

CITY COUNCIL OF EAST ORANGE

CITY CLERK'S OFFICE  
EAST ORANGE, N.J.  
RESOLUTION  
No. 1 147

Resolution offered by Council Member HOLMAN

RESOLUTION AMENDING RESOLUTION I-136  
RESOLUTION PROVIDING LOCAL SUPPORT FOR STOCK BOX LLC TO OPERATE AS  
A CLASS 1 & 2 MICROBUSINESS CULTIVATOR & MANUFACTURER IN THE CITY

WHEREAS, pursuant to the provisions of P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act," the City of East Orange adopted Ordinance No. 45-2021 (as amended) to regulate and tax cannabis businesses within the City; and

WHEREAS, pursuant to N.J.A.C. 17:30-7.8, and N.J.A.C. 17:30-7.10 applicants for cannabis business licenses need to submit proof of local support from the City in the form of a resolution from the City Council as part of either their conversion-to-annual or annual license application(s) to the State Cannabis Regulatory Commission ("CRC"); and

WHEREAS, pursuant to a Notice of Local Support Application Acceptance dated October 17, 2022, the City's Board of Cannabis Control ("BCC") reviewed Stock Box LLC's ("Applicant") local support application to operate as a Class 1 & 2 Microbusiness Cultivator and Manufacturer in the City, and endorsed Applicant to the City Council for a resolution of local support pursuant to the BCC's Resolution attached hereto; and

WHEREAS, Ordinance No. 45-2021 (as amended) authorizes up to two (2) each of Class 1 Microbusiness Cultivator and Class 2 Microbusiness Manufacturer permits to be issued to Applicants; and

WHEREAS, the City Council has determined that the issuance of the permits to Applicant by the CRC would not exceed any licensing limits; and

NOW, THEREFORE, BE IT RESOLVED, the East Orange City Council hereby authorizes the issuance of this resolution of local support to Applicant for the purpose described herein; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, pursuant to Ordinance No. 26-2022 the foregoing resolution of support shall expire 180 days from the date of issuance, unless extended by the City Council in its sole discretion.

Council Member	AYE	NAY	N.V.	A.B.
GOMEZ	✓			
CLAYBROOKS	✓			
BRENT	✓			
GARRETT-WARD	✓			
LENEUS	✓			

X - Indicates Vote      A.B. - Absent  
Action on Veto - ✓ To Sustain

Council Member	AYE	NAY	N.V.	A.B.
HOLMAN	✓			
PULLINS, JR.	✓			
LEWIS				✓
JAMES				✓
AWE	✓			

N.V - Not Voting (Abstained or Excused)  
✓✓ To Over-Ride

VOTES REQUIRED

Approved as to:  
Factual Contents

Department Head

Comptroller

Form and Legality

Counsel

Tabled

Presented to Mayor

Approved

Vetoed

Removed from Table

Adopted

Christopher Awe, City Council Chairman

City Clerk

Mayor

Entered on Council Minutes, Page

Ted R. Green

HEREBY CERTIFY THAT FOREGOING TO BE A TRUE COPY  
RESOLUTION NO. 147  
COUNCIL OF EAST ORANGE AT ITS MEETING HELD  
2023

CITY CLERK, EAST ORANGE, NJ

CITY COUNCIL OF EAST ORANGE

CITY CLERK'S OFFICE  
EAST ORANGE, N.J.  
RESOLUTION  
No. 1 136

Resolution offered by Council Member HOLMAN

RESOLUTION PROVIDING LOCAL SUPPORT FOR STOCK BOX LLC TO OPERATE AS  
A CLASS 1 & 2 MICROBUSINESS CULTIVATOR & MANUFACTURER IN THE CITY

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WHEREAS, pursuant to N.J.A.C. 17:30-7.8, and N.J.A.C. 17:30-7.10 applicants for cannabis business licenses need to submit proof of local support from the City in the form of a resolution from the City Council as part of either their conversion-to-annual or annual license application(s) to the State Cannabis Regulatory Commission (“CRC”); and

WHEREAS, pursuant to a Notice of Local Support Application Acceptance dated October 17, 2022, the City’s Board of Cannabis Control (“BCC”) reviewed Stock Box LLC’s (“Applicant”) local support application to operate as a Class 1 & 2 Microbusiness Cultivator and Manufacturer in the City, and endorsed Applicant to the City Council for a resolution of local support pursuant to the BCC’s Resolution attached hereto; and

WHEREAS, Ordinance No. 45-2021 (as amended) authorizes up to two (2) each of Class 1 Microbusiness Cultivator and Class 2 Microbusiness Manufacturer permits to be issued to Applicants; and

WHEREAS, the City Council has determined that the issuance of the permits to Applicant by the CRC would not exceed any licensing limits; and

NOW, THEREFORE, BE IT RESOLVED, the East Orange City Council hereby authorizes the issuance of this resolution of local support to Applicant for the purpose described herein.

I HEREBY CERTIFY THAT FOREGOING TO BE A TRUE COPY  
OF RESOLUTION NO. 136 ADOPTED BY THE CITY  
COUNCIL OF EAST ORANGE AT ITS MEETING HELD  
April 10, 2023  
Christopher Awe  
CITY CLERK, EAST ORANGE, NJ

Council Member	AYE	NAY	N.V.	A.B.
GOMEZ	✓			
CLAYBROOKS	✓			
BRENT				✓
GARRETT-WARD	✓			
LENEUS	✓			

Council Member	AYE	NAY	N.V.	A.B.
HOLMAN		✓		
PULLINS, JR.		✓		
LEWIS	✓			
JAMES		✓		
AWE	✓			

X - Indicates Vote      A.B. – Absent      N.V - Not Voting (Abstained or Excused)  
Action on Veto - ✓ To Sustain      ✓✓ To Over-Ride

VOTES REQUIRED \_\_\_\_\_

Approved as to: Christopher Awe Department Head      Appropriation Christopher Awe Comptroller

Form and Legality \_\_\_\_\_  
Counsel

Tabled \_\_\_\_\_

Presented to Mayor April 10, 2023

Approved Christopher Awe

Vetoed \_\_\_\_\_

\_\_\_\_\_  
Mayor  
Ted R. Green

Removed from Table \_\_\_\_\_

Adopted April 10, 2023

Christopher Awe  
Christopher Awe, City Council Chairman

Christopher Awe City Clerk

Entered on Council Minutes, Page \_\_\_\_\_



**RESOLUTION**

**City of East Orange  
Board of Cannabis Control**

**In the Matter of Stock Box LLC**

**Approving an Endorsement to the City Council for a Resolution of Local Support to Operate a  
Class 1 Cultivator & Class 2 Manufacturer Cannabis Microbusiness**

**545 North Arlington Avenue  
Block # 320, Lot # 10**

**BCC 22-016  
Decided on January 12, 2023**

**WHEREAS**, pursuant to its Notice of Local Support Application Acceptance dated October 17, 2022 (the “*Notice*”), the Board of Cannabis Control (the “*BCC*”) of the City of East Orange (the “*City*”) opened an application acceptance period between October 21, 2022 and November 18, 2022 for applicants seeking Resolutions of Support from the City Council to operate Class 1 Cultivator, Class 2 Manufacturer and Class 5 Retailer Cannabis Establishments in the City; and

**WHEREAS**, Stock Box LLC (hereinafter the “*Applicant*”) filed a complete Local Support Application with the BCC proposing to operate Class 1 Cannabis Cultivator and Class 2 Cannabis Manufacturer Microbusinesses at premises located at 545 North Arlington Avenue, and located within an area governed by the IND – Industrial District (the “*Premises*”) on or before the submission deadline (the “*LSA*”); and

**WHEREAS**, pursuant to the BCC’s Notice of Local Support Application Acceptance dated October 17, 2022, the LSA was reviewed and scored by the BCC and having received a total final score of 93.6, Applicant was scheduled for a hearing before the BCC on January 12, 2023; and

**WHEREAS**, due notice of the special public meeting held on Thursday, January 12, 2023 for the purpose of hearing the LSA, among others, was provided in accordance with the Open Public Meetings Act (“*OPMA*”); and

**WHEREAS**, Applicant having appeared before the Board at public hearing held on January 12, 2023 (the “**Hearing**”) and provided witness testimony from (a) co-owners Danira Tejada and Afiba Lewis, (b) consultant, Michael Weigman, and (c) Lashonna Hopkins, senior transportation inspector from Newark, who testified with respect to all aspects of the LSA including, without limitation: Applicant’s (v) owners backgrounds and prior business experience, (x) proposed security measures for cultivation and manufacturing facilities, and (y) plans for financing operations and roll-out of business plan, and (z) community impact focus on cannabis legislation and reducing hunger; and

**WHEREAS**, Applicant having presented its plans and responded to inquiries from the BCC Commissioners to their satisfaction, and no members from the public having spoken in support of or against Applicant and the LSA during the public comment period; and

**WHEREAS**, upon the affirmative vote of the BCC members, Applicant was approved for an endorsement to the City Council to operate Class 1 Cannabis Cultivator and Class 2 Cannabis Manufacturer Microbusinesses at the Premises on January 12, 2023 (the “**Endorsement Date**”).

**NOW, THEREFORE**, the BCC makes the following findings of fact based upon the evidence presented at the aforesaid Hearing, at which a record was made.

#### **FINDINGS OF FACT**

1. All the Recitals set forth above are incorporated herein by reference. Further, the LSA with all drawings, exhibits and supporting documents, Applicant’s own testimony and that of any sworn witnesses, are hereby incorporated by reference.

2. Applicant is an MWBE Certified business co-owned by East Orange residents, Danira Tejada (51%) and Afiba Lewis (49%).

3. Applicant entered into a 10-year lease for the Premises (totaling approximately 6,000 square feet) which is located in the IND zoning district.

4. Pursuant to the City's Cannabis Ordinance, all Retailer (with or without consumption areas) and Delivery Service Cannabis Business operations shall be permitted uses in IND, IND-1, CBD, CAC, ACD, and C2 zones.

5. Further, Applicant's Zoning Determination Letter provides the IND District permits Cannabis Retail operations "upon compliance with applicable loading, parking requirements, and all applicable local and state requirements.

6. Applicant proposes to operate Class 1 Cultivator & Class 2 Manufacturer Microbusinesses at the Premises upon State and local licensure.

7. Applicant further proposes interior alterations, and/or façade and signage changes consistent with architectural renderings submitted with the LSA, which must be approved by the City's Department of Policy, Planning and Development (the "**Planning Board**").

8. Pursuant to the LSA and/or testimony offered at the Hearing, the Premises are not located within 100 feet of a daycare, elementary school, or high school, as measured from the main entrance of each establishment (the "**School Buffer**").

9. As of the Endorsement Date, the BCC has not issued any permits to operate Class 5 Retailer Cannabis Businesses (whether a Microbusiness or Standard Business), in the City. Consequently, the Premises are not currently determined to be situated within 625 of another Cannabis Business, as measured from the main entrance of each establishment (the "**Cannabis Business Buffer**").

**NOW, THEREFORE**, the BCC makes the following conclusions of law based upon the foregoing Findings of Fact.

## CONCLUSIONS OF LAW

The New Jersey Cannabis Regulatory Enforcement Assistance and Marketplace Modernization Act, N.J.S.A. 24:61-31, et al. (2021) (the “*Act*”), grants municipalities the authority to adopt ordinances governing: the classes, types and number of Cannabis Businesses permitted to operate within their boundaries; zoning and land use requirements for the premises of permitted Cannabis Businesses; the location, manner and times of operation for permitted Cannabis Businesses, the establishment and collection of local transfer and user taxes; and civil penalties for local violations of the Act.

Pursuant to the Act, the City passed a cannabis ordinance, most recently amended on or about September 12, 2023 (No. 26 of 2022), which established the BCC to Act as the local permitting and regulating authority for recreational cultivation, manufacturing, wholesale, distribution, retail, delivery, possession, consumption, use and local taxation of Cannabis and Cannabis Items in the City in accordance with the Act (the “*Cannabis Ordinance*”).

The Cannabis Ordinance authorizes the BCC to, among others, establish criteria and a formal process for applicants to apply for a Resolution of Support for their Conditional License Conversion or Annual License applications and to hear applications for Resolutions of Support, determine whether applicants meet the applicable criteria, and issue recommendations for endorsement to the Council for applicants that meet the applicable criteria or denials to applicants that do not.

The BCC evaluated the measures contained in the Cannabis Ordinance and the Notice including, without limitation, Applicant’s business experience, the suitability of the Premises for its intended use, the location of the Premises with respect to any School or Cannabis Establishment Buffers, any vehicle information provided, Applicant’s business, security, workforce development, community impact plan and nuisance mitigation plans, its social responsibility statement and Bonus Point eligibility for East Orange residency and site control. Having weighed the measures and finding that Applicant has met the standards required by the Cannabis Ordinance and the Notice for a Resolution of Support, a motion to approve

Applicant for an Endorsement to the City Council for a Resolution of Local Support to Operate Class 1 Cannabis Cultivator and Class 2 Cannabis Manufacturer Microbusinesses was made.

**NOW, THEREFORE, BE IT RESOLVED**, by the BCC that the LSA of Stock Box LLC (Case No. 11-016) seeking approval for an Endorsement to the City Council for a Resolution of Local Support to Operate Class 1 Cannabis Cultivator and Class 2 Cannabis Manufacturer Microbusinesses at the Premises, is approved with the following conditions:

1. All testimony given by the Applicant and any witnesses in accordance with this Application shall be binding;
2. Prior to the issuance of any Cannabis Business Permit, the Applicant shall seek and receive any site plan approvals required for the intended use of the Premises by the Planning Board and an Annual License from the CRC; and
3. Applicant shall adhere to any conditions of approval set forth on the record by the BCC, the City Council and/or the Planning Board.

**BE IT FURTHER RESOLVED** by the BCC that a copy of this Resolution shall be forwarded to the City Clerk and made available to Applicant upon request.

Adopted this 2<sup>nd</sup> day of March 2023 by a majority of the members of the Board present at such a meeting who voted for the action to be taken on the 12<sup>th</sup> day of January 2023.

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**ENDORSEMENT**  
**City of East Orange**  
**Board of Cannabis Control**  
**In the Matter of Stock Box LLC**  
**BCC 22-016**  
**Decided on January 12, 2023**  
**Memorialized on March 2, 2023**  
**Resolution of Local Support**

DATE OF HEARING:

January 12, 2023

VOTE:

5-0

VOTING IN FAVOR:


Chairwoman Aziza McGill-Ayinde  
Vice Chairwoman Theresa Pollard  
Commissioner Thomas Bullock  
Commissioner Phillip Reed  
Commissioner Kevin T. Mickens


VOTING AGAINST:

None

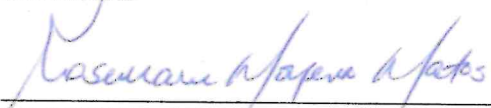
ABSTAINING:

None

  
AZIZA MCGILL-AYINDE, CHAIRWOMAN  
EAST ORANGE BOARD OF CANNABIS  
CONTROL

  
DONYALE HARRIS, SECRETARY  
EAST ORANGE BOARD OF CANNABIS  
CONTROL

APPROVED AS TO LEGAL FORM:

  
ROSEMARIE MOYENO MATOS, ESQ.  
EAST ORANGE BOARD OF CANNABIS  
CONTROL

DATE OF MEMORIALIZATION:

March 2, 2023