



# EDGEWATER PARK TOWNSHIP PLANNING BOARD

## Meeting Minutes

January 19, 2023 at 7:00 PM

**I. MEETING CALLED TO ORDER**

Vice Chairperson Kauker called the meeting to order.

**II. FLAG SALUTE**

Vice Chairperson Kauker led the flag salute.

**❖ OATH OF OFFICE**

Oath of office was administered by, Thomas J. Coleman, Esquire for the 2023 board members and Planner

**John Alexander**- Class II member, **William Belgard**-Class I member, **Lauren DiFilippo**- Class III member, **Kenneth Kauker**- Vice Chairperson & Class IV member  
**Edward Fox**-Planner

**III. STATEMENT OF THE MINUTES**

Read by Patricia Cahall, Planning Board Secretary as quoted, "Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 10, 2023; written notice was emailed to the Burlington County Times and the Courier Post on January 13, 2023; written notice was filed with the Clerk of the Township on January 13, 2023."

**IV. ROLL CALL**

TITLE	NAME	PRESENT	ABSENT
Class I	Mr. Belgard	x	
Class II	Mr. Alexander	x	
Class III	Mrs. DiFilippo	x	
Class IV	Chairwoman Johnson		x
Class IV	Mr. Kauker	x	
Class IV	Mr. Smith	x	
Class IV	Mr. Malecki	x	
Class IV	Ms. Bonner	x	
Class IV	Mrs. Tumminia	x	
Alternate I	Mr. Daloisio	x	
Alternate II			



# EDGEWATER PARK PLANNING BOARD

## Meeting Minutes

January 19, 2023 at 7:00 PM

TITLE	NAME	PRESENT	ABSENT
Attorney	Thomas Coleman	x	
Attorney	Chuck Petrone		x
Engineer	Rakesh Darji		x
Planner	Edward Fox	x	

### V. APPROVAL OF MINUTES

#### 1. December 15, 2022

<b>1<sup>ST</sup> MOTION</b>	Mr. Smith				
<b>2<sup>ND</sup> MOTION</b>	Ms. Bonner				
<b>DISCUSSION</b>	None				
NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Alexander	x				
Mrs. DiFilippo					Absent 12/15
Mr. Kauker	x				
Mr. Smith					Absent 12/15
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia					Absent 12/15
Mr. Belgard					Absent 12/15
Mr. Daloisio	x				
Chairwoman Johnson					x

#### 2. January 5, 2023 – Reorganization Meeting

**Elections:** *Chairperson-* Marian Johnson, *Vice Chairperson-* Ken Kauker, *Planning Board Secretary* – Patricia Cahall

<b>1<sup>ST</sup> MOTION</b>	Mr. Malecki				
<b>2<sup>ND</sup> MOTION</b>	Ms. Bonner				
<b>DISCUSSION</b>	None				
NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Alexander					Absent 1/5
Mrs. DiFilippo					Absent 1/5



# EDGEWATER PARK TOWNSHIP PLANNING BOARD

## Meeting Minutes

January 19, 2023 at 7:00 PM

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Kauker					Absent 1/5
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard					Absent 1/5
Mr. Daloisio	x				
Chairwoman Johnson					x

**VI. COMPLETENESS DETERMINATION – None**

**1. Applicant:**

**VII. OLD BUSINESS – None**

**VIII. NEW BUSINESS-**

**1. Applicant:** OCV Development LLC. **4333 Route 130.** Block: 1202.11, Lot:23. Conditional Use Application. The applicant proposes to open and operate a Take 5 Oil Change facility. Restriping parking lot, reconstructing the trash enclosure and connecting the existing facility to the public sewer.

❖ Motion to appoint Ms. Bonner as acting chairperson

<b>1<sup>ST</sup> MOTION</b>	Mr. Kauker
<b>2<sup>ND</sup> MOTION</b>	Mr. Smith
<b>DISCUSSION</b>	None
<b>TIME</b>	7:07pm

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Alexander	x				
Mrs. DiFilippo	x				
Mr. Kauker	x				



**EDGEWATER PARK  
TOWNSHIP  
PLANNING BOARD**

**Meeting Minutes**

January 19, 2023 at 7:00 PM

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard	x				
Mr. Daloisio	x				
Chairwoman Johnson					x

❖ Mr. Kauker recused himself as 7:08 pm.

**Mr. Sheehan/** Parker McCay – was sworn in by Mr. Coleman. Counsel for applicant OCV Development LLC. **4333 Route 130**. Block: 1202.11, Lot 23. The property is currently vacant. It will be the same use as an oil change facility. Restriping the parking lot, reconstructing the trash enclosure, connect to the existing public facility. No additional site changes. Seeking approval for conditional use.

**Mr. Ken Feldman** was sworn in by Mr. Coleman. Vice President of construction for OCV development, partnership with High Road Auto Group which is the Take Five franchisee for Southern New Jersey. They also operate 8 Meineke’s in New Jersey and have the franchise rights to Take Five Oil. High Road Auto group is managed by John Plum as Vice President of operations. He has 29 years’ experience in the automotive industry as well as a master mechanic. Take Five was founded in 1984 in Ontario Canada with 600 locations in United States and Canada. The facility is low impact and clean with no under storage tanks and is environmentally friendly. Oil and oil filters are reused. The singed shallow pit allows the mechanic to get under the vehicle which indicates there are no underground basins. No lifts. Superior drive through service. Water, juice and snacks are provided for the children. No waiting rooms. Average time for service is 8.9 minutes. Eighty-five percent are oil changes. No mechanical work or tire changes are performed. No appointments are needed. Hours of operation Monday through Friday. 7am-8pm. Saturday. 7am-5pm. Sunday 9am-4pm. Five Employees per shift with there being two shifts. Peak hours weekly 7-10am, 4-6pm. Weekends: 10am-4pm. Services: Oil changes, air filters, wiper blades, check and replace fluids, check tires. Deliveries: Oil is picked up once a week. 15-30 minutes. A box truck with case oil delivers once a week for 15 minutes. Used oil collection system: drainage can each day. Three tanks. 330 gallons each and a transfer pump. The oil and filters are recleaned and recycled by Osha. The steel tanks are placed in separate rooms adjacent to the bay area on the floor with concrete containment. The tanks are single wall UL rated industrial standard. Connected to three inch chases to the shallow trenches. Providing secondary containment.





# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

January 19, 2023 at 7:00 PM

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Each trench measures: 10ft.x 3ft.x 30 inches. Yielding a total of 1,683 gallons. The site is monitored 24 hours a day by security cameras. Types of liquids being stored are class three only. The only drainage is the rest room. There are no cars parked on the property.

Mr. Sheehan presented **Toni Diggan** -Engineer. Prepared the site plan and map for the application. Mr. Coleman requested the board to approve Mr. Diggan as a professional based on Mr. Coleman's knowledge of his qualifications.

Mr. Diggan presented Exhibit A-1 Aerial Exhibit- 40 Scale Drawing. There is a car parking around the south and east side of the building. 1,380 square feet. This was a conditional use approved by the board in 1988. There will be patching of the parking lot and restriping the parking. The ADA space will be shifted. There will be a crosswalk and directional signs in accordance with the township ordinance. The trash enclosures will accommodate the oil. There is also a refuse and recycling bin. In front of the corner of the building is a large pine post that secures the building which will be replaced. The gaps in front of the parking space will be replaced with trucks.

Mr. Alexander: Inquired about the necessity of a new sewer connection.

Mr. Diggan: The system is currently septic.

Mrs. Tumminia: Is there enough clearance for the trucks to pick up the used oil?

Mr. Diggan: Yes.

Mr. Malecki: Is there an irrigation system?

Mr. Diggan: There is irrigation in the proposal.

Mr. Coleman: How many employees are on site ?

Mr. Diggan: Five employees.

Mr. Alexander: Please explain the trash enclosure again and what is in it? Refuse oil?

Mr. Diggan: There is a locked enclosure that contains the oil filters.

Mr. Alexander: The oil stay in the building is a drum?

Mr. Diggan: Yes

Ms. Bonner: The drums are stored inside the building?

Mr. Diggan: The drums is stored inside the building.

Ms. Bonner: Does the drum hold 2,000 oil filters?

Mr. Diggan: The oil filter container is in the trash enclosed area.

Ms. Bonner: That is the area for the employees trash?

Mr. Diggan: Yes

Ms. Bonner: Is there a recycle bin for the employees ?

Mr. Diggan: Yes. 3 Bins. Trash, recycle, used oil.

Mr. Alexander: Is there fire approval?

Mr. Diggan: It is in accordance with the construction code.



# EDGEWATER PARK TOWNSHIP PLANNING BOARD

## Meeting Minutes

January 19, 2023 at 7:00 PM

**Mr. Fox** Sworn Testimony: Prepared letter dated January 12, 2023 and prior to that, dialogue with Mr. Sheehan’s office with concerns. The site is a pre-existing property. Not abandoned. This meets the waiver of the site plan because under the ordinance, if there is no design reverse required, then site plan is waived. The application came in earlier and there were some details that were missing that may have required design plans. **Mr. Diggan** explained the details and technical comments so there are no major concerns or issues. There were a few issues which did require testimony. Mr. Fox referenced page four of the letter under Vehicular Circulation, number nine, concerning the easement; and number eighteen referencing the Affordable Housing Element, compliance is required for both. **Mr. Sheehan** verified compliance. Mr. Fox referenced page five, number twenty-four, Signage. Mr. Fox testified that **Mr. Sheehan** indicated that if there is any additional signage required there will be compliance. If there is a waiver required, they will go through the process. There is no variance required.

**Mr. Sheehan:** Signage permits have been submitted but pending the planning board approval. If approved the resolution would include addressing the signage which has been proposed.

Acting Chairperson Bonner opened the meeting to the public.

Hearing None, Acting Chairperson Bonner closes the meeting to the public.

Acting Chairperson Bonner requested a motion from the board to close the meeting to the public.

<b>1<sup>ST</sup> MOTION</b>	Mr. Smith				
<b>2<sup>ND</sup> MOTION</b>	Mr. Alexander				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
All in favor	X				

**Mr. Coleman** presented the application submitted by OCV Development. Property location as: 4333 Route 130. Identified on the tax map as: Block: 1202.11, Lot 23 to the board for approval. Mr. Coleman provided testimony that Mr. Fox accurately stated, through testimony that the application adequately satisfies the criteria for site plan waiver as well as design waiver. Mr. Coleman requested the board to grant a site plan waiver subject to the applicants compliance in accordance with Mr. Fox’s letter of January 12, 2023.



**EDGEWATER PARK  
TOWNSHIP  
PLANNING BOARD**

Meeting Minutes  
January 19, 2023 at 7:00 PM

**Mr. Fox** stated Mr. Sheehan mentioned conditional use approval. The building was not abandoned, therefore conditional use is still in order.

❖ Motion to approve application as presented.

<b>1<sup>ST</sup> MOTION</b>	Mr. Alexander				
<b>2<sup>ND</sup> MOTION</b>	Mr. Malecki				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	x				
Mrs. DiFilippo	x				
Mr. Kauker			x		
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard	x				
Mr. Daloisio	x				
Chairwoman Johnson					x

❖ **7:35 pm.** Mr. Kauker rejoined the meeting to conduct proceedings as Vice Chairperson

**Mr. Coleman** moved to amend the agenda to include adoption of resolutions amending the zoning ordinance for electric vehicle supply/service stations in certain areas of the township. This is a mandate from the Department of Community Affairs that requires all towns to adopt a resolution. The pine lands are deviated from the mandate.

Mr. Alexander: Does that include level 1,2, and 3 chargers ?

Mr. Fox: All. The ordinance is based on the requirements of the statute.

Mr. Fox recommended that the ordinance #2023-02 consistent with the township master plan. There will be a township public hearing for final adoption.

**IV. ADOPTION OF RESOLUTIONS: P-6-2023**

**1. Ordinance #2023-02 – Electrical Vehicle Charging Stations.**

<b>1<sup>ST</sup> MOTION</b>	Mr. Smith				
<b>2<sup>ND</sup> MOTION</b>	Ms. Bonner				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	x				
Mrs. DiFilippo	x				



**EDGEWATER PARK  
TOWNSHIP  
PLANNING BOARD**

Meeting Minutes  
January 19, 2023 at 7:00 PM

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Kauker	x				
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard	x				
Mr. Daloisio	x				
Chairwoman Johnson					x

**X. CORRESPONDENCE-**

**1. Archer-Sign Review Eagle Chase-**

Mr. Smith: Inquired to Mr. Fox as to the signage being done. Was there an agreement with Eagle Chase and Silver Park? Mr. Fox will inquire.

◆Discussion:

Ms. Bonner: Commented on work done after the ordinance time of 10:00pm.

Mr. Fox: The matter needs to be brought to the attention of the building official.

It is not uncommon that work is done after the ordinance time.

Mr. Fox inquired of Ms. Bonner the concern for work being done that has not been approved by the board, or the manner it is being done?

Ms. Bonner: Both

Mr. Fox: Is it inside the building or outside the building?

Ms. Bonner: Outside

Mr. Fox was unaware of coming before the board for the signage. Mr. Kauker did recall them coming before the board concerning the parking lot. Ms. Cahall said she would speak with Mr. Minter about it. Mr. Coleman confirmed that issues of this nature should be brought to the attention of the building official and not before the township committee.

**2. Hoover\_Site Plans**

Ms. Cahall confirmed through Mr. Minter that he does have the site plans and are being reviewed.



**EDGEWATER PARK  
TOWNSHIP  
PLANNING BOARD**  
Meeting Minutes  
January 19, 2023 at 7:00 PM

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**XI. MEETING OPEN TO THE PUBLIC**

Vice Chairperson Kauker opens the meeting to the public.

Hearing none; Vice Chairperson Kauker closes the meeting to the public.

**XII. ADJOURNMENT**

<b>1<sup>ST</sup> MOTION</b>	<u>Mr. Alexander</u>				
<b>2<sup>ND</sup> MOTION</b>	<u>Mrs. Tumminia</u>				
<b>TIME</b>	7:49 pm				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
All in favor	X				



**EDGEWATER PARK  
TOWNSHIP  
PLANNING BOARD**  
Meeting Minutes  
February 16, 2023 at 7:00 PM

**I. MEETING CALLED TO ORDER**

Chairwoman Johnson called the meeting to order.

**II. FLAG SALUTE**

Chairwoman Johnson led the flag salute.

**III. STATEMENT OF THE MINUTES**

Read by Patricia Cahall, Planning Board Secretary as quoted, "Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 10, 2023; written notice was emailed to the Burlington County Times and the Courier Post on January 13, 2023; written notice was filed with the Clerk of the Township on January 13, 2023."

**IV. ROLL CALL**

TITLE	NAME	PRESENT	ABSENT
Class I	Mr. Belgard	x	
Class II	Mr. Alexander	x	
Class III	Mrs. DiFilippo	x	
Class IV	Chairwoman Johnson	x	
Class IV	Mr. Kauker	x	
Class IV	Mr. Smith	x	
Class IV	Mr. Malecki	x	
Class IV	Ms. Bonner	x	
Class IV	Mrs. Tumminia	x	
Alternate I	Mr. Daloisio		x
Alternate II			
Attorney	Thomas Coleman	x	
Attorney	Chuck Petrone		x
Engineer	Rakesh Darji	x	
Planner	Edward Fox		x

❖ **OATH OF OFFICE**

Mr. Coleman performed swearing in Rakesh Darji / Engineer for the upcoming year.



# EDGEWATER PARK PLANNING BOARD

Meeting Minutes

February 16, 2023 at 7:00 PM

## V. APPROVAL OF MINUTES

1. January 19, 2023

<b>1<sup>ST</sup> MOTION</b>	Mr. Malecki				
<b>2<sup>ND</sup> MOTION</b>	Mr. Kauker				
<b>DISCUSSION</b>	Chairwoman Johnson's first name is misspelled. Ms. Bonner. Page 5. Name misspelled Mrs. Tumminia. Page 5. Paragraph three. Last line. Replace scrubs with trucks.				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	x				
Mrs. DiFilippo	x				
Mr. Kauker	x				
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard	x				
Mr. Daloisio					x
Chairwoman Johnson				<i>Absent 1/19/2023</i>	

## VI. COMPLETENESS DETERMINATION / FINAL HEARING –

1. **Applicant:** Earl G. Geertgens-301 Farnum. **Block:** 1601 **Lot:** 5.01 Bulk Variance. Applicant proposes to construct a new 747 sq.ft. freestanding two car garage. The garage will be located where the former garage was which was voluntarily demolished in 2019. The new garage foundation will be straightened so that it will remain set back 4.0 feet and come parallel to the rear property line.

Mr. Coleman verified with Ms. Cahall that the publication and notice was completed by the applicant.

Mr. Coleman spoke with the application and presented his concerns on the variance specifications being provided. The intent was to cover all the variances with the bulk variance. Mr. Coleman explained the outcome to the applicant. Mr. Coleman confirmed with Mr. Darji that the application was deemed complete and a motion was in order.

Chairwoman Johnson requested for a motion to deem the application complete.

<b>1<sup>ST</sup> MOTION</b>	Ms. Bonner
<b>2<sup>ND</sup> MOTION</b>	Mrs. Tumminia
<b>DISCUSSION</b>	Mr. Kauker stated there was a presentation that the board did not receive. Mr. Darji provided and explanation concerning exhibit A-1 and requested the completeness be approved. Mr. Coleman stated Mr. Kauker can evaluate the efficiency of what is provided



# EDGEWATER PARK PLANNING BOARD

## Meeting Minutes

February 16, 2023 at 7:00 PM

<b>DISCUSSION</b>	Mr. Belgard had a question concerning the foundation. Mr. Darji stated all the information provided has been reviewed in adherence to the township codes with no issues found.
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NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Alexander	x				
Mrs. DiFilippo	x				
Mr. Kauker	x				
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard	x				
Mr. Daloisio					x
Chairwoman Johnson				x	

Mr. Coleman performed swearing in of Mr. Earl Geertgens. 231 Farnum Street. Edgewater Park, NJ, and Mr. Nilo Regojo. (Architect) 215 Yale Avenue. Swarthmore, PA.

Mr. Coleman requested that Mr. Geertgens provide reason for his application and property site information.

Mr. Geertgens provided testimony that he has lived at 231 Farnum Street for 28 and a half years. In 2019, 301 Farnum was foreclosed upon, and he purchased it. A township inspector stated that the garage had to be repaired. It was decided to take it down to get the certificate of occupancy. The new garage is a little larger.

Mr. Regojo entered evidence Exhibit A-1. (Photo's 1,2,3 of former garage)  
 Testimony: " The former garage was in very poor condition. Mr. Geertgens was in need of a variance to enlarge the new garage slightly requesting additional pervious surface coverage. The lot is non-conforming, 10,000 sq.feet. The regulation lot size for zoning is 40,000 square feet which exceeds the 20% impervious. The former garage exceeded the impervious surface coverage by itself. The garage will be put back in relationship to the same property lines. Squaring everything up. It is close to the property line and slightly less than the requirement for a accessory building. The garage is in compliance with the height requirement of an accessory building. It is proposed no plumbing. There will be electricity. The variance request is in support of the current land use law and does not provide hindrance to the community. The benefit would be to replace a decrepit garage. The Geertgens lives at the adjoining property 231 Farnum".





# EDGEWATER PARK PLANNING BOARD

## Meeting Minutes

February 16, 2023 at 7:00 PM

---

Mr. Coleman: "Will the garage match the existing structure?"

Mr. Regojo: "Yes. It's more with keeping with Edgewater Parks architectural features. that are with the existing house. A simple structure with a garage, metal roof".

Mr. Coleman: Posed a question to Mr. Geertgens. "This is for personal residential use only, no commercial use?"

Mr. Geertgens: "Definitely"

Mr. Darji referenced the letter dated 2/3/2023.

There are two forms of relief:

1. The proposed garage will require a bulk variance for increasing the total impervious cover having by about 29.5 SF to 35.02%, where a maximum of 20% is permitted.
2. The proposed garage addition will require a bulk variance for having a side yard Setback of 2.33', where a minimum of 3' height is required.

Mr. Darji did request testimony and questioned the utilities connected within the structure. Only electric no water or sewer and no interference with neighbors. There will be no additional lighting except what is currently on the property.

Discussion from the board:

Mr. Kauker requested a copy of a colored map from Mr. Darji. Lot 602 was in the discussion. weather is was a continuation of King street. Mr. Geertgens verified that is was his driveway.

Chairwoman Johnson opened the meeting to the public.

Mr. Coleman did swearing in of Arthur Staerk. 299 Farnum Street. Edgewater Park, NJ. Mr. Staerk verified that lot 602 is between 301 Farnum and Mr. Geertkens property. The driveway was put in before Mr. Staerk bought his property. The entrance on Warren Street was not big enough for the fire trucks so this was done.

Chairwoman Johnson closed the meeting to the public and asked the board members for any additional questions.

Mr. Kauker inquired about the rain gutters going to the back closed to the 2.33 dimensions.

Mr. Regojo used the property map to indicate the position of the rain gutters and they will be positioned towards the back to avoid any type of flooding.

Mr. Coleman presented the terms of the resolution for Mr. Geertgens application for variance on 301 Farnum. Block: 1601 Lot: 5.01. Two variances. Impervious coverage and setback variance in accordance with accessory structures. Approval is subject to any conditions set forth by Mr. Darji's 2/3/2023 letter.

Chairwoman Johnson requested motion to approve application.



# EDGEWATER PARK PLANNING BOARD

## Meeting Minutes

February 16, 2023 at 7:00 PM

<b>1<sup>ST</sup> MOTION</b>	Mr. Kauker				
<b>2<sup>ND</sup> MOTION</b>	Mr. Malecki				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	x				
Mrs. DiFilippo	x				
Mr. Kauker	x				
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard	x				
Mr. Daloisio					x
Chairwoman Johnson	x				

### VII. OLD BUSINESS

Mr. Minter-Construction/Zoning Official – Gave testimony concerning Hoover truck and the display of vehicles on auto dealership. Addressing signage questions presented by the board per the January meeting on former gas station at the corner of Woodlane road and route 130.

Mr. Minter thanked the board for his position as zoning officer for the township. He will be retiring.

1. Hoover Truck-Mr. Minter looked into the display of vehicles and explained if it not permitted in accordance with the code ordinance, than it is not permitted. Notice of violation will be issued to the truck center.
2. The Direct Auto dealership was informed of the number of cars permitted on the lot and fire lane requirements. The township fire marshal was in contact with the auto business and instructed to have the fire lanes painted. Cars in those lanes will need to be removed. Violation notice will be issued.
3. The Diamond Tool rental on route 130, The board did specifically identify parking spaces and the site plan did not indicate that there would be a display of rental vehicles in the front. Violation notice will be issued.

If the violation is not conformed with, a formal violation will be issued and use the municipal court to enforce the ordinances.

Mr. Darji was contacted with reference to the signs on the urban renewal property and the sign were part of the redevelopment plan and approved.



# EDGEWATER PARK

## PLANNING BOARD

### Meeting Minutes

February 16, 2023 at 7:00 PM

---

Mr. Smith inquired about Hoover trucks and busses that were going to be on the lot for a short period of time since they were customer orders involved. Chairwoman Johnson and Mrs. DiFilippo did verify Mr. Smith's statement. Ms. Bonner stated that they vehicles have been moved. Chairwoman Johnson commented on the number of vehicles at Diamond Tool. Mr. Minter that the Diamond Tool business took off during covid due to the lack of businesses with their type of inventory. He believes they have outgrown the fenced area. Mr. Minter sited the resolution which required them to keep equipment within the fenced area and designate parking areas for visitors. Temporary is for 90 days. Mr. Kauker requested Mr. Minter to inform the new zoning officer of these businesses.

#### VIII. NEW BUSINESS – Courtesy review for new police building and community center- Rakesh Darji

**Mr. Darji** presented the board with a plan layout of the police building and community center. It is a capital group project so there is no site plan approval required or variances. The project is presented for the planning boards input and endorsement. Police building, community and emergency shelter. Located at the old junk yard which was foreclosed upon by the township. The property has been cleaned up and sits since 2006. The current police department is outdated and antiquated and less optimal. There was grant money secured for the site. The police building is 17,400 square feet. There will be two full-service access points. There will be a fenced in compact area in the back for police vehicles with an electronic gate. There will be 100 parking spaces. The water and sewer will come off Mount Holly Road. It will meet the storm management requirement standards. Landscaping around the perimeter. The idea behind the site is to be source specific and aesthetically pleasing. Court sessions will be held at this building. The municipal offices will be as is in the current building. This will open parking at the township building. Meetings will be held at the new building. **Mr. Belgard** stated the court room may serve another purpose. There will be a sally port. **Ms. Bonner** stated when serving as chairperson for the redevelopment committee she asked about the proposed property as a community center and was told the property was not mediated. **Mr. Darji** stated he was asked by the township administrator to investigate the property. His staff found in 2006 a letter stating that no further action was needed on the property. Mr. Pullion has the file. Green acres money was discussed. **Ms. Bonner** requested Mr. Darji to verify there is no contamination on the property. **Mr. Darji** stated there is a letter from the NJDEP that there is nothing else required to mediate the property. There was a discussion surrounding the Wyman building. **Mr. Belgard** verified the building is owned by the school. The township would like to take ownership under certain conditions. **Ms. Bonner** inquired to Mr. Belgard about the Buckno property. **Mr. Belgard** stated with the new police station, a lot is going on. There will be a bond with the largest development that the town has seen. There is also discussion on expansion



# EDGEWATER PARK

## PLANNING BOARD

### Meeting Minutes

February 16, 2023 at 7:00 PM

of the soccer field. So, it will be held off for now. The township received a 4.5 million dollar grant for the new building and additional grants from the county. **Mr. Darji** stated the cost for building is ten million dollars. There will be shared parking for the community center. Anticipated timeline for bidding is March 1<sup>st</sup>. the building cannot be added on to. **Mr. Malecki** inquired about shared services with other township for the court room. **Mr. Belgard** did speak with Beverly and Riverside townships. **Ms. Bonner** inquired about the rooms in the community center. **Mr. Darji** verified that there will be separate rooms. Met with the USDA and the process with the federal government, and time will be pushed back a bit due to processing and documentation. Advertised for bids is May 8<sup>th</sup> and award June 20<sup>th</sup> with construction to stated August 1<sup>st</sup>. There are grant deadlines.

❖ **THERE WERE NO ADDITIONAL RECOMMENDATIONS BY THE BOARD**

#### IV. ADOPTION OF RESOLUTIONS- P-5-2023

OCV Development LLC. 4333 Route 130. Block: 1202.11, Lot:23

The applicant applied for a waiver of site plan approval for the purpose of refurbishing an oil change facility, previously approved as a conditional use by Resolution No. 1988-8. Application was deemed complete by the board on December 15, 2022 and a public hearing was held by the board on January 19, 2023.

The board waived the requirement of site plan approval for the proposed development of the Property into a Take 5 Oil Change Facility.

\*Motion to adopt **Resolution P-5-2023.**

<b>1<sup>ST</sup> MOTION</b>	Mr. Smith				
<b>2<sup>ND</sup> MOTION</b>	Mr. Malecki				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	X				
Mrs. DiFilippo	X				
Mr. Kauker			X		
Mr. Smith	X				
Mr. Malecki	X				
Ms. Bonner	X				
Mrs. Tumminia	X				
Mr Belgard	X				
Mr. Daloisio					X
Chairwoman Johnson				Absent 1/19/2023	



# EDGEWATER PARK

## PLANNING BOARD

### Meeting Minutes

February 16, 2023 at 7:00 PM

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#### X. CORRESPONDENCE-

1. P-5-2023. **OCV Development**
2. P-6-2023- Amendment **Chapter 310 Article 40 codes**
3. Burlington County Times/ **Notice of Publication/ P-6-2023**
4. Courier Post/**Notice of Publication/ P-6-2023**
5. Resolution No. 2023-34 **Mater Plan Land Use Plan**

Mr. Darji provided explanation and stated Mr. Fox is working on it and will notify the board.

6. ERI/ **Completeness Review-Geertgens-301 Farnum Street**
7. Rakesh Darji – **McDonald's. Signage location request**
8. NJPO-November/December

#### XI. MEETING OPEN TO THE PUBLIC

**Chairwoman Johnson** opens the meeting to the public.

Hearing none; **Chairwoman Johnson** closes the meeting to the public.

#### XII. ADJOURNMENT

<b>1<sup>ST</sup> MOTION</b>	Mr. Smith				
<b>2<sup>ND</sup> MOTION</b>	Ms. Bonner				
<b>TIME</b>	8:20 pm				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
All in favor	x				



# EDGEWATER PARK TOWNSHIP PLANNING BOARD

## Meeting Minutes

March 16, 2023 at 7:00 PM

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### I. MEETING CALLED TO ORDER

Chairwoman Johnson called the meeting to order.

### II. FLAG SALUTE

Chairwoman Johnson led the flag salute.

### III. STATEMENT OF THE MINUTES

Read by Patricia Cahall, Planning Board Secretary as quoted, "Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 10, 2023; written notice was emailed to the Burlington County Times and the Courier Post on January 13, 2023; written notice was filed with the Clerk of the Township on January 13, 2023."

### IV. ROLL CALL

TITLE	NAME	PRESENT	ABSENT
Class I	Mr. Belgard		X
Class II	Mr. Alexander		X
Class III	Mrs. DiFilippo		X
Class IV	Chairwoman Johnson	X	
Class IV	Mr. Kauker	X	
Class IV	Mr. Smith	X	
Class IV	Mr. Malecki	X	
Class IV	Ms. Bonner	X	
Class IV	Mrs. Tumminia	X	
Alternate I	Mr. Daloisio	X	
Alternate II			
Attorney	Thomas Coleman		X
Attorney	Chuck Petrone		X
Engineer	Rakesh Darji		X
Planner	Edward Fox		X



# EDGEWATER PARK PLANNING BOARD

Meeting Minutes

March 16, 2023 at 7:00 PM

## V. APPROVAL OF MINUTES

1. February 16, 2023

<b>1<sup>ST</sup> MOTION</b>	Ms. Bonner				
<b>2<sup>ND</sup> MOTION</b>	Mr. Malecki				
<b>DISCUSSION</b>	Mr. Kauker noted corrections on pages 3 and 4 for misspellings				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander					X
Mrs. DiFilippo					X
Mr. Kauker	X				
Mr. Smith	X				
Mr. Malecki	X				
Ms. Bonner	X				
Mrs. Tumminia	X				
Mr. Belgard					X
Mr. Daloisio				Absent 2/16/2023	
Chairwoman Johnson	X				

## VI. COMPLETENESS DETERMINATION – NONE

## VII. OLD BUSINESS-NONE

## VIII. NEW BUSINESS – NONE

## IV. ADOPTION OF RESOLUTIONS- P-7-2023

Earl G. Geertgens-301 Farnum. Block: 1601 Lot: 5.01

Variance approval for the purpose of constructing a 748 square foot detached garage on the property. Variances are required because the proposed development of the Property does not comply with the impervious coverage and accessory structure setback requirements of the Township Zoning Ordinance.

\*Motion to adopt **Resolution P-7-2023.**

<b>1<sup>ST</sup> MOTION</b>	Mr. Kauker				
<b>2<sup>ND</sup> MOTION</b>	Mrs. Tumminia				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander					X



# EDGEWATER PARK PLANNING BOARD

Meeting Minutes

March 16, 2023 at 7:00 PM

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mrs. DiFilippo					x
Mr. Kauker	x				
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard					x
Mr. Daloisio				<i>Absent 2/16/2023</i>	
Chairwoman Johnson	x				

## X. CORRESPONDENCE-

1. P-7-2023. **Earl Geertgens**

## XI. MEETING OPEN TO THE PUBLIC

Hearing none; **Chairwoman Johnson** closes the meeting to the public.

## XII. ADJOURNMENT

<b>1<sup>ST</sup> MOTION</b>	Ms. Bonner				
<b>2<sup>ND</sup> MOTION</b>	Mr. Kauker				
<b>TIME</b>	7:08				
NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
All in favor	x				

\*At the conclusion of the adjournment.

Mr. Smith inquired about the utilities listing for the 200-foot list. Mr. Smith informed the board that the contact and address information for Comcast needed updating. Ms. Cahall said she would make a note and update the necessary corrections to the list.

Ms. Cahall commented on the meeting with the planner for the new commercial/retail and apartment buildings project on route 130. There was a discussion with board members.





# EDGEWATER PARK TOWNSHIP PLANNING BOARD

Meeting Minutes  
April 20, 2023 at 7:00 PM

**I. MEETING CALLED TO ORDER**

Chairwoman Johnson called the meeting to order.

**II. FLAG SALUTE**

Chairwoman Johnson led the flag salute.

Chairwoman Johnson announced that the matter concerning the township Redevelopment Plan has been cancelled. The matter will be heard at the May meeting and re-noticing will be sent.

**III. STATEMENT OF THE MINUTES**

Read by Patricia Cahall, Planning Board Secretary as quoted, "Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 10, 2023; written notice was emailed to the Burlington County Times and the Courier Post on January 13, 2023; written notice was filed with the Clerk of the Township on January 13, 2023."

**IV. ROLL CALL**

TITLE	NAME	PRESENT	ABSENT
Class I	Mr. Belgard	X	
Class II	Mr. Alexander	X	
Class III	Mrs. DiFilippo	X	
Class IV	Chairwoman Johnson	X	
Class IV	Mr. Kauker	X	
Class IV	Mr. Smith	X	
Class IV	Mr. Malecki	X	
Class IV	Ms. Bonner	X	
Class IV	Mrs. Tumminia	X	
Alternate I	Mr. Daloisio	X	
Alternate II			
Attorney	Thomas Coleman		x
Attorney	Chuck Petrone	X	
Engineer	Rakesh Darji	X	
Planner	Edward Fox	X	



# EDGEWATER PARK

## PLANNING BOARD

Meeting Minutes

April 20, 2023 at 7:00 PM

### V. APPROVAL OF MINUTES

1. March 16, 2023

<b>1<sup>ST</sup> MOTION</b>	Mr. Smith				
<b>2<sup>ND</sup> MOTION</b>	Mr. Malecki				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander					<i>Absent 3/16</i>
Mrs. DiFilippo					<i>Absent 3/16</i>
Mr. Kauker	x				
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard					<i>Absent 3/16</i>
Mr. Daloisio	x				
Chairwoman Johnson	x				

### VI. COMPLETENESS DETERMINATION and HEARING – Mr. Petrone announced that it is a use variance so the Class I and Class III board members cannot participate and were asked to leave the room.

1. **Rt. 130 S LLC** – Block: 1202.11 Lot: 21. Applicant seeks a use variance to use the premises as a mixed-use commercial property, with retail on the ground level and residential apartments on the second level.

Mr. Allan Ettenson entered his appearance on behalf of the applicant, Jacob Bensadigh. Swearing in for testimony was performed by Thomas Coleman along with the additional professionals who will be presenting testimony: Mario Lachanaris-Licensed Architect, Anthony DiRosa-Engineer, Daniel McGinnis- Traffic Engineer, James Miller-Professional Planner.

Mr. Darji deferred to Mr. Fox. Mr. Fox stated in the letter dated April 18, 2023, stated the application was complete.

Chairwoman Johnson requested motion to accept application.



# EDGE WATER PARK PLANNING BOARD

## Meeting Minutes

April 20, 2023 at 7:00 PM

<b>1<sup>ST</sup> MOTION</b>	Mrs. Tumminia				
<b>2<sup>ND</sup> MOTION</b>	Ms. Bonner				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	x				
Mrs. DiFilippo			x		
Mr. Kauker	x				
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard			x		
Mr. Daloisio	x				
Chairwoman Johnson	x				

Mr. Ettenson stated the applicant is seeking approval on the front portion which is 2.85 acre parcel use variance. Applicants best use is for retail on first floor with affordable house and apartments above. There are four professionals. What is being presented is conceptual and is not involved with a detailed site plan. His client does acknowledge there is an affordable housing component of fifteen percent and will comply. Based on the number of residential units, there will be seven affordable and two out of those seven have to be three-bedroom units and his client will comply. The mandatory nonresidential fees will be accepted. It is understood there is an issue with parking. The amount being proposed is higher and normally a variance is needed. Parking regulations will be adhered to in accordance with the township ordinance so no variance will be required. The plans will reflect the parking compliance.

Mr. Ettenson presented Mr. Mario Lachanaris. A licensed Architect in New Jersey since 1993 and owns a business. His appearance was acknowledged and accepted by Chairwoman Johnson.

Mr. Lachanaris presented exhibits A-1 and A-2. The exhibits are dated January 24, 2023. Page one of four represented the front of the building. Page two is the ground floor plan which represents the uses for the building on the ground floor. Page three is the floor plan for the three upper floors. Page four depicts the rear, the right and side elevation. Page two shows the ground floor which faces the highway 189 feet in length and 75 feet in depth. The shape of the building is "L" shaped on the upper floors. The shorter length was omitted on the ground floor to accommodate parking and driveway. The building area on ground floor level is allocated 10 ft for a covered walkway. The ground floor is 62.5 feet by 189 feet. The entrance for the apartments is in the rear.



# EDGEWATER PARK PLANNING BOARD

Meeting Minutes  
April 20, 2023 at 7:00 PM

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The lobby has a stair, two elevators, reception desk, mail room and an office. There is a utility room, sprinkler room, electrical room, and two individual stairs and another stair for convenience at the lobby area. The remaining area consists of three retail stores. The retail area is 4,000 feet. There will be an adjustment to parking which will change the area to 2,800 feet. 3,000 feet. on the side of the building is a restaurant. The seating capacity is ninety-three seats but will be changed to seventy seats to meet the property requirements. There is an area designated for outside seating which will meet the township requirements. There is front parking, and two spaces are designated for handicap parking. The rear is designated for the drop off which is the main entrance for the apartments. There is a parking area for bike racks. There is an area designated as a loading zone for deliveries. There is a hallway for furniture.

The second, third and fourth floors contain fifteen units per floor. Total numbers of units are forty-five. Eight one-bedroom units and seven two- bedroom units per floor. To comply with the affordable housing of two three bedrooms units, there will be two taken from the two-bedroom units and one taken from the one-bedroom units. There is a central corridor.

in the middle that meets at the stair. There are two elevators with a second stair at the end. The units vary in size. 1,143 ft. and 1,150. Mr. Lachenalias explained the layout of the apartments. Mr. Patrone requested verification of unit breakdowns. Mr. Lachenalias verified there will be twenty-six one-bedroom units, seventeen two-bedroom units and two three-bedroom units. The total square footage of the second and third floor is 17,000 square feet. The first two stories have windows facing the front. There is a disguise to the fourth floor with a roof. The total height of the building is forty-four feet. The maximum allowed is forty-five. The ground floor height for retail is 11.4 feet. The three top floors will have nine-foot ceilings. There is an entrance to the lobby that meets almost at the middle of the building. The "L" shape sticks out about thirty feet. Mr. Lachenalias illustrated how the cars will enter the lot and elevations. Mr. Lachenalias concluded his testimony and presentation.

Questions by the board:

**Chairwoman Johnson** requested rendering verification that this is an original plan not taken from someplace else for repurposing.

Mr. Lachenalias verified that it is an original plan.

**Mrs. Tumminia** requested verification on parking for the restaurant.

Mr. Lachenalias pointed to the parking area on exhibit A-1.

**Chairwoman Johnson-** "How many exits and entrances are there?"

Mr. Lachenalias: "Four entrances. Main entrance, corridor and three stair ways."

**Mr. Kauker:** On the elevation, there is a projection at the top of the roof. Is that the elevator?"

Mr. Lachenalias: "Yes, that is the elevator."



# EDGE WATER PARK PLANNING BOARD

## Meeting Minutes

April 20, 2023 at 7:00 PM

---

**Mr. Kauker:** "What will the material be?"

Mr. Lachenalias: "That will be stucco".

**Mr. Kauker:** "Are there any mechanical equipment for the commercial area?"

Mr. Lachenalias: "Yes. There will be."

**Mr. Kauker:** "They will need to be screened?"

Mr. Lachenalias: "Yes."

**Mr. Kauker:** "With power pit?"

Mr. Lachenalias: "Correct."

**Mr. Kauker:** "Will that put you over the forty-five feet?"

Mr. Lachenalias: "Yes it will."

**Mr. Kauker:** "So, you will need a variance for height?"

Mr. Lachenalias: "I will have to look at the codes. The codes usually allow for mechanical equipment and elevators."

**Mr. Kauker:** "The screening for the mechanical equipment. That is going to drop if you build a power pit."

**Mr. Fox:** "It is a site plan issue".

**Mr. Kauker:** "It is not a height issue if they build a power pit?"

**Mr. Darji:** "If they exceed the height more than ten percent. They are in for a D-6 which is proposing four stories instead of three. Our height allowance is forty-five feet."

**Mr. Fox:** "The height of the building is determined at the roof line not the power pit. The elevator and stair tower sticking out are exempt as long as it is reasonable."

**Mr. Kauker:** "Please note the screening for the rooftop".

Mr. Lachenalias: "Yes, there will be."

**Ms. Bonner:** "How many elevators are there?"

Mr. Lachenalias: "Two"

**Mr. Fox:** "Can you describe the difference between the building that was approved and this building in terms of the length along Parson's boulevard?" "The old building was one dimension and got a variance with a front yard setback. This building is twenty-three feet longer and still requires a front yard setback. Where would this extra twenty-three feet be?"

Mr. Lachenalias: "The original was to provide sixty feet set back but the variance was for forty-five feet. And forty-five feet was kept."

**Mr. Fox:** "The variance was for the original building. Not this one."

Mr. Lachenalias: "Yes, it is".

**Mr. Fox:** "So that is twenty-three feet further back."

Mr. Lachenalias: "Correct."

Chairwoman Johnson thanked Mr. Lachenalias.

**Mr. Darji:** "Did they request that bulk variance?"

**Mr. Fox:** "We already requested that the bulk variance be accepted."

**Mr. Darji:** "Are the elevators capable of handling an emergency?"

Mr. Lachenalias: "Yes. It will accommodate a stretcher".



# EDGEWATER PARK PLANNING BOARD

## Meeting Minutes

April 20, 2023 at 7:00 PM

---

**Ms. Bonner:** "Will it accommodate furniture?"

Mr. Lachenalias: "Yes."

Mr. Lachenalias concluded his testimony.

Mr. Ettenson introduced Anthony DiRosa. Licensed Engineer in New Jersey since 2012. Mr. DiRosa's experience is noted and accepted by Chairwoman Johnson. Mr. DiRosa presented exhibit Page three. Use Variance Plan.

Mr. DiRosa presented exhibit A-4 which was the original site plan that received approval in 2019. The original lot was 16,000 square feet. This application is for 9,000 square feet footprint. The original was one story, the new proposal is four story with one story retail and three story residential. There originally had two entrances off Parson's Boulevard to allow circulation around the site. The configuration is the same. Two two-way full access twenty-five-foot-wide drive isles to circulate. The entrances are still the same. There is a setback variance to Parson's Boulevard at forty-five feet as previously granted. This building is a little longer so that variance needs to be re-established and is being requested. Parking in front of the retail building as well as ample parking in the rear and handicap parking under the canopy of the residential units. Sidewalk around the building. Locations for loading and trash enclosures. This will be in a site plan review. Looking for the same approval as before but to include the multi stories. The original application indicated eighty-one parking spaces; this proposal is one-hundred twenty-nine spaces. There is a discrepancy in accordance with the completeness review letter and there will be compliance. The affordable housing compliance will be adhered too along with the seating capacity in the restaurant. The exterior size will remain the same. The first-floor layout will be consistent with Mr. Lachenalias testimony.

**Chairwoman Johnson:** "Will there be any way to delineate the parking area so that restaurant parking does not spill over into residential?"

Mr. DeRosa: "Signs can be installed to delineate spaces, but without policing, it cannot be enforced".

**Mr. Darji:** "That kind of issue can be flushed out at the site plan stage. It is shared parking."

**Mr. Kauker:** "Was outside dining included in the parking count?"

Mr. DiRosa: "The original plan was to create ninety-three seats".

**Mr. Ettenson:** "That was not part of the application. Once the building is completed, we will go before zoning for approval".

**Mr. Fox:** "The review letter was based on the architectural. The review letter showed one-hundred twenty-five indoor and outdoor spaces".

Mr. DiRosa concluded his testimony and presentation.



# EDGEWATER PARK PLANNING BOARD

## Meeting Minutes

April 20, 2023 at 7:00 PM

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Mr. Ettenson introduced Daniel McGinnis. Licensed Traffic Engineer in New Jersey. Mr. McGinnis experience is noted and accepted by Chairwoman Johnson. Mr. McGinnis referenced his traffic letter dated December 28, 2022, projection of traffic in the development. Transportation engineers collected data. Obtained site access permit granted by the department of transportation. There is a slight increase in morning peak hour trips. Decreases in the afternoon and on Saturday. The retail will see higher traffic during the holiday season. Based on the uses modified from the current make of uses being adjusted, the parking demand is less than one hundred spaces. The spaces will be in line with the ordinance. The site will have adequate parking.

**Mr. Fox:** "The traffic report in your December 28<sup>th</sup> letter is conservative, meaning there is more traffic estimated in this letter than what they want to do now".

Mr. McGinnis: "Correct".

**Mr. Fox:** "Will you be providing an updated one as part of the site plan".

Mr. McGinnis: "Yes".

**Mr. Darji:** "I did look up the EV parking requirements for this use purpose it will be 15% total. 5 % have to be installed initially. The remaining 10 % will have to be make ready spaces that will be put into use within three years from the next 5%. That will be provided at the site plan stage. Those spaces will count for two. I do concur with Mr. McGinnis about the number of spaces provided, if sufficient for the use application. They allow 1.8 spaces per unit. There are plenty of guess parking for the retail uses".

**Mr. Fox:** "The parking spaces are the dimensions in accordance with the original variance request for size. Nine feet by eighteen".

**Mr. Kauker:** "What was the increase in peak morning".

Mr. McGinnis: "Based on the use and sizes that were submitted, twenty-five trips or more in peak hours and fifty-one fewer in the afternoon weekday".

**Mr. Kauker:** "And that was coming out to route 130".

Mr. McGinnis: "Correct".

**Mr. Kauker:** "So even the on road heading out to Silver Park West?"

**Mr. Darji:** "There will be one going out to route 130 and in the front of Forrestal".

**Mr. Kauker:** "Have you studied going back to Silver Park? What is the percentage to go through Silver Park to Woodlane to route 130?"

Mr. Darji: "What Mr. Kauker is saying is that you are going from 16,000 sq. feet. Now, there is a smaller commercial footprint and now forty-five apartments and twenty-five trips in the morning. Of those twenty-five trips how, many would any go through the same traverse". "Whatever distribution there was before for 160 units it will be same percentage wise".



# EDGEWATER PARK

## PLANNING BOARD

### Meeting Minutes

April 20, 2023 at 7:00 PM

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**Ms. Bonner:** “That will put more traffic at that jug handle by 45<sup>th</sup> street pub”. Am I correct, and Burlington Coat Factory?

**Chairwoman Johnson:** “Burlington Coat Factory is not an issue in the morning. Only at three o’clock”.

Mr. McGinnis: “There is a reduction in the afternoon. Peak hours are in the morning”.

**Chairwoman Johnson:** “That jughandle is heavily used and poorly constructed. Additional cars really make a difference.

Mr. Ettenson: “I remember we had this discussion four years ago”.

Mr. McGinnis concluded his testimony.

Mr. Ettenson introduced James Miller. Licensed Professional Planner in New Jersey. Mr. Miller’s experience is noted and accepted by Chairwoman Johnson.

Mr. Miller’s testimony: The project is in the C-3 zone. The apartments are part of that zone, and that aspect is in compliance from a use standpoint. The residential to the rear of the property is zone R-AR-1. Residential district. Surrounding land uses: The north are townhouses known as Eagles Chase. East is an auto repair facility and a self-storage facility. Across the street is a vacant lot and some fact food business. West is Pep Boys. This is part of a plan development that approved in 2019. The plan included one hundred thirty-six fee simple townhouses. The applicant is seeking to replace the retail center with a mixed-use building. The building footprint is going to remain consistent. But the applicant wanted to comply with parking lots. To achieve this, a reduction in the amount of space devoted to commercial and retail. That space will be included in the balance of the space which services the apartments on the ground floor. There may be a community room and other amenities. This space will be uses associated with the apartments. The applicant is requesting a use variance. There is also a D-6 variance because the township ordinance allows a structure to go to forty-five feet but limits the number of stories to three. The D-6 variance is being requested to allow for the fourth story, but the height compliance will be adhered to. There is also a need for a setback variance at Parson’s Boulevard. In terms of the zoning standards, you can consider variances simultaneously. The assumption is D-6 and C-2 variance is consumed by the D-1 variance. If you meet the D-1 criteria, you meet the C-2 and D-6. The land use purposes will be met. The reason that this property is suited for the proposed use is that the mixed-use building is the appropriate element of the balance of the plan.

**Purpose A:** The site in question is the last section of the mixed-use development for commercial and residential uses. It contributes to the housing element of the fair shared plan by the township with twenty percent satisfied affordable units. The project has shared infrastructure and ownership grading systems.

**Purpose G:** This project creates a mixed-use community along with the township planning objectives. This project responds to some of the trends and development patterns in the country. The original plan relates to the covid period and other factors as well. One of the ramifications is the vacancy of some of the large strip centers on route 130. This does not necessarily impact all of the commercial and service uses. Uses where visitation is critical to the business have





# EDGEWATER PARK

## PLANNING BOARD

### Meeting Minutes

April 20, 2023 at 7:00 PM

---

done well. The larger retailers that were originally proposed would have had a hard time staying in business. There is a trend to make more residential uses along route 130. This is a use that was never anticipated by the township planning documents, but it does respond to the current trends of development.

**Purpose I:** Desirable visual environment. It satisfies the suitability aspect and D-6. The D-6 variance basically accommodate the use despite the deviation, and which is why the parking compliance was important. The site can accommodate the use because there is more than enough parking to service the use. The design is a mansard roof which achieves the objective of the story's requirement. The width of the townhouses is comparable with the structure. They are also comparable with the zone requirement for height distance. The negative criteria is it must be shown that it is not a detriment to health and welfare, and it will not be in conflict and the zoning and planning ordinance. It is a residential use which is compatible with multi-family residential uses. The rear of the property is residential uses which will have impact with the traffic testimony. It is less intense than the original design in terms of the traffic. It provides a public benefit in that included is the affordable housing. There is no public reverse action for these reasons. The balance of the negative criteria deals with the intended purposes zone plan. The key to reconciling the use with the C-3 zoning is part of a plan community which has always been part of the vision of residential and commercial uses. The only difference is that a parcel is combined in the C-3 district.

**Ed Fox:** "Mr. Miller, You talked about the trends. If you could, talk a little bit about a four-story building mixed use with residential and other communities that have something like this on route 73 and route 70; contrasted with what is in Cinnaminson, a four-story building setback to ten feet as this is setback one hundred twenty feet".

Mr. Miller: "When you set the building back you mitigate the mass in terms of how it looks from the street. When you look at a single-family home over the thirty-five-foot setback and a home with an over fifty-foot setback, the fifty-foot setback, the impact is the same. The house looks taller because of the loss of perception. The other advantage is the parking for the commercial units should be located towards the highway because that allows customers to observe that there is sufficient parking on site. That is why parking for commercial properties is always headed towards the front. The Sussex House in Cherry Hill as it has the exact miss of retail.

**Mr. Darji:** "Another feature that is unique to this property is that the property is a little down as you head into the property. The building sits about seven feet lower than the road. My review is that it is not perceived as a four-story building. That is a reason why this property has been hard to market because it sits low. It's hard to market a one-story commercial property because it does not have visibility.

**Chairwoman Johnson:** "Aesthetically it is different from what I have envisioned. It did change my initial feelings about it. I didn't want it to look like an eye sore".



# EDGEWATER PARK PLANNING BOARD

## Meeting Minutes

April 20, 2023 at 7:00 PM

---

**Ken Kauker:** “You mentioned about the type of commercially in there. Could that have gone in the original plan?”

Mr. Miller: “It could of but given the scale of that retail use, I am not sure that there is, it’s easier to fill the smaller spaces than the larger”.

**Ken Kauker:** “But the retail could be smaller than”.

Mr. Miller: “Yes”.

**Ken Kauker:** “So with those uses you don’t really need the residential on top?”

Mr. Miller: “No, it is not essential to have the residential”.

**Ken Kauker:** “We are talking about the need or want the apartments above. The commercial will work without the apartments on top”.

Mr. Miller: “Yes, theoretically it would. One good thing about combining uses is that it allows one to support the other”.

**Ken Kauker:** “The other townhouse and apartment will also support that. Correct? “

Mr. Miller: “Yes”.

**Ken Kauker:** “This is a use variance for the apartments. Why is there a need”.

Mr. Miller: “It’s not so much a need as it is for an appropriate use”.

**Ken Kauker:** “You also mention about the fair share housing”.

Mr. Miller: “Yes”.

**Ken Kauker:** “The thing that is good is that you would two units out of it. Correct? Or you would get two additional units. So, without those apartments we would not need the fair share and it would not add to our fair share requirement”.

Mr. Miller: “That is correct”.

**Ken Kauker:** “They have to add it because they are adding the residential. They are not reducing what we need”.

**Mr. Darji:** “If you are comparing approved with proposed. Then you are absolutely right. There is still an affordable housing contribution to the commercial portion of this project. It will be a little less. There is an affordable housing obligation created by the residential and that will have to be satisfied”.

Mr. Miller: “Let me clarify that for you. From a planning perspective, a technical standpoint, it is a public good. There are all kinds of studies and policies on the state level that encourage affordable housing. This is what I meant by public good”.

**Ken Kauker:** “You are saying that we need it, but we don’t need it. Because if you don’t have the residential, we don’t need that”.

Mr. Miller: It’s a benefit to society in general. It’s not that you have numerical room for it.

**Chairwoman Johnson:** “I don’t want people to misunderstand and think that we are against affordable housing. That’s not the point at all”.

**Mr. Fox:** “On July 1st, 2025, you are going to get four obligations. And the funds and the rates”.

Mr. Miller: “The courts recognize that in a municipality that has had affordable housing obligations to satisfy, providing additional housing beyond that is a good thing.”



# EDGEWATER PARK

## PLANNING BOARD

### Meeting Minutes

April 20, 2023 at 7:00 PM

---

**Ms. Bonner:** “Mr. Fox, did you say that in July 2025 that there will be new obligations”.

**Mr. Fox:** “Yes”. Your current affordable housing is unfortunately such a short period of time that once the court process started and charity judgement provided by the municipalities in superior court, that process was so short. It took the administrative review to the affordable housing agency level to the superior court level. Once they started everybody started to receive notifications four or five years later”.

Mr. Miller concluded his testimony.

Mr. Ettenson: “It was our goal to tailor the witness’s testimony to the comments by you. Is there is anything they would like to add?”

**Mr. Fox:** “I think you addressed all the issues with the height and the front yard setback corner lot and the use variance D-1. All those other issues regarding the site plan will happen as a condition of the site plan. Mr. Ettenson said they would comply with all the affordable housing regulations”.

**Ms. Bonner:** “It was stated that once one of these variances is approved, the other ones just fall suite”.

**Mr. Fox:** “That’s what Mr. Miller said. Yes”.

**Ms. Bonner:** “Which one comes first?”

Mr. Miller: “The D-1 first, then D-6 and C-2”

\*Chairwoman Johnson opened the meeting to the public

Stephen Craig representing Mr. Dai. Owner of DAI Automotive and Repair. 4331 Route 130 S. Their business is directly across from the proposed property. “The original application was mixed use, now there are apartments. What is going to be directly in back of our building because with increased units there is going to be trash. I see on that side there is a loading zone. There are already animals and rodents in that lot coming through”.

Mr. DeRosa: “This is the location. (Pointing to the plan) It is a not a loading zone or loading dock per say. It is a straight portion of the parking lot. It is an area where deliveries can be made for the commercial or residential buildings. There is a trash enclosure in the rear of the property near the basin. There is a fifteen-foot buffer that is heavily landscaped. That is included in the site plan.

Stephen Craig: “There will be no building going through the side of my building?”



# EDGEWATER PARK

## PLANNING BOARD

### Meeting Minutes

April 20, 2023 at 7:00 PM

---

Mr. DeRosa: "On the plan there is a green space there which indicates no traffic but landscaping". It will be a buffer similar to the one at the rear.

Stephen Craig: "We see everything on route 130. I expect the traffic to increase not decrease because of the mix use".

Mr. McGinnis: "It will decrease from what is there now as opposed to the original plan". The morning will increase".

**Mr. Petrone:** "Traffic would be staggered not as much as the peak hours where you would have more in and out for the retail".

**Mr. Darji:** "The fact that you would have had a larger commercial, people will come and go more".

Stephen Craig: "What are the peak hours".

Mr. McGinnis: "9am and 4-6pm".

**Chairwoman Johnson:** "I think we should push to have our roads improved. I do understand the trash issue. The proposal indicates the trash is completely contained and anything generated out of that building will be quickly removed from the property. We will keep an eye on that".

Stephen Craig: "We are satisfied".

Jeffrey Stevenson-120 Church Street: "I looked at the plans. I don't see the benefit to the township. 16,000 square feet commercial. 100% profit. There will be a lot of kids coming from the apartments".

**Chairwoman Johnson:** "Was there a school survey done".

Mr. Miller: "Numbers were not run on the school generation but with apartments, one-bedroom units is minimal. Two-bedroom units in this type of structure are also very minimal.

The building is not set up as a household. Two three -bedroom apartments, we have no choice there. All the numbers state that I am accurate".

**Ed Fox:** "To correspond with Mr. Miller, I have worked for the township for some years and the affordable housing plan. This township has a high percentage of senior and single household apartments. Existing now.

**Chairwoman Johnson:** "If rented there will be profit, but they still have to pay taxes on the building and the business.

**Mr. Darji:** "There are vacant commercial properties along route 130. The township is trying to fill those vacancies. The number of children in a two-bedroom apartment is .28 per unit. One bedroom is .08. Affordable units 1.1.



# EDGEWATER PARK

## PLANNING BOARD

### Meeting Minutes

April 20, 2023 at 7:00 PM

---

**Mr. Fox:** “The new jersey state case law, unless the ordinance specifically requires it as part of a redevelopment plan or general development plan, the board is not supposed to zoning based on physical impact assessment. When the township committee approves the zoning ordinance, it has established that it knows what the zoning deal is and that the facilities can handle it”.

**Chairwoman Johnson:** “It is not our prevue to go on money”.

Cal Stevenson- 160 Church Street: “There are four stores with residents living on the fourth floor. We contract with the Beverly fire department. I was long time fire commissioner. We always tried to watch the height because we spent seventy-three percent of our budget with Edgewater Park. There are negotiations now which are not going well. One thing that has come up because of the height is the ladders. One million to one million five. Ladders over one hundred twenty-five feet could be two million dollars.

**Chairwoman Johnson:** “The height of this building is not much different from the three-story ones.

Cal Stevenson: “Residential areas for the living that high they rely on the ladder trucks. Beverly is requiring a budget crunch. From three stories to three is a lot.

**Chairwoman Johnson:** “The height is not being increased. So, the people on the fourth floor are not much higher than the third floor”.

**Mr. Smith:** “If it was a three-story apartment building, that third story would be the same as the four story”

**Chairwoman Johnson:** “The ceiling height is lower”.

Chairwoman Johnson closes the meeting to the public.

Mr. Ettenson requested approval for the use variance and the other variances with respect to the four stories and setback.

\*Chairwoman Johnson closes the meeting to the public

**Mr. Petrone** read the proposed resolution. The motion would be to grant the D-1 use variance requested for the residential component of 45 apartments. D-6 variance to permit a four-story building as opposed to the three that is permitted. A front yard setback to Parson’s drive. Forty-five feet redesigned configuration of the building. To include the affordable housing



# EDGEWATER PARK PLANNING BOARD

## Meeting Minutes

April 20, 2023 at 7:00 PM

requirements. Condition also on that a site plan approval will be required. At the time of the site plan approval, the applicant will comply with the requirements of the ordinance. The plans submitted will be consistent with the testimony presented. A reduction in the number of seats in the restaurant, a reduction in the area of retail usage. Redesign of the other space with respect to the nine thousand square foot footprint. It will incorporate the testimonies of the applicants' witnesses. There will be compliance with the witness's testimony. The applicant will also submit a new traffic statement from the traffic engineer with respect to the modifications from the original application of the building layout.

**Mr. Darji:** "With regard to parking with the change in building size, would it be possible to provide additional parking with an easement or shared parking? Because there is an added benefit to the town to have the additional area"

Chairwoman Johnson requested motion to accept application.

\*Motion to accept application

<b>1<sup>ST</sup> MOTION</b>	Ms. Bonner
<b>2<sup>ND</sup> MOTION</b>	Mr. Smith
<b>DISCUSSION</b>	None

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Alexander	x				
Mrs. DiFilippo			x		
Mr. Kauker		X			
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard			x		
Mr. Daloisio	Not required				
Chairwoman Johnson	x				

### VIII COMPLETENESS DETERMINATION

**1. Pedro Del Toro-** 128 Mount Holly Road. Block: 502 Lot:6. -Pole Barn (Utility Shed). Application for Bulk Variance approval to install a 40' wide by 30' deep (1,200SF) by 12'tall accessory storage building, which the applicant refers to as a pole barn.



# EDGE WATER PARK PLANNING BOARD

## Meeting Minutes

April 20, 2023 at 7:00 PM

Mr. Darji recommended the application be accepted.

Chairwoman Johnson requested motion to accept the application.

\*Motion to accept application

<b>1<sup>ST</sup> MOTION</b>	Mr. Malecki				
<b>2<sup>ND</sup> MOTION</b>	Mr. Kauker				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	x				
Mrs. DiFilippo					X
Mr. Kauker	x				
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard					X
Mr. Daloisio	x				
Chairwoman Johnson	x				

### VII. OLD BUSINESS – NONE

### VIII. NEW BUSINESS – CANCELLED

Future action will require re-noticing.

~~1. Environmental Resolutions- Non- Condemnation and Condemnation areas in need of redevelopment. Preliminary investigation of the wall rope and railroad corridor study area.~~

### IV. ADOPTION OF RESOLUTIONS- NONE

### X. CORRESPONDENCE-

1. **Environmental Resolutions-** Preliminary investigation of the wall rope and railroad corridor study area.
2. **Patricia Cahall-**Notice of Public Hearing. Non-Condemnation and Condemnation areas in need of redevelopment.



# EDGEWATER PARK

## PLANNING BOARD

Meeting Minutes

April 20, 2023 at 7:00 PM

3. **Ed Fox**-Environmental Resolutions. **Pedro Del Toro**- 128 Mount Holly Road. Block: 502 Lot:6. -Pole Barn. Completeness Review.
4. **Ed Fox**-Environmental Resolutions. **SSTII**. 4233 US 130 LLC. Block: 501 Lot: 2.01. Bulk Variance. Completeness Review. Application Incomplete.
5. **Burlington County Planning Board**- Exeter MT. Holly Land, LLC. Burlington Pike Spec Warehouse. Block: 501 Lots 1, 6. Punch List of Uncompleted Improvements.
6. **Burlington County Planning Board**- Edgewater Park Police and Court Building. Application is deemed incomplete.

### XI. MEETING OPEN TO THE PUBLIC

### XII. ADJOURNMENT

<b>1<sup>ST</sup> MOTION</b>	Mr. Kauker				
<b>2<sup>ND</sup> MOTION</b>	Mr. Malecki				
<b>TIME</b>					
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
All in favor	X				





# EDGEWATER PARK TOWNSHIP PLANNING BOARD

Meeting Minutes  
May 18, 2023 at 7:00 PM

**I. MEETING CALLED TO ORDER**

Chairwoman Johnson called the meeting to order.

**II. FLAG SALUTE**

Chairwoman Johnson led the flag salute.

Chairwoman Johnson announced that the matter concerning the township Redevelopment Plan has been cancelled. The matter will be heard at the May meeting and a re-noticing will be sent.

**III. STATEMENT OF THE MINUTES**

Read by Patricia Cahall, Planning Board Secretary as quoted, "Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 10, 2023; written notice was emailed to the Burlington County Times and the Courier Post on January 13, 2023; written notice was filed with the Clerk of the Township on January 13, 2023."

**IV. ROLL CALL**

TITLE	NAME	PRESENT	ABSENT
Class I	Mr. Belgard		X
Class II	Mr. Alexander	X	
Class III	Mrs. DiFilippo	X	
Class IV	Chairwoman Johnson	X	
Class IV	Mr. Kauker	X	
Class IV	Mr. Smith	X	
Class IV	Mr. Malecki	X	
Class IV	Ms. Bonner	X	
Class IV	Mrs. Tumminia	X	
Alternate I	Mr. Daloisio		X
Alternate II			
Attorney	Thomas Coleman		X
Attorney	Chuck Petrone	X	
Engineer	Rakesh Darji	X	Ryan McCarthy
Planner	Edward Fox	X	



**EDGEWATER PARK  
TOWNSHIP  
PLANNING BOARD**

Meeting Minutes  
May 18, 2023 at 7:00 PM

**V. APPROVAL OF MINUTES**

April 20, 2023

<b>1<sup>ST</sup> MOTION</b>	Ms. Bonner				
<b>2<sup>ND</sup> MOTION</b>	Mr. Malecki				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	x				
Mrs. DiFilippo				x	
Mr. Kauker	x				
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard					x
Mr. Daloisio					x
Chairwoman Johnson	x				

**VI. COMPLETENESS DETERMINATION-NONE**

**VII. OLD BUSINESS – NONE**

**VIII. NEW BUSINESS –**

**1. Pedro Del Toro-** 128 Mount Holly Road. Block: 502 Lot:6. -Pole Barn (Utility Shed). Application for Bulk Variance approval to install a 40’wide by 30’ deep (1,200SF) by 12’tall accessory storage building, which the applicant refers to as a pole barn.

Mr. Del Toro was sworn in by Mr. Petrone. Mr. Del Toro explained to the board his use for the storage building. His father passed and his items were being stored in his garage.

**Chairwoman Johnson** inquired as to the location of the building. Mr. Del Toro stated it will be located at the back of his property.

**Chairwoman Johnson** inquired if all the property owners within two hundred feet were notified.

Mr. Del Toro stated that they were notified.

Ed Fox referenced letter dated April 12, 2023. Use Requirements. Because the proposed pole barn will not be used to store vehicle(s), it is considered a utility shed, which is a



# EDGEWATER PARK TOWNSHIP PLANNING BOARD

Meeting Minutes

May 18, 2023 at 7:00 PM

---

permitted accessory use in this residential zone. Mr. Del Toro states there will be no change to the existing property. Bulk variances are needed. A variance is needed for exceeding the maximum permitted impervious coverage going from 21.4 % where there is a maximum of twenty allowed. The proposed 30ft. by 40ft pole barn will require two bulk variances for having a gross floor area of greater than 144 sq. ft and this is 1200 sq. ft. and for having two wall lengths greater than 12ft. Because it is a utility shed and not a garage, the proposed pole barn will require a bulk variance for having a height more than 10 ft. The ordinance defines that “building height” means “the vertical distance measured from the average elevation of the finished grade amount the foundation of the building to the midpoint between the eaves and the ridge level.” The proposed pole barn will require a bulk variance for exceeding the maximum number of permitted utility sheds per property.

Mr. Petrone commented on the bulk variances and if the applicant did receive the letter.

Mr. Fox explained the applicant will have to provide the board with proof to be required to grant the variance.

1. The proposed development of the garage will advance the purpose of the municipal law.
2. Even though it is a strict deviation it will advance the purposes of law and planning

In the township of Edgewater Park.

## **Questioning by Mr. Fox**

Mr. Fox asked Mr. Del Toro if it would be a good thing for the community and why.

Mr. Del Toro stated it would remove the clutter in his yard.

Mr. Fox: “Could the variance be granted without substantial detriment to be public good”?

Mr. Del Toro: “Yes”

Mr. Fox: “The benefits would outweigh any negative outcomes”?

Mr. Del Toro: “Yes”

Mr. Fox: “What adverse comments do you think the neighbors would say”?

Mr. Del Toro: “None. It will not be a typical shed. The shed will match the same color as my house. It will be nice.”

**Chairwoman Johnson:** “So, you are saying it will be attractive and enhance the look of your property”?

Mr. Del Toro: “Yes”



# EDGEWATER PARK TOWNSHIP PLANNING BOARD

Meeting Minutes  
May 18, 2023 at 7:00 PM

---

## **Questioning by Mr. Petrone**

Mr. Petrone: "Your property is in excess of 37,000 sq.ft.?"

Mr. Del Toro: "Yes"

Mr. Petrone: "And your surrounding residential properties"?

Mr. Del Toro: "Everyone around me has about an acre. The people behind have about five acres."

Mr. Petrone: "Do any other properties in your immediate vicinity have these types of accessory buildings"?

Mr. Del Toro: "Yes, across the street."

Mr. Petrone: "Are there any other drainage issues"?

**\*Chairwoman Johnson interrupted the questioning to address the noise by those in attendance.**

Mr. Del Toro: "No, there are no drainage issues. The down spouts are position towards the back."

Mr. Petrone: "You agree not to use this structure for commercial use or living space."

Mr. Del Toro: "No."

Mr. Petrone: "Are there going to be any utilities"?

Mr. Del Toro: "Just electric."

Mr. Petrone: "Any exterior lighting"?

Mr. Del Toro: "Over the door facing downward."

**Chairwoman Johnson:** "Overall, it will get rid of your clutter, it will match your house so it will not be a detriment so the surrounding area, and it will enhance the look of your entire lot is what you are saying"?

Mr. Del Toro: "Yes"

**Chairwoman Johnson:** "And it will not be used for commercial a purpose"?

Mr. Del Toro: "No"

## **Questioning by Ryan McCarthy**

Mr. McCarthy: "The pole barn has to be anchored"

Mr. Del Toro: "Those instructions will be followed."

Mr. McCarthy: "Are you removing any of the existing landscaping"?

Mr. Del Toro: "No"



# EDGEWATER PARK TOWNSHIP PLANNING BOARD

Meeting Minutes  
May 18, 2023 at 7:00 PM

---

Mr. McCarthy: "The impervious coverage is based on calculation by ERI. A surveyor or you need to provide that information."

Mr. Del Toro: "I will comply."

Mr. McCarthy: "We need the dimensions between the frame shed and property line to make sure that there was a variance required."

## Questions by the board

**Mr. Kauker:** "Is there anything that we can do that when the property goes up for sale, that it does not get used as a business"?

Mr. Petrone: "That is all part of the zoning. General the agreement of sale indicates single family. They would have to get approval by the township to run a business."

**Mrs. Tumminia:** "You mentioned about the impervious coverage, some pole barns do not have flooring. Are you going to have flooring"?

Mr. Del Toro: "Yes."

**Chairwoman Johnson:** "Are you planning on landscaping"?

Mr. Del Toro: "Yes."

Mr. Petrone recommended that the application be approved and the variances to permit impervious coverage of 20.4% and the height of 12% and the floor area. The shed measured 30ft. by 40ft. In addition to the two utility sheds. Subject to the requirements of the permits required for construction, in compliance with the review letter dated April 12, 2023. The variance approval does not guarantee the applicant issuance of permits subject to the codes governing the accessory building. No utilities be included.

Outside lighting would be in accordance with ordinance requirements. The downspouts be directed so not to have stormwater run at the base of the property. It will not be a living space structure.

\* Chairwoman Johnson opens the meeting to the public.

Joe Campo-Neighbor- Questioned: "Where is the building going to be on the property line so there is no grass growing"?

Mr. Del Toro: "It will not be where grass cannot be cut."

\* There being no additional questions, Chairwoman Johnson closes the meeting to the public.



**EDGEWATER PARK  
TOWNSHIP  
PLANNING BOARD**  
Meeting Minutes  
May 18, 2023 at 7:00 PM

\* Chairwoman Johnson requested motion from the board to accept the application.

<b>1<sup>ST</sup> MOTION</b>	Mrs. Tumminia
<b>2<sup>ND</sup> MOTION</b>	Mr. Kauker
<b>DISCUSSION</b>	None

<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	x				
Mrs. DiFilippo	x				
Mr. Kauker	x				
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard					x
Mr. Daloisio					x
Chairwoman Johnson	x				

**2. Environmental Resolutions-** Non-Condensation and Condensation areas in need of redevelopment. Preliminary investigation of the wall rope and railroad corridor study area.

Mr. Petrone addressed comments to the public concerning the purpose of the meeting with reference to the New Jersey Local Redevelopment Housing Law and the study that was done by Environmental Resolutions. Mr. Petrone read sections of the law to the public and the resolution that was agreed upon by the governing body. The jurisdictional requirements were presented.

Mr. Petrone did swearing in of Mr. Fox

Mr. Fox presented his qualifications as a professional licensed planner, his affiliation with Environmental Resolutions and his familiarity with the housing laws.

Mr. Fox initiated a visual presentation of the Preliminary Investigation Of The Wall Rope & Railroad Corridor Study Area for Edgewater Park Township. Pamphlets were available to the public and board members. The pamphlet included ariel views, general location, study area, land use & zoning, and the applicable redevelopment criteria with recommendations. Blocks and lots:

Non-Condensation Area (Block: 203, Lots: 3,3.02)

Condensation Area (Block: 203, Lots: 4,4.01,4.02,5); (Block: 204 Lots: 1,2,2.02); (Block: 620 Lots: 1,2,3,4,4.01,5,6,7, and 7.01); (Block: 622 Lot: 4); (Block: 701 Lots:

1,1.01,2,3, and sections of public rights-of-way adjacent to these parcels).

Probable Contamination Sites, Faulty & Obsolete Design.



# EDGEWATER PARK TOWNSHIP PLANNING BOARD

## Meeting Minutes

May 18, 2023 at 7:00 PM

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Mr. Fox stated that it is a study not a plan. The township committee has requested the study be reviewed by the Planning Board. Most of the properties are along the railroad tracks. If recommended through resolution by the township committee to look at what the community needs are through uses and building requirements. The designations requested by the committee whether some of the properties needed non-condemnation and condemnation. The township may acquire properties through eminent domain after just compensation.

Mr. Petrone reiterated that the Planning Board may recommend the redevelopment through Mr. Fox's testimony and professional opinion.

**Mr. Kauker:** "What is the benefit to the property owners"?

Mr. Fox: "That is an issue of a plan. So, the question is: What is there a need to do under the redevelopment statute? Properties identified in the redevelopment areas can work with the governing body to see if there is some financial assistance available to remediate or fix some of the properties. Or, to encourage reinvestment of these properties to other uses that would be more productive and better for the community. That is the benefit to the property owners. This study has no regard as to any violations of any zoning approvals or any maintenance or housing conditions. This is just an evaluation as to whether your professional that there is a need for the government to do something."

Chairman Johnson announces that May Trainor has requested a moment of your time.

Mayor Trainor was sworn in by Mr. Petrone. 222 Hendrickson Ave. Mr. Trainor was appearing before the board and public as a resident of Edgewater Park and a neighbor.

Mr. Trainor spoke on clearing up hearsay and rumors that are being spread across the town. Mr. Trainor had spoken to several members of the public via text, calls, or messaging. The resolution was signed by the township committee after a discussion about condemnation to conduct a preliminary investigation to determine the feasibility of building scenarios.

Mayor Trainor: "This blew up into this idea that we were looking to condemn areas and other talks of eminent domain. I implore you (addressing the public) to look up eminent domain. Eminent domain is done at the federal and state levels. Very small percentage at the county level. The property owners are offered financial gain by the county, state and government taking that over.

We got the information so we could build the town into a better place. It was then presented to the planning board. We do not have any part of or intent of condemning any areas or eminent domain.

No action has been taken and no interest on behalf of the committee. The committee has not seen the study that was presented tonight. There is not a lack of communication since two of the committee members sit on the planning board. I am here as a neighbor."

\* **Chairwoman Johnson** opens the meeting to the public.



**EDGEWATER PARK  
TOWNSHIP  
PLANNING BOARD**  
Meeting Minutes  
May 18, 2023 at 7:00 PM

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Mr. Petrone requested that the attorneys be heard first before opening the meeting to the public.

James Turteltaub stated his appearance on behalf of L&M Distribution. Mr. Turteltaub requested Mr. Petrone to speak on what the public heard by Mayor Trainor. He inquired about Mr. Petrone's professional opinion on what the hearing is about.

Mr. Petrone: "This hearing is because of the adoption of a resolution authorizing this board to conduct a study and to make recommendation as to whether the parcels identified in the resolution adopted by the committee as well as the parcels identified by the study presented by Mr. Fox. The board's recommendation for those areas in need of redevelopment. The recommendation then goes to the governing body to make the determination that an area needs redevelopment.

In accordance with the law, there are other actions the governing body would be required to take with respect to notice and things. It does not end here. The governing body will be required to act as recommended by this board".

James Turteltaub: "There were some statements made here and the mayor should be subject to questioning, and it should be examined. As a result of the comments that were made, do you agree with the mayor's comment that the town does not have the power to condemn properties."

Mr. Petrone: "No, I do not agree."

James Turteltaub: "So, right there we have an issue. It is an incorrect statement. This entire process is made to determine whether or not the township is going to require the power to condemn them. This hearing is to give a recommendation whether the criteria exist to condemn the property. So, what the mayor said as representative of the governing body, is if the governing body has the power to condemn."

Mr. Petrone: "Parcels have been identified whether they are in a condemnation or non-condemnation area. If the property was deemed condemnation, under the law, the township will have the power to exercise eminent domain."

James Turteltaub: "So the people who are here today who have been identified in potential condemnation properties, do not defend their rights either here or at the committee level, their properties will be subject to eminent domain. Is that correct "?"

Mr. Petrone: "Their properties could be subject. Yes."

James Turteltaub: "That is what this process is about, and I have great concern about the way this hearing has been conducted. We go to questions about the report whether this even qualifies for a hearing. Because the fact is we now have statements in the recorded preceding's that I believe are legally





# EDGEWATER PARK TOWNSHIP PLANNING BOARD

## Meeting Minutes

May 18, 2023 at 7:00 PM

---

incorrect by a representative of the governing body. I believe notices should go out again so people can understand it.”

Ed Fox: “Mr. Turteltaub, when I heard the mayor say, he did not say that the township does not have the power to exercise eminent domain, I believe he said they have not the ability to do it because there is not a redevelopment plan. There is no eminent domain without a redevelopment plan. This is step two of the process as I indicated earlier. Step one is weather there is a need.”

“Mr. Turteltaub: “We can take a break and I can get the court recorder to bring back what he said. He said that the federal government may come down, maybe the county, but the municipality is not going to be able to condemn.”

**Chairwoman Johnson:** “He did not say that. He said eminent domain.”

“Mr. Turteltaub: “Eminent domain is the same thing as condemnation. I have represented municipalities in the condemnation of private properties.”

\***Chairwoman Johnson** acknowledged the public to come forward.

Resident: Dan Flagg- 94 North Garden Blvd. Mr. Petron did the swearing in.  
Mr. Flagg said there is a problem because he spoke with Mr. Pullion (Township Administrator).

Mr. Petrone stated that the conversation cannot be heard because Mr. Pullion was not at the meeting. It is hearsay.

Mr. Flagg wanted to know who brought it to Edge water Park. Mr. Flagg said he was told it was the bridge commission.

Mr. Fox: “I am a former employee of the bridge commission; this area has been identified since 1998. The was a study by the Delaware Valley Reginal Planning Commission, a metropolitan organization for nine counties around Philadelphia to study weather there should be removal of industrial properties no longer needed by the railroad. It was identified in a regional plan. This township and twelve the adjacent municipalities endorsed by this municipality by the board of county commissioners and approved and endorsed by the state planning commission that the area by the railroad tracks be identified for future use as a transit-oriented location. It has been identified in state county and municipal plans for future redevelopment of this area.” It is not the bridge commission.”

Maria Pitale-Sampson-201 Colonial Road was sworn in by Mr. Petrone

Ms. Sampson commented on the publication of the meeting. Mr. Fox corrected her to say it is not a



# EDGEWATER PARK TOWNSHIP PLANNING BOARD

## Meeting Minutes

May 18, 2023 at 7:00 PM

---

mandate, it is law that permits the municipality to make the study. Mr. Petrone informed her that this is something requested through a resolution approved by the township committee which involved industrial buildings. Ms. Sampson commented that this business should be left alone since they are paying taxes and she stated her objection to more apartment complexes.

Sue Britton-873 Van Rossum Ave was sworn in by Mr. Petrone. Ms. Britton spoke of the proposal for a commercial and condo complex on route 130. She is not in favor of this project. She is concerned because her house is close to a property in the plan.

Ted Rosenberg, Attorney for James Tomesette and Daren Hatzler. Mr. Rosenberg addressed the board concerning cross examination of Ed Fox, Planner. He questioned the study taken since testimony reflected possibilities and no sound facts through proper testing. Additional proof is needed. The statements were based on accusations and property should not be taken from private citizens. Comments were made referencing the mayor's statements as not being accurate. Condemnation and eminent domain are the same. Mr. Rosenberg stated that there will be private developers making profits in the properties. He urged to listen to the residents and their objections and the attorneys with reference to this subject matter. Mr. Rosenberger stated there are holes in the study by the planner.

Mr. James Turteltaub, Attorney, on behalf of L&M distributors, made an opening statement concerning the law as it relates to the study, the redevelopment plan, and statutory criteria. It is Mr. Turteltaub belief that they did not meet the criteria. The criteria was not met due to a lack of creditable evidence and facts. He referred to page six of the study, the sections within that page in addition to the possibility of contamination. He stated there are no violations issued to his clients that would indicate a substandard building. There is also a conflict as to the number of buildings on the property as stated in the study nor proof of obsolescence. The property is in full use and not a blatted area.

Mr. Turteltaub introduced John Taikina- Licensed Planner since 1992 in addition to 30 years' experience as a zoning officer. Mr. Taikina was sworn in by Mr. Petrone. Mr. Taikina presented exhibits of the L&M property buildings, surrounding residential homes and vacant lots.

Exhibits: LM #1-Site map of L&M Distributors with seven buildings on the property.

Pictures: Inside and Outside

LM #2 -Property Plan, (seven industrial building and one office complex)

LM #3- Bldg. #1 (with water tower and telecommunication facilities)

LM #4- Bldg. #2 (the hub of the complex) (shipping area)

LM #5- Bldg. #3 (five loading docks with levelers)

LM #5- Bldg. #4 (one story warehouse with loading docks)

LM #6- Bldg. #5 (vacant five stories of concrete, all electricity on the site enters through this



# EDGEWATER PARK TOWNSHIP PLANNING BOARD

## Meeting Minutes

May 18, 2023 at 7:00 PM

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building)

LM #7- Bldg. #6 (three story wood frame structure manufacturing building, no led lighting)

LM #8- Bldg. #7 (single story building located along the tracks, no led lighting)

LM #9- Bldg.#8 (office bldg., newly renovated office with sheet rock floors)

Mr. Taikina had visited the L&M property on three separate occasions and toured the entire property and the redevelopment area in addition to the adjoining properties. The township ordinance and master plan were reviewed. The L&M phase one report was reviewed concerning the properties with environmental concerns. Mr. Turteltaub inquired as to signs of flooding on the property. Mr. Taikina stated there were no signs of flooding. The visits were on days where there was good weather. All buildings have active sprinkler systems with current inspection stickers, electricity, bathroom facilities, exit doors, panic hardware, exit doors and signs. The facility is fenced with cut grass with no outside storage materials for the operation of the facility. Just trash and recycling dumpsters. Brick, metal, and stone. Secured cameras on most of the buildings and is minimally lit. There is a loading area on building one. Mr. Taikina stated the building is not dilapidated, just old but can support floor loading. The vacant lots do not indicate detriment from the property. The six properties in proximity to building four do not show any detrimental effects of the adjoining property. Mr. Taikina presented proof by way of picture that building five is all concrete not wood as stated by Mr. Fox stated and was built in 1915. All buildings are actively using it due to the power source. The ground floor is a maintenance shop. The safety barrier on the building indicates a safe environment for workers. Mr. Taikina indicated that the building has been leased and is awaiting a site plan before the board.

The property has a storm pond on the southside and a 100,000-gallon cistern. The property does not suffer from any title or diverse ownership issues that would discourage any improvements. Phase one was completed in 2022 and showed no significant areas of concern. Mr. Fox requested a copy of phase one. Mr. Taikina said some of the pipes in the buildings may be wrapped with asbestos materials and he suggested it be investigated. Testing of the pipes was done in phase two and the pipes were wrapped in fiberglass. Some tiles were removed due to asbestos. The additional pages of his pamphlet were pictures of the other properties within the Redevelopment Plan. Mr. Taikina closing comments stated the L&M property does not meet any of the requirements as indicated in the study. There is no creditable evidence of contamination or violations that support the findings in the report.

There were no questions presented by the planning board.

\***Chairwoman Johnson** addressed the meeting stating a time of 10:30pm will be allotted for additional comments from the public. A continuance of the meeting on this topic may be in order if the additional time expires.

**Chairwoman Johnson** recognizes Nancy Anderson. 725 Perkins Lane. Ms. Anderson is a local Real Estate agent and broker, resident for 32 years. Mr. Petrone did the swearing in. Ms. Anderson found the



# EDGEWATER PARK TOWNSHIP PLANNING BOARD

Meeting Minutes  
May 18, 2023 at 7:00 PM

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report alarming. She requested the board for clarification on Mr. Fox's position. She agreed with the attorneys with respect to how the findings were arrived at. She was not in agreement with more affordable housing.

**Chairwoman Johnson** stated it was step one in the process which will go back to the Township Committee for final approval and there has not been discussion about low-income housing or section 8 housing.

Linda Raven of 802 Perkins Lane was sworn in by Mr. Petrone. Ms. Raven was on the land use committee at one time when there was talk of redevelopment. She asked Mr. Fox about his recollection of the fast track along the light rail with a mixed use of commercial and residential as was wanted by the state. The farms could not be preserved because they were in the fast track. She requested that the board not make any hasty decisions. Coah fees were discussed and land preservation.

Jason Williams of 1012 Stokes Ave. was sworn in by Mr. Petrone. Mr. Williams asked Mr. Fox if this was the first time the properties had been discussed for redevelopment. Mr. Fox replied with no. It was previously discussed in 1998. A map had been circulated through neighborhoods concerning the Gates property and forty lots for low-income housing. The area has been subdivided for the lots. Mr. Fox was unaware of any such map. Rakesh Darji commented that a while ago someone had made a proposal to subdivide the property, but no action was taken. It was a concept plan.

John Lawrence Calin was sworn in by Mr. Petrone. Mr. Calin stated the map being circulated was listed on the township website. **Mr. Kauker** made a comment that years ago it may have been part of the light rail schedule, but nothing became of it.

Joy Hurley of 856 Van Rossum was sworn in by Mr. Petrone. Ms. Hurley stated he does not want any more apartments or low-income housing in the township. She had also seen the map that was circulated.

Jeff Stevenson of 120 Church Street and 950 Mount Holly Road was sworn in by Mr. Petrone. Mr. Stevenson asked the board about the purpose of the meeting and the board voting. Mr. Petrone explained that there will not be a vote tonight due to the number of witnesses to be heard. But, when a decision is to be made, the board will vote on all or a portion of the lots identified, will be designated as in need of redevelopment. The board's recommendation will then go to the township committee will review the board's recommendation and render a decision. Mr. Stevenson was informed that his property is in the non-condemnation zone.

Mr. Darji explained the process of condemnation and non-condemnation to the public.

Randy Roberts of 860 Van Rossum Ave. was sworn in by Mr. Petrone. Mr. Roberts inquired about the certified letters that were mailed out. Mr. Petrone provided an explanation of the letters and the property owners who received them as listed in the Redevelopment Plan Study. Mr. Roberts inquired about the



# EDGEWATER PARK TOWNSHIP PLANNING BOARD

## Meeting Minutes

May 18, 2023 at 7:00 PM

letters going to residents of the adjoining properties. Mr. Petrone explained that the redevelopment law does not require notification to the adjoining properties. **Chairwoman Johnson** explained it was published in the papers. **Ms. Cahall** stated it was listed on the planning board website.

Michelle Clifford of 302 Monroe Street was sworn in by Mr. Petrone questioned why did the meeting turn into a hearing. Mr. Petrone explained before the recommendation a public notice had to be published and it was a hearing opened to the public and the property owners identified in the study were sent certified letters concerning the governing body resolution to do a preliminary investigation.

**\*Chairwoman Johnson** announced that this was the last resident to speak tonight.

Mr. Al Stevenson of 160 Church Street was sworn in by Mr. Petrone. Mr. Stevenson disagreed with Mr. Trainor’s statement concerning eminent domain. Mr. Stevenson stated his property was taken by the township and county for an intersection at the corner of Bridgeboro and Mount Holly Road for drainage. Mr. Stevenson spoke on the employment that the businesses are providing. He has always paid his taxes and requested his property be removed from the list.

**\*Chairwoman Johnson** requested for a motion for continuance on the Redevelopment Plan matter for the June 15<sup>th</sup> meeting. No vote will be taken at the meeting tonight. **Chairwoman Johnson** stated the next township meeting is scheduled for June 20<sup>th</sup>.

Motion for continuance made by Ms. Bonner second by Mr. Malecki. No discussion.

**\*Chairwoman Johnson** called for a five-minute recess at 10:32pm.

**\*Chairwoman Johnson** called the meeting back to order at 10:42pm.

**Chairwoman Johnson** requested a hand vote by the board to approve the motion made by Ms. Bonner and second by Mr. Malecki. All were in favor by a show of hands.

### ADOPTION OF RESOLUTIONS- P-8-2023

1. **Rt. 130 S LLC** – Block: 1202.11 Lot: 21. Applicant seeks a use variance to use the premises as a mixed-use commercial property, with retail on the ground level and residential apartments on the above levels.

**\*Chairwoman Johnson** requested for a motion to adopt the resolution

<b>1<sup>ST</sup> MOTION</b>	Chairwoman Johnson
<b>2<sup>ND</sup> MOTION</b>	Mr. Alexander



# EDGEWATER PARK TOWNSHIP PLANNING BOARD

Meeting Minutes  
May 18, 2023 at 7:00 PM

<b>DISCUSSION</b>	None
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NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Alexander	x				
Mrs. DiFilippo				Not at the vote	
Mr. Kauker			x		
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard					x
Mr. Daloisio					x
Chairwoman Johnson	x				

\* **Chairwoman Johnson** opens the meeting to the public.

\* Hearing none, **Chairwoman Johnson** closed the meeting to the public.

Chairwoman Johnson presented a question to Mr. Petrone concerning a board member who has a family member who works for one of the possible condemnation sites. "Should they recuse themselves from the entire proceedings?" Mr. Petrone replied "yes, they should."

Chairwoman Johnson requested a motion to adjourn the meeting.

<b>1<sup>ST</sup> MOTION</b>	Ms. Bonner				
<b>2<sup>ND</sup> MOTION</b>	Mr. Kauker				
<b>TIME</b>	10:44pm				
NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
All in favor	x				



# EDGEWATER PARK TOWNSHIP PLANNING BOARD

## Meeting Minutes

June 15, 2023 at 7:00 PM

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### I. MEETING CALLED TO ORDER

Chairwoman Johnson called the meeting to order.

### II. FLAG SALUTE

Chairwoman Johnson led the flag salute.

Chairwoman Johnson announced that the matter concerning the township Redevelopment Plan has been cancelled. The matter will be heard at the May meeting and a re-noticing will be sent.

### III. STATEMENT OF THE MINUTES

Read by Patricia Cahall, Planning Board Secretary as quoted, "Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 10, 2023; written notice was emailed to the Burlington County Times and the Courier Post on January 13, 2023; written notice was filed with the Clerk of the Township on January 13, 2023."

### IV. ROLL CALL

TITLE	NAME	PRESENT	ABSENT
Class I	Mr. Belgard		X
Class II	Mr. Alexander	X	
Class III	Mrs. DiFilippo	X	
Class IV	Chairwoman Johnson	X	
Class IV	Mr. Kauker	X	
Class IV	Mr. Smith	X	
Class IV	Mr. Malecki	X	
Class IV	Ms. Bonner		X
Class IV	Mrs. Tumminia		X
Alternate I	Mr. Daloisio	X	
Alternate II			
Attorney	Thomas Coleman	X	
Attorney	Chuck Petrone	X	
Engineer	Rakesh Darji		Ryan McCarthy
Planner	Edward Fox	X	



**EDGEWATER PARK  
TOWNSHIP  
PLANNING BOARD**  
Meeting Minutes  
June 15, 2023 at 7:00 PM

**V. APPROVAL OF MINUTES**

May 18, 2023

<b>1<sup>ST</sup> MOTION</b>	Mr. Malecki				
<b>2<sup>ND</sup> MOTION</b>	Mr. Smith				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	x				
Mrs. DiFilippo	x				
Mr. Kauker	x				
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner					x
Mrs. Tumminia					x
Mr. Belgard					x
Mr. Daloisio				x	
Chairwoman Johnson	x				

**VI. COMPLETENESS DETERMINATION/FINAL HEARING**

- Burlington Hyundai-4393 Route 130 South-Major Site Plan-Conditional Use.**  
Proposed new signage and improvements to the existing Hyundai auto dealership.

Mr. McCarthy deemed the application as complete and recommended that it be accepted.

<b>1<sup>ST</sup> MOTION</b>	Mr. Kauker				
<b>2<sup>ND</sup> MOTION</b>	Chairwoman Johnson				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	x				
Mrs. DiFilippo	x				
Mr. Kauker	x				
Mr. Smith	x				
Mr. Malecki	x				
Ms. Bonner					x
Mrs. Tumminia					x
Mr. Belgard					x
Mr. Daloisio	x				
Chairwoman Johnson	x				





# EDGEWATER PARK TOWNSHIP PLANNING BOARD

## Meeting Minutes

June 15, 2023 at 7:00 PM

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Mr. James Burns introduced himself as counsel for the applicant, Burlington Hyundai, requesting an amended preliminary site plan approval. The building is approximately 4,666 square feet. There will be new signage with no new use variance requirement. The proposed vehicle display will be relocated. There are variances being proposed for the signage. Mr. Burns referenced the June 13, 2023, professional review letter from Mr. Darji and Mr. Fox regarding the terms of approval.

Mr. Burns introduced two witnesses who provided testimony. Mr. Wayne Hileman – 28 South 33<sup>rd</sup> Ave. Longport, New Jersey. (One of the owners) and Mr. Mark Malinowski (professional Engineer). Mr. Coleman did the swearing in. Mr. Coleman requested the board to accept his credentials having been before the Planning Board previously. It was noted and accepted by Chairwoman Johnson.

Mr. Burns questioned Mr. Hileman with reference to the history of the property. Mr. Hileman became the owner of the property in August of 2022. Mr. Hileman testified on his background as it related to the car industry. He is part owner of various car dealerships. There was testimony given by Mr. Hileman regarding the signage on the property for drivers on the north and south bound sides of route 130. Mr. Hileman verified, through Mr. Burns questioning, that everything on the site will remain the same and the new signage was mandated by Hyundai. The design work will be handled by the company. There will be a change in the building color. There was a setback issue on the car display that will be accommodated in accordance with the ordinance. Mr. Burns concluded his questioning. No additional testimony was provided. The board did not have any questions when asked by Chairwoman Johnson.

Mr. Burns introduced Mr. Mark Malinowski. (Professional Engineer) Mr. Burns questioned Mr. Malinowski as to the opening statements he had made and if they were true. Mr. Malinowski provided testimony that they were in fact true.

Mr. Malinowski presented exhibit: A-1. Colored aerial vision of the site which outlines the boundaries of the property by yellow tabs. The building is 16,000 square feet with inventory parking in the back. Display parking in the front and signage on the side. There is patron parking in the front. There is cross access to the Dodge dealership. There are no proposed new usages. Exhibit A-2. Modified site plan. There will be additions to the front for car delivery. There will be additions to the side and back of the building and service area with an additional bay. Mr. Malinowski verified there are no conditional use variances with the application when questioned by Mr. Burns. Mr. Malinowski indicated on exhibit A-2 where the current car display is on the property. Some of the parking spaces will be removed and replaced with a special display area. It will be octagon shaped with a concrete pad twenty feet from the front. IT was moved back to comply with the ordinance. There is still twenty-seven feet for two-way traffic. The application is for signage only.



# EDGEWATER PARK TOWNSHIP PLANNING BOARD

## Meeting Minutes

June 15, 2023 at 7:00 PM

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Exhibit A-3. The architectural elevations for the proposed improvements. Mr. Burns requested that Mr. Malinowski indicated where the proposed signage will be located on the exhibit. The first sign is the Hyundai logo. Hyundai and logo on the left-hand side and Burlington on the right-hand side. Fifty-four square feet facing route 130. There will be a service sign above the two service bays facing route 130. There will be a small Hyundai sign at the door which is one square foot. A total of 113.54 square for all the signage. The ordinance allows for a maximum of forty square feet with only one sign. So, a variance is being requested. The sign facing the Dodge dealership has been eliminated. The new signage does not match the square footage of the existing signage. There is also a proposal for a free-standing sign which will be south of the new display area. Mr. Malinowski presented Exhibit A-4 which is the free-standing sign. The sign is just under twenty-two feet high and ten feet wide. Hyundai will be on the sign along with the dealer's name. The ordinance allowable is eight feet high. So, a variance is required. Mr. Burns proceeded with questioning Mr. Malinowski.

Mr. Burns: "Do the preexisting features and conditions justify the granting of the signing variance?"

Mr. Malinowski: "I believe so, yes."

Mr. Burns: "Due to the required Hyundai signage branding and strict application to the sign ordinance, would it pose a hardship for the applicant?"

Mr. Malinowski: "I if not granted it would present a hardship."

Questions by the board:

**Chairwoman Johnson** inquired as to why the sign must be so tall.

Mr. Malinowski: "It is a benefit to the motoring public. The sooner someone traveling southbound on route 130 can see where they must go. The height of the sign will be better for them to enter."

**Chairwoman Johnson** mentioned the signage at Jonathan's Motor being noticed to ongoing traffic and they have the lowest sign. "You would have to look up at a higher sign."

Mr. Malinowski said the higher sign will allow the driver to see the dealership further back.

**Mr. Daloisio** inquired about the solid wall. Mr. Malinowski said that part would be softened up with landscaping.

Mr. Fox said the ordinance permits a monument sign. Pole mounted signs are not permitted.

Mr. Hileman indicated this sign package will be presented to other Hyundai dealerships.

**Mr. Kauker:** "Do you really consider a twenty-two foot sign a monument sign?"

Mr. Malinowski: "I do believe that it the way it is listed in the ordinance."

**Mr. Kauker:** "A monument sign is short and not twenty-two feet high. Purchasing a car is not a spontaneous thing and most people use GPS. They are not going to use the sign as much. A lot of landscaping will be needed by the eight feet. Typically, companies have back up signs. There are various sizes in their prototypes and standards."

Mr. Malinowski: "We have a choice of higher than twenty-two feet. A lot of it depends on where the properties are located. We are trying to follow not much different than what we have now."



# EDGEWATER PARK TOWNSHIP PLANNING BOARD

## Meeting Minutes

June 15, 2023 at 7:00 PM

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The existing sign is eighteen feet.”

**Mr. Kauker** requested checking with Hyundai for lower sign allowances. Mr. Hileman stated that Hyundai tells them what they need and would change it if allowed because it would be less expensive. But the entrance to the property is before the sign and it needs to be seen. If passed, it may cause the driver to have to make an immediate stop which could cause a traffic problem or possible accident.

**Mr. Kauker** inquired about the elevations and the height of the blue area that is currently on the sign and the last hearing from seven or eight years ago. Mr. Hileman stated he was not the owner at that time, but the height of the blue area will be same. **Mr. Kauker** indicated the new sign does not look the same at the blue area. Mr. Hileman was not certain about that area.

Mr. Malinowski stated that the gray area to the top is 19 feet 9.75 inches.

**Mr. Kauker:** “The last time before the board, the roof top units were supposed to be screened and on the north bound lane they are not. This application does require the roof top units are to be screened from route 130 as required by the zoning ordinance.”

Mr. Malinowski: “If that work was not done and is terms of approval, the screens will be included.”

**Mr. Kauker:** “What type of new rooftop units are going off the new drop off area? How high will they project?”

Mr. Malinowski: “By the service area they will drop down a couple of feet.”

**Mr. Kauker:** “I am guessing you will be having new roof top units off the front to the side and another addition off to the right hand side for two service bays.

Mr. Malinowski: “The service drive is two bays wide and two cars deep.”

**Mr. Kauker:** “I am guessing you will have roof top units and made up units on that.”

Mr. Malinowski: “Most likely.”

**Mr. Kauker:** “The building will go up higher with the screens.”

Mr. Malinowski: “We don’t believe we will need a variance for the height. The maximum height was thirty five feet.”

**Mr. Kauker:** “Your line of site will have to be taken from route 130. You are replacing all the exterior lights?”

Mr. Hileman: “I believe they are putting in LED lighting.”

**Mr. Kauker:** “You are changing the whole head of the light fixtures?”

Mr. Hileman: “Yes.”

**Mr. Kauker:** “Are they going to be directed straight down?”

Mr. Malinowski: “Yes.”

**Mr. Kauker:** “They won’t be at an angle like they are now?”

Mr. Hileman: “No.”

**Mr. Kauker:** “Right now there is a glare on route 130 with the angled lights.”

Mr. Hileman: “They are fifty to twenty years old.”

Mr. Malinowski: “I will speak with the professionals to make sure there is no glare. Going down route 130, the glare does break down to almost zero because of the screening.”



**EDGEWATER PARK  
TOWNSHIP  
PLANNING BOARD**  
Meeting Minutes  
June 15, 2023 at 7:00 PM

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Mr. Burns: "The terms for approval will be adhered to and the building will be aesthetically pleasing."

Mr. Fox referenced his letter dated June 13, 2023. The Hyundai dealership should have two loading spaces on the side of the building. Mr. Malinowski stated that is part of the shared access with the Dodge dealership. Mr. Fox stated another recommendation was revising the plans so that the parking spaces are designated for employees, sales customers and service customers. Mr. Burns agreed to the parking condition. Mr. Fox requested testimony as to the security procedures because the property is in two different municipalities and how the two towns can coordinate the urgency if needed. Mr. Hileman could not answer Mr. Fox's question. Mr. Malinowski testified as to the security cameras on the property. Mr. Burns questioned Mr. Hileman if he would be willing to share the security tapes with Burlington and Edgewater Park townships. Mr. Hileman testified that he would. Mr. Burns assured it would be worked out. Mr. Fox requested testimony of the existing solid waste facility and would the new building require changes to it. Mr. Burns stated that it would be taken care of if needed. Mr. Fox inquired about the affordable housing non residential development fee. Mr. Burns stated it would be met as it relates to the four thousand square feet issue. Mr. Fox requested information in relation to the dealerships, there was testimony that Hyundai customers being dropped off at Dodge Chrysler. The four brands are on side of Burlington township, Hyundai is not allowed to place signs on the side. Mr. Hileman verified that Hyundai signs are not permitted on that side. **Mrs. DiFilippo** inquired the height of the Dodge sign. Mr. Fox state is it thirty five feet.



# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

August 17, 2023, at 7:00 PM

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## I. MEETING CALLED TO ORDER

Chairwoman Johnson called the meeting to order.

## II. FLAG SALUTE

Chairwoman Johnson led the flag salute.

## III. STATEMENT OF THE MINUTES

Read by Ms. Clayton as quoted "Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 10, 2023; written notice was emailed to the Burlington County Times and the Courier Post on January 13, 2023; written notice was filed with the Clerk of the Township on January 13, 2023."

## IV. ROLL CALL

TITLE	NAME	PRESENT	ABSENT
Class I	Mr. Belgard	x	
Class II	Mr. Alexander	x	
Class III	Mrs. DiFilippo		x
Class IV	Chairwoman Johnson	x	
Class IV	Mr. Kauker		x
Class IV	Mr. Smith		x
Class IV	Mr. Malecki	x	
Class IV	Ms. Bonner	x	
Class IV	Mrs. Tumminia	x	
Alternate I	Mr. Daloisio	x	
Alternate II			
Attorney	Thomas Coleman		x
Attorney	Chuck Petrone	x	
Engineer	Rakesh Darji	x	
Planner	Edward Fox		x

## V. APPROVAL OF MINUTES

1. There were no minutes for approval. No action taken.

**VI. COMPLETENESS DETERMINATION & FINAL HEARING**

**1. NJ Pure-4313 Route 130 South Unit B- Site Plan Waiver**

Proposed use as a Cannabis Dispensary in existing retail space zoned for commercial use.

Present for the Applicant:

Ms. Tull, Applicant

Mr. Martindell, Attorney

Mr. O’Connor, Architect

Mr. Yakimov, Security Professional

Mr. Hoover, Landlord

Ms. Tull, applicant was sworn in by Mr. Petrone, Esq. Ms. Tull offered her biography and her reasons for her interest in opening a Cannabis facility. She added that she wants to be a part of how Cannabis is being integrated into society, as well as providing education.

Mr. Darji advised the Board that the application has been deemed complete and Chairwoman Johnson called for a motion on completeness.

<b>1<sup>ST</sup> MOTION</b>	Chairwoman Johnson				
<b>2<sup>ND</sup> MOTION</b>	Mr. Malecki				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	x				
Mrs. DiFilippo					x
Mr. Kauker					x
Mr. Smith					x
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard	x				
Mr. Daloisio	x				
Chairwoman Johnson	x				

Ms. Tull provided testimony with respect to the Engineer’s review letter dated August 10, 2023 as follows:

1. a. Ms. Tull stated that the products being sold at the facility would be Cannabis and accessories such as pipes and grinders. She added that the services they will be providing relate to education on the benefits and side affects of Cannabis use.
- b. Ms. Tull stated that hours of operation would be Monday through Saturday 9 AM to 10 PM and Sunday 9 AM to 8 PM in accordance with Township regulations and they plan on having two shifts.
- c. Ms. Tull stated that they anticipate five employees onsite at most times but at busiest times maximum of 7.
- d. Ms. Tull stated that they plan to have an appointment based system to regulate the number of patrons in the facility at one time. She added that patrons will go through a pre-screening prior to entering the facility and will be required to show two government issued IDs. She indicated that this screening process is to make sure patrons are not underage and to make sure the facility is not

violating any of the dosage requirements set by the State. Chairwoman Johnson asked about on average how many patrons at one time they expected and Ms. Tull responded about 10.

e. Ms. Tull indicated they will have a state of the art security system that will utilize panic buttons, motion detectors and 24 hours video surveillance. She added that the product will actually be stored in a vault and there will be a vault for the money as well.

2. Ms. Tull testified that she would comply with all items a-n listed in Item #2 under Zoning/Land Use in the Engineer's letter.

Mr. Alexander asked how Ms. Tull will prevent customers from consuming the product on site. Ms. Tull stated that they will be set up that after the customer picks up the product they will leave the store but she would let her security expert testify more on that. There was additional discussion about security and Mr. Petrone mentioned that a condition of approval would be that a security plan would need to be submitted to the police department for review and their recommendations would be conditions of approvals.

Ms. Tull offered testimony as to the Technical Review section of the Engineer's review letter as follows:  
#9. Ms. Tull indicated that all deliveries would all be scheduled and an employee would escort product from the delivery vehicle to vault. She went on to explain that the product would be disposed of in a cannister that only provides for the product to be placed into the cannister without the ability to remove the product and then a company would pick up the cannister for disposal. Ms. Tull added that product would only be disposed of if it expires.

Mr. Alexander asked about the loading area and for more information on how deliveries will be handled. Ms. Tull responded again that all deliveries would be scheduled and Mr. Alexander expressed that the concern is more the frequency of deliveries because of traffic concerns and the amount of product being delivered at one time. Ms. Tull clarified that they are a microdispensary so there would not be large amounts of Cannabis being delivered at one time and that she anticipates deliveries occurring no more than once a week. Chairwoman Johnson asked if there will be a gated area where the deliveries will be made and Ms. Tull confirmed that is correct. Ms. Tull added that the deliveries will be in the back of the building and customers will only be entering in the front of the building. She also added it will not happen during sale times.

#10 Mr. Martindell asked Ms. Tull how the change of use would affect the parking and Mr. Darji responded that he could answer that question. Mr. Darji explained that no variance for parking would be required because when Mr. Hoover came for the original site plan the numbers for parking were estimated higher than the need for a retail store or house of worship.

#11 Ms. Tull testified that she would comply with all Township regulations regarding signage. She added that the State also has regulations as to the type of signage that can be used for Cannabis facilities. Chairwoman Johnson asked Ms. Tull to testify as to the lack of display of the product, especially as to what the public would see when looking into the store. Ms. Tull testified that only the logo will be on the sign and there will be no displays in the window only in the store, which the public will not be able to see from outside the store. She added that inside the store the displays will be empty boxes and not contain actual product.

Mr. Alexander asked if there will be any walk-ins and Ms. Tull responded that walk-in customers will go back to their vehicle and go to the website and go through the pre-screening process first. Ms. Tull added that they want to be known for their service and education that they provide. She added that all employees will be required to go to a 15 hour training course on Cannabis safety and protocols and they will be required to be members of the Cannabis Association which requires keeping up with training.

Chairwoman Johnson asked whether there will be separate hours for medical vs. recreations sales and Ms. Tull responded there would not be.

Ms. Bonner asked for a clarification on microdosing and Ms. Tull clarified that she did not state microdosing but rather that they will be a micro-dispensary, which indicates the size of the facility and that there is no microdosing. Ms. Tull added that they are a Class 5 micro-dispensary which can not be larger than 2500 square feet. Mr. Petrone clarified that if the applicant wanted to expand the facility the license would not allow for that.

Ms. Tumminia asked if the name has been licensed yet and Ms. Tull responded that the name has been licensed. Ms. Tull added that she also holds a conditional license from the State of NJ for Cannabis sales.

Mr. Yakimov, applicant's security expert was sworn in by Mr. Petrone. Mr. Yakimov gave testimony as to his experience and expertise in the field of security and with respect to security for Cannabis facilities. He also confirmed that he reviewed the plans and security plans that were submitted as part of the application and they are adequate for this type of facility.

Mr. Alexander asked about any unique security risks for this type of facility and Mr. Yakimov responded the customers provide for the most security risk but there is also employee theft that is a concern. He added that is why the security cameras are a big part of the security system. Mr. Alexander asked about robberies during deliveries or when cash is being picked up and Mr. Yakimov stated that there are security protocols inside the building and everything will be secured. Mr. Yakimov added that the company picking up cash, such as brinks for example, would have their own security protocols to protect assets. Mr. Petrone clarified that he thinks the question is whether or not armored trucks would be used for the delivery of product and pick up of cash, whether there would be security onsite at all times during deliveries and if deliveries are made before or after store hours would a security person be onsite at that time. Mr. Darji added that a concern with other applicants he has seen come before land use boards is the staggering of deliveries and pick up of cash so that there is not a pattern established. Ms. Tull confirmed that while the deliveries and pick ups would be scheduled they would not be the same day or times.

Chairwoman Johnson asked if when a customer leaves the facility and decides to consume the product in the parking lot will there be someone outside to prevent that. Mr. Yakimov responded that there will be cameras all over the buildings and there will be trained security monitoring the cameras.

Mr. Malecki asked if there would be armed security and Mr. Yakimov responded that he will be providing the security system and Ms. Tull will be providing/hiring the security personnel and his only role will be to train the personnel on the security system. Ms. Tull added that most of the security personnel for these types of facilities are retired law enforcement officers. Mr. Malecki asked how many



security guards will be on site and Ms. Tull responded that there would be one in the store and one outside, so there will be two on at all times. Ms. Tull added that all employees will have panic buttons on them at all time and if the police recommend two inside then she will comply.

Mr. O'Connor, Architect for the applicant was sworn in and gave his experience and expertise in the field. Mr. O'Connor testified that he has never seen so much security for a retail store this size. He stated that there will be a vestibule for check-in. On the store floor there will be displays with a POS where a customer can order or someone can go online and pre-order. Once the order is fulfilled the customer will pick up the product at another point and exit the store. Mr. O'Connor suggested that signage could be added in the store notifying customers that there is no consumption onsite. Mr. Alexander asked where the employees would enter and Mr. O'Connor responded at the same entrance customers come in.

Ms. Bonner asked about where deliveries will be made and Mr. O'Connor responded at a rear door away from where the customer's enter.

Mr. Alexander asked where employees will park and Ms. Tull responded there will be some employee parking in the back.

Mr. Hoover was sworn in by Mr. Petrone and provided testimony as to the other businesses that are currently and expected to be operating in the plaza in addition to the Cannabis facility. Mr. Hoover also testified that the lighting is what they originally had and they put in all new LED and poles and they try to change the timing four times a year. He added that the security lights are on all night for security reasons at the recommendation of the police department and the neighbors have actually requested the lighting all night as well.

\* Chairwoman Johnson opens the meeting to the public after testimonies.  
Hearing no one for comment, Chairwoman Johnson closed the public hearing on the application.

Mr. Petrone stated that the application is for a site plan waiver to operate a Cannabis retailer at the Hoover Plaza and a review letter provided by the Planning Board Engineer recommended a site plan waiver. The waiver of site plan approval will be conditioned upon satisfaction of the August 10, 2023 letter from Environmental Resolutions, all testimony provided by the witnesses will be a condition of the approval, applicant will be required to comply with all regulations of the Township and State regarding the operation of a Class 5 micro-dispensary and the submission of a security plan and narrative to the police department with the recommendations of the police department being a condition of the approvals. Approval does not guarantee the issuance of zoning or construction permits or a certificate of occupancy. Also, video surveillance must be provided to the police if requested and all signage must comply with the Ordinance and indicate that no on-site consumption is permitted, delivery and security staff must be present during deliveries and security will be present at all times during operation. Mr. Darji added that any prior approvals not modified by this approval will remain in effect.

\* Chairwoman Johnson requests a motion from the board to accept the application.

1 <sup>ST</sup> MOTION	Mr. Daloisio
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<b>2<sup>ND</sup> MOTION</b>	Mr. Malecki
<b>DISCUSSION</b>	

<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	x				
Mrs. DiFilippo					x
Mr. Kauker					x
Mr. Smith					x
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard	x				
Mr. Daloisio	x				
Chairwoman Johnson	x				

**VII. OLD BUSINESS – None**

**VIII. NEW BUSINESS – NONE**

**IV. ADOPTION OF RESOLUTIONS-**

- 1. P-11-2023 - REVIEWING PRELIMINARY INVESTIGATION OF THE WALL ROPE & RAILROAD CORRIDOR STUDY AREA**, determining that block 203, lots 3, 3.02 and 4.01 and sections of public right-of-way adjacent to these parcels, do not qualify as a non-condemnation area in need of redevelopment and recommending to Edgewater Park Township Committee that these parcels and adjacent public rights-of-way not be designated as a non-condemnation area in need of redevelopment a further determining that blocks 620, lots 1, 2, 3, 4, 4.01, 5, 6, 7 and 7.01; block 622, lot 4; block 701, lots 1 (west of Roosevelt Park), 1.01, 2 and 3; and sections of public rights-of-way adjacent to these parcels do not qualify as a condemnation area in need of redevelopment and recommending to Edgewater Park Township Committee that these parcels and adjacent public rights-of-way not be designated as a condemnation area in need of redevelopment

Mr. Petrone stated that Resolution P-11-2023 does not require approval but only needs to be signed by the Chair so no further action was taken.

- 2. P-12-2023 - Burlington Hyundai-4393 Route 130 South – Application for Conditional Use, Preliminary and Final Major Amended Site Plan, Variance Approvals to construct three (3) additions to the existing auto dealership building and replacing wall mounted and monument signs.**

\*Motion to adopt Resolution

<b>1<sup>ST</sup> MOTION</b>	Ms. Bonner
<b>2<sup>ND</sup> MOTION</b>	Mr. Daloisio
<b>DISCUSSION</b>	

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Alexander	x				
Mrs. DiFilippo					x
Mr. Kauker					x
Mr. Smith					x
Mr. Malecki	x				
Ms. Bonner	x				
Mrs. Tumminia	x				
Mr. Belgard	x				
Mr. Daloisio	x				
Chairwoman Johnson	x				

**X. CORRESPONDENCE**

1. NJPO – May/June 2023

**XI. MEETING OPEN TO THE PUBLIC**

Hearing no one for comment, Chairwoman Johnson closed the public comment portion of the meeting.

**XII. ADJOURNMENT**

<b>1<sup>ST</sup> MOTION</b>	Ms. Bonner				
<b>2<sup>ND</sup> MOTION</b>	Ms. Tumminia				
<b>TIME</b>					
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
All in favor	6				4



# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

September 21, 2023, at 7:00 PM

Chairwoman Johnson called the meeting to order and led the flag salute and Ms. Clayton read the following Open Public Meeting Statement into the record:

Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 10, 2023; written notice was emailed to the Burlington County Times and the Courier Post on January 13, 2023; written notice was filed with the Clerk of the Township on January 13, 2023.

## I. ROLL CALL

TITLE	NAME	PRESENT	ABSENT
Class I	Mr. Belgard		X
Class II	Mr. Alexander	X	
Class III	Mrs. DiFilippo	X	
Class IV	Chairwoman Johnson	X	
Class IV	Mr. Kauker	X	
Class IV	Mr. Smith	X	
Class IV	Mr. Malecki	X	
Class IV	Ms. Bonner		X
Class IV	Mrs. Tumminia	X	
Alternate I	Mr. Daloisio	X	
Alternate II			
Attorney	Thomas Coleman	X	
Attorney	Chuck Petrone		X
Engineer	Rakesh Darji		X
Planner	Edward Fox	X	

## II. APPROVAL OF MINUTES

August 17, 2023

\*Motion to approve the minutes

<b>1<sup>ST</sup> MOTION</b>	Mrs. Tumminia
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<b>2<sup>ND</sup> MOTION</b>	Mr. Daloisio				
<b>DISCUSSION</b>					
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	X				
Mrs. DiFilippo				X	
Mr. Kauker				X	
Mr. Smith				X	
Mr. Malecki	X				
Ms. Bonner					X
Mrs. Tumminia	X				
Mr. Belgard					X
Mr. Daloisio	X				
Chairwoman Johnson	X				

### III. COMPLETENESS DETERMINATION

#### 1. Anne & Tom Yannes- 317 Cliff Ave- Bulk Variance

Previously constructed inground pool and patio for which the Zoning Officer had previously granted approval without variances for maximum permitted total impervious lot coverage and setbacks from property line and accessory structure.

- Mr. Fox stated for the record that his office recommends a completeness determination.

\*Motion to accept the application

<b>1<sup>ST</sup> MOTION</b>	Mr. Malecki				
<b>2<sup>ND</sup> MOTION</b>	Mr. Smith				
<b>DISCUSSION</b>					
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	X				
Mrs. DiFilippo	X				
Mr. Kauker	X				
Mr. Smith	X				
Mr. Malecki	X				
Ms. Bonner					X
Mrs. Tumminia	X				
Mr. Belgard					X
Mr. Daloisio	X				
Chairwoman Johnson	X				

#### 2. SSTII 4233 US 130 LLC (Smart Stop Storage #6030)- 4233 Route 130- Minor Site/Bulk Variance

Minor Site Plan approval with a bulk variance to install a 24 KW rooftop photovoltaic energy (applied solar) system atop of the buildings and other assorted electrical equipment on an existing office building at the self-storage business. The applied solar system has already been installed

- Mr. Fox stated that for the record that his officer recommends a completeness determination.

\*Motion to accept the application

<b>1<sup>ST</sup> MOTION</b>	Mr. Kauker
<b>2<sup>ND</sup> MOTION</b>	Mr. Malecki

<b>DISCUSSION</b>	Chairwoman Johnson commented that is states that the solar panels have already been installed and Mr. Fox responded that is correct and this is a forgiveness application.				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	X				
Mrs. DiFilippo	X				
Mr. Kauker	X				
Mr. Smith	X				
Mr. Malecki	X				
Ms. Bonner					X
Mrs. Tumminia	X				
Mr. Belgard					X
Mr. Daloisio	X				
Chairwoman Johnson	X				

3. KTI Express, 800 Mount Holly Road- Use Variance and Site Plan  
Minor Site Plan approval for a proposed automotive repair business.

- Mr. Fox explained the application and stated for the record that his office recommends a completeness determination.

\*Motion to accept the application

<b>1<sup>ST</sup> MOTION</b>	Chairwoman Johnson				
<b>2<sup>ND</sup> MOTION</b>	Mrs. Tumminia				
<b>DISCUSSION</b>					
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	X				
Mrs. DiFilippo	X				
Mr. Kauker	X				
Mr. Smith	X				
Mr. Malecki	X				
Ms. Bonner					X
Mrs. Tumminia	X				
Mr. Belgard					X
Mr. Daloisio	X				
Chairwoman Johnson	X				

**IV. OLD BUSINESS – NONE**

**V. NEW BUSINESS – NONE**

**VI. ADOPTION OF RESOLUTIONS-**

1. **P-12-2023 – NJ Pure-4313 Route 130 South Unit B – Application for Site Plan Waiver, Granting Site Plan Waiver to operate a cannabis dispensary in existing retail space zoned for commercial use.**

<b>1<sup>ST</sup> MOTION</b>	Mr. Alexander				
<b>2<sup>ND</sup> MOTION</b>	Chairwoman Johnson				
<b>DISCUSSION</b>					
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	X				
Mrs. DiFilippo				X	
Mr. Kauker				X	
Mr. Smith				X	
Mr. Malecki	X				
Ms. Bonner					X
Mrs. Tumminia	X				
Mr. Belgard					X
Mr. Daloisio	X				
Chairwoman Johnson	X				

**VII. CORRESPONDENCE-NONE**

**XI. MEETING OPEN TO THE PUBLIC**

- Mr. Ouellette, 212 Rancocas Ave, Delanco was at a construction meeting a couple of months ago regarding the McDonald’s project and it was indicated that the current sign would not be relocated and not remain a part of the new McDonald’s. He explained the long history of the sign and that is a part of Edgewater Park and surrounding areas’ history, and he is asking the Board to reconsider and let them keep the sign. He said he spoke to the Engineer for the project and there is spot that they could place the sign on the new site and they could do away with some of the other signage if necessary if the Board is okay with it.
- Mr. Coleman explained that the Board has no jurisdiction at this time because the approvals have already been given. He added that the Engineer could evaluate the proposal and see if it could be considered a field change without additional approvals, but most likely the applicant will need to file a new application for amended site plan and variances, since the sign will most likely affect site triangle and not meet the requirements of the sign ordinance.
- Mrs. DiFilippo asked why this was not part of the original application if they wanted to keep the sign and Mr. Ouellette explained that the application was handled by the corporate office and they indicated that the Township did not want the sign. Mrs. DiFilippo asked why if they own both the site of the old McDonalds and the new site can’t they leave the sign on the old site and Mr. Ouellette responded the old site will be sold after demolition of the building.
- Mr. Smith asked if the corporate office is opposed to keeping the old sign and Mr. Ouellette responded that they are not opposed. Mr. Kauker added that when the corporate office submitted the application they probably did not consider the history of the sign and just provided a signage plan that would be easiest to obtain approval. Mr. Smith asked if the panels would be restored and Mr. Ouellette responded that they would be if needed.
- Mr. Fox asked if anyone had reached out to ERI and Mr. Ouellette responded he did not believe so. Mr. Fox indicated that the Engineer for the project should be reaching out to the Township Engineer to discuss, and he provided his card.

Hearing no one further for public comment, Chairwoman Johnson closed the public comment.

**XII. ADJOURNMENT**

<b>1<sup>ST</sup> MOTION</b>	Mrs. Tumminia				
<b>2<sup>ND</sup> MOTION</b>	Mr. Kauker				
<b>TIME</b>	7:28 PM				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
All in favor	8				2





# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

October 19, 2023, at 7:00 PM

**I. MEETING CALLED TO ORDER**

Chairwoman Johnson called the meeting to order.

**II. FLAG SALUTE**

Chairwoman Johnson led the flag salute.

**III. STATEMENT OF THE MINUTES**

Read by Patricia Cahall, Planning Board Secretary as quoted “Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 10, 2023; written notice was emailed to the Burlington County Times and the Courier Post on January 13, 2023; written notice was filed with the Clerk of the Township on January 13, 2023.”

**IV. ROLL CALL**

TITLE	NAME	PRESENT	ABSENT
Class I	Mr. Belgard		X
Class II	Mr. Alexander	X	
Class III	Mrs. DiFilippo		Arrived during SST II hearing
Class IV	Chairwoman Johnson	X	
Class IV	Mr. Kauker	X	
Class IV	Mr. Smith	X	
Class IV	Mr. Malecki	X	
Class IV	Ms. Bonner		X
Class IV	Mrs. Tumminia	X	
Alternate I	Mr. Daloisio	X	
Alternate II			
Attorney	Thomas Coleman		X
Attorney	Chuck Petrone	X	
Engineer	Rakesh Darji		X
Planner	Edward Fox	X	

**V. APPROVAL OF MINUTES**

September 21, 2023

\*Motion to approve the minutes

<b>1<sup>ST</sup> MOTION</b>	Mr. Malecki
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# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

October 19, 2023, at 7:00 PM

<b>2<sup>ND</sup> MOTION</b>	Mr. Kauker				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	X				
Mrs. DiFilippo					X
Mr. Kauker	X				
Mr. Smith	X				
Mr. Malecki	X				
Ms. Bonner					X
Mrs. Tumminia	X				
Mr. Belgard					X
Mr. Daloisio	X				
Chairwoman Johnson	X				

**VI. COMPLETENESS DETERMINATION - NONE**

**VII. OLD BUSINESS – NONE**

**VIII. NEW BUSINESS-**

1. SSTII 4233 US 130 LLC (Smart Stop Storage #6030)- 4233 Route 130- Minor Site/Bulk Variance Minor Site Plan approval with a bulk variance to install a 24 KW rooftop photovoltaic energy (applied solar) system atop of the buildings and other assorted electrical equipment on an existing office building at the self-storage business. The applied solar system has already been installed

- Mrs. Tumminia recused herself since she is a customer.

Mr. White entered his appearance as counsel on behalf of the applicant Smart Stop storage. Mr. White introduced Mr. May of SSTII and Mr. Drescher, developer for Warner Energy. They were both sworn in by Mr. Patrone. Mr. White verified the application for a minor site plan approval. Mr. White verified receipt of the letter from Mr. Fox and Mr. Darji of Environment Resolutions. Mr. White requested a waiver of the site plan since it was not a major site plan activity with no disturbance to the land. Public notice was placed with the Burlington County time and surrounding residents were notified. Mr. White provided detailed information about the solar panels that were installed on top of the self-storage building. The energy from the solar panels is sending energy back to the power grid. The panels have been built but are not operational. Three thousand dollars a year is being saved.



# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

October 19, 2023, at 7:00 PM

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**Chairwoman Johnson** stated that Mrs. Tumminia is a customer and should she recuse herself. Mr. Patrone stated since there are enough board members, she should. Mrs. Tumminia recused herself from the meeting.

Mr. White introduced Mr. May. Mr. May was sworn in by Mr. Patrone. Mr. May entered his appearance as the Regional District Manager of Smart Stop Storage. He has been a manager for a year and a half and knows the structure. Mr. May stated that he is not a shareholder but there are shareholders. He did visit the property and confirmed that there were no changes in the property.

**Mr. Kauker** stated that he did not see any plans for the building where the solar panels are going. Mr. Drescher provided a plan and pictures of the building. **Mr. Kauker** questioned why it was installed.

Mr. Drescher testified that it was a mistake by the contractor. Mr. Drescher verified his employment with Warner Energy since 2007. Testimony was given that there has not been any ground disruption or electrical installation. The system is connected to an electrical panel. It was thought that the permits were pulled through the contractors. The physical installation was subcontracted out. It was an oversight and asked for the boards understanding.

**Mr. Kauker:** "Have inspections been done?"

Mr. Drescher: "No, they have not."

**Mr. Kauker:** "So, the electricals have not been done yet, just the panels installed?"

Mr. Drescher: "No electrical has been installed, just the panels. We have been in contact with the township zoning department for zoning approval. PSEG has been contacted with the requirements needed for installation."

**Mr. Kauker:** "Is this the entire package or are there more plans?"

Mr. Drescher: "No, there are no more plans."

Mr. White testified that they were additional documents submitted yesterday from David Colegrove Architect for LaBella Associates with regards to the project scope, existing condition, analysis results and recommendations.





# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

October 19, 2023, at 7:00 PM

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Mr. White testified there was some question as to calculations by the engineers on the original application.

**Mr. Kauker:** “The structural engineer?”

Mr. White: “Correct.”

Mr. White requested Mr. Drescher to provide his background to the board.

Mr. Drescher started with Warner Energy in 2007 straight out of college. Dr. Drescher was involved with Project Management and sales. Mr. White inquired as to Mr. Drescher’s familiarity with the project and location of the solar panels. Mr. Drescher is familiar with the project and testified that the panels are located on top of the building. No new building structure just accessory and the ground has not been disturbed. No change of the paved area or impervious surfaces. The energy from the solar panel is connected directly to their electrical system. It is not selling electricity directly to other customers just specifically for this site. Mr. White referred to the review letter concerning a question from the planner as to the height of the panels. Mr. Drescher stated the panels height is six to eight inches. Typically, it can be as high as two to three feet.

**Mr. Fox** stated that the question was not whether it exceeded that height. It was that the drawings were not consistent. One drawing reflects one height and the other drawing reflects another height.

Mr. White questioned Mr. Drescher about his agreement with Mr. Fox’s statement. Mr. Drescher agreed.

Mr. Drescher provided a third engineering analysis from Trevor Jones, a licensed professional engineer. Mr. White posed the question to Mr. Drescher as to the supplemental submissions (exhibit A-2, A-3) clarifying the issue about the drawings. Mr. Drescher verified that it did address all the issues from a structural standpoint as well as the height of the system. Mr. Drescher verified that the solar panels will not be accessible from outside the property in compliance with the land use ordinance. The panels lay flat on the roof. They will not interfere with the surrounding properties sun light. They will comply with safety and all regulations. All permits will be applied for upon approval by the board.

**Chairwoman Johnson** inquired about a storage unit with solar energy going on site.

Mr. Drescher testified that a storage unit was not incorporated into the plan.

**Mr. Kauker** inquired about a fire review letter.



# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

October 19, 2023, at 7:00 PM

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Mr. Drescher stated he was not sure. The subcontractor was in contact with the town before the project started. That step will be completed.

**Chairwoman Johnson** stated that a fire review letter will be a condition of approval.

**Mr. Fox** thanked everyone who testified. He referred to the letter date August 25, 2023, from himself and Mr. Darji. The applicant and professionals addressed most of the concerns as stated in the letter. The applicant meets the requirements for a site plan waiver. Mr. Fox did inquire about a missing tax letter from the township tax collector. Mr. Whtie testified that it will be provided. Mr. Fox stated that it must be presented as a condition of approval. This is a question concerning site plan not construction. The office building must be transformed to route 130. The panels will be sixty-three feet set back from the highway.

**Chairwoman Johnson** inquired about fencing.

**Mr. Fox** stated there is a fence.

**Chairwoman Johnson** opened the meeting opened to the public. There were no questions. Hearing none. **Chairwoman Johnson** closed the meeting to the public.

**Chairwoman Johnson** requested a resolution from Mr. Patrone.

**Mr. Patrone** made motion for site plan approval roof top panels for solar energy as accessory use for storage facility. Approval is subject to the applicant applying for all permits required. Also, obtaining fire approval by the township official.

Motion to approve application.

<b>1<sup>ST</sup> MOTION</b>	Chairwoman Johnson
<b>2<sup>ND</sup> MOTION</b>	Mr. Malecki
<b>DISCUSSION</b>	None





# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

October 19, 2023, at 7:00 PM

NAME	YES	NO	RECUSED	ABSTAINED	ABSENT
Mr. Alexander	X				
Mrs. DiFilippo				X	
Mr. Kauker	X				
Mr. Smith	X				
Mr. Malecki	X				
Ms. Bonner					X
Mrs. Tumminia			X		
Mr. Belgard					X
Mr. Daloisio	X				
Chairwoman Johnson	X				

2. KTI Express, 800 Mount Holly Road- Use Variance and Site Plan  
Minor Site Plan approval for a proposed automotive repair business.

Mr. Burns entered his appearance as counsel for the applicant KTI Express LLC. Mr. Burns stated KTI is applying for a minor site plan only no use variance application. The use has already been approved. There is a waiver before the board. Mr. Burns referenced the review letter dated October 19, 2023 from Mr. Fox and Mr. Darji. Testimony was given that the applicant is not looking for any previous site plan approvals that were previously given. The applicant is looking to utilize the current property as an automotive repair facility. The minor issues will be discussed through testimony. Mr. Burns introduced Mr. Walsh-Engineer and Mr. Baranov-owner-KTI Express. Both parties were sworn in by Mr. Patrone.

Mr. Burns called his first witness for testimony, Mr. Max Baranov. Mr. Baranov entered his appearance as owner-operator of KTI Express. Mr. Baranov testified that it is an automotive repair facility, and the site plan application includes paving, striping, electric, sewer and water utilities. There will be eighteen parking spaces added and one paved ADA space. Mr. Baranov verified Mr. Burn's statement of not looking for approval of any previous plan approval. There will be one building and has not made any prior improvements. Mr. Baranov stated his intention to clean up the property, which was a tractor trailer repair previously. He is the owner of the property next to it. The hours of operation will be Monday through Friday 8am-6pm. Saturday hours, 8am-2pm. There will be a total of ten employees. There will be box truck deliveries one time a day. There will be parking for trucks awaiting repair. There will be new landscaping and lighting. There will not be loading spaces.



# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

October 19, 2023, at 7:00 PM

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**Chairwoman Johnson** inquired as to the truck parking spaces. Will there be trucks sitting there?

Mr. Baranov said the truck parking is for those awaiting parts for servicing. There will not be long-term truck parking.

**Chairwoman Johnson** requested about trucks sitting with engines running.

Mr. Baranov provided testimony that trucks would not be sitting for an extended time nor with the engines running. All the work will be done inside, and nothing will be stored outside.

Mr. Walsh entered his appearance as a licensed engineer for two years. He also provided his educational background in engineering. Mr. Walsh presented exhibit A-1 which is an arial view of the property. There is an access entry on Mount Holly Road. Mr. Walsh testified that there will not be moving of the property. Exhibit A-2 – Color Site Plan was presented. There is a storm water management in the back of the building. The gray area represents the parking area which is approximately 350 square feet. There are sixteen car parking spaces and twenty truck parking spaces. There is a trash enclosure on a concrete pad with fencing and a gate. Everything on the site will be contained. There will be new landscaping along the frontage along with a sidewalk. There will be new LED lighting installed.

**Chairwoman Johnson** inquired about lighting in the park lot.

Mr. Walsh responded by saying it is not being proposed. He continued by saying it will not be occupied by night and the other lighting should be sufficient.

**Chairwoman Johnson** inquired about lighting in the back.

Mr. Walsh stated there is no lighting around the back and indicated Exhibit A-2 where there is lighting.

**Chairwoman Johnson** was concerned about employees leaving at night.

Mr. Walsh **testified** that there would be ample lighting for them.

Mr. Burns requested Mr. Walsh to address item eight in the completeness review report. Mr. Walsh referenced exhibit A-2 and pointed out the trucks are pulling up onto the concrete pad and backing up into a parking spot. Mr. Walsh addressed number ten on the review and explained there will be sufficient lighting around the building for parking and visibility of the building.

**Chairwoman Johnson:** “Where will the cabs be located that need to be worked on?”

Mr. Walsh: “They will be located on the southern side of the building.”

Mr. Fox: Referenced his letter dated October 19, 2023, and stated that Mr. Burns, Mr. Baranov, and Mr. Walsh addressed all the concerns as stated in the letter through testimony. Looking forward to the site being cleaned up. Mr. Fox did state some confusion with the property





# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

October 19, 2023, at 7:00 PM

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address considering the side of the road it is on. The US postal service assigns the property address.

**Mr. Kauker** inquired about the need for only one ADA spot. Mr. Walsh did verify that only one spot was needed.

**Mr. Kauker** inquired about the concrete pad next to the ADA spot. Mr. Walsh stated that it was a sidewalk. He also stated that the remainder of the parking lot will remain gravel.

**Mr. Kauker** asked Mr. Walsh if there would be any signs on the exterior. Mr. Walsh replied "no."

**Mr. Fox** stated that if there were signs added to the building that they would follow the township ordinance.

**Mr. Kauker** inquired about the twenty trailer parking spaces and if that represents the number of trucks in the building. Mr. Baranov testified that the parking spaces do not represent the number of trucks inside the building. Drivers may leave the trailer outside for the trucks to be serviced.

**Mr. Kauker** asked about the need for a wheel stop so they can back up.

Mr. Walsh stated that it was not in the plans.

**Mr. Kauker** inquired about the 36-inch screening being enough along Mount Holly Road. Mr. Baranov stated he feels it should be sufficient.

**Chairwoman Johnson** requested information on the narrowness of the trucks entry and exit road.

Mr. Walsh referenced the site plan and said that the road dimensions were plenty wide, and it was not a safety issue with traffic on Mount Holly Road.

**Mr. Kauker** inquired about the curb cut showing on the plan.

Mr. Walsh explained it was for a prior entrance and exit. There is a fence in front of it now with no gate. The only gate is located at the front entrance.

**Mr. Kauker** questioned if the landscaping could continue past the curb section. Mr. Baranov said that they could add more landscaping.

**Mr. Kauker** commented that it would make it more obvious for the drivers that it is not an entrance.





# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

October 19, 2023, at 7:00 PM

**Chairwoman Johnson** opened the meeting opened to the public. There were no questions.

Hearing none. **Chairwoman Johnson** closed the meeting to the public.

**Mr. Patrone** presented a resolution before the board for a minor site plan approval for the applicant KTI Express and the improvements in the property in accordance with the applicant's testimony and witnesses. Normal conditions approval does not guarantee the issuance of permits. Applicant is subject to all rules, regulations, codes regarding same. Additional landscaping will be provided on the foe entrance on the area along Mount Holly Road and subject to any environmental resolutions. Applicant addressed issues on the completeness review in addition to the revised plans.

<b>1<sup>ST</sup> MOTION</b>	Mr. Smith				
<b>2<sup>ND</sup> MOTION</b>	Mrs. Tumminia				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander	X				
Mrs. DiFilippo	X				
Mr. Kauker	X				
Mr. Smith	X				
Mr. Malecki	X				
Ms. Bonner					X
Mrs. Tumminia	X				
Mr. Belgard					X
Mr. Daloisio	X				
Chairwoman Johnson	X				

**IX. ADOPTION OF RESOLUTIONS-None**

**X. MEETING OPEN TO THE PUBLIC**

**Chairwoman Johnson** opened the meeting opened to the public. There were no questions. Hearing none. **Chairwoman Johnson** closed the meeting to the public.

**XI. CORRESPONDENCE**

**1. NJPO- July/August**



# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

October 19, 2023, at 7:00 PM

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## XII. ADJOURNMENT

**Chairwoman Johnson** proposed a meeting adjournment to the board.

Hearing no objections, **Chairwoman Johnson** closed the meeting.

1 <sup>ST</sup> MOTION					
2 <sup>ND</sup> MOTION					
TIME	8:47 pm				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
All in favor	X				



# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

November 16, 2023, at 7:00 PM

**I. MEETING CALLED TO ORDER**

Chairwoman Johnson called the meeting to order at 7:00 pm.

**II. FLAG SALUTE**

Chairwoman Johnson led the flag salute.

**III. STATEMENT OF THE MINUTES**

Read by Patricia Cahall, Planning Board Secretary as quoted, “Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 10, 2023; written notice was emailed to the Burlington County Times and the Courier Post on January 13, 2023; written notice was filed with the Clerk of the Township on January 13, 2023.”

**IV. ROLL CALL**

TITLE	NAME	PRESENT	ABSENT
Class I	Mr. Belgard		X
Class II	Mr. Alexander		X
Class III	Mrs. DiFilippo	X	
Class IV	Chairwoman Johnson	X	
Class IV	Mr. Kauker	X	
Class IV	Mr. Smith	X	
Class IV	Mr. Malecki	X	
Class IV	Ms. Bonner		X
Class IV	Mrs. Tumminia	X	
Alternate I	Mr. Daloisio	X	
Alternate II			
Attorney	Thomas Coleman	X	
Attorney	Chuck Petrone		X
Engineer	Rakesh Darji		X
Planner	Edward Fox	X	

**V. APPROVAL OF MINUTES**

October 19, 2023

\*Motion to approve the minutes



# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

November 16, 2023, at 7:00 PM

<b>1<sup>ST</sup> MOTION</b>	Mr. Kauker				
<b>2<sup>ND</sup> MOTION</b>	Mr. Malecki				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander					X
Mrs. DiFilippo	X				
Mr. Kauker	X				
Mr. Smith	X				
Mr. Malecki	X				
Ms. Bonner					X
Mrs. Tumminia	X				
Mr. Belgard					X
Mr. Daloisio	X				
Chairwoman Johnson	X				

**VI. COMPLETENESS DETERMINATION – NONE**

**VII. OLD BUSINESS – NONE**

**VIII. NEW BUSINESS –**

**1. Anne & Tom Yannes- 317 Cliff Ave- Bulk Variance**

Previously constructed inground pool and patio for which the Zoning Officer had previously granted approval without variances for maximum permitted total impervious lot coverage and setbacks from property line and accessory structure.

Mr. Yannes was sworn in by Mr. Coleman. Mr. Coleman requested that Mr. Yannes explain to the board about the property and what he wishes to accomplish through testimony. Mr. Yannes thanked the board and began to explain what transpired in September of 2021 with the plan for installation of his in-ground pool. The installers were not available until 2022. The permits were approved, and construction began. He received stickers in addition to a letter saying the zoning approval was an error. The approval did not take into consideration that there was a street behind the property. Setbacks were only considered on the front street, Woodlane Road. Therefore, a variance was required. The paperwork for the variance was not done until 2023.

The letter was from Cedric Minter, township zoning officer and Mr. Yannes referenced on page five. The thirty-foot set back from the street was ok but the pool was located fifteen feet from the back street. There is a six-foot privacy fence and a large hedge that is ten feet tall. There were big rocks installed along Woodlane road. This would prevent cars coming through the fence to the pool area. The pool is located six feet from the side property where is neighbor has a garage and the roof does go over the property line. The location of the garage was mentioned in the





# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

November 16, 2023, at 7:00 PM

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engineers report. All the inspection requirements were met. **Chairwoman Johnson** verified with Mr. Yannes that he was unaware that there was a problem which required approval by the planning board.

Mr. Fox referenced his letter dated August 14, 2023. Mr. Fox stated things of this nature do happen and Mr. Yannes did come before the planning board to address the issue. It is a unique situation in that the lot is on Cliff Avenue and the backyard where the pool is, sits in the front yard of Woodlane road. The lot is half the size of the minimum required lot size of forty thousand square feet measuring at twenty thousand square feet. The ordinance was written after the home was built. There are a total of three different bulk variances. Total impervious coverage, accessory structures should be set behind the house, which is difficult to do if you have a double frontage lot, swimming pool should be set back ten feet. Mr. Fox referenced Mr. Yannes testimony that is set back more than ten feet and completely fenced in with boulders to provide protection from people coming in from Woodlane road.

**Mr. Kauker** asked Mr. Fox about the six-foot fence requiring a variance. Mr. Fox stated it would be included with the pool variance since pools require a six-foot fence.

**Chairwoman Johnson** opened the meeting to the public.

Hearing no one further for public comment, **Chairwoman Johnson** closed the public comment.

**Chairwoman Johnson** requested Mr. Coleman for a resolution.

Mr. Coleman identified the applicant as Thomas and Ann Yannes and their property, 317 Cliff Ave. Block 1702, Lot 3. The details of the application details as a pool that was constructed in 2021. The township then discovered that the pool was inadvertently approved. Mr. Coleman stated that through testimony variances would have been required. The approval before the board is to allow an accessory structure in what is considered the rear yard to be fifteen feet instead of thirty feet. The setback would be eight feet from a principal structure or an accessory structure where a required setback is ten feet. Their impervious coverage is forty percent whereas the maximum allowed is twenty percent. Approval will be based on all the conditions set forth in Mr. Fox's August 14, 2023, letter.

**Chairwoman Johnson** requested for a motion to approve the application.



# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

November 16, 2023, at 7:00 PM

<b>1<sup>ST</sup> MOTION</b>	Mr. Kauker				
<b>2<sup>ND</sup> MOTION</b>	Chairwoman Johnson				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander					X
Mrs. DiFilippo	X				
Mr. Kauker	X				
Mr. Smith	X				
Mr. Malecki	X				
Ms. Bonner					X
Mrs. Tumminia	X				
Mr. Belgard					X
Mr. Daloisio	X				
Chairwoman Johnson	X				

## IX. ADOPTION OF RESOLUTIONS-

1. **P-13-2023-** SSTII 4233 US 130 LLC (Smart Stop Storage #6030)- 4233 Route 130 Minor Site Plan approval with a bulk variance to install a 24 KW rooftop photovoltaic energy (applied solar) system atop of the buildings and other assorted electrical equipment on an existing office building at the self-storage business. The applied solar system has already been installed.

**\*Chairwoman Johnson** requested a motion to adopt the resolution

<b>1<sup>ST</sup> MOTION</b>	Mr. Kauker				
<b>2<sup>ND</sup> MOTION</b>	Mr. Malecki				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander					X
Mrs. DiFilippo	X				
Mr. Kauker	X				
Mr. Smith	X				
Mr. Malecki	X				
Ms. Bonner					X
Mrs. Tumminia	X				
Mr. Belgard					X
Mr. Daloisio	X				
Chairwoman Johnson	X				



# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

November 16, 2023, at 7:00 PM

2. **P-14-2023-** KTI Express, 800 Mount Holly Road  
Minor Site Plan approval for a proposed automotive repair business.

**\*Chairwoman Johnson** requested a motion to adopt the resolution

<b>1<sup>ST</sup> MOTION</b>	Ms. Tumminia				
<b>2<sup>ND</sup> MOTION</b>	Mr. Smith				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander					X
Mrs. DiFilippo	X				
Mr. Kauker	X				
Mr. Smith	X				
Mr. Malecki	X				
Ms. Bonner					X
Mrs. Tumminia	X				
Mr. Belgard					X
Mr. Daloisio	X				
Chairwoman Johnson	X				

## X. MEETING OPEN TO THE PUBLIC

**\* Chairwoman Johnson** opened the meeting to the public for comment

**\* Hearing none further for public comment, Chairwoman Johnson** closed the public comment.

Mr. Fox addressed the board with regards to applications for solar panels for board approval on commercial properties. Mr. Fox is working with his office to make some amendments to the ordinance that would make it less difficult for this new technology which has been enforced for some time. The state of New Jersey has learned a lot about rooftops or building mounted solar panels and the electrical code has been changed to make this a safer thing to do. Inspection is now easier for residential and non-residential uses. It is an accessory structure, and it should not have to go through the planning board. Site plan waiver approval would be required for non-residential properties installing solar panels or other energy generating facility on their site. A residential property would need discretion from the township committee concerning solar panels being installed on their lawn or property. Mr. Fox recommended that the township work with the township solicitor for amendment to the ordinance for solar panels. Mr. Fox has been trying unsuccessfully to contact Mr. Moscatiello, township





# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

November 16, 2023, at 7:00 PM

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construction/zoning official. He may have already come to the township about this matter. Mr. Fox wanted to ensure that it was discussed and reviewed by the township committee. Mr. Fox conducts yearly ordinance recommendations. He requested **Pat**, planning board secretary, to communicate with the township administrator to discuss with the township committee. **Mr. Kauker** asked Mr. fox if this would allow the applicants to not come before the board. Mr. Fox did verify that fact. **Mr. Kauker** inquired about solar panels on a slanted roof as opposed to a flat roof and a possible glare. Mr. Fox stated they do not glare and that can be verified through the department of defense.

There was a brief discussion on the new pending cannabis dispensaries in the township.

## XI. CORRESPONDENCE-NONE

## XII. ADJOURNMENT

<b>1<sup>ST</sup> MOTION</b>	Mr. Smith				
<b>2<sup>ND</sup> MOTION</b>	Mr. Kauker				
<b>TIME</b>	7:35 PM				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
All in favor	7				3





# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

December 21, 2023, at 7:00 PM

**I. MEETING CALLED TO ORDER**

Chairwoman Johnson called the meeting to order at 7:00 pm.

**II. FLAG SALUTE**

Chairwoman Johnson led the flag salute.

**III. STATEMENT OF THE MINUTES**

Read by Patricia Cahall, Planning Board Secretary as quoted, “Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 10, 2023; written notice was emailed to the Burlington County Times and the Courier Post on January 13, 2023; written notice was filed with the Clerk of the Township on January 13, 2023.”

**IV. ROLL CALL**

TITLE	NAME	PRESENT	ABSENT
Class I	Mr. Belgard		X
Class II	Mr. Alexander		X
Class III	Mrs. DiFilippo		X
Class IV	Chairwoman Johnson	X	
Class IV	Mr. Kauker	X	
Class IV	Mr. Smith	X	
Class IV	Mr. Malecki	X	
Class IV	Ms. Bonner		X
Class IV	Mrs. Tumminia	X	
Alternate I	Mr. Daloisio	X	
Alternate II			
Attorney	Thomas Coleman		Excused
Attorney	Chuck Petrone		Excused
Engineer	Rakesh Darji		Excused
Planner	Edward Fox		Excused

**V. APPROVAL OF MINUTES**

November 16, 2023

\*Motion to approve the minutes



# EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

December 21, 2023, at 7:00 PM

<b>1<sup>ST</sup> MOTION</b>	Mr. Malecki				
<b>2<sup>ND</sup> MOTION</b>	Mr. Kauker				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander					X
Mrs. DiFilippo					X
Mr. Kauker	X				
Mr. Smith	X				
Mr. Malecki	X				
Ms. Bonner					X
Mrs. Tumminia	X				
Mr. Belgard					X
Mr. Daloisio	X				
Chairwoman Johnson	X				

- VI. COMPLETENESS DETERMINATION – NONE**
- VII. OLD BUSINESS – NONE**
- VIII. NEW BUSINESS – Reorganization meeting is scheduled for 1/4/2024.**
- IX. ADOPTION OF RESOLUTIONS-**

- 1. P-15-2023**  
**Anne & Tom Yannes – 317 Cliff Avenue-Bulk Variance**  
**Previously constructed inground pool and patio for which the Zoning Officer had previously granted approval without variances for maximum permitted total impervious lot coverage and setback from property line and accessory structure.**

<b>1<sup>ST</sup> MOTION</b>	Mr. Kauker				
<b>2<sup>ND</sup> MOTION</b>	Mrs. Tumminia				
<b>DISCUSSION</b>	None				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
Mr. Alexander					X
Mrs. DiFilippo					X
Mr. Kauker	X				
Mr. Smith	X				
Mr. Malecki	X				
Ms. Bonner					X
Mrs. Tumminia	X				
Mr. Belgard					X
Mr. Daloisio	X				
Chairwoman Johnson	X				



**EDGEWATER PARK TOWNSHIP  
PLANNING BOARD  
Meeting Minutes  
December 21, 2023, at 7:00 PM**

**X. CORRESPONDENCE**

1. KTI Express-Conformance Review #1
2. NJPO (September/October 2023)
3. Resolution: P-15-2023

**XI. MEETING OPEN TO THE PUBLIC**

A resident stepped forward to inquire about the new house being built on North Garden Blvd. He stated it was a duplex and not a rancher. His identity was not made known. Chairwoman stated it was a second story home and the zoning and construction official would have the specifics on what is being built. Mr. Kauker stated if the lots are combined, they will need to come before the planning board. Chairwoman Johnson requested Ms. Cahall to consult with the township zoning and construction official for more information before the next meeting.

**\*Chairwoman Johnson closed the meeting to the public.**

**\*Chairwoman Johnson made statement concerning new applications for board members this upcoming year. She thanked the board for a good year and the support she has received as Chairwoman for 2023.**

**XII. ADJOURNMENT**

<b>1<sup>ST</sup> MOTION</b>	Mr. Malecki				
<b>2<sup>ND</sup> MOTION</b>	Mrs. Tumminia				
<b>TIME</b>	7:16 PM				
<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>RECUSED</b>	<b>ABSTAINED</b>	<b>ABSENT</b>
All in favor	6				4