

TOWNSHIP OF EVESHAM

Planning Board

Minutes

July 22, 2021

7:00 P.M.

Municipal Building

Call to Order

Meeting brought to order by Chairperson Natale at 7:00 P.M.

Flag Salute

Statement of Conformance with Open Public Meetings Act

Chairperson Natale made the Statement of Conformance with the Open Public Meetings Act and the Municipal Land Use Legislation and in accordance with the April 2, 2020 recommendations of the New Jersey Department of Community Affairs in hosting the Planning Board meeting

Roll Call

Present: Mayor Veasy, Councilman Freeman, Kavalkovich, Sullivan, Touri, Friedman, Natale

Absent: Costello, Higginbotham, Mehigan

Staff: Taylor, Gilson, Rijs, Newton

Continuation of Scheduled Matters – None

New Business

1. Master Plan consistency determination

Ordinance No. 30-8-2021

Ordinance of the Township of Evesham Amending Chapter 160-54 Zoning Map

Kevin Rijs, Director of Community Development presented the Zoning Map prepared by Remington & Vernick Engineers dated June 28, 2021

Zoning Map reflects changes that have occurred since last revised with regard to redevelopment areas and the housing element of the Master Plan

Adopted plan will be part of Chapter 160-54

Board Comment

Mayor Veasy asked that there are no changes to map other than what ordinances had already been previously approved.

Mr. Rijs – stated that is correct

Public Comment – None

Motion to recommend and adopt Ordinance No. 30-8-2021 – Councilman Freeman
Second – Friedman

Ayes: Mayor Veasy, Councilman Freeman, Kavalkovich, Sullivan, Touri, Friedman,
Natale

2. Master Plan consistency determination

Ordinance No. 31-8-2021

An Ordinance Creating a New Chapter 66 Entitled "Cannabis" Adopting Certain Rules and Regulations Concerning the Conduct of Legal Cannabis Businesses and Amending Chapter 160 (Zoning) and 161 (Zoning Modifications and Additional Requirements) of the Township Code to Permit the Operation of Certain Classes of Legal Cannabis Businesses as Conditional Uses In Industrial Park Zone and Evesham Crossroads Overlay Zone within the Township

Mr. Scott Taylor, Planning Board Planner, Taylor Design Group, thanked the Board for his re-appointment§

Mr. Taylor addressed Ordinance No. 31-8-2021 referred to the Planning Board from Township Council

On 11-6-2020 New Jersey voters approved Public Question No.1 amending the New Jersey Constitution to permit the legalization of a controlled form of marijuana called "cannabis" subject to regulated recreational and personal use by adults 21 years and older

On 2-22-2021 Governor Murphy signed into law the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" which establishes a comprehensive regulatory and licensing scheme for commercial recreational cannabis operations, use and possession

The Act requires that municipal land use regulations or prohibitions on licensed cannabis business must be adopted by 8-22-2021

Ordinance addresses a new Chapter of the Township Code and amendments to Chapters 160 and 161 of the Code of the Township of Evesham entitled "Zoning" Section 1 -

A new Chapter 66 of the Township Code entitled "Cannabis" is to be created for regulation comprised of:

§ 66-1 Purpose

§ 66-2 Definitions

§ 66-3 Licensing

§ 66-4 Regulations applicable to Licensees

§ 66-5 Suspension or revocation of license

§ 66-6 Violations and Penalties

Inserting new paragraphs of the following sections

Section 2 - Amend Section 160-68.1 Evesham Crossroads Overlay District (EVCO)

Section 3 - Amend Section 160-72 Industrial Park

Section 4 - Amend Section 161-1 (A) Conditional Uses
Section 5 - Amend Section 161-1 (C) Conditional Uses
Section 6 – Amend Section 160-75 M Signs
Section 7 – Repealer, Severability and Effective Date
Mr. Taylor this is not a public hearing and this Ordinance is a referral from Township Council

Board Comment
Board Member Friedman thanked Mr. Taylor for his explanation

Board Member Kavalkovich – does it matter if not done by 8-22-2021
Mr. Taylor – this ordinance will give township regulations

Board Member Sullivan – are there financial benefits to the Township
Mr. Taylor – in general terms there will be a state tax and the Township could get as much as a 2% surcharge

Mayor Veasy – there are 3 Ordinances pertaining to “Cannabis” on the August 11, 2021 Township Council meeting

Councilman Freeman – the State is forming a Cannabis Committee

Councilman Freeman – a maximum of 5 retail licenses will be permitted

Mayor Veasy – conditions set forth in Section 5 (c), (d), (e) gives specific distances from land use types such as residential, schools etc.

Mr. Taylor – Township Council went over and above with regards to regulations in the best interest of the Township

Public Comment
Mr. Gary Warga
392 A Barton Run Blvd.
Resident for 30 years
Opposes this action
Ask to opt out now not knowing all the State regulations
Dangerous and foolish
Public health hazard
There will be higher and greater use of substance
Does not make sense and request to opt out now

Mr. Gilson, this is consistent with the Master Plan

Chairperson Natale – this is under the power of the Governing Body

Mayor Veasy – if the State comes out with regulation less than the Township's, the Township's regulations will be followed

Mr. Taylor – some of these regulations go beyond what is required

Public Comment – closed

Motion to recommend and adopt Ordinance No. 31-8-2021 – Councilman Freeman
Second – Kavalkovich

Ayes: Mayor Veasy, Councilman Freeman, Kavalkovich, Sullivan, Touri, Friedman, Natale

Public Comment

Mr. Gary Warga
392 A Barton Run Blvd.
Opposes this action

Minutes – 7-1-2021

Motion to approve – Councilman Friedman
Second – Freeman

Ayes: Mayor Veasy, Councilman Freeman, Kavalkovich, Sullivan, Touri, Friedman, Natale

Resolutions

Motion to approve – 2021-PB-12 36-38 Oak Avenue – Councilman Freeman
Second – Sullivan

Ayes: Mayor Veasy, Councilman Freeman, Sullivan, Touri, Friedman, Natale

Public Comment -

Board Comment – None

Communication/Organization - None

Next Meeting – 8/5/2021

Meeting Adjourned – 7:45 p.m.