Call to Order:

It is 6:30 p.m. on August 11, 2025 and this is the regular meeting of the Monroe Township Zoning Board of Adjustment. Notice of this meeting was given as required by the Open Public Meetings Act and a copy was posted on the 2nd floor bulletin board in Town Hall and on the Township's website.

"Be advised, no new item of business will be started after 10:30 p.m., and the meeting shall terminate no later than 11:00 p.m. Please note, audio and video of this meeting is being recorded in accordance with Township Ordinance O:56-2024. The meeting is being broadcasted live on the Township's YouTube channel. A copy of this recording will be posted on the Township's website for the public to view at their convenience."

The Board saluted the flag.

Roll call:

Present; Mr. Colavita, Mr. Cummiskey, Ms. Fasano, Mr. Fooder, Mr. Heffner, Mr. Kozak, Mr. McGeehan, Mr. Rice, Mr. Carino. Mr. Heverly. Also present; Mr. Fiore, Solicitor, Ms. Pellegrini, Engineer/Planner, Ms. Gallagher, Secretary, Ms. Gabbianelli, Clerk Transcriber. Excused: Mr. Warburton.

Oath:

Mr. Fiore swears in Pam Pellegrini, Engineer/Planner.

Resolutions:

1. #26-2025 – Releaf Cannabis LLC – Amend Prior Resolutions
2. #27-2025 – Allen Beiler – Use Variance Approved
3. #28-2025 – Shirley Labinski – Use Variance Approved
4. #29-2025 – Ashely Kane – Lot Coverage Variance Approved
5. #30-2025 – Derek Nicktern – Side Yard Variance Approved

Extension Request for Board Action:

1. #513-SP & #22-46 - Carter Airstrip Solar 1, LLC – Preliminary & Final Major Site Plan and Use Variance Approval Extension

The applicant is requesting an extension for prior approvals related to Zoning Board resolution #59-2022. Emanuel Sanfilippo is representing the applicant and summarizes the extension request to the Board. Motion to close the public portion.

1. #513-SP & #22-46 - Carter Airstrip Solar 1, LLC – Preliminary & Final Major Site Plan and Use Variance Approval Extension (continued)

Motion to approve a one-year extension from October 20, 2024 to October 20, 2025 by Mr. Heffner, seconded by Ms. Fasano. Roll call vote; Ayes- Mr. Heffner, Ms. Fasano, Mr. Carino, Mr. Kozak, Mr. Rice, Mr. Colavita, Mr. Cummiskey. Motion to approve (3) one-year extension from October 20, 2025 to October 20, 2028 by Mr. Heffner, seconded by Mr. Kozak. Roll call vote; Ayes- Mr. Heffner, Mr. Kozak, Mr. Carino, Ms. Fasano, Mr. Rice, Mr. Colavita, Mr. Cummiskey. Nays- Zero.

Applications:

1. #25-15 & #554-SP – Raritan Growth LLC – Use Variance and Minor Site Plan

The applicant is seeking minor site plan approval for Cannabis cultivation and manufacturing, along with a use variance approval to allow three principal uses, where two were previously approved by Res. #69-2024, and continuing conditional use variance related to setback relief that was previously approved by Res. #69-2024; along with any other variances or waivers deemed necessary by the Board. The property is located at 2379 South Black Horse Pike, also known as Block 8601, Lot 9 in the RG-C Zoning District.

Motion passed to deem the application complete. Amanda Curley is representing the applicant. Ms. Curley discusses the previous application and the request for all three classes of Cannabis licenses in the same building with two different entities for operation. The preapproved site work for Carry-On is almost complete. Ms. Curley explains the proposed application will not change any previously approved exterior site work. The applicant is requesting an amended d1 variance to have three principal uses on the property. Mr. Fiore swears in Greg D'Agostino, consultant from Tenax Strategies. Mr. D'Agostino gives the Board a brief background. They are requesting an approval to operate a Class 1 Cultivation and Class 2 Manufacturing in the same building as an approved Class 5 retail. They have received their resolution of support from Township Council for both Class 1 and Class 2 at this property. They were issued a final agency decision from CRC for both classes. There is no prohibition from CRC for having multiply operations in one building and this location is allowed by ordinance as it is not located within 1000 feet of any private or public elementary/secondary vocational schools as measured from the property lines. Mr. D'Agostino addresses the interconnectedness of the uses. Raritan Growth anticipates all products manufacturing activities will be limited to the creation of pre-rolls and packaging of their harvested flower at this site. He submits the floor plans which is marked as A-1. The applicant will utilize a system consisting of six grow tents and three lung tents to cultivate cannabis. Mr. D'Agostino describes the manufacturing operations. There is an employee room in the back, an equipment room, a security/IT room and a ADA bathroom. Established already is a fenced security loading/unloading area. The retail has their own point of access to the loading/unloading and Raritan will have their own access to the secured loading/unloading as

1. #25-15 & #554-SP – Raritan Growth LLC – Use Variance and Minor Site Plan (continued)

well. They submit A-2, the secure loading area and A-3, image of the front façade. No additional façade improvements are proposed by the applicant. Mr. D'Agostino states Raritan Growth, in the back will have their own its own closed-loop HVAC system and the retail in the front has already been separated from that system. During the build-out they will be modifying the duct work and replace carbon filters to deal with any potential order issues. There is no proposed signage.

Mr. Agostino runs through the operations. They will employ 2 to 3 residents full-time for cultivation and manufacturing operations, along with an additional 2 to 3 part-time employees. The facility is expected to operate within the standard hours 12:00 AM to 11:59 PM, seven days a week. The site has plenty of parking. The site lighting has been installed and will remain the same. They will adhere to all restrictions regarding noise, odor, and security set forth in our ordinance. As conditioned they do not anticipate any noise outside the building. They expect inbound deliveries approximately 2 to 3 times per week at the facility and 3 to 4 deliveries outbound per week. These wholesale transports will be received and sent primarily using Sprinter Vans. Refuse and recyclables shall be stored within the facility and picked up by a licensed private waste hauler. All disposal of cannabis products will be done in accordance to the administrative code. Ms. Curley notes in connection to their last application, they removed the exterior dumpster at the Board's preference and moved all the garbage inside. Mr. D'Agostino agrees. All materials awaiting disposal will be stored in a secured storage area quarantined after being properly weighed and labeled for disposal. The applicant submitted their security plans to the CRC. They will have an integrated security system including video surveillance, access controlled and an alarm system. They will be required to provide credentials to CRC investigators and to the Monroe Township Police Department as well. Mr. D'Agostino describes the coverage for the video surveillance system. They plan to have this system approved by our police department. There will be an armed security guard on-site during all hours of active operations and access control cards provided to employees. There are no proposed changes to the existing utilities. They anticipated using roughly 300 gallons of water per day, less than the previous catering use. With about 200 gallons of waste water being produced at the facility. No solar proposed at this time. As requested, they will revise the environmental impact statement. They obtained a will serve from the MUA and will obtain additional if needed.

Ms. Curley mentions they received a d3 variance from their last application. It was for the insufficient side yard setback for cultivation and manufacturing use. For the record it was a previously granted variance. Mr. Fiore swears in Stephen Hawk, Planner. He briefly reviews the site and location. Mr. Hawk explains the purposes of zoning. This is an adaptive reuse of an underutilized catering hall, which has been vacant for a while. This use would revitalize the building and provide sufficient space in appropriate locations for multiply uses. No further degradation to the environment. Site suitability is contusive to all three uses. The Madhucci balancing is met at for all uses to co-exist. Mr. Hawk states no substantial detriment to the public good because there is no change to the character in the neighborhood. No substantial impairment of the zone plans and zoning ordinance. All three uses are permitted in the zone. All

1. #25-15 & #554-SP – Raritan Growth LLC – Use Variance and Minor Site Plan (continued)

conditional use standards are met except for the one side yard setback, which was already granted by the Board. In conclusion, the amended d1 variance can be granted.

Colliers review letter is marked as MTZB-1. Ms. Pellegrini stated the applicant provided testimony for the side yard setback, which is a pre-existing non-confirming condition. Asked for testimony on hours of operation. Mr. D'Agostino says 12 a.m. to 11:59 p.m. seven days a week. The cultivation process is always operational. The number of employees is 2-3 full time and 2-3 part time employees. Ms. Pellegrini clarifies the armed security guard will be at the hours of the operation of the Class 5. Mr. D'Agostino states active operations when employees are in the facility. The security is monitored 24/7. Ms. Pellegrini reviews 5.1 section 1 in her letter. They defer to the NJDOT for any additional curb requirements. Under lighting the applicant provided testimony regarding hours of operation. Under off-street parking and loading, a waiver was previously granted and conditions remain the same. A waiver was previously granted for off-street parking spaces measuring 9 feet by 11 feet and this condition remains the same. A waiver was previously granted for drive aisle which remain the same. A previously granted waiver for landscaping trees, or grassed islands has remained the same. The applicant provided testimony to Sprinter Vans being the largest delivery vehicles. A turning template will not be required. Ms. Pellegrini asks for testimony on general and vegetative waste. Ms. Curley states for Cannabis waste there is a protocol and general waste is very minimal, at least one time per week. The pre-existing non-conforming setback for parking areas will remain the same. Ms. Pellegrini will defer comment for sidewalk requirements along the Black Horse Pike to NJDOT. The existing freestanding sign exceeds 20 feet in height. This is a pre-existing, non-conforming condition that will remain the same. No additional signage for the proposed Class 1 and Class 2 facility. The applicant testified to revise the environmental plan and will explore energy storage opportunities. The applicant will submit a business operation-manual as a condition of resolution compliance if approved. Testimony was provided to adhere Township general applicable hours of operation for manufacturing and light industrial. Testimony was provided for the proposed security alarm system. The applicant will provide the police department with employee's information of any suspicious activities. They agree to submitted a letter of no interest from the NJDOT to the Board once received. No stormwater management improvements are necessary.

Mr. Fooder asks about the 200 gallons of waste water. Mr. Fiore asks the applicant if they would agree to adhere to the MUA regulations. Ms. Curley states they will adhere to any regulations and the CRC as well. As a condition of approval, they will comply with all outside agencies approvals as needed. Mr. Heffner asks the number of uses in the building. Mr. D'Agostino states three licenses and two entities. Ms. Curley asks about seeking relief of the waivers in the Colliers's Letter. Ms. Pellegrino says a reaffirmation of those waivers is needed. Ms. Curley asks about posting another bond and Mr. Fiore says she should contact the Township Solicitor and Engineer. Motion passed to open to the public. Mr. Fiore swears in George Buriak, 2407 South Black Horse Pike, Williamstown. Mr. Buriak is not pleased with a Cannabis use in his neighborhood and is concerned with the negative outcomes it will bring. Motion passed to close the public portion.

1. #25-15 & #554-SP – Raritan Growth LLC – Use Variance and Minor Site Plan (continued)

Mr. Fiore summarizes the application. Motion to approve with conditions by Mr. Rice, seconded by Mr. Carino. Roll call vote; Ayes- Mr. Rice, Mr. Carino, Ms. Fasano, Mr. Colavita, Mr. Kozak, Mr. Cummiskey. Nays- Mr. Heffner.

2. #25-19 – Denise & Rich Busch – Buffer Encroachment Variance

The applicant is requesting to allow an existing shed and pool to remain in the buffer; along with any other variances or waivers deemed necessary by the Board. The property is located at 321 Bryn Mawr Drive, also known as Block 29.0201, Lot 38 in the RG-MR Zoning District.

Motion passed to deem the application complete. Mr. Fiore swears in Rich and Denise Busch. Mr. Busch explains they are trying to sell their home. Their pool and shed are in the buffer zone on their property. Mr. Cummiskey asks if their neighbors have items in the buffers and Mr. Busch says yes. Mr. Kozak asks if they put them up without permits and Mr. Busch did not know he needed the permits. For the record, Mr. Fiore asks if other neighbors have similar situations with items in the buffer and Mr. Busch says yes. Mr. Kozak asks if the shed is portable and can be moved. Mr. Busch replies yes if needed to be. Mr. Cummiskey asks as a conditional of approval, if allowed to keep the pool would they move the shed. Mr. Busch says it may hurt the sale of their home but he would if the Board agrees to it. Motion to passed to close the public portion.

Mr. Fiore summarizes the application. Motion to approve by Mr. Carino seconded by Ms. Fasano. Roll call vote; Ayes- Mr. Carino, Ms. Fasano, Mr. Heffner, Mr. Rice, Mr. Colavita, Mr. Cummiskey. Nays- Mr. Kozak.

3. #25-20 – Anthony Aucello –Lot Coverage Variance & Side and Rear Yard Variances

The applicant is requesting a lot coverage variance to allow 55% where 41.3% is the maximum permitted, a side yard variance of 3’ where 5’ is required for the existing concrete, a side yard variance of 4.1’ where 5’ is required and a read yard variance of 2.2’ where 5’ is required for the existing frame shed, a rear yard variance of 3’ where 5’ is required for the existing pavers; along with any other variances or waivers deemed necessary by the Board. The property is located at 263 Staggerbush Road, also known as Block 103.0201, Lot 6 in the RG-PR Zoning District.

Mr. McGeehan recuses himself from this application. Motion passed to deem the application complete. Mr. Fiore swears in Anthony Aucello. Mr. Aucello is seeking a variance for lot coverage of 55% and a side/rear yard variance. Mr. Colavita asks what the current lot coverage is and Mr. Aucello believes 47.1% Ms. Gallagher states 41.3% was previously approved by the Board and Mr. Aucello went over. Mr. Colavita is curious why the applicant is seeking 55%. Mr. Aucello says it will give him some relief in case any calculations are different. He does not plan on adding any more items to his property and is selling his home. Mr. Rice states the high requested percentage is so he does not have to come back to the Board and Mr. Aucello agrees.

3. #25-20 – Anthony Aucello –Lot Coverage Variance & Side and Rear Yard Variances (continued)

Mr. Colavita adds the survey is current and accurate. Motion passed to close the public portion. The Board discusses the lot coverage and agree to leave it at the survey amount of 47.5%. Mr. Fiore summarizes the application. Motion to approve with conditions by Mr. Colavita, seconded by Mr. Heffner. Roll call vote; Ayes- Mr. Colavita, Mr. Heffner, Mr. Carino, Ms. Fasano, Mr. Kozak, Mr. Rice, Mr. Cummiskey. Nays- Zero.

Mr. McGeehan returns to the meeting.

4. WSP-04-23 & #23-41 - Brian & Rhoda Kownacky – Request to Amend Prior Approvals

The applicant is requesting to amend prior Zoning Board approvals in resolutions #70-2023 & #71-2023. In order to meet the septic dilution calculations and requirements, the Pinelands Commission has determined that the Kownacky's must limit their hours of operation to no more than 5 days a week. Additionally, the Pinelands Commission is requiring this restriction be made a condition of their approval and be stated in the resolutions. The property is located at 664 Clayton Road, also known as Block 12301, Lot 26 and in the RG-C Zoning District.

Mr. Fiore swears in Brian and Rhoda Kownacky. Mr. Kownacky is officially reducing hours of operation from 7 days a week to 5 days. This is to satisfy the Pinelands Commission requirement and to officially add the wording into their resolution of approval. Motion passed to close the public portion. Mr. Fiore summarizes the application. Motion to approve the amendment by Mr. Kozak, seconded by Mr. Colavita. Roll call vote; Ayes- Mr. Kozak, Mr. Colavita, Mr. Carino, Ms. Fasano, Mr. Heffner, Mr. Rice, Mr. Cummiskey. Nays- Zero.

5. #1876 & #23-62– John Lasch – Request to Amend Prior Approvals

The applicant is requesting to amend conditions of prior approvals related to Zoning Board resolutions #11-2024 condition 5 and #12-2024 condition 14 that required to cut back a portion of the asphalt, be required to plant some landscaping, and install and fence instead; along with any other variances or waivers deemed necessary by the Board. The property is located at 317 Lake Avenue, also known as Block 1001, Lot 25 in the R-2 Zoning District.

Motion passed to deem the application complete. Mr. Fiore swears in John Lasch. Brian Flanagan is representing the applicant and summarizes his client's request. They are proposing the installation of a fence to be the most effective barrier for Mr. Lasch and his neighbors whom have an opposition to his amendment. Mr. Kozak asks if they are proposing a 4-foot white vinyl fence. Mr. Lasch agrees and will comply with our code. Mr. Fooder asks about the location of the proposed fence. Mr. Flanagan states the location would be the 6 inches off the property line as required by code. The hardship is taking back the asphalt driveway and installing a 10-foot buffer of landscape, which would be very expensive for Mr. Lasch.

5. #1876 & #23-62– John Lasch – Request to Amend Prior Approvals (continued)

Motion passed to open the public portion. Christopher Mullen is representing the Lemanowicz. Mr. Fiore swears in Charles and Kathleen Lemanowicz. Mr. Mullen submits opposition photos marked as P.1-8. They are objecting the request to remove 10-foot buffer which was previously granted. Ms. Lemanowicz still has concerns with safety issues and is not willing to compromise the buffer. Mr. Lemanowicz also has concerns with safety and drainage. Mr. Cummiskey clarifies the dates with the Lemanowiczs'. Motion to close the public portion. Mr. Flanagan states there was never any discussion of run-off or drainage issues. There is a discussion on the installation of the proposed fenced. Mr. Lasch agrees to a 6-month time frame to install the vinyl fence permitted by code upon Board's approval to amend.

Mr. Fiore summarizes the application. Motion to approve with condition of a 6-month time frame from memorialization of resolution by Mr. Kozak, seconded by Mr. Colavita. Roll call vote; Ayes- Mr. Kozak, Mr. Colavita, Mr. Cummiskey. Nays- Mr. Carino, Ms. Fasano, Mr. Heffner, Mr. Rice. The application to amend is denied.

Public Portion: None

Approval of Minutes:

1. July 14, 2025

Motion passed to approve.

Reports: None

Adjournment: 8:53 p.m.

These minutes are an extract from the meeting that was held on the above date and are not a verbatim account or to be construed as an official transcript of the proceedings.
Respectfully submitted by: Scottie Gabbianelli, Clerk Transcriber.