

**BOROUGH OF WOODBINE  
COUNTY OF CAPE MAY  
LAND USE BOARD  
SUMMARY MINUTES  
May 8, 2024**

**REGULAR MONTHLY MEETING** was called to order by Vice-Chair Lees at 6:04 P.M.

**MEMBERS PRESENT:** Councilman Bennett, Ms. Childs, Mr. Harry Ciabaton, Vice-Chair Lees, Mr. Petro, and Mr. Phillip.

Also, in attendance were Solicitor Jon Batastini, Board Professional, Lewis H. Conley, and Board Secretary Monserrate Gallardo.

**MEMBERS ABSENT:** Mr. Louis Ciabaton, and Councilwoman Prettyman. Ms. Becica notified the Secretary via email that she would be unable to attend this meeting. Chairperson Fisher notified the Secretary via email that due to a conflict she would be unable to attend this meeting. Mr. Ovens also notified the Secretary that he would be unable to attend this meeting.

Adequate notice of this meeting was provided in compliance with the Open Public Meeting Act by notifying the Cape May County Herald on January 17, 2024, and by posting a copy of said notice on the Lobby Bulletin Board, of the Borough Hall, and on the Borough Website.

An audio recording of this Open Public Meeting is filed with the Secretary of the Board.

Vice-Chair Lees led the Board to the Pledge of Allegiance.

**APPROVAL OF THE MINUTES** for March 13, 2024, as prepared by the Secretary was:

OFFERED BY: Mr. Phillip

SECONDED BY: Mr. Petro

ROLL CALL: All Present Voted in Favor

0 Abstained 0 Opposed

The Secretary requested that the April 10, 2024, minutes be tabled until the June 12, 2024, Land Use Board Meeting.

**ESCROW REPORT:** The Secretary reported on the Pinelands and Regular Escrow accounts.

**UNFINISHED BUSINESS:**

Zoning

Chapter 26  
**Review**

An Ordinance Amending Ordinance No. 505-2009, and Ordinance 606-22, As Amended, Chapter 26 of the Code of the Borough of Woodbine Entitled Zoning, so as to Permit, and Control the Operation and Location of Medical and Adult Cannabis

**Ordinance No. (none)**  
**Review**

Mr. Batastini reported on the above-listed ordinance. He stated the zones in which the above ordinance would be applied, mainly the Airport Zone and the LIM Zone. He went over the changes with the Board Members. He mentioned some of the regulations regarding Cannabis Retail Businesses. Mr. Conley stated that according to the ordinance there could be no Cannabis Retail Businesses in the Borough.

Mr. Batastini mentioned a clean-up in the ordinance on page 26-4.8. Mr. Conley and Mr. Batastini discussed the matter. Mr. Batastini read out loud that “no Cannabis Retail Businesses could be within 500 feet of a daycare and certain other places in the Borough. Councilman Bennett commented on this matter. Mr. Conley stated that it was now time to step back and look at the big picture. He stated that there is not much history regarding Cannabis Retail Businesses. Mr. Batastini stated that the ordinance had to be looked at to see if it was consistent with the Master Plan. He stated that it was more of a development of Cannabis in the different classes. He stated that this would give an applicant a better understanding of what can and cannot be done.

Mr. Conley asked if the Board Members read the 168 pages of said ordinance. The Board Members nodded. Mr. Conley described what it meant to redline a document. Mr. Batastini described what the Board would be expected to do regarding this ordinance. He also recommended that the Council make no changes to any ordinance five (5) days before the meeting date so that the Board Members would have time to review said ordinance. After the discussion, a motion was made and seconded to authorize Mr. Batastini to send a letter to Mayor & Council with the recommendation that the ordinance was not inconsistent with the Master Plan.

**MOTION TO AUTHORIZE SOLICITOR BATASTINI TO SEND A LETTER TO MAYOR AND COUNCIL WITH THE RECOMMENDATION THAT THE CANNABIS ORDINANCE REVIEW BY THE LAND USE BOARD WAS NOT INCONSISTENT WITH THE MASTER PLAN was:**

OFFERED BY: Mr. Petro

SECONDED BY: Mr. Harry Ciabaton

ROLL CALL: All Present Voted in Favor  
0 Abstained 0 Opposed

**NEW BUSINESS:**

**New Application: 2101 Associates, LLC.**

**Application No. 4-3-24**  
Block 139 Lot 1  
2101 Route 610  
**Minor Subdivision/  
Minor Site Plan/  
Variance Request (3)  
Hearing**

At this time, the Secretary made an announcement that Mr. Martin, Attorney for Applicant 2101 Associates LLC, at the request of the Applicant (Robert Breunig), tabled the hearing of the application to the June 12, 2024, meeting upon reviewing the report sent by Mr. Conley regarding said application. He requested not to have to re-notice and waived the Board’s time to act.

**New Resolution: Longwood Tree Service, LLC**

**Resolution No. 5-5-24**  
Application No. 2-2-24  
Block 91 Lot 8  
1044 Washington Avenue  
**Minor Subdivision**

Mr. Batastini introduced the above-listed resolution. He summarized the details of the application for the Board Members. He reminded them that Pinelands deed restricted where they could build. A motion was made and seconded to approve the resolution.

**MOTION TO APPROVE RESOLUTON NO. 5-5-24 MEMORALIZING A DECISION MADE BY THE LAND USE BOARD TO APPROVE A MINOR SUBDIVISION WITH CONDITIONS FOR APPLICANT LONGWOOD TREE SERVICE, LLC APPLICATION NO. 2-2-24 ON BLOCK 91 LOT 8 ALSO KNOWN AS 1044 WASHINGTON AVENUE IN THE BOROUGH OF WOODBINE was:**

OFFERED BY: Mr. Harry Ciabatonni

SECONDED BY: Mr. Phillip

ROLL CALL: 5 Present Voted in Favor  
1 Abstained 0 Opposed

Vice-Chair Lees abstained. There were questions regarding the resolution. Mr. Batastini addressed the questions.

**Recommendations from the Engineer:**

Mr. Conley recommended that the Secretary list the applications being reviewed under “New Business.” The Secretary informed the Board Members that it was an oversight and will try and remember to put them under, “New Business” as well as, in the “Workshop Meeting” information. She also stated that she would revise the agenda. Mr. Conley proceeded to give his report.

**Jose & Lourdes Gomez**

**Application No. 7-4-24**

Block 64 Lot(s) 8.02, 13 & 14

629-633 DeHirsch Avenue

Minor Subdivision

**Completeness Review**

Mr. Conley reported that the above-listed application was reviewed and that a minor subdivision was needed. He stated it was an incomplete application. He also stated that the map & Plat had not been prepared according to the laws governing same. He gave some history regarding memorializing minor subdivisions by deed and how that was no longer acceptable, and only a memorialization by recorded plat could be accepted. He stated that he would put some information together to inform the applicant. Plats were briefly discussed.

**Recommendations from the Solicitor:** Nothing to report.

The Secretary reported that Stormwater Ordinance No. 625-2024 had been adopted. The 1453 Freid Ave, LLC. Application was briefly discussed. Mr. Batastini informed the Board regarding Pinelands’ Certificate of Filing. Mr. Conley informed the Board that once the 1453 Fried Ave, LLC. Application received their Pinelands Certificate of Filing they would be back to the Board for a hearing. Application time limits were discussed. Mr. Harry Ciabatonni received his mandatory training certificate.

There being no other official business to come before the Board, Vice-Chair Lees called for a motion for adjournment at 6:52 P.M.

**MOTION FOR ADJOURNMENT:**

OFFERED BY: Mr. Petro

SECONDED BY: Mr. Harry Ciabatonni

ROLL CALL: All Present Voted in Favor

Respectfully submitted by:

*Monserrate Gallardo*

Monserrate Gallardo  
Board Secretary