

City of Northfield Planning Board
1600 Shore Road
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January 6, 2022

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 December 27, 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 **RE-ORGANIZATION** meeting of the Northfield Planning Board was held on Thursday, January 6, 2022. 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 Dr. Richard Levitt at 7:01 p.m. with the reading of the Sunshine Law. Mayor Chau swore in the members who terms were renewed in 2022 by reading the Oaths of Office to which they recited.

Sworn in were:

Chief Paul Newman-Class II City Official-1 year

Councilman Paul Utts-Class III City Council Liasion-1 year

Dr. Richard Levitt-Class IV Planning Board Member-4 years

Derek Rowe-Class IV Planning Board Member-4 years

James Shippen-Class IV Planning Board Member -4 years

Matthew Carney-Planning Board Alternate #2 Member-2 years

Peter Brophy-Planning Board Alternate #3 Member-2 years

Mr. Brophy suggested the Oath of Office needed a good edit. Mr. Fleishman said the Board can make up their own. Dr. Levitt asked Mr. Brophy if he would look into writing a new Oath of Office for the Board.

The roll call was taken and the following members present or absent as noted:

Peter Brophy
Mayor Erland Chau
Joseph Dooley
Dr. Richard Levitt
Chief Paul Newman-present on Zoom
Henry Notaro-absent
Dan Reardon
Ron Roegiers
Derek Rowe
Clem Scharff-present on Zoom
Jim Shippen
Councilman Paul Utts
Joel M. Fleishman, Esq.-Planning Board Solicitor
Matthew Doran, PE, PP-Planning Board Engineer

The next item of business was to appoint the five yearly positions that is the responsibility of the Board members. Mayor Chau nominated Robin Atlas as Board Secretary. Mr. Scharff seconded. The voice vote was all in favor. Mayor Chau nominated Joel Fleishman as Board Solicitor. Mr. Rowe seconded. Mr. Brophy asked if there were any contract changes and the Secretary informed him there were none. The voice vote was all in favor. Mayor Chau nominated Matthew Doran as Board Engineer. Mr. Shippen seconded. The voice vote was all in favor. Mr. Shippen nominated Clem Scharff as Vice Chairman. Mayor Chau seconded. The voice vote was all in favor. Mr. Shippen nominated Dr. Richard Levitt as Board Chairman. Mayor Chau seconded. The voice vote was all in favor. All positions were unopposed.

Mayor Chau made the motion to approve the 2022 Meeting Dates Resolution for publication in The Press of Atlantic City. Mr. Shippen seconded. The voice vote was all in favor.

Dr. Levitt asked for a voice vote to approve the minutes for December 2, 2021. All were in favor and there were no changes.

There were two resolutions to memorialize from the December 2, 2021 meeting for the City of Northfield, Block 38 Lot 1, 503 Mill Road, for a Minor Subdivision, "C" Variances and waivers, and a D(1) and D(2) variance and New Jersey American Water Company, Inc., Block 98 Lot 1, 47 Mill Road for a Major Site Plan, Conditional Use, and "C" Variance. The voice vote was all in favor.

The first application on the agenda was BiG LanD, LLC, Block 97, Lot 8 at 1600 Tilton Road in the N-B (Neighborhood Business) zone. The attorney for the applicant was Elias T. Manos, Esq. of Northfield.

Before Mr. Manos addressed the application, he said there is a preliminary matter to discuss. The applicant requested an Interpretation. They were going to present an argument that the "D" variance is not required, but in reviewing the Ordinance, specifically the N-B zone under 215-156, small restaurants are a permitted use. Their proposal is for 28 outdoor seats for a 1250 sf building. The Ordinance

specifically permits “eating and drinking places in which any service of prepared goods is provided”. They meet that standard, but the Ordinance also states that they must have 10 seats inside the establishment and take out must not be the principal function. Their proposal is all take out with no indoor seating. It is their argument that they are a permitted use and if the Board agrees, this application would be a Planning Board issue and not a Zoning Board issue and they would not require a “D” variance. Dr. Levitt said the problem here is if the applicant sells the business in the future. He also said the Ordinance is specific and leans towards a use variance. Dr. Levitt said the fact that the Ordinance does define the 10 seats inside tells you what is permitted. Dr. Levitt asked Mr. Manos if they advertised for a “D” variance. Mr. Manos said they did. Mr. Fleishman said Mr. Manos is stating that he thinks the 28 seats outside is paramount to having the 10 seats inside and the Board can interpret the language. Dr. Levitt said the language seems clear. Mr. Brophy asked for a reading of the Ordinance again and Mr. Manos obliged. Dr. Levitt said there are two issues in the Ordinance. It states not less than 10 seats inside and prohibits takeout. Mr. Manos said it doesn’t include fast food either. Dr. Levitt said he would rather the Zoning Board hear the testimony for the use variance.

Mr. Fleishman said there should be a vote of the Zoning Board to establish the interpretation. Mr. Scharff made the motion and Mr. Shippen seconded the motion. An affirmative vote is to interpret that a “D” use variance is necessary.

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

Mr. Manos moved forward with the application with an overview. Mr. Manos said the lot is the site of a former Citco gas station and it is rather unsightly and almost entirely curb cuts. The gas station has been demolished and BiG Land is the contract purchaser of the site. They are proposing a new, state of the art ice cream parlor with other food and drink and it is essentially a small restaurant. He displayed a rendering of the proposed shop and said they are still unsure of the name. The plans show the name as The Big Cone, but they believe it will be called Mad Cow Creamery. They are proposing 28 seats and none of them will be inside. Mr. Manos described the surrounding properties as being Tilton Market, Remax Realtors, a sub shop, a medical office, and a bank. There is residential property to the rear, which is really a side yard, off Zion Road. They are seeking preliminary and final site plan approval, a “D” variance relief for use, and several “C” bulk variances and waivers. He described the variances. They intend to provide proof to support a D(1) variance but they felt it was really more of a conditional use variance; a D(3) variance which is less of a standard. As to the bulk variances, they need a variance related to buffers, a front yard setback variance from Zion Road, gross floor area of the building, a variance for roof overhang distance, a freestanding sign setback for distance, and a variance for the rooftop ice cream cone. Mr. Manos said the N-B zone does permit a wide array of uses and there are two caveats they do not meet relating to the 10 indoor seating requirement and the requirement that they be primarily a sit- down restaurant. They are close to meeting the Ordinance requirements and they believe the use is good for the site. Mr. Manos added that the rooftop cone does not trigger a height variance.

Mr. Manos introduced his witnesses. They were Bob Green, PE who will describe the site, prior conditions, existing conditions, surrounding properties, and what they are proposing, Arthur Chew, PE, PP who will provide the majority of the testimony to support the variances and waivers, and Robert Lancaster, a member of the LLC who will describe operations, deliveries, employees, and hours. There were three other LLC members present, Jessie Bischoff, Maureen Gaw, and Dawn Bischoff, but they did not testify. Dr. Levitt swore in the witnesses.

Mr. Green testified first. He prepared the site plan. He described the site in general. It is on the corner of Tilton and Zion Roads. He displayed the site plan and it was labeled Exhibit A-1. Tilton Market is across the street, and Remax is next door to the east, and behind the site is a residential subdivision. Immediately behind is a 15 ft. wide stone driveway access from Zion Road to the Remax Office. There was a gas station on the property and it has since been torn down. There was a 75 ft. curb cut all along Tilton Road and this will be corrected. They propose a 25 ft. driveway with curbing all along Tilton Road and the driveway will have both ingress and egress and will allow cars entering the site to turn left or right to park in provided spaces. There are 28 seats outside and they need 9 parking spaces for the seats and 4 spaces for employees which is 13 parking spaces total. They are providing 16 parking spaces. The height of the building is 15 ft. and they are providing 10 ft. buffers along the front and Zion Road side. The lot is on a corner, and the Ordinance recognizes two front yards on Zion and Tilton Roads. The other two are side yards and there is no rear yard. They are required to be 25 ft. back from Tilton Road, and they meet that requirement, but they have a 20 ft. setback from Zion Road and are requesting a variance. Mr. Green referred to the Ordinance and said the Ordinance does allow for 20 ft. setbacks when there are two front yards. He added that if the Board did not want to grant this variance, they could eliminate landscaping on the side and take a foot off the sidewalk and shift the building over 5 ft. and they would have the 25 ft. setback from both roads. Mr. Brophy asked if the 25 ft. rear setback was to the driveway or the residential property. Mr. Green said to the residential property. Mr. Brophy said then Remax would be using a driveway that is not theirs. Mr. Green said the driveway belongs with Lot 7, which is Remax property, and there are no know easements and they aren't including the driveway in their figures.

Mr. Green described the rear exit on Zion Road which can be used as an alternate exit and will be used for emergency vehicles or if an accident were to occur on Tilton Road. Mr. Carney asked if vehicles could make a left turn onto Tilton Road from the Tilton Road access. Mr. Green said yes. Dr. Levitt said it would be better to use the rear exit and use the traffic light to make a left turn. Mr. Green said there will be an exit only sign at this Zion Road exit. Mr. Green added that the rear exit also allows for a loading zone in the back of the building. The business will open at 11:00 a.m. and trash removal, recycling, and supply deliveries will occur in the morning. There will be no deliveries when the store is open. Mr. Brophy asked if all deliveries would use the rear exit and not block traffic on Tilton Road. Mr. Green said deliveries will not occur using the Tilton Road access and they will only use the rear exit. This rear exit will help with the flow of traffic on the site. Mr. Dooley asked how far back the tables are from the road. Mr. Green said they are 10 ft. from the property line and there will be landscaping hedges as well. The Ordinance requires trees, but they don't want them in the sight triangle. Mr. Dooley asked if they could install safety bollards and they agreed to do this. Mayor Chau asked where the trash was stored, and Mr. Green said in an enclosed fenced area in back. Mr. Green added that they will install a double row of Arborvitaes and will be keeping the fence.

Mr. Manos asked Mr. Green to discuss the signs and sign lighting. Exhibit A-2 (Z-1) and Exhibit A-3 (S-6) were displayed. Mr. Green said the freestanding sign will require a variance as it will be setback 6 ft. where 15 ft. is required. Mr. Brophy asked if it would be in the same location as the previous existing

sign. Manos said no. The sign will be out of the sight triangle. Mr. Green described the building mounted signs which all comply. The cone on the rooftop will also require a variance since rooftop signs are not permitted, but it does comply with height. The cone is 10 ft. high and 6 ft. wide. The signs will be internally lit and nothing will be moving. Mr. Green said in addition, they will have electronic menu boards that are on columns in front of the building. The columns hold up the roof overhang and they face towards each other and are not aimed toward the street. They are angled 90 degrees away from the street. There are 4 menu boards that are 32 inches high. People who are in line can view them while waiting and will help them decide what to order. Mr. Manos said they did include these menu boards in the sign calculations. Dr. Levitt confirmed that the freestanding sign needs a variance. It conforms in size and height, but is too close to the roadway. Mr. Green added that the rooftop cone colors are white for the ice cream and brown for the cone.

The menu boards were discussed further and Rob Lancaster answered questions. Mr. Lancaster said the menu boards are for customers waiting in line and will not face Tilton Road. They are like a computer screen in appearance and are screened with plexiglass. Mr. Rowe asked if they are turned off at night. Mr. Lancaster said yes. Mr. Lancaster said they expect to be open 9 months of the year and they also intend to sell items such as cookies, brownies, hot dogs, and maybe finger foods and fries. He added that all signs are off when they close. Mr. Brophy asked how they intend to keep people from parking in the driveway. Mr. Lancaster said there is a 6 ft. high wood fence on the Remax side. Mr. Dooley asked what would happen if the owner took down the fence. Mr. Lancaster said they would install a new one. Dr. Levitt asked if the trash area would be screened. Mr. Lancaster said it will be. Mr. Rowe asked about a storage area for bicycles. Mr. Lancaster said they have a bike rack area. Dr. Levitt asked if there would be sign testimony. Mr. Manos said Mr. Chew will address signage. Mayor Chau asked about deliveries off Zion Road and what size trucks will be used for deliveries. Mr. Lancaster said they will have refrigerated box trucks make deliveries and they enter the site from Tilton Road and exit on Zion Road. Dr. Levitt suggested that Planning Board members that are not part of the Zoning Board for this application should not ask questions of the applicant. Mr. Brophy noted that Tilton Market has similar truck deliveries and these deliveries create minor issues. Mr. Lancaster said there will only be one or two deliveries per week. Mr. Brophy asked Mr. Lancaster if their deliveries will affect traffic. Mr. Lancaster said the deliveries would not affect traffic.

Dr. Levitt said the site was previously a gas station and he asked if there has been any mitigation. Mr. Lancaster said there has been extensive mitigation and the site is certified. The tanks and soil have been removed. There are still wells under the property and as long as they remain and the state can test them, the state is satisfied. Mr. Roegiers mentioned that they are currently in Phase two of the monitoring process and the wells could be there for many years. Mr. Lancaster said they are monitoring the water tables coming by, but the property itself is free and clear. Dr. Levitt asked if they were permitted to start construction. Mr. Lancaster said they are clear. Mr. Doran said the wells could be there a long time and the state will monitor. Mr. Lancaster said as long as they can monitor, they are happy.

The next professional to testify was Arthur Chew, PE, PP. He addressed the "D" variance since it is not a permitted use and several bulk variances and waivers as well as positive and negative criteria, special reasons, and the advancement of MLUL. Mr. Chew said building coverage will be at 19% and they are allowed 25%. This will add to positive criteria as they will be adding to open space and air. The building is low and only the cone on the roof is high. It will be an open area site. The building is only 1250 sf which is sufficient and appropriate space to meet the needs of the citizens. It will be a very family-friendly public place in a commercial corridor. It is near a sub shop and the bike path and kids can bike

there. It is a good fit for a business of this nature. They will be creating desirable visual environment. The old and dilapidated Citco gas station has been removed and they are cleaning up the site with a modern building and signage, adding curbing, adding modern message boards, and it will have a clean, sleek look. It will be a benefit to the City. It is a very suitable site and will serve the general welfare of the citizens. He said it is a good fit for the corridor. Mr. Manos asked Mr. Chew to address the negative impact prong. Mr. Chew said granting the use variance will not cause substantial detriment to the public good. The use will not damage the neighborhood and will not impair the zoning ordinance as it fits in the neighborhood. The only issue is the residential area behind the lot, but there is an existing commercial driveway and the closest house is beyond that driveway. Mr. Chew said there are a wide array of uses permitted in the N-B zone and they are close to being a permitted use and the Ordinance discusses "similar uses". This type of use would not be incompatible with this zone and he felt this use should be allowed.

Mr. Chew then addressed the "C" variances with Mr. Manos and with Mr. Doran's report. They need a buffer variance and the footage changes if the cone is added into the figure. The bottom line is that a variance is required. A portion of the buffer is 7 ft. in width which requires a variance. The next variance is for the setback off Zion Road. The requirement is 25 ft. They are 20 ft. from the building and 15 ft. if the roof overhang is considered. Mr. Chew said they want the overhang to provide cover to the patrons if it should shower or rain and he said there is no detriment. They are slightly under the requirement for minimum gross floor area. The requirement is 1500 sf and this building will be 1250 sf so they need a variance.

Mr. Manos said that Mr. Green said there is a variance for the roof overhang of 5 ft. where 2 ft. is permitted. They could not find it in the Ordinance. Dr. Levitt asked if the restrooms would be open to the public. Mr. Chew said the restroom would be accessible to the public from outside of the building. The inside access would be for employees only.

They addressed the sign variances. The ice cream cone rooftop sign is not permitted. They do not need a variance for height as the building is 15 ft. and the cone is 10 ft. which adds up to 25 ft. which is permitted. They want the rooftop sign to tell everyone that there is ice cream there and is an integral architectural feature of the building. They also need a variance for the freestanding sign. Mr. Doran clarified that the setback has a 15 ft. requirement and 4 ft. is proposed. He explained that the measurement is 6 ft. to the pole, but they must measure to the closest edge of the sign which is 4 ft. Mr. Chew said Mr. Lancaster would even consider eliminating the free-standing sign if he could be approved for the rooftop sign. Dr. Levitt said he wanted to discuss the rooftop sign. He is not on board with the cone on the roof and thought it to be light pollution. The City has never permitted them in the past. The Jackpot Properties furniture store location was approved for signage on the top of their building and it was a tough approval for the Board. Dr. Levitt felt a 10 ft. cone to be a little tacky for Northfield. He said we don't want to see competing signs and the applicant is already requesting a variance for the free-standing sign that is too close to the road. He felt that people will see the freestanding sign and will be able to identify the business. He felt they were gilding the lily by adding a rooftop sign. There are neighbors who will be able to see the rooftop sign at night. The Board has never permitted a roof sign like this before and he felt they have ample signage without it. He felt it to be unnecessary and he objected to it and said it is too precedent setting. Mr. Manos said his client thinks it is a good architectural sign. He then suggested they could possibly put the cone on the freestanding sign with the address on it. Mr. Chew said they are considering different options for the freestanding sign. Dr. Levitt suggested an ice cream cone or a square sign with an ice cream cone as part of the sign. Mr. Shippen said he agreed with the neighbors behind the site to not want to see the ice cream cone. Mr. Lancaster

said the back of the cone is blacked out and the internally lit sign is projected forward. Mr. Lancaster said their preference would be a cone freestanding sign rather than a square sign. Dr. Levitt said he would be more agreeable to that. Mr. Manos had concerns that the cone sign would fit into the size limitations. Mr. Doran said they would be allowed to have a 22.5 sf cone. Mr. Scharff said that would be a sign 3 ft. by 7 ft. and that would be a sizeable sign. Mr. Manos said they agree to eliminate the rooftop sign and agree to a cone freestanding sign up to 22.5 sf. Mr. Fleishman said this would eliminate the need for a variance for the rooftop sign.

The menu boards were addressed next. If they need a variance, they will request that. Mr. Chew said they are instrumental to the business for ordering purposes.

Mr. Manos addressed the waivers. The waivers were as follows:

Tilton Road Design Waivers:

Curb cut width-30 ft. minimum is required, 27 ft. is proposed

Driveway width-30 ft. is required, 25 ft. is proposed

Distance of driveway from intersection-100 ft. minimum is required, 69 ft. is proposed (the applicant measured 92.8 ft.-but they deferred to Mr. Doran's report)

No driveway shall be located in the side yard setback-10 ft. is required. 7 ft. is proposed

No parking is allowed to be closer than 20 ft. to a street line, 10 ft. is proposed

Zion Road Design Waivers:

Driveway width-30 ft. minimum is required, 26 ft. is proposed

No driveway shall be located in the side yard setback of 10 ft., 7 ft. is proposed

Building perimeter landscaping, only a portion is proposed

No parking is permitted within 50 ft. of a residential zone, 10 ft. is proposed

Distance of driveway from intersection; 100 ft. minimum is required, 75 ft. is proposed

Mr. Dooley said he wants to see bollards at the corner where the tables are located and he asked for a minimum of five. The concern was for cars that are turning and it was agreed that it is a crowded, rough corner. Mr. Chew said there will be full height curbs around the property and they agreed to consider decorative bollards on Tilton and Zion Roads. Dr. Levitt added that there are bollards that have lights for added safety. Mr. Chew said they agree to them at the location of 25 ft. along the property lines on Tilton and Zion Roads.

Mr. Manos said they agree with everything in Mr. Doran's report and will comply with all comments with a few exceptions. He said they have already dealt with the Environmental Impact Statement issue. As to the comment about street trees 30 ft. on center, they would like to be sure that they can work closely with Mr. Doran to make sure that none of the trees are in the sight triangle. There was a comment on page 10 referring to the application being a major development requiring a drainage report. They do not believe they are a major development since they are under an acre and under a quarter acre of new and pervious coverage. Mr. Doran said he checked with the State on this, and it is from a site that was torn down years ago. They will provide drainage calculations to Mr. Doran for review. Dr. Levitt said there is a condition that there will be no indoor dining as well and this will give the City control for a restaurant in the future. Mr. Manos said he wants to move all exhibits into evidence. As to outside approvals, they will be subject to them and have applied to Atlantic County, they have 'will serve' letters from the electric and gas companies, and are waiting on sewer and water, but expect no issues.

Dr. Levitt opened the public session. Amy Sullivan of Remax Real Estate, 1612 Tilton Road, addressed the Board. She provided a photograph dated September 23, 2021 after a rainstorm showing the property on the corner and Tilton Road and she said it looks like a lake. Dr. Levitt said curbs may help that. Ms. Sullivan said the water came from Tilton Road and flooded the whole corner. Mr. Chew said there is an issue at that intersection. Adding the curb will keep the water out in the street. They need to talk to the County about the drainage. Mr. Green said there are two inlets. Mr. Chew said Mr. Doran needs a report since there are no calculations and that is why he requested it. Dr. Levitt said it is a requirement and the applicant cannot make any drainage issue worse. Ms. Sullivan said if their curbs divert water onto the Remax property she has a problem with it. Mr. Doran said they will develop the property to make the water go into the street. Dr. Levitt asked Mr. Chew if there would be any underground drainage at the site. He said no. Dr. Levitt asked Mr. Green if he could certify that there would be no further drainage affecting the neighboring property as a result of this development compared to what was there before. Mr. Green said the gas station was 100% impervious and they are proposing 75%. Dr. Levitt said when there was only dirt on the site it was 100% pervious which was when this photo was taken. He added that we won't solve the drainage problem here tonight. Mr. Doran said the water has to get into the County system. Ms. Sullivan added that this was a 5-minute rain when the photo was taken. Mr. Doran said no water from their site can go anywhere except the street and they can't solve the County's problem. Mr. Chew said they will comply with the Ordinance and are installing curbing and landscaping and the water will not go onto adjacent properties. Mr. Green said they graded the lot so that it does that. Dr. Levitt said it is evident that they are trying to improve the situation. Ms. Sullivan noted that they have no water on the Remax property at this time. Ms. Sullivan talked about the house on the side lot. She owns the house and leases it to renters who have been there a long time. She worries about trash, trucks, and lights and wants to make sure they won't be affected. The bedroom is on the side adjacent to the property. Dr. Levitt said lights will go out at 11:00 p.m. She asked if a trash truck can fit onto the property. Mr. Green said yes. They have provided for a 12 ft. wide lane. Dr. Levitt said a private company will handle the trash collection. Ms. Sullivan asked how she is to keep people off her property. Dr. Levitt said there will be a landscaping strip. Ms. Sullivan said it is only a few feet and they are removing the metal guardrail. She thinks people will trespass onto their lot. Dr. Levitt suggested a 3 ft. picket fence between the ice cream shop and Remax lots. Ms. Sullivan said they have been at the property since 2004 and the drainage has been a common problem when it rains hard. Dr. Levitt said they are required to not make the situation worse.

There was no one on Zoom who wished to speak.

Mayor Chau asked to speak as a member of the public. He resides at 1001 Shore Road. Mayor Chau asked about signage and if there would be any blinking, moving, or flashing lights on the signs. The applicants said there would not be. He had major concerns with ingress and egress. This property is close to the intersection. He had concerns with people making a lefthand turn heading east. Dr. Levitt said they moved the driveway as far as they could. Mayor Chau said he wants no left turn unless the cars are at the traffic light. Mr. Manos said the County will review and they won't allow them to allow cars to make a turn if it isn't safe. The County should make that decision and there will be a hearing and Mayor Chau can make that point to the County. Mr. Shippen said there are many businesses on Tilton Road which allow a left turn in any direction. Dr. Levitt agreed that Mayor Chau should take his concerns to the County. Mr. Brophy asked for clarification as the whether or not the building would be boarded up when closed. Mr. Lancaster said they will be open for business 9 months of the years and will simply close for three months.

Dr. Levitt closed the public session.

The first vote was for the “D” variance with a motion made by Mr. Shippen and a second by Mr. Roegiers. Mr. Fleishman asked the Zoning Board to provide reasons for their vote. The roll call vote was as follows:

Mr. Dooley-yes-based on evidence provided

Chief Newman-yes-based on evidence, especially reasons ‘G’ & ‘I’ and he said the site is suitable and compatible with other businesses in that area

Mr. Roegiers-yes-promotes customer and traffic flow within their business

Mr. Rowe-yes-the use is compatible for the site

Mr. Scharff-yes-the use is suitable for this unique location and it will be a less intense use than the previous business

Mr. Shippen-yes-this will be a good meeting place for the community to enjoy themselves

Dr. Levitt-yes-this is a small lot and the use is suitable. He could not imagine another use at this property.

The motion carries.

The second vote was for a Major Site Plan, “C” variances, waivers and conditions. Mr. Fleishman described them all as previously testified to.

Preliminary and Final Site Plan

Conditional Use

“C” variances-minimum front yard setback from Tilton Road, minimum buffer to a residential zone, minimum setback to freestanding sign

Design waivers-minimum required curb cut width, minimum drive aisle width, minimum distance of driveways from intersection of Tilton Road and Zion Roads, driveway located within the required side yard setback area, parking closer than 20 ft. to the street line

Conditions-street trees will be placed outside of any required sight triangle, stormwater drainage calculations will be provided to the Board Engineer for review and approval, no further stormwater drainage will occur as a result of the project, applicant shall comply with all Fire Department requirements, safety bollards will be added along Tilton and Zion Roads frontages for a length of 25 ft. in each direction from the intersection, if the existing fence is removed at the rear, the applicant will replace the fence with a solid 6 ft. high wood fence, trash will be enclosed, no indoor dining will be allowed, s 3 ft. high picket fence will be installed on the property line between the property and Remax, amended plans showing all modifications will be supplies, applicant must comply with all state, county and local agencies.

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

The second application of the evening was from Homes for All, Inc., a 501c3 non-profit, at the location of 1823 Wabash Avenue, Block 92 Lots 25, 28, 29, 33, & 34. The application is for a Preliminary and Final Major site plan to construct five detached apartment building called Gables on Wabash. The attorney was Stephen R. Nehmad, Esq. of Egg Harbor Township. Also present were Kevin J. Dixon, PE, Glen

McDonald, Executive Director for Homes for All, Inc., Lisa Gogats of Monteforte Architects in Ocean Township, and Joseph P. Adamson, LLA, PP who was present on Zoom but did not testify.

Mr. Nehmad addressed the Board. He presented an application for conventional site plan approval which is important not only for his client, but also for the City. Arthur Henry and his family ran the construction yard at this site for over 50 years after WWII and about 15 years ago they left the site. They obtained a 'No Further Action' letter from the DEP. This is not necessary today as you would simply hire an LSRP who would issue the legal equivalent of a DEP letter. It has been for sale and in 2018 the City included the site in its mandated obligation as a realistic opportunity for affordable housing where a portion of the UHAC units are set aside as affordable units. In 2018 the site was zoned AH1-AR which denotes age restriction which is very appropriate. Now, 3 to 4 years later, they can build a respectfully age restricted community on the site with no variances and only a few design waivers. Mr. Nehmad provided a list of Exhibits for clarity.

Dr. Levitt swore in the professionals. Mr. McDonald testified first. He lives in Margate and has been in this business for 35 years. He is the Executive Director for Homes for All, Inc. which was founded in 1986 and they have built over 600 homes in Atlantic, Ocean, and Cape May counties. It is a non-profit housing sponsor that works with government and state agencies to develop inclusionary affordable housing. He is the contract purchaser of the Arthur Henry site which is now called Mason Properties, LLC and he supplied an information packet for the record about Homes for All, Inc.

Kevin Dixon, PE testified next. Mr. Nehmad said he is a professional engineer, planner, and traffic engineer. The Board accepted his qualifications as he has appeared before the Board many times. He described the site and said it is adjacent to the Bike Path on Wabash Avenue between Tilton and Zion Roads. It has frontage on the northernly and westerly sides and the site is 6.4 acres in size. They are proposing 77 units on the site which was previously used as Arthur Henry's construction yard and has been vacant for many years. He said a 'No Further Action' from the DEP can be provided. He referred to Exhibit A-1, an aerial photograph of the site. The plan showed Wabash Avenue and the site which is irregularly shaped. It is adjacent to the library, it is surrounded by residential uses, and a city owed parcel to the northeast. The entire parcel is zoned AH1-AR. Mr. Dixon displayed Exhibit A-9 which is the landscape plan and is a good illustration of what they are doing. It showed the 5 buildings which are three story buildings. The residential units are on the second and third floors and the first floor is for parking. There are two access points and the main drive leads past all the buildings. There are 74 indoor parking spaces and 72 outdoor spaces for a total of 146 parking spaces and the parking meets the state standard. The units consist of one and two bedrooms. They are proposing a recreation area including a pool, pickle ball court, and a gazebo. Dr. Levitt asked if the indoor parking spots are assigned. Mr. McDonald said more than likely they would be. He added that they will lease and manage the property. Mr. Dixon commented that there will be two handicapped spaces per building.

Mr. Dixon continued describing the site. He said the circular roadway will have 25 ft. drive aisles and will have control and stop signs throughout. The substantially wooded areas surrounding the property will provide a nice screened area. There are many old specimen trees throughout the site and they will save many of them by designing the site around the trees. There are also hundreds of plants being added. They will add over 170 Leyland Cypress which are fast and wide growing and will help to screen the adjoining properties. They will have a berm in the rear with White Pines to buffer the site. The site is situated on clean soils and they have an extensive drainage plan which will meet the new rules adopted in March 2021 by the DEP and involve more extensive soil investigation rules and design features. They

will be subject to a CAFRA permit and will be reviewed by the DEP. They will work with Mr. Doran and will meet all of his drainage comments.

Mr. Nehmad said 15% or 12 of the units will be designated affordable housing. They will work with the City's housing attorneys and will enter into a Developer's Agreement with the City and there will be a housing liaison. They will meet UHAC regulations to determine what the permissible rents will be according to the percentage of mean and low income in the region.

Dr. Levitt asked about access to the library and said there is a solid fence there. He asked if they contacted the library about access. Mr. Dixon said they want to open the area up for easy access. Mr. Nehmad said there are many amenities near this site. There is proximity to the library, the bike path, Tilton Market, and now a new ice cream parlor. Mr. Nehmad said the site will have over 1,000 plants and shrubs. Mr. Dixon said each building will have over 100 plants in addition. Mr. Nehmad said they also meet all zoning requirements and they are seeking no variances.

Mr. Nehmad said the Board is encouraged to grant reasonable design waivers for developments and he discussed them. The first is that they do not want to install curbs and sidewalks along Wabash Avenue. Mr. Dixon said they want to leave it uncurbed since curbs would create a drainage issue on the roadway. There is no reason for a sidewalk with the bike path and pedestrian area located along Wabash Avenue across the street. The sidewalk would lead to nowhere. Wabash Avenue has no curbs and sidewalks on either side of the street. Dr. Levitt asked if they would provide pedestrian crossing signs. Mr. Dixon said it is shown on the plan.

Drainage was discussed. They will provide an open stormwater management basin which will not be underground. Mr. Doran said the law requires open basins. Mr. Nehmad said the DEP requires them as well. Mr. Dixon said the maximum water level in the basin swales, even for a 100-year storm is 2 feet. Mr. Nehmad said the cost of a split rail fence is not that great, but they do not want to fence the swales for aesthetic reasons. Dr. Levitt asked how long the water would sit. Mr. Dixon said the maximum is 72 hours. Mr. Nehmad said the drainage is more of a swale rather than a basin and they will manage the drainage through a maintenance schedule. Mr. Fleishman said the City has concerns with the drainage easement. Mr. Dixon said there is an underground easement and he displayed Exhibit A-2 which is a simple version of the site without landscaping. There exists a 10 ft. wide storm water drain easement from Mill Road, crossing through the site, to Locust Drive. There is a deed on file with Atlantic County. Mr. Doran requested the easement be widened to 15 ft. in order to make repairs to the pipes if necessary. The applicant agreed to this and said they will protect the pipes and relocate as needed in order to construct the foundation for building #5. They will reorient as needed to protect the corner of the building and it will be recorded as a new deed. Mr. Nehmad said he has dealt with this before and they will do what they need to do to re-locate and protect the pipes and keep them away from the building.

Mr. Nehmad continued the discussion regarding the waivers. The drive aisles are compliant with RSIS standards at 25 ft. The City requirement is 30 ft. and Mr. Nehmad questioned the necessity of the waiver. Mr. Doran noted that it is in the Ordinance. The final waiver is for street trees. They are retaining many of the trees on site and the lots will be generously landscaped. There are many mature shade trees and Holly Trees. The insurance company will not want any heavy limbs over the building. Any trees that have heavy limbs over the buildings, they can't keep. It is a new world. Mr. Nehmad commented on the neighbor that has a pool encroaching on their lot. They don't have any intention of using that portion of the lot and he hopes they can cooperate with the neighbor. It all depends on the

underwriters and if it is a liability. There is also a 50 ft. wide triangular landlocked strip of land that is owned by the City. The City Attorney, Kris Facenda, said they put the land up for bid and there were no takers. They are willing to purchase it at a later date for a nominal fee. They intend to leave the buffer alone, but they will clean up the wooded area to make it look nicer. Dr. Levitt asked if they would maintain it and landscape. Mr. Nehmad said it is a heavily wooded lot and landscapers will take care of it.

The freestanding sign was discussed. The sign has one variation, but they are not requesting a variance. The sign is 30 sf and 6 ft. in height and both comply. The setback requirement is 20 ft. and they proposed 15 ft. and they will comply with Mr. Doran's request. They are required to include the street number on the sign and this is where they interpret the sign differently. They don't think it is part of the sign. It sits above the sign 1 ft. making the sign height 7 ft., but they believe this to be an aid to motorists and not part of the sign. The sign will be up lit externally which will create a nice look. The Board didn't have a problem with this.

Mr. Dixon said they had no issues with Mr. Doran's report. Mr. Dixon discussed traffic. He is a traffic expert in addition to being a civil engineer. There is a very low impact from traffic and trip levels are low. He determined on a typical day there would be 15 a.m. trips out of the driveway and 21 p.m. trips. Mr. Nehmad asked Mr. Dixon if he felt there was a free flow of traffic throughout the site and he said there is. He added that the roadway was recently paved and they do not want to have to tear up any of the paving to extend the right-of-way. Dr. Levitt asked about trash removal. It will be within the buildings and maintenance will cart the containers to the trash enclosure between buildings 4 and 5. The structure will be a 30 ft. mason enclosure. Mechanicals will be a combination of roof top and ground. The ground mechanicals will be screened and the rooftop mechanicals will be tucked into roof parapets and won't be visible from the ground. Mr. Dixon added that they have a very generous turning radii and are proposing softer turning radii over a 75 ft. area. The driveways will be 25 ft. Mr. Doran noted that he would like to leave the right-of-way declaration and the paving in front of it open until he meets with and speaks to the City Engineer. Mr. Nehmad and Mr. Dixon agreed that there may be an additional 5 ft. necessary and they agreed to leave it open as long as it is included in the resolution.

Mr. Nehmad called his final witness, Lisa Gogats of Monteforte Architects in Ocean Township. She is a registered architect in New Jersey for 14 years and is a Design Architect. She displayed a rendition of the buildings labeled Exhibit A-8 and brought with her a material sample board labeled Exhibit A-7. Her design has 5 buildings and they will give a residential feel to the site. One half will be a beige earthy tone with vertical and shake siding and the other side will be more grey tones with a stone veneer to anchor the building. She described the outside materials and said there will be 37 one-bedroom units at 828 sf and 40 two-bedroom units at 1200 sf. There will be one manager's office and one unit for the superintendent, which will not be for rent, housed in Building #5.

Mayor Chau asked if they would be constructing the buildings in the manor of the Cresson Hill development where they constructed in phases. Mr. McDonald said they intend to continuously build depending on the market which is very good at this time. Affordable housing will be evenly distributed throughout the buildings. Mr. Nehmad said there is no product like this in Atlantic County which is an age-restricted, high-end project with inclusionary housing development. The number of Class A rental apartments in Atlantic County is very limited at this time. He added that Cresson Hill has a strong occupancy with similar but different amenities and he believes it will appeal to those in the market. Dr. Levitt asked if the utilities would be gas or electric. Mr. McDonald said there would be both. He asked if the chimneys were decorative or functional. Ms. Gogats said they are decorative. Dr. Levitt asked if they

intended to install electric charging stations. Mr. Nehmad said there is a new law that says they are obligated to add 5% of the count for charging stations. It is self-executed, but they must abide by it. Dr. Levitt felt that some car manufacturers will be building all electric cars in 5 to 10 years and he highly encouraged them to install as many as they can. They can even charge for the service and have people pay for it with a credit card. It will save problems in the future to put the infrastructure in when constructing the site. Dr. Levitt asked about solar panels. Mr. McDonald said they will not be installing them.

Ms. Gogats described the screening of the mechanicals as previously mentioned. Ms. Gogats displayed a black and white building rendition showing the other side to the building. Then she displayed Exhibit A-5 which is a floor plan. Buildings 1,2,3 & 4 are exactly the same with 16 units each including 8 one-bedroom units and 8 two-bedroom units. The 5th building will have 13 units with 1 manager's office and 1 unit for the maintenance person. Mr. Nehmad said the building are finished on every side. Mr. Roegiers commented that they are aesthetically pleasing for 360 degrees. Ms. Gogats said every unit will have an exterior balcony, and each building will have elevators. Mr. Dooley asked about washers and dryers. Ms. Gogats said each unit will have them. Mayor Chau asked about storage units. Ms. Gogats said each unit will have a storage area in the parking garage. It will be a caged area for security purposes. Mayor Chau asked about sprinkler systems and Ms. Gogats said there will be a separate sprinkler system for each floor.

Dr. Levitt asked for an age restriction explanation. Mr. Nehmad said the Federal Fair Housing Act has two age restrictions at 55 and at 62. The 55 and over limitation is for apartments without congregate dining areas or other congregate amenities. Dr. Levitt asked about children and grandchildren. Mr. Nehmad said there can be no dependent children under the age of 18 and he doesn't see any school impact. Also, the apartments are only one and two bedrooms. Mr. MacDonald said a grandparent could possibly have custody of a grandchild, but that is extremely rare.

Mr. Doran addressed site lighting. Mr. Dixon said there is a lighting plan and they will work with Mr. Doran. They may need to add more lighting in the parking areas. They are providing 15 ft. decorative low lights that are residential acorn style lighting. Mayor Chau asked about signage and banners. Mr. Dixon said none are proposed. Mayor Chau asked about the library entrance. Mr. Dixon said they would like to reset the fence to allow for a gate for easy access from the site to the library. Mayor Chau commented about cars parked on Wabash Avenue on Lots 33 and 34. Mr. McDonald said there are overthrow cars from the car repair shop on Tilton Road. They don't want that to continue. Dr. Levitt asked how they would regulate that. They could possibly landscape the area to prevent parking. Chief Newman asked if key fobs could be provided for emergency access for first responders to prevent disruption to the whole building in an emergency. Mr. McDonald said they would absolutely work with the Police Chief on this. Mr. Dixon said they would comply with the Fire Department letter and hydrant placement as well. Mayor Chau asked if there would be a guard house. Mr. Nehmad said there would not be one as this is a rental community. He added that he has been involved with many developments such as this and he has never seen such an elegant product with beautiful designs and amenities. Mr. Scharff asked if there would be stainless steel structures such as those that exist at the entrance to Cresson Hill which ruin the aesthetics. Mr. Dixon said these chrome trailers have been provided by the Water Company in the past few years and they are back flow prevention devices. They house large valves in a heated enclosure and must be located within 100 ft. of the water connection. They are an above ground vault and they relate to fire suppression for sprinkler systems. Mr. Dixon suggested locating them on Mill Road near the water connection where a leg of land exists. Mr. Roegiers asked if they will light the area where the library

path will be located and they said yes. Mr. McDonald said they are proposing a pathway and Dr. Levitt said the library lot is lighted and Mr. Nehmad said there will be bollard type lighting on the pathway.

Dr. Levitt opened the public session. The first person who addressed the Board was David Andrews of 300 Clark Place, Block 92 Lot 7. He was sworn in. He said he lives directly behind the site and had concerns with the berm. He asked Mr. Dixon to clarify. Mr. Dixon said the berm will be 4 ft. high with 30 White Maple Trees and 9 Magnolia trees. It will be a heavily buffered area. Mr. Andrews asked about the wooded area in the corner. Mr. Dixon said they can augment that area if Mr. Andrews wanted it. Mr. Andrews said he wants shade. Mr. Dixon said they would leave that area naturally wooded and would not touch that area. Mr. Andrews asked if the residents could rent the unit and then rent it to someone else. Mr. McDonald said they do not allow any sub-leasing. Mr. Nehmad said they look forward to being a neighbor.

Susan Biglin addressed the Board next and she was sworn in. She resides at 17 Locust Drive, Block 92 Lot 42 and recently purchased the property. When she researched the property, she was told by her real estate representative there were environmental issues and the site would not be touched. She asked how close the nearest proposed building would be to her fence. Mr. Dixon pointed out the area on the plan and said there is a 50 ft. wide wooded strip of area owned by the City of Northfield and it will not be touched. It is a densely vegetated area. Mr. Dixon said it will remain as a buffer. He added that there is 90 ft. from the structures and the existing fencing will stay. Ms. Biglin asked about the trash receptacle. She recently moved from a Mays Landing rental area and the receptacle was emptied infrequently and it was always overflowing. She had concerns with rodents. Mr. McDonald said the receptacle will be sided on three sides and landscaped and will be located between buildings 4 and 5. Residents will deposit trash inside their building in the basements of their building and maintenance will transfer the receptacles of trash to the outside receptacle on trash day. Mr. McDonald said her previous situation sounds like poor management. Ms. Biglin asked where the closest place that he manages is located as she would like to see the area. Mr. McDonald said Toms River or Cape May, but this is their first rental. Mr. Biglin referred to the traffic study and said she has a little dog and is afraid to walk her dog on Tilton Road. She said the traffic at Wabash Avenue and Tilton Road is ridiculous and she had concerns that this project will make the traffic worse. She said she doesn't feel safe and asked if there would be security and Mr. McDonald said no, that would not be typical. Ms. Biglin asked about the balconies and if there would be restrictions on how the residents used them. Mr. McDonald said there would be restrictions.

Lyndsay Digneo of 7 Birchfield Court, Block 98, Lot 11.05 was sworn in. She addressed the Board on Zoom and said the project looks beautiful, but she had traffic concerns. Her lot backs up to the bike path and there are small children in the neighborhood who use the bike path. Wabash Avenue can get very busy. She noted that there would be 146 parking spaces on site and she felt that could increase traffic 3 to 4 times. She felt that was a lot and asked if consideration for this was being taken into account. Mr. Nehmad said they are a permitted use and are not responsible for offsite traffic. They are responsible for safe and efficient ingress and egress and internal circulation. For many years there was heavy construction vehicles going in and out of the site. The traffic from this project is not that substantial. Dr. Levitt said they testified to 15 to 20 cars per hour and that amounts to every 4 minutes. At maximum peak hours there would possibly be 20 to 25 cars. Mrs. Digneo said her concerns are for safety for the children.

Christine Thompson of 1403 Wabash Avenue, Block 97 Lot 4 said she resides across Tilton Road and had many concerns. She was sworn in by Dr. Levitt. She has lived in the City for 40 years and she said

Northfield has many amenities to offer. What she is not hearing is how this project is going to benefit the rest of the community. She asked how a 77-unit apartment complex will help the community. Dr. Levitt noted that they will be paying taxes for one thing. Mr. Nehmad said they will become citizens of the community that will contribute to the culture of the community. He said 55 and over is considered very young today and they will contribute and be active in the community. It is not their burden to show benefit and the law encourages this to be done. This is an advancement of a strong constitutional obligation. It will redevelop a blighted site which has been so for many years. Change is always of a concern to people. This site will be a hallmark of the community and visibly aesthetic. Homes for All has won awards for their management. Dr. Levitt said there is sometimes a concern of who is moving into the community. Mr. McDonald said their professionals have done a market analysis and they found an extraordinary need for senior housing and there is a demand for it. Prices have not been set and will be based on a market study. They are still two years out. They typically price a little under market. Mr. McDonald explained the type of people who will be renting there. They will be policeman, firemen, teachers, disabled folks, grandparents, professionals, and retired people. The same people you find in your families. Mrs. Thomas asked if the affordable housing numbers will increase. Dr. Levitt said affordable housing is not Section 8 public housing. He added that who is living there is not a fair concern and they will be the same friends and neighbors you have now. Mr. Nehmad said the affordable section numbers are set and will not increase. Mrs. Thomas said the site is close to a school and the bike path. She had concerns about young children and asked if criminals will live there. Mr. McDonald said they will have a screening process which is what the law permits. There are background checks done and they want people to be safe members of the community. Mr. Dooley asked if there is a credit score number set. Mr. McDonald said there are laws out there about that and he didn't want to go into that here. Mr. Nehmad agreed and said there is illegal discrimination. Mr. Dooley said he wants a number. Mr. McDonald explained that markets change. Dr. Levitt commented that this is not relevant to planning. Mr. Nehmad added that market studies are proprietary information. Mr. McDonald said if he was to give an arbitrary number, then that number is out there and he doesn't want that as it may not be correct. Dr. Levitt asked that they move on from this discussion. Mrs. Thompson asked if they would be weeding out people with criminal backgrounds. Mr. Nehmad said that is not relevant to this process and is beyond the jurisdiction of Land Use Law. They have to be very careful here and will abide by all State and Federal laws. They cannot discriminate and the market rates will become known. Mr. Nehmad added that this is a 15-to-20-million-dollar investment. Mrs. Thompson still had concerns as to how a 77-unit apartment complex will benefit the community and had concerns with people with criminal backgrounds.

Amy Sullivan who resides at 2301 Wabash Avenue, Block 81, Lot 27, was sworn in next. She asked if there would be rules and regulations about what can and can't be done in reference to younger people living there. Mr. McDonald said there will be a leasing agreement and they will provide the lease agreement before they sign. Ms. Sullivan asked if the leasing agreement was available online and Mr. McDonald said no. Ms. Sullivan said she is in favor of sidewalks especially on the side with the library. Mr. Nehmad said there is no sidewalk pattern from Tilton Road down Wabash Avenue. Mr. Shippen said there is a privately owned lot on the corner of Mill Road that would preclude the sidewalk going all the way to Mill Road. It would be a sidewalk to nowhere. Dr. Levitt said the Board wants to encourage people to walk on the bike path away from traffic. It is also more environmental to not increase impervious surface. Ms. Sullivan said she didn't remember hearing that with the application on Zion Road. Dr. Levitt said every application stands on its own.

There was no one else who wished to speak on the application and Dr. Levitt closed the public session. Mayor Chau had a few more comments. He said there are some negative aspects, but the positives

outweigh them. He was a teacher and always has a concern as to how these projects affect children and the impact on the schools. This project won't create an impact on the school system. It will benefit the aesthetic value of the area and the current lot is blighted. He has two questions that concern the neighbors on Locust Avenue. He asked if the trash collection will be regulated and asked when the trash would be picked up. Mr. McDonald said they will work with the trash providers and they usually pick up trash between 9:00 a.m. and 4:00 p.m. Mayor Chau said many years ago, Arthur Henry dug up the grounds and it created a rodent problem. Mr. McDonald said they have to certify that utilities are turned off and they will address any rodent issues.

Dr. Levitt asked for a review of the waivers and conditions.

Mr. Doran described the waivers.

1. A waiver of curbs and sidewalks on Wabash Avenue
2. A waiver of fences around water retention basins
3. Driveway widths as discussed
4. The numerical address will be waived as being part of the sign
5. Street trees are waived

Mr. Fleishman described the conditions.

1. The applicant will provide a revised stormwater drainage easement for 15 ft. in width
2. The applicant will provide and revised meets & bounds to the Board Engineer and Solicitor for review and approval
3. The widening on Wabash of 5 ft. will approved by the Board Engineer and City Engineer
4. Electric charging stations will be installed as required by State Statute
5. Common area mechanicals on the ground will be screened as approved by the Board Engineer
6. The applicant will comply with the Fire Department's letter
7. They will reset the fence behind the adjoining library property to install a gate for the pathway between the project and the library. It will be lit with low level bollard lighting
8. Key fobs will be submitted to the City Police Department and Fire Department for emergency access
9. Trash collection will occur on weekdays between 9:00 a.m. and 4:00 p.m.
10. Rules and regulations will be in the lease agreement. There is no HOA since there is a management company.

Mayor Chau made the motion for approval of the Major Site Plan for Homes for All, Inc. for a 77-unit apartment complex consisting of 5 buildings and amenities including the above waivers and conditions.

Mr. Roegiers seconded the motion.

The roll call vote was as follows:

Mayor Chau-yes

Mr. Dooley-yes

Chief Newman-yes

Mr. Roegiers-yes

Mr. Rowe-yes

Mr. Scharff-yes

Mr. Shippen-yes

Councilman Utts-yes

Chairman Levitt-yes

The motion carries.

Dr. Levitt closed the meeting at 10:56 p.m. with a motion from Mr. Reardon and a Second from Mr. Shippen.

Respectfully submitted,

Robin Atlas

Robin Atlas, Secretary to the Board