

PLANNING BOARD
REGULAR MEETING
November 22, 2022

MR. O'CONNOR: In accordance with Section V of the Open Public Meetings Act, Chapter 231, Public Law 1975, notice of this meeting was posted on the Township Website and by advertising this Regular Meeting in the Burlington County Times on January 16, 2022 and in the Courier Post on January 25, 2022. In addition, notice was filed with the Municipal Clerk.

This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision, and decorum appropriate to a judicial hearing must be maintained at all times.

Members Present: Mr. Jones, Ms. Lamon, Mr. Minton, Mr. Snyder, Ms. Woodington, Mr. Shallow and Mr. O'Connor.

Also Present: Stephen Raymond, Board Attorney, Mr. Barbadoro, Board Engineer and Mrs. Rucci, Board Secretary.

MR. O'CONNOR: It is the policy of the Board that no application will be opened after 10:00 p.m. It is the policy of the Board that no new testimony will be taken after 10:30 p.m.

MR. O'CONNOR: Case #2210 – Fiver Properties, LLC – Preliminary and Final Site Plan Approval and Bulk Variance Approval – 2300 Wallace Boulevard, Block 804, Lots 7 and 8.

MR. O'CONNOR: Case #2211 – Fiver Properties, LLC - Preliminary and Final Site Plan Approval and Bulk Variance Approval – 2203-2205 Wallace Boulevard, Block 803, Lots 8, 26 and 27.

The Board, the Board Professionals and the Applicant's Professionals discussed Case #2210 first.

MR. BARBADORO: He referred to the review letter dated November 15, 2022. He has no objection to the variances and deems the applications complete.

MR. BURNS: Fiver Properties, LLC is here for two Applications. We are requesting Preliminary and Final Site Plan Approval and Bulk Variance Approval as it relates to a proposed 22,000 square foot building which is the 2300 Wallace Boulevard address, Block 804, Lots 7 and 8. Also, 2203-2205 Wallace Boulevard, Block 803, Lots 8, 26 and 27. The two applications are very similar with the exception of the proposed square footage of the buildings. One building is 22,000 square feet and the other is 50,000 square feet. Two variances are being requested tonight. We believe they are created by the existing site conditions. Both buildings to be utilized as cannabis cultivation facilities which is a permitted use. We are not aware of any existing or proposed deed restrictions. We did review the Engineer's review letter of November 15, 2022 and the supplemental letter dated November 22, 2022. We are prepared to address the letters. We received the Fire Marshal's review letters for both properties. We are prepared to address the Fire Marshal's letters.

MR. RAYMOND: He swears in Heather Kumar, Esquire, Applicant's Cannabis Consultant, Matthew Neuls, Applicant's Engineer, Mark Vizzini, Applicant's Landscape Architect.

A MOTION IS MADE BY MR. MINTON seconded by Ms. Lamon to deem both applications complete including the waivers requested for Case #2210 and Case #2211 for Fiver Properties, LLC. ROLL CALL VOTE: AYE, Mr. Jones, Ms. Lamon, Mr. Minton, Mr. Snyder, Ms. Woodington, Mr. Shallow and Mr. O'Connor, no opposed, motion passes.

MS. KUMAR: She gave an overview of the cannabis related operation. She spoke about cultivation, manufacturing, the number of employees at each site, hours of operation, deliveries, signage and State requirements.

MR. MINTON: The Governing Body would have to review it prior to licensing.

MR. BURNS: That is correct.

MR. NEULS: He presented Exhibit A-1 – Site Plan – 2300 Wallace Boulevard - He described the site plan to the Board. He identified what is at the property now.

Exhibit A-2 – Exhibit 6 – Vehicular Circulation Path Exhibit – He described the Exhibit to the Board.

They reviewed the Planning Board Engineer's review letter.

MR. NEULS: They will work with the Fire Marshal's office.

MR. BURNS: We take no issue as it relates to the Fire Marshal's review letter as it relates to 2300 Wallace Boulevard.

MR. NEULS: No issue.

MR. VIZZINI: They are removing trees along the rear of the property. They are replacing trees along Wallace Boulevard. He gave an overview of the landscaping. He will work with the Planning Board Engineer to supplement landscaping as needed. They are complying with the Ordinance regarding the lighting.

Architectural Plans

Exhibit A-3 – Proposed Design

Exhibit A-4 – Building Elevations

Exhibit A-5 – Floor Plan

MR. NEULS: They have an adequate amount of parking. The parking spaces are 9' x 18'.

MR. BURNS: We believe we have ample parking.

MR. BARBADORO: He referred to the Stormwater Design. He worked with the Applicant's Engineer. They will revise the report and plan. He will work with the Applicant's Engineer.

MR. NEULS: We were able to address all the comments in the letter.

MR. O'CONNOR: Is there anything substantially different for the second building proposed for Block 803, Lots 8, 26 and 27? He was referring to Case #2211 – Fiver Properties, LLC - Preliminary and Final Site Plan Approval and Bulk Variance Approval – 2203-2205 Wallace Boulevard, Block 803, Lots 8, 26 and 27.

MR. BURNS: There is a loading area proposed for this. Two loading docks are required. We are proposing one.

MR. NEULS: One loading dock is adequate. We have adequate parking spaces. The parking spaces are 9' x 18'. They will comply with the Fire Marshal letter.

(Inaudible) We will provide additional landscaping as we are on the other property.

MR. O'CONNOR: He read the Summary of Variances – the variances are applicable to both sites except for the loading dock is only applicable to Block 803, Lots 8, 26 and 27.

Mr. BURNS: That is correct.

MR. BARBADORO: He referred to ADA parking stalls they will be less than 2 percent.

MR. NEULS: Yes.

MR. O'CONNOR: There are two separate requests. The only variance between Site #1 and Site #2 would be the loading dock.

MR. BURNS: The loading dock and the (inaudible)

MR. O'CONNOR: He opened the public portion of the meeting for Case #2210. No one came forward.

MR. O'CONNOR: He closed the public portion of the meeting.

A MOTION IS MADE BY MR. MINTON seconded by Ms. Lamon to approve Preliminary and Final Site Plan approval for Case #2210 – Fiver Properties, LLC –2300 Wallace Boulevard, Block 804, Lots 7 and 8, in conformance with the testimony given, including Mr. Barbadoro's letter of November 15, 2022 as amended prior to this meeting, with all the representations made by the Applicant, specifically waiving the waiver submission requirements that Mr. Barbadoro recommends as well as five variances as noted in his letter, variance on secondary landscaping around the site, the applicant will comply with the Planning Board Engineer to provide supplemental landscaping as may be appropriate to the front of

the building, variance for screening of loading and trash area, variance for parking stall dimensions, variance for the number of parking spaces noting that variance allows to provide additional green space where appropriate. ROLL CALL VOTE: AYE, Mr. Jones, Ms. Lamon, Mr. Minton, Mr. Snyder, Ms. Woodington, Mr. Shallow and Mr. O'Connor, no opposed, motion passes.

MR. O'CONNOR: He opened the public portion of the meeting for Case #2211. No one came forward.

MR. O'CONNOR: He closed the public portion of the meeting.

MR. BARBADORO: He deemed the Application for Case #2211 complete. He had no objection to one loading dock.

A MOTION IS MADE BY MR. MINTON seconded by Ms. Lamon to deem application for Case #2211 complete granting the waivers noted in his letter of November 15, 2022 amended on November 22, 2022. ROLL CALL VOTE: AYE, Mr. Jones, Ms. Lamon, Mr. Minton, Mr. Snyder, Ms. Woodington, Mr. Shallow and Mr. O'Connor, no opposed, motion passes.

MR. RAYMOND: He asked the Applicant's attorney to certify that the Applicant is okay with incorporating all of the testimony from the first application into this application, as well as all of the conditions that were agreed to and the stipulations that were agreed to, as well as cooperating with the Engineer. All of those same representations apply to this application as well.

MR. BURNS: Absolutely.

A MOTION IS MADE BY MR. MINTON seconded by Ms. Lamon to approve Preliminary and Final Site Plan approval for Case #2211 – Fiver Properties, LLC –2203-2205 Wallace Boulevard, Block 803, Lots 8, 26 and 27. As set forth in Mr. Barbadoro's letter of November 15, 2022 updated prior to this meeting, as well as the testimony given here tonight and whether that testimony was directly on this application or the prior application there were similarities between the two. Those representations will carry forward to this application. Granting six variances, two relate to secondary landscaping, the Applicant will work with the Planning Board Engineer to identify areas to provide additional landscaping on the Wallace Boulevard side, granting a variance for screening and loading of trash area, granting variances for parking stall dimensions providing 9' x 18' where 10' x 20' are required, providing a variance for parking space grading, grading plan not to exceed 4.5 percent, granting a variance for a second loading dock where one is sufficient for the operations of the building. It is de minimis as it relates to the overall size of the operation where one is sufficient based on that testimony. ROLL CALL VOTE: AYE, Mr. Jones, Ms. Lamon, Mr. Minton, Mr. Snyder, Ms. Woodington, Mr. Shallow and Mr. O'Connor, no opposed, motion passes.

A MOTION IS MADE BY MR. MINTON seconded by Ms. Lamon to approve the Resolution of the Planning Board of the Township of Cinnaminson granting Amended Preliminary and Final Site Plan Approval with Variances for Case #2004A – Bajwa Enterprises, LLC – 2601 US Route 130, Block 702, Lots 23 and 24. ROLL CALL VOTE: AYE, Mr. Jones, Ms. Kenny, Ms. Lamon, Mr. Maradonna, Mr. Minton, Mr. Snyder, Ms. Woodington, and Mr. O’Connor, no opposed motion passes.

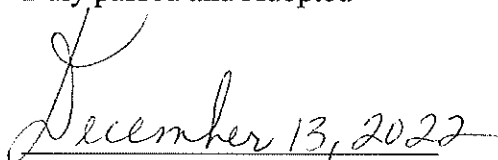
A MOTION IS MADE BY MR. MS. LAMON seconded by Mr. Shallow to approve the Regular Meeting Minutes for July 12, 2022. ROLL CALL VOTE: AYE, Ms. Lamon, Mr. Minton, Mr. Snyder, Ms. Woodington, Mr. Shallow and Mr. O’Connor, Abstain, Mr. Jones and Ms. Woodington, no opposed motion passes.

MR. O’CONNOR: He opened the public portion of the meeting. No one came forward.

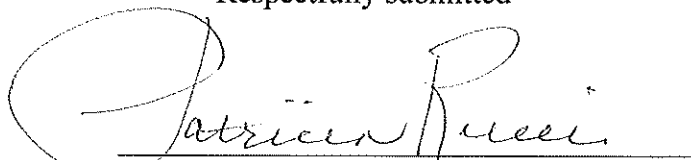
MR. O’CONNOR: He closed the public portion of the meeting.

A MOTION IS MADE BY MS. LAMON, seconded by Ms. Woodington to adjourn the meeting. VOICE VOTE: ALL AYE, no opposed, motion passes. The meeting is adjourned.

Duly passed and Adopted


December 13, 2022

Respectfully submitted


Patricia Rucci