approved by the Commission, and made payable to the "Treasurer, State of New Jersey."