

Received by: Shannon Elton  
Name: \_\_\_\_\_  
Date: 3/13/23

March 13, 2023

**Via Hand Delivery**

Borough of Woodbury Heights  
Planning/Zoning Board  
Attn: Board Secretary Shannon Elton  
50 Elm Avenue  
Woodbury Heights, NJ 08097

Re: Planning and Zoning Board Application (Application)  
Summit Wellness, LLC (Applicant)  
1002 Mantua Pike  
Woodbury Heights, NJ 08097  
Block 40.05, Lot 11

Dear Ms. Elton:

This office represents Summit Wellness LLC (Applicant) in connection with its Planning and Zoning board Application (Application). Enclosed, please find the original and 15 copies of the Application and supporting documents. Please note that the application fee and escrow deposit are forthcoming pending our meeting with Township staff to discuss the Application.

As Applicant is seeking to operating a Class 5 Cannabis Retail facility in accordance with the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, N.J.S.A. 24:6I-31, et seq., Applicant must meet the conditional use criteria for cannabis establishments set forth at Article VI, Section 70-33.G of Woodbury Heights municipal code. Applicant meets those criteria as follows:

1. Applicant shall not permit on-site consumption of cannabis or cannabis related products, including on-site sales and consumption of alcohol or tobacco products. To that end, Applicant will post signage up at the facility to put patrons on notice of such prohibition.
2. All cannabis establishment operations, including storage, shall occur within the building. Applicant proposes to use the existing drive-thru in compliance with this requirement as the money and product will be processed within the building and product conveyed to the customer through the window of the building.
3. All facilities shall be located within enclosed buildings and shall not be permitted outdoors.
4. The facility shall not produce any odors that are detectable by a person of reasonable sensitivity anywhere on adjacent property or within public rights of way. The building space will be designed with equipment to mitigate cannabis related odor.
5. The retail facility will operate within applicable State decibel limitations. To that end, mechanical equipment will be housed entirely within the facility. Further, loading and deliveries will occur behind the building and are not anticipated to generate any more noise that what occurs for other retail establishments permitted in the Highway Commercial zoning district. Therefore, we do not anticipate any violations of State noise laws.
6. Security cameras will cover all exterior parking and loading areas, points of entry, and interior spaces that are open to the public and used for storage of cannabis products. Security footage will be maintained for the duration required under State law, at least 30 days.

7. Applicant will provide the Police Department with access to security footage immediately upon request by the Department. Applicant has submitted its security plan to the Woodbury Police Department for its review.
8. Applicant will provide for a security guard to the extent required by Article VI, Section 70-33.G.8.
9. While it is not anticipated that lighting from the facility will spillover into any residential neighborhoods, Applicant shall mitigate any spillover that may occur and comply with all applicable State lighting limitations.
10. Applicant complies with the distance requirements of section 10. See attached map.
11. Cannabis waste shall be stored, secured, and managed in accordance with applicable state laws. See document entitled "Waste Disposal Procedures".
12. See Site Plan dated March 13, 2023. Although, due to the site constraints, providing for 25 parking spots is not possible, we have begun discussions with the neighboring shopping center owner to arrange an overflow parking agreement.
13. A traffic study is currently being prepared by Dolan & Dean Consulting Engineers, LLC. The traffic study will be provided as soon as it is available.
14. The hours of operation shall not exceed 9:00 a.m. to 10:00 p.m.
15. See attached Statement of Conformance with Section 70-49.21 Performance Standards in the Land Management Code.
16. See Site Plan dated March 13, 2023.
17. Drawings showing signage are forthcoming. No cannabis products shall be displayed in any windows or doors.
18. No residential districts abut this property, so the section 18 requirement does not apply.
19. Cannabis waste shall be stored, secured, and managed in accordance with applicable state laws. See document entitled "Waste Disposal Procedures".
20. This cannabis establishment is not proposed to be located in the LI District.
21. This cannabis establishment is proposed to be located in the HC district, where no other cannabis establishment has been approved.
22. This cannabis establishment is seeking to operating as a Class 5 cannabis retail establishment, not as a Class 6 delivery establishment.

If there are any questions or concerns, please do not hesitate to contact me at 609-200-1294 or Alison@Kumerlaw.com.

Very truly yours,



Alison Reynolds, Esq.  
Kumer & Hopper Law