

**LAFAYETTE TOWNSHIP  
SUSSEX COUNTY, NEW JERSEY**

**RESOLUTION 2024-23**

**A RESOLUTION OF THE LAFAYETTE TOWNSHIP COMMITTEE IN SUPPORT OF  
THE LOCATION AND OPERATION OF A CLASS 1 CULTIVATION AND CLASS 2  
MANUFACTURING CANNABIS FACILITY BY APPLICANT**

**WHEREAS**, both the medical and adult use of cannabis is authorized in the State of New Jersey (“State”) under the Jake Honig Compassionate Use Medical Cannabis Act, N.J.S.A. 24:6I-1, et seq. (“Jake Honig Law”), as well as for adult use sales pursuant to the passage of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (“CREAMMA”) (the Jake Honig Law and CREAMMA collectively referred to as the “New Jersey Cannabis Laws”).

**WHEREAS**, the State of New Jersey recognizes both the beneficial uses of medical cannabis as well as the intent of the people of New Jersey to adopt a new approach to cannabis policies by controlling and legalizing adult-use cannabis in a similar fashion to the regulation of alcohol for adults.

**WHEREAS**, the State of New Jersey recognizes the need for additional cannabis licenses, under the regulation of the New Jersey Cannabis Regulatory Commission (“CRC”).

**WHEREAS**, the Township of Lafayette (“Lafayette”) recognizes that the ultimate decision to approve any new cannabis licensees is guided by the standards identified within the New Jersey Cannabis Laws and vested to the discretion of the CRC.

**WHEREAS**, the New Jersey Cannabis Laws nevertheless recognize the necessity of ensuring that any potential licensees have the support of the local community, as evidenced by a resolution adopted by said municipality’s governing body indicating that the intended location is appropriately located or otherwise suitable for the activities related to the cultivation and manufacturing of cannabis, cannabis products, and related supplies as will be conducted at the proposed facility.

**WHEREAS**, Lafayette supports cannabis businesses that seek to operate within its borders, subject to restrictions imposed by Federal, State of New Jersey, County of Sussex, and the ordinances of Lafayette.

**WHEREAS**, Lafayette has adopted the following ordinances, to wit: Ordinances 2021-12; 2021-17; 2023-05; and 2023-16, the Ordinances allowing for the operation of Class 1 Cultivator and Class 2 Manufacturer licenses within the Township of Lafayette.

**WHEREAS**, Lafayette recognizes a benefit to the Township of Lafayette associated with permitting a cannabis cultivation and manufacturing facility to be located within its borders, primarily the anticipated dedicated tax revenues associated with hosting a cannabis business.

**NOW, THEREFORE BE IT RESOLVED**, by the Lafayette Township Committee, Sussex County, State of New Jersey, Township of Lafayette, as follows:

1. The Lafayette Township Committee believes that the Township will benefit from the location of a cannabis cultivation and manufacturing facility in the Township subject to compliance with all applicable federal, state, county, and Township of Lafayette ordinances.
2. Representatives of Higher Breed NJ, LLC (“Applicant”) have provided Lafayette with written material addressing its organization, its plans to acquire and develop property in Lafayette for cannabis cultivation and manufacture and its intent to make an oral presentation to the Lafayette Township Committee at a public hearing. The Township Committee reserves judgment as to the presentation.
3. The Applicant has provided Lafayette with a Letter of Intent and pro forma contract to purchase property within Lafayette known as Block 3107, Lot 1.01 and Block 5, Lot 7.02 as depicted on the Township Tax Map with a mailing address of 156 Hampton House Road, Newton, Township of Lafayette, NJ 07860 (the “Property”). The purchase of the Property is contingent on

the Applicant obtaining final non-appealable site plan approvals from the Lafayette Township Land Use Board and all other required federal, state, county, and township approvals for cannabis cultivation and manufacture.

4. In general, Lafayette subject to Land Use Board approval, acknowledges the suitability of the Property for the cultivation and manufacturing of cannabis.

5. In the event that the CRC issues the Applicant a license to operate as a Class 1 Cultivation and Class 2 Manufacturing facility, this Resolution should be viewed by the State as support of the application, and an indication that the intended location is suitable for the activities related to the cultivation and manufacturing of cannabis products.

6. The Applicant recognizes that the issuance of this Resolution nevertheless obligates it to comply with all federal, state, county, and Township of Lafayette ordinances. The issuance of this Resolution permits the Applicant to submit its application for licensure to the CRC, while simultaneously pursuing all approvals required to become operational.

7. Lafayette hereby confirms that the ultimate issuance of a license to the Applicant by the CRC would not exceed any limit on cultivators and manufacturers identified by the Ordinance.

8. This resolution shall take effect immediately.

#### **CERTIFICATION**

Certified as a true copy of a Resolution adopted by the Lafayette Township Committee, Sussex County, New Jersey at a meeting held on May 7, 2024.

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AnnaRose Fedish, RMC  
Municipal Clerk