

City of Northfield Planning Board
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November 4, 2021

Notice of this meeting had been given in accordance with Chapter 231 Public Law 1975, otherwise known as the Open Public Meetings Act. Notice of this meeting had been given to The Press of Atlantic City on October 25, 2021, posted on the bulletin board in City Hall, filed with the City Clerk, and posted on the city website, stating the date, time and place of the meeting and the agenda to the extent known. Digital copies of the application documents, exhibits, and the Planning Board Engineer's report have been uploaded onto the city website as well.

This **REGULAR** meeting of the Northfield Planning Board was held on Thursday, November 4, 2021. Pursuant to N.J.S.A. 10:4-8(b), this meeting was live-streamed using Zoom conferencing service. The meeting is also being held in-person with limited seating available due to Covid-19 social distancing parameters. Public attendance was by reservation only.

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The meeting was opened by Chairman Richard Levitt at 7:01 p.m. with the reading of the Sunshine Law and the roll call with the following members present or absent as noted:

Peter Brophy

Mayor Erland Chau-absent

Joseph Dooley

Dr. Richard Levitt

Chief Paul Newman

Henry Notaro

Dan Reardon

Ron Roegiers

Derek Rowe
Clem Scharff
Jim Shippen
Councilman Paul Utts
Joel M. Fleishman, Esq.-Planning Board Solicitor
Matthew Doran, PE, PP-Planning Board Engineer

Secretary's note: There was a group of approximately twenty Veteran's and a service dog who were present before the hearing began. They were at the hearing in support of the Veteran's Hospital application. There was no seating available due to the restrictions in place due to Covid-19. They were instructed to connect to the hearing through Zoom. I thought it was important to include in the record that they were present.

Chairman Levitt opened the meeting at 7:00 p.m. Dr. Levitt asked for a voice vote to approve the minutes from the last two meetings. The voice vote was all in favor. Mr. Brophy pointed out the dates of the hearings as September 2, 2021 and October 7, 2021. Due to the nature of the applications, Dr. Levitt set an 11:00 p.m. time limit for the hearing which, if necessary, will be continued at a special meeting.

The first application was for MB231LLC-Moppert Brothers Auto Collision Specialists, Inc., Block 17 Lot 3.01 at 231 Tilton Road. The attorney for the application was Nicholas F. Talvacchia with Cooper Levenson in Atlantic City. Jason Sciallo, PE, PP was present as well as Harry Moppert, Sr., the fact witness. Mr. Moppert's sons Harry Jr. & Douglas were also present, but they did not testify. Dr. Levitt swore in the witness and professionals. Mr. Talvacchia addressed the Board and said they are proposing no physical changes to the building, but they will be changing the face of the sign at the front of the building. They are seeking a use variance and a site plan waiver. They will be installing a boundary of dense Arborvitae or similar vegetation next to the Gurwicz Cresson Hill site and are proposing fencing at the rear of the site surrounding the back parking lot for cars awaiting repair inside the building for security. The zone does not permit auto body repair, but it does permit a laundry list of commercial uses. Mr. Talvacchia felt the use is not permitted due to the historic nature of body shops in the past with work being done outside. Modern body shops have evolved from the junk yard type of operations. The Moppert's have three locations in Pennsylvania. They will discuss how auto body repair has evolved over the past 40 years and will present the reasons they believe it is prohibited here.

Mr. Talvacchia gave an example of a few cases where he sought variances successfully for clients for outdoor displays in front of supermarkets which were prohibited based on the way shop owners operated in the 1960's and 1970s. They would haphazardly put items in front of their shops. That is not done today. Outdoor displays are in a defined area and controlled. The case is the same here.

Mr. Moppert discussed the evolution of the auto repair business and how he operates his business. They want an area for approximately 30 cars that will need to be stored outside until parts arrive and then can be brought inside for repair. These are cars that recently arrived on site and they will be stored behind a 6 ft. vinyl fence. All the work is done inside and they are closed on weekends and holidays and they will be open between the hours of 7:30 a.m. to 6:00 p.m. There will be no noise. He noted he is the president of Moppert and Sons and they are excited to bring their legacy to the City of Northfield and they feel this is a great business opportunity for them and for the City as well. He gave a brief history of the family-owned business. It was founded 46 years ago in 1976. Their mission is to operate the finest collision repair shops available. Their quality repair shop grew from a small garage to multiple locations and they treat each car as if it were their own. In the past, cars had carburetors, chrome, heavy metal

bumpers, stick shifts, and clutches. Today's cars are technologically advanced and made of aluminum, plastic, and light metal, are computer operated, and eventually many will be electric. This is the future. Electric motors don't have gasoline, engine oil, or fumes and odor and toxic chemicals are eliminated. Mr. Moppert said welding is done differently than in the past. Old fashioned welding is now replaced with rivet panel boxes and high strength epoxy and most of the grinding, noise levels and vapors are eliminated. The working environments are clean and safe. There is reduced waste and his facilities are technologically clean. They recycle all materials and there is nothing to get rid of. Their customers love the facilities and it is very clean inside. Their lobby areas are clean, comfortable, WIFI accessible, cable tv is provided, beverages are provided, and the areas are smoke free.

The facilities repair a number of different types of cars including Mercedes Benz, Subaru, Honda, Acura, Ford, and Tesla and their technicians receive rigorous training for certification with each manufacture on a yearly basis. Shops are audited by the manufacturers on a yearly basis to ensure the repairs are state of the art. They are committed to high quality service and repair. Mr. Moppert is proud that his name is on the sign and they are involved with community events. Mr. Talvacchia distributed a copy of a the 48-page pamphlet which contains photographs of the businesses, indoor facilities, awards, and community involvement.

Mr. Talvacchia question Mr. Moppert about employees and parking. He said there would be at least 10 employees on site and there are 15 parking spaces for employees in the back. There are 12 spaces for clients and he expects 2 or 3 to be on site at peak times. Mr. Moppert said that nobody waits for their car to be repaired. The traffic on site will be low. Usually between 8:00 a.m. and noon, there are 2 to 3 people dropping off their cars for repair. A rental car company will bring them a rental car and they leave. There would be 3 to 6 people coming and going on a daily basis. They are open 8:00 p.m. to 5:00 p.m. Monday to Friday. The men start at 7:30 a.m. and they sometimes stay until 6 for the convenience of people picking up their cars. They are not open in the evenings or on weekends. All repair work is done inside. The storing of cars was discussed. The cars will be stored in the fenced holding area and will be delivered by tow trucks. They will be stored while waiting for parts deliveries. The cars will not be visible when parked as they will be surrounded by a 6 ft. vinyl fence. The cars will only be visible when transported by tow truck to the holding area or when they are being brought into the building. Mr. Moppert testified that they would be planting a dense buffer of Arborvitae for the Cresson Hill neighbors. They also intend to change the sign face.

Mr. Moppert testified further that he is the contract purchaser of Beacon. When work is being done there will be no noise outside. There will be no obnoxious smells in the waiting room. The equipment used is OSHA approved and they use a six-panel filtration system in the spraying booth. He added that one of their stores is located in a residential area and has been there for 40 years. They have never had any complaints. The other two stores are in highly visible areas. Mr. Moppert discussed the history of repair shops and how they have changed. He has never operated his shops in the old ways. His shops are cleanly operated. Many of the older shops have been bought up by private equity companies and the focus is on quality repair and customer service. A body shop doesn't have to be ugly. He and his sons are proud of their shops and they will take care of the trees, wooded area, and the grass will be well manicured.

Mr. Talvacchia said that as a condition they will fence the cars in the back, landscaping will be maintained, and they will provide a visual buffer. Mr. Moppert agreed. Mr. Talvacchia said the neighbor will add more buffer on their side as well. Mr. Talvacchia asked the Board for questions. Mr. Brophy asked about the percentage of business that will arrive by tow truck. Mr. Moppert said 20% to 25%. Mr.

Brophy asked if the tow trucks linger and Mr. Moppert answered no. Mr. Brophy asked what attracted the Moppert business to Northfield. Mr. Moppert said the community doesn't have an upscale body shop and he has been approached by a few car dealers and insurance companies that suggested a need for a location in the vicinity. The building is an ideal size and shape for their operation and the back parking lot is hidden from view. The blue and yellow colors even match their colors. The existing building has a pleasant appearance and they would only need to replace the signs and to re-tool the inside. Mr. Roegiers had a few questions for full disclosure. He asked if they have downdraft booths and Mr. Moppert said yes. He also asked about paint supply disposal. Mr. Moppert said all of their paint is water-based and that applies to all colors and top coats. Primers and solvents are urethane based and are recycled on premises. There is no waste to throw away. The only thing they have taken away is engine oil or antifreeze. Mr. Roegiers asked how they do estimates. Mr. Moppert said the clients will pull up to the front door and they take photographs and then complete an estimate on the computer from the photo. Chief Newman clarified that the storage lot would only be open during business hours and Mr. Moppert confirmed. Councilman Utts asked about leaking gas and coolant and the possibility of it getting into the ground. Mr. Moppert said by the time they get the cars any leaking fluid is usually gone. If not, they would pan the leak. Mr. Brophy asked if there were any issues at other locations that got out of hand. Mr. Moppert said no. Mr. Roegiers said they have to reclaim it all and they have to do this legally. Mr. Moppert said it has been that way for 30 years.

Mr. Talvacchia called up Jason Sciuillo, PE, PP. It was noted that Exhibit A-1 would be the application and exhibits previously submitted (Partial-As-Built Plan by Stephen L. Filippone, Photo of Building with a new photoshopped sign façade, and Moppert Brothers Pamphlet of 48 pages telling the story of the company, photos of three locations, recent awards, marketing material, website information, photos of team members interacting with clients, community involvement, and Technical School partnership) and Exhibit A-2 would be the new exhibit prepared by Mr. Sciuillo which is an aerial view showing property boundaries publicly available from DEP. The site is 2.73 acres in the R-C (Regional Commercial) zone. He described the site and surrounding area and said the closest residential area would be Cresson Hill behind the wooded area at the back of the lot. When entering the site, the 12 client parking spaces would be parallel to the driveway across from the building, a left at the dead end of the parking lot is where the storage section would be located, and the driveway loops around to the back and that is where the employees will park. Mr. Sciuillo stated that there would be a 6 ft. high solid vinyl fence around the car holding area. They are not sure at this time what type of bushes they will add for the buffering, but they will be evergreen and they will be dense.

Mr. Sciuillo gave a brief history. Beacon Cycling was approved in 1984 and amended in 1986 to add auto accessory sales and to add a 4,000-sf addition bringing the building to over 15,000 sf. He reviewed what was already discussed and added to the testimony. He said trash will be picked once a week. Waste will consist of cardboard boxes that the parts are shipped in. The materials used are water-based and recycled or reclaimed. The parking lot is sufficient for the uses. They are requesting a use variance and this site is suitable for the use. Everything there is exactly what they need it to be. When the auto body use was prohibited from the zone it was due to odor, noise, and appearance. Modern operations have completely mitigated this. There are no environmental impacts today and the use is equal to other uses permitted in the zone and they include restaurants, liquor stores, blowing alleys, auto repair, contractor yards, retail sales in general, fitness centers and 24-hour gyms, child day care, and motels. All of these uses contribute to traffic. The use they are proposing is low impact in comparison with few deliveries and drop offs. Mr. Talvacchia clarified that auto repair includes gas stations.

Mr. Sciallo continued by saying the market demands that there is a need here and there is a void in the market. There was testimony about Insurance companies and car manufacturers and dealerships. They need the service in the area. He referred to the City Master Plan of 1995 and the revisit in 2008. There is a provision that there is a need to provide open space and they meet that purpose by keeping the open space in the back. They are meeting the needs of the citizens and the region since there is not this type of body shop in the area. They are using resources by minimizing construction. There is a low environmental impact. What is important to note is the evolution of body shops. They are not as they were when the Ordinance was written. They were not as they are today and this use is completely suitable.

Mr. Talvacchia asked Mr. Sciallo to speak about general welfare being advanced and the site being particularly well suited for the use. Mr. Sciallo said they are promoting light, air, and open space and providing a good visual environment. The fencing in the back will not be viewed except for the back of the neighboring building and will only be seen for a split second when driving by. As to negative impact, this use was excluded because of the way shops were operated back then. There are no environmental issues or intensity in traffic. There is no detriment to the public good. The Moppert's are making an adaptive use of the site and all the work will take place inside of the building. There is no detriment to general welfare or the public good. In this situation the site will work perfectly for what they are trying to do. Mr. Sciallo said the Board has the legal authority to grant the variance.

Dr. Levitt said he has been on the Board for over 40 years and confirmed that the intent to exclude auto body shops was due to the noise and unsightliness of these shops in the past. He felt the Board should also consider the recent changes in retail applications which have become much more difficult to maintain in the age of Walmart and similar retail. There is the danger of empty shopping centers. The Board should consider the current commercial environment as one of the factors to mitigate granting the variance. He suggested reviewing this in a Master Plan review. He would like to keep the commercial areas vibrant.

Mr. Brophy asked if the storage area would be flood lit at night. Mr. Moppert said the area has lighting currently and he intends to keep it lit. Mr. Brophy asked if delivery truck turnaround could be done without a problem. Mr. Moppert said most delivery trucks are box trucks and vans not tractor trailers. Mr. Sciallo added that the driveway will not be blocked and there is no issue. Chief Newman wanted clarification on the number of storage cars. Mr. Sciallo said approximately 30 cars. Chief Newman asked about the plan if the number should be higher than 30. Mr. Moppert said that the area is not a storage area it is a holding area. They will not be storing cars. He added that the 'holding' cars will not be put in the customer area lot and there will be no overflow. Mr. Brophy asked Mr. Moppert to go back to the lighting question and inquired if they will maintain the lights all night long. Mr. Moppert said they currently have dawn to dusk lighting at their current locations and he believes that is what exists at this site. The storage area is lit for security purposes. Dr. Levitt suggested that since the holding area is adjacent to residential that they keep the lights shielded and shaded for the new residents. They had no problem with doing that.

Dr. Levitt opened the public session. Mr. Ray Went, Esq. of Nehmad, Davis & Goldstein of Egg Harbor Township addressed the Board. He distributed Exhibit 0-1 which was a small-scale site plan of Cresson Hills showing the adjacent Beacon site attached to Exhibit A-1, the partial as-built plan that is part of this application. He is appearing on behalf of Cresson Hill. They are the most immediate adjacent neighbor in relation to the applicant. The Exhibit 0-1 is highlighted to show the line of demarcation. The orange line is the property line of the applicant and the blue is bordering half residential and a line of trees.

Mr. Went said there are 25 different uses that are permitted in this zone and there is plenty of opportunity for economic development. Auto body shops were excluded. Granting a variance to meet with the times is not appropriate here and the Chairman even suggested that it should be looked into when reviewing the Master Plan. He continued by discussing tow trucks dropping off 25% of the time which is 15 minutes of every hour. He said that tow trucks are not quiet when dropping off cars near the residential properties. He did not agree with there being a lack of service providers. They exist in Pleasantville, Egg Harbor Township, and Somers Point. He added that he has heard no testimony from Insurance companies. Mr. Went said that meeting the criteria under A through O is easy; it is the negative criteria that is tough to overcome and he didn't think they met that. They may have the cleanest operation in the county, but it is not permitted in this zone in the town and he felt if it was something that needed to be addressed with the Master Plan, so be it. Cresson Hill is the closest neighbor and the most affected. Dr. Levitt asked about the distance from the closest residential building to the storage area. Mr. Went said he would have to ball park it, but he thinks the closest building would be #14. Mr. Sciuillo said the distance is 175 ft. to the closest corner of the storage lot and the whole back of the lot is wooded and comprises 40% of the lot. Additionally, they are adding the heavier evergreens. Mr. Talvacchia commented that tow trucks will not be delivering cars every 15 minutes. The deliveries will be more like two to three times a week and 20% to 25% of the cars that come in for repair will be delivered by tow truck or flat bed. He added that Mr. Gurwicz chose to build next to the R-C zone and previously their property was zoned R-C and was changed to Multi-Family to accommodate the apartments. They asked for it to be zoned as such. The testimony is that this use will be less of an intense use than many of the businesses that are allowed in the zone. Mr. Talvacchia continued saying most of Crescent Hill is built next to the Tilton Shopping Center and it is suitable. Given what is permitted in the R-C zone, which is a commercial zone, the applicant is asking for a commercial use. They have limited hours. A gas station with auto repairs would be permitted here. That would have much more of an impact and they could potentially take down trees to expand the use of the lot. The applicant is not proposing this. There is no commercial use that has no impact. Mr. Went concluded by stating that he feels auto body is an industrial zone type of use and Mr. Gurwicz's shopping center is a light commercial use and that use works for a residential area.

Jacquita Stepanski, a resident in the 600 Building of Cresson Hill, was on Zoom and said as a person that is living on what would be the connecting property, her main concern would be the odors from chemicals such as used oil that is waiting to be removed, and smells that go along with any auto body shop that tend to waft locally. Another point was that sounds involved with general automotive repair equipment can carry. For example, torch wrenches can be very loud. It seems that these types of sounds would easily carry to a second and third floor unit of an apartment nearby. She also had concerns about parking and cars and trucks using the residential road as a 'through road'. Dr. Levitt swore her in and she continued stating that she lives in the 600 building and there is another Cresson Hill building in between her building and the Beacon site. She continued to express concerns about the road connecting from Cresson Hill to Tilton Road being used as a 'through road'. Dr. Levitt said that is not part of this application and there is no access from that road to the Beacon site.

No other people on Zoom asked to be identified to speak. There were a few comments through the chat feature, but the commenters did not ask to be identified. Dr. Levitt closed the public session.

Mr. Talvacchia said Mr. Moppert did not testify as an expert and that his testimony is based on his personal experience. Also, he did testify that there would be no noise or odor outside of the building. Mr. Roegiers asked about leftover sheet metal and Mr. Moppert said it would be disposed of with

similar material in a dumpster. Mr. Notaro wanted clarification on the existing wooded area buffer and asked if it would remain. Mr. Moppert said the wooded area spans several hundred feet and it will remain a buffer and they have no intention of touching that area. Dr. Levitt said he wanted to propose a condition that if a change of occupancy occurs at the site, can the Board ask that they present to the Board that there would be no greater impact. This would be if the site would continue to be used for auto body repairs, but with a different owner. Mr. Shippen questioned if that is in the scope of the Board's authority. Mr. Talvacchia said they have no objections and Mr. Moppert has no intentions of selling and has been in operation for over 40 years. They agree the intensity will not change and the industry continues to improve. Dr. Levitt thought the condition was important and gave the example of a new company taking over who repairs tractor trailer trucks. Mr. Fleishman said the applicant has agreed to accept the condition and the attorneys agreed to describe the condition for a change in ownership or a change in the nature of operations.

Mr. Doran referred to his engineer's report. For clarification purposes, the Board must decide if there was reasonable testimony provided and there was an objector present, Mr. Went, who was here on behalf of the owner of Cresson Hill and the Board must decide who they agree with. Also, at the previous hearing for this site, there were 3 additional parking spots and a relocation of a sign, and that has all been completed. There are no changes to the site plan and a waiver of site plan will have to accompany any approval. Mr. Doran asked if they were changing the size of the front sign. Mr. Talvacchia said they will stay within the existing sign and only plan to change the face of the façade sign. Mr. Moppert said the photo included with the application was photoshopped to fit into the existing sign. Dr. Levitt noted that there were sign variances associated with the previous application and they were granted use of the flags which is not included in the signage calculation.

Dr. Levitt asked for a motion. Mr. Scharff made the motion for a "D" use variance and a waiver of site plan with various conditions namely, they will provide additional landscaping and evergreens to the buffer, they will install and 6 ft. high white solid vinyl fence surrounding the holding area for the cars, the lighting in that area will be shielded, should there be a change of occupancy, they will return to the Board for a review to determine if there will be increase in intensity from what was testified to at this hearing (it was agreed upon that it will not require a variance or a big application process, and that a letter could be submitted and they will provide testimony before the Board), they will be keeping the flags existing on the site, and everything in Mr. Doran's report except what was modified this evening would also be included in the approval. Mr. Shippen seconded the motion. Mr. Fleishman asked the Zoning Board voters to state their reasons for their decision.

The roll call vote was as follows:

Mr. Dooley-Yes-Moppert Brothers will attract business to Northfield.

Chief Newman-Yes-The testimony appropriately covered Sections A through O.

Mr. Roegiers-Yes-The applicant answered the questions he asked appropriately concerning environmental hazards.

Mr. Rowe-Yes-They adequately demonstrated the ability to be a productive part of the community and there were no detriments.

Mr. Scharff-Yes-The applicant satisfied his environmental concerns.

Mr. Shippen-Yes-This is an acceptable use and there are no negative impacts.

Dr. Levitt-Yes-For all the reasons previously stated.

The motion carries.

Mr. Talvacchia thanked the Board for their time.

The second application was for Healthcare Realty Solutions, LLC, Block 33 Lot 56, 2101 New Road for Preliminary and Final Site Plan approval, "C" Variances and waivers, and "D" Variance for Floor Area Ratio (FAR). The attorney for the applicant was Jack Plackter, Esq. of Fox Rothschild, LLP in Atlantic City. He addressed the Board and said they are proposing a 30,000-sf state of the art veteran's outpatient clinic in order to provide better services. The existing VA Hospital cannot provide the needed services. He stated that there were many veterans here this evening to testify, but the capacity would not allow them access to the hearing in-person. As it is now, they have to travel far for medical services. The application requires a number of "C" Variances and a "D" Variance for Floor Area Ratio. The maximum is 0.25% and they are at .268%. There is a need to make the building slightly larger.

Mr. Plackter introduced his witnesses and they were sworn in by Dr. Levitt. Dave Shropshire, the Traffic Engineer, was present on Zoom. Present in-person were John Berenato of Healthcare Realty Solutions, LLC, Kevin Dixon, Professional Planner, Vincent Kane, who is with the VA Administration and is the Director of the Wilmington VA Hospital, and Brian Cleary, the site engineer who drew the plans.

The first witness to testify was Vincent Kane who has been with the VA for 23 years. He took over as Director of the VA Medical Center in Wilmington 4 years ago. He met with the VA, elected officials, and various stakeholders and the message mandated was clear. More services are needed in Atlantic County for veterans closer to home. His team promotes this and this project will be a promise kept. There is not adequate space at the current facility to meet the needs of our veterans. They want to be able to increase services to include podiatry, dermatology, mental health services, eye care, radiology and cardiology. The existing clinic has 30 exam rooms and the new facility will have 55. The veterans will not have to wait as long for service. This is a huge expansion from a space perspective and parking at the existing site has worked well. They want veterans to receive the care that they have earned, need, and deserve. The new facility will be twice the size as the existing hospital. There will also be a one-stop clinic and virtual care available in addition to the new services. Mr. Plackter asked about the building design requirements for the VA and Mr. Kane said the developer has to meet all the VA requirements for them to be considered for development projects such as this.

Mr. Plackter asked about the number of employees. Mr. Kane said there would be between 40 to 50, but they will not be on site at the same time. They will also be at other locations and they rotate. Dr. Levitt asked how many employees at one time. Mr. Kane said the Dover hospital will be similar to this site and they see 85 veterans per day and there are 30 to 40 employees. The veterans are also able to have multiple appointments in one day. They have had a great partnership with the existing VA hospital in Northfield. Clinic operations are normally 8:00 a.m. to 4:30 p.m. and they are looking forward to meeting the growing demands of female veterans. They are not open on weekends at this time. The veterans come to the hospital by public transportation and they also offer a shuttle service. The parking impact is minimal and they have not been challenged by this in Dover. The veterans protected us and we are giving back to meet their needs and this is a promise kept. They are extremely excited about this project.

Dr. Levitt asked about the lease. Mr. Kane said they will have a 10-year lease with renewal capabilities. Dr. Levitt asked what will happen with the existing building. Mr. Kane said it will go back to the landlord to lease to others. Mr. Brophy clarified a few items. He said the regions they will be servicing are Northfield and Atlantic County. Mr. Kane said yes and added that there are clinics in Cape May, Cumberland, and others in Atlantic County. Mr. Brophy asked for clarification of the number employees at any one time. Mr. Kane said 30 to 40 employees. Mr. Brophy asked about weekends. Mr. Kane said at this time, there hasn't been a need, but they constantly look at feedback. At this time, some evenings

are available to serve the younger veterans. They also provide specialty clinics for vaccines, for example, and this has sufficed.

The next witness was Brian Cleary, the site engineer who prepared the plans. He described the site using Exhibit A-1 an Aerial Plan and Exhibit A-2 a Site Plan Rendition Presentation Plan. He said currently the site contains a window and siding Shop on New Road with the Northfield Community School across the street. The improvements will be mostly to the front of the site with the rear remaining wooded. There is an office building to the south and an auto repair shop to the north. The proposed development is a 30,000- sf two-story medical office building. The proposed layout includes 108 parking spaces with dedicated turning access lanes on Route 9. The landscaping will wrap around the parking lot and create a buffer for the parking. There will be 14 Accessible parking spaces. Toward the rear of the site there are residential properties and a 50 ft. parking setback is required and they do not meet this in one corner. They are proposing a 6 ft. vinyl fence. The utilities will be public water and sewer at Route 9. They propose 25 ft. tall LED lighting fixtures and a trash enclosure with decorative split masonry. They will have two stormwater management drainage facilities for roof and groundwater collection and there will be no runoff to adjacent properties. The drainage system will comply with Northfield and NJ stormwater requirements.

Mr. Cleary discussed the access at New Road. They will be widening the entrance to include a 14 ft. entrance lane and two 11 ft. exit lanes for left and right turning. State highway DOT approval will be obtained. Mr. Cleary discussed signage. The proposed pylon façade sign at the entrance meets the setback requirements, but will require a variance for size. The proposed sign will be 60 sf where 20 sf is permitted. The building façade signs will be exactly the same signs and these also will require a variance. The signs will be placed on the north, south, and west elevations and will be 78.2 sf where 47 sf is permitted.

Mr. Plackter asked Mr. Cleary to run through the bulk variances requirements and variances required. They were as follows:

A D-4 Variance to allow a floor area ratio of 0.287, where 0.25 is the maximum permitted.

A buffer variance of 2.5 ft., where 15 ft. is the minimum permitted.

A building height variance of 27 ft., where 25 ft. is the maximum permitted.

A parking variance to allow parking in the front building plane and the right-of-way.

A variance to allow a residential parking setback of 25.6 ft. where 50 ft. is required.

A parking setback from the building of 10 ft., where 20 ft. is required.

A parking variance to allow 108 parking spaces, where 201 spaces are required.

A variance for the 3 façade signs, where 3 are requested and 1 is the maximum permitted.

A variance to allow a façade sign size of 78.2 sf, where 47 sf is the maximum size permitted.

A variance to allow a pylon sign size of 60 sf, where 20 sf is the maximum size permitted.

A variance to allow shrubbery in a planting strip less than 4 ft. wide on the front, sides, and rear of the building, where no less than 4 ft. wide is required.

Mr. Plackter asked if Mr. Cleary had reviewed Mr. Doran's Engineer's Report. He said he did and there are only some minor technical differences that they can work out. They spoke earlier on the telephone concerning this.

The next witness was Dave Shropshire, the traffic engineer, who appeared on Zoom. Mr. Shropshire prepared the traffic study the scope of which focused on the impact of generated traffic. They looked at two intersections and conducted traffic counts during peak times in the morning and afternoon and

reviewed the traffic data. They reviewed historic traffic data and did a standard study utilizing the Institute of Transportation Engineers trip generator which the NJDOT will require, and which gave them conservatively high numbers. They analyzed the intersections and site access and found nominal impacts. They will request from the DOT dedicated right and left turns exiting the site. They found no air quality issues. They have met the DOT for a pre-application meeting and the only concern was the turning radii of the right turns to not encroach the outbound left turn movement and Mr. Cleary will accommodate that concern in his final design. Mr. Shropshire commented that 10 patients per hour will be significantly less than what is permitted in the zone and less than other commercial uses.

Dr. Levitt had concerns with back up at Mill Road and Route 9 in the morning and when the school is letting out. His concern was with left turns onto Route 9 during those hours. Mr. Shropshire said employees come to work before 8:00 p.m. and the outbound peak hour is 4:30 p.m. or 5:00 p.m. The school is done by then and they are not competing with that traffic. Dr. Levitt asked if there was a need for the City to provide traffic control for the employees leaving the site. Mr. Shropshire said no and said there is gaping that occurs in traffic and the numbers didn't show this to be an issue. Dr. Levitt asked what wind angled degrees referred to in his report. He said that is a DOT requirement and involves measuring the wind angle in relation to emissions. It is an environmental air quality assessment of the wind angle in relation to emissions at a stop location. Mr. Brophy said that the driveway on Route 9 now appears to be stop controlled. He asked if it was controlled with a stop sign. Mr. Shropshire answered yes. Mr. Brophy referred to the traffic study and said the report says there is an increase of 3.4% and 3.1% during total peak hours and would that be an increase of those percentages since the traffic doesn't exist at the moment. Mr. Shropshire said they used high numbers and he feels the actual numbers will be less. The DOT considers a high impact to be an increase of 100 trips during peak hours. This project will not be anywhere near that. Mr. Dooley asked if peak traffic numbers would be the same as any other use there. Mr. Shropshire said yes and the impact could be higher with a business with a more intense use. Dr. Levitt said suppose the lease expired and the site became general medical. Mr. Shropshire said that is the standard they used for trip generation and that is why the numbers are higher than they anticipate in reality. General medical are the rates they used for the study. Mr. Roegiers suggested making all traffic go southbound toward Linwood. Dr. Levitt said that would be a right turn only. Mr. Shropshire said that would focus the traffic in one location and people would be looking for a way to turnaround and may wind up driving through neighborhoods. It will be a vehicle every one or two minutes and there will not be intense traffic for left turn movement. That is why they are providing exclusive left and right turn lanes.

The next witness was Kevin Dixon, professional planner and engineer. Mr. Dixon described the variances as were stated by Mr. Cleary previously and discussed the C1, C2, and D4 criteria for the variances. Mr. Dixon said the property is very irregularly shaped. It is an eight-sided site that wants to be a rectangle. If it was rectangular there would be less variances required. The back corner is cut off and the front piece is carved out for an adjoining property. It is a strange "L" shape or hammerhead shape that is long and narrow in the front and has a larger rear area creating a trapezoidal or triangular shape. Mill Road and Route 9 come together just north of the property and this all creates a number of compliancy issues. There are also some positive, important features of the site. The site coverage and building coverage comply and are well under. It is the shape of the site that affects a number of the variances and relief can be granted under these conditions.

Mr. Dixon continued by discussing the 2 and ½ ft. buffer which exists at the narrowest point of the property. It is the most irregular portion and was historically cut out at some point. It is in the front near Burke Auto. Mr. Dixon pointed out the eight angles of the site. The buffer allows for a sidewalk in its

logical location to be used to enter the site from the public transportation drop off area. Mr. Brophy asked how long of an area is the 2 and ½ ft. buffer. Mr. Dixon said it is a point.

Mr. Dixon justified the parking. He said the parking in the front plane of the building is a long, narrow portion of the site. They are trying to maximize parking on the site and believe it will be sufficient. As to the nearness to residential parking variance at 25.6 ft. where 50 ft. is required, this involves 10 parking spaces at the rear southeast corner of the site and these spaces will rarely be used. As to the parking setback from the building, this relates to a specification of the VA. They want the parking close to sidewalk areas and walking spaces.

Mr. Dixon discussed the sign variances and the setbacks. He said the front setback of the building is required to be 45 ft. and the setback of the proposed building will be over 200 ft. The rear setback is required to be 25 ft. and the actual rear setback of the building will be 128 ft. For these reasons, more and larger signage is needed because of where the building is located. From Route 9, you won't see the building coming north on Route 9 when leaves are on the trees. Motorists need to know where to turn, to know where to slow down, and to know where to make a left turn for northbound traffic. The pylon sign will be a fixed sign and not a digital or changeable message sign.

They are also requesting three building mounted signs due to the location of the building which is as far away from the residential areas as possible and 200 ft. off the highway. They are proposing a sign on three sides of the building for motorists to identify with at a glance. The logo signs need to be large enough to see, the lettering on the building will not be intrusive, and the letters will be see-through; the background is the façade of the building. There will be a branding sign for a visual cue for the entrance to the building and it will have a canopy.

Mr. Dixon continued with testimony for C2 criteria. The VA has established criteria for their programs. Patient Aligned Care Teams (PACT) is the mandatory development program for all their VA facilities. It dictates every square foot of the building layout, alignment, and all floor space. It is for the convenience of the patient who may be coming to the clinic to see three or more different providers. It dictates the floor plan for the patient to move throughout the building and for future expansion. The program itself is explained in a 95-page booklet. They will also provide imaging at the facility and this is described in a 591-page manual for exactly what is necessary in the building to serve the veterans. There is also a security report that affects the floor space. The VA will not approve the project if any of these areas are not as prescribed. This is applicable to the D4 variance and to the height variance. It is the requirement of the VA and this is criteria for special reasons and is inherently beneficial.

All the variances advance the purposes of Zoning in Northfield and the MLUL. Mr. Dixon addressed the MLUL criteria and purposes of Zoning. There is a mechanism in the law that allows a deviation from the Ordinance. Mr. Dixon gave three examples. As to Purpose A, this project promotes the health, safety, and morals of the general welfare of the public. As to Purpose F, to encourage the expenditure of public funds for public development, Mr. Dixon couldn't think of a better application of public funds in a permitted land use environment. As to Purpose I, to create a desirable visual environment in good civic design, they are doing so with the project and providing safe access to the site with a minimal affect on the neighborhood. Mr. Dixon said they have met these three purposes of Zoning and advanced the purposes of Zoning.

Mr. Dixon addressed the C2 criteria referring to the benefits outweighing the detriments. As to the detriments, the encroachment into the setback will be offset by adequate parking, normal business

hours, and a substantial wooded area. If they used night hours, there would not be a demand for parking and the parking spots closest to the residential area would not be used. The benefit outweighs the detriment. With regard to the buffer, there is no discernable detriment. It is a 2 and ½ ft. buffer that is a sidewalk adjacent to commercial use. It simply doesn't comply. As to Floor Area Ratio and the height of the building, the differential is 2 ft. The building is 100 ft. or more from the residents and more than 200 ft. from the road. The proposed height of 27 ft. will not be visible from any angle even if standing in front of the building. It is not a discernable deviation. If the 2 ft. were to be shaved off the height, it would not qualify as a VA building. As to negative criteria and detriments to the public good, this project is in support of the general welfare, the good of the community, and the good of the neighborhood. It is a well-designed site; the drainage basis is a long-lineal drainage basin which is desirable. Dr. Levitt asked if the building had a basement. Mr. Berenato answered no. Dr. Levitt asked about Bio Retention. Mr. Dixon said it is a biological means for stormwater. It is a required pre-treatment facility that absorbs pollution from the parking lot through vegetation and a small storm collection area and then discharges into an infiltration area and then finally to ground water. Dr. Levitt asked what the level of rainwater would be during a heavy rainstorm. Mr. Kane said it would max out at 1 ft. in the drainage area for about 5 minutes and then infiltrate into the soil. Dr. Levitt asked if they could provide cross hatching at the egress and ingress sections to show that there is a pedestrian walkway. Mr. Kane said they can provide that. Mr. Dixon concluded stating there is no detriment to the Zone Plan or Zoning Ordinance or the Master Plan.

The final witness was John Berenato, owner of Healthcare Realty Solutions, LLC of Wenona, NJ. Dr. Levitt said his greatest concern is that the parking requirement is being cut in half. He asked Mr. Berenato if assuming the projections are wrong, does he have any suggestion to mitigate the parking deficit. Mr. Berenato said he is a medical office real estate developer and one thing they do not want to do is to create a parking problem. Mr. Kane has testified that they will have 10 patients per hour. Mr. Plackter thought they would need about 20 spaces per hour for overlapping patients and employees and that is exactly what Dover is experiencing. Mr. Berenato said if the VA recognizes a problem, they would contact him and they would try to mitigate the problem. Perhaps they would reach out to the neighbors to see if they could have the employees park in another area and there is also a garage and it would be desirable to own that property as well. Dr. Levitt asked if there would be any additional tenant in the building. Mr. Berenato said it is only to be used for VA purposes and they will not rent out to another tenant. He added that they wouldn't mind having a veteran's museum as they do in Estell Manor and they may want to add some VA artifacts to the building and there would be no other medical tenants. Mr. Roegiers said this is application specific and Mr. Berenato agreed. Dr. Levitt said he didn't have to answer, but he asked if they anticipated what the taxes would be. Mr. Berenato said he is working with the Tax Assessor to come up with a fair rate. Dr. Levitt asked what he would do if the VA decided in ten years not to renew their lease. Mr. Berenato said that would be an extreme hardship for him. Dr. Levitt said if it was used as a medical building, it would have more than 10 patients per hour. He asked if he would be willing to come back before the Board to determine that any new medical use would have adequate parking. Mr. Berenato said the VA renew 96% of the time and they have shown concrete evidence of this. There is also room for the VA to grow inside the building.

Mr. Doran referred to his engineer's report and said the applicant has revised the plan in accordance with his review prior to this evening. There are a few design waivers to discuss. One is wood preservation at 15% and they are proposing 10.9%. The Ordinance allows for a concrete apron maximum curb cut to be 35 ft. and they are proposing three lanes of traffic at about 50 ft. (it was determined to be closer to 60 ft. by their engineer) with one lane in and two lanes out. They are also paving all the way to the curb. Dr. Levitt said that is why he suggested cross hatching for the safety of

pedestrians. Mr. Shippen said the report said a variance is required for wood preservation. Mr. Doran said he believes that a design waiver is more appropriate than a bulk variance. Mr. Roegiers suggested that the apron is a state call. Mr. Doran said the state has the final say, but the Northfield Ordinance states 35 ft. Dr. Levitt asked for arrows at the end of the driveway and maybe some further back so people know to get into the right lane. They agreed. Mr. Doran said the City of Northfield does not allow open swales, and he noted that some of the drainage is underground. Dr. Levitt said a clean out maintenance schedule is attached and Mr. Berenato agreed that it was. Mr. Plackter noted that they agree to all of the conditions in Mr. Doran's letter. Mr. Fleishman clarified that they gave testimony and criteria for both the C1 and C2 variances and he made sure the criteria could be combined for the resolution. Mr. Plackter agreed that the criteria for C1 and C2 could be combined.

Dr. Levitt opened the public session. Mr. Wayne Transue, who was in-person, addressed the Board. He said he resides at 5 Jenny Lyn Drive and he is the most impacted resident. He has lived at this property for 33 and ½ years. The Northfield Baptist Church and the neighbor at 7 Jenny Lyn Drive, also have concerns about the impact on the residents. They have concerns with the parking and the fence. They would like to see a solid fence. He would like to know what extensive landscaping means. He would like to see dense landscaping like they talked about in the previous application. He had concerns with the setback from his property line to the parking. Their biggest concern is with security. The Pastor of the church has 5 daughters. Mr. Transue discussed the incident a few years back when a man took his life on the church property. It was an unfortunate situation and a terrible thing. They will be offering mental health services and the families are concerned. They don't want people wandering onto the residential properties. They would like to see Arborvitae type vegetation and they have concerns with privacy at the back of the property. They are also concerned with light infiltration. He said there is a big office building next door and the noise is very loud in the summer from the HVAC equipment. Dr. Levitt asked the applicant if the mechanicals on the roof will be screened and he said it is a requirement. Mr. Berenato said they would be. Mr. Transue said he is a HVAC contractor and he knows screening will help. Mr. Transue added that they think it is a great project for the veterans and for the City and they support it. Dr. Levitt said there is a wooded area at the back of the property and a fence would require removing trees. Mr. Transue agreed. Mr. Kane said they are keeping 25 ft. of trees and preserving the woods. The parking will be 50 ft. from both rear property lines and there will be trees and shrubs added at Mr. Doran's suggestion. He suggested adding evergreens which would help in the winter when the trees lose their leaves. Mr. Plackter said if the neighbors aren't satisfied with the buffer, they will supplement if needed. Dr. Levitt said they agree to fill in holes in the vegetation if the buffer is not adequate. He added that there are some large old trees in the back of the property. Mr. Transue said he has a 4 ft. fence now and he thinks he will change it to a 6 ft. fence. He added that Jeremy Rice, the Pastor, doesn't want anyone on the church property and his family was previously very traumatized. Dr. Levitt said the buffer is very dense with vines and trees and it would be tough for someone to walk through. Mr. Transue said they previously didn't know if they intended to keep the 25 ft. buffer. He wants to clean up the area on his property. He owns another 30 ft. behind his fence. He is happy to hear the 25 ft. is remaining. Dr. Levitt said and then there is another buffer for the drainage and that will create a 50 ft. buffer. Mr. Transue asked about the sign on the back of the building which faces towards his property. Dr. Levitt said lights in a parking lot have to be down lit and screened. Mr. Transue asked how bright the sign will be and will it be lit all night. Mr. Berenato said they haven't worked out all of the details yet. Dr. Levitt asked if the sign facing the neighbors could be turned off at night. Mr. Berenato didn't think so, but he asked Mr. Kane the distance from the property line to the building. Mr. Kane said over 100 ft. Mr. Berenato asked for Mr. Transue's phone number and said they will be happy to work with him and that they want to be good neighbors. He added that the letters are back lit and Mr.

Shippen said that won't project much. Mr. Transue said he is fine with the answers and said the VA has been very good to the neighbors.

The next member of the public was Marco Polo Smigliani who is an Egg Harbor Township resident. He was sworn in by Dr. Levitt. He is a Vietnam Veteran and a veteran's advocate and is the Vice Chairman of the Atlantic County Veteran's Board. He wanted to inform the Board as to the importance of his purple uniform. He said in order to wear this uniform, you have to be wounded in battle with an enemy of the United States of America or killed in battle. He was wounded 5 times in 11 days and still has a bullet in his left arm which he almost lost. He said the City of Northfield officials have been true patriots and very supportive of veterans and he thanked Chief Newman for his support every time he contacts City Hall. He is asking the Board for their help in expediting the VA clinic in Northfield because veterans are in dire need of the services that will be provided. He gave statistics for veteran suicides. He said there are 22 per day, 154 per week, 660 per month, and almost 8,000 per year and that is more in one year than have died in 20 years in both Iraq and Afghanistan. These are our sons, daughters, teachers, policemen, and neighbors next door. They have made it possible to sleep at night under the blanket of freedom. He asked the Board to please help them to help those that cannot help themselves. He thanked the Board, and blessed everyone, and said God bless America, the greatest nation ever put on this earth.

Robert McNulty of Egg Harbor Township was sworn in and said he started with VA healthcare in the last millennium and he would have to travel to the Cape May Coast Guard base in Cape May County because there was no room for new clients in Atlantic County. They finally had room for him at the Ventnor clinic that was very small and he used to call it the clinic in the closet, but the healthcare was always excellent. They knew they had to make the effort to provide more staff, obtain a bigger site, provide more services, and treat more veterans. Mr. McNulty and a colleague of his got involved. The County put together an ad hoc committee that looked at fifteen different sites and narrowed it down to four. They became aware of the building they are in now and found out it was for lease and took it back to the Atlantic County Veteran's Advisory Board. It took several years, but they made it happen. They had a lot more room and they were happy with the building that was four times the size of other hospitals. They renovated it and staffed it and it became so popular that now it is too small at 11,400 sf. It doesn't meet today's current needs. He has been to many VA hospitals and they need improved health care. They looked in Egg Harbor Township, Hamilton Township, Galloway Township, Absecon, Pleasantville, and Northfield. The City of Northfield is the best location for the clinic and its vicinity to Route 9, the Parkway, and the Expressway make it ideal. There is not a better site for a VA Hospital. It is the best site to serve veterans in Atlantic County and it will improve health care for the veterans. It will serve veterans in Atlantic County and it will be easy to get to. He is proud to be partaking in this and everything about this site is positive. We need your support in this matter.

Joe Diacovo of Atlantic City was sworn in next. He is a veteran. He started with Ventnor and then Northfield, but there are shortfalls in radiology, cardiology, and urology. He had to go to Delaware for those services and it's a haul (although he enjoyed stopping at the Farmer's markets on Route 40). This facility will be the best thing for the veterans and it will help them see their way through a little better.

Dr. Levitt suggested to Mr. Berenato that since this is a contemporary site plan, he should consider having a charging station for charging vans and buses that will someday be electric. You won't have to come back to the Board if you decide to install a charging station due to new state legislation and guidelines. Mr. Berenato said that is a great idea and he will check with the VA who operate the private transportation.

Dr. Levitt asked for any Zoom participants to unmute and speak. Doug Satterfield from Galloway Township addressed the Board and was sworn in. He is a 40-year Army combat veteran and retired officer and he thanked the Board for their consideration for this very important project for our local veterans. It is actually 20 years in the making all together from a vision to bring better health care to veterans locally and he offered his full support for this application.

Mr. Smigliani informed the Board the Mr. Satterfield is a very humble man who is a retired General who commanded 12,000 troops in Iraq and he is a great American. The Board thanked him for his testimony and his service.

Gelani Ganui of Linwood was sworn in. He said his grandfather was a veteran who served over in Germany and who has since passed. He used to drive him to different VA facilities for cancer treatments. He had the experiences of driving him far distances and is hopeful this project becomes a reality. He thanked the Board and the team that is developing this and he is hopeful and grateful to see this plan become a reality and he will be here to support it.

Seeing that no one else wished to speak in-person or on Zoom, Dr. Levitt closed the public session.

Mr. Plackter thanked the Board and said he felt everyone can see the benefits of this project and he added that the veterans spoke far better than he could and he thanked the neighbor and pledged that the developer would work with him with any problems and he thanked the Board secretary and Mr. Doran for getting this application complete.

Dr. Levitt said there will be two votes. The first for the D4 Variance for Floor Area Ratio and then a vote for the Site Plan, Variances & Waivers. Mr. Fleishman explained that this is a Zoning Board matter and a super majority will be needed, and the elected officials cannot vote.

Mr. Scharff made the motion and Mr. Shippen seconded.

The roll call vote was as follows:

Mr. Dooley-yes

Chief Newman-yes

Mr. Roegiers-yes

Mr. Rowe-yes

Mr. Scharff-yes

Mr. Shippen-yes

Chairman Levitt-yes

The second vote was for the following variances, waivers, and conditions and Dr. Levitt read through them:

A buffer of 2.5 ft., where 15 ft. is permitted.

To allow 27 feet building height, where 25 ft. is the maximum permitted.

To allow parking between the front building plane and the right-of-way.

To allow a residential parking setback of 25.6 ft., where 50 ft. is required.

To allow a parking setback from the building of 9.7 ft., where 20 ft. is required.

To allow 108 parking spaces, where 201 spaces are required.

To allow 3 façade signs, where 1 is the maximum permitted.

To allow a façade sign size of 78.2 sf, where 47 sf is the maximum permitted.

To allow a pylon size of 60 sf, where 20 sf is the maximum permitted.

To allow shrubbery in a planting strip less than four feet wide on the front, sides, and rear of the building, where not less than 4 ft. wide is required.

The following conditions:

Mechanicals will be screened, there will be no additional tenants, they will return to the Board if a new tenant occupies the building, there will be no digital or moving signs, they will cross hatch the walkway in front of the building, they will provide additional arrows to channel traffic, they will maintain the retention basin clean out, they will supplement the rear landscaping when needed and this is to be approved by Mr. Doran, the wooded buffer is to remain, and they will comply with all in Mr. Doran's report.

Mr. Scharff made the motion and Mr. Roegiers seconded the motion.

The roll call vote was as follows:

Mr. Dooley-yes

Chief Newman-yes

Mr. Roegiers-yes

Mr. Rowe-yes

Mr. Scharff-yes

Mr. Shippen-yes

Chairman Levitt-yes

The motion carries.

Dr. Levitt welcomed them to Northfield and wished them good luck with their project.

Dr. Levitt closed the meeting at 10:20 p.m. with a motion from Mr. Shippen and a second from Mr. Scharff.

Respectfully submitted,

Robin Atlas

Robin Atlas, Secretary to the Board