

HAINESPORT TOWNSHIP JOINT LAND USE BOARD MINUTES

Time: 7:00 PM

May 5, 2021

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: Mayor Gilmore, Mr. MacLachlan, Mrs. Kelley, Mr. McKay, Mr. Tricocci, Mrs. Baggio, Mrs. Tyndale, Ms. Kosko, Mr. Krollfeifer, Mr. Bradley, Mr. Murphy, Mrs. Cuniglio

Absent: Mr. Sylk

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

6. Items for Business

A. Case 21-02: Frank Pallente Block 18 Lots 17, 18, 19, 20 10 Maple Lane Minor subdivision for two lots

Proper notice was given.

Mr. Kingsbury swore in Frank Pallente.

Mr. Pallente stated that he owns the property and is seeking a minor subdivision. He purchased the property with the intent to renovate it. The property consists of 4 lots. The existing house is on lots 19 and 20. The properties would meet the code of 100' x 150'.

It would be subdivided into two lots. Lots 17 & 18 would be one lot and the other would be lots 19 and 20. The existing house has a pre-existing of 20.6' front yard setback where 30' is required. He is seeking a bulk variance for the setback in addition to the minor subdivision. He renovated the house next to this property and is familiar with the area.

Mr. Krollfeifer questioned if the new home will meet the requirements.

Mr. Pallente answered yes with no variances.

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

Mr. MacLachlan motioned to approve

Second: Mrs. Tyndale

Roll call: Mr. MacLachlan, yes; Mrs. Tyndale, yes; Mayor Gilmore, yes;
Mrs. Kelley, yes; Mr. McKay, yes; Mr. Tricocci, yes; Mrs. Baggio, yes;
Ms. Kosko, yes; Mr. Krollfeifer, yes

Motion carries to approve.

B. Case 16-02B: Our Lady Queen of Peace

Block 91 Lot 3

Corner of Marne Highway and Lumberton Road (1602 Marne Hwy)

Use variance to expand use of building.

Attorney: Theodore Costa

Proper notice was given

Mayor Gilmore and Mr. MacLachlan recused themselves due to being use variance.

Mr. Costa, attorney, explained that Our Lady Queen of Peace is here seeking approval to hold mass more than two times a year in the new parish hall. The 2016 resolution limited the number of masses that could be held. It has been proven impractical.

Mr. Costa asked that the following to stand and be sworn in: Deacon Leo Zito, Father Joseph Noche, Mr. Miller, planner and everyone there for the church that may testify.

Mr. Kingsbury swore in everyone standing.

Mr. McKay asked Deacon Leo to refresh his memory on why there was a limit of two times per year.

Deacon Leo stated that he is the pastoral associate from the church since 1996.

Mr. Costa stated that the church received approval back in 2016 to build the parish hall across the street from the church. At that time they had a resolution that stated basically that the parish hall is only to be used for the celebration of mass for overflows on Christmas and Easter. It also allowed for other things besides the mass such as wedding activity and catholic education activity.

Mr. Leo answered yes but that was when we had the building extension on it which was the education got cut off.

Mr. Costa stated the church is looking to have masses more than twice a year.

Deacon answered agreed.

Mr. Costa commented that you were given temporary approval to hold mass at the parish hall every weekend since December.

Deacon Leo commented since December 24.

Mr. Costa questioned if they have had any complaints since holding the masses there every weekend since December.

Deacon Leo answered not one.

Mr. Costa asked why the church want to hold mass at the parish hall.

Deacon Leo stated since the corona virus there is a need for distancing. They feel it has been safer and more convenient to be in the parish hall.

Mr. Costa asked if they held activities in the church basement.

Deacon Leo explained that they would hold those activities there and a large part of their community could not attend due to the stairs. They can accommodate more parishioners in a better and safer way at the new parish center.

Mr. Costa stated that the church has the regular church pews which makes it harder to accommodate social distancing. They would like to be able to hold mass and other activities at the parish hall.

Deacon Leo agreed and they would also like to hold the sacraments of the church such as first communion. Also a repass after a funeral and a wedding reception for those who cannot afford to go elsewhere.

Mr. Costa stated that they have already been approved for a very large commercial kitchen by the Board.

Deacon Leo answered yes.

Mr. Costa stated that they will not be advertising this for third-party groups or activities.

Deacon Leo agreed.

Mr. Costa asked if the facility is available simply for parishioner.

Deacon Leo answered yes.

Mr. Costa questioned if the church is trying to make any money on any type of banquet festivities.

Deacon Leo answered no.

Mr. Costa questioned if there is a charge such as the use by the Girl Scouts or Boy Scouts.

Deacon Leo stated there is no charge but they if they made a donation, it would be accepted.

Mr. Costa stated they have been holding mass there for the past 5 months. How many other events have you held?

Deacon Leo explained that they had a first communion, a small wedding reception, and a repass after a funeral. They have blood drives, food pantries, collect clothes for people in need, and they are there to help anyone in the community that they can.

Mr. Costa questioned why they hold mass at the church during the week.

Deacon Leo explained that there are not a lot of people that come to the 9am mass, there is about 20 people. They do love the little church and would like to use it when they can. One the weekend there are more people which is better to have in a bigger setting and so people feel safer spread out.

Mr. McKay questioned why the Board limit the use to two occasions a year.

Mr. Costa explained the church did not envision the need for more space and safety at the time and at that time there were objectors or at least people that showed up with lights shining thru their windows. The lights in the parking lot were designed to shine down and a berm was built to stop the lights from shining onto the neighbors. There are also plantings there not to bother the residents.

Mr. McKay stated the lights and the traffic flow were memorable issues raised by neighbors.

Mr. Costa stated there is still the same amount of traffic. The only difference is that they park on this side of the street compared to the other side of the street.

Mr. Krollfeifer questioned where they got approval to hold the masses.

Mr. Costa explained that they appealed to the governing body and they were kind enough to grant it until this hearing could be heard.

Mr. Krollfeifer commented that the 4 years ago you held the spillover of mass in the basement with audio.

Mr. Costa explained that they held an additional mass at Hainesport School.

Mr. Krollfeifer questioned if there was a mass being held at the parish hall and the church.

Deacon Leo explained that on weekdays they are at the church and on the weekends they are at the center.

Mr. Krollfeifer would like to hear some information regarding traffic. He disagrees that there is no difference. People are now parking at the new facility instead of parking behind the church.

Mr. Costa questioned the traffic pattern and any significant changes.

James Miller, planner, stated that it was not a condition of approval for the church to only hold mass at the parish center for overflow of Christmas and Easter. The church came in and asked for that because that is when they have the largest number of congregants come. That is how it became a condition of the variance. Regarding the traffic. There were a lot of questions with the traffic flow and about the adequacy of the parking. Parking spaces were reduced to accommodate the landscaping along the perimeter of the property buffers to shield the homes from the lights from the parking lot. There was a restriction on making left turns onto Route 537 and full activity on Lumberton Road.

Mr. Costa corrected that Lumberton Road exit only allows right hand turns.

Mr. Miller believes that the volume of traffic is what was historically there. It is the same amount of people there, it was just the distribution of where they were parking. People will be more prone to park where the mass is until those parking spaces are occupied.

Mr. McKay questioned if the traffic flow arrangement is working today.

Mr. Costa asked if there are any complaints or any problems with the traffic.

Deacon Leo stated there are no complaints. The traffic is moving fine and there have been no accidents. He also visited the neighbors to make sure there wasn't any issues. The neighbors had no complaints. Everyone seems to be happy.

Mrs. Kelley questioned how many masses they are having.

Deacon Leo stated they are having less, there is no 12 mass. Saturday mass is 430 pm and Sunday are 7:30 am, 9 am, and 10:30am.

Mrs. Kelley stated she comes home that way and she see no difference because a lot of the parking was already done in that lot. It appears to be around the same amount of cars with overflow parking behind the church.

Deacon Leo stated she is correct. They have been parking on that lot the last 15 to 18 years and walking across the street.

Mr. Krollfeifer commented that the county imposed the right turn only onto Marne Highway out of the parish parking lot.

Deacon Leo stated it made sense for sight issues.

Mrs. Tyndale questioned if ccd has been held.

Deacon Leo answered yes, it is virtual.

Mrs. Tyndale stated we should keep in mind that things could change in the fall when ccd resumes. The paperwork says that the church serves thousands of residents in Hainesport.

Deacon Leo explained that on the weekend the highest amount for a mass has been 107 people.

Mrs. Tyndale questioned how many can the church hold and the parish hall.

Deacon Leo stated 230 for the church and 350 for the new parish hall.

Mrs. Tyndale questioned what they have done to service the community since the new building has been open.

Deacon Leo commented that they have not yet had time to do anything in the new parish center but in the church have had blood drives, collection of food, collection of Easter baskets, thanksgiving drives, and other community events. They have not had that chance since the corona virus limited what they can do. They have also had youth groups with about 20 participants.

Mr. Costa asked which days ccd meets.

Deacon Leo stated it is virtual now but they would come on Mondays and Tuesdays.

Father Joe Noche explained that the ccd program is currently virtual and is getting smaller. We may not use the parish center, they may still use the school. They do not know what is going to happen at this time because of the covid. The extension on the building for classrooms is not going to happen right now because they ran out of money.

Ms. Kosko questioned if there was a request of the residence on Lumberton Road for permission of easement rights or permission to relocate poles.

Deacon Leo explained they understood the residents and they decided to widen the churches side so that it wouldn't affect the residents. It was for a right-hand turn because a passing lane was needed.

Ms. Kosko questioned if that is what drove the right out only onto Lumberton Road.

Deacon Leo answered yes.

Ms. Kosko stated that there is a pork chop exit on to Marne Highway but not onto Lumberton Road.

Deacon Leo commented that there is a pork chop onto Lumberton Road.

Ms. Kosko stated that the exits are right out only from the parish center, with no lefts at all.

Deacon Leo answered yes.

Mrs. Newcomb questioned if the County needs to revisit this application like they did the first time.

Mr. Costa stated no from a legal perspective because the traffic pattern is not changing at all and there is no variables changing that would necessitate another review by the county.

Mr. J. Miller agreed with what he said. It would take a site plan application to trigger an additional county review. This application is basically a modification of the prior use variance. It is the municipality's jurisdiction.

Mrs. Newcomb questioned if a letter of no interest is needed from the county.

Mr. Costa stated that he has no problem making it a condition of approval.

Mr. Kingsbury questioned if the county was noticed of this application and if there was any response.

Mr. Costa answered they were given notice of the hearing and there was no response.

Mr. J. Miller commented the key is that the use is not changing, it is still remaining the parish hall and this application just would modify the activities that can occur within that use. It really does not impact the county facilities.

Mrs. Newcomb stated that there is supposed to be no outside activities. Do we consider the Girl Scouts or Boy Scouts outside activities?

Mr. Costa commented that a church normally allows Boy Scouts and Girl Scouts to use the facility. They are not a money making organization. They should be commended for allowing them to use it. This church would like to be treated like any other church.

Mrs. Newcomb explained she just wants to define what outside vendors and activities are.

Deacon Leo commented that the township was having cleanup day and wanted to put a container in the parking lot, which they were more than happy to do. They are not a money maker but are here for the better of the community.

Ms. Kosko stated after repeated requests and is happy that we are working together now, but was some denials before.

Deacon Leo commented that they would like to have benefits for anyone who is in need or sick. There has not been anything recent but have helped in the past.

Mrs. Baggio questioned that when we get past all these covid issues and social distancing, say in 2 years, do you intend on still having masses at the parish center.

Deacon Leo stated they would love to use our little church as much as we can. Sometimes there is a need for a larger area and would like to be able to use the parish center too.

Mr. Costa stated that the church would like the flexibility.

Deacon Leo agreed.

Mr. Taylor questioned if the parking at the church will remain available.

Deacon Leo answered yes. The parking will be available at both places.

Mr. Taylor stated that the prior application and resolution specifically state the facility will not be rented out to any outside organizations. It is important that if there is a desire to allow any boy scouts, blood drive, or any other 501c or civic entities to be able to use that facility that we accurately represent it.

Deacon Leo explained that the Knights of Columbus represent them and have a blood drive every year and they try and help them out. It is a good thing to do for the community and the public.

Mr. Costa questioned if they intend to use the facility as any type of banquet facility for third parties by advertising it.

Deacon Leo stated no they are not marketing it.

Mrs. Kelley commented that when you have churches participate allowing Boy Scouts, blood drives, and AA it is considered community outreach and is a benefit to the community. It is not an everyday thing.

Deacon Leo stated that is what brings community together and it is what the church is about.

Mrs. Tyndale commented that you might want to quantify what exactly you mean with that because you are going to have someone come in and say well you let them do it.

Deacon Leo explained that is why they have a pastor that makes those decisions.

Mrs. Tyndale had concerns if they had a liquor license or allowed people to bring their own liquor for a wedding reception. Will you be carrying insurance for that and take responsibility if there is any kind of accident?

Deacon Leo answered yes.

Ms. Kosko commented that it was said the church was approved for a commercial kitchen.

Mr. Costa said it is a large kitchen and he is calling it a commercial kitchen.

Ms. Kosko stated that this will be more than having a wedding there.

Deacon Leo explained that they had a breakfast with Santa, so they can make breakfast for the children. They are not looking to be a catering hall.

Ms. Kosko commented that the religious community is so important to the Hainesport community and so is our business community. There is concern there that you're now going to compete with business who have been a big part of this community as well, specifically the Bradford or Cater to You.

Deacon Leo explained that they are not there to hurt anybody, we're there to help everybody. Hopefully we would have people in the center who have the need. They are not looking to advertise the reception hall.

Mrs. Kelley commented that you can solve the issue by only allowing the people you marry.

Father Noche stated that all the sacraments that we're doing even weddings or funerals has to be a parishioner. The bishop also has to approve it.

Ms. Kosko questioned if the Bishop approve of the use variance application. Does the diocese need to get involved.

Father Noche stated the diocese knows everything that is happening and has approved. It has not been blessed yet because the Bishop is afraid to come because of the covid. They just want to be flexible that they can use the parish center for mass and not be constrained in what they are doing.

Mrs. Barry stated that is was part of the approval it was the intent to be able to have social activities. The issue here is the restriction on the number of masses.

Father Noche explained that they have to cancel one mass because of the covid. There are only 4 masses during the weekend.

Mrs. Tyndale questioned if it has a commercial kitchen and approved by the Board of Health.

Father Noche stated it looks like it, it was supposed to be a commercial kitchen. He does not know what is defined as a commercial kitchen. The Board of Health came in and approved it.

Deacon Leo explained it was built as it was present to them by the authorities.

Ms. Kosko questioned if they would be cooking for the receptions or will it be catered.

Deacon Leo answered mostly catered, the kitchen is not made for that.

Mr. Taylor asked for some clarifications. Will the wedding receptions be held indoors and there won't be outdoor receptions for amplified music?

Deacon Leo explained that they had 5 weddings this year. They average about 3 a year. They have to do sacraments inside a church setting. They do not do outside weddings. If

there is any reception it would be in the hall. The sound system is the same one that they use for the mass.

Mr. Taylor questioned if they food pantry is for just collection and distribution or is there any sort of soup kitchen operation.

Deacon Leo stated it is only drop off and take out.

Mr. Taylor commented that some relief was given for parking which revolved around the maximum capacity of 350. During the peak of the mass the other parts of the building are not occupied.

Deacon Leo explained that there are two crying rooms. They are rooms that some families feel more comfortable in when their children are a little more active.

Mr. Taylor asked for clarification that they are not abandoning phase two approval and that you're just deferring that to sometime in the future.

Father Noche explained it is not going to happen right now because they do not have the money. They do not want to abandon it.

Mr. Taylor believes the Board should reaffirm the variance to provide only 108 parking space where 119 is required. If sometime in the future that the township finds that there is inadequate parking that the applicant would come to the town administratively to add services or potentially expand the parking if necessary or use overflow parking at their existing church to help mitigate any potential issues. There is no safety net with people parking on either one of the road frontages. That would provide a level of safety for the neighbors, also for the future if the classrooms are built in the future.

Father Noche explained that religious education is on a Monday and Tuesday which will not interfere with mass.

Mr. J. Miller explained that they are here to modify the approval that they received in 2016. It is a d1 variance which is an inherently beneficial meaning by definition it addresses and meets the positive criteria. The use involves the four-step process called the seek and balancing test. You look at the benefits versus the detriments that the benefits outweigh the detriments then the use satisfies the criteria.

The benefits are: It advances at least three purposes of the municipal land use law. It helps advance the safety, morals and welfare of the community. It provides sufficient space and appropriate locations variety of agricultural residential recreational, commercial and industrial uses in open space but public and private according to their respective environmental requirements in order to meet the needs of all NJ citizens. It was put on record on the original application and it will continue to be advanced. Encourage coordination of the various public and private procedures and activity shaping development with a view of lessening the cost of such development into the more efficient use of the land. It provides an efficiency in the way that the congregation operates and allows them to take advantage of the building to allow some of the activities that have been off-premise to be on premise. The ability to practice your faith which is guaranteed by the US constitution and certain federal statutes. Religious use is also

provide a lot of community benefits that you already heard. This application also responds to the current pandemic and the crisis it has created in the community allowing the parishioners to pursue their religion. It addresses the needs of an existing congregation which is a long-standing member of the Hainesport Community. Next is to identify the potential impacts of the use. This was also given at the prior hearing. There was additional mitigation measures that were imposed during the site plan process which mainly dealt with the landscaping and some of the traffic considerations. The bottom line is the impacts of this use were deemed to be acceptable at the prior hearing. He does not see anything in this applications that appreciably either intensifies or changes the character of use. It gives it a little more flexibility in terms of the activities and obviously the masses. The ability of holding the masses here verses across the street isn't really changing the intensity of the use. It is the same congregation and same participants are just at a little different location. He does not believe there is any significant additional impact from this use.

Next is to identify the mitigation measures. There were a lot of those imposed during the original application. The mitigation measures tend to come from the Board and its professionals which has been part of the process this evening. He believes a mitigation measure might be a condition in the resolution that says that the activities that are located within the parish hall would be the 530 1c type entities and maybe add social service agencies, and related religious activities. Those are the kind of things that typically take place in any parish hall. There can be a prohibition against the commercial activities that was in the intent of the original variance.

Last is do the benefits outweigh the detriments. The benefits far outweigh any potential detriments in this application. Most of the detriments were identified and dealt with in the prior application. It satisfies the seek and balancing test. In addition the legislature about 10 to 15 years ago also said that an inherently beneficial use application must also address the conventional negative criteria which cannot substantial detriment to the public welfare or substantial impairment of the intent or purpose of the zone plan. He believes this application that it is basically contributing to the public welfare so it easily satisfies it. This is already an established use on the property. It isn't really intensifying the use or changing this character. He believes it satisfies the criteria and warrant's the Board's approval.

Mrs. Newcomb explained that the plans showed a bride and groom room for them to only get changed in. There was never a discussion regarding a reception and time frames.

Deacon Leo stated that all the weddings take place on Saturdays at 1pm. The wedding is over by 2pm, they then take pictures for half hour, and then you go to a reception place. Probably by 3:30pm. He is unaware of any receptions that last more than 4 hours, so by 8pm you are done. If it was used for it, they are not advertising it for that. It would not go late into the evening.

Ms. Kosko asked by what time. Will you change the wedding time?

Deacon Leo stated by 9pm. They will not change the wedding time because they have a mass at 4:30.

Mrs. Kelley stated that she belongs to a church that they have had wedding receptions in their fellowship hall. They almost always have funeral receptions. Generally their wedding receptions are cake, fruit, or something else. The few that were two to three hours there was no liquor. It may be church policy. One person had a meal. Wedding receptions usually last four hours. She has never been to a wedding reception that was after 11. Funerals so not last very long.

Deacon Leo stated that they only have funerals during the day.

Ms. Kosko had concerns regarding if they changed the wedding and had a Friday night wedding. She has concerns for the residents.

Deacon Leo explained that the same sound system that is used for mass would be used. They have a mass at 7:30am consisting of music and an organist. The noise is not coming out of the building.

Ms. Kosko stated that it will be a much different crowd than the church crowd. It is not a solemn of a gathering, it's a party for a wedding. She has been to weddings that last five to 6 hours.

Mrs. Tyndale stated that they are going to bring in their own DJ who has his own sound system.

Mr. Costa asked what she would like to see.

Ms. Kosko explained that it is what the Board and community would want. We may be at a point that this needs to be thought through more so there is a comfort level regarding the weddings and the times.

Mr. Costa stated that any such reception, few as they are, would end by 9pm with worst case scenario by 10pm.

Father Noche explained that most of their weddings are from their parishioners. Before they schedule a wedding, they make sure it does not overlap with masses or anything. Last year they only had one wedding and this year they have 5. Only one of those weddings wants to use the hall, the others are just a wedding. He will limit it, he does not want to have big parties like that. There will be restrictions regarding DJ, alcohol, and other issues. He is the pastor and knows what he is doing.

Mrs. Baggio agrees with Mrs. Kelley we are focusing on the weddings. At her parish, which is large, they do not do outside things but have parish events. Those events tend to be over by 8 or 9 at night.

Ms. Kosko explained that there are ABC guidelines that will have to be followed which is done through the clerk's office. There will be other outside agencies that are going to have conditions of approval for these events especially if there's alcohol involved.

Mrs. Newcomb explained that she needs to have some things defined in the resolution so that she is able to enforce them.

Mr. Costa commented that the events they are discussing are probably done by most of the churches if not all the churches in Hainesport, along with the surrounding towns as well.

Mr. J. Miller explained that this is the typical events that happen in any religious house of worship and is often smaller weddings. The churches control and manage these things. He thinks it is important to have a cap so that there is a standard to adhere to.

Mr. Krollfeifer asked if all sacraments and weddings will be in the existing smaller original church.

Mr. Costa doesn't want to limit it in case there is a need for the larger room.

Mr. Krollfeifer asked if liquor will be served at a wedding reception. The church is not providing it, the guest will bring it. Will they permitted to have a band?

Deacon Leo answered yes.

Mr. Krollfeifer asked if they were to incorporate the hour of not past 10pm, is that fine.

Deacon Leo answered yes.

Mr. Krollfeifer commented that if covid restrictions went away would all the masses go back to the church.

Mr. Costa doesn't want to limit them like they were last time.

Deacon Leo stated that they love their little church and don't want to be pigeonholed there either. They want to have some flexibility.

Mr. Costa believes that this is not going away any time soon. People are still afraid to be in close quarters. He believes standards have changed.

Ms. Kosko believes people want to go to one place. There is a benefit to that. With covid in the atmosphere now, it may potentially create a situation with because of religious exemptions from covid restrictions. That may result in an increase of requests of use for churches for functions. From going through the minutes of the application in 2014 to 2016 and trying to educate herself. She would be more comfortable with definitive, knowing exactly what's going to happen, and knowing exactly what the time frames are going to be. Everyone supports the church and wants this to happen but there has to be a balance because we will be fielding the phone calls and complaints. We are trying to be proactive and just have it clearly stated.

Mr. Costa answered that the pastor agreed to a 10pm cut off.

Mr. Taylor stated just to clarify it wasn't a specific condition, would you agree to comply with the local and state noise ordinance. The NJ state noise ordinance is 65 decibels in the property line during the day which cuts off at 10pm which then drops down to 50 decibels.

Mr. Costa stated that the pastor agreed to the 10pm for wedding events. There may be quieter events that continue into the evening that maybe until 11pm. Therefore, he doesn't want to limit all activities to that time.

Mr. Taylor questioned if these other events will happen to have music.

Mr. Costa explained that there is a pa system in the hall. They may have a Friday night comedy night that may not start until 7:30pm, so they don't want to limit them for every single event. He would appreciate that the 10pm limit be for the wedding receptions that could be potentially loud. They want to operate like every other church in town. No other church has these restrictions.

Mr. McKay stated that Mr. Costa makes a very good point. This discussion suddenly went off into left field when the subject of catering came up. Maybe the deacon shouldn't have used that word but he did. Then the discussion veered off on the concern that somehow this church was going to operate surreptitiously a catering hall that would compete with others in the neighborhood. It is pretty clear that this church isn't doing anything differently than the Baptist church down the one end of Marne Hwy or the Lutheran church down the other end. The operations are the same. If the township members are concerned about noise, there are noise ordinances. He has seen other churches bring in a rock n roll band and a big speaker to go with it. Somehow we veered off the discussion here to a very simple expansion of use request into believing that is somehow rather going to be a surreptitious commercial establishment that ought to be regulated as such. We've gone off the rails with it and would hope that Mr. Costa would suggest to reach accommodation here some limits. He doesn't think the board should be regulating this as if it is a commercial application. This church isn't doing anything other than what Saint Paul's is doing down the street. We need to keep that in mind and be a little more reasonable in dealing with this applicant. He plans to motion to approve the variance with whatever conditions on time seem reasonable as proposed by Mr. Costa.

Mr. Krollfeifer opened public comment.

Dolores Krollfeifer, 23 Easton Way, was sworn in. The church is doing a wonderful thing trying to bring people together. The gentleman on the board said it all. She is sure they know what they are doing and won't be doing anything ridiculous. She knows Father Joe and they won't anything that should not be there. If something happens and it's not their fault, the police get called. They have a new building, their happy, the parishioners are happy, let it be.

Mr. Krollfeifer closed public comment.

Mr. Krollfeifer stated he visited the site and it is clear that there is no left turns coming out onto Marne Hwy. He suggested that a sign be placed at the Lumberton Road side that there is no left turn.

Mrs. Tyndale stated that she has an issue. The application says the church is serving thousands of Hainesport residents in a couple areas. She feels that isn't the truth since you are stating how many people are coming. The current restriction are 50% capacity in NJ. Which can be met at the church without the need to move to the hall. It was stated about using the building for different functions of the church and when I asked about how

many youth come. You said 20. Does it need a building to hold 20, not really but is nice to use. She is struggling with different things but is really struggling with wedding receptions. You're going to bring outside people that are going to be your DJ, the band, or a caterer. It is not going to just be Hainesport people and parishioners that are going to be there. She also has a problem with alcohol at wedding receptions. She feels she is looking out for the church because when someone leaves there and if they are drunk and have an accident. She doesn't remember any of these things being said at the initial approval.

Mr. Costa explained that they started fresh tonight basically explaining all these things, rehashing everything so there is no misunderstanding. We're trying to be honest while providing some flexibility. There are over 2,000 Catholics in the town that is why he put that in there. They are not all church going.

Deacon Leo stated that not everyone comes at once.

Mrs. Tyndale would be more comfortable with voting on having the services there, quantify what you're going to be using the parish hall for specifically, with specific time frames so she can see that you've thought through everything as well. You can provide us with what your insurance is.

Deacon Leo commented that as Mr. McKay stated that they are not doing anything different than the other churches.

Mrs. Tyndale stated they are not here to testify.

Deacon Leo stated he is testifying. They are friends with the different denominations. They are doing what churches do.

Mrs. Tyndale commented that the other churches are not here to tell them that.

Mrs. Kelley explained that there are other churches that do things like that. One of them actually have a band which she has sung with. Church bands are becoming popular and doesn't mean they have drums or the banging through the whole neighborhood. Her church has had outdoor services and have had more people come. They like the outdoor services. She has been to church weddings that are usually small as she stated earlier. The "Board of Health gets involved when it's a public place.

Deacon Leo stated that the Board of Health did certify their kitchen.

Mrs. Kelley commented that the church has functions such as St Patrick's Day. The Board of Health does not want a lot of food brought in from the outside. You have to bring the food in to cook it there or someone who is licensed bring it in. It is not totally true if you are doing a funeral or a reception. She agreed with Mr. McKay, you cannot limit a service and a church is a service, not a business. The finances are subject to business. Churches may have to adjust to their services such as with covid. They may have to have more services and sometimes it means services online or both. As Mr. McKay stated we have gone way off track and we have to stop and think.

Mr. McKay suggested that Mr. Costa should refer to them as teas and not banquets after the wedding. As a condition agree no alcoholic beverages except for wine at the service will be allowed in the church. Perhaps that will satisfy those who question your motives here.

Mr. Costa commented that he is tempted to do that but there is something known as responsible drinking and if anywhere responsible drinking he thinks would be in a church. If that is what the Board wants but he hates to limit them when other churches do so. It is pretty standard to have a glass of wine at a reception where ever it may be.

Ms. Kosko comment that she supports the application and will vote yes on it as it stands. She does come from a place of legitimacy and congratulated Deacon Leo on 25 years there. She is a fellow catholic and understands where they are coming from working 20 years in running recreation and senior services alongside of Saint Anne. She has experienced these event and fundraising opportunities as well as use of the parish center not only for her events and ones she attended. This maybe an area where the church is going to encroach on because you have a wonderful resource. She doesn't want to be projected as coming from a place of illegitimacy. She holds a position on this seat as well as our professionals, they bring a different perspective. She doesn't hear limitations she hears questions trying to seek understanding and definitive answers.

Deacon Leo comment that they like to have a good time and the respectively like to keep everything under control.

Mr. Krollfeifer commented that they all acknowledge the fact that the church has been, is, and will continue to be a superb neighbor and we don't want anything to discourage them. They are just trying to get some clarification.

Mr. Krollfeifer questioned if a motion should include any county approvals.

Mr. Kingsbury stated it will be included in the resolution.

Mr. McKay motioned to approve with the following conditions which include any county approvals and the signage for the exit onto Lumberton Road.

Mr. Costa stated that Father has agreed to a closing of 10pm, if needed, for a wedding reception.

Mr. McKay continued that all other functions will adhere to all state and local requirements.

Mr. Taylor stated that a clarification that the hall will be primarily used by parishioners and church-related events but may also be used by 501C3 and other similar community-based civic uses and social service activities. He also suggested that the Board reaffirm the parking variance since there is a different utilization of the site. Previously it was 119 required spaces and 108 are constructed on site. If at any point, the town determines there is a parking in the future the church will coordinate with the township to administratively with methods to mitigate any efficiency. The applicant is also retaining their rights to be able to do the addition to the hall. They are not abandoning it.

Mr. Bradley questioned if his motion would include the limit of alcohol.

Some members would like to see it and there was a discussion

Mr. McKay explained no that he felt that it would be unfair to do so and explained. His motion does not include that and is left to common sense.

Mr. McKay motioned to approve with the conditions just stated, with the reasons given by Mr. J. Miller, the excellent reasons given by Mr. Costa in his brief attached to the application.

Second: Mrs. Kelley

Roll call: Mr. McKay, yes; Mrs. Kelley, yes; Mr. Tricocci, yes; Mrs. Baggio, yes; Mrs. Tyndale, yes with the exception of allowing alcohol at events for safety purposes; Ms. Kosko, yes; Mr. Krollfeifer, yes

Motion carries to approve.

**C. Case 19-09B: R & M Development
Block 100 Lots 8.03 & 8.02
60 Bancroft Lane
Major Final Subdivision
Attorney: Igor Sturm**

Mr. Krollfeifer stated the case will be heard on June 2, 2021.

7. Minutes

A. Meeting Minutes of April 7, 2021

Motion to approve: Mrs. Kelley

Second: Mr. McKay

Roll call: Mrs. Kelley, yes; Mr. McKay, yes; Mayor Gilmore, yes; Mrs. Baggio, yes; Mr. Bradley, yes; Mr. Krollfeifer, yes

Motion carries to approve.

8. Resolutions

**A. Resolution 2021-09: Frank Pallente
Granting bulk variances to permit construction of new residential dwelling
Block 109 Lot 2**

Motion to approve: Mr. McKay

Second: Mayor Gilmore

Roll call: Mr. McKay, yes; Mayor Gilmore, yes; Mrs. Kelley, yes; Mrs. Baggio, yes; Mr. Bradley, yes; Mr. Krollfeifer, yes

Motion carries to approve

B. Resolution 2021-10: MT Construction, LLC

Granting bulk variance and minor subdivision approval for 2 lot subdivision on Block 108 Lot 4.14

Motion to approve: Mr. McKay

Second: Mr. Krollfeifer

Roll call: Mr. McKay, yes; Mr. Krollfeifer, yes; Mayor Gilmore, yes; Mrs. Kelley, yes; Mrs. Baggio, yes; Mr. Bradley, yes

Motion carries to approve.

9. Correspondence

A. Letter dated April 6, 2021 from Alaimo Engineering
Re: The Reserve@Creekview – Building permit recommendation
Block 100.14 Lot 12.18 - 10 Quaker Court

B. Letter dated April 6, 2021 from Alaimo Engineering
Re: The Reserve@Creekview – Building permit recommendation
Block 100.14 Lot 12.05 - 5 Quaker Court

C. Letter dated April 6, 2021 from Alaimo Engineering
Re: The Reserve@Creekview – Building permit recommendation
Block 100.14 Lot 12.17 - 12 Quaker

Mrs. Kelley motioned to accept and file.

Second: Mrs. Tyndale

Roll call: Mrs. Kelley, yes; Mrs. Tyndale, Mr. MacLachlan, yes; Mr. McKay, yes; Mayor Gilmore, yes; Mr. Tricocci, yes; Mrs. Baggio, yes; Ms. Kosko, yes; Mr. Krollfeifer, yes

Motion carries.

10. Professional Comments – None

11. Board Comments

Mrs. Kelley thanked the township for the planting of the tree out front in recognition of first responders and the people that have passed on from covid-19. We had a ceremony this past Saturday that recognized not only the police but also the firemen and emts. It was a very nice ceremony. Take a look at it and come out on Community/Wellness Day on June 5.

12. Public Comments

Mr. Krollfeifer opened public comment.

Mrs. Krollfeifer stated that she has been at events and they have had wine only. She understands what Mrs. Tyndale is saying. The church should know the consequences of what could happen if something goes wrong.

Mr. Krollfeifer closed public comment.

13. Adjournment

Mr. McKay motioned to adjoin at 9:15pm.

Second: Mrs. Tyndale

Roll call: All in favor

Paula L Tiver, Secretary