

**RESOLUTION OF FINDINGS AND CONCLUSIONS
PLANNING BOARD OF THE
BOROUGH OF WOODBURY HEIGHTS
2018-08**

WHEREAS Crossroads of Gloucester County Management Co., LLC has applied for minor site plan review and approval for a medical outpatient facility for opioid treatment; and

WHEREAS, the property is located on Elm Avenue, Block 40, Lots 4 & 11 in an HC zone; and

WHEREAS, the Borough of Woodbury Heights Planning Board has the right to exercise to the same extent and subject to the same restrictions, all the powers of the Zoning Board of Adjustment; and

WHEREAS, the Borough of Woodbury Heights Planning Board has had an opportunity to review the application for Crossroads of Gloucester County Management Co., LLC seeking a minor site plan review and approval for a medical outpatient facility for opioid treatment in an HC zone and a hearing having been held thereon; and

WHEREAS, the Borough of Woodbury Heights Planning Board has made the following factual findings:

1. Nicholas F. Talvacchia, Esquire appeared on behalf of the applicant. The applicant operates 31 opioid treatment facilities. They wish to establish a new facility occupying 5,000 square feet of a 7,000 square foot existing building on Elm Avenue bordered by the New Jersey Turnpike. The property consists of 1.16 acres with some existing paving and site improvements. The proposed use is permitted in the HC zone.

2. The applicant originally made application for waiver of site plan review with a hearing having been held on that application on December 4, 2017. At that hearing, the Board considered the testimony presented on behalf of the applicant and considered the review letters of Planning Board Engineer, Mark R. Brunermer, P.E., C.M.E. dated November 29, 2017 and a review letter prepared by Planning Board Planner, Tiffany CuvIELLO, P.P. on December 4, 2017. The applicant had submitted a plan of survey dated October 23, 2017 with the application. At the conclusion of the hearing it was determined that additional information would be necessary for the Board to properly consider the application and that the application would be amended to a request for minor site plan review and approval.

3. On December 21, 2017 the applicant submitted an application for minor site plan review including a minor site plan dated December 21, 2017. A hearing was held on February 5, 2018. The applicant presented the testimony of Steven W. Kester, one of the principals of the applicant and Jason T. Scullio, P.E., P.P. The applicant testified that the facility would be open to patients from 5:00 a.m. to 10:00 a.m. six days per week with staff to remain on site until 1:00 p.m. The facility will be closed on Sundays. Eighty to eighty-five percent of patients are employed, ninety-five percent drive to the facility and ninety-five percent are self-pay. It is anticipated that the initial enrollment will be approximately 100 patients with an eventual enrollment of 200 to 250 patients. Initially there will be a staff of 5 employees with 1 added for every additional 40 patients who are enrolled. Eighty percent of the employees are counselors. A doctor is not always present on site; however, a manager is always present on site. The applicant does not anticipate more than 10 patients on site at any given time. Group counseling sessions are provided and typically include 5 to 10 patients. All medications are held in a safe. There is indoor and outdoor video surveillance. Patients are required to wait indoors with no outside loitering permitted.

4. The Board considered the review letters of Planning Board Engineer Mark R. Brunermer, P.E., C.M.E. dated January 4, 2018, review letter of Planning Board Planner, Tiffany CuvIELlo, P.P. dated January 5, 2018, the response to those letters provided by the applicant's Engineer dated January 5, 2018 and January 8, 2018. The applicant also presented the testimony of Traffic Engineer, David R. Shropshire, P.E., P.P. to address the traffic impact and adequacy of parking and circulation. Mr. Shropshire submitted an initial report dated January 5, 2018 and a supplemental report dated January 26, 2018. The applicant agreed to address all comments of the Planning Board Engineer and Planner. The applicant meets all site standards with the exception of not providing a loading space or trash enclosure. Preexisting nonconformities to bulk standards have either been improved or remain unchanged. In addition to those items addressed in their review letters, the applicant agreed to paint the curbing along the front of the building yellow and to remove the paved area at the southern "point" of the lot and replace it with landscaping.

5. The application submitted by the applicants substantially complies with the requirements of the Borough of Woodbury Heights Ordinance. The request by the applicants can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Borough of Woodbury Heights Ordinance.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Woodbury Heights that the application of Crossroads of Gloucester County Management Co., for minor site plan review and approval for a medical outpatient facility for opioid treatment is hereby granted subject to the following conditions:

1. The applicant shall obtain any other applicable governmental approvals which the applicant is required to obtain from any Federal, State, County or Local Governmental Agency or body.
2. Approvals are granted for all preexisting nonconforming conditions as listed in the zoning schedule on the minor site plan filed with the application.
3. The requirement for a fire lane has been waived. The requirement for a loading zone has been waived, however deliveries will be allowed along the curb line in front of the building.
4. The requirement for a trash enclosure is waived. Trash and debris outside of the trash container shall be removed on at least a weekly basis.
5. Appropriate lighting will be determined in consultation with the Planning Board Engineer. The applicant will provide the appropriate lighting. The applicant may utilize existing fixtures but will add additional fixtures if necessary.
6. The applicant shall provide 35 parking spaces including 6 employee parking spaces in the rear, ADA compliant spaces and new striping. Angled parking along the entrance drive will be eliminated and replaced by parallel parking spots.
7. All paving will be repaired and overlaid as may be deemed necessary by the Borough Engineer.
8. The curbing along the front entrance to the building will be painted yellow to prohibit parking, except for office deliveries.
9. The paved area at the southern "point" of the lot will be removed and replaced with landscaping. The applicant shall be responsible to insure proper stormwater runoff of the parking lot area.
10. Additional landscaping will be provided along the southern border of the adjoining bank lot.
11. The applicant shall occupy 5,000 square feet of the existing building. Future occupancy of the remaining 2,000 square feet will require application to the Planning Board.

12. Hours of operation will be from 5:00 a.m. to 1:00 p.m. Monday through Saturday, closed on Sunday. The facility will be open to patients from 5:00 a.m. to 10:00 a.m. Monday through Saturday. A limited amount of patient counseling may occur between 10:00 a.m. and 1:00 p.m. The facility will otherwise be closed to patients after 10:00 a.m.

13. Loitering outside of the building shall be prohibited and appropriate signs will be provided as notice.

14. The two lots shall be consolidated.

15. The applicant shall comply with all comments of the Planning Board's Planner and Engineer as set forth in their letters of January 4, 2018 and January 5, 2018 and as acknowledged in the applicant's Engineer's correspondence of January 5, 2018 and January 8, 2018. Those items of correspondence are incorporated herein.

16. The applicant shall submit a revised site plan to conform with this approval.

17. A performance bond will not be required. However, a certificate of occupancy shall not be issued until all improvements are complete and approved by the Borough Engineer.

18. All outstanding escrow and inspection fees shall be paid in full prior to the issuance of any permits or certificate of occupancy.

Adopted at a regular meeting of the Borough of Woodbury Heights Planning Board on April 9, 2018.

PLANNING BOARD OF THE BOROUGH
OF WOODBURY HEIGHTS


BRUCE FARRELL, CHAIRMAN

ATTEST:


SHANNON ELTON, SECRETARY