



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

OCTOBER 4TH REGULAR MEETING MINUTES

The meeting was called to order by Chairman Phalines at 7:00 pm. He asked that all present rise for the pledge to the flag, then announced that this meeting conforms to the directives of the 'Open Public Meetings Act.'

Roll call found the following; Mr. Conley, Mr. Flynn, Mayor Elton, Mr. Deeck, Mr. Lunn, Mr. Baresich, Mr. Holmstrom, Mr. Hart, Mr. Martino and Chairman Phalines present. Absent were Mr. Packer, Mr. Smith and Councilman Scull. The secretary noted that Mr. Smith had informed her that he would not be attending tonight.

A motion was made by Mr. Conley and seconded by Mr. Deeck to accept the minutes of the July 14th meeting. The minutes were approved by a unanimous roll call vote. A motion was then made by Mr. Deeck and seconded by Mr. Conley to accept the minutes of the August 2nd meeting. The minutes were approved by a unanimous roll call vote.

Chairman Phalines stated that we have a resolution before us for the delegating of authority for the A & W Jewelry sign. Mr. Sinclair stated that they are satisfied with the wording and that he reviewed the emails which have been going back and forth with Ms. CuvIELLO. Mr. Sinclair then read the title of the resolution. A motion was made by Mr. Conley and seconded by Mr. Flynn to adopt the resolution. Mr. Deeck questioned if the 30 day timetable is still in effect. Ms. CuvIELLO stated that she should have checked with Mr. Allen today, however she did not have the chance. Chairman Phalines called for the vote and it was as follows; Mr. Conley, yes, Mr. Flynn, yes, Mayor Elton, abstain, Mr. Deeck, yes, Mr. Lunn, yes, Mr. Baresich, yes, Mr. Holmstrom, yes, Mr. Hart, yes, Mr. Martino, yes and Chairman Phalines, yes.

Chairman Phalines stated that we have an application before us this evening for New Beginnings Bible Fellowship Church and he being a property owner within 200' will have to step down. Mr. Conley, vice chair, also had to step down as he is working with the applicant and Mr. Sinclair stated that since it is a 'use variance', the Mayor would also have to step down. Mr. Packer, who arrived at 7:08 pm, was nominated to fill in as Acting Chairman as stated by Mr. Sinclair for the record due to the abstention of the Chairman and Vice Chairman. Mr. Sinclair stated that all paperwork was in order and it is alright for the Board to hear the application.

Application 2010-007: New Beginnings- Mr. Vincent D'Elia of the D'Elia Law Firm, LLC, located at Four Greentree Centre, Suite 300, Marlton, NJ presented himself as the attorney for the applicant. He stated that he had a copy of a resolution of the Board from 2007 that permitted the Church to meet at this location. Mr. D'Elia stated that those same conditions apply today. He then presented Pastor Daniel Williams who was

sworn in by Mr. Sinclair prior to giving testimony. Pastor Dan stated his name and address of 728 Fairview Ave., Woodbury Heights. Mr. D'Elia asked Pastor Dan to give a brief summary as to what brings him before the Board. Pastor Dan noted that he spoke to the Board informally on August 2nd at the regular meeting and he wanted to recognize the members of the Church who are out in support of the application. He also stated that to avoid redundancy; he would give a brief synopsis of what he said at the informal meeting. He asked that we review the print of what he had done for the Board and again noted the tenants that are currently in the building. Mr. D'Elia asked if there were any questions from the Board. Mr. Sinclair asked if the testimony was complete and Mr. D'Elia respond yes and we defer to the professionals. Mr. Sinclair stated that he would like to ask some technical questions for clarification before hearing from the Board professionals. He then asked how many square feet the Church currently occupies and Pastor Dan responded with 2400 square feet and that consist of one condominium office unit. Mr. Sinclair asked that as of January 1, 2011 you would occupy two units and Pastor Dan said yes and it would be approximately 5000 square feet. Mr. Sinclair stated that the second unit is currently occupied by the Visiting Nurses as previously told to the Board (August 2nd). Pastor Dan stated that their lease is up on December 31st and they are not sure as to whether or not they will remain tenants. He noted that if they Board approves the application Mr. Jones will inform the Visiting Nurses that their lease will not be renewed. Mr. Greg Jones, the manager of the building, was then sworn in by Mr. Sinclair. Mr. Jones stated his name and address being 765 Fairview Ave., Woodbury Heights and that he is the business manager of the LLC for the Condos, his wife Joyce is the owner. Mr. Sinclair stated that in 2007 when they first appeared before the Board and approved there were specifics noted in the Resolution. He asked if they are familiar with it and they stated yes and that the only change that has occurred is the attendance at the Church. Mr. Sinclair asked what the hours of operation are pertaining to the Church and Pastor Dan responded; 8:30 am to 2:00 pm on Sunday, Wednesday night meeting at 7:00 and every other Friday at 7:00. There are occasional subcommittee meetings; however they are at night around 7:00. Acting Chairman Packer then called on Ms. CuvIELLO for her review letter. Ms. CuvIELLO stated that the one concern with this application would be the parking. Ms. CuvIELLO asked Mr. Jones to state those that currently occupy the building and their hours of operation. Mr. Jones stated that in Building A (front building) it is the Church, Visiting Nurses, Gloucester County Education Association, Jeff Springman, Esquire and Document Concepts. They have day hours which don't conflict with the Church. In Building B (back building) Dr. Vernon is the owner of one side and the other side is occupied by Gloucester County Newport Behavioral and Seaman's which we believe is a telephone company. They also have daytime hours and not on the weekends. Mr. Sinclair questioned the 'air space' that is attached to the property. Mr. Jones stated that it is owned by Dr. Appel, who is now deceased and Dr. Furry, who is looking for a buyer, but nothing is in the works for the near future. Ms. CuvIELLO noted that should the application be approved and the 'air space' is sold, the buyer could erect a building since they have a valid site plan that was approved by the Board. Ms. CuvIELLO feels we should put a sunset clause in the resolution if the Board approves this application, for

restrictions due to the limited amount of parking available. Mr. D'Elia stated that they are open to any restrictions or conditions of approval. Pastor Dan stated that they have tried to find another location but due to expenses and so forth and the fact that this location has been home for the members; they want to stay local. They are happy that the membership has grown and if they stay they will be able to save to buy property preferably in Woodbury Heights. He also stated that their core community is drawn from the Gateway School district and that is why they are looking to stay in the area. Acting Chairman Packer then called on Mr. Brunermer for his review letter. Mr. Brunermer stated that they have two issues being the parking and handicap accessibility. A smaller issue is the dumpster enclosure. Mr. Brunermer would like to see the handicap 'stalls' be ADA compliant. He agrees that the hours work out nicely for the current parking available. Acting Chairman Packer states that if the congregation grows to 205 members, the parking spaces required are 87. Mr. D'Elia stated that they have no problem with that being specified in the approval. Mr. Sinclair asked for clarification of the handicap parking and Mr. Jones stated that they will do what is necessary to be compliant with ADA and Mr. Brunermer. Mr. Brunermer asked about the dumpster enclosure and Mr. Jones stated that they are going to improve it and close it in; improving the appearance and will be putting in gates. Mr. Brunermer informed Mr. Jones to confer with Mr. Baresich, the Public Works Supervisor in regards to recycling. Ms. Cuviallo then asked about the landscaping and Mr. Jones stated they have been having issues with the sprinkler system and once it is solved they will be improving on the landscaping. There being nothing further, Acting Chairman Packer asked for a motion to open the meeting to the public. A motion was made by Mr. Deeck seconded by Mr. Flynn and favorably signified by 'Aye'. There being no questions or comments; a motion was made by Mr. Deeck seconded by Mr. Flynn to close the public portion and favorably signified by 'Aye'. Acting Chairman Packer stated that he was on the Board at the time that the first application was presented and he is satisfied with the stipulations suggested for the approval. He asked for clarification from Mr. Brunermer on the handicap parking and Mr. Brunermer stated there are 4 and Mr. Jones will make them ADA compliant. Mr. Deeck made a motion for the approval of the variance and site plan waiver with recommendations of 205 members or 5 years with yearly updates and handicap accessibility improvements. The motion was seconded by Mr. Flynn and the roll call vote was as follows; Mr. Flynn, yes, Mr. Deeck, yes, Mr. Lunn, yes, Mr. Baresich, yes, Mr. Holmstrom, yes, Mr. Hart, yes and Acting Chairman Packer, yes. Mr. D'Elia and Pastor Dan thanked everyone for this evening.

Mr. Sinclair stated that there was one more matter of business for tonight and deferred to the secretary. Ms. Deeck stated that we have an informal discussion from the new owners a property on Glassboro Road which is Block 74 Lot 4. They are looking to expand the single family dwelling attached to business frontage to two apartments. Ms. Deeck stated that she has provided the Board with copies of letters in reference to parking issues and vacation issues which affect the site. Mr. Michael Plum and Mr. Jim Plum presented themselves to the Board. They stated that they bought the property to have their businesses there and reside at the residence. Michael is a locksmith and Jim

does woodworking. Mr. Sinclair states that this is a preexisting non conforming use. It was two businesses and a four bedroom living space and now they want to make the living space into two apartments. Ms. Cuviallo states that the businesses are not the issue as they have the right to be there, it is the living quarters which would require a variance. Mr. Sinclair states that the Board may grant it to you however they need to make a formal application to the Board. Ms. Cuviallo states that the only issue she can see in relation to the apartments is whether it is owner occupied. If occupied by the owners, the parking etc is not affected; however should they rent it out the parking would become an issue so the Board may want to look into restrictions. Mr. Sinclair stated that they need to see Anne, and she will help them get the application moving along with Mr. Conley, who is working with them. Mr. Brunermer questioned Mr. Conley on the other occupants of the strip stores attached and he wants it clarified for the record as to who gets to park where. Mr. Conley stated that he will provide a survey or such that shows where the parking is.

There being no further business to come before the Board; a motion was made and seconded to adjourn with a favorable 'aye.' Acting Chairman Packer closed the meeting at 8:15 pm.

Submitted by

Anne L Deeck, Secretary