



**BOROUGH OF FOLSOM
PLANNING/ZONING
BOARD OF ADJUSTMENTS
MINUTES
June 21, 2023**

CALL MEETING TO ORDER: 6:00 PM

SALUTE TO THE FLAG:

CERTIFICATION: Adequate notice of this meeting has been given in accordance with the Open Public Meeting Act pursuant to Public Law 1975, Chapter 231. Said notice has been advertised in the Hammonton Gazette and is posted on the bulletin board showing the time and place for the meeting.

ROLL CALL:

Members Present: Joe Pino, Glen Smith, Michael Sutts, Leslie Roberson, Catherine DeYoung

Members Absent: Mayor Schenker, Michael Veneziani, Dave Cappuccio, Jim Hoffman, Kristin Gummo-Lubrano

Others Present:

Solicitor:	Carol N. Goloff, Esquire
Board Engineer:	Jen Heller PP, AICP for Polistina & Assoc., PE, PP
Board Secretary:	Susan Carroll

APPROVAL OF MINUTES:

A motion was made by Ms. DeYoung and seconded by Ms. Roberson to Approve the Minutes of May 17, 2023. There was a roll call vote with ayes all.

Joe Pino	Yes
Glenn Smith	Yes
Michael Sutts	Abstain
Leslie Roberson	Yes
Catherine DeYoung	Yes

Board Member Jim Hoffman joined the meeting at 6:03 pm.

RESOLUTION 2023-6: Stephen Czajkowski 2401 4th Road, Block 1201 – Lot 17, Variance for side yard setback and maximum lot coverage to construct an addition.

A Motion was made by Ms. DeYoung and seconded by Ms. Roberson to Approve the Resolution. A roll call vote was taken four ayes and two abstentions.

Joe Pino	Yes
Glenn Smith	Yes
Michael Sutts	Abstain
Leslie Roberson	Yes
Catherine DeYoung	Yes
Jim Hoffman	Abstain

RESOLUTION 2023-7: Robert Presti, Jr., 100 5th Street, Block 3401 – Lot 36.01 Variance request for square footage and front yard setback for an accessory structure.

A Motion was made by Ms. DeYoung and seconded by Ms. Roberson to Approve the Resolution. A roll call vote was taken four ayes and two abstentions.

Joe Pino	Yes
Glenn Smith	Yes
Jim Hoffman	Abstain
Michael Sutts	Abstain
Leslie Roberson	Yes
Catherine DeYoung	Yes

The meeting was open to the public.

Jake Blazer 3211 Oakwood Drive, Folsom was concerned about another cannabis dispensary on the boarder of Folsom and Hamilton Township. Signs were up already. He knew it wasn't Folsom, however there were Applications and things like that in place for Folsom for another cannabis distributor in our town. They were less than a mile apart. He asked if the Board knew, what the other towns were doing when the Planning and Zoning Board decided to place the Zoning for the cannabis distributors in our town for Folsom. Mr. Blazer knew the State gave 120 days to get the Ordinances in. Then people could apply.

Mr. Sutts explained it went to Council not to Planning and Zoning. He clarified that he sat on the Board and denied it. This was his complaint at the last meeting. The Board formed a Special Committee. We denied it in the Special Committee and it went to Town Council. Mr. Blazer asked what was denied. Mr. Sutts responded denied having cannabis in Folsom. It went to Town Council, which you sit on, where they overturned it and changed it. It wasn't Planning and Zoning, it was actually Town Council's problem.

Mr. Blazer asked if Planning and Zoning was aware of this at the same time that there would be two distributors within a mile of each other. Mr. Smith explained the Board had no way of knowing what Hamilton was doing.

Solicitor Goloff explained it was important to understand that as the Planning Board jurisdiction was strictly limited to hearing Applications for Site Plans or Variances or a combination. The Drafting and Adopting of laws was squarely and solely the responsibility of the Borough's Council. The Board had nothing to do with that. Once they make the laws, we apply them to individual application.

Mr. Pino added for those reasons we (the Board) suggest that Mr. Blazer raise the issue to Council because they enact the Ordinances. Mr. Blazer explained he was not aware there would be two (dispensaries) in one mile and that his family lived in that neighborhood and was close to it. Mr. Pino continued they (the Council) was the legislative body. Mr. Blazer understood. Mr. Pino wanted to clarify that any concerns he (Mr. Blazer) had with someone who could address that with the Governing Body.

Ms. Roberson explained this Board would not have any idea what Hamilton Township was doing. Nor would they (Hamilton Township) would they inform us of what they are doing.

Mr. Hoffman asked Mr. Blazer if his concern was that he wouldn't want the dispensary in Folsom. Mr. Blazer's concern was that there was going to be two (dispensaries) within a mile of each other. One will be in Folsom and one will be in Hamilton Township. Mr. Hoffman comment was inaudible. Mr. Blazer thought once Planning and Zoning figured it out, but Mr. Sutts clarified that it was when Council put in where they could put dispensaries. Planning and Zoning did not put that in.

Mr. Hoffman noted we put dispensaries in the only area that we could, but Mr. Sutts clarified you being Council not representing Planning and Zoning. Mr. Sutts was referring to Mr. Hoffman's position on Council as Councilman and that Council put the dispensaries in. He did not want Mr. Hoffman's Council member position to be confused with his Class III Planning/Zoning Board position as liaison between Council and Planning/Zoning.

Mr. Sutts continued; Mr. Pino, Mr. Porretta, Mr. Norman, and he all sat on the special board (Committee) when the cannabis came up and they denied it. Then it went to Council which would be Mr. Blazer, and Mr. Hoffman, and whoever else was on Council. Whoever voted for it, you changed the decision of the Board.

Mr. Blazer agreed and noted it was placed in a certain area/location. Vice Chairman Smith explained when the (Black Horse) Pike was rezoned, it was the main street with (Route) 54. They were trying to get more business in that area. Mr. Blazer understood that is was part of the Master Plan. Mr. Smith continued, that was why it was there. It wasn't done maliciously because there was one there. Nobody here or your guys probably had no idea. Mr. Blazer understood it wasn't like that, however he thought the State or somebody needed step in here and

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be like you are going to have two places within a mile of each other. Mr. Smith noted Hamilton Township was pushing it as far away from there area.

Solicitor Goloff interrupted. She wanted to make sure the record was clear regarding the terminology. The Advisory Committee that was formed was not a Board. The word Board means something very specific under Municipal Land Use Law and Municipal Corporation law. It would be the Advisory Committee. They rendered a decision, but the committee did not have the authority to Adopt law. They made a recommendation and the Borough Committee then decided on what the law would be via an Ordinance. It was important to this discussion that the terminology was correct so everyone knows what role they play in this.

Board Secretary explained the cannabis place for Folsom (1116 Black Horse Pike) near the Penny Pot area did come to the Board for two Uses on one property and withdrew the Application. They said they were only going to have the one Use. They were only going to have the cannabis Use on the property. We didn't Approve or anything. They withdrew. There was no decision here by the Board. Mr. Blazer asked about the cannabis dispensary down by Liberty Square. The last the Board Secretary heard, the Applicant was not going to pursue the Application.

Seeing no one else from the public, the public portion was closed.

There was no other business for the Board.

NEXT SCHEDULED MEETING: July 19, 2023 at 6:00 pm

A Motion was made by Ms. Roberson and seconded by Mr. Sutts to adjourn the meeting. All in favor.

Meeting Adjourned at 6:17 pm.

Respectfully Submitted,

Susan Carroll,
Board Secretary