

MAYOR

James P. Mehaffey



Township Administrator

Lee Ann DeHart

TOWNSHIP COMMITTEE

Megan Kerr
Ashley Morrell
Adam Reid
Jim Robinson

Chief Finance Officer

Michael Kwasizur

WEST DEPTFORD TOWNSHIP

Municipal Building

400 Crown Point Road
West Deptford, New Jersey 08086
Phone (856) 845-4004

Registered Municipal Clerk

Lee Ann DeHart

ZONING BOARD MINUTES

Tuesday, October 11, 2022

CALL MEETING TO ORDER

- **Pledge of Allegiance**
- **Open Public Meeting Act Statement of Compliance:** 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 bulletin board designed for that purpose. Notice was mailed to the official newspapers as provided by Township Ordinance. Notice was filed with the Municipal Clerk.
- **Roll Call**
 - Present

Chairman Rick Nichols	John Barna	Bob Oldt
Amy Ives	Jessica Stewart	

 - Absent

Charles Fentress	Michelle Shirey	Jim Hink
------------------	-----------------	----------
-
- **Swearing In of Professionals**
Pat VanBernum was sworn in

APPROVAL OF PREVIOUS MEETING MINUTES

September 13, 2022, Meeting Minutes – Motion by Bob Oldt, 2nd by John Barna – All in Favor – AYE

OLD BUSINESS

- None

NEW BUSINESS

1. **Application #ZB-2022-0017 (Christine Phelps)**

Christine Phelps	Map 32.05, Block 351.25, Lot 34
1069 Buckingham Drive	Mixed Use (MU) District

Requested Relief: Requested rear yard setback of 10 ft. where 25 ft. is required for the construction of a new 15' x 12' deck.

Christine Ann Phelps, 1069 Buckingham Drive, West Deptford gave testimony that she is going to remove existing deck and place it with a new, bigger deck. The new deck will be in line with the neighbors' decks, she mentioned the other decks are all about the same size.

When no one came forward the section was closed. No comments from the board. Motion by Chairman Rick Nichols, 2nd by John Barna, Roll Call Vote – 5- yes, 0-no

2. Application #ZB-2022-0017 (Parks Grove, LLC)

Parks Grove LLC

Map, Block 374, Lot 5

200 Ogden Road

Multi-Family residential (R-4) Zone

Requested Relief: Site plan for previously approved D (1) variance. Applicant seeks to subdivide parcel into two lots. Proposed new lot will be developed with a 5,000 sqft. Building for micro cultivation of cannabis, with associated parking, landscaping, lighting, and grading. The existing single-family dwelling will remain on the remainder lot. **Kathie Renner, Brown & Connery LLP; 6 North Broad St; Woodbury NJ 08096; the Applicants Attorney:** Seeking minor subdivision, 2nd phase of Application; 1) Use Variance 2) Subdivision/minor subdivision, preliminary final site plan approval. Ms. Renner introduced the professionals and owner who were with her, and they were sworn in: **Brandon Parkin (owner Principal/Applicant); Brad Barker (Architect); Tim Kurnan (Planner); Eric Rundstrom (Engineer).**

Ms. Renner presented the Application. She stated that Applicant seeks to subdivide parcel into two lots. The proposed new lot will be developed with a 5,000 sq. ft. building for micro cultivation of cannabis, with associated parking, landscaping, lighting, and grading. The existing single-family dwelling will remain on the remainder lot. Ms. Renner addressed the issue of completeness. The Applicant requested waivers of an environmental inventory assessment and environmental impact report. The property has been subject of a woodland management plan and there is a complete analysis regard with present endangered species. Ms. Renner also addressed the requirement of a traffic report stating that the Applicant had submitted a ‘traffic statement’ that indicated that the business would generate three (3) trips during peak hours which is minimal. She also stated that the County had accepted the “traffic statement.” Lastly, she stated the Applicant will address the 30” diameter of tree assessment and provide an access easement addressing the commercial/residential common access as conditions of approval.

The Board Engineer stated he is in agreement with the requested waivers and the Board deemed the Application complete.

The Applicant’s Engineer, Mr. Rundstrom, testified that the proposed lot for the business will be located on the smaller 1.8 acres lot created by the subdivision, and the remaining lot with the residence would be 17.2 acres. With respect to utilities, he stated that electrical will be from the roadway poles directly to the building, a separate well and

septic tank will be installed. Drainage from the property primarily drains toward Ogden Station Road. The proposed use will have 4 to 10 employees on site, with one (1) parking space available for every two (2) employees and one (1) ADA space. The Applicant will provide a Parking Plan. Mr. Rundstrom testified regarding Exhibit A-1 stating that larger vehicles such as firetrucks and trash trucks will have ample turn around space and will not have to back up. The driveways will be paved and there is a gate at the front. As to Stormwater Management, he testified that the Applicant's Stormwater Report demonstrates that the building site is compliant. He stated that the Applicant is willing to work with and satisfy the Board Planner's requirements in terms of Landscaping. The Applicant wants to remove the basketball court and tennis court and restore the area to a natural state including the portion of tennis court adjacent to the Turnpike. The Applicant will also agree to landscaping in front of the building and as well as planting trees to the left side of the building. The Applicant proposes to light the site with 2 wall packs front and back, both 16' high. Mr. Rundstrom also testified regarding Exhibit A-2 showing the location description of the building. Exhibit A-4 was admitted which showed 4 pictures: A-Top Left- Ogden station Road; B-Bottom Left- Angle of Gate; C-Top Right- Driveway; D-Bottom Right-Looking back down Ogden Station Road. He stated that there are no issues with the wetlands on the site. There will be small signage on site. Mr. Rundstrom mentioned a "contingent plan" to move the building closer to the Turnpike which would require a Variance to allow a setback of thirty (30) ft., where fifty (50) ft. is required. He referenced Exhibit A-5, which is an aerial photograph of the overpass elevation of Ogden Stations Road and Turnpike. Mr. Rundstrom gave a description of where the building would be moved on picture under the "contingent plan". He stated that the main objective is to utilize the lot and to keep it further away from Applicant's house. A question from the Board Chairman asked for there to be testimony regarding the need for a variance and what is the "hardship". The Applicant's Planner, Tim Kernan, PP testified there is no hardship; that the main objective it is a better fit of the building on the site. The "contingent plan" provides more room between building and Applicant's home.

The Applicant's Architect, Brad Barker, testified regarding Exhibits A-6 and A-7, stating that there will be two standard (2) doors to the 5,000 sq. ft. building, one (1) in the front and one (1) in the back. There will be no windows and the colors on the building will be tone colors. He stated that no sprinkler system is required for a building under 12000 sq ft. The building is at grade. An overhead door will face Ogden Station Road.

The Applicant's owner, Brandon Parkin testified that delivery vehicles will be nothing bigger than a car or truck, there will be roughly 3 to 4 employees per shift daily, with each shift should being roughly 10-hour shifts. Vehicles making deliveries from the business will vary in timing and be coordinate with the Police. The vehicles will not marked and will be kept inside the building where the product will be loaded and ready for delivery. Deliveries out from the business will be approximately two (2) times per

month. Deliveries to the site (supplies, materials, etc.) will be approximately once per week. He testified that no members of the public will be on site, just employees, State, Police and vendors. He testified regarding the business' SOPs, cultivation, waste management, security safety plan, weighing of product which are all recorded and reviewed by the State. Hours of operation 7am – 11 pm, there is a filtration system. No noise other than the normal HVAC, no special equipment needed. Security will be monitored by CCTV System available to the State 24/7. There are cameras at every point of entry, every room and where the plants are. When the plants are ready to be transferred, they are signed out and labeled. Security systems will send out status signals every 60 – 90 seconds, which is a State requirement. He stated the Applicant is asking for relief because it believes that a fence will draw attention to the building. He also stated that all visitors will be escorted at all times.

Ms. Renner will submit plans and come back if needed with conditions of approval.

At this time the section was open to the public, when no one from the public came forward, the section was closed.

The decision was split Chairman Nichols motioned, the waiver for fence, 2nd John Barna, Roll Call Vote – 5 yes, 0 no.

Chairman Nichols motion, preliminary subdivision and final site plan, 2nd Amy Ives, Roll Call Vote – 5 yes, 0 no.

CORRESPONDENCE

- None

REPORTS

1. **Planning Board Solicitor**) Malamut & Associates - NONE
2. **Planning Board Engineer** (Bryson and Yates - NONE
3. **Planning Board Planner** (CME Associates) - NONE

RESOLUTIONS FOR MEMORIALIZATION

- Resolution 2022-15 (Ali Alimari) – Roll Call Vote – 5 yes, 0 no
- Resolution 2022-06 (Louis Kuhnel) – Roll Call Vote – 5 yes, 0 no
- Resolution 2022-07 (H.A. DeHart) – Roll Call Vote – 5 yes, 0 no

OPEN MEETING TO THE PUBLIC

- When no one came forward there was Roll Call Vote – 5 yes, 0 no

ADJOURNMENT

- Motion by Chairman Nichols, 2nd by Bob Oldt, All in Favor - AYE