

**WHITE TOWNSHIP PLANNING BOARD
555 CR 519, BELVIDERE, NEW JERSEY**

**MINUTES
JUNE 13, 2017**

The regular meeting of the White Township Planning Board was held on Tuesday, June 13, 2017. Present were: Timothy Matthews, Michael Grossmann, Joseph Phillips, Bryan Vande Vrede, Drew Kiszonak, Jeff Herb, Robert Mackey, Sam Race, and David Pritchard. Board Member Absent: Joseph Magnini. Also present: Attorney Tara St. Angelo, Board Planner Joseph Layton, and Board Engineer Paul Sterbenz.

CALL TO ORDER:

Chairman Matthews called the meeting to order at 7:32 p.m. He stated that the meeting is being held in accordance with the "Open Public Meetings Act", with adequate notice to the appropriate newspapers and posting on the Township bulletin board. He reviewed the procedure for the evening.

OPEN TO THE PUBLIC:

Chairman Matthews opened the meeting to the public for non-agenda items. With there being no public comment, the meeting was closed to the public

MINUTES OF PREVIOUS MEETING:

The minutes of the special meeting of January 25, 2017 were distributed to all the Board Members prior to the meeting.

Mr. Mackey made the motion to approve the minutes. Motion seconded by Mr. Grossmann. In a voice vote, all were in favor, except for Mr. Kiszonak and Dr. Phillips, who were not present at the January 25th meeting and they abstained.

VOTE: 7 AYES

The motion carried

The minutes of the regular Meeting of May 9, 2017 were distributed to all the Board Members prior to the meeting.

Mr. Mackey made the motion to approve the minutes. Motion seconded by Dr. Phillips. In a voice vote, all were in favor, except for Mr. Herb, who was not present at the May 9th meeting and he abstained.

VOTE: 8 AYES

The motion carried

The minutes of the special meeting of May 16, 2017 were distributed to all the Board Members prior to the meeting.

Mr. Mackey made the motion to approve the minutes. Motion seconded by Mr. Grossmann. In a voice vote, all were in favor, except for Dr. Phillips, Mr. Vande Vrede, and Mr. Herb, who were not present at the May 16th meeting and they abstained.

VOTE: 6 AYES

The motion carried

NEW BUSINESS:

#781 WhiteTown Realty, Block 30, Lots 8 & 11

Bryan Vande Vrede recused himself and sat in the audience.

Lawrence Cohen, Esq. was present on behalf of the Applicant. He reviewed the proposal. He stated that he would like to dispel some rumors and misinformation. He stated that the proposal is not for an expansion to open a marijuana facility. He stated that the State of NJ has licensed limited facilities. The Applicant grows flowers and herbs and they are not expanding the growing area, they are trying to make their facility more efficient and to allow more room for facilities for employees, more offices, more packing area, and additional loading facilities. Michael Vande Vrede, Mark Zgoda, Jess Symonds, Jessica Caldwell, Paul Sterbenz, and Joseph Layton, were all sworn in.

Michael Vande Vrede went on to describe the present operation and facility and the proposed addition. Large Photos were displayed around the meeting room and he described the packing and shipping of their product. He stated that they have approximately 70 employees (30 for the herb operation and 40 for the flower operation). He stated that they are not proposing any additional growing area. He described the addition, which will include offices, break room, bathroom facilities, and loading area. He stated because they are not increasing any production, there will no additional traffic. He stated that they grow herbs and lettuces. He stated that they cannot grow flowers with the herbs and they have to have separate loading docks. The following were submitted and marked as Exhibits:

- A-1 Simulation of Building
- A-2 Simulation of Building
- A-3 Colored Site Plan

Mr. Vande Vrede went on to describe the Exhibits and he reviewed the proposal. He described the hydroponic operation and the following was submitted and marked as an Exhibit:

- A-4 Picture of the Herb Hydroponic Operation

Mr. Vande Vrede described the daily truck operation and the existing and proposed buffer. The Board discussed the concerns in regards to truck headlights. and the proposal was reviewed and discussed at great length.

Mark Zgoda, an Architect, described the proposal and the truck circulation. The following was submitted and marked as an Exhibit:

- A-5 Floor Plan

Mr. Zgoda went on to describe the Floor Plan, the buffer, and interior infrastructure.

Jess Symonds, an Engineer, described the driveway, truck loading, turning radius, parking areas, drainage, and the bio retention basin. He went on to address Board Engineer Sterbenz's June 9th report and the comments pertaining to the Stormwater Facilities. He described the parking configuration requirements, the landscaping, and the lighting in the parking area. The following was submitted and marked as an Exhibit:

- A-6 Lighting Plan, sheet 7 of 10.

Mr. Symonds described the lighting design and he addressed the proposed signage. The Board continued to question the Applicants in regards to the proposal.

Jessica Caldwell, a Planner, described the proposal and the variances being requested. She reviewed the purposes advanced by the MLUL. She stated that there are no substantial impacts to the neighborhood and the positives outweigh the negatives. Board Planner Layton reviewed the variances being requested and Ms. Caldwell continued to review the proposal and the visual improvement with plantings around the sign.

The hearing was then opened to the public:

Elaine Reichart questioned the lighting, the proposed efficiency and capacity of the operation and the impact to the neighbors, which was addressed by the Applicant and the Board.

Bud Allen stated that the testimony that is provided is not always what transpires and he referenced the newspaper article in regards to the growing of marijuana. He asked if additional conditions are going to be put in place and he questioned the possible conditions being recommended by the Board Engineer. Board Engineer Sterbenz then went on to address some of his recommendations. Mr. Allen stated his concern over the proposed sign and he asked where the air conditioners are going to be placed. Mr. Zgoda addressed the location of the air conditioners.

Denis Sullivan questioned the parking, signage, traffic circulation, the noise of the trucks, the lighting, which were addressed by Mr. Vande Vrede.

Helen Hart questioned the location of the proposed addition as they have been told that the proposal was going to directly impact Brookfield Glen, which was reviewed and discussed with the Board and the Applicant. Board Engineer Sterbenz displayed an aerial photograph, which was marked as an Exhibit:

A-7 Aerial Photograph

Board Engineer Sterbenz reviewed and described the distance of the proposal to Brookfield Glen.

James MaCauley questioned the construction of the proposed building, the turning radius, and fire safety, which was addressed by the Applicants.

John Thomas questioned the truck traffic for De Roche. It was noted that DeRoche is not a part of the subject application.

A member of the public questioned the Lots in question and the lights that are seen. She asked if a buffer could be placed in the rear. Mr. Vande Vrede stated that they can add additional buffer. He also stated that they can change the present lighting so that they shine downward.

Karl Hricko asked if marijuana growing would be in any future plans. Mr. Vande Vrede stated that the State of NJ is not issuing any marijuana licenses. Attorney Cohen stated that present application is not for the growing of marijuana.

Charles Duffy provided information in regards Terra Tech growing cannabis and he stated that this proposal is a cover for the future growing of cannabis.

John Thomas stated his concern over truck traffic noise and the future of the operation.

Bill Leather questioned the truck noise. Mr. Vande Vrede stated that he thinks the new configuration will help with the noise. Mr. Leather asked if there are any current noise ordinances that would pertain to this project. Attorney Cohen stated that there is a State Ordinance.

Rita Foti addressed the Right to Farm Act and the future use of the site that was published in the newspaper.

Anita Health stated her concern with the air quality. Mr. Vande Vrede described the trucks and how they operate.

Mr. Phillips addressed the differences in the measurement of lighting. He also addressed the rules of law and what can and cannot be considered in hearing this application.

Bud Allen stated his concern over the expansion of the facility. Mr. Vande Vrede stated that all of their greenhouses have been approved.

Elaine Reichart asked if additional buffering could be considered for a neighboring property. Board Engineer Sterbenz stated that they can go out in the field to see what is warranted.

Joseph Venesky asked if this application will be approved this evening. He also questioned the capacity and how the plants are processed and moved into the trucks, which was addressed by the Applicants. He questioned the building construction and whether the Board could put something in place to address the growing of marijuana. The Board reviewed the process of changing and passing an Ordinance.

Denis Sullivan asked if the Board could place conditions on the proposal addressing the growing of marijuana. Attorney Cohen stated that the growing of marijuana will need to be addressed at the State level. Attorney St. Angelo also addressed legislation in regards to marijuana growing, which was also discussed by the Board and the Public.

Chairman Matthews noted that it is now 10:30 p.m. and that the hearing is being carried to the July 11th meeting. Attorney Cohen stated that he was not going to bring all their experts back for the July meeting. It was noted that this matter is being carried without the need for further public notice. Board Engineer Sterbenz stated that he can prepare a draft of possible conditions for the next meeting.

The meeting was closed to the public for this evening.

Mr. Vande Vrede resumed his position on the Board.

BILLS:

Maser-General	102.00	Escrow
Maser-DSM	1462.00	Escrow
Maser-Whitetown Realty	612.00	Escrow
Maser-General	390.00	PBOE
Maser-Whitetown Realty	1967.00	Escrow
Maser-DSM	3180.50	Escrow
Gebhardt-Whitetown Realty	165.00	Escrow
Gebhardt-DSM/Geopeak	2574.00	Escrow
Gebhardt-General	396.50	PBOE
Gebhardt-Beha	82.50	Escrow

In a motion made by Mr. Kiszona and seconded by Mr. Pritchard, the bills were paid. In a voice vote, all were in favor. Abstaining: Mayor Race

VOTE: 8 AYES

The motion carried.

OTHER:

Board Engineer Sterbenz stated that they are working on completing the Housing Element and Fair Share Plan. The Board discussed the scheduling of a public hearing perhaps for the August meeting. Board Secretary Schemm stated that the public hearing can always be scheduled for the July meeting and then carried if there is an issue.

Dr. Phillips asked if there is a difference between being a farm and being a business, which was discussed with the Board at great length.

The Board then discussed the procedure for next month.

ADJOURNMENT:

With no further business to discuss, a motion was made and seconded to adjourn the meeting at 10:47 p.m. In a voice vote, all were in favor.

Respectfully Submitted:

Alfia Schemm
Board Secretary
8/8/17