

**CITY OF EGG HARBOR
PLANNING BOARD MINUTES
March 19, 2013
7:15PM**

A regular meeting of the Egg Harbor City Planning Board was held March 19, 2013 with Chairman Gerhard Mueller presiding. Members in attendance were Mayor Lisa Jiampetti, Council President Edward Dennis, City Official Keith Adams, Vice Chairman Richard Colby, Regular Member Miriam Mueller, Alternate #1 Jack Peterson, Alternate #2 Gladys Torres, Solicitor James Schroeder, City Planner Timothy Michel, Engineer Ryan McGowan and Secretary Donna Heffley. (Not present was Dennis McKenna).

Roll Call: Mayor Jiampetti yes, Mr. Dennis yes, Mr. Adams yes, Mr. Colby yes, Mrs. Mueller yes, Mr. McKenna no, Mr. Peterson yes, Mrs. Torres yes, Mr. Mueller yes, Mr. Michel yes, Mr. Schroeder yes, Mr. McGowan yes and Secretary Donna Heffley yes.

The Chairman called the meeting to order and made the following announcement.

This meeting was advertised pursuant to the NJ Open Public Meetings Act. N.J.S.A. 1:4-6 seq. Notices were sent to official publications for the Planning Board; the Press of Atlantic City, the Egg Harbor News and the Atlantic Current. A copy of the notice was posted on the bulletin board of the Egg Harbor City Municipal Building.

Mr. Mueller announced that Mr. McKenna was not present and indicated that item number 6 on the agenda, "Oath of Member", would not take place.

Approval of Minutes: January 15, 2013

Mr. Colby and other Members noted one page of the minutes was missing from their copies. Mr. Mueller asked the Secretary to redistribute the minutes with the page that was missing to Members and the minutes will be approved at the next meeting.

Approval of Resolution: Resolution #1 of 2013
Brian Kowalski
Kowalski Tire, LLC
500 White Horse Pike
Egg Harbor City, NJ 08215

Mr. Dennis noted there were corrections to be made to the above resolution. The corrections to be made are as follows:

- Page 1 Application For: should read, at the former site of the Egg Harbor City Ambulance Squad not Egg Harbor Township.
- The Chairman's name was spelled incorrectly and should be changed to Gerhard Mueller. Jim Schroeder noted he will make these corrections.

Upon a motion made by Mr. Dennis, seconded by Mrs. Mueller and carried, Resolution #1 of 2013 was approved.

New Business: Informal Review
Quick Mart
Jashada Sait
140 Philadelphia Avenue
Egg Harbor City, NJ 08215

The Applicants Jashoda Sait and Kush Patel were sworn in by Solicitor Jim Schroeder. Ms. Sait was accompanied by Mr. Patel who was assisting her with this application.

Mr. Patel explained to the Board what Ms. Sait was requesting. Ms. Sait has purchased the former Don and Tom's News Agency located at 140 Philadelphia Avenue. Ms. Sait is interested in opening a convenient store at this location which would expand the previous business. Ms. Sait was asked to appear tonight before the Planning Board due to this change of use.

Mr. Michel addressed Ms. Sait and the Board noting there will be some requirements that must be met before the business can open.

Mr. Michel noted zoning permits will be needed and the sign must be changed on the building. Also the matter in which trash will be stored must be addressed. The City does have an ordinance stating that the trash must be stored in a fire proof enclosure and kept in the Terrace of the property. Mr. Michel noted Ms. Sait must contact the building department so this issue can be addressed.

Mr. Michel noted that this proposed use is consistent with the Redevelopment Plan. Also it is under the site plan jurisdiction of the Planning Board whether or not this Board will require any additional review. Parking and loading have long been established at this location.

Mr. Dennis asked Ms. Sait if adult videos would be sold in her store. Mr. Patel stated adult videos will not be sold. Mr. Dennis wanted it to be absolutely clear that adult videos would not be sold in this store.

Mr. Dennis asked what the primary focus is for this store.

Mr. Patel stated the new operations will be a convenience store changing the existing use which was only a news agency. The new use will be a Quick Mart with convenience store items, western union, bill pay, check cashing and tobacco products.

Mayor Jampetti questioned the storage of refrigerated goods and the need for obtaining the proper permits from the building department for installation of equipment.

Mrs. Torres asked if deli meats were going to be sold. Mr. Patel stated no deli products will be sold. Packaged goods will be sold in this store.

Mr. Dennis asked what the hours of operation will be.

Ms. Sait noted the hours of operation will be seven days a week from 6am to 11pm.

Mr. Mueller inquired about the changes to be made to the outside of the building.
Mr. Patel stated the sign and minor improvements will be made to the outside of the building.

Mr. Dennis inquired about the rental units on the top of the building. Mr. Patel noted these apartments were recently renovated by the previous owner. Mr. Dennis noted Code Enforcement will be inspecting the apartments as well as the business to insure the building is up to current code. Mr. Dennis noted all code requirements must be met before the store is opened and referred Ms. Sait to the building department to apply for the needed permits for signage, trash enclosures, annual inspection on all units and a Certificate of Occupancy inspection.

Mr. Mueller reviewed the requirements needed for Mrs. Sait. The Construction Official and the Zoning Officer should be contacted immediately so these items can be addressed.

Mr. Mueller asked if there were any comments from the public. A member of the public wanted to confirm there would not be any adult magazines or adult videos sold in this store. Mr. Mueller stated there will not be and the matter has been addressed by the store owner Ms. Sait.

Informal Review

Delishious

Kush Patel

115 Philadelphia Avenue

Egg Harbor City, NJ 08215

Mr. Patel explained to the Board his plans for his Deli at 115 Philadelphia Avenue. Mr. Patel is planning to sell Mexican fast food; Spanish based food, cold sandwiches and salads.

Mr. Mueller asked about parking behind the building. Mr. Patel stated the parking in the back of this property is only for the tenants living in the eight apartments above the store.

Mr. Michel noted Mr. Patel will need a safe clean place for a fire proof trash enclosure and will have to go to the Building Department for the proper permits.

Mr. Patel asked about hanging a temporary banner outside of his business.

Mr. Michel noted a zoning permit will be needed for any temporary sign or permanent sign. Mr. Patel must talk to the Zoning Official to insure any sign he intends to purchase will be consistent with zoning if not he will have to request a variance.

Mr. Dennis noted no temporary signs made of paper, cardboard, canvas or similar material, other than a sign advertising a sale on the premises or the sale or rent of the premises on which the sign is located, shall be permitted except inside the building. A temporary sign permit shall be required. A discussion will be held later this evening on Business Signs.

Mr. Michel reviewed that Mr. Patel will need to supply a fire proof enclosure for trash and recyclables. A zoning permit will also be needed for any signage temporary or final. Mr. Patel agreed to go to the Building Department to obtain necessary permits for renovations and a zoning permit for the trash enclosure and any signage.

Mayor Jiampetti and Mr. Peterson expressed their concerns about proposed kitchen equipment.

Mr. Dennis asked if Mr. Patel has submitted his plans to the Building Department noting that certain standards will have to be met. The Sub Code Official will review Mr. Patel's plans and will make sure all requirements and codes are met. Mr. Patel will also have to contact the Board of Health for their requirements and approval.

Mr. Peterson expressed his concerns on this application.

Mr. Michel stated this is a permitted use in the downtown redevelopment area. Mr. Michel also noted that there is some level of questions with the sketch that was submitted. He suggested a sketch by a licensed architect should be submitted to the Building Department.

Mrs. Torres expressed her concerns about this application

Mr. Schroeder noted Mr. Patel will be responsible for obtaining the proper zoning permits, a fire proof trash enclosure, building permits or any other permits that are required for renovations, if architectural drawings are required they must be submitted to the Sub Code Official, the health department must be applied to, a co inspection will be required and all health department inspections. The Board has determined that this business is a permitted use, there are no changes that will affect the Planning Board, and there is no formal action required by this Board. Board Members wished Mr. Patel good luck on his new venture.

Other Business: Tim Michel gave a presentation on Business Signs. His report was dated February 26, 2013. Mr. Michel reviewed Wall Signs, Canopy Signs, Projecting Signs and the criteria that must be met with each type of sign. All signs are required to have a zoning and construction permit.

Board Members and Professionals continued to discuss signage.

Mr. Colby inquired about flashing signs.

Mr. Dennis inquired about banners on the sides of businesses. Temporary signs require a zoning permit.

Mr. Michel will address City Council on an ordinance concerning signage.

The Professionals discussed open issues with the Planning Board.

Mr. Dennis made a motion for the City Solicitor to send a letter, registered mail, to New Village Green Associates in regard to their escrow account that was established on May 4, 2012 for their application, "Station 36", in which they have not moved forward with their application to the City or the Planning Board. The City will explain to Mr. Adamson and his Associates their application would be dismissed without prejudice and a refund of their escrow balance for the project would be made. When they are ready to proceed with their project they would not have to establish a new application fee and they could pick up where we left off.

This Motion was seconded by Mr. Peterson

Roll Call: Mayor Jiampetti yes, Mr. Dennis yes, Mr. Adams yes, Mr. Colby yes, Mrs. Mueller yes, Mr. Peterson yes, Mrs. Torres yes, Mr. Mueller yes.

Council Report –

Mayor Jiampetti announced On Saturday, May 4th the City will hold its 6th annual City Wide Clean up Day from 8:30 to 11:00 Am, Rain or Shine.

Mr. Dennis discussed on going City projects.

Mr. Dennis and Ryan McGowan discussed the loss of one of the City's water wells which was installed in 1964. Unfortunately the well could not be repaired because the outside casing has deteriorated.

Mr. Peterson expressed his concerns about the Press Extra delivering newspapers continually, even after they are not being picked up. The excess papers are clogging the storm drains.

Mayor Jiampetti noted once the paper delivery person sees the papers are not being picked up they are not suppose to deliver any more papers.

Public Portion

Nanette Lobiondo expressed her concerns about the delivering of newspapers where they are not being picked up.

Nanette Lobiando announced the second annual Taste of the Town to be held on Sunday April 28, 2013 from 4 to 8 pm at the Renault winery. More information is available on www.internationaltasteofthetown.com

Adjournment:

Upon motion made by Mr. Mueller, seconded by Mr. Dennis and carried the March 25, 2013 meeting was adjourned.

Respectfully submitted,
Donna Heffley
Planning Board Secretary