

LITTLE EGG HARBOR TOWNSHIP ZONING BOARD

**665 Radio Road
Little Egg Harbor, NJ 08087**

Minutes of Meeting Held On January 9, 2019

1. Meeting called to order at 7:00 p.m. by Mr. Sullivan

2. Reading of the Sunshine Law & Notice of Public Meeting.

3. FLAG SALUTE

4. OATH OF OFFICE - Mrs. Rumpf swore in new board members Barbara Sterner, Ken Maxwell, Brian Szajdek and Steven DeSimone

5. ROLL CALL- Mr. Armitage, Mr. Jones, Ms. Doherty, Mr. Sullivan, Ms. Sterner, Mr. Maxwell, Mr. Szajdek and Mr. DeSimone

6. EXECUTIVE SESSION - On a motion by Mr. Jones, seconded by Ms. Doherty, the board went into Executive Session for the appointment of Chairman, Vice-Chairman, Secretary and appointment of professionals. All aye.

The board returned from Executive Session and on a motion by Ms. Doherty, seconded by Mr. Jones the board reconvened. All aye.

The board agreed upon the following appointments during Executive Session:

- A. On a motion by Mr. Jones, seconded by Ms. Doherty, Eugene F. Sullivan was appointed as Chairman. Roll Call:

Armitage - Yes	Doherty – Yes	Maxwell - Yes
Sterner - Yes	Szajdek - Yes	Jones - Yes

- B. On a motion by Ms. Doherty, seconded by Mr. Armitage, Charles Jones was appointed as Vice-Chairman. Roll Call:

Armitage - Yes	Doherty – Yes	Maxwell - Yes
Sterner - Yes	Szajdek - Yes	Sullivan - Yes

C. On a motion by Mr. Jones, seconded by Ms. Doherty, Robin Schilling was appointed as Recording Secretary. Roll Call:

Armitage - Yes	Doherty – Yes	Maxwell - Yes	Sterner - Yes
Szajdek - Yes	Jones - Yes	Sullivan - Yes	

D. On a motion by Ms. Doherty, seconded by Mr. Jones, the following professionals were appointed:

1. Rumpf Law - Attorney
2. Eric M. Bernstein & Associates, LLC - Conflict Attorney
3. Remington, Vernick - Engineer
4. T&M Associates - Conflict Engineer
5. Taylor Design Group - Landscape Architect (on an as needed basis)

Roll Call:

Armitage - Yes	Doherty – Yes	Maxwell - Yes	Sterner - Yes
Szajdek - Yes	Jones - Yes	Sullivan - Yes	

7. APPROVAL OF MINUTES - A motion to approve the minutes of the meeting of December 12, 2018 was made by Ms. Doherty, seconded by Mr. Jones. Roll Call (a roll of only those members who were present at the December meeting):

Armitage – Yes	Doherty – Yes	Jones – Yes	Sullivan - Yes
----------------	---------------	-------------	----------------

8. RESOLUTIONS OF MEMORIALIZATION:

A. Resolution 2019-01

Enviro Productions, LLC (Application #2018-15)
1372 Route 539 (North Green Street)
Block 79 Lot 3 / GB General Business Zone (within Scenic Gateway Overlay Zone)
Use Variance, Minor Subdivision & Preliminary and Final Site Plan

A motion to memorialize Resolution 2019-01 was made by Mr. Jones, seconded by Ms. Doherty. Roll Call (a roll of only those members who were present at the December meeting):

Armitage – Abstain	Doherty – Yes	Jones – Yes	Sullivan - Yes
--------------------	---------------	-------------	----------------

9. OLD BUSINESS:

- A. Application #2018-15
Enviro Productions, LLC
1372 Route 539 (North Green Street)
Block 79 Lot 3 / GB General Business Zone (within Scenic Gateway Overlay Zone)
Use Variance, Minor Subdivision & Preliminary and Final Site Plan

Rich Kitrick, Esquire for the applicant. The applicant has revised the plan after meeting with West Tuckerton Fire Department and the fire department is in agreement with the proposed changes. Marked were Exhibits A1 – architectural rendering, A2 - parking area and A3 – site plan. Mr. Nugent explained Exhibit A1, the proposed 80x120 building and provided a summary of his company for the new board members. Applicant anticipates 10 office employees and no fueling will be done on site. The site will be the home of both Enviro Productions, LLC and Synatec. The applicant's engineer, Jeff Daum, described the parking and circulation changes that were agreed upon with the fire department. Fire lanes are also provided. Mr. Daum also stated that the site is within the Scenic Gateway Overlay Zone, so they are requesting a Waiver from allowing parking in front of the building. Applicant is proposing to not have parking in front of the building, but will allow for parking on the side (like Shooters). The site is adjacent to county open space the left side and in the rear. Trucks are loaded within the building so there will not be any loading done outside. Reduction in lighting was discussed, as the applicant requires a Waiver for same. Applicant will comply with the township's Shade Tree Ordinance. Applicant will work with Mr. Taylor as to the proposed planting areas. Applicant also requires a Waiver from the drainage requirements. Applicant is not proposing a fence around the detention basin as it is not in a residential area and will drain within 72 hours. Applicant will work with the township engineer as to a maintenance agreement for the basin. A Waiver is also needed for the storage / parking area in the rear of the site. Applicant proposes a monument sign and will comply with the township's ordinance as to same. Outside agency approvals will be obtained. Mr. Peters discussed the inter-connecting driveway access with the lot to be developed in the future. Mr. Daum stated that the uses will be very different, so cross access is not useful. The site fronts a county road, so the county will have say in the access as well. Mr. Taylor confirmed that there will be no storage of hazardous material on site and all commercial vehicles will be stored in the rear of the building. Applicant agreed to work with Mr. Taylor as to the requested buffers. Mr. Taylor would like to see a stone band, change in paint color or some type of esthetic changes along the side of the building, as well as some esthetic changes to the front peak of the building. Mr. Taylor also suggested the lights being changed to led lighting. The applicant will require a Waiver from the Township's Tree Protection Ordinance. Ms. Doherty asked if the applicant is proposing an irrigation system, which at this time, he intends to. Mr. Armitage asked about the location of the dumpsters. No outside waste will be brought back to the site.

On a motion by Mr. Jones, seconded by Ms. Doherty, the application was opened to the public. All aye. There being no public wishing to comment on this application, on a

motion by Ms. Doherty, seconded by Mr. Jones, the meeting was closed to the public. All aye.

On a motion by Mr. Jones, seconded by Ms. Doherty, application #2018-15 was approved with the conditions set forth. Roll Call:

Armitage - Yes	Doherty – Yes	Maxwell - Abstain	Sterner - Yes
Szajdek - Yes	Jones - Yes	Sullivan - Yes	

(The board took a brief recess at 8:41 pm and reconvened at 8:48 pm)

10. NEW BUSINESS:

- A. Application #2012-05A
Pinelands Brewery, LLC
Block 250, Lot 1 – GB Zone
Use Variance

Frank Galdo, Esquire for the applicant. Mr. Galdo provided some background on the site. Applicant received a Use Variance in 2012 for unit #15 and in 2015, they expanded to unit #16 and were given permission to do so by the Zoning Officer, Mark Ellis. Proper permits were obtained for the expansion. Applicant now wishes to expand to unit #17 and was told by the Zoning Officer that he needed to go back before the board for approval. Mr. Galdo referred to the prior application and resolution, where the applicant had their professional planner, James Miller, testify as to the positive and negative criteria for the application, and such testimony is still valid.

Mrs. Rumpf placed on the record that she has a professional relationship with Michael Broderson, one of the owners. Mr. Broderson was sworn in. Marked as Exhibit A1 was a floor plan for the site. Mr. Broderson and testified that unit #15 is currently used for brewing tours and unit #16 is the bar / tap room. Proposed unit #17 will be used as an office and storage, and will not be open to the public. Applicant also wishes to change the hours of operation to seven days a week and follow the township ordinance for liquor establishments. Applicant intends on employing two full-time, four part-time and summer seasonal employees. There will be no change in the fire protection, ventilation, storage or removal of waste product. Applicant will still have deliveries one to three times per week, which will continue to be unloaded in front of the building. Distribution of the product falls under the rules of the State ABC. Applicant has added outdoor seating in the rear of the building, which was not part of any of the approvals, but is approved by the State ABC. There is no access by vehicles to the rear of the site and the area is fenced in. Marked as Exhibit A2 was an aerial view of the site

showing the outdoor area. Applicant plans on having special events on weekends and holidays. Applicant also wants approval for food trucks in front of the building. Applicant is not allowed to produce food inside the site and is not looking to do festivals, only a food truck option to provide their customers with food. There are currently 44 parking spaces for all units. Mr. Peters discussed the possibility of a shared parking analysis. While street parking is being utilized, applicant cannot take credit for these spaces in their parking requirements. The dirt parking area across the street is being used for additional parking. Sworn in Len Anderson, owner of the site and dirt parking lot. Mr. Anderson testified that the marked area in front of the building is a loading area, not a fire lane and that he would provide a letter authorizing his approval for the additional overflow parking in the dirt lot. He also noted that it is a dead-end street and there is no thru traffic. Applicant agreed that if the use changes or becomes more intense that they return to the board for the necessary approvals. Mr. Peters discussed the dumpster location, which will not change, the waste produce which most is reused by local farmers. Mr. Armitage questioned the food truck use. Applicant testified that breweries are not allowed to produce food within the building. Applicant is also seeking approval for future expansion to other units for production and storage only, no public access. The entire building has 20 units. Applicant is proposing hours of operation from 8:00 am until 2:30 am, except on Sunday, where the ordinance only permits 1:30 am. Production hours will be 7:00 am to 10:00 pm, seven days a week. Applicant will provide a statement of operation to the board. Mr. Jones asked if the currently lighting was sufficient with the expanded use, which applicant stated that it was.

On a motion by Mr. Jones, seconded by Ms. Doherty the meeting was opened to the public. All aye. There being no public wishing to comment, on a motion by Mr. Jones, seconded by Ms. Doherty, the meeting was closed to the public. All aye.

On a motion by Mr. Jones, seconded by Ms. Doherty, application #2012-05A was approved with the conditions set forth. Roll Call:

Armitage - No	Doherty – Yes	Maxwell - Yes	Sterner - Yes
Szajdek - Yes	Jones - Yes	Sullivan - Yes	

9. CORRESPONDENCE:

None

10. OPEN TO THE PUBLIC:

A motion to open to the public was made by Mr. Jones, seconded by Ms. Doherty. All aye. There being no public wishing to comment, on a motion by Mr. Jones, seconded by Ms. Doherty, the meeting was closed to the public. All aye.

11. BOARD DISCUSSION / COMMENTS:

None

12. PAYMENT OF VOUCHERS:

After being reassured that all voting members had an opportunity to personally review the individual voucher requests and having questions, if any answered to their satisfaction, the following vouchers were presented for payment:

A payment of \$1,231.66 to Rumpf Law,
a payment of \$1,926.50 to Taylor Design Group, Inc. for services rendered; and
a payment of \$100.00 to Robin Schilling as the board's recording secretary.

A motion to approve payment of vouchers was made by Ms. Doherty, seconded by Mr. Jones. Roll Call:

Armitage - Yes	Doherty - Yes	Maxwell - Yes	Sternner - Yes
Szajdek - Yes	Jones - Yes	Sullivan - Yes	

13. ADJOURNMENT:

On a motion by Mr. Jones, seconded by Mr. Armitage, the meeting was adjourned. All aye.

Respectfully submitted,



Robin Schilling,
Zoning Board Recording Secretary



Eugene F. Sullivan, Chairman
Township of Little Egg Harbor
Zoning Board