

**Upper Pittsgrove Township
Land Use Board Minutes
April 15, 2021**

TO: Township Committee
Land Use Board Members

Linda R. Stephens, Twp. Clerk
L. Andrew Hoglen, Zoning Officer

A regular meeting of the Upper Pittsgrove Township Land Use Board was held in the Township Hall on the above date. The meeting was called to order at 7:30 P.M. by Board Chairman reading the public announcement stating that adequate notice had been given provided under the "Open Public Meetings Act" and a flag salute.

Members present were: John Coombs, William Gantz, Edward Meschi, Jack Cimprich, Thomas Buzby, David Zeck. Jr., George Cassaday, Benjamin Wilson, and Linda Stephens.

Also present was: Michael Aimino, Conflict Board Solicitor, Stephen Nardelli, Board Engineer, Nicholas DiNicola, Esquire, Mary Coombs, Dawn Clark and Township Visitors.

Business to come before the Board:

1. Minutes from March 18, 2021
2. Resolution –
 Laura Stanley
3. AGP Properties, LLC

1. Minutes –

A motion to approve the minutes from the March 18, 2021 meeting was made by Benjamin Wilson. This motion was seconded by William Gantz and adopted unanimously.

2. Resolution –

William Gantz made a motion to adopt the resolution for Laura Stanley that was mailed to all Board members eligible to vote on it. This motion was seconded by Benjamin Wilson and adopted unanimously.

Master Plan –

The Board Chairman informed the Board that the Board must review the Master Plan in 2021. They reviewed the proposals that had come in from Planners and after a brief discussion decided to recommend Randall Scheule to the Township Committee to perform the re-examination. The Board would meet the second Thursday of every month as needed to complete the review.

4. AGP Properties, LLC

Board members Edward Meschi, Jack Cimprich and John Coombs recused themselves from acting on this application. Vice-Chairman William Gantz opened the hearing for AGP Properties, LLC. Joseph DiNicola, Jr. introduced himself to the Board stating that he would be representing the applicants for this hearing. Mr. DiNicola started with explaining that Assembly Halls were a Conditional Use within the Highway Business Zone. An event-type use is a Use Variance. Board Engineer, Stephen Nardelli, commented on his review letter dated April 13, 2021 as to completeness. Items for which waivers were being requested are: Checklist "A"- Item #10/Checklist "I"-Item #9 providing Letter of Interpretation, Checklist "C" – Item #8 Site triangles and loading/unloading areas. Item #22 Cross sections and road profiles of the existing streets, Item C – Traffic Impact Study (falls under DOT jurisdiction), and Item E – Environmental Impact Study After a brief discussion Thomas Buzby made a motion to deem the application complete. This motion was seconded by David Zeck, Jr. and adopted upon a call of the roll: Ayes – Buzby, Zeck, Wilson, Gantz, Cassaday, Stephens Nays - None.

Mr. DiNicola explained the nature of the Use Variance request to the Board. Applicant Mary Coombs described the layout of the property, as depicted on the site plan submitted. The applicant was proposing the use of a barn-type building to the rear of the property and the area directly behind it be used for events, including but not limited to weddings, showers, brunches, rehearsal dinners and other types of parties. Mr. DiNicola stated that the Upper Pittsgrove Township Fire Official would ultimately determine the number of people that the structure could hold. The applicant was proposing events with a maximum of 80 – 100 people. Mrs. Coombs stated that A Garden Party had been operating a similar business at another location for 5 years. She stated the currently the retail hours were Saturday/Sunday 10am-5pm, and Tuesday – Thursday 9am-5:30pm. Fridays they were open 9am-7pm and were closed on Mondays. Mrs. Coombs stated that any of the event activities would end at 10pm. They were not proposing any new signs at this time. To address the loading/unloading questions, Mrs. Coombs stated that all delivery trucks, outside catering trucks and staff would utilize the easterly driveway. These were usually small box trucks and vans. At this time the parking would be on the grass area to the left rear portion of the property. The applicants were not proposing to delineate out any specific parking spaces. It was their testimony that there would be parking attendants at all events to keep everything orderly and control traffic flow. Site work would need to be done to create the necessary handicap parking spaces near the barn structure.

Mr. DiNicola stated that there was no other business like this within Upper Pittsgrove Township and would be beneficial to the community. He continued to state that approving the business would not be detrimental to the Township of Upper

Pittsgrove. The site was particularly suited for this type of use. It was located in the Highway Business zone and had no close neighbors that would be impacted by the requested use.

The Board had questions for the applicant. Among those were how many events per week were they anticipating, restroom availability, live music noise during the day, and overflow parking. Mrs. Dawn Clark addressed some of the Board's questions. They were hoping to host two events per week. She stated that typically these events would not occur during morning hours, and therefore not impact the church located within the vicinity. To address the restrooms, they would be arranging for a portable bathroom trailer. Any overflow parking could be directed to park in front of the retail store. Another concern discussed was the applicant's request for a waiver from providing an agricultural buffer. Since the property was surrounded on three sides by orchard the Board had spray concerns. After a lengthy discussion, the Board requested that the applicant and the adjoining property owner work out a Spray Protocol Agreement to be reviewed by the Board Engineer and Solicitor.

The Vice-Chairman opened the hearing to the public for comment. John Coombs, Sr. spoke stating that approving this application would not shot a hole in the Master Plan as it was situated in the Highway Business Zone, where the Township wanted to encourage businesses to locate. There being no one else from the public speaking either for or against this applicant, the Vice-Chairman closed the hearing to the public for comment.

Thomas Buzby made a motion to grant the requested Use Variance with the following conditions imposed: the events would be limited to no more that 120 people, parking staff must be present to direct traffic at the events, and that a Spray Protocol Agreement be submitted and approved to protect the neighboring farmer and the applicant from incidents occurring with regards to normal spray activity for the orchards. This motion was seconded by Benjamin Wilson and adopted upon a call of the roll: Ayes – Buzby, Zeck, Wilson, Gantz, Cassaday, Stephens
Nays - None.

Thomas Buzby made a motion to granted Preliminary and Final Site Plan approval with revised plans being submitted to the Board Engineer. The revised plans would include lighting, overflow parking, delineate the final parking area, and employee parking. This motion was seconded by David Zeck, Jr, and adopted upon a call of the roll: Ayes – Buzby, Zeck, Wilson, Gantz, Cassaday, Stephens
Nays - None.

There being no further comment and business before the Board, David Zeck, Jr. made a motion to adjourn the meeting. This motion was seconded by Thomas Buzby and adopted unanimously.

Respectfully submitted,

Linda Stephens, Secretary
Upper Pittsgrove Township
Land Use Board