

**MINUTES  
ORDINANCE COMMITTEE MEETING  
TOWNSHIP OF MONROE  
JUNE 2, 2021**

**A.) OPENING CEREMONIES**

**CALL TO ORDER**

The Ordinance Committee Meeting of the Township of Monroe was called to order at approximately 7:00 PM by **Ordinance Chairman, Cncl. Ronald Garbowski** in the Courtroom of the Municipal Complex, located at 125 Virginia Avenue, Williamstown, New Jersey.

This meeting was advertised pursuant to the New Jersey Open Public Meetings Act (*N.J.S.A. 10:4-6 thru 10:4-21*). Notices were placed in the official publications for the Township of Monroe (i.e.: South Jersey Times, Courier Post and The Sentinel of Gloucester County). A copy of that notice is posted on the bulletin board at the Municipal Complex and on the Monroe Township website.

**SALUTE TO THE FLAG**

**Cncl. Garbowski** led the Assembly in the Pledge of Allegiance to Our Flag.

**ROLL CALL**

Cncl. Katherine Falcone	Present
Cncl. Carolann Fox	Present
Cncl. Ronald Garbowski	Present
Cncl. Steven McKinney	Present
Cncl. Chelsea Valcourt	Present
Cncl. Vice-Pres. Gregory Wolfe	Present
Cncl. Pres. Patrick O'Reilly	Present
Mayor Richard DiLucia	Present
Deputy Mayor, Joseph DiLolle	Present
Solicitor, John Trimble	Present
Dir. of Public Safety, Joseph Kurz	Present
Director of Public Works, Nicholas Mercado	Present
Police Chief Monahan	Present
Deputy Municipal Clerk, Jennifer Harbison	Present

**B.) ORDINANCES FOR REVIEW**

• **Cannabis Legalization**

**Cncl. Falcone** reported that the Cannabis Committee met last week, where they decided on the locations for the various Cannabis licensing. The Township Planner, Stuart Wisner, created a map that indicates the various zones where Cannabis will be permitted. **Planner, Mr. Wisner** presented the map that he created along with the Cannabis Committee. He explained how

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**B.) ORDINANCES FOR REVIEW (cont'd)**

the map was created, along with the included overlays. It was discussed to create an area from a planning prospective that they felt would be the most advantageous for Cannabis. The Cannabis Committee started with the existing Zoning map and focused on the zones that had been previously discussed for Cannabis, which included the AG, BP, C, FD10 and RDA Zones, for cultivators, manufacturers, wholesalers and distributors. They also looked at the BP, C, FD40, RDC and RGC Zones for Cannabis retailers and deliverers. Mr. Wisner explained, he took the existing map and looked at the drug-free school zones to see where the 1,000-foot radius from specific uses would be placed and how that would impact the ability to have a viable zoning district for the cannabis uses. When they mapped out the 1,000-foot radius, they found that because of the number of places of worship located within the township, it disrupted the Black Horse Pike corridor and they could not get enough land to enable an effective zone for this use for the Township. Mr. Wisner explained the various overlays contained on the map. He stated that there are a number of instances on the map where the underlying zoning splits lots and questioned, if the lots are split in half, would Council want to keep the cannabis use to the half that is subject to the overlay or would Council want to expand the overlay to include the entirety of the lot. There are other instances where the exclusion zone would split a lot in half, leaving a portion of the lot that would permit and a portion that would not permit, he questioned if Council would want to leave everything as is and make sure that the Cannabis facility is within the permitted overlay, would they want to exclude the Cannabis facility from any of the lot, or expand the use to be permitted on the entirety of the lot. He noted, these questions are options for Council to direct him on how they would like the overlay to look. **Cncl. Vice-Pres. Wolfe** advised that St. Mary's School is not included on the map and it will have to be included. He explained, 1,000-feet from the boundaries of St. Mary's lot is Main Street and it goes across the Black Horse Pike. The Committee discussed limiting the restriction to include Main Street properties but not the Black Horse Pike. **Cncl. Vice-Pres. Wolfe** spoke regarding Section 175-163.4-4 Cannabis Restrictions in the Draft Ordinance under Subsection D where it speaks about the minimum distance from any school and any park being one thousand (1,000) linear feet measured lot line to lot line, which is the State guideline for drugs in a school zone. He suggested getting away from all of the measurements, removing Subsection D and inserting the overlay map, to ensure clarity when a potential business comes in. **Solicitor Trimble** spoke in reference to page 6 of the Draft Ordinance under Definitions where it lists School Property, he would like to add the word primarily, so it would read "a place or building primarily used for instruction". A discussion followed regarding the minimum distance of 1,000-feet surrounding the properties and the questions/options that Mr. Wisner presented with the overlay map. **Solicitor Trimble** stated, the regulations for this Statute have not been passed yet, so it is unclear what the state is going to do with land management or otherwise. The suggestion of the League of Municipalities was to prohibit it and keep it as a placeholder. He explained, the Ordinance can always be loosened up but it can not be made stricter. Mr. Wisner stated, he has prepared a draft amendment to the Master Plan, so once Council decides how they want to address the Cannabis Ordinance and overlay map, it will be presented to the Planning Board for authorization so Council can prepare for the final adoption of this Ordinance. **Solicitor Trimble** explained the process that needs to be followed for the adoption of the Draft Ordinance in order to comply with the state's timeline. **Cncl. Vice-Pres. Wolfe** suggested, per **Solicitor Register's** note, naming the

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**B.) ORDINANCES FOR REVIEW (cont'd)**

overlay map, the CCMWD Overlay, which stands for Cannabis Cultivators Manufacturers Wholesalers and Distributors Overlay Map. **Cncl. Falcone** spoke regarding the prior discussions of having any new Cannabis businesses meet with the Redevelopment Committee prior to receiving any approvals or permits, to which Cncl. Vice-Pres. Wolfe referenced Section 175-163.4-2, Subsection B2 and Section 175-163.4-3, Subsection B1 where this is stated. **Solicitor Trimble** suggested, instead of the Redevelopment Committee, it should read, "Township Administration and permit approval by the Governing Body", to ensure that Council and Administration remain in the loop. **Cncl. McKinney** asked about the Yale Academy and Victory Christian School and where they may fall on the overlay map. Mr. Wisner explained, the schools that appear on the map are schools and school property that fall under the ownership of the Board of Education. A discussion followed regarding what properties were included in the exclusion areas of the overlay map. Solicitor Trimble went through the Draft Ordinance and explained what items will be removed and/or amended prior to the Second Reading at the next Council Meeting.

**Cncl. Vice-Pres. Wolfe** made a motion to approve Ordinance O:12-2021 for First Reading and Publication. The motion was seconded by **Cncl. Valcourt** and unanimously approved by all members of Council.

- **Chapter 175-138 "Land Management" – Storage of Recreational Vehicles**

**Solicitor Trimble** explained this Ordinance which was originally presented to the Committee by the Zoning Officer, Mrs. Nelms, has gone to the Planning Board for approval. The Planning Board has recommended adding the language "non-commercial utility trailers" and they highlighted a section dealing with enforcement. Mrs. Nelms has reviewed their recommendations and she agrees with adding the language "non-commercial utility trailers"; however, she does not agree with the enforcement language, as she believes she already has an appropriate method of enforcement in place. **Cncl. Valcourt** made a motion to move forward the Draft Ordinance regarding Chapter 175-138 "Land Management" – Storage of Recreational Vehicles for First Reading at the Regular Council Meeting of June 28, 2021. The motion was seconded by **Cncl. Pres. O'Reilly** and unanimously approved by all members of Council.

- **Chapter 74 "Fees"**

**Solicitor Trimble** explained how he streamlined the language contained in the Ordinance to comply with the State Statute in order to identify the Cannabis Transfer Tax which the town is entitled to.

**Cncl. Fox** made a motion to approve Ordinance O:13-2021 for First Reading and Publication. The motion was seconded by **Cncl. Falcone** and unanimously approved by all members of Council.

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C.) MATTERS FOR DISCUSSION

• Chapter 99 “Backyard Chicken Hens”

**Cncl. McKinney** expressed his concerns with the Backyard Chicken Hens, questioning why the program needs to be brought out of the pilot and why the pilot is not just extended. He stated his disagreement with the program. A discussion ensued regarding Cncl. McKinney’s concerns and the program as it is nearing the end of the pilot. **Cncl. Falcone** noted, she would like to see a minimum acre lot requirement, which she understands would limit certain developments, but it would also help a resident from being too close to their neighbor with chickens. **Dave Scales, Chairman of the Board of Health** expressed the Board of Health’s concerns with the proposed Ordinance, stating the Commission is not in favor of the Ordinance being passed. Mr. Scales stated, the Board of Health does not have the resources for enforcement of the Backyard Chicken Hens. He expressed his concerns with the volunteer Chicken Committee entering a resident’s property and questioned the liability to the Township. **Richard Sanford, a member of the Chicken Advisory Committee** explained how the Committee operates, the inspection process and the vetting process of becoming a member of the Committee. **Cncl. McKinney** questioned if Council wants to classify chickens as pets, noting he is not against residents having chickens, but would like to see it be an informal program rather than passing it as a law. **Cncl. Pres. O’Reilly** explained what started the Backyard Chicken Pilot Program. **Cncl. Vice-Pres. Wolfe** believes Council needs to have something in place because of the honest person who wants to have a chicken and does not live in an area zoned for chickens. **Cncl. Valcourt** questioned what the difference would be if Council just expanded the Pilot Program versus passing the proposed Ordinance, to which Solicitor Trimble explained the pilot language suggests the program is temporary. Cncl. Falcone questioned what happens to the residents who are currently participating in the Pilot Program if Council decides not to renew the program, to which Solicitor Trimble advised, per the Ordinance as the chickens pass, they are not allowed to be replenished. Mr. Scales spoke regarding chickens being considered domesticated animals/pets or livestock/poultry and the Board of Health’s concerns with same. A discussion followed regarding bringing the program out of the pilot and the need for enforcement going forward. **Solicitor Trimble** noted, the only revision he had to the proposed Ordinance falls under Section 280-18.3, subsection A, it should read “unless otherwise permitted”. Cncl. Pres. O’Reilly stated, he would like to use the language “Backyard Chicken Hens” everywhere Backyard Chickens are referenced, to clearly define what a resident can or cannot have, as roosters are not permitted. **Police Chief Monahan** questioned who is in charge of enforcement, when complaints come in, to which Cncl. Vice-Pres. Wolfe explained, in the proposed Ordinance it states complaints are received by the Township, referred to the Chicken Advisory Board for investigation and if enforcement is required, the complaint is forwarded to the Code Official. Solicitor Trimble stated that the Zoning Officer is considered to be the Code Official. **Deputy Clerk, Jennifer Harbison** expressed Mrs. Nelms concerns with the enforcement falling on the Zoning Office along with her thoughts that it should fall under the Board of Health. Cncl. Vice-Pres. Wolfe asked the Mayor who he feels should handle the enforcement. **Mayor DiLucia** believes, the enforcement should fall under the Zoning Officer, as she is equipped to handle any enforcement. Solicitor Trimble advised, he will change the language throughout the Ordinance where it currently states Code Official to say Zoning Officer along with remove the

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**C.) MATTERS FOR DISCUSSION (cont'd)**

Ordinance from Chapter 280, which falls under Board of Health, and place it in Chapter 99. Cncl. Vice-Pres. Wolfe made a motion to move forward the Draft Ordinance regarding Chapter 99 "Backyard Chicken Hens" for First Reading at the Regular Council Meeting of June 28, 2021. The motion was seconded by Cncl. Valcourt and unanimously approved by all members of Council with the exception of Cncl. McKinney who voted Nay.

**D.) NEW BUSINESS - None**

**E.) OLD BUSINESS**

**Director of Public Works, Nicholas Mercado** spoke regarding the Township's OMNI Recycling Contract which expires on August 31, 2021, noting that he is going to need a Resolution to put it out for bid.

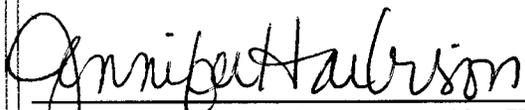
**F.) PUBLIC PORTION**

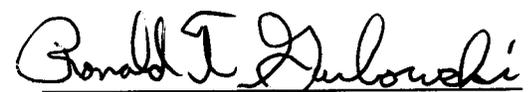
**Cncl. Valcourt** made a motion to open the Public Portion. The motion was seconded by **Cncl. Vice-Pres. Wolfe** and unanimously approved by all members of Council. With no one wishing to speak, **Cncl. Vice-Pres. Wolfe** made a motion to close the Public Portion. The motion was seconded by **Cncl. Fox** and unanimously approved by all members of Council in attendance.

**G.) ADJOURNMENT**

With nothing further to discuss, **Cncl. Valcourt** made a motion to adjourn the Ordinance Committee Meeting of June 2, 2021. The motion was seconded by **Cncl. Falcone** and unanimously approved by all members of Council.

**Respectfully submitted,**

  
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**Deputy Municipal Clerk, Jennifer Harbison**

  
\_\_\_\_\_  
**Presiding Officer**

*These minutes were prepared from excerpts of the recorded proceedings and hand-written notes taken during the Ordinance Committee Meeting of June 2, 2021 and serve only as a synopsis of the proceedings. The official recording may be heard in the Office of the Township Clerk upon proper notification pursuant to the Open Public Records Law.*

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*Approved as submitted* \_\_\_\_\_ *Date* 10/6/2021  
*Approved as corrected* \_\_\_\_\_ *Date* \_\_\_\_\_

