

January 23, 2023

Woodbury Heights Planning/Zoning Board
500 Elm Avenue
Woodbury Heights, NJ 08097

Attn: Chairman and Members of the Board

**Re: Application for Minor Site Plan & Conditional Use Approval
Technical Review #1
Block 40, Lot 3 & 11.01 – 30 Elm Avenue
Applicant: Shiv Prasad, LLC
S&A File No. WH-1121**

Dear Chairman & Members of the Board:

As of January 16, 2023, we are in receipt of the above referenced application for a Minor Site Plan and Conditional Use. The Applicant has provided the following:

1. Cover Letter, prepared by DelDuca Lewis & Berr, dated January 12, 2023
2. Planning/Zoning Board Application
3. Plan Set, prepared by Consulting Engineering Services

No.	Title	Date
1 of 6	Cover Sheet	1/11/2023
2 of 6	Existing Conditions & Demolition Plan	1/11/2023
3 of 6	Site & Grading Plan	1/11/2023
4 of 6	Lighting & Landscaping Plan	1/11/2023
5 of 6	Construction Details	1/11/2023
6 of 6	Soil Erosion & Sediment Control Plan	1/11/2023

4. Proposed Floor Plan as prepared by GHL Studio Architecture LLC, dated January 10, 2023
5. Plan of Survey & Topography, prepared by CES, dated November 29, 2022
6. Traffic Assessment Report prepared by CES, dated January 2023
7. Stormwater Management Report, prepared by CES, dated January 2023
8. Recycling Report, prepared by CES, dated January 2023

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The application is requesting variances and waivers for a variety of parking setbacks, sign setback and signage area.

The subject property is located on Elm Avenue in the “HC” Highway Commercial Zoning District. The Applicant proposed to convert the existing bank into a cannabis dispensary. The dispensary is a permitted conditional use contingent upon items listed in Ordinance 20-2022.

Our office defers to Mrs. Morrissey as to the bulk variance and conditional use issues.

Completeness Review

We are acceptable to the project being presented to the Board for completeness purposes.

Waivers Requested

1. §70-23.D - To permit access points to be 3’ from any property lines where 10 feet is required. Existing non-conforming condition.
1. §70-23.E(1) – To permit parking of vehicles within 5 feet from any property line where parking is not permitted. Existing, non-conforming condition.
2. §70-23.E(2) – To permit off street parking to be partially off-site where parking spaces are required to be on-site. Existing, non-conforming condition.
3. §70-49.7.F – To permit a minimum distance to a street intersection of 41 feet where 90 feet is required (90% of minimum required lot width; 100’). Existing, non-conforming condition.
4. §70-49.7.G – To permit two (2) access drives where one (1) is allowed. Existing, non-conforming condition.
5. §70-49.7(H) – To permit a driveway access to be 3’ from property line where 30’ is required. Existing, non-conforming condition.

We are acceptable to granting the above waivers as they are preexisting non-conforming conditions.

7. §70-49.9 – From providing an environmental impact report. The site is currently predominantly impervious with a proposed similar use. The proposed redevelopment of the site will not impact the site of surrounding properties to a greater extent than the former use. **The Applicant must provide testimony to the Board as to the waiver request.**
8. §70-49.20.E(1) – To permit a parking stall width of 9 feet where 10 feet is required. **We are acceptable to the waiver request.**

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9. §70-49.20.C – Prohibits parking within 15’ of the Right-of-Way. There are two (2) existing parking spaces in the front yard. **Due to the potential intensity of this use, the need for having these two (2) spaces so close to the entrances must be documented to the Board. Testimony must be provided.**

Based upon the information provided, we offer the following technical comments:

Technical Comments:

1. The means of operation must be clarified with facility to clarify if the parking space count will be exceeded with this new retail facility as other similar facilities in the tri-County area have experienced. The capacity of the waiting area and mercantile area and its impact to the number of parking spaces must be clarified.
2. Hours of operation and number of employees must be clarified. The Ordinance requires a security guard during hours of operation. The need for parking for the individual should be clarified with number of employees and parking spaces needed.
3. The Application must clarify if there are any schools, cannabis facilities or childcare facilities within the distances listed for §70-33G(10).
4. Section 70-23E prohibits parking within 5’ of the property line. The proposed plan has added five (5) parallel parking spaces along the curb adjacent to Lot 11, approximately 1’ from the property line. Section 70-47.20 prohibits parking within 15’ of the street right of way. The existing plan includes cross easements, curb lines and parking to the property line at the rear lot line. We recommend the waivers be discussed with the Board so the record is clear with any approval granted by the Board.
5. The proposed five (5) parallel spaces are 7’ x 23’. The 26’ wide drive aisle appears to permit the spaces to be 8’ wide. We recommend the Applicant’s Engineer comment on this item.
6. The proposed 8.47’ wide parking space must be revised in order to provide the minimum 9’ width, in particular, since it is immediately adjacent to the entrance/exit.
7. The Applicant must clarify if there are any shared parking or stormwater agreements with the adjacent parcels.
8. The Applicant can provide testimony to the Board as to what type and number of delivery vehicles they accommodate for deliveries. The location for deliveries if other than the striped unloading area at the rear of the building should be clarified. The Applicant should clarify if they will be receiving deliveries for UPS, Fed Ex, etc.

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9. The scope of the 10' wide ingress and egress easement along 11 must be clarified and whether parking is permitted within same. Five (5) parallel parking spaces are currently proposed within the access easement.
10. Section 70.49.20 requires striping to be hairpin and long life epoxy paint. As no supermarket carts are expected for this site, we are acceptable to a waiver from the hairpin style striping being granted. The Plans must clarify if the dashed lines, reflecting existing parking spaces on the plan, will also be restriped. The Applicant should clarify whether the overall parking lot will be seal coated. There are several areas of deterioration on the west side parking lot.
11. A loading space is required to be 10' x 60'. The plan is proposing an 8' x 20' space. A waiver is required. The Applicant and their Engineer must provide testimony to the Board to justify same.
12. The direction of traffic flow to the rear of the site by means of two (2) accesses to Lot 11, must be clarified. The proposed "Do Not Enter" sign adjacent to the proposed trash enclosure location should be supported with directional arrows placed on the asphalt at the access into Lot 11. The existence of a shared parking, ingress and egress agreement must be documented.
13. The Applicant should consolidate Lots 3 & 11.01, Block 40 as access and parking for Lot 3 depends upon Lot 11.01.
14. The Applicant should testify as to any proposed building signage.
15. There are twelve (12) Junipers proposed around the new monument sign. There is no additional landscaping proposed. Additional shrub and ground covers should be added to replace dead or shrubs in poor condition. We defer to Mrs. Morrissey for further comment.
16. The Applicant must clarify whether the lights will be privately owned and operated or owned by PSE&G. One set of lights is located on adjacent Lot 2.01. The Applicant must clarify they have permission to update the lights. We request the Applicant clarify whether the lights will operate dusk to dawn.
17. Within the Recycling Report, it refers all cannabis waste will be stored in locking receptacles in the designated area. We request the Applicant clarify if the locked receptacle will be in the trash enclosure area or within the building.

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18. With respect to the Traffic Assessment Report:
 1. The report must clarify the estimated number of delivery vehicles per day, the size of the delivery vehicles and number of employees.
 2. Section 70-33G(13) requires a pedestrian circulation plan, in particular for the patrons parallel parking along Lot 11. The plans should clarify if sidewalk can be extended across the front of the building.
19. The Applicant must coordinate with the Borough Fire Department and Fire Marshall as to the need for a fire lane and applicable striping.
20. The sidewalk coming from the building to Elm Avenue's sidewalk has a 1" – 2" reveal. This creates a tripping hazard and needs to be replaced for ADA purposes.
21. The applicable signage for the unloading zone must be provided on the plans.
22. Reflective inserts for each U Post and stop sign and directional sign must be noted on the sign detail. (Sheet 5 of 6).
23. The sidewalk/monolithic curb detail on sheet 5 of 6 must clarify the proposed reveal to existing asphalt.

The Application will need to get approvals from, but limited to, the following agencies:

1. Gloucester County Planning Board
2. Woodbury Heights Police Department
3. Woodbury Heights Fire Department
4. Gloucester County Soil Conservation District Waiver

We are acceptable to the Application being presented to the Board and have the Applicant's professionals address the above issues.

Subject to the Applicant providing sufficient testimony to the Board for the above matters, the extent of any plan revisions can be determined at that time.

The applicable bonding, in accordance with the Borough Ordinance and MLUL will be required as part of any approval granted by the Board.

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If you should have any questions regarding the matter, please call our office at your earliest convenience.

Very truly yours,

SICKELS & ASSOCIATES, INC.



Mark R. Brunermer, P.E., C.M.E.
Woodbury Heights Planning/Zoning Board Engineer

MRB/DJP:kc

cc: B. Michael Borelli, Esquire, WHP/ZB Solicitor (via email only)
Tiffany Morrissey, WHP/ZB Planner (via email only)
Shannon Elton, Planning Board Administrator (via email only)
Kristopher Berr, Esquire (via email only)
Shiv Prasad, LLC, Applicant (via email only)
Jay F. Sims, Applicant's Engineer (via email only)

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