

**CITY OF EGG HARBOR
MUNICIPAL LAND USE BOARD
December 19, 2017
7:00 P.M.**

A regular meeting of the Egg Harbor City Municipal Land Use Board was held on December 19, 2017. Those in attendance were City Council President Ed Dennis, The Mayors Representative Marie Johns, Chairman Jack Peterson, Vice Chairman Todd Warker, Egg Harbor City Fire Department Representative John Garth, Regular Members; Richard Colby, Dennis McKenna, Michael McKenna, Gladys Torres, Alternate #1 Keith Mullineaux, Alternate #2 Donald Milne, Solicitor Duncan Prime, City Planner Tim Michel and Secretary Donna Heffley.
(Not Present were Mayor Jiampetti and City Engineer Ryan McGowan).

Chairman Peterson 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 absent, Mrs. Johns yes, Mr. Dennis present, Mr. Garth present, Mr. Peterson present, Mr. Warker present, Mr. Colby present, Dennis McKenna present, Mrs. Torres present, Mr. Michael McKenna present, Mr. Milne absent, Mr. Mullineaux absent, Mr. Prime present, Mr. Michel present, Mr. McGowan absent and Secretary Donna Heffley present.

Approval of Minutes: October 17, 2017

Mr. Colby noted a correction was to be made to the minutes which was located on the bottom of page one. The minutes should state that the motion made was pertaining to resolution #2 of 2017, Spread the Gospel, Inc. Originally there was no reference to what the motion was for.
Upon motion made by Vice Chairman Warker, seconded by Mr. Dennis McKenna and carried the December 19, 2017 Land Use Board minutes were approved.

Approval of Resolution: #17-01 LUB

Samir Ibriham (Discount Liquor)
827 White Horse Pike
Egg Harbor City, NJ 08215
Block 433, Lot 12
Minor Site Plan

Upon motion made by Mr. Dennis, seconded by Mr. Garth

Roll Call: Mrs. Johns yes, Mr. Dennis yes, Chairman Peterson yes, Vice Chairman Warker yes, Mr. Garth yes, Mr. Colby yes, Mr. Dennis McKenna yes, Mrs. Torres abstain, Mr. Michael McKenna yes, Mr. Mullineaux not present, Mr. Milne not present.

Mr. Milne arrived at the meeting

New Business:

**A. #17-04 LUB – Tri State Towing, LLC
11 11th Terrace
Egg Harbor City, NJ 08215
Block 527, Lot 4
Block 527, Lot 7
Request for Waiver from Site Plan Review and Approval**

Mr. Mullineaux arrived but did not sit for the Tri- State application due to a conflict of interest.

Mark Stein Esq. was present representing Francis James Guenther the owner of Tri- State Towing. Mr. Stein gave a brief history of the site. Tri- State Towing has operated a towing business and auto repair facility at the site for many years. The current proposal would be to allow a separate auto repair facility in addition to the towing business. There would be two separate businesses operating on the site. The application is necessary to determine if the multiple occupants at this site is acceptable to the Land Use Board in consideration of Section 170-18C and if Land Use Board review of a site plan is appropriate or if a waiver of site plan review may be considered. Mr. Stein asked Mr. Guenther a series of questions to establish how the business operates on a daily basis.

Mr. Guenther stated that he has someone on site that does auto repairs and is also present to release vehicles.

Mr. Guenther stated he will remove the sign that is located by the railroad tracks and all stand-up banner signs.

Mr. Gunther noted the only change is that he will have someone on site completing auto repairs.

Mr. Stein discussed lighting, deliveries made by small trucks or vehicles, landscaping, and parking.

Mr. Guenther agreed to install a handicapped parking sign out front on one of the parking spaces.

Mr. Stein asked if there are any vehicle sales on the property.
Mr. Guenther does not conduct any auto sales on the property.

Mr. Guenther stated that repair work is done inside the building. There are three bays in the back and one bay in the front of the building.

An office is located in the front of the building where tow vehicle paperwork is handled.

Mr. Guenther stated the tow truck vehicles are kept at the driver's home.

All Equipment is kept inside the building.

Mr. Stein discussed the condition the lot should be kept in and that vehicles should not be parked in the City right of way at any time.

Mr. Guenther stated that excess vehicles can be moved to his second lot in Pleasantville.

Mr. Michel reviewed his report dated December 13, 2017.

Mr. Michel discussed the survey plan that he requested from the applicant.

Mr. Michel discussed the condition of the lot and how vehicles were parked in the City right of way when he visited the site. Mr. Michel's photos were taken on Wednesday December 13, 2017 labeled P1 through P4.

Two pictures were from the Terrace, one looking at the site from Boston Avenue and the forth a view of the site from Boston and Atlantic Avenue.

One observations Mr. Michel made was the vinyl slats in the fence need to be replaced. Mr. Michel recommended that Mr. Guenther install hedge slats in the fence around the perimeter of the property which will improve the look of the site from the street.

Mr. Stein stated the applicant will comply with the slats on the fence which will improve the look of the site.

Mr. Michel also suggested that 8 to 10 canopy trees should be planted 30 feet off the property line.

Mr. Stein and Mr. Michel discussed the canopy trees and how they should be spaced on the site. The applicant will contact Mr. Michel for the type of trees and Mr. McGowan for the placement of the trees.

Mr. Michel asked that all temporary signage on the site for advertising or vendor signs be removed. This type of signage is not legal.

Mr. Stein stated all the signs will be removed.

Mr. Michel discussed sidewalks and asked for comments from Board Members whether they feel sidewalks should be required.

Questions and comments from the Board:

Mr. Colby asked how vehicles enter the lot. Mr. Gunther described the flow of vehicles on the lot and into the building and that no repairs will be done outside of the building.

Mr. Dennis noted in the past, vehicles in disrepair were parked outside of the fenced in area and he would like a guarantee that this will not happen in the future.

Mr. Gunther stated he has provided the tenant with a tow truck that he can use to move vehicles in and out of the lot easily.

Mr. Gunther stated he will visit the site once a week to make sure the lot is in order and vehicles are not left outside of the fence.

Mr. Dennis mentioned that the lot across the street has been sold. Mr. Gunther at times would store vehicles on this lot and now that it is sold where will the vehicles be stored.

Mr. Gunther told the tenant that he could not use the lot across the street for storage. Mr. Guenther will make sure that this lot is not being used.

Mr. Dennis asked about the trailer on the back lot and Mr. Gunther stated he will remove the trailer from the site.

Mr. Dennis stated he is in favor of sidewalks and feels sidewalks would enhance the site.

Vice Chairman Warker expressed his concerns about the weeds and trees that are growing through the fence.

Mr. Gunther stated he will remove the weeds and small trees when he replaces the slats in the fence.

Mr. Garth gave his opinion on this application and feels the use has not changed in 40 years and sidewalks would be an economic burden on the applicant. Mr. Garth also feels the street trees could be planted somewhere else in the City.

Mr. Peterson agreed with Mr. Garth on not requiring the applicant to put in sidewalks however if Mr. Gunther is willing to put the treatment on the fence along with the street trees, it will be a fair trade off and will enhance the property.

Mr. Peterson discussed the trailer on the site and would like the applicant to remove it from the property. No trailers or containers are allowed without proper approval from the board.

Mr. Gunther will remove the trailer from the site.

Mr. Peterson discussed the trash container on the site and it is required to have a fire proof trash enclosure.

Mr. Gunther noted the container was outside because it was pick up day and stated the Tennent is to keep the trash dumpster inside the one bay until pick up day.

Mr. Peterson also observed that the lot is packed and when they need to remove a vehicle, other vehicles will have to be moved out and will spill over into the street. Work space is needed.

Mr. Guenther stated he has about 30 vehicles that can be removed from the lot and will leave a space in the center so trucks can move vehicles in and out easily. Mr. Gunther agreed to have it stated in the resolution that he will keep an area within the parking open for trucks to work.

Board Members discussed the grass being maintained on a regular basis and the importance on keeping up the lot for others in the neighborhood who have to look at the site on the regular basis.

Mr. Gunther apologized to the Board for neglecting the site and assured the Board members the grass will be maintained on a regular basis by his landscaper.

Questions and comments from the Board none:

Public comments: none.

Mr. Prime stated the motion including five conditions from Mr. Michel's review letter dated December 13, 2017 which are:

Conditions

1. No automotive sales may take place on the property
2. Exterior lighting shall be arranged so that it will not deter the visibility of drivers or pedestrians. No blinking or flashing lighting system shall be permitted.
3. All repair work shall be carried on in fully enclosed structures
4. Outdoor storage of equipment or parts shall not be permitted.
5. Signs, pennants, flags and all advertising display visible or audible from any public rights-of-way are prohibited, except as allowed under the sign provisions of Egg Harbor City Developmental Ordinance.

Now in testimony the applicant agreed:

6. To the planting of street canopy trees, the specific species will be discussed with Mr. Michel estimated about 8 to 10 trees, 30 feet apart and not placed in the site triangles
7. The applicant agreed to the installation of the hedge link slats that were suggested by Mr. Michel
8. No vehicles are to be parked on any other lots other than the applicants.
9. All vegetation is to be pulled out and not stumped.
10. The storage trailer will be eliminated from the site
11. An area in the center of the fenced area will be kept open in order for a truck to be able to maneuver easily.
12. Trash will be kept inside at all times except for day of pick up.
13. The site will be properly maintained

The only other condition was the installation of sidewalks which was up for discussion. Mr. Dennis made the motion if the applicant agrees to cooperate with all of the above conditions the sidewalks will be waived, seconded by Mr. Peterson and carried.

* The requirement of sidewalks on the site was waived.

Mr. Peterson announced the next motion will be for the above conditions to be stated in the resolution.

Mr. Dennis made a motion for the resolution be passed for a site plan waiver for Tri State Towing/Gunther's repair and 13 conditions as outlined by Mr. Prime. Seconded by Mr. Warker
Roll Call: Mrs. Johns yes, Mr. Dennis yes, Mr. Peterson yes, Mr. Warker yes, Mr. Garth yes, Mr. Colby yes, Mr. Dennis McKenna yes, Mr. Torres yes and Michael McKenna yes.

Mr. Peterson announced there will be a change in the order of the agenda. The Mayors Representative, Mrs. Johns can hear letter D of the agenda which is the Redevelopment Plan for the Gateway Rehabilitation Area but cannot be present for the next two applications.

Mr. Michel distributed to the Board Members the synopsis of the Redevelopment Plan for the Gateway Rehabilitation Area current to December 1, 2017. The parcels making up the Redevelopment Area are Block 1.07, Lot 28.03 Policastro, Block 1.07, Lot 1.02 Bookstore, 1.07, Lot 7 Acme, Block 1.07, Lot 1.01 Corner, New York Avenue. Mr. Michel appeared at the last Council meeting and presented this same synopsis. The Council introduced the ordinance and referred this synopsis to the Land Use Board for their consideration and recommendation. Mr. Michel noted there is a full text of this synopsis available in the City Clerk's office.

Mr. Michel is asking the Board two questions; first that this synopsis is not inconsistent with the Master Plan and second to make a recommendation to City Council that the Rehabilitation Plan for Gateway be adopted.

Mr. Michel explained to the Board how this Redevelopment Plan will protect the City during the redevelopment process. It will provide the City the opportunity to have restraints and time allotments on the redeveloper and require a full site plan be submitted.

Public comments: none

A motion was made that the synopsis of the Redevelopment Plan for the Gateway Rehabilitation Area is not inconsistent with the Master plan and also for the Land Use Board to make a recommendation to City Council that the Rehabilitation Plan for Gateway be adopted.

A motion was made by Mrs. Torres, seconded by Michael McKenna

Roll Call: Mrs. Johns yes, Mr. Dennis abstain, Mr. Peterson yes, Mr. Warker yes, Mr. Garth yes, Mr. Colby yes, Mr. Dennis McKenna yes, Mrs. Torres yes, Mr. Michael McKenna yes, and Mr. Mullineaux yes.

Mr. Dennis and Mrs. Johns left the building.

New Business Continued:

- B. #17-05LUB – Atlantic County of Education Associations, Inc.
842 Philadelphia Avenue
Egg Harbor City, NJ 08215
Block 12, Lot 311
Variance Relief
Preliminary Site Plan Approval**

Jim Schroeder Esq. is representing the Applicant and gave a brief history of the site. The applicant is asking for Variance Relief for Preliminary Final Site Plan Approval for the property. The taxes are paid up to date and proper notice was given. In 2015 the Applicant purchased the lot adjacent to 842 Philadelphia Avenue, contracted some of the ground to be cleared to use a portion of the lot for overflow parking so vehicles did not have to park on Philadelphia Avenue. In October of 2016 the applicant received notice from Pinelands that they exceeded their permitted amount of clearing on this site. ACEA contacted Mr. Schroeder and Andy Schaffer, Licensed Engineer to present a plan to Pinelands and to remediate that overcutting. They are here tonight to ask for approval to address Pinelands concerns and also create an additional safe parking area for members and guests.

On November 13, 2017 Mr. Schroeder and Mr. Schaffer met with the City Professionals to discuss this application.

Mr. Schroeder introduced Mr. Andrew Schaffer of Schaeffer Nassar Scheidegg, located in Mays Landing, NJ 08330. Mr. Schaffer has been a Licensed Planner and Engineer for 28 years. Mr. Schaeffer qualified as an expert.

Mr. Schaeffer and Charles Brant were sworn in by Mr. Prime.

Mr. Schaeffer gave a brief history of the property. The application tonight is to expand the parking by 18 spaces. The applicant is proposing new stone parking and curbing. A use variance is required to expand the parking lot. The positive criterion is the improvement of public safety. People will no longer have to park along Philadelphia Avenue. The applicant needs more parking than what is required by the City Ordinance.

Mr. Schaeffer pointed out the small plants in the rear on the lot that have been planted to restore the area that was overcut.

According to Mr. Michel's report dated December 11, 2017 the Pinelands correspondence dated August 31, 2017 provides an Inconsistent Certificate of Filing. The document indicates that the lot will require a municipal lot area variance which triggers the need to purchase 0.25 PDC's which is avoidable if the two lots are consolidated into one. By consolidating the lots into one this extra purchase of PDC's will not be necessary. The consolidation will satisfy the minimum lot requirements. The applicant cleared the parcel and now must restore 6,460 square feet of wetlands buffer. The inconsistent status requires the applicant to demonstrate that the peak post development storm water runoff rate for the 100-year storm is being met.

Under completeness of Mr. Michel's report, the applicant must consolidate the two lots into one and submit a recorded deed of consolidation. As the two lots are undersized and owned by the same entity, they are considered merged and may not be separated and must be considered together.

The applicant has requested preliminary and final major site plan approval. The current parking lot contains twenty-one stone parking spaces and two paved handicapped spaces as was previously approved for the restaurant use. The proposed parking lot will contain 18 additional stone parking spaces.

The Applicant has agreed to install a split rail fence along the Philadelphia Avenue Property line in front of the new parking spaces to discourage vehicles from driving directly on to Philadelphia Avenue.

Lighting details are shown on the plan however the applicant has been referred to the Boards Engineer to address the request for higher lighting standards. The Applicant is requesting two additional light poles and additional lighting off the building itself.

Mr. McGowan's comments on Drainage were addressed.

The applicant is asking for a waiver from sidewalks and curbing because the property on either side does not have any sidewalk or curbing.

Mr. Michel noted many times he sees pedestrians walking along Philadelphia Avenue on the street. Sidewalks were required where Landing Creek Estates is located and is fully paved with sidewalks on the opposite side.

Mr. Warker agrees with Mr. Michel and notes there is a lot of foot traffic along Philadelphia Avenue. Mr. Warker notes it is a safety issue and has witnessed many people parked on Philadelphia Avenue as well as on the side of the Egg Harbor Boat building. The parking lot will be a definite improvement. Mr. Warker is in favor of sidewalks.

Mr. McKenna is not in favor of sidewalks and feels it is not necessary for the applicant to put in 240 feet of sidewalk that leads to nowhere. The next area for sidewalk is about six to seven hundred feet away.

Mr. Schroeder discussed sidewalks and the problems that might occur if sidewalks were installed in that area alone.

Mr. Schroeder noted if properties were developed on both sides of their property the applicant would agree to put in sidewalks or if sidewalks are ever run-down Philadelphia Avenue. However, at this time it may raise safety concerns for pedestrians to cross over and jay walk to get to the sidewalk.

Mr. Colby has seen many pedestrians walking along Philadelphia Avenue in this area and is in favor of sidewalks.

Mr. Colby asked about the impervious area on this property and if it was addressed with Mr. McGowan. Mr. Schaeffer noted this has been discussed and Mr. McGowan and he was satisfied with the calculations.

Mr. Garth was not in favor of sidewalks because in the future the proposed bike path may cause an issue.

Mr. Peterson noted pedestrians should be encouraged to walk down Buffalo Avenue where sidewalks have been installed from the Sprag School to the apartments. The City has provided an adequate path to get into town. This application should not be burdened at this time to put in sidewalks. Mr. Peterson agrees with Mr. Schroeder's proposal if in the future there is development on either side of this building sidewalks will be installed. Mr. Schroeder is in agreement with this condition and this condition will run with the land.

Board Comments: none

Public Comments: none

Mr. Prime reviewed the motion and stated this is an application for a use variance with all items included in both review letters with an exception in the matter concerning sidewalks whereas the applicant agrees to install sidewalks if and when sidewalk is constructed on either side of this property.

A motion was made by Mike McKenna, seconded by Keith Mullineaux

Roll call: Mr. Peterson yes, Mr. Warker yes (with the special condition and the problem with the bike path you might be throwing money away), Mr. Garth yes, Mr. Colby no (on the issue of sidewalks), Mr. Dennis McKenna yes, Mrs. Torres yes, Mr. Michael McKenna yes and Mr. Mullineaux yes.

Mr. Peterson called a five-minute recess.

New Application: 17-06 LUB – Theatre Park Productions

1602-48 White Horse Pike

Egg Harbor City, NJ 08215

Block G52, Lot 122

Amendment or Revision to an approved Site Plan

Special Question

Variance Relief.

John Scott Abbott, Esq. Attorney for Theater Park Productions Inc. is here tonight with Bill Swiderski Planner and Engineer, Roy Egrie son of George Egrie and George Egrie. George Egrie had to leave the building due to not feeling well.

Mr. Abbott gave a brief history of the eight-and-a-half-acre site located at 1602-1648 White Horse Pike. The purpose of this Application is to obtain any and all necessary approvals to allow the continued multiple use of the subject property said use would include; auto body repair, construction office, linen storage, Theater Park Productions, Inc. business and now proposed pool construction. Approval was originally obtained for a use variance to permit light industrial fabrication and storage use upon the lands and premises by Resolution No. 2-1998 dated February 24, 1998.

Witnesses present were William Swiderski and Roy Egrie who were sworn in by Mr. Prime. Mr. Abbott noted with the submitted application there are some color photos of the property. Mr. Roy Egrie also took color photos (8) which show what Theater Production Inc. does and some interior photos of the building.

The applicant is before the board tonight requesting a use variance to allow a pool manufacturer to occupy a portion of the warehouse.

Mr. Prime marked the photos taken by Roy Egrie on December 15, 2017 and were marked A1 through 8.

Mr. Swiderski prepared a plan for the site and plans were provided to Board members and Professionals.

The building has four different units.

A two-page letter was given to Members and Professionals showing each use inside the building. This letter was requested after a meeting between the Professionals, the Applicant and his Professionals. Page two of two lists the name of each business, the amount of occupied space, the type of business, the number of employees, daily on-site clients, hours of operation and deliveries.

Mr. Prime noted this letter dated 12-13-17, consisting of two pages will be labeled A – 10 and was not submitted 10 days prior to the meeting but resulted from the meeting with the Professionals.

Mr. Swiderski gave a brief description of each business

Unit 4 - Carmines Hotel and Motel Laundry; this unit is only used for storage. The laundry is collected and washed at another location and is only stored on this site where it is then transported to facilities in Atlantic City. Normal operations are from 8a.m. to 6 p.m.

Unit 3 - Kertz' s Restoration; is used for auto repair and restoration

Unit 2 - Earls Girls Company; stage props, lighting, for Casinos, Photos of stages were shown to members. They have between 5-10 employees.

Unit 1 - Proposed Use Pool Manufacturer. The applicant is proposing a pool manufacturing business occupying about 9,000 sq. feet, no showroom space, no clients will be on site. Strictly for the manufacturing of the pools.

Drawing #1

Access to Kertz and Carmines is from Baltimore Avenue.

Earls Girls has an overhead door off of Baltimore Avenue where they do loading and unloading of equipment.

The Pool Manufacturer has the only access off of Bremen Avenue.

Parking requirements: They have about 31 parking spaces on site. There is a need for truck parking which will be located on the Kertz site in the fenced in area at rear of property, an area next to that will be for trucks and cars for Earls Girls, the area along the White Horse Pike will be for the proposed pool business and then a fenced in area for storage of the pools.

The Applicant plans to complete the following upgrades, externally paint entire building, one overhead door will be replaced, proposing minor landscaping along the building on the White Horse Pike, re-configuration of the parking.

Tonight, is just for the approval of the linen storage business and the pool manufacturing business.

The applicant did not agree with Mr. McGowan's recommendation that they designate the employee parking on the site. Mr. Swiderski noted it would be hard to police these spaces. There are enough spaces to accommodate employee parking as well as clients. The two handicap spaces will be clearly marked.

Roy Egrie noted they have completed the following improvements: updated the electrical system, the sprinkler system, gas service, spray booth, street work was completed (asphalt and curbing totaling about \$60,000 – \$70,000, About 60 % of the building has been painted as of this date, the total quoted amount to paint the building estimated at about \$90,000.

Mr. Abbott noted there are still some improvements that need to be made such as; they are looking into establishing some storage space for Kertz, cleaning up the site, repairs of existing paving within the fenced in area of the property. Mr. Kertz was instructed by the owner to store his vehicles on the street and is slowly moving his vehicles into the inside of the building.

Tim Michel reviewed his report dated 12-12-17. Mr. Michel began with a brief review of the site. The current application is necessary to determine if the multiple occupants at this site is acceptable to the Land Use Board in consideration of Section 170-18C.

All outdoor storage will be within the fenced in area.

Mr. Michel noticed three trailers on the site that belong to Earls Girls. Mr. Abbott explained these trailers are used to transport equipment to sites for jobs. The City ordinance states no trailers are allowed. These trailers described are not for storage.

Mr. Michel asked if the space shown on the plan is adequate for the pool storage. Mr. Michel noted areas for each business should be clearly defined.

Mr. Michel reviewed setbacks of the property. One of the requirements are sidewalks along the White Horse Pike. Dollar General, and the liquor store were required to install sidewalks. Also Street Trees should be planted along the White Horse Pike, Bremen Avenue and Baltimore Avenue every thirty feet.

Mr. Michel discussed the fence surrounding the property and suggested the slats along the White Horse Pike and Bremen Avenue be replaced with hedge slats.

Mr. Abbott did not like the green hedge slats and asked if they could replace the slats with something else. Mr. Abbott said the owner will cooperate with what the board wants.

Mr. Abbott noted the DOT will be replacing the curbing and ADA ramps along the White Horse Pike. Mr. Abbott wanted to know how much sidewalk has to be installed.

Sidewalks will be discussed.

Trash and recycling is kept inside the fenced in area.

Mr. Michel discussed a fire proof trash enclosure if the trash is kept outside or it may be kept inside the building according to the ordinance. Mr. Michel suggested the applicant take a look at the trash enclosure at WAWA or Dollar General.

Mr. Michel discussed a sign behind the slats at the intersection that should be removed and remove any signs except the ones that comply with zoning.

Street Trees should be planted every 30 feet along the White Horse Pike.

Mr. Michel discussed the items that are still not complete from the Kertz application.

Mr. Roy Egrie stated they have a contract for the painting to be completed on the building, the exterior that can be seen from the road way has been completed, the interior and the fenced in area still needs to be completed.

Mr. Michel reviewed Mr. McGowan's report requesting where the lighting will be and clarification of where the trash and recycling will be kept.

1. The applicant should clarify the location and intensity of existing lighting and advise whether site lighting is adequate for the proposed expanded use of the site.
2. the location of proposed stop signs should be clarified. Stop signs are required at all exits from the site.
3. The proposed striping material type should be listed on the plans
4. Any proposed employee parking spaces should be designated with signage

It is the City's understanding that NJDOT will be replacing all curb and ADA ramps along US Route 30 as part of a larger construction project along US Route 30 through the City in 2018. It is our recommendation that the applicant therefore not be required to replace curb along US Route 30 that will be replaced by NJDOT. NJDOT will also be reconfiguring the intersection of Bremen Avenue and US Route 30 Adjacent to the site.

Board Comments:

Mr. Colby asked Mr. Swiderski are all four units separated by fire walls.

Mr. Swiderski noted yes however they will comply with whatever the Building Inspector requires.

Mr. Michel noted this will be requirements of the Building Department and plans will have to be submitted to the Construction Official.

Mr. Abbot noted they already have a fire suppression system.

Mr. Egrie noted there is an annual fire inspection completed each year.

Mr. Warker asked if chemicals will be stored inside the building. Mr. Warker expressed his concerns with the chemicals being used and the importance of proper storage and disposal.

Mr. Milne had been in and out of boat companies his entire life and the smell from this type of work is horrible. Also, this type of work will destroy the building. Very dirty and the smell will linger.

Members discussed how boats were manufactured years ago in this building.

Mr. Prime stated the proposed pool business is not permitted in this zone.

Mr. Prime the only time you would have to return to the board is when a proposed use is not permitted then the owner will have to return to the Land Use Board.

Mr. Garth expressed his concerns about the proposed pool business. Concerns about Chemicals being thrown into a dumpster. A fire enclosed dumpster should be required. Kertz should not be required to have a fire enclosed dumpster if it's behind the fence. Trees and sidewalks weren't asked for two years ago so the Board should not ask for them now. As far as the slats Mr. Garth does not care for the pine trees slats and would rather see the plastic slats. Mr. Garth said it has been two years and all of the repairs still have not been completed.

Mr. Egrie noted they went through their budget and put money into the street first. The painter has been working on completing the painting of the building.

Mr. Garth would like the applicant to complete all previous conditions.

Mr. Garth does not feel the applicant should have to put in sidewalks and trees.

Street trees were discussed between the applicant and board members.

Conditions concerning the Kertz application should be completed.

Mr. Warker who had years of experience building boats expressed his concerns about chemicals and potential hazards.

Mr. Warker asked how chemicals will be disposed of and is requesting more detail from the pool manufacturer.

Mr. Duncan noted the board can grant the site plan approval tonight with conditions and table the use variance and return next month for the proposed pool manufacturer.

Board Members continued to express their concerns with boat Manufacturing and the potential pool manufacturing business.

Molding fiberglass ruins a building. Mr. Warker suggested that the owner visit the old Ocean Yacht building and check out the mold room. If you care about your building check out what this type of manufacturing can do to a building.

Fiberglass goes through the air; the smell will go through the building.

Mr. Abbott noted the pool guy should be here tonight to explain his type of business

Mr. Peterson is in agreement with Mr. Warker and Mr. Milne about the pool manufacturer. Mr. Peterson noted there are pools on the lot now and the storage area allotted for this tenant has already been filled. Mr. Peterson mentioned he fears the lot will end up being a mess like the boat yard. The board is trying to improve the appearance of the City and this site is right at the entrance. Mr. Peterson would like more information from the applicant concerning the proposed pool business.

Mr. Michel suggested the applicant take a month to decide if they want to pursue the pool manufacturer portion of the application. If that is the final use you want in the building then we can press forward with some additional testimony with that use. In the meantime, you can come with some alternate proposals for the slats in the fence, the sidewalk, and the street trees and work out the details and fine tune everything and be ready for the next month.

Mr. Abbott asked about the linen business and to approve that application and then they would not have to come back.

The motion will be to Amend the Kertz approval to allow for the linen storage on the site.

Mr. Peterson asked if the linen business will take up the stand alone building, the building on the Atlantic Avenue side and that there will be no body shop equipment in there. Mr. Peterson noted as of now that building is open to the body shop and there is linen in the same section.

Mr. Egrie said there is a roll up door that separates the two.
This area will be just for the linen business.

Mr. Abbot said they will be two separate units and he will bring back more information on the separation of the two units.

The Motion is to amend the Kertz prior approval to permit the linen business to occupy a portion of the property

Motion made by Mr. Garth, seconded by Mr. Mullineaux

Roll Call: Mr. Peterson **yes**, Mr. Warker **yes**, Mr. Garth **yes**, Mr. Colby **yes**, Dennis McKenna **yes**, Mrs. Torres **abstain**, Michael McKenna **yes**, Mr. Mullineaux **yes**

This application will be carried to the January Meeting with no further notice being required.

Adjournment: Upon motion made by Mr. Mullineaux seconded by Mr. McKenna and carried.

Respectfully Submitted
Donna Heffley, Land Use Board Secretary

