

**WEST AMWELL TOWNSHIP  
PLANNING BOARD – REGULAR MEETING  
May 17, 2022 Minutes – 7:00 PM  
(Meeting Held at South Hunterdon Regional High School Auditorium)**

The West Amwell Township Planning Board meeting was called to order at 7:00 PM by Chairman Tomenchok followed by the salute to the flag.

The following statement of compliance with the Open Public Meetings Act as listed on the meeting agenda was read into the record by Chairman Tomenchok: This meeting was called pursuant to the provisions of the Open Public Meetings Act. This meeting was noticed as a regularly scheduled meeting transmitted to the Hunterdon County Democrat and the Times of Trenton on January 27, 2022. A copy of this notice is available to the public and is on file in the Office of the Planning Board and Township Clerk.

The following general policy statement of the Planning Board was read into the record by Chairman Tomenchok: The Board's general policy is to end the presentation of testimony on applications by 10:30 PM and to conclude all Board business by 11:00 PM. When necessary, the Chairman may permit a reasonable extension of those time limits.

**Attendance – Roll Call**

**Present:** Bob Balaam  
Jim Cally  
John Dale  
Nella Hamtil  
John Haug  
Carl Ippolito  
Christopher Morgan  
Joe Petrucci  
Rob Tomenchok  
John Flemming – Alt. #2  
Attorney Tara St. Angelo  
Planner Joanna Slagle  
Engineer William Burr

**Excused:** No one

Chairman Tomenchok noted for the record that Planning Board Member Bob Birmingham had resigned and he wanted to thank him for his service to the Board.

**Approval of Bill List – 5/17/22**

A motion by Bob Balaam, seconded by John Haug to approve the vouchers for payment as listed on the 5/17/22 bill list was unanimously approved by roll call vote.

**New Business – Other**

**Completeness/Public Hearing: GMNJ Properties, LLC. Preliminary & Final Major Site Plan with Variances to Establish a Cannabis Cultivation Facility for Medical Purposes – Block 16 Lot 17.02 – 638 Brunswick Pike**

Minutes: 5/17/22

Chairman Tomenchok read the following statement into the record:

*“Before we begin this next item I should like to provide some insight on the hearing process, the role of the Planning Board, and stipulate a few house rules.*

*We are not here to discuss the legality or morality of cannabis.*

*We are not here to discuss the decision to allow cannabis production within West Amwell.*

*We are not here to discuss the economic impact of cannabis production within West Amwell.*

*We are not here as an advocate for nor are we an adversary to the applicant - put simply, we advocate for West Amwell.*

*We are here to adjudicate a conditional land use – as opposed to a permitted land use. West Amwell opted to enact a cannabis ordinance so that we could stipulate the land use as conditional. Had we done nothing, cannabis would be a permitted use and we would have less control.*

*No member of this board has a financial interest with the applicant.*

*All members of the Planning Board file a financial disclosure report with the State of New Jersey. These reports are available through the Department of Community Affairs.*

***I will now ask Mayor Cally to speak to the financial interests of the Township Committee members.***

Mayor Cally stated that he wished to address the social media postings regarding past and current Township Committee members and remarked that on behalf of the Committee, as Mayor, there is no one who has any financial interest in the Green Medicine application.

*The Planning Board provided no input to and has received no output from the Township Committee in the matter of the recently enacted Community Host Agreement.*

*Public meetings like this are conducted according to a published agenda and under parliamentary procedures.*

*All application materials (plans, reports, etc.) have been made available to the public and the Board members have no other documents – you have what we have.*

*There are two hearings to follow. The first is to determine if the application is complete – in other words – have we sufficient information to render a decision on and set the conditions of the application. The second is to grant or deny any applicable variances and establish the conditions under which the applicant may conduct his business.*

*For those who are unfamiliar with the Planning Board, I invite you to take a few minutes and review the Guide to the Planning Board which can be found on [WestAmwellTwp.Org](http://WestAmwellTwp.Org). Click on Government, then Planning Board, and the document can be accessed by clicking on its title on the left hand side of the page. Paper copies of this document are available along with tonight’s agenda and the minutes from the last meeting.*

*Everyone will have the opportunity to speak.*

*If you intend to provide testimony you must be sworn in.*

*Please provide your name – spelled out – and your address.*

Minutes: 5/17/22

*Please be brief and to the point, especially if someone else has already articulated your question or concern.*

*We welcome all input – please note that filibustering, ad hominum attacks, or other breaches of decorum will not be tolerated.*

*You will be given the opportunity to question all witnesses at the conclusion of each witness's testimony. Please limit your questions to each witness's area of knowledge and expertise.*

*Questions begin with who, what, when, where, how, and why – they should be direct questions and should not be duplicative of previous questions.*

*Please refrain from editorializing during questioning – you will be offered an opportunity to do so when we open the floor for general comments.*

*After all testimony has been presented, members of the public will be given the opportunity to make general comments concerning the application.*

*These comments will be limited to 3 minutes per person and should not be duplicative of previous comments or concern matters other than the application at hand.*

*There are no – I repeat - no forgone conclusions in these hearings.*

*Your patience and cooperation is appreciated greatly as we navigate these uncharted waters.”*

Attorney St. Angelo noted that she wanted to address 2 jurisdictional issues:

1. The existing height of the building – Attorney St. Angelo commented that there is a resolution of approval from 1990 allowing for Houses of Worship to be 50 ft. in height and she believes there has been no change to the height of the structure from when it was first constructed in 1990 and additionally, the same building was later approved for a conditional use as a school in 2007.
2. The existing septic – Attorney St. Angelo commented that the application before the Board does not require any variance relief for the repair and use of the existing septic system. She noted there is no proposed expansion to the system.

It was noted for the record that opposing Attorney Stuart Lieberman, who is representing Woodmeier Farms, LLC did not waive any rights to appeal these jurisdictional issues.

A motion was made by Carl Ippolito and seconded by John Haug acknowledging that the Planning Board had jurisdiction to proceed with the GMNJ Properties public hearing. The motion was approved by voice vote.

Engineer Burr reviewed his completeness memo and the requested waivers.

A motion was made by John Dale and seconded by Carl Ippolito deeming the GMNJ Properties application complete with the requested waivers. The motion was unanimously approved by roll call vote.

Attorney Dino Spadaccini, representing GMNJ Properties, LLC provided an overview of the application highlighting that the subject site is a 22.12 acre parcel in the Neighborhood Commercial (NC) district where medicinal cultivation facilities are conditionally permitted. He also noted they are repurposing the existing 28,000 sq. ft. church structure.

Minutes: 5/17/22

Attorney Spadaccini introduced Co-founder Daniel Sullivan and Co-owner Tiffany D'Amato who provided an overview of their company, the farming of the product and the benefits of medicinal cannabis.

Attorney Lieberman questioned the license name. Mr. Sullivan explained Green Medicine is the licensee and clarified that GMNJ is a subsidiary that is owned 100% by Green Medicine. Attorney Lieberman commented that he believes there is a legal issue if the licensee is different from the name of the applicant. He also questioned why the Community Host Agreement was submitted prior to any Board approvals. Attorney Spadaccini explained that the Township was under the assumption that a host agreement was part of the Federal Regulations and GMNJ simply wanted to honor what everyone believed to be the case.

Attorney Spadaccini noted the following list of witnesses they expect to provide testimony:

Cameron Corini – Engineer  
Michael Starr – Architect  
Michael Devos – Landscape Designer  
Jason Austin – Operations/Environmentalist  
Marissa Steinmetz – Owner/GMNJ  
Brian Zimmerman – Odor Mitigation/Plumbing/Fire Protection  
Dean Regan – Irrigation Engineer  
Tom Stover – Well Consultant  
Kelley O'Such – Septic Consultant  
Jack Zybura – Acoustician  
Nick Verderese – Traffic Engineer  
Jeffrey Anderson – Environmental Consultant  
Hector Corchado – Security Expert  
James Kyle – Planner

Jane Eiseman of 631 Brunswick Pike, Lambertville came forward and asked about air filtration. Attorney Spadaccini stated they will have an expert who will provide testimony on this.

Justin Holohan of 120 Rock Road West, Lambertville came forward and asked why the applicant has been before so many Boards. Attorney Spadaccini explained they have been before several Boards because they operate in many locations.

Emily Deadwyler of 107 Snyderstown Road, Hopewell came forward and asked when West Amwell was considered as a business location. Attorney Spadaccini indicated his client was looking in 2018 and began the process of obtaining a state license in 2019. Ms. Deadwyler asked if they met or discussed their business plan with anyone on the Township Committee or Planning Board. Mr. Sullivan said no and Ms. Deadwyler then asked how they obtained a letter of support from the Township Committee if they didn't speak with anyone. Attorney Spadaccini commented that his clients followed the process.

Barbara Tumler of 112 Circle Drive, Lambertville expressed concern over water usage.

Jeff Goll of Princeton Hydro also had questions on water usage.

Attorney Spadaccini noted they have a water witness testifying later in their presentation.

Minutes: 5/17/22

Attorney Spadaccini called Civil Engineer Cameron Corini forward. He was sworn in and provided his credentials. The Board accepted him as an expert to provide testimony on the application.

Engineer Corini gave an overview of the site layout and presented the following exhibits:

**Exhibit A-1:** An aerial depiction of the site dated 5/17/22

**Exhibit A-2:** A survey of the site dated 1/12/22

Engineer Corini explained the features and existing conditions of the site noting they are requesting a waiver from having to obtain a new Letter of Interpretation (LOI) from the NJDEP because they are not encroaching on any of the existing wetland areas and there are no proposed changes to the parking lot(s). Engineer Corini verified there are 161 parking spaces for approximately 60 employees. He remarked 50 spaces will be removed with an additional 6 spaces becoming the dumpster area.

**Exhibit A-3:** A colored rendering of the site plan was presented. Engineer Corini stated the overgrowth on the property will be removed and a stormwater maintenance manual will become part of the deeds. He also explained they are expecting a total of 1.3 acres of land disturbance on the site but noted the impervious coverage will be reduced by 2000 sq. ft. with site grading to take place and the installation of 2 lawn inlets.

Engineer Corini stated there will not be any new utilities on the site, but noted a new well had been drilled. He explained the existing septic is in the process of receiving approval from the County Board of Health and it will accommodate approximately 1500 gallons of wastewater as a result of regular use by employees.

Engineer Corini stated the wastewater from the cultivation will be trucked off site.

It was noted that minor electrical improvements will be the installation of an emergency generator and a new transformer. Additionally, there will be 13 new HVAC units shielded with a sound barrier consisting of 15 ft. tall steel posts with horizontal panels and a landscape buffer with be planted as well.

Attorney Spadaccini commented that the security fencing was originally proposed to be 10 ft. high but will now comply with the ordinance regulations.

With regard to the review of the site from Fire Chief Ent, Attorney Spadaccini noted they will comply with his recommendations which consist of the following items:

1. In-ground water storage tanks with a minimum of 60,000 gallons of water
2. Fire lane striping and signage to be installed in the circle area of the building entrance
3. A plan for access to the facility if it is not staffed 24-hours a day, in the event of an emergency
4. The purchase of 3 portable Co2/carbon dioxide meters
5. A tour of the facility for Fire and EMS personnel to familiarize themselves with the building
6. The continued use of the grounds to land medical helicopters in the event of an emergency

Engineer Corini commented briefly about the landscaping in the northern area of the property noting it will remain intact.

Minutes: 5/17/22

Engineer Corini indicated there will be 1 stand-alone sign at the driveway of Rock Road West which will comply with the zoning regulations. He added that all of the cracked pavement, sidewalks and curbing will be repaired.

It was noted that a temporary construction trailer will be on site during the duration of the building renovations.

Attorney Spadaccini remarked that all of the comments in Engineer Burr and Planner Slagle's review memos will be addressed.

Engineer Burr asked about the existing easements. Attorney Spadaccini stated his client's project will not be encroaching on any of them.

With regard to the stormwater regulations, Engineer Corini commented that the existing basin will receive a formal inspection and will be brought back to its full function. He also noted there are inlets that handle the runoff from the parking lot.

Engineer Burr asked if the generator can be moved to be within the sound barrier area. Engineer Corini explained that it needs to be located near the electrical control room of the facility. Attorney Spadaccini stated they will move it if the Board wants it relocated.

Attorney Lieberman presented the following exhibits:

**Exhibit W-1:** A 4" x 6" close-up photo of the former stormwater basin

**Exhibit W-2:** A 4" x 6" photo of the former stormwater basin taken from a slight distance

Attorney Lieberman asked about the design capacity of the septic and referred to an old email dated 3/31/17 from Board of Adjustment Engineer Tom Decker indicating the septic is undersized and he commented that if there is no "Green Plan," the Board cannot vote on the application. Attorney Spadaccini explained that the difference here is that approvals from NJDEP and D&R Canal Commission are requirement of his client's.

Attorney Lieberman asked if the wetlands resource value had changed. Engineer Corini stated he did not know.

John Hoff of 1721 Linvale-Harbourton Road, Lambertville came forward and referred to Appendix C of an old 2009 Phase II Environmental Site Assessment. Attorney Spadaccini interrupted and stated their Environmental Consultant will address the document.

Meghan Hudson of 328 Rocktown-Lambertville Road, Lambertville came forward and asked how long the building has been vacant. Attorney Spadaccini stated 5 years. She asked about the last wetlands study which was done in 1992 and asked why a current one wasn't being performed. Attorney Spadaccini explained that within the past 6 months their professionals have identified and flagged the wetlands areas.

David Arnone of 631 Brunswick Pike, Lambertville came forward and asked if the generator can be relocated to an area on the property away from the residences. Attorney Spadaccini said his client's will review a better location on the site for the generator.

Minutes: 5/17/22

Jeff Goll of Princeton Hydro came forward and asked how their professionals made their wetlands determination on the site. Engineer Corini stated they did so with augers.

Justin Holohan of 120 Rock Road West, Lambertville came forward and confirmed that all of the proposed new improvements, including the concrete slabs, sound wall, fencing and landscaping were not encroaching on the flood hazard areas. Engineer Corini confirmed that they were not encroaching.

Pamela Bland of 121 Rock Road West, Lambertville came forward and asked if there is a predetermined order for the witnesses. Attorney Spadaccini said no.

Seeing no other members of the public with questions at this time, Attorney Spadaccini called Architect Mike Starr forward who was sworn in and gave his credentials. The Board accepted him as an expert to provide testimony on the application.

Architect Starr presented the following exhibits:

**Exhibit A-4:** Proposed first floor, floor plan depicting 18,000 sq. ft. including a lobby, restrooms, 4 cultivation flower rooms, an electrical room, propagation space and a vegetative room.

**Exhibit A-5:** Proposed second floor, floor plan depicting a trim room, 2 dry rooms, packaging space, cure room, a vault and storage space.

Attorney Lieberman spoke up saying the date on the plans submitted with the application is 4/19/22 and the plans being projected are dated 4/22/22. Attorney Spadaccini explained that the submitted plans are at a 50% scale and the projected plans are at an 80% scale which shows some additional detail. Board Attorney St. Angelo commented that the applicant must refer to the plans submitted with the application unless they wished to adjourn.

It was noted for the record that GMNJ was able to locate the 50% plans and project them.

**Exhibit A-6:** A colored rendering of the facility and the building elevations showing a red painted exterior to resemble a barn, 3 new openings on the north side, a shipping/receiving area and a main entrance.

**Exhibit A-7:** East and West elevations depicting all of the duct work/HVAC units.

**Exhibit A-8:** Depicting the existing church structure.

**Exhibit A-9:** A colored rendering of the site after renovations depicting the building, the fencing, security area, buffering and signage.

Engineer Burr confirmed the renovation period is expected to take 6 to 9 months and that there will not be any outside storage of any materials. Architect Starr confirmed these details.

Planner Slagle asked if the landscaping can be done first. Attorney Spadaccini said yes.

Planner Slagle asked if the sign will be lit. Attorney Spadaccini said no.

Minutes: 5/17/22

Planner Slagle asked if the split rail fencing was on the original plans. Attorney Spadaccini said yes but noted it wasn't extended as far as they are showing the fencing this evening.

Attorney Lieberman asked how tall the building is. Architect Starr stated it is 42 ft. and Attorney Spadaccini stated the height is not changing from when the church was originally built.

Attorney Lieberman asked about floor drains and who will be testifying on them. Attorney Spadaccini indicated they will get to that later.

John Hoff of 1727 Linvale-Harbourton Road, Lambertville came forward and asked if the renderings were coordinated with civil drawings. Architect Starr said yes but noted there are some detail differences, specifically with the fencing. Mr. Hoff then questioned the value of the renderings to the testimony if the details are different.

Fred Loesch of 116 Circle Drive South, Lambertville came forward and questioned whether or not the existing electrical service can really handle the proposed 13 new HVAC units.

Seeing no other members of the public with questions at this time, Attorney Spadaccini called Landscape Designer Mike Devos forward who was sworn in and gave his credentials. The Board accepted him as an expert to provide testimony on the application.

Designer Devos noted the renderings are not exact and explained the landscape buffering on the site will potentially contain about 150 trees such as junipers, dogwoods, redbuds, magnolias which will all be approximately 10 ft. to 12 ft. tall. He noted the planting will be done in late summer or early fall. Designer Devos then commented there will be a 1/3 to 2/3 mix of pines and flowering trees.

Engineer Burr suggested a maintenance guarantee be established for the replacement of any trees that die. Attorney Spadaccini remarked his client's will provide a maintenance guarantee.

Samuel Badessa of 148 Rock Road West, Lambertville expressed that the property is still going to be an eyesore and asked about the fencing.

Erin Woronicz of 676 Brunswick Pike, Lambertville came forward and requested less evergreens than flowering trees. Designer Devos confirmed the evergreens will be as tall as the security fence.

Meghan Hudson of 328 Rocktown-Lambertville Road, Lambertville asked for clarification on the underground water tanks per Fire Chief Ent. Attorney Spadaccini confirmed again that they will comply with the Fire Chief's recommendations.

Chris Scurti of 140 Rock Road West, Lambertville came forward and expressed traffic and site triangle concerns.

Andrea Little of 31 Lakeview Road, Lambertville came forward and expressed concerns with the potential noise and also with the landscaping, suggesting taller trees in the 15 ft. range be planted.



Minutes: 5/17/22

Seeing no other members of the public with questions at this time, Attorney Spadaccini called Engineer Brian Zimmerman and Irrigation Engineer Dean Regan forward who were sworn in. Both gentlemen provided their credentials to the Board and were accepted as experts to provide testimony on the application.

Engineer Zimmerman indicated he has done odor mitigation on over 350 facilities around the country.

Attorney Lieberman asked if he was licensed in New Jersey. Engineer Zimmerman said no. Attorney Spadaccini commented that where he is licensed is irrelevant under the Municipal Land Use Law (MLUL). Attorney Lieberman noted his objection for the record.

Engineer Zimmerman referred to Exhibit A-7: A depiction of the HVAC system design, noting the vapor barriers and explained no air will leave the building without going through active carbon filters because he stated it is a closed loop system. Engineer Zimmerman went on to explain that the plant rooms will be treated with ionized ions, hydro-peroxides and carbon scrubbers.

Attorney Lieberman asked what toxic materials are being ionized. Engineer Zimmerman stated terpene molecules.

Pamela Bland of 121 Rock Road West, Lambertville came forward and expressed concerns over potential odors and noise and referred to the recently constructed site in Readington Township. Engineer Zimmerman “promised” the site would not smell and stated he has 13 years of experience mitigating odors.

Mike Gual of 1748 Linvale-Harbourton Road, Lambertville came forward and asked what percentage of the smell will escape the building. Engineer Zimmerman explained the rooms in the facility are sealed and the air is treated so no odor will escape.

Meghan Hudson of 328 Rocktown-Lambertville Road, Lambertville came forward and asked where this technology is currently being used so people can drive by and see/smell for themselves. Engineer Zimmerman commented that the closest facility is in Massachusetts but did not disclose an address.

Emily Deadwyler of 107 Snyderstown Road, Hopewell came forward and remarked there are companies that actually measure odors and asked if the Planning Board could put conditions on any approval.

Chris Scuti of 140 Rock Road West, Lambertville came forward and expressed concern for carbon monoxide and other things that you cannot smell. Engineer Zimmerman noted there will be controls in place for carbon monoxide which will be monitored through the HVAC system and noted there are safety features built into all the equipment.

Mike Gual of 1748 Linvale-Harbourton Road, Lambertville came forward and asked if all of the experts here this evening were being paid by GMNJ. Attorney Spadaccini said yes.

Tim Vanetta of 202 Circle Drive East, Lambertville came forward and confirmed the generator is diesel powered.

Minutes: 5/17/22

At this point in the meeting it was noted that it was getting very late. The Board decided that the public hearing on this application will need to be carried to the 6/21/22 meeting agenda. Attorney St. Angelo stated the GMNJ Properties, LLC application will be carried to the Planning Board's 6/21/22 agenda at 7:00 PM here at the SHRSD Auditorium with no further public notice being required.

**Open to the Public**

Chairman Tomenchok opened the floor to public comment. It was noted for the record that no members of the public came forward at this time. A motion was made by Bob Balaam and seconded by Carl Ippolito to close the floor to public comment. The motion was unanimously approved by voice vote.

**Minutes**

A motion by Carl Ippolito, seconded by Bob Balaam to approve the Board's 1/18/22 meeting minutes with no revisions noted was approved by voice vote with Mr. Morgan abstaining.

**Adjournment**

A motion by Bob Balaam, seconded by Jim Cally to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 11:55 PM.

---

Maria Andrews, Planning Board Secretary