

TOWNSHIP OF BORDENTOWN
MINUTES -- PLANNING BOARD ZOOM MEETING
June 24, 2021

A Virtual Zoom Meeting of the Bordentown Township Planning Board was called to order at approximately 7:00 PM.

PRESENT: Stephen Benowitz, Mayor, Class I
Bill Grayson, Class II
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., Spiegle
Jeff L'Amoreaux, PE, Traffic Engineer, Arora Assoc.
Mike Theokas, Interim Dir. of Comm. Dev./ Board Secretary
Cindy Dziura, Alt. Bd. Secretary/Recording Secretary

ABSENT: Eric Holliday, Deputy Mayor, Class III
Vacant, 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 June 10, 2021 Zoom meeting were presented. Mr. Fairlie made a motion to approve the minutes; Ms. Esser seconded the motion.

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

RESOLUTION(S):

Resolution No. P-2021-15 – **A RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF BORDENTOWN DEEMING COMPLETE THE APPLICATION OF VOADV PROPERTY, INC. FOR AMENDED PRELIMINARY AND FINAL SITE MAJOR PLAN APPROVAL FOR BLOCK 140.01, LOTS 1.02 & 2.01 AND BLOCK 140, LOT 5.02, KNOWN AS GERARD'S RIVERVIEW (VOA PHASE II).**

Mr. Fairlie made a motion to approve Resolution P-2021-15; seconded by Ms. Esser.

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

ORDINANCE REFERRAL FROM TOWNSHIP COMMITTEE:

Township Committee Ordinance #2021-8 entitled AN ORDINANCE BY THE TOWNSHIP OF BORDENTOWN, COUNTY OF BURLINGTON, NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESS WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING SECTION 205 OF THE BORDENTOWN TOWNSHIP MUNICIPAL CODE

Board Secretary Theokas stated that Township Committee introduced this ordinance at their last meeting. They heard a presentation regarding the legalization of recreational cannabis and the timelines and the rights of municipalities. Municipalities have until August 22, 2021 to adopt their ordinances including zoning ordinances, and opt-in or opt-out of any of the six classes of recreational cannabis. Being that the State has not yet put out the formal requirements and standards, most municipalities are opting out. If the Township doesn't opt-out by August 22, 2021 and do not adopt this ordinance, then you are opting in for a period of five years. This is part of the Economic Development part of the Master Plan, and this will not affect the previous approval to Curaleaf for a medical marijuana dispensary. This is buying the Township time to evaluate what the State will do and what, if any, standards the Township would want to put on approving or not approving any recreational use.

After discussion and questions among the Planning Board Members, Professionals, and Board Secretary, the Board considered the following Resolution.

Resolution No. P-2021-16 – RESOLUTION RECOMMENDING ADOPTION OF ORDINANCE 2021-8 BY THE TOWNSHIP OF BORDENTOWN PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING SECTIONS 205 OF THE TOWNSHIP OF BORDENTOWN CODE.

Vice-Chairman Hirschfeld made a motion to approve Resolution P-2021-16; seconded by Mr. Fairlie.

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

ANNOUNCEMENTS:

- 1) **PIONEER TECHNOLOGY, INC.** -- Chairman Chidley stated that Pioneer withdrew their application for signage.
- 2) **SKM INVESTMENTS, LLC c/o Scott Mertz** – Chairman Chidley announced that SKM has requested a continuance. Board Secretary Theokas stated they requested July 8, 2021, but VOAI is already scheduled for that date. It will publicly continued to the July 8, 2021 meeting, and if it is not July 8, 2021, it will be announced when it will be. No additional notices or advertisements will be required.

Mayor Benowitz recused himself at this time, because the application to be heard requires a use variance. Attorney Carlin added that would also require the recusal of Deputy Mayor Holliday if he were present.

OLD BUSINESS:

<p>PB-2021-02</p> <p>Received: 2/9/2021</p> <p>Escrow fees: PAID</p> <p>Taxes: PAID</p>	<p style="text-align: center;"><i>HEARING OF APPLICATION</i> <i>(Approved for Completeness on 3/11/21)</i></p> <p><u>1784 CAPITAL HOLDINGS, LLC</u></p> <p>Applicant is seeking use variance and pre/final site plan to erect self-storage facility.</p> <p><u>REPORTS BY BOARD PROFESSIONALS:</u> Fred Turek, Engineer: June 16, 2021 Jack Carman, Planner/Landscape Architect: June 15, 2021 Jeff L'Amoreaux, Traffic Engineer: June 15, 2021 Steve Scholey, Fire Marshall: March 18, 2021</p>	<p>ESCROW # 990900</p> <p>Block 138.01, Lot 43</p> <p>Route 130 & Rising Sun Rd.</p> <p>Zoned: AH-1 (Affordable Housing Overlay Zone)</p>
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The attorney representing the applicant was Chris Murphy of Murphy, Schiller & Wilkes, described the application and stated what the applicant was seeking.

Professionals giving testimony representing the applicant and sworn-in by Attorney Carlin were:
 Creigh Rahenkamp, Planner, Creigh Rahenkamp and Associates
 Jeffrey Martel, Engineer, Stonefield Engineering and Design

The hearing commenced. Mr. Rahenkamp gave an overview of the project and provided historical background. Mr. Martel reviewed the site plan and began reviewing the Township's professional review letters.

Attorney Murphy requested the application be adjourned so the applicant can work further with the Township's Professionals. Chairman Chidley and Attorney Carlin gave some suggestions of what still needs to be addressed. The applicant will return with updated exhibits, including architectural renderings and lighting, which are due 10 days prior to the next hearing.

The application is being adjourned to the July 22, 2021 meeting. Attorney Carlin confirmed that no additional noticing or advertising is necessary.

Attorney Carlin also stated that he reviewed their certification of notice for tonight's hearing, and the Board does have jurisdiction to hear this matter.

Mr. Fairlie made a motion to open to the public; seconded by Vice-Chairman Hirschfeld.

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

Seeing no comments via the zoom platform and no written comments were received, Mr. Fairlie made a motion to close to the public; seconded by Vice-Chairman Hirschfeld.

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

ADMINISTRATIVE ITEMS FROM THE COMMUNITY DEVELOPMENT OFFICE:

Board Secretary Theokas stated that Pioneer Technology, Inc. (sign application) has withdrawn, so the Board members can discard their materials. VOAI will be heard at the next meeting. SKM has not submitted any additional information. New information will be received from 1784 Capital Holdings.

Board Secretary Theokas said he will send another Planning Board schedule update to the members.

Chairman Chidley asked Attorney Carlin if he reached Attorney Singer to find out when he anticipates the Hart subdivision application returning to the Board. Attorney Carlin said he had not.

PUBLIC COMMENT: -

Mr. Fairlie made a motion to open the meeting to the public; seconded by Vice-Chairman Hirschfeld.

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

Seeing no comments, Vice-Chairman Hirschfeld made a motion to close to the public; seconded by Ms. Esser.

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

ADJOURNMENT:

Mr. Fairlie made a motion to adjourn the meeting at approximately 8:57 pm; seconded by Ms. Esser.

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