

MINUTES
RED BANK PLANNING BOARD
JUNE 5, 2023

The Red Bank Planning Board held a public meeting on June 5, 2023, at 7:00 PM in the Municipal Building, first floor, Council Chambers, 90 Monmouth Street, Red Bank, New Jersey.

Chair Daniel Mancuso called the meeting to order at 7:00 PM. A roll call showed the following members were in attendance:

Mayor Portman	Absent	Juanita Lewis	Present
Alix Schroder	Absent	Louis DiMento	Present
Dan Mancuso	Present	Kristina Bonatakis	Present
Thomas Welsh	Absent	Barbara Boas	Present
Michael Ballard	Present	David Cassidy	Present
Arthur Murphy	Absent	Frederick Stone	Present

Also present were Michael Leckstein Esq., Board Attorney; Ed Herman, P.E, P.P, Board Engineer; Shawna Ebanks, P.P, AICP, Director of Community Development; and Berenice Torres-Vera, Board Secretary.

Chair Mancuso read the Open Public Meeting Statement Act. In addition, an adequate and electronic notice of time, place, and matter was posted in two newspapers, the Borough Clerk's Office, the Borough's website, and outside the council chambers.

Administrative Matters

Meeting Minutes: April 17, 2023

Motion: Approved as presented
Moved by: Dan Mancuso
Seconded by: David Cassidy
Ayes: Dan Mancuso, Louis DiMento, Kristina Bonatakis, Barbara Boas, David Cassidy, Frederick Stone
Nays: N/A
Abstained: Michael Ballard, Juanita Lewis

Meeting Minutes: May 1, 2023

Motion: Approved as presented
Moved by: Dan Mancuso
Seconded by: David Cassidy
Ayes: Dan Mancuso, Louis DiMento, Kristina Bonatakis, Barbara Boas, David Cassidy, Frederick Stone
Nays: N/A
Abstained: Michael Ballard, Juanita Lewis

Meeting Minutes: May 15, 2023

Motion: Approved as presented
Moved by: Dan Mancuso
Seconded by: David Cassidy
Ayes: Dan Mancuso, Louis DiMento, Kristina Bonatakis, Barbara Boas, David Cassidy,
Frederick Stone
Nays: N/A
Abstained: Michael Ballard, Juanita Lewis

Resolution of Approval – 9-11 West Street; Block: 34, Lot: 1

Motion: Approved as presented
Moved by: Barbara Boas
Seconded by: Dan Mancuso
Ayes: Dan Mancuso, Louis DiMento, Kristina Bonatakis, Barbara Boas, Frederick
Stone
Nays: N/A
Abstained: Michael Ballard, David Cassidy

P15052: 45 North Bridge Avenue; Block: 4, Lot: 6

Richard T. Wells, Esq. represented the applicant, Monteverde NJ, Inc.

Mr. Wells explained that the applicant is requesting approval for change of use/conditional use approval as well as a site plan to change an existing licensed medicinal cannabis dispensary to a recreational cannabis dispensary. He further explained that no other site modifications will be made to the structure and the testimony presented would show how the existing site and improvements are sufficient to the operation of the use.

Exhibits A-1 through A-6 were marked and presented, including rendering and site plans:

- A-1: Witness & Exhibit List
- A-2: List of Requested Variances & Waivers
- A-3: Aerial Site Photo (submitted with Application)
- A-4: Copy of Site Plan (Sheet Z-2, submitted with Application)
- A-5: Copy of Interior Floor Plans (Sheet Z-3, submitted with Application)
- A-6: Copy of Exterior Elevations (Sheet Z-5, submitted with Application)

The following witnesses were sworn in for the presentation:

Elizabeth Egan, President – Monteverde NJ, Inc
Devin Liles, Chief Operating Officer – Monteverde NJ, Inc

Ms. Egan provided testimony on the reasoning the creation of the company and the need for an adult use cannabis dispensary.

Mr. Wells questioned Ms. Egan on whether the use met all the conditional use standards under §490-56.2 of the Borough's Development and Planning Regulations to be deemed conditionally permitted use in the zoning district. Ms. Egan agreed.

Mr. Liles provided testimony on the operations and layout of the proposed site. There will be two security checkpoints throughout the sales floor. One of the ID check points will be placed at the entrance of the service lobby. A licensed employee will scan the customer's ID. There will be no on-site consumption. All employees will be vetted and comply with the CRC regulations. All employees will be trained in security protocols and so no armed guards will be onsite. Deliveries will be made by Sprinter vans and done every other day during off-peak and operational hours.

Trash will be collected by a third-party hauler and no hazardous material and cannabis products will be placed in the trash.

A third-party security company will oversee security cameras, in compliance with state requirements and the Borough Police Department. Video recordings will be stored for thirty days. Employees will have a security keycard with limited access according to respected roles.

The hours of operation will be from 8:00 AM to 10:00 PM seven days a week; however, hours will vary depending on the business' needs but not extend past set hours permitted.

All products will be packaged and sealed as required by state regulation and stored in a vault. Bipolar ionization unit will be installed in the air condition units. Additionally, there will be line carbon filtration for the return air.

Site lighting will be replaced with downward-facing lights to provide lighting for security and pedestrian safety. There will be no light spillage into adjacent properties. Parking and building lighting will be on a motion sensor.

Signage and awning will be replaced in pre-existing locations with same sizing from previous business. Signage will not be neon, blinking, nor changeable. A small spotlight from the outside will illuminate signage.

Landscape bed and some foundation shrubbery will be placed along both Brower Street and Bridge Avenue.

The parking lot will be restriped. Five off-street parking spaces are proposed: one ADA compatible, two compact, and two regular spaces. The applicant proposes to provide eleven additional spaces off-site. The location is to be determined as they are awaiting the execution of an LOI with the Borough for use of municipal spaces.

The applicant agreed to post payment in lieu of providing trees into the Shade Tree Trust Fund.

Barbara Boas asked the number of employees. Mr. Liles replied that there will be 15 to 17 employees on each shift. Mrs. Boas expressed her concern about the number of employees and customers at a time in a small building. Mr. Liles confirmed that the allowed occupancy would be a total of 34 people.

Chair Mancuso questioned how many of the staff would be security personnel. Mr. Liles responded all employees will be considered security personnel. They will not be armed.

David Cassidy asked if Mr. Liles had ever opened a dispensary next to a single-family home and he replied to no.

Mr. Cassidy asked if Mr. Liles has any way of measuring the impact of the dispensary on a single-family residential home, to which Mr. Liles stated he had no way of measuring the impact but sees no difference in what a liquor store would have. Mr. Cassidy expressed dissatisfaction with the answer and is concerned with the potential impact on the adjacent residential property.

Ed Herman requested an explanation on business operations for both medicinal and recreational use. Mr. Liles explained that the state requires them to continue to serve and give preferential treatment to medical patients to which they will have set in place a protocol for medicinal use patients over recreational use customers.

Mr. Herman brought attention to the condition of the sidewalk on Bridge Avenue and that the corner ADA ramp is not fully compliant to which the applicant has agreed to repair the sections of the sidewalk.

Ms. Boas questioned Mr. Liles if the security plan was approved by the Police Department. Mr. Liles confirmed the approval.

Suzanna Viscomi, 25 Cedar Street, questioned the delivery/handling of cash. Mr. Liles explained there will be a third-party service that specializes in the delivery of money. Deliveries will occur during business hours at the anticipated frequency of three times a week. Ms. Viscomi asked if there would be a generator installed. Mr. Liles confirmed approval given for installation of a generator as well as a backup battery for the security systems.

Phil Miletto, 43 N Bridge Avenue, voiced his concerns about the existing limited parking availability for all neighboring businesses and residents, as well as deliveries during operating hours resulting in further traffic in the area. Mr. Liles disagreed with Mr. Miletto's observations.

Kristina Bonatakis asked Mr. Liles if they would be willing to add a vegetative buffer extending from the fence. Mr. Liles agreed. Chair Mancuso requested, if granted approval, to submit details to the engineer.

Chair Mancuso's condition was for employees to not park on-site nor on Bridge Avenue and Brower Street.

Chair Mancuso reiterated the conditions of the application. The applicant agreed to all conditions. Louis DiMento motioned to approve the application with conditions, and Kristina Bonatakis second.

Ayes: Dan Mancuso, Michael Ballard, Frederick Stone, Louis DiMento, Kristina Bonatakis
Nays: Juanita Lewis, Barbara Boas, David Cassidy
Abstained: N/A

80 Shrewsbury Avenue; Block: 39, Lots: 23 & 24

John Burke, Esq. represented the applicant, Borough of Red Bank.

Exhibit A1 was marked and presented, including rendering and site plans:
A-1: Proposed Subdivision Plot Plan prepared by T&M Associates

The following witness was sworn in for the presentation:
Ed Herman, P.E, P.P, Borough Engineer

Mr. Burke explained the request for the subdivision was to preserve the rear area of the Senior Center for open space in perpetuity, and to place the property on the State's open space registry. The subdivision application also requires two variances for lot size and lot frontage for the new lot.

Mr. Herman provided testimony on the layout of the proposed site.

Chair Mancuso questioned the reasoning behind the subdivision if the lot is currently used for open space. Mr. Burke replied that the intent is to prevent the lot from being sold in the future and to preserve in perpetuity. Chair Mancuso disagreed with the proposed plan stating that it would result in forever encumbered restrictions by the state. Ms. Boas also agreed that this proposal will result in no substantial benefit to the town and its residents.

Michael Leckstein, Esq., suggested continuing this proposal later to further investigate the state's impact if the proposal were approved.

Linda Hill, 64 McLaren Street, commented on her beautiful experience of the property stating that it's a jewel of a property by the river. She wished that the property be protected and preserved.

Cynthia Burnham, 71 Wallace Street, brought up examples of properties that have been placed on the ROSI and expressed her belief that subsidizing is the best for the preservation of the property. She expressed the great help they have received in cleaning up the riverside area, further showing the natural beauty of the property and the need to protect it.

Nancy Blackwood, 34 Chestnut Street, stated that the efficient and effective manner to preserve this space for the borough is to do a conservation easement or deed restriction or a manner where the borough maintains full control of the property.

Ms. Bonatakis voiced her concern stating that the proposed plan of subdividing and have the property potentially be placed on the ROSI is not the right tool for the preservation of this property.

Kristina Bonatakis motioned to deny the application and Barbara Boas second.

Ayes: Dan Mancuso, Louis DiMento, Kristina Bonatakis, Barbara Boas, Frederick Stone

Nays: Michael Ballard, Juanito Lewis, David Cassidy

Abstained: N/A

The meeting adjourned at 9:41 PM.

Respectfully submitted,
Berenice Torres-Vera
Board Secretary