

**TOWNSHIP OF BORDENTOWN
PLANNING BOARD – ZOOM MEETING**

August 13, 2020

A Virtual Zoom Meeting of the Bordentown Township Planning Board was called to order at approximately 7:03 PM.

PRESENT: Stephen Benowitz, Mayor, Class I
Bill Grayson, Class II
Eric Holliday, Deputy Mayor, Class III
George Chidley, Chairman, Class IV
Kevin Hirschfeld, Vice-Chairman, Class IV
Erica Bowyer, Class IV
Danielle Esser, Class IV
Timothy Fairlie, Class IV
MaryAnn Holston, Class IV
Brian Carlin, Attorney
Fred Turek, II PE, PP, CME, CPWM, Engineer
Jack Carman, RLA, FASLA, PP, Planner / Landscape Arch.
James L. Kochenour, PE, Traffic Engineer
Mike Theokas, Interim Dir. of Comm. Dev./ Alt. Bd. Secretary
Cindy Dziura, Alt. Bd. Secretary/Recording Secretary

ABSENT: Linda Schiano, Alt. #1
Nicholas D'Angelo, Alt. #2

The meeting was opened by Chairman Chidley. Roll call was taken by Alt. Board Secretary Dziura. The open public meetings announcement was read by Chairman Chidley.

MINUTES:

The minutes from the July 9, 2020 Zoom meeting were presented. Deputy Mayor Holliday made a motion to approve the minutes; Vice-Chairman Hirschfeld seconded the motion.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Schiano, D'Angelo
ABSTAIN: None
NOT VOTING: None

The minutes from the July 23, 2020 Zoom meeting were presented. Deputy Mayor Holliday made a motion to approve the minutes; Vice-Chairman Hirschfeld seconded the motion.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Schiano, D'Angelo
ABSTAIN: Bowyer
NOT VOTING: None

ADMINISTRATIVE ACTIONS:

- A) Referral of Township Committee Ordinance #2020-15 entitled **AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE GENERAL CODE OF THE TOWNSHIP OF BORDENTOWN BY REPEALING AND REPLACING SECTION 1100 OF CHAPTER 25 TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM**

HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS.

Planning Board Secretary Theokas gave a brief description of the Township Ordinance.

Deputy Mayor Holliday made a motion to open to the public; seconded by Mr. Grayson.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Schiano, D'Angelo
ABSTAIN: None
NOT VOTING: None

Planning Board Secretary Theokas confirmed he received no public comment on the Zoom host screen.

Deputy Mayor Holliday made a motion to close to the public; seconded by Mr. Grayson.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Schiano, D'Angelo
ABSTAIN: None
NOT VOTING: None

The Board considered the following Resolution of the Planning Board:

Resolution No. P-2020-20 – RESOLUTION RECOMMENDING ADOPTION OF ORDINANCE #2020-15 AMENDING CHAPTER 25 OF THE LAND USE DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF BORDENTOWN.

Mr. Grayson made a motion to approve Resolution P-2020-20; seconded by Vice-Chairman Hirschfeld.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Schiano, D'Angelo
ABSTAIN: None
NOT VOTING: None

- B) Referral of Township Committee Ordinance #2020-16 entitled **AN ORDINANCE TO AMEND CHAPTER 25, LAND DEVELOPMENT ORDINANCE, OF THE BORDENTOWN TOWNSHIP CODE, TO ESTABLISH A NEW ZONING DISTRICT ENTITLED "AH-D AFFORDABLE HOUSING DUPLEX."**

Planning Board Secretary Theokas gave a brief description of the Township Ordinance.

Deputy Mayor Holliday made a motion to open to the public; seconded by Vice-Chairman Hirschfeld.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Schiano, D'Angelo
ABSTAIN: None
NOT VOTING: None

Planning Board Secretary Theokas confirmed he received no public comment on the Zoom host screen.

Vice-Chairman Hirschfeld made a motion to close to the public; seconded by Deputy Mayor Holliday.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Schiano, D'Angelo
ABSTAIN: None
NOT VOTING: None

The Board considered the following Resolution of the Planning Board:

Resolution No. P-2020-21 – RESOLUTION RECOMMENDING ADOPTION OF ORDINANCE #2020-16 AMENDING CHAPTER 25 OF THE LAND USE DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF BORDENTOWN.

Deputy Mayor Holliday made a motion to approve Resolution P-2020-21; seconded by Vice-Chairman Hirschfeld.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Schiano, D'Angelo
ABSTAIN: None
NOT VOTING: None

- C) Referral of Township Committee Ordinance #2020-13 entitled **ORDINANCE AMENDING SECTION 25.409 OF THE BORDENTOWN TOWNSHIP MUNICIPAL CODE ENTITLED “GC-1 – GENERAL COMMERCIAL AND GC-11 – GENERAL COMMERCIAL.**

Planning Board Secretary Theokas gave a brief description of the Township Ordinance.

Deputy Mayor Holliday made a motion to open to the public; seconded by Vice-Chairman Hirschfeld.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Schiano, D'Angelo
ABSTAIN: None
NOT VOTING: None

Planning Board Secretary Theokas confirmed he received no public comment on the Zoom host screen.

Vice-Chairman Hirschfeld made a motion to close to the public; seconded by Deputy Mayor Holliday.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Schiano, D'Angelo
ABSTAIN: None
NOT VOTING: None

The Board considered the following Resolution of the Planning Board:

Resolution No. P-2020-22 – RESOLUTION RECOMMENDING ADOPTION OF ORDINANCE #2020-13 AMENDING CHAPTER 25 OF THE LAND USE DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF BORDENTOWN.

Deputy Mayor Holliday made a motion to approve Resolution P-2020-22; seconded by Vice-Chairman Hirschfeld.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Schiano, D'Angelo
ABSTAIN: None
NOT VOTING: None

RESOLUTION(S):

Resolution No. P-2020-16 – RESOLUTION MEMORIALIZING THE ACTION OF THE PLANNING BOARD ON APPLICATION OF G&S REALTY CORP. FOR A ONE YEAR EXTENSION OF APPROVALS FOR THE PROPERTY DESIGNATED AS BLOCK 137.01, LOT 1, 11.03 ON THE BORDENTOWN TOWNSHIP TAX MAP, MORE COMMONLY KNOWN AS OLD YORK ROAD BUSINESS PARK.

Vice-Chairman Hirschfeld made a motion to approve Resolution P-2020-16; seconded by Mr. Grayson.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Schiano, D'Angelo
ABSTAIN: None
NOT VOTING: None

Resolution No. P-2020-17 – A RESOLUTION OF THE PLANNING BOARD OF BORDENTOWN TOWNSHIP DEEMING THE APPLICATION OF CHRIS AND THERESA UPMANIS FOR BLOCK 49.01, LOT 14 TO BE INCOMPLETE.

Vice-Chairman Hirschfeld made a motion to approve Resolution P-2020-17; seconded by Mr. Fairlie.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Schiano, D'Angelo
ABSTAIN: Bowyer
NOT VOTING: None

Resolution No. P-2020-18 – A RESOLUTION MEMORIALIZING THE DENIAL OF THE BULK VARIANCE APPLICATION OF MARK AND ALICIA PALUMBO FOR THE PROPERTY DESIGNATED AS BLOCK 93.05, LOT 1 MORE COMMONLY KNOWN AS 30 WATERFORD DRIVE.

Vice-Chairman Hirschfeld made a motion to approve Resolution P-2020-18; seconded by Mr. Fairlie.

Roll call: AYE: Esser, Fairlie, Holston, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Schiano, D'Angelo
ABSTAIN: Grayson, Bowyer
NOT VOTING: None

NEW BUSINESS:

<p>PB-2020-01</p> <p>Received: 3/12/2020</p> <p>Escrow fees: PAID</p> <p>Taxes: PAID</p>	<p style="text-align: center;">HEARING OF APPLICATION <i>(Application Deemed Complete on April 23, 2020 and Memorialized on May 28, 2020)</i></p> <p><u>CURALEAF</u></p> <p>Applicant is seeking preliminary and final major site plan with variances and waivers</p> <p><u>REPORTS BY BOARD PROFESSIONALS:</u> Fred Turek, Engineer: July 29, 2020 Jack Carman, Planner/Landscape Architect: July 30, 2020 Jim Kochenour, Traffic Engineer: July 28, 2020 Steve Scholey, Fire Marshall: March 4, 2020</p>	<p>ESCROW #986700</p> <p>Block 63, Lot 3 & 4.01</p> <p>191 Route 130</p> <p>Zoned: HC</p>
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Jonas Singer of Wells and Singer, Attorney on behalf of the applicant, and gave a brief description of the application.

Present giving testimony representing applicant were:

- Chris Melillo, Sr. V.P. of Retail, Curaleaf
- Terry Combs, Licensed Planner and Landscape Architect, and Project Manager, Petit Group
- Michael Sullivan, Sr. Construction Manager, Curaleaf
- Brian Proska, Licensed Professional Engineer, Traffic Planning and Design

The representatives were sworn in and the hearing commenced. Mr. Melillo gave some background on Curaleaf. The Planning Board Planner, Engineer and Traffic Engineer reports were reviewed.

Without completion of the testimony by Curaleaf, at 11:00 pm Chairman Chidley stated the hearing would continue to the September 10, 2020 meeting of the Planning Board.

A motion was made by Mr. Fairlie to adjourn the matter to September 10, 2020. The applicant is not required to re-advertise. All amended plans and exhibits for that meeting will need to be submitted to the Planning Board Professionals and Secretary by August 31, 2020; seconded by Vice-Chairman Hirschfeld.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
 NAY: None
 ABSENT: Schiano, D'Angelo
 ABSTAIN: None
 NOT VOTING: None

PUBLIC COMMENT:

Vice-Chairman Hirschfeld made a motion to open to the public; seconded by Deputy Mayor Holliday.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
 NAY: None
 ABSENT: Schiano, D'Angelo
 ABSTAIN: None
 NOT VOTING: None

JOHNY WHITTINGTON, 23 Exeter Road, East Windsor, NJ: Mr. Whittington thanked the Planning Board for their diligence and consideration for the project and said he thought the Curaleaf project would be a good addition to Bordentown Township.

BERTA LAFFERTY, Bossert Estates: Ms. Lafferty asked if she could ask questions regarding cannabis distribution at the September 10, 2020 meeting. Attorney Carlin responded, yes.

Seeing no further comments, Mr. Fairlie made a motion to close to the public; seconded by Vice-Chairman Hirschfeld.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Schiano, D'Angelo
ABSTAIN: None
NOT VOTING: None

ADMINISTRATIVE ITEMS FROM THE COMMUNITY DEVELOPMENT OFFICE:

Board Secretary Theokas stated materials will be sent out Friday, August 14, 2020 for the Special Meeting on Monday, August 17, 2020.

ADJOURNMENT:

Deputy Mayor Holliday made a motion to adjourn the meeting at approximately 11:15 pm; seconded by Vice-Chairman Hirschfeld.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Holliday, Benowitz, Schiano, Hirschfeld, Chidley
NAY: None
ABSENT: Bowyer, D'Angelo
ABSTAIN: None
NOT VOTING: None