

## HAINESPORT TOWNSHIP JOINT LAND USE BOARD MINUTES

**Time: 7:00 PM**

**Wednesday, May 2, 2018**

### **1. Call to Order**

The meeting was called to order at 7:00 PM by Mr. Krollfeifer.

### **2. Flag Salute**

All participated in the Flag Salute

### **3. Sunshine Law**

Notice of this meeting was published in accordance with the Open Public Meetings Act By posting on the municipal bulletin board, publication in The Burlington County Times and Courier-Post Newspapers, and by filing a copy with the Municipal Clerk

### **4. Announcement of “No new business after 11:00 PM”**

### **5. Swearing in of New Appointees**

A. Hainesport Township Resolutions 2018-34-1 and 2018-62-2

Mr. Kingsbury swore in the following Board Members: Tristan Sylk and Wayne Evans.

Mr. Krollfeifer asked for clarification on the order of the alternates serving on the Board.

Mrs. Tiver explained that they will called up to serve in place of a regular member as follows: Mr. Wagner, Mr. Levinson, Mr. Sylk, Mr. Evans

### **6. Roll Call**

Present: Mrs. Gilmore (left 7:05), Mrs. Kelley (arrived 7:07), Mr. McKay,  
Mr. Clauss, Mrs. Tyndale, Mr. Wagner, Mr. Sylk, Mr. Evans, Mr. Krollfeifer

Absent: Mayor Masciocchi, Mrs. Baggio, Ms. Kosko, Mr. Levinson

Also Present: Robert Kingsbury, Esq., Board Attorney  
Greer Reinalda, Board Planner  
Martin Miller, Board Engineer  
Paula Tiver, Board Secretary

### **7. Items for Business**

Mrs. Gilmore recused herself from both cases due to use variances.

**A. Case 16-11B: Hirshland & Company**  
**Block 96 Lots 1.01 & 1.04**  
**Route 38**  
**Preliminary Site Plan & Bulk Variance**  
**Attorney: Michael Floyd, Esq.**

Proper notice was given

Mr. Floyd explained that he represents Hirshland & Company which are seeking preliminary/final site plan and variance approval for property located on Route 38. This is the second application regarding this property.

Mr. Kingsbury swore in the following witnesses:

- Randy Hope – representing Hirshland & Company
- Alexander Tweedie – Professional Engineer
- Robert Hoffman – Traffic Expert
- Yogi Patel – Dunkin Donuts
- Jeremy Danley – Dunkin Donuts Architect

Robert Hoffman gave his credentials and the Board accepted.

Mr. Floyd gave some background. In July 2016, granted conditional use variances in connection to this project which involves an approximate 12,000 sq. ft. retail building and a Dunkin Donuts with a drive thru. In September 2017, the Board granted multiple variances for this project. They were side yard setbacks, vegetation, reduced setbacks for traffic, number of parking spaces, height of projecting Dunkin Donuts sign, and increase the façade signage for Dunkin Donuts. At that time they agreed to come back with a fully engineered site plan that reflected those variances.

The current application included request for variances for the pylon sign for the shopping center. They are withdrawing any variances related to the pylon sign. The pylon sign will conform to the ordinance. They are withdrawing the request for a second pylon sign. They are asking for signage relief for a second façade sign for the Dunkin Donuts.

Mr. Floyd asked that Mr. Tweedie reference the original site plan and the revisions made to site plan after consultations and the review letters.

Mr. McKay asked that they give a two minute review regarding the site.

Mr. Floyd stated they have 3 exhibits:

- A1 - Ariel of the site
- A2 – Previous version of site plan
- A3 – Revised current version of site plan

Mr. Tweedie explained the site and what surrounds the lot and businesses.

Mr. Krollfeifer questioned who currently owns the two properties.

Mr. Tweedie stated that Mr. Maro owns both lots. Hirshland has an agreement of sale for Block 96 Lot 1.04. Lot 1.01 will not change ownership.

Mr. Floyd stated the owner of both lots is Oram Real Estate, LLC.

Mr. Tweedie explained it is a coordinated development between lots 1.01 and 1.04. They are proposing a 12,675 sq. ft. multi-tenant building to include Mattress Warehouse, AT&T, the others are unknown at this time and a freestanding Dunkin Donuts. The liquor store will remain and will be interconnected with cross access in between. The parking lots will be connected and circulation be coordinated.

Mr. Krollfeifer asked for clarification on the restaurant mentioned in application.

Mr. Floyd that is referencing the Dunkin Donuts.

Mr. Tweedie confirmed there will be no other restaurants.

Mr. Tweedie explained that the entrance for the Sonic and Maro Brothers will not change and the exit will remain the same with minor improvements. There is a new proposed right in and right out access for the Hirshland project.

Mr. Floyd asked that he explain the impervious coverage.

Mr. Tweedie explained that the 1.04 will be compliant for the 65% impervious coverage. The Maro lot 1.01 was approved for an increase in coverage from the existing condition and was existing nonconforming at the time. Coverage was agreed to slightly modify by removing some paving on lot 1.01, which they are willing to do.

Mr. Floyd explained the prior approval granted was 83% and now are proposing 80.1% impervious coverage.

Mr. McKay questioned if DOT is ok with as close as the cuts are.

Mr. Tweedie explained they just received a letter from DOT and there were no comments related to the driveway designs.

Mr. Miller referred to his letter dated February 22, 2018. The main points that the applicant has to address is the in and out which was discussed. The pedestrian crosswalk from the parking lot to the Dunkin Donuts and the length of que that may be in the travel lane in the length of the building. He asked for testimony. He handed out a map marked as A4.

Mr. McKay questioned if the basin will be similar to the ones in the area with a masonry wall on the one side or will it be sloped.

Mr. Tweedie referred to map one side would be a retaining wall and ShopRite side will be grass slope.

Mr. Floyd asked that Mr. Tweedie address the comments made regarding the pedestrian crosswalk and the que line.

Mr. Tweedie met with Alaimo to discuss the review letter and made some changes based on that discussion. They agreed to remove some pavement in the rear of lot 1.01. The fire official signed off that it was not part of the fire lane. Some sidewalks were widen

from 5' to 6'. Some modifications were made to the drive thru queuing to extend the bypass lane all the way through. You would come in the right in driveway, cross the pedestrian crosswalk with speed table, then proceed straight to go around multi-tenant building (more for employees and unloading) or enter left for the drive-thru for Dunkin Donuts. If you miss the entrance you can use the bypass lane to circle back around. Signage to help with direction when entering the site so not to block the entrance of the site. Pin stripping was added to make them go straight. They have agreed to make all those changes. There is an 8 car drive-thru que. Mr. Patel will provide testimony.

Mr. Tweedie commented that the pedestrian crossing was discussed at both prior hearings. During conditional use there was less stripping, sidewalk, and signage. They have added a more defined crosswalk and created it as a speed table. There are wider sidewalk landings on both sides. The parking requirements per township code is 10 (7 for patrons and 3 for employees) parking spaces for the Dunkin Donuts. There is an interconnection should anyone be at the retail center there is the crosswalk speed table. There expect that will be minimally used.

Mr. Krollfeifer asked the location of the parking spaces.

Mr. Tweedie referred to the map. There are 5 spaces to the front toward Route 38, one ADA and one space adjacent to the front of the building, and three employees' spots at the rear of site.

Mr. Sylk questioned the number of cars that can be held between the table top to the highway.

Mr. Tweedie stated an additional 4 cars.

Mr. Sylk questioned how long it will take to back up to the highway.

Mr. Hoffman explained it should be adequate for someone to cross you still have room for another car coming around the radius. He does not see that backing up to the highway.

Mr. Sylk questioned if there was a turning lane on the highway.

Mr. Hoffman explained there are the two lanes and the shoulder.

Mr. Miller believes it is a tight situation where the 7 parking spaces in the front with cars coming from the que. There is a stop bar there.

Mr. Tweedie believes there will be no conflict on exiting due to the stop bar and the right turn out of the Dunkin Donuts and the right turn onto Route 38.

Mr. Krollfeifer questioned what happens if the car comes out of the Dunkin Donuts and wants to cross over to the other facilities.

Mr. Tweedie commented if someone wants to make a left turn out of Dunkin Donuts, they would have to enter the traffic that is coming in from the right. There are adequate site lines. Dunkin Donuts peak time is 6am to 10am. He believes the multi-tenant building use will be extremely low or zero. He does not know the hours of the stores.

Mr. Krollfeifer asked what the hours for the liquor store are.

Michael Maro, Maro Brothers owner, was sworn in. The hours of operation for the liquor store are Sundays 10am to 6pm and Monday –Saturday 9am to 9pm.

Ms. Reinalda has safety concerns with the vehicles quickly entering the site and there is someone in the crosswalk or with someone waiting to make the left into Dunkin Donuts.

Mr. Hoffman explained that people coming to the site are already decelerating to get in. There have been studies done by the Transportation Research Board. The cars coming into the site on the radius to be around 20 to 25mph.

Ms. Reinalda asked if they had talked about alternate locations for the crosswalk.

Mr. Tweedie explained the different possible locations and believes its present location would be the safest for people to walk.

Mr. Sylk questioned how one would walk from AT&T to Dunkin Donuts would.

Mr. Tweedie explained one would cross over into parking lot and then use the crosswalk.

Ms. Reinalda questioned if it was possible to have a speed bump before the crosswalk. This would help slow the vehicle down before it gets to it.

Mr. Hoffman does not recommend it. A speed table with a crosswalk is not an uncommon thing. It is not only used for slowing traffic and visibility for motorists along with signage.

Mr. Krollfeifer asked for confirmation that there will be 5mph signage.

Mr. Tweedie confirmed.

Mrs. Tyndale asked if the majority of their customers are drive-thru during your busiest time of 6am to 10am.

Mr. Patel explained that 70% are using the drive-thru and 30% walk in.

Mrs. Tyndale questioned out of the 30% walk in customers, would they be using the parking to the right with the crosswalk or would they turn left to park in front of store.

Mr. Patel explained that most of the seating is used on the weekend. He believes they would use the Dunkin Donuts parking. They may sometimes use the parking on the right.

Mrs. Tyndale stated that she would probably park to the right because it would be easier to get out. She asked if there would be directional signage.

Mr. Patel answered yes.

Mr. Floyd stated that they are will to put any additional signs that the board professionals believe are needed.

Mr. Tweedie stated that the typical Dunkin Donuts signage is marked on the plan.

Mr. McKay asked if they would address the sign modifications.

Mr. Floyd explained they originally asked for two freestanding signs with this application. They are now proposing only one freestanding sign for the retail which will be by ordinance, no variance needed. They are seeking relief for two façade signs on the Dunkin Donuts of 86.35 sq. ft. each instead of the additional pylon sign. This allows for identification.

Mr. Krollfeifer questioned where the façade signs will be on the building.

Mr. Tweedie explained the one previously approved was on the front façade 86.35 sq. ft. and the second 86.35 sq. ft. would be on the side for oncoming traffic to be able to identify.

Mr. Evans questioned the location of the freestanding sign.

Mr. Tweedie stated the right side of the entrance. It will be a complying freestanding sign.

Mr. Floyd stated there was another requested variance for a street tree.

Mr. Tweedie explained that it is required to have the street trees no further than 25' away from the right of way. There were a couple of trees pushed back greater than the 25' to create visibility for the entrance and sign. It was supported in the professional letter but relief needs to be granted.

Mr. Floyd explained there is a decrease in impervious coverage from what was previously granted which was 83% down to 80.1%.

Mr. Miller stated that a lot of his review had to do with stormwater management. There was discussions back and forth. They will have to do a lot of work which most of it will be underneath the parking lot. The plan the Board is looking at is what they will have because they will not be able to change due to what is going on underground. There is some degree of difficulty but it can be done.

Mr. Krollfeifer questioned if Mr. Miller inspects while they are working underground.

Mr. Miller explained yes they would inspect and a maintenance program will be provided. This is similar to the underground system that Fulton Bank did on their site.

Mr. Floyd agreed to comply with all the outstanding comments and conditions in the review letters and pursuant to the DEP regulations they would provide operations and maintenance manual for the stormwater facilities. It will be recorded in the title.

Mr. Krollfeifer questioned Ms. Reinalda if there was anything in the Ragan Design letter that needs to be addressed.

Ms. Reinalda explained that there are items she cannot comment on because not having a complete set of revised plans. It was her understanding that the applicant wanted to get a

better idea of the location of the building before moving forward with the plans. Ms. Wuebker had suggested that it be divided between preliminary and final so some of those items could be addressed.

Mr. Krollfeifer asked the applicant if they had an issues regarding the planners review letter.

Mr. Tweedie stated a lot of her comments related to the variance reliefs related to the signage, which we talked about and removed. They will comply with those comments. There were a lot of comments relating to the pedestrian circulation, crosswalk, entrance speed, entrance location. They are proposing the plan discussed. The testimony would mirror what was just discussed. It was agreed to remove some of the dead pavement reflected on the plan. They agree to all the landscaping changes. The last request was for curbing along the frontage. They are currently speaking with DOT and will do whatever they decide. If they require curb, they will install. He believes that addresses the comments in the letter.

Mr. McKay stated that regardless of what DOT you are putting curbing on lot 1.04.

Mr. Tweedie explained that the entirety of their site is curbed. They are proposing curbing at the entrance thru the radius.

Mr. McKay commented that DOT may or not require the frontage on Route 38.

Mr. Tweedie stated they will follow DOT decision on that item.

Mr. Miller explained that the lighting is taken care of on the new site but part of the lighting on the overall parking of the combined site, Maro site, is not up to standard. He believes that this site put the parking together and should be brought up to standard.

Mr. McKay asked what the deficiency is with the lighting on the Maro side.

Mr. Miller explained it is not enough and they are spot lights. The overall lighting should be the same throughout the entire site.

Mr. McKay questioned if the Sonic lighting is up to code.

Mr. Miller answered yes.

Mr. Krollfeifer commented that these are cross easements between the three properties.

Mr. Miller recommends that the lighting be addressed.

Mr. Tweedie explained that they did in the area where the two lots tire together. They did not propose any in the area of the liquor store that they did not modify. That is outside the scope of the interconnection.

Mr. Clauss questioned if there will be any improvement to paving or stripping in front of the liquor store.

Mr. Tweedie pointed out the area that will be restriped because it was a little off. This will give them the full 25' lane. There is no proposal to repave or stripe the entire liquor store lot.

Mr. Clauss commented on the center right of the liquor store and the deficiency of lighting.

Mr. Tweedie explained that there are flood lights on the utility poles along the roadway. They did not analyze them because it is not their scope of the design.

Mr. Krollfeifer questioned the isle way of 25', because in the letter it states asking for 24'.

Mr. Floyd explained that in the planner's letter it stated that they need relief for the 24 1/2' drive isle so they agreed to restripe that area to get the 25'. No relief is needed.

Mr. Maro stated that 18 months ago he had Bellows Electric come to his store and replace every outdoor light that he owns to bring it up to standard. However, the poles are owned by PSE&G. Over the past 18 months he has tried to have PSE&G replace the lights from a regular light to a high powered LED. It has been on order and they still have not come out.

Mr. Clauss asked for confirmation that the poles he owns have been changed and will be making up the deficiency of light with the light poles that PSE&G own.

Mr. Maro confirmed.

Mr. Clauss asked that he supply the isometrics to Mr. Miller on the lights that are on his poles. PSE&G can put up what they want.

Mr. Maro stated he would get it tomorrow.

Mr. Maro commented that they have had only one minor fender bender. No one drives fast into his parking lot.

Mr. Clauss has concerns with the different lighting between Sonic, Maro Brothers, and Dunkin Donuts site.

Mr. Floyd questioned if Mr. Maro was willing to provide the isometrics and make any adjustments to the lighting if needed. They do have a jurisdictional ownership with the lights on the PSE&G poles.

Mr. Maro agreed.

Mr. Miller stated we need the fire official's approval.

Mr. Floyd stated we do have his approval letter dated February 23, 2018.

Ms. Reinalda questioned if the lights stay on all night or are they turned off an hour after closing.



Mr. Hope stated they did not establish the lighting protocol. He asked Mr. Patel what time he would shut down.

Mr. Patel says they close at 10pm and the lights down at 11pm.

Mr. Hope explained that the lights would stay on for an hour past the last tenant being open and back on about an hour before the store opens.

Mr. McKay questioned the light timing on the liquor store site.

Mr. Maro stated they are on from dusk to dawn and are on automatic timers.

Ms. Reinalda explained that we usually recommend on new building that the lights be reduced to security lighting within an hour of closing.

Mr. Tweedie agreed.

Ms. Reinalda stated there are some lighting discrepancies between the architectural plans and engineer plans on the Dunkin Donuts will have to be resolved.

Mr. Tweedie agreed.

Ms. Reinalda questioned if architectural plans been done for the retail building in the back.

Mr. Tweedie stated they only have those plans for the Dunkin Donuts.

Ms. Reinalda stated that for that building there are three sets of doors and the rest is landscape.

Mr. Tweedie explained that the landscaping will be reduced if there are other doors needed for additional tenants.

Ms. Reinalda questioned if they had any details on colors, pattern, etc. It is difficult without the plans.

Mr. Hope explained he does not because they have not started the architectural plans yet. He explained some of the other projects.

Ms. Reinalda stated it is important to assure that everything complies with the ordinance. She questioned if the architectural for the Dunkin Donuts covered in the other meetings.

Mr. Tweedie answered no.

Ms. Reinalda asked if the projected sign needs approval.

Mr. Tweedie explained that it received approval at a prior meeting for the projected sign at 18.7' high by 10.51 sq. ft., and the project is 5'.

Ms. Reinalda questioned if the attached freezer on the back of Dunkin Donuts is architecturally treated, if it was a metal box and what will be the treatment of the rest of the building.

Mr. Danley explained that the walk in box will be painted the field color of the building. The building will be stucco and hardy plank.

Ms. Reinalda stated the Board may want to consider that all the sides of the building be the same.

Mr. Danley stated that all four sides will have the hardy board and the walk in will be painted. The walk in box is only 10' high which is not the same as the building.

There was a discussion regarding the walk in box.

Mr. Floyd explained that it is a Dunkin Donuts requirement that the walk in box be painted the same color as the building. They have no objections to making it a condition that it must be maintained at the same color as the hardy board.

Mr. Krollfeifer referred to Mr. Miller's letter dated February 22, 2018 page 15 item 31 regarding water and sewer. The applicant should provide testimony regarding Mt. Holly MUA and NJ American Water approvals for this project.

Mr. Tweedie stated they agree to provide all the necessary approvals or permits. They have worked out all the easement agreements and will be connecting their site along with the liquor store to sewer, currently on septic.

Mr. Krollfeifer questioned if an approval is granted are you in agreement to comply with the Alaimo letter dated February 22, 2018 and the Ragan Design letter dated February 25, 2018.

Mr. Floyd stated they are in agreement with all the comments in the letter except as modified during the testimony. They are seeking preliminary and final this evening being conditioned upon working out the outstanding issues with the Board planner and engineer review letters, and outside agency approvals. This is an unusual site and has been vacant for a while, all the surrounding lots have been developed, and DOT has jurisdiction. This is the third hearing here, which was his client's choice to break up the application. They would like to start as soon as possible.

Mr. Wagner questioned where the septic tank currently is on the liquor store site.

Mr. Floyd stated they will be converting the liquor store over to public sewer when they connect their site.

Mr. Wagner questioned if the tank will be removed.

Mr. Tweedie explained it will be abandoned according to regulations.

Mr. Wagner questioned the type of trucks that make deliveries.

Mr. Hope stated they are box trucks.

Mr. Wagner questioned if there has been a progress in getting access to Lawrence Blvd.

Mr. Hope explained that they have tried numerous times with no success.

Mr. Tweedie stated there is also an elevation issue.

Mr. Krollfeifer opened public comment. None. Closed public comment.

Mr. Kingsbury explained the variances include two façade signs at 86.35 sq. ft. each, street trees to be more than 25' away and not over 40', preliminary and final site plan, subject to compliance with the engineer and planner letters, the submission of architectural plans for review by planner.

Mr. McKay had a couple more conditions: review of the isometrics by the engineer for the lighting on Maro property with Mr. Maro's agreement to address if recommended, maintaining the walk in box to be the same color as the hardy board, set reasonable night light hours for the parking lot.

Mr. McKay motioned to approve preliminary/final site plan approval along with the conditions as discussed and the variances for the sign and trees.

Second: Mr. Clauss

**Roll Call:** Mr. McKay, yes; Mr. Clauss, yes; Mr. Evans, yes; Mrs. Kelley, yes; Mrs. Tyndale, yes; Mr. Sylk, yes; Mr. Wagner, yes; Mr. Krollfeifer, yes

Motion carries to approve the application.

**B. Case 18-03: Zucconi Property Group, LLC**  
**Block 107 Lots 3, 5.02, & 6**  
**1345 & 1347 Route 38**  
**Revised Site Plan & Use Variance**  
**Attorney: Eileen Fahey, Esq.**

Proper notice was given.

Eileen Fahey, applicant's attorney, stated she represents the Zucconi Family who are the owners of the property and the Zucconi Idea Agency, an advertising firm. There are two tenants: Zucconi Idea Agency and the Castle Clan Group, aka Hydro Marine Engineering.

In 2004 Mr. Castle received approval for the building and a garage. In 2009 received approval for temporary storage containers. Mr. Castle sold the building to her client last year and Mr. Castle stayed on as a tenant. Zucconi bought the property to house its advertising firm.

There are two issues with the application. The zoning officer viewed the proposed building as a garage. Therefore, she applied for a use variance and did not include an interpretation. The Board will see that the use is just an extension of the principal use. She asked the Board to consider whether a use variance is required for that specialty use building. They are also requesting that the storage containers be allowed to remain for the length of the Castle Groups tenancy. Once they leave the site, the containers would be removed.

Mr. Kingsbury swore in Joe Zucconi and William Nicholson, engineer.

Mr. Zucconi explained that his business is an advertising and graphic design agency. His wife owns the company. He showed a display of some of their well-known clients. They started the business in 2007. They do a lot of packaging, cases, cartons, displays, and boards like his display this evening. He showed two boards of work they have done, ex. Hershey, Sweethearts packaging, etc. Some of images are small and some as large as a pallet. They make prototypes in cups so the client can understand the design.

Ms. Fahey questioned how many employees and the hours of operation.

Mr. Zucconi stated there are 14 employees. Hours of operation are from 8am to 5:30pm.

Ms. Fahey questioned why he needs a special place for the large format production.

Mr. Zucconi explained that some of the projects are large and laying them out requires space. This is the clients' information and they cannot have it in common areas of a building. Isolation and protection is necessary in the proposed building.

Ms. Fahey questioned that in the proposed building there will be the equipment to do the large format and paper storage.

Mr. Zucconi answered yes. The material comes in 4'x8' sheets which are very large and needs climate control. There will be heat and air-conditioning to prevent moisture. Mostly a big work surface is needed. The sheets come out, cut, and mounted. Fabricated to the displays.

Ms. Fahey questioned if there will be plumbing and occupied on a full time bases.

Mr. Zucconi stated no plumbing, just electric. It will not be occupied full time, it will be mostly storage. It would be like a workshop.

Mr. Krollfeifer commented that the employees would need a restroom.

Mr. Zucconi explained that the employee would be coming from the building.

Ms. Fahey questioned the percent of the tenant's use of the building.

Mr. Zucconi explained their company occupies 31% and Castle Group of 69% of the building and a common area as well.

Mr. Zucconi showed a display of a similar building, exhibit A4, of what they would like. The difference is that it will only have one overhead door. The building will not house any vehicles. They do not need a garage door, but it makes is much easier to move a 4 x 8 box of foam into the building than a regular door.

Mr. Evans questioned if they will be printing board on site.

Mr. Zucconi stated no. He has a printer but it is not a printing company. They have a large output printer that runs on a spool of paper. They do not have inks and solvents.

Ms. Fahey questioned if there was a paint booth or hazardous materials.

Mr. Zucconi answered no.

Ms. Fahey stated there would be one employee using it on a part time basis.

Mr. Zucconi confirmed.

Ms. Fahey questioned how many employees Castle Clan Group has.

Bill and Janet Castle are here this evening. They have 14 employees with the same hours of operation as his. The site traffic is limited to just employees coming to work. There are standard box truck deliveries.

Ms. Fahey asked since they have taken ownership, have they done any tenant fit out.

Mr. Zucconi explained he just received the approval today for their fit out.

Ms. Fahey referred to Ms. Reinalda's letter with several photos.

Mr. Zucconi stated that the time stamp on the photo was April 12, 2018. They were in the process of moving things in and the Castles were getting ready for a busy season. Since then two giant dumpsters have been removed. He showed a picture of what it looks like today (A2).

Mr. Zucconi stated he is very proud of the property and believes it to be a gem in Hainesport. They care for it like their home. They recently commissioned their landscaper to clear out the additional space in the back.

Ms. Fahey commented that there are 3 storage containers located in the rear of the property which were there prior to him taking ownership.

Mr. Zucconi referred to the proposed plan (A3). He pointed out the location of the proposed building and the 3 storage containers. The containers were previously there.

Ms. Fahey questioned if he received a zoning permit after he purchase the property.

Mr. Zucconi answered yes.

Ms. Fahey asked if the only thing that will be stored in the accessory building will be paper.

Mr. Zucconi stated would be paper supplies.

Mr. McKay questioned Mr. Nicholson if the 24' x 28' building will be a frame building. Will it have sprinkler system or plumbing?

Mr. Nicholson stated it will be a frame building on a concrete slab with no sprinkler or plumbing systems. It is an extension of the office building.

Mr. McKay questioned if it would have power, heat, and air conditioning and will it be self-contained.

Mr. Nicholson stated it will have power, heat, and ac unit.

Mr. Zucconi explained it will be a simple wall unit, a small mini split.

Mr. McKay questioned if there will be fire code issues with this building since there will be people working in it with a volume of combustibles stored in it.

Mr. Nicholson commented that will be determined at the time of the building application. He pointed out on the previously approved site plan (A4) where the garage was approved (never constructed) and the proposed building with the storage containers located in the same location.

Ms. Reinalda explained that in speaking with Mrs. Newcomb and the applicant's attorney it was decided that it is an extension of the principal use with the addition of some production and fabrication. Under our ordinance, it is an additional smaller principal building.

Mr. McKay questioned if there were any other issues such as bulk variances other than the use variance.

Ms. Reinalda answered no. The only other thing would be if a variance is needed for parking. Testimony should be given that the 46 parking spaces are sufficient. They do not proposing any changes. There are 28 employees between the two companies. Also any trucks that stay there as storage and what clients or visitors would be visiting the sites. She did not identify any other bulk variances.

Mr. Nicholson explained how they did the parking calculations. He applied the 1 space per 250 sq. ft. of office building. There are two office businesses, one has a possible component for manufacturing which would be less demand. He could break it down and believes it to be less than 46 spaces. The two businesses together have 28 employees with 46 parking spaces.

Mrs. Kelley stated that she was at the site today and had no problems with parking. There was available parking in the front for visitors. She sees no problem with the existing parking.

Mr. McKay asked for the types of deliveries to the site.

Mr. Zucconi explained that they get the typical UPS office supplies, FedEx delivery and pickup.

Ms. Faye asked about the other tenant.

Mr. Zucconi stated there have been pallets of material from time to time. Nothing extraordinary.

Mr. Krollfeifer questioned who does the delivery for the 4'x8' paper and where.

Mr. Zucconi commented that they use Uline, an office supply company and on occasion Staples. The deliveries come to the back or the front. Once the delivery people know you, they know the correct location to drop off.

Mr. McKay asked for testimony that the driveway to the building and storage containers are adequate for the types of deliveries to be made to the site.

Mr. Nicholson explained that the area was designed with radius for small trucks to go back to the garage area. It is adequate for box trucks.

Ms. Faye questioned how long Mr. Castle's lease is and how long the 3 storage containers used solely by Mr. Castle will be there.

Mr. Zucconi stated Mr. Castle's lease is for 5 years and the 3 storage containers will be removed after he leaves.

Mr. Krollfeifer had some concerns regarding the storage containers. There was one temporary trailer, then two temporary trailers, and now there is three. He visited the site and there was a lot of things there.

Mr. Zucconi explained that they recently used two giant dumpsters to take away excess debris.

Mr. Krollfeifer questioned the boats that are in the back.

Mr. Zucconi explained they are Mr. Castle's boats and are there from time to time.

Mr. Krollfeifer asked for testimony on the height of the building.

Mr. Nicolson believes the height is 18' total.

Mr. Krollfeifer asked the height of the main building.

William Castle was sworn in. He does not know the exact height but it is higher than the proposed building.

Mr. McKay stated his only concern is the fire protection.

Ms. Greer stated that it can be a condition of approval that they comply with the fire official.

Ms. Greer is not concerned with the parking as long as the materials that were in the parking spaces are kept clean. She suggested that a condition be placed that if the zoning official determines there is a deficiency in the parking in the future, the applicant will return to the Board at a later time.

Ms. Greer explained that there was a mention of doing some clearing in the back, you have to remember that there is a buffer requirement in the back due to the residential zone. The clearing should be put on the plan and approved by her office or it could be staked for a field visit.

Mr. Nicholson agreed.

Mr. McKay questioned what the exterior lighting and drainage will be.

Mr. Nicholson explained that the drainage is covered in the fact that the proposed building and temporary trailers are smaller than what the approve garage was. That was included in the original building calculations. There is sufficient existing lighting in the rear of the building now which was designed with the garage. It should be adequate for the new building.

Mr. Zucconi stated they do not plan on adding additional lighting.

Mr. Clauss stated it may be a building requirement.

Ms. Reinalda suggested that it be made a condition of approval if it is a requirement that details be placed on the plan.

Ms. Reinalda stated that Mrs. Newcomb ask that she bring up two issues. The original approval stipulated if any additional tenants be added that they must come back to the Board because of possible parking issues and suggested that it be a condition of approval. She also had concerns with the temporary storage containers that if there was going to be long term storage and outside storage that a building be constructed. We know now that the outside storage is being cleaned up and there is an expectation that the storage containers will be removed.

Ms. Fahey commented that the property is at capacity now. She questioned if the Castle leave would he be using that space himself or get another tenant.

Mr. Zucconi stated he would replace the tenant within that same space. It would be determined in 5 years.

Mr. McKay questioned if the containers would stay after the 5 years if Mr. Castle renewed his lease.

There was a discussion on the containers.

Mrs. Kelley suggested that the containers be allowed to remain as long as the Castles are tenants. There are two residents in the back, one can definitely not see them. You also cannot see them from Route 38.

Mr. Zucconi agreed.

Mr. Castle stated there are architectural lights that are amber. They are all set on timers based on the season. The boats occasional come in so they can store them up to go out on diving projects. Their bigger equipment is stored in other locations, one in Jobstown. There are three boats that go in and out. During the winter they are stored elsewhere.

Mr. Krollfeifer stated he was out on site. He went into the flag lot and could not see the storage. He did not go into people's yards just the driveways.

Mr. Krollfeifer opened public comment.

Raymond Wargovich, 73 Mt. Laurel Road, was sworn in. He showed some pictures from the edge of his property taken in late January. There is debris and you can see the boats.



Mr. Krollfeifer suggested that he get the owners number.

Ms. Faye questioned if the items in the picture are some of the things he is cleaning up.

Mr. Zucconi answered that they were.

Mrs. Reinalda questioned if there is room in the existing containers to store the things that are outside.

Mr. Zucconi believes there is.

Mr. Castle looked at the photo. Most of the items have been removed.

Mr. Clauss explained that in the winter time there is no foliage to cover the area.

Ms. Greer suggested a 6' solid fence with some vegetation could help with the view. There is a requirement that it be visible screened. The applicant can consider that along that rear area.

Mr. Castle explained that they planted a lot of trees that were planted 12 years ago and are still intact. When they developed this property, they tried to keep as many trees as possible. In the summer time he cannot see through, the winter time you can.

Mr. Wargovich stated that part of the building is visible from his property. He believes there was poor plantings to mitigate the view.

Mr. McKay questioned if we made it a condition of approval that the planner visiting the site to make reasonable recommendation for any screening that might be necessary around these containers.

Ms. Fahey stated they would like to take the opportunity to look at the site and identify if there is a problem or not, whether or not there is a need for a full screen. It would be a major expense and this is a project that was approved a number of years ago.

Mr. McKay does not see this as a major expense.

Ms. Reinalda explained she would not suggest a full enclosure of the back. She referred to the map of possible location. It could be marked in the field.

Mr. Wargovich stated the Hausers spent a thousands of dollars to plant expensive cedars and American hollies.

Ms. Reinalda asked if they were able to use some fencing and evergreens those trouble areas would that help.

Mr. Wargovich answered yes.

Mr. McKay commented that it will help as they stated about cleaning up the trash.

Ms. Faye agreed and there needs to be a recognition that her client just moved into the premises. They are also busy with the fit out inside as well. It will be completed and just needs a little time.

Mr. Krollfeifer closed public comment.

Mr. McKay motioned to approve the use variance as an additional principal building with the following conditions:

- The applicant will consult with the planner regarding developing a suitable the buffering in the back.
- Subject to fire officials approval
- Removal of the 3 storage container when Mr. Castle vacates or ends in the building.
- If it is determined that lighting is needed, it will be provided on the plan.

Second: Mr. Clauss

**Roll Call:** Mr. McKay, yes; Mr. Clauss, yes; Mrs. Kelley, yes; Mrs. Tyndale, yes; Mr. Wagner, yes; Mr. Sylk, yes; Mr. Krollfeifer, yes

Motion carries to approve.

## 8. Minutes

### A. Regular Meeting Minutes of April 4, 2018

Motion to approve: Mr. Clauss

Second: Mr. McKay

**Roll Call:** Mr. Clauss, yes; Mr. McKay, yes; Mrs. Kelley, yes; Mr. Wagner, yes; Mr. Krollfeifer, yes

Motion carries to approve.

## 9. Resolutions

### A. Resolution 2018-07: Christopher Whittall

**Granting bulk variance for in-ground rear yard swimming pool accessory to an Existing residential dwelling on Block 100.06 Lot 49**

Motion to approve: Mrs. Kelley

Second: Mr. McKay

**Roll Call:** Mrs. Kelley, yes; Mr. McKay, yes; Mr. Clauss, yes; Mr. Wagner, yes; Mr. Krollfeifer, yes

Motion carries to approve.

## 10. Correspondence

A. Letter dated March 26, 2018 from MUA to Mrs. Tiver

Re: Hirshland & Company, 1500 Rte. 38, Block 96 Lots 1.01 and 1.04

B. Certification dated April 2, 2018 from Burlington Co. Soils to Mr. Blair  
Re: Block 110 Lot 14.05 – Alfinito Residence

C. Letter dated April 11, 2018 from Patrick McAndrew to Burlington Co Soils  
Re: Block 111 New lots 16.02 and 16.03

Motion to approve and file: Mrs. Kelley

Second: Mr. McKay

**Roll Call:** Mrs. Kelley, yes; Mr. McKay, yes; Mr. Evans, yes; Mr. Clauss, yes;  
Mrs. Tyndale, yes; Mr. Sylk, yes; Mr. Wagner, yes;  
Mr. Krollfeifer, yes

Motion carries.

**11. Professional Comments - None**

**12. Board Comments - None**

**13. Public Comments**

Mr. Krollfeifer opened public comment. None. Closed public comment.

**14. Adjournment**

Mr. Clauss motioned to adjourn at 9:36pm.

Second: Mrs. Tyndale

**Roll Call:** All in favor.

---

Paula L. Tiver, Secretary