

**CITY OF EGG HARBOR
MUNICIPAL LAND USE BOARD
May 19, 2015
7:00 P.M.**

A regular meeting of the Egg Harbor City Municipal Land Use Board was held on May 19, 2015. Those in attendance were City Council President Edward Dennis, City Official Donald Milne, Vice Chairman Richard Colby, Regular Member Dennis McKenna, Todd Warker, Jack Peterson, Solicitor Jim Schroeder, City Planner Tim Michel, Engineer Ryan McGowan and Secretary Donna Heffley. Not present were Mayor Lisa Jampetti, Chairman Gerhard Mueller, Regular Member Michael McKenna, Alternate #1 Gladys Torres and Alternate #2 Kristin DeClementi.

Vice Chairman Richard Colby called the meeting to order.

This meeting was advertised pursuant to the NJ Open Public Meetings Act N.J.S.A. 1:4-6 Seq. Notices were sent to official publications for the Egg Harbor City Municipal Land Use Board; the Press of Atlantic City, the Egg Harbor News, the Atlantic Current and the Hammonton Gazette. A copy of the notice was posted on the bulletin board of the Egg Harbor City Municipal Building.

The Vice Chairman directed this announcement to be entered into the minutes.

Roll Call: Mayor Jampetti absent, Mrs. Johns yes, Mr. Dennis yes, Mr. Milne yes, Mr. Colby yes, Mr. Peterson yes, Mr. Michael McKenna absent, Mr. Warker yes, Mr. Dennis McKenna yes, Mrs. Torres absent, Mrs. DeClementi absent, Mr. Mueller absent, Mr. Schroeder yes, Mr. Michel yes, Mr. McGowan yes, and Secretary Donna Heffley yes.

Mrs. Marie Johns is serving on the board tonight as the Mayor's Representative.

Approval of Minutes: April 21, 2015

Upon motion made by Mr. Peterson, seconded by Mr. Dennis and carried the April 21, 2015 minutes were approved.

Approval of Resolutions: Resolution #2015-003

Savage Cimino, LLC
105 Philadelphia Avenue
Egg Harbor City, NJ 08215
Block 206, Lot 29
Request for Waiver from Site Plan Review and Approval

Upon motion made by Mr. Dennis, seconded by Mr. Peterson

Roll Call: Mrs. Johns abstained, Mr. Dennis yes, Mr. Milne yes, Mr. Colby yes, Mr. Dennis McKenna yes, Mr. Peterson yes, and Mr. Warker yes.

New Business: Informal Reviews –

A. Frank Skorto – Sports, AFA was not present.

B. John Conlin/William Reynolds

Mr. Reynolds was present and gave a brief history of his background. Mr. Reynolds would like to construct a Teflon hockey rink in his back yard for his children. Mr. Reynolds described the construction of the rink and how it will be used. This rink will not be open to the public and will be strictly for his children's use. Mr. Reynolds wanted to construct a temporary tent over the rink for protection from the elements and for his children to be able to skate all year around.

The Board Members and Professionals discussed this issue and expressed their concerns. Mr. Reynolds provided drawings and literature describing the hockey rink.

Mr. Schroeder noted this informal is only to provide guidance and direction. There will be no vote on this tonight. This is just a matter of discussion.

Mr. Michel noted the only issue in question is the tent. Everything else is acceptable. Mr. Michel stated that zoning does not allow a temporary structure to be put up permanently. Mr. Michel discussed the requirements and the problem with tents being used as permanent structures. Mr. Michel recommended if Mr. Reynolds is interested in a tent he would have to complete a site plan in order to receive approval. All neighbors would have to be notified.

Mr. Dennis expressed his concerns.

Ryan McGowan spoke about tent requirements wind load, snow load and wind ratings.

Mr. Reynolds noted the tent is just a temporary fix. He would like to put up an accessory structure in the future.

Mr. Peterson expressed his concerns about this issue.

The Board and Professionals would like Mr. Reynolds to submit a formal application to get approval for the tent to be put in his yard.

Mr. Warker requested that written specs be provided to illustrate how the structure will be secured.

Mr. Dennis noted that everyone must follow the same procedures; a zoning permit is required for the approval of tent structures in the City.

Mr. Milne would to see setbacks noted in writing and noted it is important that everyone must follow the same procedures for approval.

Mr. Schroeder noted all information should be submitted to the Board for review.

Mr. Schroeder summarized: the Board has given Mr. Reynolds two options

1. A full application will be required to obtain a variance for the tent.
2. Mr. Reynolds can build a permanent structure and obtain proper building permits without having to go before the board for a tent variance.

Mr. Reynolds stated he will remove the tent and cover the rink with a tarp until he can afford to build a permanent structure. He will then obtain all permits necessary from the building department to be in compliance.

C. Informal: (1) Egg Harbor City Police Officer Mike Luko

Mr. Michel gave a review of the two applications that Officer Luko has submitted for clothing bins for the Dare Program.

Mr. Michel noted the 302 White Horse Pike property had two bins located in the City right of way which had to be removed according to the Resolution: 2014-003, Mohammed Mollah (Applicant). Mr. Michel reviewed the resolution and the conditions that must be met.

Officer Luko expressed his concerns about the applications and the importance to the Dare Program which the proceeds will be used for the promotion of a drug free environment for the kids. Officer Luko is asking for the clothing bins to be returned to the 302 White Horse Pike location.

Mr. Michel noted if the resolution is amended the bins can be returned to the 302 White Horse Pike location.

Mr. Schroeder will amend the resolution and the Board can vote on the amended resolution next month.

Mr. Schroeder took a poll of the Board, to amend the resolution pertaining to the bins to be returned to 302 White Horse Pike.

Mr. Milne - yes.

Mr. Dennis - is in agreement but all original requirements must be met pertaining to the original resolution and that all clothing bin requirements are met.

Mr. Warker - yes, And hopes the Owner of the property will accommodate the bins.

Mr. Colby - yes

Mr. Peterson - yes

Mr. McKenna - yes

Mr. Michel reviewed the other location of clothing bins for the Dare Program which is behind Dunkin Doughnuts, 508 White Horse Pike. Mr. Michel noted the problem with that location is the bins are located within 200 yards of a gas station. A variance will be needed for these bins to remain at this location.

The Board, Professionals and Officer Luko discussed other possible locations for the two bins that must be removed from the 508 White Horse Pike location.

Officer Luko was referred to the Property Committee to find a suitable location for the bins. Officer Luko asked if the bins at 508 White Horse Pike can stay until they find a new location or move the two bins from 508 White horse Pike to 302 White Horse Pike.

(2) Query regarding swimming pools in the Egg Harbor North development:

Ms. Baylock submitted a zoning permit application for an above ground swimming pool but had conflicts with the architectural controls pertaining to the homes at Cedar Creek. Mr. Michel reviewed her location and discussed the waiving of the architectural controls regarding this issue and possibly adopting state code requirements for swimming pools. The State code does not require a fence to surround the entire pool as long as you have a removable ladder and the pool is at least 4 foot high.

Mr. Dennis abstained from polling on this issue due to having a swimming pool. All board members were in agreement for the change to the ordinance to match the State code requirements concerning swimming pools.

Other Business: Mr. Colby was in a Meeting with Ms. Galloway discussing the home town celebration and having local farmers offer "Jersey Fresh" produce for sale.

Mr. Colby- Announced the Sustainable land use pledge resolution. City Council has approved this resolution.

Council report- Ed Dennis gave the council report. Mr. Dennis updated the board on economic development and redevelopment projects.

Vice Chairman Colby read the City Grass ordinance which is posted on the City site channel.

Public Comments: none

Adjournment: Upon motion made by Mr. Dennis, seconded by Mr. Peterson and carried the May 19, 2015 meeting was adjourned.

Respectfully submitted

Donna Heffley/Land Use Board Secretary

