

**CITY OF EGG HARBOR
MUNICIPAL LAND USE BOARD
January 19, 2016
Re-Organization
7:00 P.M.**

A regular meeting of the Egg Harbor City Municipal Land Use Board was held on January 19, 2016. Those in attendance were Mayor Jiampetti, City Council President Edward Dennis, Chairman Gerhard Mueller, Vice Chairman Richard Colby, City Official Donald Milne, Regular Member Todd Warker, Michael McKenna, Jack Peterson, Alternate Member #2 John Garth, Solicitor Jim Schroeder, City Planner Tim Michel, Engineer Ryan McGowan and Secretary Donna Heffley. (Not present were Regular Member Dennis McKenna and Alternate #1 Gladys Torres.

The Chairman called the meeting to order and made the following announcement.

This meeting was advertised pursuant to the NJ Open Public Meetings Act N.J.S.A. 1:4-6 Seq. Notices were sent to official publications for the Egg Harbor City Municipal Land Use Board; the Press of Atlantic City, the Egg Harbor News, the Atlantic Current and the Hammonton Gazette. A copy of the notice was posted on the bulletin board of the Egg Harbor City Municipal Building.

The Chairman directed the Secretary to enter this public announcement into the minutes.

Roll Call: Mayor Jiampetti yes, Mr. Dennis yes, Mr. Milne yes, Mr. Colby yes, Mr. Peterson yes, Mr. Michael McKenna yes, Mr. Warker yes, Mr. Dennis McKenna absent, Mr. Garth yes, Mrs. Torres absent, Mr. Mueller yes, Mr. Schroeder yes, Mr. Michel yes, Mr. McGowan yes, and Secretary Donna Heffley yes.

Chairman Mueller turned the meeting over to Mr. Schroeder for the Re-organization.

Mr. Schroeder announced the Board has two Oaths of Members tonight.

1. Alternate Member Class 4, Mayors Appointment for a two year term Donald Milne.
2. Municipal Official Class 2, Mayor Appointment one year term John Garth, Deputy Emergency Management Coordinator.

Mr. Schroeder swore in both Members.

Mayor Jiampetti noted John Garth's title was incorrect and should be Egg Harbor City Firefighter.

Mr. Schroeder continued to announce the members of the Land Use Board for 2016.

Mayor Lisa Jiampetti – 1 year term

In the Mayors absence Marie Johns will serve as the Mayors Representative – 1 year term

Egg Harbor City Fire Department Representative John Garth, Egg Harbor City Firefighter - 1 year term

Member of the Governing body Class 3 will be Ed Dennis – 1 year term

Legal Council

Mr. Dennis made a motion to appoint Mr. Schroeder as the Solicitor for the Egg Harbor City Land Use Board.

Seconded by Mr. Michael McKenna and carried.

City Planner.

Mr. Colby nominated Mr. Michel as City Planner for the Egg Harbor City Municipal Land Use Board

Seconded by Mr. Dennis and carried.

City Engineer

Mr. Warker nominated Mr. Ryan McGowan with Remington Vernick and Walberg as Engineers of the Egg Harbor City Municipal Land Use Board.

Seconded by Mayor Jiampetti and carried with the exception of Mr. Dennis who abstained from the voting due to his son being employed at Remington, Vernick and Walberg.

Land Use board Secretary

Mr. Dennis made a motion that Donna Heffley be appointed as Secretary of the Egg Harbor City Municipal Land Use Board, seconded by Mr. Peterson and carried.

Election of Board Officers

Mr. Dennis nominated Gerhard Mueller for Chairman of the Egg Harbor City Land Use Board, seconded by Mayor Jiampetti.

Mr. Schroeder asked if there were any other nominations.

Mr. Dennis made a motion that the nominations be closed, seconded by Mayor Jiampetti and carried

Mr. Dennis nominated Mr. Colby for Vice President of the Egg Harbor City Land Use Board, seconded by Mayor Jiampetti.

Mr. Schroder asked for any other nominations.

Mr. Dennis made the motion that nominations be closed, seconded by Mayor Jiampetti

All voice votes for Mr. Colby to be Vice Chairman agreed.

2016 Meeting Dates

Chairman Mueller asked the Secretary to read off the proposed meeting dates for 2016. The 2016 Municipal Land Use Board Meeting Dates are as followed:

January 19, 2016

February 16, 2016

March 15, 2016

April 19, 2016

May 17, 2016

June 21, 2016

July 19, 2016

August 16, 2016

September 20, 2016

October 18, 2016

November 15, 2016

December 20, 2016

Upon motion made by Mr. Dennis, seconded by Mr. Michael McKenna and carried the 2016 Meeting Dates were approved.

News Paper Ads:

Upon motion made by Mr. Dennis, Seconded by Mr. Colby and carried the Press of Atlantic City, The Egg Harbor News, The Atlantic Current and the Hammonton Gazette were designated recipients of meeting notices for 2016.

Approval of Minutes: November 17, 2015

Upon motion made by Mr. Colby, seconded by Mr. McKenna and carried the November 17, 2015 minutes were approved.

Resolutions: Resolution #7 of 2015

Frank Scordo
615 Cincinnati Avenue
Egg Harbor City, NJ 08215
Block 313, Lot 24 and 22.02
Request for waiver from Site Plan Approval

Motion to approve Resolution #7 of 2015 made by Mr. Michael McKenna, seconded by Mr. Warker
Roll Call: Mayor Jiampetti abstained, Mr. Dennis abstained, Mr. Milne yes, Mr. Colby yes, Mr. Peterson yes, Mr. Michael McKenna yes, Mr. Warker yes, Mr. Garth abstained and Mr. Mueller yes.

New Business:

Highway Petroleum, Inc.
1451 White Horse Pike
Egg Harbor City, NJ 08215
Block 715, Lot 28
Preliminary Site Plan Approval

Chairman Mueller announced that the Highway Petroleum application will be postponed tonight.

Mr. Michel gave an explanation as to why Highway Petroleum postponed for tonight's meeting. Highway Petroleum submitted an application for preliminary and final site plan approval. They did not submit architectural plans, sign details, a trash and refuse description which is required by ordinance and by law. Mr. Michel recommends that the application be declared incomplete. Mr. McGowan's office picked up that the Applicant's Certificate of Filing did not include the additional lot where the car wash is located. When they originally filed with the Pinelands Commission in 2011 only the gas station was the area to be redeveloped. Without this Complete Certificate of filing including the car wash area the board could not establish jurisdiction for the site plan. The Applicant is asking that an announcement be made for them to return on the February 16, 2016 meeting.

Mr. Schroeder reviewed the notices from Highway Petroleum and announced everything is in order. They have the ability to return on February 16, 2016 without additional notice as long as their application is complete. If the Applicant is not ready in February they will have to re-notice when they return.

Chairman Mueller addressed to public and asked if anyone was present to comment on this application.

No one responded.

Mr. Schroeder asked for a motion to allow the Postponement of the Highway Petroleum application for one month.

Mr. Peterson made the motion to allow the postponement for one month and for Highway Petroleum to return at the February 16, 2016 meeting at 7:00 p.m.

Seconded by Mr. Dennis and carried.

Informal #1

1. Douglas Ims of Starlight Restorations, LLC would like to open a business at 1620 Moss Mill Road in the Industrial Park. Mr. Ims has a unique business where he primarily restores automobiles, but also restores motorcycles, antique industrial/commercial equipment, vintage automotive tools and equipment, gas pumps, vintage outboard boat motors and anything else old that customers may ask to be restored. Mr. Ims specializes in museum and Concours level restorations. This shop will not be open to the public and visitors and Clients are only seen by appointment.

Mr. Michel gave a review of this informal. Mr. Michel gave a description of the prior use of the building located at 1620 Moss Mill Road. Mr. Michel did not see any problem with this Informal and it is a permitted use.

Board Members expressed their concerns asking various questions pertaining to the Business.

Mr. Warker asked Mr. Ims how many vehicles at a time he will be working on.

Mr. Ims replied only 2 maybe 3 vehicles at a time.

Mr. Michel advised Mr. Ims that Egg Harbor City Ordinance does not allow storage trailers.

Mr. Ims agreed to this.

Mr. Schroeder asked a series of questions to Mr. Ims for the record.

Mr. Schroeder: Do you plan to expand the building in anyway?

Mr. Ims: No

Mr. Schroeder: Will all repairs be done inside the building?

Mr. Ims: Yes

Mr. Schroeder: Will there be outdoor storage of parts or materials?

Mr. Ims: No

Mr. Schroeder: Will there be any gas pumps?

Mr. Ims: No

Mr. Schroeder: Will Trash and recycling be kept inside the fenced in area in the back?

Mr. Ims: Yes

Mr. Schroeder: Will you be storing any boats:

Mr. Ims: No

Mr. Schroeder: Are you going to be doing any auto sales?

Mr. Ims: No

Mr. Schroeder: Will you be doing a towing business.

Mr. Ims: No

Mr. Schroeder: Will you be storing any auto parts outside the building.

Mr. Ims: No

Mr. Schroeder: Any automotive fluids will be disposed of following acceptable guidelines.

Mr. Ims: Yes

Mr. Schroeder: How many deliveries a week will be made and by what kind of vehicles.

Mr. Ims: UPS once or twice a week if that. On rare occasions a larger truck if needed for larger items may make a delivery.

Mr. Schroeder: Asked about spray painting of vehicles.

Mr. Ims: No type of spray painting will be done on the property it will be done off site at a licensed facility.

Mr. Schroeder: How many employees will be on site?

Mr. Ims: Mr. Ims will be the only employee on site.

Mr. Ims was referred to the Building Department to obtain a zoning permit, mercantile license, business Certificate of Occupancy and any building permits necessary.

Mr. Colby asked about chemicals being used on site.

Mr. Ims noted any chemicals used on site are disposed of properly and picked up from the site for removal.

Mr. Ims was approved and wished Good Luck by Board Members.

Informal #2

2. Stephen Murphy would like to begin a small home based business. He is planning on applying to become a Federal Firearms License (FFL) holder. The FFL would allow Mr. Murphy to process federally required forms that allow people to purchase firearms. Federal law requires that an individual that wishes to purchase a firearm online, or from out of state, he or she must ship the firearm to a FFL. For a fee, the FFL follows state and federal law verifying the individual has the required paperwork and processes the forms required by state and federal law. In addition Mr. Murphy will be able to act as a broker for those wishing to sell their firearms to any other individual both inside and outside of New Jersey. Mr. Murphy discussed the other requirements necessary for him to become a FFL Holder. Mr. Murphy went over the number of employees, parking, by appointment only hours inventory, and storage. Mr. Michel thought it was very important to bring Mr. Murphy in before the Board so the Board may fully understand his intentions. Mr. Michel suggested that Mr. Murphy submit an application to the Land Use Board for a use variance to be able to do retail sales in a residential zone. This informal will require an application to the Land Use Board for a use variance and advertising will be necessary to notify neighbors. Mr. Murphy wanted to come before the Board to see if this was allowed before beginning anything.

Mr. Mueller asked if ammunition will also be sold.

Mr. Murphy replied no ammunition will be sold.

Mr. Dennis stated that Mr. Murphy should be commended for coming to the Board with his intentions.

Mr. Dennis noted neighbors should be notified and a formal application be done.

Mr. Dennis suggested Mr. Murphy should meet with the City Professionals to address any questions or concerns he may have before appearing before the Board.

Informal #3

3. Dan Kertz would like to get a condition to the Resolution #6 of 2015, for Kertz Auto Body and Restoration, located at 1602 White Horse Pike, Egg Harbor City, NJ 08215.

Mr. Schroder suggested to the Secretary to have Code Enforcement go to the above

property to check on progress that had been done. The pictures taken by Code Enforcement Officials were shown to the Board showing the improvements made.

Mr. Kertz requested an extension of time to complete two conditions of approval pertaining to the landscaping and completing the painting of the exterior of the building until weather conditions improve.

An Extension was granted by the Board until June 1, 2016 to complete the landscaping and painting of the exterior of the building.

Mr. Michel has noted progress has been made on the site.

Mr. McGowan has also noted that progress has been made on the site.

Mr. Schroeder will draft a letter granting this extension of time for the painting and the Landscaping of the building located at 1602 White Horse Pike. .

Mr. Dennis addressed the notes concerning the parking in the lot behind the building. It is an open parking lot and a gravel lot.

Mr. Schroeder read number ten of the resolution that the Applicant agrees to provide twenty five parking spaces, five spaces in the front of the building along Baltimore Avenue, ten spaces will be inside the building and ten spaces behind the building. The five spaces in front of the building will need to be stripped before the building opens.

Mr. Peterson expressed his concerns on all of the conditions being met.

Mr. Schroeder reviewed the motion to be made: the concrete wheel stops will be placed in front of the five parking spots on Baltimore Avenue before opening, the shrubbery, landscaping and painting of the exterior of the building must be done and completed by June 1, 2016

Mr. Schroeder the concrete wheel stops should be done before the temporary Certificate of Occupancy is issued.

Motion was made by Mr. Dennis, seconded by Mr. Warker

Roll Call: Mayor Jiampetti yes, Mr. Dennis yes, Mr. Milne yes, Mr. Colby yes, Mr. Peterson yes, Mr. Michael McKenna yes, Mr. Warker yes, Mr. Garth yes, and Mr. Mueller yes.

Mr. Schroeder asked if Mr. Kertz would let Mr. Egrie know the Board appreciates all the work that has been done and the Board expects in good faith the improvements will continue.

Mr. Mueller asked if there were any comments from the public.

There were no comments.

New Business: Mr. Dennis discussed the Tower Site and announced that Egg Harbor City received a grant from the ACIA to complete the study out at the Tower Site. Tim Michel has written a questionnaire and letter to various organizations asking for comments, ideas or suggestions for the site. Please complete the questionnaire provided by Mr. Michel any ideas or comments will be greatly appreciated.

Mr. Michel noted there is a need to do a plant survey and the plants will not be visible to the fall. The City will be moving forward with the wet lands flagging and delineation, field survey and the

cultural resources will be done. Mr. Michel will be preparing a redevelopment plan and there will be future discussions with City Council and the Land Use Board. Mr. Michel would like suggestions and ideas for this area containing about 100 buildable acres.

Mr. Dennis noted that when the grant was accepted from the ACIA at the City Council Meeting it was made clear that there are no preconceived ideas for what this area will be. This is just a study to determine how much acreage , and what is available in that area.

Mayor Jampetti noted the City has been very fortunate to receive this grant. This grant will give the City the opportunity to prepare this land for sale without incurring the expense. The City has Professionals that will be completing this work with many studies involved before any sale can take place.

The Chairman asked for any public comments.

The Public portion of the meeting was closed.

Mayor Jampetti thanked everyone for serving on the Land Use Board and expressed to the members their service and time is much appreciated.

Motion to adjourn was made by Mr. Dennis, seconded by Mayor Jampetti and carried.

Respectfully Submitted
Donna Heffley/ Land Use Board Secretary