

MINUTES
RED BANK PLANNING BOARD

March 6, 2023

The Red Bank Planning Board held a Planning Board meeting on Monday March 6, 2023 at 7:00 pm, in the Municipal building, first floor Council Chambers, 90 Monmouth Street, Red Bank, New Jersey.

Chair Dan Mancuso called the meeting to order at 7:03 pm. A roll call showed the following members were in attendance: Dan Mancuso, Thomas Welsh, Art Murphy, Juanita Lewis, Lou DiMento, Kristina Bonatakis, Barbara Boas, Dave Cassidy and Alix Schroder. Also present were Mike Leckstein, Esq. and Shawna Ebanks, P.P., AICP, Director of Community Development and Ed Herrman, PE.

Dan Mancuso read the Open Public Meeting Statement Act. An adequate and electronic notice with the time, place and matter was posted in the two newspapers, with the Borough Clerk's office, the Borough website and posted outside the Red Bank Meeting room and on the front door of Borough Hall.

A motion was made by Barbara Boas, seconded by Dave Cassidy, to approve the minutes of the January 9, 2023 meeting. Ayes: Dan Mancuso, Lou DiMento, Kristina Bonatakis, Barbara Boas and Dave Cassidy. Abstain: Alix Schroder and Art Murphy. Nays: none.

Applications:

The application for 232 Shrewsbury Avenue was carried to another time and the applicant will re-notice the meeting.

P14881: 20 North Bridge Avenue, Block 2, Lot 4.01

The applicant, Red Bank Fire Company, is seeking a conditional use and minor site plan approval for a change in use to a Class 5 Cannabis Retail Dispensary.

The applicant was represented by Dante Alferi, Esq.

He explained the applicant will be changing the name of the business to the Frosted Mug.

The business will be taking over the space where the Chinese restaurant was located.

Mike Leckstein explained that he discussed with Counsel that the notice had more information than they needed in order to proceed with the application. They are ok to move forward.

Christopher Wheaton, Operations manager, was sworn and accepted as an expert witness.

He explained the business hours will be 10am – 8pm, with shorter hours on Sundays, as per the local and state Ordinances.

There will be no visible products shown outside.

There will be security guards present starting ½ hour prior to opening and ½ hour post-closing.

High-end security cameras will be installed and controlled access in place for employees.

Customers can order online. There is no delivery service planned at this time, but once the regulations are worked out, they may bring in third party delivery services.

The Signage will be similar in size as the existing sign and will be according to the state regulations.

There will be about 5 employees working at any one time and 2 security personnel, with a total of 10 total employees. The security guards will not be armed.

They will accept cash, debit and credit cards (there is a work around created to accept the cards).

They anticipate about 10-12 customers at a time and maybe 20 outside in the que. They will have an area roped off. If there becomes a time when there are too many, they are going to encourage pre-ordering online, so customers will just have to pick-up their items.

They are working out the details with the landlord, as to the direction of the line.

Dan Mancuso requested a copy of this plan be provided to the Planning/Zoning Department.

Mr. Wheaten confirmed for Ed Herrman that he has been a cannabis consultant since 2013 and is currently working with six other facilities in NJ for their applications. He does not currently operate any retail establishments, but he is an investor and consultant in other states. He will receive a consulting fee for three years and will have a minority stake of less than 5% for this application.

There was discussion regarding the parking lot.

Art Murphy stated he sees constant movement in the lot and does not see a problem.

There was a discussion about a parking situation in the lot in which there is an issue with people parking there that are not shopping at the stores on the property. Mr. Wheaten explained they are in discussions with the landlord about possibly designating 2 spaces in front of building for them.

There are no smell issues and there will be no more waste than the restaurant had.

Any refuse would be boxes and any cannabis not sold would have to be returned to the vendor. They could not dispose of it in the regular trash.

Barbara Boas confirmed how large the que will be. Mr. Wheaten stated the lines in the first few weeks may be large, but this will not be a long-standing problem, once the newness dies down and other facilities open up. They will encourage setting up appointments, if the lines become too large.

Shawna Ebanks confirmed the delivery hours for their supplies will start 1 hour prior to the store opening and will be via box trucks at the rear door.

There will be armored cars for cash pick-up.

External trash receptacles can be placed outside.

Once the security cameras are installed, they can have the police come in and review for approval.

The application has been submitted with the state. They have 90 days to acknowledge receipt of the application and assign the application to an investigator, who will process the application, including fingerprinting and interviewing. If the application is approved by the Planning Board, they hope to receive state approval within 60-90 days. Then the town signs off on this.

Shawna-Ebanks confirmed with the applicant that they are aware they must obtain Borough license, as well.

Christine Nazzaro Cafone,PP, was sworn and accepted as an expert witness. She explained the property is located in the BR-1 Zone and the proposed use is permitted in the zone.

They comply with all 6 conditional use standards, which include:

- The applicant shall not sell alcohol/tobacco on the premises
- The applicant shall not be doing other businesses on the premises
- Plants, products and paraphernalia shall not be visible outside
- They shall not operate before 8am or after 10pm
- A detailed security plan must be submitted and approved by the RBPD
- The applicant shall be compliant with signage proposed

Shade Tree Committee Report – Ms. Cafone had not seen the letter, which stated that there are not enough trees in the front of the property, so the applicant can either provide trees or pay into the fund. They agreed to this recommendation.

There were no public questions or comments.

Dan Mancuso closed the public portion, seconded by Lou DiMento. All were in favor.

A motion was made by Art Murphy, seconded by Lou DiMento, to approve the application, with the following stipulations: complying with the name change, there will be no lounge on-site and compliance with the recommendations from the Shade Tree Committee. Ayes: Alix Schroder, Dan Mancuso, Tom Welsh, Art Murphy, Juanita Lewis, Lou DiMento, Kristina Bonatakis, Barbara Boas and Dave Cassidy. Nays: none.

Art Murphy made a motion to adjourn the meeting, seconded by Dave Cassidy. The meeting adjourned at 7:45pm.

Respectfully submitted,

Dina Anastasio