

Mount Laurel Planning Board
Regular Meeting Minutes
March 9, 2023

Chairman Bathke called the Regular Meeting of March 9, 2023 to order at 7:00 pm.

Open Public Meeting Notice was read by Chairman Bathke noting that all the postings, filings & emailing has taken place on January 19, 2023.

Chairman Bathke led pledge of Allegiance/Moment of Silence.

Roll Call taken by Board Secretary Ms. Hochreiter – Members in attendance: Chairman Bathke, Vice-Chairwoman Lewis, Mayor Steglik, Township Manager Riculfy, Mr. Venkatakrishnan, Mr. Pfeiffer, Mr. Lieberman, Mr. Dewey, & Mr. Coffey. Absent: Councilman Moustakas & Mr. Corbi

Professionals in Attendance

Mr. Ashton Jones – PB Planner; Mr. William Long – Board Engineer; Mr. Michael Angelastro – Board Traffic Engineer; Mr. Brian McVey, Fire Marshal; Ms. Emily Weiner – PB Solicitor; and Trish Hochreiter – PB Secretary.

Adoption of Minutes:

Chairman Bathke called for a motion to approve the meeting minutes from the regular meeting of February 9, 2023. Mr. Lieberman made the motion and Mayor Steglik seconded it. All present were in favor and the motion was carried.

Planning Board Solicitor Ms. Weiner swore in the Planning Board Professionals

Resolutions:

Chairman Bathke asked for a motion to approve Resolution R 2023-5 for an Extension of Time on a Major Subdivision Approval for Fair Share Housing. Township Manager Riculfy made the motion to approve and Mr. Lieberman seconded it. All present were in favor and the motion carried.

Chairman Bathke asked for a motion to approve Resolution R 2023-6 for an Extension of Time on a Preliminary & Final Major Site Plan Approval for Fair Share Housing. Mayor Steglik made the motion to approve and Mr. Lieberman seconded it. All present were in favor and the motion carried.

Chairman Bathke asked for a motion to approve Resolution R 2023-7 for a Major Subdivision Approval for NAAVI Realty located at 1132 Route 73 & Church Road. Mayor Steglik made the motion to approve and Mr. Lieberman seconded it. All present were in favor and the motion carried.

Chairman Bathke asked for a motion to approve Resolution R 2-23-8 for a Preliminary & Final Major Site Plan Approval for Grey Park Briggs, LLC located at 20001 Briggs Road. Township Manager Riculfy made the motion to approve and Mr. Lieberman seconded it. All present were in favor and the motion carried.

Public Hearing:

Chairman Bathke advised that each application will be heard separately, the applicant's attorney will present the application and those providing testimony, the professional will review their reports and then for that application, it will be open to the public for any questions or comments. In order to speak under the public portion of the application you must be on video and unmute yourself stating your name, address and being sworn in by the Planning Board Solicitor.

The first application on the agenda this evening was Trickett/Genther who were represented by Mr. Ted Costa, Esq. Mr. Costa explained the overall project that is located at 8 Musket Lane in the Rancocas Woods Development of Mount Laurel. The applicant has three combined lots at this location, with just one residential home and no garage. This oversized lot is the largest lot on the entire block and in the Rancocas Woods Neighborhood. The area of this lot is over an acre. The owner is requesting permission to allow the construction of an oversized garage totaling 1,350 sq. ft. when the ordinance allows 1,000 sq. ft. In addition, they request relief from Ordinance 154-65 that allows just 12 feet height when they request 15 feet in height.

Mr. Genther provided testimony on the application explaining this oversized garage is not for a home business it is to house his classic car and for storage. Mr. Costa in closing expressed the desire for homeowners to improve their properties and to better utilize their residential property with approval to improve the neighborhood.

Mr. Ashton Jones, the Planning Board Planner reviewed his report dated February 23, 2023 with a revision date of March 3, 2023. Mr. Jones indicated that the only variance that would be required is a C-2 variance and all other comments were addressed. Mr. William Long, the Planning Board Engineer did not prepare a letter for this application, but asked for testimony that no new curb cuts were proposed which the response was no. Mr. Michael Angelastro, the Planning Board Traffic Engineer and Mr. Brian McVey, the Fire Marshall did not review this application.

Chairman Bathke opened up to the public at 7:25 pm and seeing no public response closed the public portion and then asked for a motion. Mayor Steglik made the motion to approve and Vice Chair Lewis seconded it. All present were in favor and the motion was carried.

The next application on the agenda this evening was NJ Green Care, LLC proposed location at 1170 Route 73 in the former sage diner location. Stephen Boraske, Esq. represented the applicant. The applicant is proposing to use the existing structure as a cannabis retail facility. The client does not intent on making any changes to the exterior of the building nor to the parking lot surrounding. Mr. Boraske introduced those that would be providing testimony this evening, Alex Kardos Co-Owner/CEO, CJ Bock, Civil Engineer with Landcore, Blake Krevolin, Architect, Nathan Mosley, Traffic Engineer & Chris Capone, Security Expert.

Mr. Alex Kardos, is a self-employed owner/CEO of NJ Green Care, he gave testimony on his credential with starting a cannabis business in California and helped in the opening of many places in California & Colorado. This Mount Laurel location he plans to have 30-40 employees with 5-10 being in the managerial position he explained the process and protocols that will be in place along with the security not only on the outside by also the inside of the building. He also indicated that they would not have armed security on site, but they would have security that would canvas the parking lot on a regular basis to insure products purchased are not consumed at the location. The Township Manager informed him that the Township does not provide trash pick-up for commercial business so they would need to have a private hauler for trash and recycling. A security plan was submitted to the Mount Laurel Police Department for review.

Mr. Boraske introduced Mr. CJ Bock, whose credentials were acknowledged and accepted by the Board Chairman. The parking lot has lost about 10 spaces due to creating 10 ft. spaces as per the ordinance, along with some face lifting of the parking lot with new striping. The existing access points will remain along with proposed new lighting. The existing signage will remain only re-paneling will be done and submitted to the construction department for review and approval. The project complies with the setbacks and signage requirements as listed with no construction trailer needed for this project. The work proposed is mostly interior alterations.

Mr. Bathke accepted the Applicants Architect Mr. Blake Krevolin's credentials. A floor plan of the interior site showing the sales area and counter was presented as exhibit A4. The intake of products will be accepted at the lower level. Access to the products will come from the sales counter where employees

will access a dumbwaiter that will run from the first floor to a vault in the basement. There is also an elevator and stairs for employees access to all levels.

The design of the building was presented and noted that the Township considers this design a mural or signage and does not allow for this type of design to any building. The applicant agreed not to use the designs as presented and will work with the Township, and stated this was not a set in stone design it was just an idea.

The applicant has been in the cannabis business since 2007 and has worked in California and Colorado opening Cannabis business as well as ran these businesses since then.

The board asked several questions that the professionals for the applicant or the board professionals were able to answer and satisfied their comments.

The next professional to provide testimony was the applicants traffic engineer Mr. Nathan Mosley who has been before this board on several occasions, his credentials were accepted as presented. Mr. Mosley testimony would be presented in a report addressing all the comments that the Planning Board Traffic Engineer requested and had discussed with him earlier in the day. He presented Exhibit A-1 as a colored rendering of access in and out of this location. This location has a full movement access in the rear of the building. Approval from Burlington County and NJ DOT will be require for this location due to the change of use of this property and these roads being a County Road and a State Highway.

The last to provide testimony for this project is Chris Capone who is a security expert for the application. His credentials were accepted; he has been in business in the State of Massachusetts since 2020 and has provided security to many cannabis businesses. Chairman Bathke accepted his credentials. Mr. Capone explained the security that is provided to a business like cannabis, with the cameras and such provided inside as well as outside the facility. There will be no armed security at this location, but security will be present to make sure those products purchased are not consumed at the location of purchase. This concluded testimony from the applicant and their professionals.

Mr. Kardos did stress that they want to be in full compliance and safety for Mount Laurel that is the reason they will not be having a consumption lounge at this location, they do not want to be a nuisance to their neighbors.

Chairman Bathke asked the Board Planner Mr. Jones to review a report from R & V dated February 22, 2023, with a revised plan addressing comments for all professionals on March 1, 2023. They have agreed to comply with the comments. Board Engineer, Mr. Long reviewed his report dated February 17, 2023 and the applicant agreed to comply with the comments. Mr. Angelastro reviewed his report dated February 21, 2023 and they have agreed to comply with the comments in this letter. Mr. McVey the Fire Marshal reviewed his letter dated February 14, 2023; the applicant has answered all comments in the letter and has agreed to work with the Fire Marshal and his department to establish fire lanes and traffic circulations.

The board had no further questions for the applicant and at 8:45 pm, Chairman Bathke opened up to the public for any questions they had for this applicant. First, to speak was Mr. Steve Cassidy, a tenant located at 1136 Route 73; he explained he was just a week prior before the Zoning Board for use approval of his application Day Lite Cannabis. Mr. Cassidy is not opposed to the business but he is opposed to the location of this business, as stated it is about 200 ft. from his location and he feels putting these two businesses so close in proximity of each other is not setting them up for success.

Mr. Peter DeRogatis of St. David's Drive expressed his concern with the location of the cannabis dispensaries in Mount Laurel and bringing more traffic to an already highly traveled road.

After several comments from Board Members regarding hours of operation and locations of cannabis dispensaries, Chairman Bathke asked the Planning Board Solicitor Ms. Weiner to state the conditions.

- The Applicant will work with the Planner to design a façade that does not include murals or signage.
- A full traffic report will be provided to the professionals
- Letter Of No Interest from the DOT will be provided when received
- Applicant's professionals will work with the Board professionals for appropriate landscaping
- Lots will be consolidated
- Sidewalks will be provided if feasible and permitted by DOT & County.
- Approvals from all outside agencies
- Applicant will work with the Fire Marshal and his departments on fire lanes and circulation
- Hours of operation will be 8 am to 10 pm unless shorter hours are established by the State then those guidelines will be followed.
- All Professionals review letters will be complied with

With the conditions being stated, Township Manager Riculfy made a motion to approve the application, and Mayor Steglik seconded the motion. All present were in favor except for Vice Chairman Lewis who voted No on the application and the motion was approved and carried.

Seeing nothing further on the agenda, Chairman Bathke asked for a motion to adjourn, Mr. Pfeiffer made the motion, Mayor Steglik seconded, and the motion to adjourn was carried. The meeting ended at 9:30 PM.

Respectfully Submitted,

Trish Hochreiter

Planning Board Administrator

Adopted On: April 13, 2023