

**BOROUGH OF GIBBSBORO  
PLANNING BOARD MINUTES  
June 28, 2023  
7:00 P.M.**

**Meeting called to order** at 7:02 p.m.

**Opening Statement:** “All the notice requirements of the Open Public Meeting Act have been complied with in full.”

**ROLL CALL**

Present:

Chairwoman LuAnn Watson  
Vice Chairman Michael Kelly  
Mayor Edward G. Campbell  
Councilman Michael MacFerren  
Mrs. Susan Croll  
Mr. Barry Rothberg  
Mr. Dennis Deichert  
Mr. John Ritz

Absent:

Ms. Barbara Gellura

Professionals:

Solicitor, Kathleen McGill Gaskill  
Engineer, Gregory Fusco (and Shawn Seroka, Key Engineers)  
Planner, Brian Slaugh

**RESOLUTIONS**     None

**MINUTES**

Motion to dispense reading and approve the minutes of 5/26/23: Mr. Rothberg, second Councilman MacFerren

Vote: Ayes unanimous with Mr. Deichert and Mrs. Croll abstaining

**COMPLETENESS**

1.     **CONDITIONAL USE VARIANCE (Docket #23-09)**

Applicant:             Jane’s Joint LLC  
Owner:                 RNM Construction LLC & AG Berenato  
Project:                Conditional Use Variance – Class 5 Cannabis Retail Dispensary  
Address:                142 South Lakeview Drive  
                              Block 18.02, Lot 2.03

Mayor Campbell and Councilman MacFerren recused themselves from participating in this application.

The applicant submitted several additional items in response to Mr. Slaugh’s review letter of 6/22/23, including an Operations Narrative, Conceptual Site Plan, Affidavit Package, and summary of Waivers and Variances being requested.

Motion to deem the application complete: Mr. Deichert, second Mrs. Croll

Poll: Ayes – Kelly, Croll, Rothberg, Deichert, Ritz, Watson

2. CERTIFICATE OF APPROPRIATENESS (Docket #23-10)

Applicant: D.R. Horton  
Owner: Brandywine Realty Trust  
Project: Lakeside Village (Phases I, II, III)  
Address: East Clementon Road (Block 7.04, Lots 16.01, 16.05, 16.06, 16.08)  
South United States Avenue (Block 8.01, Lots 4 & 5)  
Marlton Avenue (Block 10, Lot 2)

Mayor Campbell and Chairwoman Watson recused themselves from participating in this application.

Mr. Slauch noted that his review letter of 6/27/23 contained essentially the same comments as his review letter of 6/25/21. Of particular note, a sample board for each model has not been provided.

Motion to deem application incomplete: Mr. Rothberg, second Mr. Deichert

Poll: Ayes – Kelly, Croll, Rothberg, MacFerren, Deichert, Ritz

3. SITE PLAN AMENDMENT, CERTIFICATE OF APPROPRIATENESS, SIGN APPLICATION (Docket #23-11)

Applicant: Gibbsboro Green Energy, LLC  
Owner: Huy Cung & David Sexton  
Project: Expand convenience store, install landscape wall, replace fuel dispensers, replace freestanding sign, install canopy and façade signs  
Address: 55 East Clementon Road  
Block 7.03, Lots 16.03, 20, 27.01, 27.02

Based on the comments provided by the Engineer at the 5/26/23 meeting, the application was deemed incomplete, although a formal motion was not made.

Motion to deem application incomplete: Mr. Kelly, second Mr. Rothberg

Poll: Ayes – Campbell, Kelly, Rothberg, MacFerren, Watson

**OLD BUSINESS** None

1. MEMORANDUM ON PLANNING BOARD APPROVAL

Anne & Cory Bailey, 77 Winding Way (Docket #23-03)

**NEW BUSINESS**

1. SKATING RINK REDEVELOPMENT AREA – 250 Haddonfield-Berlin Road

Preliminary Investigation of a Determination of an Area in Need of Redevelopment

Mr. Slauch testified that the area meets three of eight criteria to be deemed an area in need of redevelopment. Criteria B (discontinuance of use, abandonment, vacancy for a period of two years or more) and E (negative economic impact) were identified as the main criteria, with H (Smart Growth Principals) as a supporting criterion.

Motion to adopt the report and a resolution by title recommending the Borough Council deem the area in need of condemnation redevelopment: Mayor Campbell, second Mrs. Croll

Poll: Campbell, Kelly, Croll, Rothberg, MacFerren, Deichert, Ritz, Watson

2. CONDITIONAL USE VARIANCE (Docket #23-09)

Applicant: Jane's Joint LLC  
Owner: RNM Construction LLC & AG Berenato  
Project: Conditional Use Variance – Class 5 Cannabis Retail Dispensary  
Address: 142 South Lakeview Drive  
Block 18.02, Lot 2.03  
Fee/Escrow: Paid

Planner's Letter, dated 6/21/23

Mayor Campbell and Councilman MacFerren again recused themselves from participating in this application.

Jane's Joint has received a conditional license from the Cannabis Regulatory Commission (CRC) and a resolution of support from the Gibbsboro Borough Council. Appearing on behalf of the application were Trina Ragsdale, owner and founder, Thomas Giovanucci, General Manager, Joseph Mancini, engineer and professional planner, and represented by Richard Wells, Esquire, of Archer & Greiner.

The proposed property located at 142 South Lakeview Drive is in an approved zone for cannabis retail, but it does not meet one of the eight conditions of the zone, namely that it be 1000 feet from public parks. The property is 840 feet from Generations Memorial Park, located adjacent to Continental Plaza.

Ms. Ragsdale testified that the license is for a microbusiness, which limits the amount of sales permitted per month, and was intended to be a boutique environment with an educational focus.

Mr. Mancini testified that while the proposed business is not 1000 feet from the park, the park is intended for passive rather than active recreation, the retail property is not visible from the park due to vegetation and the curvature of the road, and that the walking distance,

using the existing sidewalks and crosswalks, would exceed 1000 feet. Mr. Mancini further noted that the intent of the 1000 feet requirement was to protect children, and that the choice of 1000 feet was most likely based on existing drug-free school zones. He asserted that the property meets the spirit of the law, if not the letter. It is the applicant's intent to blend into the existing streetscape rather than standing out. Finally, Mr. Mancini noted that the Governing Body had recently voted to remove the 1000 feet requirement from the licensing ordinance.

Public Comment:

Sako Kazanjian, 140 South Lakeview Drive. Expressed concerns, especially related to parking and encroachment on his property, which is located adjacent to the property in question.

Motion to grant a conditional use variance with relief from the proximity limitations of the zoning requirements, conditioned upon the submission and approval of a site plan application: Mrs. Croll, second Mr. Deichert

Poll: Ayes – Kelly, Croll, Rothberg, Deichert, Ritz, Watson

**PENDING BUSINESS**

1. SITE PLAN AMENDMENT, CERTIFICATE OF APPROPRIATENESS, SIGN APPLICATION (Docket #23-11)

Applicant: Gibbsboro Green Energy, LLC  
Owner: Huy Cung & David Sexton  
Project: Expand convenience store, install landscape wall, replace fuel dispensers, replace freestanding sign, install canopy and façade signs  
Address: 55 East Clementon Road  
Block 7.03, Lots 16.03, 20, 27.01, 27.02  
Fee/Escrow: Paid

Fire Marshal's Report, dated 5/10/23

Engineer's Report, dated 5/16/23

Letter of continuance received from applicant's attorney, Brian Carlin, dated 6/26/23

2. SITE PLAN (Docket #23-12)

Applicant: Voorhees Township Board of Education  
Project: Pre-Kindergarten  
Address: 250 Haddonfield-Berlin Road  
Block 42, Lots 12.04

Letter of continuance (email) received from applicant's attorney, Alicia D'Anella, dated 6/27/23

3. **CONDITIONAL USE VARIANCE (Docket #23-13)**

Applicant: Topless Pre Rolls LLC  
Owner: Fifth New Jersey Corp  
Project: Operation of a Cannabis Class 2 Manufacturing Business  
Address: 16 Democrat Way  
Block 59.03, Lot 3  
Fee/Escrow: Paid

**EXEMPTION WAIVERS**

1. 103 South Lakeview Drive (roof replacement)

**INFORMATIONAL**

1. Next regular Planning Board meeting is scheduled for Wednesday, July 26, 2023 at 7:00 p.m. at the Senior Recreation Center.

**PUBLIC COMMENTS**

None

**ADJOURNMENT**

Motion to adjourn the meeting at 9:18 p.m.: Chairwoman Watson, second Mr. Deichert

Vote: Ayes unanimous



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AMY C. TROXEL, Secretary