

The Chairman called the meeting to order and stated it was being held in compliance with the "Open Public Meetings Act" and had been duly noticed and published as required by law.

ROLL CALL

Present: Mr. Schwenke, Mr. Rashatwar, Mr. Nicini, Mr. Brocco, Mr. Stein, Mr. Schallenhammer

Absent: Mr. Ravitz, Mr. Kleiman, Mr. DiNatale, Mr. Kleinman

Also present was Mr. Norman, Board Solicitor and Mr. Darji, Board Engineer

MEMORIALIZATION OF RESOLUTIONS

Deborah and Scott Fleming
Minor Subdivision
22 Lippincott Ave
Block 230 Lots 12 & 13
PC 22-013

Motion to memorialize the resolution was made by Mr. Rashatwar, seconded by Mr. Schallenhammer
The motion carries by the following roll call vote:

AYES: Mr. Rashatwar, Mr. Schallenhammer, Mr. Brzozowski, Mr. Brocco,

ABSTAIN: Mr. Schwenke, Mr. Stein

NAYS: None

APPROVAL OF MINUTES

Motion to approve the minutes dated August 10, 2022 was made by Mr. Schallenhammer; seconded by Mr. Rashatwar. Motion carries by the assenting voice vote of all present board members with the exception of Mr. Nicini and Mr. Brzozowski who abstained.

NEW BUSINESS

EASTERN GREEN, INC
CHANGE OF USE/WAIVER OF SITE PLAN
78 RT. 73
BLOCK 303; LOT 7
PC# 22-015
ACION DATE: 9/30/22

Appearing before the Board is Ms. Marlin, attorney, Ms. Sara Irick, engineer, Mr. Mudhar, Manager for Eastern Green, Mr. Nehal Jhaveri, architect.

Ms. Marlin gives a summary of the application. She states the site is a fully developed site with two existing buildings. The buildings were previously used for vehicle repair and service and the other unit was used as a car rental. Ms. Marlin states the proposed use for one of the buildings is continuing to be car repair and the applicant is proposing a cannabis dispensary.

Ms. Marlin states the property is located in the Major Business (MB) Zone with a Cannabis overlay. She states this site received site plan approval in 1988 for the auto service use along with the approved parking. In 2004 or 2005 there was Change of Use/Site Plan Waiver approval for the Hertz Car rental business to lease half of the building.

Ms. Marlin states the applicant is keeping the site as is with the exception of the landscaping/street scape which will be upgraded as per requested by the Township. There will be interior and exterior renovations as well.

Ms. Irick testifies on behalf of the application. Ms. Irick states the site is located between Route 73 and Cooper Road. She states Route 73 is under the jurisdiction of the NJDOT and Cooper Road is a County Road. Ms. Irick informs the Board of the existing variances which are as follows: 50-foot parking lot setback which they meet, lot coverage of 49.3% where 50% is required, minimum frontage which is 200 feet which they exceed, maximum building height is 40 feet which they meet, minimum rear yard is 100

feet, minimum side yard is 50 feet which is a pre-existing non-conforming condition. She states they are keeping the building footprint. She states the site has an existing detention basin which abuts the existing 7-11 property. She testifies there is a septic field and sidewalk at the front of the property which is the reason they were unable to connect with sewer.

Ms. Marlin states the applicant is seeking a variance from the streetscape and impervious coverage but other than that meets all the criteria in that zone and the cannabis ordinance.

Ms. Irick states it meets the required number of parking spaces for the Cannabis Ordinance. She testifies that Building 1 is 4,868 square feet with 1 space per 300 square feet which equals 17 parking spaces. She states the entire building is not going to be used as retail or public space, there will be office space and storage space. Ms. Irick testifies the existing auto repair shop Mr. Goodyear, is 5,388 square feet with 5 employees which requires 16 parking spaces. The total number of required parking spaces is 33 and they have 38 parking spaces which include 2 ADA parking spaces that are van accessible.

Ms. Irick testifies that the Fire Department reviewed the application and has requested that the applicant stripe the fire lane and add a Knox box which they have agreed to.

Ms. Irick states a traffic study was prepared and it was determined based on ITE rates and NJDOT trip generation rates there was no major development on the site per their definition, they have less than 100 car increase during peak hours and less than 500 cars entering Route 73 during the peak.

Mr. Jhaveri testifies on behalf of the application. He presents Exhibit A1 which is an architectural rendering of the building. He states the existing building is about 4,800 square feet consisting of concrete block and metal panels on the exterior and a partial basement on the right side of the building. He points out the 2 glass doors to the right which he states will be removed and closed in to provide safety. He states they are proposing that at the front of the building there is entrance and exit doors which will also be handicap accessible. When you enter the building you have a wide lobby with a few seating areas along with two bathrooms that will also be handicapped accessible and there will be a security office as well in that area for the security guards who will be onsite. The registration desk will be located in the lobby as you enter the building. After you register you will then be able to visit with one of the two counselors who have offices in the lobby as well. When finished you will then head left to the door and when you enter you will head down a small ramp to the main sales area. The sales desk will be wrapped around the "L" shaped counter. He testifies there is an emergency exit behind the sales desk at the rear of the building which will be utilized by the employees as a secure entry to be accessed by fob only. There is a large, secured vault storage area located in the rear as well. He states there is a small storage area located next to the vault for office supplies and a staff lounge and bathroom.

Mr. Jhaveri testifies that they are not required to install a sprinkler system in the building due to the size of the building. He states the building will have a standard ventilation system since it is a retail facility only and the products that are sold in sealed packs only, there will also be no manufacturing or cultivating on site.

Mr. Jhaveri testifies the building is in a state of disrepair and the proposed will be an upgrade. The building will be painted a shade of white and the existing panels will be painted black. There will be a green band painted around the building for branding purposes. The garage doors will be removed and that opening will be closed in and will have a stucco finish to match the rest of the building.

Mr. Jhaveri testifies they are proposing to install a canopy over the front door. He also states they are proposing only two wall signs from the six that are existing. One sign will be on the building above the door and the other on the side of the building. They are also proposing a sign on the existing freestanding pylon sign.

In response to Mr. Norman's question regarding the on-site counselors, Mr. Jhaveri states the counselors are provided for medical reasons only.

Mr. Mudhar testifies on behalf of the application. He states he is the manager for Eastern Green Dispensary. He states Eastern Green will be leasing the property and the initial proposed use is a medical cannabis dispensary AKA Alternate Treatment Center. He explains that they proposed can only sell product to patients not the public customers. The patients will have to have a medical card issued by a doctor in order to purchase the product at this facility.

Mr. Mudhar testifies they have approval from the state for this use. He also testifies they will be seeking approval in the future for recreational adult sales. He states in order to get this approval they would be required to submit an expansion application to the state. He also states they require approval from the Township as well and that they have received approval. He testifies they are requesting approval for both uses this evening.

Mr. Mudhar testifies the hours of operation will be 10:00 AM-10:00 PM and there will be 5 to 9 employees. He testifies the peak hours will be in the evenings after 5:00 PM with it being a little busier in Friday and Saturday nights. Mr. Mudhar states the hours of Mr. Tire are Monday through Friday 7:30AM to 6:00 PM, Saturday and Sunday 9:00 AM to 5:00 PM so during their peak hours Mr. Tires is closed. He states the maximum time spent at his facility is 6-10 minutes and they also accept pre-orders.

Mr. Mudhar testifies there will be no onsite usage of cannabis, tobacco or alcohol and they will not tolerate any loitering on the premises.

Mr. Mudhar testifies minivans and sprinter vans will be used for delivering the product to the site. The boxes will be no larger than 36 x 36 and come 3 to 4 boxes at a time. Deliveries will be a few times a week with delivery days and times being random for security purposes.

Mr. Mudhar states typical office trash and recyclables will be produced. He states there will not be any odors emitted from the site since they are not manufacturing or cultivating any product on-site and all product that is delivered is sealed.

Mr. Mudhar states there will not be any noise or loitering which will be monitored by security guards.

Mr. Mudhar testifies the septic system was tested and operational and he will provide a septic certification to the Township. Mr. Mudhar testifies they will make any upgrades to the septic that are necessary.

Regarding security Mr. Mudhar testifies they will have two guards on site on busier days and there will 33 security cameras installed along with a monitoring room. Mr. Mudhar testifies regarding the tracking of the product once it is received at the site. He states it is all tracked through the State System. Once it is scanned by the Eastern Green employee and added to the inventory it is given a barcode and tracked.

Mr. Mudhar testifies that the Voorhees Police Department reviewed the application for security and approved the proposed plans.

Mr. Mudhar states the vault is located behind the point of sales counter.

Mr. Mudhar testifies that they will make all necessary upgrades to the septic system along with maintaining it as well.

Mr. Stein has questions regarding the traffic report. Ms. Irick states the calculations were made using what approved uses for the site were but with today's rates.

Mr. Darji states the numbers provided are accurate. The Planning Board cannot impose certain restrictions regarding state highways or county roads. Ms. Irick states it is a right in, right out only onto Route 73. Ms. Irick also states they have received LOI's from NJDOT and Camden County.

Mr. Darji states the applicant did address the August 2nd review letter with the exception of trash enclosures. He is concerned with one of the dumpsters being in the drive aisle. The applicant states they will comply and move them and provide screening. Mr. Darji states that he would suggest the applicant install the sidewalk even though it may encroach on the septic system a bit.

There is additional discussion regarding the impact on the amount of traffic if and when they obtain the approval to sell recreational adult cannabis in addition to the medicinal.

Ms. Irick states the applicant is complying with the Township Cannabis Ordinance.

There being no further testimony Mr. Schwenke opens the meeting to the public.

Richard Goldstein states he is an attorney representing the adjacent property owner located at 82 Route 73 which is currently a 7-11 convenient store. He states he has several witnesses including the managing partner of the property Peter Lazarapulos along with traffic engineer Davis Shropshire. Mr. Goldstein states that their primary objection is the concern that a site plan waiver is not the appropriate relief before the board to grant them approval on this application. He states they feel there are several significant issues that require more serious study with regard to the impact that this particular use will have at this particular location and how it effects other surrounding conforming land uses. Mr. Goldstein feels that the Change of Use impacts the surrounding properties enough to require a full site plan. He feels the impact on traffic will be significant and the on-site traffic circulation will be unsafe. They feel the traffic will be impacted on the roadways and parking will be an issue as well. They believe any excess vehicles that cannot find parking will overflow onto the 7-11 parking lot which then will affect the 7-11 from conducting business if their customers do not have parking. He also states he feels an email from the Police Department should have been more specific. He states the sidewalk should have to be installed to comply with the ordinance. His clients are also concerned with noise and odors coming from the site. There is concern that the applicant has not taken into consideration if a more intensive use were to occupy the building and how that may impact the parking or traffic.

Mr. Shropshire is sworn in and testifies on behalf of the application. He states he reviewed the traffic report that was submitted. He states he agrees with the trip generation but wants to note for the board they are talking about 120-140 peak hour trips generated by this use. He testifies his real concern relates to parking and on-site circulation as this plan is laid out and how will 17 parking spaces accommodate such an intense use. Mr. Shropshire states that he believes the site would require more spaces than the minimum the ordinance requires and would require 35 parking spaces. He testifies regarding the circulation issues as it relates to the intensity on the site.

Mr. Sanford Mersky testifies on behalf of the application. He testifies the existing septic system is 33 years old and was designed for a lower intensity auto repair use. He states the proposed flows should require outside agency approvals from the NJDEP or the Camden County Department of Health.

Mr. Mersky states the septic system was recently inspected by Starr General Contracting and was found to be adequate and that a Septic Certification will be provided. The septic system was recently pumped as part of the inspection.

Mr. Lazaropoulos the adjacent property owner testifies in his professional engineering opinion that a change of use/waiver of site plan approval is not appropriate for the proposed use. He cited several site plan related issues (including the impervious coverage increase, storage of tires within the trash enclosure by the Mr. Tire business, tractor trailer deliveries to the site, improper location of the ADA parking spaces and no lighting. He is concerned with the parking and circulation issues and the impact it will have on the 7-11 property.

Seeing no further testimony Mr. Schwenke opens the meeting to the public.

Seeing no public comments Mr. Schallenhammer makes a motion to close public portion, seconded by Mr. Nicini. Motion carries by the assenting voice vote of all present Board members.

Mr. Nicini makes a motion to grant Change of Use/Waiver of Site Plan approval together with design waiver and bulk variance to permit an ACT and Class 5 Cannabis Dispensary for the property located at 78 Route 73 with the following conditions/stipulations:

1. Applicant shall comply with the recommendations in the Board Engineer's review letter dated August 2, 2022.
2. Applicant shall obtain any required outside agency approval from the NJDOT.
3. Applicant shall obtain a Septic System Certification.
4. Applicant shall coordinate with the Board Engineer regarding the location of the trash cans
5. The applicant will comply with ADA requirements
6. Applicant shall extend the sidewalk along the Route 73 frontage near the septic system in coordination with the Board Engineer.

Seconded by Mr. Brocco. Motion carries by the following roll call vote:

AYES: Mr. Nicini, Mr. Brocco, Mr. Rashatwar, Mr. Schallenhammer, Mr. Schwenke

NAYS: Mr. Stein, Mr. Brzozowski,

ABSTAIN: None

MASTER PLAN REEXAMINATION AND UPDATE REPORT

Ms. Malvika Apte of CME Associates states she prepared the 2022 Master Plan Reexamination Report for the Township. She states as per NJSA 40:55D-89 the Planning Board is required to prepare a periodic reexamination of its master plan every 10 years. She states it is a review of the previously adopted master plans amendments and local development regulations to determine if the policy guidelines set forth are still applicable. He Township of Voorhees last examined its Master Plan in 2012.

Ms. Apte review the plan and reiterates that this report is for suggestion purposes only and does not change any zoning districts or ordinances.

After further review of the plan the meeting is opened to the public.

Brad Blumberg
9 Signal Hill

Mr. Blumberg has concerns regarding billboards on Route 73 and he is advised once again that the report is just for suggestion purposes.

Nick Parmier

Is concerned with the bike paths and accessibility throughout all areas of the Township.

Seeing no further comments Mr. Brocco makes amotion to close public portion seconded by Mr. Nicini. Motion carries by the assenting voice vote of all present Board members.

Mr. Schallenhammer makes a motion to adopt the 2022 Master Plan Reexamination Report, seconded by Mr. Brocco. Motion carries by the following roll call vote:

AYES: Mr. Schallenhammer, Mr. Brocco, Mr. Stein, Mr. Brzozowski, Mr. Nicini, Mr. Rashatwar,
Mr. Schwenke

NAYS: None

ABSTAIN: None

Seeing no further comments Mr. Schwenke opens the meeting to the public. Seeing no public comments Mr. Schallenhammer makes a motion to close public portion, seconded by Mr. Rashatwar.

Seeing no further business Mr. Schwenke adjourns the meeting

Wendy Flite
Planning Board Secretary
Voorhees Township

Minutes prepared by Wendy Flite. The minutes are intended to reflect the basic comments and action. Verbatim transcripts of all electronic recordings can be available upon proper request and payment.