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BOROUGH OF ELMWOOD PARK  
PLANNING BOARD

WEDNESDAY, NOVEMBER 8, 2023  
TAKEN PLACE: Municipal Building  
Elmwood Park, New Jersey  
Commencing at 7:30 PM

BEFORE: The Planning Board of  
Elmwood Park

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

ALSO PRESENT:  
JOHN A. CONTE, JR., ESQ.,  
ATTORNEY TO THE BOARD  
JOHN CHAYKO, BOARD ENGINEER  
SUBURBAN ENGINEERING  
CARRIE PARETTI, SECRETARY

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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NOVEMBER 8, 2023  
ELMWOOD PARK PLANNING BOARD  
REGULAR MEETING

Chairman Freitag called the Regular meeting of the Elmwood Park Planning Board to order, according to the Open Public Meeting Act, NOVEMBER 8, 2023 @7:30 PM

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FLAG SALUTE  
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MINUTES: OCTOBER 11, 2023 - Motion offered by Councilman Fasolo, second by R. Elder to approve the minutes as submitted. Members voted Unanimously to accept the minutes as submitted.

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P23-003  
GARDEN CANNABIS DISPENSARY, LLC  
265 Route 46  
Block 1705, Lot 2  
Site Plan approval for retail store  
Licensed Class 5 Cannabis Retail

CONTINUATION of application for a Class 5 Cannabis Retail Dispensary on Route 46 West. The architect, civil engineer, security expert, and traffic engineer all previously testified on behalf of the applicant at the October 11, 2023 Planning Board meeting.

Traffic expert on behalf of the applicant, Nathan Mosley, returned this month and commented on the issues raised in a letter by the board's traffic engineer, and addressed the concerns. The NJ Department of Transportation will soon be sending a letter of no interest regarding the existing driveway, as it is designed today, and located on Route 46, which is under their jurisdiction.

Applicant retained accident data records from the Elmwood Park Police Department, submitted same, stating a total of 32 accidents over a three year span had occurred.

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Majority of the total accidents, 30 were directly located on Route 46, not near the driveway of the proposed cannabis facility.

All supplemental reports were shared with the board engineer concerning the traffic questions, number of trips, one-way circulation remaining the same, amended angled parking inside the car port, peak hour trips anticipated for the proposed use. Also flexible visual delineators will be installed.

The applicant stated that the proposed request and traffic associated, does not come near the threshold of 100 vehicle trips in and out of the existing driveway to cause a detrimental impact to the intersection.

NO PUBLIC IN FAVOR OR OPPOSITION

The Board discussed the intensity to the intersection regarding the use proposed.

Councilman Fasolo offered a motion to approve, second by R. Elder for preliminary final site plan and conditional use approval.

ROLL CALL:

- MAYOR COLLETTI: No.
- COUCILMAN FASOLO: Yes.
- R. INTRIERI: Yes.
- J. BENIAMINI: No.
- A. CASTELBUONO: No.
- M. GARVEY: No.
- R. ELDER: Yes.
- J. MULLIGAN: No.
- CHAIRMAN FRIETAG: No.

APPLICATION DENIED

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1 P23-004 OHM THEORY, LLC  
2 URESH PATEL, CEO  
3 213 Route 46  
4 Block 1706 Lot 1

5 Application for Class 5 Retail  
6 cannabis.

7 Applicant is seeking Preliminary and  
8 final site Plan and conditional use approval for a  
9 cannabis dispensary.

10 Eric Reiser, Esq., on behalf of the  
11 applicant.

12 Professional Engineer, William  
13 Stimmel, Peter Stampfl, and applicant, Uresh Patel  
14 testified before the board stating the dispensary  
15 will be in Unit 3 within the strip mall, with no  
16 outdoor structural changes. The unit will be  
17 modified only on the interior. Customers place  
18 orders in person, or on-line for product pick up.

19 The circulation pattern on the  
20 property and parking that exists today is adequate  
21 for the facility. Employees will park in the rear,  
22 opening up spaces in the front of the building. The  
23 exterior windows and door will be of frosted glass,  
24 having no visibility of products or material from  
25 the outside of the premises. All product is  
pre-packaged.

Installation of cameras and  
regulated security measures that must be adhered to  
by the State of New Jersey before given a final  
inspection before a license is issued. A security  
guard will be on duty on all shifts. Hours of  
operation, 8:00 AM to 10:00 PM, Monday through  
Friday. There will be no more than 4 to 5 employees  
per shift. Applicant will request the landlord to  
install way finding signage for parking in the  
rear.

The operation will not interfere  
with other businesses in the strip mall and there  
is no detrimental impacts to the surrounding area.

NO PUBLIC IN FAVOR OR OPPOSITION

Councilman Fasolo offered a motion  
to approve, second by R. Elder for preliminary  
final site plan and conditional use approval.

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ROLL CALL:  
MAYOR COLLETTI: Yes.  
COUNCILMAN FASOLO: Yes.  
R. INTRIERI: Yes.  
J. BENIAMINI: No.  
A. CASTELBUONO: Yes.  
M. GARVEY: Yes.  
R. ELDER: Yes.  
J. MULLIGAN: No.  
CHAIRMAN FRIETAG: Yes.

APPLICATION APPROVED

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B23-046 JOHN KAPAS  
435 River Drive  
Block 603, Lot 44  
TENANT: Keria Family

Applicant requested an adjournment.  
Application carried to the December 13, 2023  
meeting.

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NO FURTHER BUSINESS BEFORE THE  
PLANNING BOARD

MEETING ADJOURNED BY UNANIMOUS VOTE