OLDMANS TOWNSHIP

 PLANNING BOARD MEETING

July 19, 2021

The Regular Meeting of the Oldmans Township Planning Board was held on July 19, 2021. The meeting was called to order by Chairman Sandy Collom at 7:00 PM. This meeting was held in compliance with the Sunshine Law.

IN ATTENDANCE: George Bradford, Sandy Collom, Dan Daly, Sue Miller, Tina Nipe, Jay Perry, Earl Ransome, Steve Smith, Mike Tuturice, Melinda Taylor and Rae Walzer. Also in attendance: Ron Uzdavinis, Planning Board Solicitor and Tom Tedesco, Planning Board Engineer

MINUTES OF PREVIOUS MEETINGS: A motion was made by Tina Nipe, seconded by Jay Perry and approved by all those who attended the June 21, 2021 regular meeting.

CORRESPONDENCE: None.

SUBCOMMITTEES:

Economic Working jointly with buyer on State riparian claim.

Environmental Nothing to report at this time.

Farmland Preservation Township Committee advertised a Request for Professional Services. Three firms submitted proposals; all within $500 of each other. Township Committee will be conducting interviews of the firms in the coming weeks to make a choice.

Master Plan Revision One more meeting scheduled and should be able to finish up review of Township codes.

PREVIOUS BUSINESS:

**Resolution 2021-17** Resolution Approving Minor Site Plan to Andrew Oliver and Cassandra Kirk on Application 2021-06 Affecting Property Located at Pedricktown-Woodstown Road, Designated as Block 18/Lot 17.01

George Bradford made a motion to approve, Tina Nipe seconded and a roll call vote was taken:

Roll Call Vote:

George Bradford Yes

Sandy Collom Yes

Sue Miller Yes

Tina Nipe Yes

Jay Perry Yes

Earl Ransome Yes

Steve Smith Yes

Melinda Taylor Yes

8- aye/0-no

NEW BUSINESS:

**Application 2021-07**

John and Donna Travaglini

Penns Grove-Auburn Road

Block 42/Lot 37

Minor Subdivision

Dale Boston of Boston/Seeberger represented the applicants. Sworn in: John Travaglini and Donna Travaglini.

The proposed subdivision meets the minimum lot size. Applicant requested a waiver of the wetlands determination by the NJ DEP for two reasons: 1. State is working on a one year turn around time and 2. Lot will be listed for sale; applicant will not be building anything on the site for themselves.

Tom Tedesco stated that the proposed subdivision conforms with the requirements of the Agriculture/Residential zone. The waiver of the NJ DEP Letter of Interpretation would be submitted when an owner is ready to build. Both the Township Construction Dept. and the County Dept. of Health would need an LOI. Approval is also needed from the Salem County Planning Board since the property is on a county road.

There was some discussion about the lot numbering. Mr. Boston will confirm the numbers with the Tax Assessor and perfect the numbers with deed filings. Steve Smith wanted to confirm that the narrowest part of the lot is at the street. Mr. Boston confirmed yes. No variances are necessary.

OPEN TO PUBLIC FOR COMMENT No comments.

CLOSED TO PUBLIC

Completeness:

Steve Smith made a motion to deem the application complete, Earl Ransome seconded and roll call vote was taken:

Roll Call Vote:

George Bradford Yes

Sandy Collom Yes

Sue Miller Yes

Tina Nipe Yes

Jay Perry Yes

Earl Ransome Yes

Steve Smith Yes

Melinda Taylor Yes

8- aye/0-no Application deemed complete

Technical:

Jay Perry made a motion to approve the application, subject to outside agency approval by the County and in the future, NJ DEP Letter of Interpretation, Tina Nipe seconded and a roll call vote was taken:

Roll Call Vote:

George Bradford Yes

Sandy Collom Yes

Sue Miller Yes

Tina Nipe Yes

Jay Perry Yes

Earl Ransome Yes

Steve Smith Yes

Melinda Taylor Yes

8- aye/0-no

Ordinance Regarding Cannabis Growth and Manufacturing in the Commercial/Industrial District of Oldmans Township Referred to Planning Board by the Oldmans Township Committee for Comment

Mr. Uzdavinis explained that the Planning Board is being asked by the Township Committee to make a determination if growing and manufacturing of cannabis is consistent with the Master Plan. The Township Committee can accept or reject the Planning Board’s recommendation. While the topic is not for public hearing at this time, the Planning Board can hear from objectors or proponents if they so desire. The proposed ordinance is for recreational and medical marijuana. There will not be a dispensary; no sale to the dispensary. The proposed site is zoned commercial/industrial. In the future the applicant would have to appear before the Planning Board for site plan approval. If the ordinance is approved by the Township Committee the applicant would not need a use variance.

The State is responsible for issuing the licensing which will be based on municipality population size. Based on the size of the Oldmans population, only one license would be issued by the State. The licensing is highly competitive. East municipality have to decide whether or not to allow cannabis by August 22nd. The Township Committee passed the ordinance for first reading in July with a public hearing scheduled for August 11th. The municipality will receive 2.0% tax on gross annual sale in addition to property taxes. The applicants are not eligible for a pilot program.

Rae Walzer Didn’t Oldmans prohibit cannabis earlier?

Melinda Taylor Yes Oldmans had approved a prior ordinance prohibiting cannabis within Oldmans but the State declared all prior ordinances as null and void so each municipality has to start over on their determination of whether or not to allow cannabis.

Ron Uzdavinis Committee is only considering growing and manufacturing of cannabis.

Earl Ransome Wanted to know what is allowed in the Commercial/Industrial Zone.

Melinda Taylor Approved uses for C/I are listed in the ordinance.

Dan Daly Questioned about inclusion of IPRA zone.

Melinda Taylor All approved uses for each zone have been written into the ordinance in order to be very clear for the future.

Dan Daly Questioned terminology of wholesale and distribution.

Ron Uzdavinis NJ Statute gives the definitions; the ordinance doesn’t have to refer to all definitions.

Jay Perry Township would receive 2.0% of gross income?

George Bradford Yes. State passed legislation that if a municipality accepts a cannabis business the municipality receives 2.0% in addition to real estate taxes. The 2.0% would provide a steady income to the municipality.

Ron Uzdavinis When the Master Plan was written and later reviewed, cannabis wasn’t state law so the matter was not addressed by prior Planning Boards. If there is nothing in the Master Plan prohibiting cannabis, then it can be considered to be an allowable use.

Frank Hoerst Esquire for proposed applicant. Represents client from Boulder, CO. The MLUA law states that any change to the land use law must come before the Planning Board. NJ Statute allows 2.0% of gross sales to the municipality. There are 7-8 additional requirements in the ordinance that will be part of the site plan. The cannabis will only be grown inside of the building. Security will be provided 24/7. Host benefits include:

(1) 2.0% tax which based on 7 other facilities owned by the applicant equates to $1.2 million/year.

(2) Per State statute, no pilot program will be allowed.

(3) 120-130 employees with starting salary at $17.00 plus medical benefits. Priority will be given to veterans for hiring.

 The property is under agreement of sale.

David Avedissian Esquire for proposed applicant. Only requesting growing and cultivation, not wholesale or distribution which are separate State licenses.

Dan Daly Concerned about terminology of the words “sale and distributing” in the ordinance.

David Avedissian The applicant would sell the cannabis to a wholesaler. The proposed ordinance covers the health, safety and welfare of the residents. The applicant would have to appear before the Planning Board for site plan approval. The facility would be closed to the public, only authorized employees allowed.

Steve Smith What size truck would be used to transport the cannabis?

David Avedissian Box trucks. State will be issuing security plans in the future.

Rae Walzer Is more than one growing facility allowed in each municipality?

David Avedissian Ordinance reads that there will be one cannabis facility for every 12,000 people which is similar to the State Alcohol Beverage Commission on how they determine the number of liquor licenses that can be issued. The Cannabis Review Committee is determining recommendations for rules and regulations. Each application to the State is reviewed on a points system, not first application received.

Steve Smith Gross annual income is projected at $60,000,000?

David Avedissian It is anticipated that 40,000 pounds of cannabis will be produced. The 2.0% tax goes to the municipality, not the County.

Sandy Collom The Planning Board has two choices: 1. Make a recommendation at tonight’s meeting or 2. Hold a special meeting if members want more time to consider the ordinance.

Rae Walzer Any limitations on how the tax money is used?

George Bradford It would go to the general fund.

David Avedissian The State is not mandating how the funds are to be used.

Dan Daly Would the municipality be prohibited from giving some of the money to the school.

George Bradford The Township can decide how the funds are spent.

David Avedissian There will be two floors within a 24’ building. The applicant is not anticipating needing any variances for the site plan. The State permits up to 150,000 sq. ft. for two locations; applicant is only going to be using 100,000 sq.ft. The footprint of the building will be 100,000 sq.ft. with two levels. The proposed site is 360 US Route 130.

Sue Miller Is cannabis considered to be an annual plant?

David Avedissian It is anticipated that there will be three crops/year. It takes the plant four months to flower. The plants are cloned. Some of the trimmings will be sold wholesale; the rest are shredded and composted. The plants are potted and not hydroponic. The water and fertilizer are not allowed to runoff. Their client is experienced and has been operation in Colorado since 2008/2009 with licenses in Pennsylvania and Michigan.

Jay Perry What is the annual budget for Oldmans?

David Avedissian $2.3 million

Sandy Collom made a motion to accept the Township Committee’s ordinance and the proposed use for recreational and medical marijuana in the Commercial/Industrial district for growing and manufacturing. Steve Smith seconded the motion and a roll call vote was held:

Roll Call Vote:

George Bradford Yes

Sandy Collom Yes

Sue Miller Yes

Tina Nipe Yes

Jay Perry Yes

Earl Ransome Yes

Steve Smith Yes

Melinda Taylor Yes

8- aye/0-no

Steve Smith made a motion to close the public portion of the regular meeting of the Planning Board which was seconded by Earl Ransome and all agreed. Ron Uzdavinis left the meeting.

Planning Board Stormwater Training by Tom Tedesco – “Green Infrastructure”

Mr. Tedesco made a presentation to the Planning Board regarding the recent changes (March, 2021) to the State’s stormwater rules. The new regulations revised green infrastructure.

There being no further business members left the meeting at 8:30 pm.

Melinda Taylor

Secretary