

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798

(609) 886-2005

THESE MINUTES HAVE NOT BEEN FORMALLY APPROVED AND ARE SUBJECT TO CHANGE OR MODIFICATION BY THE PUBLIC BODY AT ITS NEXT MEETING. THIS BOARD WILL NOT BE RESPONSIBLE FOR ANY MIS-STATEMENTS, ERRORS OR OMISSIONS OF THESE MINUTES, AND CAUTIONS ANYONE REVIEWING THESE MINUTES TO RELY UPON THEM ONLY AT THEIR OWN RISK.

LOWER TOWNSHIP PLANNING BOARD

A regularly scheduled meeting of the Lower Township Planning Board was held on September 21, 2017 at the Lower Township Municipal Building. The meeting was called to order at 7:00 P.M. by Chairman Robert Crompton. The Recording Secretary stated that adequate notice of said meeting was given in compliance with the Open Public Meetings Act of 1975.

MEMBERS PRESENT: Chairman Robert Crompton
Jay Young
Chris McDuell
Michael Rosenberg (Mayor's Designee)
Daniel J. Senico
John McNulty
Andrew Bulakowski

MEMBERS EXCUSED: Erik Simonsen
Brian Sullivan
Frank Sippel
Christopher Vassar

MEMBERS ABSENT: Jennifer Dowe

STAFF PRESENT: Avery S. Teitler, Board Solicitor
Shawn Carr, Board Engineer
William J. Galestok, Board Secretary
Lisa A. Schubert, Recording Secretary

CORRESPONDENCE:

Handouts:

List of Board Engineer vouchers dated September 21, 2017.

List of Board Solicitor vouchers dated September 21, 2017.

Mr. Teitler read the agenda for the benefit of the public.

1. Minor site plan & hardship variance applications for additional signage and two (2) outdoor display areas, hardship variances needed for number of signs and sign area, submitted by Acme Markets, Inc., for the location known as Block 741.01, Lot 28.01, 3845 Bayshore Road.

Mr. Teitler explained the applicant's attorney has requested the application be continued and he waived all time constraints.

Mr. Teitler explained the application was continued until the October 19, 2017 meeting and no new notice would be given.

2. Preliminary & final site plan & hardship variance applications to demolish the existing single family dwelling and "Cape Liquors" and construct a new building containing a liquor store, deli, storage area and office space including a second level mezzanine. Hardship variances needed for number of signs, setback for signs and parking setback, submitted by FCF Realty, Inc., for the location known as Block 776, Lots 10-20 & 34-38, 920-928 Route 109.

Mr. Bulakowski excused himself from this application due to a conflict of interest.

Mr. Frank Corrado, Esq., represented the applicant.

Mr. William Feraco, Principal owner, Mr. Matt Hender, PP, Licensed Landscape Architect and Mr. Brian Rehm, Estimating Project Manager, were sworn in.

Mr. Corrado explained the applicant is proposing to demolish the existing liquor store and construct a new liquor store with a deli. He explained they are requesting variances for sign setback, sign area and number of signs. He explained they would like to install a fence in lieu of a buffer.

Mr. Corrado explained they have met with a concerned neighbor and thinks they have

addressed the neighbor's concerns.

Marked into evidence was a colorized site plan.

Mr. Corrado explained they had proposed four employee parking spaces next to the neighbors. He explained they would like to eliminate one space farthest from Route 109, which would be a green area. He explained the inlet/junction box will be relocated to the area of the parking space being eliminated. He explained the parking spots would clearly be marked 'employee parking only'. He explained by doing this it minimizes an impact to the neighbor. He explained they will also erect a vinyl fence from the rear corner of the building toward Route 109, which would also require a variance.

Mr. Feraco explained he has owned this for a long time. He explained he has no problems making the changes requested by the neighbor. He explained the deli will not have sit down service. He explained three employee parking spaces should be sufficient, but it depends on the season if more is needed. He there is an easement in place with Urgent Care to have the share driveway. He explained he does not have a copy of the cross-easement with him. Explaining Dr. Weisberg has it, but he is in Florida. He explained the width did not change, but the curve on his side has. He explained the entire parking lot would be paved and matched to Urgent Cares.

Mr. Hender explained both the house and liquor store will be demolished. He explained there are currently three to four entrances to the property. They would be eliminated and there would be one entrance and one exit. He explained parking is all over the place and what is proposed would be more organized. He explained 36 parking spaces are proposed. He explained a 7,118 square foot building is proposed. The proposed building would meet all setback requirements. He explained the basin would be to the rear of the property. He explained they are proposing a 50 square foot freestanding sign 7' from the property line. He explained they are also proposing two 35 square foot building mounted signs, one for the liquor store and the other for the deli. He explained the freestanding sign would be 7' from the front property line where 25' is required. He explained the existing sign is partially in the right-of-way. He explained the proposed location improves drivers safety. He explained there would be no detriment to the zone, zone plan or Ordinance if the signs were approved. He explained they would be consistent with the other signs in the area. He explained the parking area would require a variance for the front yard setback. He explained they are proposing a 5' setback. He explained the employee parking would also require a variance. He explained the proposed setback would be 2' from the property line.

There was a discussion about the fence height. It was explained there are a lot of people biking in the area and maybe the fence should start at 4' and gradually increase up to 6'.

The Board asked about the deliveries. Mr. Feraco explained he requests rear loading trucks. It was explained the truck would pull in the entrance, and then back up to be unloaded.

Mr. Hender explained they have no problems with Mr. Carr's report.

Mr. Galestok asked if there was a reason there was only one way in and one way out? Explaining the entrance could be missed and it would be hard for a driver to make the U-turns or drive around to gain entrance. Mr. Feraco explained he wants people to exit south and if he loses a customer here and there, he has no problem with that. Mr. Hender explained the width of the exit only is 20' wide. Mr. Carr explained 25' would be required for an entrance/exit.

Mr. Rehm explained the building is a pre-engineered metal building that would have a stone waynes coat on the tower and front. He explained the doors would be automatic with the liquor store and deli having their own. He explained there would be a door between the deli and liquor store.

The Board asked why there couldn't be a sign on the side of the building and eliminate the freestanding sign. It was explained the proposed building sits back on the lot and the Urgent Care building would probably block the sign.

Mr. Carr summarized Engineer's comments dated September 11, 2017.

Mr. Galestok read Bureau of Fire Safety comments in which they found this application acceptable.

Mr. Galestok read Cape May County Planning Board comments dated September 6, 2017.

This portion of the hearing was opened to the public.

Ms. Mary Fox was sworn in.

Ms. Fox explained she is the next door neighbor. She explained she is confirming she had conversations with the applicant and agrees to all the changes. She had a request that the fence be erected prior to construction. Mr. Feraco agreed to this request.

Ms. Sharon Gellura, from Urgent Care, was sworn in.

Ms. Gellura explained there is a cross-easement between Urgent Care and Cape Liquors. She explained Urgent Care is a two-story building. She explained Urgent Care has no objections with the proposed.

This portion of the hearing was closed to the public.

There was a discussion regarding the fence and fence height. A site triangle should be on the plan and the six-foot fence should not go in this area.

Mr. Teitler explained this is a major site plan with variances. Variances are needed for three signs and exceeding allowed square footage and front yard setback for the freestanding sign. Parking in the front and side yard setbacks. Six foot fence in the front yard and five foot

fence around the trash enclosure.

Mr. Senico made a motion to conditionally approve this application. The motion was seconded by Mr. Rosenberg.

VOTE:	Mr. Young	YES	Mr. Rosenberg	YES
	Mr. McNulty	YES	Mr. McDuell	YES
	Mr. Senico	YES	Chairman Crompton	YES

Motion carried.

A memorializing resolution will be prepared by the Board Solicitor for the Board to review and approve at the next scheduled meeting.

- Minor site plan application to construct a 63 x 65 aircraft & storage hanger with four (4) parking spaces, submitted by Frederick Boyle, Sr., for the location known as Block 410.01, Lot 36, at the airport.

Mr. Frederick Boyle, Sr., applicant, was sworn in.

Mr. Boyle explained he is proposing a 65 x 63 steel hanger.

Mr. Boyle had marked into evidence four photos of the area. He explained the photos show the area facing in all directions.

Mr. Boyle explained there was an email from the Board Engineer and the revisions have been made to the plan. He explained he would comply with the Engineers comments.

Mr. Carr summarized Engineer's comments dated September 5, 2017.

Mr. Boyle submitted a revised site plan into evidence marked at A-2 with a revision date of September 21, 2017.

There was a discussion regarding parking. Mr. Boyle explained short time parking is in the area shown. He explained long term parking would be in the hanger. He explained the plane would be taken out of the hanger and the car would be moved inside.

There was a discussion about lighting. Mr. Boyle explained they didn't have any lighting proposed. There was a discussion for safety purposes a light should be added. Mr. Boyle explained he would add a building mounted light.

There was a discussion regarding drainage. Mr. Carr explained drainage issues have been addressed.

Mr. Galestok read Cape May County Planning Board comments dated September 6, 2017.

Mr. Galestok read Bureau of Fire Safety comments dated September 5, 2017 in which they found this application acceptable.

The Board asked if stone could be added to the parking area instead of driving on the grass. Mr. Boyle explained he would have to check with the DRBA. He explained if they don't have a problem with adding stone, he would install it. He explained this is an area the DRBA mows.

This portion of the hearing was opened to the public. There were no public comments. This portion of the hearing was closed to the public.

Mr. McDuell made a motion to conditionally approve this application. The motion was seconded by Mr. Young.

VOTE:	Mr. Young	YES	Mr. Rosenberg	YES
	Mr. McNulty	YES	Mr. McDuell	YES
	Mr. Senico	YES	Mr. Bulakowski	YES
	Chairman Crompton	YES		

Motion carried.

A memorializing resolution will be prepared by the Board Solicitor for the Board to review and approve at the next scheduled meeting.

Mr. Bulakowski made a motion to approve the minutes from the August 17, 2017 meeting. The motion was seconded by Mr. Senico. Motion carried.

Mr. Senico made a motion to approve Board Solicitor and Board Engineer vouchers. The motion was seconded by Mr. Bulakowski. Motion carried.

Mr. Bulakowski made a motion to approve the Acme Market Resolution from the July 20, 2017 meeting. The motion was seconded by Mr. Young. Motion carried.

Mr. Senico made a motion to approve the Resolutions from the August 17, 2017 meeting. The motion was seconded by Mr. Bulakowski. Motion carried.

Mr. Bulakowski made a motion to adjourn at 8:19 P.M. The motion was seconded by

Mr. Senico. Motion carried.

Respectfully submitted,

Lisa A. Schubert,
Recording Secretary

A verbatim recording of said meeting is on file in Township Hall.

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