

**CITY OF EGG HARBOR
MUNICIPAL LAND USE BOARD
February 16, 2021
Remote Meeting
7:00 P.M.**

A remote access meeting of the Egg Harbor City Municipal Land Use Board was held on February 16, 2021. Those in attendance were Mayor Jiampetti, Council Representative Karl Timbers, Chairman Jack Peterson, Vice Chairman Todd Warker, Egg Harbor City Fire Department Representative John Garth, Regular Members; Dennis McKenna, Michael McKenna, Alternate #1 Andrew Dixon, Leo Manos Esquire, Land Use Board Engineer Ryan McGowan and Secretary Donna Heffley. (Not Present were Regular Member, Keith Mullineaux, Gladys Torres, and the Mayors Representative Marie Johns).

Chairman Peterson opened the meeting with the flag salute.

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. Timbers present, Chairman Peterson present, Vice Chairman Warker present, Mr. Garth present, Mr. Mullineaux absent, 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: January 19, 2021

Upon motion made by Mayor Jiampetti, seconded by Mr. Walker and carried the January 19, 2021 minutes were approved.

Approval of Resolutions: none

New Business: Mr. McGowan reviewed his report on Group homes discussing proposed separation distances, drug free school zones, different classes of group homes and the types of homes that are regulated by the state.

The City does not have the ability to regulate Oxford homes they are regulated by the State. This type of home is not required to have a house manager on site. The occupants live together as a family unit.

The City is proposing on taking the position with class F homes and regulating them as a conditional use in all residential zones. The City is recommending for these dwellings a 600 ft. separation of frontage along the street and 200 ft. in the terrace. Allowing this type of home to exist in a neighborhood will be most successful and isolated from others in the same situation would be beneficial to the occupants versus clumping them together where the relapse rate would increase.

Chairman Peterson and Mayor Jiampetti asked for clarification on the separation of these facilities.

Mr. McGowan explained the proposed separation distances and explained that studies have shown that you are least likely to come into interaction with someone this distance away. Mr. McGowan noted studies have shown that the success rate is better when there are less than 10 residents occupying one home and not being grouped together with other similar facilities.

Class F homes should be located out of the Drug Free School Zones which is 1000 feet from the school. The City Solicitor along with our City Professionals are in the process of determining the language for these recommendations. A report will be generated and brought back to this board for review of the recommendations.

The City is trying to craft an ordinance concerning this type of facility that will be as least restrictive as possible while still providing benefits to the residents and to the community. This type of facility is a permitted use in all residential zones and the intent is for the occupants of these homes to be part of a residential neighborhood not to be clumped together with other types of facilities.

Chairman Peterson, Mayor Jiampetti and other Board members expressed their concerns on this matter which Mr. McGowan and Mr. Manos addressed.

The City Attorney is in contact with the Department of Community Affairs to understand the standards that have been put into place concerning the different types of facilities.

Mayor Jiampetti, expressed her concerns noting there should be notification to the Code Enforcement and Zoning Office before this type of home is occupied to ensure all conditions are met and proper licenses obtained.

Mr. McGowan noted there will be an ordinance in place to list the standards that must be met before this type of facility is approved.

This ordinance proposed by City Council will come back before the Land Use Board for review and recommendation and will then go back to City Council for approval.

Mr. Timbers asked what happens if they do not apply for required permits. Mr. McGowan said an oxford home does not have to apply to operate, it is regulated by the State. A Class F-1 type facility must apply to DCA for a license to operate as such. As a conditional use if they do not apply for a license and just open they will be in violation of the City Land Use Ordinance and the City will be able to revoke their Co and take necessary action.

Mr. Manos noted the State can act as well as the City if they do not apply for a license and just open their facility. Code Enforcement will complete required inspections.

New Business: Chairman Peterson noted all Members should have received updated member contact information, meeting dates for the year, and Updated Industrial Park Properties.

Public Comments: Nanette Galloway was present and had questions concerning the trees that will be eventually planted at the WAWA site. Mr. McGowan shared the landscaping plan with Ms. Galloway and the Board and listed the trees that are proposed for the WAWA site.

Chairman Peterson and Ms. Galloway discussed Bradford pear trees and how in time they become a problem when they are not maintained.

Mrs. Galloway and The Green Team would like to recommend that the City have a Tree Protection Ordinance in place for Egg Harbor City. She discussed the importance of this ordinance and also the benefits of having trees in front of a home as it lowers energy costs and improves property values.

Ms. Galloway also expressed her concerns with the Master Plan and would like to insure the City is incorporating environmental issues such encouraging solar, geothermal, wind energy and incorporating public art on major projects.

Ms. Galloway also inquired if the master plan will address cannabis in anyway.

Mr. McGowan discussed this issue. It will be a permitted use in the industrial zone. A closer look will be taken concerning this matter since this is an emerging use.

The state will regulate the sales. During the last election the legalization passed overwhelmingly. State Legislation is working on a complete overhaul of cannabis laws and regulations at this point. What will come out of them will be a completely revamped set of guidelines to accommodate legalization. The Medical Marijuana issue is a different category.

This matter will be discussed further as laws and regulations are revised.

Board members and Professionals discussed trees.

Mr. Timbers inquired if the industrial zone qualifies as an opportunity zone.

Mr. McGowan noted the entire Municipality of Egg Harbor City is in the opportunity zone.

Ms. Galloway also requested when Developers submit large applications to the Land Use Board could digital plans be requested so the plans can be posted on the City website (www.eggharborcity.org) for viewing. This would make planning and zoning more accessible.

Mr. Michael McKenna left the meeting due to a fire call

Questions and comments:

Mr. Manos mentioned he received a call from the Attorney who is representing a company Skyline Holdings who is interested in having an informal meeting to discuss some ideas for the old St. Nicholas School. Chairman Peterson noted in the past they would meet with the Redevelopment committee. Mr. McGowan also received this call and he directed the Applicant's Attorney to send a letter to the City Clerk requesting a meeting with the Redevelopment Committee.

Adjournment: Upon motion made by Mayor Jampetti, seconded by Mr. Hare and carried the meeting was adjourned.

Respectfully submitted
Donna Heffley
Land Use Board Secretary