

Borough of Pine Hill
Meeting
Planning and Zoning Board of Adjustments
May 10, 2018

- Call to order:** **Call to Order by Mr. Kevin Waddington 7:45pm**
- Pledge of the Flag:** **Led by Mr. Waddington**
- Sunshine Law:** This is a regularly scheduled meeting of the Pine Hill Planning and Zoning Board. This meeting has been duly advertised and is in full compliance with the Sunshine Law.
- Roll Call:** **Present:** Mr. Waddington, Mr. Castor, Mr. Ford, Mr. Hagy, Councilman Robb Mrs. Ciotto, Mr. Green, Mrs. Jones, Mrs. Gilson
Absent: Mr. James and Mayor Green
Professionals: Solicitor: Mr. Sitzler, Planner: Mr. Luste,
- Correspondence:** **Mr. Waddington:** You have before you the New Jersey Planner VOL.79, No. 2
- Approval of Minutes:** **Mr. Waddington:** At this time if you had the chance to read the April 12th minutes I will entertain a motion
Mr. Castor: Make a motion to approve; seconded by Mr. Hagy
Mr. Waddington: I have a motion and a second any questions on the motion?
Roll Call: Councilman Robb Abstained; all others "aye". Motion Carried
- Resolution 2018-9:** **Mr. Waddington:** Resolution 2018-9; 315 W Branch Ave LLC, Block 78 Lots 1-28 for a Use Variance
Mr. Sitzler: This is the final draft?
Mr. Gallagher: Yes this is the final draft I received today; in fact both of these are the final draft

Mr. Waddington: So if you had the chance to review the resolution I will entertain a motion for approval

Mr. Castor: Make a motion to approve

Mr. Waddington: I have a motion do I have a second

Mr. Ford: Second

Mr. Waddington: Roll Call Please

Roll Call: Councilman Robb Abstained: all others "aye" Motion approved
Resolution as written

Resolution 2018-10:

Mr. Waddington: Resolution 2018-10 Carl Pursell; 121 Cross Keys Road
Block 131 Lot 34 Amended Site Plan and Use Variance

Mr. Sitzler: Just so the Board is aware of this with apologies to Mr. Pursell his name has been spelled two different ways in a lot of the documents. I have a note here that his name on the Agenda is spelled incorrectly and for the record the correct spelling is Pursell not Purcell

Mr. Gallagher: I will correct my documents; these resolutions are correct I shredded the others

Mr. Waddington: If you had a chance to review the resolution I will entertain a motion for approval

Mr. Castor: Make a motion to approve; seconded by Mrs. Ciotto

Mr. Waddington: Having a motion and a second and questions? Roll Call

Roll Call: Councilman Robb Abstained: all others "aye" motion approved
Resolution as written

Old Business:

Mr. Waddington: Any old business to discuss?

Mr. Sitzler: Before we get to any old business. Would you like to come up for a minute? I have the attorney here for South Jersey Gas they were noticed to be here today for their application. I have reviewed their notices, both published notices and notices to people on the ax list and they properly advertised this meeting. When Hugh Dougherty our

Engineer who is not here this evening went over their application he noted that they needed a survey and I believe a survey was provided is that correct? There is no changes to their application other than needing a survey. They need to know exactly where the facility would be located is that correct?

Ms. Givens: That is correct

Mr. Sitzler: To show the needs and bounds of where it will be located and that will be provided and for that reason we are going to have to continue the application and based on my review there is no need for them to have to re-advertise. Seeing no one in the audience; just for the record if anyone was hear and they wanted to be heard or hear the application of South Jersey Gas that matter will be continued without the necessity of re-noticing to all those people until our next meeting. Which Les is?

Mr. Gallagher: June 14th

Mr. Sitzler: June 14th at 7:30 PM

Ms. Givens: Thank you very much

Mr. Waddington: Old Business

Mr. Sitzler: I've been trying to press the Attorney for CHE Group to get based on his letter that I think the Board had a chance to read his response letter. Whatever changes he is going to make to that lease agreement and I'm also going to make him aware of the two occasions that Mr. Gallagher brought up where his client has put up make shift signs and if he wants to continue he has to come back for the permit process for a sign. He does not have to come back in front of us but he has to go through the sign process if he meets all the sign qualifications but if he doesn't he has to come back in front of the Board. If he does it a third time he will be likely he will be cited by the Zoning Officer. I just wanted to give an up-date on that. One of the contentions that he brought up, that you have a copy of was that we don't have specifically in our resolution any sub-leases but we do have sort of the reverse of what he said. For the record just so the Board is aware the Resolutions are memorializing an approval and while you can't add a significant condition that is not in the resolution we are also not required in the resolution to put every minute detail of the circumstances to get an approval and as the Board is well aware rarely got concurrence with CHE on multiple occasions and in fact if my

memory serves me correctly it was their Attorney that suggested they create this ledger so that we could; because one of the Boards concerns was from past operations we had no idea who had what on that property and who they were and who had been stored there so that was the idea. If he returns that he wants to sub-lease he is still going to have to have leases listed in this book on his ledger that he keeps. So that is going to be my recommendation to the Board and his Lawyer that if he wants to sub-lease and he doesn't know that one of his regular leases is sub-leasing then it is going to be on him and that he may get cited for that. So if he wants to take the risk of getting cited for not paying attention to who sub-leases; I mean he agrees with me that everybody there has to be in the book but he doesn't want us to put in sub-leasing. Either way we have to know who is there; weather they are the Lessee of Sub-Lessee or they are subject to being cited so I just wanted the Board to know. That was one of the major issues I think he kind of agreed to change a couple of other issues so I'm going to ask him to send us the new amended lease so we can look at it and then and I guess we will take it from there.

Mr. Waddington: Any other old business?

New Business:

Mr. Waddington: Just a reminder the next meeting is June 14th at 7:30 pm

Open Meeting to the Public:

Mr. Waddington At this time I will entertain a motion to open the meeting to the public?

Mr. Castor: Make a motion to open; Second by Mr. Hagy

Mr. Waddington: The Meeting is not open to the public

Close Meeting to the Public:

Mr. Waddington: Seeing none I will entertain a motion to close the meeting to the public

Mr. Castor: So moved: seconded by Mr. Hagy

Motion to Adjourn:

Mr. Castor: Make a motion to adjourn

Mr. Waddington: I was waiting; I was going to ask and you are usually right on it

Mr. Hagy: Second

Mr. Waddington: All in favor? All "aye"

At the 8:56 PM Dr. Manouchehri walked in from Sunshine Dental.

Mr. Sitzler: Are you here for the meeting?

Dr. Manouchehri: Yes

Mr. Sitzler: Why don't you come on up; we just closed our meeting because no one was here. We had a real short meeting. Are you here for any specific address?

Dr. Manouchehri: Yes the Gas

Mr. Sitzler: Oh; South Jersey Gas. It is going to be re-scheduled to June the 14th at 7:30 PM. They needed to get a survey in to show exactly where on Kentucky Fried Chicken property this is going to be located. They have don but we could we did not get in time for our Engineer to be on the agenda tonight. There won't be another notice for that; this is the only notice you are getting so if you want to come it will be June 14th at 7:30 PM

Dr. Manouchehri: Okay thank you