

## RESOLUTION NO. P – 1 – 2021

### NOTICE OF SCHEDULED MEETINGS

Notice is hereby given by the Planning Board of the Township of Edgewater Park that the following is a list of the regular meetings of the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey.

### REGULAR MONTHLY OFFICIAL PUBLIC MEETINGS

All such meetings to be held at 7:00 PM at the Municipal Building, 400 Delanco Road, Edgewater Park, New Jersey and/or by Zoom following state-wide executive order restrictions. Zoom information: Phone/Video: #1-301-715-8592; Meeting ID: 980 1960 2017 | Passcode: 444295;  
<https://zoom.us/j/98019602017?pwd=OHFFOEYR0RSaUNzZXdlcDNKNUhUQT09>. Formal action may be taken at any and all scheduled meetings. Planning Board reserves the right to enter into closed session. The Planning Board also reserves the right to schedule additional meetings on an “As Needed” basis.

### RESOLUTION BY CONSENT AGENDA

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Alexander	X				
Mr. Belgard	X				
Mr. Kauker	X				
Mr. Robinson	X				
Mr. Smith	X				
<del>Mr. Westphal</del>					X
Mr. Malecki	X				
<del>Ms. Bonner</del>					X
Mrs. Tumminia	X				
Mayor DiFilippo	X				
Chairwoman Johnson	X				

### CERTIFICATION

I, **NICOLE CARTER**, Secretary of the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy of the resolution adopted by the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, at its Re-Organization Meeting held on Thursday, January 7, 2021 at the Edgewater Park Municipal Building (or by Zoom) at 7:00 p.m.



**NICOLE CARTER**  
Planning Board Secretary

## RESOLUTION NO. P – 2 – 2021

### OPEN PUBLIC MEETINGS ACT

Whereas, The “Open Public Meetings Act” requires that advance written notice of all meetings of the Planning Board be posted in one public place designated by the Planning Board and mailed, telephoned, faxed or hand delivered to two newspapers designated by Resolution and mailed to all persons requesting a copy of the same.

Now, therefore, be it resolved by the Planning Board of the Township of Edgewater Park, County of Burlington and State of New Jersey, that,

- Section 1. All advance written notices of the Planning Board meetings shall be posted by the Secretary on the Official Bulletin Board located in the Township Municipal Building.
- Section 2. All advance written notices of the Planning Board meetings shall be given to the two newspapers: Burlington County Times & Courier Post.
- Section 3. All advance written copies notices of the Planning Board meetings through-out the year shall be mailed to all persons requesting copy of the same, after payment by such persons of fee of \$50.00, News Media shall be exempt from such fees.
- Section 4. The schedule of regular official Planning Board meetings and regular work sessions for the period from and after this reorganization meeting in January 9, 2020, shall be in accordance with Resolution #P-1-2020, designating the dates, times and places of such meetings which incorporated within this Resolution by reference.

### RESOLUTION BY CONSENT AGENDA

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Alexander	X				
Mr. Belgard	X				
Mr. Kauker	X				
Mr. Robinson	X				
Mr. Smith	X				
<del>Mr. Westphal</del>					X
Mr. Malecki	X				
<del>Ms. Bonner</del>					X
Mrs. Tumminia	X				
Mayor DiFilippo	X				
Chairwoman Johnson	X				

### CERTIFICATION

I, **NICOLE CARTER**, Secretary of the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy of the resolution adopted by the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, at its Re-Organization Meeting held on Thursday, January 7, 2021 at the Edgewater Park Municipal Building (or by Zoom) at 7:00 p.m.



**NICOLE CARTER**  
**Planning Board Secretary**

## RESOLUTION NO. P – 3 – 2021

### AUTHORIZING AWARD OF CONTRACTS FOR PROFESSIONAL SERVICES

**Whereas**, there exists a need for Solicitor, Engineer and Planner and;

**Whereas**, Requests for Qualifications and Proposals were solicited through a fair and open process in accordance with N.J.A.C. 19:44A-20.5 et seq.

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Board of the Township of Edgewater Park, in the County of Burlington, and the State of New Jersey, that the Chairperson and Planning Board Secretary are hereby authorized and directed to execute agreements for the following qualified professionals:

#### SECTION I:

A:	Environmental Resolutions, Inc.	Engineer
B:	Environmental Resolutions, Inc.	Planner
C:	Raymond, Coleman, Heinhold, LLP	Solicitor

#### SECTION II:

These contracts are awarded without competitive bidding as “Professional Services”, in accordance with *N.J.S.A. 40A: 11-5(1) (a) et seq.* of the Local Public Contract Law, and/or awarded with *N.J.S.A. 19:44A-20.4 et seq.*; the above named Professionals are licensed to practice in the State of New Jersey.

Pursuant to N.J.S.A. 40A:11-5(1) (a) the following information is set forth:

- A. Duration of Contracts: All terms are for one-year.
- B. Amount of Contracts: All specified per contract and budget appropriation.
- C. This resolution and the above-mentioned contracts will be on file and available for public inspection in the office of the Clerk of the Township of Edgewater Park.

#### SECTION III:

This resolution shall be printed once in the “Burlington County Times” and the “Courier Post” as required by law within ten days of its adoption.

### RESOLUTION BY CONSENT AGENDA

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Alexander	X				
Mr. Belgard	X				
Mr. Kauker	X				
Mr. Robinson	X				
Mr. Smith	X				
<del>Mr. Westphal</del>					X
Mr. Malecki	X				
<del>Ms. Bonner</del>					X
Mrs. Tumminia	X				
Mayor DiFilippo	X				
Chairwoman Johnson	X				

## CERTIFICATION

I, **NICOLE CARTER**, Secretary of the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy of the resolution adopted by the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, at its Re-Organization Meeting held on Thursday, January 7, 2021 at the Edgewater Park Municipal Building (or by Zoom) at 7:00 p.m.



---

**NICOLE CARTER**  
**Planning Board Secretary**

## RESOLUTION NO. P – 4 – 2021

### RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK, ANNUAL REPORT OF VARIANCE APPLICATIONS AND FORMAL RECOMMENDATIONS TO TOWNSHIP COMMITTEE FOR CONSIDERATION OF CHANGES TO ZONING CODE

**WHEREAS**, N.J.S.A. 40:55D-70.1 requires the board of adjustment at least once a year, to review its decisions on applications and appeals for variances and prepare and adopt by resolution a report on its findings on zoning ordinance provisions which were the subject of variance requests and its recommendations for zoning ordinance amendment or revision, if any and to provide the report and resolution to the governing body and the planning board; and

**NOW, THEREFORE, BE IT RESOLVED** by the Edgewater Park Township Planning Board, County of Burlington and State of New Jersey that in its capacity as a zoning board of adjustment heard the following variance applications during 2019 and that the memorializing resolutions are, if applicable, on file in the Township Municipal Building:

Applicant	Property	Result	Description
Hearing Date	Block & Lot	Resolution #	
Daniel D. Park Jr.	301 Woodlane Road	Approved	Variance to (i) permit the installation of a five (5) foot high aluminum picket style fence in the front yard setback area of the Property and (ii) a variance to permit the in-ground swimming pool to remain where located in the side yard area of the Property... <i>subject to conditions.</i>
5/21/2020	1601   34	P-5-2020	
Jubilee Christian Worship Center	1704/1708 Bridgeboro Road	Approved	1. A Variance pursuant to N.J.S.A. 40:55D-70(d)(3) to permit the Applicant to convert a portion of the existing commercial building into a house of worship on the Property with a Lot Area of 0.657 acres, a Lot Frontage of 158 feet, a Lot Depth of 200 feet, a Front Yard Setback of 40 feet, a Side Yard Setback of 9 feet, a Rear Yard Setback of 38.3 feet, a Landscape Buffer Width of 9 feet and 14 parking spaces; 2. A variance pursuant to N.J.S.A. 40:55D-70(c) to permit a 6 foot by 10 foot façade sign and continued use of the existing freestanding sign; 3. Waiver of site plan for the conversion of a portion of the commercial building into a place of worship and a storage area, in accordance with the Application, Plans and Testimony submitted by the Applicant, with Variance and Site Plan Waiver approval... <i>subject to conditions.</i>
9/17/2020	404   7, 7.01	P-7-2020	
Exeter Mt. Holly Land, LLC	Route 130	Approved	1. Variances pursuant to N.J.S.A. 40:55D-70(c) to permit (i) the loading spaces to measure 13.5 feet by 60 feet; (ii) overhead doors along the Delanco Road front façade of the building; and (iii) fencing around the stormwater basins located in front yard areas of the Property; and 2. Preliminary and Final Major Site Plan Approval for the development of the Property with a 704,700 square foot warehouse/distribution facility, including 289 off-street parking spaces, 174 truck loading berths, 209 trailer spaces, 12 stormwater management basins with related appurtenances, lighting, landscaping and the demolition of existing structures and buildings, together with other site improvements, as proposed by the Applicant, in accordance with the Plans, Testimony and Exhibits submitted by the Applicant, with Variance and Site Plan Approval... <i>subject to conditions.</i>
9/17/2020	501   1, 6	P-8-2020	

Rivin & Galina Melomedman	717 Green Street	Approved	Variances to permit a lot area of 28,125 square feet and a lot width of 125 feet for the construction of a one-story single family residential dwelling on the Property, in accordance with the application, plans and testimony submitted by the Applicant... <i>subject to conditions.</i>
11/11/2020	312   4	P-9-2020	
Urban Edgewater Renewal	4355 US Route 130 South	Approved	1. Design standard waiver to permit 47 parking spaces to be located 1.7 feet from the southerly property line and within a landscape buffer area; and 2. Minor Site Plan Approval for the Phase I Redevelopment of the Property as proposed by the Applicant, in accordance with the Plans, Testimony and Exhibits submitted by the Applicant, with Minor Site Plan Approval... <i>subject to conditions.</i>
11/19/2020	1202.09   2, 11	P-10-2020	
McDonald's	4295/4299 US Route 130 South	Approved	1. Variances pursuant to N.J.S.A. 40:55D-70(d) 2. Minor Subdivision Approval with Variances pursuant to N.J.S.A. 40:55D-70(c) 3. Preliminary and Final Major Site Plan Approval
12/17/2020	13.02, 13.03	P-11-2020	

### RESOLUTION BY CONSENT AGENDA

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Alexander	X				
Mr. Belgard	X				
Mr. Kauker	X				
Mr. Robinson	X				
Mr. Smith	X				
<del>Mr. Westphal</del>					X
Mr. Malecki	X				
<del>Ms. Bonner</del>					X
Mrs. Tumminia	X				
Mayor DiFilippo	X				
Chairwoman Johnson	X				

### CERTIFICATION

I, **NICOLE CARTER**, Secretary of the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy of the resolution adopted by the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, at its Re-Organization Meeting held on Thursday, January 7, 2021 at the Edgewater Park Municipal Building (or by Zoom) at 7:00 p.m.

*Nicole Carter*

**NICOLE CARTER**  
**Planning Board Secretary**

**PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK**

**RESOLUTION NO. P-5-2021**

**CONCERNING THE APPLICATION OF  
EDGEWATER STORAGE  
FOR VARIANCES, WAIVERS AND  
PRELIMINARY MAJOR SITE PLAN APPROVAL**

**WHEREAS**, Edgewater Storage, LLC (the “Applicant”), has applied to the Planning Board of the Township of Edgewater Park (the “Board” or “Planning Board”) for Variance, Waiver and Preliminary Major Site Plan Approval for property located at 4201 US Route 130 South, known as Block 404, Lot 2.02 (the “Property”) on the Official Tax Map of the Township of Edgewater Park, for the purpose of constructing a 10 building Self-Storage facility with associated site improvements on the Property (the “Application”); and

**WHEREAS**, a variance pursuant to *N.J.S.A. 40:55D-70(d)(1)* is required as the proposed self-storage facility is not a permitted use in the Highway Commercial (C-3) Zoning District of the Township of Edgewater Park; and

**WHEREAS**, variances pursuant to *N.J.S.A. 40:55D-70(c)* are also required as the proposed development of the Property does not satisfy the front and side yard setback, parking and loading area requirements of the Edgewater Park Zoning Ordinance (collectively, the “Variances”); and

**WHEREAS**, the Applicant requires design waivers for size of certain piping, height of fence within a front yard area, height of fence within 25 feet of a dedicated street and buffer width (collectively, the “Waivers”); and

**WHEREAS**, the Application for Variances, Waivers and Preliminary Major Site Plan Approval was deemed complete by the Board on November 19, 2020; and

**WHEREAS**, Public Hearings to consider the application were held by the Planning Board on December 17, 2020 and January 21, 2021<sup>1</sup>, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property and published in the Official

---

<sup>1</sup> The December 17, 2020 and January 21, 2021 Public Hearings were conducted with in-person and virtual participation in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., as amended by A-3850 to permit electronic meetings, and in consideration of the Executive Orders issued by Governor Murphy and Guidelines issued by the Department of Community Affairs, to protect the public during the COVID-19 emergency. The hybrid meetings progressed with the consent of the Applicant.

## EDGEWATER STORAGE - NO. P-5-2021

Newspaper of the Township, as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

**WHEREAS**, the Applicant presented evidence to the Board through testimony, plans and other evidence; and

**WHEREAS**, the following Exhibits were introduced by the Applicant during the Public Hearings:

- A-1 Aerial photograph of existing conditions;
- A-2 Site plan rendering; and

**WHEREAS**, the Board after carefully considering the evidence presented by the Applicant in support its application for Variances, Waivers and Preliminary Major Site Plan Approvals, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the contract purchaser of the Property. The Property is approximately 7.81 acres in area and is primarily wooded. An existing foundation and abandoned well are located on the western side of the Property along U.S. Route 130. Said foundation and well are designated to remain without disturbance. The Property is located within the Township's Highway Commercial Zoning District (C-3).

2. The Applicant is proposing to develop the Property with a 10 building self-storage facility with improvements for parking, stormwater management, landscaping, lighting, security and ingress/egress.

3. Self-storage facilities are not permitted in the C-3 Zoning District.

4. A Land Development Application has been submitted by the Applicant for Variances pursuant to *N.J.S.A.* 40:55D-70(c) and (d), Waivers and Preliminary Major Site Plan approval. The Applicant is also requesting a design waiver to permit 12-inch pipe for the roof leaders. In furtherance of the proposed development of the Property, the Applicant has submitted the following:

- a. Land Development Application, with Variance, Waivers and Site Plan Checklists, Easements and Variance Summary and Narrative.
- b. Plan of Survey, prepared by Robert R. Stout, PLS, PE, Stout and Caldwell Engineers, LLC, dated 12/26/19.

## EDGEWATER STORAGE - NO. P-5-2021

- c. Preliminary Major Site Plan, prepared by Ware Malcomb ("Ware"), dated 07/21/20, revised 12/07/20 (28 sheets).
- d. Architectural Plans, including Elevations, Signage and Floor Plans, prepared by Ware, dated 07/20/20, revised 10/08/20 and 10/15/20 (15 sheets).
- e. Stormwater Drainage Report, prepared by Ware, dated 07/23/20, revised 12/07/20.
- f. Environmental Impact Statement, prepared by Ware, dated 07/23/20.
- g. Traffic Engineering Assessment, prepared by Shropshire Associates, LLC, dated 07/20/20.
- h. Phase I Environmental Site Assessment Report, prepared by Trident Environmental, dated August 5, 2019.

5. The taxes on the Property are not current. The Applicant has entered into an Agreement with the Township providing for the payment of all outstanding taxes when it closes on the purchase of the Property.

6. The Applicant has paid and/or posted all required fees and agreed to keep the escrow account current.

7. Proper notice of the application for Variances, Waivers and Preliminary Major Site Approval has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.

8. The Applicant is proposing the following development of the Property:

- a. Construction of a 10 building self-storage facility with a total area of 112,909 square feet.
- b. Two (2) stormwater management basins and related stormwater facilities.
- c. Fifteen (15) parking spaces.
- d. Drive aisles and access improvements.
- e. Landscaping, lighting and fencing.

9. The buildings are sized as follows:

- a. Building "A" – 72,600 square feet (First Floor - 1,300 SF office space and 40,500 SF of storage space; Second and Third Floors – 15,400 SF of storage space on each floor).

## EDGEWATER STORAGE - NO. P-5-2021

- b. Building “B” – 1,827 SF of storage space.
- c. Building “C” – 1,200 SF of storage space.
- d. Building “D” – 13,600 SF of storage space.
- e. Building “E” – 2,000 SF of storage space.
- f. Building “F” – 1,961 SF of storage space.
- g. Building “G” – 600 SF of storage space.
- h. Building “H” – 1,740 SF of storage space.
- i. Building “I” – 13,000 SF of storage space.
- j. Building “J” – 4,381 SF of storage space.

10. The following variances/waivers are required for the development of the Property as proposed by the Applicant:

- a. A (d)(1) variance for the proposed self-storage facility use.
- b. Front yard setback variance – 60 feet required, 50.64 feet proposed for Building I and 48.20 feet proposed for Building J, both for the Mt. Holly Road frontage.
- c. Side yard setback variance – 15 feet required, 10 feet proposed for Buildings C, E and J.
- d. Parking variance – 23 spaces required, 15 spaces proposed.
- e. Loading Area variance – Prohibited in front yard area, loading area proposed for Building A fronting on US Route 130.
- f. Fence height waiver – 6 feet proposed within the Route 130 and Mt. Holly Road front yards, 4 feet permitted.
- g. Fence height waiver – 6 feet proposed within 25 feet of dedicate street line, 4 feet permitted.
- h. Side yard landscaped buffer width waiver – 15 feet required when abutting non-residential uses, 10 feet proposed.
- i. Size of pipe waiver – 12 inch pipe proposed for roof leaders.

11. The Application and supporting documents submitted by the Applicant as well as the Exhibits utilized by the Applicant during the December 17, 2020 and January 21, 2021 Public Hearings were posted on the Township’s website and available for inspection. By-appointment only inspections were also available to any interested person.

## EDGEWATER STORAGE - NO. P-5-2021

12. The Applicant was represented at the Public Hearings by Wendy M. Berger, Esquire of Cole Schotz, P.C. Ed Wilkes, PE, Ed Mayer, RA, and Tiffany Morrissey, PP testified on behalf of the Applicant<sup>2</sup>.

13. Ms. Berger made the following representations to the Board during the Public Hearings:

- a. The Applicant consents to the Public Hearing with remote and limited in-person participation.
- b. The Applicant's interest in the Property is as contract-purchaser.
- c. The Property is within an Area in Need of Redevelopment as previously determined by the Board.
- d. A Redevelopment Plan for the Property has not been adopted by ordinance by the Township.
- e. The Applicant has entered into an Agreement with the Township for the payment of the outstanding taxes on the Property when it closes on the purchase.
- f. The self-storage facility use is not a permitted use in the C-3 zoning district.
- g. Corrects the hours of operation as 6:00 a.m. until 10:00 p.m. with extended hours available for Building A only.

14. Mr. Wilkes provided the following sworn testimony during the Public Hearings:

- a. He is a Senior Project Manager with Ware Malcom, the Applicant's Civil Engineer and Architectural firm.
- b. He utilized Exhibit A-1 to orient the Board and the Public with the Property's existing conditions, location and surrounding uses.
- c. The Property is 7.81 acres in area, is vacant and wooded with remnants of an old dwelling.
- d. The Property is irregularly shaped with frontage on Route 130 and Mt. Holly Road. The Property surrounds three commercial lots that front on Route 130.

---

<sup>2</sup> Based on their education, professional licenses and experience, Mr. Wilkes, Mr. Mayer and Ms. Morrissey were qualified by the Board to testify as an expert in their respective areas of site engineering, architecture and land planning.

## EDGEWATER STORAGE - NO. P-5-2021

- e. At its thinnest point, the Property narrows to a depth of 130 feet.
- f. The adjacent land uses include single family homes to the North, the three commercial lots to the Southeast, Route 130 to the South, a car dealership of previously owned automobiles to the West, and Mt. Holly Road to the East. An Aldi Food Market is located across Mt. Holly Road. The three commercial properties are occupied by a gasoline station, a diner and a recently closed nursery.
- g. Retail sales uses, office buildings and shopping centers are permitted uses in the C-3 zone.
- h. The proposed self-storage use is a less impact generator than a shopping center.
- i. Building A is the only building with multiple floors, with the first floor having the largest footprint. The second and third floors, at 15,400 square feet each are less than half of the first floor's total area of 41,800 square feet.
- j. Approximately 1,300 square feet of Building A's first floor will be occupied by office space for the self-storage facility.
- k. Buildings D and I are both climate-controlled buildings located in the interior of the Property.
- l. Buildings B, C, E, F, G, H and J are located around the perimeter of the Property, are each no higher than 12.8 feet and have doors that open interior to the drive aisles.
- m. Neither storage of hazardous materials or outside storage will be permitted.
- n. The self-storage will not have an apartment for a live-in on-site manager.
- o. The Route 130 access will be for right in/right out traffic movements.
- p. The Mt. Holly Road access will be for exit and emergency access only.
- q. Keys fobs will be utilized to access the site.
- r. A 6-foot high security fence is proposed around the perimeter of the site with ornamental fencing along the road frontages and an opaque fence adjacent to residential use.

## **EDGEWATER STORAGE - NO. P-5-2021**

- s. Security cameras will be utilized throughout the site.
- t. The required rear yard setback of 50 feet is satisfied by the proposed layout of the site.
- u. All 10 buildings comply with the 45-foot, 3 stories maximum height permitted in the C-3 Zone.
- v. At the pinched in area where the depth of the Property is 130 feet, it would be impractical to satisfy the rear and side yard setback requirements of the Ordinance.
- w. Only a small portion of Buildings I and J actually encroach into the required front yard setback area and the encroachment is a result of squaring off the 2 buildings.
- x. The side yard setbacks for Buildings C, E and J are 10 feet rather than the required 15 feet. These non-complying side yard setbacks are adjacent to the three (3) commercial lots that front Route 130.
- y. The security fence will tie into Buildings C, E and J.
- z. The drive aisles are 30 feet wide and permit access to the units without interfering with vehicular circulation throughout the site.
- aa. The Applicant has met with the Township's Fire Official regarding the layout of the site and Township emergency equipment can circulate unrestricted through the site.
- bb. Sidewalk will be provided along the Route 130 and Mt. Holly Road frontages of the Property.
- cc. Landscaping and screening will be provided in areas visible from the public right-of-way and adjacent to residential uses.
- dd. Along the residential property line, a 15-foot wide landscaping buffer will be provided between the stormwater management basin and the property line, with fencing in the area of the basins to be located closer to the basin in order to have an area for the planting of a staggered row of trees.
- ee. The trees to be planted as screening for the residential properties will be 6 feet +/- in height at planting with 1 foot or more of growth per year.
- ff. Fencing adjacent to the residential properties will be opaque.

## **EDGEWATER STORAGE - NO. P-5-2021**

- gg. The third floor of Building A is located 275 feet from the closest dwelling.
- hh. Lighting includes 59 downward facing wall mounted LED fixtures and 15 pole mounted LED fixtures on 25-foot poles. The lighting complies with the Ordinance requirements.
- ii. 15 parking spaces are provided in front of Building A. Based on the Township Ordinance, 23 parking spaces would be required for this site. The 15 parking spaces are more than sufficient for this use. The Applicant will “bank” 8 additional parking spaces for use if proven necessary when the facility is operating.
- jj. The stormwater management design complies with NJDEP Best Practices requirements. The stormwater management system includes 2 sand bottom infiltration basins located at the Property’s low point. There will be no discharge of stormwater during the 2-year design storm.
- kk. The existing drainage pattern of the Property will be maintained.
- ll. A swale and pipe system will receive sheet flow from the 3 adjacent commercial properties.
- mm. 12-inch pipe is proposed for the roof leaders that will direct the stormwater from the buildings to the stormwater management system. The 12-inch pipe is more than sufficient for the roof leaders.
- nn. A mounted sign is proposed for Building A and a monument sign for the Route 130 access point. The mounted and monument signs are compliant with the Ordinance requirements but may change when an operator of the facility is finalized.
- oo. The Applicant will install a “No Access” or “Exit Only” sign at the Mt. Holly Road drive as recommended.
- pp. Utilities will include public water and sewer with fire connections for the three largest building. Fire hydrants and connections are in accordance with the Fire Official’s review of the Application.
- qq. Gas lines will be connected from Route 130.
- rr. The transformers are located close to the source as discussed with the utility companies.

## EDGEWATER STORAGE - NO. P-5-2021

- ss. The trash dumpsters are for office use only; unit renters must remove their trash.
- tt. Multiple operators of self-storage facilities are interested in this site, but nothing can be finalized prior to the Applicant receiving the necessary approvals for the self-storage use.

16. Mr. Mayer provided the following sworn testimony during the January 21, 2021 Public Hearing:

- a. He is the Applicant's Architect, also with Ware Malcomb.
- b. The largest building proposed, Building A, is furthest away from the residential properties. The buildings get smaller as you get closer to the residential properties.
- c. Building A steps down to one-story as you move away from Route 130.
- d. The three largest buildings will be sprinklered.
- e. Building A is the only building with office space and elevators.
- f. A loading area is proposed along the Route 130 frontage of Building A that will access directly to the elevators. The loading area is furthest away from the residential properties and buffered by the building to minimize any impact to the adjacent residential uses.
- g. The office space is located on the ground floor only of Building A.
- h. The three largest buildings are the only buildings with interior hallways to access individual storage units.
- i. The units of the 7 smaller buildings are accessed directly from the exterior with the unit doors facing the interior of the site.
- j. The design of the site satisfies the fire code.
- k. The Applicant's intent is to keep the color scheme and the materials of the buildings as shown on Exhibit A-2, however, same may be subject to change depending on the operator of the facility.
- l. The windows shown on the building elevations for the 2<sup>nd</sup> and 3<sup>rd</sup> floors of Building A are faux windows.

## EDGEWATER STORAGE - NO. P-5-2021

- m. The roof top equipment for the climate-controlled buildings will be placed toward the center of the building to minimize impact to the residential uses.
- n. The lighting will be shielded and/or directed downward so that there will be no off-site spillage.

17. Ms. Morrissey provided the following sworn testimony during the January 21, 2021 Public Hearing:

- a. She is the Applicant's Professional Planner.
- b. A use variance can be granted for the proposed self-storage facility use as the use does promote various purposes delineated in the Municipal Land Use Law, the Property is particularly suited for the self-storage use, the positives outweigh the negatives and there is no substantial detriment to the zone plan and zoning ordinance resulting from a self-storage use on the Property.
- c. Purposes of the MLUL advanced by the Application include a design that provides adequate light, air and open space; providing sufficient space for a variety of uses; creating a desirable visual impact; and promoting the general health and welfare of the public.
- d. The Township Zoning Ordinance does permit the proposed self-storage used in the industrial zones of the Township but not in the C-3 Zone.
- e. The permitted and conditional uses listed in the C-3 zone are more intense than the proposed self-storage use.
- f. The self-storage use is a lower intensity use that will generate less traffic.
- g. The site has been designed to mitigate any detrimental impacts to the public with all ingress being via the Route 130 driveway, no direct entry from Mt. Holly Road, the scaling down of the buildings as you move away from Route 130 toward the residential properties, doors to the rental units facing the interior of the site, the prohibition of all exterior storage and the use of fencing and landscaping for screening purposes.

## EDGEWATER STORAGE - NO. P-5-2021

- h. The zig zag shape of the Property creates practical difficulties in developing the Property. The Property was never developed with the mixed office and retail use that was approved by the Board prior to 2010.
- i. The proposed self-storage use is appropriate for Route 130 as the nature of this use has evolved over the years and is no longer limited to industrial zones; more and more of these facilities are utilized for storage needs for homeowners and not for small contractors.
- j. The "C" variance relief can be subsumed in the use variance as these variances do not result in a substantial detriment to the public.
- k. For the Mt. Holly Road front yard setback variance, only a small portion of each of the 2 buildings actually encroaches into the required 60-foot setback.
- l. For the side yard setback variance, there is no substantial detriment as these non-complying setbacks for these three buildings are adjacent to commercially used properties with less of an impact than if adjacent to residential properties.
- m. The buildings all comply with the 45-foot and 3 stories height requirement of the Ordinance with most of the buildings not exceeding 12.8 feet. The buildings will blend in with commercial uses.
- n. The impervious coverage proposed for the self-storage use is 51%, less than the 60% maximum coverage permitted in the C-3 zone.

18. The January 21, 2021 Hearing was opened to the Public with Andrew Arnold objecting to the Application. Mr. Arnold testified that he has an interest in the family-owned Jonathan Motor Car business adjacent to the Property. He objected to the Application because the self-storage facility is not the best use of the Property, a self-storage use already exists near the Property, the assessed value of the self-storage facility will be lower than other uses, the use will not generate jobs and that the Property is more easily developed than the testimony provided by the Applicant's witnesses.

19. The Board Planner testified that he prepared the Area in Need of Redevelopment Study that included the Property and he identified the practical difficulties in the development of the Property because of its irregular shape.

## EDGEWATER STORAGE - NO. P-5-2021

20. The Board Engineer and Planner also reviewed the December 15, 2020 review letter of Environmental Resolutions, Inc., and testified that a number of the review comments have been addressed by the sworn testimony provided by the Applicant's professionals, that the Application is for Preliminary Approval and the Applicant has agreed to work with the Board's professionals to address the outstanding review comments prior to Final Approval. The Board Professionals also made recommendations to the Applicant for landscaping and fencing to be addressed prior to Final Approval.

**AND WHEREAS**, based upon the above factual findings, the Planning Board of the Township of Edgewater Park has come to the following conclusions:

1. The Applicant has submitted a Complete set of plans so that the Board has the necessary information to render a decision on the application for Variances, Waivers and Preliminary Major Site Plan Approval.

2. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and of the zoning ordinance of the Township of Edgewater Park would be advanced by the deviation from the zoning ordinance requirements pertaining to use, front and side yard setbacks, parking and loading area, as specified herein, as requested by the Applicant.

3. The benefits of the deviation from the zoning ordinance requirements specified herein would substantially outweigh any detriment to the public good as variance approval and the development of the Property as proposed will promote the safety, health and general welfare of the community.

4. Relief as requested by the Applicant can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance of the Township of Edgewater Park.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Edgewater Park, on the 21<sup>st</sup> day of January, 2021 that this Board hereby grants to the Applicant the following:

1. Design waivers to permit:
  - a. 12-inch pipe for the roof leaders for the drainage of the buildings into the site's stormwater management system.
  - b. 6 foot fencing within the Route 130 and Mt. Holly Road front yard areas.

## EDGEWATER STORAGE - NO. P-5-2021

- c. 6 foot fence within 25 feet of a dedicated street line.
    - d. 10 foot wide side yard landscaped buffer abutting non-residential uses.
  2. A variance pursuant to *N.J.S.A. 40:55D-70(d)(1)* to permit the construction of a 10- building self-storage building on the Property.
  3. Variances pursuant to *N.J.S.A. 40:55D-70(c)* to permit:
    - a. a front yard setback of 50.64 feet for Building I;
    - b. a front yard setback of 48.20 feet for Building J;
    - c. Side yard setbacks of 10 feet for Buildings C, E and J;
    - d. 15 parking spaces with 8 banked parking spaces if required in the future;
    - e. a loading area along the Route 130 frontage of Building A.
  4. Preliminary Major Site Plan Approval for the development of the Property with a self-storage use that includes 10 buildings with a total area of 112,909 square feet and site improvements for parking, lighting, landscaping, stormwater management, driveway access and utilities, as proposed by the Applicant, in accordance with the Plans, Testimony and Exhibits submitted by the Applicant, with Waivers, Variances, and Preliminary Major Site Plan approvals subject to the following conditions:
    - a. Subject to the Applicant obtaining all other approvals that may be required for the development, including, but not limited to Burlington County Planning Board approval, Burlington County Soil Conservation District approval, New Jersey Department of Transportation approval and New Jersey Department of Environmental Protection approval.
    - b. Proof that the Applicant has applied for the necessary approval(s) from all other agencies having jurisdiction over the Applicant's use of the Property shall be filed with the Township's Land Use Coordinator.
    - c. The fulfillment of all conditions precedent shall forthwith be reported in writing to the Township, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of the conditions shall the required subdivision plat be executed and building permits, certificates of occupancy or zoning permits be issued.
    - d. Subject to the sworn testimony and representations of the Applicant's witnesses and representatives at the December 17, 2020 and January 21, 2021 Public Hearings, whether formalized in this Resolution or not.

## EDGEWATER STORAGE - NO. P-5-2021

e. Subject to the submission of revised plans complying with the comments of the Board Professionals and with this Resolution, as may be required.

f. Subject to the Applicant, upon final approval, posting all required inspection fees and performance and maintenance guarantees, required by the Municipal Land Use Law of the State of New Jersey for construction of the development, as approved.

g. Subject to the Applicant's escrow account for the review of its Application being current. Failure of the escrow account to be current may result in the non-issuance of permits.

h. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

i. Subject to the Applicant applying for and receiving all permits that will be required prior to the commencement of construction. Neither this Approval nor any Final Approval granted by the Board guarantees the issuance of any permit as the Applicant is required to comply with all other applicable codes, ordinances, rules, regulations and statutes for the issuance of such permits.

j. Subject to the review comments of the Board Engineer and Board Planner as contained in the December 15, 2020 Review Letter of Environmental Resolutions, Inc., by Rakesh R. Darji, PE, PP, CME and Edward Fox, AICP, PP.

k. Subject to the submission of a stormwater maintenance plan for the review and approval of the Board Engineer. A stormwater maintenance declaration shall be recorded in accordance with the NJDEP's Best Practices requirements. The stormwater declaration shall be submitted for the review and approval of the Board Engineer and Board Solicitor prior to recording.

l. Subject to the Applicant addressing with the Board Engineer and Planner prior to final approval the design of the ornamental fencing along the road frontages and the fencing adjacent to the residential properties and the landscaping plan for the site.

m. Subject to a "No Entrance" sign being installed at the Mt. Holly Road access drive.

n. Subject to the extended hours being limited to Building A. The hours for all other buildings shall be 6:00 a.m. to 10:00 p.m.

## **EDGEWATER STORAGE - NO. P-5-2021**

o. Subject to the Applicant complying with its Agreement with the Township regarding the payment of the outstanding taxes on the Property. In no event shall a certificate of occupancy be issued prior to the taxes being made current.

p. Subject to the Applicant addressing the comments of the Township's Fire Official.

q. Subject to all outdoor storage, including vehicles, boats and RV's, and the storage of hazardous materials being prohibited.

r. Subject to the storage units being for storage purposes only, no business shall be conducted within the units.

s. Subject to the Applicant "banking" the additional 8 parking spaces to be constructed only if necessary when the self-storage use is operating.

t. Subject to no light spillage off-site.

u. Subject to the mounted and monument signs complying with the Township Zoning Ordinance.

v. Subject to this approval being for preliminary approval only and subject to the Board granting Final Major Site Plan Approval for the development of the Property consistent with this Resolution.

w. Subject to the Applicant complying with the Township's Affordable Housing Development Fee requirements as set forth in Section 120-27 et seq. of the Township Code for the payment of the applicable development fee required for the development of the Property as approved.

### **ROLL CALL VOTE**

Those in Favor: 9

Those Opposed: 0

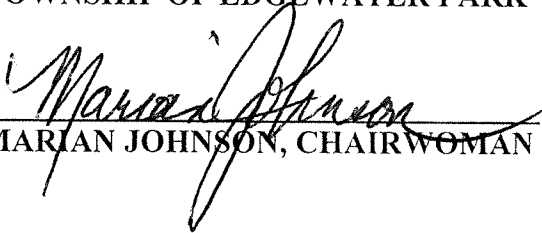
Those Abstaining: 0

### **CERTIFICATION**

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Edgewater Park in accordance with its decision at its regular meeting on January 21, 2021.

EDGEWATER STORAGE - NO. P-5-2021

THE PLANNING BOARD OF THE  
TOWNSHIP OF EDGEWATER PARK

  
\_\_\_\_\_  
MARIAN JOHNSON, CHAIRWOMAN

Attested:

  
\_\_\_\_\_  
NICOLE CARTER, SECRETARY

Dated: 3/4/2021  
Date of Approval: 1/21/21  
Date of Memorialization: 2/18/21

**PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK**

**RESOLUTION NO. P-6-2021**

**CONCERNING THE APPLICATION OF  
CURALEAF  
FOR CHANGE IN USE AND  
MINOR SITE PLAN APPROVAL**

**WHEREAS**, Curaleaf NJ II, Inc. (the “Applicant”), has applied to the Planning Board of the Township of Edgewater Park (the “Board” or “Planning Board”) for Change In Use and Minor Site Plan Approval for property located at 4237 US Route 130 South, known as Block 501, Lots 4 and 4.01 (the “Property”) on the Official Tax Map of the Township of Edgewater Park, for the purpose of operating a medical cannabis dispensary from a portion of an existing building located on the Property (the “Application”); and

**WHEREAS**, variances pursuant to *N.J.S.A. 40:55D-70(c)* are required as the proposed development of the Property does not satisfy the parking and loading area requirements of the Zoning Ordinance; and

**WHEREAS**, the Application for Change in Use and Minor Site Plan Approval was deemed complete by the Board on December 17, 2020; and

**WHEREAS**, a Public Hearing to consider the Application was held by the Planning Board on January 21, 2021<sup>1</sup>, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property and published in the Official Newspaper of the Township, as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey<sup>2</sup>; and

**WHEREAS**, the Applicant presented evidence to the Board through testimony, plans and other evidence; and

**WHEREAS**, the following Exhibits were introduced by the Applicant during the Public Hearing:

---

<sup>1</sup> The January 21, 2021 Public Hearing was conducted with virtual participation in accordance with the Open Public Meetings Act, *N.J.S.A. 10:4-6*, et seq., as amended by A-3850 to permit electronic meetings, and in consideration of the Executive Orders issued by Governor Murphy and Guidelines issued by the Department of Community Affairs, to protect the public during the COVID-19 emergency. The virtual meeting progressed with the consent of the Applicant.

<sup>2</sup>The noticed December 17, 2020 Public Hearing was continued to the Board’s January 21, 2021 meeting date without the need for new noticing.

**CURALEAF - NO. P-6-2021**

- A-01 Exhibit List;
- A-02 Witness List;
- A-03 Aerial Image of Property;
- A-04 Site Plan Rendering;
- A-05 Interior Renderings and Floor Plan;
- A-06 Exterior Rendering;
- A-07 Sign Rendering;
- A-08 Revised Exhibit List;
- A-09 Site Plan Rendering, revised 01/11/21 (1 Sheet)
- A-10 Landscape Renderings; and

**WHEREAS**, the Board after carefully considering the evidence presented by the Applicant in support its Application for Change in Use and Minor Site Plan Approvals, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is a lease holder of the Property. The Property is approximately 2.115 acres in area and is improved with a 21,890 square foot building, parking lot, freestanding sign, parking area lights, landscaping and a gravel driveway accessing the trash dumpster location. The Property is located within the Township's Commercial Light Industrial Zoning District (C-LI-5).

2. The Applicant is proposing to convert a 7,640 square foot portion of the existing building into a medical cannabis dispensary together with site improvements for landscaping, lighting, signage and façade updating.

3. Retail sales and services, including pharmacies, are permitted uses in the C-LI-5 Zoning District.

4. A Land Development Application has been submitted by the Applicant for Change in Use and Minor Site Plan approvals. In furtherance of the proposed development of the Property, the Applicant has submitted the following:

- a. Land Development Application with Application Narrative.
- b. Boundary and Topographic Survey, prepared by LAN Associates, dated 11/11/20 (1 sheet).

**CURALEAF - NO. P-6-2021**

- c. Proposed Site Plan, prepared by LAN Associates, dated 11/11/20, revised 01/11/21.
  - d. Design Renderings, Edgewater Park Dispensary, prepared by the Applicant, dated 09/29/20 (10 sheets).
  - e. Exterior Renderings, Edgewater Park Dispensary, prepared by the Applicant, dated 09/29/20 (4 sheets).
  - f. Traffic and Parking Analysis, prepared by Traffic Planning and Design, Inc., dated 11/20/20.
5. The taxes on the Property are current.
6. The Applicant has paid and/or posted all required fees and agreed to keep the escrow account current.
7. Proper notice of the Application for Change in Use and Minor Site Plan Approval has been given.
8. The Applicant is proposing the following development of the Property:
- a. Converting 7,640 square feet of the existing 21,890 square foot building into a medical cannabis dispensary.
  - b. Site improvements for landscaping, lighting and signage.
  - c. Updates to the building's façade.
9. The following non-conforming conditions presently exist on the Property and will remain unchanged:
- a. Lot Area – 2.115 acres.
  - b. Lot Width – 139.95 feet.
  - c. Side Yard Setback – 14.9 feet.
  - d. Aggregate Side Yard Setback – 82.9 feet.
10. The following variances are required in connection with the proposed development of the Property:
- a. Parking – 39 spaces required, 51 spaces plus 1 loading space proposed; Ordinance limits the number of parking spaces to 105% of the number of spaces required or a maximum of 41 spaces for this Application.
  - b. Loading area - prohibited in front yard area, loading space proposed in front of building.

**CURALEAF - NO. P-6-2021**

- c. Loading space size – 10 feet x 60 feet required; standard car space size proposed.

11. The Application and supporting documents submitted by the Applicant as well as the Exhibits utilized by the Applicant during the January 21, 2021 Public Hearing were posted on the Township's website and available for inspection. By-appointment only in-person inspections were also available to any interested person.

12. The Applicant was represented at the Public Hearing by CherylLynn Walters, Esquire, of Nehmad, Davis & Goldstein, PC. Luke Flood, James Sherrard, Erik Boe, PE, and Bryan Proska, PE, testified on behalf of the Applicant.

13 Mr. Flood provided the following sworn testimony during the January 21, 2021 Public Hearing:

- a. He is the Applicant's Business Development Manager.
- b. Utilizing Exhibit A-3, he orients the Board with the Property's location, the existing conditions and surrounding properties.
- c. The Property is located in the Township's C-LI-5 Zoning District and has direct access to Route 130.
- d. The Applicant is one of the largest cannabis operators in the Country, operating 96 retail facilities in 23 states. The Applicant also operates 30 facilities for cultivating and manufacturing cannabis and cannabis products.
- e. The Applicant is one of the New Jersey State licensed medical cannabis operators in the southern section of New Jersey. Originally, the maximum number of licenses available in New Jersey was 6; 12 licenses are now available for medical cannabis.
- f. New Jersey is the strictest state in terms of regulations that the Applicant operates in.
- g. The Applicant's main South Jersey facility is located in Bellmawr, Camden County. The Bellmawr facility includes cultivating, processing and packaging of medical cannabis. The Applicant also dispenses medical cannabis from the Bellmawr facility.

**CURALEAF - NO. P-6-2021**

- h. New Jersey permits each licensee to have 2 additional retail facilities to dispense medical cannabis. The Applicant's second dispensing facility is located in Bordentown. If the Change in Use is approved, the Edgewater Park site would be the Applicant's second additional site for dispensing medical cannabis.
- i. Currently, the State of New Jersey has issued approximately 81,000 cards for the purchase of medical cannabis.
- j. The Applicant is leasing the entire building and Property.
- k. Approximately 1/3 of the building, or 7,640 square feet, will be utilized by the Applicant for the medical cannabis dispensary.
- l. The Applicant will neither utilize the remaining space in the building nor will the Applicant sublease the unused space to others.
- m. The hours of operation for the medical cannabis dispensary will be 8:00 a.m. to 7:00 p.m., seven (7) days per week. The peak operating hours are 8:00 a.m. to 9:00 a.m. and 11:00 a.m. to 2:00 p.m.
- n. The Edgewater Park facility will require 25 – 30 total employees with 15 – 20 employees during the heavy times, with 15 employees for patient support, 2 employees for security and 2 managers.
- o. There will be 2 shifts for employees with minor overlap, with the first shift beginning at 7:00 a.m. and the second shift ending at 8:00 p.m.
- p. Patients require a New Jersey State Issued Medical Cannabis Card to access the building and will initially enter an upfront secured area when entering the building. Patients are verified through the New Jersey State Data base in order to be cleared to go through the entry door to the interior lounge and point of sale location. There is one point of entry with a one way flow.
- q. The verification process is utilized to ensure that the patient's card is valid and that the patient has not exceeded the quantity of medical cannabis the patient is permitted to purchase during a specific time frame and is eligible to purchase medical cannabis that day.

**CURALEAF - NO. P-6-2021**

- r. If the patient is eligible to purchase, the patient will be escorted through the entry door by patient support. There is a lounge area if the point-of-sale area is full. All patients are also escorted out by patient support once their purchase is completed.
- s. Medical cannabis products are not visible to the public; all of the produce is kept in a secure location within the building.
- t. The proposed floor plan shows the entire interior footprint within the building for the medical cannabis dispensary. No other portion of the building, including the lower level, will be occupied by the Applicant or others.
- u. Other than the delivery of medical cannabis products, the deliveries to the site are generally office and bathroom supplies delivered internally by the Applicant or by 3<sup>rd</sup> party Amazon type deliveries, no more than twice a week.
- v. The operation is a low trash generator with trash picked up once a week by private contractor. The trash removed by the private contractor will not include THC product, as THC product must be disposed of in accordance with state licensing requirements.
- w. The Applicant will work with the Board Engineer and Planner for an acceptable landscaping plan.
- x. The Applicant will use a monument sign as requested.
- y. On-site consumption of the medical cannabis is not permitted under the State license.
- z. Exterior security is present on-site when patients are leaving with their purchased medical cannabis product.
- aa. The product that will be available will be flower based, representing 50 – 55 % of sales, and oil and vape based, representing 45% of sales.
- y. This Approval will be for medical cannabis only. The Applicant understands that if the sale of recreational cannabis is proposed from the Property, prior approval will be required. The Applicant also understands that prior approval will be required if there is a change from solely a

**CURALEAF - NO. P-6-2021**

medical cannabis dispensary, if the area of operation expands beyond the 7,640 square feet or if others will occupy the unused areas of the building.

14. Mr. Sherrard provided the following sworn testimony during the January 21, 2021 Public Hearing:

- a. He is the Applicant's Security Director and is a retired New Jersey State Police Officer. He has been the security director for 5 years.
- b. All of the Applicant's security personnel are current or former police or military officers.
- c. At least 2 security officers will be present at all times when the dispensary is operating.
- d. There will be 24 hour camera surveillance of the site, recorded back 60 days, with remote viewing. The interior and exterior will both have camera surveillance with the exterior of the building having 360 degree views.
- e. The New Jersey Department of Health has access to the security system, including live and taped recording.
- f. The medical cannabis dispensed at the site will be transported from the Applicant's Bellmawr facility in unmarked vehicles.
- g. Deliveries of the product will be delivered to the Edgewater Park site 1 to 2 times per week with no set delivery times for intentionally randomly random deliveries.
- h. All medical cannabis will have a serial number for tracking purposes and will be delivered in zip tied bins. When delivery is received, all internal operations will cease while the product is brought directly to the on-site vault. Three security personnel will be present at the time of deliveries and will escort the product from the delivery vehicle to the vault. The length of time to complete delivery of the medical cannabis will be 10 minutes maximum.
- i. Any product deemed bad will be manifested and delivered back to Bellmawr for proper disposal in accordance with the State license. No product will be disposed of in Edgewater Park.

**CURALEAF - NO. P-6-2021**

- j. The “cash” protocol for the site will be handled by a third-party vendor and for security purposes only upon 5 minutes advanced notice of a cash pickup. Internally, a non-public room will be utilized for the cash transfer. The recent expansion of the use of debit cards have reduced the number of cash drops.
- k. Security will routinely walk the exterior and monitor the site for activity and maintenance requirements.

15. Mr. Boe provided the following sworn testimony during the January 21, 2021 Public Hearing:

- a. He is the Applicant’s civil engineer, licensed in New Jersey, New York and Pennsylvania<sup>3</sup>.
- b. Describes the Property as 2.11 acres, located approximately 1,000 feet from Mt. Holly Road.
- c. A self-storage facility is located to the west and retail sales to the southwest.
- d. The site plan was recently revised to address comments received from the Board Engineer and Planner.
- e. The existing building is located toward the rear of the “L” shaped Property with parking located forward of the building.
- f. No changes are proposed to the building other than interior changes and updating of the façade.
- g. The Property and building will be ADA compliant.
- h. No changes are proposed to the stormwater facilities and the Property’s owner has agreed to maintain and/or repair the stormwater basins to ensure that same are in proper working order and operational.
- i. The trash enclosure will include 2 dumpsters.
- j. Ingress and egress will be via the existing single access drive from Route 130.

---

<sup>3</sup> Based on his education, professional license and experience, the Board recognized Mr. Boe as an expert in site engineering.

**CURALEAF - NO. P-6-2021**

- k. A loading space will be provided at the front of the parking area, closest to the building.
- l. An additional ADA parking space will be added for a total of 3 ADA parking spaces.
- m. 51 parking spaces and 1 loading space are provided.
- n. A parking analysis was provided and there does not seem to be an immediate need for overflow parking on the gravel area.
- o. The monument sign at 5'11" in height, 7'1" in width (42 square feet) complies with the Ordinance.
- p. The monument sign will be externally lit with ground mounted spot lights that will be turned off at night.
- q. The building mounted sign will also comply with the Ordinance and will be externally lit with ground mounted lights that will be turned off at night.
- r. The Applicant agrees with the comments of the Board Engineer regarding the parking area and striping of the parking lot and access drive.

16. Mr. Proska provided the following sworn testimony during the January 21, 2021 Public Hearing:

- a. He is the Applicant's traffic engineer, a professional engineer licensed in New Jersey and Pennsylvania<sup>4</sup>.
- b. He prepared a traffic and parking analysis for the proposed medical cannabis use.
- c. There is no extensive study of traffic counts for medical cannabis facilities so his trip generation utilized the Applicant's own operational information.
- d. During its peak times, 106 trips would be expected, slightly more than the trips for the prior fitness use.
- e. With more medical cannabis dispensaries, there will be less traffic to each.

---

<sup>4</sup> Based on his education, professional license and experience, Mr. Proska was recognized by the Board as an expert in traffic engineering.

**CURALEAF - NO. P-6-2021**

- f. The trip generation does not meet the NJDOT threshold for further study and the NJDOT has issued a Letter of No Interest for the proposed medical cannabis dispensary.
  - g. His trip generation projection is more conservative, as based on the actual trip numbers at the Applicant's other facilities.
  - h. Ingress and egress will be safe and efficient.
  - i. The realistic need is that 50 parking spaces will be required when the facility is operational, 30 for patient need and 20 for employees.
  - j. The traffic circulation pattern will be safe and efficient.
  - k. Based on customer turnover times, overflow parking is not required.
17. The January 21, 2021 Hearing was opened to the Public without comment.
18. The Board Engineer and Planner reviewed the December 14, 2020 review letter of Environmental Resolutions, Inc., and testified that the Applicant has addressed most of their review comments and that the Applicant has agreed to work with the Board's professionals to address the outstanding review comments. The Board Professionals also recommended that a sign be added to prevent vehicles from accessing the gravel area and that the gravel area may be required in the future to be used for overflow parking if deemed necessary by the municipal Zoning Officer.

**AND WHEREAS**, based upon the above factual findings, the Planning Board of the Township of Edgewater Park has come to the following conclusions:

- 1. The Applicant has submitted a Complete set of plans so that the Board has the necessary information to render a decision on the application for Change in Use and Minor Site Plan Approval.
- 2. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and of the zoning ordinance of the Township of Edgewater Park would be advanced by the deviation from the zoning ordinance requirements pertaining to parking and loading, as specified herein, as requested by the Applicant.
- 3. The benefits of the deviation from the zoning ordinance requirements specified herein would substantially outweigh any detriment to the public good as variance approval and the development of the Property as proposed will promote the safety, health and general welfare of the community.

**CURALEAF - NO. P-6-2021**

4. Relief as requested by the Applicant can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance of the Township of Edgewater Park.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Edgewater Park, on the 21<sup>st</sup> day of January, 2021 that this Board hereby grants to the Applicant the following:

1. Variances pursuant to *N.J.S.A. 40:55D-70(c)* to permit:
  - a. 51 parking spaces and 1 loading space in front of the building.
  - b. The loading space to be less than 10 feet by 60 feet.
2. Change in Use Approval to utilize a portion of the existing building as a dispensary for medical cannabis.
3. Minor Site Plan Approval for the medical cannabis dispensary with site improvements for parking, lighting, landscaping, stormwater management, signage and access, as proposed by the Applicant, in accordance with the Plans, Testimony and Exhibits submitted by the Applicant, with Variance, Change in Use and Minor Site Plan approvals subject to the following conditions:
  - a. Subject to the Applicant obtaining all other approvals that may be required for the development, which may include, but not be limited to Burlington County Planning Board, Burlington County Soil Conservation District, New Jersey Department of Transportation and New Jersey Board of Health.
  - b. Proof that the Applicant has applied for the necessary approval(s) from all other agencies having jurisdiction over the Applicant's use of the Property shall be filed with the Township's Land Use Coordinator.
  - c. The fulfillment of all conditions precedent shall forthwith be reported in writing to the Township, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of the conditions shall the required minor site plan plat be executed and building permits, certificates of occupancy or zoning permits be issued.
  - d. Subject to the sworn testimony and representations of the Applicant's witnesses and representatives at the January 21, 2021 Public Hearing, whether formalized in this Resolution or not.

**CURALEAF - NO. P-6-2021**

e. Subject to the submission of revised plans complying with the comments of the Board Professionals and with this Resolution, as may be required.

f. Subject to the Applicant posting all required inspection fees and performance and maintenance guarantees, required by the Municipal Land Use Law of the State of New Jersey for development of the Property as approved.

g. Subject to the Applicant's escrow account for the review of its Application being current. Failure of the escrow account to be current may result in the non-issuance of permits.

h. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

i. Subject to the Applicant applying for and receiving all permits that will be required prior to the commencement of construction. This Approval does not guarantee the issuance of any permit as the Applicant is required to comply with all other applicable codes, ordinances, rules, regulations and statutes for the issuance of such permits.

j. Subject to satisfaction of the review comments of the Board Engineer and Board Planner as contained in the December 14, 2020 Review Letter of Environmental Resolutions, Inc., by Rakesh R. Darji, PE, PP, CME and Edward Fox, AICP, PP., as testified to and discussed during the course of the January 21, 2021 Hearing.

k. Subject to the stormwater basins being maintained and/or repaired by the Property owner and by the Applicant, if the owner fails to do so, as required so that the basins are in proper working order.

l. Subject to a light test being administered with the guidance of the Board Engineer confirming the adequacy of the site's lighting. Additional lighting may be required if the test reveals that the lighting is not adequate for the site's needs.

m. Subject to a Deed of Lot Consolidation being submitted for the review and approval of the Board Engineer and Solicitor consolidating the Property into one lot.

n. Subject to the gravel area being used for overflow parking if the municipal zoning officer determines that the 51 parking spaces are not sufficient for the medical cannabis dispensary. Approval will be required to delineate the parking spaces and to revise the circulation pattern prior to the gravel area being utilized for overflow parking.

**CURALEAF - NO. P-6-2021**

o. Subject to this approval being granted specifically for the use of a portion of the building for the dispensing of medical cannabis. Any expansion of the 7,640 square foot area approved for the medical cannabis dispensary will require prior Board approval. Any change in use from a medical cannabis dispensary or the addition of a new use, will require prior Board approval. The sale of recreational cannabis is not permitted on the Property without prior Board approval.

p. Subject to Board approval for the occupancy by the Applicant or subletting to others of any portion of the building not approved for the medical cannabis dispensary.

r. Subject to a sign being added to prevent vehicular access to the gravel area, other than authorized vehicle, when same has not been approved for overflow parking.

s. Subject to the Applicant complying with the Township's Affordable Housing Development Fee requirements as set forth in Section 120-27 et seq. of the Township Code for the payment of the applicable development fee required for the development of the Property as approved.

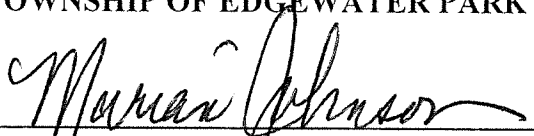
**ROLL CALL VOTE**

Those in Favor:	9
Those Opposed:	0
Those Abstaining:	0

**CERTIFICATION**

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Edgewater Park in accordance with its decision at its regular meeting on January 21, 2021.

**THE PLANNING BOARD OF THE  
TOWNSHIP OF EDGEWATER PARK**

  
\_\_\_\_\_  
MARIAN JOHNSON, CHAIRWOMAN

**Attested:**

  
\_\_\_\_\_  
NICOLE CARTER, SECRETARY

Dated: 3/4/2021  
Date of Approval: 1/21/2021  
Date of Memorialization: 2/18/2021

**RESOLUTION NO. P-7-2021**

**RESOLUTION OF THE PLANNING BOARD  
OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON  
ADOPTING THE 2021 MASTER PLAN UPDATE, LAND USE PLAN ELEMENT**

**WHEREAS**, the Planning Board of the Township of Edgewater Park, Burlington County, State of New Jersey (the “Planning Board”), adopted its most recent Master Plan Reexamination Report in 2017; and

**WHEREAS**, the 2017 Master Plan Reexamination Report recommended that the Planning Board update its 2000 Land Use Plan Element and that the Township’s Zoning Ordinance and Zoning Map also be updated; and

**WHEREAS**, the first comprehensive Master Plan for the Township of Edgewater Park was adopted in 1967 and reevaluated in 1982 as development slowed and market trends shifted; and

**WHEREAS**, the Planning Board adopted its Master Plan Reexamination Reports in 1997 and 2017; and

**WHEREAS**, the Land Use Plan Element is a component of the Edgewater Park Township Master Plan, most recently updated by the Planning Board in 2000; and

**WHEREAS**, pursuant to *N.J.S.A.* 40:55D-28, the adoption and amendment of the Edgewater Park Township Master Plan or component parts thereof is the responsibility of the Planning Board; and

**WHEREAS**, through this Resolution, the Board memorializes its findings concerning the review and analysis of the “Township of Edgewater Park, Burlington County, New Jersey, 2021 Master Plan Update Land Use Plan Element” prepared by Tom J. Stanuikynas, PP, AICP, New Jersey Professional Planner License No. 33LI00601600, of the Burlington County Bridge Commission, Department of Economic Development and Regional Planning, (the “2021 Land Use Plan Element”).

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, THAT:**

## RESOLUTION NO. P-7-2021

1. The Planning Board has complied with the requirements of *N.J.S.A. 40:55D-13* (Notice Concerning Master Plan) by (i) publishing Notice of its May 20, 2021 Public Hearing (the “Notice”) in the May 10, 2021 edition of the Burlington County Times; (ii) mailing by certified mail, a copy of the Notice to the municipal clerk of each adjoining municipality; and (iii) mailing by certified mail a copy of the Notice with a copy of the 2021 Land Use Plan Element to the Burlington County Planning Board and the New Jersey Office of Planning Advocacy. The publication and mailing of the Notice were completed at least ten days prior to the Planning Board’s May 20, 2021 Regular Meeting. A copy of the 2021 Land Use Plan Element was also posted on the Township’s Website and available for examination virtually and in-person at least 10 days prior to the Planning Board’s May 20, 2021 Meeting.
2. The Planning Board has determined that the 2021 Land Use Plan Element evaluates the Planning Issues identified in the 2017 Master Plan Reexamination Report and the recommendations of the 2021 Land Use Plan Element, including (i) revising the zoning districts and land use development ordinances to encourage development that is compatible with the surrounding area, promote economic growth and reduce non-conforming uses; (ii) creating visions statements for each zoning district that will recognize the intent and purpose of each zone and provide clarity to both residents and developers; (iii) taking advantage of redevelopment opportunities; and (iv) participating with neighboring municipalities and County and State agencies to achieve Plan Endorsement to ensure continued eligibility for center designation benefits, is in the public interest and protects public health and safety and promotes the general welfare.
3. The 2021 Land Use Plan Element, having been previously reviewed by the Members of the Planning Board and the Planning Board’s Consulting Engineer, Planner and Solicitor, with no objection having been identified, and after a presentation at the May 20, 2021 Regular Meeting of the Planning Board by Tom J. Stanuikynas and the Board Planner, Edward Fox, PP, AICP, and after the May 20, 2021 regular meeting was opened to the public for their comments and

## RESOLUTION NO. P-7-2021

questions regarding the 2021 Land Use Plan Element is hereby Adopted by this Board.

4. The Board's Solicitor, Engineer, Planner and Secretary are hereby further authorized to undertake any and all action to provide notice to the Burlington County Planning Board, the municipal clerk of each adjoining municipality, and the New Jersey Office of Planning Advocacy, including the Resolution and the 2021 Land Use Plan Element, that the 2021 Land Use Plan Element has been adopted by the Planning Board of the Township of Edgewater Park.
5. The Board's Solicitor, Engineer, Planner and Secretary are hereby further authorized to undertake any and all action that may be required to implement the recommendations listed in the 2021 Land Use Plan Element. including the preparation of amendments to the Township's Land Use Development Regulations.
6. The 2021 Land Use Plan Element shall be submitted to the governing body of the Township of Edgewater Park for endorsement.
7. **SEVERABILITY.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
8. **AVAILABILITY OF THIS RESOLUTION.** A copy of this Resolution shall be available for public inspection at the Office of the Planning Board of the Township of Edgewater Park and shall be posted on the Township website.
9. **EFFECTIVE DATE.** This Resolution shall take effect immediately.

**MOTION: Chairwoman Marian Johnson      SECOND: Vice Chairman Charles Robinson**

### ROLL CALL:

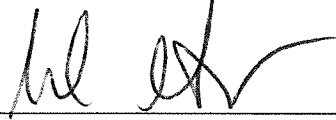
**AYES:            Mr. Alexander, Chairwoman Johnson, Mr. Kauker, Mr. Robinson,  
                      Mr. Smith, Mr. Malecki, & Ms. Bonner**

**NAYS:           None**

**RESOLUTION NO. P-7-2021**

**CERTIFICATION**

**I, NICOLE CARTER**, Secretary of the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy of the resolution adopted by the Planning Board of the Township of Edgewater Park, at its regular meeting held on May 20, 2021.

A handwritten signature in black ink, appearing to read 'Nicole Carter', is written over a horizontal line.

**NICOLE CARTER**  
**Planning Board Secretary**

**PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK**

**RESOLUTION NO. P-8-2021**

**CONCERNING THE APPLICATION OF  
AION WOODLANE CROSSING, LLC  
FOR MINOR SITE PLAN APPROVAL**

**WHEREAS**, AION Woodlane Crossing, LLC (the “Applicant”) has applied to the Planning Board of the Township of Edgewater Park (the “Board”) for minor site plan approval for property located at 1020 Woodlane Road, known as Block 1801, Lot 2 (the “Property”) on the Official Tax Map of the Township of Edgewater Park, for the purpose of making parking lot improvements to the commercial portion of the Orchard Park Apartments site; and

**WHEREAS**, the Property is located partially in the C-3 Highway Commercial, the C-1 Neighborhood Commercial and the R-MF Residential Multi-Family Zoning Districts; and

**WHEREAS**, the Applicant is requesting a design waiver for the absence of curbing for the parking area proposed for improvements; and

**WHEREAS**, the Application for Minor Site Plan Approval was deemed complete on May 20, 2021; and

**WHEREAS**, a public hearing to consider the Application was held by the Planning Board on May 20, 2021, as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey<sup>1</sup>; and

**WHEREAS**, the Applicant presented evidence to the Board through testimony, plans and other evidence; and

**WHEREAS**, the Board after carefully considering the evidence presented by the Applicant in support of its Application for minor plan approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

---

<sup>1</sup> The May 20, 2021 Public Hearing was conducted with in-person and virtual participation in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., as amended by A-3850 to permit electronic meetings, and in consideration of the Executive Orders issued by Governor Murphy and Guidelines issued by the Department of Community Affairs, to protect the public during the COVID-19 emergency. The hybrid meeting progressed with the consent of the Applicant.

**AION – NO. P-8-2020**

1. The Applicant is the owner of the Property, approximately 18.73 acres in area, partially located in the Township's C-3 Highway Commercial, C-1 Neighborhood Commercial and R-MF Residential Multi-Family Zoning Districts. The Property is improved with the Orchard Park Apartments and a 4-unit retail strip center. Other improvements include parking, landscaping, lighting, swimming pool and a playground that are associated with the existing apartment and retail uses.

2. The Applicant is proposing improvements to the parking area associated with the retail strip center and submitted an Application for Minor Site Plan Approval.

3. The retail strip center and the proposed improvements are located within the C-1 Neighborhood Commercial Zone.

4. The taxes on the Property are current or exempt.

5. The Applicant has paid and/or posted all required fees and agreed to keep the review escrow current.

6. Public Notice of the Minor Site Plan Application is not required by the Municipal Land Use Law of the State of New Jersey or the Township's Zoning Ordinance.

7. A design waiver is required as the Applicant is not proposing any curbing for the parking area associated with the retail strip center, the continuation of an existing non-conforming condition.

8. The Applicant was represented at the May 20, 2021 Hearing by Lawrence Calli, Esquire. William H. Nicholson, PE, and Gabriel O'Laughlin testified on behalf of the Applicant.

9. Mr. Calli made the following representations to the Board during the May 20, 2021 Hearing:

a. The Applicant consents to the virtual hearing conducted on the Zoom Application.

b. The Application is for an improvement project to an existing site, the Applicant is continuing a paving project that it previously started.

10. Mr. Nicholson provided the following sworn testimony during the May 20, 2021 Hearing:

- a. He is the Applicant's Professional Engineer, licensed in the State of New Jersey<sup>2</sup>.
- b. The Applicant is proposing improvements to the retail center's parking area to improve its existing substandard condition.
- c. The parking area improvements will include paving, lighting and landscaping.
- d. There will be a slight reduction in the site's impervious coverage.
- e. The Applicant's agrees to the plan modifications identified in the May 13, 2021 Review Letter from Environmental Resolutions, Inc.

11. Mr. O'Laughlin provided the following sworn testimony during the May 20, 2021 Hearing:

- a. He is the Applicant's Vice President and is overseeing the improvement project.
- b. Each of the restaurants has 15 to 20 seats and 5 employees.

12. The Board Planner and Engineer determined that the site would require 38 parking spaces for the retail strip center based on the current parking ordinance and the testimony of Mr. O'Laughlin and that a variance would be required as the proposed improvements will reduce the number of existing parking spaces from 28 to 26.

13. The Board Engineer reviewed the minor site plan and determined that the site plan could be revised to close the Woodlane Road entrance in order to eliminate the loss of the 2 parking spaces, thus eliminating the need for a parking variance, as this revision would continue the non-conforming parking condition and not increase the non-conformity.

14. The Board Engineer further testified that the closing of the Woodlane Road access to gain the 2 "lost" parking spaces would represent a safety upgrade to the site.

15. The Board Engineer and Planner reviewed their May 13, 2021 Review Letter and testified that the plan addresses the requirements for a minor site plan application and that the proposed improvements will improve the aesthetics and safety of the site.

**AND WHEREAS**, based upon the above factual findings, the Planning Board of the Township of Edgewater Park has come to the following conclusions:

---

<sup>2</sup> Based on his education, experience and State license, Mr. Nicholson was qualified by the Board to testify as an expert in engineering.

**AION – NO. P-8-2020**

1. This application complies with the requirements of the ordinance for a Minor Site Plan.

2. The Applicant submitted sufficient information in the form of plans, testimony, and exhibits for the Board to make a decision on the Application.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Edgewater Park, on the 20<sup>th</sup> day of May, 2021, that this Board hereby grants to the Applicant the following:

1. Design standard waiver to permit no curbing around the improved parking area.

2. Minor Site Plan Approval for the improvements to the parking area for the retail strip center portion of the Property, including paving, lighting and landscaping improvements, in accordance with the Plans, Testimony and Exhibits submitted by the Applicant, with Minor Site Plan Approval subject to the following conditions:

a. Proof that the Applicant has applied for the necessary approval(s), as may be required, from all other agencies, including Burlington County Planning Board and Burlington County Soil Conservation District, having jurisdiction over the Applicant's use of the Property shall be filed with the Township's Land Use Coordinator.

b. The fulfillment of all other conditions precedent shall forthwith be reported in writing to the Township, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of all of the conditions shall the required building permit, certificate of occupancy or zoning permit be issued.

c. Subject to the testimony of the Applicant and its witnesses and representatives at the May 20, 2021 Public Hearing, whether formalized in this Resolution or not.

d. Subject to the May 13, 2021 Review Letter of Environmental Resolutions, Inc., by the Board Engineer, Rakesh R. Darji, PE, PP, CME, CFM, and the Board Planner, Edward Fox, AICP, PP, except as may be modified herein.

e. Subject to the submission of revised plans complying with this Resolution, as required, including revisions that are required to show that the closing of the Woodlane Road access and other proposed improvements will result in a zero reduction in the number of parking spaces.

**AION – NO. P-8-2020**

f. Subject to the Applicant posting all required inspection fees and performance and maintenance guarantees, required by the Municipal Land Use Law of the State of New Jersey for the approved improvements.

g. Subject to the Applicant's escrow account for the review of its Application being current. Failure of the escrow account to be current may result in the non-issuance of permits.

h. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from any and all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

i. Subject to the Applicant working with the Board Engineer and Board Planner to address all outstanding review comments and conditions of this Approval.

j. Subject to Applicant satisfying the comment of the Township Fire Official as contained in the undated letter addressed to the Applicant's Engineer.

k. Subject to the Applicant applying for and receiving all permits that are required prior to the commencement of construction. This Approval does not guarantee the issuance of any permit as the Applicant is required to comply with all other applicable codes, ordinances, rules, regulations and statutes for the issuance of such permits.

l. Subject to the Applicant complying with the Township's Affordable Housing Development Fee requirements as set forth in Section 120-27 et seq. of the Township Code for the payment of the applicable development fee if required for the development of the Property as approved.

**ROLL CALL VOTE**

Those in Favor: 7

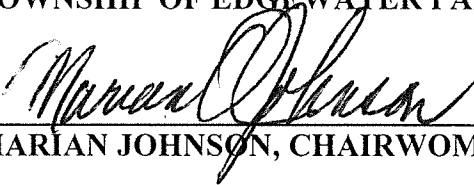
Those Opposed: 0

Those Abstaining: 0

**CERTIFICATION**

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Edgewater Park in accordance with its decision at its regular meeting on May 20, 2021.

**THE PLANNING BOARD OF THE  
TOWNSHIP OF EDGEWATER PARK**

  
\_\_\_\_\_  
MARIAN JOHNSON, CHAIRWOMAN

**Attested:**

  
\_\_\_\_\_  
NICOLE CARTER, SECRETARY

Dated: 9/17/2021

Date of Approval: May 20, 2021

Date of Memorialization: June 17, 2021

**PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK**

**RESOLUTION NO. P-9-2021**

**CONCERNING THE APPLICATION OF  
EDGEWATER STORAGE  
FOR FINAL MAJOR SITE PLAN APPROVAL**

**WHEREAS**, Edgewater Storage, LLC (the “Applicant”), has applied to the Planning Board of the Township of Edgewater Park (the “Board” or “Planning Board”) for Final Major Site Plan Approval for property located at 4201 US Route 130 South, known as Block 404, Lot 2.02 (the “Property”) on the Official Tax Map of the Township of Edgewater Park, for the purpose of constructing a 10 building Self-Storage facility with associated site improvements on the Property (the “Application”); and

**WHEREAS**, by Resolution No. P-5-2021, the Board granted design waivers, use variance, bulk variances and preliminary major site plan approvals to the Applicant for the proposed self-storage facility; and

**WHEREAS**, the Application for Final Major Site Plan Approval was deemed complete by the Board on May 20, 2021; and

**WHEREAS**, a Public Hearing to consider the Application was held by the Planning Board on May 20, 2021<sup>1</sup>, in accordance with the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

**WHEREAS**, the Applicant presented evidence to the Board through testimony, plans and other evidence; and

**WHEREAS**, the following Exhibits were introduced by the Applicant during the May 20, 2021 Public Hearing:

A-1 Rendering of proposed final site plan;

A-2 Architectural renderings; and

---

<sup>1</sup> The May 20, 2021 Public Hearing was conducted with in-person and virtual participation in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., as amended by A-3850 to permit electronic meetings, and in consideration of the Executive Orders issued by Governor Murphy and Guidelines issued by the Department of Community Affairs, to protect the public during the COVID-19 emergency. The hybrid meetings progressed with the consent of the Applicant.

## EDGEWATER STORAGE - NO. P-9-2021

WHEREAS, the Board after carefully considering the evidence presented by the Applicant in support its application for Final Major Site Plan Approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the contract purchaser of the Property. The Property is approximately 7.81 acres in area and is primarily wooded. An existing foundation and abandoned well are located on the western side of the Property along U.S. Route 130. Said foundation and well are designated to remain without disturbance. The Property is located within the Township's Highway Commercial Zoning District (C-3).

2. The Applicant is proposing to develop the Property with a 10 building self-storage facility with improvements for parking, stormwater management, landscaping, lighting, security and ingress/egress.

3. By Resolution No. P-5-2021, the Board granted the Applicant the following:

- a. A variance pursuant to *N.J.S.A.* 40:55D-70(d)(1) to permit the construction of the 10- building self-storage building on the Property.
- b. Design waivers to permit:
  - i. 12-inch pipe for the roof leaders for the drainage of the buildings into the site's stormwater management system;
  - ii. 6 foot fencing within the Route 130 and Mt. Holly Road front yard areas;
  - iii. 6 foot fence within 25 feet of a dedicated street line; and
  - iv. 10 foot wide side yard landscaped buffer abutting non-residential uses.
- c. Variances pursuant to *N.J.S.A.* 40:55D-70(c) to permit:
  - i. a front yard setback of 50.64 feet for Building I;
  - ii. a front yard setback of 48.20 feet for Building J;
  - iii. Side yard setbacks of 10 feet for Buildings C, E and J;
  - iv. 15 parking spaces with 8 banked parking spaces if required in the future;
  - v. a loading area along the Route 130 frontage of Building A.

## **EDGEWATER STORAGE - NO. P-9-2021**

- d. Preliminary Major Site Plan Approval for the development of the Property with a self-storage use that includes 10 buildings with a total area of 112,909 square feet and site improvements for parking, lighting, landscaping, stormwater management, driveway access and utilities.
4. A Land Development Application has been submitted by the Applicant for Final Major Site Plan Approval for the self-storage facility. In furtherance of the proposed development of the Property, the Applicant has submitted the following:
  - a. Land Development Application with Variance, Waivers and Site Plan Checklists, Easements and Variance Summary and Narrative.
  - b. Plan of Survey, prepared by Robert R. Stout, PLS, PE, Stout and Caldwell Engineers, LLC, dated 12/26/19.
  - c. Preliminary Major Site Plan, prepared by Ware Malcomb ("Ware"), dated 07/21/20, revised 03/22/21 for Final Site Plan (30 sheets)
  - d. Architectural Plans, including Elevations, Signage and Floor Plans, prepared by Ware, dated 07/20/20, revised 03/01/21 for Final Site Plan (13 sheets).
  - e. Stormwater Drainage Report, prepared by Ware, dated 07/21/20, revised 03/22/21.
  - f. Stormwater Management Measures Maintenance Plan and Field Manual, prepared by Ware, dated 03/08/21.
  - g. Response Letter prepared by the Applicant's Professional Engineer, Edward Wilkes, Jr., PE, dated 03/24/21.
5. The taxes on the Property are not current. The Applicant has entered into an Agreement with the Township providing for the payment of all outstanding taxes when it closes on the purchase of the Property.
6. The Applicant has paid and/or posted all required fees and agreed to keep the escrow account current.
7. The Applicant is proposing the following development of the Property:
  - a. Construction of a 10 building self-storage facility with a total area of 112,909 square feet.
  - b. Two (2) stormwater management basins and related stormwater facilities.

## EDGEWATER STORAGE - NO. P-9-2021

- c. Fifteen (15) parking spaces.
  - d. Drive aisles and access improvements.
  - e. Landscaping, lighting and fencing.
8. The buildings are sized as follows:
- a. Building “A” – 72,600 square feet (First Floor - 1,300 SF office space and 40,500 SF of storage space; Second and Third Floors – 15,400 SF of storage space on each floor).
  - b. Building “B” – 1,827 SF of storage space.
  - c. Building “C” – 1,200 SF of storage space.
  - d. Building “D” – 13,600 SF of storage space.
  - e. Building “E” – 2,000 SF of storage space.
  - f. Building “F” – 1,961 SF of storage space.
  - g. Building “G” – 600 SF of storage space.
  - h. Building “H” – 1,740 SF of storage space.
  - i. Building “I” – 13,000 SF of storage space.
  - j. Building “J” – 4,381 SF of storage space.
9. The Application and supporting documents submitted by the Applicant as well as the Exhibits utilized by the Applicant during the May 20, 2021 Public Hearing were posted on the Township’s website and available for inspection. By-appointment only inspections were also available to any interested person.
10. The Applicant was represented at the Public Hearings by Wendy M. Berger, Esquire of Cole Schotz, P.C. Edward F. Wilkes, Jr., PE, and Ed Mayer, RA, testified on behalf of the Applicant<sup>2</sup>.
11. Ms. Berger made the following representations to the Board during the Public Hearings:
- a. The Applicant consents to the Public Hearing with remote and limited in-person participation.
  - b. Highlights the Preliminary Approval grant to the Applicant at the Board January, 2021 Regular Meeting.

---

<sup>2</sup> Mr. Wilkes and Mr. Mayer were previously qualified by the Board to testify as an expert in their respective areas of site engineering and architecture.

## EDGEWATER STORAGE - NO. P-9-2021

12. Mr. Wilkes provided the following sworn testimony during the Public Hearing:
  - a. He identifies the revisions made to the Preliminary Major Site Plan presented at the December 17, 2020 and January 21, 2021 Board Hearings held for Preliminary Major Site Plan Approval.
  - b. Sidewalk has been added along the entire Route 130 and Mt. Holly Road frontages of the Property.
  - c. Building I is no longer proposed as a climate-controlled building.
  - d. Access to the site has been changed to keypads and not key fobs.
  - e. The faux windows on Building A have been modified with one-third of the original number of windows being display windows and two-thirds being eliminated.
  - f. Six (6) foot high solid vinyl fencing will be utilized for Basin A and along the rear property line adjacent to the residential uses.
  - g. The Applicant continues to work with the Board Engineer and Board Planner regarding the landscaping plan.
  - h. Access via Mt. Holly Road will be for emergency access only and a “Do Not Enter” sign has been proposed, consistent with Preliminary Approval.
  - i. The revisions made to the Preliminary Major Site Plan are minor and the Final Site Plan is consistent with Preliminary Approval.
  - j. The Applicant has received Conditional Approval from Burlington County and anticipates New Jersey Department of Transportation and Burlington County Soil Conservation District approvals within 2 months.
  - k. The Applicant agrees to the review comments, other than requesting that the roof leaders be reduced from 12 inches to 8 inches and Item 15B of the May 14, 2021 Review Letter regarding contours along the shared property line with the landscaping business. The owner of the landscaping business is responsible for removal of the landscaping blocks.
13. Mr. Mayer provided the following sworn testimony during the Public Hearing:
  - a. He describes the updated architectural renderings to enhance the view of the Property by improving the look of the storage buildings.

## EDGEWATER STORAGE - NO. P-9-2021

- b. The elimination of the faux windows will allow more light to the inside of Building A.

14. The May 20, 2021 was opened to the Public without comment.

15. The Board Engineer and Planner reviewed the May 14, 2021 review letter of Environmental Resolutions, Inc., and testified that the final plans are consistent with Preliminary Approval and had no objection to reducing the roof leaders from 12 inches to 8 inches..

**AND WHEREAS**, based upon the above factual findings, the Planning Board of the Township of Edgewater Park has come to the following conclusions:

1. The Applicant has submitted a Complete set of plans so that the Board has the necessary information to render a decision on the Application for Final Site Plan Approval.

2. The revisions to the Preliminary Major Site Plan are minor and not substantial enough to require Amended Preliminary Major Site Plan Approval.

3. The Final Major Site Plan is consistent with Preliminary Major Site Plan Approval.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Edgewater Park, on the 20<sup>th</sup> day of May, 2021 that this Board hereby grants to the Applicant the following:

1. Design waivers to permit 8 inch pipe for the roof leaders for the drainage of the buildings into the site's stormwater management system.

2. Final Major Site Plan Approval for the development of the Property with a self-storage use that includes 10 buildings with a total area of 112,909 square feet and site improvements for parking, lighting, landscaping, stormwater management, driveway access and utilities, as proposed by the Applicant, in accordance with the Plans, Testimony and Exhibits submitted by the Applicant during the Public Hearings for both Preliminary Major Site Plan and Final Major Site Plan Approvals, with Waivers, Variances, Preliminary Major Site Plan and Final Major Site Plan approvals subject to the following conditions:

- a. Subject to the Applicant obtaining all other approvals that may be required for the development, including, but not limited to Burlington County Planning Board approval, Burlington County Soil Conservation District approval, New Jersey Department of Transportation approval and New Jersey Department of Environmental Protection approval.

## EDGEWATER STORAGE - NO. P-9-2021

b. Proof that the Applicant has applied for the necessary approval(s) from all other agencies having jurisdiction over the Applicant's use of the Property shall be filed with the Township's Land Use Coordinator.

c. The fulfillment of all conditions precedent shall forthwith be reported in writing to the Township, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of the conditions shall the required subdivision plat be executed and building permits, certificates of occupancy or zoning permits be issued.

d. Subject to the sworn testimony and representations of the Applicant's witnesses and representatives at the December 17, 2020, January 21, 2021 and May 20, 2021 Public Hearings, whether formalized in this Resolution or not.

e. Subject to the submission of revised plans complying with the comments of the Board Professionals and with this Resolution, as may be required.

f. Subject to the Applicant, upon final approval, posting all required inspection fees and performance and maintenance guarantees, required by the Municipal Land Use Law of the State of New Jersey for construction of the development, as approved.

g. Subject to the Applicant's escrow account for the review of its Application being current. Failure of the escrow account to be current may result in the non-issuance of permits.

h. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

i. Subject to the Applicant applying for and receiving all permits that will be required prior to the commencement of construction. Neither this Approval nor any Final Approval granted by the Board guarantees the issuance of any permit as the Applicant is required to comply with all other applicable codes, ordinances, rules, regulations and statutes for the issuance of such permits.

j. Subject to the review comments of the Board Engineer and Board Planner as contained in the December 15, 2020 Review Letter issued for Preliminary Major Site Plan Approval and the May 14, 2021 Review Letter issued for Final Major Site Plan Approval of Environmental Resolutions, Inc., by Rakesh R. Darji, PE, PP, CME and Edward Fox, AICP, PP,

## EDGEWATER STORAGE - NO. P-9-2021

except as may be modified in the Preliminary Approval Resolution or this Resolution for Final Approval.

k. Subject to the submission of a stormwater maintenance plan for the review and approval of the Board Engineer. A stormwater maintenance declaration shall be recorded in accordance with the NJDEP's Best Practices requirements. The stormwater declaration shall be submitted for the review and approval of the Board Engineer and Board Solicitor prior to recording.

l. Subject to the Applicant addressing with the Board Engineer and Planner, if still outstanding, the design of the ornamental fencing along the road frontages and the fencing adjacent to the residential properties and the landscaping plan for the site.

m. Subject to the extended hours being limited to Building A. The hours for all other buildings shall be 6:00 a.m. to 10:00 p.m.

n. Subject to the Applicant complying with its Agreement with the Township regarding the payment of the outstanding taxes on the Property. In no event shall a certificate of occupancy be issued prior to the taxes being made current.

o. Subject to the Applicant addressing the comments of the Township's Fire Official.

p. Subject to all outdoor storage, including vehicles, boats and RV's, and the storage of hazardous materials, being prohibited.

q. Subject to the storage units being for storage purposes only, no business shall be conducted within the units.

r. Subject to the Applicant "banking" the additional 8 parking spaces which are to be constructed only if necessary, when the self-storage use is operating.

s. Subject to no off-site light spillage.

t. Subject to the mounted and monument signs complying with the Township Zoning Ordinance.

u. Subject to compliance with Resolution No. P-5-2021.

v. Subject to the Applicant complying with the Township's Affordable Housing Development Fee requirements as set forth in Section 120-27 et seq. of the Township Code for the payment of the applicable development fee required for the development of the Property as approved.

**EDGEWATER STORAGE - NO. P-9-2021**

**ROLL CALL VOTE**

Those in Favor: 8


Those Opposed: 0

Those Abstaining: 0

**CERTIFICATION**

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Edgewater Park in accordance with its decision at its regular meeting on May 20, 2021.

**THE PLANNING BOARD OF THE  
TOWNSHIP OF EDGEWATER PARK**

  
\_\_\_\_\_  
MARIAN JOHNSON, CHAIRWOMAN

**Attested:**

  
\_\_\_\_\_  
NICOLE CARTER, SECRETARY

Dated: 7/1/2021

Date of Approval: May 20, 2021

Date of Memorialization: June 17, 2021

**RESOLUTION NO. P-10-2021**

**RESOLUTION OF THE PLANNING BOARD  
OF THE TOWNSHIP OF EDGEWATER PARK  
ENDORISING THE BOARD PLANNER'S REVIEW OF THE  
2021 COUNTY ASSESSMENT REPORT OF THE  
1997 BURLINGTON COUNTY RIVER ROUTE REGIONAL STRATEGIC PLAN<sup>1</sup>**

**WHEREAS**, in 1999, the New Jersey State Planning Commission (the "Planning Commission") issued its original endorsement of the *1997 Burlington County Route 130 Corridor Regional Strategic Plan* (the "1997 Plan"); and

**WHEREAS**, the Planning Commission requires the submission of periodic assessments for the renewal of the Planning Commission's endorsement of the 1997 Plan; and

**WHEREAS**, the Burlington County Board of Commissioners has authorized the preparation of the 2021 assessment report for submission to the Planning Commission; and

**WHEREAS**, the 2021 County Assessment Report (the "2021 Report") has been prepared by Tom J. Stanuilkynas, AICP, PP, Regional Planning Manager of the Department of Economic Development and Regional Planning of the Burlington County Bridge Commission; and

**WHEREAS**, at the request of the Township of Edgewater Park's Administrator, the Planning Board Planner, Edward Fox, AICP, PP, reviewed the 2021 Report and issued a review letter, dated July 21, 2021, a copy of which is attached to and made part of this Resolution (the "Review Letter") and

**WHEREAS**, the Review Letter includes recommendations for revisions to the 2021 Report to make the 2021 Report consistent with the comprehensive planning program of the Township of Edgewater Park.

**WHEREAS**, through this Resolution, the Board endorses the Review Letter as in the best interests of the Township of Edgewater Park and authorizes this Resolution, together with the Review Letter, be submitted to Mr. Stanuikynas for consideration of the revisions recommended therein.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, THAT:**

---

<sup>1</sup> Formerly the Route 130 Corridor Regional Strategic Plan

## RESOLUTION NO. P-10-2021

1. The Planning Board endorses the Review Letter prepared by its Planner, Edward Fox, as the recommended revisions to the 2021 Report are in the best interests of the Township of Edgewater Park.
2. The Board's Secretary is hereby further authorized to submit this Resolution and the Review Letter to Mr. Stanuikynas to revise the 2021 Report as recommended by the Board Planner.
3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
4. A copy of this Resolution shall be available for public inspection at the Office of the Planning Board of the Township of Edgewater Park and shall be posted on the Township website.
9. This Resolution shall take effect immediately.

**MOTION:** Stephen Malecki

**SECOND:** Gwendolyn Bonner

### ROLL CALL:

**AYES:** Mr. Alexander, Mr. Belgard, Mr. Kauker, Mr. Smith, Mr. Malecki,  
Ms. Bonner, Mrs. Tumminia, Mayor DiFilippo, Chairwoman Johnson.

**NAYS:** None

### CERTIFICATION

**I, NICOLE CARTER**, Secretary of the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy of the resolution adopted by the Planning Board of the Township of Edgewater Park, at its regular meeting held on August 19, 2021.



---

**NICOLE CARTER**  
**Planning Board Secretary**