

May 17, 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
Jersey Smooth, LLC
311 Dickinson Street
Block 112, Lot 307
RVE #1102-P-168**

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	Cover Sheet	03-20-23	----
Demo	Demolition Plan	03-20-23	----
2	Site Plan	03-20-23	----
3	Grading Plan	03-20-23	----
4	Landscape Plan	03-20-23	----
5	Lighting Plan	03-20-23	----
6	Detail Sheet	03-20-23	----
7	Plan of Topographic Survey	03-20-23	----

Sheets 1 through 6 were prepared and signed by Joseph Mester, P.E., Trenton Engineering Co., Inc., 2193 Spruce Street, Trenton, New Jersey 08638, (609) 882-0616.

Sheet 7 was prepared and signed by David F. Stratton, P.L.S., Trenton Engineering Co., Inc.,

I. GENERAL INFORMATION

Applicant/Owner: Jersey Smooth, LLC
Pachter, Gregory & Raffaldini
100 Village Green, Suite 200
Lincolnshire, IL 60069

Proposal: The applicant seeks preliminary and final site plan to construct a cannabis growing facility. Cannabis dispensaries/retailers are conditional uses of Subarea 3 of the Olden Avenue Redevelopment Area per Section 215-35.C(18)(a)[1][a][iii].

Zoning: OARA – Olden Avenue Redevelopment Area
SA-3 – Subarea 3 – Spruce Street Small Business District

II. ZONING REQUIREMENTS: OARA, Subarea 3

A. Area and Bulk Requirements (Redevelopment):

Item	Required	Proposed	Status
Lot Area	8,000 sf	18,450 sf	C
Principal Building Setbacks			
Build to Line	10-15 ft.	12.41 ft.	C
Side Yard	5 ft. each	0 ft.	P
Rear Yard	5 ft.	34.45 ft.	C
Building Height	1.5 sty./25 ft.	2 sty./31 ft.	P
Impervious Coverage	65%	53.6%	C
Floor Area Ratio	0.50	0.46	C
Accessory Building Setbacks			
Distance to Side Lot Line	5 ft.	4.9 ft.	P
Distance to Rear Lot Line	5 ft.	1.2 ft.	P
Off-Street Parking (general = 1 per 250 sf GLA)	15 spaces	15 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 217-3.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. Electric-charging facilities for motor vehicles should be provided in accordance with the Municipal Land Use Law requirements and the DCA Model ordinance.
2. A truck turning template should be provided to ensure emergency vehicles, waste haulers and delivery trucks can maneuver throughout the site. Fire Marshal approval will be necessary.

C. Stormwater Management

1. As indicated on the plans, the proposed project appears to disturb more than 1 acre of land, which will require stormwater management improvements to be construction in conjunction with this project. The applicant's engineer should provide testimony regarding the need to propose stormwater improvements in accordance with current standards.

Please note that the proposed improvements will result in a net decrease in total impervious coverage, and it appears this project will not result in a net increase in motor vehicle surface less than 0.25 acres.

D. 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

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. Per Section 215-56.B(11), all parking areas shall have at least 0.5 footcandles of illumination with a maximum of 5.0 footcandles. The applicant proposes an average of 1.9 footcandles with a maximum of 5.3 footcandles. It appears the site is over lit and the applicant's engineer should provide testimony regarding the proposed lighting design.
2. The color of the proposed fixture should be specified.

G. **Environmental Impacts**

1. An Environmental Impact Statement is required per Section 215-83.C.

H. **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. Based on information provided by the applicant, the project site is located within the flood zone. The applicant should provide testimony indicating if New Jersey Department of Environmental Protection permits are required.
3. Testimony should be provided regarding waste storage and hauling. It appears that no trash enclosure is proposed.
4. Testimony should be provided regarding signage. It appears that no signage is proposed.
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.

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.

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 fluid and cursive, with the first name "Michael" being more prominent than the last name "Angelastro".

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

MA/JE/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
Jersey Smooth, LLC, Applicant
Joseph Mester, P.E., Applicant's Engineer