

**CITY OF EGG HARBOR
MUNICIPAL LAND USE BOARD
June 15, 2021
Remote Meeting
7:00 P.M.**

A remote access meeting of the Egg Harbor City Municipal Land Use Board was held on June 15, 2021. Those in attendance were Mayor Jiampetti, Council Representative Karl Timbers, Chairman Jack Peterson, Vice Chairman Todd Warker, Egg Harbor City Fire Department Representative John Garth, Regular Members; Dennis McKenna, Michael McKenna, Keith Mullineaux, Alternate #1 Andrew Dixon, Leo Manos Esquire, Land Use Board Engineer Ryan McGowan and Secretary Donna Heffley. (Not Present were The Mayors Representative, Marie Johns, Alternate #2 Dashawn Hare and Regular Member Gladys Torres).

Chairman Peterson opened the meeting with the flag salute.

Chairman Peterson called the meeting to order and made the following announcement.

This meeting was advertised pursuant to the NJ Open Public Meetings Act N.J.S.A. 1:4-6 Seq. Notices were sent to official publications for the Egg Harbor City Municipal Land Use Board; the Press of Atlantic City, the Egg Harbor News, the Atlantic Current and the Hammonton Gazette. A copy of the notice was posted on the bulletin board of the Egg Harbor City Municipal Building.

Chairman Peterson directed the Secretary to enter this public announcement into the minutes.

Roll Call: Mayor Jiampetti present, Mr. Timbers present, Chairman Peterson present, Vice Chairman Warker present, Mr. Garth present, Mr. Mullineaux absent, Michael McKenna present, Dennis McKenna present, Mrs. Torres absent, Mrs. Johns absent, Mr. Dixon present, Mr. Hare absent, Mr. McGowan present, Mr. Manos present and Secretary Donna Heffley present.

Approval of Minutes: May 18, 2021

Upon motion made by Mayor Jiampetti, seconded by Mr. Warker and carried the May 18, 2021 Minutes were approved.

Approval of Resolutions: none

New Business: Chairman Peterson noted that tonight Board members will have another opportunity to make additional comments and continue the discussion concerning the operational aspects for the cultivation, preparation and distribution of cannabis products.

Mr. Dixon joined the meeting.

Mr. Timbers joined the meeting

Mr. McGowan shared his screen with the Board and reviewed how Municipalities can charge a local cannabis tax up to two percent and suggested that the Board consider adding this to their

recommendation but not to exceed the maximum amount allowed. All Board members agreed. Mr. McGowan referred to the model ordinance used in Bayonne, New Jersey and discussed home cannabis businesses, cannabis trucks and hours of operations. Board members recommended that home cannabis businesses and cannabis trucks be prohibited in Egg Harbor City. Mr. McGowan discussed hours of operation and suggested liquor store hours 8 a.m. to 10 p.m. as a good time frame. Board members agreed with this time frame.

Chairman Peterson agreed all three topics that Mr. McGowan discussed should be included in the Recommendation to City Council.

Mr. Timbers inquired about people making edibles in their home and that Legislation only applies to the sale of edibles. Mr. McGowan believes this would be considered processing and one would need a license to do so and must be located in an approved area. One can make them for their own consumption but would not be able to sell them legally from their home.

Mr. McGowan reviewed fees that can be charged by the Municipality and provided an example using Bayonne as the model ordinance. Chairman Peterson noted the Board can come up with a template but City Council can establish the fees.

The City will need to develop a process to determine who will get the licenses since there will be a limited number of licenses available.

Mr. McGowan suggested that the Board make a Recommendation as to who would make this decision or the process that should be followed if there are multiple applicants. An evaluation criterion should be established for applicants. Mr. McGowan suggested something on the order of a (RFQ) Request for Qualifications and a (RFP) Request for proposals be used. Once applications are reviewed whoever is deemed qualified will move to the next step to bid on the license.

Mr. McGowan suggested the Board make a Recommendation once bidders are pre-qualified auction off the licenses.

Chairman Peterson agreed with this.

Mr. McGowan discussed Licenses and renewal fees.

Mr. McGowan suggested that once determined allow the successful bidder a period of time up to 12 months to seek the State license. One needs a facility secured to get a State license and one can't get an operating facility until a license is obtained.

Board Members discussed receipts for sales of cannabis.

Chairman Peterson noted sales tax is required and the State will be following very closely.

Chairman Peterson asked for questions or comments from the Board.

Mr. Garth stressed his concerns about the limited parking in the 100 block of Philadelphia Avenue and suggested Cannabis businesses be excluded from this block.

Mr. Peterson noted business owners want cars filling the parking spaces.

Mayor Jiampetti noted there is available parking behind the library and there are also cameras in that parking lot for security purposes.

Mayor Jiampetti also commented that the County has also added lighting to the parking area.

Mr. McGowan mentioned on the far corner of Philadelphia Avenue the old bank building would be a great location for a cannabis retail business and does not recommend excluding the 100 block of Philadelphia Avenue. Other vacant commercial properties in the 100 block were also suggested as options.

Chairman Peterson noted this proposed cannabis industry is turning into something big and if a cannabis retailer meets the qualifications they should not be restricted on Philadelphia Avenue.

Mr. Dennis McKenna noted people will go in, purchase what they want and leave they will not be staying in the store for hours.

Chairman Peterson asked if any other Board Members agree with Mr. Garth and would like to recommend restricting the 100 block of Philadelphia Avenue from Cannabis retail businesses. No other Board Members were in favor of restricting the 100 block of Philadelphia Avenue from Cannabis retailers.

Chairman Peterson asked Mr. McGowan to compose a letter with the recommendations from the Board to the City Attorney, Angela Costigan.

Old business: none

Public Comments: none

Mr. Garth inquired about the Wawa project and why it is not moving forward.

Mr. McGowan noted he believes they are waiting for some of their construction materials that are on order.

Mr. Garth asked if the sidewalk can be opened up if construction is not going to start soon. He suggested moving the fence to the inside of the sidewalk so it can be used by pedestrians.

Mr. McGowan will contact Wawa concerning this matter.

Mr. Warker asked if there were any updates on what food establishment may go onto the Wawa site.

Mr. McGowan responded that Wawa is working on a subdivision plan which will be coming before this board soon.

Board members discussed the Wawa basin area. Chairman Peterson noted the one basin seems to be draining very well.

Mr. Timbers received a phone call about the Acme site and skateboarders are getting inside the building.

Mr. McGowan asked the Secretary to contact Ray Persia owner of the Acme site to address Mr. Timbers concerns.

Adjournment: Upon motion made by Mr. Dennis McKenna, seconded by Mr. Timbers and carried the meeting was adjourned.

Respectfully submitted
Donna Heffley
Land Use Board Secretary