



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

JULY 14TH REGULAR MEETING MINUTES

The meeting was called to order by Chairman Phalines at 7:05 pm. He asked all to rise for the pledge of allegiance to the flag. He announced that the meeting conforms to the 'Open Public Meetings Act'.

Roll call found the following present; Mr. Conley, Mr. Packer, Mr. Baresich, Mr. Lunn, Mr. Holmstrom, and Chairman Phalines. Absent were Mr. Flynn, Councilman Scull, Mr. Deeck, Mayor Elton, Mr. Smith and Steve Hart.

Note: Mr. Martino came into the meeting at 7:23 pm. Also in attendance were Gerald Sinclair, solicitor, Tiffany CuvIELLO, planner and Don Edwards, on behalf of Sickles & Associates engineering.

Chairman Phalines asked for a motion to approve the June minutes. Motion was moved by Mr. Conley, seconded by Mr. Packer and approved by the following vote; Mr. Conley yes, Mr. Packer yes, Mr. Baresich yes, Mr. Holmstrom yes and Chairman Phalines yes. Mr. Lunn abstained as he was not at the meeting.

Chairman Phalines asked the solicitor for the Resolution on the agenda and Anne, secretary told the Chairman that the Resolution was done at the combined special meeting and she neglected to print out new agendas.

The next item on the agenda is the discussion on the "cash to gold" at the old Y-BY site. Mr. Ragan, owner of the property and Mr. Fran Allen, owner of A & W Jewelry stepped forward. Mr. Allen was sworn in by Mr. Sinclair stating his name and address of 314 Lakeside Drive Swedesboro, NJ. Mr. Allen testified as to his legal business name and what his business entails. He states that his Washington Township store is strictly cash for gold and that here he wants to do the retail. Chairman Phalines states that the point of him being here tonight is that what was presented to the Board by testimony in March. Ms. CuvIELLO stated that she feels one of the problems is the window sign that says 'cash for gold.' Ms. CuvIELLO stated that he exceeds the window signage permitted. Mr. Sinclair stated that he remembers specifically asking him what the business would be and you stated retail jewelry. Chairman Phalines and Ms. CuvIELLO both stated that they feel he

misrepresented himself to the Board in March. They feel that the Route 45 corridor is finally shaping up and having the sign stating 'cash for gold' is not conducive to the rest of projects. Ms. CuvIELlo stated that she is not mocking his business at all, but he was specific in telling the Board that he would be a retail jewelry store. Mr. Conley states that another issue was the outside painting of the building. Mr. Allen states that he has a contract for a painter to do the work. Chairman Phalines asked if the specifics to the name of the business are in the resolution and Mr. Sinclair stated he didn't think so and Chairman Phalines said it would be on the tape, correct? Anne suggested that she get the tape and laptop and Mr. Sinclair stated that the resolution does state that it will be leased to A & W Jewelry as a retail jewelry store. Mr. Ragan stated that as the Board is aware, a lot of money has been spent on the site already and he wants to do what is necessary to make the Board happy and his tenant. The main problem is the wording on the sign itself. Chairman Phalines stated that he (Mr. Allen) also has to live with the 20% in the window as noted by Ms. CuvIELlo. Mr. Allen is to get sketches to the professionals and we will see them at the next meeting on August 2.

Chairman Phalines asked for Michele Weston and she wasn't present. Mr. Baresich stated that Ms. Weston has had issues with the "buffer" on the paper street being cleared away by public works as requested from a resident on Glassboro Rd. Ms. Weston likes to have the buffer there. Mr. Sinclair stated that this is really not a Board issue. Mr. Baresich stated that he feels she needs to cover all bases by at least making the Board aware of what she would like to do and get it on the record. Ms. Weston came in and clarified that the planting she wants to do will not exceed her property line. Mr. Sinclair stated that the bottom line is "you can do whatever you want on your property". Anything she would do that goes into the paper street would be subject to possible clearing by the Borough. Ms. CuvIELlo states that Ms. Weston wants to make it clear that her fence is well within her property line and that she will be planting outside the fence, yet well within her property and that Ms. Weston doesn't want the Borough to clear her property and plantings. Ms. CuvIELlo also clarified the "say" area as the 10' feet of the easement not be cleared that buffers Ms. Weston's property. After much discussion, Chairman Phalines suggested that perhaps she ask the Borough to vacate the paper street. Ms. Weston states she is not interested in acquiring anymore property; she just would like it to remain wooded and vegetated in the natural state that it was when she moved in.

Chairman Phalines then called on Mr. Ragan to speak. Mr. Ragan stated that he just want to give the Board an update as to what is happening at the site. He noted that there are areas pending permits and Chairman Phalines asked for clarification. Mr. Ragan noted on his visual the four areas; 3600 square feet, 2200 square feet, 16,000 square feet (strip stores) and 8800 square feet. Diedra, of the construction office is giving them a hard time in issuing permits. Mr. Conley stated that in dealing with Woodbury it is hard for any project to get started in Woodbury Heights, even when talking about a Municipal project. Chairman Phalines suggested that Mr. Ragan send his attorney to the construction office. Mr. Ragan noted that Bruster's is scheduled for completion in late September or early October. They have one tenant currently for the strip; which is a hand surgical center occupying 4,000 square feet. Mr. Ragan is requesting that the Board allow Mr. Brunermer to act on their behalf on some minor items on the list for a CO. Mr. Edwards stated that he will convey the information to Mr. Brunermer.

Chairman Phalines asked if anyone had anything else for discussion or comments. A motion was made by Mr. Conley, seconded by Mr. Holmstrom to open the meeting to the public. It was signified by 'Aye.' There being none, a motion was made by Mr. Conley, seconded by Mr. Baresich to close the public portion. It was signified by 'Aye.' Mr. Lunn stated that he was having an issue with Verizon Wireless and the signs that they had out in the curb line. He stated that he told them to remove them and when they didn't he removed them himself. Mr. Sinclair stated that it is the zoning official's job and not that of the Board or its members. Only the zoning official can enforce the Ordinance.

Chairman Phalines stated that he would like to form a sub committee to review the zoning code for the sites that were specific to the age restricted housing and the Ordinance that was passed in 2005 allowing an age restricted zone. He stated that Mr. Conley and he would be on the committee, along with Mr. Holmstrom and Mr. Baresich. Chairman Phalines invited any others to join. Ms. CuvIELLO and Mr. Sinclair stated that there could only be four members otherwise it would have to advertised etc. A motion was made by Mr. Conley, seconded by Mr. Holmstrom and signified by 'Aye' for the formation of the sub committee to review the Ordinance. Mr. Sinclair stated that Chairman Phalines should include Ms. CuvIELLO also for practical reasons.

Chairman Phalines asked if there was anything else. Anne, the secretary stated that she has gotten inquiries about a property on Glassboro Rd that the Board had previously given approval to by Resolution in 2007. She stated that perhaps someone from the Board should attend church on Sunday at New Beginnings. Mr. Conley stated that they have contacted him and that they are looking into a property in another town and looking to move out to Mantua Township. A motion was made by Mr. Conley and seconded by Mr. Baresich to adjourn the meeting. The motion carried by a unanimous 'Aye' and Chairman Phalines adjourned the meeting at 8:15 pm.

Submitted by,

Anne L Deeck, Secretary