

PLANNING BOARD MINUTES

March 12, 2025

The pre-meeting of the Planning Board was called to order by Chairman Mr. David Manders at 6:00 PM in the Second Floor Caucus Room of City Hall.

Members Present:

Michael Pantalone
John Casadia
Sandy Velez
David Catalana
Douglas Menz
Jeffrey Dimatteo
Nilsa Rosario
Robert Odorizzi
Elizabeth Arthur
David Manders

Also present were:

Amanda Moschillo, Alternate Planning Board Solicitor
Yasmin Perez, Planning Board Secretary
Kathleen Hicks, Supervising Planner
Ryan Headley, Planning Board Planner/Engineer
Elizabeth Jambor, Assistant Planner

PRE-MEETING

Hollister/ Habersham Minor Subdivision – located on the southerly side of E. Forest Grove Road and Central Avenue with additional frontage on Division Street, Block 909, Lots 6 and 56, Tax Map Sheet #9, Project No. PBA-25-00007. Minor subdivision approval to create one (1) new lot with two (2) reconfigured remainder lots.

Mr. Headley explained that there are currently two lots. There with frontage along Forest Grove Road, and a lot with frontage along Central Avenue which is partially constructed. It is in a split zone R-4 and A-5. There are existing homes but additional homes are not proposed.

David Di Leonardo Minor Subdivision – located on the southeasterly corner of South Lincoln Avenue and Magnolia Road, Block 5219, Lot 3, Tax Map Sheet #52, Project No. PBA-25-00002. Minor subdivision approval to create four (4) new lots with one (1) remainder lot.

Mr. Headley explained that the applicant is proposing to create three new lots on Dolly Drive, one new lot along Magnolia Road and a there will be a remaining large lot. There are some variances associated with the application. Every frontage has to meet the standards, so the two on Magnolia cannot be added and call it a conforming. It is still a farm use so the frontage does not meet the current standards of 280 feet. The following variances are for lot frontage, proposed lot 3.01, Magnolia Road, farm use (149± and 151.89 feet provided vs. 280 feet required). Lot width, proposed lot 3.01, Magnolia Road, farm use (149± and 151.89 feet provided vs. 280 feet required). Lot depth, proposed lot 3.02 (140± feet provided vs. 150 feet required). Lot depth, proposed lot 3.04 (133± feet provided vs. 150 feet required). The applicant did present staff with an overall future layout of this property with the road network. They are looking reconfiguring the street layout, so they will return with a master plan of streets amendment.

Landis Theatre and Mori Building– located on the northwest corner of the intersection of N East Avenue and Landis Avenue, Block 3022, Lot 8.01, Tax Map Sheet #30, Project No. PBA-25-00003. Preliminary/final major site plan approval, to modify an existing 5,423 square foot restaurant into a brewery and tasting room with additional site improvements that will encompass approximately 7,500 square feet of the existing site.

Mr. Headley explained that the applicant is proposing some changes to this property. A majority of the changes are interior for the setup of a brewery and tasting room. They are also doing improvements on the outside for a tasting garden terrace or outdoor seating. The applicant is proposing to put a wall up and some gates. It is going to become a brewery service court. The service court is basically a service entrance. The excess from the brewery process will be stored there. Someone will pull up, open the gates, load it and exit onto East Avenue. The fencing is on the right of way so there are variances for that. The applicant is requesting variances for front buffer, Landis Avenue (0 feet provided vs. 25 feet required). Front buffer, N East Avenue (0 feet provided vs. 25 feet required). Impervious lot coverage (91% provided vs. 80% maximum permitted). Parking Space Amount (37 spaces provided vs. 450 spaces required).

Vineland Community Solar–located on the northeasterly corner of S. Mill Road and Elm Road, Block 5501, Lot 1, Tax Map Sheet #55, Project No. PBA-25-00010. Preliminary/final major site plan approval, to construct a ground-mounted solar farm along with site improvements.

Mr. Headley explained that this property is the old landfill on Elm Road. This was the subject of a redevelopment plan amendment that was approved specifically for a solar farm. The applicant was required to return with a site plan as part of their approval. There are no variances associated with this application. It is approximately 80 feet from the roadway. There is a swale that is probably about 20-25 feet wide and it starts to slope up. The proposed solar field is only on the slope. They did propose a gravel access drive down the middle that has two waivers, because it is 20 feet wide whereas 24 feet is required. There are also some perfected plan items, but they have not indicated if they are asking for relief for them. This is not a developable site because of the landfill and topography.

Meeting Adjournment Discussion-

Mr. Manders discussed changing the meeting adjournment time. The cutoff for hearing a new application is 11:00PM, and the meeting begins at 6:30PM. The current cutoff time calls for a late night. He suggested changing the cutoff time to 10:00PM. The board agreed that 10:00PM would be reasonable.

FLAG SALUTE

Public notice pursuant to the Open Public Meetings Act was given on December 17, 2024 by posting written notice on the Official Bulletin Board in City Hall, and mailing written notices to the Daily Journal, City Clerk, and the Board members.

MINUTES

Approval of minutes from the February 12, 2025 board meeting.
The Chairman made a motion to approve the minutes.

David Catalana: Yes
Jeffrey Dimatteo: Yes
Michael Pantalone: Yes
Sandy Velez: Yes
Robert Odorizzi: Yes
Elizabeth Arthur: Yes
David Manders: Yes

RESOLUTIONS

Approval of resolutions from the February 12, 2025 board meeting.
The Chairman made a motion to approve the resolution.

Resolution #6652

David Catalana: Yes
Jeffrey Dimatteo: Yes
Michael Pantalone: Yes
Sandy Velez: Yes
Robert Odorizzi: Yes
Elizabeth Arthur: Yes
David Manders: Abstain

Resolution #6686

David Catalana: Yes
Jeffrey Dimatteo: Yes
Michael Pantalone: Yes
Sandy Velez: Yes
Robert Odorizzi: Yes
Elizabeth Arthur: Yes
David Manders: Yes

Resolution #6687

David Catalana: Yes
Jeffrey Dimatteo: Yes
Michael Pantalone: Yes
Sandy Velez: Yes
Robert Odorizzi: Yes

Elizabeth Arthur: Yes
David Manders: Yes

Resolution #6688

David Catalana: Yes
Jeffrey Dimatteo: Yes
Michael Pantalone: Yes
Sandy Velez: Yes
Robert Odorizzi: Yes
Elizabeth Arthur: Yes
David Manders: Yes

Resolution #6689

David Catalana: Yes
Jeffrey Dimatteo: Yes
Michael Pantalone: Yes
Sandy Velez: Yes
Robert Odorizzi: Yes
Elizabeth Arthur: Yes
David Manders: Yes

Resolution #6690

David Catalana: Yes
Jeffrey Dimatteo: Yes
Michael Pantalone: Yes
Sandy Velez: Yes
Robert Odorizzi: Yes
Elizabeth Arthur: Yes
David Manders: Yes

DEVELOPMENT PLAN

Vineland Community Solar—located on the northeasterly corner of S. Mill Road and Elm Road, Block 5501, Lot 1, Tax Map Sheet #55, Project No. PBA-25-00010. Preliminary/final major site plan approval, to construct a ground-mounted solar farm along with site improvements.

The applicant was represented by Michael Lario, Esq. The site is approximately 87 acres, and formerly the City of Vineland Municipal Landfill. The landfill ceased operation in 1989. This application is for a preliminary and final major site plan approval in connection with the construction establishment and maintenance of a grid supply solar facility. The site is still currently owned by the City of Vineland and remediation efforts were obtained. The former landfill limits the use of this site. The governing body of the City of Vineland realized that this area was in need of redevelopment. A preliminary investigation was conducted and it was found that this site was underutilized. A redevelopment plan was prepared and adopted.

Joseph Radday, Professional engineer, testified on behalf of the applicant. The site is located at the intersection of Mill Road and Elm Street. It is approximately 87 acres and the landfill is currently closed and capped. The cap consists of 6 inches of topsoil, 12 inch drainage layer and the 12 inch clay layer. There is one water shed located on the property. Exhibit A1, site aerial. There will be a total of 27,540 panels proposed for this site. The proposed solar panels will be placed on the top of the landfill and then along the side slopes. All the panels will be within the side yard, front yard and rear yard the property. They will be placed on ground mounted concrete ballasts. There is existing fencing around the perimeter, and additional fencing will be constructed near the residential refuge area to separate the solar operations from the residents. Exhibit A-2, site plan. The applicant is also proposing mounted transformer along with those panels. They will be installed on concrete bases. All the utilities will be above ground and an ultimate connection Mill Road. The access for the site is off Mill Road. There is currently a road that traverses to the property, and a proposed grass maintenance road in the center of the landfill. The storm water is collected via existing underground storm water system, and it all drains toward the basin to the east of the landfill. Planning Report, item 7, waivers for driveway width-minimum, two-way (20 feet provided vs. 24 feet required). Moderate truck pavement (2" FABC, over 6" Gravel or D.G.A). Item 12a, waiver for standard engineering scale, not less than 1"=50' and not more than 1"=10'. Sheet size shall be 24"x36" or 11"x17". In the event that the overall site does not fit onto a standard sheet size, an additional site plan sheet shall be provided which shows the entire site development at a reasonable standard scale. Item 12b, waiver for showing all structures within 150 feet of the land to be developed. Structures are considered to include, but not be limited to, buildings, driveways, mailboxes, signs, utility poles, drainage and sewerage structures, and valves.

Christopher Rose, Manager Development for Greco ETS, testified on behalf of the applicant. He confirmed the improvements on site are in the redevelopment agreement. The redevelopment plan includes a structured approach to routine maintenance and also rehabilitation to preserve the landfill cap. This ensures continued Environmental Protection by maintaining the integrity of the landfill, and also complying with all regulatory requirements to safeguard the site for full stability and sustainability. They will regulate the overall capping and continued remediation of that site. As part of their agreement with the City of Vineland, they will take the pre solar remediation responsibilities and obtain those necessary remediation approvals. The City of Vineland will directly purchase the generated electricity from the site. The system is designed as a behind the meter installation, meaning the generated electricity will be consumed locally in the City of Vineland rather than being sold back to the grid. The solar panels would be connected to the to the VMEU system through 2 new medium voltage poles that will be installed. The term of that lease with the city is twenty years with one five year option. At the end of the facilities life cycle, they will do have a comprehensive decommissioning plan for the complete removal of the equipment on site. This plan also guarantees that the City of Vineland will incur zero financial responsibility for the decommissioning and the disposal of any material at the end of the project's operational life.

The Chairman entertained a motion to approve the application. Mr. Pantalone so moved, Ms. Velez seconded.

Roll Call:

John Casadia: Yes

David Catalana: Yes

Jeffrey Dimatteo: Yes

Douglas Menz: Yes

Michael Pantalone: Yes

Sandy Velez: Yes

Nilsa Rosario: Yes

Robert Odorizzi: Abstain

Elizabeth Arthur: Yes

David Manders: Yes

Hollister/ Habersham Minor Subdivision – located on the southerly side of E. Forest Grove Road and Central Avenue with additional frontage on Division Street, Block 909, Lots 6 and 56, Tax Map Sheet #9, Project No. PBA-25-00007. Minor subdivision approval to create one (1) new lot with two (2) reconfigured remainder lots.

The applicant was represented by Louis Magazzu, Esq. There are two applicants, one is the estate and the second is Ms. Habersham. She is the only heir and beneficiary of her mother's estate. The subdivision is for the purpose of selling the property from the estate.

Bridgette Habersham, 361 E Forest Grove Road, testified on her own behalf. Her father and mother passed, and she became the executive of the estate. She wants to sell so she can pay off some debts.

Proposed new lot 56.02 will contain a net area of 78,534 square feet (1.803 acres), with frontage of 215 feet on Central Avenue and a net depth of 370± feet. A 102,024 square foot portion of lot 56 will be conveyed to lot 6. Proposed enlarged lot 6.01 will contain a net area of 166,134 square feet (3.814 acres), with frontage of 259.05 feet on Forest Grove Road and a net depth of 690± feet. The proposed remainder of lot 56 (new lot 56.01) will contain a net area of 167,312 square feet (3.841 acres), with frontage of 465.39 feet along Central Avenue and 323.91 feet along Division Street.

The Chairman entertained a motion to approve the application. Mr. Pantalone so moved, Ms. Velez seconded.

Roll Call:

John Casadia: Yes

David Catalana: Yes

Jeffrey Dimatteo: Yes

Douglas Menz: Yes

Michael Pantalone: Yes

Sandy Velez: Yes

Nilsa Rosario: Yes

Robert Odorizzi: Yes

Elizabeth Arthur: Yes

David Manders: Yes

PUBLIC HEARING

David Di Leonardo Minor Subdivision – located on the southeasterly corner of South Lincoln Avenue and Magnolia Road, Block 5219, Lot 3, Tax Map Sheet #52, Project No. PBA-25-00002. Minor subdivision approval to create four (4) new lots with one (1) remainder lot.

David Di Leonardo testified on his own behalf. He has a large parcel of ground, and he would like to create 4 new lots with the remainder of one. There will be a proposed major subdivision that will create new roads. This minor subdivision will help create that future project.

Rammi Nassar, Licensed Engineer and Planner, testified on behalf of the applicant. Exhibit A-1, overall plan of the proposed major subdivision. The property is located at the corner Lincoln Avenue and Magnolia Road. The address is 1427 S Lincoln Avenue, and it is 17.37 acres in the R4 zone. The minimum lot size should be 16,000 square feet with 110 foot frontage. The property has 3 frontages on South Lincoln, Magnolia Road and Dali Drive. It also has three connecting roads that lead to this property. They are Junior Drive, Linden Court and Blue Court. The master plan of streets are supposed to be the continuation of Junior all the way to Magnolia, and then connect to the proposed road. As for the minor subdivision, the location of Linden and Dali dictates the reason the need for a depth variance. It is a technical variance, and the benefit outweighs any detriment. The lot meets the lot area and the frontage, so there is no issue with building houses. The technical variances are because the shape of the lots. The following variances are requested for this application: lot frontage, proposed lot 3.01, Magnolia Road, farm use (149± and 151.89 feet provided vs. 280 feet required). Lot width, proposed lot 3.01, Magnolia Road, farm use (149± and 151.89 feet provided vs. 280 feet required). Lot depth, proposed lot 3.02 (140± feet provided vs. 150 feet required). Lot depth, proposed lot 3.04 (133± feet provided vs. 150 feet required).

Ms. Hicks explained that staff met several times with the applicant. It was a difficult piece to work with, because of all the abutting developments that have streets prepped to continue. The existing street stubs and cul de sacs through in an additional complexity to this that is triggering some of those variances.

The Chairman entertained a motion to close the public hearing. Mr. Pantalone so moved, Ms. Velez seconded.

Roll Call:
John Casadia: Yes
David Catalana: Yes
Jeffrey Dimatteo: Yes
Douglas Menz: Yes
Michael Pantalone: Yes
Sandy Velez: Yes
Nilsa Rosario: Yes
Elizabeth Arthur: Yes
David Manders: Yes

The Chairman entertained a motion to approve the application. Mr. Pantalone so moved, Ms. Velez seconded.

Roll Call:
John Casadia: Yes
David Catalana: Yes
Jeffrey Dimatteo: Yes
Douglas Menz: Yes
Michael Pantalone: Yes
Nilsa Rosario: Yes
Sandy Velez: Yes
Elizabeth Arthur: Yes
David Manders: Yes

Landis Theatre and Mori Building— located on the northwest corner of the intersection of N East Avenue and Landis Avenue, Block 3022, Lot 8.01, Tax Map Sheet #30, Project No. PBA-25-00003. Preliminary/final major site plan approval, to modify an existing 5,423 square foot restaurant into a brewery and tasting room with additional site improvements that will encompass approximately 7,500 square feet of the existing site.

The applicant was represented by Alan Giebner, Esq., Associate Solicitor for the City of Vineland. The Vineland Development Corporation is the owner of the Landis Theater and Mori's building which are the subject of this application. This application is for a preliminary and final major site plan approval to modify an existing restaurant into a microbrewery. The proposed modifications are consistent with the current use of the property as the restaurant the current configuration. There will be some minor changes to accommodate a service court, outdoor seating and a small sign. The proposed site plan is consistent with the Center City Redevelopment Plan. The biggest modification is the addition of the service court which is necessitated by the design of the building. It is the only location where deliveries and pickups can be made from on the side of the building. The applicant is proposing to construct a wall that will screen the service court from the adjoining roadway and sidewalk. The wall infringes on the right of way of East Avenue. The City Engineer has no objection to the infringement, as long as they enter into a license agreement for the use of that property as part of the service area. The service area will also house the trash dumpsters, and there will be an area for deliveries and shipments from the side of the building. The property already has a liquor license that is being used by the Landis Theater. The parking lot immediately behind the Landis Theater and the Mori's building is part of the site. The areas that are not part of

the site are the adjoining parking lots to the west of the building, which will provide additional parking for both the theater and the proposed microbrewery use.

Brian Hank testified on behalf of the applicant. He got into the brewing industry in the year 2011, and he is the co-founder of Cape May Brewery. The business grew into the largest craft brewery in the state. He left in the year 2020 and now excited to start this new project.

John Pedersen, Licensed Architect, testified on behalf of the applicant. The restaurant has an access off East Avenue that will remain. A new entrance will be added for the restaurant, and the access off Landis Avenue will be used to service the terrace. If the business grows, the applicant will return for more improvements. The rear egress door is for the other business, but they do need to maintain it as a fire exit for the brewery. There is also a secondary exit for the upstairs banquet hall. The applicant is proposing a railing for the terrace. The surface is stamped concrete so it is slippery. They are planning to repave it at level with the bar floor. Most tasting rooms have the outside experience as part of the ambiance. The two maple trees with remain and they will add some other trees to provide some shade. There will be an area for food trucks, because these types of facilities cannot serve food. As for the fence, the height is going to vary a little, but it will be about 8 feet or so from the grade on the on the low side. The grades change on the East Avenue side. They are also installing a new sign.

Planning Report, item 5, variances for front buffer, Landis Avenue (0 feet provided vs. 25 feet required). Front buffer, N East Avenue (0 feet provided vs. 25 feet required). Impervious lot coverage (91% provided vs. 80% maximum permitted). Parking Space Amount (37 spaces provided vs. 450 spaces required). Item 7, waivers for street shade trees, N East Avenue (5 trees provided vs. 7 trees required at 1 per 50 feet of frontage). Street shade trees, Landis Avenue (1 trees provided vs. 3 trees required at 1 per 50 feet of frontage). Item 8, waivers for fences shall be erected within the owner's property lines. No fence shall encroach on a public right-of-way. Location of fence (0 feet proposed vs. 10 feet from front property line required). Item 9, waivers for sign setback from front property line, monument sign (0 feet provided vs. 10 feet required). Based on the proposed sign clearance of 1.7 feet, the sign is required to be setback at least 10 feet from the front property line. Sign clearance (1.7 feet provided vs. 10 feet required). Freestanding sign, amount per street frontage (2 signs provided vs. 0 sign maximum allowed). Sign face area, freestanding sign, monument sign (43± square feet provided vs. 0 square feet permitted).

The Chairman entertained a motion to close the public hearing. Mr. Pantalone so moved, Mr. Odorizzi seconded.

Roll Call:

John Casadia: Yes

David Catalana: Yes

Jeffrey Dimatteo: Yes

Douglas Menz: Yes

Michael Pantalone: Yes

Sandy Velez: Yes

Nilsa Rosario: Yes

Robert Odorizzi: Yes

Elizabeth Arthur: Yes

David Manders: Yes

The Chairman entertained a motion to approve the application. Mr. Pantalone so moved, Ms. Velez seconded.

Roll Call:

John Casadia: Yes

David Catalana: Yes

Jeffrey Dimatteo: Yes

Douglas Menz: Yes

Michael Pantalone: Yes

Sandy Velez: Yes

Nilsa Rosario: Yes

Robert Odorizzi: Yes

Elizabeth Arthur: Yes

David Manders: Yes

Substance Abuse Treatment & Harm Reduction Centers, Ordinance #2025-27 & #2025-28

Ms. Hicks explained that the board previously received a referral from City Council long ago about harm reduction and needle exchange, and ordinances were developed and recommended back to City Council. The first hearing they had went poorly, and there was a lot of public interest that was negative. CME Consultants were hired by the City's solicitor to conduct an examination, and they developed two new ordinances.

Chris Dochney, Licensed Planner from CME Associates, gave testimony regarding the proposed ordinances. These are replacement ordinances for what the board previously discussed. There are some amendments to several terms in the City's code including "office", "business office", "medical office", "professional office", and "substance abuse counseling or treatment center", and provides definitions for new uses in a "service office" and a "mental health counseling or treatment center". Some examples listed currently are medical office, doctor, acupuncturist and a few other things were mentioned. City staff drafted the original ordinance and the intent was to take away some of the gray area, because there are a lot of different types of office. It appears that the intent with this definition is to identify that offices that provide social services are to be distinguished from professional offices, medical offices, and other general offices. The proposed definition for a "mental health counseling or treatment center" is: "Any facility which provides counseling and/or therapeutic programs for persons having mental health issues. For purpose of this Chapter, a Mental Health Counseling or Treatment Center shall be out-patient only, providing no food or shelter as part of the regular regimen of treatment or care." The proposed ordinance for the board's referral for comments and referral back to City Council has two more definitions based on the public's concerns. The controversial topic about these ordinances New Jersey's Harm Reduction Centers. Harm reduction is an approach in public health and social services that treats drug addiction through interventions that seek to reduce the harms associated with drug use rather than treating substance abuse and addiction as a criminal act to be punished by the law. Harm reduction strategies aim to limit the harms that drug users may inflict on themselves and their communities primarily by providing drug users with services that aim to reduce the risk of drug overdose, reduce the risk of the spread of infectious diseases, as well as providing general support services such as access to clinical therapy and treatment, and connecting drug users to other medical facilities and services that may be needed. Specifically, these may include supervised spaces for drug consumption, drug checking services to screen for adulteration of drugs with other substances, and needle exchange programs where sterile syringes are provided to intravenous drug users to reduce sharing of needles, and access to certain medications such as Narcan that can be life saving in case of overdoses of opioids. They added a definition so that it is not confused with a general substance abuse counseling and treatment center. They took the definition directly from the State of New Jersey's Harm Reduction Act. They also added a definition of a sterile syringe program. It is not specifically defined by the state basing off language from the harm reduction act and the authorization legislation that permits and authorization for a harm reduction center to operate a needle exchange program. The proposed ordinance removes it from the list of permitted uses in the B2 zone, which is the neighborhood commercial district. It would be permitted by right in the institutional district, as well as a conditional use in the B-3. The proposed ordinance will also permit a harm reduction center at that would allow for the needle exchange as an accessory use in the institutional district as well as the harm reduction center without the needle exchange portion as they conditional use in the B-3 districts. The definitions are straight forward. A substance abuse and treatment center is permitted in the IN-1, B-2 and B-3 zones. The B-1 Business Zone Standards shall be amended with the addition of the following: Prohibited Uses in the B-1 Business Zone Shall be as follows: (8) Mental Health Counseling or Treatment Center. (9) Harm Reduction Center. Section 425-294 B-2 Business Zone Standards Section B(1) shall be deleted in its entirety and replaced as follows: B. Permitted uses. Permitted uses in the B-2 Business Zone shall be as follows: (1) All uses permitted in the B-1 Zone, in addition those uses enumerated as prohibited uses in the B-1 Zone with the exceptions of Substance Abuse Counseling or Treatment Center and Harm Reduction Center which shall be prohibited in the B-2 Zone. Section 425-295 B-3 Business Zone Standards Section B (2) shall be amended as follows B. Permitted uses. Permitted uses in the B-3 Business Zone shall be as follows: (26) Social Service Office, (27) Mental Health Counseling or Treatment Center. Section 425-295 B-3 Business Zone Standards Section D (5) shall be added as follows: D. Conditional uses. Conditional uses in the B-3 Business Zone shall be as follows: (5) Harm Reduction Center. Section 425-298, IN-1 Institutional Zone Standards Section B shall be amended with the addition of the following: B. Permitted uses. Permitted uses in the IN-1 Institutional Zone shall be as follows: (21) Social Service Office, (22) Mental Health Counseling or Treatment Center, (23) Harm Reduction Center. Section 425-298, IN-1 Institutional Zone Standards Section D shall be amended with the addition of the following: D. Conditional uses. Conditional uses in the IN-1 Institutional Zone shall be as follows: (3) Sterile Syringe Program. Section 425-304 Conditional uses shall be amended with the addition of the following: The following conditional uses are established in the City of Vineland: (13) Harm Reduction Center, subject to the following conditional use requirements: (a) the use shall be located a minimum of 1,000 feet from any of the following uses: child day care facility; public elementary, middle, or high school; playground; public park; or house of worship, as measured from property the nearest points of any property line; (b) the program must be duly licensed and registered by the NJ Department of Health. (c) Hours of operation shall be limited to 7:00 AM to 8:00 PM; (d) In addition to any other required submission items for a site plan application, the facility operator must provide a plan for addressing loitering by users during and after operational hours; (e) the facility must disclose whether it may seek to operate a "sterile syringe program" or any kind of supervised drug use or injection site programs at the facility. Any program that would include such accessory uses must also provide a plan for accessing emergency services. (f) A sterile syringe program may be permitted as an accessory use to a harm reduction center only if such sterile syringe program is operated as a mobile program where sterile syringes are delivered or collected by a mobile vehicle operated by the program, and not as a fixed location where syringes and/or needles are distributed to users directly from the site. (14) Sterile Syringe Program, subject to the following conditional use requirements: (a) A sterile syringe program at a fixed location shall be permitted only as an accessory to a Harm Reduction Center, Hospital, Emergency Medical Service Facility, or Substance Abuse Counseling or Treatment Center located in the IN-1 Institutional Zone.

David Catalana wanted to know why this is before the board for revision.

Ms. Hicks explained that the board had a referral from City Council last year related to harm reduction and the needle exchange program. She and Mr. Malinski advised the board that harm reduction and needle exchange did not rise to the level of a use. After researching federal regulations, it was found that certain entities can do harm reduction, so some glitches were found examining the ordinance. It was found that nonprofits did not fit into a category, because the office definition was not used as a use in any zoning district. She also realized that mental health was not addressed in the ordinance. There was a public outcry to regulate harm reduction, so CME was hired because they were familiar with the provisions in statute.

Georgette Shelton, President and CEO of the South Jersey Aids Alliance, gave comment regarding harm reduction serves and explained their situation.

The Chairman entertained a motion to make a recommendation to City Council. Mr. Pantalone so moved, Ms. Velez seconded.

Roll Call:

John Casadia: Yes

David Catalana: No

Jeffrey Dimatteo: Yes

Douglas Menz: Yes

Michael Pantalone: Yes

Sandy Velez: Yes

Nilsa Rosario: Yes

Robert Odorizzi: Yes

David Manders: Yes

The Chairman entertained a motion to approve Resolution #6691. Mr. Pantalone so moved, Ms. Velez seconded.

Roll Call:

John Casadia: Yes

David Catalana: No

Jeffrey Dimatteo: Yes

Douglas Menz: Yes

Michael Pantalone: Yes

Sandy Velez: Yes

Nilsa Rosario: Yes

Robert Odorizzi: Yes

David Manders: Yes

Meeting Adjournment Discussion-

Mr. Manders discussed changing the meeting adjournment time. The cutoff for hearing a new application is 11:00PM, and the meeting begins at 6:30PM. The current cutoff time calls for a late night. He suggested changing the cutoff time to 10:00PM. The board agreed that 10:00PM would be reasonable. Big projects will not move forward and will have to be postponed.

The Chairman entertained a motion to change the meeting adjournment time. Mr. Pantalone so moved, Mr. Odorizzi seconded.

Roll Call:

John Casadia: Yes

David Catalana: Yes

Jeffrey Dimatteo: Yes

Douglas Menz: Yes

Michael Pantalone: Yes

Sandy Velez: Yes

Nilda Rosario: Yes

Robert Odorizzi: Yes

Elizabeth Arthur: Yes

David Manders: Yes

ADJOURNMENT

The Chairman entertained a motion to adjourn.

Roll call:

John Casadia: Yes

David Catalana: Yes

Jeffrey Dimatteo: Yes

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Douglas Menz: Yes
Michael Pantalone: Yes
Sandy Velez: Yes
Nilsa Rosario: Yes
Robert Odorizzi: Yes
Elizabeth Arthur: Yes
David Manders: Yes

TIME: 8:49 PM

Respectfully submitted,

Yasmin Perez
Planning Board Secretary