

Call to Order:

The meeting was called to order at 7:00 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.

The Board saluted the flag.

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

Memorialization of Resolutions:

1. #17-23 – App. #1776 – 607 Main Morgan, LLC

Motion by Mr. McLaughlin, seconded by Mr. Mercado to adopt resolution #17-23. Roll call vote: Ayes – Mr. McLaughlin, Mr. Mercado, Mr. Fritz, Mr. Kozak, Mr. Manfredi, Mr. Salvadori. Nays – Zero. Abstentions – Zero.

Site Plan Waiver:

1. #WSP-20-17 – Skydive Cross Keys, LLC – Site Plan Waiver

Present – Nadia Ieremeieva, applicant, Richard Kaser, applicant’s attorney.

Member’s packets contained: 1. A copy of the applicant’s site plan waiver application and associated documents.

The applicant is requesting a site plan waiver in order to continue using part of the Skydive property for seasonal campers/trailers for regular customers during the jumping season. The property is located at 300 Dahlia Avenue, also known as Block 14701, Lot 40.01 in the Business Park Zoning District. The applicant received use variance approval to allow the campers/trailers on the property seasonally on April 18, 2017.

Ms. Ieremeieva was sworn in by Mr. Coe. Ms. Ieremeieva stated that they are requesting a site plan waiver since they are not making any changes to the property. The proposed campers/trailers will be in the same area where they used to be parked prior her husband and her purchasing the business. Mr. Kaser stated that his clients have cleaned up the property quite a bit since they purchased the skydiving business.

Site Plan Waiver: (continued)

1. #WSP-20-17 – Skydive Cross Keys, LLC (continued)

Mr. Sebastian pointed out for the record that the property owner did supply an affidavit stating his acknowledgment of the application before the Board which was a condition of the use variance approval. Mr. McLaughlin asked if the applicant was going to allow fire pits at the camper/trailer sites. Ms. Ieremeieva stated they are not going to allow fire pits and that condition will be part of the lease/license agreement. Mr. Mercado inquired about the electrical work. Ms. Ieremeieva replied that they plan to install a new electrical system for the campers/trailers. She stated that they do have electrical hookups for five or six campers but they are applying for ten sites and since the electric is old they will be redoing the entire system with the proper permitting. Mr. Mercado commented they do not know where the electric is without a site plan. Mr. Kaser stated the electric will still be in the same place it's just being replaced. Mr. Mercado stated that the Board conditioned the use variance on site plan approval because there were changes proposed to the site but now the applicant is stating that there are no proposed changes. Mr. Kaser replied that there isn't any proposed construction, no change in occupancy, no change in use, no change in circulation or drainage, and no change in lighting, landscaping, or buffering. This application meets the code for a site plan waiver. There was some disagreement between Mr. Coe and Mr. Kaser on the requirements that would require a site plan. Mr. Kaser commented that the application meets the requirements for a site plan waiver; the only things they are doing is upgrading the electric they are not changing it.

Mr. Fritz commented that the applicant could submit a partial site plan just dealing with the portion of the property in question. One that would show the property line next to where the campers will be parked, the parking area in relation to the existing deli and driveway and circulation. This way the Board can see exactly where everything is on the site in relation to the overall proposal. Mr. Kozak asked if the applicant will allow tents. Ms. Ieremeieva stated they will not allow tents. The only tent or canopy they have on the site is over the picnic table area; no other tents or canopies will be permitted. Mr. Sebastian stated that the applicant's sketch does show the location of the ten spaces designated for the camper parking which also shows the distance from the driveway. He asked if the applicant intends to install an electrical outlet at each of the ten spaces. Ms. Ieremeieva stated that each space will have their own electrical outlet. Mr. Kaser stated that the electrical plan will be submitted when applying for the electrical permit. He agreed with Mr. Sebastian that the sketch does show the location of where the campers will be located as well as the distance to the driveway and the fence along the adjoining property line. Mr. Kaser stated that the expense of even doing a partial site plan is significant for the applicant's with cost of engineering and the application fees. This proposal does not have any negative impact to the public good or it will not cause any detriment to the zone or zoning plan.

Site Plan Waiver: (continued)

1. #WSP-20-17 – Skydive Cross Keys, LLC (continued)

Mr. Kaser stated that this is not a campground; it's a business that's been operating in this town for over twenty-five years. There have not been any complaints by the neighbors against the business even when the previous owners had the campers on the site. This is the applicant's third meeting before the Township for this site and each time the neighbors were notified and no one has come out to object. He added that the money they would have to spend doing a site plan would be much better used to make improvements to the property. Mr. McLaughlin asked if the RV sites will be able to have grills or barbeque equipment. Ms. Ieremeieva stated that they will not allow grills or barbeques at the individual sites. She stated it will not be necessary since they have a restaurant on the site. Mr. Kozak asked if she and her husband will be doing the enforcement. Ms. Ieremeieva replied that they will be doing the enforcement and that it is pretty obvious if someone has a campfire the night before. She stated that she and her husband live in town so they are not far. Mr. Salvadori asked what will happen if someone does violate their license agreement. Ms. Ieremeieva stated they would be evicted from the site.

Mr. Kaser commented that without the waiver his clients will probably not be able to move forward due to the expense of having a site plan prepared along with the Township fees. Mr. Coe asked what the anticipated fees will be. Mr. Kaser replied in excess of ten thousand dollars. Mr. Salvadori commented that the financial obligations to an applicant cannot be weighed by the Board.

Ms. Flaherty reviewed her letter for the Board. She stated that she did speak with the Chief of Police about this area when the previous owner allowed the illegal RV's and campers on the site. He stated that there were calls to police department due to parties where the participants were up all night and making noise. Mr. Kaser objected to Ms. Flaherty's statement saying it was all hearsay. She replied that the meeting can be postponed so she can have the Chief appear at the next meeting since public safety is a concern. She commented that the site has been cleaned up since the new owners have taken over but the parking lot itself is in bad condition. She stated that she understands what the applicants want to do on the site but the only way to achieve that and have the site look the part is to have a site plan to address the parking lot, the parking spaces, the signage, etc. She recommended a site plan be submitted and stated she is not recommending a site plan waiver based on the condition of the property and for public safety. Mr. Coe asked if that is based on her personal observations of the site. She replied it was from her personal observations and that the Chief also put it in writing. Mr. Coe stated that he would like Ms. Flaherty to contain her testimony to her personal observations. She replied that it is based on her personal observations since the only reason the property was cleaned up was due to the violation she issued when she came here and the property has been cleaned up but the parking lot area is not in good condition and needs the improvements that you'll see once a site plan is submitted.

Site Plan Waiver: (continued)

1. #WSP-20-17 – Skydive Cross Keys, LLC (continued)

Mr. Kaser stated that there is not any increase in coming and going from the site; ten vehicles will be brought to the site and remain there for the duration of the jumping season. They will not be coming back and forth to the site. He commented that a site plan is not going to improve the parking lot which has been there for twenty-five years. They do grade it and fill in the pot holes when necessary. It is not asphalted; it has never been asphalted and it's not in the budget to have it done in the near future. There was some back and forth concerning the issue of improving the parking lot and the fact that a site plan will not change the parking lot. Mr. Salvadori asked if the Board has the right to say they want the parking lot improved. Mr. Kaser replied that they can ask for that but they can ask for that under the site plan waiver requirements as well; it's not necessary to submit a site plan. Mr. Coe stated that in granting the use variance the Board imposed the condition that a site plan be submitted which is allowed by State statute. He commented that the only way to impose any site improvements the Board would need to see a site plan.

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

Mr. Coe stated that there is one clear issue before the Board and that is whether they want to grant a waiver of the site plan requirement. The condition of the use variance approval was that a site plan be submitted; however it is within the Board's discretion to waive that requirement and allow the site plan waiver. Motion by Mr. McLaughlin, seconded by Mr. Sebastian to grant site plan waiver approval. Roll call vote: Ayes – Zero. Nays – Mr. McLaughlin commented that he believes a site plan is necessary, Mr. Sebastian commented that he believes it's an issue of public safety with regard to the parking lot, Mr. Fritz commented he would like to see a partial site plan for the area in question, Mr. Kozak commented he is voting nay for the same reasons as the others, Mr. Manfredi commented that he agrees with Mr. Fritz that a partial site plan be submitted, Mr. Mercado, Mr. Salvadori commented that he is voting nay for all the reasons that were stated. Abstentions – Zero. 7 Nays, 0 Ayes, 0 Abstentions, motion failed.

Mr. Kaser asked if the members could elaborate on their "voting nay for the reasons previously stated" as he wasn't sure what those reasons are. Mr. Coe replied that the record speaks for itself. After further discussion Mr. Sebastian commented that he mentioned public safety because that is the most important item; however there were other things such as the electrical issues and the condition of the parking lot. He was in agreement for a partial site plan to address the issues stated on the record. Mrs. Farrell stated that the application has been denied and asked if the Board members were okay with the applicant submitting a partial site plan if they choose to move forward. The Board members were in agreement with a partial site plan. Ms. Flaherty commented that the site plan should address the circulation, the parking, the lighting, signage, etc. with the plan being sealed by a licensed engineer. Mr. Kaser thanked the Board.

Public Portion:

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

Approval of Minutes:

1. 5/2/17 regular meeting.

Motion by Mr. Mercado, seconded by Mr. McLaughlin to approve the minutes from the May 2, 2017 regular meeting. Voice vote; all ayes, motion passed.

Reports:

1. Mr. Salvadori stated that Mrs. Farrell has resigned her position as the Board's secretary. He commented that the Board has to appoint a new secretary and asked if anyone has a motion for a Board secretary. Mr. Coe commented that the Township code states that it is the Zoning Board's discretion and authority to select each office of the Board such as Chairman, Vice Chairman, Secretary, and any other employees necessary for the Board to operate. The only requirement within that is that the Board has to do so within the budgetary constraints provided by Township Council. Motion by Mr. McLaughlin, seconded by Mr. Sebastian to appoint Mrs. Orbaczewski as the Board secretary. Roll call vote: Ayes – Mr. McLaughlin, Mr. Sebastian, Mr. Fritz, Mr. Kozak, Mr. Manfredi, Mr. Mercado, Mr. Salvadori. Nays – Zero. Abstentions – Zero. Mrs. Orbaczewski thanked the Board.

Mr. Salvadori commented that the Board will need a clerk transcriber since Mrs. Orbaczewski has been appointed to the position of secretary. He asked if the Zoning Officer had any suggestions for a clerk transcriber. Ms. Flaherty stated that she placed Ms. Park's resume in the Board's packets. Ms. Park does do minutes for other Boards and is willing to take the position. Mr. Mercado questioned the number of other Boards and Commissions Ms. Park is currently working for and if there a conflict with the Zoning meetings. Ms. Flaherty stated that she is going to quit some of the other Boards and Commissions she currently does work for. Motion by Mr. Kozak, seconded by Mr. Sebastian to appoint Tara Park as the Zoning Board clerk transcriber. Roll call vote: Ayes – Mr. Kozak, Mr. Sebastian, Mr. Fritz, Mr. Manfredi, Mr. McLaughlin, Mr. Mercado, Mr. Salvadori. Nays – Zero. Abstentions – Zero.

2. Mr. Coe informed the Board that Crossroads Treatment Center has agreed to waive any and all financial claims if the permit is issued. A consent order will be entered with the court. In addition the applicant has stated that they are still interested in pursuing the other site as discussed with the Board.

Reports: (continued)

3. Mr. Mercado asked Ms. Flaherty for an update on the Fazzio matter. Ms. Flaherty replied that Mr. Fazzio is currently removing materials from the site on Glassboro Cross Keys Road to his other site and it all should be removed by the end of the year.

4. Mrs. Farrell commented that it has been a pleasure being the secretary for the Board and working with everyone. The Board members commented that they have enjoyed working with Mrs. Farrell and that she will be missed.

Adjournment:

The meeting was adjourned at 7:47 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 Orbachewski
Clerk Transcriber