

**City of Northfield Planning Board**  
**1600 Shore Road**  
**Northfield, New Jersey 08225**  
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Minutes: December 2, 2010

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, posted on the bulletin board in City Hall, and filed with the City Clerk, stating the date, time and place of the meeting and the agenda to the extent known.

The regular meeting of the Northfield Planning Board, held on Thursday, December 2, 2010 in Council Chambers, City Hall, Northfield, was opened by Dr. Richard Levitt at 7:08 p.m. and the following members were present or absent as noted:

Dr. Richard Levitt-Chairman  
Clem Scharff-Vice Chairman  
Mayor Vincent Mazzeo  
Councilman Jimmy Martinez  
Chief Robert James-absent  
Lou Milone  
John Clifford-absent  
Ron Roegiers  
Henry Notaro  
Jim Shippen-absent  
Linda Dyrek

Norman Zlotnick, Solicitor  
Matt Doran, PE-Engineer

The agenda was amended as Mr. Learn, attorney for T-Mobile, requested time to confer with his clients as to whether or not to proceed with their application this evening. There were only six members present that were eligible to vote on a "D" variance and he preferred to have seven.

Coastal Sound Shop Inc., more commonly known as One Stop Car Audio, was heard first this evening. The business is located at 1102 New Road, Block 109, Lot 32. They are seeking "C" variances for a reader sign and a setback from the lot line. The zone is CB.

The attorney, Michael Rann, who practices in Linwood, introduced Steven Knight and Michael Sonlin and Chairman Levitt swore them both in. Mr. Rann said they are proposing a new location for their freestanding sign and proper noticing and advertising has been completed. He added that he understands taxes on the property are not paid in full and he submitted that the applicants are tenants and he requested a waiver for the unpaid taxes. Dr. Levitt asked if the owner was present and Mr. Rann said Robert Green was present and he also was sworn in. Dr. Levitt said the Board had no objections to hearing the application and will put the tax issue on hold for now.

Mr. Rann began the testimony by stating the Block and Lot number and address of the property and said the tenant is One Stop Car Audio, a mobile electronic dealer and electronic accessory retailer. They have appeared before the Board previously and Mr. Rann said the Board is familiar with their operations. They have been in business in Northfield for 12 years. The property is

zoned CB and the owner is Robert Green. They are requesting approval of the existing freestanding sign and are proposing a new sign. They will need waivers for size, location and the reader board. Mr. Rann introduced Mike Sonlin of Effective Sign Works in Burlington, NJ. He is the lead sales representative for the company and has been with them for five years. He is familiar with the application and helped to prepare the sign plans. He has appeared before Planning Boards in the past.

Mr. Sonlin explained the sign as being a single pole freestanding sign with an illuminated header at the top including the business logo. Below this will be the electronic reader board which will have multiple lines. Mr. Knight wants three lines, but the sign is capable of four or five. They want the message to change once every hour. Mr. Sonlin continued to answer questions from Mr. Rann and said the existing sign is 62.1 sf and they are proposing 41 sf. The requirement by ordinance is 28 sf and they are requesting a variance for size. Another variance is or location and is due to the placement of the sign. Mr. Sonlin said the new sign will be setback 15 ft. from the inside of the curb and the requirement is 15 ft. from the property line. This would be 7 and  $\frac{3}{4}$  ft. from the property line in a grass pad by the main entrance. If the sign were in an area to agree with the ordinance, the placement of the sign would be in the parking lot.

Mr. Sonlin said there is an additional feature of the reader board which can provide Amber Alerts. The manufacturer has a program which sends automatic alerts to the reader board's program and Mr. Knight has agreed to include this feature. Amber Alert messages would not flash and would stay stagnant. There is also an automatic built-in sensor with dimming features which will allow the illumination to go down 20% of maximum brightness at night. The LED system also has anti-glare features. Mr. Sonlin commented on other similar signs in the area which are located at Shore Federal Credit Union on New Road and Tilton Market on Tilton Road. Mr. Sonlin had no other comments and concluded his testimony.

Dr. Levitt asked for questions from the Board. Mr. Roegiers asked for more information on the LED features. Mr. Sonlin said it is a directional LED sign which works like a stop light. It is visible to the road at a 140 degree viewing angle. One Stop is not interested in having the sign scroll, blink, flash or flip, but they want to get their message out in a timely fashion. Dr. Levitt asked why they want to change the location of the sign. Mr. Rann answered that he will review this during Mr. Knight's testimony. Mr. Scharff asked if the sign uses a map area which is shown on a computer screen, updates are made and then the updates are mapped to the sign. Mr. Sonlin said yes, the sign can be previewed on the computer screen and set by Mr. Knight who can have it change only once per hour. For example, if he wanted for promote remote starts for one hour and then change it to a community service message for the next hour, this can be previewed first and it will be shown on his computer. Mr. Milone clarified that the proposed sign placement is more to the middle of the property rather than near the corner as it is now. Dr. Levitt asked if the rendition submitted with the application is drawn to scale and is how it will look. Mr. Sonlin said not exactly. The sign is scaled, but not the setback.

Mr. Rann called Steven Knight to give testimony. Mr. Knight said he is president and operator of One Stop which is a corporation operating under the name of Coastal Sound Shop, Inc. He resides in Ventnor and he is familiar with the application, proposed sign and the location and type of sign requested. Mr. Rann asked Mr. Knight why the sign is being re-located. He answered that the present location is not centrally located on the site and they would like the sign to be closer to the entrance. Currently trees impede with visibility of the sign. The trees are three hundred year old Oak trees and they are very large in diameter. They would rather move the sign than cut down or trim the trees. Mr. Knight pointed out the trees in the submitted sign picture. The proposed sign requires a variance since it will be 7.6 ft. off the property line where 15 ft. is required. He testified that if they positioned the sign to agree with the ordinance, the sign would be in the parking lot. Mr. Knight said that site frontage was taken by the State

through eminent domain. They cut into the property when the road was enlarged and the corner was reconfigured. They cut 12 to 15 ft. into the property line. If this had not occurred, they would not need a variance.

Mr. Knight described the reader board sign and said it has the ability to change quickly. The intent is to display messages about the products and services offered. They want to change the message several times a day and would agree to a change of one time per hour. He is also interested in the Amber Alert feature and feels this is a great aspect of the sign. This is set up through the sign company and will occur automatically. Mr. Knight had no further comments.

Chairman Levitt commented that as has been mentioned, two other similar signs have been approved, but with conditions attached to the approvals. These types of signs are permitted, but they are discouraged. If there were too many in town, it would create a distraction on the roadways.

Mr. Rann asked Mr. Green to comment on the tax situation and to give his consent for the project. Robert Green testified that he is the landlord and owner of the property and he consents to the sign change. He has been trying to pay the taxes and said there has been a \$5,500 increase in taxes this year due to the re-valuation. His father, who owns the Atlantic City Shade Shop down the road, has owned property in Northfield since 1969. His father helped Mr. Green to build the property in question in 1984. The family has paid taxes in Northfield for over 40 years and Mr. Green has been involved with the business for 26 years. Dr. Levitt asked if a tax appeal was under way. Mr. Green said he intends to file next year. Mayor Mazzeo commented that he could have appealed this year up until May and next year he will have until April. The Mayor said this is the only way to reduce his taxes. Mr. Zlotnick reviewed the law and the ordinance. Mr. Rann requested a hardship waiver for the taxes. Mr. Notaro commented that the applicant would not be able to obtain a building permit if the taxes are not current. Mr. Zlotnick stated that the Board could make it a condition of approval in the resolution that the taxes are brought current.

Dr. Levitt addressed Mr. Doran's engineer's letter. Dr. Levitt read from the letter the Board's criteria for electronic reader board signs. This included: text will be limited to no more than three non-moving lines, graphics are non-moving and limited to one color, maximum change of text is once daily (unless there is an Amber Alert) and shall be changed between 12:00 a.m. and 6:00 a.m. Mr. Rann asked Mr. Knight if he would accept these conditions. Mr. Knight considered this. Mr. Doran commented that the setback is not clear from the plans provided. Mr. Rann said the curb extends past the property line and is measured to the end of the sign, not the pole. Mr. Doran said the measurement is approximately 7.75 feet from the property line, but it can't be determined from the picture. Dr. Levitt said it will be at least 15 ft. from the curb. Dr. Levitt asked Mr. Doran if positive and negative criteria are needed for the "C" variance. Mr. Doran said yes, they should provide some testimony. Mr. Rann said strict enforcement of the ordinance would create a hardship. The proposed sign will be more visible from the road and is now obstructed. They do not want to damage the trees in any way. Mr. Rann said there is no detriment to the public good. He added that similar signs have been approved and the proposed sign will be open at the bottom areas which will not impair vision.

Dr. Levitt asked if there was anyone from the public who wished to speak. Seeing no one, he closed the public session.

Mr. Rann spoke about the tax issue. He said this will have to be worked out between the landlord and the tenant and it is not part of this Board's problem. Mr. Scharff asked if they could add the street address to the sign. Dr. Levitt asked Mr. Sonlin if they could put an oval underneath to make it look nice and include the street address numbers. This will help assist motorists in finding the business. Mr. Sonlin said he could do this.

Mr. Scharff made the motion to approve a new sign and to remove an old sign for 1102 New Road. This is to include one text change per day, no animation or flashing, no more than three text lines unless an Amber Alert were to occur, two colors at a time which includes text color and background color, the setback is 15 ft. from the curb line to the sign face, the area of the sign will be 41 sf, a variance for the bottom of the sign height above ground 11 ft. 8 in., sign area is not inclusive of the street number portion, taxes are a condition of approval and no building permit will be issued for construction until taxes are current. Mr. Roegiers added the ambient sensor dimming feature. Mr. Milone seconded the motion.

The roll call vote was as follows:

Mr. Clifford-absent, Mrs. Dyrek-yes, Chief James-absent, Councilman Martinez-yes, Mayor Mazzeo-yes, Mr. Milone-yes, Mr. Notaro-yes, Mr. Roegiers-yes, Mr. Scharff-yes, Mr. Shippen-absent, Chairman Levitt-yes. The motion for the "C" variances carries.

Mr. Michael Learn, attorney for T-Mobile Northeast, LLC, addressed the Board and said he has advised his client to re-schedule the hearing. He gave a quick overview of the application. The applicant, T-Mobile was given approval over a year ago to construct a cellular flagpole on the roof of 2605 Shore Road, Block 78, Lot 14. As noted in the D & R, they still needed to complete their construction analysis after approval. Once complete, they found out that the roof would not support the structure. Since this application requires a "D" variance and the elected officials cannot vote, he has concerns that a full complement of the Board was not in attendance this evening. He wants to have seven voting members and there were only six present. He also noted that when they come back before the Board, the one quarter of unpaid taxes will not be an issue. He asked that the announcement for the new meeting date be given tonight and that further noticing will not be necessary. The hearing date will be January 6, 2011 at 7:00 p.m. in the court room immediately following re-organization. Mr. Learn said he will be giving an expedited version of the original application testifying to the changes in the positioning of the monopole at the back of the building in the loading dock area. He will have copies of all reports available for reference.

There were two resolutions to memorialize. The first was for Sun Bank, N.A., Block 16.01, Lot 53.01, 376 Tilton Road. Approval was granted 11/4/10 for Preliminary & Final Site Plan with "C" Variances and Design Waivers. Abstentions were John Clifford, Linda Dyrek Chief James, Jimmy Martinez and Jim Shippen. The voice vote was all in favor of memorialization. The second resolution was for LGM Enterprise Inc., commonly known as Ventura's Offshore Café, Block 85, Lots 14, 15 & 16, 2015 Shore Road, 2120 & 2122 Merritt Drive for a Denial of a "D" Use Variance and "C" Variances. Major Site Plan & Major Subdivision plans were withdrawn. Abstentions were Jimmy Martinez, Mayor Mazzeo and Dr. Levitt who all were recused from this hearing due to conflicts of interest. The voice vote was all in favor of memorialization.

Chairman Levitt announced that the next Ordinance Committee meeting would be Wednesday, December 8, 2010 at 7:00 p.m. in the court room. This meeting will finalize the work completed during the year to update the Land Use Ordinance. Mr. Doran will email a final draft to the secretary after the meeting which will then be forwarded to the Planning Board members and City Council for review. A discussion vote will be scheduled for January or February for a vote by the Planning Board and then forwarded to Council for a final vote.

The re-organization meeting for 2011 will be held Thursday, January 6, 2011 at 7:00 p.m.

Chairman Levitt closed the last Planning Board meeting for 2010 with a motion from Mr. Roegiers and a second from Mr. Milone at 8:05 p.m.

Respectfully submitted,  
Robin Atlas, Secretary to the Board

