The Keyport Unified Planning Board held a Regular Meeting on October 24, 2024, which was called to order by Joseph Merla at 7:01 PM, the Sunshine Law Notice was read followed by the Flag Salute. Chairman Merla asked for a moment of silence for former Councilmember Warren Chamberlain.

Present: Chairman Merla, M. Sessa, J. Oviedo, H. Aumack, W. McDermott, D Pacheco, J. Kovacs-Olsen

Absent: Mayor Araneo, Councilmember Peperoni, C. Demarest

Professionals: Board Attorney Marc Leckstein, Trevor Taylor, CME Associate

MINUTES: SEPTEMBER 26, 2024

Motion to approve was made by M. Sessa, second by H. Aumack with ayes by all present

RESOLUTION: KUPB 24-10 EDWARD ETHERIDGE
BULK VARIANCE
11 WARREN STREET
BLK 60 LOT 17

MOTION TO APPROVE RESOLUTION:

Motion made by H. Aumack, second by M. Sessa

Ayes: Chairman Merla, M. Sessa, J. Oviedo, H. Aumack, W. McDermott, D Pacheco, J. Kovacs-Olsen

RESOLUTION FOR EXTENSION: KUPB 18-04, KEYPORT PROFESSIONAL PLAZA

MOTION TO APPROVE RESOLUTION:

Motion to approve extension to January 2026 was made by M. Sessa, second by W. McDermott

Ayes: Chairman Merla, M. Sessa, J. Oviedo, H. Aumack, W. McDermott, D Pacheco, J. Kovacs-Olsen

REVIEW OF STORMWATER MANAGEMENT ORDINANCE FOR COMPLIANCE WITH THE BOROUGH'S MASTER PLAN

Mr. Taylor spoke about the ordinance, he explained that it is in compliance with the Master Plan. Mr. Taylor recommended to the Board to approve this ordinance.

Motion to approve was made by D. Pacheco, second by W. McDermott with ayes by all present.

Mr. Leckstein asked D. Nellis to send a letter to Mayor and Council regarding the decision.

APPLICATION: KUPB 23-03 NICA NICA
USE VARIANCE
262 FIRST STREET
BLK 43 LOT 9

Mr. Leckstein explained that this application has been carried numerous times and suggested to the Board that they would have to re-notice since we are not sure about the dates for 2025.

Motion to carry with application re-noticing the residents and paper was made and moved with ayes by all present.

Mr. Leckstein explained to the public that anyone present for this application that they will receive a notice with the new hearing date.

APPLICATION: KUPB 24-12 BLAZE KEYPORT LLC
AMENDMENT OR REVISION TO
SITE PLAN
105 HIGHWAY 35
BLK 110 LOT 24

Exhibit A1 – Site Plans
Exhibit A2 – Architectural
Exhibit A3 – Building Design
Exhibit B1 – CME Letter
Exhibit B2 – Resolution from previous application
Exhibit B3 – Email from T. Vecchio, Fire Marshal 9/26/24
Exhibit B4 – letter from Police Chief
Exhibit B5 – Resolution of Borough

Bridget Sikes, Attorney for the applicant introduced Gregory D'Agostino, representative for the applicant. Mr. Leckstein asked in what capacity. Mr. D'Agostino explained that he assists in the licensing, permits and operations.

Mr. D'Agostino, explained that Blaze Keyport was issued a resolution of support in 2022 for their class 5 retail to be located at 105 Highway 35 in Keyport. Blaze Keyport subsequently received their provisional annual license from the Cannabis Regulatory Commission in August of 2022. Mr. D'Agostino explained that the CRC will grant a provisional license, once the operator goes through the construction process and receives either a CO or TCO and has a final physical inspection from their field monitor, then they would be recommended for their license. That would happen administratively not something that they would have to go back before the Board to vote on. Once that is completed, they would receive a final license number from the CRC.

Mr. D'Agostino explained that it would be for people over 21 years of age to come in and purchase cannabis. All the cannabis is developed through New Jersey based license cultivators and manufactures. Regarding the Borough's resolution, Blaze Keyport will operate by appointment only for the first six months. There is no consumption area proposed for this site, there will not be any sales of food, tobacco or alcohol at this facility. There would no consumption on in the interior or exterior of the property at any time.

Ms. Sikes asked for the hours of operation and the number of employees. Mr. D'Agostino stated that there would be four employees and the hours of operation are from 8am to 10pm. There would be in two shifts, the first shift would be from 8am to 3pm and the second shift 3pm to 10pm. There would be a security guard on both shifts.

There was discussion regarding how cannabis waste is disposed of. Mr. D'Agostino stated that they would have a two-yard dumpster that would be picked up by a private hauler. Mr. Leckstein asked about card board and recycling trash. Mr. Taylor asked if there were two dumpsters; only one. After discussion they would add a trash receptacle for the regular recyclables that would also be picked up by the private hauler. They engineer would work with Mr. Taylor regarding this.

Mr. D'Agostino described the delivery process, he explained that the deliver comes in a sprinter vehicle in totes. The timing of the deliveries is random, they don't like to keep the same schedule.

Mr. D'Agostino went through the different types of security for the facility. He explained that they have camera, key pads and alarm system. They would reach out to Keyport's police department to make sure they are comfortable with what the facility has.

Mr. Leckstein stated that would be a condition of approval.

Mr. D'Agostino stated that there is a 360-degree view of parking in all areas. The access control is for the interior and exterior it would either be a key pad or a card reader this would allow the dispensary to have an audit trail of all their employees. The alarm system is 24/7 and will provide access to the Keyport Police Department.

Ms. Sikes mentioned that the ordinance states a security officer. Mr. D'Agostino explained that they will have security all the time while open to the public. The officers are state certified, the officers will be in the vestibule and they will walk around on the outside to make sure that there is no consumption on the site.

Mr. D'Agostino explained that the signage would not promote excessive amount of cannabis. Mr. Taylor asked about the delivery times; Mr. D'Agostino explained that they are randomized but between 8am and 10pm.

Mr. Leckstein asked what happens when people come in and have to wait in line; Mr. D'Agostino explained that they have to be open for pre-order. Mr. Leckstein confirmed after the six months they would have to then go back to Council to approve how they would move forward regarding appointments.

Mr. McDermott asked if there was a limit of customers going into the building.

Motion to open to the public at 7:35pm was made and carried. Chairman Merla recognized that the only public present was Ms. McNamara. Ms. McNamara stated that she was part of the cannabis committee and was there to listen. She added that she has never seen a line outside of PREMO. Since there was no one else from the public the meeting would close to the public and they would no re-open to the public. Chairman Merla asked Ms. McNamara to raise her hand if she wanted to speak and at that time they would open back up to the public.

Mr. David Collins, Architect for the applicant. Mr. Collins described the building, he entered into evidence exhibit A-3 (picture of building). He explained that the width of the building was reduced from the last time they appeared before the Board. There would be six signs the same as there are now. Mr. Leckstein asked if they would comply with the sign ordinance; yes.
Mr. Taylor confirmed that there were only two doors; yes.

Mr. McDermott asked what can the signs say. Ms. Sikes stated that they will not promote excessive use, no cannabis leaf it usually just says the name of the facility.

Mr. Joseph Bacci, Engineer for the applicant. Mr. Bacci stated that he prepared both plans the past application and the present one. Mr. Bacci explained that there was a reduction in the building size from the last set of plans. It is the same number of parking spaces, there will only be four employees per shift. Seven employees in total. The variance from the previous application the only one that changed was the front. He has no issue with adding another receptacle for cardboard and recycling. Mr. Leckstein confirmed that he would work with the Board Engineer regarding this; yes.

The trash enclosure will be enclosed and gated. Mr. Leckstein confirmed that enclosure would be closed when not in use; yes.

There was discussion regarding the fire truck being able to access the building. Mr. Aumack stated that he didn't see a problem, he did agree with the speed bump being removed.

Mr. Leckstein explained that the resolution would state that the speed bump be removed. Mr. Leckstein asked if the fire hydrant was within 200'; yes.

Mr. Taylor asked about the curb in front of the building, he would like stripping and ballads; Mr. Leckstein asked if they would agree for this to be reviewed and approved by Mr. Taylor; yes.

Mr. Bacci stated that they would work with Mr. Taylor regarding the landscaping and lighting. They would be using the existing utilities.

Mr. Leckstein went through the previously approved variances. Mr. Taylor asked about condition #14; Mr. Bacci stated that was not a problem.

They will work with Mr. Taylor regarding any stormwater comments.

Mr. Kenneth Schlatmann, Planner for applicant stated that he spoke with Stop n Shop regarding the use of parking spaces. Stop n shop couldn't dedicate the parking but had no problem with them using the spaces.

There was no comments or concerns from the Boardmember and no public had questions.

MOTION TO APPROVE APPLICATION:

Motion to approve application was made by H. Aumack, second by D. Pacheco
Ayes: Chairman Merla, H. Aumack, W. McDermott, J. Oviedo, D. Pacheco, M. Sessa, J. Kovacs-Olsen

Motion to adjourn meeting was made and carried.

The next regularly scheduled Planning Board Meeting will be Thursday, November 7, 2024.