

**FRANKLIN TOWNSHIP LAND USE BOARD  
MINUTES  
NOVEMBER 16, 2021  
7:30 PM  
202 SIDNEY ROAD, PITTSTOWN, NEW JERSEY 08867  
Zoom Meeting Information is below**

**(There was a change of meeting date, the meeting was changed from November 10, 2021 to November 16, 2021)**

**Chairman Roger Soltys called the meeting to order and read the Open Public Meeting Statement**

Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that a Notice was published in the Hunterdon County Democrat and the Express Times and the notice of this meeting was posted on the bulletin board in the Municipal Building.

**Chairman Soltys led the members in the Pledge of Allegiance**

**Roll Call**

Roger Soltys	Present	Mike Chabra	Arrived at 7:46	Jennifer Fisher	present
Ken Weiss	Present	Dave Dallas	absent	John Thonet	absent
Philip Koury	Present	Alan Dilley	absent	Lou Morriera	absent
Stepen Willis	Present	Eric Blew	absent		

**Old Business**

**Approval of October 13<sup>th</sup>, 2021 minutes**

Motion to approve: John Thonet    Seconded by Ken Weiss

Roger Soltys requested that a minor change be made to the sentence ,“Then all the applicant has to do when they want to restart is to come in and notify the Board and we will *start* the process” will be changed to “Then all the applicant has to do when they want to restart is to come in and notify the Board and we will *restart* the process”

Motion to approve the minutes with the change: John Thonet    Seconded by Ken Weiss

**Approval of Bills**

Motion to approve the November 16, 2021 bills list: John Thonet    Second: Jennifer Fisher

Roger Soltys	yes	Jennifer Fisher	yes
Ken Weiss	yes	John Thonet	yes
Philip Koury	yes		
Stepen Willis	yes		

**New Business**

- 1. Hearing: Review and possible adoption of 2019 Master Plan Reexamination: 2021 Amendment dated November 3, 2021. Formal Action may be taken**

Phil Koury thanked the board for changing the date of the meeting in order to notice properly. Even though in the land use law it is ambiguous as to whether it was necessary to notice he agreed with Roger Thomas and Committee council to err on the side of sending out the notices and adjusting the meeting dates so everything falls in line.

Phil Koury read a short summary that was prepared by the Township Planner, Darlene Green and Township Attorney, Katrina Campbell. The township opted out prior to the August 22, 2021 deadline so we did not get stuck with the default rules of the Cannabis laws that were passed in Trenton. Now the township needs to consider whether it wants to opt in for Cannabis and if so for which types of facilities. When we did the Master Plan reexamination a subcommittee was set up consisting of Roger Soltys, Phil Koury, Erica Amon, Dave Dallas. At that time, they supplied recommendations for some of the zones however they purposely left Cannabis ambiguous. Now the Township committee would like to consider an ordinance to opt in for three of the six areas; cultivation and manufacturing, wholesale and distribution, and microbusiness cultivation. The Township is not looking to allow any retail in the township. Assuming everyone is in agreement this should be allowed then the decision would need to be made regarding what zones and what conditions these would be in. For instance, the Township would propose that the wholesale distribution would only be allowed in the commercial south zone which is the small zone near route 12. Cultivation and manufacturing would probably be allowed in a greater area. The township would be allowed to put conditions on these uses. So for instance, if we allow cultivation and manufacturing in the AR 7 zone, we can state that it is only allowed on properties over 20 acres in size located on either a state or county road, so this would limit the places the facility could be located.

We had asked Darlene Green to prepare a map of what lots meet these conditions so that the committee and board would be able to see which properties would qualify if these were the conditions. Darlene did create the map however it was misleading because it still included preserved properties, the school, etc. The Board Secretary provided her a list of properties that would not be included in the allowed areas so Darlene will adjust the map accordingly.

The committee will have the map when they are drafting the ordinance. One other item is they may exclude flag lots that come out to a county road. This way they have a larger exclusion area.

Phil Koury then reminded the land use board that the Master plan reexam is just a mission statement. It is setting the stage for an ordinance to be drafted by the committee. The ordinance is regulatory with all of the standard's requirements that have to be met. Under the MLUL the governing body has to send the ordinance once it is introduced to the Land Use Board for a consistency review and comments. So, the land use board will still have opportunity to provide comments once the ordinance is introduced.

Roger Thomas agreed with Phil Koury that the Master Plan is a vision, it needs to be reexamined every ten years. We did this in 2019. In order to implement the Cannabis ordinance, the board will have the opportunity to review the ordinance for consistency with the Master Plan.

Phil Koury confirmed with Roger Thomas that if an applicant wants to put in a cannabis facility, they will need to apply to the Land Use Board because there will be conditions to be met.

John Thonet asked if you have 3 land owners who have 7 acre lots that are on a county road, could they apply as a group? Roger Thomas said that if the lots were separate then no. If the three owners combined their lots they could then possibly apply as a group.

Jennifer Fisher asked if this would be medical and recreational. Roger Thomas said that medical is already approved. Jennifer didn't know if this was approved in the town however. Roger Thomas said that this would certainly be taken into account.

Roger Soltys asked about the old Walmart on route 22 that was turned into a facility. Jennifer Fisher stated that it is a medical growing facility. Roger said that he heard the odor is a major issue around the facility. Roger Thomas said that this is something that he didn't realize but has come to find out and it is likely one of the reasons that most of these facilities are indoors vs. Outdoors. There must also be appropriate ventilation. Phil Koury believes that there are systems that can be installed that include scrubbers so that this is not an issue.

Proper lighting, traffic, and odor are all conditions that will need to be met.

Phil Koury stated that this is only for cannabis, not for hemp because hemp is already being grown in the township. Roger Soltys said he asked Darlene about this as well.

Phil Koury stated that there are also only a certain number of licenses that will be allowed by the state.

Jennifer Fisher said that hemp has been grown at the Snyder Facility for years on a small plot and you can smell it for miles. There are permits that you must get to grow it. The department of Ag is involved in the measurements of THC percentages, and destroying the

**crop. Jennifer confirmed that hemp is the same plant, it's just the THC content that is different. Hemp can actually convert into something that can be considered marijuana, that why before it gets to that point that's when you need to harvest it. There are agricultural professionals tied to the state that go around testing the hemp crops.**

**Roger Thomas noted this is a public that was noticed in accordance with the municipal land use law under section 13. If there is anyone on the meeting, they will be able to ask questions during the public comment.**

**Roger Soltys said that the only concern he has is the manufacturing on small lots and in residential areas. This is all so new there isn't much known about it regarding odor issues. Also how big of facilities will be needed? Roger Thomas stated that although we don't have a great amount of expertise this is a subject that has been around in other states and there is a fair amount of research that has been done into this. And we would like to think that when the ordinance is in the process of being implemented this research will be done and these items will be addressed in the conditional use if this is what it is going to be. That way we can assure that the negative impacts that the board is concerned about will be addressed.**

**Phil Koury stated that the township can also decide what they want the look of the building to be, for instance to require that it looks like a barn. We can restrict the size, and require certain lighting. The township can also require a certain level of security, especially since Cannabis is so heavily regulated by the state. From a municipal side we will also be able to impose a tax.**

**Ken Weiss stated that he knows these definitions aren't the end all. If we would tax is it strengthened to put it in at the master plan level? Roger Thomas said he understood the point however municipalities have the right to tax and it may be redundant. If you were to put it in at all it could read something like the township will be taking advantage of taxing mechanisms authorized by the state of NJ as they may be in effect at the time of an application.**

**Jennifer Fisher talked about how she read an article that on the border of Oregon and California, people starting very large farms, issues with the Cartel, abuse of workers, it is becoming a law enforcement issue that may want to be considered. Roger Thomas said that this was a concern years ago with gambling. This will certainly be something that will be a concern in general with these applications.**

**Roger Soltys said that the other concern will be if it caused us to double the size of our police department. This could override the benefits. Phil Koury said that that is why security would need to be at the cost of the applicant and it would be one of the conditions that needs to be met.**

**Roger Soltys opened the meeting to the public, no public was present, the meeting was then closed to the public.**

**Motion to adopt the amendment to the 2019 master plan as outlined in the Colliers Engineering document prepared by Darlene Green, dated November 3, 2021: John Thonet**

**Second: Ken Weiss**

**Roger Soltys asked if this pushes back our reexamination date. Roger Thomas stated that this was a very limited reexamination for a specific purpose so he wasn't sure however he will look into it and get back to the board with the answer.**

Roger Soltys	yes	Jennifer Fisher	yes
Ken Weiss	yes	John Thonet	yes
Philip Koury	yes	Mike Chabra	yes
Stepen Willis	yes		

**Phil Koury thanked the board for handling this in a timely fashion. This land use board has been high performing.**

**Phil Koury notified the board that the township hired Mike Chabra and his group as the project manager for the new building. They have also been speaking with the DOC regarding moving the police to the new building as well. The township will be coming to the board to combine the two lots next to the existing municipal building. A perc test was just done on the two lots in preparation. Selling these lots will help to offset the cost of the new building. There is also another property that the township is looking to sell on Quakertown Road which is a couple of acres in size. This lot is not buildable due to wetlands. The county made a commitment to purchase about 13 acres of the new property which will also help to offset the cost.**

**Mike Chabras group was authorized to meeting with the electric companies to see about upgrading electric and hvac thru a state program where the state would pick up 60 -80% of the costs and the township would be responsible for the remainder of the upgrades.**

**Roger Soltys asked when the bridges would be repaired. The township was told the Sidney Road bridge would be complete hopefully by Christmas. The Lower Landsdown Bridge will be complete possibly by the second quarter next year.**

**It is Roger Solty's hope that we can meet in person for future hearings. Unless we feel there will be a large number of participants and then we will keep it on zoom.**

**Jennifer Fisher asked what would happen to the current Municipal Building. Phil Koury stated that originally the move was going to occur in two phases, administrative staff first and then police.**

**Mike Chabra stated the target move date is June. They are looking for an architect to properly lay out the building to accommodate the police and the administrative staff**

**In regards to the current municipal building that will be up to future committees to decide what to do with it. Phil Koury stated he would envision selling off the current municipal building property. The new building was purchased for \$750,000, the county is giving the township approximately \$100,000 for the property attached to the trails, the possible sale of the properties next to current municipal building for about \$100,000 would bring the price down to \$550,000. This is an incredible deal for a 9000 sq. foot building that will suit our needs.**

**In order to make the current municipal building ADA compliant an elevator would need to be put in and it would cost possibly more than the building itself, this is not cost effective.**

**Phil Koury said that by allowing the county to purchase the property at the new building our DPW would not need to maintain it and his vision is to possibly have a pavilion or something that would benefit the resident on this end of the township.**

**Phil Koury stated that his goal is to do what makes sense for the township.**

**Phil Koury wished everyone a Happy Thanksgiving.**

**Roger Thomas will prepare a resolution which will then go to the Township Committee for information purposes.**

**The Board Secretary informed the board that St. Catherine's parish will be coming for an informal interpretation on December 8<sup>th</sup> because they are looking to build an accessory structure for religious education and events.**

**Public Comment: none**

**Adjournment Ken Weiss made a motion to adjourn All members present voted in favor**

**Meeting adjourned at 8:35pm**

**No new business after 10:00PM unless agreed to by the Board. Any remaining items will be placed on the agenda for the next available meeting. Information pertaining to any item on the agenda is available for public review at the Municipal Building during normal business hours.**

**Topic: FRANKLIN TOWNSHIP LUB MEETING**

**Time: Nov 16, 2021 07:30 PM Eastern Time (US and Canada)**

**Join Zoom Meeting**

**<https://us06web.zoom.us/j/83958417813?pwd=YmoxM1I5dTbKeVJYdjB6QzBjZHA2Zz09>**

Meeting ID: 839 5841 7813

Passcode: 840594

One tap mobile

+13017158592,,83958417813#,,,,\*840594# US (Washington DC)

+13126266799,,83958417813#,,,,\*840594# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 720 707 2699 US (Denver)

Meeting ID: 839 5841 7813

Passcode: 840594

Find your local number: <https://us06web.zoom.us/j/83958417813>

Prepared by Catherine Innella, Land Use Board Secretary

Date approved 12-8-21