

# ***TOWNSHIP OF WATERFORD***

2131 AUBURN AVE. ATCO, NJ. 08004

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## **LAND USE BOARD**

### **REGULAR MEETING MINUTES**

**June 15th, 2020**

#### **Chairman Mike Achey opened the meeting by reading the Sunshine Statement:**

In accordance with chapter 231, Public Law, 1975, Open Public Meeting Act, notice of time, date and place for this meeting was sent to the Courier Post and Hammonton Gazette, and is posted in the Municipal Building.

The June 15<sup>th</sup>, 2020 Joint Land Use Board meeting of the Township of Waterford, called to order at 7:35pm. due to technical difficulties, Via Zoom by Chairman Achey.

#### **SALUTE TO THE FLAG**

Notice:

The Planning Board reserves the right to change the order of the published agenda. All changes will be announced at the start of each meeting.

Chairman Achey requested that for those in attendance with a cell phone, to please turn it off or put in silent mode. He also requested that, if it is necessary to have a conversation with the professionals involved with your applications, to please do so outside the meeting room.

**ROLL CALL:** The following Board members answered present to the roll call vote: Chairman Achey, Mr. Becker, Mr. Hanna, Mr. Howarth, Mr. Mauriello, Mr. Narciso ( late ), Mr. Paul, Committeeman Andy Wade, Mr. Yucis Alt. #1, and Mr. Zito Alt. #2

Those absent: Mayor Yeatman

Due to the absence of Mr. Yucis will vote on any applications.

#### **REGULAR MEETING:**

**Motions for adjournments of cases or other motions:** No Motions

**Old Business:** No Old Business

**New Business:** 20-05 Fat Properties LLC,  
Administrative Appeal

Mr. Ulrich addressed the board regarding his letter of denial from the Zoning Officer. Mr. Ulrich provided a copy of that denial, along with a copy of a blueprint from 1989 of the school, showing the school was not in operation as a school at that time, and he proposes the same use that the school used the premises for. Chairman Mike Achey commented that over 40 years ago the school itself began to use the building as storage/office area, not as a school. They had a machine shop and did welding and carpentry work. Committeeman Andy Wade added that about 5 or 6 years ago, Wade Salvage was contracted to clean out that building, and the building was used for offices and storage. Waterford Township Historical Committee also used a room or two at that time. The only difference is going from public to private. Mr. Becker asked Mr. Ulrich if he came before the board with this previously? Mr. Ulrich confirmed he did for an informal review back in January, and at that time the board had no objections. He has been in business for 10 years, he helps other businesses, and this use will improve the property and not impede any of the neighbors. Mr. Hanna asked about previous testimony regarding homes being built, and where will heavy equipment be stored? Mr. Ulrich responded that he would have 2 conforming lots, and there is no heavy equipment to store. Mr. Wade commented that several buses were parked there, a trailer and mowers at one time. Mr. Hanna asked how long the building has been empty. Mr. Wade responded a couple of years, for the school to sell the building.

Mr. Paul commented that he would be more comfortable with some interpretation from our Solicitor, to make sure we are viewing this as we should. Mr. Boraske commented that yes, in his legal opinion this is a use variance. The applicant's denial letter references ordinance section 136-74, we are bound by ordinance. In that section this type of use is not a permitted use in that zone, and there is no basis to overturn the Zoning Officer's decision. Scott Smith of Key Engineers added that at the time the transportation office used the building under the ownership of the Board of Education. There was an application to Pinelands in 1989 for public development, after a year long process, the application was approved, however Rhonda Ward from Pinelands stated she currently is working from home and does not have access to any files, so Mr. Scott had no other details available. Mr. Scott added that the Zoning Officer is 100% correct, this is not a specific use that is permitted in this zone. Mr. Ulrich asked what his next step is. Mr. Smith informed Mr. Ulrich, although Pinelands approval is not required prior to coming in front of the board, it is always a risk as Pinelands may not accept, it's hard to say not knowing how much land is for the business. A site plan application and a use variance would be required. You can apply for the Use Variance separately, if you choose to, and if the use is not approved, then there would be no need for a site plan. Mr. Smith added for the site plan, there are mixed features, how would the site be improved, what about lighting, etc. Mr. Ulrich asked would it be better to do a complete package of the Use Variance and the Site Plan? Mr. Mauriello added it may be a long process, but it will be well worth it.

Motion by Mr. Paul to agree with the Zoning officer, and no overturn the decision. Committeeman Wade with a question on the motion, the paperwork says it is a school, it is owned by the school, and they used the building as offices, manufacturing, warehouse. Mr. Paul commented that the applicant was referred by Zoning. Chairman Achey opened this portion of the meeting up to the public. No one commenting from the public. Mr. Ulrich was informed what he needs to do, and informed he will need to apply to Pinelands.

Motion by Mr. Yucis in agreement with the Zoning officer, the use is not permitted by the zoning district, and a use variance and site plan will be required, 2<sup>nd</sup> by Mr. Becker.

<b>POLL VOTE:</b>	Achey- Yes	Becker- Yes	Hanna - Yes
	Howarth – Yes	Mauriello - Yes	Narciso - Yes
	Paul – Yes	Wade – Yes	Yucis - Yes

9-0 Motion Carried

### **Haines Boulevard Redevelopment**

Committeeman Wade addressed the board regarding the redevelopment of Haines Blvd. The Committee is looking to change the existing redevelopment plan and downsize the amount of housing that is in the current plan that was approved in 2016. Reduce the number of residential. Copies of the redevelopment plan will be placed in everyone’s mailbox, along with copies of the housing element of the master plan, and most recent zoning map. Mr. Wade asked Mr. Michael Ward Esq. to be in attendance to share information regarding this, and maybe answer any questions. Mr. Ward explained the Township Master Plan was adopted in 2010, and every 10 years there is a requirement to re-examine the Town Master Plan. Mr. Ward addressed the school capacity was maxed which was the basis for the 2016 redevelopment plan and calculating the number of housing being 20% for low to moderate income. The township had a requirement for 165-180 units for the next 10 years. Mr. Ward mentioned addressing the affordable housing first, modify the plan through an ordinance passed by the Governing body. There is not a need for a lot of housing without more commercial. 2015 housing element was published, but we are not sure if it was adopted.

Mr. Howarth questioned the number of affordable units, if that is accurate. Mr. Ward stated yes, based on the professional planner who believed it was property and correct. Calculation was in 2014 and 2017. In 2017 the Governing body approved consent judgement. Chairman Achey opened this portion of the meeting up to the public. There was no public comment.

**Reports / Communications:** Bill List

Motion by Mr. Howarth to approve payment of the bills, 2<sup>nd</sup> by Mr. Wade.

9-0 Motion carried.

**Resolutions: 20-07 Christian & Diana Sabella, bulk C Variance Block: 6805 Lot: 4**

**POLL VOTE:** Hanna Yes Narciso- Yes Yeatman - Yes  
Howarth – Yes Paul - Yes Yucis - Yes  
Mauriello – Yes Wade – Yes Zito - Yes

**20-01 Edward Robey 671 Pilgrim Way  
Block: 7303 Lot: 9 Bulk C Variance**

Motion by Mr. Mauriello to approve the resolutions for Sabella, and Mr. Robey, for Bulk C Variances,

Achey- Yes Becker- Yes Hanna - Yes  
Howarth – Yes Mauriello - Yes Narciso - Yes  
Paul – Yes Wade – Yes Yucis - Yes

**POLL VOTE:**

9-0 Motion Carried

**Minutes: March 2nd Open Session Regular Minutes**

Motion by Mr. Howarth to approve March 2nd Open Session Regular Minutes, 2<sup>nd</sup> by Mr. Wade.

**POLL VOTE:** Achey- Yes Becker- Yes Hanna - Yes  
Howarth – Yes Mauriello - Yes Narciso - Yes  
Paul – Yes Wade – Yes Yucis - Yes

9-0 Motion Carried

**Open to the public:** No one from the public wishing to speak.

**Board Comments and Questions:** None

**Adjournment:** Motion by Mr. Wade to adjourn the meeting, 2<sup>nd</sup> by Mr. Becker On voice vote, all in favor, no objections.

Respectfully Submitted,

Debbie Simone

Board Secretary, Land Use Administrator