

MINUTES
MT. EPHRAIM LAND USE BOARD MEETING
Borough Hall Court Office
121 S Black Horse Pike, Mt. Ephraim, NJ 08031
Wednesday, May 8, 2024, 7:30pm

1. **CALL TO ORDER.** Robert Carter called the meeting to order and stated the meeting was advertised and notices posted in accordance with the “Open Public Records Act.”
2. **PLEDGE OF ALLEGIANCE.** All persons present, stood for the pledge of allegiance.
3. **ROLL CALL:** Mayor Carney, Kim Beebe, Comm. Marrone, Michael Schiavo, Steve Eggert, Tiffany Ferrara, Thomas Maxwell, Robert Carter, Anthony Stagliano, John Saban, present. Douglas Morgan, Michael Rossano, Rocco Vespe, absent.
4. **CALENDAR OF NEW BUSINESS**

- **Oath of Offices – Kimberly Beebe (Class II), Tiffany Ferrara (Class IV)**
- **Application for amendments to site plan – Brotherly Bud (500 N Black Horse Pike)**

Michael Schiavo recuses himself from the hearing since he is within 200ft of the applicant being heard tonight.

Joe Nardi – explains that Michael Schiavo has recused himself since he was notified and within 200ft of the applicant. I would like to ask the secretary if you received proof of publication and notices for this application.

Tara Weiss – yes.

Joe Nardi – we will let the record reflect if we can have the applicant and the attorney Lou Cappelli come up for this application.

Lou Cappelli – good evening, everyone, I am the attorney for the applicant that is before you tonight, welcome to the new members. So, some of you were not here and Mayor, you were not here either when this application came before the board when it was first approved back in June of last year. I would like to go back into history and explain why we are here tonight and it’s really rather unusual request but you will hear why we are here tonight under these circumstances that are beyond our control for a temporary approval, I just want to make that very clear this is just a temporary approval for a temporary situation, so in June of last year the applicant was granted approval for a cannabis use for this property, at the

same time the building across the street on Valley Road was approved for a sandwich shop part of this application parking was approved on the empty grass field, approval for parking on that lot is subject to the New Jersey Department of Transportation approval because there is ingress and egress cut outs on that lot and they have to review it before as a condition of the approval that was granted last year before this project can be built out the way we proposed it and the way it was approved by this board, what has happened since then is this as the cannabis license progresses we can not get the license unless the CO has been issued, the CO cannot be obtained until we have the Department of Transportation approval for what was approved, DOT takes its time reviewing, they have accepted all of our information and it is currently under review, we hope to have word from DOT within the next 30 days perhaps 60 days as to what the review is or what their final decision is. If they come back and say no impact, we are ok, we will build out as approved. At the same time the cannabis license has been held up because we don't have a CO, so we are here tonight to ask for this temporary approval and we will go through the plan as well, for really the main purpose of getting our cannabis license and then hopefully the DOT approval to let us build out and if we don't get the DOT approval then there has been a suggestion by the engineer and was something discussed before with Mr. Fusco where we just use the paper street, known as Haddon Avenue as an entrance rather than the cut outs that exist right now, if DOT says no we can't approve what you have presented we are perfectly fine with doing that. The only downside to that is we lose 6 parking spots, but I presume that is something we can work out as we move ahead, so the temporary solution we are purposing is as follows, we have an agreement to the property across the street for parking known as Mr. Tire, which this would be specifically for employees only, we also have an agreement with the hotel owner for parking there as well, temporary customer parking. We will also be consolidating the lots once we figure out the approval that we get for the parking lot. So, basically everything is in motion but we have this timing issue and we are here tonight to seek temporary approval for something that we hope perhaps never gets used as a plan or if it does it will only be 30-60 days, because there is a plan b, and as soon as DOT tells us yes we will go ahead and pave, or if they say no then we go ahead and implement the approved plan b, that we will be discussing tonight, and with that I will have the only witness for tonight which is the owner of the business.

Joe Nardi – for the record please state your name.

William Sirois – 31 Ellis Street, 1st Floor, Haddonfield NJ 08033, Joe Nardi then swears him in.

Lou Cappelli – your position with the applicant.

William Sirois – I am the CEO.

Lou Cappelli – I gave an overview of our approvals, could you just let the board know where your company is regarding getting the cannabis license.

William Sirois – yes, so yesterday the state came down and did their inspection, its more of a security inspection so they detail every bit of the building inside and outside, check the cameras, they check the access code and the back doors, the alarm system, you name it they inspect it. They did their thorough investigation and inspection and we passed everything and as of now the application is on hold and the only thing that would progress this application is receiving the CO, then what will happen will not be just going ahead and opening the doors, it will still be a long process after that. So we will send them the CO once we get it, then the application gets sent to the CRC and the head people of the CRC will review the application which then can take anywhere from 30-60 days, they did however let us know they are a little light right now so maybe it could be sooner, but we just don't know, once they issue our license we get assigned a metric number, that number is what the state gives us to track all the inventory in the state, so will still cannot open then we will need to upload all the employees based on that metric number they will need to get fingerprinted, all that information will need to be uploaded to the portal and then we will need to order all the inventory which can take up to a week, so there is a lot more steps that we have to go through to actually open up the doors but the CO is the one thing that is preventing us from being able to move anything forward.

Lou Cappelli – so realistically speaking if everything went your way in getting the cannabis license, if the CO was issued tomorrow best-case scenario your business is not opening at a minimum 60-90 days, is that a fair statement.

William Sirois – it all depends, I mean if the state turns around the license in two weeks and it takes a week to get, then it would take 3 weeks, but it could also be longer.

Lou Cappelli – with regards to our submissions to the Department of Transportation, to the best of our knowledge they have accepted all the submissions and deemed everything complete.

William Sirois – yes that is correct, the engineer had a meeting with someone from the DOT and they stated that it was complete and actually last night we were asked to send electronic files which were then submitted and he stated that it has never happened that fast before, which means then hopefully they are reviewing this much quicker than normal, this has been in the works for a very long time, since August of last year, then we got a request in November that we needed to submit a different application for a larger project, we then got clarification in March we submitted the payment for the larger project and then just recently they have asked for more items to submit we did that, and now everything that was submitted has finally been accepted and now we just wait for the approval.

Lou Cappelli -so I want to get into the plan that we are presenting tonight, which I gave an overview of, as the owner of the company I would like you to provide testimony, lets first talk about the parking across the street, the temporary employee parking.

William Sirois – so to prevent any customers having to cross the Black Horse Pike we needed a designated area for the employees, so we will let this notice go out internally and they will park here only, no customers will park here at all.

Lou Cappelli – the owner of that property you and him already have an agreement.

William Sirois – yes, we do.

Lou Cappelli – I will be submitting three written agreements for those properties for the allowing of the temporary use for parking. Where would we allow the customers to park.

William Sirois – the customers will park at the Budget Inn Hotel, there are 13 spots for them and then we will have 10 more from the Canal’s Liquor Store, we will have amply signage at both entrance ways and there will be signage at our building stating parking 100ft to the left, we will also put a notice on our website directing customers where to park.

Lou Cappelli - so no customers will have to cross the Black Horse Pike.

William Sirois – no, that is correct, they will just walk down the sidewalk and then cross Valley Road.

Lou Cappelli – we did receive a review letter from the engineer Mr. Fusco, with items that he points out, some of them which we addressed but let’s go through them point by point: How will the customers utilize the dispensary and be educated on where to park?

William Sirois – there will be a sign already on the building, this was approved when we originally came in telling them where to go, there will also be two signs located at both entrances that we will get approval for letting the customers know this is the temporary lot that we will be utilizing.

Greg Fusco – do you have a website?

William Sirois – yes, we have a website and social media, and we will post it on there as well.

Lou Cappelli – those signs though will be temporary.

William Sirois – yes, just temporary signs, like a-frame signs.

Lou Cappelli – will the use of the temporary sites affect the security plan that has already been approved.

William Sirois – no, instead of the security guard patrolling the original area, they will now come down a little bit and patrol that new temporary area.

Lou Cappelli – so the safety of the customers will not be impacted.

William Sirois – correct.

Lou Cappelli – let's talk about the alternative plan for parking via Haddon Avenue, if it is the case that DOT says no, we cannot accept this plan, would you be willing to have customers access the parking lot from Haddon Avenue and pave it.

William Sirois – yes, Haddon Road is the alternative to the plans, and we would pave it, however, there would be a loss of 6 spots just based off the nature of the new layout that the engineer has.

Lou Cappelli – you are though willing to lose those 6 spots if needed.

William Sirois – if that is permitted and what is needed then yes.

Lou Cappelli – in the review letter Mr. Fusco was trying to determine the ordinance required parking for the Budget Inn and Canal's as well as Mr. Tire, we are going to ask for a waiver from that request only because this proposal is so temporary in nature that I don't believe this will effect anything and by the way as far as these spots that we are using from the Budget Inn are they ever used.

William Sirois – I have been around there, numerous times since we have been working there a lot at the building and I rarely see those spots being used.

Lou Cappelli – so about the Camden County Planning Board we expect to receive a letter from them stating they have no interest in this project. Soil Conservation we will submit that immediately once we know how we are building this out. Regarding the cross easement, permit parking, we have agreed to the cross easement and again we are doing the deed of consolidation on the appropriate lots as part of the approvals. Of course, we are subject to approval from the police department and the fire department, and all the other agencies listed, with that we will turn it over for any questions or comments from the professionals and the board.

Greg Fusco – the cross-access easements will be part of the deed consolidation process.

Joe Nardi – I would anticipate that to be done and that will be reviewed by the engineer myself and depending on what plan is used we may need to submit to the borough solicitor.

Greg Fusco – as I recall the applicant did in fact request to the Governing Body for the permit parking on Valley Road, we are just waiting, we will need signage that will need to go up and then those individuals that want that will need to obtain the permit. I guess to further educate if you could on your website and maybe in the store itself, just indicate that Valley Road is a no parking zone.

William Sirois – I have a sign ready to go for Valley Road that states no parking for Brotherly Bud on this street so as they try and turn down the road.

Greg Fusco – just give as much education as possible with this.

William Sirois – absolutely.

Greg Fusco – Thank you.

Joe Nardi – I recall there was some discussion about procedures either county approval or limited to the Borough, can someone tell me has an ordinance been passed, is there permit parking on Valley Road.

Mayor Carney – yes, it is permitting parking only and the police chief does have in his possession two permit parking placards for each resident, households they are not by residents they are by household, once the shop is ready to open, they will be able to receive them by coming into the police station and signing for them.

Joe Nardi – thank you mayor.

Commissioner Marrone – public works also has signs that they are getting ready to put up.

Joe Nardi – while we are on signs, if they are going to be temporary signs, they will still be submitted to the borough engineer before anything happens. I also had a question regarding the CO for the license, I assume since everything we are discussing this evening is of the temporary nature that a temporary co will be sufficient.

William Sirois – no, we have asked the state and the rep about that, and it needs to be a full CO.

Joe Nardi – then the only thing I can suggest is that we will need some time frames here to make sure that all conditions are satisfied, I guess with the applicants' consent it would be revocable if all the conditions are not met.

Lou Cappelli – absolutely.

Joe Nardi – I just want to make sure that the borough is protected that way.

Lou Cappelli – I understand.

Joe Nardi – so then it would be full CO subject to conditions, but it is also subject to revocation if all the conditions are not satisfied within that time frame.

Greg Fusco – then if the alternate parking scheme ends of being utilized and again for educational purposes you will need to provide some permanent signage at the Haddon Road right of way, so when that happens, we will just make sure it complies with the ordinance and if not then you will need to come back before the board.

Lou Cappelli – all signs will be submitted to you first Mr. Fusco before we do anything.

Mayor Carney – my concern with what I am looking at, and we certainly want to be supportive trying to get any business to open in our town, but we must be compliant, is that I don't want this to be an open-ended variance, there must be some type of time frame.

Lou Cappelli – if I can suggest to the board and the professionals, I would say within 30 days of word from DOT we are going ahead if you gave us like 60 days after DOT approval that would suffice.

Amin Khalifa – my only concern is the construction of everything, so maybe 90 days would be better.

Lou Cappelli – we agree that this is temporary in nature.

Mayor Carney – I guess where I am going with this, let's just say if DOT says no, because there were some concerns if I recall expressed early on at the previous meeting, how the aprons are situated, very close to the light, etc. It was suggested that what you are now calling plan b, is probably the better plan to begin with, which is using the easement and there was some concerns about impervious surfaces but the reality is that easement already has ground covering, like that tar but its just in bad repair, I would want to make sure that responsibility falls on the owner of the property that they will pave the easement if we go that route, I think it's the better choice quite frankly but whatever gets us there, but when you are pointing to the orange area where the parking lot will go, and you are the corner of Black Horse Pike and Valley Road and there is a light there and the easement is kind of close to, where is the first easement currently located to come into the parking lot.

Lou Cappelli – directs everyone to the exhibit that has the layout of parking to show where the easements are.

Mayor Carney – don't you lose parking spots there anyway, because that is where you are saying that we will lose spots at the bottom of the, aren't we kind of breaking even since we are already losing spots with the first two aprons on the side that runs along the Black Horse Pike.

Lou Cappelli – can we have Amin sworn in.

Joe Nardi – swears in Amin Khalifa – 18 Richmond Drive, Mt. Laurel, NJ 08054.

Amin Khalifa – my understanding with the grass lot, there are two openings, our engineer designed it where each opening does not co-mingle with the other side and because he was able to use the two existing aprons and squeeze in 6 more spots. I liked using the side to get into the driveway myself, but the engineer stated that we would lose 6 spots, the other thing that he said we are not going to go and pave the whole paper street, but he did have a conversation with Mr. Fusco about paving enough of the paper street to be able to access the parking lot.

Mayor Carney – it will be paved to the end of the parking lot.

Amin Khalifa – it will not be paved to the end of the parking lot, it will be paved to the opening of the street that goes into the parking lot, wherever the parking entrance ends up being, with the new design we will pave up to that point, we will not be paving all the way down.

Mayor Carney explains her idea with the exhibit that the applicants have brought in regarding the aprons and the layout of the parking lot.

Commissioner Marrone – what you are seeing on that plan is what they originally applied for.

Mayor Carney – right.

Commissioner Marrone – they are not changing that right now.

Mayor Carney – I understand that, but I am saying based on the parking slots and how this is laid out, I don't understand why we are not using this area, (she points to the exhibit that the applicant presented).

Greg Fusco – Mayor, you are raising a lot of good points, but I can work these things out with the engineer.

Mayor Carney – so as it relates to the parking permits, can you speak to, well I guess it would be the police chief, but he is not here. It's great to have parking

permits and we appreciate that and you will have signage but the reality is people are people, I guess a lot of us are fearful that if they are parking all the way down at Canal's they will say oh the heck with it and park on Valley Road so you had stated in the original presentation that you were going to have security guard outside of the building that would make sure that the people that try to park on Valley Road, they would tell them that they cannot, is that still in place.

William Sirios – yes that is still going to be in place, the security guy will be outside making sure no one is parking on Valley Road and if someone does park on Valley Road and he sees them trying to come into the store he will kindly ask them to remove their car and direct them where to park.

Mayor Carney – ok.

Lou Cappelli – the security guard is part of the plan and must be out there because you can't allow anyone in the building who is under the age of 21.

Mayor Carney – side bar, this question is for Lou, you said at the last meeting we were looking at moving that bus stop, down in front of the Budget Inn.

Lou Cappelli – that was a DOT request, and I am not sure where that is, or I am sorry that is a New Jersey Transit request, I can check on the status of that.

Mayor Carney – yes, we would like to see that happen. So, then the only concern for me then is where do we draw the line in the sand with temporary, what if it takes more than a year to get this complete, I would like to see if it is not happening in like 3-4 months, we will be moving to plan b.

Lou Cappelli – so what if we do this, if we are not there in 4 months, we come back to the board.

Mayor Carney – I don't want to put them back into that position with all the application fees and all, I just want to know that if it is not there in 3-4 months that this will not go on forever because we are waiting for an agency, do whatever they need to do, so we are willing to go with plan b, and that the owner of the property is then willing to pave that portion of the easement at his expense to make sure that the parking lot is available for customers, because no offense I don't believe it's a good business plan to have customers parking two blocks away forever.

Lou Cappelli – would the board consider a 6-month deadline.

Greg Fusco – that is more than enough time.

Lou Cappelli – with the right to come back before 6 months, like if we are in the 5th month and we know it's going to be done in the 7th month.

Mayor Carney – I just don't want it to keep on going forever, so if you are saying 6 months and that is what you are comfortable with, I am a little bit more comfortable with 4, but there are probable other questions.

John Saban – has anyone followed up with our state reps and or NJ DOT.

Mayor Carney – I believe there was a phone call made.

John Saban – what is the timeline.

Mayor Carney – well I didn't speak to anyone.

Lou Cappelli – well in all honesty, the response that we have gotten is quicker than I have ever seen.

Greg Fusco – the reason why the response is quicker is because they are there already, they just need to determine which one must be eliminated, I don't believe that they will approve both, we have been through this before.

Amin Khalifa – we have reached out to Senator Beach's office, and he was instrumental in getting some quick responses, so we are trying everything we can.

Mayor Carney – how long has this been waiting so far with them.

Amin Khalifa – since last August.

Mayor Carney – so since last August....

Commissioner Marrone – that was not for the major portion that they are stating needed to be filed.

Amin Khalifa – Senator Beach has been involved for about three weeks now.

Mayor Carney – I would be more inclined given how long its been and hopefully they are moving along, to go with a 4-month temporary parking situation and if you needed to come back in 2-months not with another application or any other fees because I don't want to impose that on these young people, but then at that point give them another 2-months at most or you realize things are not looking good and decide to go with plan b.

Lou Cappelli – if this doesn't work it will be in our best interest to go to plan b.

Tiffany Ferrara – you said that you were going to have security at these temporary auxiliary places.

William Sirios – well the security guard, they are interchangeable to come and monitor the parking lot and we also have staff that can come out and check everything as well.

Tiffany Ferrara – will they be doing this for the temporary spots now.

William Sirios – yes, they will be monitoring the temporary spots as well.

Tiffany Ferrara – my follow up question to that let's say everyone is aware of the security at these temporary spots will people be notified when these are not the spots anymore and that they need to park some place else.

William Sirios – yes, we will notify them and let them know they need to park in the correct parking lot, via the website, social media, we will also put new signage.

Tiffany Ferrara – ok.

Steve Eggert – obviously the other project will not move forward until this is handled.

Lou Cappelli – we cannot move forward with anything until this is resolved.

Joe Nardi – so in theory, the 6-months will cover both the approval or disapproval and in either of event you will have enough time to construct what needs to be constructed, so if its plan a you think you will have plenty of time to construct the parking lot and the aprons and all of that, and then if that doesn't occur you will have enough time to construct the parking lots without the aprons but then also pave Haddon Road, is that fair.

Lou Cappelli – yes that is fair.

Mayor Carney – when you say 6-months was that inclusive was that the 4-months and then the 2-months to build.

Joe Nardi – so we are giving 60 days for approval or final discission from the DOT, or however it broken up 4-months then 2-months or 2-months then 4-months, is 4-months going to be enough to have a parking lot and access to it either way.

Lou Cappelli – I think we would need the 4 and 2.

Mayor Carney – which is why I built in the extra 2 months.

Joe Nardi – we are still though talking about a 6 month time frame, and there really is no need at that point to break it up and have them come back in, because we are giving them a total of 6 months to get it all done.

Lou Cappelli – exactly, but we will keep everyone fully informed, and keep Mr. Fusco fully informed, we are hoping we hear something shortly.

Greg Fusco – is there a status update on the sandwich shop.

Lou Cappelli – as far as I understand the sandwich is waiting for the parking lot to be ready to go, they do not wish to participate in this temporary parking lot.

Joe Nardi – so then nothing affects that other application that was granted when this first came in.

Lou Cappelli – that is correct.

Robert Carter – any other questions from the board members. I just have one comment to make and that's regarding parking at Mr. Tire, there is not a pedestrian walkway.

William Sirios – there is they would walk the one side of the road until they come to the light and then cross.

Robert Carter – ok, thank you. I will now close the portion to the members and open the portion up to the public, any members of the public have comments, please stand, and state your name for the record.

Nancy Schiavo – 8 Valley Road, Mt. Ephraim. I came here with some concerns, I believe you answered most of them although I just want to clarify I don't object to the temporary parking, my concerns are as Mayor Carney stated there are going to be many customers that are not going to park at Canal's and they are not going to park at the Budget Inn and walk down they are going to see spaces on Valley Road and they are going to park there and then go in to the store, so my main concern is what measures do we take to prevent that from happening, since there is suppose to be no parking in the residential area, Mayor Carney did I hear you correctly we will have our residential parking permits before they open.

Mayor Carney – according to Chief Conte and I believe he raised it at the last meeting.

Commissioner Marrone – they are available now.

Nancy Schiavo – they are available now.

Commissioner Marrone – yes, he has them, he just has not given them out yet, we found out three days ago.

Mayor Carney – let me follow up with the chief.

Nancy Schiavo – ok, and there will be temporary signs stating where they can park.

William Sirios – yes, that is correct.

Nancy Schiavo – then you said there will be a sign on Valley Road stating no Brotherly Buds parking.

William Sirios – yes that is correct.

Nancy Schiavo – where will the sign be located.

William Sirios – I am not sure exactly what was approved.

Commissioner Marrone – Nancy the township is going to be putting up signs, I don't have the exact amount, but the signs will go all the way down Valley Road.

Nancy Schiavo – so there will be multiple signs.

Commissioner Marrone – the sign will state permit parking only.

William Sirios – if we notice that this becomes a big issue, the residents can come to me directly, and we can always send one of our employees out to monitor the street during the hours that you think that a lot of people are trying to park on this road, we will do everything to make sure this doesn't happen.

Nancy Schiavo – so what should we do if we see this happening.

William Sirios – you can notify us.

Joe Nardi – does anyone recall what the fine will be for parking.

Mayor Carney – I believe it was \$50.00, but I will say again if I am not speaking out of line, if we don't see this being enforced by the store owners and the lot owners, I feel like this temporary parking should be contingent upon ensuring that this is happening.

William Sirios – yes, absolutely.

Mayor Carney – if we find out this is not happening, then we will need to figure something else out, and the bus stop would be nice to be moved.

Robert Carter – any other members of the public.

Pete Kappatos – 13 Valley Road, Mt. Ephraim. There was the mention of a security guard, will that be a permanent position for the life of the business.

William Sirios – yes.

Pete Kappatos – is that a state requirement.

William Sirios – they are not required, there are some dispensaries that do not have guards, but our store will have guards.

Pete Kappatos – will they be armed.

William Sirios – we are starting with no armed guards at the business, they tend to deescalate situations better when not armed.

Pete Kappatos – does this dispensary have a requirement, with some state issued license to have a guard.

Lou Cappelli – all they are required to do is have a security plan, that is approved by the municipality and the state. Our security plan that we are bound by includes a guard outside the door, so we cannot deviate from that plan and maintain our license.

Pete Kappatos – that was my next question, so what would be the recourse if you decided no more with a guard.

Lou Cappelli – we would lose our license.

William Sirios – we will never not have a guard outside.

Pete Kappatos – well you could say that now but there is no requirement with the town or by your license requirements.

William Sirios – well it's a safety thing for us and our employees.

Pete Kappatos – there is still no recourse to make sure the guards stay, let's say in three years from now you decide well you can't afford it anymore, again what recourse do we have as a municipality to enforce that.

Joe Nardi – well one of the conditions that has been agreed to and now stated, will be incorporated into the resolution and will now be part of the plan.

Mayor Carney – if I am not mistaken, I know we had the security guard that was required outside but I believe we also required a guard on the inside.

William Sirios – I don't remember exactly how many, I know we have one guard.

Mayor Carney – well if someone could look that up because I know that was also a condition of the approval for this business.

Steve Eggert – what about the parking on Valley Road, how will that work.

Mayor Carney – they would need to get our parking permits if they are a resident on that street.

Steve Eggert – what if you have two people who live at home with two vehicles, they already have their two permits but now they have someone come and visit them.

Mayor Carney – well hopefully everyone gets along with their neighbor, we all have driveways, except for maybe a couple residents on that road. We are trying to make it all work, the main thing is we don't want an overflow parking from the store onto the residential road.

Pete Kappatos – I just have one more question, I heard potentially paving the paper street.

Mayor Carney – not the whole street.

Pete Kappatos – well I was considering trying to have this road vacated at some point and now we are talking about paving this.

Mayor Carney – well I lived on that road since 1985 and it would have been nice since I have been taking care of that road behind my house...

Pete Kappatos – so has my brother.

Mayor Carney – but at the end of the day, I cannot speak for the town, I am speaking as Sue Carney of Valley Road, not the mayor, there was no interest in that, and that road is an easement...

Pete Kappatos – no interest in what.

Mayor Carney – I am saying no interest in the town had no interest in that road when I asked 10 years ago, when I asked 20 years ago...

Pete Kappatos – to vacate it.

Mayor Carney – yes, to vacate it.

Greg Fusco – you as a resident have a right to request a paper street to be vacated, you need to request that from the governing body, then the governing body will decide whether it be yes or no, its that simple, in this case that road is only going to be improved to the entrance of the parking lot if that plan is pursued, the rest of that street will not be paved.

Pete Kappatos – is there a plan for paving Haddon Road if necessary.

Lou Cappelli - it depends on where the entrance will be to the parking lot.

Robert Carter – any more questions from the public.

Michael Schiavo – 8 Valley Road, Mt. Ephraim – the parking lot directly impacts us, because it will back up directly to our backyard, now I am trying not to jump the gun here but if you approve the temporary parking will it impact the parking site plan configuration or will it remain the same.

Greg Fusco – what parking configuration, what are you referring too.

Michael Schiavo – what we agreed upon, the existing parking configuration.

Lou Cappelli – that will stay the same.

Michael Schiavo – it will stay the same even with the temporary parking.

Lou Cappelli – that plan has not changed unless the DOT does not approve the plan.

Michael Schiavo – ok I just wanted clarification.

Joe Nardi – in one of the questions earlier today, from when Brotherly Buds first came in with the approval, the resolution states that they will always have 2 security guards, one inside and one outside.

Robert Carter – do any members of the public have any more comments.

Angeliki Kappatos – 22 Valley Road, Mt. Ephraim – so let’s say there is an issue on Valley Road with excessive parking, do we just call the police or if we see nothing is being done if we have issues, what steps do we take.

Joe Nardi – since there is supposed to be no parking there, you can contact the police if there are issues.

Greg Fusco – it would be a police issue.

Joe Nardi – that is why I had asked about the fine, there must be some preventative measure.

Michael Schiavo – getting back to the permits for the residents on the street, how many permits will be issued per household.

Mayor Carney – 2 permits will be issued per household.

Michael Schiavo – ok.

Nancy Schiavo – if I remember correctly, there was supposed to be 2 permits for the residents and then we could get one or two extra permits since everyone has family who visits, our children are over our house all the time, where are they going to park.

Mayor Carney – I believe what the governing body and Chief Conte have said was two per household, but if you had a need for additional permits and I don't recall how many, but that we could get them and share them, there was something that we could do on those occasions.

Nancy Schiavo – I am not talking about special occasions of having something at the house, I am talking about just when your kids just stop by to say hello, like where are they supposed to park, if they don't have a permit and then they get a ticket.

Greg Fusco – that would be something that the governing body should decide.

Commissioner Marrone – this is just my opinion, I don't feel like you should have to give someone visiting your house a permit to park on the street, I think if they park there, if the police are not getting a phone call from someone, or one of your neighbors I think you will all be fine.

Nancy Schiavo – I think that needs to be specified.

Mayor Carney – there was also a discussion, and I don't want to go back in history, but we had the discussion that we didn't want the residents to become the enforcers if the police department knew that this was permit parking only, let me follow up with Chief Conte on this issue.

Commissioner Marrone – there wouldn't be any customers parking on Valley Road because his security guard would see them parking on that street and walking to the store.

Mayor Carney – allegedly. I mean at the end of the day this will be something that our police department will need to work in concert with the residents on Valley

Road, and the security of the business. We have some kinks to work out and I will contact Chief Conte.

Pete Kappatos – what are the hours of operation.

William Sirios – 10am-10pm.

Pete Kappatos – you plan on staying open until 10pm.

William Sirios – we will monitor the hours and see how it goes, if we are not busy some nights, we can then close early.

Robert Carter – any other questions from the public, do we have any comments from the board, hearing none we will close this portion.

Joe Nardi – the application as submitted and testified to is for an amendment to the previously approved site plan, which was granted on June 20, 2023, and then memorialized by resolution dated July 10, 2023. So, the amendment would be on a temporary basis to deviate from the approved parking plan to allow for a period not to exceed 6 months to provide for alternative parking using the three businesses that have been identified as Mr. Tire, Budget Inn, and Canal's, in accordance with the number of spots that have been identified and within that 6 month period, the applicant will upon receipt of a final determination as to the submitted parking plan and the construction of a parking lot at the Nice Lot location, they would then either go with the approved plan based upon the determination or the alternative or plan b would then be utilized which would require the use of Haddon Road which would require the owner of Haddon Road to pave that strip from the apron adjacent to the Black Horse Pike and to a point not to exceed the parking lot.

Mayor Carney – I am sorry did you state that the owner of Haddon Road or the owner of the business.

Joe Nardi – the owner of the property Nice Lot is responsible for paving it and chose that route.

Mayor Carney – ok I just wanted to clarify.

Joe Nardi – this is understood, members of the board if plan b is utilized there is a prospect and what is granted tonight would be losing those 6 parking spots because the loss of the 2 aprons.

Greg Fusco – possibly.

Joe Nardi – possibly, so if it's plan b then we could possibly lose those 6 spots, so at this point it would just be an allowance to not exceed 6 spots. There is also a

request for a waiver of all the other conditions. There is the borough engineer's letter of May 6, 2024, that shall be complied with.

Greg Fusco – there is also an original letter.

Joe Nardi – they will also comply with the original letter from the engineer as well from 2023 but the amended letter dated May 6, 2024, with the exception with a waiver being requested due to the temporary nature of the request being made tonight.

Anthony Stagliano made a motion to approve the amendment to the site plane, the motion was seconded by Commissioner Marrone.

Roll Call: Mayor Carney, Kim Beebe, Commissioner Marrone, Steve Eggert, Tiffany Ferrara, Thomas Maxwell, Robert Carter, Anthony Stagliano, John Saban, all voting yes. Michael Schiavo was unable to vote, he resides within 200ft of the applicant.

Resolution approving the 2023 Annual Report, motion was approved by Anthony Stagliano, the motion was seconded by Steve Eggert.

Roll Call: Mayor Carney, Kim Beebe, Commissioner Marrone, Michael Schiavo, Steve Eggert, Tiffany Ferrara, Thomas Maxwell, Robert Carter, Anthony Stagliano, John Saban, all voting yes.

5. **Professionals Comments – N/A**

6. **Board Comments – N/A**

7. **Public Comment –**

Pete Kappatos – I have another property in, Mt. Ephraim, and there is a paper road next to me and I wanted to know how to go about getting that street vacated.

Greg Fusco – if you make a formal request to the governing body, just come to a council meeting, or put it in writing.

Pete Kappatos – so go to a council meeting and not this meeting and make a formal request.

Commissioner Marrone – correct.

Pete Kappatos – perfect sounds easy.

Mayor Carney – Greg would he be able to send a written request now so then we may be able to discuss prior to the next meeting and get the process started.

Greg Fusco – yes, he can do it, that was as well.

8. MOTION TO ADJOURN THE MEETING, ALL VOTING IN FAVOR.