

STATEMENT OF CONFORMANCE
SHIV PRASAD, LLC
WOODBURY HEIGHTS BOROUGH
CES# 2946-01

Section 70-33.G(12) states that an application for cannabis facilities shall include a statement of conformance, and indicate how conformance will be achieved if applicable, with Section 70-49.21 Performance Standards in the Land Management Code. Below, please find a summary of how conformance with Section 70-49.21 is achieved for this application.

§ 70-49.21. Performance standards.

- A. Electricity. Electronic equipment shall be shielded so there is no interference with any radio or television reception beyond the operator's property as the result of the operation of such equipment.

Any electronic equipment that may be used will be shielded so there is no interference with any radio or television reception beyond the operator's property as the result of the operation of such equipment.

- B. Glare. No use shall direct or reflect a steady or flashing light beyond its lot lines. Exterior lighting and lighting resulting from any manufacturing or assembly operations shall be shielded, buffered and directed as approved on the site plan so that any glare, direct light, flashes or reflection will not interfere with the normal use of nearby properties, dwelling units and streets.

Site lighting has been designed to minimize light spill over and glare. Pole mounted lights are directed towards the interior of the property, as well as building mounted lights are pointed down.

- C. Air, water and environmental pollution. No use shall emit heat, odor, vibrations, noise or any other pollutant into the ground, water or air that exceeds the most stringent applicable state and federal regulations. No construction permit, zoning permit or certificate of occupancy shall be issued for any use until a state permit has been issued. In instances where a state permit is required in order to ascertain and approve the level of emission, quality of emission, type and quality of emission control and such other state regulations govern the emission of pollutants into the ground, water or air.

The property is currently developed with the proposed redeveloping the site for a new use. The proposed new use will not emit any additional heat, vibrations or any other pollutant into the ground, water or air that exceeds the most stringent applicable state and federal regulations.

The proposed retail cannabis facility will not produce any odors that are detectable by a person of reasonable sensitivity anywhere on adjacent property, within public rights of way. The proposed use is a cannabis retailer, which will not produce a large amount of cannabis odor, as all cannabis and cannabis products will be packaged and sealed prior to being transferred onsite. Nevertheless, the proposed HVAC system will include carbon filtration odor absorption devices or "scrubbers." These carbon filters will absorb odor molecules and clean the system exhaust of odors. Activated carbon is an extremely effective absorptive odor control substance that does not negatively impact the environment.

Odor from this facility will be monitored on an annual basis at the discretion of the Borough by a licensed, qualified contractor chosen by the Borough at a cost that shall be paid for by the licensed cannabis facility. All noise levels will be within applicable state decibel limits.

As the proposed is a retail facility, without any machinery, processing and/or packaging operations, excessive noise is not anticipated. Any loading or unloading will be accomplished via small package vans which do not produce excessive noise, vibrations, or odors.

- D. Storage and waste disposal. No materials or wastes shall be deposited upon a lot in such form or manner that they can be transferred off the lot, directly or indirectly, by natural forces such as precipitation, surface water, evaporation or wind. All materials or wastes which might create a pollutant, be a safety hazard or be a health hazard shall be stored indoors and/or be enclosed in appropriate containers to eliminate such pollutant or hazard. No flammable or explosive substance shall be stored on a property except under conditions approved by the Fire Department.

The site is being redeveloped to include a block trash enclosure which will house domestic waste and recycling containers, to help prevent litter from leaving the site.

Any cannabis waste material will be disposed of as outlined in the Waste and Recycling Report.

No material or wastes which may create a pollutant, be a safety hazard or health hazard or be flammable or explosive will be stored on the property.

- E. Location of flammable liquids. No flammable liquids stored in quantity of 100 gallons or more for ultimate resale shall be located within 1,000 feet of another comparable storage, as measured from building to building.

No flammable liquids are proposed to be stored on site.

- F. Any use which handles chemical, corrosive, toxic and/or hazardous materials shall be permitted only where such materials are incidental supplies and not the primary use. High hazard uses described as use Group H in Section 306 of the BOCA National Building Code, as amended, shall not be located to be contiguous to (share a wall, floor, or ceiling with) other rooms in the building used either by other tenants of the building, or other rooms of the same tenant where the other rooms are occupied by concentrations of people. After review of the Environmental Impact Report on the type, quantity and disposal of the materials, including how the materials will be stored and/or shipped, and such other data as required as part of the Environmental Impact Report, the approving authority may either approve the plan, require such modifications necessary to overcome the problems, or disapprove the plan. If the plan is approved, methods for monitoring the agreed upon methods of handling, storing, shipping and disposal of the chemical, corrosive, toxic and/or hazardous materials may be a condition of approval. In the event of violation(s) of the condition(s) of approval related to chemical, corrosive, toxic and/or hazardous materials, the approving authority may stipulate in its approving resolution that the approval shall be void until corrective action is taken.

The proposed use does not handle chemical, corrosive, toxic and/or hazardous materials.