

TOWNSHIP OF EVESHAM

Planning Board

Minutes

7:00 P.M.

October 6, 2022

Municipal Building

Call to Order

Meeting brought to order by Chairperson Friedman at 7:00 P.M.

Flag Salute

Statement of Conformance with Open Public Meetings Act

Chairperson Friedman made the statement that this meeting is being conducted in accordance with the New Jersey Open Public Meetings Act and all other applicable laws of the State of New Jersey. Notice of the conduct of this meeting has been posted in the Evesham Township Municipal Building and published in a newspaper of general circulation within the time required by law. All proceedings will be in accordance with the Open Public Meetings Act, the Municipal Land Use Law, and any other applicable laws of the State of New Jersey.

Roll Call

Present: Councilman Freeman, Higginbotham, Killion-Smith, Everhart, Sullivan, Touri, Kavalkovich, Smith, Costello, Friedman

Absent: Mayor Veasy

Staff: Cucchiaro, Arcari, Snee, Taylor, Newton, Kinney

Continuation of Scheduled Matters

1. 781 Route 70 West

P22-07

Block 3, Lot 2.02 (C-1/EVCO Zone)

Enlighten Health & Wellness, LLC

Timothy Prime, Attorney for Applicant

Chirag Thakkar, ARNA Engineering – sworn

Leah Furey Bruder, LFB Land Planning - sworn

David Horner, Horner & Canter Assoc. – sworn

Mark Steinmetz, Enlighten Health & Wellness – sworn

Jim Sherrard, J. Sherrard Enterprises – sworn

Exhibit A-1 – Use and Operations Statement

Exhibit A-2 – Noise and Order Mitigation

Exhibit A-3 – Daily Operations Description

Exhibit A-4 – Prime & Tuvel response to Evesham Environmental Commission Review

Exhibit A-5 – Prime & Tuvel response to CME Associates Review

Exhibit A-6 – Prime & Tuvel response to ERI Engineering & Traffic Review

Exhibit A-7 – Prime & Tuvel response to TDG Planning Review

Exhibit A-8 – Site Plan – revised date 9-20-2022

Exhibit A-9 – Signage information

Applicant is requesting a Preliminary and Final Site Plan with Conditional Use approval.

Cannabis Retail Establishment, a variance for an 8' fence in rear of property for security

Property has full cross-easements for access, parking and drainage with the adjacent Pep Boys property

Chirag Thakkar, Engineer, ARNA

Referred to site plan

6,024 sq. ft. site

72 parking spaces

No change to right in and out accesses off of Route 70

No change to foot print

Public water and sewer – will be reduced

Some reconfiguration to parking

Reduction of impervious coverage

Applicant agrees to add note to plan stating that improvements to the existing on-site basin and structures will be completed should the basin not appear to be functioning as designed

David Horner, Traffic Engineer, HCA

No additional traffic generation is expected at site

Letter of No Interest will be provided to the Township after it is issued by NJDOT

This use has been studied – ITT – 43 vehicles projected and sees no issued

Hours of operation – 9 a.m. – 10 p.m. – will comply with Ordinance

Jim Sherrard – J Sherrard Enterprises – Security expert in Cannabis Security

Secure operation

Security cameras on site

Any transfer of cannabis must be under surveillance

Surveillance system is monitored

Doors will use swipe cards

Anyone coming into the building must be identified

Alarm system will be installed

Has met with Police Chief Walter Miller about security system

All employees will be trained

Security Company must be licensed by New Jersey State Police

Leah Furey Bruder – Planner – LFD Land Planning

Ms. Furey Bruder gave detailed testimony confirming compliance of the conditional use standards under 161-1C.(22)

Applicant proposes an 8' fence in rear of property to assist with secure deliveries and will promote visual buffer

Existing trash enclosure is masonry with new gates to be installed – share with Pep Boys – applicant will work with Pep Boys to improve the area

All cannabis waste is storied in building

New sign will comply with ordinance 74 sq. ft. channel letters

Proposing LED promenade semicircle lights

Mr. Prime – the daily operation of the facility is the result of experience from the operation of 12 facilities associated with members of the Enlighten other states. This facility will be professionally run

7:50 p.m. - Chairperson Friedman announce a break

7:55 p.m. – Chairperson Friedman resumed meeting

Scott Taylor – Taylor Design Group – letter dated 10-1-2022

Applicant's response letter dated 10-6-2022 – applicant agrees to comply

Applicant agrees to house side shields on perimeter light fixtures and will work with Mr. Taylor

8' fence proposed is far back from property line and promotes State policy

Stacey Arcari – ERI – letter dated 10-4-2022

Has met previously with applicant and appropriate changes have been made

Applicant will comply with all conditions

Applicant will provide a Letter of No Interest from the NJDOT

Concerned about weekend trips to property

Mr. Horner – property shares access with Pep Boys and has always been a 7-day a week use

Mr. Cucchiaro – asked the number of parking spaces on site

Mr. Horner – 64

Eric Snee – CME – letter dated 9-30-2022

Applicant agrees to address all comments and recommendations

Grease trap will be lawfully decommissioned and information will be submitted to Mr. Snee

Applicant is prepared an Asbestos and Universal Wastes Survey will be submitted to Mr. Snee

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Environmental Commission memos dated 9-12-2022 & 10-3-2022
Applicant agrees to comments and recommendations
Applicant will use more native plantings

Chairperson Friedman referred to the Fire Department memo dated 9-29-2022
Has no issues

Board Comment

Councilman Freeman asked the applicant if the word 'dispensaries' be removed from the signage – applicant agreed

Councilman Freeman questioned the material for the 8' fence.

Ms. Furey-Bruder – chain link fence with fabric covering and will work with Mr. Taylor

Mr. Taylor -this is for better screening

Councilman Freeman concerned about traffic and lines to enter facility

Mr. Mark Steinmetz – Member Enlighten Health & Wellness – does not anticipate an issue

Mr. Cucchiaro – where are you other facilities

Mr. Steinmetz – Pennsylvania, Maryland

Board Member Sullivan – security for packaging

Mr. Steinmetz – pre-package material

Board Member Killion-Smith – how many people can be in the store at a time

Mr. Prime – feels there will be enough room

Board Member Killion-Smith – how many handicap spaces are there

Mr. Thakkar – 3 spaces

Board Member Killion-Smith – is there a playground at the nearest apartment complex

Mr. Furey-Bruder – regulation is 500 feet from a public playground - if there is a playground it is private

Board Member Killion-Smith concerned about security and how would someone refusing to leave be handled

Mr. Steinmetz – there will be sufficient personnel

Board Member Touri – how would anyone loitering be addressed

Mr. Steinmetz – Cameras outside building – no tolerance

Board Member Kavalkovich – is there cash on site and is there a limit

Mr. Steinmetz – rates of burglary are low – and deposits will be daily and an armor car service will be used

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Board Member Everhart – how will you handle if you run out of product and worried about lines

Mr. Steinmetz – if we anticipate running out of produce will ration, there are limits to buying product – do not anticipate a problem with lines

Mr. Cucchiaro – can you address long lines and will there be appointments

Mr. Steinmetz – orders can be filled by pre-order, pick-up and deliveries

Board Member Kavalkovich – concerned about deliveries

Mr. Steinmetz – deliveries will be made with unmarked cars

Board Member Killion-Smith – how will ID be handled with deliveries

Mr. Steinmetz – there is a pro-to-call system

Board Member Touri – will incoming deliveries be daily

Mr. Steinmetz – there maybe 3 or 4 deliveries made daily by appointment

Chairperson Friedman – what is you opening date

Mr. Steinmetz – approximately within 6 months

Chairperson Friedman – applicant agrees to not use the word ‘dispensaries’ on the signage, correct and will do the same on façade and pole sign

Mr. Steinmetz – will work with Township

Chairperson Friedman – concerned about the area around dumpster, especially the discarded tires

Mr. Prime – will work with Pep Boys

Mr. Snee – Pep Boy needs to remove tires and must be done by regulations

Board Member Kavalkovich – do you do Community Outreach

Mr. Steinmetz – yes, Community Outreach and Education

Mr. Prime – this was presented to Township Council

Public Comment

Ila Vassallo, 3 Beauport Ct., Chairperson Evesham Township Environmental Commission

Thanked applicant for addressing the EC memos

Concerned about the inlet that is not on this site and a stormwater maintenance plan

Mr. Cucchiaro – this is part of the cross-easement and requirements should be met

Mr. Prime – information will be put on plans

Mr. Cucchiaro – applicant is seeking Preliminary & Final Major Site Plan, Conditional Use and Bulk variance

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Motion to approve P22-07 781 Route 70 West-Enlighten Health & Wellness, LLC – Touri
Second – Higginbotham

Ayes: Councilman Freeman, Higginbotham, Killion-Smith, Everhart, Sullivan, Touri, Kavalkovich,
Costello, Friedman

New Business - None

Minutes – 9-22-2022

Motion to approve – Councilman Freeman

Second – Killion-Smith

Ayes: Councilman Freeman, Higginbotham, Killion-Smith, Touri, Kavalkovich, Friedman

Memorialization of Resolution

2022-PB-15 – Route 70 Management, LLC-P22-06 – Mr. Cucchiaro announced that he is still
working on the resolution with the applicant’s attorney

Chairman Friedman announced this resolution will be carried to the next meeting

Public Comment - None

Board Comment – None

Communication/Organization

Board Attorney Cucchiaro announced as an FYI to Board Members to refrain from discussing
Planning Board matters on social media

Scott Taylor – Taylor Design Group gave information on the Open Space Recreation Plan
A public meeting was held on 9/28/2022 and is moving forward. Information will be given to
Board

Next Meeting – 10-20-2022

Meeting Adjourned – 8:55 p.m.