

CITY OF EGG HARBOR
Municipal Building
500 London Avenue
Egg Harbor City, NJ 08215

EGG HARBOR CITY LAND USE BOARD

The application, with supporting documentation, must be filed with the City and must be delivered to the Board Attorney, Engineer and Planning Consultant for review at least (21) business days prior to the meeting at which the application is to be considered.

To be completed by City staff only

Date Filed December 5, 2022

Application No. #2022-04 LUB

Land Use Board ✓

Application Fees

Major Site Plan Preliminary } \$ 850.00
Major Site Plan Final } 700.00
4 Hardship Variances } 2,000.00
check # 001039 #001044 \$ 3,550.00

Escrow Deposit

Site Plan Preliminary \$ 5,000.00
Site Plan Final 3,500.00
4 Hardship Variances 1,400.00

Scheduled for: Review for Completeness ✓

Hearing Jan 17, 2023

9,900.00

check # 001040

1. SUBJECT PROPERTY

Location: 1520 Moss Mill Road

Tax Map Page 20 Block 1003 Lot(s) 7 & 8

Page _____ Block _____ Lot(s) _____

Dimensions Frontage 405' Depth 313' Total Area 3.3 ac

Zoning District IBP

2. APPLICANT

Name High Grass Farms, LLC Telephone Number 609-457-0555

Address 1395 Route 539, Little Egg Harbor, NJ 08087

Applicant is a Corporation ☐ Partnership ☒ Individual ☐

3. DISCLOSURE STATEMENT

Pursuant to N.J.S.A. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S.A. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. (Attach pages as necessary to fully comply.)

Name Therese Grigle Address 21 Minton Ave, Clatham NJ 07928 Interest 45%
Name Sharon Vaillancourt Address 118 N. Vienna Ave, ETC NJ 08215 Interest 45%
Name Various others Address _____ Interest 10%
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____

4. If owner is other than the applicant, provide the following information on the

Owner's Name Phoenix Health Ventures, LLC
Address 1395 Rte 539, Little Egg Harbor, NJ 08087
Telephone Number 609-457-0555

5. Property Information:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes (attach copies) X No _____ Proposed _____

Note: All deed restrictions, covenants, easements, association by-laws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

Present use of the premises: vacant - wooded site

6. Applicant's Attorney Oren Chaplin, Esq., Pashman Stein Warder Hayden

Address Court Plaza South, 21 Main St, Ste 200, Hackensack, NJ 07601

Telephone Number 201-373-2065

Fax Number _____

7. Applicant's Engineer Peter J. Dolcy, P.E., Duffy Dolcy McManus & Roesch

Address 634 Lost Pine Way, Galloway, NJ 08205

Telephone Number 609-652-0105

Fax Number 609-652-2032

8. Applicant's Planning Consultant _____

Address _____

Telephone _____

Fax Number _____

9. Applicant's Traffic Engineer David Horner, P.E., Horner & Canter Associates

Address 105 Atsion Rd, Suite F, Medford, NJ 08055

Telephone Number 609-654-4104

Fax Number 609-654-9649

10. List any other expert who will submit a report or who will testify for the Applicant:
(Attach additional sheets as may be necessary).

Name Kristin Wildman, PWS; Dubois & Associates

Field of Expertise Environmental

Address 190 North Main Street, Manahawkin, NJ 08050

Telephone Number 609-488-2857

Fax Number _____

10. Satto R. Rugg; Merj Architecture
Architect
300 Ridge Road
Ward, CO 80481
303-475-7532

11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION:

- ☐ Minor Subdivision Approval
- ☐ Subdivision Approval (Preliminary)
- ☐ Subdivision Approval (Final)

Number of lots to be created _____ Number of proposed dwelling unit's _____
(Including remainder lot) (if applicable)

SITE PLAN:

- ☐ Minor Site Plan
- ☒ Preliminary Site Plan Approval (Phase (if applicable) _____)
- ☒ Final Site Plan Approval (Phase (if applicable) _____)
- ☐ Amendment or Revision to an Approved Site Plan

Area to be disturbed (square feet or acreage) 3.3 ac.

Number of proposed dwelling units (if applicable) N/A

☐ Request for Waiver from Site Plan Review and Approval

Reason for request: _____

- ☐ Informal Review
- ☐ Request for Re Zoning and /or Amendment to Master Plan
- ☐ Appeal decision of an Administrative Officer (N.J.S.A. 40:50D-70a)
- ☐ Map or Ordinance Interpretation or Special Question (N.J.S.A. 40:55D-70b)
- ☒ Variance Relief (hardship) [N.J.S.A. 40:55D-70c (1)]
- ☒ Variance Relief (substantial benefit) [N.J.S.A. 40:55D-70c (2)]
- ☐ Variance Relief (use) [N.J.S.A. 40:55D-70d]
- ☐ Conditional Use Approval [N.J.S.A. 40:55D-67]
- ☐ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S.A. 40:55D-34]
- ☐ Direct issuance of a permit for a lot lacking street frontage [N.J.S.A. 40:55D-34]
- ☐ Other Relief [specify]

12. Section (s) of Ordinance from which a variance is requested:
170-79.C.(3)(a)[3] rear yard principal building;

107-79.C.(3)(b)[2] side yard accessory structure;

107-79.D.(2) parking requirements; 107-79.D.(3)(b) loading requirements

13. Waivers Requested of Development Standards and/or Submission Requirements: [attach additional pages as needed]

14. Attach a copy of the Notice to appear in the official newspaper of the Municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located with the State and within 200 feet in all directions of the property which is the subject of this application. The publications and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing. An affidavit of service on all property owners and a proof of publication must be filed before the application will be complete and the hearing can proceed.

15. Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises: [attach pages as needed]

Construction of a 63,559 square foot building for a cannabis cultivation

and manufacturing facility with associated improvements such as
parking, utilities, landscaping and stormwater management facilities.

16. Is a public water line available? yes

17. Is public sanitary sewer available? yes

18. Does the application propose a well and septic system? no
19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers? no
20. Are any off-tract improvements required or proposed? no
21. Is the subdivision to be filed by Deed or Plat? N/A
22. What form of security does the applicant propose to provide as performance and Maintenance guarantees? Bond or Letter of Credit
23. Other approvals which may be required and date plans submitted:

	<u>Yes</u>	<u>No</u>	<u>Date Plans Submitted</u>
• City of Egg Harbor Water Department	☒		
• City of Egg Harbor Sewerage Department	☒		
• Atlantic County Board of Health			
• Atlantic County Health Department			
• Atlantic County Planning Board	☒		
• Atlantic County Soil Conservation Dist.	☒		
• NJ Council on Affordable Housing			
• NJ Department of Environmental Protection			
Sewer Extension Permit			
Sanitary Sewer Connection Permit			
Stream Encroachment Permit			
Waterfront Development Permit			
Wetlands Permit			
Tidal Wetlands Permit			
Portable Water Construction Permit			
Other			
• NJ Department of Transportation			
• Public Service Electric & Gas Company			
• Pinelands Commission	☒		August 30, 2022
• _____			

24. Certification from the Tax Collector that all taxes due on the subject property have been paid
25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

It is the responsibility of the Applicant to mail or deliver copies of the application form and all supporting documents to the members of the professional staff [Engineer, Planning Consultant, Attorney for the Board to which the Applicant is submitted] for their review. The documentation must be received by the professional staff at least fifteen [15] business days prior to the meeting at which the application is to be considered, otherwise the application will be deemed incomplete. A list of the professional staff is attached to the application form.

Quantity	Description of Item
_____	Site Plan Set
_____	Drainage Calculations
_____	Stormwater Management Maintenance Plan
_____	Architectural Plans
_____	Environmental Impact Statement
_____	_____
_____	_____
_____	_____

26. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals.

Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

<u>Applicant's</u> <u>Professional</u>	<u>Reports Requested</u>
_____ Attorney	_____ All
_____ Engineer	_____ All
_____	_____

CERTIFICATIONS

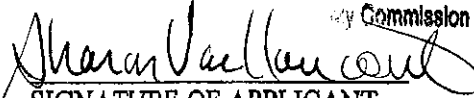
I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual Applicant or that I am an Officer of the Corporate Applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

[If the Applicant is a corporation this must be signed by an authorized corporate officer.
If the Applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this
25 Day of NOV, 2022


NOTARY PUBLIC

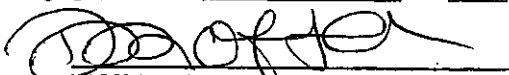
DEBRA A. MOTTA
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50073513
Commission Expires 12/14/2022


SIGNATURE OF APPLICANT

27. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the Applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the Applicant.

[If the owner is a corporation this must be signed by an authorized corporate officer.
If the Owner is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this
25 day of NOV, 2022


NOTARY PUBLIC

DEBRA A. MOTTA
NOTARY PUBLIC OF NEW JERSEY
Comm. # 50073513
Commission Expires 12/14/2022


SIGNATURE OF APPLICANT - Owner

28. I understand that the sum of \$ 2,550 has been paid to the City of Egg Harbor as a Non-Refundable Application Fee.
Date 11/25/22


SIGNATURE OF APPLICANT

29. I understand that the sum of \$ 9,900 has been deposited in an escrow account (Builder's Trust Account). In accordance with the Land Development Ordinance of the City of Egg Harbor, I further understand that the escrow account is established to cover the cost of Professional services including engineering, planning, legal and other expenses associated with the review of applications for development, review and preparation of documents, inspection of improvements, the publication of the decision by the Board or other purposes under the provisions of the Municipal Land Use Law. Sums not utilized shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

Date 11/25/22


SIGNATURE OF APPLICANT

EGG HARBOR CITY

SITE PLAN CHECKLIST

The following checklist is designed to assist applicants in preparing plans for Board review. Applicants should check off each item to ensure that it is included on the plan. ITEMS OMITTED MAY DELAY CONSIDERATION BY THE BOARD. Utility plans, landscaping plans architectural elevations, etc., may be shown on separate sheets.

- ☒ Name and title of applicant, owner and person preparing map.
- ☒ Place for signature of Chairman and Secretary of Planning Board or Zoning Board of Adjustment.
- ☒ Place for signature of municipal engineer.
- ☒ Tax map lot and block numbers.
- ☒ Date, scale and "north" sign.
- ☒ Key map of the site with reference to surrounding areas and to existing street locations.
- ☒ Zone district in which property in question falls, zone district of adjoining properties and all property within 200 foot radius of the property in question.
- ☒ Name of owners of all contiguous land and adjacent property.
- ☒ Dimensions of lots, setbacks, front yard, side yards and rear yard; size, kind and location of fences.
- ☒ Location dimensions and details for all signs and exterior lighting including type of standards, location, radius of light and intensity in foot-candles.
- ☒ The outside dimensions of existing and/or proposed principal building(s) and all accessory structures.
- ☒ Storm drainage plan showing location of inlets, pipes swales, berms and other storm drainage facilities including roof leaders, indicate existing and proposed runoff calculations.
- ☒ Rights-of-way, easements and all lands to be dedicated to the municipality or reserved for specific uses.

- X The entire property in question, even though only a portion of said property is involved in the site plan; provided, however, where it is physically impossible to show the entire property on the required sheet, a separate map at an appropriate scale may be submitted.
- N/A Significant existing physical features including streams, water courses, rock outcrop, swampy soil, etc.
- X Bearings and distances of property lines.
- X Plans of off-street parking area layout and off-street loading facilities showing location and dimensions of individual parking spaces, loading areas, aisles, traffic patterns and driveways for ingress and egress.
- X All driveways and streets within 200 feet of site.
- X All existing and proposed curbs and sidewalks.
- X Typical floor plans and elevations.
- X Existing and proposed sanitary sewerage disposal system. Show percolation test holes and results and soil log data.
- X Water supply system.
- X Method of solid waste disposal and storage and details for trash enclosures to located on-site.
- X Existing and proposed spot elevations based upon the U.S. Coastal Geodetic Datum at all building corners, all floor levels, center lines of abutting roads, top and bottom curbs, property corners, gutters and other pertinent locations.
- X Location of all existing trees or tree masses, indicating general sizes and species of trees.
- X Landscaping and buffering plan showing what will remain and what will be planted, indicating names of plants and trees and dimensions, approximate time of planting and method of planting (base rooted, ball and burlap).
- X Application form(s) signed by the applicant. If the applicant is not the owner, proof of owner's consent to filing the application.
- X If variances are required, proof of notification as required by the municipal Land Use Law.
- X Proof that all property taxes and utility fees are paid up to date.

- X A list of all other approvals required, the current status of the approvals and copies of applications and/or decisions.
- X All required application and escrow fees.
- X Any other pertinent information as may be required by the Board.



PHILIP D. MURPHY
Governor
SHEILA Y. OLIVER
Lt. Governor

State of New Jersey
THE PINELANDS COMMISSION
PO Box 359
New Lisbon, NJ 08064
(609) 894-7300
www.nj.gov/pinelands



LAURA E. MATOS
Chair
SUSAN R. GROGAN
Acting Executive Director

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

November 15, 2022

Sharon Vaillancourt
High Grass Farms, LLC (via email)
1395 Route 539
Little Egg Harbor NJ 08087

Re: Application # 1995-1627.002
Block 1003, Lots 7 & 8
Egg Harbor City

Dear Mr. Kulin:

Pursuant to N.J.A.C. 7:50-4.34 of the Pinelands Comprehensive Management Plan, the completion of this application has resulted in the issuance of the enclosed *Inconsistent Certificate of Filing*. The reason(s) for the inconsistency is explained on Page 3 and must be resolved.

The Inconsistent Certificate of Filing is not an approval. It is the document necessary to allow any municipal or county agency to review and act on the proposed development application. All municipal and county permits and approvals granted for the proposed development are subject to review by the Pinelands Commission. **No permit or approval shall take effect and no development may occur until the Commission issues a letter indicating that the municipal or county permit or approval may take effect.**

Upon receipt of any municipal or county permit or approval, please submit a copy to the Commission's office with the additional items listed on the enclosed *Local Agency Approval Submission Checklist*.

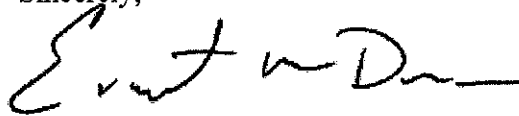
Stormwater Amendment Alert: Amendments to the Commission's stormwater management regulations took effect on January 18, 2022. The Commission's prior stormwater management regulations continue to apply to this application. This application has until January 18, 2023 or until the respective municipal ordinance is certified (approved) by the Commission, whichever comes first, to complete the following:

1. Use this Certificate of Filing to obtain a county or municipal approval or permit for the development;
2. Submit a copy of that approval or permit to the Commission; and
3. Obtain a letter from the Commission indicating that the approval or permit may take effect.

If this timeframe is not met or the concerned approval or permit lapses or expires, the development subject of this application must meet the new stormwater management regulations.

If you have any questions, please contact Branwen Ellis of our staff.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles M. Horner".

for Charles M. Horner, P.P.
Director of Regulatory Programs

- Enc: Inconsistent Certificate of Filing
Local Agency Approval Submission Checklist
(Above form(s) may be found at nj.gov/pinelands/appli/tools/.)
- c: Secretary, Egg Harbor City Planning Board (via email)
Egg Harbor City Construction Code Official (via email)
Atlantic County Department of Regional Planning and Development (via email)
Peter Dolcy, PE (via email)



New Jersey Pinelands Commission
PO Box 359
New Lisbon, NJ 08064
(609) 894-7300

Philip D. Murphy
Governor

Sheila Y. Oliver
Lt. Governor

Laura E. Matos
Chair

Susan R. Grogan
Acting Executive Director

Inconsistent CERTIFICATE OF FILING

INCONSISTENT

Application No. 995-1627-102
Pineapple Farm, Grasslands, Inc.
Municipality of Harbor City
Block 100, Lot 1 & 8
Pinelands Town, 197, 201, 203, 205, 207, 209, 211, 213, 215, 217, 219, 221, 223, 225, 227, 229, 231, 233, 235, 237, 239, 241, 243, 245, 247, 249, 251, 253, 255, 257, 259, 261, 263, 265, 267, 269, 271, 273, 275, 277, 279, 281, 283, 285, 287, 289, 291, 293, 295, 297, 299, 301, 303, 305, 307, 309, 311, 313, 315, 317, 319, 321, 323, 325, 327, 329, 331, 333, 335, 337, 339, 341, 343, 345, 347, 349, 351, 353, 355, 357, 359, 361, 363, 365, 367, 369, 371, 373, 375, 377, 379, 381, 383, 385, 387, 389, 391, 393, 395, 397, 399, 401, 403, 405, 407, 409, 411, 413, 415, 417, 419, 421, 423, 425, 427, 429, 431, 433, 435, 437, 439, 441, 443, 445, 447, 449, 451, 453, 455, 457, 459, 461, 463, 465, 467, 469, 471, 473, 475, 477, 479, 481, 483, 485, 487, 489, 491, 493, 495, 497, 499, 501, 503, 505, 507, 509, 511, 513, 515, 517, 519, 521, 523, 525, 527, 529, 531, 533, 535, 537, 539, 541, 543, 545, 547, 549, 551, 553, 555, 557, 559, 561, 563, 565, 567, 569, 571, 573, 575, 577, 579, 581, 583, 585, 587, 589, 591, 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BACKGROUND

Existing development:

- ♦ Vacant land

Relevant Information:

- ♦ The development will be serviced by public sanitary sewer.

CONDITIONS

1. Item(s) on the attached *inconsistencies* document must be resolved prior to Commission issuance of a letter indicating that any approvals or permits can take effect.

NEXT STEPS

- ♦ This Certificate of Filing is not an approval.
- ♦ Submit a copy of this Certificate of Filing to all county and municipal agencies that are required to review and act on your application (municipal planning board, building department, county health department, etc.).
- ♦ Send a copy of all approvals/permits that are issued by the county or municipality to the Pinelands Commission for review. Please use the attached *Pinelands Agency Approval/Disapproval Checklist* to make sure you are submitting all required documentation related to the approval/permit.
- ♦ No local approval/permit takes effect and no development can occur until the Pinelands Commission has reviewed the approval. When we complete our review, we will issue you a letter stating that the approval/permit can take effect.

INCONSIST

INCONSISTENCIES:

This application as currently proposed is inconsistent with the following standard(s) of the City of Egg Harbor City certified land use ordinance and the Pinelands Comprehensive Management Plan (CMP):

1. Permeability (N.J.A.C. 7:50-6.84(a)6v(2))

The City of Egg Harbor City land use ordinance and the CMP require that stormwater infiltration facilities be sited in suitable soils verified by field testing to have permeability rates between one and twenty inches per hour. The submitted information indicates that the subsurface perforated pipe system and a portion of the proposed infiltration basin have a potentially restrictive soil horizon below the bottom elevation of each BMP. The permeability of this soil horizon has not been tested to demonstrate that the rates fall within the required permeability rate range.

2. Stormwater volume (N.J.A.C. 7:50-6.84(a)6iv(1))

The City of Egg Harbor City land use ordinance and the CMP require that any proposed development retain and infiltrate the total runoff volume generated from the net increase in impervious surfaces by a 10-year, 24-hour storm. The submitted stormwater management report demonstrates that this volume requirement will not be met below the lowest existing elevation within the proposed development.

Commissioners of any county or municipal agency with jurisdiction over the development are currently proposed will likely result in the scheduling of a Commission staff public hearing to review the standards by the above referenced inconsistency (a).



CITY OF EGG HARBOR CITY

OFFICE OF THE TAX COLLECTOR

500 LONDON AVE
EGG HARBOR CITY, NJ 08215
PHONE: (609) 965-0123
FAX: (609) 965-0715

Certification of Taxes Paid

Block: 1003 Lot: 7 Qual: _____
Owner: Phoenix Health Ventures LLC
Property Location: 1520 Moss Hill RD

This is to CERTIFY that REAL ESTATE TAXES on the above reference property are paid as follows:

Year: 2022

Amount paid: 1063.34

Next Payment Due: 2/1/2023

Comments: _____

Tax Collector's Office

11/30/22

Date



CITY OF EGG HARBOR CITY

OFFICE OF THE TAX COLLECTOR

500 LONDON AVE
EGG HARBOR CITY, NJ 08215
PHONE: (609) 965-0123
FAX: (609) 965-0715

Certification of Taxes Paid

Block: 1003 Lot: 8 Qual: _____
Owner: Phoenix Health Ventures LLC
Property Location: 1602 Moss Mill RD

This is to CERTIFY that REAL ESTATE TAXES on the above reference property are paid as follows:

Year: 2022

Amount paid: 1177.85

Next Payment Due: 2/1/2023

Comments: _____

Lisa Su

Tax Collector's Office

11/30/22

Date