**BLOOMINGDALE PLANNING BOARD**

**101 Hamburg Turnpike**

**Bloomingdale, NJ 07403**

Minutes

Regular Meeting **7:00pm**

April 27, 2022

**CALL TO ORDER @ 7:04pm**

**SALUTE TO FLAG**

**LEGAL**

This is the Regular Meeting of the Bloomingdale Planning Board of April 27, 2022 adequate advance notice of this meeting has been provided by publication in the Herald and News and also posted on the bulletin board at the Council Chamber entrance in the Municipal Hall of the Borough of Bloomingdale, Passaic County, in compliance with the New Jersey Open Meetings Act, N.J.S.A. 10:4-6 seq.

**FIRE CODE**

Per State Fire Code, I am required to acknowledge that there are two “Emergency Exits” in this Council Chamber. The main entrance through which you entered and a secondary exit to the right of where you are seated. If there is an emergency, walk orderly to the exits, exit through the door, down the stairs and out of the building. If there are any questions, please raise your hand now.

**ROLL CALL MEMBERS/ALTERNATE MEMBERS (\*denotes alternate)**

James W Croop Craig Ollenschleger Wayne Hammaker\*

Mark Crum Edward Simoni Bob Lippi\*

Bill Steenstra Barry Greenberg (7:15) Margaret Covert\*

Bill Graf Dominic Catalano Brian Guinan\*

**MEMBERS ABS/EXCUSED**

Rachel Frost

**APPROVAL OF MINUTES 3-23-22**

A motion is made by Comm.Graf, 2nd by Comm. Hammaker to approve minutes of 3/23/22. Motion shows all in favor with 2 abstentions by Comm. Lippi and Comm. Guinan.

**RESOLUTION**

**App #700** Kyle Morris Realty 93 Glenwild Ave Block 3046 Lot 30

(seated: Steenstra, Catalano, Guinan, Crum, Croop, Graf, Greenberg, Ollenschleger & Simoni)

A motion is made by Comm. Steenstra, 2nd by Comm. Croop to adopt and memorialize Resolution for Application #700 as written. Role call of members seated shows 8-0 in favor.

**RECOMMENDATION TO MAYOR AND COUNCIL**

**‘Notice of Introduction’ of Bloomingdale Ordinance No. 6-2022**

Chairman Simoni asks Comm. Graf to give the board a brief oversight of the purpose of Ordinance #6-2022.

Comm. Graf states that chapter 92-55 was amended to include cannabis retail use. The State of NJ has mandated this be a zoning conditional use, not a borough condition. The B-1 zone is the target zone, so as to keep the zoning separated from the business side of town.

The zoning conditions were developed by the committee using the NJ State model which was created for municipalities to follow. The Bloomingdale ordinance review committee chose to use this model. We believe this ordinance amendment is totally consistent with the master plan and the zoning ordinances.

Comm. Ollenschleger states that in reading, chapter 14 section 18 of the ordinance, it uses plural of “applicants” and “establishments”. Why plural if only 1 establishment is allowed within the borough?

Comm. Graf suggests that the question be best served at the governing body level. This board only has jurisdiction over the zoning which is what is being done tonight.

Comm. Simoni adds that the board does not have jurisdiction over business licenses.

Board attorney, Richard Brigliadoro states Comm. Ollenschleger has a good point, just not for this board to determine.

Comm. Ollenschleger further states that he believes the ordinance proposed is inconsistent with the zone.

Comm. Graf states that a 500’ buffer from the school zone was suggested.

Comm. Simoni states that it is clearly noted that NJ does not consider cannabis a dangerous substance and they do not even require a buffer zone.

Comm. Ollenschleger disagrees and feels there should be an even bigger buffer zone. He feels a 1,000 ft buffer zone should be recommendation of the board.

Comm. Graf states that they went with the 500’ buffer as it is consistent with liquor/alcohol license buffer.

By show of hands, it was decided by majority of the board to keep buffer zone and hours of operation consistent with liquor/alcohol requirements that currently exist in the borough.

A motion is made by Comm. Steenstra, 2nd by Comm. Croop to recommend ordinance 6-2022 to Mayor and Council with no revisions and that the board finds ordinance consistent with the Master Plan.

As part of discussion before vote, Comm. Ollenschleger states that he does not feel it is consistent with the Master Plan and Municipal Land Use Law. It has undesirable impact on the public health and safety.

Roll call shows 9 “yes” votes and 2 “no” votes (Ollenschleger & Lippi) with one abstention by Councilman Catalano.

**PENDING APPLICATIONS**

**#688** JBA Landscape LLC 237 Hamburg Turnpike Block 3012 Lot 9

**#692** Daniel Mahler89 Main Street Block 5060 Lot 21

**#695** Leanne & Benjamin Scaturro 1 West Shore Road Block 2004 Lot 49

**#697** Robert & Jacqueline Rickard 9 Birch Road Block 4085 Lot 5

**#698** Van Grouw, Anthony & Karen 4 Anna Rose Court Block 2004 Lot 16

**#699** Deanne & John Martini 97 Vreeland Avenue Block 3017 Lot 20

**#701** KSL Lake House LLC 99 Demarest Road Block 4049 Lot 58

**#702** Tri Boro Dental Assoc. (Sluka) 40 Main Street Block 5088 Lot 4

**#704** 8 First Street Bloomingdale LLC Block 3032 Lot 13

**#706** Bernadette Mastria 7 Anna Rose Court Block 2004 Lot 7

**#707** Jay Kliphouse 41 Buena Vista Block 4086 Lot 13

**BILLS**

*Darmofalski –*Mtg attend 3/23 $260, ***App #703 Finbar $260, App #706 Mastria 645, KSL Lakehouse #701 $130, Rodriguez #696 $130***

*Brigliadoro-* Mtg attend 3/3 & 3/23 $960, /review/research $528, ***App #696 Rodriguez $608 & $336, Finbar #703 $64.00, Mastria #706 $112***

*DMC Assoc. –* ***Tilcon Finbar App #703 metes and bounds description review $275***

***(escrow account)***

A motion is made by Comm.Crum, 2nd by Comm. Hammaker to pay bills as listed. Roll call shows 12-0 in favor.

**PUBLIC DISCUSSION**

A motion is made by Comm. Croop, 2nd by Comm. Crum to open meeting to public. Voice vote shows all in favor.

Seeing no one in public

A motion is made by Comm. Crum, 2d by Comm. Catalano to close meeting to public.

Voice vote shows all in favor.

**ADJOURNMENT**

A motion is made by Comm. Crum, 2nd by Comm. Croop to adjourn meeting at 8:37pm. Voice vote shows all in favor.

Respectfully submitted,

Barbara Neinstedt Adubato, Secretary

Bloomingdale Planning Board