

**MINUTES
ORDINANCE COMMITTEE MEETING
TOWNSHIP OF MONROE
SEPTEMBER 7, 2022**

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 Chairwoman, Cncl. Chelsea Valcourt** 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. Ronald Garbowski	Present
Cncl. Steven McKinney	Present
Cncl. Patrick O'Reilly	Present
Cncl. Chelsea Valcourt	Present
Cncl. Vice-Pres. Carolann Fox	Present
Cncl. Pres. Gregory Wolfe	Present

Mayor Richard DiLucia		Excused
Deputy Mayor, Joseph DiLolle	Present	
Solicitor, John Trimble	Present	
Dir. of Public Safety, Joseph Kurz	Present	
Zoning Officer, Tara Nelms	Present	
Police Chief Monahan	Present	
Deputy Municipal Clerk, Jennifer Harbison	Present	

PRESENTATIONS

• **Property Owner's Request for Vacation of Maple Avenue Paper Road**

Andrew Viola, Esquire, who represents LaKesha Colburn, the owner of 430 Winslow Road, provided Council with copies of a map and exhibits that show the current conditions of the property and the proposal to vacate a portion of Maple Avenue. Mr. Viola explained that his client owns Lots 7 and 9 and the paper street, Maple Avenue, which runs through the center of the lots and it is really simply a driveway and not a road that winds from Winslow Road to

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A.) OPENING CEREMONIES (cont'd)

Filbert Street. There are two (2) problems with the current conditions, Ms. Colburn's house sits on the paper street, which is owned by the Township and is unsustainable and the neighbor to the property, Mr. Dodson cannot exit to Winslow Road without going across Ms. Colburn's property. Mr. Viola explained the potential solution, noting Ms. Colburn's request is for the Township to transfer the property which the paper road is located to her to become part of Lot 9. The transfer of the property will not create any flag lots and there will not be any impact to any of the residents except Mr. Dodson and to that end, Ms. Colburn would be willing to present a perpetual easement to Mr. Dodson to use the right away that is currently existing across Lot 9 and Lot 7. This easement will allow Mr. Dodson to have the same exact access to Winslow Road as he currently has. Ms. Colburn would like to give Mr. Dodson legal permission to use her property to access Winslow Road, which he is currently doing, in exchange that the Township will correct the paper road. Mr. Viola believes this solution is a fair solution to everyone involved. **Solicitor Trimble** stated, this matter has been ongoing since approximately 2014. Mr. Viola said that Ms. Colburn would like the status quo to continue with herself and Mr. Dodson, however, she would like the paper road and the access handled legally in order to allow her in the future to potentially sell her property or refinance, if needed. **Solicitor Trimble** stated, he agrees with the proposal, however the Council needs to also hear from Mr. Dodson prior to making any decisions. A discussion ensued regarding the current conditions of the property and the proposal.

B.) APPROVAL OF MINUTES

Cncl. Garbowski made a motion to approve the minutes as submitted of the Ordinance Committee Meeting of August 3, 2022. The motion was seconded by **Cncl. Falcone** and unanimously approved by all members of Council with the exception of **Cncl. Pres. Wolfe and Cncl. O'Reilly** who abstained.

C.) ORDINANCES FOR REVIEW

- **An Ordinance to Adopt the Redevelopment Plan for a Portion of the Commercial Corridor Rehabilitation Area Within the Township of Monroe**

Cncl. Garbowski made a motion to move forward the Draft Ordinance to Adopt the Redevelopment Plan for a Portion of the Commercial Corridor Rehabilitation Area within the Township of Monroe for First Reading at the Council Meeting of September 12, 2022. The motion was seconded by **Cncl. Vice-Pres. Fox** and unanimously approved by all members of Council.

- **An Ordinance Implementing the Five-Year Tax Exemption and Abatement Law for Negron Smith, LLC, Block 8812, Lot 100**

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C.) ORDINANCES FOR REVIEW (cont'd)

Cncl. McKinney asked if a new single-family home is being built on this lot. **Cncl. O'Reilly** explained, the property is located in the previously classified rehabilitation zone, which provides the ability for home upgrades and/or a residential home on a lot that is not a rental. The Tax Abatement Committee reviewed this application and found that the application meets the criteria. **Cncl. Falcone** asked if the property was going to be used as a rental during the abatement period, to which **Cncl. O'Reilly** advised that it was agreed upon by the Committee that during the period of abatement, it would not be used as a rental property. **Solicitor Trimble** suggested, Tabling the Draft Ordinance at this time, to provide **Cncl. O'Reilly** the opportunity to confirm with the applicant that the property will not be used as a rental during the abatement period. **Cncl. O'Reilly** made a motion to Table the Draft Ordinance Implementing the Five-Year Tax Exemption and Abatement Law for Negron Smith, LLC, Block 8812, Lot 100. The motion was seconded by **Cncl. Garbowski** and unanimously approved by all members of Council.

- An Ordinance Authorizing the Acceptance of a Deed of Dedication for the Acquisition of Real Property Designated as a Portion of Lots 2, 3, & 7 in Block 3704, Commonly Known as Spring Beauty Drive

Solicitor Trimble explained, the development, Monroe Pointe, is completed and the developers are dedicating the streets to the Township to take ownership of and be responsible for, which needs to be done by Ordinance. **Cncl. Garbowski** made a motion to move forward the Draft Ordinance to Authorizing the Acceptance of a Deed of Dedication for the Acquisition of Real Property Designated as a Portion of Lots 2, 3, & 7 in Block 3704, commonly known as Spring Beauty Drive for First Reading at the Council Meeting of September 12, 2022. The motion was seconded by **Cncl. Vice-Pres. Fox** and unanimously approved by all members of Council.

- Chapter 175-163.4 "Land Management" – Cannabis

Solicitor Trimble advised, the Draft Ordinance addresses the need for requiring armed security at cannabis establishments, noting while preparing the Draft Ordinance, he has drawn from the Bellmawr Ordinance. He stated, the decision that needs to be made is whether Council wants armed security at every cannabis establishment or at just the retail establishments. The Draft Ordinance presented for review, has it required at all establishments. **Chief Monahan** spoke with The Botanist and they would like to have a meeting with him to discuss alternative plans for security measures. **Chief Monahan** explained the need for armed security at the establishments, particularly during the hours of operation. **Solicitor Trimble** suggested tabling the Draft Ordinance until **Chief Monahan** has met with The Botanist to discuss the alternative plans for security. **Cncl. Falcone** expressed her concerns with tabling the Ordinance, as there are other cannabis companies that are interested in coming to Monroe Township and they are waiting for the Ordinance to be finalized so they can submit their applications. A discussion ensued regarding the need for armed security. **Cncl. Valcourt** suggested presenting the Draft Ordinance for First Reading at the Council Meeting of September 12, 2022 and if any changes

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C.) ORDINANCES FOR REVIEW (cont'd)

need to be made once Chief Monahan meets with The Botanist, those changes can be made prior to Second Reading or if the changes are too great, it can be presented again for First Reading, to which all members of Council agreed. **Cncl. Vice-Pres. Fox** made a motion to move forward the Draft Ordinance regarding Chapter 175-163.4 "Land Management" – Cannabis for First Reading at the Council Meeting of September 12, 2022. The motion was seconded by **Cncl. Falcone** and unanimously approved by all members of Council.

D.) MATTERS FOR DISCUSSION

- **Model Statewide Municipal Electric Vehicle (EV) Ordinance**

Township Planner, Tim Kernan spoke regarding the Pinelands Commission Electric Vehicle Model Ordinance, where they made changes to the State Model Ordinance in order for it to comply with their comprehensive management plan. The Pinelands Commission is suggesting that if the Township is going to adopt an Electric Vehicle Ordinance, that it should be the Pinelands Commission's model. Mr. Kernan reviewed and discussed the model ordinance, expressing his concerns with various portions and noting that there are several areas that will require decisions, should the Township choose to adopt the Ordinance. **Cncl. Pres. Wolfe** suggested, leaving everything as is and if an issue arises or something is planned in the future, Council will address the issue at that time, to which all members of Council agreed.

- **Short-Term Rentals/Air B&B and Pool Rentals**

Zoning Officer, Tara Nelms provided Council with copies of Ordinances from the neighboring municipalities that she had spoken with detailing how each town handles short-term rentals/Air B&Bs and pool rentals. Mrs. Nelms stated, the Township is receiving an influx of Air B&Bs and short-term rentals. The Township needs to decide if they want to allow Air B&Bs, short-term rentals and pool rentals or not allow them and if they choose to allow them, an Ordinance needs to be created showing the plan to regulate and enforce them. Currently, the Township Code does not restrict or distinguish a time frame for rentals. **Housing Official, Dan Kozak** explained that with the way the Code is currently written, every time a rental is turned over with a new tenant, the rental is required to be registered with the new tenants' name and inspected, noting the Township did not anticipate the current one or two-day rentals. He stated, some municipalities prohibit short-term rentals by stating no rentals less than sixty (60) days. **Solicitor Trimble** spoke regarding the Ordinances from the neighboring municipalities regarding short-term rentals, noting the differences and various ways of enforcement. Mrs. Nelms stated, she would like it stated in the Township Code that pool rentals are prohibited.

Len Schwartz, Esq., addressed Council on behalf of his client, Yorkman Mejia De Los Santos, who owns 161 Princeton Place, which he rents as an Air B&B to explain how this matter has come before Council for discussion. He advised that a Township Ordinance is needed to help the Zoning Board ensure the proper criteria is set with regards to short-term rentals. Mr.

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D.) MATTERS FOR DISCUSSION (cont'd)

Schwartz went over the rules Mr. De Los Santos has in place, as well as the rules set by Air B&B for his property at 161 Princeton Place. He discussed, various ways of enforcement pertaining to short-term rentals and what requirements and restrictions he believes should be included in the Ordinance.

Solicitor Trimble advised, he will research what the Township can do and prepare a Draft Ordinance for the next scheduled Ordinance Committee Meeting, showing some options to be decided on.

E.) NEW BUSINESS

Housing Official, Dan Kozak provided Council with a copy of a letter from the DCA regarding lead-based paint enforcement pertaining to houses built prior to 1979 to review for possible enforcement, specifically dealing with rentals. **Solicitor Trimble** said, he will review the letter and prepare a Draft Ordinance for the next scheduled Ordinance Committee Meeting.

F.) UNFINISHED BUSINESS – None

G.) PUBLIC PORTION

Cncl. Garbowski made a motion to open the Public Portion. The motion was seconded by **Cncl. Pres. Wolfe** and unanimously approved by all members of Council.

William Jess, 165 Princeton Place, stated, the decision made with regards to short-term rentals will dictate his family's future in their house in Monroe Township. He noted that he continues to stand opposed to the Air B&Bs, expressing his concerns with the property next door being used as an Air B&B, as it poses a major security issue, as strangers come and go at all hours of the day and night.

Jake Murray, 160 Princeton Place expressed his concerns with the security issues surrounding his neighbor's residence being an Air B&B. He offered to show Council a video that was taken at a recent party at the Air B&B property. **Cncl. Valcourt** asked Mr. Murray to forward the video to the Clerk's Office.

Len Schwartz, Esq. addressed Council to speak regarding the armed security requirements for cannabis facilities. He noted that he represents a client who is in the process of filing for site plans with the Planning Board, to be located at the 15,000 square foot vacant property between the Pike Inn and the self-storage facility on the Black Horse Pike. Mr. Schwartz asked what portion of the facility will be required to have armed security, noting whatever Ordinance that is put into effect will have an effect on this new business.

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G.) PUBLIC PORTION (cont'd)

Christine Davis, 159 Princeton Place expressed her continued concerns with the security issues surrounding the Air B&B and suggested possibly allowing properties with larger amounts of land be allowed to be registered as an Air B&B, not those properties in developments on smaller parcels of land and requiring background checks for the people renting the Air B&B.

Daniel Delrosso, 164 Princeton Place spoke regarding the security concerns with the Air B&B property, noting he does not want Monroe Township to set a precedence for allowing Air B&Bs.

Gerald Centrone, 168 Princeton Place expressed his concerns for himself, his family and his neighbors with the security issues that surround the property used as an Air B&B.

Kelly Krause, 1407 Janvier Road stated she is an eighteen (18) year resident who owns Grandison Terrace, which is a paper street that never came into fruition back in the 1960's. She addressed Council to make them aware of the issues she is having with the neighbors who purchased the house next door and the vacant lots behind her property less than five (5) years ago, noting her and her family are being harassed and it has progressed into an ongoing court case which is now being heard at the Appellate Division. **Solicitor Trimble** suggested having her legal counsel contact him for further discussion.

With no one else wishing to speak, **Cncl. Garbowski** made a motion to close the Public Portion. The motion was seconded by **Cncl. Pres. Wolfe** and unanimously approved by all members of Council.

H.) ADJOURNMENT

With nothing further to discuss, **Cncl. Garbowski** made a motion to adjourn the Ordinance Committee Meeting of September 7, 2022. The motion was seconded by **Cncl. Vice-Pres. Fox** and unanimously approved by all members of Council.

Respectfully submitted,




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 September 7, 2022 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* 1/11/2023
Approved as corrected _____ _____ *Date* _____