

**TOWNSHIP OF EVESHAM**

**Planning Board**

**Minutes**

**August 17, 2023**

**7:00 P.M.**

**Municipal Building**

**Call to Order**

Meeting brought to order by Chairperson Killion-Smith at 7:00 p.m.

**Flag Salute**

**Statement of Conformance with Open Public Meetings Act**

Chairperson Killion-Smith made the statement that this meeting is being conducted in accordance with the New Jersey Open Public Meetings Act and all other applicable laws of the State of New Jersey. Notice of the conduct of this meeting has been posted in the Evesham Township Municipal Building and published in a newspaper of general circulation within the time required by law. All proceedings will be in accordance with the Open Public Meetings Act, the Municipal Land Use Law, and any other applicable laws of the State of New Jersey.

**Present:** Friedman, Higginbotham, Todd, Wyllner, Everhart, Mayor Veasy, Killion-Smith

**Absent:** Bock, Costello, Deputy Mayor Freeman

**Staff:** Karp, Lopez, M. Taylor, Snee, Newton, Kinney

**Continuation of Scheduled Matters – None**

Chair Killion-Smith announced the listed agenda item #2 would be heard first

**New Business**

**1. 200 Route 73 North**

**P22-04**

Block 20, Lot 1.01 (C-1/EVCO Zone)

Route 73 Property LLC

Robert S. Baranowski, Jr., Attorney for Applicant

John Scorson – Applicant’s Professional Solar Expert, sworn

Exhibit A-1 – 12 photos showing existing site

Applicant requests amendment to prior approval to remove condition for the supports of the solar carport to be black or brown finish and an amendment to the approved lighting plan

Applicant received approval on June 2, 2022 – Resolution No. 2022-PB-06

Supports constructed are galvanized

During pre-construction meeting was not an issue – at inspection was questioned

Owner requested silver/gray galvanized support to match diner  
Supports installed are 4' higher per request of Fire Marshall  
Mr. Baranowski – applicant seeks an amendment to the approved lighting plan to use the existing lighting without additional LED lighting under the solar array  
Mr. Baranowski – referred to Exhibit A-1 showing site, showing the matching of gray on building and how solar array is higher than the light fixtures  
Aesthetics was very important to the owner

Applicant is seeking an amended from a condition of approval set forth in Resolution No. 2022-PB-06 – on using black or brownish finish support structures for the solar arrays - applicant installed galvanized finished supports  
Applicant agrees if ERI would want night light testing for lights levels

Anthony Lopez – ERI – feels light levels are adequate

Michelle Taylor – Taylor Design Group - based on the testimony, not offended by galvanized supports

Eric Snee – CME – no comment

Deputy Chief Scott Freedman – 25' height was part of the requirement and fire code issue – worked with applicant on accesses and owner agreed to comply  
Color is not relevant

#### Board Comment

Mayor Veasy – thanked Deputy Chief on explanation for the 25' height. Also thanked Ms. Taylor for her comments. At the time of the approval Mayor had asked the colors be brown or black, would have liked to see how they would have looked but does not have a concern with what is being proposed

Mr. Baranowski – does comply with height now

Board Member Friedman – thinks it looks fine. What is the technical reason the columns cannot be painted?

Mr. Scorsone – would be impossible to do at this time, also maintenance would be a concern

Vice-Chair Everhart – not averse to the color but dismayed that it was overlooked

Mr. Scorsone – issue of color did not come up until installed and construction plans were approved

Chair Killion-Smith – while it was not discussed at the time of the pre-construction meeting, the condition was in the Resolution

Board Member Wyllner – thinks the galvanized supports work with building. Concerned about the bolts at the base and how they can be covered

Mr. Scorsone – owner is looking at it

Public Comment – None

Motion to approve P22-04 200 Route 73 North with ERI review of lighting – Mayor Veasy  
Second – Wyllner

Ayes: Friedman, Higginbotham, Todd, Wyllner, Everhart, Mayor Veasy, Killion-Smith

**2. 850 Route 70**

**P23-04**

Block 4, Lot 3.01 (C-1/EVCO Zone)

Rooted of Evesham

Tyler Prime, Attorney for Applicant

Eric Clark – Representative of Rooted at Evesham – sworn

Andrew Danaher, Architect – sworn

Dave Horner, Traffic Engineer – sworn

Exhibit Site Plan Packet – Exhibit A-1 –SK101

Exhibit A-2 – SK102

Exhibit A-3 – A001

Exhibit A-4 – AD100

Exhibit A-5 – AS111

Exhibit A-6 – LS101

Exhibit A-7 – A300

Exhibit A-8 – A311

Applicant is seeking Site Plan Waiver with Conditional Use approval for a Class 5 Cannabis Retail Establishment

Mr. Eric Clark – CO of holding company – have been in business since 2019

This is the first facility in New Jersey

Mr. Clark explained the process, check in first with valid ID, sales floor to shop and speak with sale person, line to check out (9 to 10 registers)

No curb side services

All transactions in person

One way in and one-way out

Mr. Prime asked if products can be used in parking lot

Mr. Clark – No – there will be site plan security, an average of 23 cameras monitoring the site which has been approved by the State – will go above and beyond for security  
Plan for odor control will be in place

Hours of operation 9:00 a.m. to 10:00 p.m., 7 days a week

7 – 9 employees at peak times

Deliveries by van – a log will be kept for deliveries

Payments made – 30% by debit card, 70% cash –

Safe is inside vault

Andrew Danaher – Architect

Prior an AT&T store, will update paint, some wood siding, so some interior renovations, will maintain front and rear of building

Meets requirement for condition of location of front door

Will update trash enclosures

Existing lighting is LED and complies

Restriping of parking will be done and will comply with ADA

Will comply with sidewalks along Route 70

Landscaping – will work with professionals and will comply and maintain

Dave Horner – Traffic Engineer

Trip Generation Comparison dated 4-26-2023

This is an 8,500 sq. ft. building – 4,790 sq. ft. will be used as the cannabis dispensary, remaining square footage for storage

This is a single user – if there would be a change, applicant agrees to come back to the board

No significant impact on traffic

Applicant will apply to NJDOT for a Letter of No Interest

Board Member Friedman – asked if the adjacent building to the site will have a drive-thru

Mr. Horner- will not have an impact on this site

Mr. Lopez – ERI – will Saturday trips be an impact

Mr. Horner – will include Saturday numbers to NJDOT

Michelle Taylor – Taylor Design Group – letter dated 8-4-2023

Applicant agrees to recommendations and comments

Complies with Condition Use

Addressed signage – like for like? – applicant agrees

Asked for street trees along Route 70 – applicant agrees

Anthony Lopez – ERI – letter dated 8-4-2023

Applicant agrees to recommendations and comments

Applicant has provided testimony were needed

Applicant to work with Township Engineer for site work

Restriping of site – update site signage

Deputy Chief Scott Freedman – memo dated 8—16-2023

Not much change on site

Satisfied with what has been submitted

Eric Snee – CME – letter dated 7-6-2023  
Applicant agrees to recommendations and comments  
Testimony given addresses information needed  
Request owner submit any records for site assessment  
Mr. Prime – will contact current owner

#### Board Comment

Chair Killion-Smith – is product recreational and medical  
Mr. Clark – just recreational  
Chair Killion-Smith – are there ADA van spaces available?  
Mr. Prime – yes

Board Member Wyllner – will signs be backlit  
Mr. Prime – yes

Mayor Veasy – are variances needed for signage  
Mr. Taylor – they are using existing signage – extra Root signage (logo) has been removed  
(these were on the original set of plans submitted)  
Mayor Veasy – when original Ordinance was written location of door was addressed.  
Ms. Taylor – location is fine – this is an existing condition  
Mr. Lopez – ADA spaces are close to the doorway

Vice-Chair Everhart – confused about where company Rooted is located  
Mr. Clark – local owner/manager

Board Member Friedman – has there been a study on the demand for retail cannabis and this location

Chair Killion-Smith – this location is a designated area

#### Public Comment

Joseph Knapp – owner 901 Marlton Pike, Executive Building  
Concerned about operation, traffic, parking, overflow parking  
Will there be cameras to the west of the building  
Mr. Clark – will have cameras for neighbors  
Signage will be the same  
Mr. Karp – a condition to work with Police Department at opening to secure safety – applicant agrees

Mayor Veasy – Ordinance includes no public consumption – if you see it, please call police

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Mr. Karp summarized  
Applicant is seeking Site Plan Waiver Conditional Use for a Class 5 Cannabis Retail Establishment  
No curbside pickup  
Comply with Condition Use  
Repair parking  
Sidewalks  
Remove/replace dead plantings  
NJDOT Letter of No Interest  
No second use  
Meet with Township Engineer for site work  
Recreational product only  
Work with Police Department

Motion to approve P23-04 – Rooted at Evesham – Higginbotham  
Second – Everhart  
Ayes: Friedman, Higginbotham, Todd, Wyllner, Everhart, Mayor Veasy, Killion-Smith

#### **Minutes**

Motion to approve 7-20-2023 – Higginbotham  
Second – Wyllner  
Ayes: Higginbotham, Everhart, Wyllner, Killion-Smith

#### **Memorialization of Resolution**

Motion to approve 2023-PB-14 – Rt. 70 & Locust Ave., Evesham Owner Urban Renewal – Higginbotham  
Second – Everhart  
Ayes: Higginbotham, Wyllner, Everhart, Killion-Smith

Motion to approve 2023-PB-15 – Ord# 13-8-2023: Adopting the Evesham Landfill Solar Energy Redevelopment Plan – Higginbotham  
Second – Wyllner  
Ayes: Higginbotham, Wyllner, Everhart, Killion-Smith

**Public Comment - None**

**Board Comment - None**

**Communication/Organization** – Board Secretary Newton – next scheduled meeting is September 7, 2023, there is a possibility of cancellation

**Next Meeting – 9-7-2023**

**Meeting Adjourn – 8:50 p.m.**