

Thursday, April 20, 2023
Minutes of Combined Land Use Meeting
Chairman Eric Hafer presiding

OPEN MEETING – Chairman Hafer announced that adequate notice of this meeting was given by emailing the Courier Post and The Retrospect on January 10, 2023 and posting on the Bulletin Board in the Borough Hall.

FLAG SALUTE – Chairman Hafer lead the meeting in the Pledge of Allegiance and flag salute.

ROLL CALL – recorded as present were Hafer, Kane, Weidler, O’Keefe, Ierley, Lippincott, Nasuti and Barbera; absent were Weiss and Redstreak. Planning Board Solicitor Greg DeMichele was also present.

NEW BUSINESS

- Anis Amer – Smoke Shop - 415 White Horse Pike – Waive Site Plan Approval Requirement – Change of use requires minor site plan review. Minimum requirements should show parking ADA parking and access and lighting. Grant waiver or hold to decision. It was asked if this was the former Pizzaland location, to which it was responded yes. There was discussion about the change of use and that parking may be different and access is different. There was question about the lighting on the light, which was not known. There was discussion of the waiver form. There was discussion of the former use and questions about how the former use was approved, and discussion of the site since inception when first built. Discussion of ADA compliance and what must be complied with under ADA law. There was reiteration of the reason for the requirement of Site Plan Review. Discussion of the leases and concept of applying as a tenant. There was reiteration that ADA compliance requires site plan review. And discussion of Landlord versus tenant and the tenant bearing the financial burden . Discussion of what lease may or may not say regarding financial burden of site plan review. There was reiteration that the Borough must show that the property conforms and is safe via a site plan being done. There was discussion of 1980’s law changes and change of use. There was discussion that the proposed use is less intensive use than the former use. There was additional discussion of the two tenants and going from a market to a restaurant, and that he be asked to close the restaurant down until he complies and submit a copy of any correspondence to the property owner. There was discussion of whether the onus should be on the owner to submit the site plan. The specifics of how the mercantile license renewal process triggered Code Enforcement to contact the owner regarding additional requirements, and that they had not responded to Code Enforcement. It was asked that a Cease-and-Desist notice be sent out by Code Enforcement. There was discussion about Code Enforcement reaching out to the owner, to which it was said that when the owner does not collect the rent they will understand there is a problem. Solicitor DeMichele said his office could forward a letter to the Property owner if the contact information was forwarded to him regarding the potential Smoke Shop and Jalsa Kitchen in Violation with no approvals. There was discussion that the status of the business operating illegally and discussion of fines for operating a business without a mercantile license.
- The motion to deny the application to waive site plan requirement by Lippincott was seconded by Kane, with Hafer, Kane, Weidler, O’Keefe, Ierley, Lippincott and Nasuti in favor, none opposed and no abstentions.
- Dream Tile and Cabinets, LLC – 1 White Horse Pike – Minor Site Plan Application – appearance unconfirmed – This is the site of the old bank. A Site Plan was prepared but the noticing was not done. No attorney has communicated. There was discussion that the application should be deemed incomplete, and after the hearing report to Dream Tile that application is considered incomplete. There was discussion of the history of this current applicants ownership and ideas for site. The town is looking for movement on this property. There was discussion of a list of violations that was sent on April 5, 2022. On May 5th violations can be forwarded to court. There was discussion of violations letter and content and context. The letter cited code numbers but not much detail. There was discussion of the construction of the letter and of the condition of the property and most properties on the White Horse Pike and their suitability for condemnation. There was discussion of area of Redevelopment and those properties eligible for condemnation, and the Borough Administrator having the translate the list of violations into Borough Code chapter citations. There was further discussion of the terrible

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condition of the property and specifically the stairway being completely unsafe and unusable. Their prior records seem to indicate that they will never make this right. There have been suggestions that they sell the property, but they were rejected, but hopefully they will change their tune. There was discussion of the town not wanting to buy the building. An alternative third party hoped for.

- The motion to deem Dream Time–One White Horse Pike Minor Site Plan application incomplete by lerley, was seconded by Nasuti, with Hafer, Kane, Weidler, O’Keefe, lerley, Lippincott, and Nasuti in favor, none opposed and no abstentions.

CORRESPONDENCE/OTHER MATTERS

- White Horse Pike – There was discussion of 300 and 400 block of the White Pike and the terrible conditions. The 300 block has recently been purchased. The Board is hopeful for this and discussed the process of the Borough purchasing abandoned properties.
- Parking Requirements in Zoning Code - the Chairman gave examples by discussing that the parking regulations are not given, and it is not in State Regulations. This is not applicable in residential, but rather, how many are required for different commercial uses. Right now, there are no parking standards. Other towns list it in their Zoning Ordinance, giving examples. The Board recommends adding this in to Zoning Code, along with what the guidelines are. There was discussion of the informal by the Foster and Gross location and what was cited for parking standards, and of Redevelopment Plan site standards. The Board gave recommendation to amend Chapter 270 and make recommendation in Ordinance Review so Jeff Hanson Borough Engineer can come up with numbers. There was discussion of the karate parking at the Train Station, and of parking for Cleaning MD’s, saying it is dangerous situation with no off-street parking. There was additional public parking discussion.

OLD BUSINESS

- Approval of Minutes of January 19, 2023 – the motion by Lippincott to approve, was seconded by Nasuti, with all in favor none opposed and no abstentions.

PUBLIC PORTION – Chairman Hafer opened the meeting to the public for questions or comment, hearing none he closed the meeting to the public.

ANNOUNCEMENT - The next meeting of the Laurel Springs Combined Land Use Board is scheduled for Thursday, May 18, 2023, at 7:00 p.m. in the Laurel Springs Recreation Center.

ADJOURNMENT – the motion to adjourn by lerley, was seconded by O’Keefe at 8:07 pm, with all in favor and none opposed.

Respectfully submitted,

Dawn T. Amadio, Secretary