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April 26, 2023

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

**Re: Township of Ewing
Preliminary and Final Site Plan – First Review
Canfections NJ Inc.
304 Stokes Avenue
Block 21.01, Lot 12
RVE #1102-P-169**

Dear Chairman Owen and Board Members:

We have reviewed Preliminary and Final Site plan application submission consisting of the following documents:

Sheet	Title	Date	Latest Revision Date
1 of 7	Title Page	02-23-23	----
2 of 7	Cover Sheet	02-23-23	----
3 of 7	Cover Sheet	02-23-23	----
4 of 7	Site Plan	02-23-23	----
5 of 7	Proposed Plan	02-23-23	----
6 of 7	Detail Sections	02-23-23	----
7 of 7	RCP	02-23-23	----

The architectural plan was prepared, signed and sealed by Dana Hochberg, R.A., Todd Zwigard Architects, 145 Lime Kiln Road, Dover Plains, New York 12522, (917) 520-4122.

I. GENERAL INFORMATION

Applicant: Canfections NJ Inc.

Owner: 304-312 Stokes, LLC

Proposal: The applicant seeks preliminary and final site plan approval with a conditional approval for a change of use from an industrial building to a Class 2 cannabis manufacturing facility. Cannabis manufacturing facilities are conditional uses of Subarea 7 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 Small Business District

II. ZONING REQUIREMENTS: OARA, Subarea 7A

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

Item	Required	Proposed	Status
Lot Area	8,000 sf	20,100 sf	C
Lot Width	80 ft.	100 ft.	C
Side Yard	5 ft. each	4.4 ft.	P
Rear Yard	10 ft.	100 ft.	C
Building Height	2.5 sty./40 ft.	1 sty./<40 ft.	C
Impervious Coverage	75%	86%	P
Off-Street Parking (industrial= 1 space per employee on max. shift + 1 visitor space + 1 space for business vehicle)	13 spaces	13 spaces	C

C - Conforming.
 P - Pre-existing, nonconforming condition.

III. PERFORMANCE STANDARDS

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

A. **Regulations regarding Cannabis Businesses**

1. Testimony should be provided regarding the exact nature of the proposed business, including hours of operation, number of employees, deliveries, security and potential impacts to surrounding properties, such as odor.
2. Per Section 127-3.A, no cannabis retailer shall be located:
 - a. Within 1,500 ft of any other cannabis retailer.
 - b. Within a drug-free school zone.
 - c. The number of cannabis retailers and dispensaries located within the Township shall be limited to five inclusive of medical-only dispensaries

and micro-license dispensaries. There are no limits on the other license classes. Standalone cultivation centers and manufacturing facilities are not included within this prohibition if the secured facility does not contain a cannabis retailer or medical cannabis dispensary or have public access and is otherwise properly situated in accordance with this chapter.

3. Per Section 215-35.C(18)(a)[2][e], cannabis dispensaries shall:
 - a. Be located of a drug-free school zone and at least 1,500 ft. from another cannabis dispensary.
 - b. Limit the hours of operation from 8:00 a.m. to 10:00 p.m., Monday to Sunday, or as otherwise provided for, within a special use permit.
 - c. May include the sale of useable cannabis-related products in accordance with state regulations. Testimony should be provided.
4. The applicant shall address the conditional use requirements for cannabis businesses per Section 215-35.C(18)(g).

B. Parking, Circulation and Loading

1. Per the Redevelopment Plan, all streets shall have 7-ft.-wide sidewalks. Plans should be revised to show dimensions of the sidewalks along Stokes Avenue to confirm compliance.
2. Areas of broken curb, damage parking lot areas, driveway apron and sidewalk should be repaired as needed.
3. A truck turning template should be provided to ensure emergency vehicles, waste haulers and delivery trucks can maneuver throughout the site.
4. The plans should be revised to indicate ADA parking signs at the proposed ADA parking space. The appropriate details should be added to the plans.
5. The plans should be revised to indicate the color of all proposed pavement markings and stripes.

C. Stormwater Management

Based on the information on the plans, the proposed project does not disturb more than 1 acre of land, will result in a net decrease in total impervious coverage and will not result in a net increase in motor vehicle surface. Therefore, this project is not considered “a major development” and stormwater control is not necessary. The applicant’s professionals should provide testimony that the stormwater regulations do not apply to this site due to the scope of the development.

D. **Traffic Impact**

1. A traffic report has not been provided in support of this project. The applicant should request a waiver.

This site is expected to add less than 100 trips to the adjacent roadway network during the peak periods. 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 will generate 100 or more added (new) trips during the adjacent roadways' peak hour or the development's peak hour." Additionally, NJDOT has determined that the same 100-vehicle threshold is considered a "significant increase in traffic;" hence, it is not anticipated that this site will result in a significant degradation of operating conditions. Therefore, the adjacent intersections and roadways are expected to operate in a similar manner as they do today.

E. **Landscape and Buffer Design**

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

F. **Lighting**

1. If any architectural lighting is proposed, it should be shown on the lighting plan.
2. Per Section 215-55.A(2)(b), all parking areas shall have at least 0.5 footcandles of illumination. Testimony should be provided on the existing parking lot lighting.

G. **General Comments**

1. Testimony should be provided regarding the exact nature of the proposed use including number of employees, hours of operations, odor, etc.
2. The plans appear to indicate the existing fence is to remain and it is our opinion that the fence is in relatively poor condition. We recommend the fence and gate be replaced. The applicant should coordinate with the Township regarding the type of fence to be installed in conjunction with this project.
3. Per Section 215-64.D(1), trash and recycling storage facilities shall be surrounded on three sides by a masonry wall or solid wood board fence. Plans should be revised, or a waiver requested.
4. 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.

5. 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.
6. 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 engineering plan 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.
2. Mercer County Soil Conservation District.
3. Delaware & Raritan Canal Commission.
4. Ewing Lawrence Sewerage Authority.
5. Trenton Water Authority.

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

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

Sincerely yours,
REMINGTON & VERNICK ENGINEERS

A handwritten signature in blue ink that reads "Michael Angelastro". The signature is written in a cursive style.

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

MA/JE/kn

cc: James McManimon, Business Administrator
James Megna, Construction Code Official
Charles Latini, P.P., AICP, Board Planner
Michael W. Herbert, Esq., Board Attorney
Confections NJ Inc., Applicant
304-312 Stokes, LLC, Owner
Dana Hochberg, R.A., Applicant's Architect