

LITTLE EGG HARBOR TOWNSHIP ZONING BOARD

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

Minutes of Meeting Held On February 8, 2023

1. Meeting called to order at 7:00 p.m. by Vice-Chairman Leszega.
2. Reading of the Sunshine Law & Notice of Public Meeting.
3. FLAG SALUTE
4. ROLL CALL:

PRESENT Vice-Chairman Greg Leszega, Barbara Sterner, Arlene Keenan, William Hollingsworth, Jr. & Kimberly Robinson
ABSENT were Chairman Eugene Sullivan Suzanne Musto-Carrara, Louis Mankowski & Steve Clanton

APPEARING FOR THE PROFESSIONALS:

Debra Rumpf, Esquire of Rumpf Law, Zoning Board Attorney
James Oris, PE, PP, CME, CFM, CPWM of Remington & Vernick,
Zoning Board Engineer

5. APPROVAL OF MINUTES -

A motion to approve the minutes of the meeting of January 11, 2023 was made by Ms. Sterner, seconded by Mr. Hollingsworth. Roll Call:

Sterner – Yes Keenan – Yes Hollingswoth – Yes
Robinson – Yes Leszega - Yes

6. RESOLUTIONS OF MEMORIALIZATION:

- A. Appointment of 2023 Chairman, Vice-Chairman,
Secretary & Professionals

On a motion by Ms. Sterner, seconded by Mr. Hollingsworth, Resolutions #2023-01 through #2023-04 were memorialized. Roll Call:

Sterner – Yes Keenan – Yes Hollingswoth – Yes
Robinson – Yes Leszega - Yes

7. OLD BUSINESS:

None

8. NEW BUSINESS:

- A. Application #2023-02
Little Egg Harbor Municipal Utilities Authority
823 Radio Road / Block 326.16, Lot 2
Interpretation

Due to a conflict, the board attorney, Debra Rumpf stepped down from the dais and Terry Brady, Esquire filled in.

Robert Shinn, Esquire for the applicant. Mr. Shinn marked the original filed application to the board as Exhibit A-1, noticing documentation as Exhibit A-2 and the Municipal Utilities Authority ("MUA") Permit as Exhibit A-3. Mr. Shinn read Township Ordinance 15:3.1-3 into the record. The MUA received a temporary permit for a mono-pole for cell phone antennas in 2019. Sworn in Matt Watkins, applicant's telecom consultant. Mr. Watkins provided his background. Also sworn in was the MUA's Executive Director / CFO, Earl Sutton, Jr. Mr. Sutton explained that the MUA upgraded and painted their water tower on their site and the MUA owns the land and mono-pole. The MUA has equipment on the pole, which is FCC licensed, and it also supports 911 services. The cell carriers and MUA equipment that were on the water tower were relocated to the mono-pole during the time of the upgrade. Mr. Sutton stated they received a permit for a temporary pole, but the pole is structurally sound and can be used as a permanent pole. The Zoning Officer referred the applicant to the board for approval to treat the pole as a permanent structure and to determine if a site plan was needed. Ms. Sterner asked about leasing to cell carriers. Mr. Sutton explained that they no longer lease the space, the leases were sold to a third party. The MUA does not receive revenue for the cell antennas. Mr. Brady explained that the board has the power to interpret the Township Ordinance, and the MUA is not before the board for construction compliance. He explained that in cases of doubt, the Zoning Officer has the ability to refer matters to the Zoning Board for approval or denial. Ms. Keenan asked about expansion of cell antennas and Mr. Sutton explained that the MUA is not looking to expand the antennas on the pole.

On a motion by Mr. Hollingsworth, seconded by Ms. Keenan, the application was opened to the public. All aye. There being no public present wishing to comment, on a motion by Ms. Sterner, seconded by Ms. Keenan, the application was closed to the public. All aye.

On a motion by Mr. Hollingsworth, seconded by Ms. Sterner the board granted and approved a favorable interpretation of the Zoning Code § 215-3.13 in order to establish the previously approved temporary mono-pole on the site as a permanent structure, without the necessity of a variance or site plan approval. Roll Call:

Sterner – Yes
Robinson – Yes

Keenan – Yes
Leszega – Yes

Hollingswoth – Yes

B. Application #2022-10
894 Route 9, LLC / Block 173, Lot 8
Interpretation

Mrs. Rumpf returned to the dais. Walter Toto, Esquire for the applicant. Mr. Toto read Township Code 215-6.2 into the record and stated his client is asking the board to interpret the code as it affects his client's property that was previously used for used car sales and wishes to continue to use the site for the same purpose. Applicant, Robert Lacagnatto, was sworn in. Applicant purchased the property in 2019 to run as a used car dealership. No new construction or exterior changes are being proposed. No mechanical work, vehicle washing or detailing will be done on site. Proposed hours of operation would be 10:00 am to 8:00 pm, 6 days a week. Applicant estimates 3-4 employees. The current office will remain an office for the dealership and no new uses are proposed. At the time the site was purchased and due to the covid pandemic, sales were down, lines of credit were cut, no employees, so applicant advertised the site for rent. When he found someone to rent the site, the Zoning Officer informed him that the use was abandoned for over a year and he would need to go for an interpretation before the board. The Vice-Chairman asked for additional information regarding the use and Mr. Oris explained. The applicant now wishes to re-open the business himself and will not rent it out.

On a motion by Ms. Sterner, seconded by Mr. Hollingsworth, the application was opened to the public. All aye. There being no public present wishing to comment, on a motion by Ms. Sterner, seconded by Mr. Hollingsworth, the application was closed to the public. All aye.

On a motion by Ms. Keenan, seconded by Mr. Hollingsworth the board granted and approved a favorable interpretation that the use was not abandoned. Roll Call:

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| Sterner – Yes | Keenan – Yes | Hollingswoth – Yes |
| Robinson – Yes | Leszega - Yes | |

9. CORRESPONDENCE:
None

10. OPEN TO THE PUBLIC:

There being no public present, accordingly, the meeting was not opened to the public.

11. BOARD DISCUSSION / COMMENTS / ANNOUNCEMENT:
N/A

12. CLOSED SESSION:
N/A

13. 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 \$165.00 to Taylor Design Group,
a payment of \$1,807.05 to Rumpf Law, PC,
a payment of \$100.00 to Robin Schilling as the board's recording secretary.

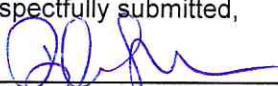
A motion to approve payment of vouchers was made by Ms. Sterner, seconded by Mr. Hollingsworth. Roll Call:

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| Sterner – Yes | Keenan – Yes | Hollingswoth – Yes |
| Robinson – Yes | Leszega - Yes | |

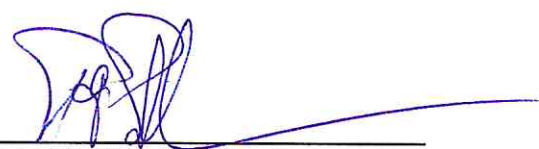
14. ADJOURNMENT:

The meeting was adjourned at 8:13 p.m.

Respectfully submitted,



Robin Schilling,
Zoning Board Recording Secretary



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