

**Minutes of the South Toms River Land Use Board**

February 22, 2022

**A meeting of the South Toms River Land Use Board was held at South Toms River Borough Hall on Monday February 22, 2022 and called to order at 7:00 pm**

LUB Chairman (Robert Hailey) called to order a meeting of the **South Toms River Land Use and at 7:09pm at Borough Hall. This meeting was published in the Asbury Park Press on February 12, 2020 with the following link <https://zoom.us/j/94022288787> and Meeting ID: 940 2228 8787 and posted on the Bulletin Board in the Municipal Building and therefore dually advertised**

**Roll Call**

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Colavito				√	Rolzhausen	√			
Calhoun				√	Whalen	√			
Hailey	√				Jubert	√			
Grams	√								
Di Donato	√								
Handshy	√								

**Abs- Abstain      Ab-Absent**

A motion was made by **Councilman Rolzhausen** and second by **Mr. Whalen** to excuse **Mr. Calhoun** absence and an affirmative voice vote of all LUB members present.

**Approve minutes for January 18, 2022**

**Councilman Rolzhausen** made the motion to approve Second by **Mr. Whalen**

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Colavito				√	Rolzhausen	√			
Calhoun				√	Whalen	√			
Hailey	√				Jubert			√	
Grams	√								
Di Donato	√								
Handshy	√								

**Abs- Abstain      Ab-Absent**

**New Business**

**Resolution 2022-03 ORDINANCE NO. 22-2 ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF SOUTH TOMS RIVER, COUNTY OF OCEAN, NEW JERSEY PERMITTING THE OPERATION CANABAS BUSINESS AS PERMITTED USES AND AMENDING THE BO**

**Debra Rumpf (Board attorney)** said the engineer brought up some concerns and ask to bring up those concerns before proceeding.

**Millis Looney (Board Engineer)** said the she noticed it was allowed in the SED zone which is where the lofts is proposed and want to make sure that board is aware.

**Mayor Handshy** said it's an allowable use in the SED zone

**Millis Looney** also said there was a couple areas it said township and not borough

**Mr. Christopher Hopkins** with the firm Wilentz Law from Woodbridge NJ which is currently representing the Borough as a Cannabis attorney. He explained the various classes of licensing and answered question from the board. He explained the criteria and scoring criteria for the state and the borough, the opt in and opt out requirement

**Mr. Whalen** ask if he knew of any facility with all 6 classes

**Mr. Hopkins** it's not currently allowed

**Mr. Whalen** so an applicant can only file for 1 class of license

**Mr. Hopkins** said that's correct

**Councilman Rolzhausen** asked about number of license

**Mr. Hopkins** said the borough ordinance states 3 licenses per zone

**Councilman Rolzhausen** asked if that had to be different classes or could they be the same

**Mr. Hopkins** said they could be the same

**Mr. Rolzhausen** asked about the inspection for the release of odors from a cultivating site.

**Mr. Hopkins** wasn't sure about the inspection but said the police can check into any complaints and the borough could hire a contractor at the cost of the facility to have an inspection.

**Mr. Jubert** stated there is no standard for the odor

**Mr. Hopkins** said he's not sure what the standards are or what the requirements of the ventilation system

**Mr. Jubert** said from experience the odor from a grow facility is not a pleasant one

During ongoing conversation it was discussed that the borough can have up to 3 license per zones. With the borough having 4 zones, they can have 12 licenses. There are currently no licenses that have been issued throughout the state for recreation cannabis. However there are currently dispensaries for medical uses. Mr. Whalen brought up that the a lot of problems that have come up in the past with the approval of the Wawa and the apartments that was a concern of the public, such as traffic and increase in police activity would certainly apply to a cannabis business. He said that was his opinion. Any person that was granted a license would have to come to the LUB for a site plan. Mr. Hopkins stated one of the criteria under the ordinance for the RFP process is site control. So during the RFP process you will see the location they want to put it. Mr. Whalen asked about criteria for location and distances from playgrounds and school. Mr. Hopkins said the board can make recommendations and send it to council for review. It was brought up about drive thru locations and that they were prohibited. It was also said that minors would not be allowed on the site. So if there was a drive thru, minors couldn't be in the vehicles. It was discussed about buffer zones for how far away it could be from a school or public playground. Security is the responsibility of the facility. It was also discussed the revenue the borough would receive as far as the percentages. It was decided to ask council to include 100 ft. buffer from school or public playground and have the applicant conduct a traffic study

There was no public comments

**Mr. Whalen** made the motion to approve and second by **Mr. Jubert**

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Colavito				√	Rolzhausen	√			
Calhoun				√	Whalen	√			
Hailey	√				Jubert	√			
Grams	√								
Di Donato	√								
Handshy	√								

**Abs- Abstain      Ab-Absent**

Old Business

None

Bills

Rumpf Law Invoice #18070 \$340.00 (M&T The Lofts @ Drew Lane)

Rumpf Law Invoice #18069 \$545.00 (M&T at STR Urban Renewal)

Rumpf Law Invoice #18071 \$1259.00 (General file Borough of STR)

Rumpf Law total all invoices \$2144.00

**Councilman Rolzhausen** made the motion to pay the bills and second by **Mr. Whalen**

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Colavito				√	Rolzhausen	√			
Calhoun				√	Whalen	√			
Hailey	√				Jubert	√			
Grams	√								
Di Donato	√								
Handshy	√								

**Abs- Abstain    Ab-Absent**

**Chairman Report**

None

**Correspondences**

None

**Public Comment**

None

**Adjournment**

A Motion made by **Mr. Whalen** Second made by **Councilman. Rolzhausen** and an affirmative voice vote of all LUB members present. The meeting was adjourned at **8:25pm**.

LUB Secretary\_\_\_\_\_

LUB Chairman\_\_\_\_\_