

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 Pure Natural Vibes LLC (“PNV”) 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”). PNV 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”).

PNV submitted its initial application for a Resolution of Local Support (the “Application”) on April 14, 2022 with a proposed location at 130 Main Street. Due to the proposed location’s proximity to another location which already included a proposed Cannabis Retail Microbusiness, as well as other concerns related to the proposed location, the Taskforce was not prepared to recommend the adoption of a Resolution of Local Support at that time. However, in light of the Taskforce’s view the ownership and management represented strong candidates, the Taskforce opted to allow for PNV to amend its application with a new proposed location.

On November 7, 2022, PNV submitted an updated amended Application with a new proposed location for its proposed Cannabis Retail Microbusiness at 470 Prospect Avenue, Suite 100. PNV included in its updated amended Application a Letter of Intent for Business Transaction dated October 25, 2022, executed by the managing member of 470 Prospect Avenue LLC, the title owner of the property at 470 Prospect Avenue.

On the morning of December 17, 2022, the Taskforce conducted a meeting via Zoom video teleconference wherein the Taskforce discussed the Amended Application for a Resolution of Local Support. By a vote of 5-1 the Taskforce approved its support and recommendation for the adoption of a Resolution of Local Support for PNV’s Amended Application.

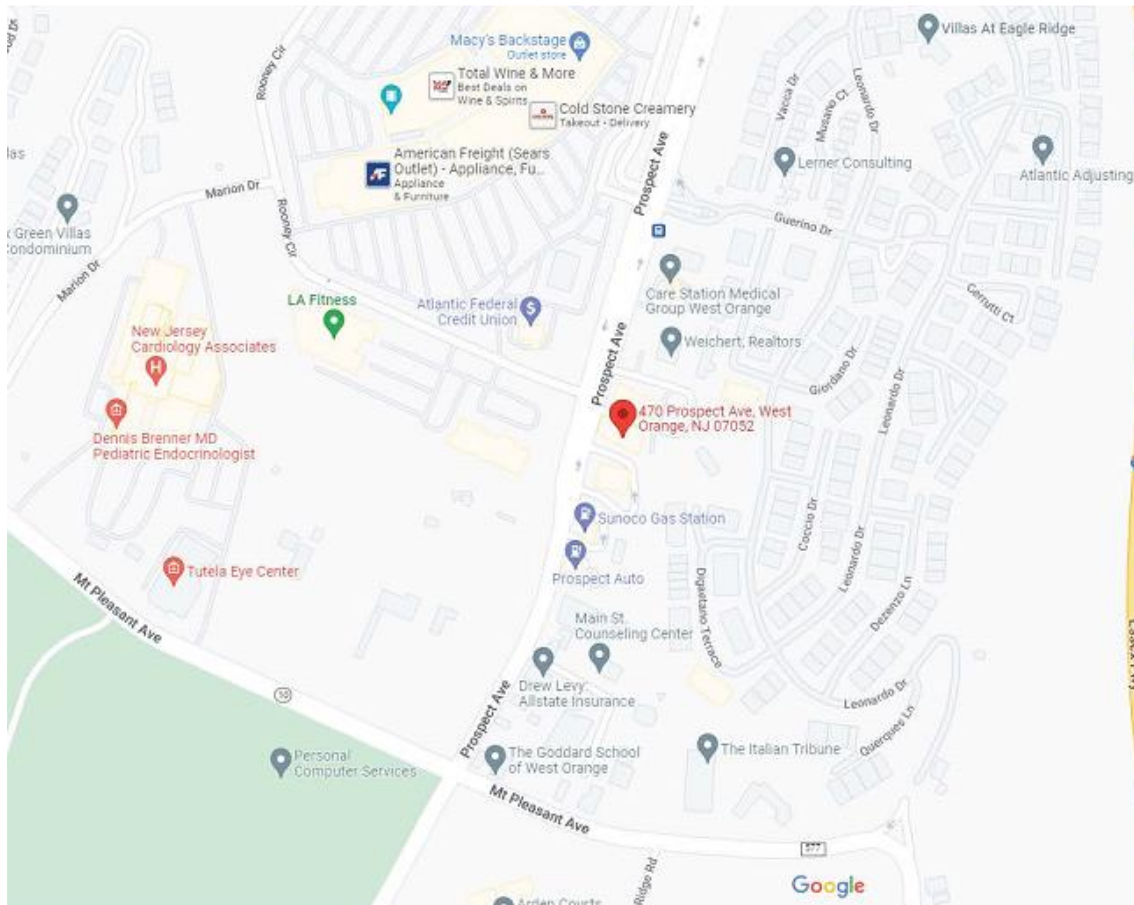
In addition, the Committee utilized a legal advisor to assist in evaluating PNV’s application and preparation of this Evaluation Report: Mark Y. Moon, Esq. from the office of the Township Attorney, Richard D. Trenk, Esq.

Evaluation

<u>NAME</u>	<u>PROPOSED LOCATION</u>
Pure Natural Vibes LLC	470 Prospect Avenue, Suite 100

PNV is a New Jersey Limited Liability formed by way of an operating agreement dated November 11, 2019. PNV has two members, including Darnelle Gibbs, Sr. and Nordia Gibbs who are residents of Orange, New Jersey. PNV has been approved as a certified under the Small Business Set-Aside Act and have received certification as Minority and Women owned businesses from the State of New Jersey. PNV is also certified by the State of New Jersey as a Veteran-Owned Business based on Mr. Gibbs' service as an Army veteran as well as Mr. Gibbs' current service in the United States Air Force.

In its Amended Application, PNV proposes the operation of a Cannabis Retail Microbusiness at 470 Prospect Avenue, Suite 100. The location is within a B-2 Zone which includes Cannabis Retail as a conditional use within the zone.





The building at the proposed location is a commercial building with multiple commercial tenants, including a number of doctors offices, a hair salon and a dental implant center. The Taskforce determined that this proposed location was suited for a proposed Cannabis Retail Microbusiness. The property includes a parking area behind the building which appear to provide sufficient parking, subject to a final determination by the West Orange Zoning/Planning Board as to compliance with the parking requirements.

A member of the Taskforce raised concerns regarding the fact that PNV would be operating in a multi-tenant building with other commercial, including retail, businesses. This member expressed concerns particularly with whether an odor mitigation system would be necessary to ensure that there would be no interference with the other operations in the building. In response to this concern, another member of the Taskforce noted that PNV's proposed retail operations would primarily involve prepackaged products with minimal odor issues. Furthermore, another member of the taskforce noted that any issues or complaints between the tenants would be an issue for the property owner and landlord to address, if any such issues arise.

A member of the taskforce inquired as to the traffic patterns for vehicles entering and exiting the driveway onto the proposed location, but Police Chief Abbott noted that there was not a history of motor vehicle accidents at the location that could be attributed to vehicles entering or exiting the property.



Overall, however, the Taskforce concluded that this proposed location was even superior to the previous proposed location in PNV's initial application. With proximity to the exit off of Route 280, PNV's proposed location will be accessible to customer traveling into the Township. Furthermore, with the planned redevelopment forthcoming at the Executive Drive properties, PNV's proposed location will benefit from the new proposed residences at that redevelopment.

In addition, the Taskforce felt that as to entrance to the building is located behind the building rather than directly on Prospect Avenue, customers may feel more comfortable entering the building directly from the back parking area rather directly from the front of the building.

The Taskforce was particularly impressed with Mr. Gibbs' experience, both his military experience and his professional experience in law enforcement. These experiences provide him and PNV with knowledge as to the operation of security measures which will be required to operate as a Cannabis Retail Microbusiness. In addition, Mr. Gibbs has previously expressed his commitment to the use of off duty law enforcement to buttress any security as needed.

PNV has included in its application a commitment to bolster the West Orange Community, committing to the following:

- We shall donate \$10,000 to the township on a yearly basis to help off-set the cost of extracurricular programs for township residents in need.
- Pure Natural Vibes LLC plans to implement a Food Drive Discount Program in our facility where customers can donate approved items for a discount on products.
- Pure Natural Vibes LLC shall continue to support other local businesses in the township by building partnership with other business owners for services that our operation will need.
- Pure Natural Vibes LLC intends to continuously provide education on Cannabis to community members, (especially when new products are released on the market), so they can make an informed decision about their purchase.

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

Conclusion/Recommendation

Based on the Taskforce's review and evaluation of PNV'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 PNV.