

HAINESPORT TOWNSHIP JOINT LAND USE BOARD MINUTES

Time: 7PM

December 7, 2022

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

Absent: Mayor MacLachlan, Mr. Noworyta

Also Present: Robert Kingsbury, Esq., Board Attorney
Michelle Taylor, Planner
Martin Miller, Engineer
Kathy Newcomb, Zoning Officer (online)

6. Items for Business

A. Case 19-09C: R & M Development, LLC

Block 100 Lots 8.03, 8.02

60 Bancroft Lane

Revised Subdivision, Preliminary/Final Subdivision Approval

Attorney: David C. Frank

David Frank requested to adjourn the application to January 4, 2023. The applicant must re-notice.

Mrs. Gilmore motioned to adjourn to the January 4, 2023 meeting.

Second: Mrs. Kelley

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

B. Case 22-12: York International Corporation
Block 96 Lot 2.04
6 Berry Drive
Amended Final Site Plan and Amended Use Variance
Attorney: John Michalski

Proper notice was given

John Michalski: On behalf of the applicant, York International Corporation. This is an application for amended site plan with an amended use variance and design exceptions to property in question, 6 Berry Drive which is block 96 lot 2.04. It is in the I industrial zone. A few points before I get to my presentation with my witnesses. York International was started in York, Pennsylvania in 1874 and is one of the world's largest providers of HVAC equipment. They have highly valued their Hainesport location which they've had since 2000. We're here tonight because York needs to slightly expand its outdoor storage space by shifting the existing fence in the storage area by 30 feet towards Berry Drive and approximately 4260 square foot expansion. The expansion is the most efficient means that will allow York to move some additional product through its facility as outdoor storage areas maxed out, and the proposed project allows York to do this without needlessly increasing impervious coverage of the site. The outdoor storage area is and will continue to be used to store commercial rooftop units. That when installed to the top commercial building, there has been concern for protecting these items from the elements. And a unit is typically stored for a matter of days before it's for days to weeks before shipped out. Because the outdoor storage areas not permitted in the zone or use variance was previously granted in 2000, resolution 2000-10. For the existing outdoor storage area, we're now seeking to amend that variance. The minor expansion will also result in a slight reduction in car parking area. The car parking area currently contains 27 spaces after this 25. As you'll hear from our professionals tonight, from an operational standpoint, 25 is plenty of parking than what is needed. I shall note the design exception was previously granted less parking spaces than what was required by the zoning code. This occurred during the prior approvals and so we're seeking to amend that design exception as well. Lastly, in preparing for tonight's hearing, we did also discover that there's potentially one other design exception for the fence height. The existing fence is 12 feet in height. That was a specific condition required by this board during the last round of approvals back in 2000. However, it appears that there might be a fence height limitation here of eight feet that was imposed after that approval. So, the extent design section was needed for that and would seek that as well.

The witnesses I have here tonight, our engineer and our planner. First, I will go to Jason Fogler, who's a PE MidAtlantic Engineering Partners and then Kate Keller, a professional planner at Phillips Price. We received the following review letters and have no issue with comments there in. Mr. Miller's engineering review letter date December 1, 2022. Mr. Taylor's planning review letter dated December 4, 2022, and an approval letter dated November 29 2022, from the Hainesport Township Fire Official. One more thing though, before I call my first witness, I did want to address a comment number five and Mr. Taylor's review letter, which pertains to an issue with the outdoor storage area, located on the other tenant's side of the building. That other tenant being pods, Mr. Taylor indicated in his letter that the pods containers are currently stacked and extended into the required parking area, both of which are not permitted. We've discussed this issue with the landlord, and the landlord advisor has had several discussions with both pods and the township regarding this, because the landlord has said that the bottom line here is that

Pods has elected to ignore the landlord's request to remediate the situation and the township has at this date decided not to take any action in that regard. So, you know, we're kind of in a tough spot here because I represent the tenant on one side of the building, and the landlord has advised positive fix this and Pods has not done that. So, both the landlord and me on behalf of York view this issue as a separate enforcement matter between the township and Pods, and if consequently, perhaps the landlord to enforce the condition of that prior approval, and this really should not have any bearing on our application. So, unless there's any question at this point, I would call my first witness.

Mr. Krollfeifer: Can you bring up both your witnesses to be sworn in by counsel.

Mr. Kingsbury: Before we get started, members of the Governing Body step down due to the use variance. If another member is sitting in for a committee member, you should step down.

Mr. Krollfeifer: I would like to welcome both Mrs. Evans and Mrs. Gilmore, which both won the election.

Mr. Kingsbury swore in Jason Fogler and Kate Keller.

Mr. Keller gave his credentials and the Board accepted.

Mr. Michalski: Mr. Folger would you would you please explain what this exhibit is.

Mr. Folger: This is the amended final site plan which I have marked as A1 showing the existing conditions of the site as well as the proposed improvements. The existing parcel is an 11.05-acre flagship parcel on the north side of Berry drive, known as 6 Berry Drive, also known as block 96 lot 2.04. The existing site contains an existing warehouse building and parking facilities on both the east and west side. The applicant occupies the eastern portion of the building, and has access to the east side parking lot with 27 existing parking spaces and also contains a 250 foot by 140-foot outdoor storage facility. As mentioned before the outdoor storage facility is enclosed by a 12-foot-high chain fence. That was the original 2000 approval and we would be seeking relief to allow the continued use of the 12-foot-high chain link fence. The fence also has private slats for screening purposes, which is necessary for screening the equipment in this area. The proposed improvements are to shift the existing fence line 30 feet south towards Berry Drive to increase the storage facility by 4260 square feet. We also propose to extend current fire striping as well with the fence line. We proposing to continue using a 12-foot-high chain link fence. We will also be proposing a Knox box or similar feature that is sufficient for fire access that was mentioned in Taylor's comment letter before. We would also provide details for the proposed gate and any Knox box facility for that as part of the resolution compliance or approval.

Mr. Michalski: With regard to what you just stated on the 12-foot chain link fence was a condition of the prior approval in 2000. Correct?

Mr. Krollfeifer: While you're talking about the fence. What's the section that you want to be 12 feet rather than 8 feet.

Mr. Fogler: Currently the entire fence is 12 feet around expanding this out 30 feet so that it will still maintain 12 foot high. He pointed out the new fence line.

Mr. Michalski: Can you give us some background on the site operations.

Mr. Fogler: York currently utilizing a maximum of 15 employees at any given time on the site, they operate between the hours of 7:30am to 5pm. Any activity within this outdoor storage area is conducted within the same business hours and essentially the warehouse is used to store HVAC equipment, condensers, rooftop units, furnaces, parts and supplies and store there for site distribution. The outdoor storage area is usually double stacked. When deliveries are coming in or going out of the warehouse area or the outdoor storage facilities are standard forklift equipment is used. By shifting the fence 30 feet, we are going to lose two parking spaces. That was reduced the parking spaces down to 25 spaces but the applicant to operate efficiently only requires 20 spaces.

Mr. Michalski: I have no further questions.

Mr. Krollfeifer: Any more questions from the board members? Call your next witness sir.

Mr. Michalski: I'll call our planner, Kate Keller, to discuss the variance and design exceptions.

Ms. Keller gave her qualifications and the Board accepted.

Ms. Keller: So, as you've heard from our counsel and our prior witness, we are seeking an amended use variance, amended site plan approval, as well as some design exceptions related to the fencing and the parking. So, you know, there is already a use variance in place on the site that was granted in 2000 related to the outdoor storage, which is not permitted in this zone. The use itself is permitted in terms of what York is doing on the property, it's an industrial zone. It's used for warehousing, and with a small wholesale component, but all of that is permitted in the zone, it's strictly for the outdoor storage. So, the existing outdoor storage takes up the rear of the property, the applicant is now looking to shift the fence that screens the outdoor storage 30 feet north towards Berry Drive. So, this is technically an expansion of a prior D1 variance, we are once again, requesting D1 variance approval. Just to reiterate briefly, the design waivers were previously granted as part of the prior approvals for the number of parking spaces on the site, and especially specifically here, we're seeking to reduce the number of parking spaces related to York from 27 to 25 spaces. That would be only on this side of the property only serving this tenant. So just in terms of both the D variance and the relief we're requesting, we have to meet the positive and negative criteria, we have to advance special reasons for the D1 variance and demonstrate that the site is particularly suitable, and that the relief would promote the general welfare. We also have to meet the negative criteria for both the use and bulk variances, which is that to demonstrate that the variance would not result in a substantial detriment to the public good or causes substantial impairment of the zone plan or zoning ordinance.

So, for positive criteria for the D variance, I'll just go through that briefly. This is essentially a new D1 variance technically but we're really looking to amend a prior approval, where the board you know, at that point determined that the proposed use of the outdoor storage which is really there to support a permitted use on the site is particularly suitable for this property. Again, this is an industrial use in your townships industrial

zone, it's surrounded by like uses on this side of Berry Drive. The township border is also on this side. So, you have Lumberton Township on the other side of Berry Drive. At this time, we're looking to expand this use in a limited manner that will really just serve to increase the efficiency of the site without increasing the intensity. The applicant is proposing to continue to store these commercial rooftop units. They're not concerned about protecting the units, they're meant to be outside and because of that, they're also impractical to store indoors. They'll continue to be screened by fences on all sides the same way that they are without being visible from neighboring roadways. It's really here to continue this use of the site in a more efficient way without needing more building area and without providing more impervious surface, etc. So, I think in this sense, advance the several of the purposes of zoning and encourages municipal action to guide the appropriate use of lands to promote the public health safety, morals and welfare that's purpose a, were really allowing for safe storage of products that are intended to be stored in this industrial zone. C to provide adequate light air and open space. By increasing the outdoor storage, it provides a practical place to store equipment without needing additional buildings or additional impervious coverage on the site. Then finally, it continues to provide a sufficient space in this location for industrial uses that are intended here. This is a continuation of a successful long-standing use that's been in the township for over 20 years. It's a tenant in particular.

I'm just going to briefly just touch on the other relief that we are requesting and the negative criteria briefly. With regards to the fence, you know, the fence is there it's 12 feet, it was condition of approval and we're just we're just seeking to keep that the way that it is. We noted in the ordinance 104-53G does require fencing; it does technically have to be eight feet in height. So, we just wanted to make sure we have our basis covered there. But the 12-foot fence is appropriate for the screening and relocating it 30 feet closer to Berry Drive will really barely perceptibly give the size of the site and the surrounding context. In terms of the parking, going from 27 spaces to 25 spaces. You've heard some testimony tonight that 25 spaces are adequate to meet the needs of the user. There are no new employees or proposed or anticipated as a result of the increased outdoor storage. And, you know, again, this is part of the building that specifically this tenant does applicant controls. So, they're not sharing it with anybody else, this is just their parking that they have control over. The larger loading and circulation aisles on the site will remain intact. So, there's plenty of room for all of their deliveries and any sort of pickups and drop offs, and everything that's already goes on the site today. So, in that sense, it's really impractical to add in more spaces here, because it would really result in additional impervious coverage in an area where it's just not really necessary.

In terms of a negative criteria, this would not result, in my opinion, as a substantial detriment to the surrounding area to the township as a whole. We're looking at a site that's isolated within an industrial area. It is and will remain at the same level of traffic that it has been, no additional employees or visitors are anticipated, as a result of this expansion, no increase in the product inflow or outflow, because of that, no new impervious coverage, and really minimal visual impacts because of moving the fences. Then with regards to the zone plan, and the intent and purpose of the zone plan and zoning ordinance, this is a specific business specific use, that's really going to support what's already there, which is a permitted industrial use, and it has functions safely and successfully on this site for 20 years. The applicant will continue to screen it applicant will meet all of the safety requirements, the fire code requirements of the township that were mentioned in the letters. It really keeps the industrial use where it's meant to be in this area and allows the applicant to stay on the site as they wish. So, my opinion now is

does not substantially impair the intended purpose of the master plan or zoning ordinance. That's really all for my direct testimony. I think this is really, you know, essentially a D1 use variance, but it's really minimal in nature. So, we just wanted to make sure to come here that we all have our bases covered with regards to the fence and the expanded use.

Mr. McKay: Can you address paragraph three out of the planner's letter? The second half of that appeal to the theoretical inadequate parking condition that could come up in the future. Are you prepared to comment on that?

Mr. Michalski: Yes, we will comply with that. If that situation arose, we certainly would work with the Board and the town to remediate it.

Mr. McKay: So, if inadequate parking should exist in the future, you agree that you will do at the towns request to do whatever is necessary to mitigate it.

Mr. Michalski: Yes.

Mr. Michalski: Compliance with the fence provision is also practical as a reduced desired screening effective storage area which is the condition that was put into the prior approval.

Ms. Keller: Yes, the 12-foot-high fence is appropriate. It screens those rooftop units we were talking about. 12 feet is adequate to screen them and eight feet is not and that's why it was put in place to begin with, and that's why we're going to continue that.

Mr. Krollfeifer: Even though the reason you're saying that it is chain link fence it has slats in it.

Ms. Keller: It is chain linked with slats in it. You can't see you can't see what's going on behind there.

Mr. Krollfeifer: I hate to be redundant, but can somebody just show me exactly where the fence is now and where you're extending.

Ms. Keller: Pointed out on the plan. There is like a darker hatched area showing where the fence would be moving. So, it goes from where the fire lane ends

Mr. Krollfeifer: Any questions from the Board or professionals, comments or questions.

Mr. Tricocci: Are the slats that are in there currently in good shape. Is this an opportunity to make that nice again?

Ms. Keller: It's the applicant's intention that everything will be appropriately screened.

Mr. Tricocci: I am talking about the older area that's been probably ripped, torn, weather beaten, or faded. Is that an opportunity to possibly make that nice again.

Mr. Michalski: I would like to call up the representative from York so he may answer some questions you may have. His name is Tom Smid.

Mr. Kingsbury: Swore in Tom Smid.

Mr. Smid: I am the area director for York in the northeast. So, to answer your question, yes. The part of the fence that's going to be moved up, it's going to be brand new with new slats. They will refurbish whatever slats and the rest of the fencing needs.

Mrs. Taylor: The staff went out and observed the site and we took photographs, and it appears that is generally very neat. I guess the question I have is, do you need more space on what you're asking because it seems like there's a lot going on in that space on a regular basis.

Mr. Smid: We spent quite a bit of money last year making the inside more efficient with shelving, etc. So, I think we're good. But we've always wanted to expand that outdoor area. Yes, you are right that there is a lot going on out there. We bring product out wait for customers to come in to load it. Sometimes they don't come so we have to move it back in. I think we can survive with what we have. We like the space and where we are.

Mrs. Taylor: I hate to see you keep coming back here. That's really the goal. Generally speaking, it's a nominal increase, it's a nominal decrease in parking. I think they've agreed that they would satisfy parking requirements, if we require them to. I would like some clarification, are you going to do a breakaway gate as was before or knox box? Did you make a decision about that?

Mr. Michalski: Do you have a preference?

Mr. Smid: Whatever the council would like.

Mrs. Taylor: So, maybe you should speak to the fire department about that. I guess we'll have to leave that sort of open in the resolution. In respect to the 12 feet, I think that's reasonable.

Mr. McKay: So, the emergency entries are going to be left to the best judgement of the fire marshall.

Mrs. Taylor: They can either ask for a breakaway gate or they can have a knox box.

Mr. McKay: They will just have to amend the plan to show it.

Mr. Krollfeifer: We have folks on line. Let's hear public comments from people who have called in first.

Ms. Kosko: There are three online callers. But I do have to preface that we were having some issues with the microphones they didn't hear half of the application. I do not know if they have any questions or not.

Mr. Krollfeifer: Do we have any comments from the public. If so, raise your hand and step forward. Seeing no hands raised hearing nothing from folks online, I will close public comment. What is the boards pleasure?

Mr. McKay: I'll move to grant the D1use variance as proposed. My motion includes the granting of two design waivers, one for the fence height and the other for the parking

spaces. This is subject to the applicant's agreement on the record today to the various conditions that were discussed

Second: Mrs. Tyndale

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

Motion carries to approve.

C. Case 22-05: Fernando & Theresa Lourenco

Block 110 Lot 12.01

1903 Ark Road

Bulk Variance

Attorney: Thomas Coleman, III

Proper notice was given.

Mr. Petrone: For the record Chuck Patron for Tom Coleman, the attorney for the applicant this evening. The application before the board is for property located at 1903 Ark Road known as block 110 lot 12.02, in the RR5 five zoning district. We are here this evening to request bulk variance relief associated with the construction of a single-family dwelling to replace the existing dwelling located on the property that will be demolished. The application is also addressing variances that are required for other improvements at of detached barn/garage and chicken coop that were made to the property without first obtaining the requisite permits. The property is approximately 5.85 acres in area measuring 127 feet by 2000 feet. It's deep but narrow. There are presently four non-conforming conditions existing on the property. The first being lot frontage of 127.11 feet where 300 feet is required. There's no change to that and the application does not impact the lot frontage. The lot depth of 2002 feet where 381.33 feet is the maximum permitted based on the frontage of the property. So obviously we have an existing lot 127 by 2000 feet that's an existing condition. The existing dwelling also has non-conforming front yard and side yard setbacks. Less than 125 feet front yard setback and 50' side yard setback that are required. The relief sought this evening by the applicants are a side yard setback for the new dwelling 50 feet required 33 feet proposed. The 33-foot side yard setback is actually greater than the side yard setback for the existing dwelling. The non-conforming front yard setback of less than 125 feet will be made conforming because the setback proposed for the new dwelling exceeds the 125 feet required. There was a lot line setback for the chicken coop 50 feet is required and the chicken coop that was erected on the property is 37 1/2.

So, this evening I have as witnesses the applicants, Theresa and Fernando Lourenco as well as their niece, Susie Cardoso. She may help in translating; English is not their first language and sometimes we get lost in translation. We also have Lawrence DiVietro, professional planner.

Mr. Kingsbury: First swore in the translator, Susie Cardoso. He also swore in the Mrs. Lourenco and Mr. DiVietro.

Mr. Petrone: I know there was some information presented to the Board in their packages today. I think it was elevations and floor plans which were requested by Mr. Taylor in his review letter I think that was submitted. We're also relying on the approved wetlands plan that was previously provided the survey of the property that was submitted with the

original application prepared by William Robbins. As well as some photographs that were provided. I'm not sure if the board members have received the photographs.

Mrs. Tiver: They received them.

Mr. McKay: Will you be addressing the septic issue? Please make sure you cover it.

Mr. Petrone: My first witness is Mr. DiVietro. Please identify yourself for the record.

Mr. DiVietro: He gave his credentials.

The Board accepted.

Mr. Petrone: As it relates to any existing improvements, can you identify them on the plan and identify what plan you weren't using?

Mr. DiVietro: We did not prepare the survey and the proposed dwelling codes. We were obtained to do a survey for a wetland delineation of the property. We filed for a letter of interpretation and certification by DEP. It is currently in review at their offices. The state is currently very backed up. The reviews are taking anywhere from 12 to 15 months. It has been on file with them for at least 8 months.

As far as the property, this is the exhibit of our survey. Because of the length of the property, we've shown the max lines so there's a front section. As it was testified, 127.11' frontage on Ark Road, it extends for 2000'. It is a narrow lot located in the RR5 zone which permits single family homes. It is consistent with your zone plan. The purpose of the application is to grant the variance. There is one for the side yard setback for the dwelling and one for the chicken coop, which is located back at this point of the property. The dwelling itself is 80' or 70' off of Ark Road. 125' back is required. Beyond that the garage is 600' back from Ark Road. The garage is approximately 12' x 25' and an additional 170' back from that is the existing chicken coop.

Mr. Petrone: If you could identify the location of the proposed dwelling.

Mr. DiVietro: This is a smaller exhibit. The existing dwelling has a side yard setback of 10 feet where 50 feet is required. The proposed dwelling is proposed a setback of 150' with a proposed side yard of 50' and the other side proposed at 33'.

Mr. Petrone: That was the large detail from the Robbins survey that was submitted with the application. So, the old house would be torn down and new house set back behind the location of the existing dwelling. More in conformance with the side yard setback requirement than the existing.

Mr. McKay: Is it called a chicken coop because it houses chickens?

Mr. Petrone: It actually houses chickens. the ordinance does permit keeping up fowl in the RR5 zoning districts for properties one acre or larger. Obviously, we were 5.85 acres so we satisfy the one-acre requirement. There is a lot line setback requirements for the chicken coop 50 feet and we're requesting variance relief was were at 37.5 feet for one side to the lot line.

Mr. McKay: I know the ordinance allows fowl in that area. I don't remember if the ordinance has any limitations on the quantity.

Mr. Petrone: I truthfully do not see a limitation on quantity but when the property owner testifies, they will identify how many chickens they have. We will get to that.

The two variances have been identified that are being requested and the testimony is that the new dwelling will be more in conformance with the zoning requirements in the RR5 than the existing dwelling.

Mr. DeVita: Reinnervated the existing conditions and the proposed conditions.

Mr. Petrone: As it relates to the applicant's burden for C variance relief, can you provide the board with the reasons why we feel that the C variances that are requested can be granted.

Mr. DeVita: For the consideration of the C variance, the primary issues is a site particularly an exceptional difficulty results causing an undo hardship. As well as proposed deviations in the variance would not be a substantial impact on the public good or substantial detriment to the zone plan of the township. The proposal is to improve conditions, the front setback will be brought into compliance, side setback will be reduced. The side yard setback will be reduced on one side because of the narrowness of the lot. Due to the narrowness off the lot and if you were to conform to the two 50' setbacks, the dwelling would be substandard with less than a 27' width. It would not be keeping with the design of the residential setting that exists there. As proposed, the dwelling is more centered on the lot. Will continue with a gravel driveway coming off the property. It will be an improvement that it's consistent with the RR5.

Mr. Petrone: As it relates to the wetlands plan you referenced earlier in your testimony has the DEP approved the wetlands plan.

Mr. DeVita: They have not and it is still under review. We are anticipating that they will approve. The LOI has not been received.

Mr. Petrone: The plan that's before the board was the plan that was revised consistent with the last comment that the DEP had? They indicated at that time with those revisions that letter of interpretation would be issued. the issue.

Mr. DeVita: That is correct. Unfortunately, as of tonight, we're still waiting. He pointed out on the exhibit the line for the wetlands.

Mr. Petrone: Is the location of the new home outside of the wetlands area? The garage and barn towards the rear of the property is also outside of the wetlands?

Mr. DeVita: The dwelling and 600' from the road back is the garage which is out of the wetlands then an additional 800' back is the wetlands.

Mr. Petrone: So, the chicken coop, the garage and the proposed home are all outside of the wetlands?

Mr. DeVita: That is correct. and the Hudson

Mr. Krollfeifer: The beehives as well.

Mr. Petrone: The beehives as well.

Mr. Krollfeifer: Are the properties to the north and south residential?

Mr. Petrone: West, north and east are residential uses. Also, in the RR5 zoning district and the adjacent parcel to the south operates a firewood tree management business.

Mr. Krollfeifer: Does anyone know what's been going on with that property because there's been an awful lot moved to the south.

A person from the public stated it was his property.

Mr. Krollfeifer: You can comment on it later. I did visit the property and drove back to the bee hives.

Mrs. Kelley: I also went to the site.

Mr. Petrone: I have no further questions for Mr. DeVietro.

Mr. McKay: Is he going to speak to the septic issue.

Mr. Petrone: The applicant will actually speak to the septic as to what they've done previously with respect to the septic and what's going to be happening if this Board were to grant an approval.

Mr. McKay: Can the expert at least from an accurate expert's point of view, show us where the septic is or is going to be?

Mr. DiVietro: This is the survey prepared by Robbins was submitted with the application the existing septic systems. He pointed out on the survey. Under the current regulations to develop a new dwelling structure, they will have to construct a new septic field. The old septic will have to be decommissioned and removed.

Mr. McKay: Can this site meet our septic requirements?

Mr. DiVietro: We did not prepare the design to build a new septic system. We need to get a permit from the County Board of Health. I can represent to the Board based on what my client informed me early in the process.

Ms. Cardoso: Decker Septic in Southampton and being that we didn't know what the situation. We were nowhere near coming in front of the Board. We needed approval first. We didn't know the cost involved with getting into the septic. Decker said when the time came, he would help us do everything that we needed to do like get permits and going to the Board of Heath. The septic that is there was working when my aunt and uncle bought it. However, they want to do everything new and have everything running accordingly up to code.

Mr. Petrone: So, basically, they met with the septic company and he recommended instead of designing it now because he knew that variances were going to be required

from this board to be economically responsible. He said wait until you get the variance if you don't get the variance. That's one thing if you get the variance, then it makes spending the money investing in the design application process and vacating of the existing septic system much more tolerable.

Mr. McKay: Is the current house occupied.

Mr. Petrone: It is not occupied.

Mr. McKay: Could one get a certificate of occupancy if one applied for one?

Ms. Cardoso: My uncle says it wouldn't even pass the height regulation. The ceilings are only 6' high.

Mr. Petrone: When they purchased the property, they did not have the intent to reside in the existing dwelling. Their intent was to demo it and construct a new dwelling.

Mr. McKay: The plan would be to demolish the existing dwelling and system, then start from scratch.

Mr. Petrone: Absolutely.

Mr. Bradley: Is the barn/garage staying?

Mr. Petrone: Right now, there are no variances required for the garage. It was constructed without the benefit of necessary permits. If we have to after the fact apply for building permits and have it inspected, we have no problem with that. We have no problem complying with any of the outstanding comments in Mr. Taylor's review letter. He asked for additional information to be shown on the plan and that's not a problem. We will absolutely comply with that. We have some additional testimony based on some of the prior comments with respect to obviously the chicken coop and the beehives. So, we can go into that. I will ask Mrs. Lourenco. To confirm? Well, they're niece Ms. Cardoso has already done confirmed my representation with respect to the reaching out to the septic company and determining what would be required if this board were to grant approval. They understand that the existing septic system will be abandoned through the process with the Burlington County Board of Health and a new septic system installed again through the process with Burlington County Board of Health.

Mr. Krollfeifer: While we're on that subject, Mrs. Taylor, can you look at paragraph number six on page three of your letter. The new home is proposed within the existing septic field.

Mrs. Taylor: It encroaches on the septic field if you look at the plan, so it actually is not far enough away. It actually is partially on top of the existing one, which is why we asked the question.

Mr. Krollfeifer: So, there will be a new system and is not linked into the existing one?

Mrs. Taylor: That is my understanding from their testimony, yes.

Mr. Petrone: We are going all new.

Mrs. Taylor: Is this served by public water or well.

Ms. Cardoso: There is a well.

Mrs. Taylor: Do we know where that is?

Ms. Cardoso: It is in front of the home.

Mrs. Taylor: There's a garage door shown into the basement. Is that planned for vehicles?

Ms. Cardoso: It is just for storage.

Mr. Petrone: Mrs. Lourenco, obviously you and your husband own the property. How long have you owned the property.

Mrs. Lourenco: Five years.

Mr. Petrone: When you purchased the property it was with the intention of building new and knocking down the existing house.

Mrs. Lourenco: Yes.

Mr. Petrone: When purchased the property was there another structure other than the house that was located on the property here?

Mrs. Lourenco: It was an old garage.

Mr. Petrone: Is it roughly the same size as the garage you subsequently built and what condition was that garage?

Mrs. Lourenco: The roof was caving into the structure.

Mr. Petrone: Obviously, you built the garage without permits.

Mrs. Lourenco: Yes, because it was there.

Mr. Petrone: You felt that you were replacing in the same spot, same size, you didn't need a permit.

Mrs. Lourenco: Yes.

Mr. Petrone: Your husband constructed the garage and he's a tradesman. He's also the one who drew up the elevations and floor plans that were submitted.

Mrs. Lourenco: Yes, he did everything.

Mr. Petrone: What will the garage will be used for?

Mrs. Lourenco: For storage, for the food for the chickens, for the lawnmower, and for the quad we have to help us take out the trash to the curb.

Mr. Petrone: So, basically, you're not using it for any commercial. It's all residentially related.

Mrs. Lourenco: No commercial, all residential. I am about to retire.

Mr. Petrone: Obviously, a six-acre parcel require some equipment for the maintenance of the property and that's what that structure will be used for.

Mrs. Lourenco: Yes.

Ms. Cardoso: I want to reconfirm they have no intention on using the garage for any vehicles. So, we are all on the same page. They plan on parking the cars in the driveway, not in the garage. She wanted to make sure that that was understood.

Mr. Petrone: We're talking about the chicken coop and the bee hives. The chicken coop that is there, was it constructed by you and your husband?

Mrs. Lourenco: Yes, we did.

Mr. Petrone: Do you actually have chickens and how many chickens?

Mrs. Lourenco: Yes, about 40 chickens.

Mrs. Taylor: What kind of chickens?

Mrs. Lourenco: I don't know. It's funny to have so colored eggs. The kids love to go there and take the eggs out to see the colors of them.

Mrs. Taylor: Are the chickens different colors.

Ms. Cardoso: Yes. I'm not sure anything about the breeds.

Mrs. Taylor: Do the chickens vary in size.

Mrs. Lourenco: We have a few sizes. The black ones are a little big and the light brown ones are a little bigger than the other ones. The ones who lay the eggs are a little small than the black ones.

Mrs. Taylor: Are there any males?

Mrs. Lourenco: Just one because they will fight.

Mr. McKay: What is the design of the future for containing the number of chickens?

Mrs. Lourenco: We are not going to go much higher than 40. It is just for us and the kids.

Mr. McKay: Never having raised chickens. I'd like to know. Is the coop size limiting function or limiting condition for the number of chickens that you can have?

Ms. Cardoso: Yes, they live like in a castle. Those chickens have it made. They even got a ramp to come up and down that my uncle built for them.

Mrs. Lourenco: They sleep on the second floor and they come down to eat on the first floor.

Mr. McKay: Poultry can create some real serious issues if they get out of hand.

Mr. Petrone: The size of the coop that exists now is sufficiently sized for the number of chickens that you currently have?

Mrs. Lourenco: Yes.

Mr. Petrone: It is your testimony that you're not going to go above the number of chickens that you currently have.

Mrs. Lourenco: No, they will stay with the 40.

Mrs. Taylor: How big is the interior space? I'm looking for both interior space and exterior space.

Mrs. Lourenco: They have the 5 acres so they are running when we are there.

Ms. Cardoso: The inside is approximately 25 x 12 feet. The second floor where they sleep is approximately 12 by 10 feet. The chicken coop is completely fenced in. They are fenced in. When my aunt and uncle are there, they have free reign.

Mr. Petrone: When they are not there, they don't have free reign of the property?

Ms. Cardoso: Never.

Mr. McKay: Can you give us any guidance on this issue?

Mrs. Taylor: Rutgers Cooperative Extension sets requirements for things such as this and for various chicken sizes. It is one square foot of roosting space for one small chicken and one and half for medium and about two for a large chicken.

There are additional ideas about the amount of square feet for looking at this, I'm looking at a reference now. But it sounds like for outside runs a small chicken use about four square feet, medium needs about 8', and a larger chicken needs about 10'. I don't know how often they're letting the chickens out to run. I don't know if that's an everyday thing or what. We will try to work that out. There are also issues with the manure and how are they handling that.

Mr. McKay: Clearly as one member in my mind. We've seen applicants here with 4H program having half a dozen chickens, in the past. But nothing approaching this in a residential area. So, I'm not sure that we have enough information tonight to deal with that and to make sure that public health issues that could arise or appropriately dealt with. I do see this problem,

Ms. Cardoso: If I may answer a question in regards to the chickens. So, my aunt and uncle go to the property every day to feed the chickens, let them out and to make sure

that they clean up everything. My cousin's also go there to get chickens eggs. We are fortunate enough that we get to enjoy that. So, they you stop on a property every single thing to check on the chickens. Obviously, they did not know that there is a limit for the chickens. If that is the case, we will do whatever we need to do to make sure that we follow the rules according to what the requirement is. Our goal was to make sure that they do everything by the book.

Mrs. Taylor: The ordinance doesn't have requirements. However, there are standards that Rutgers University through the Cooperative Extension provides people so that they can manage their backyard flocks for disease manure space for the chickens and how to manage the eggs and everything. Because clearly, there is swine flu and other problems. It's best for the birds that they're not overburdened.

Mr. Petrone: Will the co-op come there?

Mrs. Taylor: There is reliable information online. If you call them, if they can come out, they will.

Mr. McKay: Rutgers extension services, I've been told is very cooperative.

Mr. Petrone: The applicant wants to be cooperative as well with respect to the regulations and would have no problem with this board were to grant approval this evening with a condition. and satisfying the condition as to whether or not the space that's out there is adequate enough in this third parties' eyes for the number of chickens that are there and the size of the chickens that are there. All things chicken related.

Mr. Krollfeifer: If this third party says 30 chickens are the most.

Mr. Petrone: We will submit the documentation to you and we'd have to find a home for the other 10 chickens.

Mrs. Taylor: Keeping in mind Mr. Chairman and Mr. McKay based on your questions, that they indicated there's 120 square feet on the upper floor for roosting and that's about three-square feet per bird. So, that's probably sufficient and the 300 is also sufficient on the first floor so that's without the outdoor area that they haven't testified regarding that yet. What is the pen fenced area?

Ms. Cardoso: It's about 500 sq. ft.

Mr. Petrone: Let's talk about the beehives obviously you also have the bee hives located in the rear that's a fenced in area. I don't know anything about bees. About how many hives are there and they look like cabinets?

Mrs. Lourenco: Yes.

Mr. Petrone: Obviously, the bees are all within the cabinets. When you are processing the beehives for honey, do you do that inside.

Mrs. Lourenco: Yes, bees are in cabinets. We are outside, the bees cannot go anywhere.

Mr. Petrone: So, you produce honey and fresh eggs. Do you sell any of the eggs and honey?

Mrs. Lourenco: No, do not sell.

Mr. Petrone: Basically, it's for you and your family.

Mrs. Lourenco: Yes. I do give some to friends.

Mr. Petrone: So, there's nothing that anyone's coming onto the property.

Mrs. Lourenco: No.

Mr. Petrone: I alluded to bringing it from Portugal. You obviously were familiar with chickens and beehives when you were in Portugal before coming here and one of the thoughts you had with respect to a property six acres was that you would have an area to bring the chickens and beehive back with you so to speak.

Mrs. Lourenco: Yes.

Mr. Petrone: You don't have any issues, you're familiar enough with how to maintain and keep the bees and chickens.

Mrs. Lourenco: Yes, I know.

Mr. Perone: I have no further questions for the Lourencos, if any of the board members or professionals have any.

Ms. Kosko: Mrs. Newcomb in online and would like to participate.

Mr. Krollfeifer: She is part of our professional comments.

Ms. Kosko: She doesn't have audio.

Mr. Krollfeifer: We will open for public comment. Please give your name.

Mr. Kingsbury swore in Steve Scheimreif.

Mr. Krollfeifer: You stated that your property is continuous to this property to the south.

Steve Scheimreif: Yes, and the address is 1911 Ark Road. I'm here basically, to, take issue with some of the variance. These good people, I want them to tear down the house, build a new house, and make place nice. What I'm against is some of the setbacks, the keeping of livestock. Right now, it's chickens. I can't say I really have a problem with chickens. But livestock at that distance, I'd have a definite problem with that.

Mr. McKay: Maybe the applicant's lawyer can address that now.

Mr. Petrone: I prepared the notice based on language from the zoning ordinance. They have no cattle and have no intention to have cattle. The notice was prepared awhile ago.

We were waiting to get further information from NJDEP. I just wanted to make sure the notice covered everything. There is no intention to have cattle on the property.

Mr. McKay: As a condition of granting a variance, you would agree with that stipulation that no livestock animals would be there.

Mr. Petrone: Absolutely.

Mr. Krollfeifer: Can we take it a step further for its chickens only?

Mr. Petrone: We also have the bees.

Mr. Scheimreif: I don't have a problem with the bees. What I have a problem with is things being done after you give your blessing. The people there just don't do whatever they feel like doing. Like they've been doing. I have a problem with that. As far as the garage there. Bill Sloop is in assisted living right now. If he were here, he could validate what I am saying. There was never a structure where that garage is. If Bill was here, he would tell you that he can remember when the trees were only 10' tall and never a structure there. So that's my issue. This attorney says we won't have livestock, we won't have excess chickens, you won't do this or that. I'm concerned going forward that there would be violation and I would have a problem with that being right next door.

Mr. McKay: That concern is normal and understandable. We can't predict the future; we can only enforce the rules when something comes up that needs enforcement.

Mr. Scheimreif: Yes, I understand that. The variance setbacks, especially for the side, I mean, it's not like it's 10 or 12 feet or something like that. They are asking for a big distance here, you know, and like I said, I have no problem with the house and all. I mean, these good people, they want to build a nice house. I love it, they're going to tear down the eyesore that's out front that's uninhabitable. It's been that way for many years. I am all for that. It's just the way about going about things where myself and others have done the right thing. I've been improving my property and I've gone through the DEP. I've got my LOI, I've got permits to build a pole barn, approval to build a home back there. 17 and a half acres, of course, it's wider than what they're talking about here at 127 feet, but I want everything to look nice. That's where I plan to live one day, and I don't need an eyesore next to me. Now, I can't stop people from how they handle their property. I'm concerned. If you go out there, there is a lot of junk on the property. We all remember that show Sanford and Son. Okay, I'm concerned with that. Now, they do try to keep things orderly. There's a pile of metal here, a pile of plastic here, and wood over here. There is a Jeep sitting out in the property. There's stuff all over the property. Can somebody tell me here, whether this is going to get cleaned up once they get to the house. When they tear down the old and get everything new, is there going to be a place for this stuff? They can put up a fence so you don't see it. The owner on the other side has 42 acres, he would tell you the same thing if he were here. He has two small kids.

Mr. McKay: The applicants now have the benefit and guidance of wise counsel. So, one can only hope that the guidance would be effective.

Mr. Scheimreif: I'm still having trouble. Shouldn't it be in writing that there will be no livestock out there.

Mr. McKay: The council agreed to it.

Mr. Scheimreif: I don't really care about the chickens, the bees, the chickens within reason, because like this lady said over here, there can be problems with birds. I've been I've been around farming forever. So, I know what I'm talking about here with animals and everything.

Mr. McKay: The board is trying into take into account your concern.

Mr. Scheimreif: That's mainly why I'm here but I wish them luck with the house. I'm on board on that stuff and so is the other neighbor.

Mr. Petrone: With respect to materials and things that are on site, the Lourencos are going to build the house themselves. Mr. Lourenco built the barn that's out there, he's a tradesman, contractor by profession. When the pandemic hit, and there were concerns about the availability of supplies and materials, they started buying them at that time, you know, in fear of the cost escalation, you know, once they're able to start construction. What's on the site is going to be used for construction and when the new house is built, the old houses down, landscaping added. People there 24/7 I think that would alleviate a lot of the concerns that the member of the public just expressed.

Mr. McKay: So, you're representing I am representing that the piles witness mentioned are actually construction material.

Ms. Cardoso: Yes, they are.

Mr. Petrone: Mrs. Lourenco, you heard my representation to the board about respect to the materials, correct? It's in accordance what you previously informed me about?

Mrs. Lourenco: Yes. Everything we have there we have to wait eight years to build the house, we are going to use it. Whatever, we don't use, we will clean it up. We don't have that much time to stay there a whole day to work. We were told not to touch anything. So, we were not able to do anything.

Mr. Krollfeifer: I have a question about the demolition construction, which is coming first?

Ms. Cardoso: They would first construct the home and then the demolition.

Mr. McKay: I don't understand that order.

Mr. Krollfeifer: Many of the pictures that we have, I don't see a lot of construction materials for a big house in these pictures.

Ms. Cardoso: It is not going to be a very big home. They also have materials outside and as well as the garage floor.

Mr. Krollfeifer: My point is that of the other gentleman next door, this whole thing needs to be cleaned up. I'm looking at these pictures, and I wouldn't want to live anywhere near something like this, siding is off on the ground. Some other stuff is on the ground. There are piles next to the barn/garage. I am talking about these colored pictures that I

received. I wouldn't want to live around it myself and I'm not going to allow somebody else to have to.

Mr. McKay: The Board is clearly trying to help this applicant. The board is also obviously concerned about the neighbor's comments and there is inconsistency. One describes them as a pile of junk the other describes them as construction material. Can't be both and the order of sequence of construction, building the new house first and then tearing down the uninhabitable old house seems to be contrary to common sense. In my opinion, why don't you consider agreeing to adjourn this matter to another day to another meeting January perhaps. In the interim, come up with a staging arrangement that better clarifies what's going on here. Staging arrangements for construction, a plan to deal with these piles of either construction material or junk, depending upon who's describing it. Because all these complications have arisen tonight, that were not obvious on the papers that we had before us, but they clearly have to be dealt with.

Ms. Kosko: Mrs. Newcomb is now available and would like to speak.

Mr. Krollfeifer: Okay, we're still in public comment. I'm sorry, this is our professional comments.

Mrs. Newcomb: (online) A couple questions. One is quite important to me that when I put this property in violation over a year ago, not once but several times that I've been out to that back garage the right side of that its own room with its own ventilation. There were fowl being stored in cages. Are they still in that garage?

Ms. Cardoso: Yes, they had small little chickens stored in there. They are babies.

Mrs. Newcomb: Well, the reason I'm asking is it's supposed to be defined as garage, not a chicken coop, which has obviously different setbacks than a garage. When are they going to be removed and where will they be removed to?

Ms. Cardoso: They will be moved to the chicken coop.

Mrs. Newcomb: Then will the ventilation come out of that room that was illegally there along with the garage.

Ms. Cardoso: If they need to remove it, they have no problem removing it.

Mrs. Newcomb: If that's the case, then I will inspect that once it is cleared out and that'll be an approval on my zoning besides whatever is in the resolution that never supposed to be a chicken coop. It is supposed to be used as a garage only without any living space.

Ms. Cardoso: No problem. Should we notify you when it's done?

Mr. McKay: Mrs. Newcomb can you give us anymore guidance on the ordinance from memory.

Mrs. Newcomb: That should be fine. The other question I have is that how many garages are on the house? How many garages are proposed on the new home?

Ms. Cardoso: They plan on just having the door to go into the basement for storage.

Mrs. Newcomb: So just one garage on the house. There is a maximum of three. The back garage already has two garage doors. Once they build the house, they will be at the max. I guess the only other thing that I would state is that the present home really is in deplorable condition. It definitely needs to come down and something new needs to put up. I would agree this would be an asset to that property with the new house. But more importantly, I agree that back with all the trash and all the garbage in the jeep definitely has to be cleaned up. That's a given.

Mr. McKay: Are there presently any outstanding violation notices on the property to your memory?

Mrs. Newcomb: Yes, that is why they are in front of the Board.

Mr. McKay: Are you able to tell me how many and generally what the for?

Mrs. Newcomb: It's an overall one for the garage, the trash the use of the business, if that's there, and then obviously it was a denial as a bulk. The bulk is not a violation but the denial for a bulk variance for the house as I normally do anyway. I will have to say they have been cooperative. I know this has been a very, very long and arduous situation for my office as well as the applicant. The fact that they're in front of us. does say a lot to me because I know it's been a long time and trying to get everything that they needed.

Mrs. Taylor: The ordinance says that no chickens are fowl on any lot less than one acre which this is over 5. No building or house or shelter of any fowl should be closer than 50 feet to the property line which is in our correspondence. There should be no processing or slaughtering of any fowl for commercial purposes.

Mr. McKay: It does not limit the number of chickens.

Mrs. Taylor: It does not. I can give you the reference that I was using. Mr. Kingsbury and I also sent it to staff. It's called helpful hints for small flock management, its Cooperative Extension fact sheet, FS14H by Henry Bignell, Jr., Natural Resources Senior Program Coordinator for Warren County.

Mr. Krollfeifer: So, the chicken coop is in violation of the town ordinance.

Mrs. Taylor: Yes, it is closer than 50 feet, I think it is 37½' on the north side and the other side is conforming.

Mr. Petrone: We will relocate the chicken coop and provide the required setback from the property line. So, we will comply and add any condition of approval. We will withdraw the variance request for the chicken coop located on the property in compliance with the setback requirements of 50' on each side.

Mr. Scheimreif: Mrs. Taylor said about the 50' setback for fowl. For livestock it is 100'.

Mrs. Taylor: Yes, it is. Based upon their testimony and what Mr. Kingsbury will reflect in any resolution is the applicant's testimony that there will be no livestock.

Mr. Kingsbury: Swore in Kathleen Garcia, 426 East Madison, Moorestown.

Ms. Garcia: I've known the Lourencos for at least 15 years very well. And I just wanted to interject something tonight that really hasn't been covered. When they bought that house, their intention was to design and build it to accommodate Mrs. Lourenco's parents, who were in their 90s. It's been a long time now, her father passed away in the meantime. She had to convert her living room into a room for her mother because in their current home, the mother can't go up and down stairs. So, her mother's in the living room or dining room. I don't remember which. But they're good people. I think there's a cultural thing and my husband was Cuban. Some things get lost in translation. They truly did not understand what the ramifications were buying a designated wetlands. So that's why it's taken so long. It's innocent. So, I just wanted to let you know that, it's really become a hardship for them at this point. They're paying taxes on two homes, it's taken on an emotional physical, and financial toll on them. So, if there's anything that this committee could do to move this along for them, it probably be appreciated. Thank you.

Mr. Krollfeifer: Any other public comments, anybody online have a public comment.

Ms. Kosko: There is a caller online. No comments.

Mr. Krollfeifer: Hearing no further comment, I will close public comment.

Mr. Krollfeifer: To the woman who just spoke. It's not our intention to make a hardship for anybody in this town. We want to help as best we can. But it's just we kind of have the cart before the horse a little bit here and we're trying to provide some direction and straighten out which direction we want to go.

Mr. Petrone: Chairman, if I can have a five-minute recess to talk to my clients with respect to Mr. McKay's suggestion.

Mr. Krollfeifer: You may want to also consider. In my opinion, I think the house should be demolished before the construction. My reason is, I don't want to have them go through the time and expense of constructing a new house and then something happens financially or whatever and we have two houses sitting on a lot. We have another problem besides a barn that wasn't approved. Okay, so we'd like to try to get it done as quickly as possible and you haven't been at some of our other meetings, but there are many times where comments come from the board where we say we want to approve something subject to and we leave it up to more professionals to follow up so you have to come back again.

Mrs. Taylor: I would like to say because they're utilizing the property and family is visiting, I don't know if they are using the bathroom. Are they using the facilities?

Mr. Petrone: No, they are not.

The Board took a 5-minute recess.

Mr. Petrone: We will take the recommendation seriously and ask this Board to carry this particular application to the January meeting so we can address the comments and concerns from the Board and their professionals that were raised this evening.

Mr. Krollfeifer: Mr. Kingsbury there is no need for them to re-notice neighbors?

Mr. Kingsbury: They do not have to re-notice as long as you specify the date and time.

Mr. Krollfeifer: It is January 4, 2023.

Mr. Krollfeifer: We are not going to approve livestock; we'll approve chickens and bees that's the extent of it.

Ms. Cardoso: We have no intent for anything else.

Mr. Kingsbury: It will be included in the resolution on what the Board wants.

Mr. Petrone: The representations as well as the testimony will be incorporated into Mr. Kingsbury's resolution subject to the comments.

Mr. Krollfeifer: What is their feeling relative to demolition before construction?

Mr. Petrone: We are 99 percent in agreement with you.

Mrs. Taylor: The town probably could require a monitor letter of credit and that probably would not be in there.

Mr. Petrone: It probably would not be in their best interest to do that.

Mr. McKay: Given the statements of counsel and their consent to adjournment on the record to January 4 regular meeting. I moved to adjourn this matter until that time.

Second: Mr. Krollfeifer

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

Motion carries to adjourn until the January 4, 2023 regular meeting.

Mr. McKay: It might be helpful if you try to deal with the town over the outstanding violations.

Mr. Petrone: I will contact Mrs. Newcomb tomorrow. I think there are certain things lost in communication between Mrs. Newcomb and the applicants as to what they could possibly do and not do at the site. I want to ask her if we can do certain things and will it be an issue.

Mr. McKay: Your involvement is immensely appreciated and helpful.

Mrs. Tiver: Regarding the January 4th meeting, we have the reorganization meeting that starts at 6:30pm and the regular meeting immediately follows it.

7. Minutes

A. Meeting minutes of October 5, 2022

Motion to approve: Mrs. Kelley

Second: Ms. Kosko

Roll call: Mrs. Kelley, yes; Ms. Kosko, yes; Mr. McKay, yes; Mrs. Gilmore, yes;

Mr. Tricocci, yes; Mrs. Baggio, yes; Mrs. Tyndale, yes; Mr. Bradley, yes;
Mr. Krollfeifer, yes

Motion carries to approve.

8. Resolutions

A. Resolution 2022-13: Granting preliminary major subdivision approval and Preliminary individual lot site plan approval for 45 townhouses and 4 single family lots on Block 103.01 Lots 1 & 8, and Block 113 Lot 4.05

Mr. Kingsbury explained that the resolution was amended on page 4 and explained the change.

Motion to approve: Mrs. Kelley

Second: Mrs. Gilmore

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

Motion carries to approve.

B. Resolution 2022-14: Granting minor subdivision approval and preliminary/final site plan approval for Industrial Development of Block 98 Lots 2.01, 2.02, & 2.08

Mr. Kingsbury: The attorney for Core asked that the formal adoption be postponed to January because he and his engineer wanted to review it.

9. Correspondence

A. Letter dated November 9, 2022 from Taylor Design to Mrs. Newcomb
Re: Hainesport Commerce Center Block 83.01 Lots 1-3, Block 96 Lot 1,
Block 96.01 Lot 1

B. Letter dated November 10, 2022 from Taylor Design to Mrs. Newcomb
Re: Bancroft Lane – Paparone Landscape Inspection #2 Block 100.14 Lot 12,
Block 100.18 Lots 2.01 & 4

C. Letter dated November 23, 2022 from Taylor Design to Mrs. Newcomb
Re: Bancroft Lane – Paparone Landscape Inspection #3 Block 100.14 Lot 12,
Block 100.18 Lots 2.01 & 4

Motion to accept and file: Mrs. Kelley

Second: Ms. Baggio

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

Motion carries.

13. Professional Comments - None

13. Board Comments

Mrs. Kelley wished everyone a happy holiday and a healthy New Year.

Mr. Krollfeifer thanked Mrs. Gilmore and Mr. MacLachlan for being on the Board this year. He wished everyone a Merry Christmas.

Mrs. Gilmore said Happy Hanukkah.

12. Public Comments

Mr. Krollfeifer opened public comment.

Marco Agostini, 112 Spruce Lane. Thanked the Board on how they handle things.

13. Adjournment

Mrs. Kelley motion to adjourn at 9pm.

Second: Mrs. Gilmore

Roll call: All in favor

Paula L. Tiver, Secretary