

March 22, 2023

Mr. Richard Owen, Chairman
Township of Ewing Planning Board
2 Jake Garzio Drive
Ewing, New Jersey 08628

**Re: Township of Ewing
Achira, Inc.
331 Robbins Avenue (Block 34, Lot 483)
Preliminary and Final Site Plan and Conditional Use Variance
RVE #1102-P-167**

Dear Chairman Owen and Board Members:

We have reviewed Preliminary and Final Site Plan and Conditional Use Variance application submission consisting of the following documents:

Sheet	Title	Date	Latest Revision Date
T-1	Title Sheets, Code Notes, Aerial Map, Zoning Map and Calculations	12-29-22	----
S-1	Existing Site Plan	12-29-22	----
S-2	Demolition Site Plan	12-29-22	----
S-3	Proposed Site Plan and Site Details	12-29-22	----
S-4	Site Grading & Drainage Plan	12-29-22	----
S-5	Landscaping Plan	12-29-22	----
S-6	Site Lighting Plan	12-29-22	----
S-7	Lighting Specifications and Details	12-29-22	----
S-8	Site Soil Erosion and Sediment Control Plan	12-29-22	----
S-9	Site Soil Erosion and Sediment Control Notes and Details	12-29-22	----
A-1	Existing First Floor Plan	12-29-22	----
A-2	Existing Second Floor Plan	12-29-22	----
A-3	Proposed First Floor Plan	12-29-22	----
A-4	Proposed Second Floor Plan	12-29-22	----
A-5	Existing Exterior Elevations	12-29-22	----
A-6	Existing Exterior Elevations	12-29-22	----
A-7	Proposed Exterior Elevations	12-29-22	----
A-8	Proposed Exterior Elevations	12-29-22	----

The plans were prepared by Joseph Primiano, R.A., Primiano Architecture, 26 Old Trenton Road, East Windsor, New Jersey 08512, (609) 235-9216. Plans should be signed and sealed in accordance with State regulations.

I. GENERAL INFORMATION

- Applicant:** Achira, Inc.
10 University Way
West Windsor, NJ 08550
- Owner:** Forti Ewing Properties, LLC
10 University Way
West Windsor, NJ 08550
- Project History:** The Applicant previously received approval under Resolution 22-196 in support of its state application and an NJ State conditional license.
- Proposal:** The applicant seeks preliminary and final site plan approval with a conditional use variance approval for a change of use from an industrial building to a Class 1 cannabis cultivation and Class 2 cannabis manufacturing facility. Cannabis cultivation and manufacturing facilities are conditional uses of Subarea 3 of the Olden Avenue Redevelopment Area per Section 215-35.C(18)(c)[1][a][v].
- Zoning:** OARA – Olden Avenue Redevelopment Area
SA-7A – Subarea 7A – Prospect Park Neighborhood

II. ZONING REQUIREMENTS: OARA, Subarea 7A

- A. **Area and Bulk Requirements (Redevelopment):** No exterior improvements are proposed as part of this application. All conditions are existing. The following requirements are shown for informational purposes.

Item	Required	Proposed	Status
Lot Area	8,000 s.f.	12,000 s.f.	C
Lot Width	80 ft.	120 ft.	C
Build to Line	10-15 ft.	49.89 ft.	P
Side Yard	5 ft. each	5.96 ft.	C
Rear Yard	10 ft.	6.01 ft.	P
Building Height	2.5 story / 40 ft.	< 40 ft.	C
Lot Coverage	75%	74.03%	C
Floor Area Ratio	0.25-0.50	0.457	C
Off-Street Parking (industrial = 1 space per employee on max. shift + 1 visitor space + 1 space for business vehicle)	8 spaces	8 spaces	C

C - Conforming.

P - Pre-existing, nonconforming condition.

Note: The overall square footage of the building should be provided on the site plan.

III. PERFORMANCE STANDARDS

From our review of the submitted application documents, we offer the following comments for consideration by the Board.

A. Parking, Circulation and Loading

1. An accessible van parking space should be provided in accordance with ADA regulations.
2. Per the Redevelopment Plan, loading docks and service areas may not be situated along any street frontage, whereas loading is proposed on Robbins Avenue.
3. Areas of broken curb, driveway apron and sidewalk should be repaired as needed.

B. Stormwater Management

As indicated in the applicant's Stormwater Management Statement, the proposed project does not disturb more than 1 acre of land, will result in a net decrease in total impervious coverage and will result in a net increase in motor vehicle surface less than 0.25 acres and is therefore not considered "a major development" and stormwater control is not necessary.

C. Traffic Impact

1. A traffic report has not been provided in support of this project. The applicant should request a waiver.
2. This site is expected to add less than 100 trips to the adjacent roadway network during the peak periods. It should also be noted that the number of new trips falls below the industry-accepted standard of a significant increase in traffic of 100 trips. Based on the Transportation Impact Analysis for Site Development, published by the Institute of Transportation Engineers (ITE) "it is suggested that a transportation impact study be conducted whenever a proposed development

D. **Landscape and Buffer Design**

We defer the review of the proposed landscaping to the Board Planner and Ewing Township Environmental Commission.

E. **Lighting**

1. Per Section 215-56.B(11)(c), lighting levels at property lines shall not exceed 1.0 footcandles, whereas higher lighting levels are proposed.
2. Given the proximity to residential uses, reduced lighting (limited to security) should be provided after hours.

F. **Environmental Impacts**

An Environmental Impact Statement is required per Section 215-83.C. A waiver should be requested.

G. **General Comments**

1. Testimony should be provided regarding waste storage and hauling. It appears that a dumpster will be stored in a loading area located at the front of the building. Per Section 215-64.B(1), trash and recycling storage facilities shall be located within the side or rear yard.
2. Signage details should be provided and should include dimensions, colors, materials and method of illumination.
3. Per Section 215-63.A(3), the height of a fence in the front yard shall not exceed 4 ft., whereas 6 ft. is proposed around the perimeter of the property. The extent of existing and proposed fencing should be clarified.
4. Construction details should be provided for proposed fencing, gates and concrete pads.
5. The site is subject to the requirements of the Americans with Disabilities Act Accessibility Guidelines. It is the responsibility of the applicant to ensure that these guidelines are met.
6. A note should be added to the plans stating that the site will conform with the most recent version of Chapter 14 (Fire Safety During Construction and Demolition) of the International Fire Code, New Jersey edition.
7. The applicant and owner are reminded that site safety is their responsibility. The plan should note that “The owner, or his representative, is to designate an individual responsible for construction site safety during the course of site improvements pursuant to N.J.A.C. 5:23-2.21(e) of the N.J. Uniform Construction Code and CFR 1926.32(f) (OSHA Competent Person)”.

IV. APPROVAL PROCESS

If the Planning Board should grant final approval to this project, the following is applicable:

1. The applicant's engineer must make appropriate revisions to the plans pursuant to the Planning Board action.
2. One (1) copy of the revised, final site plan should be submitted to the Board office, the Board Planner, and our office for resolution compliance review. If the plans are found to be in order, then eight (8) sets of the drawings will be required for signature.
3. The applicant is notified that an inspection escrow and performance bond is required for this application and an estimate for all on/off site improvements (excluding structures) must be reviewed and approved by the Township Engineer, who will determine an estimate for bonding and escrow purposes. The inspection escrow and bonds must be posted prior to the start of any work or the issuance of any building permits.
4. The applicant must contact the Planning Board office to settle any outstanding review escrow accounts prior to the issuance of building permits.
5. A performance bond will be required prior to the signature of any plans.
6. No work is to start until a preconstruction conference is held. The preconstruction conference shall be scheduled with the Township Engineer's office, (856) 795-9595, extension 1029, a minimum of three (3) working days prior to the start of work.

V. OUTSIDE AGENCY APPROVALS

This plan may be subject to the review and approval of the following outside agencies, if not already received. Evidence of these approvals must be submitted to the Township Planning Department and this office prior to the final signature of plans:

1. Mercer County Planning Board.

When plans are resubmitted, they are to be accompanied with a point-by-point response to all underlined items.

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If you have any questions regarding this matter, please do not hesitate to call.

Sincerely yours,

REMLINGTON & VERNICK ENGINEERS



Michael Angelastro, Ph.D., P.E., C.M.E., PTOE
Planning Board Engineer

MA/KT/kn

cc: James McManimon, Business Administrator
James Megna, Construction Code Official
Charles Latini, P.P., AICP, Board Planner
Michael W. Herbert, Esq., Board Attorney
Achira, Inc., Applicant
Heather Kumer, Esq., Applicant's Attorney
Joseph Primiano, R.A., Applicant's Architect