

**HAINESPORT TOWNSHIP JOINT LAND USE BOARD  
MINUTES**

Time: 7:00 PM

December 2, 2020

**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. Roll Call**

Present: Ms. Schneider, Mrs. Kelley (arrived 7:05), Mr. McKay,  
Mr. Wagner, Mrs. Baggio, Mrs. Tyndale, Ms. Kosko, Mr. Levinson,  
Mr. Krollfeifer

Absent: Mayor MacLachlan, Mr. Sylk, Mr. Tricocci

Also Present: Robert Kingsbury, Esq., Board Attorney  
Scott Taylor, Board Planner  
Kathy Newcomb, Zoning Officer  
Paula Tiver, Board Secretary

**6. Items for Business**

**A. Case 20-13: Dindayal, LLC  
Block 66 Lot 15  
2403 Marne Highway  
Bulk variance for façade sign.  
Attorney: John Adams**

Proper notice was given.

John Adams, attorney, handed out photos of the sign which are also on the website. They are here for a sign variance. Dindayal, LLC is Country Farms located on Marne Highway. If you go to the application exhibit A, the applicant installed a sign “Country Farms” and below that “Fuel & More”. The sign manufacture incorrectly did the square footage at 91 and the township engineer did the calculation correctly at 75 sq. ft. He referred to exhibit B which is the old sign. The new sign is much more esthetically

pleasing. The old sign was a 45 sq. ft. sign. Dindayal, LLC purchased the property in 2012 and all the other signs were already present.

If you look at the photos he handed out, the sign Country Farms part is 26' across and 2.5' in height. Below that is a 10'x 1' Fuel & More sign. He referred to the 2<sup>nd</sup> page which shows how the sign projects out 14". It is calculated at 1" per 1'.

Mr. Krollfeifer stated that in the application you used Gallo Wine sign for a comparison which is in the Industrial Zone.

Mr. Adams explained that unfortunately that was the sign that was looked at to determine the sign letters. The person who built the sign believed that this sign was in compliance with the law. He did not realize that across the street was a different zone. The sign is consistent with the area.

Mr. McKay questioned if the red tin replaced the roof shingles.

Mrs. Newcomb explained that the roof line did not change. They did get a permit to change the material. It is the same size. The other one was in such horrible shape they got a permit to reface it.

Mr. McKay questioned if this is just placing the new sign on top of the red.

Mrs. Newcomb stated the new façade sign is the only thing he is in violation for.

Mr. Kingsbury swore in Bob Patel owner of Dindayal known as Country Farms.

Mr. Adams questioned where Mr. Patel got the document, drawing of the signs, which he presented tonight.

Mr. Patel answered the contractor.

Mr. Adams questioned if he measured the height from the ground to the Fuel & More and to the top of the Country Farms

Mr. Patel stated it is 10'4" to the bottom and 14'1" to the top.

Mr. Adams questioned if everything else is the way it was when he purchased it in 2012, all the signs.

Mr. Patel answered the rest of the signs are the same.

Mr. Adams questioned if Country Farms is on the highway and if the sign faces the highway.

Mr. Patel answered yes.

Mr. Adams questioned if there are any houses on the other side of the highway.

Mr. Patel stated no.

Mr. Adams stated that to the left and right are houses and Tavern and Table.

Mr. Patel agreed.

Mr. McKay questioned if the Country Farms and Fuel & More signs lights up.

Mr. Patel stated the light is inside the sign.

Mr. McKay questioned if there is any way to describe the amount of light that the sign puts out.

Mr. Adams explained that the old sign probably gave off more illumination due to having the entire sign lit up. The new sign only the letter are being illuminated. They also cut the lights off when they close.

Mr. McKay asked the hours of operation.

Mr. Patel stated that they open at 6am and close at 10pm.

Mr. McKay questioned if the sign is already up.

Mr. Adams explained that it is up. Mr. Patel relied on the expertise of the contractor. Mrs. Newcomb seen it. Mr. Patel came in for the permit and then it was realized it was outside of the scope. So Mr. Patel contacted him and they put in for the variance.

Mr. McKay asked if the red façade goes around the building.

Mr. Patel stated it is only on the two sides.

Mr. Levinson visited the site at night and questioned if there would be any additional lighting that will be added.

Mr. Patel answered no.

Mr. Levinson questioned if the house across from them have had any concerns and if anyone is here tonight.

Mr. Patel answered no.

Mr. Levinson stated there is some distance on the other side.

Mr. Adams stated that there is also shrubbery there.

Mr. Levinson commented that there is not a lot of shrubbery there. But if the neighbors are fine with it, no one is here tonight.

Mr. Adams explained that the sign project to the highway and not to the sides. He has been by there at night time and seen the signs and believes there is not much difference in the lighting between the two signs.

Mr. Levinson believes it is fine.

Mr. Taylor stated if the Board has any questions, he can clarify. A variance is need to permit the illuminated sign where not permitted and a variance for a total façade sign of

75 sq. ft. where a maximum of 12 is permitted, a maximum of 14'1 in height where 12' is permitted.

Mr. Adams commented that the old sign is higher than the new sign.

Mr. Taylor questioned if the canopy sign was also new.

Mr. Adams answered no.

Mr. Taylor stated they have addressed the issue of extinguishing the lighting after hours.

Mr. Wagner questioned the pole sign out front and its square footage.

Mr. Adams stated that this is not part of the application.

Mrs. Newcomb explained that the pole sign has been there since the 80's. They just changed the sign under the same footprint. It was a slip in the original box. The only thing he is here for is the façade sign.

Mr. Taylor stated it is an existing nonconforming sign that if he ever wanted to change the size, he would have to come back to the Board.

Mr. Wagner questioned if there would be any signage change on the gas pump canopy.

Mrs. Newcomb explained that the gas pumps have always had the canopy with the signs. They had changed it with exactly the same size just a different name.

Mr. Krollfeifer stated he had visited the site but also goes there regular and stated that Mr. Patel has done a nice job with upgrading. Please let Mrs. Newcomb know if you plan anymore upgrades.

Mrs. Newcomb stated that the Gallo Wines is not a permitted sign in the industrial park by ordinance. They did get a variance for it.

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

Mr. Levinson motioned to approve.

Second: Mrs. Kelley

Mr. McKay questioned if the motion could be amended to add that the lights will be off between the hours of 10pm to 6am.

Mr. Levinson and Mrs. Kelley agreed to the amendment.

**Roll call:** Mr. Levinson, yes; Mrs. Kelley, yes; Ms. Schneider, yes; Mr. McKay, yes;  
Mr. Wagner, yes; Mrs. Baggio, yes; Mrs. Tyndale, yes; Ms. Kosko, yes;  
Mr. Krollfeifer, yes

Motion carries to approve.

## 7. Minutes

### A. Meeting Minutes of August 5, 2020

Mrs. Kelley motioned to approve

Second: Mr. McKay

**Roll call:** Mrs. Kelley, yes; Mr. McKay, yes; Mr. Wagner, yes; Mrs. Baggio, yes;  
Mrs. Tyndale, yes; Ms. Kosko, yes; Mr. Krollfeifer, yes

Motion carries to approve.

## 8. Resolutions

### A. Resolution 2020-13: Hoppecke Batteries, Inc.

**Granting use variance for placement of temporary outdoor storage pods accessory to an existing business on Block 96 Lot 2.02**

Mrs. Kelley motioned to approve

Second: Mr. McKay

**Roll call:** Mrs. Kelley, yes; Mr. McKay, yes; Mrs. Baggio, yes; Mrs. Tyndale, yes;  
Ms. Kosko, yes; Mr. Levinson, yes; Mr. Krollfeifer, yes

Motion carries to approve.

### B. Resolution 2020-14: Yogesh Patel

**Granting front yard setback for construction of a new residential dwelling on Block 109 Lot 12.02**

Mr. Levinson motioned to approve.

Second: Mrs. Tyndale

**Roll call:** Mr. Levinson, yes; Mrs. Tyndale, yes; Mrs. Kelley, yes; Mr. McKay, yes;  
Mrs. Baggio, yes; Ms. Kosko, yes; Mr. Krollfeifer, yes

Motion carries to approve.

## 9. Correspondence

A. Hainesport Township Resolution 2020-151-10 Authorizing release of a performance Bond and inspection escrows for Hainesport Enterprises

B. Hainesport Township Resolution 2020-159-10: Accepting recommendations of Township Planning Board regarding boundaries of proposed area in need of non- condemnation redevelopment pursuant to the NJ local redevelopment and housing law N.J.S.A. 40A:12A-1 et seq.

C. Letter dated October 21, 2020 from Taylor Design to Mrs. Newcomb  
Re: Our Lady Queen of Peace Block 91 Lot 3 1603 Marne Hwy. Landscape inspection

D. Letter dated October 23, 2020 from Burlington Co Planning Board to Deacon Zito  
Re: Our Lady Queen of Peace Block 91 Lot 3 Punch list of uncomplete improvements

E. Letter dated October 28, 2020 from Taylor Design Group to Joint Land Use Board  
Re: Garden State Bobcat Block 98 Lot 3, Block 99 Lot 5, Block 116 Lot 1,  
1395 Route 38, Resolution Compliance #1

F. Certification dated October 30, 2020 from Burlington Co Soil Conservation to Mr. Blair  
Re: Iorio Block 111 Lot 8.06

- G. Certification dated November 11, 2020 from Burlington Co Soil Conservation to Mr. Blair.  
Re: Luciano Residence Block 111 Lot 16.03
- H. Letter dated November 3, 2020 from Taylor Design Group to Mrs. Newcomb  
Re: Our Lady Queen of Peace Block 91 Lot 3 Landscaping Inspection #2
- I. Letter dated November 5, 2020 from Taylor Design Group to Joint Land Use Board  
Re: Application 18-10 Vernose, Phillips Road Block 110 Lots 10, 10.02, 10.03  
Preliminary/Final Major Subdivision with bulk variances resolution compliance #2
- J. Letter dated November 9, 2020 from Burlington Co Planning Board to Deacon Zito  
Re: Our Lady Queen of Peace, release of performance guarantee (\$104,803.) and automatic activation of maintenance guarantee (\$15,720.) for improvements within county right-of-way on Block 91 Lot 3
- K. Hainesport Township Resolution 2020-161-11 Authorizing and directing the Hainesport Township Joint Land Use Board to cause a preliminary investigation to be Made pursuant to NJ local redevelopment and housing law as to whether a certain area located at the corner of county Route 537 (Marne Hwy) and Route 541 is a non-condemnation area in need of rehabilitation
- L. Letter dated November 13, 2020 from Alaimo Engineers to Mr. Blair  
Re: Our Lady Queen of Peace Parish Center Certificate of Occupancy

Mrs. Baggio motioned to accept and file.

Second: Ms. Schneider

**Roll call:** Mrs. Baggio, yes; Ms. Schneider, yes; Mrs. Kelley, yes; Mr. McKay, yes; Mr. Wagner, yes; Mrs. Tyndale, yes; Ms. Kosko, yes; Mr. Levinson, yes; Mr. Krollfeifer, yes

Motion carries.

Mr. Krollfeifer commented that the church is finished and it looks good.

## 10. Professional Comments

Mr. McKay questioned where the Bob Cat is in the process.

Mr. Taylor stated they are still working on some things and are still moving forward.

## 11. Board Comments

Mr. Krollfeifer thanked Lee Schneider, Deputy Mayor, for her service and Bruce Levinson, who will be joining the Township Committee. He also thanked everyone else for another wonderful year. Please remember that the January 6<sup>th</sup> reorganization meeting starts at 6:30pm and the regular meeting will immediately follow.

## 12. Public Comments

Mr. Krollfeifer opened public comment.

Eileen Dixey, 120 Masons Woods Lane, was sworn in. She questioned if there is anything happening with the affordable housing across from her.

Mr. Krollfeifer commented that we do not have anything.

Mrs. Kelley explained they did come to the Environmental Committee to research if there were any environmental issues. Nothing has come before the Land Use Board.

Mr. Taylor explained that they would have to give public notice and notify anyone within 200 feet of the property.

### **13. Adjournment**

Ms. Schneider motioned to adjourn at 7:30pm

Second: Mrs. Tyndale

**Roll call:** All in favor

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Paula L Tiver, Secretary