

Minutes of the Commercial Township Land Use Board meeting was held at the Municipal Hall in Port Norris on **April 24, 2024**. The Chairperson called the meeting to order at 6:03 pm. It was advised that the meeting was being electronically recorded in accordance with the Open Public Meeting Act. All joined in the Flag Salute.

SYNOPSIS:

Roll Call:

Joe Klaudi, Committee Man
Dustin Piccolo, Environmental Commission
Ronald Sutton, Mayor
Heike Wheatly, Class IV Board Member
Fred Hundt, Class IV, Vice Chairperson
Elizabeth Truitt, Alternate III
Deborah Hollinger, Alternate I
Edward Fox, Class IV Board Member
Nathan Van Embden, Solicitor
LaRae Smith, Class IV Board Member, Chairperson (Late)
Stefanie Muessig, Board Secretary

Absent:

Matt Wheatly, Class IV Board Member
Dean Berry, Class IV Board Member
Steve Nardelli, Engineer

Minutes:

February 28, 2024

A motion was made by Ron Sutton and seconded by Heike Wheatly to approve the minutes from February 28, 2024.

Roll Call:

Joe Klaudi	Yes
Dustin Piccolo	Abstain
Ron Sutton	Yes
Ed Fox	Abstain
Deborah Hollinger	Yes
Heike Wheatly	Yes
Elizabeth Truitt	Yes
Fred Hundt	Abstain
LaRae Smith	Yes

RESOLUTIONS:

Resolution 2024-05 (Eagle Lake Bond Release)

A motion was made by Fred Hundt and seconded by Ron Sutton to accept and file resolutions 2024-05. All were in favor, none opposed.

Resolution 2024-06 (Cumberland County Improvement Authority)

A motion was made by Elizabeth Truitt and seconded by Dustin Piccolo to accept and file resolutions 2024-05. All were in favor, none opposed.

CORRESPONDENCE

- NJDEP DLRP File No.0602-22-0010.1
CAFRA Individual Permit Application
NJSP Barracks-Troop A. Commercial Twp.
Block 183 Lot 14
Commercial Township, Cumberland County, NJ
- County of Cumberland
RE: State plan Cross Acceptance Process

All were in favor, none opposed.

NEW BUSINESS

- Pigment Holding, LLC (Cybernetic Meadows, LLC)
Sockwell Road
Block 204 Lot 52 (QFARM)
Concept Review

Mr. John Amenhauser is the attorney for Pigment Holding, LLC. He also has Emmitt Vandergrift and Robert Wunder with him to speak on behalf of Pigment Holding, LLC.

Their overall purpose of why they wanted to come before the board with an informal concept review is because this past January, the Township entered a new ordinance related to cannabis retail cultivation, manufacturing within the Township and the terms of the strict ordinance differ slightly from a couple of resolutions that the governing body entered previously in favor of his client in terms of what is permitted. They mention specifically retail, manufacturing cultivation, all of which they intend to utilize here and they have licenses for all three (3) within the Township. So, at this point, the subject property is 7067 Sockwell Road. It's a 39 plus acre parcel, a lot of that undeveloped, but a majority of it large enough. So, roughly 20 acres.

Their goal would be to have all three of the retail, manufacturing and cultivation facilities all located on that one parcel. The final exhibit that they provided is a rough sketch of the available land that shows the buffer line and where the located retail manufacturing and cultivation houses for the purpose of showing the amount of space.

Mr. Amenhauser presents exhibits B, C, and D of the application that provides the three resolutions that were entered into by the governing body in 2022 and 2023, related to Pigment Holdings and the three licenses that they hold, the first one which was Exhibit B is regarding the retail license. What you'll see there is that at the time that was entered into in 2023. This particular property on Sockwell Road was identified as being appropriately zoned and utilized for the purposes of cannabis sales. In 2022, the governing body has entered resolutions regarding manufacturing and cultivation. Mr. Amenhauser said this was the only property at the time his clients had possession of and when they were in discussions with the governing body it was understood that would be the location for those to be cited. Then in January of this year 2024, the new ordinance comes into play and in paragraph one of that ordinance specifically talks about where retail use is permitted. Is it going to be permitted use in the village business district. The Sockwell Road property is in the agricultural district, obviously outside that area.

The first question they have is, what is what are the board's feelings, is this something that's going to require a use variance if we come here with a formal site plan approval? Does that resolution hold weight and allow them to come in here and say that the governing body said that we were fine with utilizing this site for retail use? That's what they ultimately like to do. And can we avoid having to go through the use variance process to make that happen?

The second question is further in the ordinance. It talks about where manufacturing and cultivation are permitted. It does indicate that the agricultural district is the zone in which this is allowable. But it's been tightened a little bit and it then says specifically within the agricultural district, the property must but up to at least one of three different roads, one of which is North Avenue, and their property does not immediately abut to that road. It's one or

two properties off the road, but it's just down Sockwell Road. So, their question is, is the agricultural zoning district at large as a whole? Does that whole district allow for manufacturing cultivation, or is it specifically properties that abut to those roadways and if so, do they need a use variance to allow those two types of uses on this property as well? So those are the big questions that they are seeking answers.

Mr. Nathan Van Embden provides his take on the location manufacturing with its natural buffer from everything else just feels right. Retail does not. The idea of tightening up the retail was to put retail on main feeder roads. The two main roads are 553 and Main Street. We don't have any business activities anywhere else besides those two main business activities. It's got to be on the main drag. Mr. Van Embden asks if this parcel has any residential use or plan to make any part of it residential. The answer is no to both. Mr. Van Embden and the board further discuss their thought process.

Ms. LaRae Smith states that in the past there was a problem with getting utility companies getting access. Her question is, has this situation changed. Mr. Emmett Vandegrift states that it has been determined that there is a 200-amp service on the property and a six-inch natural gas main which comes down North Avenue and a two-inch line which runs down Sockwell Road. They have some other options as well.

Mr. Dustin Piccolo asked Pigment Holding members if there is a well on the property. Mr. Vandegrift answers that there isn't. They have talked to a few companies but currently they are planning on using an irrigation system. Mr. Vandegrift explains in depth about the system. They feel this is the best option with the area that has such a high-water table.

Ms. Elizabeth Truitt's question is how the Township could give approval for a manufacturing plant on a farm. Mr. Van Embden states that any cannabis growing operation is considered a manufacturing plant. There isn't any other way to do it. It's inside, with light, security and control handlers. Ms. Truitt wants to know in addition to the cultivation of cannabis what about the manufacturing of cannabis. Mr. Van Embden said they harvest it, dry it, bundle it and ship it. Ms. Truitt wants to know about putting it into glass and packaging it. Mr. Vandegrift said that part manufacturing part is a bridge they would have to cross later it requires a whole different set of permits and goes into details of all the different types. Currently Mr. Robert Wunder comes forward to help Mr. Vandegrift explain the future process and plans.

Mr. Robert Wunder tells the board the Pigment Holding LLC was just awarded a grant for \$150,000 from New Jersey Economic Development Program, to be used right here in Port Norris for site plans or any kind of service.

Mr. Wunder would like to touch base briefly on the future plans for retail. Their long-term goal is to open a place like a winery where you can socialize, not like a vape shop.

Ms. Truitt would like to know if manufacturing is allowed on farmland. Mr. Van Embden and the representatives from Pigment Holding explain the uses and how they are applied and why they are allowed.

Mr. Dustin Piccolo would like to know if a traffic study and proper lighting will be taken into consideration. Mr. Amenhauser said when they come back for site plan approvals all that will be taken into consideration. He says this is why they wanted a concept review to get the boards feedback.

Mr. Ron Sutton asked is there a percentage or fee that goes back to the Township and if so, how much is that? Mr. Vandegrift states per the ordinance they initially agreed that the licensing fees are \$15,000 a year per license, 2% of gross revenue for the cultivation manufacturing and 3% gross revenue for the retail all comes directly, right back Mr. Sutton asked what your projected yearly income is. At this time Pigment Holding can't predict that. Ms. Smith, I just wanted to know if Pigment Holding moving forward will be the name of the operation. Mr. Wunder answers the project is Pigment but there are many companies underneath it. He gives a list of them.

Mr. Emmitt Vandegrift goes over so of the state regulatory requirements require an eight-foot fence, so privacy inside the fence as well there'd be privacy slats. Nothing would be visible from outside of this premise. There would be barbed wire on top of the fence. There is a camera feed. There's no camera that doesn't have at least two other cameras covering that individual camera.

The entire camera system has a 24-hour cloud backup base that has direct live feed to the state police as well as the campus radio.

Mr. Vandegrift also goes over in detail the filtration system and how that would work to contain the odors from the facility.

Ms. Debbie Hollinger question is how the Township would keep track of the 2%. Mr. Vandegrift believes that the accountant would have to hand in a quarterly report. Those details haven't been set yet. They are willing to do whatever the Township would like.

Ms. LaRae Smith would like to know how often the state licenses are renewed. Mr. Vandegrift states their current license paid annually will expire in March 2025. The Township is paid yearly.

Ms. Truitt asked if solar was an option for that property, answer at the present time it is not. Mr. Vandegrift states that currently solar is not an option. He goes into detail as to why it isn't.

Mr. Wunder said it is his hope that if we "stomp our feet hard enough," we can bring these types of resources to this area.

Mr. Emmitt Vandegrift says they currently have partnership with Stockton University in New Jersey Re-entry Corporation and with Shiloh Baptist Church. Essentially how those partnerships will work with one another is to be in New Jersey Re-entry Corporation finds individuals who are previously incarcerated and looking to better their lives. And the Shiloh Baptist Church is going to help us with the implementation of the training seminars to get these individuals a job, in which case we go into a Canvas Meyer program so that they're earning credits while they were getting a degree in the field that they're working in.

Mr. Vandegrift, Mr. Wunder and Mr. Amenhauser recap everything discussed and thank the board for their time.

BOARD BUSINESS

BILL LIST

A Motion was made Heike Wheatly and Seconded by Dustin Piccolo to pay the bills. All were in favor, none opposed.

APPROVE BILL LIST

OPEN TO PUBLIC

A Motion was made by Ron Sutton and Seconded by Fred Hundt to open and close to the public. All were in favor, none opposed.

ADJORN MEETING

With no other business, a motion was made by the Chairperson to adjourn the meeting at 7:14pm. All were in favor, none opposed.

Stefanie Muessig
Board Secretary

Next meeting: May 22, 2024 (CANCELED)
June 26, 2024 (CANCELED)

July 24, 2024