



TOWNSHIP OF GALLOWAY
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING BOARD ZONING BOARD OF ADJUSTMENT

Heather Butler
PLANNING / ZONING BOARD
ADMINISTRATOR

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MINUTES
ZONING BOARD
February 13, 2014

Present: Chris Coleman, Richard Clute, Mike Greb, Jerry Hauslet, Robert Mayer,
Paul McColgan, and Mark Sykes

Absent: Ronald Huber

Election of Officers: Secretary: Heather Butler

John Rosenberger swore in new member: Anthony DiPietro

Approval of Minutes: January 9, 2014

Approval of Resolutions: #1-13 Solicitor, #2-13 Engineer and #3-13 Conflict Engineer

Approval of Professional Contracts: Board Solicitor: John H. Rosenberger, Esq.
Board Engineer: Chuck Endicott

Conflict Engineer: Doran Engineering **Tabled**

Approval of Bill List: February 6, 2014

New Appeals:

#11-13 Risley Development

Towne Center Drive

B. 985 L. 8.02-8.05

Zoning District: CVC

Preliminary and Final Site Plan Approval

Proposed: The applicant is requesting to construct 24 town house units

Application has been carried to the March 13, 2014 Zoning Board meeting.

#1-14 Gerald Bird Development Co. LLC.

Jimmie Leeds Road and Maple Avenue

B. 779 L. 8,9,10

Zoning District: R1

Use Variance and 3 Bulk Variances

Proposed: The applicant is seeking a use variance to construct a new approximately 5000 square foot commercial building which will contain a coffee shop with outdoor seating and five other retail/office spaces. The bulk variances requested are lot area, lot depth and site coverage. The minimum lot area requirement in the PO Zone is 1.15 acres and the applicant is providing 1 acre. The minimum lot depth requirement is 200 feet where the applicant is providing 125 feet. The minimum site coverage requirement is 50% where the applicant is provided 63.95%.

The applicant is represented by Stephen Nehmad.

Steve Filippone, professional engineer of Engineering Design Associates, P.A. referred to exhibit A-2 a conceptual site plan. This is a one acre site. They are proposing a 5,000 square foot single story building with 39 parking stalls. The lighting will be designed as a shoebox style lights with shields. They will provide one trash enclosure. They are proposing an underground storm water system.

William McLees, architect, gave testimony to the architectural plans of the proposed building. The building dimensions are 40'-7" by 125'-7". They intend to place the coffee shop so it faces Jimmie Leeds Rd. They anticipate the most number of units would be 4 to 6. The total height of the building is 24'-6". Referring to exhibit A-5 drawing number 3 shows it will be a one story building with high ceilings.

Referring to the A-6 detail of South elevation the mechanical equipment will be on a platform that sits below the roof line and is entirely surrounded on all sides with one side being louvered material and insulated on 3 of the sides to baffle the sound.

William Crane, licensed professional planner, gave testimony. In his opinion they are providing a use on a piece of property that is appropriate for the use in the area and that the site is suited for the variant treatment they are proposing.

Gerald Bird, the applicant, gave testimony.

Professional Reports

Chuck Endicott, Engineer, no report issued.

Tiffany CuvIELLO, Planner commented on her report dated February 6, 2014.

Board Questions

Board Member Mayer: On lot 7 and 2 there are two different lots and there is a drive way that goes through both of them what is on the lots?

Steve Filippone: That might be misrepresented slightly. The driveways are so close together it appears they touch but they do not touch. There is a garage back there and the garage is vacant.

Tiffany CuvIELLO: Lot 7 was bought in 2005 and is not related to any of the other properties.

Board Member Greb: Mr. McLees stated that the security lighting would be turned off at 10:00pm?

That would be the very latest. Sometime there is a light at the back door with a cut off shield that will remain on to provide security.

Board Member Coleman: Currently on this lot there a single family dwelling. Correct?

Yes a vacant single family.

Board Member Hauslet: What is the distance of the nearest dwelling and the building?

Roughly 45 feet between structures.

Board Member McColgan: How far away from each property will the mechanical equipment be?

Approximately 60ft.

Board Member McColgan: Do you think this is sufficient for noise buffering?

Yes, with the added measures being taken.

Board Member Clute: Would you have a problem or challenge us with the request for a sidewalk along Jimmie Leeds Road?

No.

Chairman Sykes: Have you notified Pinelands?

No. They will as soon as the use is authorized.

Public Comments

Katie Mazur 110 Harding Ave. Margate is in favor of the application. She is the owner of the home behind the proposed building B.779 L.3. She does not feel that a home should be put on that property.

Findings and Facts

All board members expressed a favorable opinion to the application. It is an overall good concept.

Motion to approve application #1-2014 Gerald Bird Development Co., LLC. : Use Variance approval as to permit the development of the property in question as a commercial property subject to the following 3 conditions of approval was made by McColgan and Hauslet 2nd the motion.

1. The applicant will return to the Zoning Board in the future following the receipt of the Certificate of Filing for site plan approval.
2. The applicant will build the architectural and basin related improvements that have been represented before the Board.
3. The applicant will seek sidewalks along Jimmie Leeds Road subject to Atlantic County approval.

Those voting in favor: Coleman, Clute, DiPietro, Hauslet, Mayer, McColgan, and Sykes

Motion to approve application #1-2014 Gerald Bird Development Co., LLC. : 3 Bulk Variances being for lot area where 1 acre is can be provided and 1.15 is required. Lot depth where 125 feet can be provided and 200 feet is required. A lot coverage variance of 63.9% where 50% is permitted was made by Coleman and McColgan 2nd the motion.

Those voting in favor: Coleman, Clute, DiPietro, Hauslet, Mayer, McColgan, and Sykes

Meeting went into closed session.

Meeting Adjourned 9:05pm

Submitted by Heather Butler, Administrator