

STILLWATER TOWNSHIP
Planning Board Meeting Minutes
June 17, 2026

The regular Meeting of the Stillwater Township Planning Board was held on the above date and was called to order by Chair Pierce at 7:00 pm.

Roll Call: **Members Present:**

Mr. Pierce
Ms. Kavanagh
Mayor Rumsey
Mrs. Puccio
Deputy Mayor Delaney
Dr. Lippencott
Mrs. McDonough

Members Absent: Mr. Voris, Mrs. Fornari

Also Present: William Haggerty, Esq.

The Board stood for the flag salute, and it was announced that adequate notice of this meeting had been given to the public and the press under the provisions of the “Open Public Meetings Act”, N.J.S.A 10:4-1 et. seq.

MINUTES:

Mayor Rumsey made the motion to approve the May 2026 Minutes, seconded by Deputy Mayor Delaney. The motion was contingent on one change suggested by Dr. Lippencott relative to Mrs. Fischer’s public comments.

Roll Call: Mayor Rumsey – Yes, Deputy Mayor Delaney – Yes, Mr. Pierce – Yes, Ms. Kavanagh – Yes, Mrs. Puccio – Yes, Dr. Lippencott -Yes, Mrs. McDonough – Yes.

MEMORIALIZING RESOLUTIONS: Cutler/Gilbert - Block 4003 Lots 14.01, 14.02 & 14.03

Mr. Pierce made a motion to memorialize the above resolution, seconded by Ms. Kavanagh.

Roll Call: Mr. Pierce – Yes, Ms. Kavanagh – Yes, Mayor Rumsey – Yes, Deputy Mayor Delaney – Yes, Mrs. Puccio – Abstained, Dr. Lippencott -Abstained, Mrs. McDonough – Yes.

COMPLETENESS: None

HEARINGS: None

BILLS:

Ms. Kavanagh made the motion to approve payment of the following bill, seconded by Mrs. McDonough.

VanCleeef Engineering - Cutler/Gilbert – 4403/14.01, 02, 03, \$720.00

Roll Call: Ms. Kavanagh – Yes, Mrs. McDonough – Yes, Mr. Pierce – Yes, Mayor Rumsey – Yes, Deputy Mayor Delaney – Yes, Mrs. Puccio – Yes, Dr. Lippencott – Yes.

OLD/NEW BUSINESS:

Short Term Rental Ordinance. Prior to the meeting, Mr. Haggerty distributed a drafted Short-Term Rental Ordinance and Application to the Board Members for review and recommendation to the Township Committee. Discussion was held and suggestions were made between the board and attorney. Mr. Haggerty requested any additional suggestions be emailed to him one week prior to the next meeting. The Board made a recommendation to make the Application fee \$150.00 with a \$25.00 late fee.

Ordinance to include Data Centers as non-permitted use in all zones. The proposed ordinance was reviewed by the Board, and it was agreed by all that Data Centers are not consistent with the Master Plan.

Mrs. Puccio made a motion to deem Data Centers inconsistent with the Master Plan, seconded by Mrs. McDonough.

Roll Call: Mrs. Puccio – Yes, Mrs. McDonough – Yes, Mr. Pierce – Yes, Ms. Kavanagh – Yes, Mayor Rumsey – Yes, Deputy Mayor Delaney – Yes, Dr. Lippencott -Yes.

Proposed Cannabis Ordinance. Mr. Haggerty provided an overview of the Planning Board's role in a consistency review with the Master Plan.

Mrs. Puccio's opinion is that there is no need to continue discussing the cannabis ordinance and feels that inconsistent with the Master Plan. Mayor Rumsey explained that the Township was approached by one person who requested that an ordinance be drafted because the laws on cannabis recently changed and one is needed to sell to additional medical fields/industries.

Mrs. McDonough advised that she is in favor of natural remedies and supports agricultural farming. She does not agree with limiting the ordinance to one applicant.

Mr. Lippencott also feels the ordinance is inconsistent with the Master Plan. At issue is the threshold limiting it to one applicant which could potentially expose the Township to future litigation. He questioned the Committee's attorney's legal opinion regarding said possible litigation. The State of New Jersey is pushing townships to pass these ordinances which in turn could offer the State control. There is no public benefit to having only one license and the fees generated would not cover the cost of potential litigation.

Although absent, Mr. Voris sent in his opinion which was read out loud by Mrs. Puccio. He feels that the 2021 ordinance prohibiting cannabis protects the town from lawsuits regarding cannabis growth. Creating a new ordinance allowing the same opens the potential for future lawsuits. Recreational cannabis remains illegal under federal law, so if the Township approves the proposed ordinance, it would be going against federal statutes.

Chair Pierce suggested that all Board Members should be prepared to vote on this issue at the next scheduled meeting.

OPEN TO THE PUBLIC: The meeting was opened to the public at 7:57pm.

TJ Norcia from Grow Works advised that his farm was operating for 2 years before the 2021 ordinance prohibiting cannabis was passed which then limited his operation. Whether or not the ordinance is passed, he will continue operating his business under the Right to Farm Act. He advised that if he chose to, he could fill hay fields, corn fields and numerous other fields in the township with hemp.

Elaine Makarevich spoke in opposition to the proposed ordinance as it is inconsistent with the Master Plan as well as the rural character of Stillwater. The potential lawsuit risk outweighs any revenue benefit. The scale and scope of the operation is not established, 100ft setbacks are insufficient and the ordinance does not cap the size or number of buildings allowed. She feels

the ordinance seems tailored to one individual rather than an open policy to all farmers. She asked the Planning Board to determine it inconsistent with the Master Plan.

Richard Kelskey echoes the comments of Dr. Lippencott and Mrs. Makarevich. He opines that because the ordinance serves no public need or purpose and serves only a single beneficiary, it should be deemed arbitrary and capricious. The monetary value is laughable in comparison to the lawsuit potential. He cautioned the Board not to mess with this situation which is in great flux with the state from a legal, regulatory, statutory perspective.

David Fischer questioned what tier the Class 1 Cultivation is permitted. The manufacturing section of the ordinance does not cap building size which is concerning because the existing cultivator is situated in a residential zone.

Kate Coyle feels the ordinance is very rushed and is being pushed through too quickly. It is not fair to limit cultivation to one applicant and in general is very poorly written.

The meeting was closed to the public at 8:30pm.

CORRESPONDENCE: None.

LIAISONS:

Mayor Rumsey provided the Township Committee liaison report.

The Tax Assessor, Penny Holenstein will retire as of June 30, 2026 and will be replaced by Scott Holzhauer.

The Township is interviewing for a part time clerk for 2/3 days per week. They are also interviewing for a DPW employee.

New microphones have been ordered for the Board desk and for the public to be able to speak.

Dr. Lippencott provided the Environmental Commission Report.

The Trex fishing line collection continues, and the amounts are going down which means there are less people fishing or they are doing better

The surface water sampling will be put off until next year. Requirements from the State are being followed to help clean up the surface water. Discussion was held regarding invasive species, and the Health Forest Initiative is ongoing but still in its infancy stages.

EXCUTIVE SESSION: None

PUBLIC COMMENT: Mr. Pierce opened the hearing to the public at 8:09pm. Mr. Lou Sylvester thanked the Board for their time and consideration. Mr. Kelskey reiterated that everyone who spoke besides the applicant is clearly against the proposed cannabis ordinance. If the ordinance is passed, the Township is opening itself up to future variance applications requesting the same relief. The meeting was closed to the public at 8:12pm.

ADJOURNMENT:

With there being no further business, a motion was made to adjourn the meeting with all in favor at 8:12pm.

Respectfully Submitted:

Penny Bair/Board Secretary
June 17, 2026