

CINNAMINSON TOWNSHIP
PLANNING BOARD
MEETING
July 13, 2021

MR. O'CONNOR: In accordance with Section V of the Open Public Meetings Act, Chapter 231, Public Law 1975, notice of this meeting was posted on the Township Website and by advertising this Regular Meeting in the Burlington County Times on January 15, 2021 and in the Courier Post on January 16, 2021. In addition, notice was filed with the Municipal Clerk.

Zoom Meeting ID: 923 868 6246

Password: 203375

For members of the public who wish to attend using a telephone, call one of the following numbers: +1 929 205 6099 US, +1 312 626 6799 US, +1 253 215 8782 US, +1 301 715 8592 US, +1 346 248 7799 US, +1 669 900 6833 US, and enter the above listed Meeting ID and Password.

Members Present: Mr. Jones, Mrs. Kravil, Ms. Lamon, Mr. McGill, Mr. Minton, Mr. O'Connor, Mr. Segrest, Mr. Maradonna and Mr. Snyder.

Also Present: Mrs. Rucci, Board Secretary, Douglas Heinold, Board Attorney, Michael Angelastro, Board Engineer.

MR. O'CONNOR: It is the policy of the Board that no application will be opened after 10:00 p.m. It is the policy of the Board that no new testimony will be taken after 10:30 p.m.

MR. O'CONNOR: Ordinance Review and Discussion – Ordinance 2021-7 – Cannabis Land Use Ordinance.

MR. PETRONE: Planning Board Attorney.

The Governing Body introduced Ordinance 2021-7. It is a development regulation. Before it can be finally adopted, it must be referred to the Planning Board for their review. Our sole responsibility is to determine whether or not this Ordinance is inconsistent with the Master Plan or not inconsistent with the Master Plan. If we find any provisions of this Ordinance as inconsistent, we have to identify them and report back to the Governing Body. That is our sole responsibility under the Municipal Land Use Law with respect to a development regulation that has been introduced by the Governing Body. The action by the Governing Body is required under the current statutes and regulations in place with respect to the legalization of Cannabis for recreational use that was passed in November. The Municipalities in New Jersey have until mid-August to pass legislation for the respective Townships or Municipalities with respect to the six classifications of licenses that are available on the recreational use of Cannabis. If a Municipality does not take action, they are deemed to have opted in. The opted in period would be for a five year period before the Municipality could relook at the issue. The Governing Body in Cinnaminson has introduced legislation that would provide for opting in with respect to certain categories of the licenses, as well as with respect to the location of same within the Municipality.

MR. FOX: Planning Board Planner. He reviewed the Cannabis Establishment Land Use Planning Report and Draft Ordinance dated June 17, 2021 prepared by Environmental Resolutions Inc. He gave the Board an overview of the Report.

MR. O'CONNOR: Any State regulations, regulatory walls that come forward beyond this, our Ordinance will be controlled by what the State has in mind for this Industry. Am I correct?

MR. PETRONE: Correct.

MR. FOX: This cannabis establishment overlay zone would be in the Light Industrial and Industrial Zones in your Township. It would not include areas that are adjacent to residential zones or it would not allow retail use near residential zones or places of worship. It would be in the Industrial Zone behind the Route 130 commercial zone along Delran Township between there and Union Landing Road all the way down to Broad Street. That entire area there which includes the Sea Box and the PSE&G Landfill. It would also include the Light Industrial Zone that is between Broad Street and Taylors Farm. It would not include those residential areas down by Inman, Fern and Zeisner Street. It would also include the Industrial Zone between Industrial Highway and Union Landing Road behind the commercial zone on Route 130. It would not include the Temple on Garry Road and Industrial Highway. The reason why it was selected to be between Industrial Highway and Union Landing Road and not all the way to the Pompeston Creek, which is the border of the Industrial Zone is because that established that it was more than 200 feet away from the Eleanor Rush School and the Cinnaminson High School. We worked very specifically to make sure it was in the proper places to protect the public health safety and welfare and also, make sure that the best economic development properties would be available for this without negatively impacting the adjacent neighbors or the Township Community.

MR. O'CONNOR: He opened the public portion of the meeting.

LIZ DUNN: She thanked everyone for their hard work. She asked if she was understanding this right. Obviously, the State has legalized marijuana so Cinnaminson is trying to do what they can to locate any marijuana dispensaries or wholesaling in an Industrial area so it doesn't impact any retail and to keep it away from schools.

MR. PETRONE: That is the way the Ordinance is set up.

MS. DUNN: Does Cinnaminson have to find a location for this type of business or the State will tell them where to locate it?

MR. PETRONE: If the Township of Cinnaminson took no action with respect to recreational cannabis, the State Statute would govern.

MR. FOX: The Township Master Plan, the Economic Development Committee and different programs are trying to make sure that the commercial quarters, neighborhood districts, state highways and county roads have a certain quality and perception for the types of businesses and given the novel aspect of this use, we believe that it is best as a conditional use within the Industrial Zone at this time.

MS. DUNN: She agreed with Mr. Fox. Is it a situation where Cinnaminson doesn't have a choice whether or not they have these establishments?

MR. PETRONE: The Governing Body has taken the position that they are permitting certain Cannabis licenses to operate in Cinnaminson.

MS. DUNN: She asked when was the public hearing.

MR. SEGREST: It is on Monday, July 29, 2021.

MR. O'CONNOR: He closed the public portion of the meeting.

A MOTION IS MADE BY MR. MINTON seconded by Ms. Lamon finding Ordinance 2021 -7 is not inconsistent with the Master Plan of the Township of Cinnaminson. ROLL CALL VOTE: AYE, Mr. Jones, Mrs. Kravil, Ms. Lamon, Mr. McGill, Mr. Minton, Mr. Segrest, Mr. Maradonna, Mr. Snyder and Mr. O'Connor, no opposed, motion passes.

A MOTION IS MADE BY MS. LAMON seconded by Mr. Jones to approve the Resolution of the Planning Board of the Township of Cinnaminson Finding Ordinance No. 2021-7 "An Ordinance of the Township of Cinnaminson, County of Burlington, State of New Jersey, Amending Part II, General Legislation, Chapter 525 of the Township Code Entitled "Zoning" to Include Section 525-81D Conditional Uses, and to include Section 525-145: Cannabis Establishments" Not Inconsistent with the Master Plan of the Township of Cinnaminson. ROLL CALL VOTE: AYE, Mr. Jones, Mrs. Kravil, Ms. Lamon, Mr. McGill, Mr. Minton, Mr. Segrest, Mr. Maradonna, Mr. Snyder and Mr. O'Connor, no opposed, motion passes.

A MOTION IS MADE BY MR. MINTON seconded by Mr. Jones to approve the Resolution for Case #2107 – Resolution of the Planning Board of the Township of Cinnaminson Granting Preliminary and Final Site Plan Approval to R.C. Car World, LLC - 2305 Garry Road, Block 802, Lot 2. ROLL CALL VOTE: AYE, Mr. Jones, Mr. Minton, Mr. Segrest, Mr. Maradonna, Mr. Snyder and Mr. O'Connor, Abstain, Mrs. Kravil, Ms. Lamon, Mr. McGill, no opposed, motion passes.

A MOTION IS MADE BY MR. SNYDER seconded by Mr. Jones to approve the Regular Meeting Minutes from June 8, 2021. VOICE VOTE: ALL AYE, Abstain, Ms. Lamon, no opposed, motion passes.

A MOTION IS MADE BY MR. JONES, seconded by Mr. Snyder to approve the Regular Meeting Minutes from June 22, 2021. VOICE VOTE: ALL AYE, Abstain, Ms. Lamon, no opposed, motion passes.

MR. O'CONNOR: He opened the public portion of the meeting. No one came forward.

MR. O'CONNOR: He closed the public portion of the meeting.

A MOTION IS MADE BY MR. MINTON, seconded by Mr. McGill to adjourn the meeting. VOICE VOTE: ALL AYE, no opposed, motion passes. The meeting is adjourned.

Duly passed and Adopted

Respectfully submitted

Patricia Rucci