



TOWNSHIP OF GALLOWAY
DEPARTMENT OF COMMUNITY DEVELOPMENT
 PLANNING BOARD ZONING BOARD OF ADJUSTMENT

300 E. JIMMIE LEEDS ROAD, GALLOWAY, NJ 08205
 (609) 652-3700 EXT. 218 FAX: (609) 652-2027

Antoinette Irwin
 PLANNING / ZONING BOARD
 ADMINISTRATOR

MINUTES
PLANNING BOARD MEETING
October 3, 2024

Chairman Ken Sooy called the meeting to order at 7:03 pm.

Present: Bill Ade, Russel Banks, Rich Clute, Tony Coppola, Jim Cox, Matt Geese, Tom Guercioni, Don Purdy, Ken Sooy

Absent: Matt Ayers, Christine Jordan,

APPROVAL OF DECISION & RESOLUTIONS:

8A-24 GRAND WOODS, PENNSWOOD RD. RE-DEVELOPMENT **(APPROVED)**

8-24 SCHENKER, 125 N. LEIPZIG AVE **(APPROVED)**

9-24 THUMHART, 419 6TH AVE **(APPROVED)**

CONTINUED APPLICATION: #7-24 GRASSHOPPER FARMS

219 S. Cologne Road

B. 347, L.12.01 & 13

Minor Site Plan

Mr. Magazzu, attorney for Grasshopper Farms, summarized the continuation of application #7-24, Grasshopper Farms. The primary focus will be on building changes and odor issues, as well as, hearing from the public.

Sworn in witnesses: Kris Nelson, Brian Taylor, Derick Stocky, Joseph Edgar, Bill Rowtolt, Tom Roesch.

Chairman Sooy requested an update.

Mr. Lou Magazzu updated the board on the changes to the building design and the odor mitigation systems.

Tom Roesch shared new design plans including input from the Planning Board members. Site plans, drainage calculations, chemical compliance, odor mitigation documents, they all remain the same.

Kris Nelson, Architect, discussed changes in the two new structures. There are no venting in these buildings. The HVAC will be fully enclosed and non-venting.

Bill Rowtolt discussed the change of the design. Fully engineered, licenses stamped. Meets all of the code and building requirements. Elevation design. There are two identical buildings.

The new building design allows for the odor mitigation system and very few exterior openings.

Odor Expert, Brian Taylor, CEO Sage Industrial, shared information on Air Off, the air purification. It is the best available technology that uses reactive oxygen to destroy the VOCs. Recirculating and sanitizing the air in the building.

Derrick Stocky, VP of Business Development, Canabusters. The air will be treated and the smell will be eliminated.

Joseph Edgar, Pulse Grids, solar technology. The design is to maximize efficiency.

Board Professional Jen Heller asked questions regarding the odor mitigation systems both, indoor and outdoor. Where will the systems be located on the building? Canabusters will be deployed for wherever the air will be exchanged out of the building. Electrical equipment requires a vent, so they would treat that exhaust for cooling, any opening for the outside. Air exchange for the health of the people Code requires.

Signage – The sign will identify the business name and address, a logo will not be on the sign.

Traffic – David Horner was sworn in. Prof. Engineer. Mr. Horner summarized the traffic and ordinance. The facility will generate 21-23 peak hour vehicles, well below the 50 vehicle threshold. Truck activity, delivery vehicles will be vans, 1-3 times per week and deliveries will be scheduled.

Environmental Reports – Junietta Dix, Director of Environmental Services, ACT Engineers. Junietta shared the Environmental Impact Report. This location is a farm from 1930. We are not clearing any forested areas or disturbing any wetlands, we are honoring the 300' buffer. Complies with the minimum environmental standards.

Jen mentioned the Community Impact statement. The development will not increase the number of school aged children and the revenue generated will increase taxes received by the Township, which is a public benefit.

PUBLIC COMMENT: Carol Filing, 214 S. Leipzig Avenue resident, was sworn in. Carol referenced concerns regarding Grange and R&J Farms. Students attend R&J Farms this facility will have a negative impact on the farm.

Board member asked if there is a statute that would prevent the applicant from operating in this location? Mr. Magazzu: *This particular use has very specific locations where this is allowed. It is not Federally Illegal. It would have to be an official playground from the Township to prevent this use in this location.*

John Benedik, President of the New Jersey State Grange. Mr. Benedik said they are a community service organization. Formed after the Civil War. Cologne Grange is very concerned about having this farm directly across the street.

Mr. Magazzu: You are fraternal organization. Yes.

Board member asked if this is a community center. Mr. Ridgway: *Surrounding uses are not a Government sponsored use. This applicant is a by-right application, it is not whether they are allowed to be there. This is not a community center, a school, or a park.*

Jen contributed that the Galloway Township Ordinance does not define schools. We will have to research that.

Ridgway: It is unclear if these locations would be defined as a school.

Jen: We didn't know of the principal uses of Grange. Mr. Benedik: *there are all sorts of different uses. It is not as active as it once was but, it is still available.*

Jen: Our ordinance limits it to schools. Not community centers. Something to look into.

Board member Coppola: 2021 the State passed this Use and adopted a Cannabis Ordinance. We do not have a retail component in Galloway. We wrote our ordinance to protect the citizens from the odor. We need to look at Municipal Land Use Law and consistency with our ordinance. This is a Land Use board and it meets the criteria.

Ridgway: This is one of the things that is a special requirement, it cannot be located within no more than 1,000 feet of private or public school. You may want to gather more information if you feel you need it. We want to be thorough about our findings.

Jen: Put a pause on the school thing, hear the rest of the public.

Richard Fetske, 226 S. Leipzig Ave. was sworn in. What can be done if the electricity fails? Will there be a generator. Coppola: *There was previous testimony about a generator.* Magazzu: *That representation is correct.* Wells? Water use? Will they use all of the water? Who will monitor the water use and the odor? Self monitoring? Magazzu: *It will be through an independent third party.* Ridgway: *The Township does have enforcement capabilities if their odor is out of line or not following their site plan.* Clute: *If there is a smell, report it and the township will go out. We have the authority to fine them and shut them down.*

Coppola: We can change ordinances in the future. Our goal is for them to be good neighbors and good business practices.

Mr. Fetske: Will this facility monitor their water use, other operations find out how much water is used. I have a well, I don't want my water to dry up. Jen: *We are not required by ordinance or by law*

Magazzu: This is very tough ordinance, the most stringent I have seen.

James Brown, was sworn in. Mr. Brown read a letter he drafted with concerns about the applicant. He is concerned about the safety of the neighborhood and request the application be denied and request a more suitable location be found.

Mr. Maguzzu: Cross examined Mr. Brown.

Jen Heller: Jen replied to Mr. Browns concern about the large number of proposed parking spaces. *There are not 72 parking spaces on the Site Plan. We are reviewing Phase 1 and Phase 2. Parking for the employees is up front, it is the existing parking that is currently on site.*

Mr. Brown: Are these greenhouses? He presented several exhibits and additional writings not prepared by Mr. Brown.

Mr. Maguzzu objects to Mr. Browns submission. His testimony should only be accepted for his area of expertise. Mr. Ridgway handed out the exhibits to the board.

Mr. Brown discussed the building and said they resemble greenhouses; an outdoor grow. Those are not permitted in Galloway. He referenced ordinances and resolutions.

Board member Coppola: Spoke to the assertion that these buildings are greenhouses. Mr. Coppola referenced our Cannabis Township Ordinance and the applicant has come back and changed their plans and made their building a secure facility. Translucent roof panels will provide more energy for the facility which is a much more environmentally sensible option.

Board Member Clute mentioned an energy audit on the Applicants energy use, which cannot be determined until they become operational. He also mentioned that it is in their best interest to add a generator to remain operational in the event that they lose power, or neighbors smell an odor, or if the facility is shut down.

Coppola: Greenhouses do not have foundations or footers, which these buildings do have.

Mr. Magazzu: Mr. Brown referenced an 8' fence which is required for outdoor grow facilities. Mr. Magazzu objected and added that the CRC requires an 8' fence.

Jen Heller: Redevelopment agreement states, no cannabis cultivation shall occur outdoors or in any hoop house or other non-rigid structure, the applicant has signed and agreed to his agreement. They clearly qualify as an indoor cannabis cultivator.

Joanne Collison was sworn in. Owner R&J Farms. Concerned about school trips and listed the schools that have planned trips to the farm.

Coppola: The methodology that the applicant is using is different from other subpar cannabis facilities. Could we consider an escrow to complete the project or fix it?

Mr. Magazzu: We will do incident reports in real time. We are prepared to submit evaluations to the city, it is not required but, we will do that.

Joanne Collison: Indoor grow is industrial business, it doesn't belong in a residential neighborhood.

Liz Sabath was sworn in and questioned the rules regarding cannabis zoning.

Coppola: We put a moratorium on accepting anymore Cannabis applications and created a strenuous ordinance.

Jen Heller: We did designate areas where this is permitted, however, realtors put whatever they want. We have an entire process that an applicant must follow to operate this type of facility in Galloway Township.

Sabath: Concerned about the odor.

Coppola: We are putting processes in place so we know where the odor will be coming from.

Sabath: Concerned about shallow wells. Greenhouse or Industrial Park, both will affect our home values.

Ken Sooy: Recommended a continuance to discuss certain wording.

Ridgway: Offered advice to the board to determine if more time should be taken to gather information.

Mr. Magazzu shared his concerns.

Mr. Clute: I want it on the record: To be 100% clear, what is the construction of your building? What material are you using for your siding and roof. Mechanical doors, mechanical roofs have been eliminated, there are no openings. No mechanical panels. I want sealed panels all of the way around.

Mr. Coppola: There was previous testimony that you will be using these insulated metal panels for the exterior of your building? Can we have verification of what has changed.

Mr. Nelson, Architect. Bill Rowtolt, Atlas. This is a structural drawing. We are going to use an insulated metal panel system on the exterior of the building. On the rendering, we are showing we have solid walls on the perimeter. It will be an insulated metal panel, smooth or stippled. Translucent panels will be on the gable and roof only, with no openings. It will probably be 2-4" thick.

Clute wants clarification on the record: *We will use insulated metal panels.*

Ridgway: Added to the record, Exhibit A-24, AWIP (all weather insulated panels) HE40, Heavy Embossed Wall Panel.

Coppola: It doesn't have to be that specific brand, as long as, it has structural integrity and thickness and R value as the one presented, it is substitutable.

Jen this should be on any revised plans as a condition.

Clute: Opening at any peak. *There are no intentions of any openings* Sealed panels all of the way around the building, up to the gutter lines, above that translucent panels. Nothing operable.

Board member Cox: Questioned the issues of wells. There was mention of a drip system for the building. How many gallons of water you will be using?

Duane Demaree was sworn in. Owner of the property. Our nursery utilized at least 150% more water than we will use in this building. We will use approximately 6000 gallons a day. Previously we used about 20,000 gallons a day as a nursery. The water requirement will be substantially less. There will be no additional wells.

Cox: How many wells do you have. *We have three (3)*

Clute: Mr. Demaree you stated, If your family or neighbor had a problem with this, you would stop what you are doing. Do you want to change this statement? *No*

We had two town home meetings, we invited the neighbors that surround us. The intent was to show them what we wanted to do with the farm, initially an outdoor grow, which was denied. We showed the neighbors as an information gathering meeting to supply information neighbors. I was there to show them what I wanted to do. The consensus was they would support us.

Martha Wisenbaker: 241 S. Leipzig Ave. I am teacher in Pleasantville. It is so important for our children that need outlets like RJ Farms. This business does affect the children, it also affects me. I am concerned about my safety. I do not feel comfortable with this going up near my house. Safety, smell and I am concerned with the value of my home. I am not in favor of this.

Mr. Brown: I do think you can considered my letter to the Community Impact Statement.

Mr. Magazzu referred to #37 of the planning report for security.

Mr. Coppola: We have built security into the ordinance and the redevelopment agreement, I believe we have addressed that.

Mr. Ridgway: Mr. Magazzu, for the record, is it fair to say that the applicant has agreed to address all of the comments on the September 27, 2024 report?

Mr. Magazzu: We have no objections to any of the provisions of the report. We will comply with the report recommendations.

William Taggart, 249 S. Cologne Ave was sworn in. I wasn't aware of this until it was in the newspaper. I wasn't concerned at first but, I am very upset. I don't know how you can approve this without having any final plans.

Coppola: Duane wasn't required to have the town hall meetings. We do have noticing requirements of 200', you may not be within the 200'.

The Grange was within 70' and they didn't receive the notification.

Magazzu: We mailed notices to the list provided by the township.

Jen Heller: I reviewed the notification list and it matches and is consistent with the list provided by the Tax Assessor and what is required by the Municipal Land Use law.

Mr. Sooy Closed Public Discussion.

Board Member Purdy. I believe we need more information and additional details.

Coppola: The testimony will be complete, but we want to ascertain if the farms fall into the school category. We need to do our due diligence. I don't believe it meets the criteria.

Purdy: Referred to a church in Pleasantville.

Magazzu: No further notices.

Ridgway: No further noticing is required. The next meeting will be limited to board fact finding as to conditions of the ordinance.

Comments from the board: None

Ridgway: Motion for continuance limited solely to the issue of the uses of the surrounding area, no further public portion as it relates to the majority of the application. If the public has comments on this issue they should be able to speak. Also, Jen and I will research and comment. It will be listed on the Agenda for the public.

Jen: November 21 will be the next meeting at 7:00 p.m.

Ridgway: We will not give second notice. The meeting is scheduled for November 21, 2024 at 7:00 p.m.

Mr. Magazzu: Will have their submission in by November 1, 2024.

Questions/Comments from the public

.

PUBLIC COMMENT: Mr. Brown questioned the OPRA request and dates. *You can view the reports in the board. 10 days prior, or you can do an OPRA request.*

Motion for continuance was made by Cox seconded by Coppola

All in favor: Bill Ade, Russel Banks, Rich Clute, Tony Coppola, Jim Cox, Matt Geese, Tom Guercioni, Don Purdy, Ken Sooy

Against: None

Meeting adjourned at 10:03 pm.