

**CITY OF EGG HARBOR
MUNICIPAL LAND USE BOARD**

January 17, 2023

Re-Organization

7:00 P.M.

The Re-Organization meeting of the Egg Harbor City Municipal Land Use Board was held on January 17, 2023. Those in attendance were Mayor Lisa Jiampetti, Jack Peterson, Todd Warker, John Garth, Keith Mullineaux, Michael McKenna, Gladys Torres, Joseph Kuehner Jr., Leo Manos, Esquire, Ryan McGowan and Donna Heffley. (Not Present were Marie Johns-the Mayors Representative, Regular Member Dennis McKenna and DaShaun Hare, Alternate #2).

Pledge of Allegiance

Chairman Peterson called the meeting to order and made the following announcement.

This meeting was advertised pursuant to the NJ Open Public Meetings Act N.J.S.A. 1:4-6 Seq. Notices were sent to official publications for the Egg Harbor City Municipal Land Use Board; the Press of Atlantic City and the Hammonton Gazette. A copy of the notice was posted on the bulletin board of the Egg Harbor City Municipal Building.

The Chairman directed the Secretary to enter this public announcement into the minutes.

Roll Call: Mayor Jiampetti present, Mr. Peterson present, Mr. Warker present, Mr. Garth present, Mr. Mullineaux present, Dennis McKenna absent, Mr. Michael McKenna present, Mrs. Torres present, Mrs. Johns absent, Mr. Kuehner present, Mr. Hare absent, Mr. McGowan present, Mr. Manos present and Secretary Donna Heffley present.

Re-Organization:

Oaths of Office: Leo Manos, Esquire swore in the following Members below appointed by Mayor Jiampetti:

Regular Member – Keith Mullineaux Term 01/2023 – 12/31/2026 (4-year term)

Regular Member – Todd Warker Term 1/2023 – 12/31/2026 (4-year term)

Alternate #1 – Joseph Kuehner Term 1/2023 – 12/31/2024 (2-year term)

Marie Johns as the Mayors Designee – 1-year term

John Garth – Municipal Official Class II – 1-year term

Marie Johns was not present at the meeting and will be sworn in at a later time.

Mr. Garth from the Egg Harbor City Fire Department was sworn in by Leo Manos as the Municipal Official Class II.

Legal Counsel: The Board's recommendation for Legal Council is Leo Manos, Esquire
Motion was made by Mayor Jiampetti nominating Leo Manos, Esquire as Solicitor for the Land Use Board, seconded by Mr. Warker and carried.

Land Use Board Engineer and Planner:

The Board's recommendation for Land Use Board Planner and Engineer

Motion was made by Mr. Warker nominating Remington and Vernick Engineers, seconded by Mayor Jampetti and carried.

Election of Board Officers:

The following appointments for the positions of Chairman, Vice-Chairman and Secretary were made for the Calendar Year 2023.

A. Chairman

Mr. Warker nominated Jack Peterson for Chairman of the Egg Harbor City Land Use Board,

Mr. Mullineaux seconded the nomination and carried.

Jack Peterson was elected Chairman of the Egg Harbor City Land Use Board

B. Vice Chairman

Chairman Peterson nominated Todd Warker for Vice Chairman of the Egg Harbor City Land Use Board; Mr. Michael McKenna seconded the nomination and carried.

Todd Warker was elected Vice Chairman of the Egg Harbor City Land Use Board

C. Secretary

Mr. Mullineaux nominated Donna Heffley for Secretary of the Egg Harbor City Land Use Board,

Mr. Kuehner seconded the nomination and carried.

Donna Heffley was elected Secretary of the Egg Harbor City Land Use Board.

Meeting Dates - 2023

January 17, 2023

February 21, 2023

March 21, 2023

April 18, 2023

May 16, 2023

June 18, 2023

July 18, 2023

August 15, 2023

September 19, 2023

October 17, 2023

November 21, 2023

December 19, 2023

The aforementioned meetings shall take place on the above dates, namely the 3rd Tuesday of each month at Egg Harbor City Municipal Complex, 500 London Avenue, Egg Harbor City, New Jersey 08215.

Upon motion made by Mr. Kuehner, seconded by Mr. McKenna and carried the above meeting dates were approved.

News Paper Ads:

The Press of Atlantic City, and the Hammonton Gazette were designated the official newspapers for Egg Harbor City for 2023.

Upon motion made by Mr. Warker, seconded by Mr. Mullineaux and carried.

Approval of Minutes: October 18, 2022

Upon motion made by Mr. Warker, seconded by Michael McKenna and carried the October 18, 2022 Land Use Board minutes were approved. Mr. Kuehner abstained he was not present at the October 18, 2022 meeting.

Informal's:

Mr. Manos stated an informal hearing is an opportunity for a prospective applicant to come in front of the Board and have a discussion with the Board Members about their proposed idea or concept for a particular site and receive feedback.

Skyline, LLC

526 Chicago Avenue

Egg Harbor City, NJ 08215

Ovadi Malchi is under contract to purchase 526 Chicago Avenue. The property has been vacant for about ten to twelve years. Mr. Malchi distributed renderings of their proposed project to Board Members and Professionals. Mr. Malchi would like to propose developing individual condominiums for sale, five units per building a total of 10 buildings. Five buildings will be facing Chicago Avenue and five buildings will be facing 9th Terrace. Mr. Malchi noted each unit would have two bedrooms and between 1100 to 1200 square feet. The St. Nicholas School would be demolished.

Mr. McGowan noted the rendering that was submitted is actually flipped and the area proposed is on the school side not the church side.

Board Members agreed this proposal for 50 Condominiums is entirely too much for this quiet residential area.

Mr. Kuehner expressed his concerns on this matter and suggested 3 or 4 duplexes may work well. He suggested Mr. Malchi take a look at the other duplexes on Chicago avenue. Also, homes in town face the Street not the Terrace.

The Board was not in favor of this proposal and suggested Mr. Malchi revisit his plan and propose possibly a smaller number of condominiums that would work much better for this quiet residential neighborhood.

Mr. Peterson noted the board is not interested in high density housing or rentals for the school area. There are many people from the neighborhood here tonight and if they would like to express their concerns maybe he could talk to them personally. No formal decisions can be made tonight. The board may be interested in reviewing something that is of a lower density for this residential area.

South Jersey Electric Vehicles, Inc. and G.B.I. Inc. T/A Thermal Piping

1602 White Horse Pike

Egg Harbor City, NJ 08215

Jack Plackter, Attorney with Fox and Rothchild, LLP was present to discuss the past zoning of the property located at 1602 White Horse Pike. Dov and Solomon Halberstam property managers were present. South Jersey Electric Vehicles, Inc. and G.B.I. Inc. T/A Thermal Piping is interested in occupying two different units within this building. They would like to use the building for the same use as in 1998.

At this time there are three existing tenants in the building. Both tenant's present tonight would like to use this facility as a warehouse/storage. The Zoning Official denied their zoning application because of what is permitted in the zone. The owner of this building would like to take care of previous conditions placed on the site as well as satisfy the Board in order to have the tenants operating legally from this location.

Board Members discussed this property and past tenants who have occupied the building.

Ryan McGowan addressed the Board on this matter. This is a commercial property at the entrance to Egg Harbor City. Any expansion proposed by the owner would have to return to the board for approval due to some confusion in the past, with tenants moving in without proper approvals. Mr. McGowan suggested meeting to discuss prior resolutions to determine what uses will be allowed in the building. Mr. McGowan discussed prior conditions concerning sidewalks and landscaping and to consolidate all resolutions into one. Mr. Halberstam agreed and would like to get a fresh start.

Stuart McGinnis with South Jersey Electric Vehicles, LLC was present and explained to the Board that he would like to use his unit at the site strictly for storage.

Mr. Plackard would like to meet with Mr. Manos and Mr. McGowan to discuss what the proposed tenants must do in order to operate the space legally.

Mr. Peterson remarked and appreciates how well the property has been maintained by the new owners. Mr. Plackard remarked if there were prior conditions the owner has agreed to meet those conditions.

Mr. Halberstam, Property Manager asked if Thermal Piping could start using the building for storage while working out the details with the City.

Ronald Goldsmith with G.B.I. Inc. T/A Thermal Piping was present and intends on renting a 10,000 square foot portion of 1602 White Horse Pike for storage. Mr. Goldsmith gave further details concerning his business. Some of the details mentioned; the hours someone may be at the site would be 6 a.m. to about 3 p.m., loading docks are internal and all storage will be in doors. Mr. McGowan believes they may meet the conditions of the prior approval and can meet to sort out the details.

**Jack Kelly Realtor Associate with Century 21 Frick Realtors
200 White Horse Pike
Egg Harbor City, NJ 08215**

Mr. Kelly and Howard Jessup were the owners of 200 White Horse Pike in 1984 and operated a Moving and Storage Company until 2011. Mr. Kelly moved on and Mr. Jessup kept the building. The property was recently flipped twice and Mr. Kelly now has someone interested in bringing it back to its previous use as a warehouse. The upstairs is totally gutted where someone was in the process of adding two apartments.

Ryan McGowan discussed the history of this property. A warehouse is not permitted in the zone and the applicant would require a use variance.

Mr. Kelly remarked there should be a use variance on file.

Mr. Manos addressed the board and suggested locating the resolution from 1984 and find when the use was prohibited.

Mr. Kelly noted the site would be used as a warehouse for wooden storage containers of household goods.

Mr. Peterson asked if old files could be found pertaining to this past use.

The Secretary stated she will conduct a search for same.

Mr. Manos remarked if there was a prior approval there will not be an issue. The Board needs evidence the use was approved.

Application #2022-04 LUB

High Grass Farms, LLC

1520 Moss Mill Road (vacant wooded site)

Egg Harbor City, NJ 08215

Block 1003, Lot 7 & 8

Preliminary Site Plan Approval

Final Site Plan Approval

Variance Relief

The Applicant is seeking Preliminary and Final Site Plan approval for the proposed cannabis cultivation and manufacturing facility.

Kelly Carey, of counsel, with Pashman Stein Walder Hayden, PC was present representing the applicant. Mrs. Carey gave an overview of the application which is for the construction of a 63,559 square foot building for a cannabis cultivation and manufacturing facility with associated improvements such as parking, utility, landscaping and stormwater management facilities on the premises located at 1520 Moss Mill Road.

Witnesses present were: Brennen McGrath, Security, Nick Cecere, LEED AP, MERJ Architecture, Tom Roesch, PE, PP, Duffy, Dolcy, McManus & Roesch, Robert Crigler, CFO, Dr. John Kulin, CEO and were all sworn in by Leo Manos, Esq.

Dr. John Kulin, CEO is proposing a State-of-the-art cannabis cultivation facility built from the ground up. Dr. Kulin provided the board with a summary of his 32 years of practicing medicine up to and including the last several years of observing patients who have benefited from the use of medical cannabis programs. Dr. Kulin briefly discussed deliveries, the number of staff members, hours of operation, surveillance on site, number of employees for cultivation, manufacturing and sales. There will be no public access to the site as this is not a dispensary. Employees and staff members only. The Applicant will reach out to the Police and Fire Department regarding the facility. Once the facility opens it will be on lock down and tough to get inside.

Rob Crigler, CFO gave a brief overview of his background. Mr. Crigler discussed the security that will be in place for this facility. The fire department and police will have a tour of the site. This will have to be a planned visit and security will be with them at all times.

Nick Cecere, licensed Architect in Colorado was present and gave an overview of his background and presented the following renderings; A-1 Overall view of the 62,000 square foot Building, A-2 was a detailed rendering of the building, highly secured and insulated with minimal windows, A-102.1 First Floor plan cultivation side, A-103 South east portion of facility, A-201 Exterior, A-3 Aerial Map, A-4 Color Rendering of the building shown with landscaping.

Mr. Warker asked about trash. Disposal of waste was discussed.

Mr. Peterson asked if there will be a trash enclosure.

There is a trash enclosure designed for outside the building.

There will be some plant waste which they are working with the state on a disposal program.

Thomas Roesch a Licensed Professional Engineer and Planner gave a detailed description of where the building will be located and the surrounding area. This building will be located in the Industrial Park district. A-3 aerial map.

They will tie into public water and sewer on moss mill road. A-4 A color rendering was shown with the landscaping, the total building size will be 63,559 square feet. Mr. Roesch reviewed all setbacks and building dimensions.

The trash enclosure area will be located back against the property line. About 30 feet wide and 60 feet from side property line, as an accessory structure. The Applicant will be seeking a variance for this setback.

Mr. Roesch discussed the driveway, trash trucks will be the largest trucks entering the site.

There is no need for a second driveway and one can easily accommodate the traffic they will have. This is not a retail facility, primarily employees using the driveway.

They are proposing 56 parking spaces including handicapped parking and two Electrical vehicle charging stations.

Lighting and proposed landscaping were discussed.

The proposed Stormwater management was discussed.

Sidewalks are generally required but the applicant is requesting a waiver from the sidewalks. It is not residential development and it is in an industrial area. They do not want to encourage people to walk to this facility. There are no sidewalks on Moss Mill Road.

Signage was discussed, a free-standing sign was proposed at the entrance to the site.

Mrs. Torres inquired whether the site will have an open entrance or will it be guarded.

Mr. Roesch stated it will have an open entrance.

Security and lighting were discussed by members and professionals.

Brennen McGrath, Security –Every aspect of the facility has security in mind. Security plans have been submitted to the state for review.

Mrs. Torres inquired if there are any facilities in New Jersey like the one being proposed.

Dr. Kulin, stated no. This will be a ground-breaking state of the art facility.

Mr. Roesch explained the 4 Variances they are seeking which are for a rear yard setback of a principal building, side yard setback of accessory structure, providing 56 parking spaces where 91 are required, providing 2 loading areas where 4 are required and other variances and waivers that are necessary.

Mr. McGowan reviewed his report dated January 10, 2023 which is attached to and made a part of these minutes.

Mr. McGowan discussed the sidewalk requirement and noted the applicant is making a reasonable request for this requirement to be waived.

Mr. McKenna, who is a member of the Egg Harbor City Fire Department discussed the site circulation.

Mr. Kuehner remarked that based on past history, Egg Harbor City has had problems with retention ponds overflowing and not draining properly due to the clay beds and they may have to go deeper than the required depth.

Mr. Peterson also expressed his concerns on this matter and suggested having some deep borings done because that is where the problem lies.

Discussions continued on drainage. Mr. Peterson asked about reports that were completed. Mr. McGowan also addressed this matter as well.

Mr. Roesch noted they have done some test pits and found a couple of areas that will be removed.

Mr. Kuehner inquired about Pinelands approval. The Applicant has a Certificate of Filing which allowed them to come before this board.

Questions and comments from the board – none

Questions and comments from the public – Benjamin Risley who resides at 2058 Liverpool Avenue was present and was sworn in by Leo Manos. Mr. Risley inquired about the exhaust system/filtration system for this facility.

The air quality will be monitored and treated inside the building. Carbon filtration was discussed as well.

Bob Ross who resides at 601 St. Louis Avenue was sworn in by Leo Manos and inquired if the water used in the plant is recycled. To an extent yes, they have a water system in place that will cleanse it before it goes into the waste water system.

Greg Carnesale who owns the Lot next to this proposed facility at 1620 Moss Mill Road was sworn in by Mr. Manos.

Mr. Carnesale remarked he just received notice of this proposed facility and his engineer has not had a chance to review the plans and asked the Board to hold off on granting the final site plan approval. This past summer a lot of water filled up his retention basin and he is concerned that this development may flood him out. Before the final approval he would like time for his Professionals to review this application.

Ryan McGowan offered to meet with Mr. Carnesale's Engineer to discuss their concerns but if the applicant meets the State, City and Pinelands stormwater requirements they are allowed to proceed. This is something that is not discussed at the board level and this can be worked out administratively.

Ryan will contact Mr. Carnesale's engineer to further discuss this matter. It is the responsibility of the owner to maintain the system and to make sure it is operating properly.

Mr. McGowan explained for Mr. Carnesale's benefit that Preliminary and Final Approval are not in effect if they cannot comply with the conditions which would be meeting the State and City ordinances. If the proposed calculations do not work and they have to make the basin bigger and change the configuration they will have to come back before the board for an amended site plan.

Mr. Manos stated the motion for preliminary and final site plan approval and 4 variances that are outlined in Ryan McGowan's report dated January 10, 2023.

Upon motion made by Michael McKenna, seconded by Mr. Warker

Roll Call: Mayor Jiampetti yes, Mr. Peterson yes, Mr. Warker yes, Mr. Garth yes, Mr. Michael McKenna yes, Mr. Mullineaux yes, Mrs. Torres yes and Mr. Kuehner yes.

Old Business: Mr. Garth asked for an update on the old Acme building. Mayor Jiampetti updated Mr. Garth on this matter.

Discussion took place concerning Spread the Gospel located on St. Louis Avenue and complaints that have been received concerning some events that are disrupting the neighborhood. Mayor Jiampetti stressed the importance that residents must call law enforcement and report when there is a problem.

Mayor Jiampetti thanked the Board members for their willingness to serve on the Land Use Board and also thanked the Professionals and Secretary.

Respectfully Submitted,
Donna Heffley, Land Use Board Secretary



**REMINGTON
& VERNICK
ENGINEERS**

843 North Main Street
Pleasantville, NJ 08232
O: (609) 645-7110
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January 10, 2023

Donna Heffley, Board Secretary
Egg Harbor City Planning Board
500 London Avenue
Egg Harbor City, NJ 08215

**Re: Application No. 22-04 LUB
High Grass Farms, LLC
1520 Moss Mill Road (Block 1003, Lots 7 & 8)
City of Egg Harbor, Atlantic County, New Jersey
Preliminary and Final Site Plan Approval
RVE File No. 0107-P-141**

Dear Board Members:

Please review the following report prepared for the above-referenced application based on the materials received by our office.

I. Application Materials

1. **Land Use Board Application No. 22-04 LUB**, dated December 5, 2022.
2. **Review Letter from the Pinelands Commission with Inconsistent Certificate of Filing** dated November 15, 2022.
3. **Certificate of Taxes Paid** for the subject properties through 2/1/2023.
4. **Completed Site Plan Checklist**.
5. **Site Plans** prepared by Peter J Dolcy, PE of Duffy, Dolcy, McManus, and Roesch dated 8/30/22 and last revised 12/5/22.
6. **Stormwater Management Calculations** prepared by Peter J Dolcy, PE of Duffy, Dolcy, McManus, and Roesch dated 8/30/22 and last revised 12/5/22.
7. **Stormwater Management Maintenance Manual** prepared by Peter J Dolcy, PE of Duffy, Dolcy, McManus, and Roesch dated 8/30/22.
8. **Architectural Plans** prepared by Satto R. Rugg of MerJ Architecture.
9. **Environmental Impact Statement** prepared by Kristin Wildman, PWS of DuBois & Associates dated 10/7/22

This report consists of our review of the subject application for conformance with the Egg Harbor City Land Use Ordinance requirements and is limited to planning and engineering. Legal issues shall be deferred for review by the Board Solicitor. Our review is limited to the information presented to date. The Applicant may present additional information and testimony at the Board hearing.

Based upon our review we offer the following comments:

II. General

The following general information has been provided for this application.

Applicant/Owner:	High Grass Farms, LLC / Phoenix Health Ventures, LLC 1395 Route 539 Little Egg Harbor, NJ 08087
Project Attorney:	Oren Chaplin, Esq Pashman, Stein, Warder, & Hayden Court Plaza South, 21 Main Street, Suite 200 Hackensack, NJ 07601
Project Engineer:	Peter J. Dolcy, PE Duffy, Dolcy, McManus, & Roesch 634 Lot Pine Way Galloway, NJ 08205
Project Traffic Engineer:	David Horner, PE Horner & Canter Associates 105 Atsion Road, Suite F Medford, NJ 08055
Project Architect:	Satto R. Rugg MerJ Architecture 6145 Broadway Denver, CO 80216
Environmental Expert:	Kristin Wildman, PWS DuBois & Associates 190 North Main Street Manahawkin, NJ 08050
Location:	Moss Mill Road (Block 1003, Lots 7 & 8)
Zoning:	IBP – Industrial Business Park The site is located in the Industrial Business Park (IBP) Zone. Cannabis cultivation, manufacturing and wholesale, distribution, and delivery licenses are all permitted uses in the zone.
Existing Use:	The site is currently vacant and mostly wooded.
Proposed Use:	63,559 square-foot (sf) facility for cannabis cultivation and manufacturing. Site would be fully developed with the proposed facility, parking, utilities, landscaping, and stormwater management.
Proposal:	The applicant is seeking preliminary and final site plan approval for the proposed cannabis cultivation and manufacturing facility.

Area, Yard & Bulk Regulations – HC Zone District:

ITEM	REQUIRED/EXISTING	PROPOSED	STATUS
Minimum Lot Area	65,000 SF/ 1.49 Acres	3.3 Acres	Conforms
Minimum Lot Width	175 ft	405 ft	Conforms
Maximum Building Coverage	35%	33%	Conforms
Minimum Setbacks			
Front (Principal)	60 ft	103.1 ft	Conforms
Side (Principal)	25 ft	60 ft	Conforms
Rear (Principal)	75 ft	50 ft	Variance
Front (Accessory)	60 ft	153.2 ft	Conforms
Side/Rear (Accessory)	25 ft	16 ft	Variance
Front (Parking)	20 ft	35.5ft	Conforms
Side (Parking)	10 ft	20 ft	Conforms
Rear (Parking)	20 ft	32.1	Conforms
Maximum Height: Principal Building (HC)	45 ft	42.55 ft	Conforms
Residential Buffer	150 ft	>150 ft	Conforms
Minimum Floor Area/Acre	5,000 SF/Acre	19,260 SF/Acre	Conforms
Signage			
Area	15% of Building Façade Area	N/A	Conforms
Number of Signs	1	1	Conforms
Area	150 SF	20 SF	Conforms
Height	15 ft	±6 ft	Conforms
Setback	20 ft	20 ft	Conforms
Parking Requirements			
Administrative Offices	1 Space/250 SF		Conforms
Light Manufacturing	1.5 Spaces/1,000 SF		Conforms
Warehousing	1 Space/5,000 SF		Conforms
Spaces Required	91 Spaces	56 Spaces	Variance

- 1: Values are as provided by Peter Dolcy on the submitted zoning schedule dated 12/5/22 except where otherwise noted.
- 2: A notation of "N/A" indicates that the subject requirement is not applicable to this application.
3. All flammable and combustible liquids, including gasoline, shall be stored in compliance with the BOCA National Fire Prevention Code, National Fire Protection Association regulations, Chapter 102 of the New Jersey Laws of 1986, N.J.S.A. 58:10A-21 et seq., and all other pertinent regulations of the State of New Jersey. A permit shall be obtained from the Egg Harbor City Fire Subcode Official for installation, removal or changes to any storage tank or facility for flammable or combustible liquids. The Fire Subcode Official shall not issue any permits until the Pinelands Commission notice and review requirements in § 170-32(D) and (E) of this chapter have been complied with. Each such tank or storage facility must be inspected annually by the Fire Official.

III. Completeness

The applicant requested the following waivers (W), exclusions for no changes (EX) or marked items "not applicable" (NA) for the following checklist items which can be granted by the Board:

Site Plan Checklist

1. Rights-of-Way, Easements, and all lands to be dedicated to the municipality of reserved for a specific use. – **N/A**
2. Significant existing physical features including streams, water courses, rock outcrop, swampy soil, etc. – **N/A**

The above-received information has been reviewed for completeness in accordance with the requirements set forth by the Land Use and Development Ordinance (Chapter 170) of the City of Egg Harbor (hereafter "Ordinance") and the New Jersey Municipal Land Use Law (NJSA 40:55D et. seq.). Based on the requirements set forth therein, if the Board decides to grant the requested waivers, then our office recommends that Application 22-04 LUB of the City of Egg Harbor Land Use Board (hereafter "Board") is deemed **complete**. If the Board decides not to grant the requested waivers, then our office recommends that this application be deemed **conditionally complete** provided all completeness items above are addressed as a condition of any approval granted by the Board.

IV. Technical Review

Section 170-38 – Site Plan Design Standards

- B(3)(c) The applicant should clarify whether the lighting plan meets IES standards
- B(6)(a) Driveways: Spacing. The number of driveways provided from a site directly to any public street or road varies based on the frontage of the site. For sites with greater than 150' of frontage, two or more driveways is required.
- B(6)(c) Sight Distance requirements have not been shown on the site plan. It is unclear whether there are any obstructions in the proposed sign triangle as shown on sheet 7.
- B(6)(d) The proposed driveway does not appear to meet the minimum two-way driveway width for commercial uses.
- B(6)(h) The driveway entrance does not provide a deceleration lane. This is required for parking lots providing more than 50 spaces.

Section 170-40 – Street Improvements

- C.(1) Sidewalks shall be required along all streets. Requirements for requests for waivers from sidewalks are outlined in C(3)(b)

Section 170-41 & 42 – Sanitary Sewers and Water Supply

- A. Details for the proposed water and sewer connections should be added to the plans and shall comply with the City's standards.

Section 170-48 – Stormwater Management

- B. General Standards: The stormwater management calculations should be reviewed and revised for consistency with the City, NJDEP, and Pinelands Commission Standards

Section 170-62 – Off Street Parking and Loading

- C.(1)(c) Single unit truck loading space required to be 10 feet by 45 feet
- C.(1)(d) Articulating (tractor-trailer) truck loading space required to be 10 feet by 60 feet.
- C.(2)(b) Larger driveway widths may be required where a drive aisle serves as the principal means of access to on-site buildings or structures
- D.(2) Planted landscape strip, minimum 5' wide along all property lines
- E.(1) All proposed lighting should be shielded from US Route 30 and the adjacent residential property
- G. Light-impact industries: 1 for each 800 square feet of floor area
This parking calculation requires 80 parking spaces (63,559sf/800sf/space=79.45 spaces)
- H. A minimum of one loading space is required

The applicant should discuss the frequency of deliveries and the types of vehicles anticipated. The loading space depth is not specified and does not appear to comply with the ordinance. Additionally, truck circulation around the site does not appear to have been addressed. On site vehicle movements should be shown to demonstrate the feasibility of site circulation.

The applicant does not appear to be proposing a dense planting buffer along the Moss Mill Road frontage or other frontages, as required.

Section 170-79 – Industrial Business Park

- A. General Standards: The stormwater management calculations should be reviewed for consistency with the City, NJDEP, and Pinelands Commission Standards
- F.(4)(b) The applicant should verify compliance with the tree planting requirements of this section: Canopy trees, one two-and-one-half-inch to three-inch caliper tree per 30 linear feet of property line and evergreen trees one six-inch to eight-inch tall evergreen per 20 linear feet of property line.
- I.(2) (a) Building and site security plan. Addressing such items as security lighting, alarm systems, fencing and other security details.
(b) Material storage plan.
(c) Solid waste disposal and recycling plan.
- I.(3) A perimeter adjoining each building shall remain clear, except for plantings and pedestrian walkways, to permit access of emergency vehicles. The Egg Harbor City Fire Marshal may provide comments regarding accessibility.

V. General Comments

1. The applicant should discuss the proposed number of employees, hours of operation, anticipated delivery schedule and frequency, and other facets of the proposed operation.
2. Revisions will be required to the stormwater management calculations to demonstrate compliance with the City, State, and Pinelands Commission rules.
3. It appears that the site is graded to direct flow from a portion of Moss Mill Road, the driveway entrance, and the westerly edge of the site to a newly created depression which would be created along the western edge of lot 7 and well into lot 6. There would be no positive outflow from this new low spot and the fate of stormwater directed to that location is not addressed.
4. Pre-treatment may be required for runoff from drivable impervious surfaces prior to discharge to the proposed infiltration facilities.
5. The minimum apron length for conduit outlet protection should be calculated assuming tailwater less than half the pipe diameter and should therefore be 7 times the pipe diameter, per the 2014 Soil Erosion and Sediment Control Manual.
6. A detail of the roof drain downspouts should be provided showing an overflow in the event that the discharge is obstructed.
7. The grading plan appears to be missing a "63" contour in the area of the entrance driveway.
8. The regrading of Moss Mill Road should be coordinated with the County.
9. The generator and transformer pad area is located at the front of the building and no information has been provided regarding screening or sound attenuation for the proposed generator. Additionally, the space allocated for a ground mount transformer and generator may not be sufficient to accommodate those items and provide adequate separation. Additional information should be provided about this area.
10. The site circulation plan should be provided to the City's Fire Department for review and recommendation.
11. A site security plan should be provided to the police department for their review and comment.
12. The applicant is reminded that site safety is their responsibility during construction. A note should be added to the plan as follows "The owner or his representative is to designate an individual responsible for construction site safety, during the course of site improvements pursuant to N.J.A.C. 5:23-2.21(e) of the New Jersey Uniform Construction Code and C.F.R 1926(f) (OSHA Competent Person).
13. We recommend that the Board require the applicant to post a performance guarantee, a maintenance guaranty and an inspection escrow in accordance with §170-49 and §170-50. The applicant will be required to notify Ryan McGowan of our office, should approval be granted, in order to schedule all required site inspections.

VI. Other Approvals

The applicant shall be required to obtain approvals and or permits from all other State and local agencies having jurisdiction over this project. This includes but is not limited to Atlantic County Planning and Development, Cape Atlantic Soil Erosion and Sediment Control, and all applicable cannabis licensing from the State and Local government.

VII. Recommendations

Based on our review of Application 22-04 LUB of the City of Egg Harbor Land Use Board, it is our recommendation that the Applicant may be granted Preliminary and Final approval if the Board is comfortable with the information submitted as supplemented by any testimony provided at the hearing. If those approvals are granted we will work with the applicant to perfect the application administratively through the submission of compliance plans stormwater management calculations. In the event that a major revision to the site plan is required to address stormwater management concerns, the applicant will need to file for an amended site plan approval and come back to the Board. Alternatively, the Board could consider granting preliminary approval and require the applicant to submit revised plans and stormwater management calculations prior to consideration of final approval.

We may have further comments pursuant to testimony presented at the public hearing or the receipt of revised plans.

Should you have any questions, comments or require additional information, please do not hesitate to contact our Pleasantville office at your convenience.

Very truly yours,

REMINGTON & VERNICK ENGINEERS



Ryan A. McGowan, P.E., P.P., C.M.E., C.F.M.

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