

**DELRAN TOWNSHIP  
PLANNING BOARD  
REGULAR MEETING MINUTES  
APRIL 6, 2023– 7:00 PM**

**OPEN PUBLIC MEETINGS ACT**

**Delran Township Planning Board regular meeting of Thursday, April 6, 2023, was called to order by Ms. Cure at 7:04 pm in the Delran Township Municipal Building.**

**The Open Public Meetings Act announcement was read by Ms. Cure and the Pledge of Allegiance was performed.**

**ROLL CALL**

**Present:** Mr. Catrambone, Mr. Lunemann, Mr. Lyon, Mr. Giles, Mr. Parento, Mrs. Russell, Mr. Ozdemir & Ms. Cure

**Absent:** None

**Professionals:** Mr. Chris Norman, Attorney; Mr. Fred Turek, Engineer & Mr. Christopher Dochney, Planner

**APPLICATION**

**A.**

Castaway Cannabis, LLC  
6006 Route 130 North  
Block 120.07, Lot 23  
PN2023-02  
Minor Site Plan & Conditional Use

Castaway Cannabis, LLC (referred to as the “Applicant” or the “Developer”) filed an Application with the Delran Township Planning Board (“Planning Board”) for Conditional Use Approval for a Class 5 adult-use retail cannabis dispensary for real property identified as Block 120.07, Lot 23 on the Delran Township Municipal Tax Map (the “Subject Property”), which is more commonly known as 6006 Route 130 North.

The applicant’s case was presented before the Planning Board at a public hearing on April 6, 2023, in sworn testimony by

- (1) Josh Weaver, the Applicant’s Principal
- (2) Robert R. Stout, P.E., the Applicant’s project engineer
- (3) Nathan Moseley, P.E., of Shropshire Associates, the Applicant’s traffic engineer
- (4) Michael Allen, the Applicant’s security expert
- (5) Jennifer Cabrera, Esquire of the law firm of Vicente, LLP

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All jurisdictional and procedural requirements of applicable Township Ordinances have been satisfied

The Board reviewed the following documents and exhibits;

- (a) Development Application and Checklist, dated February 14, 2023;
- (b) Plan of Survey and Topography, prepared by Stout and Caldwell Engineers, dated March 7, 2023, consisting of one sheet;
- (c) Traffic Analysis Letter, prepared by Shropshire Associates, dated March 7, 2023, consisting of five (5) pages;
- (d) Safety and Security Plan, prepared by Castaway Cannabis, undated, consisting of ten (10) pages;
- (e) Security Overlay, prepared by AST Security Systems Integration, dated February 16, 2023, consisting of Video Surveillance Plan and Access Control/Intrusion Plan;
- (f) Architectural Plans, prepared by Caveney Architectural Collaborative;
- (g) Colored Site Plan, Sheet, marked as Exhibit A-2 at the Public Hearing;
- (h) Waste Management Plan, prepared by Castaway Cannabis, undated, consisting of four (4) pages;
- (i) The Board Engineer's review letter, dated April 4, 2023, consisting of five (5) pages;
- (j) The Board Planner's review letter, dated, March 30, 2023, consisting of six (6) pages;
- (k) Delran Chief of Police, Review Email of Security Plan, Dated March 24, 2023, consisting of one page;
- (l) Delran Fire Department's site plan review memo, dated March 20, 2023, consisting of two (2) pages; and

**The Board has made the following factual findings and statements of reasons:**

1. Koach Delran, LLC of 111 E. Merrill Street, 3<sup>rd</sup> Floor, Birmingham, MI 48009 is the owner of the Subject Property. The applicant has its office located at 554 N. Snyder Road, Boyne City, Michigan 49712
2. Applicant requests Conditional Use Approval to operate a Class 5 Cannabis Dispensary within a 3,700 square-foot building on real property at 6006 Route 130 North within the PCD Planned Commercial Development Zoning District. Class 5 Cannabis retail businesses are permitted as a Conditional Use, subject to the following requirements:
  - a) Such facility meets all requirements for licensure, and has an application pending for the appropriate license with the New Jersey Cannabis Regulatory Commission.
  - b) No facility shall permit on-site consumption of cannabis or cannabis-related products.
  - c) No outside storage of any cannabis, cannabis products, or cannabis-related materials shall be permitted.
  - d) The hours of operation for any cannabis retail facility shall not exceed 9 AM to 10 PM.
  - e) A security plan shall be submitted to the Township Police Department demonstrating how the facility will maintain affected security and control of operations. The security

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plan should identify the type of security systems to be employed, tracking and record keeping of products and materials, surveillance systems to be used, and whether or not any armed security personnel will be on the premises.

f) The facility shall provide an air treatment system with sufficient odor-absorbing ventilation and exhaust systems such that any odors generated inside the facility are not detectable by a person of reasonable sensitivity anywhere on adjacent property, within public rights of way, or within any other unit located in the same building if the use occupies a portion of the building.

g) There shall be a maximum of six (6) licensed cannabis businesses or any cannabis classification within the Township, and no more than four (4) of those may be retail cannabis facilities.

3. The Subject Property consists of 1.8 acres and is located just north of the intersection with Hartford Road. It was formerly operated as a Pizza Hut restaurant with an associated parking lot containing seventy (70) parking spaces, exceeding the parking requirement for this use of nineteen (19) spaces. The site has access driveways on Hartford Road, permitting full movement, and on Route 130 permitting right-turn in and right-turn out only.

4. Regarding the conditional use requirements, Applicant, through its legal counsel, represented that:

a) it is procuring an annual license for a Class 5 dispensary from the New Jersey Cannabis Regulatory Commission and it has obtained the required “Letter of Support” from the Mayor and Township Council of Delran Township;

b) no on-site cannabis consumption will be permitted;

c) no outside storage of cannabis or cannabis-related products would be permitted on-site;

d) cannabis products would be stored in a vault/safe;

e) hours of operation will not exceed 9 AM to 10 PM;

f) odor mitigation will be provided through sealed packaging requirements of retail cannabis products and carbon filters will be installed in the ventilation system;

g) no drive-through service is proposed for cannabis retail;

h) no curbside sales are proposed for cannabis products;

i) no home deliveries are proposed by the Applicant;

j) Applicant will replace dilapidated fencing on the north side of the property;

k) At its own risk, the Applicant will be permitted to renovate the interior of the building, but with the understanding that site plan approval is still required prior to issuance of any certificate of occupancy.

5. The applicant’s legal counsel further represented that only Conditional Use Approval is being requested on this application. Applicant will still be required to obtain Site Plan Approval as a condition of Conditional Use Approval.

6. The applicant’s Director of Security, Michael Allen, testified that he has worked in the cannabis industry as a security expert for six (6) years and formerly was employed as a police officer. Mr. Allen testified that he consulted the Delran Township Police Department regarding the Security Plan and that the applicant will accept the recommendations set forth by the Police Chief in his

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March 24, 2023 email/memo. Mr. Allen further testified that security cameras will be installed to monitor activity both inside and outside the building. Armed security officers will be provided to monitor activity inside and outside the building. Card readers will limit access to the vault to employees only. Patrons will have their government-issued identification scanned and maintained for compliance with age requirements. Biometric software will monitor sales activity to provide for an audit trail. Deliveries will be provided at the rear entry door with coordination between the driver and security personnel. Delivery driver vans will have cameras installed for security and monitoring.

7. The Planning Board’s professionals posed no objection to the granting of Conditional Use Approval, subject to the Applicant obtaining site plan approval.

8. The Planning Board finds that Applicant has met the conditional use standards for the reasons set forth above.

**Upon motion duly made by Mr. Parento and seconded by Mr. Giles to grant the application for Conditional Use Approval for the proposed cannabis dispensary, the Board voting results are as follows:**

**Ayes:** Mr. Catrambone, Mr. Lunemann, Mr. Lyon, Mr. Giles, Mr. Parento, Mrs. Russell, Mr. Ozdemir & Ms. Cure

**Nays:** None

**Absent:** None

**The Board’s findings of fact and its conclusions based thereon:**

The Township of Delran Planning Board, that the said application for Conditional Use Approval for the proposed 3,247 square foot Class 5 cannabis dispensary, shall be and is hereby granted specifically subject, however, to the testimony, representations and stipulations of the applicant, its attorney and witnesses at the time of the hearings and further specifically subject to the following conditions and stipulations:

1. The applicant shall procure license approval for a Class 5 dispensary from the New Jersey Cannabis Regulatory Commission.
2. No on-site cannabis consumption shall be permitted.
3. No outside storage of cannabis or cannabis-related products shall be permitted on-site.
4. Hours of operation will not exceed 9 AM to 10 PM;
5. No drive-through service shall be permitted for cannabis retail sales; h) no curbside sales are proposed for cannabis products;
6. No home deliveries by Applicant shall be permitted.
7. Applicant shall obtain site plan approval from the Planning Board within six (6) months.
8. The applicant shall replace dilapidated fencing on the north side of the property.
9. The applicant shall comply with the recommendations outlined in the Township Fire Official’s review letter, dated March 30, 2023.
10. The applicant shall maintain and enforce the requirements of the Security Plan and shall provide an armed security guard.

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11. At the time of site plan approval, proposed signage for the dispensary shall be reviewed and approved by the Board Planner in accordance with the Township Sign Ordinance and State Law.
13. The applicant shall obtain all required outside agency approvals.
14. The applicant shall promptly pay any professional staff fees billed, in excess of the required application escrows, or file a written protest with the Township Clerk within seven (7) days of receipt of a final voucher from the Township.
15. These General Conditions of Approval and any additional conditions of approval, if any, shall be binding upon the applicant, the owner, the developer, and any successors and/or assigns of them.
16. The applicant has submitted certain plans and documents which were accepted by the Planning Board as part of its application and further made certain representations and provided testimony at the time of the public hearing, all of which have been relied upon by the Planning Board in making its determination. Should there be any material deviation from said documents, plans, representations, or testimony or any conditions contained herein, then the Planning Board may, upon notice to the applicant and an opportunity to be heard, elect to rescind its approval.
17. The applicant/owner is hereby advised that this application and plan have not been reviewed for conformance with the Americans with Disabilities Act (ADA). It is the responsibility of the applicant/owner to conform to said legislation.

**MINUTES**

**Mr. Lyon made a motion to adopt the Minutes from the Planning Board Meeting on October 6, 2022. Mrs. Russell seconded the motion. The results are as follows:**

Motion passed with a unanimous voice vote

**RESOLUTIONS**

- B.**  
**Resolution #PP023-03**  
Ordinance 2023-2  
To Authorize and Encourage  
Electric Vehicle Service Equipment  
And Make Ready Parking Spaces  
N.J.S.A. 40:55D-26 Review

**Mr. Catrambone made a motion to adopt Resolution #PP2023-03, Mr. Parento seconded it. The results are as follows:**

**Ayes:** Mr. Catrambone, Mr. Lunemann, Mr. Giles, Mr. Parento & Ms. Cure  
**Nayes:** None  
**Abstain:** Mr. Lyon & Mrs. Russell  
**Absent:** Mr. Ozdemir

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**C.**  
**Amended Resolution #PP2023-01**  
**Adopted as Amended Resolution #PP2023-04**  
Zacate, LLC  
4037 Rt. 130 South  
Block 9, Lot 41.24  
PP2023-04  
Amendment of Resolution #PP2023-01

**Mr. Lunemann made a motion to adopt Amended Resolution #PP2023-04. Mr. Lyon seconded the motion. The results are as follows:**

**Ayes:** Mr. Lunemann, Mr. Lyon, Mr. Giles, Mr. Parento, Mrs. Russell & Ms. Cure  
**Nayes:** None  
**Abstain:** Mr. Catrambone  
**Absent:** Mr. Ozdemir

**OPEN/CLOSE TO THE PUBLIC**

Ms. Cure opened this portion to the public, with a Motion from Mr. Catrambone and seconded by Mr. Lunemann. Seeing no members of the public who wished to speak, Ms. Cure closed this public portion of the meeting with a Motion from Mr. Giles and seconded by Mr. Parento.

**ADJOURNMENT**

**Mr. Lyon made a motion to adjourn the meeting at 7:40 pm.**  
**Mr. Parento seconded the motion. The results are as follows:**

The motion passed with a unanimous voice vote.

Respectfully Submitted,

Colleen Kohn,  
Planning & Zoning Board Secretary