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BOROUGH OF ELMWOOD PARK
PLANNING BOARD

WEDNESDAY, APRIL 10, 2024
TAKEN PLACE: Municipal Building
Elmwood Park, New Jersey
Commencing at 7:30 PM

MEMBERS PRESENT:

JEFFREY FREITAG, CHAIRMAN
MAYOR ROBERT COLLETTI
COUNCILWOMAN THERESA SHERIDAN
JOSEPH BENIAMINI, Member
ANTONIO CASTELBUONO, Member
ROMANO INTRIERI, Member
JOSEPH MULLIGAN, Member
MYLES GARVEY, Member
CARL ROBERTS, Member
ROBERT ELDER, Member
ANDREW TISELLANO, Member
ERIC SAIMSON, Member

ALSO PRESENT:

JOHN A. CONTE, JR., ESQ.,
ATTORNEY TO THE BOARD

CARRIE PARETTI, SECRETARY
JOHN CHAYKO, BOARD ENGINEER

MINUTES PREPARED BY:
BETH CALDERONE
CERTIFIED COURT REPORTER
75 Ottawa Avenue
Hasbrouck Heights, NJ 07604
(201) 982-5157
Email-Calderone2000@aol.com

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APRIL 10, 2024
ELMWOOD PARK PLANNING BOARD

MEETING called to ORDER of the
Elmwood Park Planning Board, by Chairman Jeff
Freitag according to the Open Public Meeting Act,
APRIL 10, 2024 @7:34 PM

FLAG SALUTE

MINUTES: FEBRUARY 14, 2024 APPROVED

AS SUBMITTED

APPOINTMENT OF NEGLIA ENGINEERING

Business C.O. B24-005 VICTORIA LEE
274 Broadway
Block 303, Lot 6
Tenant: Jose Alberta
One Juice A Day

The applicant is seeking to open One
Juice A Day, a smoothie/juice store. No cooking on
premises. Applicant will install a compartmental
sink, refrigerator, freezers. The place being small
in size, there is no seating or tables. There will
be on street parking. Applicant feels it will be
adequate for his business. 2-3 employees. Hours of
operation: 6:00 AM to 8:00 PM. Applicant will
comply with ordinance.

NO PUBLIC IN FAVOR OR OPPOSITION

J. Beniamini offers a motion to
approve as submitted, second by R. Elder

ROLL CALL BY MS. PARETTI:

MAYOR COLLETTI: Yes.
COUNCILWOMAN SHERIDAN: Yes.
J. BENIAMINI: Yes.
R. INTRIERI: Yes.
A. CASTELBUONO: Yes.
J. MULLIGAN: Yes.
M. GARVEY: Yes.
R. ELDER: Yes.
CHAIRMAN FREITAG: Yes.

1 APPLICATION APPROVED
 2 P24-001 Henry Place, LLC
 3 163 Kipp Avenue
 4 Site Plan approval, height variance
 5 and structure built in the right-of-way
 6 Mr. Randazzo, Esq., on behalf of the
 7 applicant

8 Thomas Stearns, Engineer, preparer
 9 of the site plan submitted for review, stated the
 10 property is located in a flood zone, seeking a
 11 height variance. The property is adjacent to the
 12 flood zone, a brook, which runs in a contained
 13 culvert. The lot size is 75 X 119. The one and a
 14 half story dwelling was demolished, applicant will
 15 be constructing a two story dwelling.

16 Being in a flood zone, top of wall
 17 of culvert is approximately elevation 34. Flood
 18 elevation is 30.5. DEP Flood hazard permit was
 19 approved.

20 The proposed two story, two family
 21 dwelling with a garage for parking for each unit.
 22 Footprint of the proposed dwelling being 2,351 with
 23 the overhang. The applicant is seeking a variance,
 24 closer than ten feet to the right-of-way.

25 Applicant complies with all bulk
 variances, front, rear, side yard setbacks. DEP
 requires not just above that flood elevation, but a
 higher standard, therefore causing the height
 request 27.2 feet.

NO PUBLIC IN FAVOR OR OPPOSITION

R. Elder offers a motion to approve
 with revisions, second by Member Mulligan.

ROLL CALL BY MS. PARETTI:
 MAYOR COLLETTI: Yes.
 COUNCILWOMAN SHERIDAN: Yes.
 J. BENIAMINI: Yes.
 R. INTRIERI: Yes.
 A. CASTELBUONO: Yes.
 J. MULLIGAN: Yes.
 M. GARVEY: Yes.
 R. ELDER: Yes.
 CHAIRMAN FREITAG: Yes.

APPLICATION APPROVED

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P24-002 Culture Craft Cannabis
Collective, LLC.

48 Bushes Lane.
Block 1106, Lot 11

Application for site plan approval
and conditional use of Class 1 Cultivating and
Class 2 manufacturing cannabis micro-business and
variance for front yard.

Zackery Rosenberg, Esq., on behalf
of the applicant.

Applicant is seeking Class 1 and
Class 2 cultivating and manufacturing of Cannabis
located at the facility. The property contains a
structure that was previously occupied by a carpet
manufacturer for warehousing purposes. The property
is in the IR zone that permits the use of cannabis
cultivating, manufacturing as a conditional use.
Applicant is seeking conditional use and final site
plan approval and front yard setback C variance for
the proposed location of the security fencing in
front of the property.

The applicant received conditional
approval from the State of New Jersey Cannabis
Regulatory Commission, conditioned on receiving all
the necessary approvals at the town level.

Anthony Campbell, owner of the
Culture Craft Cannabis Collective, LLOC discussed
business operations of the class 1 and class 2
micro cannabis cultivating proposed use.

Applicant will have no sales of
product to the public. This is not a retail store,
no foot traffic, no additional people going in and
out except for the employees. There will be four
main full time employees. There will be a manager
of the cultivating operation. A general facilities
manager, manager of the corporation, manager of the
manufacturing. There will be a large number of
part-time employee brought in during peak
operations, for example, harvesting of the
cannabis, filling and packaging.

Hours of operation are 9:00 AM to
5:00 PM. Monday through Sunday. All employees will
go through a thorough background process with the
State to be employed and must be 21 years or older.

Deliveries and pick up one per week
for pick up and deliveries will be taken place
inside of the facility.

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There will be no parking of any vehicles overnight. Seven parking spots are proposed, and an ADA accessible space is dedicated to the facility.

Security and surveillance technology is regulated by the state, installation of cameras, video recording, 24-hour live feed to the Police Department and armed security personnel. Live feed directly streams to the Cannabis Regulatory Commission 24/7.

Applicant has a full sprinkler system throughout the building. There will be no consumption on site. There will be a high tech ventilating charcoal system set up for circulating the air, having no odors escaping to the exterior. All entrances and exists have devises to detect any odors.

The CRC is the Cannabis Regulatory Commission, who is the governing body of all things related to cannabis. All applicants submit applications to the CRC for approval and need to obtain town approval.

No toxics or chemicals used in cultivating. The city water used in the growing process will be reclaimed and reused. There is no refuse/trash of the cannabis product ever put into public trash bins. All Product waste is grinded and a private disposal firm that will be contracted come for pick up of refuse.

Jim Ghaemi, licensed professional engineer in State of New Jersey described the odor mitigation design and ventilation system in the facility, having no exposure to the exterior. Everthing is self-contained, and exhausted through a charcoal filtered system. Noise levels will be in compliance as per ordinance.

Michael Jurist, Professional Engineer prepared the site plan stated that there will be no modifications to the building or grounds. The modifications to the property involve fencing, capturing of storm water runoff.

Having being prone for flooding in the loading docks, the owner of the property dug out two feet of sludge, cleaned out the sump pump to make sure they are operable, needing maintenance every so often. Water will be pumped towards Bushes Lane to the public line, directly out to the street.

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Applicant will have a hard-wired generator on site sitting on a platform above the water elevation either in the loading dock area or the applicant is amenable to moving the generator to a parking spot.

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Applicant will need to supply details to the board engineer for review and approval. There will be adequate fire connection for the sprinkler system, subject to fire official's approval and review.

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The existing fence for the most part will be kept as is, and the applicant will replace where needed for security reasons. It will have a sliding gate, not to encroach on adjoining property. It will be indicated on the plan as requested, the width of the sliding gate opening for fire access and maneuverability.

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The grant of the variance will allow the fence to extend to the property line causing no detriment, helping with public safety and the security, as well as getting the trucks off the street and allowing the truck to maneuver within the confines of the site, which advances the purposes of the Municipal Land Use Law.

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Security was ensured during deliveries with added safeguards.

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Security Expert Michael Johnson, with 35 years of military, United States Army and law enforcement background, testified to the 7/24 security for the facility. Two armed officers per shift. Indoor patrol monitoring the cameras as to who enters or exits the grounds, and building and it will be connected to the Elmwood Park Police Department. All regulatory compliance regarding cameras, camera location, number of cameras with live feed to the CRC at all times. No exterior cameras will be directed to the neighbors.

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PUBLIC QUESTIONS PUBLIC COMMENTS

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PUBLIC CONCERNS:

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Cracks on the building, concerned about the emissions to the area from the cannibals seeping through the exterior walls. Property Values being decreased having this specific activity near the residential area. Questions regarding the applicant's insurance company being liable if any person is injured or harmed from the emissions and the well-being of the residents in the Altair Adult residential building nearby.

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(No combustion in the process of cultivating, nothing is burned or combusted to produce smoke to be emitted to the outside air. The facility/site is inspected by the State for compliance. Applicant is mindful of the comment regarding the facility being two feet off of the property line.)

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Public comment regarding the building was built in '68 and grandfathered in, but the facade is in disrepair, stating rain water gushes out during a rain storm from the original windows, from drains, off the of building causing flooding on adjoining property. The esthetics of the building are a detriment to the are stating the windows are cracked and the base of the building is too close to the property line.

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The concern of odors was a concern to the neighbors. Property value for resale is a concern. The extra water and drainage that comes full force down to adjoining yards from the pipes. The lighting in the building being kept on during the night, causes a glare in the residential direction.

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Concerns regarding the facility having to be opened seven days a week. Respiratory and health concerns for the residents in the area. Concerns that the building is in need of repair and being an eyesore. Cracks need to be sealed. Roof needs repair. Concerns about cameras infringing on their privacy. Feels the applicant should move to a location more in an industrial area away from the children that live in the area exposed to this facility.

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Board members questioned the building's esthetics, rain runoff of the water from pipes and questioned the applicant if the facade will be refurbished. The applicant stated the property owner has assured him that he is in the process of patching the cracks, and will repair the drains from the roof.

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The application is a conditionally permitted use and needs site plan approval. The IR zone is suitable for the use.

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The board discussed the site plan issues, drainage, lighting, facade repairs and site improvements needing to be shown on the plan and reviewed by the Board engineer.

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The application will continue will be carried to the next regular public meeting, giving the applicant time to incorporate the site plan issues, questions/concerns by the board members and members of the public that were omitted on the site plan showing the improved design of the building, showing repairs, drainage system, lighting, fencing, storm water runoff in detail. Revised site plan will need to be submitted for review by the Board Engineer.

The applicant stipulated to carrying the application to the May 8th, 2024 public meeting. No further Notice required.

NO FURTHER BUSINESS THE PLANNING BOARD ADJOURNED @11:05 PM