

Borough of Pine Hill
Meeting
Planning and Zoning Board of Adjustments
January 11, 2018

- Call to order:** **Call to Order by Mr. Felix James 7:37pm**
- Pledge of the Flag:** **Led by Mr. James**
- 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.
- Swearing in of New/
Reappointed Members:**
- | | |
|---|-------------------------|
| Class III Member: Councilman John Robb | expires 12/31/19 |
| Class IV Member: Scott Ford | expires 12/31/21 |
| Class IV Member: Robert Hagy | expires 12/31/21 |
| Alternate # 2: Renee Gilson | expires 12/31/19 |
- Members sworn in by Solicitor; Mr. Sitzler
- Roll Call:**
- Present:** Mayor Green, Mr. James, Councilman Robb, Mr. Green, Mr. Castor, Mr. Waddington, Mr. Ford, Mr. Hagy, Mrs. Jones, Mrs. Gilson
- Absent:** Mrs. Ciotto
- Professionals:** Solicitor: Mr. Sitzler, Engineer: Mr. Dougherty, Planner: Mr. Luste, Zoning Officer Mr. Scardino
- Election of Chairman:** Motion made by; Mr. Waddington seconded by Mr. Castor to nominate Felix James, No other nominations made; Roll Call 10 voted "AYE" Mr. James abstained; motion carried
- Election of Vice Chairman:** Motion made by; Mayor Green seconded by Mr. Castor to nominate Kevin Waddington, No other nominations made; Roll Call 10 Voted "AYE" Mr. Waddington abstained; motion carried

Appointment of Board

Secretary:

Motion made by Mr. Castor seconded by Mr. Ford to appoint Les Gallagher, No other nominations for appointment made; Roll Call all "AYE" motion carried

Mr. James: Resolution 2018-4: resolution establishing meeting dates and the official newspaper for the Planning and Zoning Board. Is there a motion to approve?

Mr. Waddington: Motion to approve seconded by Mr. Ford

Roll Call: All "aye" Motion carried

Mr. James: Resolution 2018-5: resolution consenting to the appointment of Hugh Dougherty from Pennoi & Associates as Planning and Zoning Engineer

Mr. Castor: Make a motion to approve seconded by Mr. Hagy

Roll Call: All "aye" Motion Carried

Mr. James: Resolution 2018-6: resolution consenting to the appointment of Joseph Luste from Pennoi & Associates as Planning and Zoning Planner and Application Process Reviewer

Mr. Castor: Motion to approve seconded by Mr. Hagy

Roll Call: All "aye" Motion Carried

Mr. James: Resolution 2018-7: resolution consenting to the appointment of William Sitzler, Esquire as Planning and Zoning Board Solicitor

Mr. Castor: Make a motion to approve seconded by Mr. Hagy

Roll Call: All "aye" Motion Carried

Correspondence:

Mr. James: You have your New Jersey Planner Vol. 78 No. 6

Approval of Minutes:

Mr. James: If everyone had a chance to review the December 14, 2017 minutes I will entertain a motion to approve the minutes

Mr. Hagy: Motion to approve seconded by Mr. Ford

Mr. James: All those in favor? Mayor Green and Councilman Robb abstained since this meeting was on a use variance and they were not present all others “aye”

Resolution 2018-8: **Mr. James:** Next we have Resolution 2018-8 Gary Shuhart and Marnee Cinelli-Shuhart; 129 Cross Keys Road Block 131 Lot 36; Major Site Plan

Mr. Waddington: Make a motion to approve seconded by Mr. Ford

Mr. James: Roll Call Please
“aye” Mr. James, Mr. Waddington, Mr. Ford, Mr. Hagy, Mr. Green, Mrs. Jones, Mrs. Geilson; “abstentions” Mr. Castor, Mayor Green, Councilman Robb. Resolution passed

Application 2017-4: **Mr. Gallagher:** You will find at your place a copy of the CHE Group Parking License Agreement

Discussion took place about the Parking License Agreement in conjunction with the Resolution previously approved and the guidance for the Zoning Officer for enforcement.

Mr. Sitzler: In the Lease Agreement Paragraph 7; it is not really a Lease Agreement because under NJ Law Parking is not real estate for the purpose accepting fees it is called Parking License Agreement. There is a question that the Mayor has in # 7 “No specific Parking Space” that is why I told Michael to use the Resolution along with this because we did say in the Resolution they had to identify specific persons with specific spaces and I think they are doing that with internal documents. My interpretation is that they are doing this internally otherwise they would have to have 75 different License Agreements and change one every time someone moves out. They will be having a log that is available inside where they are listed so the Zoning Officer only has one spot to look at to find a person.

Mr. James: I still think the Lease should be tied to a vehicle

Mayor Green: My concern is that for argument sake if they are 70 spots and they rent 100 with a goal of 30 vacant spots that are for first come first served and one night there happens to be 100 out there who is going to catch them. That is why I thought there were the leases that were tied back to the spaces so there would only be X number of spots

Mike Scardino: I think they are putting the onus on us for policing and it should be on the lease, so I think we need to tighten it up because that was a concern when we had the site meeting on how will we know who belongs in what space

Discussion continued about the parking license agreement specifically about items 7 and 12

Mr. Sitzler: If the board wants to vote and approve I will write a letter to make changes and I guess the main concern are sections 7 and 12. So we are saying there has to be an identifier whether it's a number an identifier on an individual lease signed by the truck driver with the space to match up with the number on the space and it has to be for a daily log/chart that also matches so there is a triple match. I can suggest language I can't write it for their attorney as long as he writes it in a way that it is a triple identifier. I can also have him correct the misspelling on the last lien of # 12 it should be Licensor and ask him to add "and or Borough Official". He also needs to give us a copy of his rules and regulations as stated in number 11. I will also ask him to add no maintenance on site and no sub-leasing. Also Schedule length is supposed to be captioned and it is not filled out (#1 reference to Schedule A must match up to the log, name of owner, general vehicle description,)

Mr. Castor: I make the motion seconded by Mr. Ford

Roll Call: Zoning board all "aye" giving approval for Mr. Sitzler to contact the applicant's lawyer for changes to Parking License Agreement

Old Business:

No old business

New Business: **Mr. James:** New Business the next meeting will be February 8th at 7:30pm

Open Floor to the Public: **Mr. James:** Do I have a motion to open the floor to the public

Mr. Castor: so moved seconded by Mr. Ford.
Roll Call all "aye" Motion carried

Close Floor to the Public: **Mr. James:** seeing no public

Mr. Castor: motion to close second by Mr.Hagy
Roll Call all "aye" Motion carried

Motion to Adjourn: motion made by Mr. Castor, second by Mr. Hagy, all others "aye"
motion carried