FOR OFFICIAL USE ONLY					
Planning Board	Zoning Board of Adjustment				
Name of Application:	Docket Number :	_			
PART A					
Identify the matter before the Board;					
Appeal (N.J.S.A. 40:55D-70a)					
☐ Interpretation (N.J.S.A. 40:55D-70b)					
Certification of Pre-Existing Nonconforming Use					
Other. Describe: Relief from conditions of App	proval in Tabatchnick Fin e Foods, Inc, Docket Z9	97061UP			
Explain, in detail sufficient for the Board to understand the nature of the proposal, issue, appeal, interpretation or matter:					
The Board of Adjustment in a resolution adopted 8/6/98 granted use variance, bulk variances & site plan approval for the					
applicant with conditions. The plan included removal of	f gravel & installation of a guide rail. Applicant wo	ould like to retain the			
gravel and would like the Board to remove the requirement of installation of the guide rail. The basis for this relief is that on					
7/21/16, the Board in Docket ZBA-15-00018 granted use variance, site plan & associated variances for this applicant; this					
approval includes retention of the gravel which was to	be eliminated by the 1998 approval & eliminatio	n of the guide rail.			
The guide rail was to keep the vehicles/materials from	winding up in what was previously noted as wetla	ands; the DEP has			
confirmed that that area does not constitute wetlands a	and therefore the guide rail is no longer needed.	The 2016 approval			
includes the gravel (now approved to be paved) and this pavement was included in the impervious coverage variance grante					
PART B					
APPLICANT: Individual	Partnership X Corporation				
APPLICANT: 🗵 Owner 🔲 Applicant	Other				
Name Tabatchnick Fine Foods, Inc.					
Street Address1230 Hamilton Street					
City _Somerset					
Phone	Fax				
Email					

December 2018

Street Address			Apt_/Ste/Unit #		
City		State	Zip Code		
Phone		Fax			
Email					
SUBJECT PRO	PPERTY:	PART C			
Block/s92		Lot/s 12 - 43	Zone R-10		
Street Address_	1230 Hamilton Street				
City _Somerse	t	State NJ	Zip Code08873		
this property?			or any other Township Boards involving No See attached resolutions		
this property? If, yes, state typ	e, docket number, the na		No see attached resolutions		
this property? If, yes, state typ How long has th	e, docket number, the na	X Yes ture and date of such appeal to this property?	No see attached resolutions		
this property? If, yes, state typ How long has the state property to the property to the state property to t	e, docket number, the nat	Yes ture and date of such appeal to this property? Yes	No see attached resolutions		
this property? If, yes, state typ How long has th Is the property of the control of the property of the control of the cont	e, docket number, the nate	ture and date of such appear to this property? Yes e of the contract purchaser:	□ No see attached resolutions □ No		
this property? If, yes, state typ How long has th Is the property If yes, state the	e, docket number, the nate	X Yes	□ No see attached resolutions □ No		

December 2018

PART E

CONTACT PERSON INFORMATION/ CERTIFICATION

The person indicated below shall serve as the point-of-contact with the Township Department of Planning and Zoning and shall be the sole recipient of official correspondence from the Department. By signing this form, in Part H below, the Applicant and Owner certify that that the party listed below is authorized to act on their behalf as the designated contact person with the Department. Owner | __ Applicant X Attorney Engineer Architect Other Francis P. Linnus, Esq. Name Street Address 21 Clyde Road Apt./Ste/Unit # 101 City Somerset NJ **Zip Code** 08873 State_ Phone 732-873-0500 Fax 732-873-0505 Email fplesq@comcast.net PART F APPLICANT'S CERTIFICATION I. Rita Tabatchnick , of full age, being duly sworn according to law and upon my oath, depose that: I reside at in the County of and State of New Jersey , and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the individual applicant, or a general partner of the partnership applicant, or an officer of the corporate applicant and I am authorized to sign the application for the partnership or corporation. Tabatchnick Fine Foods, Inc. Sworn to and subscribed before me this 15T day of OCTOBER. Muck , 20 20

MAUREEN S DOWNIE

Notary Public - State of New Jersey My Commission Expires Nov 14, 2022

NOTARY PUBLIC

OWNER'S CERTIFICATION

(If the owner is a corporation, this section must be signed by an authorized corporate officer. If the owner is a partnership, this section must be signed by a general partner.)					
I, Rita Tabatchnick	of full age, being duly sworn acc	ording to law and upon my oath			
depose that: I reside at	230 Hawilton St	in the County of			
Somerset and	State of New Jersey	, and that the above			
statements contained in this application and in the papers appended thereto are true. I further certify that I					
am the owner of the property which is the subject of this application, and I am the applicant or I have					
authorized the applicant to make this application, and I agree to be bound by the application, the					
representations made and the decision in the same manner as if I were the applicant.					
		Tabatchnick Fine Foods Inc.			
Sworn to and subscribed before		By Rota Tabattuce R OWNER'S SIGNATURE			
me this 137 day of coctober. 20 20	***************************************				
NOTARY PURIS	MAUREEN S DOWNIE Notary Public – State of New Jersey My Commission Expires Nov 14, 2022				

RESOLUTION OF BOARD OF ADJUSTMENT OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY

TABATCHNICK FINE FOODS, INC. DOCKET #Z97061UP

WHEREAS, Tabatchnick Fine Foods, Inc. has applied to the Franklin Township Board of Adjustment for a use variance, bulk variances, and site plan approval to expand a non-conforming use, an addition to its manufacturing facility; and

WHEREAS, a public hearing was held on said application by the Board of Adjustment on July 9, 1997; and

WHEREAS, no person objected to the application; and

WHEREAS, the Board, after carefully considering the evidence presented to it by the applicant, the application and documents filed by the applicant and the comments of the appropriate township officials and agencies has made the following findings of fact:

- 1. The property, 1230 Hamilton Street, is located on the south side of Hamilton Street at Wheeler Place, in the R-10 Zone. The property is designated Block 92, Lots 12-43 on the Township Tax Map.
 - 2. The applicant's property consists of 89,041 square feet.
 - 3. The applicant is the owner of the property.
 - 4. Charles Newman, Esq. appeared for the applicant.
 - 5. The current use of the property is for applicant's food processing business.
- 6. The Franklin Township Zoning Administrator had made a determination that no non-confirming use may be expanded without a use variance. The Zoning Administrator also determined that the following bulk variances would be required:
 - a. Lot coverage: 31.5% is proposed, 20% is permitted.
 - b. <u>Impervious coverage</u>: 49.5% is proposed, 30% is the maximum allowed.
- 7. Benjamin Tabatchnick, President and C.E.O. of the applicant, and F. Mitchell Ardman, a licensed Professional Engineer and Professional Planner testified on behalf of the applicant.

- 8. Harvey Yesowitz, a Traffic Engineer testified at the request of the Board.
- Exhibit A-1 (colored rendering of Plan S-3) was introduced into evidence.
- 10. Applicant agreed to comply with the Report of the 1) Township Engineering Department dated May 28, 1998 to the satisfaction of that Department, 2) Township Fire Inspector dated May 8, 1998 to the satisfaction of the Fire Inspector, 3) the Somerset County Planning Board dated December 31, 1997 to the satisfaction of that Board, 4) the Franklin Township Environmental Commission dated May 12, 1998 to the satisfaction of that Commission, the Report of Harvey Yesowitz dated May 28, 1998 to the satisfaction of Mr. Yesowitz, and the Report of the Township Planner dated June 4, 1998 designated Miscellaneous regarding additional screening and landscaping to the satisfaction of the Township Planner.
 - 11. Applicant has been operating in Franklin Township for over 7 years.
 - 12. Until recently applicant had leased the site, however it now owns the property.
 - 13. The facility currently operates around the clock.
 - The expansion is needed to warehouse products on site.
- 15. The on site facility would eliminate the need to ship products by trucks to warehouses in Elizabeth and Long Island.
- 16. Applicant represented it desires to clean up the site to comply with the direction of U.S.D.A. so that it will continue to receive Contracts to process government commodities.
- 17. The expansion will create some jobs and increase the number of employees on site however the employees arrive in three different shifts and there will not be more than 20 employees on the site at any one time.
- 18. The expansion will decrease the number of truck trips since the applicant will be able to store products on site.
 - 19. The expansion will not increase the hours of operation.
 - 20. The site consists of 2.04 acres.

- 21. The existing building consist of 14,934 square feet. The proposed addition is 13,090 square feet.
- 22. The loading area is being moved from the rear of the building. Loading will be shielded from the residences by the proposed addition.
 - 23. All pavement will be ripped out and new pavement will be installed.
 - 24. The drainage system will be upgraded.
 - Access to and egress from the site will be improved.
 - 26. The landscaping of the site will be upgraded.
- 27. Although a bulk variance for impervious coverage is required there will actually be a small decrease in the impervious coverage on this site as a result of this proposal.
- 28. The addition will be constructed in three phases, however the last phase will be completed in approximately one year.
- 29. When the first phase of the project—is completed the loading activities will shift from the back to the front of the site.
- 30. The warehousing units will be refrigerated or freezered. The units will be water cooled and located inside the facility to eliminate noise. The water will be recycled.
- 31. Although the plans show a fill pile, applicant represented that the fill is clean and in a natural state, having been in place for twenty years. Applicant suggested that it might be environmentally appropriate to leave the fill as it is. Applicant agreed, however, to explain its position to the environmental commission and comply with the determination of that commission.
- 32. Applicant represented that once the first phase of the proposal is completed all trailers and trucks on the site overnight will be removed. Thereafter the only trucks on site will be engaged in pickups and deliveries.
- 33. Applicant represented all landscaping will go in as part of the initial construction phase except for the foundation plantings (shrubs) which will be phased in.
- 34. All of the impervious coverage for the project including the foundation for all phases of construction will be constructed when phase one is erected.

- 35. Applicant represented that 17 parking spaces will be adequate since employees arrive by walking, bicycling and carpooling.
- 36. Applicant represented there currently is no off site parking nor will there be off site parking as a result of the proposal.
- 37. The parking lot will contain one handicap stall which will meet the ADA requirements.
- 38. Applicant represented that if the property is unable to accommodate all employees and visitors with on site parking places a van service will secured to pick-up and deliver employees who require transportation.
- 39. The applicant has shown special reasons to support its application. The representations and agreements of the applicant make the proposal an appropriate improvement to the site. The proposal, as hereinafter conditioned is reasonable and the benefits of the proposal substantially outweigh any detriment. The site will be aesthetically improved, and traffic will be diminished. The affect on the neighborhood will be lessened by the relocation of the loading area.

WHEREAS, the Board has made the following ultimate findings and conclusions based upon the foregoing findings of fact:

- A. The applicant has shown special reasons to satisfy the requirements for granting a use variance pursuant to the provisions of N.J.S.A. 40:55D-70d.
- B. The granting of this use variance, bulk variances and site plan approval will not cause substantial detriment to the public good and will not substantially impair the intent and purpose of the Master Plan and Zoning Ordinance.
- C. The granting of the use variance, bulk variances and site plan approval will not adversely affect the values of adjacent and nearby properties.
- D. The granting of the use variance, bulk variances and site plan approval will not alter the general character of the neighborhood.

WHEREAS, at the conclusion of the hearing on July 9, 1998, the Board has taken action by voting on said application and accordance with N.J.S.A. 40:55D-10(g) of the

Municipal Land Use Law has directed that a resolution memorializing such action be prepared.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Adjustment on this day of August, 1998, on the basis of the evidence presented to it, the foregoing findings of fact and the ultimate findings and conclusion, that the Board does hereby grant the use variance, bulk variances and site plan approval applied for subject to the following conditions:

- 1. The granting of the variances and site plan approval shall not be construed to eliminate satisfaction of all other requirements of the Zoning Ordinance or other requirements of the Agencies, Boards, and Authorities of the Township of Franklin.
- 2. The granting of the variances and site plan approval specified herein shall not be construed to include satisfaction of the uniform construction code of the State of New Jersey.
- 3. The Township reserves the right to request additional site improvements should actual field conditions vary from what is depicted on the plan and/or is indicated by the designs.
- 4. Posting of performance guarantees for all site improvements in accordance with Section E200 of the Development Ordinance and N.J.S.A. 40:55D-53 of the Municipal Land Use Law as amended.
- 5. The applicants shall provide the Planning Department with 8 sets of the final plans including Architecturals (elevations and floor plans), for on site and off-tract improvements revised in accordance with all conditions of the Board of Adjustment approval, if any.
- 6. Revision of the Plans in compliance with the applicant's testimony, representations and agreements set forth in the findings of fact hereinabove.
- 7. Compliance with applicant's testimony, representations and agreements set forth in the findings of fact hereinabove, as well as the terms and condition of any prior variance not specifically modified hereby.

BE IT FURTHER RESOLVED that the grant of the use variance, bulk variances and site plan approval shall expire one year from the date of this approval unless the construction has commenced prior to that date.

OLGA M BURKE, Board Secretary

Vote on Motion:

7/9/98

Vote on Resolution: 8/6/98

For:

Edward Carway Bruce McCracken Cynthia Voorhees Michael Welcome Alfred Ceaser Joseph Barris Scott Cohen For:

Edward Carway Bruce McCracken Cynthia Voorhees Michael Welcome Alfred Ceaser

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Against:

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Against:

RESOLUTION OF BOARD OF ADJUSTMENT OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY

TABATCHNICK FINE FOODS, INC. DOCKET NO. ZBA -15-00018

WHEREAS, Tabatchnick Fine Foods, Inc. (hereinafter, Applicant) has applied to the Franklin Township Board of Adjustment for Use Variance and Site Plan with associated Variances in order to construct a food processing addition to the building located at 1230 Hamilton Street, Somerset Block 92, Lots 5-48 on the Franklin Township Tax Map, pursuant to N.J.S.A. 40:55D-70(d); and

WHEREAS, a public hearing was held on said application by the Board of Adjustment on April 7, 2016; and

WHEREAS, no members of the public spoke on the application; and

WHEREAS, the Board, after carefully considering the evidence presented to it by the Applicant, the application and the documents filed by the Applicant, and the comments of the appropriate township officials and agencies together with the public comment has made the following findings of fact:

- 1. The property is located at 1230 Hamilton Street, Block 517.05, Lots 5-48, in the M-1 Zone on the tax map.
 - 2. The following variances are required:
 - <u>D-1:</u> Use Variance: Food processing is not permitted in the R-10 zone.
 - D-6: Building height 38.5 ft. proposed, 35 ft. permitted.
 - <u>Front yard setback:</u> (Hamilton Street) 40 ft. minimum; 25 ft. proposed for addition.
 - <u>Front yard setback:</u> (Codington) 25 ft. minimum; 15 ft. proposed for the refrigeration units.
 - Lot coverage: 20% maximum; 41.8% proposed
 - Impervious coverage: 30% maximum; 71.8% proposed
 - Sign: One (1) sign on building permitted, and two (2) proposed.

- 2. Francis Linnus, Esq., appeared on behalf of the Applicant. The Applicant seeks to construct a 31,188 square foot expansion of Tabatchnick's food processing facility. The Applicant is also seeking Preliminary and Final Site Plan approval and other variance relief. The property is a 2.84-acre site located on the southwesterly corner of Hamilton Street's intersection with Wheeler Place, within the R-10 zoning district. The site is currently developed with a 28,220 sq. ft. food processing business on the easterly portion of the site while the westerly portion of the site is undeveloped. Mr. Linnus stated that this particular site received Use Variance and Site Plan approval in 1997 in order to expand the non-conforming manufacturing use through a 13,090 sq. ft. addition to the building along with variances with respect to lot coverage and impervious coverage. Mr. Linnus advised the Board that in 2007, this site received Use Variance and Site Plan approval for Anthony's Plumbing, Heating & Cooling, Inc. for the construction of a two-story office and warehouse plumbing, heating and cooling facility which included variances with respect to lot coverage and impervious coverage. He indicated that this approval was never constructed, and Tabatchnick subsequently purchased the adjoining property for the sole purpose of expanding its food processing facility on the property.
- 3. Ms. Rita Tabatchnick, President of Tabatchnick Fine Foods, Inc., came forward and was sworn in. Entered into the record as Exhibit A-1, a series of slides that were shown on the Board's screen. Ms. Tabatchnick discussed the history of Tabatchnick Fine Foods, Inc. Tabatchnick is seeking to expand their company with a product line called RUTF, ready to use therapeutic foods, given to malnourished children. Ms. Tabatchnick wants to bring the manufacturing of RUTF to her New Jersey facility. Ms. Tabatchnick is seeks to expand her Somerset facility in order to accommodate this product line, by relocating the plant from Georgia which produces RUTF. Tabatchnick Fine Foods, Inc. is only one (1) of three (3) national companies that is certified by the USDA to make RUTF products. Currently, there are approximately 31-35 employees on site. She indicated that the cooks arrive at 1:00 a.m. and stay until 9:00 a.m., manufacturing employees' shifts start at 7:00 a.m. until 3:00 p.m. and the office staff remains until 5:00 p.m. Many of the workers walk to work, so parking is not an issue. She discussed deliveries that will include tractor trailers and smaller vehicles

to make deliveries between the hours of 7:00 a.m. and 3:00 p.m. She plans to expand Tabatchnick Fine Foods, Inc. for the manufacturing of peanut butter. Nineteen (19) additional employees will be hired to cover two shifts of operation. The hours of operation are not expected to change.

- 4. Ms. Tabatchnick advised the Board that she will fulfill any and all of the punch list items from the prior approval. She indicated that she would like to preserve the previously planted trees on the site and request a waiver for curbing to allow for tree preservation. She also acknowledged the required affordable housing fees. Ms. Tabatchnick indicated that the proposed insulated building will contain odors and the production process will use very fast heating, cooling and packaging.
- 5. Mr. Oliver Wilhelm, Architect, came forward and was sworn in. The Board accepted his qualifications. Mr. Wilhelm discussed the manufacturing process and the building location. He testified that there will be efficient use of space in both the manufacturing and warehouse portions of operations. The second floor of the building will accommodate the office staff. Entered into the record as Exhibit A-2, a rendering of the south elevation. Entered into the record as Exhibit A-3, a 3D aerial photo projection. Entered into the record as Exhibit A-4, a western elevation a visual simulation showing a new entranceway. He then entered into the record as Exhibit A-5, a visual simulation of the loading dock. Mr. Wilhelm discussed the building material and insulated metal panels that will be installed on the exterior of the building. The panels will include an attractive exterior product that provides insulation necessary to maintain proper temperatures inside the building while also providing an easily washable product that can be painted any color. Mr. Wilhelm indicated that the Applicant will utilize a beige color.
- 6. Mr. Wilhelm then discussed the building height, noting that the Township allows for 35 ft. and that the Applicant is proposing 38.6 ft. He further explained that the machinery that produces the peanut butter is very large and will require additional height. Lot coverage variance is also needed, for the manufacturing and storage of the product. Mr. Wilhelm then discussed the proposed building signs and their potential location. Both of the proposed signs will be mounted on metal awnings having the name "Tabatchnick Fine Foods". Mr. Wilhelm testified that the proposed signs will be ground

lit and architecturally in scale with the building size. Mr. Wilhelm then addressed the placement of the proposed refrigerator units, which will be located in the front yard facing an unimproved portion of the Codington Place right-of-way. He indicated that the refrigerator units are to be placed there in order to work more effectively and efficiently.

- 7. Mr. Mitchell Ardman, Engineer, came forward and was sworn in. The Board accepted his qualifications. Entered into the record as Exhibit A-6, was a colorized Dimension Plan with Landscaping. Mr. Ardman discussed the 2.84 acre site, which includes the addition of the newly purchased property. Mr. Ardman discussed the location of the new driveway, located off Hamilton Street, with the inclusion of 18 new parking spaces (a few being ADA accessible). Mr. Ardman then discussed the M-2 standards for comparison, as this location is in an R-10 residential zone. Mr. Ardman explained that the Applicant is unable to utilize the existing warehouse because the peanut butter product requires separate warehousing and processing. Mr. Ardman indicated that the Applicant will comply with all comments in all Staff Reports.
- 8. Mr. Ardman stated that Applicant will comply with the Township's Engineer report. Mr. Ardman testified that there is a storm water management plan in place for the site. The plan includes a bio-retention basin for improved water quality and recharge. The run-off water will be controlled through large over-sized underground pipes. Mr. Ardman then discussed curbing and the fact that the Applicant would like to preserve as many trees as possible on site and will work with Township staff to their satisfaction. Mr. Ardman indicated that the Applicant will comply with the Township's Planning report. He added that the design of the building is going to serve as a buffer to cut off any light spillage onto neighboring properties. He also indicated that the Applicant will re-locate the light pole. He does not believe there are any negative impacts upon either the zone plan or the neighboring properties.
- 9. Mr. Kevin O'Brien, Planner, came forward and was sworn in. The Board accepted his qualifications. Mr. O'Brien discussed the unique aspects of this application. He spoke about the peanut butter product being manufactured for malnourished children, promoting good worldwide, not just locally. He also indicated that 19 new manufacturing jobs will be created. Mr. O'Brien indicated that the proposed application is the same type of operation (warehouse and office space) that was previously

approved by the Board in 2007 for this site. Mr. O'Brien discussed the 2006 Master Plan that encourages commercial and industrial development and will least likely impact residential neighborhoods. The 2016 Master Plan continues to encourage such uses of manufacturing along roadways. Mr. O'Brien addressed the Municipal Land Use Law (MLUL) and the special reasons in items (e), (f), (g) and (m) that demonstrate sufficient space within the appropriate locations. Mr. O'Brien believes that there are no negative impacts and the building expansion will benefit the surrounding area. This approval is granted based on the specific need for the production of peanut butter. The Board will allow the Applicant to produce and manufacture peanut butter and/or similar food products with nutritional supplements that are in the same line of peanut butter related products, if beneficial for the same need in feeding and aiding malnutrition children.

WHEREAS, the Board has made the following ultimate findings and conclusions based upon the foregoing findings of fact:

- A. The Applicant has shown special reasons to satisfy the requirements for granting a D(1) Variance and D(6) Variances with Site Plan and associated "C" Variances pursuant to the provisions of N.J.S.A. 40:55D-70. The site is particularly suited for the proposed expansion project. The Board finds that the Applicant has demonstrated special reasons to support the granting of the variances and adopts the testimony of the Applicant's Planner in this regard.
- B. The Board concludes that there are no significant detrimental impacts on the neighborhood. The Board concludes that the conditions to be imposed reduce or eliminate any negative impacts.
- C. The application for the D(1) Variance and D(6) Variances, Site Plan and associated "C" Variances applied for as hereinafter conditioned, can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Master Plan, Zone Plan and the Zoning Ordinance of the Township.

WHEREAS, at the conclusion of the hearing on April 7, 2016, the Board has taken action by voting on said application in accordance with N.J.S.A. 40:55D-10(g) of the Municipal Land Use Law and has directed that a resolution memorializing such action be prepared.

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NOW, THEREFORE, BE IT RESOLVED, by the Board of Adjustment on this 21st day of July, 2016, on the basis of the evidence presented to it, the foregoing findings of fact and ultimate findings and conclusions, that the Board does hereby grant the Use Variance, Site Plan and associated Variances applied for by the applicant subject to the following conditions:

- The granting of the Use Variance, Site Plan and associated Variances shall not be construed to eliminate satisfaction of any other requirements of the zoning ordinance and/or other requirements of the agencies, boards, and authorities of the Township of Franklin, County of Somerset or State of New Jersey.
- 2. Compliance with Applicant's representations and agreements as well as the conditions set forth in the findings of fact hereinabove.
- Any and all fees properly due and owing the Municipal Board of Adjustment for hearing the application must be paid in advance of building permits being issued.
- 4. Applicant shall comply with representations and agreements as well as all staffing reports except as otherwise indicated herein this Resolution.
- 5. Applicant agrees that the building and landscaping, when constructed, will be in accordance with the designs and examples shown in the hearing exhibits.
- Applicant agrees to paint both the old and the new building with the same Beige color in order to obtain consistency.
- 7. Applicant will work with Township staff regarding curbing and tree issues.
- 8. The granting of this approval is based in significant part on the importance of the unique nature of the peanut butter product to be made and its humanitarian value. In the event that a new product other than peanut butter or food products/nutritional supplements satisfying the same need

of the peanut butter product is proposed to be manufactured at this site further Board review and approval will be required.

9. The Board's approval of a peanut butter manufacturing/processing addition at this site, subject to conditions, is based on the need to have a separate area from other food manufacturing/processing, therefore, the reasoning and conclusions for granting the above approvals is linked to the products identified in Condition 8 above this product and as such the approval is for the manufacturing/processing of those products only and any other food product will require further Board review and approval.

HRISTINE WOODBURY

Board Secretary

VOTE ON MOTION: 04/07/2016

FOR

Raymond Betterbid Alan Rich Robert Shepherd Gary Rosenthal Joel Reiss Cheryl Bergailo Chairman Thomas VOTE ON RESOLUTION: 07/21/2016

FOR

AGAINST NONE

AGAINST

ABSTENTIONS NONE

ABSTENTIONS