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MEMORANDUM

To: *Chairman and Members of the
West Orange Planning Board*

From: *John J. Hess, PE, PP, CME
Planning Board Engineer*

Date: *March 14, 2023*

Re: *Application No. PB-23-02
Dogwood Green, LLC
Conditional Use and Minor Site Plan
Review #1
5 Central Avenue
Block 10, Lot 1.01
Our File: VWRP0010.01*

CC: *Paul Grygiel, AICP, PP - Township Planning Director
Leonard Lepore, PE - Township Engineer
Diana McGovern, Esq. - Planning Board Attorney
Dogwood Green, LLC - Applicant
Richard S. Schkolnick, Esq. - Applicant's Attorney
Ronald T. R. Elkins, RA - Applicant's Architect
James T. Sapio, PLS - Applicant's Surveyor*

Our office has received for review the following documents which were submitted in support of the above referenced application for Conditional Use and Minor Site Plan approval:

- A set of architectural plans (11 sheets) prepared by Ronald T. R. Elkins, RA of Chicago, Illinois dated February 10, 2023.
- A Survey of Premises prepared by James T. Sapio, PLS with JTS Engineers and Land Surveyors, Inc. of Stratford, New Jersey dated August 25, 2016.
- A completed Application Form dated February 13, 2023.
- A Project Narrative dated February 13, 2023.
- A copy of a Stockholder Disclosure Statement.
- A completed Site Plan/Subdivision Checklist.
- A List of Waivers requested by the Applicant.
- A completed Sustainability Checklist Form.
- A Verification of Taxes & Sewer Charges Paid from the Office of the Tax Collector dated February 9, 2023 which states that the taxes for Block 10, Lot 1.01 are paid until April 30, 2023 and the sewer charges are paid in full for 2022.



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- A Buffer Report which lists the owners of properties within 200 feet of Block 4, Lot 12 from the Office of the West Orange Assessor dated February 8, 2023.
- A copy of Resolution No. 58-22 which was adopted by the Township Council of the Township of West Orange on March 15, 2022. By this resolution, the Township of West Orange, consistent with the recommendation of the West Orange Taskforce and Advisory Committee regarding Cannabis Businesses, declares its Local Support for the proposed location of the Applicant's proposed cannabis related business.
- A copy of a March 15, 2022 Letter of Confirmation of Compliance with the Township of West Orange Zoning Requirements from the West Orange Zoning Official, Geniece Gary-Adams, to the New Jersey Cannabis Regulatory Commission.
- A copy of a February 13, 2023 letter from Richard S. Schkolnick, Esq. of Millburn, New Jersey to the West Orange Planning Board which details the Applicant's proposed use of the site and the various improvements that are proposed.
- Copies of the following prior Planning Board and Zoning Board of Adjustment Resolutions of Approval for the property in question:
 - Planning Board Case PB-89-26(b) dated February 7, 1990.
 - Planning Board Case PB-02-03 dated May 1, 2002.
 - Planning Board Case PB-04-31T dated January 5, 2005.
 - Planning Board Case PB-05-14T dated April 20, 2005.

We have reviewed the information submitted in support of this application and offer the following comments:

A. PROJECT DESCRIPTION

The property in question is a rectangular tract located on the northerly side of Central Avenue approximately 150 ft east of the intersection with Valley Road. It has an area of 11,955.24 sf or approximately 0.274 acres and is located in the I Zone. The property is currently occupied by a one-story brick & frame building having a floor area of 2,045 sf and an asphalt parking lot behind the building. The building was previously occupied by a full service banking facility with a drive through lane. Access is provided to the site via a one-way entrance drive on the easterly side of the building and a one-way exit drive on the westerly side of the building. A drive-through lane also exists on the westerly side of the building. On-site parking exists for 11 vehicles including 1 handicap accessible parking space and 2 spaces for compact vehicles.

The Applicant is seeking Conditional Use and Minor Site Plan approval to permit the building to be occupied by a Class 5 Retail Cannabis Dispensary. In addition, the Applicant proposes the following improvements at the site:



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- Resurface/Restripe rear parking lot.
- Install garbage enclosure with security gate.
- Replace existing security fence around perimeter.
- Add concrete slab (48 sf) for residentially-sized electrical back-up generator.
- Add security gate at vehicle entrance/exit.
- Add exterior security lights/cameras.
- Replace an existing wall mounted sign and a blade sign on the front of the building.
- Add a new wall mounted sign on the westerly side of the building.
- Add a wall graphic on the front façade.
- Add a logo graphic on the northerly drive-up window.

B. DESIGN COMMENTS

1. Based on our review, we find that the following item from the Site Plan/Subdivision Checklist must be addressed:
 - a) Item #46 – *Solid Waste Management Plan.*
2. The Applicant has requested the following waivers:
 - a) Item #20 - *Copy and/or delineation of existing or proposed deed restrictions or covenants.*
 - b) Item #21 – *Any existing or proposed easement or land reserved for or dedicated to public use.*
 - c) Item # 24 – *List of required regulatory approvals or permits.*
 - d) Item #25 – *Requested or obtained design waivers or exceptions.*
 - e) Item #29 – *Existing right-of-way and/or easements on and within 200' of tract.*
 - f) Item #30 – *Topographic features of subject property from U.S.G.S. map.*
 - g) Item #31 – *Existing and proposed contour intervals based on U.G.S. & G.S. datum.*
 - h) Item #33 – *Existing system of drainage of subject site and of any larger tract or basin of which it is a part.*
 - i) Item #34 – *Drainage Area Map.*
 - j) Item #35 – *Drainage Calculations.*



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- k) Item #36 – Proposed utility infrastructure plans.
 - l) Item #37 - Proposed utility infrastructure plans.
 - m) Item #38 – *Soil Erosion and Sediment Control Plan.*
 - n) Item #39 – *Spot and finished elevations at all property corners, corners of all structures or dwellings, existing or proposed first floor elevations.*
 - o) Item #41 – *Road and paving cross-sections and profiles.*
 - p) Item #45 – *Landscape plan & details prepared by a professional landscape architect.*
 - q) Item #52 – *Plans and legal documents for compliance with West Orange COAH Ordinances.*
3. The name and address of the Applicant and the Owner must be added to the Cover sheet of the architectural plans.
 4. The Applicant should address the Board regarding the proposed hours of operation at the site.
 5. The Applicant should address the Board to demonstrate that the existing parking lot lighting complies with the Ordinance requirements.
 6. The Applicant should address the Board regarding the anticipated frequency and hours for deliveries to the site.
 7. The Applicant should address the Board regarding the need to provide a loading zone at the site.
 8. The Applicant should address the Board regarding the proposed security at the site. In addition, the Applicant must demonstrate that the security plan has been reviewed and approved by the Police Department.
 9. It shows on the Site Plan on sheet A001 of the architectural plans that a trash enclosure is proposed at the rear of the site. Therefore, a detail of the proposed trash enclosure must be added to the plans.
 10. It shows on the Site Plan that parking is provided at the rear of the building whereas the customer entrance is at the front of the building. Therefore, the Applicant should address the Board regarding their plans to provide a pedestrian walkway from the parking lot to the building entrance.
 11. It shows on the Site Plan that a natural gas generator is proposed at the rear of the building. Therefore, details of the natural gas generator and the reinforced concrete generator pad must be added to the plans.



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12. The Applicant must demonstrate that the proposed natural gas generator will comply with all local, county and state noise regulations.
13. It shows on the Site Plan that the existing fences are to be replaced with 6 ft high anti-climb mini-mesh chain link security fence. Therefore, a detail of the proposed fence must be added to the plans.
14. It shows on the Site Plan that a 2 part 6 ft high security gate is proposed on the entrance to the easterly driveway and a 3 part 6 ft high security gate is proposed at the exit from the westerly driveway. Details of the proposed gates must be added to the plans.
15. It shows on the Site Plan that a handicap accessible parking space is proposed in the rear parking lot facing the building. Se note that the handicap parking space sign is existing. Therefore, a detail of the handicap accessible parking space markings must be added to the plans.
16. It shows on the Site Plan that the existing parking lot is to be resurfaced. Therefore, a detail of the proposed resurfacing must be added to the plans.
17. It shows on the Site Plan that directional arrows are proposed at the site entrance and exit. Therefore, a directional arrow detail must be added to the plans.
18. The Site Plan includes callouts which state that the compact parking spaces to be 5'-0" x 15'-0" per Section 25-12.1(p) which is incorrect. The Ordinance requires that compact parking spaces be 8'-0" x 15'-0". This discrepancy must be resolved.
19. The Site Plan must be revised to add a stop sign and stop bar at the exit from the site
20. It shows on the Elevations on sheet A200 that "Enter Here" and "Do Not Enter" signs are proposed. Therefore, details of the proposed signs must be added to the plans.
21. The plans should be revised to provide details of the various free standing, wall mounted and window signs that are proposed.
22. The Applicant should address the Board regarding their plans to provide landscaping within the landscape beds on either side of the rear entrance to the building. We note that the landscape could be designed to screen the proposed generator.

The Applicant is hereby advised that any revised plans or other documents submitted to the Board should be accompanied by a cover letter which addresses each of the comments in this review letter and also details any other changes that have been made to the plans as these may not be readily apparent.