

**Call to Order:**

The meeting was called to order at 7:05 p.m. by Chairman Salvadori who read the following statement: “Notice of this meeting was given as required by the Open Public Meetings Act in the Annual Notice of Meetings. This notice was sent in writing to the South Jersey Times on January 11, 2017. A copy was posted on the second floor bulletin board of Town Hall and a copy was given to the Township Clerk. In addition, notice for this evening’s public hearings was sent in writing to the South Jersey Times.

The Board saluted the flag.

Roll call: Present – Ms. Fox, Mr. Fritz, Mr. Kozak, Mr. Manfredi, Mr. McLaughlin, Mr. Mercado, Mr. O’Reilly, Mr. Sebastian, Mr. Salvadori. Absent – Mr. Sander, (excused). Also present – Mr. Coe, Solicitor, Mr. Kernan, Planner, Mr. Garbowski, Council Liaison.

**Public Hearings:**

Mr. Salvadori announced that application #17-07 for Frank Bialowas has been postponed at the request of the applicant’s attorney. The hearing for this application will be scheduled on the May 2, 2017 regular meeting and no new notice will be sent.

1. #17-05 – Warren Wisdom – Lot Area, Buffer/Side Yard, & Height Variances

Present – Warren Wisdom, applicant, Sandy Wisdom, applicant’s wife, Ron Marx, Code Green Solar.

Member’s packets contained: 1. A copy of the applicant’s variance application. 2. Letter dated April 10, 2017 prepared by Rosemary Flaherty, Zoning Officer.

The applicant is requesting the above noted variances in order to be allowed to install a ground mount solar array in the rear yard of his property. The property is located at 962 Sykesville Road, also known as Block 10901, Lot 34 in the AG Zoning District.

Mr. and Mrs. Wisdom and Mr. Marx were sworn in by Mr. Coe. Mr. Salvadori asked Mrs. Farrell if the application can be deemed complete. Mrs. Farrell replied that it can be deemed complete. Motion by Mr. McLaughlin, seconded by Mr. Fritz to deem application #17-05 complete. Voice vote; all ayes, motion passed.

Mr. Wisdom testified that they would like to install a ground mount solar array since they do not have enough room on their roof for a solar panel system to offset their electric bills. Their house is all electric and their electric bill this month was \$700.00.

**Public Hearings: (continued)**

1. #17-05 – Warren Wisdom (continued)

Mr. Marx testified that the house is not facing in the right direction to get the maximum benefit from a solar panel roof array. The ground mount will allow them to get the maximum power with the least amount of panels. Mr. McLaughlin asked if there will be any panels on the roof. Mr. Marx replied there will not be any panels on the roof. Mr. Salvadori asked if the ground array will be an obstruction for any of the neighbors. Mr. Wisdom replied that it will not. Mr. Marx stated that the array is in the rear yard and there is a fence between Mr. Wisdom's property and the neighbors; in addition Mr. Wisdom indicated he will put additional fencing in front of the array to block any further view. Mr. McLaughlin inquired as to the reason for the height variance. Mr. Marx replied that the array must be situated at a thirty degree angle in order to get the maximum amount of power. After the array is completed it will be around eleven foot high. Mr. McLaughlin inquired as to any glare from the panels. Mr. Marx replied that the panels are made to absorb the sunlight not to reflect it.

Ms. Flaherty reviewed her letter for the Board. She stated that the property is in the Pinelands and the applicant will be required to send a copy of their approval to the Pinelands for their review. She asked the applicant if there was any additional property they can purchase in order to meet the lot area. Mr. Wisdom replied that there isn't any property he can purchase as he has neighbors on either side of him. The applicant must obtain a zoning permit and a construction permit.

Motion passed to open the hearing to the public. There being none, motion passed to close the hearing to the public.

Mr. Coe reviewed the application requests for the Board. The applicant is seeking variances for the side and rear yard setbacks, the height of the array, and the lot area. There are two conditions; the first is to send the approval to the Pinelands and the installation of the fence. Motion by Mr. Manfredi, seconded by Mr. McLaughlin to grant the variances with the conditions noted. Roll call vote: Ayes – Mr. Manfredi, Mr. McLaughlin, Ms. Fox, Mr. Fritz, Mr. Kozak, Mr. Mercado, Mr. Salvadori. Nays – Zero. Abstentions – Zero.

2. #17-06 & #WSP-13-17 – Allen James Bieler – Use Variance & Site Plan Waiver

Present – Allen Bieler, applicant, Len Schwartz, applicant's attorney, Tom Duffy, real estate agent.

Member's packets contained: 1. A copy of the applicant's use variance application. 2. A copy of the applicant's site plan waiver application. 3. Letter dated April 10, 2017 prepared by Rosemary Flaherty, Zoning Officer.

**Public Hearings: (continued)**

2. #17-06 & #WSP-13-17 – Allen Beiler (continued)

The applicant is requesting a use variance in order to be allowed to display and sell sheds, gazebos, swing/play sets, and pole barns from the vacant property across the street from the Amish Market located on Marsha Avenue. The applicant is not proposing to have an office at this location as there is one on the current site at the Amish Market. The property is located on Marsha Avenue, also known as Block 1703, Lot 6 in the R-1 Zoning District.

Mr. Schwartz introduced himself as the applicant's attorney. Mr. Kernan, Mr. Duffy, and Mr. Beiler were sworn in by Mr. Coe. Mr. Salvadori asked Mrs. Farrell if the application can be deemed complete. Mrs. Farrell replied that the applicant did not submit a survey. Mr. Schwartz replied that they did send in a survey. Mrs. Farrell apologized and stated that the application can be deemed complete. Motion by Mr. McLaughlin, seconded by Mr. Kozak to deem applications #17-06 and #WSP-13-17 complete. Voice vote; all ayes, motion passed.

Mr. Duffy testified that the property in question is zoned residential however given the surrounding uses and the location it is unlikely that this property would be developed residentially. He stated that Mr. Beiler would like to move some of his product over to this side of the street from the parking lot at the Farmer's Market because in some areas on the parking lot water is getting inside of them when there is a heavy rain. Mr. Schwartz stated that Mr. Beiler has an agreement of sale to purchase the property across the street from the Amish Market. The lot is vacant; in the front along the Black Horse Pike is the Minute Man Cleaners and the apartment complex is next to that. Further down Marsha Avenue is a residential home that is buffered by a tree line from the property in question. This property will be used for temporary displays for his business. There is no intentions for customers to park on this property, they are not proposing an office on this property, and there is no intention to place any permanent construction on the property. The applicant would like to place the sheds and storage buildings on concrete slabs so they will not be directly on the ground; but all of the sheds and storage buildings are temporary; meaning they can be taken apart and removed from the site. Mr. Duffy stated that the property has been vacant for many, many years and it's his opinion as a real estate broker that there will not be any negative impact from the proposed use.

Mr. Mercado inquired about the statement that the sheds, etc. are temporary. Mr. Beiler stated that he sells sheds, gazebos, garages, etc. currently at the Amish Market site across the street. They are on display in the parking lot at that site. He stated that they can be taken down and moved to another location so they are not permanent structures. Mr. Beiler's plan showed the location of a pole barn on the proposed property and he testified the pole barn is also just a display; nothing will be stored inside and it's not being used as an office or anything else.

**Public Hearings: (continued)**

2. #17-06 & #WSP-13-17 – Allen Beiler (continued)

Mr. Beiler testified that they have an office on the Amish Market property and that will be the office used for any sales of his products on the proposed site. With regard to the slabs they are temporary slabs that Mr. Beiler places the sheds or other products on so they don't get damaged from being directly on the ground. Mr. Beiler stated that he is proposing to expand his business onto the vacant lot across the street; he will still have some of his product on the Amish Market site as well. Mr. Beiler is also proposing sidewalk that is setback off the road and gravel around the rest of the lot. There is a landscape buffer proposed between the property and the residential use on Marsha Avenue as well as a thirty-five foot buffer and fence around the three sides of the property. Mr. Schwartz stated that the engineer included a cross walk across Marsha Avenue for customers walking over from the parking lot at the Amish Market. Mr. Beiler testified that he has two employees in the existing office. With regard to lighting, he did not feel lighting was necessary but if the Board requires lighting he will comply. He also agreed to work with the Mr. Kernan's office with regard to landscaping and buffering. There was discussion on the sidewalk proposed in the middle of the site between the sheds and other structures so that the customers would not be walking along Marsha Avenue.

Mr. Sebastian commented on the sidewalk not extending out to where they can cross at the proposed crosswalk. Mr. Beiler replied that he would extend the sidewalk out to the crosswalk wherever the crosswalk is required. Mr. O'Reilly expressed his concern with dust from the gravel. Mr. Beiler stated that he did not expect a lot of activity on the site on a daily basis and he would use a compacted gravel to keep the dust down. Mr. O'Reilly also expressed his concern with all of the impervious coverage on the site and the water runoff. Mr. Beiler commented that he could put rain gutters on the structures and use rain barrels to collect the rain water if there is a drainage issue. Mr. Fritz commented that people are not going to walk across the parking lot to the area where the proposed cross walk is located to cross the street; they are going to cross closest to where they are parked. He felt more information is going to be required in a site plan. Mr. Salvadori asked if the hours of operation are the same as the Amish Market hours. Mr. Beiler replied that the Amish Market is opened Thursday through Saturday and they are open the same hours on those days as well as being open Monday and Tuesday from 9:00 a.m. to 5:00 p.m.

Mr. Kernan reviewed his report for the Board. He asked if the sheds and other structures are built on the current site for the business. Mr. Beiler stated that they have a shop in Lancaster where they fabricate the walls and such; the smaller ones are transported right to the site, some are erected on the site, such as the garages. The walls are already prefabricated and then transported to the site and put together for the display, so it's not a continuous set-up, it's just for the initial display unless someone wants to purchase the one that is already onsite; then they take it down that one down and would have to replace it at some point.

**Public Hearings: (continued)**

2. #17-06 - #WSP-13-17 – Allen Beiler (continued)

Mr. Kernan asked what the ground cover will be composed of underneath the sheds, gazebos, etc. Mr. Beiler stated that he did not expect the ground cover to be in place right of way so it will just be the grass but eventually he may put down a slab or pavers. Mr. Kernan asked if any of the displays can be purchased by a customer and then a new one erected in its place. Mr. Beiler replied that they can be purchased and that a new one would be erected in its place. Mr. Kernan inquired as to how they propose to keep customers from driving onto the lot. Mr. Schwartz replied that they could install bollards. Mr. Kernan stated that his two main concerns are pedestrian safety when crossing the street and circulation on the site. He also expressed his concern with the runoff since the property is only a little over two and half acres and most of it is going to be covered with the structures, gravel, and pavers. Mr. Kernan commented that the use does seem appropriate more so than a residential use but there are some issues that should be addressed. There was also some discussion on the amount of traffic on Marsha Avenue since it is accessed from Main Street on one end and the Black Horse Pike on the other end.

Ms. Flaherty reviewed her letter for the Board. She commented that the application requires two use variances; one because of the commercial use in the R-1 Zone and the second because it does not have a primary use so it's considered an accessory use without a primary use. She recommended the applicant post additional escrow in order to work with Mr. Kernan's office on the buffer/landscaping for the site if the Board grants the site plan waiver. If the Board does not want the proposed cross walk, she recommended some sort of calming device be installed, striping, as well as some signage that will encourage people to slow down. With regard to the drainage, Ms. Flaherty stated that the applicant will still have to submit a grading plan to the Township Engineer for approval. She did recommend some solar lighting on the structures so there would be some illumination for safety. She felt the property should be zoned neighborhood commercial and that the use is very appropriate for the site.

Mr. Fritz asked for clarification on why two use variances are required since the use is just an expansion of his business across the street. He did not feel the use variance for an accessory use without a primary use was appropriate. Ms. Flaherty replied that it is two uses since he does not have a sales office on this site. Mr. Schwartz commented that he disagreed because the use is just an expansion not a different use with an office on a separate lot; it's the same use that uses the same office. Ms. Flaherty disagreed and stated Mr. Schwartz can appeal her decision and it will be up to the Board to determine whether it should be one use variance or two. Mr. Coe stated it just an issue of semantics. He commented that the issues and concerns being raised can be incorporated into the use variance if it's granted.

**Public Hearings: (continued)**

2. #17-06 & #WSP-13-17 – Allen Beiler (continued)

Motion passed to open the hearing to the public. There being none, motion passed to close the hearing to the public.

Mr. Coe stated that the issue is the site plan waiver request. Mr. Kernan has made a recommendation that the site plan waiver not be granted and there have been a lot of issues raised by the Board members. He stated that the Board can address the use variance at this time and condition an approval on the submission of a site plan. Motion by Mr. McLaughlin, seconded by Mr. Kozak to grant the site plan waiver. Roll call vote: Ayes – Zero. Nays - Mr. McLaughlin, Mr. Kozak, Ms. Fox, Mr. Fritz, Mr. Manfredi, Mr. Mercado, Mr. Salvadori. Abstentions – Zero. 0 ayes, 7 nays, motion failed. Mr. Coe stated the next issue is the use variance and the motion would be to approve the use variance to sell, display, and construct storage structures and related outdoor structures and to allow the commercial use in the R-1 Zone conditioned upon the submission of a minor site plan. Motion by Mr. Fritz, seconded by Mr. Mercado to approve the use variance with the condition stated. Roll call vote: Ayes – Mr. Fritz, Mr. Mercado, Ms. Fox, Mr. Kozak, Mr. Manfredi, Mr. McLaughlin, Mr. Salvadori. Nays – Zero. Abstentions – Zero.

3. #17-08 – Skydive Cross Keys, LLC – Site Plan Waiver

Present – Nadia Ieremeieva, applicant, John Mazure, applicant, Richard Kaser, applicant's attorney.

Member's packets contained: 1. A copy of the applicant's use variance application and associated documents. 2. Report dated April 11, 2017 prepared by Pam Pellegrini. 3. Letter dated April 10, 2017 prepared by Rosemary Flaherty, Zoning Officer.

Mr. Kaser introduced himself as the applicant's attorney. Ms. Ieremeieva and Mr. Mazure were sworn in by Mr. Coe. Mr. Salvadori asked Mrs. Farrell if the application can be deemed complete. Mrs. Farrell replied that the applicant did not provide the certified survey but they did provide the plan from a previous application. Mr. Kaser explained that they are only leasing a small portion of the entire airport property so in order to have a survey the whole property would have to be surveyed. Motion by Mr. McLaughlin, seconded by Mr. Fritz to waive the requirement for the survey and deem application #17-08 complete. Roll call vote: Ayes – Mr. McLaughlin, Mr. Fritz, Ms. Fox, Mr. Kozak, Mr. Manfredi, Mr. Mercado, Mr. Salvadori. Nays – Zero. Abstentions – Zero.

The applicant is seeking a use variance in order to be allowed to utilize 12,000 square feet of their parking lot to accommodate ten 20' x 60' overnight parking spaces for customer RV's. No new improvements are proposed. The property is located at 300 Dahlia Avenue, also known as Block 14701, Lot 40.01 in the Business Park Zoning District.

**Public Hearings: (continued)**

3. #17-08 – Skydive Cross Keys, LLC (continued)

Mr. Mazure stated that he and his wife Ms. Ieremeieva are the sole owners of the Skydive Cross Keys business. The previous owner started the business approximately twenty-four years ago and they purchased the business in February of 2016. He also worked for the previous owner and testified that there have always been RV's, campers, or trailers on the site for the sky dive business customers. Their business is to teach people how to skydive. Mr. Mazure stated that they try to stay involved in the community and give back. They recently hosted an Easter Egg Hunt at the property and they give any donations they can to the local school fundraisers and other groups in town. They also do a free skydiving presentation for the Fourth of July event at the high school. Mr. Kaser asked if the RV's are permitted, who would own them, the individual customers or the skydiving school? Mr. Mazure replied that the customers of the skydiving school will own the RV's/campers. The owners of the RV's will not be permitted to rent them to other people when they are not staying at the site. Mr. Mazure stated they are only interested in helping their customers who come from a distance to have the convenience of staying overnight at the site and coming back as often as they like knowing they have a place to stay. Any customer who want to keep an RV on the site will be required to sign a lease.

With regard to utilities, there is an existing electrical meter on site but all the electrical service will have to be replaced. They would also like to provide water and they are trying to work that out if they can. The water will only be used to allow the customers to replenish their tanks. No septic will be provided; however they will use a disposal service that comes in once a week to empty out the units. Ms. Ieremeieva stated that some customers jump every weekend; they start coming in mid-April until the end of October. They start early in the morning usually 9:00 a.m. until sunset on Saturday and Sunday. Some of their customers drive a long way and don't want to drive all the way back home Saturday night only to come back on Sunday. The hotels and the existing campground in town are cost prohibitive for them since they come every weekend. Mr. Mazure stated that the leases will be for the extent of the season for the most part; he doesn't believe anyone who brings their camper there will be moving it weekly but leaving it there for the season. At the end of the season the customers will remove the RV's/campers from the site.

Mr. Sebastian asked if the applicant has an affidavit from the property owner in order to be before the Board for the use variance. Mrs. Farrell replied that they have a lease agreement. Mr. Sebastian questioned whether that was adequate for them to be before the Board since the lease agreement was only for them to lease the property for the business. Mr. Coe agreed and stated that they need the consent of the owner. Mr. Mazure stated that he can provide an affidavit if necessary. Mr. Kaser stated that the Board can make the affidavit a condition of approval. Mr. Coe agreed that it can be a condition if the use variance is approved.

**Public Hearings: (continued)**

3. # 17-08 – Skydive Cross Keys, LLC (continued)

Mr. O'Reilly asked if the customers with the RV's/campers take them home after the weekend or are they to remain at the site for the season. Mr. Mazure stated that the ten proposed spaces are for their customers that come every weekend; they will leave the RV/camper there for the season. If they have an opening he would consider leasing the space for a shorter period of time but generally most will be for the season, which will be the longest time period for a lease. Mr. Fritz commented on the applicant only asking for ten spaces for the RV's/campers. Mr. Mazure replied he wants to keep it at ten because he does not want it to grow larger and expand that use. They will reserve the spaces for their valued customers and will be very selective as to who they will lease space to. Ms. Fox asked if the customers who will be parking their campers come every week or do they come back every few weeks or once a month. She wanted to make sure this wasn't a place to just park their camper for the season. Ms. Ieremeieva replied that the customers they will lease space to will be their regular customers/jumpers and they will generally be there every week unless there is a reason they cannot make it one weekend. She also commented that there are regulations for the jumpers in order for them to maintain their skydiving license. Those regulations state they must make a sky dive once every thirty days.

Mr. Kernan reviewed his report for the Board. He stated that many of the questions they had in their report have been answered. Mr. Kernan inquired as to more lighting. Mr. Mazure stated that there is already lighting in the parking lot and it will spill over to this area so he didn't feel any additional lighting was needed. Mr. Kernan inquired about clearing of trees. Mr. Mazure stated he is not doing any clearing of trees just cleaning up the area a bit, maybe removing some saplings and underbrush. Mr. Kaser stated that you can see the spaces that were used previously for the campers. There is an existing fence between the properties in the area where the campers will be parked. Ms. Flaherty reviewed her letter for the Board. She commented that when the applicant's purchased the property there were illegal campers on the site as well as illegal electricity hooked up. She did raise a concern with regard to the tenant/landlord law since they are proposing the RV's/campers to be on the site from April to October. She asked that the Board condition any approval on the RV's/campers being registered and insured. The electricity was not approved originally but has since received the proper permits. The applicant has made a significant amount of improvements on the site but her last inspection revealed a lot of ruts in the parking lot. She asked that the applicant provide a parking schedule for the RV's/campers. Ms. Flaherty commented that the applicant's inherited a mess of a property and they have done a fantastic job on cleaning it up. Mr. Mazure commented that he was proposing to make the leases monthly leases and not long term leases. Mr. Coe asked Mr. Kaser if he would consider having the agreement between the RV owner and applicant's a license rather than a lease. Mr. Kaser agreed and stated he will look at the Hotel/Motel Act and prepare the agreement for review by Mr. Coe as part of a condition of any approval.



**Public Hearings: (continued)**

3. #17-08 – Skydive Cross Keys, LLC (continued)

Mr. Fritz asked if the applicant's looked to the local campground for their customers to park their RV's/campers for the season. Ms. Ieremeieva replied that the cost of the campground is something like two thousand dollars a month as opposed to maybe them paying two hundred dollars a month. Mr. Fritz asked if other skydiving schools or facilities offer the same amenities. Ms. Ieremeieva replied that they do; it is a very common practice. Mr. Kozak asked if the Fire Inspector should look at the set-up too and see if there is adequate access in case of a fire. Ms. Flaherty stated that the electrical sub-code official issued a permit for an electrical panel; however for the propane tanks the fire official will have to look at that issue. Mr. Mazure stated that they have cleared a lot of brush away from the entrance and they work closely with the fire officials and they sponsor some of their events such as their safety days.

Mr. Kernan asked Mr. Kaser to go through some of the positive and negative criteria. Mr. Kaser stated that they have an obligation to demonstrate that there is not substantial detriment to the public good or the zoning plan of the Township. This use is not a permitted use in the zone; however this is probably one of the only types of businesses in town that would have a need for this type of use. Some of the permitted uses in the zone are vehicle storage yards, agricultural uses, and light industrial. Having ten RV's/campers stored there for a short period of time is not something so adverse to the zone. Mr. Kaser stated that the surrounding area has many businesses that use storage; there are two RV uses on residential properties, and the airport property has many businesses that use storage containers as well as two residential trailers. He felt the RV's at his client's business are used to serve their customers and business just as the storage containers are used for other businesses in the area. There is a need for this use and it is a use that has been there for many years albeit without approval. There have never been any problems at the property with regard to this proposed use.

Motion passed to open the hearing to the public.

1. Tom Crane, owner of Hospitality Creek Campground, was sworn in by Mr. Coe. Mr. Crane stated that he is in favor of what the applicants are proposing but he would like to see them become a licensed campground and have yearly inspections. With regard to the septic waste, it usually requires a pumper once a week and a license must be obtained from the town. He stated that he does have customers that leave their camper with him all year around. He does not do a lease but a hotel/motel license and regulations. The people who are renting space must show they have another place of residence. He did not want to see anyone staying there illegally on a permanent basis. He commented that there is a campground association where they can get very useful information. He reiterated he did not want to see another illegal campground in town like there was years ago and would like to see them go through the licensing process for a campground.

**Public Hearings: (continued)**

2. #17-08 – Skydive Cross Keys, LLC (continued)

2. Bob Heffner, 3681 Old Black Horse Pike, was sworn in by Mr. Coe. Mr. Heffner commended the applicants on cleaning up the property. He is not opposed to the use but asked if any of the residents have to be notified. He suggested that a condition of approval should be that no RV's or campers are permitted until all the amenities are hooked up; meaning water, sewer, and electric. He did not want to see any generators being used on a daily basis since they are so noisy.

Mr. Kaser responded to Mr. Crane's comment concerning the applicants applying to be a licensed campground. He stated that they are not asking to be a campground; they are only asking to allow ten spaces for RV's/campers for the regular skydive jumpers on a seasonal basis; they do not want to be a campground. This is just a service they will provide but their business is the skydive school. Mr. Coe commented that he wanted clarification on the testimony that this use will be from April to October and on weekends only with regard to occupancy in any given week. Mr. Mazure replied that they are open seven days a week, sunrise to sunset so he wouldn't deny a customer who is renting space there if they wanted to come during the week as well to jump. He wouldn't want to place any restrictions on those customers who are renting one of the ten spaces. Mr. Coe commented that the campground ordinance is triggered when these RV's/campers will be occupied for sixty or more days. As it is just for weekends for seven months it comes very close to that time restriction. Mr. Kaser stated that it can be rectified by including that in the license/lease agreement without limiting it to just weekends.

There was some discussion on the time frame to get the electric service installed with Mr. Mazure stating that if he gets his approval this evening he intends to start right away with getting electric service to the site. Ms. Flaherty asked if the Board is going to require a site plan or site plan waiver if the use is approved. She also asked for a copy of the well certification. Mr. Coe commented that he originally understood the application to say the customers using the RV's/campers will use them on a Saturday night to Sunday morning. This is what the application states and if you factor in approximately twenty-eight or twenty-nine weeks in the season it comes out to roughly thirty days of occupancy which allows for a few extra days so you wouldn't cross the sixty day threshold. But what we are hearing tonight is somewhat of a moving target and the sixty days requirement can quickly be crossed. If you cross the sixty day requirement then you are considered a campground under the ordinance. Mr. Kaser commented that they can structure the license agreements so they will not go over the threshold. Mr. Mazure stated he will do whatever it takes so as to not be required to be a campground.

Motion passed to close the hearing to the public.

**Public Hearings: (continued)**

2. #17-08 – Skydive Cross Keys, LLC (continued)

Mr. Coe commented on the issue of a site plan or site plan waiver raised by Ms. Flaherty. Mr. Kaser stated that he did address some of the issues in the testimony with regard to there not being any structural changes, lighting changes, or parking changes. The RV's/campers already have spaces since they used to be there in the past. Ms. Flaherty commented that she thought the applicant would have to apply for a site plan waiver in order for the Board to vote on the requirement to have a site plan waiver or site plan but they have bifurcated their application and have not applied for the site plan waiver. Mr. Coe stated that they would have to apply for one and the assumption with this application is that they are not presenting one. He stated that the use variance will be conditioned upon the submission of a site plan since a site plan waiver has not been requested. Mr. Kaser commented that since there are no real changes to the property he did not believe a site plan would be necessary. Mr. Coe responded that the applicant's did not apply for a site plan waiver. Mrs. Farrell commented that a site plan waiver is an actual application they have to submit and will include the information the Board has asked about.

Mr. Kozak stated that the bigger issue is the issue of the sixty day requirement. Mr. Coe agreed and stated that as the application was submitted it was clear it wouldn't cross that threshold; however as the testimony was developed this evening there is a possibility that they could. If the Board is inclined to approve the use variance they can clearly condition it on them not crossing that threshold; however that would be a matter of enforcement for the Zoning Officer. Mr. Coe stated that the motion to approve the use variance to allow ten RV/camper sites in a twelve thousand square foot area at the Skydive Cross Keys site is subject to the following conditions; the applicant must submit a form of license with the RV owner to him for review and approval, all RV's must be registered and insured, submission of the consent by the owner of the property, approval from the Fire Official, all applicable County and Township approvals with regard to inspections, submission of the well certifications, that the agreements stipulate to not cross the sixty day threshold, and the submission of a site plan. Mr. Kaser questioned whether the condition for site plan would also include a site plan waiver. Mr. Coe stated that it is only for site plan since the applicant has not asked for a waiver. Ms. Ieremeieva stated that she did fill out the site plan waiver application and wanted to submit it two weeks ago but she was told not to submit until the use variance was done. Mrs. Farrell agreed that they were told not to submit the waiver application at the same time. There was further discussion on the matter of site plan and site plan waiver with Mr. Coe stating that if the applicant decides to submit a site plan waiver then the Board will deal with that application on its merits at that time.

Motion by Mr. McLaughlin, seconded by Mr. Mercado to grant the use variance with the conditions stated. Roll call vote: Ayes – Mr. McLaughlin, Mr. Mercado, Mr. Fritz, (commented he did not see the need for a site plan), Mr. Kozak, Mr. Salvadori. Nays – Ms. Fox, Mr. Manfredi. 5 ayes, 2 nays, motion passed.

**Public Portion:**

Motion passed to open the meeting to the public. There being none, motion passed to close the meeting to the public.

**Reports:**

1. Mrs. Farrell distributed the Financial Disclosure Statements to the Board members and informed them that they must be filled out online by May 30, 2017.

2. Mrs. Farrell informed the Board that Crossroads Treatment Center has filed a lawsuit against the Board. The Board will have to discuss the issue of Solicitor to handle this matter since Mr. Marmero was the Solicitor at the meeting but Mr. Coe is now the new Solicitor. There was a consensus among the Board that Mr. Coe can handle the matter and Mr. Coe agreed that he is comfortable handling the matter on behalf of the Board.

3. Mrs. Farrell also informed the Board that she is starting a new position at the Police Department and will no longer be working in the Planning/Zoning Board/Zoning Office. She will remain the Board Secretary through the May meetings but the Board will have to appoint a new Secretary that will start in June. The Board members congratulated Mrs. Farrell on her new position.

4. Mr. Coe stated that he will discuss the issue with Mrs. Farrell after the meeting but whenever there is an application where the applicant is a lessee, and even though they submit their lease agreement, there should be consent by the owner of the property and a signature block on the application for the owner to sign as well.

**Approval of Minutes:**

1. 4/4/17 regular meeting.

Motion by Mr. McLaughlin, seconded by Mr. Fritz to approve the minutes from the April 4, 2017 regular meeting. Voice vote; all ayes, motion passed.

**Adjournment:**

The meeting was adjourned at 9:40 p.m.

These minutes are an extract from the meeting that was held on the above date and are not a verbatim account or to be construed as an official transcript of the proceedings. The tape of the meeting is stored in the office of the Board.

Ninette Orbaczewski  
Clerk Transcriber