

**Township of Gloucester
Planning Board Agenda
November 23, 2021**

- 1) Call to Order
- 2) Salute to the Flag
- 3) Roll Call
- 4) Opening Statement
- 5) Swearing of Board Professionals
- 6) General Rules:
 - ** Meeting will start a 7:00 P.M.
 - ** No new applications will be heard after 10:00 P.M.
 - ** All persons testifying before the Board must be sworn in.
 - ** The Board Chairperson reserves the right to hear applications in any order.

MINUTES FOR MEMORIALIZATION

Minutes for Memorialization – November 09, 2021

RESOLUTIONS FOR MEMORIALIZATION

**#201017CMPFS
Lidl US Operations**

**Preliminary/Final Site
Subdivision/Variations**

**#201042RDCSPWPF
M&T @ Blackwood**

**Preliminary/Final Site
Site Plan Waiver/Variations**

O-20-07

Amending Ordinance O-03-03 Land Development Adopting a Little Pond Overlay(LPO) Zoning District for Block: 20601, Lots: 4, 4.02, 5 &6

MOTIONS FOR ADJOURNMENTS

NONE

PUBLIC COMMENTS ON NON-AGENDA ITEMS

(3 Minutes Per Person)

UNFINISHED OR ADJOURNED HEARINGS

None

NEW APPLICATIONS

O-21-12

**Ordinance of the Twp. CC
& State of New Jersey
Amending Ordinance O-04-
13 Repealing & Adopting
The Blackwood West Re-
Development Plan in
Accordance with N.J.S.A.
40A:12A-1ET SEQ., Local
Redevelopment & Housing
Law.**

O-21-14

**Ordinance Amending
Ordinance O-03-03, Land
Development to Provide a
Medical Cannabis Dispensary
By an Alternative Treatment Ctr.
To include a Marijuana Retail
Dispensary as a permitted use in
The in Highway Commercial
District.**

CORRESPONDENCE – OTHER BUSINESS

MEETING ADJOURNED

**ORDINANCE OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN
AND STATE OF NEW JERSEY AMENDING ORDINANCE O-04-13
REPEALING AND ADOPTING THE BLACKWOOD WEST
REDEVELOPMENT PLAN IN ACCORDANCE WITH N.J.S.A. 40A:12A-1 ET
SEQ., LOCAL REDEVELOPMENT AND HOUSING LAW**

WHEREAS, the Township Council of the Township of Gloucester, County of Camden, State of New Jersey, previously designated certain properties as being in need of redevelopment (“Redevelopment Area”) and Rehabilitation (“Rehabilitation Area”) as identified in a report titled “Determination of Areas in Need of Redevelopment and Rehabilitation,” as prepared by the consulting firm Clarke Caton Hintz dated November 25, 2003; and

WHEREAS, the Township Council of the Township of Gloucester adopted the “Redevelopment Plan Blackwood West,” as prepared by the consulting firm Clarke Caton Hintz on June 28, 2004, by Ordinance O-04-13, to govern the development of the Redevelopment Area; and

WHEREAS, over the past several years since the adoption of the “Redevelopment Plan Blackwood West,” several events have necessitated amendments to the initial redevelopment plan; and

WHEREAS, the Township Council of the Township of Gloucester finds that a new redevelopment plan be adopted to reassess compliance with the Local Redevelopment and Housing Law and to restate and refocus the vision, core strategies, and specific objectives of the redevelopment plan; and

WHEREAS, the Township Council of the Township of Gloucester finds that the public health, safety, morals, and welfare of the community shall be promoted by virtue of revisions to the previously enacted redevelopment plan; and

WHEREAS, the Township Council of the Township of Gloucester has reviewed a revised redevelopment plan titled “Blackwood West Redevelopment Plan,” as prepared by the consulting firm T & M Associates, which replaces any existing redevelopment plan(s) for the Redevelopment Area, and which the Township Council believes will facilitate economic growth and development in the Redevelopment Area; and

WHEREAS, the Planning Board of the Township of Gloucester has adopted a Master Plan providing for the appropriate use and development of lands in the Township in a manner that will promote the public health, safety, morals, and general welfare and the Township Council has determined that the Redevelopment Area is an area in need of redevelopment; and

WHEREAS, the Township Council does hereby make the following findings for adoption of the Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7, Adoption of Redevelopment Plan:

- A) The Planning Board of the Township of Gloucester in accordance with N.J.S.A. 40A:12A-6, conducted a public hearing on November 25, 2003, during which factual testimony was taken and all persons who were or would be affected by the Redevelopment Area had an opportunity to be heard and no written objections were filed; and
- B) The Planning Board of the Township of Gloucester is required to provide the Township Council a report containing its recommendation concerning the Blackwood West Redevelopment Plan including objectives consistent with the goals for development and redevelopment of the Township as expressed in the Master Plan; and
- C) Township Council does hereby desire to move forward with first reading of this Ordinance subject to review and report by the Planning Board; and

- D) It is the intent of Township Council to move forward with second reading and final adoption of this Ordinance, in the appropriate manner, and in accordance with Township Council's review of recommendations of the Planning Board.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey as follows:

SECTION 1. The Township Council does hereby adopt the "Blackwood West Redevelopment Plan," as prepared by the consulting firm T & M Associates in accordance with N.J.S.A. 40A:12A-7, as the redevelopment plan for the Redevelopment Area so designated and replacing any existing redevelopment plan(s) for the Redevelopment Area.

SECTION 2. In accordance with N.J.S.A. 40A:12A-7(c), the Zoning Map, as included in the Land Development Ordinance of the Township of Gloucester, be and hereby is amended to designate the various Redevelopment Area Districts identified in the Blackwood West Redevelopment Plan.

SECTION 3. The Township Council remains designated as the Redevelopment Entity under the "Blackwood West Redevelopment Plan," and may proceed with clearance, replanning, development, and redevelopment of the Redevelopment Area to effectuate the purposes of the Local Redevelopment and Housing Law.

SECTION 4. All ordinances and provisions thereof inconsistent with the provisions of this ordinance shall be and are hereby repealed to the extent of such inconsistency.

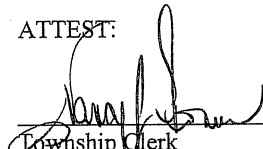
SECTION 5. If any section, subsection or part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance.

SECTION 6. This Ordinance shall take effect immediately after final passage and publication as required by law.

Introduced: October 25, 2021

Adopted:

ATTEST:



Township Clerk
Nancy Power, RMC

Mayor
David R. Mayer

President of Council
Orlando Mercado

O-21-14

ORDINANCE AMENDING ORDINANCE O-03-03, LAND DEVELOPMENT TO PROVIDE A MEDICAL CANNABIS DISPENSARY BY AN ALTERNATIVE TREATMENT CENTER TO INCLUDE A MARIJUANA RETAIL DISPENSARY AS A PERMITTED USE IN THE HC – HIGHWAY COMMERCIAL DISTRICT

WHEREAS, during the November 3, 2020 General Election, New Jersey voters passed Public Ballot Question Number 1, amending the State Constitution to legalize the possession and use of marijuana for persons age 21 and older, and to legalize the cultivation, processing, and sale of retail marijuana pursuant to strict statutory and regulatory licensing standards (the “Constitutional Amendment”); and

WHEREAS, pursuant to the Constitutional Amendment, the New Jersey Legislature introduced and enacted the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, P.L. 2021, c.16 (the “Marketplace Modernization Act”), which amended existing laws governing medical marijuana to establish, among other things, a framework for the licensure, regulation, taxation, and oversight of marijuana businesses; and

WHEREAS, Section 31 of the Marketplace Modernization Act authorizes municipalities to enact certain ordinances governing the use, licensure, and taxation of marijuana businesses at the local level, and requires municipalities that wish to enact zoning ordinances governing the marijuana industry to do so within 180 days of the law’s passage; and

WHEREAS, Gloucester Township adopted Ordinance O-21-09 on August 09, 2021 within the required 180 days governing the use, licensure, and taxation of marijuana businesses at the local level; and

WHEREAS, Gloucester Township wishes to enact this ordinance to allow a Medical Cannabis Dispensary operated by an Alternative Treatment Center to also include a Marijuana Retail Dispensary under a Class 5 New Jersey State Marketplace Conditional, or Microbusiness License within the same facility as the Medical Cannabis Dispensary as a permitted use in the HC – Highway Commercial District; and

WHEREAS, this Ordinance, including the terms utilized herein and any interpretation of its provisions, is intended to be consistent with the terms and intent of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act P.L. 2021, c.16, and its associated regulations, *N.J.A.C. §8:64-1, et seq.*, as amended from time to time; and

WHEREAS, this Ordinance is intended only to operate in accordance with and pursuant to the Township’s authority under State Law, and is not intended to authorize nor encourage any activity pertaining to the cultivation, processing, distribution, sale, or use of marijuana and marijuana products in a manner that violates State law or Federal directives; and

WHEREAS, the Township Council has reviewed and accepted the recommendation of the Planning Board and has determined that it is in the best interest of the Township to adopt this Amendment.

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, and State of New Jersey, that Ordinance O-03-03, Land Development is hereby amended, as follows:

SECTION 1. That Ordinance O-03-03, Land Development, §416, titled “Highway Commercial (HC) District” subsection B. Permitted Uses is hereby amended to add the following permitted use:

- “24. Alternative Treatment Center Medical Cannabis Dispensary.
- a. A Medical Cannabis Dispensary operated by an Alternative Treatment Center, as these terms are defined by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, P.L. 2021, c 16, as a satellite dispensary location subject to the following requirements:

- i. Full support by the Mayor and Township Council of the Township of Gloucester, County of Camden as part of its application to the New Jersey Department of Health for review by the New Jersey Cannabis Regulatory Commission after the effective date of the Jake Honig Compassion Use Medical Cannabis Act, P.L. 2019, c. 153.
- ii. An Alternative Treatment Center may also operate a Marijuana Retail Dispensary under a Class 5 New Jersey State Marketplace, Conditional, or Microbusiness License within the same facility as the Medical Cannabis Dispensary.

BE IT FURTHER ORDAINED, if any section, subsection or part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance; and

BE IT FURTHER ORDAINED, that all ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency; and

BE IT FINALLY ORDAINED, that this Ordinance shall take effect immediately after final passage and publication as required by law.

Introduced:

Adopted:

Mayor
David Mayer

ATTEST:

Township Clerk
Nancy Power, RMC

President of Council
Orlando Mercado