

Borough of Pine Hill
Meeting
Planning and Zoning Board of Adjustments
November 11, 2021

Call to order: **Call to Order by Mr. Michael Hagarty 7:30 pm**

Pledge of the Flag: **Led by Mr. Hagarty**

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. Hagarty, Mr. Waddington, Mr. Ford, Mr. Hagy, Councilman Robb, Mrs. Jones and Mrs. Wakeley,
Absent: Mayor Green, Mr. James and Mrs. Gilson
Professionals: Solicitor: Mr. Sitzler, Engineer: Mr. Dougherty & Zoning Officer: Mrs. Keyek
There was a quorum

Mr. Hagarty: Before we begin the business matters on this Veterans Day, I would like to take this time to thank all Veterans young and old, men and women and all of those that are not here today that paid the ultimate sacrifice. On behalf of the Pine Hill Planning and Zoning Board all Veterans thank you for your service.

Correspondence: **None**

Approval of Minutes: **Mr. Hagarty:** Moving on to the meeting minutes with I guess with the one correction that I saw that it was an in-person meeting on the October 14th meeting with Kevin so kindly pointed out and not a phone meeting. First, I would like to ask is there any other questions on the meeting minutes? Seeing none I will entertain a motion to approve
Mr. Waddington: I will make a motion to approve seconded by Mr. Waddington

Roll Call Minutes Approved: All present “aye” the minutes were approved with correction of removing Phone Meeting.

Application: 2019-1

Mr. Hagarty: The first matter before us this evening is Application 2019-1, ALFA Services, 119 E Clearview Avenue Block 48 Lots 88,90,92 and 94.

Mr. Hagarty: Now John, do you?

Mr. Gallagher: Yes, John you would need to leave since this is Zoning and come back after.

Councilman Robb left the meeting at 7:34

Mr. Threston: Good Evening, I'm Joe Threston, I represent ALFA Services here with the principal of ALFA Services Mr. Respes. We are on your agenda primarily because of COVID. There was some discussion about this I think in March of 2020 about a week before COVID we discussed this matter and I was notified in September, late September early October about the Board wanting to hear on this I had a conflict that is why I'm here tonight and I have discussed this matter at length with my client and had some communications also with Mr. Sitzler we are certainly amenable to having this completed within Ninety (90) days. The only concerns that I have, and I don't think they were brought to the Board at the time because some of the issue was trying to get the approval for the property which of course was denied but part of the issue and concern that we have, and we want to make sure this is done as quickly and as soon as possible on our end. It is that there were improvements mad to that property, specifically the garage area prior to my client's acquisition of the property in 2017 and we suspect based on our research that those improvements may have been long standing. My client bought the property from HUD it was a foreclosed property. The prior property owner and I'm going back to the Real Estate sale because I represented Mr. Respes in the Real Estate sale the person who had bought the property did not live there very long and I think maybe he made one or two mortgage payments before they ultimately left, we suspect probably the person before that person did those repairs. So, what we would like to propose that prior and subsequent the garage doors being reinstalled that there is an inspection that takes place so that if there were anything's that were done that were either not permitted not by code or whatever that we address those issues and get those off of the table and then an inspection afterwards just to be sure that the Borough is satisfied with the progress on it. That is basically where we are at.

Mr. Hagarty: So, if I hear you correctly the reason there has been no activity through a period of time is due to the result of COVID which obviously I'm sympathetic to the impacts of that. I guess that being the case we reached out to you instead of you folks coming to us to say there was an issue with restoring it to those conditions.

Mr. Threston: Frankly I won't speak for anybody else; I will tell you that my practice over the last 20 months has been upside down I frankly like a firefighter running around with a hose putting out fires because of limitations and the issues that come up on a daily and dire basis. If you want to slap me for it, you can but we are copping in a very strange world, and it seems like we are coming out of it a little bit so hopefully we can address this issue and move forward.

Mr. Hagarty: Since the Resolution was passed how is the property being used?

Mr. Threston: As a group home. The application back when the property was made was allow that garage to be converted into another living unit for the group home. The two-group home the unit of Occupants in the

Mr. Waddington: Residential

Mr. Threston: Portion of that property are there pretty much there by the State Law that jumps in and supersedes all of that so that use is continued. The Garage itself obviously no one can park cars in there because of the doors not being in there but it didn't appear that anybody was parking cars in there for quite some time prior to the time that my client acquired the property so, if it is being used for anything at this time it is being used for storage.

Mr. Hagarty: So, you mentioned so that I understand looking at a ninety-day time frame.

Mr. Sitzler: Which is consistent with a courts order

Mr. Hagarty: I mean how much confidence do you have in the ninety-day time frame? Given the history of where we are at.

Mr. Threston: Yes, we can work with that timeline of ninety-days and if there is some issues along the way if the contractor needs a couple extra days we will let you know. I want it done in ninety-days at this point, I frankly thought it was over on my end and I would frankly like it to be over on my end so, I can certainly push for that.

Mr. Hagarty: We would like it over also. I guess what I'm hearing from your client is it just the doors in ninety-days or is it all the work associated with the Resolution?

Mr. Threston: Well, it should be a functioning garage door which is the definition of the ordinance which basically means you can park a car in it, even though the garage probably hasn't been used to park a car in it in quite some time certainly preceding my client's occupancy of the property. I think that would be, we just want to make sure that one we satisfy what the Board wants in so far as meeting what ever definition that you have and secondly we don't want to have to come back in front of the Board of and end up with citation from the Construction Office or Zoning Office saying you didn't pull a permit for X,Y & Z and it was something that has been there prior his arrival on the property. We just want to avoid

that issue; we had this issue with the garage and we also had a issue with the sewer line which initially they thought he had done and it turns out the sewer line was built before the property was built which I think was 1950 or something and was running on other properties and there had to be some changes made to address that so it has been kind of a process that we have been running into with this property so whatever issues with the garage whatever other loose ends that need to be tied up I will prefer to do that all at one house keeping.

Mr. Hagarty: Again, we would also. But the reason you were here to begin with is because improvements already started on the property and you were caught and you had to come in here to kind of get approval so,

Mr. Threston: I think what had happened though too was obviously we took the garage doors off and it is no longer a garage is kind of obvious okay but, this stuff was done in the interior and a lot of that if not all of that created my client's acquisition of the property and people do not always notice that so we just want to make sure any exterior/interior whatever things were done to that garage area are identified and we are all on the same page about it and move forward so he can run his business and he don't have to keep coming in front of you folks.

Mr. Hagarty: Karen have you been to the property recently?

Mrs. Keyek: Yes, the garage doors have not been readded to the garage so they will need to pull construction permits and what ever inside just has to be made so a car can park in there from my understanding.

Mr. Hagarty: Okay

Mrs. Keyek: It does not mean that you have to park a car in there!

Mr. Threston: Correct, I think that was the discussion I had with my client, there is no intention of them to park a car in there. The people that reside on the property don't drive, can't drive. Really the driveway is used for vehicles that transport them to and from their off campus or off housing activities that they go to during the day or it is the staff that come in to assist with them. Who stays there just the residents?

Mr. Respes: Just them, the staff is there 24/7 but the clients are there overnight.

Mr. Threston: And that is all consistent with the State approval

Mrs. Jones: Can I ask a question? How are you going to accomplish this in the ninety-days when it has been years since we started?

Mr. Threston: I think at this point we have been asked to do it, you guys reached out to us. Obviously with COVID that added a whole long-time frame to this unfortunately so now I guess we are keeping all

our fingers crossed that the bag of horrors and restrictions and what forth is gone with COVID and I think we can get this done. I don't see why not and frankly I wanted to get it done because you know he wants it done, I want it done and we all want it done. We are here and I just want to make sure all the issues are resolved so once the garage doors issues are addressed and once the Construction Office is satisfied.

Mr. Hagarty: Additional questions?

Mr. Sitzler: So, initially the Board is fortunate, and Mr. Threston would not be aware of this necessarily at the last meeting to have an application for a garage to be built on a property so we had a chance to view our ordinances about garages and there was a big issue there as to whether that individual needed a use variance depending on what it was actually used for and it turned out it would be used for a garage. What I explained to Mr. Threston is that one thing I cannot do is make the Board's decision, I don't have the authority to do that but what I explained to him is that it has to be setup as it was so that as you go by it's a garage and the garage as we understand it has to have the ability or capability of housing a car up to three in this particular case but at least one and that means it has to have a garage door for a car in case it is put in and it has to have a space for a car to fit if it were to be used that way and the reason for that is simply approvals or disapprovals I mean in this case it happens to be a denial of an approval it relates back to what the use was and the use was clearly a garage. I know there was anecdotal evidence for and against what this was used for I think there was testimony at the hearing that one of the neighbors I think in the public that said there might have been a garage band that was playing there but it was a garage. It can be used for storage if that is what you have been using it for, but it's got to have a capability of being a garage and the conversion itself was a violation of the law at the time and I believe it was addressed in our court. I don't have jurisdiction to see what happened in Municipal Court with violations, but I think it is important for our Zoning Officer to view the property at some point maybe prior to and at the conclusion of this type of work so that she is satisfied and can report back to the Board, and you don't have to bring Mr. Respes and Mr. Threston back again and it does constitute at least primarily as a garage use because that's what it was historically.

Mr. Threston: And we are agreeable to that. I think, I just want to make sure we are all on the same page at the end of the day.

Mr. Ford: I'm pretty sure that back when this was reviewed there were like walls in there and stuff that was built and that's what we are trying to say that you need to make sure it gets back to a garage form, you know walls or partitions

Mr. Threston: We discussed that prior to the hearing he understands that he has to be at least able to get a car in there.

Mr. Sitzler: Again, approvals and denials run with the land and there could come a day when Mr. Respes is no longer the owner of the property, and it is sort of like the like Mr. Respes attorney tried to argue in that it seemed to be used for something more than a garage when they bought the property was their

believe but a legal or clandestine changes of uses are not permitted no matter what. They were never legal there is no Grandfathering in on an illegal use and it has to go back to what it really was, and it is pretty obvious it was a two-car garage for the better part of its existence so it has to be a garage in the classic sense anyway and it can be used for storage it doesn't have to be used for cars. We talked about with our Engineer Mr. Dougherty last month at length about what typical uses of garages could be and what would require a use variance and I agree with that. Storage is something that people traditionally use garages for they don't have to put cars in there but it has to be capable of housing an car in there so, it has to have a garage door or in this case it had two and space enough for two cars I believe it was a two-car garage and that means cars have to be capable of being placed in there if the successor owner wanted to use it as a garage rather than storage. There is some conflicting testimony looking back at the resolutions and minutes from that hearing and there was some conflicting and most of the people that were in public could testify when they said it was always a garage and if anything, it was a garage band that played in there at one point. It doesn't really matter because if it was illegally converted by a prior owner, it doesn't ignore the benefit of the legality of it. It is sort of unfortunately a buyer beware situation.

Mr. Threston: If I can address something that Mr. Sitzler hinted at, I went back and looked at the real estate transaction for 2017 and there was nothing in the title report and there had not been anything that indicated things that were or were not approved not that that is the end all be all but usually when people are acquiring property they are kind of relying on that information amongst other bits of information and there really was nothing that might have been the case that they were just going to go through the process of generating the title before generating what ever happens to get the property sold and get it off of their books but there was nothing that we had in our books when I saw the copy of the title report. I just wanted to cite a technical matter I'm assuming that the final resolution that was generated in August or whenever it was generated was similar to the proposed Resolution the reason, I say that was when Mr. Gallagher sent me, I requested a copy of the transcript as well, he sent me a copy of the transcript he said he was having a problem with his computer he said he could not email me the final resolution and then we both probably forgot about it so if I can get a copy of the final resolution. I'm trusting it is the same one on record.

Mr. Sitzler: I have an extra copy

Mr. Threston: This way I can have one for my record I did not have an executed copy

Mr. Sitzler: So, it was actually August of 2019 and then the paragraph in the denial gave you the ninety-days and I also gave you the opportunity to contact us. It gave you the ninety-days to do the conversion.

Mr. Hagarty: Any questions? From any of the Board members, professionals?

Mrs. Keyek: I have a question I know there was an existing bathroom or something does that have to be removed as well or does that get to stay there since it was there when it was purchased

Mr. Threston: I think the question probably is that, look and see what happened because that is one of the concerns that we had because there was a sink that was put in there, there is a bathroom that was put in there I don't know but apparently there was separate heat and water which was actually described in the real estate listing of Zillow that said heated garage and water so if there was something put in the garage and heated that was not taken care of at a prior owner and that is something we would have addressed because if there were violations that occurred before hand that a permit was supposed to be pulled for a heater or pulled for plumbing I would prefer that we address all of that and then the record is then clean and not the situation that we are coming back in again to this Board or in front of the Zoning Officer or the Municipal Court for something or a situation that we didn't create either of so would rather fix all of that.

Mr. Hagarty: So, I guess to answer your question we can rely on your judgement, I mean obviously what made this complicated a bit was the fact that there were through testimony trying to get a handle on what was the condition at the time of purchase and then the work that had been done after the purchase so obviously we are going to rely on judgement but you know what the spirit of what the resolution says is that it is not to be used as a living unit and it basically has to be restored to a garage. Anything that kind of smells of a living unit in terms of sinks and bathrooms and partitioning and stuff like that obviously I would expect would not be necessary in a garage.

Mr. Threston: I would have to question, I believe there was a was basin in there, that is not necessarily inconsistent with a garage

Mr. Sitzler: Mr. Dougherty discussed this when we had an applicant that wanted to build a second garage on their property that we originally thought they were looking for a use variance, but it was really just a garage and he wanted it for working on his two cars and a upstairs storage for clothing and things of that nature. We talked about those traditional uses for a garage, and this is an attached garage by a breeze way, correct?

Mr. Threston: It has a breeze way that is correct.

Mr. Sitzler: So, it is attached in a sense to the main house through a breeze way. I would tell the Board I don't find it unusual, and I will ask Mr. Dougherty since he has some experience in this area to what extent some garages are heated and I don't find heating a garage has to be removed and some garages because people work on cars have sinks because they don't want to bring dirt and grease into the main part of the house so I don't think a sink is, but it is unusual to have a bathroom in a garage I would say that but not a sink, a wash sink.

Mr. Threston: It is uncommon, but I have seen it.

Mr. Sitzler: Yes, and I will leave that up to the Board about the bathroom because apparently the bathroom was put in there. I don't know if it was remodeled by the applicant here but apparently through testimony it was preexisting but the partitioning is a problem because partitions make parking a

vehicle difficult, so I bring that only to the Boards attention. You have to be able to at least weather you decide to park a vehicle or not it has to be capable of it.

Mr. Dougherty: I was just going to point out that the section of the ordinance 23-3.2. It just describes that a private garage shall be a garage intended to be used for a storage of a motor vehicle and then we went on to say other ancillary things associated with a residential use of storage. Looking at the resolution and then reading this into the record at a minimum the front entry door must be removed, and the garage doors must be reinstalled, and any interior walls or other improvements made must be removed that interfere with the parking of two motor vehicles. I think that was the Boards intent and is consistent and is consistent with our definition that says it is storage for motor vehicles so in essence the sink is an ancillary thing like Bill had mentioned as far you are changing your oil or something and you want to wash your hands but, certainly you have to get a car in there and since it is a two car garage you have to be able to get two cars in there so any partitions that would interfere with that would have to come out but some of that plumbing, heating thing I mean I think some people do have heat in their garage as well so I don't see that as a problem.

Mr. Sitzler: As we discussed with the last application some things in storage get mildewed during cold weather without having heat, so storage is allowed to have heat, I think.

Mr. Dougherty: To your point earlier even though possibly a car is not going to be stored in there it would be available for storage of a vehicle you would have that space. Usually, a car space is ten by twenty so you would have room to store a car in that space or it could be other storage as well, but we are looking for a ten by twenty space and actually then two of them because it is a two-car garage.

Mr. Threston: So theoretically there is like a partition in there and you have a ten by twenty space the partition and another ten by twenty space that partition would not have to come out.

Mr. Dougherty: Correct I would agree with that you have ten by twenty to put a car on this side and a ten by twenty to put something else on that side.

Mr. Ford: Would any of the stuff that is in there since we brought up sinks and bathrooms and whatever else that seems to be the problem that we had to start with so should it not all be removed and then that way it would be just technically just what a garage would be?

Mr. Sitzler: The Board can make a decision on whatever the Board choses to make. One of the difficulties we had was again a lot of the evidence was adonitol and the Board did accept some of the evidence there was a neighbor when I went back through everything who again said there was a garage band that played there, and unless we can find where permits were granted for a bathroom.

Mrs. Keyek: I don't think you are going to find that.

Mr. Sitzler: There was also someone else that testified in the public that they did think that someone else tried to make that into a living area so I don't know if that was reality or not but, they did believe that a prior owner tried to make it into some kind of living area but did not come before the Board previously and you don't know that I have never seen anything where that was attempted or denied and I don't know if we have those records or not.

Mr. Ford: I know the gentlemen had been asking if we can do one and done kind of so, if everything is not removed then it does like leave everything open.

Mr. Sitzler: Yes, you don't want to leave it open I think they don't want to come back again.

Mr. Ford: Right, so if it was just all removed then that would cure the problem

Mrs. Jones: The whole point with the neighbor that did come in with pictures of the house that had the garage doors on it proved it was that when he purchased the house.

Mr. Threston: We acknowledge the garage doors were on it, but the real question was not, you know on our end we wanted the garage doors because what was in there because he, and I have been inside that area you know it is clearly not necessarily I wouldn't. The primary use from whoever had it before did not seem to be a garage, maybe a garage band goes in there and plays and does what ever they do really all maybe space is set up for drums and what all their guitars and what ever other instruments and they have four or five people or however how many people were in the band playing their music but the presence of some of these other items did not occur under my clients watch so if there are issues where permits have to be pulled or inspections have to be done we are willing to do that it complicates the issues but to my estimations the safest course of action would be to get together with the code office and we go in there figure out exactly what is what and there is a punch list items beyond putting the garage doors back on we will be certainly willing to address those and move on.

Mrs. Keyek: I'm off tomorrow can we set something up for next week?

Mr. Threston: (addressing Mr. Respes) Are you able to do that?

Mr. Respes: Yes, Can I speak to the Board

Mr. Threston: Yes

Mr. Sitzler: Mr. Respes you were sworn on this matter earlier so remember you are still under oath when you address everyone.

Mr. Respes: I just wanted to add a couple of things about when I purchased the property, I had to redo the existing plumbing for the existing bathroom that was there, the electrical there was a furnace that was there that is probably older than me. I went to school for heating and air, so I know the difference

between the boiler. There were a lot of existing equipment in this property that when I got there I was actually shocked that it was there, I don't feel we should be responsible for moving that stuff we don't utilize that for any type of living we just utilize it for storage and at this time I want to remove the bathroom I did not put it there, I didn't put the plumbing there and I don't want to be responsible for removing those items. I don't know what it in tales in removing the plumbing, the plumbing is under ground under the concrete; I had Joe to come over because when it was said that I put that there I wanted Joe to see that the stuff that was there is old the ground would have been dug up for me to put that stuff there and the ground was not disturbed so those things were there as far as the walls, the walls had holes in them so yes we did do work to the walls but the garage the way that it is, is pretty much the way that I obtained it. We did have an inspection from the State of New Jersey taking a look at it as well and when the inspector came out there, he said that we could use it for one of two things either storage or an office. So, I really don't want to be responsible for removing all of those things, the plumbing and the different items that were there prior to me purchasing the property.

Mr. Sitzler: Mr. Respes the State Inspector who ever that was has absolutely no jurisdiction to give you an opinion on local Zoning they have no authority to tell you what a use can be.

Mr. Threston: I think the instruction was not so far as the operation of the business and not an override on the Zoning.

Mr. Sitzler: Right

Mr. Respes: I was just saying that was told to us, I was just sharing what was told.

Mr. Sitzler: Your testimony was also at the hearing was that you were a Licensed Real Estate Agent, so you have more of a knowledge about zoning then the average person.

Mr. Respes: So, being that I have a license doesn't mean anything because I'm a referral agent so as a referral agent doesn't mean we have to know those we don't go to school on a consistent basis to know the law well the current law. I'm a referral agent I don't have to go to school every year to learn every little thing about the law.

Mr. Sitzler: You don't study getting your initial license zoning issues?

Mr. Respes: I might have failed that part, so I do apologize if I failed the zoning part.

Mr. Sitzler: But none the less you have your representative in a competent Attorney

Mr. Respes: Right but like I said when I purchased the property the property was in that condition and not just knowing that was a problem, I purchased the property like that I mean.

Mr. Sitzler: Again it is not like the Board is unsympathetic to your conditions but, we cannot allow an illegal use to be continued by a successor owner that is what the law is in zoning it is clear unless you have some bases that you can go back and show that there was a prior approval or that the use was lawful at some previous time before the law was changed. There has never been a point where that garage was either given a use variance for it to be used that way and we are told at least right now as far as we know currently without, and I don't know how much records were gone through but there have been no permits piled to put a bathroom in there or to convert it. People do things clandestinely when you buy a property it is your obligation to make sure that if you intend to continue or in your case you were expanding the use you were trying to create it into an apartment so, you were going beyond the fact whether a single family residential was using it which would have been illegal because it was never approved because your modification here was to create a third apartment which is an expansion of a non-conforming use which it was because it was never approved and would have never been legal under any zone that we had in previous years. So that is the difficulty that you find yourself in unfortunately, but I will differ to the Board as to what they, obviously I think it is creditable that Mr. Respes didn't put the bathroom in. Is there a kitchen area in this place?

Mr. Respes: I wouldn't necessarily say a kitchen area but there is a sink in there and there is a cabinet in there but there was a cabinet already in there it was a pretty nasty cabinet and I put a nice cabinet in there.

Mr. Sitzler: Well, is there a cooking area in there

Mr. Respes: No

Mr. Sitzler: Okay

Mr. Threston: The sink if my recollection serves me correctly, you have to forgive me it has been a few weeks since I have been inside the residence it was kind of the basin type work sink that would be consistent with what someone would put in a garage if they were doing car repairs and wanted to wash the grease off so it is not, and the cabinet is kind of the same thing I mean people do put cabinetry in their garages to store things or if they are working on cars or other things in there to put tools and equipment and supplies in so that is what that cabinetry is basically consistent with.

Mr. Respes: I just want to add one more thing I believe I met the gentlemen I believe his name is Mike that testified that there was a lady that lived there prior and she had a son and they use to go in there and play in a band for hours on end and the mom did not allow the kids to go into the house so where were they using the bathroom where were they washing their hands how were they staying out in the cold in the garage? They were using the heater they were washing their hands in the sink, and they were using the bathroom out there.

Mr. Sitzler: I don't get a sense that the Board objects to the fact that a garage can be heated as much as much as an attached garage, so I don't think that is a huge problem the big problem is again it is a

garage it was a two-car garage, and it has to be capable of being a two-car garage because otherwise Mr. Respes what happens when we are all gone and we are not here anymore and you are not there and you sell the property to somebody else for whatever reason they come in there and see it looked like when you did it looked like it had been lived in or used as something else then that is what they are going to do and it compounds the problem going forth that is why when you are in front of us you get either approved or denied and things have to be corrected and fortunately nobody is suggesting it is your fault that you created it.

Mr. Threston: That is why we are asking for inspections before and after so whatever issues were there or are there, we get those addressed so that he has a clean slate, and everything is done and as Mr. Sitzler has pointed out when he decides to get out and sell the business and it goes back into a local residential property that person or the next one down the line doesn't bare that issue. That has been part of the issue we have now is that certainly the information that we had received had not thrown any red flags up at the time of purchase nit that it always does. We have what we have now in front of us so as long as we can address all of those issues and move forward with this.

Mr. Sitzler: What I would suggest to the Board is that we give, is it okay for an inspection and you go over everything with our Zoning Officer next week? Assuming that some emergency does not happen.

Mr. Threston: Sure

Mr. Sitzler: So, if we were to adjourn this to next month you, I would suggest you would not be required to come back before us if there was some idea what the process would be from our Zoning Officer, she is here every month, and you can write to the Board just with a letter saying this is your understanding after meeting with the Zoning Officer.

Mr. Threston: That would be perfect

Mr. Sitzler: This is our punch list, and this is what we are going to do, and we need X time. Now the ninety days would be optimum for us given how long this has been going on but the Board has to be realistic and Hugh you might know more that about this than me but from what I hear, and I was not doing any building but I hear that materials have been really scarce in a lot of building things and getting materials are delayed is that still the case

Mr. Dougherty: Yes, that is, I know like windows I don't know about garage doors, but it is very possible garage doors might be on back order, but I know windows are certain lumber is and certain things like that are still hard to get and are more expensive.

Mr. Threston: I can tell you that bathtubs are because I had to replace one on emergency bases and we are still waiting on it to come in.

Mr. Sitzler: So, we know that those are beyond your control so I just wanted to bring that up because there are certain things that may be beyond his control from a time perspective, but we do need a date that we can be guided by unless one of those contingencies like availability of material props up. So, if you can meet this week, send a letter conforming and just make sure you go over that with our Zoning Officer first then she can report to us next month and we can assume that you have started on what is required.

Mr. Threston: Do you have that contract

Mrs. Keyek: I do not

Mr. Dougherty: I was going to was just going to point out would be for Karen as well, so we were talking about digging up the utilities under the floor but abandoning utilities doesn't necessarily mean digging them all up it could mean capping it could mean closing off a flange inside the garage so that burden wouldn't necessarily fall on you to abandon doesn't mean tearing everything out it just means render it useless as a plumbing fixture. Karen you probably run into that a number of times.

Mr. Sitzler: I know in my old building when my offices, I bought it as an old building, and I had a kitchen that use to be on the first floor, and I had it capped off.

Mrs. Keyek: Abandoned not removed

Mr. Sitzler: Yes

Mr. Threston: Abandoned would be just shut off

Mr. Dougherty: Mechanical flanges that you can attach to the plumbing

Mr. Ford: Or you could remove the stuff and just cap it off because you still have to fit a car and what not in there.

Mr. Dougherty: Right so you are kind of flush with the floor but still have it covered in some fashion. I just wanted to make that clear that this is not a burden that we are putting on this owner to rip it out to the way to the street or anything it is just the removal of those things to be able to use the garage for storage and that is moving those utilities doesn't mean removing everything it just has to be rendered non-useable as plumbing.

Mr. Hagarty: Any other questions? Then I'm going to do a summery. First off thank you Mr. Threston and Mr. Respes. From the discussion that we had you understand I believe the Boards frustration, we are sympathetic to the fact that you purchased the property as far as our records show didn't get permits didn't get any approvals for the work that had been done and you continued to go down the path to further going in and what we don't want to do is set precedence where people gradually step by

step move it from a garage to a living quarters without ever coming to us or getting permits that is not the precedence we want to set so we are not going to just allow stuff until the next owner comes in and sees it most of the way there and just continues to go on. To meet you halfway with all of the discussions and all of that willing to rely on the judgement of our Zoning Officer to meet with you and go through the scope of work that what is exactly to be done. I'm in construction and I understand and I'm sympathetic to COVID we got projects done during that period of time, I know there are issues with materials and delivery and all the rest of it but we want to make sure that given the history we are going to hold your feet to the fire so once this scope is agreed and is gone through we will rely on the ninety-day period that we have talked about. Actually, the ninety-days if you take it will get us to our February meeting, we will actually go out to the March meeting it will be a little bit.

Mr. Threston: Will it be ninety-days from when the scope is defined verses ninety-days from today?

Mr. Hagarty: It is going to be more than ninety-days I'm going to go out to the March tenth meeting so that is going to give you some flexibility on the ninety-days to define the scope and go through it that is going to be the March tenth meeting as our deadline. And if for some reason if it is not done by then you are going to have to come back before us and explain why.

Mr. Threston: If we have issues we will try to explain.

Mr. Hagarty: If you can do it without coming to that stage that is the better, we wish you luck but that is kind of where we stand. Mr. Sitzler, do we need an action on this?

Mr. Sitzler: Yes, we should take a vote on that. Let me just summarize, I believe that we and the applicant and his attorney if necessary and I assume that is going to happen will meet with our Zoning Officer next week that they will come up with a list of items that need to be done and if that is accomplished that the work itself to correct everything needs to be done by the meeting of March 10th, 2022. If there is any dispute however on this punch list of things to be done my suggestion is that unfortunately you may have to come back before us if there is a disagreement with our Zoning Office as to what has to be done because I don't know of any other way, we could accomplish it. So, I would say you should certainly know you can agree or disagree by our next meeting in December on the 9th you will return if there is a disagreement and put it in front of the Board and let the Board decide on how that will proceed if not you have until March 10th, 2022, that is assuming everything is complete. Again, it has to be capable of being a garage we are not requiring you to park cars in there.

Mr. Threston: I understand

Mr. Hagarty: Based on that summery I will entertain a motion to approve I guess as we have discussed.

Mr. Sitzler: It is actually an amendment to the Resolution 2019-12

Mr. Hagarty: 2019-12 so I will entertain a motion to approve an amendment to Resolution 2019-12 Paragraph 1 of the resolution.

Mr. Ford: I will make a motion for the amendment

Mr. Hagarty: Is there a second

Mr. Hagarty: Second

Mr. Hagarty: Roll Call

ROLL CALL ALL PRESENT "AYE" AMENDMENT FOR RESOLUTION 2019-22 PASSED

Mr. Threston: Thank you will I get a copy of the amendment?

Mr. Sitzler: Yes, you will

Mr. Threston: You will contact me

Mrs. Keyek: Probably tomorrow

Mr. Threston: In the afternoon I have something in the morning

Mrs. Keyek: I'm off in the afternoon how about Monday

Mr. Threston: Yes, contact me before 11:00am

Councilman Robb reenters the meeting at 8:25

Resolution 2021-15:

Mr. Hagarty: The next matter before us is Resolution 2021-15, Resolution of the Pine Hill Planning Board granting Amended Preliminary and Final Major Site Plan approval to allow for phasing plan of construction and certain waivers for Block 78, Lots 1 thru 28, also known as 315 West Branch Avenue, Borough of Pine Hill, Camden County New Jersey. I believe everybody has the resolution in front of them does anybody have any questions from the Board or Professionals on the Resolution? Seeing none I will entertain a motion to open up the floor to the public to discuss this particular resolution.

Mr. Ford: I make a motion to open the floor, seconded by Mr. Waddington.

All present in favor of opening the floor to the public

Mr. Hagarty: Floor is open any member of the Public here to discuss Resolution 2021-15? Seeing none I will entertain a motion to close the Floor to the public on Resolution 2021-15.

Mr. Ford: Make a motion to close, seconded by Mr. Waddington

All present in favor of closing the floor to the public

Mr. Hagarty: The floor is now closed to the public and I will entertain a motion on the approval of Resolution 2021-15 as written.

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

Mr. Hagarty: Roll Call

ROLL CALL ALL PRESENT “aye” Resolution 2021-15 approved.

Resolution 2021-16

Mr. Hagarty: The next matter before us is resolution 2021-16. Resolution of the Pine Hill Planning Board granting Bulk Variances to add a two-story second garage to Robert W. Lange II for property located at Block 63 Lot 26 also known as 61 E 6th Avenue, in the Borough of Pine Hill, County of Camden, State of New Jersey. Any questions of the Board or professional on Resolution 2021-16 as written? Seeing none I will entertain a motion to open the floor to the public for any members of the public wishing to speak on Resolution 2021-16.

Mr. Waddington: I will make a motion, seconded by Mr. Ford

All present in favor of opening the floor to the public

Mr. Hagarty: The floor is now open to the public, any members of the public wishing to speak on Resolution 2021-16? Seeing none I will entertain a motion to close the floor to the public on Resolution 2021-16.

Mr. Waddington: I will make the motion

Mr. Hagarty: Is there a second?

Mr. Ford: Second

All present in favor of closing the floor to the public

Mr. Hagarty: The floor is now closed to the public on Resolution 2021-16, and I will entertain a motion for the approval of the Resolution 2021-16

Mr. Waddington: I will make a motion to approve, seconded by Mr. Hagy

Mr. Hagarty: Roll call

ROLL CALL ALL PRESENT “aye” TO APPROVE RESOLUTION 2021-16

Application 2021-7: **Angelo Horiates Jr.**
 Microbrewery
 300 & 302 Erial Road
 Block 75 Lots 9.01 and 12
 Minor Site Plan

Mr. Hagarty: The next matter before us is application 2021-7, Angelo Horiates Jr, Microbrewery, 300 & 302 Erial Road, Block 75 Lots 9.01 and 12 for a Minor Site Plan Approval. Good Evening

Ms. Kinback: Good evening, Chairman and members of the Board, my name is Danielle Kinback I’m an Attorney with Bisgaier Hoff, I represent the applicant Angelo Horiates Jr. and the Icarus Group, LLC. Here with me tonight I have our Engineer Jack Gravlin, I have Mr. Horiates Jr. who is the owner of Lot 9.01 and I have Theo Horiates and Angelo Horiates the III who represent Icarus Group who own Lot 12. The property that is the subject of the application is located at 300 and 302 Erial Road which is on the corner of Southwest Erial Road and 3rd Avenue known as Block 75 Lots 9.01 and 12. The property is located in the Central Business District, Lot 12 is currently used as an office and Lot 9.01 was formerly operated as Lucky’s Tavern and the applicant proposes to operated a Microbrewery on Lot 9.01 which is a permitted use in that zone. The application before you tonight is for a minor site plan with a waiver for parking, a few design waivers and a sign waiver.

Ms. Kinback then went over the reasons for the requested waivers for the parking and design. She then continued to describe what the State Guidelines on the operation of a Microbrewery. She submitted A-1 the plan for the proposed seating and location of the brewing area.

Mr. Dougherty: Mr. Chairman I would like to point out that I do have a letter dated October 21st there were a couple of completeness items with regard to the minor site plan and I don’t know if through testimony if that is going to be addressed and to defer those items to the testimony phase one of those completeness items was a recycling report and I was hoping that testimony would be provided to address that, the other ones were minor plan changes which I believe would be a condition of approval but if there could be testimony that we will hear about recycling report and plan changes during the testimony then I think we can declare this application complete and proceed.

Ms. Kinback: Mr. Gravlin would you do that now or part of your presentation? Whatever the Board desires.

Mr. Dougherty: If it will be addressed, I think we can defer that to the to the site plan testimony and we can declare the application complete and move on.

Mr. Hagarty: We will take that action once all the testimony is done.

Ms. Kinback proceeded to continue to discuss what the Microbrewery State Licenses covered as far as what could be sold of consumed and that no food could be sold except prepackaged snack food, or bottled water. She also talked about the amount of television's allowed on the premises and type of clientele that would visit the Microbrewery.

Mr. Sitzler added that food can be brought in from a local food establishment they could just not make a deal with any eatery to deliver or sell food on the premises.

Mr. Gravlin: Hello my name is Jack Gravlin I'm a licensed Engineer here in the State of New Jersey and I have appeared before this Board quite a few times and I have additional qualifications if necessary.

Mr. Sitzler: Mr. Gravlin has appeared as he indicates before this Board many times and I would submit that he is a qualified expert. Unless the Board has any questions, I would just ask you to be sworn in.

Mr. Sitzler then swore in Mr. Gravlin

Mr. Gravlin proceeded to give testimony to the plan sheet by sheet that he prepared for Mr. Horiates, He gave testimony on the existing parking areas and the points of access to the property, he discussed the rear parking and the TRUEGRID pavers that were planned for the gravel parking lot exhibit A-2 and street parking along West 3rd Avenue. He gave testimony on the impervious and pervious coverage and the stormwater drainage of the property. He gave testimony of the new sidewalk and curbing along West 3rd Avenue to include a driveway apron on West 3rd Avenue and fixing the apron on Erial Road to make a smoother entry he continued with testimony on other property improvements to include the trash enclosure for the dumpsters and that there would be little trash and the applicant agrees to follow all recycling requirements and trash and recycling would be removed by private contractor. He gave testimony that he did communicate with the resident on West 4th Avenue Mr. Seifert and made him aware of the work to be done and he was aware that it would only be hearsay, but Mr. Seifert was okay with the drainage coming off since it was not much of a difference. He continued with testimony on the lighting and landscaping on the property.

Mr. Gravlin: With regard to variances and waivers there are a number of existing bulk none conforming use for both lots between the Lot size and what not. We are not altering them or are they being exasperated. The big waiver is the number of parking spots when you go through your ordinance, I used the code for bars which is one space for fifty square foot and one for two hundred of the commercial building which results in 53 spaces being required I believe that is an appropriate way to look at the numbers. If you look at it from a seating capacity as if it a restaurant it would be one space for three seats plus one for two employees now the latest floor plan I have from Mr. Horiates indicates forty-

seven seats in the patron area we expect to have a maximum of six employees on each shift and if you go through those numbers forty-seven divided by three plus six divided by two equals nineteen spaces are elect we propose 20 spaces on the entire site. Another way to look at it is based on the floor plan prepared by Mr. Horiates roughly one-hundred square feet which is the front corner of the building will be the patron area the remainder is all of the tanks and the other uses so if it is one-hundred square feet as the patron area one for fifty square foot as the bar that would result for a need of about 22 spaces right very similar as the result for the restaurant capacity seating analyses and also close to a number of twenty spaces. We also need to look at parking for the commercial building and that is an office one per two hundred which equates to ten spaces now the anticipated peak times for the Microbrewery is late afternoon, evenings and weekends all hours when the covered office isn't even open so the two uses really compliment each other from a parking standpoint. Your Engineer in his letter also identified the need for waivers for the following to permit a stone parking lot where pertumeinus is required and permitted, nine by eighteen parking with twenty-four drive isles where ten by twenty with twenty-five-foot drive isles required. A portion of the existing parking is stone I actually indicated that on the plan on E-2 is the existing conditions plan it shows the existing rear area shows stone with a little corner paved so we have a paved drive isle. We need to continue the use of the stone primarily so that we don't go over that quarter acre resulting in underground storage pretreatment hundreds of thousands of dollars of storm water treatments that this project simply would not be able to handle. We think with the limited use the stone parking lot will be adequate it existed out here for many years for the old tavern and I don't see any reason why it would present a problem in the future. The use of nine by eighteen parking stalls is generally accepted as sufficient for nonretail use without shopping carts and high intensity turnover I certainly feel in this instance that nine by eighteen stalls are appropriate. I did discuss with your engineer the application and he had a concern about how we defined parking stalls on a stone surface now all of the perimeter parking all of the edges will have constant car stops along the edge that in itself will define where the people should park just to make it a little more obvious rather than the simple concrete lines there are car stops out there they are highway yellow they are reflectorized and latterly stand out a lot more than the concrete ones we can certainly put them in there so anybody coming in will readily see where they are supposed to park the only spots it don't work for are the four stalls at the edge of the stone pavement here (pointing to the plan) we certainly have the room to put those four stalls in and I think we need those four stalls. Now concrete car stops in this area are entirely unappropriated people will be driving right over the top of them because they won't see them and I have seen that occur on other stone parking lots so rather doing it that way we have to come up with another way to do it and what I'm going to suggest to the Board is that we install this grid system where we put down a grid along the parking stall lines and I have a hand out to show what they actually look like.

Mr. Gravlin passed out copies of Exhibit A-2

Mr. Gravlin: The Grid goes down before you install the stone pavement, and it is rated for highway loading it is extremely strong and they have these reflective inserts that you put in every two foot in that grid and actually defines to the eye where you are supposed to park. I have never used them before but in reading the reviews and researching this online other engineer's rave about this thing and apparently,

they are very effective for what we are trying to do as we define to the driver where to park their car lastly, we proposed two signs indicated on sheet two we have 1 free standing sign on the front of the building and the side sign on the side of the building. On the front that I'm calling a free-standing sign is actually a projection sign off the front of the building it was on the building back when it was a Tavern, and we would like to continue that for this. Both signs meet the ordinance for size now a variance or waiver is required to permit the front sign to overhang the sidewalk within a public right of way and have a setback less than ten feet I believe the arguments for granting this is that it is aesthetically pleasing, minimum in nature preexisting and really fits the building of the proposed use. The location of the existing building and the limits of the pavement makes it very difficult to install an additional free-standing sign out there along the roadway frontage also that existed for many years when it was a tavern so I would ask the Board to approve that. That is the extent of our proposal I hope the Board agrees with our contention with proposing a valid that will result in a substantial improvement on the site and the adjoining area of the town.

Mr. Hagarty: Thank You. So, we can get our house keeping in order lets go through the whole issue of completeness first. Mr. Dougherty do you want to lead us through your comments.

Mr. Dougherty: I have a letter dated October 21st and on page two just the completeness issues were addressing the recycling report address the means of recycling on the site. Testimony has been provided that there is very little trash generated and that they have a private hauler, and they will comply with the County recycling regulations. In lieu of a report I think that testimony would satisfy because this is not a typical tavern where you are serving food and you have cooking area and a kitchen and everything as the Attorney pointed out a microbrewery that is very specific they only sell the product that they make on site and they only sell it in certain quantities and they only make certain quantities so it is not even going to be your typical restaurant trash and things it is going to be something much less than that and they do have an adequate trash enclosure area located in the rear of the property with is accessible by a trash vehicle through that testimony I feel that has been addressed. The other two items really are just administrative that plan changes would be made to show Lot and Block numbers I think there was an issue with not showing Lot 56 and also the setback lines even though this is an existing site and if you notice on my Zoning table I point out there are none conformities they are not seeking any type of relief from that because they are already preexisting so this use is very similar so with those items just with the next plan change when we revise the plans that those little items be addressed then the application could be deemed complete this evening and then we can move on to the rest of the testimony.

Mr. Hagarty: Any questions for Mr. Dougherty or the applicant? Seeing none I will entertain a motion to accept the application as being complete.

Ms. Kinback: My Applicant has something to say about the brewery, I would like to have Theo Horiates sworn in.

Mr. Sitzler: You name?

Mr. Horiates: Theo Horiates

Mr. Sitzler: Okay Mr. Horiates

Mr. Sitzler then swore in Mr. Theo Horiates

Mr. Horiates: We would like to operate the operation with the hours of 4 to 10 and on the weekends right now from 12 to 10 that is what most breweries around are operating at those hours.

Ms. Kinback: But the employees will be there before and after hours.

Mr. Horiates: Yes, there will be employees there brewing and getting the place ready.

Mr. Haggarty: How about we just deal with the issue of completeness first and then we will come back and have additional questions in terms of the applicant. On the issue of completeness only completeness I will entertain a motion to accept the application as being deemed complete.

Mr. Waddington: I will make that motion, seconded by Mr. Ford

Mr. Haggarty: Roll Call

ROLL CALL ALL PRESENT “aye” for completeness of Application 2021-7

Mr. Haggarty: Okay so that is the first step in the process of the house keeping. Mr. Horiates if you would like to come back up, you mentioned the hours and understanding I think the renderings are grate, nice and clean we just have to work through these issues so that we have here. Mr. Gravlin has expanded on the numbers that we have from your floor plan we have an idea of the maximum people inside to include the staff, we talked a little bit about the office building next door and I’m going to get into a couple more questions on that and then I noticed you have a proposed patio on the back based on the renderings so how does that effect your overall numbers in addition, like what is the layout of the patio.

Mr. Horiates then gave testimony to the patio and the effects of COVID that was a driving factor for having an outside area and the operation of the microbrewery.

There were questions from the Board and professionals to the impact on parking since the outdoor seating was not in the calculation for parking spaces.

Mr. Gravlin: I did not calculate in those seats because I was before the Haddon Township Board last week for Remy’s Restaurant on the Black Horse Pike and what they are doing they are actually building a very big permanent outdoor seating area and the testimony in that case was they expect that to complement and virtually replace the indoor capacity during certain times of the year. While it seems in this case, they are adding additional people I think it should be looked at that they would be outside

rather than inside primarily because of the constraints that occur with COVID issues, while I did not add any additional, I don't believe there will be a dramatic increase in the overall full capacity inside, full capacity outside with the patio I do not see that happening. It will be complementary, certain people will go outside certain people will go inside I don't believe it will be a maximum situation at both locations in the building.

Mrs. Jones: Can I just ask a question before sit down? I have a question on drainage the street that is going to back up to Second and Third Ave there are houses along there so I'm wondering, and they are downhill streets so I'm wondering if your drainage is going to be properly done so that those private homes won't be impacted by anything.

Mr. Gravlin continued with his testimony addressing the property drainage and how it would not affect the homes on West 3rd Avenue, and it would only affect Mr. Seifert's property on West 4th Ave with only a minor increase of runoff in that direction.

Mr. Hagarty: I don't know who the best person is to testify but I'm trying to get information I think I have a pretty good handle on the main thing we are here for, but we still have to deal with from at least a parking standpoint the one-story office building next door.

Mr. Sitzler then swore in Mr. Angelo Horiates III who then gave testimony as to the use and hours of the Officer next door at 302 Erial Road, number of employees and parking along with how the lease agreement would prevent any parking problems in the future with the microbrewery.

The Board and professionals then had more questions on the outdoor seating and if there would be a restriction on the total number of patrons at any time.

Ms. Kinback and Mr. Gravlin gave testimony to address these questions.

Mr. Sitzler then swore in Mr. Angelo Horiates Jr. and Mr. Horiates then continued with testimony as to how many tables would be used outside and how many seats would be available at those tables and his experience with other breweries with outside seating and how it does not affect the parking because during the nice weather no one is inside they are all out and during inclement weather no one is outside they are all inside.

Mr. Sitzler: Does anyone have knowledge they can share with the Board about walk-up people that maybe don't drive from when it was a bar, and do you anticipate how much of walk-up neighborhood type patrons you might have?

Mr. Angelo Horiates III gave who owns the office next door gave testimony to what he saw when the Bard was still open as to the number of walk-up patrons and could not give a hard estimate of the number of walk-ups

Mr. Sitzler: I think the question is then if you have is if you have a full outside on a nice day and enough people inside where would the other parking be? I think that is the only question. Is that correct?

Mr. Hagarty: Yes,

Mr. Horiates: From my experience more often than not if the parking lot is full people will drive in and out and go down the street to the Bar.

Mr. Sitzler: Do you have anything Hugh

Mr. Dougherty: My only concern would be on street parking if your parking lot fills up and you start parking down 3rd Avenue in front of residents homes and things like that I mean you do have, oh you are really forgoing the parking on the street along 3rd Avenue based on your plan right now you have them up against the building I think you can park there so I guess there would be on street parking along your building facade.

Mr. Gravlin: That is correct the actual existing parking within the right-of-way will be eliminated and I believe that was the intention when we were instructed to put curb and sidewalk along there.

Mr. Dougherty: Realistically you can park along the street

Mr. Gravlin: Within the causeway absolutely that would be legal spots along 3rd Avenue here.

Mr. Sitzler: For the record can you estimate how many of those on street parking you would create with the curbing?

Mr. Gravlin: You have 115 feet along there and you don't want parking right up against the intersection, 100 feet would be five spots. Directly across the street is a Church and I don't think we are going to block them too much but before the residential spot there is another 100 less the driveway so say at least sixty feet so you can park another three vehicles so all together another eight parking stalls out there on the street legally without going into the residential areas.

Mr. Dougherty: I know you mentioned the Church I did not know if you had made other arrangements to park elsewhere, I know in a lot of places and you mentioned Merchantville I seen these microbreweries elsewhere and there could be public parking where you know where you could park at the public spot and then walk here and this is different this is residential parking I mean you really are not parking along Erial Road so it is really going to be on that side street I don't even think it is going to extend up to 4th Avenue or 2nd Avenue I think it is going to be right down 3rd Avenue the closest spots are really where you are going to look at maybe across Erial on the other side but most likely it is going to be on your side. I do agree that the on-street parking right on sort of their frontage there on 3rd Avenue they picked up maybe another seven or eight legal parking spots on the street without getting into the residential but now we are still, that is about 28 spaces and the testimony was with the indoor

seating that was using up your twenty spaces but the other thing anecdotally I agree that the indoor space and the outdoor space isn't used at the same time especially inclement weather people are indoors and nice weather people are outside so I think that is a fair assessment that one hundred percent occupancy although it could happen once in a while but one hundred percent occupancy inside and outside is very unlikely so that is some ancillary stuff but given the testimony with regard to the number of chairs outside I think it would almost identical what did we say about thirty.

Mr. Horiates: it depends on the size without people bumping into each other I think about six or seven tables around there.

Ms. Kinback: Six tables and four chairs to a table so twenty-four divided by three you get eight spots which takes care of the on-street parking.

Mr. Dougherty: I thought there was testimony that there were forty-three seats inside then there were another thirty seats outside am I wrong on that.

Mr. Gravlin: We are limited to twenty-four outside, now there were two floor plans prepared one showed forty-seven which is the number that I used then there was another floor plan where we showed forty-three and I say we have to use the maximum.

Mr. Dougherty: That is another way the Board could regulate it is to say the outside is a maximum Of twenty-four and the inside I do have this sketch that shows forty-three.

Mr. Hagarty: It is forty-seven, so we have the proposed layout inside for forty-seven and we have the testimony of out on the patio on how that would layout I do personally agree that it tends to be complementary and not additive usually in terms of the business that you have that you rarely would have at capacity both inside and outside at the time obviously we talked about street parking there is also percentage of the business hopefully the business will go well and there will be a percentage of walk up customers that do not drive and don't need parking so that also factors into you know the overall analyses of with the over riding concern we are trying look at is to avoid at all cost parking into the neighborhood basically that is what you are kind of hearing from us.

Mr. Gravlin: I believe to a circumstent parking king of self regulates having people in the building. I know I have gone to Applebee's in Hammonton, and I see that parking lot full I tell my wife we are going someplace else babe and I think to a certain extent that will occur here unfortunately for Mr. Horiates but rarely to you have a situation where it is wall to wall people inside this building it just isn't that type of a use. Now the old bar uses absolutely and that's why you have the one-hundred and fifty square feet because that could occur based on the afternoon football game of something, I'm not so sure we are really looking at that type of activity for a microbrewery on the way here I drove by one in Hammonton near my house and there were only four cars outside now it is a Thursday night granted but there were only four cars I happened to notice that.

Mr. Horiates gave testimony of when he was partner with family members who owned a diner in Westville called the Gateway Diner and how customers would not come in if he parking lot was full and would not use the free parking across the street that was open and was the Municipal lot they would just leave and come back later or another day.

Mr. Sitzler: Does the Board want to come up with numbers that they would recommend? Such as forty-seven inside and twenty-four outside.

Mr. Dougherty: I think that would be an appropriate thing to limit especially since we are concerned about parking. The one issue about the Office and the Microbrewery use, one of the things that is nice is to reduce the impervious coverage instead of having a sea of asphalt for office use and the microbrewery use you can share that parking which I think the applicant has indicated is that we are doing here so the office closes down there might be a slight overlap say the office closes at three or four O'clock the brewery opens at four you might have people leaving work late but it is not going to be this massive group of people coming to the microbrewery right at four O'clock so then as that gradually dissipates and then a restriction of no over night storage of vehicles for the office I think that would be appropriate for this but also then limiting the number of seats in the microbrewery so that we don't over tax the on-street parking. You only have room for twenty spaces and that is two uses the office and the microbrewery. I think we demonstrated that there is enough parking for the microbrewery seating and complementary there is enough parking for the office use but that is okay it would be like the Church that is only used on weekends verses an office building that is only used during the week I mean that is an ideal situation because you don't have two parking lots that are never used most of the time. In this case I think that is complementary so that is a good thing, but I think we have to look at the number of seats that we would be permitting them here to make sure we are not having parking all the way down 3rd Avenue.

Mr. Hagarty: I agree with you Mr. Dougherty and I think based on the testimony and kind of my understanding I think it can be accomplished it just needs to be managed. In management I think the testimony speaks to it well whether it is drive-up or walk-up crowd in terms of the microbrewery is one think I think the part that has to be managed so it is not contributory to the problem would be the office space and that would be if you allow vehicles in part of there over night or to store stuff if it was a State Office that has state vehicles that people drive their personal vehicles and take the state vehicle so that there ae vehicles present there at all times that would be a problem.

Ms. Kinback: We would be willing to limit that in the lease language about the parking.

Mr. Horiates: Yes, that is what we would have to do.

Mr. Hagarty: Mr. Dougherty do you want to kind of walk us through the variances that they are asking for? In your letter you kind of spell it all out.

Mr. Dougherty: In the table you see that there are existing non-conforming so I really wasn't asking the Board to grant those variances because they are preexisting so you don't have to regrant those variances unless the Board would want to, but I think it is an existing non-conforming they purchased that property this way and we acknowledge it is existing non-conforming. Really there is only one variance which is the sign variance but the other ones are really just, it is a permitted use of course and there are waivers what we are really entertaining and that would be our ordinance does say we want to have paved parking lots we don't want to have stone parking lots but the applicant did submit that little sketch of the grid system so it is a stone parking lot but I have seen a grid system in fact there is a Church in Berlin Borough that has that with the little reflective lines and it looks like a parking lot where you can pull a car in so it delineates where you are going to park your car and I think that is a very good option for this application if the Board approved the stone and again in order to maintain drainage patterns I always think it is better to not have impervious coverage because it allows water to seep into the ground more naturally so the only thing that would come with the stone is possibly kicking out into the road way but with it being contained in those grids I think we are going to prevent that and the other factor would be noise turning and maneuvering on the stone but the way they have the driveway itself is paved so just when you just pull into that small parking area that he shows on the plan the maneuvers are very slow it is not like you are speaking in there because you have to come in and make all of these right angle turns to get into a parking spot so I don't think stones kicking out or the noise level is going to be much that it is going to be a detriment to the surrounding neighborhood but that would be one of the waivers is that stone parking area for at least a portion of it where our ordinance requires it to be paved. The other

Mr. Sitzler: Hugh before we leave the stone would you be suggesting there be a stone maintenance plan like for example when it snows is they needed to have snow removal and some of the paving got disturbed and like vegetation would be cropping up in areas of the stone.

Mr. Dougherty: Yes, there should definitely be a maintenance plan as a condition of granting the waiver so that the Zoning Officer could enforce if it got unsightly or you are kicking stones out onto third avenue that we would have a maintenance plan I would agree with that. If the Board is granting the waiver I would just be looking for stone details but then again he did provide that with regard to how he is going to do that grid system which I am in favor of and just a detail of the actual stone mixt that he would be using, with that grid system he would be able to use it as a more porous stone, so a lot of times when you do a stone parking lot you have to compact it so it is almost like asphalt this particular case I think we can do like more of a drainage stone so it would be more conducive infiltrating into the ground. The other waiver is for the parking spots size the ten by twenty verses nine by nineteen and the driveway isles the applicants engineers testimony was the ten by twenty was a standard back in the day when we had larger cars and it was more for retail use where you are going in and out and your swinging your door open to put your groceries and that type of thing in the vehicle nine by eighteen are accepted in every other Municipality we often accept them here and twenty-four feet of a driveway with is adequate to make a turning maneuver so I would have no objection to that waiver request as well. He has addressed the fact that all parking should include barrier lines, lane lines and directional arrows so there is no waiver needed for that because he has provided that detail and with that little grid

system with the reflectors, that curb stuff shall be provided he has indicated he is going to provide that so that shouldn't be an issue and number six on my letter is the parking so this is the argument our ordinance does not talk about microbreweries we don't talk about what type of office it is just very general so our ordinance speaks to a tavern and I agree that it is different then this microbrewery in a tavern you are serving food you have waitress service potentially you have people in there for quite a long time while they are eating their meal I heard farther testimony that they are limiting the number of television screens in there to two so it's not like a sports bar you are in there and you might bring some food in that you got down the street and you are sampling their beer they can't sell other beer so you are not going in there for the specific beer that you like but you are going in there for the beer that they make so the parking standard is reasonable that the one parking spot for three seats that sounds reasonable to me just based on the annotatable evidence that I have seen with other microbreweries that you are not packing people in like at a sports bar for instance so I thought that seems reasonable. The one question that I did have that we didn't really address at all with testimony was with regard to the loading zone with loading and unloading for the product that you are bringing to the site and maybe just a little bit on the operation because when we first looked at this and I had a deficiency based on our ordinance we need a total of fifty-three parking spaces and they are only providing twenty but that really is not true at all because mine was based on the entire square footage being a microbrewery and while the entire square footage is only about fifty percent of it is where the seating takes place so that number would almost be cut in half just by our ordinance so I would just like to understand what the back half of that is used for how do you get supplies into that part of the unit and what the process of making the beverage.

Mr. Gravlin: Gave testimony of where and how the product and supplies would be delivered to the property and where it would be downloaded and stored.

Mr. Theo Horiates: Gave testimony on the delivery schedule which would be once a week as they start the business between Tuesday and Thursday and would be delivered by no larger than a box-truck.

Mr. Horiates Jr.: Gave testimony that area seven as shown on the diagram was the kitchen for the prior business and that would be the area for the process of brewing the beer and the existing walk-in would be used to hold the finished product and that area is also where the tour of the process will be conducted if patrons request a tour.

Mr. Dougherty: So, the back door would be the area where you access your loading and unloading?

Mr. Horiates Jr.: Yes, and the deliveries would be made before we open to the public during the week between 10:00 am and noon.

Mr. Dougherty: Is there also a limit to the amount of beverage you can make on site? Doesn't the state put limits on how much?

Mr. Horiates Jr.: Yes, I don't now what the limit is, but we are not that big.

Ms. Kinback: The citation is NJFA-33:1-10

Mr. Theo Horiates: As it states right here: “to so brew not more than fifty-thousand barrels of thirty-one liquid gallons capacity per annum one-thousand-two-hundred and fifty”. In other words, “to so brew not more than one-hundred-thousand barrels of thirty-one fluid gallons capacity per annum two-thousand-five-hundred. To so brew not more than two-hundred-thousand barrels thirty-one fluid gallons capacity per annum five thousand” and the last one “to so brew not more than three-hundred-thousand barrels of thirty-one fluid gallons capacity”. That is huge

Ms. Kinback: That is the maximum they can do for this type of operation.

Mr. Dougherty: What were you looking for the smaller of those?

Mr. Theo Horiates: Initially the smaller

Mr. Sitzler: Actually, we do not have control over that. That is the ABC Laws, and they have this joint neutrality responsibility and so they have to comply with ABC and there could be inspections by ABC to make sure they are in compliance with those that you just read off they have to produce records to them and be compliant to keep their license and we don't have control over that, although that information is helpful. I will tell the Board that I was the ABC special council for the city of Trenton for seven years, so I have some real familiarity of ABC Laws although not as much with microbreweries because they were just coming on board when I was finishing up on that a couple of years ago so as far as the licensing aspect on how that is run that is really through the ABC we are just for logistically on how they are being used at this location for the Zoning Part.

Mr. Dougherty: Alright and then the other issues I brought up in my letter was landscaping, I think looking for you to work with the Engineer as far as some substitutions on that and if the Engineer would be amenable to those it would be on page 3 landscaping just some revision to the plans because we thought that the landscaping plan was adequate with regards to screening between the trash enclosure area, the low depression area for some of the low areas for the run off to take. We actually call those rain gardens now we could put additional plantings in there if you thought it was appropriate, but it will be a shallow depression where it currently exist, and it will overflow at some point hopefully it will infiltrate into the ground at some point that would be the intent. Then the sign variance I believe we call that a banner sign that is just jetting out into the right-a-way a little bit and other than that it does meet, other than the setback requirement it does meet the size requirements at least that was the testimony because I don't believe I saw a detail of that actual sign but, as long as it meets the other criteria of the ordinance then that would just be a variance for the setback. That would be the only variance the others would be waivers. That is all I have Mr. Chairman; it really comes down to parking as a labor for limiting some of the parking for some of the seating that would almost be like a capacity seating, and I guess there are capacity restrictions for that type of building as well. I think we would try to indicate that and just try to limit some of the number of seats and possibly and I guess externally is where we are going

with that, forty-seven seats inside and twenty is what I think we were talking about, but we might want to limit that, so we don't have the problem with the parking.

Mr. Hagarty: Mr. Gravlin and the applicant have you had a chance to review Mr. Dougherty's review letter.

Mr. Gravlin: I have, and I also went over it with my client we have no objections I have worked with Mr. Dougherty, and we can certainly work out all of the issues in the letter I take no exception to it at all.

Mr. Sitzler: Since I will be doing the Resolution at some point, so are we okay with the outdoor seating of twenty-four seats because I know Mr. Dougherty said twenty?

Mr. Hagarty: I have put down forty-seven seats max inside and twenty-four on the outside and basically on the office space no overnight parking

Mr. Sitzler: Is the applicant okay with that?

Ms. Kinback: Yes

All three of the Horiates' also agreed

Mrs. Jones: Would all of the residents in the surrounding area have to be notified or do they not live in the certain area?

Mr. Dougherty: With this application was there a notification?

Ms. Kinback: Yes

Mr. Gallagher: I have copies of the notifications

Mr. Dougherty: So that would have been two-hundred feet to this property

Mr. Gallagher: It covered Erial road, West Third and East Third and over to West 4th Avenue like Mr. Seifert he did come in and look at the plans. So, I do have copies if you would like to see them.

Ms. Kinback: This was also published in the local paper ten days ago

Mr. Waddington: I have a question on the four spots you have on the edge of the right of way going into the driveway while I like the prints you gave us on how it is laid out, my concern is it is still not going to stop a car from impeding or going forward into the right of way with not having any types of stops and I understand your curb stop because people would probably jump over them but is there something else

we can do to keep people from going forward into the driveway so they are not going to park partway into the driveway and impede traffic coming in and out? How about a bollard?

Mr. Gravin: We could put bollards up there along the edge here just like WAWA with five foot spacing which is enough to visualize we would have to put reflectors on them and everything and try to make it as obvious as we can so you would want the bollards to be installed along the walk here.

Mr. Waddington: Yes so, they can't pull in and then pull right into your driveway that is going to have your traffic going back and forth.

Mr. Dougherty: Yes, so there would be a temptation to pull from the driveway as opposed to come into that space or leaving.

Mr. Waddington: Even if they pull in, they could stop and still have the back of their car in the driveway or vice versa and that is my concern I would rather see them come into that area and make the turn go left or right to go into one of those spots and then have to leave the same way so something that would keep them from protruding into the right of way.

Mr. Dougherty: If that is something you can come up with one of the issues that come with snowplow maintenance and things like that when you have those bollards in there but also when you will be plowing stone you may and I don't know how often you are going to have snow but when you bring the snow plow in there to clear that parking lot those bollards are going to be sticking up causing a potential issue with the snowplow.

Mr. Waddington: Well, they are going to be up four feet in the air

Mr. Dougherty: I agree, and he will see them, the problem with the curb stops you are not going to have people driving over them every time, but the snowplow is going to hit them every time

Mr. Horiates Jr.: You now those plastic things you fill with water that are about this high that are barriers.

Mr. Hagarty: They are probably not going to work right

Mr. Gravin: If you have a bollard in the middle of each parking stall, I think it will accomplish what you are looking for people will not be able to overhang into the driveway it will be clearly defined and it will limit the people to either come in this direction or the top direction pull in to up to the bollard they will be visible to snowplows. I did make note that you did want to see a maintenance plan on the stone parking area and I'm a little concerned with what was contained in paragraph one snow removal because I think that is important because I have a long stone driveway at my house and I take a blower and I blow that off other wise you throw stone everywhere and I think it will be incumbent on the person that he hires to plow that driveway to keep that blade up off of that stone and you end up with a

little bit of snow remaining but it is still passable and within my report I will also indicate that once the stone is disturbed as a result of plowing it has to be restored as soon as weather permits.

Mr. Waddington: I have one more question on parking. This grid system you are talking about that you would recommend you had mentioned it for these four spots are you doing it for everything on that gravel?

Mr. Gravlin: We had not planned on that it is expensive, I had planned on doing it only for these four stalls because the intention was to provide a way to identify the lines for the parking stalls, I had not planned on doing it throughout the whole parking lot they are quite expensive. I believe I have the price and I can give you the price, I wanted to limit it only for these four spaces if the Board feels other wise you know it will just be that way and it will add to the financial decision on the Horiates weather all of these numbers still make sense.

Mr. Hagarty: I think from the Board's standpoint obviously we are respectful from that and obviously trying to work with this as much as possible in terms of not trying to add it. In terms of general safety from the interior four spots that is something that separates it from the main driveway I think it just creates this future accidents and other things just from a pure safety standpoint I think a bollard is one option weather or not there are other things that make sense I guess we would be open to that but that seems to be something that basically grants impediment for through traffic so that they just don't use it as an open parking lot to cut through.

Mr. Gravlin: I think the bollards will absolutely accomplish that. They are not extraordinarily expensive I have them on every single project and was expecting that and I have details on my plan I was expecting bollards.

Mr. Hagarty: I know there is a cost with this TRUEGRID paver system there, but I think if you were to put it in the stone area I think from the long term maintenance in my experience with it, I mean it tightens up the job real nice it kind of makes it so there is not a lot of stone movement and other things so I think like from life cycle costing standpoint I think it will withstand any degradation through time. You are going to find from the life cycle of time the parking lot will look nice over a period of time. I think from an ongoing maintenance it will just clean everything up. I think what you propose to do with the landscaping and all looks great and I think that looks fantastic I did actually stop and talk to the resident in back and she was fine, her daughter was the one that actually spoke English she did not speak it but she was acceptable with what was going on there anyway so I think she would be happy with the overall and she would be the one that would be most impacted by everything and she seems to be acceptable. And we want you to come here and we want you to be successful, so we hope the business does well and everything, so in just addressing a couple of these little things I think it just tightens it up it cleans it up it makes it just a lot more functional.

Mr. Dougherty: Mr. Chairman I just to be clear the grid system that you are looking at would be for the driveway and the parking stall that whole stone area.

Mr. Hagarty: Everywhere there is stone, in the stone area it will tighten it up in the area of those spots

Mr. Hagy: When you are talking about the bollards on one of your drawings here you have what appears to be planners can they be used as bollards as well it will give you the height that you need so the drivers can see.

Mr. Gravlin: I see hat you are saying the planter boxes we have along the side of the building here and along the back those are planter boxes, and we would not like to go there with them along the parking area.

Mr. Hagy: Can you clarify how many people will be permitted inside the building, is that forty-seven?

Mr. Gravlin: Well, there will be forty-seven seats, I believe there will need to be an occupancy determination at some point I guess the Fire Marshal does that.

Mr. Hagarty: Yes, so we talked about forty-seven seats in terms of patrons

Mr. Gravlin: Right the Fire Marshal will be the one that actually establishes a maximum number admitted by fire code, now an architect might be able to answer that question, but I really don't have an idea.

Mr. Waddington: It will be based on the square footage on the inside with taking all of the tables and chairs into effect that is how they figure out the maximum occupancy.

Mr. Hagy: Well with twenty-four outside and forty-seven inside and the parking spots you have identified are twenty parking spots is that correct?

Mr. Gravlin: That is correct.

Mr. Hagy: Just a quick calculation if you have twenty parking spaces and three people in each car that gives you sixty and four gives you eighty so that is really how many people will be in there at one time as we discussed earlier without the walkups where it looks like sixty-seven are the maximum you could have inside and outside together with respect to the parking spots.

Mr. Gravlin: I would agree with you on that analyses, not to belabor the point some towns have one for five seats they have a downtown area like along Haddon Avenue with sever parking issues one for five seats just to give you a point of reference.

Mr. Dougherty: Now our ordinance does speak to just a general a general standard like a tavern, we didn't really have a lot of options. One of the things that is always nice, and I didn't have readily available microbrewery seating but like Mr. Gravlin is saying it could very well be for a microbrewery you

might have one car for five seats or one car for three seats I don't really know that would be conservative one car for three seats. What Bob's calculation did, that is a good point and often times you know if everybody dives in there by themselves you would be over parked but generally that doesn't happen you are going with a couple of people in the car together and that is not including walkup people. And that is a good point also your in town for something else and you might swing by the brewery and you say why not meet at the microbrewery so there could be that type of traffic that somebody is in town for something else and they head over to the microbrewery so that all does factor in but we still have to be within certain guidelines and I think limiting the number of seats I think that is one way we can limit that if the applicant decides he is being very successful and he gets up to those higher brewing levels then he would come back to the Board at that point and say you know what this is working we have some good numbers it is one per five seats we can fit ten more tables in here or what ever but he would have to come back to the Board at that point.

Mr. Hagarty: So, the only thing I heard from Bob, and I don't know if we can agree with instead of bollards is to do some king of planters on that thing.

Mr. Gravlin: I believe that was in addition to the bollards because the planters will be around the perimeter of the building, but I don't think we want the planters out there they will be hit and then we will have to repair them.

Mr. Hagarty: Perhaps one of those concrete barriers that come that are almost as high and should stop a car I mean the bollard behind it people could still pull in from behind it.

Mr. Gravlin: Here we go with the four spaces again, I would be hesitant to put a curb along there because all of the drainage would shoot directly across that parking lot and I don't like to put low visible barriers in certain areas of a parking lot people invariably run into them it is just now that everybody has the low balances on their cars it rips the front ends off but, I will be sure that the bollards, perhaps I could put a chain between them and make sure they are clearly defined and visible.

Mr. Dougherty: I think that the visual aspect of a chain if the Board is agreeable to it because then it looks like a solid barrier for the vehicles that sort of unifies that whole system.

Mr. Hagarty: Okay, does anybody have any questions for the applicant?

Mr. Ford: Yes, I have one more, looking at the rendering that we were handed there is only one entrance into the building for public use.

Mr. Angelo Horiates Jr.: Two

Mr. Ford: So, they will be coming through back where you have the tanks and everything?

Mr. Angelo Horiates Jr.: No, you have an entrance on Erial Road which will be unlocked during business hours that is directly on Erial Road and the second entrance is in through the parking lot about halfway the length of the building.

Mr. Ford: On the drawing it doesn't have an actual door there that is why I was asking.

Ms. Kinback: Those were not for construction they were just for demonstration

Mr. Hagarty: If you look at the rendering

Mr. Gravlin: The main entrance has a step up and has to be barrier free and I can't reconstruct that, so I was showing the new entry that is barrier free of landings and such to meet the regulations and that is the entry on the side.

Mr. Hagarty: Any other questions of the applicant?

Mrs. Jones: I would like to know if it is a possibility to make the driveway from Erial Road into a one-way stream so they would come into the driveway into the back of the building. Would that be easier?

Mr. Gravlin: One-way parking configurations are used only when you don't have adequate room for a two-way operation, I would be really hesitant to do, I did look at it with perhaps angle parking on both sides and we ended up losing four or five spaces by doing that perpendicular parking really requires a twenty-four foot drive isle in both directions and I understand what you are saying but, in this particular case I think we are a lot better off with a two-way drive isle.

Mr. Hagarty: Any other questions of the applicant?

Mr. Waddington: Where is your storage of supplies?

Mr. Theo Horiates: We have a basement where we will store it and we also have some room in the back. Our basement is a pretty nice size so everything will be down there.

Mr. Hagarty: Isn't the basement access along Erial Road.

Mr. Theo Horiates: There is one, but we don't use that.

Mr. Angelo Horiates III: That is the basement for the office next door.

Mr. Angelo Horiates Jr.: There is a metal grate that lifts up to a metal shoot and that is where they delivered the barrels of beer in the past and they would roll them down into the basement and that is where that walk-in-box is located down there. There is another entrance that is inside the back door.

Mr. Hagarty: Any other questions of the applicant?

Mr. Sitzler: Mr. Chairman before you open to the public, I want to make sure of something. Is all of the twenty spaces as suggested by the applicant going to be using the grid system?

Mr. Hagarty: No, all the ones that are in the stone

Ms. Kinback: Some of the parking is paved

Mr. Waddington: Looks like fourteen

Mr. Hagarty: Yes, fourteen spaces will be affected

Mr. Sitzler: And six will be paved of the twenty.

Mr. Gravlin: Yes

Mr. Sitzler: Okay and then you have the off-street parking

Mr. Gravlin: Yes

Mr. Hagarty: Any other questions before I entertain a motion? I will entertain a motion to open the floor to the public on Application 2021-7.

Mr. Ford: Make a motion to open the floor, seconded by Mr. Hagarty

ALL PRESENT "aye" floor was open to the public

Mr. Hagarty: The floor is now open to the public for Application 2021-7, seeing none of the public present I will entertain a motion to close the meeting to the public on application 2021-7.

Mr. Hagarty: Motion to close, seconded by Mr. Ford

ALL PRESENT "aye" floor closed to the public

Mr. Hagarty: The meeting is now closed to the public on application 2021-7. I will try to summarize as we kind of thought through a number of things. With respect to parking and the issue of parking we had long testimony in various calculations through the night with regard to requirements and the applicant has proposed to twenty parking spaces and is requesting a waiver in lieu of the calculated amount. To provide that waiver what we have asked for is a limitation on the seating inside of the microbrewery of forty-seven seats and the limitation on the seating outside of twenty-four for the patio and an understanding that there would be for the commercial office space next door no overnight parking for any tannate that utilizes that space. We talked about a waiver being granted about allowing stone and in

return the applicant is going to provide detail on the border curb per Mr. Dougherty's letter stone mix other than the crushed stone mix and agreed to use the proposed TRUEGRID system on the fourteen spaces that are outlined in the stone area. Furthermore, for the four spaces that are in the stone area that the applicant has agreed to install a bollard system to separate those spaces from the driveway area there so we would be looking for a bollard system with some sort of chain between the bollards system to clearly delineate that area as a no drive zone sort of to speak. With respect to the other items in Mr. Dougherty's letter the applicants agreed to work with Mr. Dougherty with respect to the landscaping to make sure that agreement to his comments in terms to some of the substitutions that were called out by Mr. Dougherty additionally with respect to signage there is a sign variance that is for the one sign requested for setback and overhang of the public walkway. I think that is all the waivers. Based on everything that I have said in terms of the conditions I will entertain a motion the minor site plan approval for application 2021-7.

Mr. Hagarty: Motion to grant just as you had read, seconded by Mrs. Wakeley.

Roll Call all present "aye" Application 2021-7 approved

Old Business:

Mr. Hagarty: Any old business that anybody wishes to discuss?

New Business:

Mr. Hagarty: How about new business? I know we have a meeting on December 9th

Open Floor to the Public:

Mr. Hagarty: I will now entertain a motion to open the floor to the public to discuss any matters.

Mr. Waddington: I make a motion, Seconded by Mr. Ford

Mr. Hagarty: Okay, all in favor, opposed

All Present "aye" floor open to the public

Mr. Hagarty: Seeing none

Close Floor to the Public:

Mr. Waddington: Motion to close, seconded by Mr. Ford

All present “aye”

Motion to Adjourn:

Mr. Hagarty: I will entertain a motion to adjourn this meeting

Mrs. Wakeley: Make a motion, seconded by Mr. Hagarty

Mr. Hagarty: All in favor?

All “aye” motion carried; meeting adjourned at 10:30 PM