



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldtwpnj.com>

Meeting: 11/22/21 07:00 PM

2021 RESOLUTION APPROVAL

721-244

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BLOOMFIELD, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY, REFERRING TO THE TOWNSHIP PLANNING BOARD, PURSUANT TO N.J.S.A. 40:55D-26, A PROPOSED AMENDMENT TO CHAPTER 315 OF THE TOWNSHIP CODE, PERMITTING THE OPERATION OF CERTAIN CLASSES OF CANNABIS BUSINESSES IN THE BLOOMFIELD CENTER REDEVELOPMENT PLAN - PHASE I

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, on August 16, 2021, the Township Council of the Township of Bloomfield adopted an Ordinance allowing and regulating one or more classes of cannabis business within Bloomfield, finding it to be in the best interest of the health, safety and welfare of Township of Bloomfield’s residents and members of the public who visit, travel, or conduct business in Township of Bloomfield, and amending the Township of Bloomfield’s zoning regulations to permit those cannabis-related activities, including land use and development, within certain geographic boundaries within Bloomfield; and

WHEREAS, the Township Council determined that the selling of cannabis and cannabis items to consumers from a retail store by a cannabis retailer shall be a conditional use in all B2, CBD and CC zones, with Planning Board approval required, subject to meeting the conditions set forth in any applicable zoning ordinance or receiving a variance from one or more of those conditions in accordance with the “Municipal Land Use Law,” P.L.1975, c.291 (C.40:55D-1 et seq.); As dictated by the Township’s enabling Ordinance, a total of no more than six Cannabis Retailers are permitted throughout the Township, with two permitted in the Northern Sector of the Township (including the portion of the B-2 Zone north of the Bay Avenue centerline); two permitted in the Central Sector (including the portion of the B-2 Zone south of the Bay Avenue centerline); and two permitted in the Southern Sector, irrespective of which of the two zones they

may be located in. At least three of the six Cannabis Retailers permitted in the Township shall be a microbusiness. No variance shall be granted permitting any greater number of Cannabis Retailers or microbusinesses either throughout the Township or in any individual Sector; and

WHEREAS, the Mayor and Council recognize that further permitting cannabis retail within the Commercial Corridor of the Bloomfield Center Redevelopment Plan - Phase I (the “BCRP Phase I Commercial Corridor”) would be added stimulus to the economic vitality of the area as well as increased opportunity for new businesses, microbusinesses and property owners in the area; and

WHEREAS, retail stores are currently a permitted use within the BCRP-Phase I Commercial Corridor; and

WHEREAS, the Municipal Land Use Law (“MLUL”) requires in N.J.S.A. 40:55D-26 that all ordinances constituting a development regulation must be referred to the Planning Board for review to determine whether there are any inconsistencies between the proposed ordinance and the Township Master Plan and for any other recommendations the Planning Board may have with respect to the proposed ordinance; and

WHEREAS, concurrently with this resolution, the Mayor and Council have introduced on first reading an Ordinance for the purpose of permitting the operation of certain classes of cannabis businesses within the BCRP-Phase I Commercial Corridor, subject to certain regulations; and

WHEREAS, by this resolution, the Mayor and Council hereby refer to the Planning Board the aforementioned Ordinance for its review pursuant to N.J.S.A. 40:55D-26.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Bloomfield, Essex County, New Jersey, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

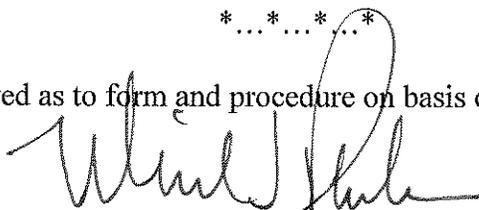
Section 2. The Mayor and Council of the Township of Bloomfield hereby direct the Township of Bloomfield Planning Board to review, pursuant to N.J.S.A. 40:55D-26, the proposed Ordinance permitting the operation of certain classes of cannabis businesses within the BCRP-Phase I Commercial Corridor.

Section 3. The Township Clerk is hereby directed to forward a copy of proposed the Ordinance to the Planning Board for its review.

Section 4. This Resolution shall take effect immediately.

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Approved as to form and procedure on basis of facts set forth.



Director of Law-Township Attorney

I do hereby certify that the funding will be legally appropriated per the above information for the purpose specified in the attached contract. Furthermore, it has been represented to me that the contracts have been processed in accordance with the applicable provisions of New Jersey Local Public Contract Law and the Code of the Township of Bloomfield.



Acting Finance Director

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on November 22, 2021.



Municipal Clerk of the Township of Bloomfield



Mayor of the Township of Bloomfield

✓ Vote Record – Resolution						
			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopt			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Deny			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Table			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Not Discussed			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> First Reading			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Table with no Vote			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Approve			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Veto by Mayor			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discussion			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discussion No Vote			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>