

Borough of Pine Hill
Meeting
Planning and Zoning Board of Adjustments
May 11, 2017

Call to order: **Call to Order by Mr. Kevin Waddington 7:42 pm**

Pledge of the Flag: **Led by Kevin 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. Ford, Mr. Hagy, Councilman Robb
Mrs. Ciotto, Mr. Green, Mrs. Jones, Mrs. Gilson
Absent: Mr. James, Mr. Castor and Mayor Green,
Professionals: Solicitor: Mr. Sitzler, Engineer: Mr. Calloway,
Planner: Mr. Luste

Correspondence: **New Jersey Planner Vol.78, No. 2**

Resolution 2017-7 **Mr. Waddington:** We have a Resolution 2017-7 tonight which is the appointment of William Sitzler as our Solicitor. I entertain a motion for approval.

Mr. Hagy: I move to appoint

Mrs. Ciotto: Second

Roll Call: All "aye" motion carried

Approval of Minutes:

Mr. Waddington: Did everyone have a chance to read the minutes that have been included from April 13th; I will entertain a motion to approve the minutes.

Mr. Hagy: Move to approve the minutes; second by Mr. Ford

Roll call: Councilman Robb abstained; all others “aye” motion carried.

Application 2017-1:

Mr. Waddington: At this time we will have application 2017-1 Paul and Megan Kergides; 115 West Clearview Ave; Block 28 Lot 98 Setback Variance for Addition. Please state your name and address.

Mr. Kergides: Paul D Kergides Jr. 115 West Clearview Avenue Pine Hill NJ.

Mr. Sitzler: Mr. Kergides are you going to be the only one presenting evidence to the board this evening?

Mr. Kergides: I am

Mr. Sitzler: Alright could you raise your right hand “Mr. Sitzler then swore in Mr. Kergides”

Mr. Kergides: I’m applying for a variance to be 12 foot off my property line as opposed to 20 foot

Mr. Sitzler: Has the board had an opportunity to review the application? Does everyone have a photo of the property?

Mr. Gallagher: Everyone does not I will pass these around

Mr. Sitzler: There is a photo available that indicates that the proposed area where the addition on the property is to be located and we will make sure everybody gets to see that. Mr. Kergides can you give the board some information on what the addition is for and why it needs to be as wide as it is.

Mr. Kergides: It is a 15X24 foot one room. When I purchased this Ranch home it was just my wife and I now we have 2 children under the age of

5. We are looking to have a play room for them as well as a home office since both of us work remotely; with closet space as well since this home was built in the 50's there is not much closet space for two children. So that is it just extra space for the kids and home office.

Mr. Waddington: How close are you going to be to the property line?

Mr. Kergides: It is actually 11 feet 10 inches I rounded up to 12. It is 15 feet so I'm actually 26 feet 10 inches from my neighbor Bill's property line.

Mr. Sitzler: I think the fence that you have. Is that your fence?

Mr. Kergides: That is my fence and that is 2 foot to 2 ½ foot inside my property

Mr. Sitzler: It is 2 ½ feet inside your property correct?

Mr. Kergides: Yes the entire property line the fence is about 2 feet inside the line on my property.

Mr. Waddington: So you will be 10 foot from the fence then?

Mr. Kergides: I'm going to take the fence down; that section

Mr. Waddington: Does anybody have any questions?

Mr. Calloway: Bob Calloway board Engineer the existing drainage in the area. How is that being handled?

Mr. Kergides: Currently the property is graded down to the driveway side; there is two French drains if you take a look at my existing property the driveway is very large and one French drain is by there and the other is behind the existing garage it also drains down to a French drain.

Mr. Calloway: It appears to be two down spouts existing home at that end

Mr. Kergides: Yes

Mr. Calloway: And your addition will have downspouts and the grading will go away

Mr. Kergides: Correct it all drains away from my neighbor's property to my driveway. The whole property is graded that way

Mr. Waddington: If there are no other questions.

Mr. Ford: I have one. How far away roughly would your neighbor's house be from your property line?

Mr. Kergides: Well the neighbor's home is set back so from the end of the proposed addition would be roughly about 35 to 40 feet to the beginning of the front of his home.

Mr. Waddington: If there are no other questions I will entertain a motion to open the floor to the public concerning this matter only for application 2017-1

Mr. Ford: Make a motion; seconded by Mr. Hagy

Mr. Waddington: If anyone here would like to address the board on this application 2017-1 for 115 W Clearview Ave please come up front and state your name. Seeing none I will entertain a motion to close

Mr. Hagy: Motion to close; seconded by Mr. Ford

Mr. Waddington: At this time if there are no other questions I will entertain a motion for either approval or denial for the setback variance for the addition

Mr. Hagy: Make a motion to approve this

Mr. Waddington: I have a motion to approve the setback variance for the addition do I have a second

Mr. Ford: Second

Mr. Waddington: Roll Call; all "aye" motion carried

Mr. Waddington: Application 2017-2 Carl Pursell for Preliminary and Final Major Site and Plan Minor Subdivision

Councilman Robb: I actually have to recuse myself (7:53 pm Councilman Robb Leaves)

Mr. Eisner: If it may please the board I'm Stephen Eisner and I'm representing Mr. Pursell the applicant. Here with me this evening is Carl R. Pursell the applicant and owner of the property in question, Gregory B. Fusco who is a licensed civil-engineer and Scott Smith who is a planner and surveyor. Each of these gentlemen may be offering testimony during the course of our presentation and with council permission I would like to have them sworn in.

Mr. Sitzler: Yes could all three of the gentleman who may testify please come forward. Come close enough to the microphone so we can hear you. "Mr. Sitzler swore in Mr. Pursell, Mr. Fusco and Mr. Smith"

Mr. Eisner: This is an application for a preliminary and final subdivision and site plan approval and I would request that Mr. Smith and Mr. Fusco be considered expert witnesses. Personally I have known

both gentleman and worked with them for approximately 25 years and I can represent to the board that both Mr. Smith and Mr. Fusco have appeared before numerous planning and zoning boards throughout the State of New Jersey and they have been accepted as experts before all those boards to my knowledge; so I would make that motion at this time.

Mr. Sitzler: Have either Mr. Smith or Mr. Fusco testified before these boards?

Mr. Fusco: Yes I have

Mr. Sitzler: Can you just briefly tell us?

Mr. Fusco: Sure; Key Engineers incorporated represented the Borough of Pine Hill; both as Municipal Engineer and Planning Board Engineer for a number of years, I would say approximately 15 to 20 years ago.

Mr. Sitzler: Okay

Mr. Fusco: And we had applications before the board on behalf of the Borough

Mr. Sitzler: Do you want to add Mr. Smith?

Mr. Smith: No I have not personally appeared before this board

Mr. Sitzler: Can you give a brief synopsis in a few sentences about your background

Mr. Smith: I have a Bachelor's Degree in Natural Resource Management from Rutgers I graduated in 81, in 1982 I began my employment with KEY Engineers it will be 35 years next month. I was licensed in land surveying and planning in 1990

Mr. Sitzler: Approximately how many boards have you testified before?

Mr. Smith: 50 or 60

Mr. Sitzler: Does the board have any questions about the applicant's experts? I believe we can accept them as experts

Mr. Eisner: Briefly the property in question is about 7.8 acres located on Berlin Cross-Keys Road and we are confronting an unusual situation because the property is impacted by split zoning. The front of the property is in the general business zone and the rear of the property is in the rural residential zone. Mr. Pursell's business and some rental properties are immediately along the property in question along these two boundaries of the property. To the best of our knowledge Mr. Pursell is not aware of any complaints about his operation from the Borough or any of the neighboring properties, and I think if any

of the members have had the opportunity to take a look at Mr. Pursell's present operations I think they agree the operations are well kept, they are astatically pleasing and what is proposed is part of this project is really continuation of that project similar architecture elevations and similar uses. Mr. Pursell proposes to construct a total of six (6) office warehouse/office buildings with parking and storm water management. Public water and sewer is proposed. There are certain variances being requested by the applicant as part of this application and they have been summarized by your engineer but I would like to call on Mr. Fusco to accurately summarize the variances being requested.

Mr. Fusco: There are five (5) variances for this application and they have been advertised for which we are requesting. The 1st variance represents a front yard setback; we are requesting 83.83 feet from the right away line on Berlin Cross Keys Road to the first building structure where 100 feet is required. The reason why we need the variance requested is because the angle of the property and its association with the road if we are to make sure the building has the best frontage along the road way we require the variance. The front yard setback is parallel to the right away line and we are trying to make sure these buildings position its self so the sides of the building are parallel to the side property lines and not the front property line.

Mr. Waddington: Is that Cross Keys Road there you were

Mr. Fusco: Yes I'm sorry to the right of the illustration is Berlin Cross Keys Road is in this direction

Mr. Eisner: On Mr. Fusco's comment if this corner be setback; actually first and foremost because of the convergence of the right of way and the building being square with the property line it is 82.3 feet at the far end of the building; so at one end of the building we are in non-compliance the other end we are fine.

Mr. Fusco: The 2nd variance we are requesting is from section 23-7.10.1B and it is to request office/warehouse uses in the general business district. The general business district on this particular property is located in this area right here along Berlin Cross Keys Road. In that particular district it has been designed or planed for commercial and retail space and Mr. Pursell's current operation is office/warehouse on the East side of the property in these three (3) buildings I'm pointing to right now. Also on other neighboring properties owned by others there are other office/warehouse buildings in existence on the East side of the property. The 3rd variance we are requesting is from section 23-7.9-3B and that is permitted office/warehouse uses in the Rural-R District. The Rural-R District is located towards the rear of the site and again I mention that currently Mr. Pursell's operation in the East already has office buildings and warehouse uses constructed and in place and it is he desires to expand them to the property he has on the West. The 4th variance that we are requesting is for section 23-7.1 a middle lot area of 1.32 acres where 2 acres are required; what that comes from he would like to sub-divide the lot into three parcels. There would be one lot that would be about 2.82 acres that would contain frontage on Cross Keys Road. The 2nd lot would consist of 3.68 acres it will have access via a common tie that will contain cross access the first proposed lot along Berlin Cross Keys Road and two locations where driveways exist on Mr. Pursell's lot to the East the adjoining lot and then finally the third lot that

would be created that Mr. Pursell currently uses this as a material storage lot that would be 1.32 acres and in that Rural District area the minimum lot size required is 2 acres and this lot only has access from Mr. Pursell's current operation there is no separate driveway access that is being provided. The last variance we are asking for is from section 23-9.11B3 and that is between lots 34.03 and 34.02 to be constructed without frontage on an approved street.

Mr. Eisner: Thank you Mr. Fusco

Mr. Sitzler: Mr. Eisner if I may for a moment? So the board understands the key of the five (5) variances are the two (2) use variances that is why only the Zoning Board is able to hear this where the members of council and other official members cannot be present because of the use variance. That is so the board is clear that they are the two most important ones which the board needs to address first because if the use variance is not approved the rest of these variances will not matter. You should be aware of Mr. Eisner that we are short. We have 7 board members here this evening?

Mr. Gallagher: Yes

Mr. Sitzler: We have one that is ill and had to go to the hospital and another one that could not be here. Because the use variance is considered the gold standard variance you are changing the use of an area. The applicant has the burden of going forward and having to show both the positive and negative criteria for those variances. We also have to make sure as it was put out in our planners letter for the D1 variances, that is for the front and back because it is a split zone it is not a permitted use in either zone so even though the property has frontage in the GBD it is not permitted in the GBD warehouse use, it is not permitted in the Rural Zone because of the back end so they are asking for the two use variances for both zones because the warehouse use would be prohibited in both zones. What the applicant needs to go forward with is the positive criteria which is set forth in our engineer and planners letter. Positive criteria is one that special reasons exist in order for the board to grant the variance; two do the special reasons promote the general purpose of the zoning and also the negative criteria to be reached is that the variance can be granted without substantial detriment to the public good and two that the variance will not substantially impair the intent and purpose of the zone plan and the zoning ordinance or the master plan itself. So that is what I'm assuming you are prepared to go forward with; there has already been some testimony here and I think the board can take notice of the fact that Mr. Pursell has adjacent properties. Is that correct

Mr. Eisner: Yes

Mr. Sitzler: That also have; in fact in 2005 although everybody may not have been a member of this board; but the board in Pine Hill at that time did grant a use variance for warehouse use. In the adjacent property am I not correct?

Mr. Eisner: On the adjacent properties and also a variance for the outdoor storage at that time.

Mr. Sitzler: Right and so there has been reference to the other adjacent properties already in this application so the board should be aware that was granted it looks like in 2005 and if this board recalls they got an extension to do the third warehouse on that property which we granted and I did a resolution on that last year in 2016 because they had to downsize slightly a warehouse to a smaller size than was originally contemplated because of a perspective lessee or purchaser I'm not sure pulled out during the economic crunch and they had a new applicant. That is what you have to take into account; that is a factor that you can consider that the adjacent properties were again the same two zones and use variance for warehouse use adjacent to it. The burden of proof still falls on the applicant to prove to your satisfaction that a use variance on this property should be granted; and I think you should address that first and then move onto the other bulk variances would probably be more beneficial to your client.

Mr. Eisner: I would call on Mr. Smith then if I may who is our Planner. Scott if you would state your name and business address for the record

Mr. Smith: Robert Scott Smith; business address is 80 South White Horse Pike Berlin NJ; employed by Key Engineers.

Mr. Eisner: Mr. Smith I know that you are familiar with the location and the plan and have been authorized by Mr. Pursell to represent him tonight.

Mr. Smith: Yes that is correct

Mr. Eisner: You heard me in my introductory remarks mentioning the split zoning of the property; and council for the board has also mentioned that. Would you please explain to the board how that split zoning impacts the property and do you think that split zoning creates any unusual hardship to the property.

Mr. Smith: Yes; the first observation that I made about the split zone was trying to determine was where this configuration would come from. The strong red line that you see here is the rural residential boundary line; the GBD Zone surrounds this property. It surrounds the Eastern side of Mr. Pursell's current operation it is forward of Mr. Pursell's current operations and to the South we are looking at the old gravel operation that is also the GBD Zone. The residential Zone as you read thru the R definition in your ordinance it talks about providing areas where environmental sensitivity can be an issue and larger scale lots, so that more or less defines what you see on Bramau Avenue. There are 2 acre lots on Bramau Avenue however Bramau Court were built before the 2 acre lot minimum, but it was very striking to me that there appears there should be a lien that goes along the rear of these lots. These lots are two acre lots on the tax maps it seems to me that this would be a logical place for that boundary but for whatever reason the zone boundary was pushed into here it was pushed up into what later became the GBD Zone; so it is kind of like an unusual configuration typically zone boundaries follow property lines, they follow road ways they follow rail road right of ways and this particular instance it defies definition to where that would have come from. You can see on the zoning map it actually starts at the rear property corner of this property and intersects our boundary at a 90 degree angle and from there it is in the GBD Zone.

Mr. Eisner: Access to this property this rural residential property could be had how? As a residential property is there any practical access to it?

Mr. Smith: Yes one of the things I noted; it is impractical and would probably never have recovered the development of this portion being in the rural-R that is because the properties that adjoin it are already developed at that 2 acre standard. There are properties that are developed here and these are the GBD zoned properties so you are more or less have an island zone that is saddled across Mr. Pursell's two properties. This property as we just discussed in 2005 received a variance and that has become where my finger is at on this agenda line from here to here has already received a variance and we are asking to receive variance for this section on the R-zone to permit not only the office warehouse but also the outside storage of materials on this particular lot which is 34.03 that is part of this use variance request.

Mr. Eisner: Mr. Smith did you undertake a review of Pine Hill's Master Plan as well as the Master Plan Reexamination Reports prepared by the boards engineer?

Mr. Smith: Yes I did. I reviewed both the 1993 Pine Hill Master Plan prepared by Remington and Vernick and your current Engineer Pennoni and Associates they did a reexamination in 2014 and in that reexamination there is reference made to a prior 2002 Master Plan Reexamination. Looking at them both there was mention to the goals and objectives that were cited in the original plan the goals the development we are proposing here are in compliance with those goals and objectives.

Mr. Smith: Then went on to explain what was in the Master Plan Reexamination report in 2014 concerning the proposed building site area calling it part of the industrial area which he said was inaccurate because the only area in that part of town that would be considered industrial was the old asphalt plant. He also went over the 1993 Master Plan where he stated there was only one type of commercial zone at the time which was C Commercial. Additional commercial zones came about due to the recommendations in the 93 Master Plan recommendations for more industrial zones were never added. He also covered the requirement for buffering between commercial and residential zones that were in the 1993 Master Plan, 2002 Reexamination and 2014 Reexamination reports. He also covered that in the Master Plan and Reexamination reports Cross Keys Road was signaled out as a major thoroughfare slated for commercial properties.

Mr. Eisner: Now again before you get into the positive criteria do you feel that the fact that the plan addresses many of the objectives in the Master Plan Reexamination do you feel this does address that constitutes the reason to grant a hearing?

Mr. Smith: Yes I do

Mr. Eisner: Can you discuss the positive criteria

Mr. Smith: The positive criteria this is a split zone property and makes the possibility or potential for someone to submit a conforming development proposal to develop this R-zone portion on that tract of land. Also looking at Mr. Pursell's adjoining lot shows that the Planning Board had previously acknowledged the suitability of this general area for office warehouse uses.

Mr. Eisner: How does having access to the site from any major highway have any negative impact on the adjoining residential uses?

Mr. Smith: No that would be one of the positive criteria that the site runs fronts a major county highway and there is no proposed access to any residential area and the interconnection of the proposed businesses on this property there are going to be two interconnections to Mr. Pursell's current operations which also provide access to Cross Keys Road from a separate driveway and also provides access to Cross Keys road from the southern property. Again there is no proposed access and no structural development on this lot 34.03 is being proposed.

Mr. Eisner: So Mr. Smith there is really no negative traffic impact or visual impact on the residential uses

Mr. Smith: That is correct. After reviewing the 93 Master Plan and subsequent 2014 Rexam it is clear the proposed development is in conformance with the goals and objectives stated in the master plan and reexamination and encourages development and with proper controls enhances the general welfare of the public and economic development. As far as the vantage criteria with proper control including the proposed buffering, screening and cooperation of the applicant and adjoining residents, the request for use variance has been granted without substantial detriment to the public good and the use variances can clearly be granted without substantial detriment to the public good.

Mr. Eisner: So rather than having a detriment or negative impact to the zone plan or substantially impair the zone plan do you feel that in fact this development is actually positive on the zone plan and positive for the community?

Mr. Smith: Yes I do

Mr. Eisner: I have nothing further for Mr. Smith. If there are questions from the board or council

Mr. Luste: Yes I have one question basically on the outdoor storage. What are we storing on that back lot?

Mr. Pursell: it is basically construction material; studs, concrete corners or anything that we bring back from the job. Things that can't be stored inside like PVC. We are plumbers and electricians so things we would use on the job.

Mr. Eisner: Mr. Pursell is there any heavy equipment such as excavators and things of that nature. Is any of that heavy equipment stored in the yard or is it stored elsewhere?

Mr. Pursell: We just relocated it to the front of the yard in the front parking area where we have

Mr. Smith: On lot 32.02 on his existing operation he has a storage area that is fenced storage yard where that equipment is kept.

Mr. Eisner: If I may point out that was part of a use variance that was granted in 2005

Mr. Luste: There will be no chemical storage or petroleum products or anything?

Mr. Pursell: All petroleum products are stored in a little shack, gas cans and such

Mr. Eisner: So there are no onsite gas pumps of anything of that nature

Mr. Pursell: No

Mr. Luste: I have one more comment on the planner's testimony. I'm satisfied that it satisfies the criteria of our ordinance and the testimony answered the questions asked that were required pursuant to statute

Mr. Sitzler: I would like to focus on two use variances we heard the testimony that our planner commented on. That is the 2nd and 3rd two use variances because they are the most important to move forward because the others are bulk variances. So would ask the board to consider opening up on the two use variances for the properties at this point.

Mr. Waddington: I entertain a motion to open the floor to the public concerning the use variance changes for 121 Cross Keys Road

Mr. Ford: I make a motion

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

Mrs. Ciotto: Second

Mr. Waddington: The floor is now open to the public for use variance change for 121 Cross Keys Road; anyone wishing the board please come forward and give your name and address.

Mrs. Pierre from 41 Bramau Court came forward and was sworn (name was not clear when spoken) in and gave testimony that she grew up in Pine Hill and had lived on Mount Clement Ave till 2014 when she moved to Bramau Court because of nearby construction and she wanted more woods. Six months after moving building began that has been creeping closer and closer to her yard. While on her deck she hears the constant noise of construction vehicles, and the fence and now wildlife if coming into her yard like

fox and deer all over. There are tree frogs she never knew were in Pine Hill and they are very loud. So it definitely is causing disruption and she is concerned about the well water contamination.

Mr. Waddington: Anyone else like to address the board on the use variances? Seeing none I will entertain a motion to close the floor to the public

Mr. Hagy: Motion to close the floor to the public; second by Mr. Ford

Mr. Sitzler: Is there any discussion from the board on the use variance or if there are none weather there is any motions? Again the board will need to determine if the applicant met the positive and negative criteria I set forth earlier. There has been testimony and our planner has commented on it as well about both the positive and negative criteria that had been presented. So it would be time for the board to make a motion on the 2 use variances that have been presented. And again the applicant is required to have five (5) affirmative votes and I understand tonight there are 7 members but in order for it to be approved there must be at least 5 affirmative votes.

Mr. Waddington: I have one question for you. The lot that is currently being used for storage how big is that lot? So your construction if approved will be farther away from Bramau Court correct?

Mr. Eisner: This is what we have 1.32 acres 57,300 and some square feet

Mr. Waddington: give me something in feet is it 100ft or 200ft

Mr. Eisner: about 250 feet

Mr. Waddington: So everything will be at least 250 feet from the property line that backs up to Bramau Ave on the other side? And did I hear you say that was also going to have fencing around that and also a tree berm?

Mr. Eisner: The fencing has been installed and there is a staggered White Pine that have been planted along the rear of that property and many of the large threes that were there remain

Mr. Waddington: Any other questions from any of the board members? If not I will entertain a motion for the approval or denial of the use change

Mr. Hagy: I make a motion for approval

Mr. Waddington: I have a motion for approval for changing the use. Do I have a second?

Mr. Ford: Second

Mr. Waddington: Can I have a roll call?

Roll Call: All “aye” motion carried for use variances

Mr. Eisner: Council how would you like us to proceed in regard to the other variances

Mr. Sitzler: Why don't you give a brief overview of the other variances?

Mr. Eisner: The other variances: for Lot 34.01 and that is the lot fronting Berlin Cross Keys Road Mr. Smith had explained that the building needs to be squared.

Mr. Smith: The Ordinance requires that buildings be parallel to any roads that are parallel and have a uniformed depth.

Mr. Eisner: And that is consistent with the rest of the neighborhood

Mr. Smith: And as far as the setbacks the variance is for 83.3 feet where 100 is required and that is only on one corner and just as a point of reference the building will still be set back slightly farther than the existing building next door

Mr. Eisner: I think that needless to say that the variance does not impact any residential use in any way what so ever that is all Berlin Cross Keys Road. From the Lot must front on an approved street and Lots 34.03 and 34.02 really don't front an approved street because this is really an access drive. I know that your engineer asked about this so I may as well address it we will make sure that access is provided thru cross easements and things of that nature and we will certainly present those to your board professionals for review to make certain they are satisfactory

Mr. Sitzler: They will be in the deed as separate lots

Mr. Eisner: Yes. There will be two points of access into Mr. Pursell's property

Mr. Calloway: Will you also be able to access 34.03

Mr. Eisner: That is right that is the storage; they will all have free access to thru. This person may like to go out this direction and this one out this direction they would have the ability to do that

Mr. Waddington: So that middle driveway is going to connect to his current property

Mr. Eisner: Correct! The other bulk variance is really because there is a 2 acre Lot requirement in the R-rural zone this this property is only 1.32 acres so that is why that additional variance is requested for that lot size.

Mr. Sitzler: And that is going to have access from his other property

Mr. Eisner: Yes

Mr. Sitzler: So that is land locked and that will be in the deed reflecting that is a permanent easement

Mr. Eisner: Yes but there will be no access without appearing before the board again between these two properties; this will only be for Mr. Pursell's use. We feel that given the fact that the location and existing development and the fact that this really will not impact any residential uses or any other business uses that these variances are relatively minor in nature particularly the variances up here. We consider this tandem to a public street because it goes out to Berlin Cross Keys Road. We can certainly offer testimony about the minimum impact but I think that given the testimony that has been provided about the entire development for use I think those issues have been addressed.

Mr. Sitzler: If you have addressed all the bulk variances you are seeking you might want to address the Planner and Engineer letter the last letter from May 4th

Mr. Eisner: Sure, looking at the May 4th letter that was addressed to Mr. Gallagher and signed by Mr. Dougherty and Mr. Luste and rather than go through the letter item by item I think I will just address the items that we have any difference or concern. We have provided architectural renderings. It has been difficult to provide floor plans and things of that nature in great detail because that will change depending on the purchaser or the tenant we may have some that want 3000 square feet of office and 7000 of warehouse excreta and we cannot obtain a final certificate of occupancy until a building inspector comes out and looks at the fit out and approves the use and the parking and things of that nature. So at this point we would reaffirm our request for a waiver from that requirement. We have supplied general architectural renderings and general architectural elevations and I'm addressing Roman numeral I: A, subparagraph 1 on the letter. We do believe we have addressed number B which was the testimony regarding the variance. As far as the completeness for major site plan because we are asking for preliminary and final this evening we have submitted in Roman numeral 3; A; 2 we have submitted an environmental report it is difficult for us to address the proposed uses of the buildings again because we don't the identity of the tenants; so we do ask that be waived or we permitted to provide that stand alone report when submit a request for a certificate of occupancy and certainly your engineer at that time can review that because that may change depending on the identity of the tenant or purchaser. That is the same on page 3 number 3 at the top; parking standards we really think we will have to defer that till a final certificate of occupancy is requested because again we don't know the identity of the tenant and the division and the allocation of space between office and warehouse use.

Mr. Luste: I just want to say that your office and warehouse square footage as presented on the plans are considered at maximum numbers in either case because your parking would increase with your office square footage where you don't have any parking.

Mr. Eisner: That is correct sir what we have done is each unit has been allocated at least 18 parking spaces there are more than 18 parking spaces as a whole development but at least unit has been

designated 18 so that 18 represents about 2500 to 2700 square feet of office space and the remaining office warehouse.

Mr. Luste: okay

Mr. Eisner: So when the construction official looks to see how the guy wants to put 9000 square feet of office he does the quick math and realizes I better go check and see if there is enough parking in that area.

Mr. Calloway: Question if the front two buildings are maxed out at the numbers than that is 4 buildings with more empty spaces

Mr. Eisner: That is correct it can't be abused

Mr. Calloway: I have a couple more questions on parking spaces the handy-cap spaces on the front two buildings

Mr. Eisner: In light of that I would ask about the information in section 23-8.7; I'm referring to the paragraph B at the top of page 3. We would request following if the application is complete given fair representations. I think if I skip over to page 5; C that addresses the variance requested about the lot frontage on an approved street. The outdoor storage we believe has been addressed by the use variance and I believe the planning issues have also been addressed that is on page 6 Roman numeral VI. I know that in Roman Numeral VII there are request for access easements and things of that nature we will certainly supply to the boards professionals for review and approval. If the council would like those included in any deeds with reference to any easements we can certainly do that. And certainly we will provide street addresses to the Assessor. We had one request in Roman Numeral VIII; A; on sidewalks we would ask for a waiver until the widening of Berlin Cross Keys Road is completed and we can coordinate the installation of the sidewalks with the county because if we put them in now and the road is widened they will simply be destroyed and I think that is an unnecessary expense for all concerned. On the next page 7 the landscaping we are requesting a waiver for the shade tree requirement along Berlin Cross Keys Road because of visibility issues and sight triangle issues. In B-2 we think we have already complied with the evergreen planting strip certainly when your professionals take a look at the site if anything else needs to be done we will address that we have no objection to that and we had asked for a waiver under C-1; a waiver for providing landscaping along the property lines because that just becomes a traffic issue between these various lots and we don't and we don't believe serves any purpose considering the green space that is proposed. I know that your professionals have suggested a waiver and granting our request for 9 by 18 parking spaces and that would be our request. Storm water control number D we will comply with all the request made in the submission of the revised plans and certainly number 5 we will provide the calculations being requested. We have provided a traffic impact report and in number F we haven't been able to specify the exact locations of the loading docks and whether they will be flush to the ground or elevated that will depend on the purchasers and tenants so we would like to provide those architectural plans as part of our process of approval and with your

building inspector. I have spoken to Mr. Fusco about the concrete bollards and he feels very strongly that they are necessary as a protection for parking and things of that nature and we will refer to the board that we want to go on record as requesting those. Number 3 we have no objection too number 4 it does appear that those buildings are touching they are L shaped but we will make certain that we comply with all building and fire codes and we will address the emergency access issues with the borough fire marshal and clearly we have no objections with any additional approvals from any Borough or County Offices. So I'm really confident that Mr. Fusco, Mr. Smith and certainly the Board's Professionals can address all the issues to everyone's satisfaction.

Mr. Sitzler: Mr. Eisner would your client be willing if the Board was to approve your waivers understanding is your client going to be selling the warehouses or it going to be leased?

Mr. Eisner: My client isn't certain at this point, but they will be set up that is why we are asking for the subdivisions because tenants like to lease with an option to purchase

Mr. Sitzler: Yes and that is why there is a lot of ambiguity about the warehouse space because you don't know who the perspective lessees or purchasers will be. So you are coming in for both preliminary and final approval for site plan so we are asking; I guess what I normally put in my resolutions with this type of applications so the board maintains control that assuming that your client would agree and your clients professionals would be willing to work with the board's professionals in good faith to make sure that all these ambiguities right now because right now we don't know what these warehouses are going to be used for ultimately that they will be working together unless a legitimate issue comes up between the board professionals and your professionals then you agree to come back in front of the board to discuss that so we can hash out that. That is normally what I put in the resolution. There are a lot of open ends between the preliminary and final.

Mr. Eisner: We have no objection with that we anticipate working with the building inspector as well to address those issues

Mr. Luste: Lets go back to the planning issues on page 6 under Item VII A can you give us more speculation perhaps about the hours, the operations what kind of warehouse/office workers there might be in terms of job positions just general operations maybe patterned off of existing site to the North, but we would kind of like to hear some of that.

Mr. Eisner: It would be patterned on the existing site we anticipate that the office operations/warehouse operations will be related to one another I can't say foreshore but usually when the buildings have developed the office use and the warehouse use are complementary all in the same business as Mr. Pursell's business is run. Mr. Pursell I would ask you if can address that.

Mr. Pursell: We have had a lot of interest in a lot of different things obviously the subdivision of; I'm a renter I rent I own and I occupy I have three tenants right now. There isn't a plan there are people who asked on a lease purchase it constantly depends on the economic situation sometimes people can get

money and borrow money easier than they can pay the rent and it is cheaper to buy in some places that is how I ended up in Pine Hill in the first place. We have had people from cleaning stores to banks I have had 2 interest in a boxing ring for the Olympics I've had a supply house both electric and plumbing talk to us about different things and the development side of our business is really just an arm of our construction company and we do it to maintain our company so we are not out there hunting people down; people come looking for us we have been here through the first development which I have been before the board 3 times we had the original investment and it has taken us 10 years to build this facility and when the property became available in the beginning they were not willing to sell to us. Now we are looking to expand that because of people interested, will they want to buy I'm sure they will eventually.

Mr. Sitzler: If I can point out to you now Mr. Pursell the use variance you were granted this evening was for Office/Warehouse so some of the uses you just said

Mr. Pursell: Yes I know the first thing I did was come up here and talk to Les and some of the other people on the board and said does this work

Mr. Sitzler: I just wanted to make that clear when you mentioned something about boxing

Mr. Pursell: Yes that was one of the unusual ones

Mr. Luste: I have one more point in your traffic report I take your consultant indicated that the traffic would be B/C range coming in but coming out of your site during peak hours it would be an F which is a failure. It may not affect traffic coming down Cross Keys Road but it definitely affects your traffic coming off the site. So do you have anything to say about that?

Mr. Eisner: Mr. Fusco

Mr. Fusco: You are absolutely correct that is what the traffic report says. We had sat down before we completed the plan and met with the county and the County engineer Kevin Becica and the County itself currently has someone doing a design for the widening of Cross Keys Road. The reason why it is so difficult to get in and out of any of the sites on Berlin Cross Keys Road is because it is only a single lane there isn't enough gaps created by the traffic light at Watsontown New Freedom Road. You just heard Mr. Pursell's testimony it has taken him 10 years to get where he is at right now with the three buildings he has proposed; this particular development he has 6 buildings so I can assure you that next year you are going to wake up one day and there is going to be 6 buildings on this site. He has to build the buildings along the road way first and bring the access road into the rear sites before anything happens. I believe that the time it takes to do that will be in concert with what the county is going to do and ultimately when Berlin Cross Keys Road gets the additional lanes that it needs on both sides of the highway in both communities both Winslow and Berlin Township that will offer a tremendous amount of relief for all the business between the railroad and the traffic light. For now though I can offer that we maid testimony all evening that this particular development will have cross access with Mr. Pursell's current operation on adjoining lot 32 and that particular lot has access directly to Watsontown New

Freedom Road thru a property that he owns and we are looking at the development of that property and the maintenance of that particular road and making sure that that driveway will continue to have cross access easement with his existing property and this property so that will offer a tremendous amount of relief for those people that want to make a left onto Berlin Cross Keys Road so it is going to be a nice situation when it is all said and done.

Mr. Waddington: I didn't hear the answer and maybe you don't have any when he asked you do you know what times will be are you looking like 8-5 since it is an office /warehouse

Mr. Eisner: I think that currently that in our presentation or the submission we are talking about hours probably from 7-5 or 7 -6

Mr. Waddington: I have a question on parking spaces. Why is there a need to go down to 9X18.

Mr. Fusco: 9X18 is just a common standard today; where 10X20 parking spaces are really required today are large box stores where you go food shopping or you go to the mall or you go to the big warehouses like Costco's, BJ's, Wegman's; that's where you have to open the doors to get things in and out car and what not. At these particular facilities if the client owns a step van or a stake body it has access to the loading zone and the loading bay that would either be depressed that would be proposed or thru an overhead door to get in and out of the facility we have not really seen the need with the light warehouse or office warehouse to create the 10X20 spaces we certainly could create some 10X20. What we try to do is work in concert with the storm water regulations that have been adopted in 2004 the intent is to try to minimize as much impervious as possible and by allowing the 9X18 parking spaces that helps tremendously; but again if the board desires we can provide some 10X20's if they see fit.

Mr. Waddington: I just wanted to know if it was hardship or unique to have so many spots or if there was another particular reason. I can tell you I see a lot of SUV's and trucks, I have a truck and I hate 9X18 because everybody is backing into my car. You pull into a grocery store and I have to park way down where nobody is at.

Mr. Eisner: We can certainly work with your Engineer to try to revise the plans and put some of those spaces in if that is what the board would prefer

Mr. Waddington: I'm just the voice of one; I just wanted to ask that question is there was a reason that they did that just for fitting spaces

Mr. Green: Can we make that a right turn only just to avoid confusion

Mr. Eisner: You would like to make that main exit going out a right turn only

Mr. Fusco: It would render the entire project helpless at this point. By rights the applicant deserves full access driveway making both rights and lefts going out just like anybody else along the avenue so that would be a difficult task to agree too

Mr. Green: It already has access to the adjoin lot that has access to Cross Keys Road

Mr. Fusco: You are absolutely correct but if for any reason the property someday becomes a standalone or any portion of the property becomes standalone it needs a full access driveway. Again it is on a county roadway and the county by rights in this particular case has to give them a full access roadway there is not a divided highway. The plans for the county highway will have an exclusive center turn lane for left and right so it just doesn't make sense.

Mr. Hagy: I see your point the right turn only during peak hours; traffic hours it will almost be impossible

Mr. Ford: Yes one person makes a left and it could be tragic

Mr. Eisner: I would like to have Mr. Pursell address your concerns if I can

Mr. Pursell: One of the keys with putting in putting this access road in is because we have an easement thru the property; thru the front property which is thru the side property which we constructed the road and brought utilities thru it and unfortunately the owner ship of these 4 buildings with the exception of one has changed and the domineer of people maintaining this road has been quite difficult the people right here doesn't let have anybody have a sign which we really never had a sign. And they have not maintained this road an all and so that is why the most importance is to here and have a sign out here and create identity for the community. And this will be maintained where this over here is not being maintained. One of the reasons I bought this property is because I have 25 people pulling out of here and making a left had turn. Ultimately when the road comes thru and I know it has been a long time coming thru with the widening and all but when it does come thru it should be ample but we can control that; maintain that private road over there so it really isn't ours we have just been allowed to use it. So that was the key in this being the first steep tying us into access so we can get around without having to deal with that situation and what Mr. Fusco talked about has been in the works for quite a while we just finished that building that unit we described last year and that was out 4th building and we lost our tenant so we occupy the building for storage because we need it. People come and go but there are people who always come around that is why we usually; I have not sold any of them yet so we have been renters to tenants.

Mr. Waddington: So if I could; I'm not sure if it is on the paper but; your driveway where you are going to need an easement to go back to your other property I guess

Mr. Pursell: You are talking about this one?

Mr. Waddington: Yes that one that you are going between buildings and connect. So is that going to be like a circle and to get to your other buildings you have come thru another yard like?

Mr. Pursell: No what it is we own this property and this property

Mr. Waddington: and you own the property below it right?

Mr. Pursell: Yes and this is

Mr. Waddington: and you are going to connect to roan you have in there already

Mr. Pursell: This is currently a driveway that feeds this building

Mr. Waddington: So your new driveway you are putting in where are you going to connect at to yours that is my question?

Mr. Pursell: Right to the existing driveway

Mr. Eisner: The interconnection?

Mr. Waddington: Yes the interconnection

Mr. Eisner: There will be two spots here and here: and that driveway will go

Mr. Waddington: So when they come in thru that back office building you are proposing they are going to have to go thru that other one go thru that existing lot and then come back down into another one

Mr. Pursell: Yes this is kind of like a common area it is not really passing thru it is going by

Mr. Waddington: I understand that I was just, when you are planning on doing that are you planning on cutting off another access that has an easement? You said that the road is not being maintained

Mr. Pursell: I don't have to cut it off not to use it

Mr. Waddington: I'm not saying you have to. I'm asking did you have plans to try to cut hat off so you would have access to your property.

Mr. Pursell: That would probably be a fire access road, because we have been the only ones maintaining it.

Mr. Eisner: I think if I could; Mr. Pursell would be willing to restrict left turns out of this driveway here to address your concerns if we can do it during peak hours only and if that restriction would be eliminated

when that road is widened. So we would agree to that and I guess that the hours be 7 to 9 and 4 to 6 or something like that.

Mr. Sitzler: It is almost; having experienced that myself at a property on a site visit last week, Joe you were there. No way I could have made a left turn I could have been there for an hour and a half I had to make a right I had no choice without committing suicide. I did not need a sign telling me no left

Mr. Eisner: So that would be no left from 7 to 9, from 4 to 6 and that restriction would be expire when the road is widened

Mr. Sitzler: And a counter proposal Mr. Fusco is that they ae going to have that middle turn lane; that is what I have in my hometown

Mr. Eisner: That is what Mr. Fusco said the county is looking into

Mr. Waddington: Any other questions? I entertain a motion to open the floor to the public

Mr. Ford: Make a motion; seconded by Mr. Hagy

Mr. Waddington: At this time the floor is open to the public to address the preliminary and final major site plan for 121 Cross Keys Road.

Mr. Hassett: Mr. Chairman; Tom Hassett 5 Sheri Way; Pine Hill NJ

Mr. Sitzler: Mr. Hassett could you raise your right hand for us. Do you swear what you are about to tell the board will be the truth and nothing but the truth

Mr. Hassett: I do

Mr. Sitzler: Go right ahead

Mr. Hassett: I just wanted to indorse Mr. Pursell's application here. I've Mr. Pursell probably 15 or 20 years. I was here when the economic development committee kind of twisted him to come in here and start his first buildings. His buildings are always kept neat and clean you can ride back there anytime, he has always been cooperative. From the MUA standpoint where I just retired as Executive Director I know preliminary there is enough water and sewer for this type of operation out there. We are very fortunate to have him come in we all know the where taxes are going and we all know this is the only area that has any interest or anything going on what-so-ever in town. So I comment him for coming in he could have been in Berlin, he could have been in lots of places. The only negative thing I would have to say is he doesn't dress as pretty as me.

Mr. Waddington: Thank you Mr. Hassett. Anyone else at this time? Seeing none I entertain a motion to close the floor

Mr. Hagy: Motion to close the floor; seconded by Mr. Ford

Mr. Waddington: Is there anything else you would like to add Mr. Eisner?

Mr. Eisner: There really isn't but because I don't know when to stop talking. We appreciate the way the board has addressed this with an open mind and we have tried, the applicant has tried to be as cooperative as possible in addressing the concerns of the board. I know there was a concern mentioned by a member of the public about seepage into the ground and things of that nature; there is nothing stored in that yard any type of toxic they are all inert type things studs, concrete forms, PVC and things of that nature so I think we addressed that concern and frankly I think we have more than met the burden that we have to obtain the bulk variances and obtain preliminary and final site plan approval and I respectfully request that the board grant a site plan approval. Thank You

Mr. Sitzler: Alright the remaining bulk variances are they front yard setback of 83.3 feet and you heard testimony that actually in some areas squaring off the building it is actually 100 feet which is what is required but because of the way there is a curvature to make it square it does get reduced by roughly 17 feet, 16 feet and 9 inches that is for lot 34.01. They are requesting also approval for Lot 34.03 for 1.32 acres where 2 acres is required that is the storage lot. I believe there has been enough testimony to the board what remains can't be built upon it is going to be used for storage as testimony has indicated. Another bulk variance which is Number 5 which is to prevent proposed lots 34.03 and 34.02 to be constructed without frontage on an approved street; testimony there is going to be easements and cross easements between the respective lots including Mr. Pursell's existing lot as to ingress and egress from all of the lots involved and that would be the explanation for that particular bearings. There is also some waiver request. There has been testimony and there has been concession that there will be a time sensitive sign placed for right turn only for the most busy hours of the day till such time as the county does improve the road way and make an expansion and probably make a left turns quite a bit easier. The applicant has already pursuing my question and agreed to work with the board professionals and that not only includes the board professionals but the township officials when it comes to interpretations that maybe necessary when there is no real concrete idea of what the office/warehouse space will be used for by a particular applicant of lessee at his point of time but they have agreed to work in good faith that would be called any approval that the board may grant. There is also a request to delay not to eliminate the sidewalk requirement but to delay till such time as the widening of Berlin Cross Keys Road because if you do it now they may have to rip it up and do it all over again once the widening takes place. Am I correct is that request to delay?

Mr. Eisner: Yes until that

Mr. Sitzler: Until such time as Berlin Cross Keys Road is completely widened and you will work with the board professionals and township professionals to the placing of the sidewalk. What waivers am I missing Mr. Eisner?

Mr. Eisner: I Think we had requested looking on page 3 subparagraph III- A- 3 about floor plans and we were going to ask for a waiver; submitting a more formal floor plans and architectural elevations locating the delivery doors and loading docks until we know the exact nature of the user agreement and requirements and at that time when we apply for certificates of occupancy and building permits we would provide architectural elevations and floor plans.

Mr. Sitzler: And you agree to work with the board and the board professionals on the design depending on how the outcome is

Mr. Eisner: Yes absolutely

Mr. Sitzler: Alright that will also be a point in the resolution. Does the Board have any questions?

Mr. Waddington: Did you mention the right turn only

Mr. Sitzler: Yes, the times again Mr. Eisner

Mr. Eisner: I think we had said 7 to 9 and 4 to 6

Mr. Sitzler: 4 to 6 in the PM; Yes and all the easements will be included. All the easements that we have discussed that are necessary for all the properties including cross easements will be part of the deed

Mr. Eisner: Part of the deeds we will submit those and if you like the boards professionals to review I approve.

Mr. Waddington: If that is all of them I will entertain a motion for approval based upon the comments the solicitor has mentioned

Mr. Ford: I make a motion to approve; seconded by My Hagy

Mr. Waddington: Roll call please

Roll Call: All "aye" Motion carried

Mr. Waddington: Next we have a Fence Ordinance concern

Mr. Scardino: Thank you Mr. Chairman. At the last meeting one of the members of the board expressed concerns about heights of fences at intersections specifically 7th Avenue and Erial Road. I went out and

met the owner of that property and I cited them to have the fence lowered to our ordinance requirement however reviewing the ordinance I have come up with some technical questions and before proceeding and providing advice to the folks that were cited I thought it would be prudent that I get instruction at this level not just in terms of clarification but it may require examination of our ordinance and I also need to understand what the past practice has been. As I read the ordinance the fences at intersections are limited to 30 inches in height there is no exemption in the language that I read for chain link. Driving around the community I see an array of different fences of different heights and before I can get any sort of enforcement I want to be sure what we are doing is technically correct and if our ordinances need to be amended they need to be amended to reflect the wishes of this board and that further I'm doing in a consistent manner. It happens to be that we also entertained free applications for corner lots where the applicants sought guidance and I reviewed the ordinance and I was really not clear myself on how to apply it. I reached out to Mr. Dougherty and I also spoke to Business Administrator Greer about the question and He said it might be best discussed at this level for further action whether it be a discussion or a review by both the professionals possibly amending this language and if anybody on the board can give me some insight as to the background. There are two different sections of the ordinance one on land use and one in construction and I cut and pasted them into my email and I tried to weave in the questions as they followed as I read them out ordinance basically does not permit fencing at intersections with a side lot of a stockade style and that condition exist throughout the town and there are a number of fences that exceed this 30 inch limitation at intersections and also front yard fences that exceed our height limitation. In one section it says a 4ft chain link is permitted another section says intersections do not. I think we really need to look at this to make sure it is clear and that enforcement action is consistent as well because it is only fair to the residents and I'm sure many of them have sought permits and been given advice and knowing there have been different predecessors that have taken this office and I want to be sure I'm not doing anything contradictory to any previous advice. I believe the intent is to preserve the sight triangle and ensure there is no obstruction if it is the discretion or my latitude as the Zoning Officer I have no problem doing it but I don't want to contradict advice that has been given in the past particularly to those people that showed good faith and wanted to do the right thing. The other issue is that in our construction ordinance grandfathered if you will and I'm very cautious using that term but preexisting nonconforming fences were allowed to continue. I don't think that the intent of the language in that ordinance was that the existing fence could be replaced with a nonconforming fence. And if that is in fact the case I would like to strengthen that language or at least have some discretion relative to that because there are some 4 foot chain link fences on corner properties that have now been replaced with pickets the chain link fence is transparent or nearly transparent however a picket fence is not and if visibility at the intersection is the concern I really think that is something we need to clean up and if you take the stern reading of the ordinance about height at intersections there really is no language that exempts chain link. So that is kind of the bases for the whole thing and then I guess the next question would be if you read the interpretation of intersections it says from the point from which the two roads intersect one hundred feet in both directions well if a corner lot is 25 feet wide in both directions does the hundred foot apply to the adjacent lots that are within that one hundred foot or is it only to that corner lot that is impacted and I know that is straining at gnats but again if the sight triangle is the concern how would we look at that and is that something we would want to clean up as well.

Mr. Sitzler: The one easy question to answer is regardless of what was done nonconforming whether excused or not that is just an examination to go back to see the predecessor ordinance on fences to see how far back if someone were to examine that how far back to whether fence regulations have changed substantially or have they always been this way because if it is nonconforming as you indicated someone replaces a chain link with a picket fence that is no longer nonconforming that is a new fence the rule on nonconforming you can repair a preexisting nonconforming fence you cannot replace it, if you replace it you have to meet all the current regulations and approvals. The issue is to whether there is confusion in the ordinance is not unusual sometimes there is confusion where one ordinance may have been dealt with by different professionals didn't get reviewed when other professionals developed a specific ordinance so it is not unusual if it develops some inconsistencies. Joe I don't know whether, it is up to the board to determine how far the board wants to go with having professionals look at that but one thing I can say for certain as a lawyer is sight triangles are important if there is an accident and God forbid someone is seriously injured or killed because they can't see not only would the homeowner; it would be in their own best interest because their homeowners insurance is not going to want to cover that situation so it's of their own best interest to move it back from a personal perspective but we also don't want to be involved in that litigation by having some lawyer claimed we allowed them to do that. So that is important from a legal perspective. Sight triangle from my point of view as a lawyer chain link you can sometimes depending on the sun the light you can see past the chain link fence, a lot of times people will put shrubs inside the chain link which makes well be a solid fence. So I don't think it makes a difference from a legal point of view what kind of fence it is it should be limited to where it is placed for sight triangles and the height should also be considered.

Mr. Luste: This is a common issue by the way; so Hugh and I would like to sit down and digest all of this and we come back to the board and the administration

Mr. Scardino: The question that remains is what the height is. I think that and the side lot how do we apply a side lot on a corner

Mr. Sitzler: I think that is for the engineers to look at in terms of height

Mr. Scardino: I did want to report that we did cite two property owners one at Mac Knight and Turnerville and one at 7th and Erial and if anybody noticed the real estate sign on the opposite corner has been removed we cited the owner of that sign

Mr. Waddington: Today?

Mr. Scardino: Today

Mr. Waddington: I was going to say it was still there yesterday

Mr. Sitzler: At some point this board will have to make a recommendation to the governing body on the ordinance and hopefully we can give them suggestions on how the ordinance should be amended

Mr. Ford: Would we need a motion on that?

Mr. Sitzler: We would call it new business is being brought before the board. Now if the board has had a chance to digest this and wants to make a formal motion to empower our engineer and planner to look into this that is a motion that could be made. I don't know if you want the whole board to be present I know we have some members absent today but obviously Mr. Scardino needs some guidance because he has active issues so we can't sit on this too long.

Mr. Waddington: So we really don't need a motion right now

Mr. Sitzler: You can if the board wants to do that right now authorize Pennoni to look into it

Mr. Waddington: I will entertain a motion

Mr. Ford: I will make a motion that we have Pennoni help us look into the fencing ordinances so we can make a better decision on what we should be doing and what we should allow and not allow.

Mr. Hagy: I second that

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

Old Business:

No old business

New Business:

Waddington: New Business the next meeting will be June 8th, 2017 at 7:30pm

Open Floor to the Public:

Mr. Waddington: Seeing no public I'm still making a request to open the floor to the public

Mr. Ford: Motion to open the floor; seconded by Mr. Hagy

Close Floor to the Public:

Mr. Waddington: Motion to close the floor

Mr. Hagy: Motion to close; second by Mr. Ford

Motion to Adjourn:

Mr. Ford: Make a motion to adjourn

Mr. Hagy: second

All "aye" motion carried