



State of New Jersey
CANNABIS REGULATORY COMMISSION

PHILLIP D. MURPHY
Governor

P.O. BOX 216
TRENTON, N.J. 08625-0216

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Lt. Governor

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January 17, 2023

EARTH & IVY LLC
Anthony Lotti
alotti@earthandivy.co
16 Leiden Road
Freehold, New Jersey 07728

*Re: **FINAL AGENCY DECISION***
APPROVAL OF ANNUAL LICENSE APPLICATION

Dear Anthony Lotti:

Congratulations! The New Jersey Cannabis Regulatory Commission ("NJ-CRC") has received and reviewed your application for a Class 5 Cannabis Retailer to operate an adult personal-use cannabis business in the state of New Jersey. Upon the completion of the NJ-CRC's review, your application for an annual license has been approved.

Pursuant to N.J.A.C. 17:30-7.9(g), the NJ-CRC shall approve a license applicant for an annual license that: (1) has submitted a complete annual license application in accordance with N.J.A.C. 17:30-7.10; (2) has scored sufficiently high to be issued an annual license in accordance with the criteria included in the notice of application acceptance pursuant to N.J.A.C. 17:30-6.1 and 7.10; (3) has been deemed qualified to hold an annual license pursuant to N.J.A.C. 17:30-7.11; and (4) has submitted its annual license application submission fee pursuant to N.J.A.C. 17:30-7.17. The above-referenced entity has satisfied all criteria.

Following this written notice of approval, the license applicant must notify the NJ-CRC within seven (7) business days whether it will accept the license, or if it will abandon the license, pursuant to N.J.A.C. 17:30-7.14(b). The decision to accept or abandon of the license can be supplied by a letter from the applicant's listed primary contact, submitted electronically to crc.licensing@crc.nj.gov. Pursuant to N.J.A.C. 17:30-7.14(c), an applicant's failure to notify the NJ-CRC of its decision to accept or abandon the license by the specified deadline shall result in the license being deemed abandoned.

As an annual license awardee, you are subject to the New Jersey Cannabis Regulatory, Enforcement

Assistance, and Marketplace Modernization (“CREAMM”) Act as well as all regulations implementing the CREAMM Act, set forth at N.J.A.C. 17:30. Pursuant to N.J.A.C. 17:30-7.14(h), the license applicant shall request in writing that the NJ-CRC conduct a final onsite assessment after the license applicant has completed construction and preparation of its cannabis business premises. Thereafter, pursuant to N.J.A.C. 17:30-7.14(i), the NJ-CRC shall conduct a final onsite assessment of the cannabis business and shall determine whether the cannabis business premises, operations, plans, procedures, protocols, and actions are consistent with the annual license application and compliant with the CREAMM Act, the governing regulations, and any additional requirements provided by the NJ-CRC. Pursuant to N.J.A.C. 17:30-7.14(f), a license applicant shall have 365 days from the date of this written notice of approval to request a final onsite assessment. Pursuant to N.J.A.C. 17:30-7.14(j), the NJ-CRC shall issue the annual license and provide the annual license to the license applicant no later than 30 days after the onsite assessment, unless the NJ-CRC finds the applicant is not in compliance with the governing regulations or the NJ-CRC is notified by the relevant municipality that the applicant is not in compliance with its ordinances or regulations in effect at the time of the application. Pursuant to N.J.A.C. 17:30-7.14(l), the license holder shall notify the NJ-CRC in writing of a proposed opening date for the cannabis business within fourteen (14) days of being issued an annual license.

Additionally, please be advised that pursuant to N.J.A.C. 17:30-7.14(g), the license applicant has a **continuing duty to seek approval for or report changes** in the information submitted as part of the annual license application, pursuant to N.J.A.C. 17:30-9.2. Examples of material changes that must be reported to the NJ-CRC for approval include: (1) any changes in ownership, (2) changes of management services contractors and the terms of any management services agreements, (3) changes of financial sources and the terms of a financial source agreements, (4) changes of location, (5) modifications of capacity, physical plant or premises; or (6) changes of the cannabis business’s name. Please be advised that there will be an ongoing and continuing review of financial source and management services agreements to ensure the entity is compliant with the governing regulations. Applicants are required to obtain a separate NJ-CRC approval for any management services agreements, financial source agreements, or vendor-contractor agreements.

Again, congratulations on your successful application and thank you for your interest in working with the NJ-CRC to establish a safe and equitable cannabis industry for the state of New Jersey. Should you have any questions regarding this correspondence, please submit your inquiry to the NJ-CRC Licensing inbox at crc.licensing@crc.nj.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dianna', with a stylized flourish extending to the right.

Dianna Houenou
Chairperson
New Jersey Cannabis Regulatory Commission