

**CITY OF EGG HARBOR
MUNICIPAL LAND USE BOARD
January 21, 2020
Re-Organization
7:00 P.M.**

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

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 present, Mr. Ross present, Mr. Peterson present, Mr. Warker present, Mr. Garth present, Mr. Mullineaux present, Michael McKenna present, Dennis McKenna absent, Mrs. Torres absent, Mrs. Johns absent, Mr. Dixon present, Mr. Hare present, Mr. McGowan present, Mr. Manos present and Secretary Donna Heffley present.

Re-Organization:

Oath of Members:

Chairman Peterson asked for recommended Appointments for Legal Counsel.

Motion was made by Mr. Warker, second Mr. Mullineaux

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

Leo Manos, Esquire was appointed as Solicitor of the Egg Harbor City Land Use Board.

Mrs. Torres was not present and will be sworn in at the next meeting scheduled for February 18, 2020.

Chairman Peterson had all of the members sworn in at one time by Leo Manos, Esquire which included; Alternate #2 DaShaun Hare, Egg Harbor City Fire Department Representative John Garth Class 2 Representative and City Council Representative Robert Ross Class 3.

John Garth, Egg Harbor City Fire Department Representative for a 1-year term (01/01/20 through 12/31/20).

Robert Ross, Member of Governing Body Class III: Council Appointment; 1 year

DaShaun Hare – Alternate #2 for a 2- year term (01/01/2020– 12/31/2021).

Land Use Board Professionals

Motion for Remington and Vernick for Land Use Board Engineers was made by Michael McKenna, seconded by Mr. Mullineaux.

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

There will not be a City Planner position. The Land Use Board Engineer will be doing both the planning and engineering reports for all applications.

Election of Board Officers:

The following appointments for the positions of Chairman, Vice-Chairman and Secretary were made for the Calendar Year 2020.

A. Chairman

Mr. McKenna nominated Jack Peterson for Chairman of the Egg Harbor City Land Use Board, Mr. Mullineaux seconded the nomination and carried.

Jack Peterson was appointed Chairman of the Egg Harbor City Land Use Board

B. Vice Chairman

Chairman Peterson nominated Todd Warker for Vice Chairman of the Egg Harbor City Land Use Board; Mr. McKenna seconded the nomination and carried.

Todd Warker was appointed Vice Chairman of the Egg Harbor City Land Use Board

C. Secretary

Mr. Peterson nominated Donna Heffley for Secretary of the Egg Harbor City Land Use Board, Mr. Mullineaux seconded the nomination and carried.

Donna Heffley was appointed Secretary of the Egg Harbor City Land Use Board.

Meeting Dates - 2020

January 21, 2020

February 18, 2020

March 17, 2020

April 19, 2020

May 19, 2020

June 16, 2020

July 21, 2020

August 18, 2020

September 15, 2020

October 20, 2020

November 17, 2020

December 15, 2020

The aforementioned meetings shall take place on the above dates, namely the 3rd Tuesday of each month at Egg Harbor City Hall, 500 London Avenue, Egg Harbor City, New Jersey 08215

Upon motion made by Mr. Mullineaux, seconded by Mr. Warker and carried the above meeting dates were approved.

News Paper Ads:

The Press of Atlantic City, The Egg Harbor News, the Atlantic Current and the Hammonton Gazette were designated recipients of meeting notices for 2020.

Upon motion made by Mr. Ross, seconded by Mr. Mullineaux and carried

Approval of Minutes: December 17, 2019
January 14, 2020

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

Roll call: Mayor Jiampetti yes, Mr. Ross yes, Mr. Peterson yes, Mr. Warker yes, Mr. Garth yes, Mr. McKenna yes, Mr. Mullineaux yes, Mr. Dixon yes for December 17, 2019 minutes, (abstained for minutes on January 14, 2020 was not present). Mr. Hare abstained. (Mr. Hare is a new Member and was sworn into office tonight January 21, 2020).

Resolutions: #6 of 2019

Egg Harbor City Partners, LLC
600 White Horse Pike
Egg Harbor City, nj 08215
Block 319, Lot 1,5,10,11 and 12
Preliminary Site Plan Approval
Final Site Plan
Variance Relief Hardship
Variance Relief Substantial Benefit

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

Roll Call: Mayor Jiampetti yes, Mr. Ross yes, Mr. Peterson yes, Mr. Warker yes, Mr. Garth yes, Mr. McKenna yes, Mr. Mullineaux yes, Mr. Dixon yes, Mr. Hare abstained.

New Business: Chairman Peterson, Board Members and Professionals discussed a proposed Ordinance to amend the General Ordinances of the City of Egg Harbor, Part II-General Legislation, Chapter 170 titled Land Use Development, Article X, General Regulations to add section 170-98 Titled Setback Exceptions for Handicap/wheelchair ramps on residential properties.

The purpose of this Ordinance is to permit handicap/wheelchair ramps to encroach into the required setbacks for residential properties in the City. This Ordinance will allow The Zoning Officer to review proposals for ramps so applicants do not have to go to the Land Use Board and apply for a C variance. The Zoning Officer may authorize installation of a handicap/wheelchair ramps with a required setback in accordance following certain criteria which is specified in the ordinance.

The Land Use Board found that the proposed ordinance is consistent with the adopted Master Plan and made a favorable recommendation supporting the ordinance.

A recommendation was made to the Governing body to make the amendments to the ordinance
Upon motion made by Mr. Ross, seconded by Mr. McKenna and carried.

Old Business: none

Council Report: none

Public Comments: Mr. Egrie was present the owner of 1602 White Horse Pike. Mr. McGowan noted the last time Mr. Egrie was before the board formally was on December 19, 2017. At that time discussions took place concerning a fourth tenant and the number of conditions that still needed to be completed. Mr. McGowan noted it appears that these conditions have been addressed and that Mr. Egrie can move forward under the terms of his previous approval, Resolution 6 of 2017 using the floor plan that was submitted. If Mr. Egrie is coming to the board tonight to request any changes or to move tenants around to other spaces he will have to return to the board with a formal application. If the proposed auto body business is the same footprint as the previous one and it's just a different owner and a different name, they can proceed to start that business. Mr. McGowan stated the Board cannot take any formal action to approve anything different than what was previously approved in resolution # 6 of 2017. Any zoning matters or any amendments to the December approval Mr. Egrie would have to submit a formal application and return to the board for approval.

Mr. Michael Maffei was present who is proposing a linen business at this site. Mr. McGowan noted if this linen business is moving into the space that was occupied by a linen business then that is fine. The debris inside the building will have to be removed before a tenant can move in and all proper inspections and licenses must be obtained before occupancy.

Mr. Peterson confirmed the building was inspected today by Code Enforcement and there is still debris inside the building from the previous tenant who was in the building illegally. These items must be removed before the new tenant occupies the space.

Mr. Peterson noted the drawing shows what spaces have been approved by the Land Use Board and that is the drawing that Mr. Egrie must follow when renting out the spaces.

Mr. McGowan stated the floor plan that was approved will be reviewed and copied so Mr. Egrie will know exactly what businesses are approved for certain units. Mr. Egrie was also told the mattresses and debris that is in the building must be removed. The board did not approve warehouse storage space in any of the buildings and everything must be removed to comply with compliance of the previous resolution.

Mr. Egrie noted all of the mirrors will be donated to Good Will and will be picked up shortly.

Mr. McGowan noted once the debris is removed call Code Enforcement to complete an inspection that the building is in compliance. An inspection must be completed by the Construction Official to obtain a Certificate of Continued Occupancy, a mercantile license must be obtained and a Fire Inspection must be completed by the Fire Marshall before the building can be occupied by the new tenant.

Mr. Peterson wanted to confirm that if the laundry business will be operating in the same exact space as the former applicant and all of the salvage company debris is removed then they can move forward.

Mr. McGowan agreed as long as they are operating the business in the same space and in the same manner. If they expand on the operation adding washers and dryers then they would have to return to the board for approval.

Discussion concerning the auto body shop:

Mr. Garth and Mr. Peterson noted there are a lot of cars out back of the site which should not be there. Mr. McGowan noted one of the conditions of the approval was no outside storage of vehicles. In order to bring in tenants the vehicles will have to be removed to be in full compliance with the resolution.

Mr. Warker asked if the vehicles would have to be removed from the site.

Mr. McGowan noted the vehicles could be moved inside the building.

Mr. Peterson noted as long as all of the criteria is met from the previous resolution, the Zoning Officer and Building Inspector approve the use for the building, all proper licenses and inspections are obtained, the space being occupied is the space that was previously approved on their plan, then Mr. Egrie's auto body tenant is able to move in.

Mr. McGowan asked the Secretary to pull the floor plan, the corresponding 12-19-17 resolution, the 12-19-17 minutes, corresponding Engineer and Planner reports, Resolution #5 of 2015 listing conditions, to be copied and sent to Mr. Egrie so he has everything in hand and will know exactly what he has to do.

Public comments: none

Adjournment: Upon motion made by Mr. Warker, seconded by Mr. Ross and carried the January 21, 2020 Re-Organization meeting was adjourned.

Respectfully Submitted

Donna Heffley, Land Use Board Secretary