

**CITY OF EGG HARBOR
MUNICIPAL LAND USE BOARD
June 20, 2023
7:00 P.M.**

The Regular meeting of the Egg Harbor City Municipal Land Use Board was held on June 20, 2023. Those in attendance were Council Representative Karl Timbers, Vice Chairman Todd Warker, Municipal Official John Garth, Regular Members; Dennis McKenna, Michael McKenna, Gladys Torres, Keith Mullineaux, Alternate #1 Joseph Kuehner Jr., Alternate #2 DaShaun Hare, Leo Manos, Esquire, Robert Smith III P.E., P.P., C.M.E., CPWM with Remington and Vernick Engineers and Secretary Donna Heffley. (Not present were Mayor Jiampetti, Mayors Representative Marie Johns, Regular Member Jack Peterson and Land Use Board Engineer Ryan McGowan.

Pledge of Allegiance

Vice Chairman Warker 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 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 the Secretary to enter this public announcement into the minutes.

Roll Call: Mayor Jiampetti absent, Mr. Timbers present, Mr. Peterson absent, Mr. Warker present, Mr. Garth present, Mr. Mullineaux present, Dennis McKenna present, Mr. Michael McKenna present, Mrs. Torres present, Mrs. Johns absent, Mr. Kuehner present, Mr. Hare present, Mr. McGowan absent, Mr. Manos present, Mr. Smith present and Secretary Donna Heffley present.

Approval of Minutes: April 18, 2023

Upon motion made by Mr. Michael McKenna, seconded by Dennis McKenna and carried the April 18, 2023 Land Use Board minutes were approved.

New Business: Consistency Review on Egg Harbor City Ordinance amending certain provisions of the Tower Site Redevelopment Plan.

Jennifer Heller, PP, AICP Associate with Polistina Associates, LLC and Johnathan Sachar the conditional redeveloper for the Tower Site Redevelopment Area were present.

Ms. Heller, with the firm Polistina and Associates, the City Planner for the City were asked to amend the Tower Site Redevelopment Plan. Members were provided the material to review the proposal. The governing body introduced it at their last meeting. Tonight, the land use board is reviewing for consistency with the master plan and this Thursday it will go back to the Governing body where they will adopt the ordinance that will amend the redevelopment plan for this site.

Ms. Heller noted the conditional redeveloper is interested in creating a movie studio on this parcel. Ms. Heller discussed to determine if it consistent with the 2010 master plan.

Jonathan Sachar is in Real-estate development but his real hobby is making films which he has been doing full time since 2005. Mr. Sachar discussed the project he is proposing and the tax incentives available in New Jersey for the film industry and noted there are no studios in the South Jersey area. Mr. Sachar discussed how this type of development would benefit the City bringing more people back to the area, offering good jobs, internships and trainings, working with schools and colleges and will be good for the housing market. Mr. Sachar discussed the proposed site and, In the future, having music video production, concerts recordings or promotions, and concert events. Fencing will surround the site to respect neighboring properties and buffers to reduce sound and spill over.

Mr. Warker inquired if everything would take place inside the building.

Mr. Sachar noted there is a creek and wooded area in the back of the property that may be used as a backdrop for shooting outside film scenes at times. Not everything will take place inside.

Board members discussed details of this proposed entertainment studio.

Ms. Heller noted this will be referred back to the governing body for their approval and adoption, the second reading, then Pinelands will have to certify the ordinance and in the meantime the applicant will prepare site plans, make an application to Pinelands for stormwater and then it will come back to the Land Use Board for preliminary and final site plan approval. Ms. Heller noted there are streets that have to be vacated and other matters that must be addressed.

Mr. Kuehner inquired if the studies completed ten years ago on endangered species could be used or would they have to be done again.

Ms. Heller noted stormwater regulations have changed so they may use the past studies for guidance.

Discussion continued on this project between board members and Mr. Sachar.

Mr. Timbers inquired about housing on the site.

Mr. Sachar noted townhouses would be nice or some type of on-site lodging for talent and crew when working long 14-hour days. They may fly some people in for filming. There is almost 100 acres on this site.

Mr. Manos reviewed resolution #2 of 2023 which states that the board has reviewed the ordinance and find it consistent with the Master plan and recommend that City Council adopt the ordinance.

Upon motion made by Mr. Kuehner, seconded by Michael McKenna and carried.

Informal Review: Dov Halberstam concerning 1602 White Horse Pike and Owner of ACR Logistics, Adrian Roman were present. Also present was Jack Plackter, Attorney and William Swiderski, Engineer for 1602 White Horse Pike. They are asking for the Boards permission for this trucking business to operate out of this location temporarily until they receive formal approval from the Board. Mr. Roman has to move out from his current location in Pleasantville. Mr. Roman described his business to the board. Truck parking is the main use of the property and he will be renting one of the units inside the building. An on-duty mechanic will do vehicle maintenance on their equipment and vehicles only. He has about 16 semi-trucks and about 22 semi-trailers. The trucks go out and return on weekends spend a few days at home, maintenance is completed on the vehicles and then they go back out. Access to the site will be from Breman Avenue to the fenced in area. There will always be a few trailers on site. Only one trailer on site will have tools in it. Trailers are not for storage and are licensed and ready to go at all times. All work will be done inside the building. The only time all vehicles may be parked on the lot will

be on major holidays for example Christmas and Thanksgiving. Only trucks for this business will be parked on the lot.

Board Members discussed parking of the vehicles on the site.

Mr. Warker addressed trash for the property.

They do not generate a lot of trash and they do not bring in any trash. Trucks come back empty. They do have a dumpster on site.

Mr. Kuehner expressed his concerns noting he use to work at a business that had many trucks which were parked in an orderly manor where the site always looked organized and had a nice appearance. There are some sites in Egg Harbor City where the trucks are not parked in an organized manor and the site looks like a junkyard.

Mr. Roman stated the first concern is to make sure everyone can fit into each designated spot. Everyone must follow the parking rules to insure enough parking for all vehicles and smooth access and egress for the site.

Mr. Warker and Board Members discussed this informal zoning approval to allow this tenant to occupy the space on a temporary basis with the agreement they will return to the board.

Mr. Plackter stated they are asking for temporary permission for the trucking business and they will return with a site plan for 1602 White Horse Pike.

Mr. Manos will talk to the zoning official and let him know the board is ok with this temporary approval and must return to the board for site plan approval.

Mr. Smith said there is no formal application tonight if the board informally offers their endorsement of their proposal and the board will have 2 months to see how they operate on the site. The Applicant wants to get an overall use of the site so every time they want to bring in a new tenant they do not have to come before the board for another use variance.

The applicant that will file an application to come back to the Land Use Board.

Mr. Warker noted the Board needs a solid guarantee that the applicant will return to the board for the proper approvals. Mr. Halberstam noted they want to do the right thing and that's why they are here tonight.

Mr. Manos noted with an application the board can put conditions on the approval.

Mr. Garth expressed his concerns.

The new owner has made improvements to the site, they brought in gravel, fixed drainage issues and have the grass cut bi-weekly.

Mr. Roman gave a brief history of the site he is occupying and commented why he is leaving.

Mr. Roman has been in constant contact with the City of Pleasantville and continues to update them on moving to a new site.

Mr. Timbers expressed his concerns. They stand to lose a lot more than the City if they do not come back before the board. Mr. Timbers does not have an issue with this and believes they will return.

Mr. Plackter noted the applicant is willing to post a cash escrow to insure they will return to the Board. If the applicant does not comply the City will keep the escrow.

Board members discussed past problems with the site and do not want to see any problems.

Mr. Hare expressed his concerns and noted this is a new owner and they are trying to do the right thing. This is a different situation. The owner came with an Attorney and an Engineer he wants to do this right.

Mr. Warker noted he is in favor of the escrow as a guarantee that they will return to the board for a site plan.

Mr. Warker requested \$7500 be placed in an escrow account which will be returned to the applicant when they return to the board in the upcoming months.

Mr. Swiderski will submit the application in August and return to the board in September.

Mr. Manos will reach out to Mr. Hadley, Zoning Official to discuss this temporary zoning permit.

Mr. Swiderski gave a brief overview of the site and was looking for feedback from board members.

Mrs. Torres noted the board cannot design the property the owner must know how many clients they want to have and what type of businesses they want to rent to.

Mr. Halberstam noted they are a year into this property and they do not have any real renters in this building. They need to have the ability to rent smaller units and find local business that require smaller spaces.

His goal will be to possibly subdivide the building into more spaces that the City will allow.

Mr. Halberstam spoke to a lighting company to upgrade the lighting on the site.

Public comments: A concerned Citizen was present in reference to the incident that took place at 243 St. Louis Avenue.

All Board members expressed their concerns on this matter.

Mr. Kuehner expressed his concerns and would like City Council to act on this matter.

Discussion continued on this matter and the Board feels the TCO has been going on for too long and they should be required to return to the Board to get the matter resolved.

Board Members feel this property is causing safety concerns for the surrounding residential neighborhood.

Mr. Smith addressed the Board on this matter.

Mr. Garth requested the Zoning Official attend the next meeting.

Mr. Kuehner expressed his concerns and suggested to pass a resolution that a letter be sent to the City that their TCO is expired and they are not in an active state to rectify the situation and recommend that Beacon Hall be shut down.

Mr. Kuehner made a motion to send a letter to City Council recommending that Beacon Hall be shut down immediately due to an expired TCO.

Motion made by Mr. Kuehner, seconded by Mrs. Torres

Mr. Timbers abstain, Mr. Warker yes, Mr. Garth yes, Mr. Kuehner yes, Dennis McKenna yes, Mr. Michael McKenna yes, Mrs. Torres yes, Mr. Mullineaux yes, Mr. Hare yes.

Old Business: none

Council Report: none

Questions and Comments from the Public: none

Adjournment: Upon motion made by Mrs. Torres, seconded by Mr. Warker and carried the meeting was adjourned.

Respectfully Submitted,
Donna Heffley, Land Use Board Secretary