



Borough of Woodbury Heights Planning/Zoning Board
500 Elm Avenue Woodbury Heights, New Jersey 08097

April 7th 2014 Regular Meeting Minutes

The meeting was called to order at 7:04pm by Chairman Phalines. He asked all to rise and pledge allegiance to the flag. He announced that the meeting conforms to the 'Open Public Meetings Act' of New Jersey.

Roll Call found the following present: Mr. Conley, Mr. Holmstrom, Mr. Deeck, Mayor Elton, Mr. Hart, Mrs. Holmstrom, Mrs. Sesko and Chairman Phalines. Absent was: Mr. Flynn, Councilwoman Truhan, Mr. Martino, Mrs. Frombach and Mr. Tomasetti.

The minutes of the January Reorganization meeting were approved by a motion made by Mayor Elton, seconded by Mr. Conley and passed with the following roll call vote; Mr. Conley, yes, Mr. Holmstrom, yes, Mayor Elton, yes, Mr. Deeck, yes, Mrs. Holmstrom, yes and Chairman Phalines, yes. The minutes of the January Regular meeting were approved on a motion made by Mr. Conley, seconded by Mr. Deeck and passed with the following roll call vote; Mr. Conley, yes, Mr. Holmstrom, yes, Mayor Elton, yes, Mr. Deeck, yes, Mrs. Holmstrom, yes and Chairman Phalines, yes.

Chairman Phalines called on Mr. Sinclair, the Board solicitor, who stated he doesn't have anything at this time, except to let the Board know they have jurisdiction to hear the application for the New Beginnings Church this evening. Mr. Sinclair reminded the Board that anyone who is a member of the church should recuse themselves and since it is a use variance, the Mayor will not be able to vote. He noted that we do have 7 members able to vote.

Chairman Phalines asked the application to step forward. Mr. Robert Bowman, of Schroll & Bowman, who represents the Church and Pastor Dan Williams, of 117 Mercer Street presented themselves to the Board. Mr. Bowman proceeded with the Church originally coming to the Board in 2010 and then again in 2012 in regards to use variances and approved both times. Mr. Bowman stated that the Church purchased the building in

Richard Phalines, Chairman

September of 2012 and honored the leases of the current tenants. Now, the tenants of Unit 201 upstairs have left and the Church is requesting approval of an expanded use variance to allow them to use the space for Church activities. Mr. Sinclair asked for clarification that the Church occupies the entire first floor, applicant states correct, the Church owns all four units, applicant states correct, and now you would like to expand into $\frac{3}{4}$ quarters of the upstairs, applicant states correct. Chairman Phalines asked the applicant to testify that the size of the congregation has remained under the 205 limit, applicant states yes. Mr. Sinclair asked Pastor Dan to raise his right hand so he could be sworn in for testimony. He then asked Pastor Dan to confirm the statements made by Mr. Bowman to this time. Pastor Dan stated yes and to clarify, he has moved his office into the area already. Pastor Dan states they will use the space for a food pantry and classroom also. Pastor Dan stated that the membership fluctuates between 110 and 120.

Chairman Phalines asked Ms. CuvIELLO to go over her review letter. Ms. CuvIELLO states that the Church has received prior approvals and that the expansion will not result in a growth to exceed the maximum congregation members of 205, they positive criteria has been satisfied. If the Board does approve the variance, the restriction to the membership amount should remain due to the parking issues. Mr. Bowman states that they currently use around 50 of the 90 available spaces. Mr. Sinclair stated that he drove through the lot on Sunday morning around 11:00am and about $\frac{1}{2}$ of the spots were empty.

Chairman Phalines called on Mr. Brunermer to go over his review letter. Mr. Brunermer states that since there is no change being made to the outside of the building, he is acceptable to the Board granting a site plan waiver and are acceptable to the application being deemed complete by the Board. Mr. Brunermer feels the maximum membership number, the hours of operation and amending of any prior conditions in previous resolutions should be noted in new resolution.

Mr. Conley asked if they were planning to have any fundraisers at the site. Pastor Dan asked for clarification. Mr. Conley stated that perhaps bingo or

renting it out. Pastor Dan states they have ministry groups only and do not do fundraising.

Chairman Phalines entertained a motion to open the meeting to the public. A motion was made by Mr. Conley, seconded by Mr. Holmstrom and passed with a favorable 'aye'. Chairman Phalines recognized Rose Yerka of Stratford Ave., who stated that she feels the Church has been an asset to the community. There being no other comments, a motion was made by Mr. Holmstrom to close the public portion, seconded by Mr. Conley and passed with a favorable 'aye'.

Chairman Phalines states it is a simple application, the waiver of site plan is very understandable as there are no additions or changes being made. Technically it does need the variance. Mr. Sinclair concurred since they are expanding the use into 201 and part of 202. Mr. Conley then had a question, since they are going into part of 202 and if they don't renew the lease with Graphic Designs in November do they need to come back before the Board to move into that section. Mr. Sinclair agrees that it should be noted now to save on additional legal fees.

Mr. Conley made a motion to approve the application for 201 & 202 and keep the restriction of 205 members, seconded by Mr. Deeck. The roll call vote was as follows; Mr. Conley, yes, Mr. Holmstrom, yes, Mr. Deeck, yes, Mr. Hart, yes, Mrs. Holmstrom, yes, Mrs. Sesko, yes and Chairman Phalines yes.

A motion was made by Mr. Conley, seconded by Mr. Hart to adjourn and passed with a favorable 'aye'.

Anne L Deeck, Secretary

Richard Phalines, Chairman