

**City of Northfield Planning Board**  
**1600 Shore Road**  
**Northfield, New Jersey 08225**  
**Telephone (609) 641-2832, ext. 127**  
**Fax (609) 646-7175**

December 2, 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 November 22, 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, December 2, 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.

City of Northfield Planning Board is inviting you to a scheduled Zoom meeting.

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The meeting was opened by Chairman Richard Levitt at 7:00p.m. with the reading of the Sunshine Law and the roll call with the following members present or absent as noted:

Peter Brophy-absent

Mayor Erland Chau

Joseph Dooley

Dr. Richard Levitt

Chief Paul Newman

Henry Notaro

Dan Reardon

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

The minutes from the November 4, 2021 meeting were approved by voice vote with a motion from Mr. Shippen and a second from Mr. Scharff. It was announced that the application for BiG Land, LLC was postponed until January 6, 2022. The attorney and applicant want to address some of the issues and variances mentioned in Mr. Doran's report. They will be re-noticing.

The first application to be heard this evening was from the City of Northfield for a minor subdivision located at Block 38 Lot 1, 503 Mill Road in the O-P zone. Dr. Levitt recused himself from this application since his office is located next door. Mr. Scharff chaired the meeting as Vice Chairman. Present for the application were Kristopher J. Facenda, City Solicitor and Rami Nassar, City Engineer. Mr. Nassar was sworn in by Mr. Fleishman.

Mr. Facenda addressed the Board and said the City of Northfield is the contract purchaser of a triangular corner of the site containing Hoffman's Exterminating. He said this corner contains an existing sanitary sewer pump which has been there since the 1970's. When the current owner did a title search when he recently purchased the property, it was thought that there was an easement in place. It was contemplated originally, but never came to fruition. They need to reconfigure the lot to separate the private land from the municipal land. Mr. Facenda said they need a "D" variance and several "C" variances.

Mr. Facenda asked Mr. Nassar to describe the property as currently configured. Mr. Nassar said this is a plan for a minor subdivision. The site is on the corner of Zion Road and Mill Road and the sewer pump section is triangular in shape. The station was built in 1972 when the City was adding sewer throughout the town. The site comes to a point at Mill Road and Zion Road. The County suggested the City obtain a minor subdivision approval and were willing to give a portion of the right-of-way back to the City. At some point, a city attorney did send an easement to a previous owner and it was never recorded. The minor subdivision will be the easiest way to clean up this situation. The entire site is divided where the pavement stops. The sewer pump station should be on City property, not private property.

Mr. Facenda said pump stations are not permitted uses in this zone. Mr. Nassar said it is a beneficial use that services the community and there is a public need for the pump stations to get rid of all cesspools in town. They cannot move the substation to another location as it is in the lowest area of the sewer line. The improvements will assist Public Works to service the pump station. The use also advances the purposes of zoning, there is no structure involved, and it advances the health and safety of the community. The City intends to make improvements to the lot by installing Arborvitae between the two properties. The bulk variances were discussed. The following bulk variances are required:

Lot Area	15,000 sf is required	11,870 sf & 1,391 sf are proposed
Lot Width	100 sf is required	98.98 sf if proposed
Front Setback	45 ft. is required	20.20 ft. is proposed
Side Setback	15 sf is required	5.5 sf is existing
Accessory Side Setback	15 ft. is required	1.8 ft. is existing
Total Coverage	80% is permitted	86.9% is proposed

There is another variance for frontage of 100 ft., but there is no additional land available.

Mr. Nassar discussed Mr. Doran's comments. They will be requesting a waiver for curbs and sidewalks. Trees were discussed. There is no room to install shade trees and they would interfere with the sight triangle and a waiver is requested. They understand they will need County approval for the two County roads.

Mr. Scharff asked if there was any public comment in person or on Zoom. Seeing no one, he closed the public session. Mr. Scharff said this is basically an application to clean up the site and the record and bring the site up to date. Mr. Facenda agreed.

Mr. Fleishman noted that the overall lot is undersized and they are cutting it. The lot is a non-conforming lot and since they are increasing the degree of the nonconformity, it would be an expansion of a non-conforming use and they will need to request a D2 variance in addition to a D1 variance. It requires the same testimony for criteria which they have already established. The lot is 13,000 sf and the minimum requirement is 15,000 sf. Mr. Fleishman also labeled the Exhibit A-1 that was used for testimony. Mr. Facenda agreed with this and said the support for the request is the same testimony that Mr. Nassar put on the record. Mr. Fleishman also noted for the record that they are requesting waivers for street trees, curbs, and sidewalks.

The first vote was for the D1 and D2 variances. Mr. Shippen made the motion and Chief Newman seconded the motion. The roll call vote was as follows:

Joseph Dooley-yes

Chief Newman-yes

Mr. Notaro-yes

Mr. Reardon-yes

Mr. Scharff-yes

Mr. Shippen-yes

The motion carries.

The second vote was for the "C" bulk variances and waivers. Mr. Shippen made the motion and Chief Newman seconded the motion. The roll call vote was as follows:

Joseph Dooley-yes

Chief Newman-yes

Mr. Notaro-yes

Mr. Reardon-yes

Mr. Scharff-yes

Mr. Shippen-yes

The motion carries.

Mr. Scharff acceded the floor to Chairman Levitt.

The second application was from New Jersey American Water Company, Inc., Block 98 Lot 1 at the location of 47 Mill Road, in the R-1 zone. The attorney for the applicant was Niall J. O'Brien, Esq, of Archer & Greiner in Haddonfield, NJ. Mr. O'Brien gave an overview of the project and said they are proposing upgrades and improvements to a public well and water station on Mill Road. The site is in a residential zone which permits utilities as conditional uses. As part of customary mandatory and non-mandatory water testing for contaminants in public drinking water, it was determined that they need to address discoloration due to iron and manganese in the water and also due to complaints from some of the utilities' customers. The project is in response to this issue. They also propose access improvements to the site on Mill Road.

Dr. Levitt swore in the professionals present. They were Kathryn Cornforth, Stormwater Designer, Stuart Wisner with ARH Associates, Planner, Stephen Gitungo, Engineer, Jay Adamson, Landscape Architect, and Eric Hahn, Operations Manager for Atlantic & Cape May Counties.

Mr. Gitungo testified first and his Engineering credentials were accepted by the Board. He gave an overview of the local system and said there is another system in Linwood. He said it is natural to have iron in water. Customers have complained about the discolored water and it is the manganese causing the discoloration. It is naturally occurring, but they have decided they didn't want to simply sequester the water; they want to eliminate the problem and to remove the iron and manganese. Mr. Gitungo displayed Exhibit A-1 which was an aerial site plan showing the surrounded residential uses and the existing structure. He described how the system works. Mr. Gitungo displayed Exhibit A-2 which was another aerial view showing the site plan overlay and physical implementations. They propose a new building to house chemicals and an electrical room and there is a standby natural gas generator and a back wash basin. The sewer connection will be a new connection. They plan to improve the entrance accessway and extend the driveway and plant evergreens. The lighting on site will be on poles for security purposes and the lights will be downfacing and there will be no movement on the site. They have applied to Atlantic County Planning Department for the new driveway apron on the Mill Road which is a county road. The driveway will be widened to 110 ft. that exceeds the Ordinance limit of 50 ft. A design waiver is requested. This is needed for the turning radius and for safety when maneuvering on site.

Mr. Gitungo said the facility will be unmanned, but an operator will visit the site for about 60 minutes per day to make sure everything is operating properly. There is no public allowed on the site. It makes sense to park their maintenance truck on the site since they need the equipment the truck will carry.

There is no need for parking spaces. He added that the containers carrying the chemicals have secondary containment so that the chemicals cannot leak out. They get deliveries of the chemicals once a month for each of the chemicals needed. Mayor Chau asked if there was any mixing or compounding of chemicals. Mr. Gitungo said there were none. Mr. O'Brien said there is one exception. Sodium chloride is generated on site from salt. Mayor Chau asked about storage of chemicals. Mr. Gitungo said there is no moving of chemicals to other rooms. Mayor Chau asked if there were any detrimental effects of residents utilizing the water currently. Mr. Gitungo said they are below the thresholds. Mayor Chau wanted to know if other than the aesthetic brown water, is there any potential harm. Mr. Gitungo said there is none. Mr. Shippen asked how the 4,000 gallons of chemicals were transferred from vehicle to the building. Mr. Gitungo said the chemicals are pumped into the storage tanks using outside piping. Mr. Shippen asked about contamination. Mr. Gitungo said there is a valve and if there is a spillage it would be in a containment area.

Dr. Levitt said with regard to Master Plans which reflect the impact of climate change, he asked if they would consider using their 6,000-sf roof for solar panels and if they would consider an electric charging station. Mr. O'Brien said there will be no public traffic on the site. Their vehicles would charge at an operation center. They don't want any public on the site. He added that solar panels can possibly be considered, but are not part of this application. He said he would pass on the request. Dr. Levitt said 6,000 sf of roof space is considerable and there are companies that will install them for free. Mr. O'Brien said the only problem is that they would have to be maintained and access would have to be allowed. Major utility companies such as AC Electric, South Jersey Gas, and NJ American Water, among others, are some of the largest land owners in the state. It does behoove them to constantly be looking at ways to save money, but this is done at the systemwide level not the facility level. Dr. Levitt said we will be revising the Master Plan and solar will be a part of the requirements as dictated by the state. Mayor Chau asked if any toxic emissions will be released due to the chemicals. Mr. Gitungo said the design of the site takes care of any air movements and there are no odors outside the site.

Mr. Hahn said that the chemical process and the three chemicals used are not changing from what is used today. Mayor Chau asked if there were any noises or sounds that would be heard outside. He had concerns about residents. Mr. Hahn said the filters are passive and quiet, but what will emanate noise is an emergency generator that is not presently on site. Dr. Levitt said they will need to run the generator periodically to charge the battery, but he hopes it will not be in the evening hours. Mr. Hahn said there is a state requirement that the generator always be at the ready and they test them once a month and the generator will be run during that time. If power goes out, the generators will turn on. The working hours are between 7:30 a.m. and 4:00 p.m. and the generator will be tested during those hours.

Mayor Chau asked about the treatment plant that was constructed in Linwood near the border of Somers Point that abuts a residential area. He asked if there were any problems or issues there. Mr. Hahn said there was only a problem with a neighbor across the street. The problem was replacement of grass seed that had died. This has been taken care of.

The next professional to testify was Jay Adamson who is a Landscape Architect. His business is Jay Adamson Associates and they employ Landscape Architects and Planners and his business has been in

operation in Egg Harbor Township for 40 years. Some of his clients are AC Electric, South Jersey Gas, Atlantic Care, Stockton University, Atlantic City Casinos and Atlantic County Parks. The Board accepted his credentials. He described the site and said he has collaborated with the County concerning the sight triangle easement which affects the landscaping. They will have a double row buffer of Leland Cypress which will measure 350 ft. and it is a new contract for them and they will give them adequate attention. They are fast growers and are strong and acclimate well. In another area they changed the buffer due to the stormwater subterranean area next to Lot 8. They cannot get a double row buffer in that area and will need a design waiver according to Mr. Doran. They will be bringing electric, gas, and water utilities to the site plus a fence for security. They will be replacing some of the fencing and will be removing the barbed wire. They cannot install any plantings in front of the building due to the maneuvering of trucks. They intend to have a root barrier system in place. Mr. Adamson discussed the street scape. He said the County had an issue with the sight triangle easement. The sight triangle has to be clear and it is also a liability issue. There are two Scarlett Oaks and one has seen better days. They want to remove one for a utility line and the tree will be in the way. The second tree is in the sight triangle easement and the County wants it to go. Dr. Levitt said they are big, beautiful trees. He mentioned that the original application at this site required the sidewalk to go around one of the trees to preserve it. He said it would be a shame to lose the trees. Mr. Adamson said they will be adding Oak Trees. Dr. Levitt suggested doing something with the driveway. Mr. Adamson said this involves the sight triangle and they will make up for the canopy. Dr. Levitt said not for 200 years. He noted that they are removing two specimen Oaks and asked how many White Oaks they will be adding. Mr. Adamson said they want to add 7 trees. He added that there are a lot of underground utilities and they can't have a fibrous root system and the standard is 10 ft. The White Oaks have a deep tap root which is good. They will commit to shade trees with a 3-inch caliper which would be 14 ft. Dr. Levitt asked if they could do 6-inch caliper. Mr. Adamson said they could, but it depends upon availability. Dr. Levitt suggested checking nurseries in Bridgeton.

Kathryn Cornforth testified next. She is a Professional Engineer licensed in New Jersey and has been in the area for 13 years. She completed the grading and stormwater design for this major development. She said there is one drainage area in the rear of the site and it drains north to south toward Mill Road. It drains over land to Mill Road into the County system. They are also proposing a series of inlets throughout the site. They have a proposed underwater ground system using all perforated pipe and there will be no water on neighboring properties.

Ms. Cornforth continued by saying they intend to meet all of the requirements for the state standard, but they are seeking County approval to connect an overflow storm pipe to the County inlet. They agree with Mr. Doran's stormwater comments and will work with him to complete the items. They will need to give additional right-of-way to the County. They will re-align the sidewalk if needed and will make sure it looks nice. They want the sidewalk to be straight, but it will depend on the trees. It is important that they get the trees planted, but also to make sure they are not in the sight triangle. From a wetlands perspective, they don't believe there are any onsite and they believe the land is all uplands, but they have submitted to the DEP and are awaiting results. They have also applied to CAPRA since they are in a CAPRA jurisdictional area and they will be getting that report in about a week. She said they will provide

both reports when in hand. Mr. Doran said he had one issue in his report concerning the new green infrastructure as opposed to GI as the preferred method of stormwater management. There is new legislation as of March 2021. The Ordinance doesn't allow open swales, but they may need a waiver. The state may require a bio-retention swale. It won't be much of a swale and it will be shallow. The water will go into the inlet to be purified before it goes into the system. Mr. Scharff mentioned the inlets going across the grass and asked if they would qualify. Mr. Doran said no, and that it is a set design. Dr. Levitt commented that this would be a maintenance item. Ms. Cornforth said they will provide a maintenance manual.

Stuart Wisner gave planning testimony. He has been a NJ licensed Planner since 2000, he holds National AICP certification, has been a Board Planner and has represented applicants. The Board accepted his qualifications. Mr. O'Brien state that they are a conditionally permitted use in the R-1 Zone. Mr. Wisner agreed that they comply with the standards and in the R-1 Zone, utilities are a permitted use conditionally. Mr. Wisner said there are five conditions of the Ordinance and they meet all of them and there is no reason to depart from the conditional use standards. They are an above ground facility that is necessary and that is the number one condition. Mr. O'Brien suggested they go through the conditions. They have to show that above ground facilities are necessary. Mr. Wisner said the new facility is something that cannot be placed underground. The new portion is an above ground building and maintenance requires access. Mr. O'Brien said it permits for the efficient function of the utility and Mr. Wisner agreed. He added that it will solve problems for your citizens and provide clean, safe, and reliable water service for the residents. Mr. Wisner displayed Exhibit A-5, and Architectural rendering, showing that they did a great job making the facility look like it fits into the neighborhood. The building is not utilitarian. Another condition is adequate and attractive fences. They will be installing a black vinyl chain fence that appears almost invisible, you can almost see through it, and they will be removing the barbed wire and the fence will have levered gate access. Mr. Adamson addressed the fourth condition which involves the maintenance of sufficient shrubs and trees. The final condition is that they must meet all minimum requirements of the zone. They do, but there are a few design waivers which could appear to be non-conformities. The height of the existing building is 34 ft. where 30 ft. is required. This site had previous approvals as the Chairman mentioned, and the non-conformity is grandfathered in. The fence height of 6 ft. is for security reasons and they are requesting a waiver since a design waiver is in order. Mr. Wisner addressed off-street parking. The Ordinance defers to the Board as to how much is appropriate. This site is unstaffed. There may be one person visiting the site per day. That one car can park easily. When chemicals are delivered, they will pull up to where they need to be to tap into the system. They believe dedicated parking for this facility is not appropriate. Mr. O'Brien and Mr. Wisner discussed the curb cut at 110 ft. where 50 ft. is permitted and the interior driveway which is proposed to be 20 ft. where 25 ft. is required for two-way traffic. This is needed for trucks for access without having to extend over the center line or to do multi-movement turns which could back up traffic on Mill Road. There were two other design waivers suggested by Mr. Adamson and these were for the single row of trees and not having the 4 ft. foundation plantings. Mr. O'Brien asked if Mr. Wisner felt they meet the conditional use standards and he said absolutely.

Dr. Levitt had some general questions. He asked if there is a well on site. Mr. Wisner said there is a well house. Mr. Hahn said everything onsite comes from the well. Dr. Levitt asked about the health of the Cohansey Aquifer. Mr. Hahn said it is good and there is just the naturally occurring iron and manganese. Dr. Levitt asked if there was any saltwater intrusion like they are finding in Cape May County. Mr. Hahn said there is not that problem at this site. Dr. Levitt asked about the life span of the facility. Mr. Hahn said about 50 to 100 years with a clean out every 5 years. There are wells all over Atlantic County and some are seasonal. He said water is always traveling. The facility is all automatic and generally hands off, but they do check the site daily, including holidays, for about a half hour or so to check water quality. Dr. Levitt asked if there was any air conditioning or fans on the roof of the building. Mr. Gitungo said there is a blower in the building. Dr. Levitt verified that there are no mechanicals to be screened on the roof. Mr. O'Brien said all the issues in Mr. Doran's report have been addressed and the Fire Department letter contained no issues.

Dr. Levitt opened the public session. There was no one who wished to speak and he closed the public session.

Mr. Doran asked if there was air conditioning for the building. Mr. Hahn said there is a dehumidifier and that everything is inside the building. There is nothing outside. Dr. Levitt asked about a trash receptacle. Mr. O'Brien said there is none. Any NJ American Water personnel will take any trash with them. Mr. Doran asked if they might want to have a solid fence on the side of the property that abuts to residential houses. Mr. Wisner said there is landscaping on that side. Mr. Doran said the Ordinance states that if they cannot plant a double row of trees, they should install a solid fence. Mr. O'Brien said they will have the black vinyl clad chain link fence on all four sides. There are no privacy slats. The coated black vinyl softens the look of the fence and helps it to blend in. Mr. Wisner said when you look at it, the fence disappears and you see through it and it will work well. Mr. O'Brien said the barbed wire will be removed. Dr. Levitt said that the barbed wire may have been added after 9/11 since it was not part of the original application. Mr. Doran said they have addressed all of the waivers, conditions, and variances in his report. Mr. Fleishman clarified that the black vinyl fence surrounds and encloses the facility and is not on the property line around the perimeter of the property. Mr. Doran reminded that the Board can request a 6 ft. solid fence if there is no double row of shrubs. Mr. Gitungo added a correction regarding the roof mechanicals. He said there is a 2 to 3.6 ft. type of vent on the roof that brings in fresh air. It will not be visible from Mill Road. Mr. Scharff asked if the facility can filter for PFAS chemical contaminants. Mr. Hahn said PFAS has not been detected in the facility and if it was, they would have to erect a whole new building. They test for regulated contaminants and iron and manganese are considered nuisance contaminants. Dr. Levitt asked if Fluoridation would ever be approved would they be able to process this. Mr. Hahn said Fluoride eats up rooms and is a nasty chemical to work with. They would have to add an additional room. He noted that Atlantic City and Egg Harbor City use it.

Mr. Fleishman discussed the approval necessary for the motion. There is preliminary and final site plan, conditional use, as to the "C" variances, the height of the building is an existing non-conformity previously approved relating to building height and therefore does not need to be considered as a variance. The only "C" variance relates to the single row of landscaping buffer. Mr. Fleishman said there are five bulk variances and Mr. O'Brien added a sixth. The first is for the bio-retention swale



requirement, the second is the fence height of 6 ft. which is to be a black vinyl clad chain link fence, the third is for a waiver of the off-street parking requirement, the fourth is for a waiver of the curb cut limitation size, the fifth is a waiver for building perimeter landscaping for sides and rear plantings, and the sixth is for the drive aisle width where 25 ft. is required and they are proposing 20 ft. Dr. Levitt asked how many communities this facility serves. Mr. Hahn said there are nine wells in the area and they run seasonally and it is hard to say, but the water goes where it needs to go.

Mr. Scharff made the motion and Mayor Chau seconded. The roll call vote was as follows:

Mayor Chau-yes

Mr. Dooley-yes

Chief Newman-yes

Mr. Notaro-yes

Mr. Reardon-yes

Mr. Scharff-yes

Mr. Shippen-yes

Councilman Utts-yes

Chairman Levitt-yes. He added that he is disappointed about the Oak trees.

There were two resolutions to memorialize for MB231LLC-Moppert Brothers Auto Collision Specialists, Inc., Block 17 Lot 3.01, 231 Tilton Road, for a "D" Use variance, site plan waiver, and conditions and for Healthcare Realty Solutions, LLC, Block 33 Lot 56, 2101 New Road, for Preliminary/Final site Plan, "C" Variances & Waivers, a D(4) variance for Floor Area Ratio (FAR). Abstentions were Mayor Chau, Councilman Utts, Mr. Notaro, Mr. Brophy, and Daniel Reardon. The separate voice votes for each resolution were all in favor.

A committee was formed for Master Plan review for 2022 and consists of Dr. Levitt, Mr. Scharff, and Mr. Shippen.

Mayor Chau said he is in receipt of the Planning Board members and alternates for 2022 and he asked those interested in re-appointment to contact him.

Mr. Fleishman addressed the Board with an issue concerning the Moppert application and resolution. There was an objector represented by an attorney who received a courtesy copy of the resolution draft. The attorney wanted Mr. Fleishman to add items that were part of the record but were not conditions of approval. Mr. Fleishman said no as he thought it inappropriate. Mr. Talvacchia, the attorney for the applicant said he did not mind in this case and said all representation made by the applicant can be construed as conditions. Mr. Fleishman found this to be unusual. His recommendation to the Board was to be very specific with conditions of approval. Dr. Levitt felt sworn testimony in the record should be enforceable. Mr. Fleishman said that is a grey area. Conditions need to be clearly stated and it makes enforcement easier. Dr. Levitt agreed and used the detail shop on the corner of Mill Road and Shore Road as an example.

The next meeting is January 2, 2022 which is the 2022 Re-organization meeting.

The meeting was closed by Dr. Levitt at 8:57 p.m. with a motion from Chief Newman and a second from Mr. Scharff.

Respectfully submitted,

*Robin Atlas*

Robin Atlas