

**MINUTES
TOWNSHIP OF WEST ORANGE
PLANNING BOARD MEETING
December 3, 2025, 6:00 P.M.**

The Township of West Orange Planning Board held its regular meeting on December 3, 2025, at 6:00 P.M. via virtual ZOOM videoconference and in person (Council Chambers of Town Hall).

Vice Chairman Guarino called the meeting to order at approximately 6:18 P.M. He announced that notification of the meeting was given to the Township Clerk, and posted on the Township Bulletin Board, sent to the West Orange Chronicle and the Star Ledger, and posted on the Township's website calendar. This meeting has been properly noticed to the public in accordance with the Open Public Meetings Act. No new matters will start after 10:30 P.M.

PLEDGE OF ALLEGIANCE

- *Vice Chairman Guarino* requested that all persons stand for the Pledge of Allegiance.

ANNOUNCEMENTS

- The next Planning Board regular meeting will be held **on January 7, 2026, at 7:30 P.M.** via Zoom.

ROLL CALL

PRESENT:

Dr. Robert Bagoff (6:24 PM); Mr. Jerry Guarino;
Mr. Ken Alper; Mr. John Cardoza;
Mayor Susan McCartney; Mr. Christopher Morgan, Sr.;
Councilwoman Susan Scarpa (6:30 PM); Mr. Lee Klein;
Mr. William Wilkes; Ms. Lori Kapferer

ABSENT:

Mr. Frank Noborine;

ALSO PRESENT:

Diana P. McGovern, Esq., Planning Board Attorney;
Malvika Apte, Board Planner
Jamillet Baquerizo Vite, Planning Board Secretary
Jordan Rizzo, Board Engineer
Sean Savage, Board Engineer

SWEARING IN

- The Township Professional(s) sworn in.

APPLICATIONS

- **PB-25-04 Blue Violet Grow Inc**
Block: 62 Lot: 22.01 Zone: I
76 Ashland Avenue

The applicant is proposing to operate a cannabis cultivation and manufacturing facility on the subject premises, which is located in the I industrial Zone.

PRESENTATION

- William Sullivan, from Scarinci Hollenbeck, LLC, on behalf of the applicant, Blue Violet Grow LLC.
- The applicant has obtained a conditional license from the state of New Jersey Cannabis Regulatory Commission.
- By resolution of the Council, adopted December 10, 2024, the Council declared its local support for this facility under the state regulations, while recognizing that the project cannot proceed without local land use board approval.
- Consistent with that resolution on December 4, 2024, Ms. Gary Adams sent the letter to the CRC that is required confirming that the facility complies with the local zoning subject to review of this board or any other appropriate local land use board.
- Under the cannabis ordinance, these facilities are permitted as conditional uses in the zoning and a conditional use means that the use is permitted if it meets the conditions in the ordinance.
- The applicant is also requesting minor site plan approval.
In April 2024, the Board adopted a resolution granting conditional use approval and minor site plan approval for a similar use in a separate building on the same property.
- The resolution had a number of conditions in it because the site plan was not complete. There were a number of issues that were raised with the site plan.
- The applicant Blue Violet Grow is prepared with the cooperation of the property owner to do all of the things that were supposed to be done as conditions of the approval.
- If the board is inclined to grant this approval, then they will have a site plan for the whole lot.
- There are several non-conforming conditions on the site. They are not expanding them or increasing the non-conformity. However, they have identified them as variances and are requesting approval of those variances.
- The representative of the applicant, Jennifer Hardell, entered on the record, and she was sworn under. She testified to the following:
 - Ms. Hardell is the founder, owner, and CEO of Blue Violet Grow.
 - Ms. Hardell testified she has spent time working with her engineers, architects, and security teams this past year to build up the plans. She is about 3 years into the process.
 - Ms. Hardell has received an early conditional license from the state.
 - She has received a cultivation license and also a manufacturing license.
 - She has also worked with the town to receive a letter of support and, in the year prior, worked with the town to also reopen the moratorium, which was closed at the time.
 - Ms. Hardell has been running operations for the last 28 years for consumer product goods. She is also an entrepreneur and the founder and CEO of a national beverage brand. Ms. Hardell testifies she is familiar with not only manufacturing, but also building a business, operating a business, and running one as well.
 - This is a woman-owned business. Her focus is on wellness and health and the products will also be wellness and health based.
 - Ms. Hardell hopes the product that is cultivated and manufactured in her building can go onto the shelves of the retail dispensaries in West Orange.
 - Ms. Hardell explained the difference between cultivation and manufacturing.
 - o Cultivation is the growing of the plant.
 - o Manufacturing is the processing of the plant.
 - o If someone has a cultivation license, they can only grow the plant and sell the plant to the dispensary as a full plant.
 - o With a manufacturing license, not only can she process the flower that is

cultivated in her building, she can also manufacture product flowers for other cultivators who don't have a manufacturing license and need a manufacturer to take their product and process that as well.

- Similar to many other manufacturing companies, it'll be a Monday to Friday, 8 a.m. to 5 p.m. operation. They won't be working late hours or have traffic coming in and out at night.
- There are no retail sales of products. There's no major signage. They want to go under the radar versus being out on display.
- Ms. Hardell has agreed to a limitation pursuant to her license to have no more than 10 employees on the front.
- Deliveries coming into the building would be very limited, around 2 to 7 a month.
- Box trucks would be dropping off packaging that are non-cannabis related, such as plastic goods or soil.
- There'll only be 2 trucks that are taking things out of the building.
 - o One security-vaulted truck that is taking the product from the facility to the dispensaries.
 - o Two, a truck that will be leaving the facility to remove cannabis from the facility in the proper way.
- Ms. Hardell was asked by Mr. Sullivan where she stands with regard to the local license process for West Orange, as she understands it. Ms. Hardell answered that you receive your letter of support, your resolution, then your planning board approval, and then the local license comes after planning board approval.
- The applicant is prepared as a condition of approval to obtain that local license.
- Regarding condition number 5, Ms. Hardell was asked by Mr. Sullivan will the entity would be housed in a vehicle for any movable or mobile structure. Ms. Hardell answered no.
- Ms. Hardell was asked if it would be allowed to operate as a home occupation. Ms. Hardell answered no.
- Ms. Hardell was asked if there would be any on-site consumption. Ms. Hardell answered no.

BOARD QUESTIONS

- Mayor McCartney had a question about smell mitigation, if that is part of this plan. Ms. Hardell answered that they have a very detailed technical response to that. There are major air circulation and filtration systems that are built into their plan.
- Mr. Wilkes asked if their license includes retail. Ms. Hardell answered it does not. It's just to cultivate and manufacture.
- Mr. Wilkes asked if all deliveries would be between 8 and 4. Ms. Hardell said yes.
- Councilperson Scarpa has similar concerns to Mayor McCartney about the smell mitigation. She asked if there are any other similar businesses that are close to residential areas. Ms. Hardell said they're in the process now. She thinks there may be one or two that are open up in the North Jersey area. However, professionals are bringing in technology for filtration and HVACs into this industry.

PROFESSIONAL QUESTIONS

- Ms. Apte asked if the state license that was issued in July of 2022 has a renewal process. Ms. Hardell said she received her conditional license for manufacturing cultivation, and is in the conversion stage now of going from conditional to annual. She currently doesn't have time restrictions or an expiration date for this. Once she receives the annual license, she will have to be up and running within a year.

- Ms. Apte asked in terms of the maximum number of 10 employees, is that the maximum during a shift or will it be split up for different shifts. Ms. Hardell said the maximum would be 10 people, but there wouldn't be 10 people at all times.
- Ms. Apte asked Ms. Hardell how many deliveries she is expecting to go out. Ms. Hardell said she is not sure.
- Ms. Apte asked if there are any chemicals, such as pesticides or fertilizers, and if they could provide a list of those items, especially for the fire department and police department to have that, and the quantities which it can be stored in the building. Ms. Hardell said yes.

PRESENTATION

- William Moran, the engineer, entered on the record; he was sworn under oath. His credentials were accepted by the board and he testified to the following:
- Mr. Moran presented a two-sheet set of engineering plans for the board that were prepared by Mr. Golden.
- Mr. Moran testified that the current lot is about .89 acres, of which 99% is impervious.
- The existing uses on the site are the Yerrr Canna site, this application, Blue Violet, which is a vacant industrial building, and the residential, which is two two-bedroom apartments, and a deli.
- In regard to condition 2, distance from a school building, Mr. Moran confirmed that the property in question is not within 500 feet of the property.
- In regard to condition 3, Mr. Moran confirmed they are not within 500 feet of a house of worship.
- Mr. Moran also presented what was on the plans about parking and circulation.
- Mr. Moran testified that the Yerrr Canna, which is 1,200 SF/9 seats, has 7 spaces, from the previous approval. The deli has 7 spaces. The two two-bedroom apartments require 6 spaces based on RSIS. And the cultivation of the Yerrr Canna site, the office, has 7 spaces.
- This application is based on the number of employees and the square footage. They have one space per thousand square feet and 10 employees, so they have 19 spaces required there. Total spaces required are 39.
- However, based on one electrical vehicle charging space, they get a credit, one per one. So their final required number of spaces is 38, and they're providing 40 parking spaces on site.
- Designated spots for the employees at the Yerrr Canna site are 8 spaces and include the ADA spot
- The spaces for Blue Violet employees are 19 spaces to the left of Blue Violet, and that includes an ADA space and two proposed compact spots.
- There is also a loading area for the delivery vehicles.
- They are proposing to re-stripe the parking spaces for the deli to have a total of 9 spaces.
- Lastly, there are four spaces behind residential for the tenants in that building.
- There is an existing fence that separates the residential and the deli from the proposed Blue Violet and Yerrr Canna space.
- The applicant has an additional proposed fence that's going to enclose the entire industrial use.
- The driveway on the left will be utilized for emergency vehicle access.
- There's going to be a proposed access easement that will provide employee access from Park Ave, as well for the delivery vehicles and for emergency vehicles.
- There will be a fence and a gate right to this location and a lockbox, so that people will

- have to utilize that security measure to get in and park for Yerrr Canna or Blue Violet
- There are two handicap locations, and there is a barrier-free path from those spaces into the building.
- Signage will make sure that people park where they're supposed to park.
- As stated before, it's 99% impervious. They're proposing planting beds that'll be planted with native vegetation. This will reduce the amount of impervious surface by approximately 310 square feet.
- The pavement will be milled and repaved, and the inlets will be reset.
- The drainage patterns won't change.
- The applicant will agree with a stipulation that they will guarantee maintenance of the landscaping for 2 years.
- The applicant is going to provide all the necessary utilities for their building.
- There will be no commercial vehicles parked on the site overnight.
- There are some existing non-conformities that have been noticed, but they are going to remain.
- One of them includes Section 25-12.1 of the ordinance that requires a 5-foot-wide sidewalk between a building and a parking area or drive used by the public. There is none today, and the applicant is not proposing.
- The ordinance also requires driveways for two-way traffic to have a minimum width of 24 feet, and based on the applicant's analysis, the two-way on Ashland Ave has a width of 18 feet currently, and no change in width is being proposed. The only people using it are occupants of the residential building and emergency vehicles.
- The ordinance also says that they are not allowed to have off-street parking spaces within 25 feet of Ashland Ave. Those spaces exist today, and the applicant is proposing to leave them.
- They're also not supposed to have a driveway within 5 feet of a side lot line, but that exists and is proposed to remain.
- Section 25-12.3, the ordinance requires two loading spaces where none exists presently, and the applicant has one that is proposed.
- The ordinance also states the minimum side yard setback of 10 feet when adjacent to residences, where less than 10 exists now. The applicant is not proposing to change it.
- The engineer and planner have called out that there were some locations where there is not the 1.0-foot candles minimum that is required by the ordinance. As a condition of approval, the applicant will be willing to work with the Board Engineer to make any adjustments that are necessary.

BOARD QUESTIONS

- Mayor McCartney asked how to get to Yerrr Canna coming in using Park Ave. Mr. Moran showed on the plans the directional arrows, of where they'll come in, through the gate.
- Mr. Klein asked what size vehicles are going to be coming in and out of the lot. Mr. Moran said they are going to be sprinter vans.
- Mr. Klein asked what is the width between the 5 spaces and the building behind it. Mr. Moran said it is at least 24 inches.
- Mr. Cardoza asked if the lockbox could be opened ahead of time if emergency vehicles needed to come in. Mr. Moran said the security consultant will talk more about that.
- Mr. Cardoza asked what is the X labeled on the plan under the deli and 4 parking spots. Mr. Moran said it could be a potential tandem spot, where if it's the same tenant, and they have two cars, they could work it into a lease to be able to park.

- Councilperson Scarpa asked if pine trees could be planted so it would be a buffer between the residential and the deli. Mr. Moran said they could create some additional landscape areas.
- Ms. Kapferer asked if they have contacted New Jersey American Water regarding a will serve letter. Mr. Moran said right now there's a fire line coming into the building, and a domestic line, so either the property owner or the applicant will have to coordinate with them.
- Ms. Kapferer asked if there have been existing issues on the site with drainage, and if they are planning to do any cleaning of the existing system. Mr. Moran said he is not sure if there's any drainage issues there.
- Chairman Bagoff asked if they're resurfacing the entire parking lot, re-grading it, and re-striping it. Mr. Moran said yes.

PROFESSIONAL COMMENTS

- Ms. Apte said in regards to the parking, the way they calculated the parking spaces required for this entire site would be 37. The difference is the two-bedroom parking spaces; Mr. Moran is counting them as 6, but it's actually just 3 that they need, because the RSI standard is 1.5 spaces per unit. Having said that, there are ways to improve the parking and circulation that is on the site. Ms. Apte thinks one of the concerns is that they already have one parking spot coming off of Ashland Avenue, which is of concern, as seen in the ordinance. Ms. asked if there is a way of removing that and making it 9 feet so that they have 8 parking spaces. Mr. Moran said they can restripe it.
- Ms. Apte said, looking at the Blue Violet side, the compact spot with the dimensions of 8x16 and the 10 spots that are 9x18, there can be a bit of concern as to when cars are backing out, especially because the structure of the building is right there. Ms. said they might have to look at eliminating some of the spots there in order to improve circulation.
- Ms. Apte recommended that a circulation diagram be provided in the plans.

PROFESSIONAL QUESTIONS

- Ms. Apte asked, will the reduction of 310 square feet change the percentage of impervious surface or will it still remain 99. Mr. Moran said it'll drop it down even more if they went to a couple trees.
- Ms. Apte asked if all the fencing is going to be 6 feet high. Mr. Moran said it is an 8-foot fence.
- Ms. Apte asked if there is fencing along Ashland Ave. Mr. Moran said yes, there's an existing one and they will be installing a new gate.
- Ms. Apte asked if the variance for lighting is going to be eliminated. Mr. Sullivan said he thinks they should ask for the variance, because he doesn't know whether they'll be able to comply with everything.
- Ms. Apte asked if they need a variance for 2 loading spaces, where 3 loading spaces are required for the entire site by the ordinance. Mr. Moran said yes.
- Mr. Savage recommended adding the aisle widths to the plan due to the tight turns.
- Mr. Savage asked Mr. Moran to explain why there is no need for any proposed stormwater. Mr. Moran said they're reducing the amount of impervious surface, maintaining the existing drainage patterns, and doing inspection work on the existing facilities to make sure they're functional.

PRESENTATION

- Gianfranco Sarrido, the architect, entered on the record; he was sworn under oath. His credentials were accepted by the board and he testified to the following:
- Mr. Sarrido presented the proposed exterior building elevations plan, submitted on November 21st, 2025.
- The building is pre-existing; it has a brick facade.
- They are trying to match the finished canopy with the existing building.
- They're closing all the windows on the side since it's a manufacturing facility, they don't need the windows, and they are in very bad shape.
- The windows on the front of the building, facing Ashland, will remain, but it will be in film, so won't be able to see it through.
- They are adding an exterior staircase for access to get to the HVAC equipment over the canopy.
- Nobody would be able to get into that portion of the building except for security.
- It will be fully closed at all times.
- Normally, the board would see an application with HVAC equipment on the roof with screening. In this case, the equipment is going on a canopy at a lower level.
- They are also trying to reduce the visual impact of that equipment, even though it's in the interior of the lot, and nobody can really see it.
- There was some barbed wire on a fence, but they're removing that.
- There is already an existing transformer, and they're adding a generator. They will be located in the interior of the site, some considerable distance from the residents.
- The doors will be pressure controlled so no odor escapes the building.
- In addition to the doors, other odor mitigation will include a MERV 15 filtration system with carbon filtration as well.
- There is an acceptable path from the ADA space into the existing building. The entrance is at floor level.

BOARD QUESTIONS

- Councilperson Scarpa asked why the 8 feet fence was originally proposed, was it for security reasons. Mr. Sarrido said they got it down to 6 feet to match what they have existing on-site.
- Councilperson Scarpa asked if 6 feet is okay from a security perspective. Mr. Sarrido said yes, they have electrified gates.
- Ms. Apte asked how tall the HVAC units are. Mr. Sarrido said about 50 inches.
- Ms. Apte asked why a 14-foot enclosure is proposed around the units. Mr. Sarrido said it is for aesthetic purposes to match the building exteriors.
- Ms. Apte asked where the cannabis waste are going to be stored. Mr. Sarrido said it will be stored in the delivery room.
- Ms. Apte asked if the access is only for the employees and the cannabis waste handler, and if there would be a separation between manufactured products and the cannabis waste. Mr. Sarrido said yes to both.
- Ms. Apte asked if the front of the building would be locked. Mr. Sarrido said it will be used as an emergency exit.
- Mr. Savage asked how the water that's used in the cultivation is going to be handled and discharged. Mr. Sarrido said reverse osmosis is what they use to treat the water.

The Application has been carried to the next Planning Board regular meeting on January 7, 2026, without further notice

Block: 179 Lot: 32 Zone: IH-1

Warner Road

The applicant is proposing to develop a 496-unit inclusionary multifamily residential development on a vacant 120-acre property in the northwest corner of the Township.

***The transcript below of the hearing dated December 3, 2025, is the full record of the hearing and is attached hereto as the minutes of the meeting. ***

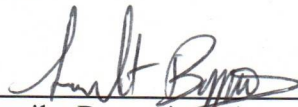
PB-24-01 West Essex Highlands - Transcript from 12-3-25 Compressed

The Application has been carried to the next Planning Board special meeting on December 10, 2025, without further notice

O36-Email-from-Mr-Kleinberg

O37---Mr.-Kleinberg-Site-Plan-with-marking

ADOPTED: 1/28/26



Jamilet Baquerizo Vite
Planning Board Secretary