

**LAWRENCE TOWNSHIP
Combined Planning/Zoning Board**

Agenda

**Wed., May 12, 2021 at 7:00 p.m. GoToMeeting (Virtual)
357 Main Street, Cedarville, NJ**

- 1. Pledge of Allegiance.**
- 2. Open Public Meetings Act Statement of Conformance:**
“This meeting is being conducted in accordance with the Open Public Meetings Act of 1975, was advertised, posted and made available to the public as required by Statute. The Secretary is directed to include a statement in the minutes of this meeting.”
- 3. Roll Call**

Alfred Humeny, Chairman	(12/31/21)
Steven Miletta, Vice-Chairman	(12/31/23)
G. Erwin Sheppard	(12/31/20)
John Knoop, II	(12/31/23)
Anthony Lamanteer	(12/31/20)
John Roesley, Jr.	(12/31/22)
Veronica Sergiacomi	(12/31/23)
John Tisa	(12/31/23)
Joseph Miletta	(12/31/20)
George Ripper, Alt. #1	(12/31/21)
Delbert Peterson, Alt. #2	(12/31/21)
Fran Hancock, Alt. #3	(12/31/20)
Greg Yacabell, Alt. #4	(12/31/20)
- 4. Minutes of the Previous Meeting: Approve minutes of March 10, 2021 meeting**
- 5. Correspondence: Memorandum from Ruth Dawson, Twp. Clerk on Proposed Ordinance 2021-426-Prohibiting the Operation of any class of Cannabis Business**
- 6. Resolutions: Review and approve the Resolution for Adopting the 2021 Master Plan Re-examination Report**
- 7. Applications:**
- 8. Other Business: Discussion of State of New Jersey Marijuana Legalization and Recommendation to the Township Committee regarding Opt-Out or Adoption of Default Rules or Alternative Rules and Regulations.
Link to view references is as follows:**

9. Public Comment:

The Planning Board welcomes participation of interested organizations and individuals during regular as well as special meetings. However, in order for the Board to conduct the business of the Township in the most productive manner possible, public comment on specific agenda items, questions, comments at the end of regular meetings or during special meetings may be limited to five (5) minutes per person. If you wish to address the Board, please step up to the front of the room at the appropriate time and state your name and address.

10. Adjournment.

Kathy Rodman

Subject: GoToMeeting Invitation - Lawrence Twp. Zoning/PLanning Bd Meeting May 12, 2021

Start: Wed 5/12/2021 7:00 PM

End: Wed 5/12/2021 10:00 PM

Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Nathan VanEmbden

Lawrence Twp. Zoning/PLanning Bd Meeting May 12, 2021
Wed, May 12, 2021 7:00 PM - 10:00 PM (EDT)

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Lawrence Township Planning/Zoning Board Minutes
Wednesday, March 10, 2021

This meeting was held virtually due to the current pandemic at GoToMeeting.

THOSE PRESENT: Al Humeny, Chairman Erwin Sheppard
Steve Miletta, Vice Chairman John Tisa
Joe Miletta George Ripper
John Knoop Greg Yacabell
Tony Lamanteer, Zoning Officer Nathan VanEmbden, Solicitor
Fran Hancock Kathy Rodman, Secretary

THOSE ABSENT: Veronica Sergiacomi** **Excused
John Roesly**
Delbert Peterson**

The Lawrence Township Planning/Zoning Board held their monthly meeting virtually, via GoToMeeting, the sign on for the meeting was put on the Township website, the meeting was held on Wednesday, March 10, 2021 at 7:00 P.M. This meeting was held in accordance with the Open Public Meeting Act and was conducted by the Chairman, Al Humeny.

The first order of business was to approve the minutes of the Feb. 10, 2021 meeting. Chairman Al Humeny suggested that he would make all of the motions and Vice Chairman Steve Miletta would second them. All agreed. Al made a motion to approve the minutes of the Feb. 10, 2021 meeting and it was seconded by Steve. All in attendance were in favor.

The next order of business was to approve Resolutions 2021-01 through 2021-05. Resolution 2021-01 was reviewing and recommending to the Township Committee to adopt the Model Stormwater Management Ordinance.. Motion to approve was made by Al and seconded by Steve. All in attendance were in favor.

Resolution 2021-02 was the Resolution approving the subdivision of James Dzerwinski to subdivide Block 130 Lot 4 into 2 residential buildable lots. Motion to approve was made by Al and seconded by Steve, all in attendance were in favor.

Resolution 2021-03 was the Resolution of the Schedule of the Planning/Zoning Board Meetings for 2021 and the designation of the official newspaper. Al made the motion to approve and Steve seconded The motion. All in attendance were in favor.

Resolution 2021-04 was in reference to the Appointment of Professionals for 2021-2022. The appointees were Kathy Rodman-Secretary, Stephen Nardelli-Board Engineer and Nathan VanEmbden,

Esq., Board Solicitor. Motion to accept was made by AI and seconded by Steve. All in attendance were in favor.

Resolution 2021-05 was the appointment of Chairperson and Vice Chairperson. Al Humeny was appointed Chairperson and Steve Miletta was appointed Vice Chairperson.

There was a motion made by AI to open to the public and seconded by Steve, there was no one there from the public so the motion was made to close to the public. All in attendance were in favor.

At this point AI just gave the board a heads up that we will be having a major subdivision coming up but it has been determined by our Board Engineer, Steve Nardelli that the applicant's will have to abide by the Stormwater Management Plan. The applicant is a corporation and they are being represented by an attorney. All have been notified in reference to the aforementioned and as of today, March 24, 2021, I have not received anything in reference to the Stormwater Management and I believe that they will not be able to make the April 14 meeting.

A motion was made by AI and seconded by Steve to adjourn the meeting at 7:20 P.M. with no further business. Meeting was adjourned.

Respectfully submitted,



Kathy Rodman
Planning/Zoning Board Secretary



Lawrence Township

CUMBERLAND COUNTY
357 Main Street • P.O. Box 697
Cedarville, NJ 08311
856-447-4554 • Fax 856-447-3055

MEMORANDUM

To: Kathy Rodman, Planning/Zoning Board Secretary
Nathan VanEmbden, Planning/Zoning Board Solicitor

From: Ruth Dawson, Clerk

Re: Proposed Ordinance 2021-426, Prohibiting the Operation of any class of Cannabis Businesses

April 15, 2021

The Township Committee respectfully requests the combined Planning/Zoning Board to provide a written report to the Governing Body on proposed Ordinance No. 2021-426 which amends the land use ordinance to prohibit any class of cannabis business within the Township. The written report should include a recommendation as to the consistency of the proposed ordinance with the proposed 2021 Master Plan and any recommendations and comments on the draft ordinance which the Planning/Zoning Board may have.

The proposed ordinance would prohibit a land use within the Township. The referenced land use would otherwise be permitted by State Statute in all Industrial and Commercial Zones. The ordinance was approved on first reading at a regular meeting of the Township Committee on April 12, and will be further considered for final adoption pending Planning/Zoning Board approval, at the regular meeting of June 14, 2021.

The adoption of the proposed ordinance does not preclude the Planning/Zoning Board from revisiting the Master Plan in the future to address the appropriateness of a Cannabis Land Use.

TOWNSHIP OF LAWRENCE

ORDINANCE NO. 2021-426

AN ORDINANCE OF LAWRENCE TOWNSHIP, CUMBERLAND COUNTY, PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING THE DEVELOPMENT REGULATIONS ORDINANCE OF THE TOWNSHIP OF LAWRENCE CREATING

SECTION 10.18 UNDER ARTICLE X, LAND USE

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called "cannabis" for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, C. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- **Class 1 Cannabis Cultivator license:** Facilities involved in growing and cultivating cannabis;
- **Class 2 Cannabis Manufacturer license:** Facilities involved in manufacturing, preparation, and packaging of cannabis items;
- **Class 3 Cannabis Wholesaler license:** Facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- **Class 4 Cannabis Distributer License:** Businesses involved in transporting cannabis plants in bulk from a licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- **Class 5 Cannabis Retailer License:** Locations at which cannabis items and related supplies are sold to consumers; and
- **Class 6 Cannabis Delivery License:** Businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, Section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as a cannabis cultivator, a cannabis manufacturer, a cannabis

wholesaler, or a cannabis retailer"), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times of operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, Section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, Section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

WHEREAS, pursuant to Section 31b of the Act, the failure to adopt an ordinance, so shall result for a period of five years thereafter, that the growing, cultivating, manufacturing, selling, and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, the Township Committee of Lawrence has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Township of Lawrence in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the Township of Lawrence's residents and members of the public who visit, travel, or conduct business in the Township of Lawrence, to amend the Township of Lawrence Land Use Ordinance and general ordinances to prohibit all manner of marijuana-related land use and development within the geographic boundaries of the Township of Lawrence; and

WHEREAS, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities,

whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act's 180 day period in order to ensure sufficient time to carefully review all aspects of the Act and its impact;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that the Township Committee of the Township of Lawrence, County of Cumberland, State of New Jersey, does hereby create Section 10.18, Land Development Regulations, so as to add the following:

New Section 10.18

The Operation of Any Class of Cannabis Business Within the Township of Lawrence.

- a) The operation of any class of cannabis business within the geographical boundaries of the Township of Lawrence, shall be a prohibited use.
- b) The Following six marketplace classes of licensed cannabis/marijuana business shall be prohibited in all zones of the Township of Lawrence:

- **Class 1 Cannabis Cultivator license:** Facilities involved in growing and cultivating cannabis;
- **Class 2 Cannabis Manufacturer license:** Facilities involved in manufacturing, preparation, and packaging of cannabis items;
- **Class 3 Cannabis Wholesaler license:** Facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- **Class 4 Cannabis Distributer License:** Businesses involved in transporting cannabis plants in bulk from a licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- **Class 5 Cannabis Retailer License:** Locations at which cannabis items and related supplies are sold to consumers; and
- **Class 6 Cannabis Delivery License:** Businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

- c) The purpose of this ordinance is to protect the health and safety of Township residents and is deemed to be in the best interest of the Township and the residents of the Township of Lawrence.

d) This Ordinance is designed to regulate the purchase, sale, cultivation, manufacturing, packaging, transportation, and delivery of cannabis items within the Township of Lawrence. Cannabis, for the purpose of this Ordinance, is defined as cannabis (dry leaves and flowers), cannabis products, cannabis extracts, any other form of cannabis resin and marijuana.

BE IT FURTHER ORDAINED AND ENACTED by the Township Committee of the Township of Lawrence, County of Cumberland, and State of New Jersey that this Ordinance shall take effect immediately upon the adoption and publication of notice of adoption as prescribed by law.

ATTEST:

Ruth Dawson
Township Clerk

G. Erwin Sheppard, MAYOR

Joseph A. Miletta, Jr. DEPUTY MAYOR

Elmer E. Bowman, COMMITTEEMAN

First Reading: April 12, 2021

Publication:

Public Hearing:

Adoption:

Publication of

Notice of Adoption:

**LAWRENCE TOWNSHIP COMBINED
PLANNING/ZONING BOARD
CUMBERLAND COUNTY
NEW JERSEY**

RESOLUTION NO. _____

WHEREAS, the Township of Lawrence Planner, Tiffany A, CuvIELLO, PP, LLC, has been working on revisions to the Master Plan in consultation with the Planning Board and in accordance with the Township's obligation for periodic review and update of its Master Plan; and

WHEREAS, Tiffany A. CuvIELLO Township Planner, presented her findings and conclusions to the Lawrence Township Combined Planning/ Zoning Board at its regular scheduled meeting on February 10, 2021 in a public hearing where members of the public had an opportunity to review the changes and updates, ask questions, and receive explanations for the thinking and rationale behind the changes and updates; and

Whereas, the Board having considered the 27 page 2021 Master Plan Reexamination Report with a one page attachment to the report containing the revised zoning map finds that the revisions detailed in this update appropriately address the goals and needs of Lawrence Township in its planning for the future land use and regulation;

NOW, THEREFORE, BE IT RESOLVED, on this ____ day of _____ 2021 by the Lawrence Township Combined Planning/ Zoning Board does ADOPT the 2021 Master Plan Reexamination report annexed hereto.

Prepared by:
Nathan Van Embden, Esquire
21 E. Main Street, PO Box 428
Millville, NJ 08332

ROLL CALL

Motion to Approve:

Seconded:

MEMBER	YEA	NAY	ABSENT	ABSTAINED	EXCUSED
Chairman Alfred Humeny					
Vice-Chairman Steven Miletta					
G. Erwin Sheppard					
John Knoop, III					
Anthony Lamanteer					
John Roesly, Jr.					
Veronica Sergiacomi					
John Tisa					
Joseph Miletta					
George Ripper, Alt. #1					
Delbert Peterson, Alt. #2					
Fran Hancock, Alt. #3					
Gregory Yacabell, Alt. #4					

AND BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the applicant and to all who request a copy for a reasonable fee. In addition, a copy of this

Resolution shall be filed in the Office of the Clerk of the Township of Lawrence, Cumberland County, New Jersey

By: _____ By _____ Alfred Humeny, Chairman

Dated:

CERTIFICATION

The foregoing is a true copy of a Resolution adopted by the Combined Planning/Zoning Board of the Township of Lawrence at a meeting of _____, 2021, 2021 memorializing action taken by the Board at the regular meeting of the Board held on February 10, 2021.

Kathy Rodman, Board Secretary