



**TOWNSHIP OF GALLOWAY
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING AND ZONING BOARDS
300 E. JIMMIE LEEDS ROAD GALLOWAY, NJ 08205
(609) 652-3700 EXT. 218 FAX: (609) 652-5259**

Heather Butler
Planning/Zoning Board Administrator

**MINUTES
PLANNING BOARD
FEBRUARY 5, 2015**

The meeting was called to order at 7:02 PM. Ken Sooy chaired the meeting.

Jorge Coombs swore in Re-Appointed Members: Tony Coppola and Don Purdy

Present: Robert Bruno, Tony Coppola, Jim Cox, Tom Guercioni, Dan Jones, Matthew Geese, Ken Sooy,

Absent: Matt Ayers, Betty Mannis, Don Purdy, Charles Wimberg

APPOINTMENT OF THE PROFESSIONAL STAFF:

Conflict Solicitor: Schroeder Law
Conflict Engineer: Doran Engineering

2015 PLANNING BOARD COMMITTEES:

Master Plan Committee: **(Tabled)**
Development Review Committee: **(Tabled)**
Subdivision Committee: **(Tabled)**
Pinelands Committee: **(Tabled)**
Administrative Bill Committee: **(Tabled)**

APPROVAL OF BILL LIST: 2-5-15 **Approved**

APPROVAL OF MINUTES: 12-18-14 **Approved**
01-15-15 **Approved**

DECISION AND RESOLUTIONS:

#1A-2015 Solicitor – Jorge Coombs **Approved**
#2A-2015 Engineer – Polistina & Associates **Approved**
#3A-2015 Conflict Engineer – Doran Engineering **Approved**
#4A-2015 Conflict Solicitor – Schroeder Law Group **Approved**

APPROVAL OF PROFESSIONAL CONTRACT:

Board Engineer – Polistina & Associates **Approved**
Board Solicitor – Jorge Coombs **Approved**

SWEARING IN OF BOARD PROFESSIONALS:

Tiffany CuvIELlo – Board Planner
Vince Polistina – Board Engineer

COMPLETENESS:

# 16-14	Frank and Shawn McGinley	DEEMED COMPLETE
# 21-14	J&D Holdings Group LLC.	DEEMED COMPLETE
#22-14	JSM at Chris Gaupp, LLC.	DEEMED COMPLETE

NEW APPLICATIONS:

Major Site Plan – Preliminary & Final

PB # 16-14

Frank & Shawn McGinley
(Chris & Dot’s Restaurant)
Fourth Avenue
Zone (CH)
Block 892 Lots 1&7

The applicant is representing himself. Denise W. Bove, P.E., Frank McGinley (owner) and Shawn McGinley (owner) were sworn in.

Exhibit A-1 – Site Plan

Denise Bove, referring to exhibit A-1, presented to the Board the current conditions and surroundings of the property. The applicant is proposing to re-establish a restaurant with a small addition. There is also a proposed retail building to be done in Phase II. The variances being requested are pre-existing non conformities due to the long rectangular shape with 3 front yards. Parking will be evaluated at the time of Phase II final.

Mr. Frank McGinley gave a history of the prior tenants in the building and the poor conditions the property was in. The applicant is requesting to square off the back of the building to make the bathrooms ADA compliant and to expand the kitchen. The applicant is requesting a vestibule at the front of the building that will be under an existing overhang. The front lot is currently owned by the New Jersey D.O.T. and the applicant is trying to acquire it.

Mr. McGinley is requesting a waiver from sidewalks and the sidewalk contribution.

Ms. Bove stated the variances being requested are for lot dept, front yard, rear yard setbacks.

Tiffany CuvIELlo stated there is also a request to permit two freestanding signs when one is permitted.

Mr. McGinley stated there would only be one sign. If they are not allowed to use the sign at the White Horse Pike they are requesting a sign at the entrance.

Tiffany CuvIELlo added that there is another variance being requested for the setback to the parking where 5 feet is proposed and 25-feet is required.

Tiffany CuvIELlo then read from her report dated January 22, 2015.

Mr. McGinley explained to the Board the details of the loading and unloading proposed. The applicant will try to have the deliveries made while the restaurant is closed.

Vince Polistina read from his report dated January 22, 2015.

Ms. Bove discussed the drainage situation with Vince. She also explained why the proposed driveway and the driveway for the hotel across the street do not line up.

Mr. McGinley stated he is in agreement with both the engineer and planners report except for the sidewalk situation.

Board Questions/Comments:

Mr. Coppola stated he has no issues with the variances requested. Mr. Coppola wants sidewalks.

Mr. Cox stated he has no problem with the application but he does not think the Township has ever waived the sidewalk fee.

Mr. Jones questioned the storm water management.

Vince Polistina explained the drainage situation.

Mr. Jones asked if sidewalks were added would they add to the drainage going into the basins.

Vince Polistina stated it would, but not significantly.

Mr. Jones stated he would rather see sidewalks at this property.

Mr. Guercioni stated he likes the project and he would like to see either sidewalk or the contribution being paid.

Mr. Bruno stated he feels the applicant has gone above and beyond. Mr. Bruno feels that Oakbourne should not have a sidewalk. The sidewalk should go from the driveway to the property line closest to the Pike and then from the apron to the corner of Oakbourne Ave.

Mr. Geese stated he feels they should have to make the sidewalk contribution.

Public Comments

Charles Armstrong will be running the restaurant stated he would like this to be approved.

Meg Worthington stated this is a great application.

Mrs. Jezycki stated her comments on the application and is feels it would be a good place to go.

Dennis Spear commented that Galloway Township needs this type of business.

Board Comments

Mr. Coppola stated that he doesn't think it is unreasonable to require sidewalks on the frontage part of Fourth Avenue between Oakbourne and the end of their property. It is a commercial area.

Mr. Cox stated that he would require a sidewalk.

Mr. Jones feels sidewalks are necessary.

Mr. Guercioni feels he does not need sidewalks.

Mr. Bruno stated if they did put sidewalks in it should be from Oakbourne Avenue down.

Mr. Geese stated either way.

Mr. Sooy stated rather than take the money he feels that sidewalks should be put in.

Mr. McGinley read ordinance 233-49-B regarding sidewalks.

Mr. Coppola and Vince Polistina discussed the surrounding area sidewalks.

Mr. Coppola stated that he would be willing to wait until Phase II is applied for.

A motion to approve application #16-14 Frank and Shawn McGinley Preliminary and Final Major Site Plan was made by Coppola and seconded by Jones.

Those voting in favor: Bruno, Coppola, Cox, Guercioni, Jones, Geese and Sooy.

3 Lot Minor Subdivision with Variances

PB # 21-14

J&D Holdings

Bartlett Ave.

Zone (RC)

Block 1142 Lot 1

The applicant is represented by Keith Davis of Nehmad Perillo & Davis. Mr. Davis explained to the Board what the applicant is requesting to do and described the existing conditions of the area.

Jeremy Juffe (owner) and Bill McManus (land surveyor) were both sworn in.

Exhibit A-1 Subdivision

Mr. McManus gave an overview of the property and its surroundings. The average residential lot size in this area is just under 13,000 square feet. The applicants smallest proposed lot is just under 17,000 square feet. The applicant is also proposing to establish a deed restricted area on the flag portion of the oversized lot to prevent a house being built there. The deed restriction will be against the development of any single family homes or other “structures” they would be able to fence the property as long as the fence is no higher than 5 feet and the owner would be able to utilize the property for recreational purposes.

The applicant is requesting a waiver from the sidewalk requirement and will comply with the fee requirement. They are requesting to only pay for the property along Ocean Ave due to the fact

the properties would require over 1,000 linear feet of sidewalk. Mr. McManus stated he understands and will comply with the requests from the Township Planner and Engineer.

Vince Polistina read from his report dated December 18, 2014.

Tiffany CuvIELLO read from her report dated January 28, 2015.

Board Questions

Mr. Coppola stated it would be excessive to include the frontage on Bartlett Avenue and Washington Avenue for the sidewalk contribution. However, Libby Lane should be included in the calculation but will be ok with just Ocean Avenue.

Mr. Jones stated that they are creating 2 of the narrowest lots on the block and would rather see a 2 lot subdivision.

Mr. Bruno stated he would be okay with the subdivision. The sidewalk should be calculated on the entire frontage.

Mr. Sooy stated he has no problem with the lot sizes. He feels the sidewalk should be calculated on the entire frontage.

Public Comments

Patrick McNamara of 714 Ocean Avenue stated the area will be taken care of.

Theresa Williams of 719 Belmar Avenue stated her concerns of abandoned houses in the neighborhood.

The applicant stated they would only build one house at a time. The properties will be maintained.

Edward Reed of 715 Ocean Avenue stated the applicants' proposal is well accepted. He did question the line of the deed restricted area. He is concerned about what the fence would look like if one was put in. He does not feel the need for sidewalks. There are some low spots on the property.

The applicant stated they will rescind the request for a fence in the deed restricted area.

Board Comments

Mr. Coppola likes that the applicant is working with the neighbors of the property. He suggested the sidewalk calculations be based on the frontage of Libby and Ocean Avenue.

Mr. Cox has no issues with the 3 lots.

Mr. Jones would still rather 2 lots.

Mr. Guercioni has no problems with the project.

Mr. Bruno stated he agrees with Mr. Coppola regarding the sidewalk contribution being based on the frontage of both Libby and Ocean Avenue.

Mr. Geese stated he also agrees with Mr. Coppola.

Mr. Sooy stated he has no problem with the 3 lots because it is like the other lots in the surrounding area. He can go either way about the sidewalk contribution.

The applicant agreed to the sidewalk contribution being based on the frontage on Ocean Avenue and Libby Avenue.

A motion to approve application #21-14 Bartlett Avenue 3 lot minor subdivision with variances for lot size and lot width and contributing to the sidewalk fund based on the calculation of frontage along Ocean Avenue and Libby Avenue was made by Mr. Bruno and seconded by Mr. Cox.

Those in favor: Bruno, Coppola, Cox, Guercioni, Geese, Sooy
Those opposed: Jones

A motion to accept the amendment that the approval would be conditioned upon a deed restricted area East of the 20 degree line along the lot line of the Eastern edge of proposed lot 1.03 extending eastward all the way to the end of the flag lot where the property line runs along Washington Ave. The area shall not have any fencing around it was made by Guercioni and seconded by Cox.

Those in favor: Bruno, Coppola, Cox, Guercioni, Geese, Sooy
Those opposed: Jones

DETERMINATION OF NEED:

Oak Street Landfill – Galloway Road
B. 1171 L. 17

Tiffany CuvIELLO, Township Planner presented the determination of need to the board.

Public Comments

None.

APPROVAL OF DECISION AND RESOLUTION:

#5A-15 Township of Galloway Planning Board recommending
to the Township Council that lot 17, block 1171 Oak Street Landfill
be declared an area in need of redevelopment.

Approved

Public Comments

Mrs. J asked when the Master Plan comes up for review again and stated her concerns of the possible Methadone Clinic.

Meeting adjourned 9:35pm

Minutes Submitted by Heather Butler, Board Administrator