

**TOWNSHIP OF FLORENCE**

**RESOLUTION NO. 2024-182**

**RESOLUTION AUTHORIZING MUNICIPAL SUPPORT FOR  
TOASTED NEW JERSEY LLC TO RECEIVE A CLASS 5 CANNABIS  
RETAILER LICENSE FROM THE NEW JERSEY CANNABIS REGULATORY  
COMMISSION TO OPERATE WITHIN THE TOWNSHIP OF FLORENCE**

**WHEREAS**, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c.16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

**WHEREAS**, the Act establishes six (6) marketplace classes of licensed cannabis businesses, specifically including Class 5 cannabis retailer licenses; and

**WHEREAS**, Section 31a of the Act authorizes municipalities to adopt by ordinance the number of Class 5 cannabis retailer licenses that will be available in a municipality; and

**WHEREAS**, on August 7, 2024 the Florence Township Council adopted Ordinance 2024-10 (the “Ordinance”), which established that the number of cannabis retail licenses in the Township shall not exceed one (1); and

**WHEREAS**, Ordinance 2024-10 established that licensed operations shall be permitted in specific zoning districts and portions of the Township, as conditional uses; and

**WHEREAS**, the New Jersey Cannabis Regulatory Commission issued guidance to the State’s municipalities on December 10, 2021, in which it stated the following:

Municipalities that limit the number of cannabis businesses allowed to operate within the municipal borders should not issue letters or resolutions of support in excess of the number

of cannabis businesses allowed to operate within the border unless such letters or resolutions of support specify that license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local license limit is reached.

**WHEREAS**, Toasted New Jersey LLC has requested the Township's support to locate a Class 5 cannabis retailer business in the Township; and

**WHEREAS**, Toasted New Jersey LLC submitted an application including a detailed financial analysis and concept plan for the Township's review; and

**WHEREAS**, representatives of Toasted New Jersey LLC met with Township Staff including Administration, Codes, Police, and Zoning to present the proposal to establish a cannabis retailer business in the Township; and

**WHEREAS**, the Township Staff have determined that the cannabis retailer license being sought may operate subject to Planning Board approval within the Township at the proposed location; and

**WHEREAS**, the proposed location for Toasted New Jersey LLC is 2009 Route 130, Burlington (Florence Township) NJ, and is reflected on the Official Tax Map of the Township of Florence as Block 159.01, Lot 1.02, in the "HC" Highway Commercial Zoning District and in the 2013 Area in Need of Redevelopment Area and such location is permitted as a conditional use for said Class 5 cannabis retailer business; and

**WHEREAS**, the Township Council recognizes that the location proposed by Toasted New Jersey LLC complies with local codes and ordinances, as they relate to proximity to various uses and zones in the Township of Florence; and

**WHEREAS**, pursuant to Ordinance 2024-10, the number of cannabis retail licenses in the Township shall not exceed one (1); and

**WHEREAS**, as of the date of this Resolution, no other cannabis retail businesses exist in the Township of Florence, no other cannabis retailer has been approved for licensure to be located in the Township of Florence; and

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Florence, in the County of Burlington, in State of New Jersey as follows:

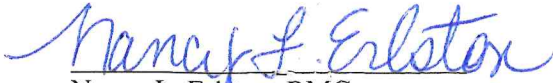
1. The above recitals are hereby incorporated as if restated herein in full.
2. The Township Council of Florence Township find and determine that Toasted New Jersey LLC has presented Florence Township with sufficient evidence that it is ready, willing and able to operate a successful and safe cannabis business within Florence Township.
3. Florence Township has set a limit of one (1) Class 5 cannabis retail businesses under the Ordinance. The issuance of a Class 5 cannabis retailer license to Toasted New Jersey LLC by the Cannabis Regulatory Commission would not exceed that limit.
4. Florence Township has imposed a limit on the number of cannabis licenses, and asserts that, pursuant to the State's guidance, the license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local business limit is reached (subject to all necessary planning board approvals and local license approvals).
5. The Township Council of Florence Township formally express their support for Toasted New Jersey LLC with respect to its application to the New Jersey Cannabis Regulatory Commission for a Class 5 cannabis retailer license.
6. Nothing in this Resolution shall preclude the Township Council from issuing additional resolutions or letters of municipal support to other applicants, to the extent that may be permissible under the regulations promulgated by the Cannabis Regulatory Commission, nor shall it limit the Township Council's authority with respect to any request for input from the Cannabis Regulatory Commission as to their preferred licensee.
7. Nothing in this Resolution is intended to affirm that Toasted New Jersey LLC will ultimately be granted a license from Florence Township to operate a cannabis business within Florence Township, as evidence of compliance with Florence Township's laws, zoning law, and regulations will be required to be demonstrated by the applicant at the appropriate time.
8. A certified copy of this resolution shall be provided to the appropriate representatives of Toasted New Jersey LLC.
9. This Resolution shall take effect immediately.

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**I, NANCY L. ERLSTON**, Clerk of the Township of Florence, County of Burlington, State of New Jersey, do hereby certify that the foregoing Resolution is a true copy of the Resolution approved by Township Council at their September 11, 2024 meeting.

  
Nancy L. Erlston, RMC  
Township Clerk

*Note: This resolution supports an application for a Class 5 cannabis retailer license.*