

Borough of Pine Hill  
Meeting  
Planning and Zoning Board of Adjustments  
August 11, 2022

**Phone Meeting**

- 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. James, Mr. Hagy, Mayor Green, Councilman Robb, Mrs. Jones,  
**Absent:** Mr. Waddington, Mrs. Gilson, Mr. Ford  
**Professionals:** Solicitor: Mr. Sitzler, Engineer: Mr. Raday  
**There was a quorum**
- Correspondence:** **The New Jersey Planners Vol.83, No. 2 and No. 3**
- Approval of Minutes:** **Mr. Hagarty:** The first order of business we have is the meeting minutes from the meeting of May 12, 2022. Has everybody had a chance to review the meeting minutes? Are there any questions on the meeting minutes? Seeing none I will entertain a motion to approve.
- Mr. Hagy motioned seconded by Mayor Green
- Roll Call Minutes Mr. Hagarty, Mr. James and Mrs. Jones Abstained, Mr. Hagy, Mayor Green and Councilman Robb “aye” the minutes were approved as written
- Mr. Hagarty:** For the record Mr. Ford is now present (7:32)

**Courtesy Review:**

**Mr. Hagarty:** Next Order of business is a curtesy review for T-Mobil Northeast LLC at 907 Turnerville Road, Block 115 Lot 5 Emergency Generator Project. Step forward please and please provide and address for the record.

**Mr. McCoy:** My name is Pat McCoy representative for T-Mobil, I'm here tonight for the 907 Turnerville Rd for the generator placement. Basically, this is the exact same type of work two months ago. My Colleague Joe was down here looking at the Mt. Clement Ave water tank where they put a generator at that is actually under construction right now. Tonight, I'm here seeking approval for 907 Turnerville which is a Municipal Building. We want to put the Generator a 48-kilowatt, 240-gallon diesel on the existing T-Mobil's existing concrete pad. Basically, the FCC came down with regulations on backing up all of the phone equipment, so we are making our rounds. I will be happy to answer any questions on it, I did bring spec sheets just in case you wanted to see it on the generator, the other generator is not done yet it is still under construction but once we are completed we have a company coming out to rapid the specs that you guys prefer to match the color and we will do the exact same thing with this one we just need to know what color you want.

**Mayor Green:** Gray

**Mr. Hagarty:** First off, we thank you. Mr. Raday on behalf of Pennoni have you looked at the plans and the documents? I have a letter from June 21<sup>st</sup>, 2022, from Hugh Dougherty. I don't know if you want to, are you familiar with the letter.

**Mr. Raday:** Yes; Mr. Chairman our letter is dated June 21<sup>st</sup>, 2022, and I have a few comments for the applicant basically the proposed location for the generator is acceptable. Can you confirm that the generator noise rating will be 65 decibels or less?

**Mr. McCoy:** Yes

**Mr. Raday:** Will you be able to provide a fuel system leak alarm or other means of leak detection will you comply with that?

**Mr. McCoy:** Yes, we have alarms for T-Mobil if they have low fuel, fuel leak or floor alarm that goes directly to T-Mobil's field Tecs so they now in a matter of seconds if anything happens.

**Mr. Raday:** Okay; there was a color that was previously approved for the Mount Clement Avenue location will you agree to continue with that?

**Mr. McCoy:** Yes

**Mayor Green:** I don't know what the color is but whatever it is.

**Mr. McCoy:** The colors that they come in is gray as shown on the spec sheet. It looks exactly like that, but any color you want. What kind of color the company basically have.

**Mayor Green:** I don't remember what the requirement was for the other one was so; whatever the color was it should be.

**Mr. Raday:** Can you provide testimony on the exercise schedule for the generator for maintenance?

**Mr. McCoy:** Yes; the self-test will be about 15 to 20 minutes once a week and we can set that schedule for any day however you guys prefer. Most of the time we set it on Tuesday's at 10:00 in the morning.

**Mr. Raday:** Is that acceptable to the Board?

**Mayor Green:** Yea if the MUA has no problem, they are the ones that are going to hear it.

**Mr. Hagy:** What are the hours?

**Mr. McCoy:** Typically, we set it at 10:00 in the morning on Tuesdays and it doesn't even run for 30 minutes, it is normally 15 minutes.

**Mr. Raday:** If you could just send a letter that you agree to all the comments?

**Mr. McCoy:** Yes, absolutely do you need me to write a letter or will an email do.

**Mr. Raday:** A letter a formal letter

**Mr. McCoy:** I actually brought my consent letter just in case, if you are willing to sign it unless you want me to Email it to you and you can sign it at a later date.

**Mr. Hagarty:** Do you have the letter in front of you.

**Mr. McCoy:** Yes, I have it right here.

**Mr. Hagarty:** Pass it on to our Solicitor

**Mr. McCoy:** If you want, I can take and add in there. Actually, I think I do have it in there now that I think about it.

**Mr. Hagarty:** I think all you have to do is maybe add a sentence because there were a couple of other items in the letter that you agree to, per the letter of June 21<sup>st</sup>, 2022, that you agree to the comments that are raised in that letter.

**Mr. McCoy:** Yes, I will add that tonight and send it over

**Mr. Raday:** That is all I have Mr. Chairman

**Mr. Hagarty:** Does anybody else have any comments or questions of this applicant? Again, this is a curtesy review

**Mr. Sitzler:** I was going to ask if I needed to prepare a formal resolution for this curtesy review

**Mayor Green:** Did you do the last one?

**Mr. Sitzler:** I don't remember

**Mr. Gallagher:** No, you did not

**Mr. Hagarty:** Yes, the last one was similar, so we stay consistent

**Mr. Hagarty:** Any other questions?

**Mr. Hagarty:** I'm looking at page Charlie (C) 5 and I see the rendition of the Generator itself is that going to be located inside something?

**Mr. McCoy:** It is going to be located on a pad inside the fence and that rendition on page 5 is actually enclosed so it doesn't actually look like that it looks like the sketch on the spec sheet that is going around it will be fully enclosed just like the one that is out there already.

**Mr. Hagarty:** Any other questions, comments?

**Open Meeting to the Public:** **Mr. Hagarty:** Seeing none I will entertain a motion to open the floor to the public on this curtesy review.

**Mr. James:** Motion to open the meeting to the public: seconded by Mr. Ford.

**ALL "aye" the meeting is open to the public**

**Mr. Hagarty:** The meeting is now open to the public.

**Close Meeting to the Public:** **Mr. Hagarty:** Seeing none of the public present I will entertain a motion to close the meeting to the public on this curtesy review.

**Mr. James:** Motion to close the meeting to the public: seconded by Mr. Ford

**All "aye" the meeting is closed to the public**

**Mr. Hagarty:** Motion to approve the curtesy review.

**Mr. Ford:** I make a motion to approve; seconded by Mayor Green.

**Mr. Hagarty:** Lets do a roll call

**All members present "aye" curtesy review was approved.**

**Old Business:** **Mr. Hagarty:** Now on to old business, I know we have in our packet an Email correspondence from Karen to Les providing an update on Mr. Respes at 119 E Clearview Avenue. I guess just from a question standpoint maybe Les or anybody else can provide clarification. It sounds like two things from it and I'm not sure I guess all inspections have passed.

**Mr. Gallagher:** Yes but, he was like a day late, so he is short of funds he had everything finalized after the deadline of the 26<sup>th</sup>.

**Mr. Hagarty:** Okay I see on the 27<sup>th</sup>

**Mr. Gallagher:** On the 27<sup>th</sup> he got the final inspection by the time he contacted them. As you see there Mrs. Keyek is currently seeking the \$1000.00 penalty on the next court date on the 16<sup>th</sup> of August next Tuesday.

**Mr. Hagarty:** Okay we gave him until the 26<sup>th</sup> and he completed on the 27<sup>th</sup>

**Mayor Green:** I don't think we gave him the 26<sup>th</sup> he pleaded guilty, and I think the judge gave him until the 26<sup>th</sup>. He was in court since we had our last meeting.

**Mr. Gallagher:** Than is why it is going back to the judge on the 16<sup>th</sup>.

**Mr. Hagarty:** Okay, okay so I guess that part of it is up to the judge the second part it sounds like he is done at least for now.

**Mr. Gallagher:** The garage doors are back on there and everything so,

**Mr. Hagarty:** So at least the issues with Mr. Respes are resolved from at least our standpoint.

**Mr. James:** Is that the garage he converted into an apartment?

**Mr. Hagarty:** Yes, at least for the time being we are past that issue. Anybody have any comments or questions on that particular issue? How about any other old business that anyone wishes to discuss?

**Mr. Sitzler:** The Tavern have they applied for the ABC License

**Mayor Green:** I have not heard anything. The two kids and the father owned the business and the father passed away about two months ago.

**Mr. Sitzler:** I'm sorry I didn't know

**Mayor Green:** I also don't know what the ownership status is at this point because I don't know who.

**Mr. Sitzler:** Yes, because it doesn't automatically pass it depends on

**Mayor Green:** Yes, and I was told he was told about a second wife I'm not really sure

**Mr. Sitzler:** What ever is on the license is prudent and they would have to do a transfer also then of the ownership that also come before Council and the ABC Court. I did speak to their Lawyer, and they were going to get an ABC Attorney that would be consulted and with that unfortunate death in the family may have halted their plan as such. They do have to get an approval because you don't have the authority to grant them outdoor alcohol that is an extension of the premises under the ABC Law so it is the Council's decision and then we can fine tune that if the Council gives them that authority as far as reviewing how they set up the outside. But, to do it at all they have to have the ABC approval first. So, anything we would have done would have null and void which is what I explained to their attorney, and he apparently consulted an ABC Lawyer and he said they were going to that route first.

**Mr. Hagarty:** Any questions on that matter or any other old business anybody wishes to discuss or bring up?

**Mrs. Jones:** I just wanted to know does anybody know anything about the land and the trees that were cut down?

**Mayor Green:** No, they haven't done anything, they are still under a stop workorder, and they were supposed to come before the Planning Board but obviously I'm sure the ABC is holding things up and I guess since one of the principals did pass away.

**Mr. Sitzler:** They may not have the authority to my knowledge depending on whose name is on the license. Sometimes they are listed as an LLC and sometimes as a group so you just can't pass on a license that belongs to the Borough. You can't pass it on to your family members like a house that you own.

**Mrs. Jones:** Because they did leave a mess along Erial Road, and it is a shame

**Mr. Sitzler:** It is unfortunate, but it is an entanglement on this because they are under a license and an alcoholic beverage provider.

**Mr. Hagarty:** Any other old business?

- New Business:** **Mr. Hagarty:** How about any new business? I guess we have a meeting on the 8<sup>th</sup> at 7:30
- Mayor Green:** Is there anything on the Agenda Les?
- Mr. Gallagher:** Not at this time, there have been a couple of applications picked up, but none filed at this time
- Mr. Hagarty:** Any other new business anybody wishes to discuss?
- Open Floor to the Public:** **Mr. Hagarty:** Hearing no other new business at this time I will entertain a motion to open the floor to the public on any issue
- Mr. James:** Motion to open the meeting to the public: second by Mr. Ford  
Roll Call all "aye" Motion carried
- Close Floor to the Public:** **Mr. Hagarty:** Seeing no public present, motion to close to the public.
- Mr. Ford:** Motion seconded by Mr. James
- Mr. Hagarty:** all in favor?  
all "aye" Motion carried
- Motion to Adjourn:** **Mr. Hagarty:** I will entertain a motion to adjourn
- Mr. Hagarty:** Motion to adjourn; second by Mr. Ford,  
all "aye" motion carried