

**Cape May Court House, New Jersey
TOWNSHIP OF MIDDLE
TOWNSHIP COMMITTEE
WORK SESSION AGENDA
June 19, 2023 4:00 PM (prevailing time)**

CALL TO ORDER:

Mayor's Announcement: I hereby declare that notice has been given to the Herald Times, the Atlantic City Press and posted on the bulletin board of the Middle Township Municipal Building, stating the time and place of the following meeting, as required in P.L. 1975, Chapter 231 of the State of New Jersey. (Sunshine Law).

Notice of this meeting was properly given in Resolution No. 42-23 entitled "Establishing Work Session Meeting Nights" which was adopted by Township Committee of the Township of Middle on January 4, 2023.

Members present are Mayor Donohue, Deputy Mayor Gandy, and Committeemember Norris

Business Administrator/Township Clerk Kimberly Osmundsen, Deputy Business Administrator Suzanne Schumann, Deputy Township Clerk Emily Bartleson, Township Engineer Vincent Orlando & Municipal Solicitor Matt Rooney

FLAG SALUTE:**PRESENTATIONS OR DISCUSSIONS:**

Amendment to Chapter 106 – Cannabis

Jim Maley explained this amendment gives a start to finish of the application process for local licensing and enforcement of regulations. He further explained that this ordinance will continue to be tweaked as new issues arrive that need to be addressed.

Mayor Donohue asked him to explain the change from the current endorsement language.

Jim Maley explained clearer language inputted to explain that just because a license is issued you may not be approved for the local license. He reviewed the previous endorsement process and the multiple applications received and the Township's choice to endorse only one. Expressed belief that it is better to endorse fewer businesses at a time to avoid having multiple companies pushing for the minimal licenses allowed within the Township.

Mayor Donohue asked if this business establishment is theatrical or if any other town has reached the finish line with this process.

Jim Maley stated no, as the state is taking a long-time processing licenses. Explained he has seen many companies giving up on the process. He discussed that various factors effecting these businesses decision to pull their intent.

Mayor Donohue asked about cultivation licenses.

Jim Maley reviewed licenses currently close to the completion of their application process.

Mayor Donohue explained the stance the township has heard of the company the Township endorsed for the cultivation license.

Kimberly Osmundsen explained the company was close to the finish. Stated their application should be on an upcoming agenda with the State Committee. Continued to explained discussions with the endorsed company of the cultivation license application and the changes to their business plan.

Mayor Donohue discussed allowance language in the ordinance.

Jim Maley clarified that the allowance will be for two retail licenses only.

Mayor Donohue reviewed allowed licenses within the Township.

Kimberly Osmundsen explained other entities have expressed interest in applying for licensing endorsement.

Mayor Donohue asked about micro licenses

Jim Maley reviewed allowance and language with micro supplier allowance in the State statute.

Kimberly Osmundsen explained requirements for micro supplier licenses.

Jim Maley further explained the Township would not have licensing ability over those businesses if the State approves them.

Mayor Donohue asked how approval of this ordinance can affect the current stance.

Jim Maley explained he believes they will get another retail business application but everything else has slowed down.

Kimberly Osmundsen further explained INSA was unable to apply for their retail license until they heard about their application for a cultivation license. Stated now that the cultivation license process is coming to an end the company can then move forward with their retail license application process. She clarified that as Jim Maley stated, this ordinance cleans up the language currently in the code.

Committeeman Gandy asked about cannabis business locations allowances.

Jim Maley explained the cannabis business can only go where the Township approves them to go.

Mayor Donohue stated the Township can make it as restricted as possible.

Jim Maley confirmed Mayor Donohue's statement.

Committeeman Norris asked about not allowing the businesses to be too close to each other.

Kimberly Osmundsen explained that when submitting their applications, the applicants have to submit their proposed location options.

Vince Orlando asked if they could go by use variance.

Jim Maley stated no and provided the reasoning.

Mayor Donohue asked about requiring them to be certain distances from specific other entities.

Kimberly Osmundsen used the drug free zone ordinance as an example for prohibiting distance from places such as school buildings and preschools.

Vince Orlando explained that they can determine those areas and provide a restrictive map of prohibited locations for the businesses.

Jim Maley advised this language could be added to the ordinance.

Kimberly Osmundsen explained the arguments received from applicants of not having this information during the previous application process. She advised Committee that the ordinance was set for introduction at the regular meeting. She suggested that if they are looking to put restrictive location language in the ordinance than they should table the ordinance until a future meeting.

Mayor Donohue suggested creating the criteria for the location allowance.

Vince Orlando asked Jim Maley if that criteria can be added to the ordinance.

Jim Maley clarified that the criteria language is acceptable and currently their ordinance allows the businesses to set up anywhere in the Township.

Vince Orlando suggested providing a map that shows the locations of the restricted areas.

Jim Maley stated he could provide some examples of language of restricted language for reference to modify the ordinance.

Committee agreed to table the ordinance on the regular agenda.

Discussion – Revision of Zoning Sign Ordinance

Mayor Donohue explained the goal of this work session is to determine what signs can be allowed that do not impede on right of ways and cause distraction and provide uniform enforcement. Explained main concern is the over abundance of flags on one property and the offset location of flags with certain businesses.

Committeeman Gandy discussed need to limit the number of flags on a single property and set a specific number of allowed flags.

Kimberly Osmundsen asked if they could regulate the flags condition, such as when they get torn and weathered.

Vince Orlando spoke of a discussion with Zoning Officer Rachel Shepherd and the suggestion of requiring the business to come in front of the Planning Board to provide the location, size/aesthetics of the flag(s) as well as an application and approval from the property owner if they do not own the property. Advise he believes this will assist in making enforcement more manageable.

Mayor Donohue explained his concern with that option is that it will still not allow current businesses to fly these flags that are currently trying to.

Vince Orlando explained that his proposal would help ensure that the signs are regulated and reduce over abundance, safety concerns, aesthetics and specific language allowed.

Kimberly Osmundsen confirmed the allowance would be restricted to strictly open flags and no other type.

Vince Orlando clarified the restriction would also be to regulated the size of the open flag signs. He advised he would work with Rachel to establish language to present to Committee.

Mayor Donohue asked about determination of permissible signs for the summer.

Kimberly Osmundsen asked Vince Orlando how long it would take to provide the updated language.

Vince Orlando advised he could have it by the next meeting.

Mayor Donohue explained the language would have to be reviewed by the Planning Board first.

Suzanne Schumann asked how long the approval process would take for them to come in front of the Planning Board.

Vince Orlando reviewed the process of approvals with the Planning Board

Mayor Donohue suggested determining an allowance to get through the summer with the current language.

Rachel Shepherd, Zoning Official, suggested allowing strictly "open" flags while the ordinance is reviewed.

Kimberly Osmundsen raised concern regarding the effect this temporary allowance would have on the shopping plazas. She suggested having the property owners apply the application to avoid overabundance of signs.

DEPARTMENTAL REPORTS AND PROJECT UPDATES:

Administration:

Finance:

Public Works:

Engineering:

Legal:

Tax Collection:

Tax Assessment:

Construction/Planning/Zoning:

Recreation:

Police / Animal Control/ Code Enforcement:

Buildings and Grounds:

Sewer:

Economic Development:

Personnel:

Zoning:

Township Clerk:

PUBLIC COMMENT:

Motion to Adjourn Meeting – 4:46 pm

1st: Committeeman Gandy 2nd: Committeeman Norris

Roll Call Vote: Committeeman Gandy, Committeeman Norris, Mayor Donohue