

**BOROUGH OF LAKEHURST LAND USE BOARD  
REGULAR MEETING  
JULY 26, 2021  
MINUTES**

MEETING OPENED AT 7:30 P.M. BY CHAIRMAN DAVID BURTON

ALL STOOD FOR THE PLEDGE OF ALLEGIANCE.

PUBLIC MEETINGS STATEMENT READ INTO RECORD:

"IN COMPLIANCE WITH N.J.S.A. 10:4, OPEN PUBLIC MEETINGS ACT, NOTICE WAS GIVEN TO TWO NEWSPAPERS, AND POSTED, THAT THE REGULAR MEETING OF THE LAKEHURST LAND USE BOARD IS SCHEDULED FOR THE TWENTY-SIXTH DAY OF JULY 2021 AT THE HOUR OF 7:30 P.M. TO BE HELD IN THE LAKEHURST COMMUNITY CENTER, 207 CENTER STREET, AT WHICH TIME THE BUSINESS OF THE BOARD WILL BE CONDUCTED."

ROLL CALL:

\*Alternate Member

MAYOR ROBBINS: PRESENT  
COUNCILMAN OGLESBY: PRESENT  
CHAIRMAN BURTON: PRESENT  
BRYAN LEVANCE: PRESENT  
ANDREW HODGES: PRESENT

SIDNEY HOOPER: PRESENT  
MARANDA SALAS: PRESENT  
DAVID SUMNER: PRESENT  
ERIC ROBBINS: PRESENT  
\*#1 PATRICK McPARTLIN: PRESENT

APPROVAL OF MINUTES:

Motion by: Miranda Salas

Seconded by: Mayor Robbins

To approve minutes of June 28, 2021 Regular Meeting. Roll call vote held. All votes affirmative with the exception of Bryan LeVance who abstained due to his absence at the June 28<sup>th</sup> regular meeting.

OLD BUSINESS:

MEMORIALIZATION OF RESOLUTION APPROVING APPLICATION OF PIOTR CIESEILSKI FOR HARDSHIP VARIANCE RELIEF FOR FRONT YARD SETBACK AND DESIGN WAIVER FOR DRIVEWAY SETBACK AT THE PROPERTY DESIGNATED AS 618 MAPLE STREET, BLOCK 27, LOT 1.02:

Motion by: Steven Oglesby

Seconded by: Miranda Salas

To approve the resolution memorializing the approval of the application of Piotr Cieseilski for hardship variance relief for front yard setback and design waiver for driveway setback at the property designated as 618 Maple Street, Block 27, Lot 1.02. Roll call vote held. All votes affirmative with the exception of Bryan LeVance who abstained due to his absence at the hearing of application of Piotr Cieseilski.

#### NEW BUSINESS:

REVIEW OF ORDINANCE #2021-06 ENTITLED “AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH, CHAPTER XXV ENTITLED “LAND DEVELOPMENT”, SECTION 25-32 RESERVED; AND CHAPTER IV ENTITLED “GENERAL LICENSING”, SECTION 4-5 RESERVED” (This ordinance permits and governs legal marijuana operations in the Borough of Lakehurst in the B-1, B-2, and the Light Industrial Zone of the Land Use Ordinance):

Mayor Robbins explained the Governing Body is desirous of allowing two cannabis retail businesses, one in the B-1 Downtown Business Zone and one in the B-2 Highway Business Zone and also allow cultivation, manufacturing, wholesale, and distribution of cannabis in the Light Industrial Zone located at the old landfill site. Mayor Robbins also explained the ordinance states all cannabis businesses shall be located a minimum of 200 feet from the school.

Councilman Oglesby stressed only one retail license in each business zone will be allowed.

Board Member David Sumner stated the Borough of Lakehurst is only one square mile adding only one retail is sufficient.

Mayor Robbins responded the borough receives 2% of all sales adding that is a great deal of revenue for the borough. Mayor Robbins stated that is a “major win” for a borough with no growth, no industry. Mayor Robbins further stated all municipalities in Ocean County are saying no.

Board Member Miranda Salas questioned two retail businesses.

Mr. Oglesby answered which business zone will be allowed the retail of cannabis adding if only downtown is allowed, that is opening up the possibility of litigation.

Board Chairman David Burton responded the borough can permit one retail business in the entire borough.

Mayor Robbins stated the ordinance is being presented to the Land Use Board tonight for zoning purposes only.

Mr. Burton questioned the harvesting of cannabis.

Mayor Robbins answered there is state regulations that have to be followed.

Board Attorney Richard Stanzione responded the other thing that is relevant to the Land Use Board is the site standards section of Ordinance #2021-06 adding the borough is allowed to regulate these standards under state regulation such as no alcohol on site, no food or beverages on site, no consumption of cannabis on site. Mr. Stanzione stated this ordinance is not encouraging people to “hang out” adding the establishment will be a “grab and go”.

Mr. Oglesby reminded everyone that the state is giving all municipalities till August 20<sup>th</sup> to pass a cannabis ordinance adding if an ordinance is not passed, the state will dictate what is allowed. Mr. Oglesby stated if the borough finds this is not what the borough wants, then the borough will “tweak” it.

Mayor Robbins added the borough can amend at any time.

Mr. Stanzione stated the borough is essentially taking control of what is allowed in Lakehurst instead of opting out and giving control to the state.

Mr. Burton questioned security at the businesses.

Mr. Stanzione answered state regulations state all businesses must provide a security guard and security cameras and added the Lakehurst Police Department must have access to the cameras.

Board Member Patrick McPartlin asked what can be done with the Light Industrial Land besides cannabis.

Mr. Oglesby responded soils can not be disturbed.

Mayor Robbins added the land was tested by the DEP and is safe, but the “bottom line” is the borough would be responsible adding it would be perfect for cannabis.

Mr. Burton questioned a solar farm.

Mayor Robbins answered someone was interested but then backed out.

Mr. McPartlin asked if the borough will be selling or leasing the property.

Mayor Robbins responded the borough is open to either one.

Mr. Oglesby added the old landfill site was 11 acres, then the DEP changed the wetland setbacks, now there is only 3 acres of buildable land adding this is not enough of land for a solar farm to generate enough electricity to make it worthwhile.

Mrs. Salas asked if the land is sold does borough still receive 2% of the sales.

Mr. Stanzione answered the cannabis business reports the revenue to the state.

Mrs. Salas asked what the Governing Body is asking from the Land Use Board.

Mr. Stanzione responded the Land Use Board has the authority to recommend approval or disapproval of the ordinance.

Motion by: Miranda Salas

Seconded by: Andrew Hodges

To approve Ordinance #2021-06 entitled "AN ORDINANCE OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH, CHAPTER XXV ENTITLED "LAND DEVELOPMENT", SECTION 25-32 RESERVED; AND CHAPTER IV ENTITLED "GENERAL LICENSING", SECTION 4-5 RESERVED". Roll call vote held. All votes affirmative with the exception of David Sumner of voted no and Bryan LeVance who abstained.

#### PUBLIC COMMENTS:

Time opened: 7:50 p.m.

Bruce Margenson, 5 Geneva Road, stated the revenue the borough receives will benefit the town.

Time closed: 7:54 p.m.

#### ADJOURNMENT:

Motion by: Miranda Salas

Seconded by: Steven Oglesby

To adjourn meeting. Roll call vote held. All votes affirmative. Time: 7:55 p.m.

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Maryanne Capasso, Secretary  
Lakehurst Land Use Board