



**Township Council**  
1 Municipal Plaza  
Bloomfield, NJ 07003

**Louise M. Palagano**  
*Municipal Clerk*

<http://www.bloomfieldtwpnj.com>

Meeting: 07/18/22 06:30 PM

**2022 RESOLUTION APPROVAL**

**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, LAND DEVELOPMENT, SECTION 39B, "REQUIREMENTS FOR CONDITIONAL USES" OF THE TOWNSHIP CODE**

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221

**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 Mayor and Council have introduced on first reading an Ordinance amending Chapter 315, Land Development, Section 39b, "Requirements For Conditional Uses" of the Code of the Township of Bloomfield for the purpose of requiring all Alternative Treatment Centers ("ATC") and cannabis retailers applying for site plan approval to first obtain a resolution of support from the governing body before their application will deemed complete, similar to requirements for cannabis business license applicants as set forth in N.J.A.C. 17:30-

7.1, N.J.A.C. 17:30-7.8, and N.J.A.C. 17:30-7.10; and

**WHEREAS**, the Mayor and Council have further included amendments requiring that all ATC's and cannabis retailers applying for site plan approval shall have obtained, at minimum, conditional license approval from the New Jersey Cannabis Regulatory Commission ("CRC"), and obtained an approved security plan from the Bloomfield Police Department before the Planning Board will have jurisdiction to consider their application; 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**, 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 amending Chapter 315, Land Development, Section 39b, "Requirements For Conditional Uses" of the Code of the Township of Bloomfield for the purpose of requiring all Alternative Treatment Centers ("ATC") and cannabis retailers applying for site plan approval to first obtain a resolution of support from the governing body, conditional or annual license approval from the New Jersey Cannabis Regulatory Commission, and an approved security plan

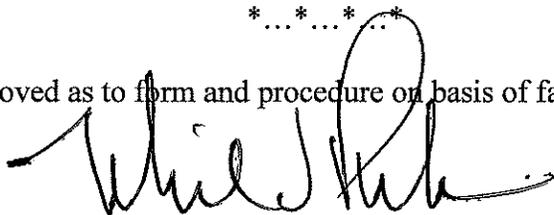
from the Bloomfield Police Department before their application will deemed complete.

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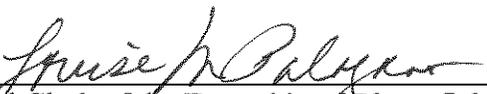
Approved as to form and procedure on basis of facts set forth.

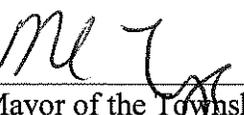
  
 \_\_\_\_\_  
 Director of Law-Township Attorney

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.

  
 \_\_\_\_\_  
 Temporary Chief Financial Officer

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 July 18, 2022.

  
 \_\_\_\_\_  
 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	Jenny Mundell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Deny	Nicholas Joanow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Withdrawn	Sarah Cruz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table	Wartyna Davis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Not Discussed	Ted Gamble	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> First Reading	Richard Rockwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Table with no Vote	Michael J. Venezia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Approve						
<input type="checkbox"/> Veto by Mayor						
<input type="checkbox"/> Discussion						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Discussion No Vote						