

# INDEPENDENCE TOWNSHIP LAND USE BOARD

Minutes – April 18, 2022

The Independence Township Land Use Board met for a regular meeting on Monday, April 18, 2022 at the Municipal Building. Mr. Fernandez called the meeting to order at 7:31 p.m. and he stated that the meeting is being held in accordance to the Open Public Meetings Act by posting said notice of this meeting on the bulletin board in the Municipal Building and notifying the Municipal Clerk. Advertisement of notice was placed in the NJ Herald and the Express Times-NJ Zone Edition.

## ROLL CALL:

Present:	Carmen Feula	Donald Engels
	Geoffrey Cullen	Glenn Cogle
	Lucy Carvino	Melissa Milano
	Ricardo Fernandez	George Ulmer
	Mark Rafalko	James Kelsey
	Bonnie Kelsey	
Absent:	Robert Neumann	Robert Best
Also Present:	Dominick DiYanni, Esq.	Michael Finelli, P.E.

## MINUTES:

The minutes from the March 21, 2022 meeting were distributed prior to the meeting. Mr. Cullen made the motion to adopt the minutes. Motion seconded by Ms. Milano. Roll call vote:

Ayes: Mr. Engels, Mr. Feula, Mr. Cullen, Ms. Carvino, Mr. Cogle, Mr. Fernandez, Mr. Rafalko, Mr. Ulmer, and Ms. Milano.

Nays: None recorded

Abstain: Mr. Kelsey and Ms. Kelsey.

## OPEN TO THE PUBLIC:

Chairman Fernandez opened the meeting to the public, for non-agenda items. With there being no public comment, there was a motion made and seconded to close the meeting to the public. In a voice vote, all were in favor.

Ayes: Mr. Engels, Mr. Feula, Mr. Cullen, Mr. Cogle, Mr. Fernandez, Mr. Rafalko, Mr. Ulmer, Mr. Kelsey and Ms. Kelsey

Nays: None recorded

Abstain: Alt. #3 Ms. Carvino and Alt. #2 Ms. Milano

## NEW BUSINESS:

### **#22-001 NJDRP LLC, Block 30, Lot 1-Completeness**

Mr. Finelli reviewed his 4-17-22 completeness report, which was discussed with the Board. He stated that he communicated with the Applicant and they plan on preparing a resubmittal by the end of the month (so that a technical report can be prepared) and noticing for next month's meeting. The Board discussed the completeness report.

Mr. Ulmer made the motion to deem the application incomplete. Motion seconded Mr. Cogle. Roll call vote:

Ayes: Mr. Engels, Mr. Feula, Mr. Cullen, Mr. Cogle, Mr. Fernandez, Mr. Rafalko, Mr. Ulmer, Mr. Kelsey and Ms. Kelsey

Nays: None recorded

Abstain: Alt. #3 Ms. Carvino and Alt. #2 Ms. Milano

The Board Secretary questioned the Board's position on completeness and a possible hearing for next month.

Mr. Cogle made the motion to allow completeness and a possible hearing next month.

Discussion on the motion: the Board noted that waivers will need to be addressed next month. Roll call vote: Ayes: Mr. Engels, Mr. Feula, Mr. Cullen, Ms. Kelsey, Mr. Cogle, Mr. Fernandez, Mr. Rafalko, Mr. Ulmer, and Mr. Kelsey

Nays: None recorded

Abstain: Alt. #3 Ms. Carvino and Alt. #2 Ms. Milano

The Board then discussed the information that should be provided: checklist items #31, #38 and #57. Mr. Finelli took note of the information.

**MEMORIALIZING RESOLUTION:**

**Cannabis Business**

The Board discussed the draft Resolution and Mr. Fernandez stated his concern over the language proposed. Mr. DiYanni reviewed the modifications to the Resolution to address the Board's position at the Joint Meeting to recommend the two classes of licenses.

Mr. Cogle made the motion to adopt the Resolution as modified this evening. Motion seconded by Mr. Fernandez. Roll call vote:

Ayes: Mr. Engels, Mr. Feula, Mr. Cullen, Mr. Cogle, Mr. Fernandez, Mr. Rafalko, and Mr. Ulmer

Nays: None recorded

Abstain: Ms. Kelsey, Mr. Kelsey, Alt. #3 Ms. Carvino and Alt. #2 Ms. Milano

**OTHER BUSINESS:**

**Cannabis Discussion**

Mr. Fernandez addressed the possible revenue of cultivation and manufacturing, permitting in certain zones, and utilization of existing structures (barns). Mr. Finelli described the map prepared by Board Planner Banisch, which the Board reviewed. The Board discussed permitting cannabis as an agriculture use. Mr. Finelli will reach out to Mr. Banisch advising him of tonight's discussion and getting an 11 x 17 map, zoning overlay, utilization of existing structures, farmland assessed parcels, etc... Mr. Fernandez stated that the subcommittees can also look into other township's ordinances. Mr. DiYanni stated that he has the Freehold Ordinance that can be distributed. A correction was noted on the map.

**OTHER BUSINESS:**

**Land Use Committee-Highlands/Affordable Housing-Deferred**

**Checklists Discussion-Deferred**

**DISCUSSION:**

**Site Plan Subcommittee (Feula, Neumann, Engels)**

**None**

**Ordinance Subcommittee (Feula, Cullen, Rafalko)**

**None**

**Redevelopment Subcommittee (Feula, Neumann, Engels)**

**None**

**Master Plan Subcommittee Update (Ulmer, Feula, Rafalko)**

None

**Other**

Mr. Feula provided Mr. DiYanni with a copy of the NJ Farmland Bureau Newsletter regarding solar on farms.

**BILLS:**

**Finelli Consulting**

Re: General 270.00

**Eric Bernstein**

Re: General 375.00

Mr. Ulmer made the motion to approve the bills. Motion seconded by Mr. Cogle. Roll call vote: Ayes: Mr. Engels, Mr. Feula, Mr. Cullen, Ms. Kelsey, Mr. Cogle, Mr. Fernandez, Mr. Rafalko, Mr. Ulmer, and Mr. Kelsey  
Nays: None recorded  
Abstain: Alt. #4 Ms. Carvino and Alt. #3 Ms. Milano

**ADJOURNMENT**

In a motion made and seconded the Board adjourned the meeting at 9:42 p.m. Voice vote: Ayes: Mr. Engels, Mr. Feula, Mr. Cullen, Ms. Kelsey, Mr. Cogle, Mr. Fernandez, Mr. Rafalko, Mr. Ulmer, and Mr. Kelsey  
Nays: None recorded  
Abstain: Alt. #4 Ms. Carvino and Alt. #3 Ms. Milano

Respectfully submitted,

Alfia Schemm  
Board Secretary  
6/20/22