

**TOWNSHIP OF EVESHAM
RESOLUTION NO. 217-2023**

**RESOLUTION TO AMEND PRIOR RESOLUTION NO. 102-2022
TO SUPPORT THE APPLICATION OF SATIVA WELLNESS, LLC
TO OPEN A CANNABIS RETAILER AT 601 ROUTE 70 WEST
IN THE TOWNSHIP OF EVESHAM**

WHEREAS, SATIVA WELLNESS, LLC ("Applicant") has notified the Mayor and the Evesham Township Council of its application to the New Jersey Cannabis Regulatory Commission ("CRC") for a Class 5 Cannabis Retailer License to operate a cannabis retail premises in the Township; and

WHEREAS, on March 9, 2022 the Township adopted resolution 102-2022 in support of the Applicants application to the state at the premises of Suite 104A Centre Boulevard; and

WHEREAS, the Applicant has now requested that resolution 102-2022 be amended to support an application for a Class 5 Cannabis Retailer License to be located 601 ROUTE 70 WEST (the "Property"); and

WHEREAS, a licensed cannabis retail business is permitted as a Conditional Use in the Evesham Crossroads Overlay District of the Township of Evesham if it satisfies the requirements set forth in the Township of Evesham Municipal Code; and

WHEREAS, the premises proposed at the Property location are within the Evesham Crossroads Overlay District of the Township of Evesham and can conditionally satisfy the bulk, lot size, yard size, lot area, and distance requirements set forth in the Township of Evesham Municipal Code, subject to approval of a conditional use application by the Evesham Township Planning Board; and

WHEREAS, N.J.A.C. 17:30-5.1(g)(1) requires a Municipality with a governing body to demonstrate local support for the suitability of a cannabis business' proposed location to the CRC by adopting a resolution evidencing the suitability of the proposed location by indicating that the intended location is

appropriately located or otherwise suitable for activities related to the operations of the proposed cannabis business; and

WHEREAS, Section 3 of Chapter 66 of the Evesham Township Code requires that subject to the authority of the CRC to approve and issue cannabis licenses authorized by law, any applicant desiring to conduct business as a cannabis establishment within the Township shall be required to separately obtain the approval of the Evesham Township Council for a local license pursuant to the Township's local authority under N.J.S.A. 24:6I-45(c)(2); and

WHEREAS, Section 3(D) of Chapter 66 of the Evesham Township Code provides that the total number of Class 5 Cannabis Retailer licenses within the Township shall be subject to a limit of no more than five licenses.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Evesham, County of Burlington, State of New Jersey, that the proposed premises for Applicant's cannabis business located at 601 ROUTE 70 WEST are appropriately located within the Township's Evesham Crossroads Overlay District and suitable for the operation of a licensed cannabis retailer business as a conditional use, subject to Evesham Township Planning Board approval, and all activities related to the legal operation of a cannabis retailer business pursuant to New Jersey law, and it is

FURTHER RESOLVED that the Township Council supports the application of Sativa Wellness, LLC to the New Jersey Cannabis Regulatory Commission for a Class 5 Retailer License to open and operate at 601 ROUTE 70 WEST in the Township of Evesham, and it is

FURTHER RESOLVED that upon receipt of Sativa Wellness, LLC's application from the CRC, the Evesham Township Manager is hereby authorized to review said application for compliance with all state and local licensing requirements, and thereafter recommend further action to the Township Council as may be necessary on the issuance of a local cannabis retailer license to Sativa Wellness,

LLC to operate at 601 ROUTE 70 WEST pursuant to Evesham Township Code Section 66-3, conditioned upon the State of New Jersey CRC awarding a retailer license to the Applicant. Upon satisfaction of all local requirements, the Township Manager may recommend the Township Council's approval of said local license by motion, and it is

FURTHER RESOLVED, as of the date of adoption of this Resolution the Township has imposed a limit permitting no more than five (5) Class 5 Cannabis Retailer licenses within the Township, and the issuance of a license to the Applicant by the Commission would not exceed that limit.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Township Council of the Township of Evesham, County of Burlington, State of New Jersey at a meeting held at the Municipal Complex, 984 Tuckerton Road, Marlton, New Jersey 08053 on June 28, 2023.


Mary Lou Bergh, Township Clerk

ROLL CALL VOTE						
COUNCIL MEMBER	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
COOPER	✓		✓			
ESPINOZA			✓			
FREEMAN		✓	✓			
HANSEN			✓			
MAYOR VEASY			✓			