

A REORGANIZATION MEETING OF THE PLANNING /ZONING BOARD OF THE BOROUGH OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY WAS HELD ON MONDAY, JANUARY 23, 2023 AT THE BOROUGH HALL BEGINNING AT 7:00 P.M.

PRESENT: Walter, Morgan, Mr. Smith, Breitz, Brothman, Daschko, DiRenzo, Wojcik, Pearson

ABSENT: None.

The meeting was called to order with a salute to the flag and in accordance with the Open Public Meetings Act by advertising notice of the meeting in the N.J. Herald and by posting copy of notice in the Borough Hall.

The oath of office was administered to: John Morgan, Class I
Robert Smith, Class III
Beth Brothman, Class II
Jim Walter, Class IV (4 year)
Joanna Wojcik, Class IV (3 year)
Peter Pearson, Class IV (3 year)

A MOTION was made by Mayor Morgan, seconded by Mr. Pearson to elect Jim Walter as Chairman of the Board. Upon roll call the following vote was cast: AYES: Walter, Morgan, Smith, Breitz, Brothman, Daschko, Wojcik, Pearson and DiRenzo. NAYS: None. Motion carried.

A MOTION was made by Mayor Morgan, seconded by Mr. Pearson to elect Heidi Daschko as Vice Chairman. Upon roll call the following vote was cast: AYES: Walter, Morgan, Smith, Breitz, Brothman, Daschko, Wojcik, Pearson and DiRenzo. NAYS: None. Motion carried.

A MOTION was made by Mr. Smith, seconded by Mrs. Daschko to name the N.J. Herald and the Sunday Herald as the official newspaper. Upon roll call the following vote was cast: AYES: Walter, Morgan, Smith, Breitz, Brothman, Daschko, Wojcik, Pearson and DiRenzo. NAYS: None. Motion carried.

A MOTION was made by Mayor Morgan, seconded by Mrs. Brothman that the regular meetings of the Board will be the 1st and 3rd Monday of each month. In the event the 3rd Monday is a holiday Monday the meeting will be the 4th Monday. Upon roll call the following vote was cast: AYES: Walter, Morgan, Smith, Breitz, Brothman, Daschko, Wojcik, Pearson and DiRenzo. NAYS: None. Motion carried.

A MOTION was made by Mrs. Wojcik, seconded by Mr. Breitz to appoint Beth Brothman as Board Secretary. Upon roll call the following vote was cast: AYES: Walter, Morgan, Smith, Breitz, Daschko, Wojcik, Pearson and DiRenzo. NAYS: None. ABSTAIN: Brothman. Motion carried.

A MOTION was made by Mayor Morgan, seconded by Mr. Pearson to appoint Jonathan N. Frodella of PRB Attorneys at law as Board Attorney. Upon roll call the following vote was cast: AYES: Walter, Morgan, Smith, Breitz, Brothman, Daschko, Wojcik, Pearson and DiRenzo. NAYS: None. Motion carried.

A MOTION was made by Mayor Morgan, seconded by Mr. Pearson to appoint Cory Stoner of H.E. Pellow & Associates as Board Engineer. Upon roll call the following vote was cast: AYES: Walter, Morgan, Smith, Breitz, Brothman, Daschko, Wojcik, Pearson and DiRenzo. NAYS: None. Motion carried.

REGULAR MEETING:

MINUTES:

A MOTION was made by Mayor Morgan, seconded by Mrs. Brothman to approve the minutes of the meeting held on October 17, 2022. Upon roll call the following vote was cast: AYES: Walter, Morgan, Brothman, Daschko, and DiRenzo. NAYS: None. ABSTAIN: Pearson, Breitz, Wojcik, Smith. Motion carried.

A MOTION was made by Mayor Morgan, seconded by Mr. Pearson to approve the minutes of the meeting held on November 21, 2022. Upon roll call the following vote was cast: AYES: Morgan, Breitz, Brothman, Daschko, Pearson and DiRenzo. NAYS: None. ABSTAIN: Walter, Wojcik, Smith. Motion carried.

CORRESPONDENCE: None.

AUDIENCE PARTICIPATION: None.

FORMAL APPLICATIONS:

APPLICATION #:	PZ-05-2022 – Buddy’s Dispensary – Site Plan & Conditional Use Variance
APPLICANT:	Buddy’s Dispensary LLC c/o Bryan P. Jannuzzi
PROPERTY OWNER:	Main Street Property Group, LLC
BUSINESS NAME:	Buddy’s Dispensary
ADDRESS:	203 Main Street, Andover NJ 07821
BLOCK/LOT/ZONE:	Block 23 Lot 20 Zone: C1\
PREVIOUS USE:	Vacant retail commercial w/ Apartment
PROPOSED USE:	Cannabis Dispensary Class 5 with conditional use commercial/residential

**Mayor John Morgan and Councilman Robert Smith recused themselves as the application consists of D use variance.

The attorney for the applicant, Melissa Reilly of McCarter & English, opened up the testimony by providing credentials and introducing her clients and the nature of their request. They are seeking class 5 retail cannabis use at this location which has an apartment above the commercial unit. The outside of the business will be used for commercial purpose and queuing customers. The business will operate 7 days a week as a special subclass of cannabis microbusiness. It was stated that 25% of licenses are microbusinesses which can expand to standard license after a year. If that situation comes along they will come back before the board and amend any approval before expansion. The attorney was asked if they would be asking to bifurcate their request due to the multiple uses. Do they want to proceed with the D1 request or bifurcate to D3 and variance? The applicant’s attorney wished to proceed as D1.

It was explained that the State Conditional Licenses are geared toward local people to access this opportunity and as a conditional license they would need to convert to annual

licensing at some point; which cannot happen without the board's approval as it is needed to move the State application forward.

The applicant for dba Buddy's Dispensary, Bryan Jannuzzi, was introduced. His role was explained as chief operating officer. Mr. Jannuzzi started to explain to the board how the business is expected to operate. He explained that there would be a locked door requiring a camera to view ID at the front and would only access when buzzed in. Once inside, there was another "man trap door" which you then had to be buzzed through again after your ID was scanned at reception and information taken. Once inside the retail portion, an employee would help you through selection and purchase. The customer would then exit through another door separate from the entrance. Mr. Jannuzzi explained there would be a max of 10 employees within the space of 2400 square feet.

Mr. DiRenzo asked if the building was secure, confirming that the security on the property would only be through camera and that no security guard would be present. Mr. Jannuzzi stated that is correct. Mr. DiRenzo asked him if he knew the town had State Police protection and the response time was not quick. Mr. Jannuzzi stated he did know that. He explained through testimony that background checks are done on all employees, the space is secured, there is a safety and security plan in place, and the owners live less than 10 minutes away. Installation of bars over the windows, which will be obscured, would be an element of the security plan. He stated there is an S.O.P. for every part of the business. The security features will include eight cameras outside of the building and thirteen inside. Motion sensors will be utilized and bars will be placed over the vault room. All customer and employee entries are timestamped.

Mrs. Brothman reviewed her understanding of the access procedure with Mr. Jannuzzi. Establishing that a panic button is located inside in the event of any criminality. The inside could take in about 5 people at a time in groups and about a dozen customers could fit inside at one time. Mr. Stoner asked for more information regarding the "man trap door" which was explained to lock in customers until they have been processed through reception and are permitted to access the retail portion of the store. With the retail store, a customer can purchase up to one ounce of product and a combination of edibles. Mr. Jannuzzi stated that they would push online ordering and delivery. When asked, he explained that there is a metric for tracking sales from seed to sale. The final product can be traced down to the gram wherever it is going. Construction build-out would take 3-4 months from licensure approval.

Signage would not change. There is one free standing sign on the property in front of the building. Only the sign within would change, there would not be any change to placement or posts. There will be no flashing or neon. The sign will not be internally lit. The sign dimension are 3.5 x 5 x 5.5.

In conversation, the board confused about the use of the apartment in conjunction with the nature of the commercial use, showed concern that the duality of the use is confusing to the discussion. Mr. Jason Dunn, Planner for the applicant, stated that he needed to finish the D1 presentation to provide the proposed use of the building to address the apartment use. Mr. Dunn explained that the property has maintained a two-bedroom apartment and commercial use downstairs since 1982. He testified that the mixed use and separate stairwell with separate entrance likely lowers the intensity of the apartment use and in his view is suitable as a conditional use. He explained the basement will be used for storage and the upstairs has been traditionally used as an apartment. He stated at the time of the last approval, the owner at the time, converted the downstairs to commercial. He stated that

he wasn't sure the intensity of the past commercial use, but that retail antiques were likely a lower intensity than retail cannabis. Mr. Dunn reported that in terms of State regulation the use is essentially retail for the purpose of their State application. He continued to show that there are multiple mixed commercial uses in the zone. Within the testimony, Mr. Dunn's credentials were verified and he presented as an expert witness. He approached the negative criteria and impact. He contended there may be more parking, but other factors make it adequate for the use. There will be no other noise issues, odors or glares. Mr. Stoner, the board engineer, showed concern that the residential apartment did increase the intensity as the commercial use is more intensive. Mr. Stoner stated that he believed the apartment use changed the character of the original approval. Mr. Stoner asked if the apartment would help or hurt the security of the location. Mr. Dunn thought it would help, that accessing the commercial unit by "drilling through the floor" was unlikely and the presence of an apartment could lessen potential break-ins off hours.

Mrs. Brothman asked how the garage in the back is being used and if it is being used by tenants or the cannabis business. Mr. Jannuzzi testified that the property owner keeps only a plow and landscaping equipment which is for use only on this property on this site. Mr. Stoner asked Mr. Jannuzzi to confirm there was no third-party use and only equipment being used for the maintenance of this location within the garage. Mr. Jannuzzi confirmed that is accurate and that the tenants are not using the garage. Mrs. Brothman asked if, on the drawing, the circle in the middle of the now paved easement & driveway is where the fire pit and chairs are located? Mr. Dunn confirmed it is. Mrs. Brothman showed concern that if a customer of the cannabis store were to be outside they may think any chairs, fire pit, etc. would be for their use since the entire property is being reviewed for commercial use. Mr. Dunn stated that they would agree to remove the chairs and fire pit. Mr. Jannuzzi confirmed they could do that. Mr. Dunn assured Mrs. Brothman that signage for "no loitering" would be installed on the property. Mrs. Brothman asked how the outside of the property can be divided between the residential and commercial use. She asked if the tenants have permission to use the property outside personally. She expressed concern that any children residing there with the tenant could potentially run into the parking lot if they were playing outside in the yard as there is no barrier from the now improved parking lot. Mr. Dunn agreed that is a potential situation. Applicant's attorney Melissa Reilly stated that any other tenants residing there would have an assumption of risk to live in the apartment; to which the board attorney Jonathan Frodella stated "if there is an assumption of risk, should we go to the testimony of the tenants being a more intensive use?". She responded that she should not have used the legal term "assumption of risk" and that she meant a new tenant would be going in with knowledge of what is going in downstairs. She was asked if there was a risk. She said she didn't think so. Mrs. Brothman expressed concern that the tenant use upstairs creates a more intensive use and that, if a child lived in that apartment, a school bus would be required to stop in front of the cannabis store to pick that child up, creating a bus stop.

Mr. Dunn continued his testimony by presenting exhibit A-1 showing the use in totality.

He explained that the easement to the North of the building would be used as a delivery vehicle entrance and that no other vehicles will be parked there. The application seeks design waivers for the driveway and the impervious covers is at about 47% of 50% allowed due to the newly installed pavement. The 1982 plan had none of the asphalt that exists there today. It was noted that the asphalt is new and the property owner should have contacted the board engineer before installing the driveway around the principal structure as the driveway did not wrap around the property before. Mr. Stoner stated that stormwater calculations should be reviewed due to the asphalt added to the lot even though it may not

be adversely affected. Mr. Dunn agreed they could do that. Mr. Dunn addressed the delivery area wherein the delivery vehicle will enter from the North side of the building and exit through the parking lot. Mr. Dunn acknowledged that his firm had surveyed the area several years ago and that the conditions have changed. The request this evening is to accept these changes as part of the plan.

Mrs. Brothman asked how far the property line is from the park trail known as the Sussex Branch trail. Mr. Dunn stated it was 23 feet. She asked if there was a fence on the plan to block this access. There is not. Mrs. Wojcik stated that the trail could create another access. Mr. Dunn agreed residents could travel through there, but there is no official access.

The testimony continued to report the business hours will be from 9am to 9 p.m., seven days week. A revised lighting plan will be submitted and that a 6x8 shed will be placed in the rear of the principal building for garbage. Refuse will be minimal normal garbage with both garbage and recycling contracted for pick up. Cannabis waste is sealed and disposed of in a specific way which is tracked by metrics. In addition to the shed a 4-foot fence will be installed to block the generator and two A/C units that operate on propane tanks. An emergency generator is also part of this application on the North side of the building. The North side has a residence next door and a baffle system will be installed to help meet the State standard of under 50 decibels. The front ramp system will be relocated due to the porch differential of elevation and when asked about the greenhouse room on the South side of the building, Mr. Dunn stated that it is not part of the commercial use and would be used for tenant storage.

Mr. Stoner asked if the parking lot was striped. It is not yet. One ADA parking space would be made available with four additional spaces for customers, 3 for employees and two for the tenant. They would add 2 additional spaces in the gravel area if needed, but they don't feel they need it. Mr. Jannuzzi testified that business is expected to take place in about 3-4 minutes and parking won't be an issue. Mr. Stoner expressed his concern that four spaces for customers does not seem sufficient. Mr. Stoner stated that without making additional parking part of the resolution, the alternative is to issue a violation from the zoning officer. Mr. Frodella stated that the issue makes the use more intensive and how is that addressed in the resolution. Mr. Dunn stated that would be through zoning violation or code enforcement violation. Ms. Reilly stated that her clients agreed to add two more gravel parking spaces in the back to this plan. When asked where the delivery car will park during the evening, Mr. Jannuzzi stated that no vehicles for the business will be left on premise overnight. The vehicles are unmarked and GPS marked to verify their route.

Mrs. Brothman reiterated that any tenant using the backyard would by the plan and testimony be in danger of being hit by a delivery vehicle using the easement around the building which cuts through the backyard. Mrs. Wojcik and Mrs. Daschko asked if signage can be placed on the easement to notify customers that easement is for personnel only.

Mr. Stoner clarified that the parking area along the easement on the North side of the building is solely for the use of the home next door at 205 Main Street and that no other parking shall take place there for either the commercial business, nor the tenant above. Mr. Stoner asked Mr. Dunn if he felt the driveway should be approved by the NJDOT. Mr. Dunn did not feel that is was necessary.

Mr. Walter asked if there would be special lighting for the parking lot. Mr. Jannuzzi stated that they are and that a lighting plan can be prepared and submitted. Mr. Stoner reminded

them that Andover Borough has a specific lighting plan and they should be sure that is being met and that there is enough lighting. Mr. Stoner clarified the business will operate from 9 a.m. to 9 p.m. seven days a week.

Mrs. Brothman asked Mr. Dunn to point out the tenant parking. Mr. Dunn explained that spaces 1 and 2 will be designated for the apartment. Mr. Stoner pointed out that due to the lack of curbing and paving along the easement, design waivers would be necessary for both.

Mr. Dunn presented the application as having a positive impact on the municipality. Providing a 2% revenue and business will bring people to the town. Mr. Dunn will provide Mr. Stoner with septic plan and lighting plan.

The matter was opened to the public. Mr. Larry Patton, 230 Main Street, stated he has been a resident since 1972 and his former father in law was mayor of Andover Borough. He stated that concerning security he feels it will be superior to the security system of the town hall. He did not have any questions about the system to be installed. The matter was closed to the public.

There was some discussion how the applicant wanted to proceed to vote. Whether they wanted to bifurcate the vote or proceed with D1 request. The applicant's attorney wanted to move forward with the D1 request.

A MOTION was made by Mr. Pearson, seconded by Mrs. Wojcik to accept this application as presented. Upon roll call the following votes were cast: AYES: DiRenzo, Pearson, Breitz, Wojcik, Daschko. NAYS: Walter and Brothman. ABSTAIN: None. Motion carried.

APPLICATION #:	PZ – 02-2022 - Clarke J. Moynihan Landscaping and Construction
TYPE:	Amend Site Plan Resolution and C & D Variances
APPLICANT:	Clarke J. Moynihan
BUSINESS NAME:	Moynihan Companies LLC
PROPERTY OWNER:	229 Main Street MC LLC
ADDRESS:	229 Main Street, Andover NJ 07821
BLOCK/LOT/ZONE:	Block 29 Lot 2.01 Zone: C1
PREVIOUS USE:	Commercial Property
PROPOSED USE:	Amend previously approved site plan to include C and D Variance

John Grey, Attorney for Mr. Moynihan, introduced himself and his client Clarke Moynihan. Mr. Moynihan was sworn into testimony. Mr. Grey presented the application as needed a variance for the free-standing sign and modification to the existing resolution concerning the front building which has been converted to an apartment upstairs and office downstairs. The testimony began with Mr. Moynihan explaining he removed an existing sign on the property resulting in this request for new signage in the front of the home on the property. The sign will be internally lit and a total of 27.5 square feet. The sign will be plexi glass with illumination inside. This request requires a bulk variance for setback, area and height of the sign. The applicant did not bring a planner or engineer available to present expert testimony. Sign will be on ground level, made completely out of stone except for the sign portion. The columns on the end are solid stone. The "ovals" in the picture shown in the center of the drawing are field stone that would support the illuminated sign portion. Mr. Moynihan described it as a "stone masterpiece with an illuminated box".

The board engineer explained the request is for a number of items. Bulk variance for signage, D1 use variance to change use of residence to allow for rental and installation of an office downstairs of the residence as well as NJDEP compliance.

The board reviewed the engineers report which addressed the compliance necessary in the prior granted resolution. Mr. Moynihan testified that those conditions are being met. He is not washing his trucks there, he keeps most of his trucks in Andover Township, he stopped crossing lot 1 easement. Mr. Moynihan testified he has moved the majority of his equipment off the lot. Mr. Stoner addressed the retaining wall Mr. Moynihan installed within the water way. Mr. Stoner explained that the installation resulted in a violation issued by the NJDEP. Mr. Moynihan testified that he is talking with the NJDEP to understand what has to be done at this point. Mr. Stoner asserted the violation is still open as no permits were issued by the NJDEP and permission was not granted for this installation of the retaining wall within stream. Mr. Grey stepped in to advise that the violation is open, but no materials or debris is leaching in the stream. He is working toward compliance, but he does not think the NJDEP will issue a permit. Mr. Stoner reported that there was a required vegetation buffer along that area. Mr. Grey said the type of vegetation has not been determined as to what the NJDEP would approve. Mr. Stoner strongly recommended that be addressed. Mr. Grey stated that they were seeking an agreement with this board that whatever the NJDEP decides on the wall is satisfactory.

Mr. Stoner stated that since 2018 this property has been subject to violations for failing to meet conditions of the site plan. Previous approvals permitted 12 vehicles. Mr. Moynihan testified that there are between 3-4 in the front and 5-6 in the rear. The 3-4 in the front would cover the apartment and office use. The matter of the use of the residence as an apartment was brought into discussion. There is now a secondary use created by the formation of an apartment and office space. Mr. Moynihan testified that is correct. He also testified that he is not storing any materials outside and is not washing vehicles on that site. Mr. Pearson reminded the applicant that in the hearing of 2017, he made promises to keep to the conditions of the resolution. Mr. Moynihan responded that he is in compliance with many of the issues as reviewed by Mr. Stoner. Mr. Stoner asked is the lot 1 easement and the materials on the State Park trail property could be marked. Mr. Grey and Mr. Moynihan indicated that they could mark the easement as closed and they will acquire a letter from the State Park Service that they are in compliance with the violation issued for storage.

Mr. Stoner asked about the lighting that was installed without approval and that does not meet code, if that has been addressed. Mr. Grey acknowledged the wattage is not likely up to code and they will address that lighting. Mr. Stoner asked how the office operates. Mr. Moynihan testified that he has himself and 2-3 other employees working out of that office. He testified that there is enough parking for a tenant. Of the four spaces provided in the front Mr. Stoner asked if the width is wide enough for one-way directional traffic. No customers come to the site. Parking is for tenant, office and some equipment. Mr. Pearson asked where in Andover Township he keeps his equipment. Mr. Moynihan stated in Andover Township off Brighton Road.

Mr. Stoner wanted to reiterate that any approval must be kept in line with the prior approval.

Mrs. Brothman asked why the board should consider to amend the resolution? She reminded the board that in 2017 the property was fully commercial and that Mr. Moynihan requested to convert the front building into a residential property for his occupancy only and made testimony at that time that he would not rent the space. In fact, part of the boards reasons to approve his living in the front building then was that being an owner he provided

a sense of security to how the property is used and controlled. She continued to explain to the board that the conditions the applicant is now seeking to amend are due to violations issued for failure to comply to these same conditions. Mrs. Brothman felt to provide the approval of an apartment upstairs and an office in the basement on top of the commercial truck yard in the back increases the intensity of the use. Specifically, concerning the rental, the board is being asked to allow this rental use because Mr. Moynihan already has someone living there. Moreover, Mrs. Brothman noted that she didn't think any kind of fire safety inspection for rentals or any other registration as a landlord or permitted by town or State has been done on this location. She showed concern that approving the bifurcation of the front building into a mixed use could be a larger issue in the future with zoning.

While the apartment has not been addressed through summons, it has been noted in the past by the zoning officer. The applicant is applying to the board because the matter has reached the level of a court summons and appearances. Mr. Moynihan is before this evening seeking to amend his prior resolution to abate those violations. The use of the home as a rental apartment is not a legal use, as required inspections and registration has not occurred. Practices which are in place for the safety of tenants. Moreover, she stated that the office space in the basement has not been reviewed by the board prior to this hearing, nor is the office been registered for annual LEA inspection through the county fire marshal's office for safety or the rental been inspected for fire safety as per State requirement.

Mr. Stoner clarified that approvals granted this evening concerning any rental of the office space in the basement must go with the commercial use in the back. Mr. Pearson clarified that if compliance of conditions are not met, the borough has to take action through enforcement. Mrs. Brothman stated that to put enforcement in that position due to approvals that are granted within the planning board is at times unbearable. She advised the board that they must consider what tools they are giving the zoning officer to enforce these types of conditional uses and further stated that it is unfair to the applicant as well as they should walk away from the meeting understanding what their responsibility is with clarity and not complicated conditions.

At the inquiry of Mr. Grey, Mr. Stoner and Mr. Frodella confirmed that if the property were to revert back to completely commercial an amended site plan would be required. Mr. Pearson addressed Mr. Moynihan asking what assurances the board has at this hearing that he will comply with the conditions of the resolutions if he did not in the past.

Mr. Frodella noted that without expert testimony there are evidentiary deficiencies. Mr. Grey stated that it was a small apartment. Mrs. Brothman asked if anyone lives there now. Mr. Grey stated no one lives there. Mrs. Brothman asked who is watching the TV in there at night. Mr. Moynihan stated that someone is living there already. Mr. Moynihan stated he would not be living there now or in the future. Mr. Grey asked him if he wanted to move forward with the request. Mr. Moynihan did not want to modify the request and felt he was using the property as intended and did not understand why the board was concerned that he would not be the one living there. Mr. Stoner attempted to explain how the intensity changes when there is a tenant onsite rather than the owner. Mr. Moynihan stated that his need has changed.

The matter was opened to the public. Mr. Larry Patton of 230 Main Street stated that he does not have any problem with the lighting. He asked if he could be a property manager for him? He stated he did not know who own the rocks in the brook and that he has a good working relationship with the neighbors, he would help Clarke in any way and feels that the

sign will be an improvement. He noted that Mr. Moynihan had plans of installing a water fall in the front until he was told he could not by the State. He stated he is available for questions.

Mrs. Brothman asked, if approvals are granted, when does the board determine that they have not been met in a timely manner. Mr. Stoner suggested 90 days. After some discussion of how to proceed, Mr. Grey agreed that all conditions except NJDEP should have to be met within 90 days. If compliance is not met within 90 days, a violation will be issued.

A MOTION was made by Mr. Pearson, seconded by Mrs. Wojcik to approve the application with compliance of conditions mandatory by 4/23/23. Upon roll call the following votes were cast: AYES: Walter, DiRenzo, Pearson, Breitz, Wojcik, Daschko. NAYS: Brothman. ABSTAIN: None. Motion carried.

NEW BUSINESS:

The planning board was presented Ordinance #2023-01 as introduced on 01/09/23 for Class 2 Cannabis – Manufacturing in the IP Zone.

A MOTION was made by Mayor Morgan, seconded by Mr. Pearson to approve the ordinance as is and forward to the governing body with recommendation to adopt. The discussion was open to the members. Mrs. Brothman recommended amending the ordinance to make the front yard setback for cannabis use the same as the zones they are in to make it consistent with current zoning. The ordinance presents cannabis uses with a lesser and difference setback than the current zoning ordinances. The motion was not amended. Upon roll call the following votes were cast: AYES: Walter, DiRenzo, Pearson, Breitz, Wojcik, Daschko, Smith, Morgan. NAYS: None. ABSTAIN: Brothman. Motion carried.

OLD BUSINESS: None.

RESOLUTION:

Attorney Annual Report:

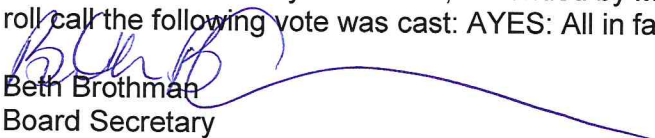
The Attorney Annual Report as per NJSA 40:55D-70.1 for 2022 was tabled until the next regular meeting.

AUDIENCE PARTICIPATION:

Mr. Clarke Moynihan of 229 Main Street announced he will be bidding on some of the properties in the upcoming land sale. He asked what the purpose was of adding a cannabis use to the IP zone. The purpose was explained to add the use of cannabis manufacturing.

ANY OTHER BUSINESS: None.

MOTION was made by Mr. Walter, seconded by Mr. Pearson to adjourn the meeting. Upon roll call the following vote was cast: AYES: All in favor. NAYS: None. Motion carried.


Beth Brothman
Board Secretary