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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: *August 3, 2023*

Re: *Application No. PB-23-08
The Library of New Jersey, Inc.
Conditional Use and Preliminary & Final Site Plan
Review #1
1 & 5 Washington Street
Block 120.01 Lots 24 & 26
Our File: VWRP0120.01*

CC: *Paul Grygiel, AICP, PP - Township Planning Director
Leonard Lepore, PE – Township Engineer
Diana McGovern, Esq. – Planning Board Attorney
The Library of New Jersey, Inc. - Applicant
Cameron W. MacLeod, Esq. – Applicant's Attorney
Michael J. Tormey, RA – Applicant's Architect
James Pica, 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 Preliminary & Final Site Plan approval:

- A set of unsigned architectural plans (5 sheets) prepared by Michael J. Tormey, RA with Michael J. Tormey Architect LLC of Westfield, New Jersey and bearing a latest revision date of June 28, 2023.
- A set of proposed signage plans (2 sheets) prepared by the TAP Design Group of Oreland, Pennsylvania dated July 1, 2023.
- A Survey of Property prepared by James Pica, PLS with P&L Associates of Bloomfield, New Jersey dated August 23, 1999.
- A completed Application Form dated June 14, 2023.
- A completed Affidavit of Ownership and Consent dated June 1, 2023.
- A copy of a Deed between A1 Tank Cleaning Service, Inc. and King Eli Realty LLC dated September 30, 2021. This deed was recorded with the Essex County Register of Deeds & Mortgages on October 12, 2021 as Instrument # 2021122878.
- A Project Description, undated.



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- A copy of a Corporate Ownership Disclosure, undated.
- A completed Site Plan/Subdivision Checklist.
- A completed Sustainability Checklist Form.
- A Verification of Taxes & Sewer Charges Paid from the Office of the Tax Collector dated June 2, 2023 which states that the taxes for Block 120.01, Lot 24 are paid until July 31, 2023 and the sewer charges are paid in full for 2022.
- A Verification of Taxes & Sewer Charges Paid from the Office of the Tax Collector dated June 2, 2023 which states that the taxes for Block 120.01, Lot 26 are paid until July 31, 2023 and the sewer charges are paid in full for 2022.
- A Buffer Report which lists the owners of properties within 200 feet of Block 120.01, Lots 24 & 26 from the Office of the West Orange Assessor dated June 2, 2023.
- A list of property owners within 200 feet of Block 120.01, Lots 24 & 26 in the Township of West Orange from the City of Orange Office of the Tax Assessor dated June 2, 2023.
- A copy of Resolution No. 225-23 which was adopted by the Township Council of the Township of West Orange on June 13, 2023. 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 May 30, 2023 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 Resolution of Approval for Application PB-12-25T from the West Orange Planning Board granting Technical Review Committee Approval for the operation of a retail thrift shop at block 120.01, lot 24.

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

A. PROJECT DESCRIPTION

The property in question is an irregularly shaped tract located on the northwest corner of the intersection of Washington Street and Meade Street. It has an area of 14,057 sf or approximately 0.32 acres and is located in the B-1 Zone. The property is currently occupied by a one-story block building having a floor area of 5,880 sf with existing head-on parking in front of the building and an existing parking lot behind the building. Access is provided to the rear parking lot via a two-way driveway from Meade Avenue. In addition, the rear parking lot is fenced and gated.



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The Applicant is seeking Conditional Use and Preliminary & Final Site Plan approval to permit a portion of the existing building to be occupied by a Class 5 Retail Cannabis Dispensary. It shows on the plans that the Applicant proposes 16 on-site parking spaces including 2 handicap accessible parking spaces and 1 electric vehicle space. In addition, the Applicant proposes the following improvements at the site:

- Construct interior and exterior improvements to the existing building.
- Install a new white reflective roof with future solar panels on the existing building.
- Install new building mounted sign.
- Install new soffit lights on the front of the building.
- Restripe the front parking lot.
- Repave and restripe the rear parking lot.
- Install new parking lot light fixtures.
- Stripe a 10' x 40' loading zone in the rear parking lot.
- Install a new concrete walkway at the rear of the existing building.
- Install a recycling and trash enclosure.
- Install new 4 ft wide and 5 ft wide sidewalks adjacent to the buildings in the rear parking lot.
- Install a 5 ft wide landscape buffer along the northerly property line at the rear of the site.
- Install a new stormwater planting bed along the easterly side of the site.

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 #20 - *Copy and/or delineation of existing or proposed deed restrictions or covenants.*
2. The Applicant has requested the following submission waivers:
 - a) Item #10 – Monumentation as specified by Map Filing Law.
 - b) Item #22 – *Development stages or staging plans..*
 - c) Item # 24 – *List of variances required or requested.*
 - d) Item #25 – *Requested or obtained design waivers or exceptions.*



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- e) Item #30 – *Topographic features of subject property from U.S.G.S. map.*
 - f) Item #31 – *Existing and proposed contour intervals based on U.G.S. & G.S. datum.*
 - g) Item #32 – *Boundary, limits, nature and extent of wooded areas, specimen trees, and other significant physical features.*
 - 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.*
 - 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 #40 – *Construction details as required by ordinance..*
 - o) Item #41 – *Road and paving cross-sections and profiles.*
 - p) Item #42 – *Proposed street names.*
 - q) Item #43 – *New block and lot numbers confirmed with local assessor or municipal designee.*
 - r) Item #44 – *Lighting plan and details.*
 - s) Item #45 – *Landscape plan & details prepared by a professional landscape architect.*
 - t) Item #46 – *Solid waste management plan.*
 - u) Item #48 – *Sight triangles.*
 - v) Item #49 – *Vehicular and pedestrian circulation patterns.*
 - w) Item #52 – *Plans and legal documents for compliance with West Orange COAH Ordinances.*
- 3. The Applicant should address the Board regarding the proposed hours of operation at the site.
 - 4. The Applicant should address the Board regarding the anticipated number of employees for the warehouse and the cannabis dispensary.
 - 5. The Applicant should address the Board regarding the anticipated frequency and hours for deliveries to the site.



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6. 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.
7. The Applicant should address the Board regarding their plans, if any, to provide an emergency generator at the site.
8. The Applicant has requested a waiver from the requirement to provide construction details for the improvements that are proposed at the site. Our office takes exception to this waiver request. It is our recommendation that the Applicant be required to provide construction details for all of the proposed site improvements.
9. The Applicant should address the Board to demonstrate that the existing lighting in the front parking lot and the proposed lighting in the rear parking lot complies with the Ordinance requirements.
10. It shows on the Site Plan on sheet CS-1 of the plans that future solar panels are proposed on the roof of the building. The Applicant should address the Board regarding their schedule for installation of the future solar panels.
11. It shows on the Site Plan that a handicap placard is proposed on the building in front of the access aisle between the 2 proposed handicap accessible parking spaces. As required by the Americans with Disabilities (ADA) standards. A handicap parking sign must be installed in front of each handicap accessible parking space. In addition, at least 1 of the handicap spaces shall be van accessible. The van accessible space must be a minimum of 11 ft wide. These discrepancies must be addressed.
12. It shows on the Zoning Data table on sheet CS-1 that that the warehouse has a floor area of 3,380 sf which requires 6 parking spaces while the cannabis dispensary has a floor area of 2,500 sf and requires 10 parking spaces. However, it shows on the Site Plan on sheet CS-1 that approximately 500 sf of the warehouse will be used by the cannabis dispensary. Therefore, the parking calculation must be corrected. By our calculations, the warehouse requires 5 parking spaces while the cannabis dispensary requires 12 parking spaces. As a result, 17 parking spaces are required whereas only 16 parking spaces are proposed.
13. The Applicant should address the Board to clarify where the vehicles associated with the existing warehouse will park. If they are proposed to park in the rear lot, does this cause an issue with the security of the cannabis dispensary?
14. It, shows on the Site Plan that two (2) of the proposed parking spaces in the rear lot will be stacked in front of two (2) other parking spaces. The Applicant should address the Board regarding how this arrangement is expected to work.
15. The Applicant should submit a turning movement plan to demonstrate that emergency vehicles, delivery vehicles and garbage trucks will be able to safely navigate the site.



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16. The Site Plan must be revised to add a stop sign and stop bar at the exit from the rear lot.
17. It shows on the Site Plan that a New Stormwater Planting Bed is proposed along the easterly side of the site adjacent to Meade Avenue. The Applicant should address the Board to clarify what is proposed at this location.
18. It appears from Google Earth that the rear parking lot is only paved to the overhead garage door on the easterly side of the warehouse. In addition, the existing pavement is in very poor condition. The remainder of the rear lot appears to only be stoned. Therefore, the plans must be revised to clearly show the limits of the existing paving in the rear lot.
19. Since the Applicant proposes to pave the entire rear lot, this will result in an increase in the existing impervious coverage at the site. Therefore, the Applicant must mitigate the increase in runoff from the site. The Applicant must submit a Stormwater Management Report which addresses the requirements in Section 25-29 of the Ordinance.
20. The Site Plan should be revised to show the proposed area of disturbance. We note that if the area of disturbance exceeds 5,000 sf, then the Applicant requires Soil Erosion and Sediment Control Plan Certification from the Hudson, Essex, Passaic Soil Conservation District.
21. It appears from Google Earth that the existing chain link fence gates at the rear of the site are in poor condition. Therefore, the Applicant should address the Board regarding their plans to repair or replace the existing gates.
22. The Site Plan includes a note which states "*Refer to sheet A-1 for lighting at front of building*"; however, no lighting is shown on sheet A-1. This discrepancy must be resolved.

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.