

**CITY OF EGG HARBOR  
MUNICIPAL LAND USE BOARD  
July 18, 2017  
7:00 P.M.**

A regular meeting of the Egg Harbor City Municipal Land Use Board was held on July 18, 2017. Those in attendance were the Mayors Representative Marie Johns, City Council President Edward Dennis, Chairman Jack Peterson, Vice Chairman Todd Warker, Regular Members; Dennis McKenna, Michael McKenna, Gladys Torres, Alternate #1 Keith Mullineaux, Solicitor Duncan Prime, City Planner Tim Michel, City Engineer Ryan McGowan and Secretary Donna Heffley  
(Not Present were Mayor Jiampetti, Egg Harbor City Fire Department Representative John Garth, Regular Member Richard Colby and Alternate #2 Donald Milne.

Chairman Peterson called the meeting to order and made the following announcement.

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 Chairman directed the Secretary to enter this public announcement into the minutes.

**Roll Call:** Mayor Jiampetti absent, Mr. Dennis present, Mr. Garth absent, Chairman Peterson present, Mr. Warker present, Mr. Colby absent, Dennis McKenna present, Mrs. Torres present, Mr. Michael McKenna present, Mrs. Johns present, Mr. Milne absent, Mr. Mullineaux present, Mr. Prime present, Mr. Michel present, Mr. McGowan present and Secretary Donna Heffley present.

**Approval of Minutes:** June 20, 2017

Upon motion made by Mr. Warker, seconded by Mrs. Torres and carried the June 20, 2017 Land Use Board minutes were approved.

**Resolutions:** #3 of 2017

Ocean Solar – William Driscoll  
Owner of Property Deana Garwood  
2550 Philadelphia Avenue (2750 Liverpool Avenue)  
Egg Harbor City, NJ 08215  
Block 232, Lot 6.01

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

**Roll Call:** Mr. Dennis yes, Chairman Peterson yes, Mr. Warker yes, Mr. Dennis McKenna yes, Mrs. Torres yes, Mr. Michael McKenna yes, Mr. Mullineaux yes, Mrs. Johns abstained. (Mrs. Johns was not present to hear the original application).

**New Business:** Greater Egg Harbor Regional

Mr. Michel gave a summary of why Mr. McGhee from the Greater Egg Harbor Regional Schools was Present. Mr. Michel noted we have a request from the Cedar Creek Highschool to locate two clothing bins on their property. This is coming before the Land Use Board tonight as a requirement for review and recommendation. At the present time, the clothing is being stored inside the school and that space

could be used for locker rooms. In the Clothing Bin Ordinance adopted in 2012 one of the prohibitions in the location requirements is clothing bins cannot be within 200 yards of a public school. In this case Mr. McGee is requesting the bins be placed on school property. Mr. Michel explained that this location prohibition has been to prevent a clothing bin from becoming an attractive nuisance and children playing around the clothing bins. Mr. Michel spoke to Mr. McGee about this and Mr. McGee assured Mr. Michel that the clothing bins will be monitored. The school has a contract with the party that will be removing the clothing on a regular basis, they will keep the clothing bins under surveillance to make sure contents are not piled up outside the bin and also that kids are not misusing the clothing bins in any way.

Mr. McGee Assistant Principle from Cedar Creek Highschool was present and explained how the clothing collection benefits the school. Mr. McGee said two clothing bins will be placed on the property and the school will receive \$1500 per bin a year. The company will pick up the clothing from the bins on a regular basis. Placement of the bins will be by the security cameras to insure the area is well monitored.

Location of the bins was discussed between Mr. McGee, Board Members and Professionals.

**Comments from the Board:** none

**Comments from the Public:** none

**New Business: #17-01 LUB**

**Samir Ibriham (Discount Liquor)  
827 White Horse Pike  
Egg Harbor City, NJ 08215  
Block 433, Lot 12  
Minor Site Plan**

Mr. James E. Mc Geary, Esquire representing Samir Ibriham was present on behalf of the Applicant. Mr. Mc Geary noted two items must be completed before an application is heard by the Land Use Board. First registered letters must be sent out to property owners within 200 feet and Second there must be publication of the meeting at least 10 days before the meeting. Due to a breakdown in communication the certified letters were sent out but no notice by publication was completed. Due to this mishap, the Applicant will not be able to proceed tonight.

Mr. McGeary asked if the Applicant would have to resend the certified letters.

Mr. Prime stated Certified letters must be sent out again and the notice must be advertised in a City approved newspaper. Proof of publication must be shown.

Mr. McGeary assured Mr. Prime that both forms will be taken care of.

Mr. Dennis noted we have all be given copies of the site plan however the applicant is not repairing some of the issues that need attention. Mr. Dennis pointed out the issues in the parking lot that need attention.

Mr. McGeary has not had an opportunity to look over the plan but once they meet with the City Officials they will do their best to comply.

**New Business: #17-02**

**Spread the Gospel Inc.  
235 and 243 St. Louis Aveu7e  
Egg Harbor City, NJ 08215  
Site Plan Waiver and Use Variance**

Mr. Michel and Mr. McGowan met with the Applicant and discussed what details they were looking for on the plan. As of last Friday, the details that were requested have not been received. The Applicant asked Mr. Michel if they could move the application to the August 15, 2017 meeting.

Mr. Duncan noted the Applicant carried the application formally to the August 15, 2017 meeting. The Applicant did advertise properly in June for a use variance and site plan approval. The use variance was granted at the June 20, 2017 meeting. The applicant was going to return in July for site plan approval but asked if they could carry the application until the August 15, 2017 meeting.

Chairman Peterson asked if anyone was present for the Land Use Board Application for the Knights of Columbus Property.

**Comments:** none

Mr. Duncan will request that a formal letter requesting the application be carried until the August 15, 2017 meeting be submitted by the Attorney representing Spread the Gospel Inc.

Mr. Dennis made a motion that the application be carried until the August meeting, seconded by Mrs. Johns and carried.

Jose Aldarondo was present from AJ's Auto Repair located at 11 11<sup>th</sup> Terrace in Egg Harbor City. Mr. Aldarondo leases a portion of the property for his auto repair business.

Mr. Michel discussed the property located at 11 11<sup>th</sup> Terrace where Tri State Towing is also located. Mr. Michel discussed a Pinelands letter dating back to 2002 concerning the use of the property. The Planning Board had previously granted an approval for an expansion of that building and some of the parking area which is associated with an auto body and repair shop. In 2002 Mr. DeClementi issued a letter saying that it would be acceptable for the property to be converted into a towing business. Pinelands reviewed that request and had no conflict, this established the Land Use back in 2002 with Pinelands and the City in agreement. It came to our attention that an auto repair business is operating out of the same property as tri-state towing. The ordinance states you cannot have two principal land Uses on one lot. If you have more than one principal use then the Land Use Board would have to review and formally indorse the multiple uses on the lot.

Mr. Michel noted that both uses are permitted in that zone but separately. In the past, the board has required some level of site plan review to allow for the second principal use on the lot. Mr. Michel noted this type of application is not unusual. The two uses must have 2 distinct separate areas for each business.

Mr. Michel advised the Applicant to pick up an application and have the owner of the property provide a survey so the Professionals can start reviewing the site.

Mr. Aldarondo noted the Owner wanted to be present however he could not attend the meeting tonight. Mr. Aldarondo apologized for not knowing he needed a separate mercantile license and will fill out all required paperwork.

Chairman Peterson suggested to the Applicant that the owner of the property should be involved with this process and that Mr. Aldarondo will have to go through the correct procedure and apply for a mercantile license.

Mr. Prime suggested the owner should seek this approval so if Mr. Aldarondo ever moves out than the property would be set up for the next business.

Mr. Aldarondo asked the Board if he has to close down his business.

Mr. Prime told Mr. Aldarondo that the Board does not want to shut down his business and he just needs to file an application with the Land Use Board for approval for two principal uses on the same lot.

**Questions from the Board:** none

**Old Business:** none

**Council Report:** none

**Questions and comments from the board:** none

**Public Comments:** none

**Adjournment:** Upon motion made by Mrs. Torres, seconded by Mrs. Johns and carried the July 18, 2017 meeting was adjourned.

Respectfully submitted  
Donna Heffley/Land Use Board Secretary