

In The Matter of the Appeal of:

} CITY OF VINELAND

} ZONING BOARD OF ADJUSTMENT

3192 NJGCCP, LLC

Name

805 LAKE STREET, #397

} PETITION & NOTICE OF HEARING

Address

OAK PARK, ILLINOIS 60301

City/State/Zip

(617) 909-0326

Day Time Phone

To: CITY OF VINELAND ZONING BOARD OF ADJUSTMENT

This application concerns Block 703, Lot(s) 2,3,4 Sheet 7 on the Tax Map of the City of Vineland, having a street address of: LOT 2 - OLD FOREST ROAD; LOT 3 - 3192 N. WEST BOULEVARD; LOT 4 - 3120 N. WEST BOULEVARD

The premises are owned by LOT 2 - 3192 N WEST BLVD LLC; Lot 3 - 3192 N WEST BLVD LLC; Lot 4 - BOULEVARD PROPERTIES LLC

by virtue of deed recorded in the Cumberland County Clerk's Office, LOTS 2 & 3 - BOOK 4136, PAGE 8371; LOT 4 - BOOK 4190, PAGE 106

~~Book XXXXXXXXXXXX Page XXXXXXXXX~~ The applicant's interest in the property if other than owner is

LOTS 2 & 3 - OWNER; LOT 4 - CONTRACT PURCHASER

2) The land has frontage on NORTH WEST BOULEVARD of

LOT 2: 905' frontage with 305' depth; LOT 3: 365' frontage with 305' depth; LOT 4 - 330' frontage with 1270' depth. ~~XXXXXXXXXXXXXXXX feet, and a depth of XXXXXXXXXXXX feet.~~

3) A sketch, map or plot plan of the site has been filed with the Secretary of the Zoning Board of Adjustment, and is available for review on the Fourth Floor of City Hall, 640 E. Wood Street, Vineland, NJ. The sketch, map or plot plan will demonstrate existing boundary lines, existing structures, and proposed changes or structures that the applicant requests approval of herein.

4) The land is situated in the A-5 zone(s), and the present use of the land is

LANDSCAPING BUSINESS

Describe current use (i.e. vacant land, single family dwelling, professional office, retail store, etc.)

5) I desire to construct, modify, or establish the following on this property:

A CANNABIS CULTIVATION FACILITY

Describe proposed change (i.e. bedroom addition, used vehicle sales, retail store, two-family dwelling, etc.)

6) I desire the Zoning Board of Adjustment to grant a variance pursuant to NJSA 40:55D-70, paragraph

- () a; () b; () c; (X) d or approval as related to a
() temporary use permit; () subdivision approval;
() site plan approval; () waiver of site plan requirements
() Other:

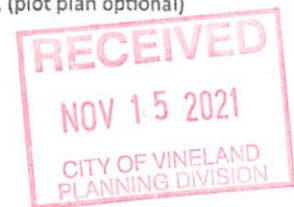
(Please check all that will apply to this application)

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DISTRIBUTION

14 copies of Petition & Notice of Hearing (pages 1 thru 3), sketch, map or plot plan, along with property owners list to the Board Secretary and;
1 complete copy of the above to Frank DiDomenico, Esquire., 8 LaSalle Street, Vineland, NJ
1 copy of Petition & Notice of Hearing (pages 1 thru 3) ONLY, to EACH PERSON shown on property owners list, (plot plan optional)

Petition & Notice of Hearing Page 2



7) Set forth, in detail, including all facts which you wish to rely on at the hearing, why the Zoning Board of Adjustment should grant your application, (attach as many sheets as needed). This application may be decided on reasons herein stated in the event that one desires not to provide additional testimony on the application.

SEE ATTACHED SCHEDULE A

Applicant, 3192 NJGCCP, LLC is the contract purchaser of real property known as Block 703, Lots 2, 3, and 4 located at 3192 Northwest Boulevard in the A-5 Agricultural Zone. The property consists of approximately 20 acres. Currently, there are two structures located on the property, which are currently used for a landscaping business.

Applicant, and/or its commonly-owned prospective tenant, Cconnect Wellness of New Jersey, LLC (“Cconnect”), intends to seek licensure with the State of New Jersey for a Class I Tier VI cannabis cultivation facility and a Class 2 Cannabis Manufacturer License in accordance with the New Jersey Cannabis Regulatory Enforcement Assistance, and Marketplace Modernization Act (“CREAMMA”). As part of that process, Applicant is seeking a use variance for the purpose of being able to construct, contingent upon the issuance of the aforementioned license and the receipt of site plan approval, a cannabis cultivation facility on this property located in the A-5 zone. Cannabis cultivation facilities are permitted uses in the I-2 zone but not in the A-5 zone.

Applicant seeks a D(1) Use Variance. Special reasons exist for the granting of a use variance to the applicant. As the Board well knows, special reasons are related to the purposes of zoning set forth in N.J.S.A. 40:55D-2. Pertinent to this application would be section A: “to encourage municipal action to guide the appropriate use or development of all lands in the State, in a manner which will promote the public health, safety, morals and general welfare.”; and Section I: “to promote a desirable visual environment through creative development techniques and good civil design and arrangement.” The proposed use was approved by a vote of the citizens of the State of New Jersey in a referendum in November 2020 and therefore does not raise any health, welfare or environmental concerns. The proposed facility, which will be a completely new facility and not a renovated facility, will create an enhanced visual impression

which obviously is not detrimental to the public good. Considering the significant mixed use of the properties in this zone, the purpose and intent of the zone plan and zoning ordinance will not be substantially impaired in any way.

Traffic

Unlike retail dispensaries, cultivation facilities do not serve the public and thus do not significantly increase foot or car traffic to the area. Cannect (the prospective tenant) expects to employ approximately 30-40 employees as part of its phase one project to oversee plant cultivation, extraction, compliance, security, and administration. Workers would be parking in the facility's parking lot and will not drive or walk on residential streets unless typical commercial access routes become unavailable. One or two employees in cultivation and extraction may occasionally work in the evenings, along with a contracted security professional.

Once the facility is built, cultivation facilities do not involve heavy trucking operations. The facility will be built with interior drive-in-docks for inventory unloading. Cannabis outbound deliveries are generally done through cargo vans or similar vehicles that are enhanced with added security features.

Security

The Applicant has experienced owners and managers who have been involved in medical and adult use cannabis programs in Illinois and other states and have experience complying with strict security regulations and operating procedures. Applicant will establish and maintain open communications with local law enforcement, neighborhood watch groups, and neighboring businesses to keep apprised of any security or safety concerns, as well as keeping up-to-date on any potential threats.

The security requirements, equipment and standards are well defined by CREAMMA and Applicant's tenant, if successful with its state license application, will be meeting or exceeding those standards.

Applicant, and/or its tenant, will incorporate additional hardening measures, such as proper lighting and locked security doors requiring 2 step-verification, to make the facility even more secure. The facility will be under 24/7/365 video surveillance inside and out with cameras, access, recording and lighting meeting or exceeding state regulations. All cannabis products will be stored in restricted access vaults inside the facility. During non-business hours, alarms that can be triggered by movement or vibration will be installed and activated. All perimeters and access points will be monitored 24/7 by video or contracted security guards.

Labor and Employment Practices

The Applicant (and/or Cannect) will commit to a Labor and Employment Practices plan ("LEPP") as part of its comprehensive application to the New Jersey Cannabis Regulatory Commission. The LEPP is a vision statement that incorporates a commitment to: 1) the fair, ethical and equitable treatment of employees, 2) the creation of a workplace environment free of discrimination and harassment, 3) compliance with all applicable state and federal employment laws, and 4) diversity and the inclusion of all employees. In particular, Applicant commits to inform, hire, and educate minorities, women, veterans, and persons with disabilities; engage in fair labor practices; and provide worker protections.

In addition to treating workers well, Applicant is committed to community outreach. Applicant's community outreach objective is to, at a local level, exemplify and help satisfy the legislative goals of CREAMMA, including empowering those who come from disproportionately impacted areas; redressing past regressive drug laws; promoting drug abuse

treatment over drug abuse punishment; and youth education on the potential harms of cannabis abuse.

Applicant's plan is to inform community members that it is creating new opportunities in the Vineland community that they can participate in and draw benefits from. Applicant is committed to training and hiring those who have faced employment challenges as a result of deficiencies in educational attainment, arrests, criminal records, and similar hurdles.

Odor Control/Air Quality Plan

Keeping odors contained is a high priority for Applicant. Applicant has created a detailed Odor Control Plan that includes facility design components, analyses of the work areas and processes most likely to exude strong odors, and policies and procedures to contain and minimize odor creation and transfer. This is combined with a system to document the receipt of complaints, investigate the situation and improve procedures based on persistent problems.

This Odor Control Plan is designed to explain Applicant's process for mitigating odors generated by the cultivation of cannabis, so that a reasonable person of normal sensitivities cannot detect odors outside the building. These measures pertain to cultivation, harvesting, trimming, and storing cannabis. The measures also include building design and equipment use. All personnel are required to implement this odor control procedure in the normal course of their work. Employees are also responsible for detecting and reporting odor control problems to the Cultivation Manager, who will forward information to the Facilities Manager.

The Cultivation Manager is responsible for ensuring that cultivation personnel are trained to properly execute this odor control procedure. The Cultivation Manager is also responsible for

correcting any physical or operational deficiencies involved with the handling or processing of cannabis that result in the release of odors from the building where cultivation occurs.

The Facilities Manager is responsible for ensuring that any non-cultivation employees who work on odor control equipment are properly trained in the maintenance and use of such equipment. He/she is also responsible for correcting and monitoring any equipment-related malfunctions that result in the release of odors.

Although the subject property is located in a A-5 Zone, the development of the neighborhood over the years has resulted in a mixture of uses of neighboring properties. The current use of the subject property is for a landscaping business. Applicant's planner will present testimony identifying the uses of various lots in the immediate vicinity of the subject property and explain why the granting of the requested variance is warranted.

As mentioned above, the current property has two existing structures. The proposed new structure will house the cannabis cultivation facility, which will be completely enclosed. Therefore, a desirable visual environment will be created to replace the appearance of the existing structures.

Applicant also submits that the negative criteria are met in connection with this application. For the reasons stated above in support of the positive criteria, the first prong of the negative criteria, that the variance can be granted without substantial detriment to the public good, is met. It is anticipated that the proposed use would employ approximately 40 employees during phase one operations and 100 or more when the facility is at full-scale production. As part of its licensure application to the State, the Applicant has committed to employing individuals from Vineland and surrounding communities to staff and operate the facility, who will be paid prevailing wage. If successful, Applicant will submit annual registration fees of

\$15,000 per year for a Cannabis Cultivator License, support the local economy through property tax revenue, and engage in philanthropic endeavors as appropriate.

8) If the applicant is represented by an attorney, please note the name and address:

STEPHEN D. BARSE, ESQ.

Name

GRUCCIO, PEPPER, De SANTO & RUTH, P.A.
817 E. LANDIS AVENUE

(856) 691-0100

Address

Phone

VINELAND, NJ 08360

City/State/Zip

9) Set forth any previous applications to the Zoning Board of Adjustment, regarding this property, along with the nature of request, date of hearing, and results of same.

NONE BY THIS APPLICANT. APPLICANT IS UNAWARE OF ANY PREVIOUS APPLICATIONS FOR THIS PROPERTY

10) TAKE NOTICE that a hearing on this application will be conducted at the City of Vineland Council Chambers (Second Floor), 640 E. Wood St., Vineland, NJ, on DECEMBER 13, 2021, 7:30 P.M., at which time you may appear individually or by counsel and express your opinions either for or against this application.

* Do to the COVID-19 pandemic, the City will adhere to N.J.S.A. 40:55D-1 and conduct monthly meetings virtually and in person until further notice. If you wish to attend a meeting virtually, please go to www.vinelandcity.org and choose "Planning/Zoning Virtual Meetings-All Attendees" for further instructions.

11/15/2021

DATE


David Michaud, on behalf of 3192 NJGCCP, LLC

APPLICANT or ATTORNEY

NOTICE TO APPLICANTS and ATTORNEYS

TIME FOR IMPLEMENTING APPROVAL: If you are granted an approval from the Zoning Board of Adjustment as a result of this application, you will be provided a period of one year from the date of approval to obtain permits, or to implement the approved use. Failure to do so will result in the termination and voiding of this approval, unless an applicant makes a written application to the Zoning Officer for an extension of time regarding this approval, prior to the expiration of the one year period. Such extension, if approved, may only be granted for an additional 6 months.

SITE PLAN APPROVAL can only be obtained if a complete site plan application has been submitted to the Planning Division (794-4101), along with the development application form, the correct number of plans, the appropriate fees, etc. If site plan approval is requested as a condition of a previous variance approval, then a separate Petition and Notice of Hearing and public notice will be required. If during an original hearing of any application, the applicant has requested site plan approval, but the plan has not been reviewed by the City staff, then the portion of the hearing concerning the site plan, may be continued to the next regular meeting date (with proper announcement and with Board approval during the meeting), without any further notice or application.

DISTRIBUTION

- 14 copies of Petition & Notice of Hearing (pages 1 thru 3), sketch, map or plot plan, along with property owners list to the Board Secretary and;
- 1 complete copy of the above to Frank DiDomenico, Esquire, 8 LaSalle Street, Vineland, NJ
- 1 copy of Petition & Notice of Hearing (pages 1 thru 3) ONLY, to EACH PERSON shown on property owners list, (plot plan optional)

FEE SCHEDULE

- "A" Variance.....\$502.00
- "B" Variance \$502.00
- "C" Variance\$502.00
- "D" Variance\$1208.00
- Temporary Use \$502.00
- Site Plan See 2021 Fee Schedule

All fees mentioned include the Public Hearing and Legal Documentation preparation fees.

Make Checks payable to the CITY OF VINELAND

CHECK LIST FOR APPLICANT'S USE

- () Obtain letter from Tax Assessor – See Page 7
- () Complete Petition & Notice of Hearing – See Pages 1, 2 & 3
- () Sketch, map or plot plan – See Page 5
- () File 14 copies of complete application** of Petition & Notice of Hearing and other documents with the Zoning Board of Adjustment Secretary at least 30 days prior to the meeting.

**Note: A complete application contains:

- Petition & Notice of Hearing – Pages 1, 2, 3
- Plot plan
- Property owners list & Tax Assessor's letter
- Disclosure (if applicable)

- () File 1 complete application with Frank DiDomenico, Esq., 8 LaSalle St., Vineland, NJ 08360.
- () Mail or deliver Petition & Notice of Hearing (Pages 1, 2, &3) (attaching plot plan is optional) to persons listed on property owners list obtained from Tax Assessor, see page 7.
- () Complete AFFIDAVIT of MAILING and deliver to Frank DiDomenico., Esq., Vineland, NJ 08360, See Page 4.
- () Check with Zoning Board Secretary 5 days prior to meeting.
- () Attend meeting on date noted on Page 3 of Petition & Notice of Hearing.

Informational notes for applicant to use in preparation of this application.

Block 703 Lot 2,3,4 Tax Sheet 7 Zone A-5

Type of variance requested _____, Fee \$ _____

DISCLOSURE STATEMENT PURSUANT TO L. 1977, C-336

NAME OF DEVELOPMENT APPLICATION 3192 NJGCCP, LLC

- A. Is this application to subdivide a parcel or parcels of land into six or more lots?
 YES _____ NO X
- B. Is this application for a variance to construct a multiple dwelling of 25 or more family units?
 YES _____ NO X
- C. Is this application for approval of a site or sites to be used for commercial purposes?
 YES X NO _____

IF ANY OF THE ABOVE ANSWERS WERE YES, PROCEED TO D.

- D. Is the applicant a corporation or partnership? **APPLICANT IS A LIMITED LIABILITY COMPANY**
 YES _____ NO X

If Yes:

1. List the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class or at least 10% of the interest in the partnership, as the case may be. (Use extra sheets if necessary).

DAVID MICHAUD - 805 LAKE STREET, #397, OAK PARK, IL 60301
GABRIEL SINGAL - 805 LAKE STREET, #397, OAK PARK, IL 60301

2. Does a corporation or partnership own 10% or more of the stock of this corporation or partnership?
 YES _____ NO X

If Yes:

List the names and addresses of the stockholders of that corporation holding 10% or more of the stock or of 10% or greater interest in that partnership, as the case may be. This requirement is to be followed by every corporate stockholder or partner in a partnership, until the names and addresses of the noncorporate stockholders and individual partners exceeding 10% ownership criterion established in L. 1977, C. 336 have been listed. (Use extra sheets if necessary).

DATE: 11/15/2021 APPLICANT SIGNATURE [Signature]
 Print name David Michaud
on behalf of
3192 NJGCCP, LLC



Brian F. Conover
Tax Assessor
bconover@vinelandcity.org
www.vinelandcity.org

640 E. Wood Street
PO Box 1508
Vineland, NJ 08360-1508
Phone: (856) 794-4000 x4034
Fax: (856) 405-4613

November 15, 2021

Gruccio, Pepper, DeSanto, & Ruth P.A.
817 E. Landis Avenue
Vineland, NJ 08360

Block(s)/Lot(s): 703/2/3/4
Address(s): Old Forest Road/3192 N. West Blvd/3120 N. West Blvd.
Owner(s): 3192 N West Blvd LLC/Boulevard Properties LLC.

To Whom It May Concern:

In compliance with the provisions of the Municipal Land Use Law, P.L. 1975 chapter 291, attached is a certified list of property owners of record within 200 feet radius of the above listed block and lot.

The list of properties is deemed accurate as reflected on the City of Vineland tax map on the above date.

Very truly yours,

Brian Conover
Tax Assessor
City of Vineland



Notify the following if checked

- | | | | |
|-------------------------------------|---|--------------------------|--|
| <input type="checkbox"/> | <i>Landis Sewerage Authority
1776 S Mill Rd
Vineland, NJ 08360</i> | <input type="checkbox"/> | <i>Property owners located within 200'
located in Buena Vista Twp, Atlantic
County</i> |
| <input checked="" type="checkbox"/> | <i>Consolidated Rail Corp.
Property Tax Dept.
PO Box 8499
Philadelphia, PA 19101</i> | <input type="checkbox"/> | <i>Property owners located within 200'
located in Franklin Twp, Gloucester
County</i> |
| <input type="checkbox"/> | <i>City Clerk
City of Vineland
640 E Wood St
Vineland, NJ 08360</i> | <input type="checkbox"/> | <i>Property owners located within 200'
located in Maurice River Twp</i> |
| <input type="checkbox"/> | <i>NJ Dept of Transportation
Commissioner of Transportation
1035 Parkway Ave
CN 600
Trenton, NJ 08625</i> | <input type="checkbox"/> | <i>Property owners located within 200' located in
Pittsgrove Twp, Salem County</i> |
| <input checked="" type="checkbox"/> | <i>Atlantic City Electric
5100 Harding Highway,
Suite 399
Mays Landing, NJ 08330</i> | <input type="checkbox"/> | <i>Property owners located within 200'
located in City of Millville</i> |
| <input checked="" type="checkbox"/> | <i>Cumberland County Dept of Planning &
Development
Attn: Robert Brewer
164 W. Broad Street
Bridgeton, NJ 08302</i> | <input type="checkbox"/> | <i>Property owners located within 200' in
located in Newfield, Gloucester County</i> |

OWNER & ADDRESS REPORT

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VINELAND

PROPERTY OWNERS LIST FOR BLOCK 703; LOTS 2,3 & 4
ONE LIST/2 OWNERS/LOTS CONTIGUOUS

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
702	13		2	BROWN, LARRY 3266 N WEST BLVD VINELAND NJ 08360	3266 N WEST BLVD	
702	14		4A	STOCHMAL, MAREK 2307 MAPLE AVE VINELAND, NJ 08361	3230 N WEST BLVD	
702	15		2	MILLER, SARA 46 OLD FOREST RD VINELAND NJ 08360	46 OLD FOREST RD	
702	16		2	HUSTON, CRAIG S & MARGARET E 68 OLD FOREST RD VINELAND, NJ 08360	68 OLD FOREST RD	
702	17		2	HAWK, TINA & RONALD W JR 78 OLD FOREST RD VINELAND NJ 08360	78 OLD FOREST RD	
702	18		2	ROSS, DONALD E & JUDITH A 96 OLD FOREST RD VINELAND, NJ 08360	96 OLD FOREST RD	
702	19		2	ALLEN, KEVIN SR & JULIE 124 OLD FOREST RD VINELAND, NJ 08360	124 OLD FOREST RD	
702	20		2	REYNOLDS, JOHN B & LORI A 160 OLD FOREST RD VINELAND, NJ 08360	160 OLD FOREST RD	
702	21		2	MONEY, DONALD W JR & TRACY LYNN 198 OLD FOREST RD VINELAND, NJ 08360	198 OLD FOREST RD	
702	22		2	MONEY, DONALD W & SHARON A 282 OLD FOREST RD VINELAND, NJ 08360	282 OLD FOREST RD	
703	1		3A	NEWCOMB, JESSE 327 OLD FOREST RD VINELAND NJ 08360	327 OLD FOREST RD	
703	1	QFARM	3B	NEWCOMB, JESSE 327 OLD FOREST RD VINELAND NJ 08360	327 OLD FOREST RD	
703	2		1	3192 N WEST BLVD LLC 3192 N WEST BLVD VINELAND, NJ 08360	OLD FOREST RD	QFR10NQ
703	3		4A	3192 N WEST BLVD LLC 3192 N WEST BLVD VINELAND, NJ 08360	3192 N WEST BLVD	
703	4		3A	BOULEVARD PROPERTIES LLC 3192 N WEST BLVD VINELAND NJ 08360	3120 N WEST BLVD	
703	4	QFARM	3B	BOULEVARD PROPERTIES LLC 3192 N WEST BLVD VINELAND NJ 08360	3120 N WEST BLVD	
703	5		2	PERETTI, ANTHONY J JR & TERESA M 3082 N WEST BLVD VINELAND, NJ 08360	3082 N WEST BLVD	
703	6.1		2	ROLDAN, ADALBERTO & YOLIMA RIVERA 3070 N WEST BLVD VINELAND, NJ 08360	3070 N WEST BLVD	
703	29		3A	ZAAK, BETTY SUE & WERNER ZAAK 3039 N WEST AVE VINELAND NJ 08360	3039 N WEST AVE	

Duplicate to Above

Duplicate to Above

OWNER & ADDRESS REPORT

VINELAND

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PROPERTY OWNERS LIST FOR BLOCK 703; LOTS 2,3 & 4
ONE LIST/2 OWNERS/LOTS CONTIGUOUS

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
703	29	QFARM	3B	ZAAK, BETTY SUE & WERNER ZAAK 3039 N WEST AVE VINELAND NJ 08360	3039 N WEST AVE	<i>Duplicate to Above</i>
704	1		5A	CONRAIL 3 COMMERCIAL PL BOX 209 NORFOLK, VA 23510	RR N WEST BLVD	
705	1		5A	CONRAIL 3 COMMERCIAL PL BOX 209 NORFOLK; VA 23510	RR N WEST BLVD	
914	1		2	ZEUNER, SALVATORE H & CHARLOTTE L 3219 N EAST BLVD VINELAND, NJ 08360	3219 N EAST BLVD	
914	50		2	GAMBA, GERMAINE L & SAUL, JOANN M 3095 N EAST BLVD VINELAND NJ 08360	3095 N EAST BLVD	
914	51		2	PALMONARI, JOSEPHINE A 3127 N EAST BLVD VINELAND, NJ 08360	3127 N EAST BLVD	
914	52		2	VENTURI, TYLER 3153 N EAST BLVD VINELAND NJ 08360	3153 N EAST BLVD	
914	53		2	RODRIGUEZ, VERNETTA 3183 N EAST BLVD VINELAND NJ 08360	3183 N EAST BLVD	