

## HAINESPORT TOWNSHIP JOINT LAND USE BOARD MINUTES

**Time: 6:30 pm**

**July 13, 2023**

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

Mr. McKay called the meeting to order at 6:33pm.

### **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 10:30 PM”**

### **5. Roll Call**

Present: Mayor Clauss, Mr. McKay, Mrs. Kelley, Mrs. Gilmore, Mr. Tricocci, Mrs. Baggio, Ms. Kosko, Mr. Noworyta, Mr. Bradley, Mr. Murphy

Absent: Mrs. Tyndale, Mr. MacLachlan, Mr. Krollfeifer

Also Present: Robert Kingsbury, Esq., Board Attorney  
Paula Tiver, Board Secretary

### **6. Items for Business**

**A. Case 23-11: John & Jamie Luciano**  
**Block 111 Lot 16.03**  
**835 Mt. Laurel Road**  
**Bulk variance for fencing**

Case can not be heard due to improper notice by the Burlington County Times. It will be carried to the August 2, 2023 meeting.

Mr. McKay: The next case will also be carried at the request of the applicant. We will deal with this at 7pm.

**B. Case 23-06: JDEB Marne Highway, LLC**  
**Block 18 Lots 1-9 & 14-16**  
**907 Marne Highway**  
**Use variance**  
**Attorney: Vincent D’Elia**

Proper notice was given.

See below. The application was carried to the August 2, 2023 meeting at 6:30pm. No further notice is required.

## 7. Minutes

### A. Meeting minutes of February 1, 2023

Mrs. Kelley motioned to approve  
Second: Mrs. Baggio

Mr. McKay: I asked our solicitor the resolution that we had tonight which was on Lillo's pizzeria. Is there any need to scrutinize further the minutes in light of the need to review the resolution?

Mr. Kingsbury: Minutes are what they are and the resolution may or may not be amended. That's why I requested them to be held on to the August meeting. That does not preempt the minutes. All right with that person preempt them.

**Roll call:** Mrs. Kelley, yes; Mrs. Baggio, yes; Mrs. Gilmore, yes;  
Mr. Bradley, yes; Mr. Murphy, yes; Ms. Kosko, yes;  
Mr. McKay, yes

Motion carries to approve.

Mr. McKay: Next, we have four resolutions on the agenda. But resolution item B. 2023-08 commonly known as the Lillo's Pizzeria application that will not be voted on tonight because counsel for the town and the applicant have some further work to do on the resolution. So that resolution is not ready,

## 8. Resolutions

### A. Resolution 2023-07a: Granting side yard setback variance for additions to an existing residential dwelling on Block 26 Lot 4.01 & 5.01

Motion to approve: Mayor Clauss  
Second: Mrs. Gilmore

**Roll call:** Mayor Clauss, yes; Mrs. Gilmore, yes; Mrs. Baggio, yes; Mr. Noworyta, yes;  
Ms. Kosko, yes; Mr. McKay, yes

Motion carries to approve.

### B. Resolution 2023-08: Granting use variance, bulk variance and preliminary/final site plan approval for expansion of a pizza shop on Block 65 Lots 18, 19, & 20

This resolution is on hold.

**C. Resolution 2023:09: Granting minor subdivision and use variance approvals, subject to site plan review, for day camp/nature center on Block 110 Lots 9 & 9Q**

Motion to approve: Ms. Kosko

Second: Mrs. Baggio

**Roll call:** Ms. Kosko, yes; Mrs. Baggio, yes; Mr. Noworyta, yes; Mr. McKay, yes

Motion carries to approve.

**D. Resolution 2023-10: Adopting findings and recommendations to Hainesport Township Committee following review of Haines Mobile Park rehabilitation area designation resolution**

Motion to approve: Mayor Clauss

Second: Mrs. Baggio

**Roll call:** Mayor Clauss, yes; Mrs. Baggio, yes; Mrs. Gilmore, yes; Mr. Noworyta, yes; Ms. Kosko, yes; Mr. McKay, yes

Motion carries to approve.

**9. Correspondence**

A. Letter dated June 5, 2023 from Burlington Co Planning Board to Mr. Mulikin  
Re: 710 Marne Hwy. Punch list of uncompleted improvements within Co. right-of-way. Block 24 Lots 4.01, 11, 12.01, 12.02, 12.03, 12.04, 12.05

B. Hainesport Township Resolution 2023-76-5  
Resolution declaring certain property along Route 38 and specifically Block 72.01 Lot 1, an existing mobile home park to be an “Area in need of rehabilitation” within the meaning and intendment of the local Redevelopment and Housing Law N.J.S.A. 40A:12A-1

C. Letter dated June 5, 2023 from NJDEP to Theresa Lourenco  
Re: Freshwater Wetlands Letter of Interpretation Block 110 Lot 12.01

Mr. McKay: Moving on to correspondence. Item B on the agenda. It was erroneously placed in the correspondence listed. It should not have been it will be dealt with by discussion with the Board next month on August 2. That's the Hainesport Township Resolution 2023-76-5 concerning certain property along Route 38. This is the so-called mobile home discussion, which is an area needed rehabilitation as proposed, but with regard to correspondence A and C can I have a motion to receive and file.

Motion to accept and file: Mrs. Kelley

Second: Mrs. Gilmore

**Roll call:** Mrs. Kelley, yes; Mrs. Gilmore, yes; Mayor Clauss, yes; Mr. Bradley, yes; Mr. Tricocci, yes; Mrs. Baggio, yes; Mr. Murphy, yes; Ms. Kosko, yes; Mr. McKay, yes

Motion carries.

Mr. McKay: Technically, I want to wait until seven o'clock to deal with the adjournment of the JDEB Marne Highway LLC because it was erroneously by the applicant noticed for seven o'clock. So, I know there's a lot of interest in this application. I want to make sure nobody drifts in one minute to seven thinking we're going to handle it. And we're not even here to deal with that. So, if we can just take an adjournment for about 15 minutes, come back to deal with this, and then we can close the meeting. It is now 6:45 pm.  
Returned at 7pm.

Mr. McKay: The attorney for the applicant (JDEB Marne Highway) sent a letter to the Board, requesting that the matter be adjourned to the meeting of August 2, 2023 at 6:30pm. He had erroneously noticed this for 7pm, today. That's why we were waiting until seven to announce this just in case anybody showed up as a couple of people have in the last few minutes. So, a written request has been sent in for an adjournment. It will be adjourned. We'll take a vote of the Board for that adjournment.

Mr. Clauss motioned to adjourn the application until the August 2, 2023 meeting at 6:30pm.

Second: Mrs. Gilmore

**Roll call:** Mayor Clauss, yes; Mrs. Gilmore, yes; Mr. Bradley, yes; Mrs. Kelley, yes;  
Mr. Tricocci, yes; Mrs. Baggio, yes; Mr. Murphy, yes; Ms. Kosko, yes;  
Mr. McKay, yes

Mr. McKay: Please receive and file the July 13, 2023 letter from Vincent D'Elia asking for the adjournment.

Mrs. Tiver: Please note that this is the notice and no further notice will be sent.

Motion carries.

#### **10. Professional Comments – None.**

#### **11. Board Comments**

Mrs. Kelley and the Board wished Mrs. Gilmore a happy birthday.

#### **12. Public Comments**

Louis Lopez: Today is also my birthday. Can you please clarify that the first and last resolution were approved.

Mr. McKay: They were both approved.

Mr. McKay: No further comments. Closed public comment.

#### **13. Adjournment**

Mayor Clauss motioned to adjourn at 7:04pm.

Second: Mrs. Gilmore

**Roll call:** All in favor.

