

**CITY OF EGG HARBOR  
MUNICIPAL LAND USE BOARD**

**April 21, 2020**

**Remote Meeting**

**7:00 P.M.**

A remote access meeting of the Egg Harbor City Municipal Land Use Board was held on April 21, 2020. Those in attendance were Mayor Jiampetti, Council Representative Robert Ross, Chairman Jack Peterson, Vice Chairman Todd Warker, Regular Members; Keith Mullineaux, Dennis McKenna, Michael McKenna, Alternate #1 Andrew Dixon, Alternate #2 DaShaun Hare, Leo Manos Esquire, Land Use Board Engineer Ryan McGowan and Secretary Donna Heffley. (Not Present were Egg Harbor City Fire Department Representative John Garth, Regular Member Gladys Torres, and the Mayors Representative Marie Johns).

Chairman Peterson opened the meeting with the flag salute.

Chairman Peterson called for a moment of silence for Miriam Muller who had passed away. Mrs. Mueller Served in World War II as a gunnery instructor in Atlantic City for naval pilots, She was involved in many civic organizations throughout town, she was very active in scouting and mentoring young men and women in their lives, and was one of the founding members of the Egg Harbor City Planning Board established in September of 1968. Chairman Peterson wanted to recognize Mrs. Mueller for her history and public service.

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.

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

**Roll Call:** Mayor Jiampetti present, Mr. Ross present, Mr. Peterson present, Mr. Warker present, Mr. Garth Absent, Mr. Mullineaux present, Michael McKenna present, Dennis McKenna present, Mrs. Torres absent, Mrs. Johns absent, Mr. Dixon present, Mr. Hare present, Mr. McGowan present, Mr. Manos present and Secretary Donna Heffley present.

**Approval of Minutes: February 18, 2020**

Upon motion made by Mr. Warker, seconded by Mr. Mullineaux and carried the February 18, 2020 minutes were approved.

**Approval of Resolution: none**

**New Business: A. Informal Review – Pfister Energy (Cedar Creek High School)**

Doug Bagwill Executive Vice President of Pfister Energy, Inc was present to review the plans for the construction of a 1.48 MW carport and ground mounted photovoltaic system at Cedar Creek

High School. This system will generate approximately 1,855,000 kWh of solar energy for the school which represents approximately 54% of the school's annual energy usage. In addition, it will provide shaded parking for a large majority of the parking spaces at the school.

Chad Gaulrapp was present who is a Licensed Professional Engineer with Pennoni Associates. Mr. Gaulrapp reviewed the site plan (4 sheets) for the project which were posted on the Egg Harbor City Web site and gave an overview in detail of the proposed construction.

Chairman Peterson asked for questions from the Board

Mayor Jiampetti asked how many parking spaces will be lost with this project.

Mr. Gaulrapp responded that this project is designed to not take away any parking spaces.

Mr. Warker asked if buses will be able to park under these car ports.

Mr. Gaulrapp responded that there is sufficient height for a tractor trailer or fire truck to go underneath.

Mr. Warker inquired if the school will own the solar panels.

Mr. Gaulrapp responded that the panels are owned by a third-party investor. They are paying for the entire system and the school is buying the energy from the system at a discounted rate under a 15-year power agreement.

Mr. Warker asked if the investor receives the credits.

Mr. Gaulrapp agreed and noted this allows the investor to sell the energy at a discounted rate (savings) to the high school.

#### **Questions from the Public:**

Nanette Galloway, inquired how much of the energy generated will be used to power the facility and where does the overage go?

Mr. Gaulrapp responded with 100 percent of the energy produced by the system is credited to the facilities bill. NJ uses net metering whenever the sun is out, they are producing power if at any given time the school is not using the power, the power flows back under the grid and the electric meter will spin backwards storing the power until it is needed. The system will produce 55% of the buildings annual energy usage. There will also be roof mount solar panels installed to increase this percentage to about 80%.

Elaine Frick asked if the school gets a leasing fee.

Mr. Gaulrapp was not sure of the details of the agreement and believes all of the school's savings is coming from the discounted rate.

Mrs. Frick inquired if the energy is being sold to other people besides the school.

Mr. Gaulrapp responded the school is buying 100 % of the energy being produced.

#### **Additional Comments and Questions from Board Members:**

Mr. Michael McKenna referred to the rendering where the set of solar panels are up against the building where the two school buses are parked. His concern is that the Fire Department must have access to the building where all of the roof top panels are located. The way the ground mounts

are shown the Fire Department would not be able to get their ladder truck into that area. Access must be maintained to the building in case of an emergency.

This matter was discussed between Members and Professionals.

Mr. Gaulrapp suggested that they could remove two of the panels which would be the same size as two parking spaces.

Mr. McKenna stated two panels should be removed at a minimum.

Mr. Gaulrapp noted they would revisit the plans to see if they can move panels around to open up the space that is a concern.

Mr. Gaulrapp believes relocating 4 columns to another area will not impact the school's production target.

Mr. Peterson appreciates that the Board can give their input on this matter since this is just a curtesy presentation. Mr. Peterson thanked Mr. McKenna who is the Assistant Fire Chief for addressing this matter for the Fire Department and ensuring that they will have access in case of an emergency.

Mr. Ross wanted to know when the projected in-service date will be.

They hope to start construction late spring early summer. Having all of the heavy construction work being completed in the parking lot by September. There may still be some electrical work being done in September but the bulk of the steel and the module installation will be done. There will be some utility upgrades required by Atlantic City Electric to get the system operational. The estimated target date is Spring of 2021.

#### **New Business: B. Redevelopment Study Determination of Need Report Tower Site Egg Harbor City, Atlantic County**

Vincent Polistina, City Planner for Egg Harbor City and Michael Coskey, Esq. with the Law Firm Parker McCay were present. They are here tonight seeking a determination from the Board that the area currently identified as the Tower Site Rehabilitation Area is an Area In Need of Redevelopment under the local Redevelopment Law. Vince Polistina created the Redevelopment Study Report at the basis of City Councils request to the Board to conduct the requisite study.

Mr. Polistina noted this is a public hearing that must be held in order to consider this determination of the Area in Need of Redevelopment. Mr. Polistina will go through his report briefly which can be found on the Egg Harbor City website.

A Redevelopment Plan for the Area known as the Tower Site was adopted on February 9, 2017 through Ordinance 3-2017. The Tower Site is a compilation of properties generally bounded by Moss Mill Road, Hamburg Avenue, Washington Avenue and Duerer Street which are owned by the City. Most of this property is currently owned by the City however there are a few out parcels indicated on the map that are not being considered part of this study. The 2017 Redevelopment Plan allowed for a number of permitted uses including some residential, recreational, assisted living, some institutional uses, retail, parks and playgrounds were all permitted in 2017. Zoning can be changed in the area in need of rehabilitation however the Redevelopment Area will give the City more financial flexibility in working with the Developer. The City is working with a potential Redeveloper of the property that would like to see the designated area changed from an Area of Rehabilitation to an Area in Need of Redevelopment and also to include a couple of other uses for the site to be added.

There will be a number of phases for this proposed project. Phase one would be the residential care facility for persons with traumatic brain injuries.

If the Developer decides to move forward with this proposed plan and purchases the land a site plan will be submitted to the Land Use Board for review.

Resolution #186B-2019 of the City Council is authorizing and directing the Land Use Board to undertake this investigation. The report has been on file with the Land Use Board, all notices has been provided as required. The City has completed many studies in order to get this site ready for development. On the Redevelopment findings; First, Land that is owned by a Municipality or County or other authority and has not been developed and has been vacant for a period greater than 10 years it automatically qualifies as an Area in Need of Redevelopment. Second, the area is consistent with Smart Growth Planning Principles, the area has access to public utilities, the site is already in need of rehabilitation, it is in a metropolitan planning area, the City has already demonstrated the area contains upland developable areas which could be developed. These two items qualify the Area in Need of Redevelopment and if the Land Use Board agrees would recommend back to the governing body that they agree with these findings and may be adopted by the City Council as an Area in Need of Redevelopment.

A resolution will be adopted tonight if the Board agrees with that recommendation.

The Redeveloper also asked for a couple of other items concerning the permitted uses on the site. There is an ordinance that was referred to the Land Use Board that was introduced on April 9, 2020 by City Council that amends the Redevelopment Plan from 2017 changing its title from Rehabilitation Area to the Redevelopment Plan for the Tower Site Redevelopment Area, it adds outpatient rehabilitation therapy or medical day care center as permitted uses, it also adds community resistances for persons with head injuries as a permitted use, it changes all the bulk criteria for both those type of uses. These changes are specific to what the Developer wants to do with the Traumatic Brain injury site and adds a couple of other uses, and it is consistent with the Master Plan.

Chairman Peterson asked for a motion for a recommendation back to City Council that the Land Use Board Agrees that this is an Area in Need of Redevelopment changing it from a Rehabilitation Area.

Also, a motion making a recommendation back to City Council that the proposed use changes in Ordinance #7 - 2020 are consistent with the master plan.

**Questions from the Board – none**

**Public Comments and Questions -**

Joe May from Egg Harbor City asked years ago before the high school was built this was the site that was being considered for the high school and the location was changed due to the studies that were conducted and chose to move the school because of endangered species in the area. Have these past studies been reviewed again and are they taking into account the old land fill that was located in this area.

Chairman Peterson noted back then the State was funding this school project. Sixty acres was given by the City to the State for the Cedar Creek Highschool where there was more ground that was not wet lands that could be developed. Chairman Peterson referred this topic to Ryan McGowan, Land Use Board Engineer.

Ryan McGowan noted the City received a grant a couple of years ago from the ACIA to conduct studies in this area. The City had the necessary studies conducted to get this area ready for a potential developer in the future. They delineated and did a survey of the wet lands, completed a cultural resource survey and endangered species study. The City submitted this information to Pinelands, who has preliminarily signed off. The City is now at the point where the wet lands have been delineated and the site has proven to be liable and is working with a Developer to develop this site.

Mr. May asked if the radio tower site is part of the Redevelopment Plan?

Ryan McGowan responded that the radio site is privately owned.

Mayor Jiampetti noted the City has had many conversations with the Traumatic Brain Injury People and they are going to service Veterans who come home with Traumatic Brain Injuries. The facility that they presented to City Council was a very secured facility with medical nurses and security guards at all times in a gated type community. Mayor Jiampetti continued noting there are other projects that are proposed for other floors that will be great additions to this facility.

Mr. May asked about the entrance to the proposed site. This matter was discussed however Mr. Polistina and Mr. Coskey noted that nothing has been finalized yet.

Nanette Galloway inquired if this use should fail sometime in the future, what would be an adaptive reuse of the property?

Mr. Polistina replied it is a medical/institutional type of use which is what they are proposing and it could be redeveloped into something else if this does not work out.

Mr. Manos reviewed Resolution #3 of 2020 which confirms that the Land Use Board is recommending to City Council that this is an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-1 et seq.

Upon motion made by Mr. Michael McKenna, seconded by Mr. Mullineaux

**Roll call:** Mayor Jiampetti yes, Mr. Ross yes, Mr. Peterson yes, Mr. Warker yes, Dennis McKenna yes, Mr. Michael McKenna yes, Mr. Hare yes, Mr. Mullineaux yes, Mr. Dixon yes.

Next is a motion for Resolution #4 -2020. This is a consistency report on Ordinance #7-2020 to amend certain provisions of the tower site redevelopment plan.

A motion making a recommendation back to City Council that the proposed use changes in Ordinance #7 - 2020 are consistent with the Master Plan.

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

**Roll Call:** Mayor Jiampetti yes, Mr. Ross yes, Mr. Peterson yes, Mr. Warker yes, Mr. Dennis McKenna yes, Mr. Michael McKenna yes, Mr. Hare yes, Mr. Mullineaux yes, Mr. Dixon yes.

**New Business:** A & M Linen LLC  
1602-1648 White Horse Pike  
Egg Harbor City, NJ 08215  
Block 52.07, Lots 1 & 2  
Use Variance and Site Plan Waiver

Chairman Peterson asked for Ryan McGowan to give his report on this application.

Ryan McGowan's report was dated April 16, 2020 and was distributed to the Board members. Ryan gave a description of the site which is located on the south-west side of US Route 30 between Bremen Avenue and Baltimore Avenue with 600' of frontage on US Route 30 and 600' of frontage on Bremen Avenue, Baltimore Avenue and Atlantic Avenue. Mr. Maffei the applicant is before the board tonight seeking a use variance for the relocation and expansion of a previously approved non-permitted use within the existing building. Mr. McGowan turned the floor back to the Applicant Michael Maffei, and his attorney Juliana Petito, Esq., Mr. George Egrie owner of the property was also present. Mr. Maffei was sworn in by Mr. Manos.

Juliana Petito representing the Applicant gave a description of the proposed business. They are seeking approval for the linen laundry use at Unit 1 rather than at unit 4. Relocation of the same use within the structure at 1602 White Horse Pike, Egg Harbor City, NJ. The use will be the same, there will be box trucks coming in with linens that would be sorted and then re-distributed to locations down the shore. Trucks will then pick up soiled linens take them to a laundry off site where they will be cleaned and they would be delivered back to the site. The usage is the same but the square footage has been increased because the unit is larger. Processing will take place in the front of the unit and storage of the linens will be towards the rear.

Chairman Peterson wanted to know what will happen to unit 4 when the use moves to unit 1.

Mr. McGowan discussed the map of the building showing the units that was submitted by the Applicant.

Mr. Maffei, in Ryan's description unit 1 is blue that they are requesting. Ryan clarified Mr. Maffei's unit is noted on the plan and referred to as 8.

Mr. Warker wanted to know how many tenants are in the building

Mr. Egrie was sworn in by Mr. Manos.

Mr. Egrie responded at this time one other tenant Earls Girls and then A & M Linen will be the second tenant. The Auto body space is empty as well as unit 4.

Mr. Maffei gave a brief description of how his business would be run. Hours of operation will be 8:00 a.m. to 6:00 or 7:00 p.m. in season, May through October. Off season 8:00 a.m. to 3:30 p.m. In season they will run three 24-foot box trucks. Deliveries made by their trucks leave first thing

in the morning and return later in the evening. They do accept deliveries from their laundry once to twice a day, the clean laundry that is delivered is then processed and is prepared to ship out. They currently have 6 employees and when it is in season the number of employees will go up to about 15 people. There will be five employees who will not be in the facility but will be working on the trucks. All work at this site is done inside the building except for loading of the trucks which will be done by lifts outside.

Chairman Peterson asked the Applicant if there will be any washing equipment at this location. Mr. Maffei said no. At this time the site will be a sorting, storage, distribution center. In the future if they decide to add washers, dryers and irons they will return to the board for all necessary approvals.

Ryan noted as a reminder the 2017 approval when taking in a fourth Tennent Mr. Egrie will have to return to the Board for approval, provide sidewalks and shade trees which were referenced on his plan. The Board also asks that all prior conditions be met. The building department has that list of items.

Mr. Peterson noted prior conditions must be addressed and completed and asked that Code Enforcement will follow up to confirm.

Mr. Manos reviewed the motion. The Applicant is taking a previously approved use variance and relocating it in the building. This is a new use variance to relocate and explant the linen business from unit one into unit 7 and 8 on the drawing that was submitted by the Applicant. All conditions from prior approvals will carry forward and must be completed.

Mayor Jiampetti and City Council Representative, Mr. Ross did not take part in this application. Upon motion made by Dennis Mckenna, Seconded by Mr. Mullineaux

**Roll Call:** Mr. Peterson yes, Mr. Warker yes, Mr. Dennis McKenna yes, Mr. Michael McKenna yes, Mr. Hare yes, Mr. Mullineaux yes, Mr. Dixon yes.

Mr. Peterson wished the best of luck to Mr. Maffei and appreciates his patience during this unsettling time.

**Public comment:** none

Mr. Peterson thanked Board Members for their participation in our first remote meeting and thanked Michael Coskey for hosting tonight's meeting.

**Adjournment:** Upon motion made by Michael Mckenna, seconded by Mr. Warker and carried the meeting was adjourned.

**Respectfully Submitted,**  
**Donna Heffley, Land Use Board Secretary**