

LAND USE BOARD

MINUTES – March 7, 2016

The March 7, 2016, Joint Land Board Meeting of the Township of Waterford was called to order by Chairman Ralph Condo at 7:00PM.

**SUNSHINE STATEMENT:** In accordance with Chapter 231, Pubic Law, 1975, Open Public Meeting Act, notice of time, date and place for this meeting was sent to the Courier Post and Central Record newspapers and is posted in the Municipal Building.

**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.

It is the intent of the Board to not begin a new application after 10:30PM and take no testimony after 11:00PM.

For those of you in attendance with a cell phone, please turn it off or put it on silent mode. Also, if it is necessary to have a conversation with the professionals involved with your application please do so outside of the meeting room.

**ROLL CALL:**

Members responding present to the roll call were: Ms. Iles, Mr. Jacoby, Ms. Ferguson, Mr. Becker, Mr. Russomanno, Mayor Richardson, Committeeman Gianguilio, and Chairman Condo. Mr. Achey was a notified absent.

Also present: Mr. Hanna, Alt #1, Mr. Richard Wells, Attorney, Mr. Jeffery Hanson, Engineer

Members of the public were also present.

**MOTIONS OF ADJOURNMENTS OR OTHER MOTIONS:** - No Motions

**NEW BUSINESS**

1. BKS Associates Block 4106 Lot 12 vacation of a portion of Marion Ave.

The Board heard from Mr. Hanson, Township Engineer and Mr. Toussaint regarding BKS Associates' request to vacate a portion of Marion Avenue. They explained that BKS Associates has an expanding business on both sides of the street on Marion Avenue. They are using the public street as a

throughway from one side of the street to the other to move product from building to building. They have received eleven violations on the property/operations.

The Board asked several questions about the request. Committeeman Gianguilo stated that he had a problem granting approval to BKS Associates because they have eleven violations on the property and if the Board were to approve the request it would be setting a precedence for future similar applications. He continued by stating that we are rewarding these people while they are in violation of Township ordinances. Mr. Toussaint stated that BKS has addressed one violation and has hired an engineer to address the remaining ten violations.

Mayor Richardson stated the Board should not move forward on this request until all of the violations are resolved.

Chairman Condo stated it is his contention that all violations must be corrected before action can be taken by the Board. Chairman Condo continued asking, when a street is vacated what is the plus side to the Township? He recommended that the Board send a letter to Township Council, indicating the Land Board has done their due diligence re: the request from BKS Associates and they recommend Council hold the request in abeyance until all violations have been resolved. Once notification has been received that all of the violations have been addressed, their request will be reviewed again.

On a poll vote of the Board, all members voted aye to send a letter to Township Council. Mr. Toussaint was asked to send the letter.

## **OLD BUSINESS**

1. Deeper Life Church Block 2309 Lots 1, 3 & 4 688 White Horse Pike

The Board prepared to hear from representatives from Deeper Life Church.

Mr. Wells swore in Robert Borbe, Attorney, William Gilmore, Engineer, Moses King-Nabi, Architect and Pastor Michael Ajayi. The representatives presented an overview of their project.

Mr. Borbe acted as moderator for the representatives. The engineer, Mr. Gilmore began his presentation by explaining the plans to convent and develop a property located on the White Horse Pike at Ave D and Jersey Ave. The structure has been empty for some time. Deeper Life Church would like to turn it into a house of worship for approximately fifteen parishioners. The plan is to reconstruct the parking lot to meet Pineland and Township regulations. The building is surrounded by Wetlands and there is no room to expand the site. Other improvements will need to be upgraded including the sewer and well. The parking lot required use variances and waivers. Signage for the building was also required and needed to be in compliance with regulation. The engineer stated they addressed these matters. The parking lot will have twenty parking spaces and one handicapped spot. The sign will be on the side of the building. The site plan for building occupation is now set at 56 people. Mr. Gilmore state a revised site plan will be submitted to the Board following tonight's decision.

Mr. Jenson asked several questions of the engineer for the purpose of clarification re: the parking lot configuration; the two driveways and other conditions that exist. They also discussed lights for safety and signage for safety and security. The engineer and architect, Mr. King-Nabi related that the building will have landscaping added to it as the church receives adding funding.

Mr. King-Nabi the building consists of a meeting room with forty seats, six handicapped seats and six in the pulpit, four offices and one uni-sex bathroom. There is no room for expansion. The reconstructed building will be on the original footprint.

The Pastor Ajayi explained the building will be a Pentecostal Church and a maximum of fifty-six people will be in the congregation. They will be starting with fifteen members. They will take care of the building and trash removal. They will be having services on Sundays from 9:00AM to Noon and Bible study on Tuesday and Friday evenings 7:00PM to 8:30PM. There will a piano on site.

The Board began their questions with three concerns: 1. Are outside functions planned that would bring additional people to the building that only holds a total of 56. 2. Will lights be installed on the outside of the building and will they have sensors and motion detection? 3. Will there be loud music re: piano?

Committeeman Gianguilo asked about the floor plan. The Pastor again reiterated there will be forty seats, six in the pulpit and six handicapped. He also responded that the congregation will begin with fifteen parishioners. The Committeeman stated his concerns are two-fold. He stated the parking lot is very tight and cannot hold more than twenty cars. If there are more than twenty, where will they park, he asked? His second question concerns visibility to the right of the lot because of the curve in the road as one comes off the parking lot. Lastly, he feels the driveways are too close together. He stated he was not being critical – just very concerned and these issues are a problem.

Several other Board members voiced concern with the change of use of the existing building. The building they feel is not set up for a house of worship. They also are concerned with the number of people who will be in the building at any given time. The parking lot is the main concern to them. They also asked about plans for the updated septic and well approvals and they wanted to know the location of the mechanical room.

Committeeman Gianguilo ask to go on record re: his deep concern of the tight parking lot particularly if the need ever arises when emergency vehicles (fire trucks, ambulance, etc.) are needed at the building. With such a small lot and twenty cars on it, the emergency vehicles could not get onto the lot nor would they be able to turn around. He stated he would like the Fire Marshall to view the building and give his opinion regarding the parking lot. Public safety is also an issue, he stated.

At this point of the discussion, Mr. Wells advised the Board regarding their vote on this issue. He advised they have two votes. One on the use of the property to convert it to a Church and one on the use of the site plan changes.

Hearing no further discussion, Chairman Condo called for a vote:

On a motion by Ms. Iles, seconded by Mr. Becker to approve the change of use of the property on the White Horse Pike, Block 2309, Lots 1, 3, & 4 and convert it to a church.

Roll Call: Ms. Iles – aye, Mr. Jacoby - aye, Ms. Ferguson – aye, Mr. Becker – aye, Mr. Russomanno – aye, Mayor Richardson – conflict cannot vote, Committeeman Gianguilio – conflict cannot vote, and Chairman Condo – aye, Mr. Achey – notified absent. Motion carried – 6 ayes, 1 absent.

On a motion by Mr. Russomanno, seconded by Mr. Becker to approve the use of the site plan changes to the property on the White Horse Pike, Block 2309, Lots 1, 3, & 4.

Roll Call: Ms. Iles – aye, Mr. Jacoby - aye, Ms. Ferguson – nay, Mr. Becker – nay, Mr. Russomanno – nay, Mayor Richardson – present, Committeeman Gianguilio – nay, and Chairman Condo – aye, Mr. Achey – notified absent. Motion carried – 4 ayes, 3 nays, 1 present, 1 absent.

**COMMUNICATIONS/DISCUSSIONS:** - No Communications

**RESOLUTIONS:** - No Resolutions

**MINUTES:**

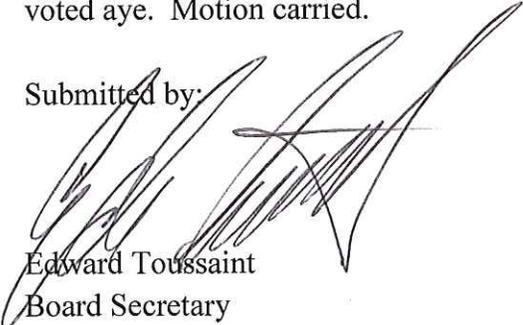
On a motion by Mr. Russomanno, seconded by Mr. Becker the minutes from February 1, 2016 were approved as presented by a voice vote of 8 ayes, 1 absent, Mr. Achey. - Motion carried.

**OPEN TO THE PUBLIC:**

**BOARD COMMENTS:**

On a motion by Mr. Jacoby, seconded by Mr. Becker the meeting adjourned at 9:15PM. All members present voted aye. Motion carried.

Submitted by:

  
Edward Toussaint  
Board Secretary