

**BOROUGH OF HAMBURG
LAND USE BOARD
MEETING MINUTES
JUNE 14, 2021**

The Borough of Hamburg Land Use Board meeting was called to order at 7:00 p.m. by Chairman Thomas Watts in accordance with the Open Public Meeting Act, with regard to notices. This meeting was held in person at the municipal building.

Mr. Watts invited all those present to participate in the flag salute in honor of Flag Day.

Mr. Watts read the Statement of Certification: This meeting is in compliance with the Open Public Meetings Act, Public Law 1975, Chapter 231, Sections 4 and 13, as advertised by Annual Notice.

Those in attendance were Vice Chairman Dan Hall, Richard Krasnomowitz, Mayor Marino, Glenn David Roberts, Jeannette Tempe, Sam Villagomez and Chairman Thomas Watts. Absent: George Alakpa, John Haig and Emily Banta. There were no Board professionals in attendance.

Chairman Watts discusses the sudden death of Board member Guy Harby. He expresses his sympathy to the Harby family. He indicates that he and Mr. Harby were neighbors. He discusses Mr. Harby's level of commitment to the boards in the Borough for decades from the 1980s. Mr. Harby's late wife served the Borough with the same level of dedication. Mayor Marino expresses his appreciation for Mr. Harby's time commitment and service to the Borough on the boards for several decades starting with the Zoning Board. Mayor Marino indicated that Mr. Harby always had the best interests of the Borough in mind. Board members agreed that Guy Harby will be missed.

MINUTES: Tempe made a motion to approve the minutes of Minutes of May 10, 2021, second by Villagomez with all others in favor, including Hall, Krasnomowitz, Roberts and Watts. Mayor Marino and Villagomez abstained.

BILLS/VOUCHERS: Mayor Marino made a motion to approve the bills/vouchers for payment including the additional voucher added (item "f" below), seconded by Tempe with all others in favor including Hall, Krasnomowitz, Villagomez, Roberts and Watts.

- a. Weiner Law Group - \$221.00 – Land Use Board General *
 - b. Mott MacDonald - \$148.00 – Bluffs at Ballyowen Escrow #162 *
 - c. Mott MacDonald - \$97.50 – Bluffs at Ballyowen Escrow #162 *
 - d. Mott MacDonald - \$65.00 – 55 Gingerbread Castle Rd Escrow #190 *
 - e. New Jersey Herald - \$19.80 -Land Use Board General *
 - f. Weiner Law Group \$602.00 – Land Use General
- * Paid by Governing Body

CORRESPONDENCE:

- a. 5/13/2021 Correspondence to Sussex County Planning Board re: Stormwater Management Plan adoption.

- b. 5/12/2021 Correspondence from Franklin Borough to Sussex County Planning Board re: Ordinance 06-2021 prohibiting cannabis
- c. The New Jersey Planner March/April 2021

There were no comments from the Board on the correspondence.

NEW/UNFINISHED BUSINESS:

A. Ordinance #07-2021

Amending Chapter 215-Zoning, Article XXVI – Prohibited Uses
Prohibiting Cannabis cultivation, Production, Manufacture and Sale

Mayor Marino explains that the governing body had a first reading on the ordinance. The Board is required to review and discuss this ordinance between the first and second readings. The governing body did not believe at this time that it was in the best interest of the Borough to promote the sale of cannabis because the State has not provided guidelines. This could be reviewed in the future when the State provides more guidance and regulations. Mayor Marino does not support the manufacturing of cannabis in the Borough. In addition, he is concerned about the message supporting this would send considering drug epidemic. Mr. Krasnomowitz discusses the State's requirement to either adopt or prohibit the sale of cannabis by August. Failure to pass would result in accepting cannabis for five years. Prohibiting cannabis at this time allows the Borough to review this in the future. There is no test for driving under the influence of cannabis. The voters passed the law allowing cannabis and the Governor permitted cannabis without having regulations and rules in place.

A motion is made by Mayor Marino, second by Tempe to forward a resolution to the Governing Body indicating that the Land Use Board reviewed and discussed Ordinance #07-2021 and supports the ordinance as written prohibiting cannabis cultivation, production, manufacture and sale in the Borough. Hall, Krasnomowitz, Mayor Marino, Tempe, Villagomez and Watts are in favor and Roberts is against.

PUBLIC:

A motion is made at 7:15 p.m. by Tempe, second by Villagomez to open the meeting to the public with all in favor.

No members of the public are in attendance at the municipal building.

A motion is made at 7:15 p.m. by Krasnomowitz, second by Roberts to close the meeting to the public.

CHAIRMAN'S AGENDA:

Watts discusses continuing the ordinance subcommittee meetings with Ken Nelson. Meeting dates will be proposed for August or September. Nelson contacted the CFO to discuss the available funds for this.

Tempe discusses the chicken coop at a neighboring home. The coop is located close to the property line. In addition, they create a noise issue.

Krasnomowitz indicates that the Zoning Officer is out on leave but there is coverage available. John Ruschke will review this particular issue and ordinance.

Discussion continues on storage pods and the length of time that they can be kept on property. Tempe recalls specific conversation on this in the past. Board Secretary did not find any prior meeting discussion on pods. This pod is located in the front yard. Structures are not permitted by ordinance.

Discussion continues regarding limiting professional billing related to interested parties for available parties. Discussion regarding emails providing guidance to interested parties without providing opinions.

ADJOURN:

A motion is made at 7:25 p.m. by Krasnomowitz, second by Mayor Marino to adjourn with all others in favor.

Respectfully submitted,



Wendy Brick
Secretary to the Land Use Board