

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

June 5, 2025

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 May 24, 2025 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 if applicable.

The **REGULAR** meeting of the Northfield Planning Board was held on Thursday, June 5, 2025. ***In following with the decisions of Mayor Chau and City Council, the Planning Board will be eliminating the mandatory observation of Covid-19 related social distancing measures at their public meetings. In addition, the Planning Board will continue to air the regular meetings on Zoom video conferencing for convenience of those who do not wish to appear in public.***

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

Topic: CITY OF NORTHFIELD PLANNING BOARD MEETING

Time: Jun 5, 2025 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81920342553?pwd=aj9CX6kpLH8egXC8waMQamTM4ATpzX.1>

Meeting ID: 819 2034 2553

Passcode: 733033

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The meeting was opened by Chairman Richard Levitt at 7:08 p.m. with the reading of the Sunshine Law and the roll call. The following were present or absent as noted.

Peter Brophy  
Matthew Carney  
Mayor Erland Chau  
Councilwoman Carolyn Bucci  
Dr. Richard Levitt  
Henry Notaro-absent

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

Mr. Brophy led the flag salute.

Mr. Shippen made a motion to approve the minutes from the May 1, 2025 meeting. Mr. Scharff seconded the motion and the voice vote was all in favor.

Mrs. Tiffany Morrissey (Cuvillo) addressed the Board and discussed the resolution before the Board for a vote this evening. The resolution is titled "Resolution of the Planning Board of the City of Northfield Adopting a Fourth Round Housing Element and Fair Share Plan" (HEFSP). Mrs. Morrissey said this is nothing the Board has not seen before. The Planning Board was involved in the HEFSP in 2018 and the amendments in 2023 and 2024. This Fourth Round in 2025 will be good for ten years. In 2024 new regulations for Affordable Housing were approved and the city needs to adopt the Fourth Round if it wants to continue to have Builder's Remedy and Zoning protection. She discussed credit changes from the Third Round, and in the current round, there is a reduction to 29 units due to vacant land that can be improved. For Round Four, it is not necessary to create any new units and it is a better calculation than prior rounds. She said 190 units were previously created from the Gurwicz apartment housing project and five group homes in the initial round. The last amendment included the Camden Diocese future project. Age restricted is capped out and Atlantic City Country Club is in an overlay zone in a prior round. We now have 190 credits. There are Habitat for Humanity credits on Dolphin Avenue and the Board will see an application in the future. There are 60 unmet units that may or may not get the city to the finish line. The Homes for All project on Wabash Avenue is stalled and is now in unmet needs. The balance in unmet needs is the Country Club overlay and the St. Gianna's Parish Church overlay.

Dr. Levitt asked about the county property on Dolphin Avenue. Mrs. Morrissey said that is not counted in the plan since it is county-owned government property. Mayor Chau asked about Oak Avenue. Mrs. Morrissey said that site is not in the plan presently. It has been filtered away for now and is for sale again. If it becomes residential, they will have to allot a portion to affordable housing. She added that the city is on a strict deadline, but the plan can be amended in the future. We now have 67 credits toward unmet needs in the Fourth Round with a Realistic Development Potential (RDP) of zero and unmet needs of 24 units. Round Four has been more restrictive and 12 of the unmet needs have to be for families with children. In Round Four, the sober-living group homes and Habitat for Humanity units are bonuses. There are no new projects in the plan. The Tilton Road mixed-use overlay zone will be amended in the plan and a new lot was included.

Mrs. Morrissey gave an overview of the plan and was available for any questions or explanations. She mentioned that ordinances will be updated in the next year or so and regulations are still being changed. She noted that the plan contains a list of rehab units considered to be sub-standard housing.

Mrs. Morrissey said the next steps are to open this up to public comment, the Planning Board will vote to approve and send back to City Council. The information will be uploaded to the state portal within 48 hours and objections can be made until August. The plan may have to come back to the Planning Board. Fair Share Housing is the objector and municipalities in the entire state are in the same boat. She added that everything has been court approved.

The public session was opened and there was no one who wished to comment. The public session was closed. Mr. Scharff made the motion to approve the resolution and Mr. Shippen seconded the motion. The voice vote was all in favor and the plan and resolution were adopted.

There was one application on the agenda. The applicant was Jose F. Sinclair of 107 W. Franklin Avenue, Block 143 Lot 1 for 5 "c" variances for back yard construction without going through the proper channels. The applicant's attorney was Steven M. Abramoff of Northfield and Jon Barnhart, a licensed engineer and planner with Arthur W. Ponzio Company was also present. Dr. Levitt swore in Mr. Sinclair and Mr. Barnhart. Mr. Abramoff distributed a package of 5 photographs of the construction.

Mr. Barnhart addressed the Board and said the home is at the end of Franklin Avenue adjacent to the Bike Path. It is a one and ½ story home. Mr. Sinclair wanted to make a nicer back yard for his family. He constructed a free-standing pergola with a solid roof, a landscaping area, and a fire pit. Mr. Barnhart said it is quite beautiful. He did not get permits for the construction and this triggered the variances. There are two side yard setbacks requiring 10- ft. and the proposed is 3.8 ft. and 1.2 ft. and three rear yard setbacks requiring 5 ft. and the proposed is 4.2 ft., 4.3 ft. and .06 ft. The only impact is to the neighbor on the right and he is in support of the project. The property backs up to a wooded lot at the rear as shown in the photographs which were labeled Exhibit A-2. The plan was labeled Exhibit A-1. To the left of the property is the bike path. Mr. Barnhart said the owner has created a desirable visual environment that is open and there are no walls. As to negative criteria there are no neighbors on three sides of the property and the neighbor on the right is in support of the construction. There is no public present. There is no detriment to the zone plan as lot and building coverage comply. Mr. Barnhart testified that the owner did not overbuild and this is just a location issue. Dr. Levitt asked Mr. Doran if an open-air pergola is considered a structure. Mr. Doran said it is a structure since materials are put together. Dr. Levitt asked Mr. Sinclair if he would agree to never enclose the pergola. He agreed as a condition of approval.

The shed was discussed and Mr. Brophy asked if the shed is in compliance with the setbacks. Mr. Doran said it is not, but Mr. Abramoff said the notice included the shed. Dr. Levitt asked how this was discovered. Mr. Abramoff said an adjacent neighbor reported it to Zoning since he was curious what was going on. This was the neighbor in support of the project. Mr. Sinclair improved his backyard for his special needs son and when the neighbors saw it, they were impressed. Mr. Sinclair wasn't aware he needed permits. Mr. Brophy asked who did the construction. Mr. Sinclair said he did it himself with the

help of a visiting brother. Mr. Sinclair testified that he knows he is guilty. He has a special needs son who is 25 years old and he can ride a bike and he does not work. He one day found his son swinging in a hammock and he got the idea to put a cover over it to keep his son out of the sun and elements. Mr. Sinclair likes to barbeque and he built a sitting area and patio to enjoy the outdoors. Mr. Roegiers told him that he is not “guilty”, he was only negligent in not obtaining the proper permits. Mr. Sinclair said he really needs the shed for storage and that his son keeps his bike in there and knows how to get the bike out himself and go for a ride on the bike path. He added that his son is well known in the neighborhood. Dr. Levitt felt that moving the shed would not create any public purpose and this case is an unfortunate lack of understanding. The pergola is not enclosed and is a nice sitting area. Mr. Sinclair has created a lovely area and there would be no benefits to the city in removing it. Mr. Brophy asked what made him decide to put the structures where they are located and so close to the property line. Mr. Sinclair said he originally had four poles for growing grapes. There was no roof on the poles. Then he just continued building the patio. He wanted to protect the patio so he made a tarp roof which only lasted one week. He simply kept going and improving. The roof is not in place but he wants to improve that as well. Mr. Carney asked if the pergola overhangs the fence and asked where the water runoff is going. Mr. Scharff felt that was di minimus. Mr. Doran clarified that the roof overhand is 1.2 ft. and the shed setbacks are 10 ft. and 5 ft. Dr. Levitt and Mr. Scharff said the setbacks are close to conforming.

Dr. Levitt opened the public session. There was no one who wished to speak on the application. He closed the public session.

Mr. Doran referred to his report. He said there are no sidewalks and the house exists on a dead-end street. A waiver is needed for the sidewalks. There are three mature trees in front and onsite parking is existing. Mayor Chau asked who owns Lot 8 at the rear of the Sinclair property. Mr. Barnhart said the owner of Lot 7 on Broad Street owns it and it is not buildable.

Mr. Scharff made the motion for the “c” variances and sidewalk waiver and the condition that the pergola would never be enclosed. Mr. Shippen seconded the motion.

The roll call vote was as follows:

Mr. Brophy-yes

Councilwoman Bucci-yes

Matthew Carney-yes

Mayor Chau-yes

Mr. Notaro-absent

Mr. Rowe-yes

Mr. Scharff-yes

Mr. Shippen-yes

Mr. Utts-yes

Chairman-yes

The motion carries.

Dr. Levitt commented that the impact of the project was minimal and was done innocently.

City Council referred Ordinance No. 9-2025 Authorizing and Encouraging Electric Vehicles Supply/Service Equipment (EVSE) and Make-Ready Parking Spaces and Amending Chapter 215 of the City of Northfield Code, Land Use and Development to the Planning Board for review and comment to be referred back to City Council for final adoption July 15, 2025. Dr. Levitt commented that most of the Ordinance is state regulated. Mr. Doran agreed this is a boiler plate from the state. Dr. Levitt asked for a vote to update the Ordinance. Mr. Scharff made the motion and Mr. Shippen seconded the motion. The voice vote was all in favor. Councilwoman Bucci said the Ordinance is for new construction and Mr. Fleishman commented that they would be exempt from variance requirement approval, but would have to comply with commercial bulk standards.

The next meeting was moved at the beginning of the year to July 10, 2025 due to the July 4<sup>th</sup> holiday.

Mr. Shippen made the motion to close the meeting and Mr. Scharff seconded. Chairman Levitt closed the meeting at 8:05 p.m.

Respectfully submitted,

*Robin Atlas*

Robin Atlas, Secretary to the Board