

**BOROUGH OF GIBBSBORO
PLANNING BOARD MINUTES**

**July 26, 2023
7:00 P.M.**

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

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

ROLL CALL

Present:

Chairwoman LuAnn Watson
Mayor Edward G. Campbell
Mrs. Susan Croll
Ms. Barbara Gellura
Mr. Barry Rothberg
Mr. Dennis Deichert
Mr. John Ritz

Absent:

Vice Chairman Michael Kelly
Councilman Michael MacFerren

Professionals:

Solicitor, Kathleen McGill Gaskill
Planner, Brian Slaugh
Shawn Seroka, Key Engineers

Engineer, Gregory Fusco

RESOLUTIONS

PB2023-7-20 RESOLUTION REGARDING THE RECOMMENDATION OF THE BOROUGH OF GIBBSBORO PLANNING BOARD TO THE BOROUGH COUNCIL OF GIBBSBORO THAT THE AREA KNOWN AS 250 HADDONFIELD-BERLIN ROAD, GIBBSBORO, NEW JERSEY, AND KNOWN AS BLOCK 42, LOT 12.04 ON THE OFFICIAL TAX MAP OF THE BOROUGH OF GIBBSBORO BE DESIGNATED AS AN AREA IN NEED OF CONDEMNATION REDEVELOPMENT

Motion to approve resolution: Mayor Campbell, second Mr. Rothberg

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

PB2023-7-21 RESOLUTION GRANTING A VARIANCE UNDER N.J.S.A. 40:55D-70d(3) FROM THE CONDITIONAL USE STANDARDS SET FORTH IN BOROUGH CODE § 400-71E(3) REQUIRING A 1000-FOOT BUFFER FOR CANNABIS RETAILERS TO JANE’S JOINT, LLC FOR THE CANNABIS DISPENSARY TO BE OPERATED AT THE PREMISES KNOWN AS 142 SOUTH LAKEVIEW DRIVE, ALSO KNOWN AS BLOCK 18.02, LOT 2.03 ON THE OFFICIAL TAX MAP OF THE BOROUGH OF GIBBSBORO ALONG WITH A WAIVER OF CERTAIN SUBMISSION REQUIREMENTS

Motion to approve resolution: Mr. Deichert, second Mrs. Croll

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

MINUTES

Motion to dispense reading and approve the minutes of 6/28/23: Mr. Deichert, second Mrs. Croll

Vote: Ayes unanimous (Gellura – abstain)

COMPLETENESS

1. 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.

Motion to deem application complete: Mr. Deichert, second Mr. Ritz

Poll: Ayes – Croll, Gellura, Rothberg, Deichert, Ritz

1. 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

Mayor Campbell recused himself from participating in this application.

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

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

OLD BUSINESS None

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

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 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)
 Fee/Escrow: Paid

Revised elevations, architectural drawings and sample boards received 7/25/23

Revised Planner Review, dated 7/25/23

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

Todd Green, Esquire, appeared on behalf of this application along with Jenna Gannon, Operations Manager for D.R. Horton, and Robert Rigazoni, architect. The applicants and the Board professionals were sworn in by Ms. Gaskill in preparation for their testimony.

In 2018 Brandywine Realty Trust received Final Site Plan approval for the above-referenced lots, and in 2020 they received amended Site Plan approval. D.R. Horton will be taking title of the land to perform the approved site plan improvements and construct 163 townhomes in three phases. The elevations submitted are for three models: Elmore, Norris, and Crofton. D.R. Horton is requesting a number of design waivers, which are itemized in Mr. Slaugh’s review letter dated July 25, 2023. Mr. Slaugh testified that the waivers requested were acceptable with the exception of using Rosewood brick in the event that there are supply issues with the Sanford brick, which is the Borough’s standard. Mr. Slaugh proposed instead that substitutions could be approved administratively when and if that becomes necessary.

Motion to grant a Certificate of Appropriateness with design waivers, excepting the requested brick substitution: Mr. Rothberg, second Mr. Deichert

Poll: Ayes – Croll, Gellura, Rothberg, Deichert, Ritz

NEW BUSINESS

1. CONCEPTUAL PLAN (Docket #23-12)

Applicant: Voorhees Township Board of Education
 Project: Pre-Kindergarten
 Review and recommendation concerning a capital project pursuant to
 N.J.S.A. 40:55D-31
 Address: 250 Haddonfield-Berlin Road
 Block 42, Lots 12.04

Fee/Escrow: Paid

Planner’s Report (review for consistency with Master Plan), dated 7/20/23
Engineer’s Report, dated 7/25/23

Alexis Smith, Esquire, appeared on behalf of this application along with Dr. Neeley Hackett, Superintendent, George Duthie, architect, Helen Haley, Business Administrator, Clark Mathes, Director of Buildings and Grounds, and Alicia D’Anella, BOE Solicitor. The applicants were sworn in by Ms. Gaskill in preparation for their testimony.

Voorhees Township Board of Education proposes the adaptive reuse of the existing structure at 250 Haddonfield-Berlin Road. They are proposing no substantive changes to the exterior of the building. Proposed changes to the site plan include widening the driveway to accommodate buses, some reconfiguration of the parking lot to create parent drop-off which will reduce the total number of spaces.

The acquisition of the property is in the process of being reviewed by the NJ Department of Education. If the Department of Education determines that the site is suitable for a Pre-K, more detailed site plans will be drafted and submitted to the Board for review. The Voorhees Township BOE testified that they are willing to return to the Board at that time.

Mr. Slauch testified that the use of the property as a Pre-K facility is inconsistent with the Borough’s Master Plan’s Land Use Element. Mr. Fusco testified that a traffic plan and circulation plan would be necessary.

Public Comment:

Craig Fallstick, Gibbsboro Fire Official, raised a concern with regard to passing areas for fire and EMS.

Motion to authorize a resolution that makes a finding of facts which will include: the proposed use is inconsistent with the Borough’s Master Plan, a traffic study is needed, a defined circulation plan that addresses the impact on surrounding sites is needed, no left turns should be made from non-signalized intersections: Mayor Campbell, second Mrs. Croll

Poll: Ayes – Campbell, Croll, Gellura, Rothberg, Deichert, Ritz, Watson

2. 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

Planner’s Report, dated 7/18/23

Applicant’s Response, dated 7/25/23

Mayor Campbell remained recused from participating in this application.

Kirk Pavoni, Esquire, appeared on behalf of this application along with Alan Lemmerman, Managing Member, and Greg Simons, engineer. The applicants were sworn in by Ms. Gaskill in preparation for their testimony.

Mr. Lemmerman proposes to operate a cannabis business out of 16 Democrat Way to manufacture cannabis pre rolls. All sales will be to dispensaries with no direct sales to consumers. Plans for securing both inside and outside of the building as well as plans to mitigate any odor were discussed.

Cannabis manufacturing is a permitted use in the M-1 Zone. The applicant is seeking relief from two conditions of the zoning; the proposed location is part of a multi-tenant building where there is no fencing.

Public Comment:

Will Colon, The Loud Factory
Jordan Ellis, The Loud Factory
June Michaels, 8 Democrat Way

Motion to grant a conditional use variance based on the applicant having sufficiently addressed the positive and negative criteria: Mrs. Croll, second Mr. Deichert

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

PENDING BUSINESS

1. BULK VARIANCES (Docket #23-14)

Applicant: Joseph & Mary Ann Fallon
Project: Bulk variances (3) for second shed that exceeds 100 square feet and does not meet setback requirements in the R-10 zone
Address: 2 Ridgewood Road
Block 102, Lot 2
Fee/Escrow: Paid

EXEMPTION WAIVERS

1. 12 Pine Road (pool installation)

INFORMATIONAL

1. Next regular Planning Board meeting is scheduled for Wednesday, August 23, 2023 at 7:00 p.m. at the Senior Recreation Center.

PUBLIC COMMENTS

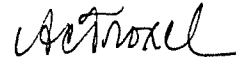
None

JULY 26, 2023

ADJOURNMENT

Motion to adjourn the meeting at 10:40 p.m. Chairwoman Watson, second Mr. Rothberg

Vote: Ayes unanimous



AMY C. TROXEL, Secretary

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