

CASINO REINVESTMENT DEVELOPMENT AUTHORITY  
USE REGULATION ENFORCEMENT DIVISION

**APPLICATION NO 2024-03-3599**

GARDEN ORGANICS, LLC, 3112 ATLANTIC AVENUE

APPLICANT SEEKS SITE PLAN APPROVAL ALONG  
WITH "C" VARIANCE RELIEF FOR CANNABIS  
MANUFACTURING.

THE PROPERTY IS LOCATED AT 3112 ATLANTIC  
AVENUE, ALSO KNOWN AS BLOCK 151, LOT 3 ON THE TAX  
MAP FOR THE CITY OF ATLANTIC CITY, LOCATED WITHIN  
THE CENTRAL BUSINESS DISTRICT (CBD).

THURSDAY, MAY 16, 2024  
10:00 A.M.

CSR COURT REPORTING SERVICES, LLC  
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Atlantic City, New Jersey 08401  
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Public Hearing in the above-referenced  
matter conducted at the CASINO REINVESTMENT  
DEVELOPMENT AUTHORITY, 15 South Pennsylvania  
Avenue, Atlantic City, New Jersey, taken before  
Michelle Gruendel, a Certified Court Reporter and  
Notary Public of the State of New Jersey, on  
Thursday, May 16, 2024 commencing at 9:59 a.m.

A P P E A R A N C E S:

CASINO REINVESTMENT DEVELOPMENT AUTHORITY:

LANCE D. LANDGRAF, JUNIOR  
CHAIRMAN  
DIRECTOR, PLANNING DEPARTMENT

ROBERT L. REID  
LAND USE ENFORCEMENT OFFICER

PROFESSIONALS TO THE BOARD:

SCOTT G. COLLINS, ESQUIRE  
RIKER, DANZIG, SCHERER, HYLAND & PERRETTI

CHRISTINE COFONE, PP, AICP  
COFONE CONSULTING

CAROLYN FEIGIN, PE, PP  
ARH ASSOCIATES

COUNSEL FOR THE APPLICANT:

CHERYLLYNN WALTERS, ESQUIRE  
NEHMAD, DAVIS & GOLDSTEIN, PC

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## EXHIBITS MARKED AND/OR REFERRED TO:

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1 [COURT REPORTER'S NOTE: THE FOLLOWING  
2 TRANSCRIPT WAS PRODUCED FROM THE  
3 AUDIO/VIDEO TAKEN BY THE VIDEOGRAPHER  
4 PRESENT AT THE HEARING.]

5 **LANCE LANDGRAF** Good morning. I'll  
6 call to order the May 16th, 2024 CR -- I almost  
7 said Ventnor -- CRDA Land Use Regulation  
8 Enforcement Division Hearing.

9 Would everybody please rise for the  
10 Pledge of Allegiance?

11 (Pledge of Allegiance is recited.)

12 **LANCE LANDGRAF** Thank you. Good  
13 morning.

14 This hearing has been noticed in  
15 accordance with the Senator Byron M. Baer Open  
16 Public Meetings Act.

17 We have three items on our list today.  
18 Two of them are not going to be heard. The first  
19 application, 2024-03-3620, Puffsie, LLC, will be  
20 moved to our June 20th meeting. No further notice  
21 is going to be required. Correct, Scott?

22 **SCOTT COLLINS** Correct.

23 **LANCE LANDGRAF** So that will be heard  
24 on June 20th.

25 The other one that is being moved, and

1 we do not have a date for that, is the --

2 **ROBERT REID** I did tell them June 6th.

3 **LANCE LANDGRAF** They have to renotice  
4 so we're not making any dates here. They have to  
5 renotice.

6 **ROBERT REID** Okay.

7 **LANCE LANDGRAF** This is Application  
8 2024-04-3629, Hammerhead Manufacturing Co. New  
9 Jersey, LLC. They will have to renotice. They are  
10 hoping to get on for June 6th, as I'm hearing --

11 **ROBERT REID** Yeah.

12 **LANCE LANDGRAF** -- but that is not  
13 confirmed until they provide notice for that  
14 hearing.

15 **ROBERT REID** Correct.

16 **LANCE LANDGRAF** So the application that  
17 we will hear today is Application 2024-03-3599,  
18 Garden Organics, LLC, 3112 Atlantic Avenue for  
19 cannabis -- it's a cannabis application. The  
20 applicant seeks site plan approval with C variance  
21 relief for cannabis manufacturing. The property is  
22 located at 3112 Atlantic Avenue, also known as  
23 Block 151, Lot 3. It's in the Central Business  
24 District and within the Green Zone Redevelopment  
25 Area.

1 Counsel.

2 **CHERYLLYNN WALTERS** Good morning. My  
3 name is CherylLynn Walters. I'm a partner at the  
4 law firm of Nehmad, Davis & Goldstein. We  
5 represent Garden Organics, LLC.

6 As Mr. Landgraf indicated, we are here  
7 today seeking minor site plan approval with bulk  
8 variance relief for parking relating to the  
9 property at 3112 Atlantic Avenue, Block 182, Lot 4  
10 on the Atlantic City tax map. This project  
11 specifically applies to the third floor of this  
12 existing three-story building. The applicant is  
13 proposing a cannabis cultivation and manufacturing  
14 facility on the third floor in a space about 4,500  
15 square feet, approximately.

16 The property owner is with us today, Mr.  
17 Lou Freedman. Mr. Freedman currently operates a  
18 Class 5 cannabis micro store on the -- or retail  
19 store on the first floor, which CRDA approved by  
20 way of a use variance in August of 2023. Mr.  
21 Freedman also has an approval from CRDA to operate  
22 a cannabis consumption lounge on the second floor,  
23 which is non-operational at this time. The third  
24 floor is currently occupied by a call center and  
25 that's gonna be replaced, hopefully by the

1 applicant, after this application is completed.

2           The -- just for housekeeping purposes,  
3 the application was submitted to CRDA on March 4th.  
4 Originally we sought -- we believed we needed a use  
5 variance approval and we sought a waiver of site  
6 plan. After some interaction back and forth with  
7 your staff we supplemented a couple of times. The  
8 last time being April 25th. With that supplement  
9 we provided a minor site plan, so we've dropped the  
10 waiver and we're asking for a site plan, minor site  
11 plan approval, and we've also received a -- in the  
12 interim, a zoning determination letter from CRDA  
13 indicating that the use is a permitted use so we're  
14 no longer seeking use variance approval.

15           Just also by way of housekeeping, the  
16 notice for this hearing was published in Atlantic  
17 City Press on May, on May 3rd, was mailed to  
18 property owners within 200 feet on the same date.  
19 Proof of service and publication has been delivered  
20 by letter dated 5-8 via overnight mail and also  
21 e-mailed on 5-9 to the office and, therefore,  
22 this -- you have jurisdiction to hear this  
23 application this morning.

24           **LANCE LANDGRAF** If I can interrupt you  
25 one second, Cheryl. I'm gonna ask Rob just to

1 confirm that we're good with notice.

2 **ROBERT REID** Yes. That's correct.

3 **LANCE LANDGRAF** Perfect. All right.

4 Good. I usually do that first and I skipped that  
5 step on my list so --

6 **CHERYLLYNN WALTERS** No problem.

7 **LANCE LANDGRAF** :- thank you for that.

8 **CHERYLLYNN WALTERS** I'm just moving  
9 along as I normally would.

10 So with me today I have several  
11 witnesses. We also have -- I'm not tech -- didn't  
12 realize that you had a laptop available so I didn't  
13 bring an electronic copy of exhibits but we do have  
14 a witness list and exhibit packet to hand out.  
15 We've premarked our exhibits for you and --

16 **LANCE LANDGRAF** Sure.

17 **CHERYLLYNN WALTERS** :- if I may  
18 approach I can just hand those out.

19 **LANCE LANDGRAF** Sure. While you're  
20 doing that I'm going to ask Scott to swear in our  
21 witness -- our professionals.

22 **SCOTT COLLINS** Good morning.

23 CHRISTINE COFONE, PP, AICP, having been first duly  
24 sworn according to law, testified as follows:

25 CAROLYN FEIGIN, PE, PP, having been first duly



1 sworn according to law, testified as follows:

2 **LANCE LANDGRAF**We're good on  
3 completeness with both of you ladies?

4 **CHRISTINE COFONE**Yes.

5 **CAROLYN FEIGIN**Yes. We're good now.

6 **LANCE LANDGRAF**Okay. Thank you.

7 **CHERYLLYNN WALTERS**I have extras.  
8 I'll leave them here. I think everybody that's  
9 here today is with our application, but in case  
10 there's any interested members of the public,  
11 there's a few extra sitting over there.

12 **LANCE LANDGRAF**Okay.

13 **CHERYLLYNN WALTERS**So as the witness  
14 and exhibit list indicates, we have four witnesses  
15 today. Miss Ashley Walsh, she's a representative,  
16 owner-operator and founder of Garden Organics; Mr.  
17 Freedman, the property owner, if we need him; Mr.  
18 Bill Loughney or William Loughney, he's our civil  
19 engineer; and Miss Tiffany Morrissey as our  
20 planner. Do you want to swear them each one by one  
21 or all at once?

22 **SCOTT COLLINS**We could do them all  
23 together. That's fine.

24 **CHERYLLYNN WALTERS**Okay. If everybody  
25 that I just indicated would stand up, please.

1                   **SCOTT COLLINS** Good morning. Would you  
2 raise your right hand, please?

3           **ASHLEY WALSH**, having been first duly sworn  
4 according to law, testified as follows:

5           **LOUIS FREEDMAN**, having been first duly sworn  
6 according to law, testified as follows:

7           **WILLIAM LOUGHNEY**, having been first duly sworn  
8 according to law, testified as follows:

9           **TIFFANY MORRISSEY**, having been first duly sworn  
10 according to law, testified as follows:

11                   **SCOTT COLLINS** Thank you.

12                   **CHERYLLYNN WALTERS** All right. We'll  
13 get them identified and qualified one by one.

14                   All right. So standing to my right is  
15 Ashley Walsh.

16                   Miss Walsh, could you please state your  
17 name, spell your name for the record?

18                   **ASHLEY WALSH** Ashley Walsh,  
19 A-S-H-L-E-Y, W-A-L-S-H.

20                   **CHERYLLYNN WALTERS** Miss Walsh, you're  
21 sworn so your tes -- providing testimony to the  
22 CRDA Land Use -- I'll just call you the Land Use  
23 Board --

24                   **ASHLEY WALSH** Yes.

25                   **CHERYLLYNN WALTERS** -- this morning.

1 You're aware of that --

2 **LANCE LANDGRAF**We've been called  
3 worse.

4 **CHERYLLYNN WALTERS**:- correct?

5 Miss Walsh, could you please explain  
6 your relationship to Garden Organics?

7 **ASHLEY WALSH**Absolutely. I'm the  
8 founder and CEO of Garden Organics and we are a  
9 cultivation and manufacturing annual permit holder  
10 given by the CRC.

11 **CHERYLLYNN WALTERS**:kay. Do you --  
12 and did you -- just explain to the board your  
13 experience with cannabis or hemp to date, so far.

14 **ASHLEY WALSH**Absolutely. I'm also the  
15 founder and president of Pocono Organics, which is  
16 a cannabis and vegetable farm in the Pocono  
17 Mountains. We are a regenerative organic certified  
18 hemp farm, the first regenerative organic certified  
19 hemp in the world, 380 acres, so we're a 70,000  
20 square foot facility. So we grow diverse  
21 vegetables, as well as hemp and make our own CBD  
22 products, so very similar to the cannabis plant,  
23 just different amounts of THC. So I've been doing  
24 that for six years, but I am a Ventnor resident and  
25 my husband is an Atlantic City fireman. I commute

1 there when needed, to the farm. So I have lots of  
2 experience with farming and the cannabis plant in  
3 general.

4 **CHERYLLYNN WALTERS**: Okay. Thank you.

5 So with respect to the subject property,  
6 we're going to talk a lot about what you're  
7 gonna -- what your operational processes will be,  
8 but let's talk about the property real quick just  
9 to get everybody oriented.

10 We've premarked as exhibit A-2 a copy of  
11 the site plan that was submitted with the  
12 application. So -- and we'll have our civil  
13 engineer kind of go over that, but for reference, I  
14 indicated this is an existing three-story building;  
15 is that accurate?

16 **ASHLEY WALSH**: That is correct.

17 **CHERYLLYNN WALTERS**: Okay. And the  
18 property has frontage on Atlantic Avenue?

19 **ASHLEY WALSH**: Yes, and an alleyway in  
20 the back, as well.

21 **CHERYLLYNN WALTERS**: Alley in the back,  
22 okay.

23 There's currently -- you're currently  
24 proposing to occupy the third floor with a Class 1  
25 cannabis cultivation and Class 2 cannabis

1 manufacturing facility; is that correct?

2 **ASHLEY WALSH** That is correct.

3 **CHERYLLYNN WALTERS** All right. And you  
4 indicated you have licenses from CRC for that?

5 **ASHLEY WALSH** I do. I actually have  
6 annual permits. They're not conditional. They are  
7 annual permits.

8 **CHERYLLYNN WALTERS** All right. And for  
9 anybody who's not familiar, there is a distinction  
10 within the CRC between a conditional permit and  
11 annual permit. You have to apply for your  
12 conditional and convert it to an annual upon the  
13 achievement of certain requirements, which you have  
14 now achieved, correct?

15 **ASHLEY WALSH** Absolutely. Yes.

16 **CHERYLLYNN WALTERS** All right. We --

17 **LANCE LANDGRAF** Just a question on  
18 that. Is the annual similar with a liquor license?  
19 Each year they have to go back and get that redone  
20 or is that --

21 **ASHLEY WALSH** You just have to pay the  
22 renewal fee every year.

23 **LANCE LANDGRAF** Okay. All right.  
24 Good.

25 **CHERYLLYNN WALTERS** So you've had your

1 license for Class 1 and Class 2 for a while,  
2 correct?

3 **ASHLEY WALSH** Yes. We were the 10th  
4 permit holder awarded annual permit for  
5 manufacturing and the 14th for cultivation, because  
6 we are Women Business Certified, as well as Social  
7 Equity candidate, so we have priority review.

8 **CHERYLLYNN WALTERS** So as evidence of  
9 that we've included a few exhibits in the packet.  
10 Exhibit A-3 and A-4 are your Class 1 and Class 2  
11 annual licenses respectively?

12 **ASHLEY WALSH** Correct.

13 **CHERYLLYNN WALTERS** Okay. And you  
14 mentioned Women's Business Enterprise. I skipped  
15 the Resolution in Support. We'll go back to that  
16 in a minute, but exhibit A-6 is your -- is a  
17 certificate from --

18 **ASHLEY WALSH** The New Jersey --  
19 certified in New Jersey for Women Business  
20 Enterprise.

21 **CHERYLLYNN WALTERS** Right. Okay. So  
22 that information or proof of that information is in  
23 your packets at Exhibits 3, 4 and 6.

24 Exhibit 5, which we've enclosed, is a  
25 copy -- you currently have a Resolution in Support

1 from the City of Atlantic City, correct?

2 **ASHLEY WALSH**Correct.

3 **CHERYLLYNN WALTERS**All right. And  
4 that's what we've enclosed as Exhibit 5.

5 All right. And then I mentioned earlier  
6 the CRDA issued a zoning determination letter  
7 earlier this year. That's dated March 19th and  
8 that is in your packets as Exhibit A-7.

9 So we'll come back to the site plan in a  
10 little bit, but let's talk about your cannabis  
11 operations because that's really, I think, what the  
12 educational experience is for everybody with  
13 respect to how cultivation and manufacturing will  
14 work and specifically at this site.

15 **ASHLEY WALSH**Absolutely.

16 **CHERYLLYNN WALTERS**All right. So  
17 typical business hours of operation, what do you  
18 anticipate those to be?

19 **ASHLEY WALSH**So typically 8 to 6,  
20 seven days a week, and five to eight employees is  
21 what we expect at full build-out.

22 **CHERYLLYNN WALTERS**Okay. And they  
23 could be on site any given time during operational  
24 hours?

25 **ASHLEY WALSH**Correct.

1                   **CHERYLLYNN WALTERS**All right. And you  
2 plan to hire locally, do you?

3                   **ASHLEY WALSH**Yup. I live two miles  
4 from here. I'm a Ventnor resident. So most people  
5 will be from Atlantic County or Atlantic City. So  
6 we will also utilize public transportation,  
7 car-pooling, I'll be riding my bike to work and so  
8 on.

9                   **CHERYLLYNN WALTERS**All right. And we  
10 could talk about parking. We're gonna talk about  
11 parking in detail a little bit later.

12                   So with respect to the on site  
13 operation, let's walk through the floor plan a  
14 little bit for the third floor, which is exhibit  
15 A-8. And unfortunately I didn't know we could do  
16 that so we have small copies printed. They're  
17 printed 11-by-17 in your exhibit packets as A-8.  
18 I'm gonna sit it here and hope that doesn't touch a  
19 key so you could help the -- help them understand  
20 exactly how this, how your third floor will flow  
21 and operate. So what are -- if you could just  
22 describe what the floor plan is going to be for you  
23 and why you've laid it out this way and why it  
24 works for cultivation and manufacturing.

25                   **ASHLEY WALSH**Absolutely. The door to



1 enter the facility would be on the bottom right  
2 corner. When you first walk in they'll be a  
3 hallway with two flower rooms, so that's where the  
4 mature plants go after they achieve seedling state.  
5 They'll be two separate flower rooms and then you  
6 would continue on and there's an IT room, two  
7 bathrooms, the trash room, a vault, drying and  
8 trimming room and mechanical, janitor area and then  
9 the vegetation space, which is where we start the  
10 seedlings, close and get them to the four week age  
11 before they move into the flower room.

12 **CHERYLLYNN WALTERS:**o let's talk about  
13 that process a little bit. You know, for  
14 cultivation, just -- can you explain the process  
15 from seed to --

16 **ASHLEY WALSH**Absolutely.

17 **CHERYLLYNN WALTERS:-** to mother plant?

18 **ASHLEY WALSH**And it's very different  
19 than a dispensary. Right. We don't sell to the  
20 public and it's just our workers that are in there.  
21 So we buy seeds usually just one time. We will  
22 grow mother plants, they're called, and we pick the  
23 healthiest ones and then we'll take clippings from  
24 that plant that we know is the strongest to make  
25 the smaller plants. They'll be in the vegetative

1 room for about four weeks before they get moved  
2 into the flower room, where they'll be for another  
3 three months, three and a half months, kind of  
4 depends on the different strains and varieties of  
5 how long they have to grow for. Once they get to  
6 the flowering stage, usually last six weeks or so  
7 and that's when they actually smell, is when they  
8 have the flowers or buds on them. We will harvest  
9 them and depending on which value-added product  
10 it's going to, we either harvest it and hang them  
11 to dry or we harvest them and freeze it to be made  
12 into extract for value-added product.

13 **CHERYLLYNN WALTERS:** Okay. And in  
14 general, you know, you mentioned there's no  
15 customer traffic, correct?

16 **ASHLEY WALSH:** Correct.

17 **CHERYLLYNN WALTERS:** So you're not  
18 selling anything on site, you're not open to the  
19 public, so to speak?

20 **ASHLEY WALSH:** No. And actually, with  
21 cultivation you want to limit the amount of outside  
22 influence coming in because we don't want to bring  
23 any pest and disease into our facility, so it's  
24 very, very limited of who's allowed in there.

25 **CHERYLLYNN WALTERS:** Okay. And that's

1 a -- it's all secured entry and we'll talk about  
2 security a little bit later.

3 All right. So with respect to the  
4 process that you just explained, you're gonna need  
5 supplies. You mentioned that you're gonna have --  
6 purchase seeds periodically. How often does that  
7 happen?

8 **ASHLEY WALSH** That most likely will be  
9 just one time in the beginning and that will be  
10 what we have our seed stock and start our mother  
11 plant so we never have to really plant seeds after  
12 that again.

13 **CHERYLLYNN WALTERS** What other kind of  
14 supplies do you need?

15 **ASHLEY WALSH** We grow in soil. We  
16 don't use hydroponics or aquaponics. So we'll have  
17 soil delivery very periodically but it's a very  
18 small -- there's only two grow rooms with a canopy  
19 of about 1,500 square feet total, so we're talking  
20 400 plants most likely, and we recycle our soil  
21 using organic methods so that won't be too often  
22 that we need to get soil. It comes in bags. It's  
23 not like we're getting a dump truck dumped in front  
24 of the facility.

25 **CHERYLLYNN WALTERS** And you're not

1 getting it delivered in pallets, correct?

2 **ASHLEY WALSH**No. No. It won't be  
3 that much needed.

4 **CHERYLLYNN WALTERS**Okay. Where will  
5 the deliveries occur?

6 **ASHLEY WALSH**So there is a loading  
7 zone out front that -- the sign was actually put up  
8 on Tuesday, so any deliveries will come to that  
9 loading zone. If it's a typical USPS, UPS or Fed  
10 Ex delivery, they will ring the intercom button at  
11 the door and our staff will come down and receive  
12 the delivery to bring it inside the secured door.

13 **CHERYLLYNN WALTERS**Okay. So either in  
14 the vestibule or front, just directly out, out the  
15 door?

16 **ASHLEY WALSH**Correct.

17 **CHERYLLYNN WALTERS**Okay. So that's --  
18 what kind of supplies -- that's really your  
19 supplies that you need for cultivation. Do you  
20 have different supplies you need for manufacturing?

21 **ASHLEY WALSH**They'll be some  
22 ingredients for value-added products that we make,  
23 coconut oil and different things like that,  
24 packaging and labels.

25 **CHERYLLYNN WALTERS**And your

1 deliveries, you mentioned already USPS, UPS, Fed  
2 Ex, Amazon, just typical --

3 **ASHLEY WALSH**Correct.

4 **CHERYLLYNN WALTERS**:- transit van type  
5 delivery trucks?

6 **ASHLEY WALSH**Correct.

7 **CHERYLLYNN WALTERS**Okay. And those  
8 will utilize the newly established loading zone out  
9 front?

10 **ASHLEY WALSH**Correct.

11 **CHERYLLYNN WALTERS**All right. Just  
12 for reference, in case you were -- we're gonna get  
13 to it a little bit later, but in case you're  
14 interested, there are photos. Exhibit A-9 shows  
15 you some photos of the loading zone where it's been  
16 marked in relation to the front of the building.  
17 We are gonna talk about that a little bit later,  
18 too, in more detail.

19 So in addition to cannabis based  
20 supplies, do you have noncannabis based supplies  
21 that you'll need just for general business  
22 operations?

23 **ASHLEY WALSH**Yup. Printer paper,  
24 toilet paper, things like that. Whatever we can  
25 buy locally and support diverse businesses in the

1 city, we will, but typical office supplies, and we  
2 only expect those to be once or twice a month.  
3 It's a very small space and very few employees.  
4 Not very much.

5 **CHERYLLYNN WALTERS:** All right. And  
6 those deliveries, will they take place the same way  
7 as your cannabis supplies?

8 **ASHLEY WALSH:** Yes.

9 **CHERYLLYNN WALTERS:** So they'll be  
10 brought to the door, the door -- the intercom rung  
11 and an employee will come retrieve them?

12 **ASHLEY WALSH:** Correct.

13 **CHERYLLYNN WALTERS:** Okay.

14 **ASHLEY WALSH:** Correct.

15 **CHERYLLYNN WALTERS:** With respect to  
16 continuing operations on site, once you harvest  
17 would you remove the plants from the grow room?  
18 What do you do? Do you dry or freeze? Where -- do  
19 you have a specific designated area for that  
20 activity?

21 **ASHLEY WALSH:** Yup. There's a dry trim  
22 room. That's where we will trim the plants, dry  
23 them and also package in that room.

24 **CHERYLLYNN WALTERS:** So from pack --  
25 from the time of package, then, what happens with

1 the product?

2 **ASHLEY WALSH** So if we're packaging say  
3 the flowers or prerolled, prerolls, they would be  
4 packaged in their final packaging and stored in the  
5 vault until they go to delivery.

6 **CHERYLLYNN WALTERS** We'll talk about  
7 that delivery in a few minutes, but you also  
8 mentioned extracts and value-add. Can you explain  
9 what that means and how that works?

10 **ASHLEY WALSH** Yup. So any plants that  
11 are being harvested and frozen, we won't do any  
12 extraction on site. We'll use a third-party  
13 manufacturer for that. So we will have a chest  
14 freezer that we keep those plants in until we have  
15 enough material to send to the extractor. We will  
16 send that out like an outgoing delivery of cannabis  
17 product and we will bring it back in in an extract  
18 form, which usually is like a mason jar. It looks  
19 like molasses and that's what we make the  
20 value-added product for, edibles and creams and  
21 topicals and things like that from that jar of  
22 extract, so that would be kept in the vault, as  
23 well, when it returns.

24 **CHERYLLYNN WALTERS** Okay. And the  
25 vault is designed to CRC standards --

1                   **ASHLEY WALSH** Yes.

2                   **CHERYLLYNN WALTERS**:- CRC required  
3 standards?

4                   Okay. You mentioned a little bit about  
5 once the product's ready for delivery off site for  
6 the ultimate consumer, how exactly does that work?

7                   **ASHLEY WALSH** So we have contracted  
8 SaberOne Security, which is licensed here in New  
9 Jersey, and they're also a WBE and NBE certified  
10 company. They are all ex-Homeland Security, Secret  
11 Service, ICE officers, a wonderful organization  
12 that I've been working with for seven years. So  
13 they will handle outgoing deliveries. There will  
14 be two armed security guards that will come into  
15 the facility, review the manifest list with our  
16 employee who has packed it, review it, make sure  
17 it's complete and correct and then they will load  
18 their unmarked transport vehicle and they will take  
19 it to the dispensary that the order is going to.

20                   **CHERYLLYNN WALTERS** And that unmarked  
21 vehicle and that loading will occur also in the  
22 loading area?

23                   **ASHLEY WALSH** Yes.

24                   **CHERYLLYNN WALTERS** But those  
25 deliveries, those outgoing deliveries, we'll call



1    them, those aren't specifically timed, correct?  
2    They're intentionally randomized for safety and  
3    security?

4                   **ASHLEY WALSH**Correct. We always do it  
5    randomized and take different routes so that -- to  
6    be secure, extra security precautions.

7                   **CHERYLLYNN WALTERS**And then did -- the  
8    products themselves from seed to sale, they're  
9    tracked, as well, by CRC, correct?

10                  **ASHLEY WALSH**Yeah. The CRC has a seed  
11   to sale software called Metrc. So the moment a  
12   seed or a seedling exists, it has a code, an RFID  
13   code on it and it is tracked all the way through  
14   till harvest. Any time it's moved in any --  
15   anywhere through the facility it gets recorded in  
16   that system. Once we have it in its final  
17   packaging, it also has a code on there. Then it  
18   goes out. When it goes out the door, it goes out  
19   of our system and then when it gets to the  
20   dispensary it gets put into their system. So from  
21   the day it goes into the dispensary, it puts in  
22   their system all the way through to the sale to the  
23   consumer.

24                  **CHERYLLYNN WALTERS**So every --  
25   basically every cannabis product and plant is

1 tracked from seed to --

2 **ASHLEY WALSH** And waste is tracked, as  
3 well, because you have to record that in there. So  
4 every single bit of plant material is tracked the  
5 entire time.

6 **CHERYLLYNN WALTERS** All right. How  
7 often do you anticipate harvesting? Like, how long  
8 does it take from seed to final product?

9 **ASHLEY WALSH** It's about four months,  
10 depending on the strain and the value-added  
11 product. We only have two flower rooms so we  
12 anticipate 11 harvests a year. So deliveries will  
13 be really minimal. Going out we anticipate once a  
14 week for having deliveries outgoing.

15 **CHERYLLYNN WALTERS** Okay. And when you  
16 say 11 times a year but it's four to five months,  
17 so that planning schedule is going to be  
18 rotational?

19 **ASHLEY WALSH** Yeah. It's a staggered  
20 schedule.

21 **CHERYLLYNN WALTERS** You're not gonna  
22 have all -- we estimate about 400 plants at the  
23 same, at the same growth stage at the same time?

24 **ASHLEY WALSH** It would be 200 in each  
25 room, so they would be staggered.

1                   **CHERYLLYNN WALTERS** Okay. Let's talk  
2 about waste. General, you know, general trash,  
3 general waste, you're gonna have general office  
4 waste, correct?

5                   **ASHLEY WALSH** Correct.

6                   **CHERYLLYNN WALTERS** Anything associated  
7 with having an office, employees, a bathroom,  
8 things like that?

9                   And then you're gonna have cannabis and  
10 plant waste so let's talk about the cannabis and  
11 plant waste. How exactly is that handled?

12                  **ASHLEY WALSH** So anything that is not  
13 used and is considered cannabis waste has to be  
14 mixed with a 50 percent inert material, so think  
15 soil, kitty litter, anything to render it unusable.  
16 That's part of the CRC guidelines. So really the  
17 only waste that we have, because we use the entire  
18 plant for extract, and so the only waste is really  
19 like the stalks, the stems of the plant, so that  
20 will be mixed with 50 percent waste kept in --  
21 (unintelligible) -- proof bins in our trash room  
22 until trash pickup.

23                  **CHERYLLYNN WALTERS** I think you brought  
24 some examples with you today so I'm gonna -- we  
25 don't have these marked as exhibits and I don't

1 have samples we can hang out.

2 **LANCE LANDGRAF**But --

3 **CHERYLLYNN WALTERS**They're not,  
4 they're not cannabis samples.

5 **LANCE LANDGRAF**Just making sure that's  
6 clear on the record, that they're not handing out  
7 cannabis samples.

8 **CHERYLLYNN WALTERS**We're not, we're  
9 not handing out anything, for one, and her, her  
10 visual show-and-tell is not cannabis product.

11 **ASHLEY WALSH**No. This is hemp stalks,  
12 which is exactly the same as cannabis but -- so it  
13 will look like this and it will be mixed with  
14 50 percent inert material when it --

15 **CHRISTINE COFONE**Hemp and cannabis are  
16 essentially the same plant?

17 **ASHLEY WALSH**They're the exact same  
18 plant.

19 **CHRISTINE COFONE**So if you plant hemp  
20 and cannabis, you're planting botanically the same,  
21 that's basically the --

22 **ASHLEY WALSH**They are exactly the  
23 same. The only difference is hemp has under  
24 .3 percent THC and anything above .3 percent THC --

25 **CHRISTINE COFONE**Is cannabis.

1           **ASHLEY WALSH**-- is considered  
2 marijuana. Now, if you go into a dispensary,  
3 typically it's between 20 and 30 percent THC in  
4 medical and recreational cannabis, so there's a big  
5 difference, but they are the exact same plant. The  
6 only thing that's different is that THC level.  
7 That's it.

8           **CHERYLLYNN WALTERS**A:ll right. So  
9 you're going to pulverize the stems or the stalks,  
10 what's left?

11           **ASHLEY WALSH**Yes.

12           **CHERYLLYNN WALTERS**S:o that represents  
13 pulverized stalk?

14           **ASHLEY WALSH**This is the pulverized.  
15 It has not been mixed with inert material. So this  
16 is what our cannabis waste will be. Any bit of the  
17 plant, if it, if it smells, that's going to  
18 value-added product. So, you know, this is, this  
19 is just the stems. There is no other cannabis  
20 waste.

21           **CHERYLLYNN WALTERS**O:kay.

22           **ASHLEY WALSH**We utilize every part of  
23 the plant.

24           **CHERYLLYNN WALTERS**A:ll right. We  
25 can't leave that with you but, you know --

1                   **ASHLEY WALSH**You understand. Just a  
2 little show-and-tell.

3                   **CHERYLLYNN WALTERS**Right. But it's  
4 pulverized plant material so it was legal to  
5 transport --

6                   **LANCE LANDGRAF**Good.

7                   **CHERYLLYNN WALTERS**:- just so we're  
8 all on the same page.

9                   All right. So with respect to the  
10 actual, like, off site disposal of your waste,  
11 then, you said it goes in the trash room until it's  
12 put out for pickup and that -- how often do you  
13 anticipate needing to put trash out for pickup?

14                  **ASHLEY WALSH**Once a week. If we need  
15 additional pickups for any reason we will schedule  
16 them. So the cannabis waste will be picked up by a  
17 third party and we will schedule those and we will  
18 bring the material down and give it to them to put  
19 into their vehicle.

20                  **LANCE LANDGRAF**That occurs out the  
21 rear door in the alley or in the front?

22                  **ASHLEY WALSH**It was gonna be in the  
23 loading zone.

24                  **LANCE LANDGRAF**So out front. So it's  
25 a small enough vehicle, it's not a trash truck

1 coming in there?

2 **ASHLEY WALSH** It's a third party  
3 typical trash pickup. What we want to do --

4 **CHERYLLYNN WALTERS** Well, do you -- I  
5 think what they're saying, is it a typical trash  
6 truck picking it up or is it like a --

7 **ASHLEY WALSH** Yeah.

8 **CHERYLLYNN WALTERS**:- Sprinter van,  
9 box truck?

10 **ASHLEY WALSH** It would be a typical  
11 trash waste management type of vehicle.

12 **LANCE LANDGRAF** Because that's not  
13 gonna fit in that loading zone.

14 **CHERYLLYNN WALTERS** So right now -- we  
15 have Mr. Freedman here to kind of give you some  
16 background on it, but right now the trash  
17 receptacle sits out back and it's picked up.

18 **LANCE LANDGRAF** Right.

19 **CHERYLLYNN WALTERS** He pays a private  
20 waste hauler to haul it, to pick it up once a week.  
21 So we can either continue to do that or, you know,  
22 there was some questions in the report about where,  
23 you know, where the trash receptacle's being stored  
24 and so, you know, we're trying to measure the best  
25 method of taking care of that. If it is going to

1 be trash vehicle pickup, it's probably going to  
2 have to continue to be picked up in the rear, as it  
3 currently is.

4 **LANCE LANDGRAF**I would agree with  
5 that.

6 **ASHLEY WALSH**And that's fine.  
7 Absolutely.

8 **LANCE LANDGRAF**The loading space is  
9 just a vehic -- is a car space. You're not gonna  
10 fit a trash truck, which is the length of at least  
11 two vehicles.

12 **CHERYLLYNN WALTERS**We can agree to  
13 that as a condition of approval, just to continue  
14 to utilize the current process.

15 **ASHLEY WALSH**Not a problem.

16 **CHERYLLYNN WALTERS**Up.

17 **LOUIS FREEDMAN**{Out of microphone  
18 range.)

19 **LANCE LANDGRAF**Lou, we'll get --  
20 you're gonna have to come up and get sworn in --

21 **LOUIS FREEDMAN**Sorry.

22 **LANCE LANDGRAF**-- and do all that.

23 **ASHLEY WALSH**And hopefully we'll --  
24 once we get approval from the CRC for our disposal  
25 method -- at Pocono Organics we've actually



1 innovated the hemp bioplastics that are 10 percent  
2 cannabis stalk. We would -- plant based PLA. So  
3 once we get approval from them we will be bringing  
4 these stalks to Pocono Organics to make hemp  
5 bioplastics, as well, that we can use so it's zero  
6 waste. So one day that will be happening. We just  
7 have to get their approval.

8 **LANCE LANDGRAF** Interesting.

9 You won't manufacture that on site,  
10 though?

11 **ASHLEY WALSH** We don't manufacture --

12 **CHERYLLYNN WALTERS** No.

13 **ASHLEY WALSH** -- on site but we use all  
14 of our hemp stalks for it and it gets manufactured  
15 off site. Pocono does not have --  
16 (unintelligible) -- or garden organics but we grow  
17 the stalks.

18 **LANCE LANDGRAF** Okay.

19 **CHERYLLYNN WALTERS** All right. So we  
20 had a brief discussion about security and we'll  
21 come back to the trash a little bit with Mr.  
22 Freedman later, with a separate witness but -- so  
23 back to security. So there's -- you explained the  
24 entry points to the building and how your security  
25 is going to work.

1                   **ASHLEY WALSH**Up. Absolutely. When  
2 you first walk into the building there's a  
3 vestibule. If you walk straight ahead you would  
4 get into the micro dispensary through one door and  
5 to the right there is a secured metal door that  
6 would lead to the stairway going up to the second  
7 and third floor, so that will be our first secured  
8 point of entry. There will be a camera and  
9 intercom there so that's where any deliveries would  
10 come, ring the intercom and our employees could  
11 come down and get it. And then you go up the  
12 stairs and when you get to the third floor there's  
13 another secured door to get into our facility. So  
14 you would need a code to get in, as well as a key  
15 card, so there's two forms of entry for security.

16                   **CHERYLLYNN WALTERS**Okay. And you're  
17 required by CRC to have your facility -- cameras on  
18 your facility?

19                   **ASHLEY WALSH**Yes.

20                   **CHERYLLYNN WALTERS**All angles, all --  
21 basically 360 degrees?

22                   **ASHLEY WALSH**Absolutely. Every bit of  
23 place is, except for the bathrooms, is on camera.  
24 The CRC comes in and does an inspection when you're  
25 ready to open to deem you operational and they

1 check those cameras and make sure everything is  
2 covered and that you don't have to add any  
3 additional.

4 **CHERYLLYNN WALTERS**And are you  
5 required to have same camera process on the  
6 exterior of the building, as well?

7 **ASHLEY WALSH**There are -- just points  
8 of entry. So it would only have to be from that,  
9 from that door coming in.

10 **CHERYLLYNN WALTERS**Okay. And --

11 **ASHLEY WALSH**And Lou has cameras for  
12 the outside for his facility.

13 **CHERYLLYNN WALTERS**Right. And then  
14 access to that camera feed is given to CRC --

15 **ASHLEY WALSH**CRC --

16 **CHERYLLYNN WALTERS**:- year-round,  
17 right?

18 **ASHLEY WALSH**CRC has access to view it  
19 at any time and then we will meet with local law  
20 enforcement, go over the plan with them, meet with  
21 them regularly to update anything and whatever they  
22 need access to, the video, as well, and we keep it  
23 for 30 days according to the CRC guidelines, as  
24 well.

25 **CHERYLLYNN WALTERS**All right. And

1 then the state police can have access to it, as  
2 well, any time --

3 **ASHLEY WALSH** Yes.

4 **CHERYLLYNN WALTERS** -- they request,  
5 correct?

6 **ASHLEY WALSH** Yup.

7 **CHERYLLYNN WALTERS** All right. And  
8 then you mentioned key card. Those key cards are  
9 for employees, correct?

10 **ASHLEY WALSH** Yes.

11 **CHERYLLYNN WALTERS** And those can be  
12 programmed to allow employees in and out wherever  
13 you feel each employee should have access?

14 **ASHLEY WALSH** Yes. We can limit access  
15 to different areas so there would only be, like,  
16 two people that have access to the vault.

17 **CHERYLLYNN WALTERS** Okay. And that is  
18 your intention, correct?

19 **ASHLEY WALSH** Yes.

20 **CHERYLLYNN WALTERS** All right. And  
21 then we mentioned your security team that you're  
22 coordinating with your security contractor. You'll  
23 introduce those to local police, as well, right,  
24 and they'll interact?

25 **ASHLEY WALSH** Absolutely.

1                   **CHERYLLYNN WALTERS:** Okay. And you've  
2 explained the -- how SaberOne works when it comes  
3 to do deliveries and things like that so let's just  
4 talk about noise.

5                   Plants are inherently quiet?

6                   **ASHLEY WALSH:** Yes.

7                   **CHERYLLYNN WALTERS:** And, you know,  
8 you're on the third floor so you're, you know, not  
9 creating a whole bunch of noise on the first or  
10 second floors for neighbors?

11                  **ASHLEY WALSH:** Correct.

12                  **CHERYLLYNN WALTERS:** You know, any  
13 potential noise impacts from the operation of the  
14 facility would be associated with loading/unloading  
15 and trash pickup, essentially, correct?

16                  **ASHLEY WALSH:** Correct.

17                  **CHERYLLYNN WALTERS:** And those are  
18 typical for all the other nonresidential operations  
19 on your street, in your building, in the  
20 surrounding area, correct?

21                  **ASHLEY WALSH:** Yes.

22                  **CHERYLLYNN WALTERS:** All right. So  
23 we're not really creating anything that wouldn't  
24 otherwise be anticipated for nonresidential uses  
25 permitted in this area?

1                   **ASHLEY WALSH**Correct.

2                   **CHERYLLYNN WALTERS**Okay. So the last  
3 question always is odor.

4                   **ASHLEY WALSH**Yes.

5                   **CHERYLLYNN WALTERS**You mentioned, if  
6 it smells, we're using it, so let's talk about how  
7 we're going to mitigate that odor.

8                   What kind of air filtration system, and  
9 if you could just give some detail about, you know,  
10 what you're using and how it works?

11                  **ASHLEY WALSH**Absolutely. And odor  
12 control is a very integrated system and we use  
13 multiple methods kind of put together to make sure  
14 that the smell is not affecting the community. So  
15 our two main forms of odor control is carbon  
16 filtration, as well as HEPA filters. They're going  
17 to be part of the HVAC system. The air flow  
18 controls between the rooms and also on any exhaust  
19 points going out. So carbon filtration, that's  
20 charcoal filters so that absorbs the odors. We  
21 always have high quality fans to keep the air  
22 moving to make sure there's no stagnant areas in  
23 the facility, to make sure proper air flow  
24 throughout. And negative air pressure, this is  
25 something that's very important and load balancing

1 during the HVAC design and implementation, so  
2 making sure that, that the air is being pulled  
3 rather than pushed out and going through those  
4 filters, making sure all duct work is really  
5 properly sealed and maintain that and checking that  
6 regularly to make sure, as well as air scrubbers,  
7 which are fantastic for filtering out odors but  
8 removing any contaminants and particulates from the  
9 air so that we have a clean and healthy growing  
10 environment. These are not only for odor but also  
11 for disease and pest migration because we don't  
12 want anything to affect the plant. So these are  
13 things that we're doing and they all work together  
14 to really knock it out, that there's a huge  
15 reduction in smell, and really, just so everybody  
16 knows, the plant really only smells when the  
17 flowers are on the plant, so the last six to  
18 eight weeks, depending on the strain, is when it's  
19 the most pungent. So we put all the measures in  
20 place to make sure that we don't have any problems  
21 for our community. Being on the third floor is  
22 also just wonderful, you know, because it's gonna  
23 go up and out and not be on the lower level, as  
24 well, so that just helps, as well.

25 **LANCE LANDGRAF** Just some questions on

1 the odor mitigation.

2 **ASHLEY WALSH**Yup.

3 **LANCE LANDGRAF**So we've had one other  
4 cannabis grow facility come in and it was rather  
5 large and it is not open yet. They had a gentleman  
6 from California, I believe he was -- right?

7 **CAROLYN FEIGIN**Yeah.

8 **LANCE LANDGRAF**They use a system out  
9 there, they designed it, where it actually -- and I  
10 don't understand how a dry mist works. Mist to me  
11 is wet, like outside today, it feels like mist all  
12 the time, but apparently they found the molecule  
13 that actually creates the odor and this mist  
14 attracts that molecule and it then pulls that into  
15 their filtration system. I haven't seen it work.  
16 It's supposed to be going -- to be operating at the  
17 old Billows' site, where they're going to be using  
18 it as a grow facility. Is that something you guys  
19 are incorporating or is that not -- you're not to  
20 that level?

21 **ASHLEY WALSH**Do you know if it was  
22 called Ozone Generation? Do you know if that's  
23 what it was called?

24 **LANCE LANDGRAF**I'd have to look back  
25 at the notes at that.



1                   **ASHLEY WALSH** It can be like -- the  
2     Ozone is -- it might be the Ozone, what you're  
3     referring to, and that could be -- if it's not done  
4     properly it could be harmful to workers' health  
5     sometimes, but we're growing organically, right,  
6     and we're very different from a lot of other  
7     cannabis growers. Sometimes there's up to 77  
8     allowed pesticides used on the cannabis plant in  
9     medical programs, which blows my mind. So the dry  
10    mist, introducing something like that, that might  
11    not be to the organic standards of bringing any  
12    contaminant --

13                   **LANCE LANDGRAF** Well, it's not, it's  
14    not -- from how it was explained to us, because  
15    it's not -- because they use it in California when  
16    they have open grow facilities, when they have  
17    greenhouses, where these misters are at the top of  
18    the greenhouse. When they open it up, that's when  
19    the odor would go outside. So this was apparently  
20    misted into that area and then those molecules were  
21    attracted by the filtration system.

22                   **ASHLEY WALSH** I'll definitely look into  
23    it. I know John Coates so I'll reach out to him  
24    and find out.

25                   **LANCE LANDGRAF** Yeah, because that's

1 the concern. You're in an urban environment here.  
2 The Poconos, you're not. You're just --

3 **ASHLEY WALSH**Correct.

4 **LANCE LANDGRAF**You know, Scranton is  
5 the only urban environment up there. So that's our  
6 concern and that's been the concern of neighbors  
7 that have raised it with both the site that was  
8 supposed to be built on MLK, MLK, and the one  
9 that's on, I think it's Baltic Avenue and --

10 **ASHLEY WALSH**Yeah.

11 **LANCE LANDGRAF**-- the cross street. I  
12 can't think what it is. The old Billows Electric  
13 site for the locals.

14 **ASHLEY WALSH**Right.

15 **LANCE LANDGRAF**So that was a -- is a  
16 concern and they are incorporating that into those  
17 sites.

18 **ASHLEY WALSH**Absolutely.

19 **LANCE LANDGRAF**You guys are going to  
20 have neighbors, residential neighbors in the  
21 apartments on the second floor of some of those so  
22 we are concerned about that odor. Granted, you are  
23 above most of them. Most of these aren't three  
24 stories so you are above that, which is helpful,  
25 but that would be -- you know, the one grow

1 facility that I know, that I'm aware of around here  
2 that I go by fairly frequently is the one out in  
3 Pleasantville. There is an odor when you drive by  
4 that site, at the Old Press of Atlantic City.

5 **CHERYLLYNN WALTERS:**o I was gonna  
6 reference that. So that, that site was approved  
7 and, and brought online at the earliest stages when  
8 recreational cannabis was just becoming --

9 **LANCE LANDGRAF:**This would be a higher  
10 filtration than that.

11 **CHERYLLYNN WALTERS:**Correct. Because  
12 that site -- you know, and just like that site,  
13 this one has to be retrofitted to account for the  
14 odor mitigation system, but my understanding of  
15 that site is the odor mitigation systems that are  
16 available and the way the people have -- the way  
17 it's evolved to deal with the odor has changed  
18 significantly since that facility opened. My  
19 understanding is they didn't initially do a really  
20 great job at odor mitigation at that facility and  
21 they had to go back and retrofit several times to  
22 try to --

23 **LANCE LANDGRAF:**Okay.

24 **CHERYLLYNN WALTERS:**-- mitigate that,  
25 and it's a much larger facility, as well. Again,

1 she's got about 1,500 square feet of canopy, which  
2 is, you know, about 400 plants total. That  
3 facility's --

4 **LANCE LANDGRAF** Much larger.

5 **CHERYLLYNN WALTERS**:- much, much  
6 larger.

7 **ASHLEY WALSH** And that's a -- having  
8 this integrated system, most people think they just  
9 put one filter, carbon filter on one fan, that  
10 that's gonna do it, but you have to take all of  
11 these measures together, and a lot of people cut  
12 corners. We all smell it. We've driven past  
13 places throughout the country. So doing it right  
14 and making sure you take that time is something  
15 that we, you know, are definitely going to be  
16 responsible for.

17 **LANCE LANDGRAF** In the form of a  
18 question but also making a statement, is this  
19 similar to -- I'll throw an example out of noise.  
20 So if you violate the noise on a site -- not that  
21 you're going to, but state statute is, here's the  
22 noise levels. If you exceed that at any point  
23 during your operation, you're in violation, you  
24 have to fix it. Is this similar to that?

25 **CHERYLLYNN WALTERS** There are, there

1 are no regulatory protocols for the measurement of  
2 an odor leaving a site and nothing --

3 **LANCE LANDGRAF**Not the answer I was  
4 hoping for.

5 **CHERYLLYNN WALTERS**:- in the CRC  
6 regulations, either -- nothing in the CRC  
7 regulations, either, that would be equivalent or  
8 similar to what you're talking about by way -- you  
9 know, noise levels have been, have been set by  
10 regulation by DEP. There's nothing out there right  
11 now so there's really no requirement to be met. It  
12 is a huge concern. I do a lot of cannabis land use  
13 work. It -- retail, cultivation, manufacturing,  
14 you name it. I represent Curaleaf in South Jersey,  
15 one of the largest manufacturers and retailers in  
16 New Jersey and --

17 **LANCE LANDGRAF**They're right there on  
18 Creek Road and if you drive by there --

19 **CHERYLLYNN WALTERS**They're on Creek  
20 Road in Bellmawr.

21 **LANCE LANDGRAF**:- you can smell it.

22 **CHERYLLYNN WALTERS**Correct.

23 **CHRISTINE COFONE**Well, you can smell  
24 the hemp, too, right, so the hemp is unregulated --

25 **CHERYLLYNN WALTERS**That's correct.

1                   **CHRISTINE COFONE**:- and you can go to  
2                   hemp and it would smell almost identical to the  
3                   cannabis.

4                   **CHERYLLYNN WALTERS**That's correct.

5                   **CHRISTINE COFONE**Yeah.

6                   **CHERYLLYNN WALTERS**That's correct.

7                   **CHRISTINE COFONE**There's many of these  
8                   facilities, as well.

9                   **CHERYLLYNN WALTERS**Right.

10                  **CHRISTINE COFONE**I do a lot of  
11                  cannabis work and I had a client in Lebanon and  
12                  when I did one of my site visits I was like, are  
13                  you, are you growing this here already without  
14                  approvals, and he said no, that's hemp you're  
15                  smelling. It smells exactly the same.

16                  **CHERYLLYNN WALTERS**Because it is  
17                  essentially the same thing.

18                  **CHRISTINE COFONE**It's the same plant.  
19                  That's how it was explained to me. And the  
20                  difference is explained -- as it was explained to  
21                  me, was that it matters how you fertilize it and  
22                  how long you harvest it to get the different levels  
23                  of THC.

24                  **ASHLEY WALSH**It depends on the strain.  
25                  Like, you pick strains that are low in THC for CBD

1 and hemp production --

2 **CHRISTINE COFONE**Right.

3 **ASHLEY WALSH**-- and then you pick  
4 strains -- it's like sweet corn and feed corn,  
5 right, it's the same family but there's different  
6 varieties in there. Listen, we want to be a good  
7 neighbor. I live in Ventnor. My husband's a  
8 fireman in Atlantic City. We have a seven-year-old  
9 boy. My partner is Miss Audrey, who's been an  
10 Atlantic City resident for 60 years and a business  
11 owner for 55 years. Having Miss Audrey's human  
12 connection -- Miss Audrey Hart, so we want to be  
13 good neighbors. If there's a problem, we're gonna  
14 do everything we can to remedy it. Being on the  
15 third floor is going to be wonderful, you know, a  
16 bonus, but putting these systems in place and doing  
17 it properly and caring about it is something  
18 ethically that we care about.

19 **LANCE LANDGRAF**I think the small --  
20 this facility is going to be small enough that it's  
21 not gonna create that.

22 **ASHLEY WALSH**The volume --

23 **LANCE LANDGRAF**The volume's not there.

24 (Multiple parties speaking.

25 Unintelligible.)

1                   **LANCE LANDGRAF**I mean, they were --  
2     the one on MLK, the Agra-Kind site was gonna be --  
3     the building's 125,000 square feet --

4                   **CHERYLLYNN WALTERS**Yeah. Yeah.

5                   **LANCE LANDGRAF**:- so it's a lot of --  
6     it's a lot more space.

7                   Okay. Thank you.

8                   **CHERYLLYNN WALTERS**Thank you.

9                   That's actually all the questions I have  
10    for Miss Walsh. If anybody else has any questions  
11    for her about operations or anything that she's  
12    spoken to.

13                  **LANCE LANDGRAF**Just going through  
14    my -- most of the questions I had written down have  
15    been answered.

16                  One question. When you -- the product  
17    that's being grown upstairs, packaged, is that  
18    gonna also be sold downstairs on the first floor?

19                  **ASHLEY WALSH**Yup.

20                  **LANCE LANDGRAF**Okay. So that's a --  
21    just to carry it downstairs, is that still tracked  
22    and the same mechanism that --

23                  **ASHLEY WALSH**Absolutely.

24                  **LANCE LANDGRAF**:- if it went in the  
25    truck and went on the --



1                   **ASHLEY WALSH** Exactly as if it was  
2 being delivered in --

3                   **LANCE LANDGRAF** But that's not only who  
4 you're providing product for?

5                   **ASHLEY WALSH** No. It would be to any  
6 Class 5 dispensary in the State of New Jersey. Has  
7 to stay within state lines.

8                   **LANCE LANDGRAF** I asked this of our  
9 counsel before the hearing. Is there any issue  
10 that you're aware of of growing on the same site  
11 that you're selling?

12                   **ASHLEY WALSH** No.

13                   **CHERYLLYNN WALTERS** No. It's actually  
14 becoming more and more common.

15                   **LANCE LANDGRAF** Okay.

16                   **CHERYLLYNN WALTERS** I have three  
17 application -- three projects right now that we're  
18 developing in different areas where they're  
19 concen -- where they're trying to do cultivation,  
20 manufacturing in the back and micro retail in the  
21 front, so it's these com -- it's sort of like a  
22 compound, just do it all in one site. It's  
23 becoming more and more common, but there are no  
24 regulatory restriction against having multiple  
25 operators of different classes in the same

1 location.

2 **LANCE LANDGRAF** Instead of  
3 farm-to-table it's farm-to-joint.

4 **ASHLEY WALSH** A lot of the ATCs, the  
5 medical, that's how they started. They were  
6 vertically integrated, you know.

7 **CHERYLLYNN WALTERS** Correct.

8 **ASHLEY WALSH** Curaleaf up in Bellmawr,  
9 they would grow it on the site and they had the  
10 dispensary on the site.

11 **CHERYLLYNN WALTERS** That's correct.

12 **ASHLEY WALSH** That's how the cannabis  
13 program started in New Jersey, the protocol  
14 integration, so there's no problem at all for that.

15 **LANCE LANDGRAF** Any questions for Miss  
16 Walsh?

17 **CHRISTINE COFONE** No.

18 **CAROLYN FEIGIN** No. That was very  
19 thorough.

20 **ROBERT REID** It was very thorough.

21 **LANCE LANDGRAF** Go ahead. Yeah.

22 **SCOTT COLLINS** Sorry.

23 We do a lot of Class 5 here, not a lot  
24 of 1 and 2. I understand a Class 1 is -- that  
25 makes perfect sense to me -- cultivation. Class 2

1 license allows you, you know, quote-unquote,  
2 manufacturing. Could you just explain to me a  
3 little bit about what that involves and how it fits  
4 into the site plan? It seems like most of the  
5 space is devoted to cultivation.

6 **ASHLEY WALSH**Yup.

7 **SCOTT COLLINS**Just curious if you  
8 could explain that to me so I could put it into  
9 the --

10 **ASHLEY WALSH**So when we said about  
11 freezing the plant material to send it to a  
12 third-party manufacturer, so there's other  
13 manufacturers that will be doing tolling, it's  
14 called, where you bring your plant material to them  
15 and they will make an extract for you, so that's  
16 what we will do to make the extract. The extract  
17 will come back to us in a mason jar. It looks like  
18 molasses. We simply heat it up and then we can use  
19 it for value-added product.

20 **CHERYLLYNN WALTERS**So how do you heat  
21 it up?

22 **ASHLEY WALSH**On an induction burner.  
23 Everything that I'll tell you right now is all  
24 induction burner. No stoves, no ovens, anything  
25 like that. We have a Chopped champion chef that

1 runs our food innovation lab and so we've been  
2 developing all these products at Pocono Organics  
3 that are infused with CBD and simply when -- with  
4 Jersey we will swap out the CBD and add the THC  
5 extract. So, for example, the product that we'll  
6 be making are these homemade marshmallows, organic  
7 marshmallows that are made on an induction burner.  
8 They don't have any -- no stove, no oven, no hood,  
9 just induction burner like you use at school.  
10 Nobody can get burned on. So marshmallows and  
11 gummies, that's -- and then the only other things  
12 that we're doing that wouldn't be, like, edible,  
13 making a tincture, where you just heat up that  
14 extract and mix it with an oil, a TC oil or olive  
15 oil, and then we'll be doing topicals, which is  
16 just a cream, so there's -- this is our value-added  
17 products that we'll be manufacturing. It's very  
18 limited because we have very limited space and  
19 these are customer favorites, tried and true, so  
20 people will have organic marshmallows that are  
21 delicious and --

22 **CHERYLLYNN WALTERS** And just for the  
23 record, because that's on camera, those are not  
24 cannabis products, correct?

25 **ASHLEY WALSH** No. No. No.

1                   **CHRISTINE COFONE**Can we make S'mores  
2 with those marshmallows?

3                   **ASHLEY WALSH**Yes. That's why --  
4                   (Multiple parties speaking.  
5                   Unintelligible.)

6                   **ASHLEY WALSH**So I brought a regular  
7 one that doesn't have any CBD and then we have a  
8 CBD infused one. So it's just like this. This is  
9 all -- anything in this bag is CBD. It is totally  
10 legal in all 50 states. It is not THC.

11                  **LANCE LANDGRAF**Good to know.

12                  **SCOTT COLLINS**Understood. Thank you.  
13 I just wanted to --

14                  **ASHLEY WALSH**Absolutely. That's why I  
15 brought it, just to show you. I know you guys get  
16 a lot of dispensaries so, you know, cultivation and  
17 manufacturing is a whole different thing.

18                         Thank you, very much, for your time. If  
19 you have any other questions throughout the  
20 process, please reach out. Happy to help in any  
21 way we can.

22                  **LANCE LANDGRAF**Great. Thank you.

23                  **CHERYLLYNN WALTERS**All right. I'm  
24 gonna ask Mr. Freedman to come up just to answer a  
25 couple questions for you.

1                   **LANCE LANDGRAF** Sure.

2                   **CHERYLLYNN WALTERS** Good morning.

3                   **LOUIS FREEDMAN** Good morning.

4                   **CHERYLLYNN WALTERS** You were sworn so  
5 you're providing testimony --

6                   **LOUIS FREEDMAN** Yes.

7                   **CHERYLLYNN WALTERS** :- under oath. You  
8 acknowledge that, correct?

9                   **LOUIS FREEDMAN** Yes.

10                  **CHERYLLYNN WALTERS** Would you just  
11 state your name, spell your last name for the  
12 record?

13                  **LOUIS FREEDMAN** Yeah. Louis Freedman,  
14 F-R-E-E-D-M-A-N.

15                  **CHERYLLYNN WALTERS** Mr. Freedman, are  
16 you the property owner here?

17                  **LOUIS FREEDMAN** Yes.

18                  **CHERYLLYNN WALTERS** And are you also  
19 the operator of the Class 5 retail on the first  
20 floor?

21                  **LOUIS FREEDMAN** One of the partners,  
22 yes.

23                  **CHERYLLYNN WALTERS** One of the  
24 partners, okay.

25                         So you're familiar with my client,

1     you're familiar --

2                   **LOUIS FREEDMAN**Yes, I am.

3                   **CHERYLLYNN WALTERS**:- with the  
4     application --

5                   **LOUIS FREEDMAN**Yes.

6                   **CHERYLLYNN WALTERS**:- and you provided  
7     consent for this application?

8                   **LOUIS FREEDMAN**I'm familiar with the  
9     marshmallows and if you want to sleep they're the  
10    best. I'm just telling you that they are  
11    delicious.

12                   **CHERYLLYNN WALTERS**How long have you  
13    owned the property, Mr. Freedman?

14                   **LOUIS FREEDMAN**I think we bought it in  
15    `17 or `16. Not sure.

16                   **CHERYLLYNN WALTERS**Okay.

17                   **LOUIS FREEDMAN**Right around that time  
18    and date right there. Yes.

19                   **CHERYLLYNN WALTERS**And the building as  
20    it exists today, is it largely the same as when you  
21    purchased it?

22                   **LOUIS FREEDMAN**Exactly the same,  
23    except for little love and care.

24                   **CHERYLLYNN WALTERS**A little  
25    maintenance here and there?

1                   **LOUIS FREEDMAN**Yes.

2                   **CHERYLLYNN WALTERS**With respect to  
3 that maintenance, there is a fire escape on the  
4 back of the building?

5                   **LOUIS FREEDMAN**Yes, there is.

6                   **CHERYLLYNN WALTERS**That fire escape  
7 existed when you purchased it?

8                   **LOUIS FREEDMAN**It was there but we had  
9 to revamp it to make it up to fire code standards.

10                  **CHERYLLYNN WALTERS**Okay. And you  
11 worked with the fire department and the city with  
12 that?

13                  **LOUIS FREEDMAN**Mr. Cox, yes.

14                  **CHERYLLYNN WALTERS**Okay. And you  
15 received the inspection for that?

16                  **LOUIS FREEDMAN**Yes.

17                  **CHERYLLYNN WALTERS**And they passed  
18 your inspection?

19                  **LOUIS FREEDMAN**Yes.

20                  **CHERYLLYNN WALTERS**Issued the CO,  
21 correct?

22                  **LOUIS FREEDMAN**Yes.

23                  **CHERYLLYNN WALTERS**Okay. We mentioned  
24 a loading zone. That was something that you had  
25 lobbied the city for recently, correct?



1                   **LOUIS FREEDMAN**Yes. For -- yes.

2                   **CHERYLLYNN WALTERS**All right. And  
3 then the city came out and installed a loading zone  
4 sign on Tuesday, as a matter of fact. Was that  
5 correct?

6                   **LOUIS FREEDMAN**Very luckily. Put two  
7 of them up, actually, yes.

8                   **CHERYLLYNN WALTERS**Okay. I'm showing  
9 you what we've marked as Exhibit 9. It's four  
10 sheets. It's in the packet that we handed out.

11                   **LOUIS FREEDMAN**Right there, yup.

12                   **CHERYLLYNN WALTERS**And these four  
13 photos show essentially your store and the loading  
14 zone, correct?

15                   **LOUIS FREEDMAN**Yes.

16                   **CHERYLLYNN WALTERS**Or the sign and the  
17 loading zone?

18                   **LOUIS FREEDMAN**Yes.

19                   **CHERYLLYNN WALTERS**Okay. And that's  
20 accurate to your knowledge, correct?

21                   **LOUIS FREEDMAN**Yes.

22                   **CHERYLLYNN WALTERS**Okay. With respect  
23 to lighting on the building, just a quick question.  
24 Have you put up any new lighting since you've owned  
25 the property?

1                   **LOUIS FREEDMAN**No. We plan on redoing  
2 the lighting that's there, that's not properly  
3 working right now, but that's it.

4                   **CHERYLLYNN WALTERS**So the lighting  
5 that's there was there?

6                   **LOUIS FREEDMAN**Correct.

7                   **CHERYLLYNN WALTERS**All right. And  
8 we've indicated in our application we're not  
9 proposing any changes to the site lighting at this  
10 time, correct? We have.

11                   **LOUIS FREEDMAN**Yes, you have. I don't  
12 know if --

13                   **CHERYLLYNN WALTERS**I can represent to  
14 you we have.

15                   **LOUIS FREEDMAN**Okay. Yes.

16                   **CHERYLLYNN WALTERS**We haven't asked  
17 you to replace any lighting, correct --

18                   **LOUIS FREEDMAN**No. Nothing.

19                   **CHERYLLYNN WALTERS**-- on the exterior  
20 of the building?

21                   **LOUIS FREEDMAN**No. No.

22                   **CHERYLLYNN WALTERS**Okay. And then the  
23 trash -- just for the record, that trash receptacle  
24 that you have is a typical 96 gallon trash  
25 receptacle?

1                   **LOUIS FREEDMAN**We have a 94C call  
2 center where they're going into right now and so  
3 we -- I mean, before Covid we were always busy.  
4 Now we don't even need it because everyone works  
5 from home, but we do have a recyclable trash can.  
6 I mean, I'm sorry, a trash can out back, a dumpster  
7 that we typically would take the trash from up top  
8 out there.

9                   **CHERYLLYNN WALTERS**What do you do with  
10 your trash before it goes out for trash pickup?

11                   **LOUIS FREEDMAN**We have -- for the  
12 dispensary or upstairs?

13                   **CHERYLLYNN WALTERS**Yeah. Just in  
14 general, just so they understand the trash.

15                   **LOUIS FREEDMAN**The dispensary would  
16 have it sitting in the back. We have a little  
17 entranceway in the back there, that's where we  
18 leave it, and then we put it out once a week, out  
19 in the trash can.

20                   **CHERYLLYNN WALTERS**And do you pay a  
21 private trash hauler to come pick up that trash?

22                   **LOUIS FREEDMAN**Waste Management, yes.

23                   **CHERYLLYNN WALTERS**Waste Management.

24                   And they come approximately once a week  
25 right now?

1                   **LOUIS FREEDMAN**Once a week, yes.

2                   **CHERYLLYNN WALTERS**And if for any  
3                   reason, we don't anticipate the need, but if for  
4                   any reason additional or more frequent trash pickup  
5                   was needed, you could schedule that?

6                   **LOUIS FREEDMAN**Yup. No problem.

7                   **CHERYLLYNN WALTERS**Okay. And that  
8                   trash where -- right now the trash where the  
9                   receptacle is kept and where the trash is picked  
10                  up, that was there when you -- is that the same  
11                  condition it was when you purchased the property?

12                  **LOUIS FREEDMAN**I don't know if there  
13                  was a trash can there or not when I first purchased  
14                  the property but there was something that -- all  
15                  the neighbors put the trash can and all back there  
16                  so we got it, yeah, a container to put our trash  
17                  in. We actually had to put a lid on it because  
18                  everyone -- and a lock on it because everyone was  
19                  using it in the neighborhood and we were getting  
20                  charged overage all the time from people dumping  
21                  everything in there.

22                  **LANCE LANDGRAF**Is that a dumpster or  
23                  is it a tote?

24                  **LOUIS FREEDMAN**Dumpster.

25                  **LANCE LANDGRAF**Okay. And where does

1     that sit?   Because your property line --

2                   **LOUIS FREEDMAN**It's sitting --

3                   **LANCE LANDGRAF**It ends at the --

4                   **LOUIS FREEDMAN**It's at the easement back  
5     there where all the other trash cans are.

6                   **LANCE LANDGRAF**You guys have that  
7     easement, through the easement and they're allowed  
8     to have that there?

9                   **CHERYLLYNN WALTERS**If it's on the  
10    other side of the alley and the utility easement,  
11    where the utility poles are.

12                   **LANCE LANDGRAF**We're going to need to  
13    see that utility easement.

14                   **CHERYLLYNN WALTERS**It's out of --

15                   **LOUIS FREEDMAN**If you have a better  
16    suggestion, I'm more than happy to listen.

17                   **LANCE LANDGRAF**No.   As long as you  
18    have an easement from that owner -- Rob, stop  
19    talking when I'm talking.   I'm trying to make a  
20    comment here.

21                   **LOUIS FREEDMAN**Okay.

22                   **LANCE LANDGRAF**So what we're gonna  
23    need is a copy of that easement that says you can  
24    put the dumpster there.

25                   **LOUIS FREEDMAN**If we can get -- with

1 the call center gone I can get rid of that  
2 dumpster. It doesn't matter.

3 **LANCE LANDGRAF**Well, then you can just  
4 take the tote out; is that what you --

5 **LOUIS FREEDMAN**We can take it out  
6 front, yes.

7 **LANCE LANDGRAF**Well, see, the problem  
8 with out front is the trash truck can't pick up  
9 from there.

10 **CHERYLLYNN WALTERS**So all the  
11 neighbors put their trash cans out front and the  
12 city comes along and picks them up. Trash day was  
13 yesterday. They all had their trash cans out  
14 front --

15 **LOUIS FREEDMAN**And recycling.

16 **CHERYLLYNN WALTERS**-- and the city --  
17 and recycling. The city comes along and picks them  
18 up off the front of the street. So if we can't  
19 continue to utilize what he's been utilizing --

20 **LANCE LANDGRAF**Doesn't the cannabis  
21 waste have to be picked up separately?

22 **LOUIS FREEDMAN**We have --

23 **CHERYLLYNN WALTERS**That's not being  
24 picked up by -- that wouldn't be put out to the  
25 city. That would be put out by --

1                   **LANCE LANDGRAF**Okay. Regular trash,  
2 I'm fine with you putting that out front like  
3 everybody else.

4                   **LOUIS FREEDMAN**Yes.

5                   **LANCE LANDGRAF**That's fine.

6                   **LOUIS FREEDMAN**We don't have any waste  
7 in the cannabis, down the first --

8                   **LANCE LANDGRAF**Okay. That's fine.  
9 The concern with the dumpster in the back is that's  
10 also on someone else's property. We can't control  
11 that and if -- that becomes problematic for us. So  
12 if you can put your, I'll say commercial waste out  
13 front with regular trash pickup that the city picks  
14 up, that's fine.

15                   **LOUIS FREEDMAN**100 percent.

16                   **LANCE LANDGRAF**And if you have  
17 something --

18                   **LOUIS FREEDMAN**Be happy to save 125 a  
19 month.

20                   **LANCE LANDGRAF**Right. There is  
21 cannabis waste from the new --

22                   **CHERYLLYNN WALTERS**So that will be  
23 rolled out back on the day of pickup. It will be  
24 picked up and then the can will be brought back in.

25                   **LANCE LANDGRAF**Okay. And that's a

1 scheduled thing so you can bring it out right when  
2 that's happening and --

3 **CHERYLLYNN WALTERS**Correct.

4 **LANCE LANDGRAF**-- that can go in that  
5 right-of-way alley.

6 **CHERYLLYNN WALTERS**That's what Miss  
7 Walsh testified to, yup.

8 **LANCE LANDGRAF**All right. It's not a  
9 dumpster sitting there. It's just something you  
10 can roll out the day it's being picked up?

11 **CHERYLLYNN WALTERS**That's correct.

12 **LANCE LANDGRAF**I think we're good with  
13 that.

14 **CHRISTINE COFONE**That's a coordinated  
15 pickup?

16 **LANCE LANDGRAF**Right.

17 **CHERYLLYNN WALTERS**Yeah.

18 **LANCE LANDGRAF**So then they can get  
19 rid of the dumpster issue.

20 **CHRISTINE COFONE**And those will be  
21 conditions of --

22 **CAROLYN FEIGIN**Right.

23 **CHERYLLYNN WALTERS**Okay.

24 **LOUIS FREEDMAN**So from what I  
25 understand, it's just like if your people come to



1 pick up the money, it's -- they call, they let you  
2 know, here we are, we're coming to get it and then  
3 we hand it off to them.

4 **LANCE LANDGRAF** Good. Okay. I think  
5 that sounds like the better plan to me than --

6 **CAROLYN FEIGIN** Using that back alley  
7 and --

8 **LANCE LANDGRAF** Yeah. Okay.

9 **CAROLYN FEIGIN** I'd rather -- yeah.  
10 I'd rather not use the back alley for the trash.

11 **LOUIS FREEDMAN** You saved me a couple  
12 hundred. Thank you.

13 **CAROLYN FEIGIN** Yeah.

14 **CHRISTINE COFONE** Yeah.

15 **CAROLYN FEIGIN** It's a small amount but  
16 you --

17 (Multiple parties speaking.  
18 Unintelligible.)

19 **CHERYLLYNN WALTERS** Just so you know, I  
20 mean, I don't want Mr. Freedman or Miss Walsh to  
21 end up in hot water. Everybody else along that  
22 stretch puts their trash can in that same loca --  
23 along that same stretch behind the alley, so don't  
24 mistake theirs for ours.

25 **LANCE LANDGRAF** Right. And we've

1     been -- as they come in for approvals we've been --

2                   **CHERYLLYNN WALTERS**Right.

3                   **LANCE LANDGRAF**:- working on  
4     eliminating some of that.

5                   **CHERYLLYNN WALTERS**I: just don't want  
6     anybody --

7                   **LOUIS FREEDMAN**I think there's four  
8     household trash cans that --

9                   (Multiple parties speaking.  
10     Unintelligible.)

11                   **LANCE LANDGRAF**@kay.

12                   **LOUIS FREEDMAN**:- commercial and the  
13     person next door has the little parking lot that  
14     they put their dumpster on. So if trash does get  
15     overbearing, I can ask him. I'm sure he'll let me  
16     use his side if I have to, but I don't think it's  
17     gonna because we're gonna -- we're going from,  
18     like, 300 people use to 12 so it's not gonna be  
19     much trash anymore.

20                   **LANCE LANDGRAF**@kay. But then the  
21     cannabis waste will be picked up out back on a  
22     scheduled pickup?

23                   **LOUIS FREEDMAN**Yes.

24                   **LANCE LANDGRAF**@kay. With no dumpster  
25     outside?

1                   **CAROLYN FEIGIN**That's the key, no  
2 dumpster on private property or the city's  
3 property in the --

4                   **CHERYLLYNN WALTERS**That will be a  
5 condition of approval --

6                   **LANCE LANDGRAF**Yup.

7                   **CHERYLLYNN WALTERS**:- now, to revamp  
8 the way you're doing your trash. I just want to  
9 make sure you understand that and you agree to  
10 that.

11                   **LOUIS FREEDMAN**Yeah. So again, we're  
12 on the third floor. We only are -- at full  
13 capacity our trash cans get filled up once a week  
14 right now. They can come once every two months and  
15 pick up the trash.

16                   (Multiple parties speaking.  
17 Unintelligible.)

18                   **LANCE LANDGRAF**Everybody's remote.

19                   **LOUIS FREEDMAN**Again, we're going from  
20 a hundred people upstairs to, I think --

21                   **CHERYLLYNN WALTERS**Eight.

22                   **LOUIS FREEDMAN**:- you said eight.

23                   **LANCE LANDGRAF**Eight.

24                   **LOUIS FREEDMAN**And then downstairs,  
25 you know, there's three or four people working a

1 day.

2 **CHERYLLYNN WALTERS**Right. And this  
3 site was previously approved for a restaurant use?

4 **LOUIS FREEDMAN**Restaurant, lounge and  
5 call center. So it was about 300 people use at one  
6 point.

7 **LANCE LANDGRAF**Okay. My concern was  
8 the cannabis waste and I think we got that  
9 resolved. That's good. All right.

10 **CHERYLLYNN WALTERS**All right. And  
11 then just to circle back to the lighting, we have  
12 an exhibit, A-10, that shows the existing lighting  
13 on the building. I'm just gonna show you these  
14 photos. It's in the package that we handed out.  
15 We show four basically entrenched or enveloped wall  
16 sconces along the front. They're not functional  
17 right now, correct?

18 **LOUIS FREEDMAN**At this point they're  
19 not functional but we plan on function --  
20 making them functional.

21 **CHERYLLYNN WALTERS**Okay. And then you  
22 have in the bottom right on the first page that's  
23 actually marked exhibit A-10, it shows like a  
24 little flood light outside and actually you can see  
25 one of your cameras in that photo, too?

1                   **LOUIS FREEDMAN**Yeah. So we have  
2 cameras in the front, the back, the back alleyway,  
3 the front alleyway, and again, the State of New  
4 Jersey has access to it, the same with the Atlantic  
5 City Police Department.

6                   **CHERYLLYNN WALTERS**And this flood  
7 light that you have, you have two of those in the  
8 front of the building, correct?

9                   **LOUIS FREEDMAN**Yes.

10                  **CHERYLLYNN WALTERS**One on either side  
11 of the front.

12                  **LOUIS FREEDMAN**Yup.

13                  **CHERYLLYNN WALTERS**And when you flip  
14 to the last page of the exhibit packet there's just  
15 two photos that show the lights on the back of the  
16 building. There's two lights back there. Those  
17 are what's existing, correct?

18                  **LOUIS FREEDMAN**Correct.

19                  **CHERYLLYNN WALTERS**And we don't  
20 propose any changes at this point?

21                  **LOUIS FREEDMAN**Correct.

22                  **CHERYLLYNN WALTERS**I: just want to make  
23 sure. I think I had one more question for you.

24                               Parking. I knew I missed something.

25                  **LOUIS FREEDMAN**Okay.

1                   **CHERYLLYNN WALTERS**All right. So your  
2 site, when you purchased it, the building takes up  
3 basically the entire footprint of the site,  
4 correct?

5                   **LOUIS FREEDMAN**That's correct.

6                   **CHERYLLYNN WALTERS**And so you have no  
7 on-site parking?

8                   **LOUIS FREEDMAN**That's correct.

9                   **CHERYLLYNN WALTERS**You've had no  
10 on-site parking?

11                  **LOUIS FREEDMAN**That's correct.

12                  **CHERYLLYNN WALTERS**All right. And  
13 then with the prior permitted uses, the restaurant  
14 and the call center and, you know, whatever else  
15 was used there, you never really had any on-site  
16 parking, right?

17                  **LOUIS FREEDMAN**That's correct.

18                  **CHERYLLYNN WALTERS**But have you  
19 consistently found that parking in the area has  
20 been more than ample to support what the use is on  
21 site?

22                  **LOUIS FREEDMAN**It's no a problem, and  
23 also, we rented 10 spots behind the drug store from  
24 Tim. I forget Tim's last name. So we have 10  
25 spots that, you know, they should be signed

1 hopefully this week.

2 **LANCE LANDGRAF** Tim Boland?

3 **LOUIS FREEDMAN** Yeah. Timmy Boland,  
4 yes. For retail, yeah.

5 **CHERYLLYNN WALTERS** For retail.

6 And then you --

7 **LOUIS FREEDMAN** Also, I don't know if  
8 you guys know, you go to the city if you have a  
9 business and they give you up to 10 parking  
10 permits, also --

11 **LANCE LANDGRAF** Right.

12 **LOUIS FREEDMAN** -- for the area but  
13 if -- there's really pretty much a lot of parking  
14 around there.

15 **CHERYLLYNN WALTERS** I think my  
16 question --

17 **LOUIS FREEDMAN** There's all parking  
18 lots all the way in the back so there's no  
19 residential behind us and there's no residential  
20 behind the drug store. It's really empty. I think  
21 there's one house behind us, and then on top of the  
22 buildings next to us there's a couple apartments  
23 and that's about it.

24 **CHRISTINE COFONE** Just so I understand  
25 correctly, you have a lease agreement with the

1 pharmacy next door for 10 spaces for your --

2 **LOUIS FREEDMAN**No. I have a lease  
3 with Tim Boland -- Boland.

4 **CHRISTINE COFONE**Qkay.

5 **LOUIS FREEDMAN**He runs the parking lot  
6 behind the drug store. It's not the drug store's  
7 lot.

8 **CHRISTINE COFONE**Qkay.

9 **LOUIS FREEDMAN**It's a separate lot  
10 altogether that used to be attached to the old  
11 Golden Nugget or Atlantic Club.

12 **CHRISTINE COFONE**Qkay. So at least 10  
13 spaces there and then you get an additional 10  
14 spaces that the city gives you permits for?

15 **LOUIS FREEDMAN**Ten per business, yes.  
16 Up to 10 per business.

17 **CHRISTINE COFONE**Qkay. But they were  
18 utilized by employees or who?

19 **LOUIS FREEDMAN**Utilized by my managers  
20 and my -- that's it, really.

21 **CHRISTINE COFONE**Qkay.

22 **CHERYLLYNN WALTERS**A: at the moment,  
23 right?

24 **LOUIS FREEDMAN**Yes.

25 **CHERYLLYNN WALTERS**S: o with your two to



1 three employees on site and Miss Walsh's eight  
2 employees on site we've got 11 employees on site?

3 **LOUIS FREEDMAN**A couple bus, too.

4 **CHERYLLYNN WALTERS**A couple -- right.

5 And then we have no customers coming for Miss  
6 Walsh's use, your customers, but we also have  
7 alternate modes of transportation, public  
8 transportation --

9 **LOUIS FREEDMAN**Correct.

10 **CHERYLLYNN WALTERS**:- walking, biking?

11 **LOUIS FREEDMAN**There's a bus stop  
12 right in front of our building, or two doors away.

13 **CHERYLLYNN WALTERS**Okay. And that's  
14 been the condition since you purchased it,  
15 correct --

16 **LOUIS FREEDMAN**Yes.

17 **CHERYLLYNN WALTERS**:- purchased the  
18 property?

19 All right. That's all I have.

20 **LANCE LANDGRAF**Would you be able to  
21 provide us a copy of that lease --

22 **LOUIS FREEDMAN**Sure.

23 **LANCE LANDGRAF**:- with Tim Boland?

24 **LOUIS FREEDMAN**I think it was more of  
25 a handshake deal and I send him 300 a month, but I

1 can get it. I'll ask him to write something up.

2 **LANCE LANDGRAF**Typically we haven't  
3 really asked for a lease. It's more of a license  
4 that says they can use up to 10 spaces.

5 **CHERYLLYNN WALTERS**Right.

6 **LOUIS FREEDMAN**Okay. No problem.

7 **LANCE LANDGRAF**Tim's used to that  
8 because he's done that --

9 **LOUIS FREEDMAN**Okay.

10 **LANCE LANDGRAF**:- for other applicants  
11 that we've --

12 **CHERYLLYNN WALTERS**For sure.

13 (Multiple parties speaking.

14 Unintelligible.)

15 **LANCE LANDGRAF**All right.

16 **CHERYLLYNN WALTERS**You can just  
17 provide that to my office and we'll submit it with  
18 our --

19 **LOUIS FREEDMAN**I don't think anybody's  
20 ever used that parking lot yet, but we have it for  
21 our customers. I mean, there's plenty of parking  
22 out front all the time.

23 **CHERYLLYNN WALTERS**All right. And  
24 were you -- our planner is going to address  
25 parking, as well.

1                   **LANCE LANDGRAF**Okay.

2                   **CHERYLLYNN WALTERS**All right. That's  
3 all I have for Mr. Freedman. If you don't have any  
4 other questions, we'll move to Mr. Loughney.

5                   **LOUIS FREEDMAN**Thank you.

6                   **LANCE LANDGRAF**You're good?

7 All right.

8                   **CHERYLLYNN WALTERS**Thank you, Lou.

9                   **LANCE LANDGRAF**Thank you, Mr.  
10 Freedman.

11                  **CHERYLLYNN WALTERS**Good morning.

12                  **WILLIAM LOUGHNEY**Good morning.

13                  **CHERYLLYNN WALTERS**You've been sworn  
14 so you're going to be providing testimony under  
15 oath. You're aware of that, correct?

16                  **WILLIAM LOUGHNEY**Yes, ma'am.

17                  **CHERYLLYNN WALTERS**Would you please  
18 state your name, spell your last name for the  
19 record?

20                  **WILLIAM LOUGHNEY**William Loughney,  
21 L-O-U-G-H-N-E-Y.

22                  **CHERYLLYNN WALTERS**Mr. Loughney, are  
23 you a licensed engineer in the State of New Jersey?

24                  **WILLIAM LOUGHNEY**Yes.

25                  **CHERYLLYNN WALTERS**Could you please

1 explain to the board your education and experience  
2 as a licensed engineer?

3 **WILLIAM LOUGHNEY**Yes. I graduated  
4 with a civil engineering degree from Rutgers  
5 University and I've been a professional engineer in  
6 the State of New Jersey since 2016. I've been  
7 the -- I worked at ARH previously as the planning  
8 and zoning board engineer in Evesham Township and  
9 did engineering in Waterford and Hammonton, as  
10 well. I currently work at a firm in Philadelphia  
11 doing large site plans for mostly schools,  
12 currently St. Joe's University, a school in  
13 Delaware and another one in Philadelphia.

14 **CHERYLLYNN WALTERS**And in your  
15 capacity as a board attorney and as a licensed  
16 engineer have you provided testimony to boards in  
17 New Jersey?

18 **WILLIAM LOUGHNEY**Yes, I have.

19 **CHERYLLYNN WALTERS**All right. I  
20 submit --

21 **LANCE LANDGRAF**Board, board engineer?

22 **WILLIAM LOUGHNEY**Board engineer.

23 **CHERYLLYNN WALTERS**Board engineer.  
24 What did I say?

25 **LANCE LANDGRAF**Attorney.

1                   **CHERYLLYNN WALTERS** Oh, that's me. I  
2 was the board attorney when he was the engineer, so  
3 I apologize.

4                   **LANCE LANDGRAF** He's currently licensed  
5 in the State of New Jersey?

6                   **WILLIAM LOUGHNEY** Yes, sir.

7                   **CHERYLLYNN WALTERS** And your license is  
8 current and in good standing?

9                   **WILLIAM LOUGHNEY** Yes.

10                  **LANCE LANDGRAF** He's accepted as an  
11 expert.

12                  **CHERYLLYNN WALTERS** Thank you. Expert  
13 in the field of engineering.

14                  Mr. Loughney, we submitted an exhibit,  
15 A-2, which is a copy of the site plan that was  
16 submitted with the application, or in support of  
17 the application. Is that -- did you prepare that  
18 site plan?

19                  **WILLIAM LOUGHNEY** I prepared the site  
20 plan based on a survey that was provided to me from  
21 the applicant.

22                  **CHERYLLYNN WALTERS** Okay. And have you  
23 familiarized yourself with the site and with the  
24 application that we're presenting this morning?

25                  **WILLIAM LOUGHNEY** Yes, I have.

1                   **CHERYLLYNN WALTERS:** So, I mean, this is  
2 a really easy list when it comes to site plans,  
3 since the site's existing and there are no changes  
4 proposed, but if you could just briefly walk the  
5 board through the site, current site conditions.

6                   **WILLIAM LOUGHNEY:** The current site  
7 conditions, as shown on the plan, show the  
8 three-story brick building, its frontage on  
9 Atlantic Avenue and the hundred foot right-of-way  
10 and it shows the 12 foot wide alleyway behind it.  
11 It shows the neighboring building and the alleyway  
12 to the left and there's also a small alley  
13 access-way on the right side of the building in the  
14 plan. There are street trees and utility access  
15 hatches and one utility pole existing in front of  
16 the building, which is where the -- one of the  
17 loading zone signs was affixed to on Tuesday this  
18 week. It's under the second 0 in 100.

19                   **CHERYLLYNN WALTERS:** Great. Other than  
20 interior the fit-out of the third floor, we're not  
21 proposing any exterior changes, correct?

22                   **WILLIAM LOUGHNEY:** There are no exterior  
23 changes proposed. The only updates were -- alluded  
24 to the change in kind for lighting on the exterior.

25                   **CHERYLLYNN WALTERS:** Which will happen

1 at a future time.

2 Okay. As far as the applicant  
3 utilizing -- or emergency responders, we have a  
4 street address out there on the building already;  
5 is that correct?

6 **WILLIAM LOUGHNEY**Yes.

7 **CHERYLLYNN WALTERS**So that will  
8 continue to be utilized for emergency responders?

9 **WILLIAM LOUGHNEY**Umm-hum.

10 **CHERYLLYNN WALTERS**And your  
11 description of the site indicates, as we've already  
12 indicated, there's no on-site parking, correct?

13 **WILLIAM LOUGHNEY**Correct.

14 **CHERYLLYNN WALTERS**Okay. With regard  
15 to vehicle circulation, there's frontage on two  
16 streets but we're primarily using Atlantic Avenue  
17 for business operations?

18 **WILLIAM LOUGHNEY**That's correct.

19 **CHERYLLYNN WALTERS**So do you, in  
20 comparing this operation and this facility to any  
21 other nonresidential use along the street, do you  
22 see any impediments or changes to site circulation  
23 or vehicle -- vehicular traffic movement?

24 **WILLIAM LOUGHNEY**I do not.

25 **CHERYLLYNN WALTERS**Do you anticipate

1 any concerns or issues with parking based upon the  
2 testimony that's been provided?

3 **WILLIAM LOUGHNEY**None.

4 **CHERYLLYNN WALTERS**All right. And  
5 then we've already designated -- indicated the  
6 loading zone so we don't have to go back over that  
7 again and shown you the lighting. I don't really  
8 have anything else for Mr. Loughney. I just wanted  
9 him to confirm he prepared the site plan for you,  
10 or for the application and see if you had any  
11 questions for him.

12 **LANCE LANDGRAF**Okay. Anything?

13 **CAROLYN FEIGIN**I do, yeah. Just  
14 really quickly a couple of things.

15 So in the front -- I know the city has  
16 already approved the loading zone, but that did  
17 remove some on-street parking and they were  
18 obviously okay with that so I just wanted to make a  
19 note of that.

20 **CHERYLLYNN WALTERS**Can I respond to  
21 that real quick?

22 **CAROLYN FEIGIN**Yeah.

23 **CHERYLLYNN WALTERS**I'm not sure they  
24 removed that parking space. They didn't stripe it.  
25 They just put signs up.



1                   **CAROLYN FEIGIN**That's -- we were  
2 wondering -- it sounds like the loading might be  
3 somewhat infrequent, like, the deliveries and  
4 whatnot are infrequent and to lose maybe two  
5 parking spaces on the street for, you know, minus  
6 the times that --

7                   **PUBLIC MEMBERS**Sorry.

8                   **CHERYLLYNN WALTERS**I'm not, I'm not  
9 sure -- I guess we could ask Mr. Freedman.

10                  **LANCE LANDGRAF**I think what the sign  
11 says is 15 minute loading zone.

12                  **CAROLYN FEIGIN**Correct. Okay.

13                  **LANCE LANDGRAF**So if someone's popping  
14 in for something next door, there's a dry-cleaners,  
15 you're picking up your stuff, you can --

16                  **CAROLYN FEIGIN**And the parking spaces  
17 could still be utilized, then. They're not striped  
18 no parking?

19                  **LANCE LANDGRAF**For no more than 15  
20 minutes.

21                  **CHERYLLYNN WALTERS**Not at this time.

22                  **CAROLYN FEIGIN**Okay.

23                  **CHERYLLYNN WALTERS**And we're not aware  
24 that the city intends to do that but that hasn't  
25 occurred.

1                   **CAROLYN FEIGIN**Yeah. Okay.

2                   **LANCE LANDGRAF**If you look at the  
3 sign, and that's what I was looking at, to see --

4                   **CAROLYN FEIGIN**Yeah.

5                   **LANCE LANDGRAF**Because they've told us  
6 that they're not going to be doing that anymore on  
7 Atlantic Avenue because -- for a myriad of reasons  
8 but the photos are in here. The photos that were  
9 submitted --

10                  **CAROLYN FEIGIN**You can see the parking  
11 signs, the meters.

12                  **CHERYLLYNN WALTERS**Yeah. The parking  
13 sign's still there, the one that was in front of  
14 the building.

15                  **LANCE LANDGRAF**Well, it does say no  
16 parking. That's -- no. It's 15 minute loading  
17 zone, 7 a.m. to 7 p.m.

18                  **CAROLYN FEIGIN**Oh, my gosh. I'm so  
19 blind.

20                  **LANCE LANDGRAF**Yeah.

21                  **CAROLYN FEIGIN**Oh, I see that now.  
22 Okay.

23                  **CHERYLLYNN WALTERS**I should have  
24 brought my -- I have a little paper weight --

25                  **LANCE LANDGRAF**The last picture's a

1 little bit bigger.

2 **CHERYLLYNN WALTERS:-** that my  
3 secretary gave me that's a magnifying glass. I  
4 should have brought it, yeah.

5 **CAROLYN FEIGIN**Yeah. No parking on  
6 street -- oh, wait. No parking on street when  
7 under snow emergency.

8 (Multiple parties speaking.  
9 Unintelligible.)

10 **CAROLYN FEIGIN**Oh, 15 minute loading  
11 zone, 7 a.m. to 7 p.m.

12 **CHERYLLYNN WALTERS**At least they put  
13 it on the telephone pole and not on the tree.

14 **CAROLYN FEIGIN**I mean, this was  
15 approved by the city so I don't think -- you know,  
16 if that's how they want to do it.

17 Okay. The other thing, and maybe this  
18 should have been asked of Mr. Freedman, as well.  
19 Is there a license for the fire escape that extends  
20 outside of the property limits into the alley at  
21 the rear of the property? I know you said it was  
22 there and it was existing and, you know, it was  
23 before your time, before you even owned it but --

24 **LOUIS FREEDMAN**I was guessing that it  
25 was done when I first bought the build -- when I

1 first put the call center in but I'm not positive  
2 but, I mean, we got the approval, inspected and --

3 **CAROLYN FEIGIN**For the fire official?

4 **LOUIS FREEDMAN**Yeah.

5 **CAROLYN FEIGIN**Yeah. I mean, I  
6 understood that --

7 **LOUIS FREEDMAN**You can see --

8 (Multiple parties speaking.

9 Unintelligible.)

10 **CAROLYN FEIGIN**:- you know, for safety  
11 purposes.

12 **LOUIS FREEDMAN**I think it was  
13 existing. It was literally falling off the  
14 building structurally. We literally had to go to  
15 the second floor and drill through the building  
16 and re --

17 **CAROLYN FEIGIN**Attach it?

18 **LOUIS FREEDMAN**Yeah.

19 **CAROLYN FEIGIN**Okay.

20 **LOUIS FREEDMAN**Attach it.

21 **LANCE LANDGRAF**If we could get just  
22 something from the city that says -- either a  
23 license or an existing license or a new one, just  
24 to say that that's allowed.

25 **CHERYLLYNN WALTERS**We can approach the

1 city and ask what they'll provide to us to indicate  
2 that they're -- they don't have any objection to  
3 the location, just to the extension of that fire  
4 escape over the property line.

5 **LOUIS FREEDMAN**That's fine.

6 **CAROLYN FEIGIN**Thank you.

7 **LOUIS FREEDMAN**So when we redid the  
8 third floor was when we had to redo the whole  
9 entire thing. We were going to and then we got the  
10 CO and the whole thing and they paid us to do this.

11 **LANCE LANDGRAF**All right. So maybe  
12 just something from the city.

13 **CAROLYN FEIGIN**Yeah. I mean,  
14 definitely not --

15 **CHERYLLYNN WALTERS**I: mean, listen, I'm  
16 willing to represent that we'll go to the city and  
17 we'll ask them. I can't guarantee what the city  
18 will or won't provide, but we do know it's a  
19 long-term existing condition.

20 **CAROLYN FEIGIN**Existing condition,  
21 understood.

22 Okay. And then just to put on the  
23 record there is no signage for this use at all,  
24 nothing. Okay.

25 **CHERYLLYNN WALTERS**That's correct.

1                   **CAROLYN FEIGIN**It's already part of  
2 the package. I just wanted to make sure.

3                   **CHERYLLYNN WALTERS**That's correct.

4                   **CAROLYN FEIGIN**Okay. That's all I  
5 have. Thank you.

6                   **LANCE LANDGRAF**Christine, do you have  
7 anything?

8                   All right. Thank you. I think we're  
9 good with --

10                  **CHERYLLYNN WALTERS**All right. Thank  
11 you, Bill. Sorry to make you haul all the way out  
12 for that.

13                  All right. Our last witness this  
14 morning -- I almost said this evening because I'm  
15 used to being out at night -- is Miss Tiffany  
16 Morrissey.

17                  Miss Morrissey, you were sworn so you're  
18 providing testimony under oath. You're aware of  
19 that, correct?

20                  **TIFFANY MORRISSEY**Yes, I am.

21                  **CHERYLLYNN WALTERS**Would you please  
22 state your name and spell your last name for the  
23 record?

24                  **TIFFANY MORRISSEY**Tiffany Morrissey,  
25 M-O-R-R-I-S-S-E-Y.

1                   **CHERYLLYNN WALTERS**Miss Morrissey,  
2     you're a licensed professional planner in the State  
3     of New Jersey, are you not?

4                   **TIFFANY MORRISSEY**Yes, I am.

5                   **CHERYLLYNN WALTERS**Is the board --

6                   **LANCE LANDGRAF**We would stipulate to  
7     her credentials.

8                   **CHERYLLYNN WALTERS**Fantastic.

9                   **TIFFANY MORRISSEY**Thank you.

10                  **CHERYLLYNN WALTERS**Thank you.

11                  All right. So to our knowledge, based  
12     upon the review letter that we received, the only  
13     variance that's required for this application is  
14     the variance for parking relief.

15                  **TIFFANY MORRISSEY**Correct.

16                  **CHERYLLYNN WALTERS**According to the  
17     parking calculation that's been provided in the  
18     report, approximately nine spaces would be deemed  
19     required. There are no on-site parking spaces.

20                  **TIFFANY MORRISSEY**Correct.

21                  **CHERYLLYNN WALTERS**So you've been here  
22     this morning. You heard all the testimony that's  
23     been provided before you, correct?

24                  **TIFFANY MORRISSEY**Yes, I have.

25                  **CHERYLLYNN WALTERS**And you're familiar

1 with the application and the site and surrounding  
2 locations?

3 **TIFFANY MORRISSEY:** Yes, I am.

4 **CHERYLLYNN WALTERS:** All right. Would  
5 you please explain to the board the investigation  
6 you undertook to prepare for this morning and your  
7 testimony regarding the variance that's required?

8 **TIFFANY MORRISSEY:** Yeah. So I reviewed  
9 the application material, professional report,  
10 ordinances, redevelopment plan, visited the site  
11 and area in preparation for this hearing.

12 The variance we're requesting is for  
13 parking and it can qualify under both the C(1) and  
14 the C(2) criteria in my professional opinion.  
15 First and foremost, the C(1) criteria, this  
16 property is a fully developed site. There is no  
17 space for any on-site parking. It's an existing  
18 condition that cannot be rectified short of demoing  
19 the building and starting over, which is not an  
20 ideal situation. So there is a clear hardship that  
21 exists in terms of actually providing the required  
22 parking on this specific property.

23 Under the C(2) criteria there are  
24 benefits that are afforded to this application when  
25 you look at the entire package in and of itself and



1 the advancement of the Municipal Land Use Law  
2 purposes, including promotion of the public welfare  
3 and the health, safety and general welfare  
4 mechanism under the Municipal Land Use Law. This  
5 is part of the city's Green Redevelopment Zone,  
6 which encourages cannabis facilities in and around  
7 this area, and specifically on this property, on  
8 Atlantic Avenue, the reuse of this property for the  
9 cannabis cultivation or Class 1 and 2 on the third  
10 floor creates a unique dynamic of businesses that  
11 are related to one another in this specific  
12 property and it reduces the overall parking need  
13 that preexisted this use from the prior tenants and  
14 approved uses on this facility. You heard from the  
15 property owner that at one point it had approval  
16 for up to 300 people with the restaurant, banquet  
17 facility. The call center had a significant number  
18 of people in and out of the property and now we're  
19 down to the retail cannabis on the first floor,  
20 potential use on the second floor for another  
21 cannabis related business and then on the third  
22 floor is only eight employees related to the  
23 cultivation and manufacturing aspect. This site  
24 also provides, under the Municipal Land Use Law, an  
25 appropriate location for a variety of uses, as well

1 as promotes the purpose of zoning to encourage the  
2 coordination of the various public and private  
3 procedures and activities, shaping land development  
4 for the view of lessening the cost of such  
5 development and to the more efficient use of land.  
6 When we look at this property as a whole and how it  
7 works together, I believe that there are adequate  
8 benefits afforded that support the Municipal Land  
9 Use Law citing criteria, as well as the city's  
10 redevelopment designation.

11 Now, in terms of the negative criteria,  
12 we have to look at whether or not there's a  
13 substantial impairment of the zoning ordinance or  
14 the master plan or a substantial detriment to the  
15 public good specifically relating to this parking  
16 variance, and as I indicated, this is part of the  
17 Green Zone Redevelopment Area and the specific  
18 intent and purposes of the Green Zone Redevelopment  
19 Area are to increase economic development through  
20 the establishment of permitted classes of  
21 recreational cannabis and to recapture disposable  
22 income sales and property taxes, development fees  
23 and employment opportunities for local residents.

24 Additional goals and objectives include  
25 increasing the value of existing real estate in the

1 area, increasing training and employment  
2 opportunities for local residents. This specific  
3 additional use adds employment opportunities, and  
4 you heard from the applicant that hiring locally is  
5 important. In fact, the applicant herself lives in  
6 Ventnor and has -- will be biking to the property.  
7 Of the eight employees there's the opportunity for  
8 public transportation with a bus stop right out  
9 front. There is significant public parking in and  
10 around the area on Montpelier and Chelsea with  
11 loads of public parking lots and on-street parking,  
12 so there is adequate facilities, in addition to  
13 what the property owner has secured for his retail  
14 facility and the additional permits that will be  
15 potentially granted by the city for each business.  
16 There's adequate parking to sustain the additional  
17 eight employees as part of the cultivation and  
18 manufacturing facility.

19 In those terms it's my professional  
20 opinion that this location provides that  
21 advancement of the Green Zone Redevelopment Plan  
22 and does not substantially impair the intent and  
23 purpose of the zoning ordinance or the master plan  
24 as it relates to the lack of adequate parking on  
25 site and it doesn't create a substantial detriment

1 to the public good given the substantial amount of  
2 available public parking in the area, in addition  
3 to the fact that this use is substantially less  
4 than prior uses that were approved on the site for  
5 parking, so it actually is an improvement to the  
6 parking demand in the area.

7 I think that is pretty much all I need  
8 to put out there in terms of the C(1) and C(2) net  
9 positive and negative criteria, but if you have any  
10 questions I can elaborate on any one of those.

11 **LANCE LANDGRAF** Just one. What was the  
12 historical demand for that, I guess the call  
13 center?

14 **TIFFANY MORRISSEY** So what we heard  
15 testimony from the property owner was that at one  
16 point there were about 100 people upstairs on that  
17 third floor pre Covid.

18 **LANCE LANDGRAF** Okay. So this is a  
19 significant reduction from that?

20 **TIFFANY MORRISSEY** Yes.

21 **LANCE LANDGRAF** Okay. And we typically  
22 give them -- give applicants credit for that as we  
23 go through them.

24 **ROBERT REID** I can tell you this,  
25 Lance, that the building was built before 1977 and

1    when the first parking requirements were put in  
2    place, so that Elk's Lodge is what it was and it  
3    was a large banquet facility room, meeting room  
4    upstairs that's there, been there maybe a  
5    hundred --

6                   **LANCE LANDGRAF**He's been in every  
7    building in the city so he --

8                   (Multiple parties speaking.  
9                   Unintelligible.)

10                  **ROBERT REID**But I can tell you this,  
11    it has a large grandfathered shortfall.

12                  **LANCE LANDGRAF**There, we go. That's  
13    what I was trying to --

14                  **TIFFANY MORRISSEY**Thank you.

15                  **LANCE LANDGRAF**It works.

16                  Okay. I don't have any more questions.  
17    Christine, you have any?

18                  **CHRISTINE COFONE**No. I think the  
19    testimony was excellent. It addresses all the  
20    proofs. I agree with everything that Tiffany  
21    stated on the record. I think that this is just an  
22    issue anybody repurposing this building is going to  
23    have to deal with. This is not something that's  
24    unique to this application and I would have to  
25    agree that the lion's share of those uses as of

1 right in the CBD zone are actually going to  
2 exacerbate the parking problem more so than this  
3 would, so I think the testimony was spot on, on  
4 point.

5 **LANCE LANDGRAF** Okay. Thank you.

6 **CHERYLLYNN WALTERS** Thank you.

7 **LANCE LANDGRAF** Are there any --  
8 because my board's going to ask me this when I  
9 stand up and present this to them. Any other  
10 cannabis facilities in the immediate area of this  
11 site? I don't believe there are.

12 **CHERYLLYNN WALTERS** Other than the ones  
13 on site?

14 **LANCE LANDGRAF** Not, not your site.  
15 Not including your site. Around you.

16 **LOUIS FREEDMAN** Dispensaries?

17 **LANCE LANDGRAF** Dispensaries.

18 **LOUIS FREEDMAN** Three blocks from me  
19 are --

20 **LANCE LANDGRAF** Three blocks --

21 **LOUIS FREEDMAN** (Out of microphone  
22 range.)

23 **LANCE LANDGRAF** :- so they're, they're  
24 more than 200 feet away. Okay.

25 **CHERYLLYNN WALTERS** If it's within

1 200 feet they receive notice.

2 **LANCE LANDGRAF** Gotcha.

3 It's not something that's a legal  
4 requirement to be that far away. It's just  
5 something my board asks me every time I bring a  
6 cannabis application to them --

7 **CHERYLLYNN WALTERS** I get it.

8 **LANCE LANDGRAF** -- so --

9 **CHERYLLYNN WALTERS** They're popping up  
10 everywhere.

11 **LANCE LANDGRAF** Yup.

12 **CHERYLLYNN WALTERS** I did a retail  
13 cannabis in Mount Laurel, Route 73. They approved  
14 three side by side by side one month after the  
15 other.

16 **LANCE LANDGRAF** All right.

17 **CHERYLLYNN WALTERS** Two of them are  
18 operational. It happens. Daylite Cannabis is  
19 the --

20 **LANCE LANDGRAF** Yeah.

21 **CHERYLLYNN WALTERS** -- micro and  
22 Nirvana is -- next door is my client.

23 **LANCE LANDGRAF** Do you have anything  
24 else?

25 **CHERYLLYNN WALTERS** No. That actually

1 concludes our presentation this morning. We're  
2 happy to answer any other questions you might have  
3 and I'll step aside to open it to the public.

4 **LANCE LANDGRAF** Before we do that, we  
5 do have the ARH letter dated May 10th, which  
6 includes both our engineering and planning  
7 comments. Do you guys have anything else besides  
8 what you already commented on in that?

9 **CAROLYN FEIGIN** No other technical  
10 comments. I just want to make a note to you,  
11 Scott. The cover sheet has an error. Where it  
12 says preliminary and final major site plan, that  
13 should be minor site plan, so just make a note when  
14 you go to write up your --

15 **SCOTT COLLINS** Yes. Thank you.

16 **CAROLYN FEIGIN** :- your -- it says it  
17 correctly in the title of the letter but it's  
18 listed incorrectly in the first line.

19 **LANCE LANDGRAF** Good.

20 **CAROLYN FEIGIN** And other than that,  
21 we've gone through all the other technical comments  
22 at length so I'm good with everything else. Thank  
23 you.

24 **LANCE LANDGRAF** Christine, you're good,  
25 as well?



1                   **CHRISTINE COFONE**All our comments were  
2 addressed.

3                   **LANCE LANDGRAF**All right. With that,  
4 we'll open up to the public. If anybody here  
5 wishes to make any comments, please step forward,  
6 state your name and ask your question or make your  
7 comment.

8                   Seeing no one coming forward, we'll  
9 close the public portion and bring it back. Any  
10 final comments for --

11                  **ROBERT REID**Nope.

12                  **LANCE LANDGRAF**I think we eliminated  
13 your concern with the trash enclosure, which is  
14 always an issue.

15                  **ROBERT REID**Yeah.

16                  **LANCE LANDGRAF**Any closing,  
17 CherylLynn?

18                  **CHERYLLYNN WALTERS**Just thank you for  
19 your time this morning. We think we provided  
20 sufficient information for you to be able to  
21 recommend granting a minor site plan for the  
22 property for the cultivation Class 1 and  
23 manufacturing Class 2 facility on the third floor  
24 with the stipulations that we've agreed to.

25                  **LANCE LANDGRAF**Okay. Thank you, very

1 much.

2 **CHERYLLYNN WALTERS**Thank you.

3 **LANCE LANDGRAF**We anticipate this will  
4 be on our July board meeting.

5 **CHERYLLYNN WALTERS**July agenda?

6 **LANCE LANDGRAF**July agenda, yup.

7 **CHERYLLYNN WALTERS**Okay.

8 **LANCE LANDGRAF**I don't think we're  
9 going to get it on for June.

10 **SCOTT COLLINS**I don't know.

11 **CHERYLLYNN WALTERS**That's the third  
12 Thur -- third Tuesday of the month?

13 **LANCE LANDGRAF**Third Tuesday of the  
14 month, yup. It's possible but I --

15 **SCOTT COLLINS**It's possible.

16 **LANCE LANDGRAF**It's doubtful. We have  
17 to get the transcripts and then prepare our report  
18 and get it to our board and --

19 **CHERYLLYNN WALTERS**Okay.

20 **LANCE LANDGRAF**-- it's due to in,  
21 like, four days.

22 **CHERYLLYNN WALTERS**All right.

23 **LOUIS FREEDMAN**Can I ask one thing?

24 So I got to move the call center from  
25 the third floor. If it's in July it's gonna be a

1 little busy. Is -- any way you can get it in any  
2 faster so I can get the call center out of there  
3 faster?

4 **LANCE LANDGRAF** We will attempt to get  
5 it on for June but I can't make any promises.

6 **LOUIS FREEDMAN** Okay. That's fine.

7 **LANCE LANDGRAF** It's not actually up to  
8 us. Our board administrator gives us deadlines to  
9 get things to her --

10 **LOUIS FREEDMAN** I got ya.

11 **LANCE LANDGRAF** -- for that.

12 **LOUIS FREEDMAN** I'm just trying to save  
13 the traffic from --

14 **LANCE LANDGRAF** I understand.

15 **LOUIS FREEDMAN** -- moving stuff.

16 **LANCE LANDGRAF** I understand. July's  
17 busy in the city.

18 **LOUIS FREEDMAN** There's a lot of stuff  
19 that has to get moved out of the third floor.

20 **LANCE LANDGRAF** Right.

21 With that, we have no other action items  
22 on our agenda today. Our next meeting is on  
23 June 6th at 10 a.m.

24 Thank you. We are adjourned.

25 **CHERYLLYNN WALTERS** Thank you.

(At 11:12 a.m. proceedings were  
concluded.)

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1  
2  
3 CERTIFICATE

4 I, MICHELLE GRUENDEL, a Certified Court  
5 Reporter and Notary Public of the State of New  
6 Jersey, do hereby certify that the foregoing is a  
7 true and accurate transcript of the testimony as  
8 taken stenographically and digitally at the time,  
9 place and on the date hereinbefore set forth, to  
the best of my ability.

10 I DO FURTHER CERTIFY that I am neither a  
11 relative nor employee nor attorney nor counsel of  
12 any of the parties to this action, and that I am  
13 neither a relative nor employee of such attorney or  
14 counsel, and that I am not financially interested  
15 in the action.

16  
17 *Michelle Gruendel*  
18



19 MICHELLE GRUENDEL, C.C.R.  
20 C.C.R. License No. 30X100190500  
21 Notary Public of the  
22 State of New Jersey  
23  
24  
25

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