





Mr. McQueeney pointed out several items of concern stated in the board's engineer's report, one being the overhanging tree branches in the drive-thru area asking for Mr. Liebeskind to clarify.

Mr. Liebeskind stated that all trees will be pruned back.

Mr. McQueeney reported that there were concerns with the condition of the grass on both sides of the drive-thru lane.

Mr. Liebeskind responded that the side along the basin and the basin itself will be restored and mulch will be added along the basin up to the fence. Mr. Liebeskind added the other side will be cleaned up and maintained.

Board Attorney Gregory Hock questioned the grass on both sides of the drive-thru lane.

Mr. Liebeskind answered the west side of the drive-thru was mulched and will continue to be mulched.

Mr. McQueeney also pointed out the board's engineer's concerns regarding outstanding resolution conditions of approval, asking Mr. Liebeskind to clarify the location of proposed trees in front of the property.

Mr. Liebeskind responded that because of the New Jersey Department of Transportation right-a-way and the sight easement, the trees will be set back further.

Mr. McQueeney stated another concern is the freestanding sign application.

Mr. Liebeskind answered that both the freestanding sign near Route 70 and the building sign are not changing, and the applicant will apply for construction permits.

Mr. McQueeney further stated the concern of a note being added to the plans to indicate that the light pole fixtures shall be shielded to reduce light spillage outside the property.

Mr. Liebeskind responded that the fixtures are still operable and added that at the application hearing back in January, a resident asked that lights be shielded from the properties and was noted that the applicant agreed to shield the lights.

Mr. McQueeney questioned the replacement of the damaged fencing.

Mr. Liebeskind answered the existing fence on the east side of the property is owned by the Cedar Post Gardening Center and added the fencing on the west and north side are in the process of being replaced.

Board Engineer Pamela Hilla stated that all the perimeter fencing has considerable damage and asked Mr. Liebeskind to be clearer about what fencing is being replaced.

Mr. Liebeskind responded the existing fencing in two spots are board on board, that is the west side and the north side and on the east side is stockade. Mr. Liebskind went on to say that the fencing owned by the Garden Center appears to be in good condition but as far as the rear and the adjacent side is a concern, they are in the process of being replaced.

Mr. Hock reiterated that the north and the west property line fencing is being replaced.

Mr. Liebeskind answered in the affirmative.

Mr. McQueeney questioned the outside approval from the NJDOT for the sidewalks.

Mr. Liebeskind responded that part of the conditional approval from the January hearing was to provide sidewalks along both the Manapaqua and Route 70 frontage adding that the application was submitted to NJDOT in May, both the construction official and inspector for the NJDOT were out to inspect; however, the official approval is still pending and is anticipated to have in the next few months.

Board Chairman David Burton asked what the applicant has on the east side property line.

Mr. Liebeskind answered there is an existing fence that belongs to the Garden Center.

Mr. Burton stated that if that fence should come down, there is nothing there separating the properties.

Mr. Hock stated that the board is looking for the applicant to put up a fence.

Mr. McQueeney asked does the applicant need to install a fence when the other fence comes down.

Mr. Burton responded a fence needs to be put up regardless of the other fence owned by the Garden Center.

Board Member Maranda Salas asked if the overgrown basin has been cleared.

Mr. Liebeskind responded in the affirmative.

Ms. Hilla stated she was out to the site today and did notice the basin was cleared out; however, as far as maintenance is concerned, it is the property owner's responsibility to maintain, clean, and operate the stormwater basin according to the DEP regulations. Ms. Hilla stated that the borough does have an ordinance in regard to stormwater management that states annual maintenance is required and that a standard plan be submitted.

Ms. Hilla also stated that when the applicant receives approval for the NJDOT permit that a copy be forwarded to the board's engineer.

Ms. Hilla further stated that the rear parking lot appears to have some settle curb and ponding adding there is a concern with the northern property line.

Mr. Liebeskind stated that at the January hearing it was suggested that a curb cut be introduced to facilitate drainage and help to alleviate ponding.

Ms. Hilla agreed; however, where the new curb cut was installed, something caused it to be undermined and is something that needs to be addressed.

Ms. Hilla reiterated that the property will be fully fenced, the west, north and eastern property lines, a maintenance manual for the stormwater basin will be submitted, a maintenance bond will be required for the improvements and maintenance, and all spider cracks in the parking lot will be restored and the entire parking lot will be recoated and striped. Ms. Hilla asked that prior to coating, the board have a punch list inspection of the asphalt to see if there are areas that require additional attention adding with the heavy equipment onsite, areas were compromised.

Mr. Hock stated that a condition of approval can be given for all repairs deemed necessary by the board engineer.

Ms. Hilla went on to say testimony was given in regard to the permits submitted for the signs and the signs were conforming requiring no variances.

Applicant, Ankur Rungta, was sworn to give testimony at 6:34 p.m. by Board Attorney Gregory Hock.

Mr. McQueeney asked that Mr. Rungta refresh the recollection of the board of his role with the company and his background.

Mr. Rungta stated that he is the CEO and cofounder of C3 Industries, a multi-state operator of cannabis facilities based out of Michigan. Mr. Rungta also stated that in January he reported that they operate 19 retail stores, they now operate 24 retail stores primarily in Massachusetts, Michigan, and Missouri and now expanding into New Jersey. Mr. Rungta further stated that they also operate 250,000 square feet of cultivation processing facilities and have about 800 employees. Mr. Rungta went on to say that they are experienced in drive-thru operations, adding that a few of their retail facilities have a drive-thru.

Mr. McQueeney asked how the drive-thru experience differs from the walk-in.

Mr. Rungta responded that the facility previously had two drive-thru windows, one is now closed and the second window that is secured, similar to a bank window adding it is bullet proof and has secured draw that is used to pass cash and products back and forth. Mr. Rungta stated that no products can be seen through the drive-thru window. Mr. Rungta also stated that the experience at the drive-thru is similar to curb side adding people place their order through the website ahead of time and they then choose an option

of how they like to pick the product up meaning they can pick up in the store, curbside, or at the drive thru. Mr. Rungta went through each option stating in store they would walk in, at curbside, they pull up and access their system to alert the facility that they have arrived, and if they select drive thru, they will pull up and show ID. Mr. Rungta added that they like to give their customers different options.

Mr. McQueeney stated that some of the other retail establishments have the drive-thru operations asking what is the percentage of the consumers that use the drive-thru versus curbside versus in store.

Mr. Rungta responded it varies from site to site adding five to ten percent use the drive-thru especially those facilities that have curbside where the consumer does not have to wait on line for the products.

Councilman Oglesby asked if the consumer placed an order online, do they get an appointed time to pick up.

Mr. Rungta answered that when the consumer orders, the system will let them know the order will be ready in 30 minutes, or longer if they are busy with orders.

Mr. Oglesby affirmed that all drive-thru orders would be pre-arranged, adding orders cannot be taken at the drive-thru window.

Mr. Rungta responded it would be challenging to take orders at the drive-thru window and added if a consumer was to try to place an order, they would be directed to curbside, place an order on their phone and wait for the order.

Mr. Rungta informed the board that the site is not completed and that all items mentioned tonight will be addressed, particularly the fence, that will be the last item.

Mayor Robbins questioned the opening date.

Mr. Rungta answered the site will be completed before the state is completed adding the state is in the investigatory process that includes background checks and fingerprints and then the state needs to do a site inspection. Mr. Rungta promises that once he has a better sense, he will definitely make the board aware.

Mr. McQueeney added that they have received indications that the application is moving and added the next phase is called the compliance side where the state comes out and physically inspects the site for state compliances. Mr. McQueeney went on to say that the good news is that the further the construction moves along the faster we proceed to the compliance side.

Mr. Rungta states he is hoping for mid-October.

