

**City of Northfield Planning Board
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Minutes: February 7, 2019

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, 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.

This REGULAR meeting of the Northfield Planning Board held on Thursday, February 7, 2019 in Council Chambers, City Hall, Northfield, was opened by Vice Chairman Clem Scharff at 7:00 p.m. with the reading of the Sunshine Law and the following members present or absent as noted:

Mayor Erland Chau
Jim Leeds
Dr. Richard Levitt-absent
Joe Massari
Chief Paul Newman-absent
Henry Notaro
Councilman Frank Perri
Daniel Reardon
Ron Roegiers
Derek Rowe
Clem Scharff
Jim Shippen

Matthew Doran, PE, PP-Planning Board Engineer
Mark H. Stein, Esq.-Planning Board Solicitor

Mayor Chau read the Oath of Office to Steve Vain who was sworn in as Alternate #2 for a two-year term. The Board welcomed him back. He previously served the Board as City Council Liaison.

Norman Zlotnick addressed the Board after retiring at the end of 2018. He said he enjoyed being the Solicitor for the Planning Board in Northfield. He served since 2008. He said he enjoyed the assistance everyone showed each other. There were some tough applications over the years and also the challenging COAH issues. He said he will miss being the Solicitor for the Board. He weighed the possibility of remaining, but it would have been difficult. He had no choice but to retire from Law practice and his license is now inactive although he has the option to reinstate it. He and his wife will now have more time and they will make a new life plan going forward. He is looking into volunteering at Shore Memorial Hospital or doing administrative work for a nursing home. He is looking for things to fill up his time and to travel with his wife, Sharon. He said the Board will be pleased with Mr. Stein as the new Solicitor. He has served 39 years as the Planning Board Solicitor in Ocean City and Norman has

known him for over 25 years. He said he will miss the Board and Matt Doran and the processes. He wished the Board a busy year.

Mayor Chau said he admires his work with Northfield and he has helped the City. He thanked him for his service, knowledge, and experience. Mr. Perri thanked Mr. Zlotnick for his service as well.

There was one application on the agenda for ACCDEV, LLC. The attorney for the applicant was Eric Goldstein, Esq. of Nehmad Perillo & Davis of Egg Harbor Township. The address is 110 Hemsley Place, Block 175, Lot 6 which was sold August 15, 2018 as new construction. The applicant is seeking relief from the Ordinance requiring curbing and sidewalks at newly constructed property. He has a cash deposit in escrow with the City at City Council's request in the amount of \$3,600.00 which will be used to construct the curbs and sidewalks should the Planning Board not grant relief. The developer is ACCDEV, LLC owned by Robert Zikowski.

Mr. Goldstein addressed the Board and said he assumed the Board has reviewed the application and is familiar with the site. The Ordinance requires curbs and sidewalks for new construction. Mr. Zikowski would be required to install curbs and sidewalks to nowhere. Normally this is a requirement for safety issues, but in this case, it won't matter here. Mr. Goldstein said ACCDEV posted the money required in escrow to fund the project if it is required. They are before the Board tonight for an interpretation as to whether the curbs and sidewalks need to be installed and the Board can grant relief from this requirement.

Mr. Scharff commented that the lot is in a unique geographical location surrounded by Atlantic City Country Club. Mr. Goldstein said his client tried to convince the City that curbs and sidewalks wouldn't be necessary at this site and he wants his deposit back. He cannot obtain a Certificate of Occupancy. At this time he only has a temporary CO. He needs the relief granted to get his money back.

Mr. Doran noted that what Mr. Goldstein said is correct. It is a very narrow street and the curbs and sidewalks should be waived. The golf course surrounds the property and there are only four homes in the area. Mr. Shippen said the Board is not involved with the issuance of a CO. Mr. Stein said he was going to address this. It is not the Board's purview. Mr. Doran said the City needed to protect itself. That is why they required the escrow deposit. Mr. Stein and Mr. Doran agreed the cash bond can be refunded through the Board's waiver from the requirement, but City Council has the authority to approve the actual release of the funds. Mayor Chau said there are newly constructed homes in Northfield and there have been applications such as this which have been granted waivers. Mr. Stein said this is not unprecedented. Mr. Goldstein said Mr. Zikowski is aware of the Ordinance and researched it. He believes the Ordinance speaks to development. This home is an isolated single family home. His company has constructed other homes with sidewalks near the golf course and agrees that with a subdivision or in the case of houses built in a row, they would be needed. This house isn't near any other structure. Mayor Chau asked if there were any other vacant lots in this area. Mr. Zikowski was sworn in by Mr. Stein. He then stated that he doesn't believe there are. The other vacant lots are owned by the Country Club and they are in flight zones of the greens and they don't want to sell them as it would take away from the golf course. Mr. Perri said he believed there was a house on the lot previously. Mr. Zikowski said there was, but it was demolished before he purchased the lot. He said they found some old bricks when digging for the new foundation and he heard there was once an underground tunnel from the neighboring house, but he didn't find any evidence of this.

Mr. Scharff opened the public session. No one wished to speak on the application and the public session was closed.

Mr. Stein said the Board will need to make a motion for the waiver of curbs and sidewalks from the City Ordinance requirement and to return the bond to Mr. Zikowski subject to the action of City Council. Mr. Shippen made the motion and Mayor Chau seconded.

The roll call vote was as follows:

Mayor Chau-yes

Mr. Leeds-yes

Mr. Massari-no vote-9 voting members present

Chief Newman-absent

Mr. Notaro-yes

Councilman Perri-yes

Mr. Reardon-no vote-9 voting members present

Mr. Roegiers-yes

Mr. Rowe-yes

Mr. Scharff-yes

Mr. Shippen-yes

Mr. Vain-yes

Dr. Levitt-absent

The motion carries.

There were two Resolutions to memorialize. The first was for John Price and George Price, Block 145, Lots 4,5, & 6, 29 Fairway Avenue for a Minor Subdivision. Abstentions were Mayor Chau, Mr. Massari, Mr. Reardon, and Mr. Vain. The voice vote was all in favor. The second was for Republic First Bank, Block 17.01, Lot 9 (Portion of Tilton Shopping Center) at 201 Tilton Road and Cresson Avenue for a Major Site Plan with variance relief. Abstentions were Mr. Massari, Mr. Notaro, Mr. Reardon, and Mr. Vain. The voice vote was all in favor.

The Board discussed the status for the Sign Ordinance changes proposed by the Board to City Council for consideration. Mr. Scharff said this version of the proposed changes is the final draft and is designed to protect the City further from overused LED signs and window accents and address where LED signs can and cannot be located. The proposal designated no-go zones for LED signage namely, Mill Road, Zion Road, Wabash Avenue, Burton Avenue, Fuae Avenue, Tilton Road east of Zion Road, as well as Shore Road. Mr. Scharff asked the Board for any additions or changes. Mr. Shippen said that Mr. Scharff has done most of this work on the proposed changes himself and has spent a lot of time on this. He noted that unfortunately, contentious meetings have occurred and there have been objections to the proposals. Mr. Shippen said all of the changes are for the betterment of the City with regards to signage and is designed to maintain the integrity of areas of the city neighborhoods and it also is in agreement and part of the Master Plan. Mr. Scharff said he has no issues with specific businesses or personnel, he wants to allow the safest amount of signage, and he would like to see residential areas to be as undisturbed as possible. Mr. Scharff said he also wants to allow sandwich board signage for businesses.

Mr. Shippen made a motion to forward the proposals to City Council for consideration and Mr. Rowe seconded. Discussion continued and Mr. Scharff said he believes there is a typographical error in the proposal where it says 64 sf of LED portion of signage. He moved to edit 2.D. from 64 sf to 24 sf. Mr. Stein added the maximum freestanding sign is 50 sf so clearly this is an error. Mr. Doran agreed that the maximum sign is 50 sf with 24 sf being the maximum of the LED portion. There aren't LED signs where the entire sign is LED unless it is a billboard type of sign. Mr. Vain asked how the 24 sf compares with

other towns. Mr. Doran said it is really a new concept. Mr. Stein agreed and said most towns haven't dealt with LED signage as separate from standard signs. Mr. Massari questioned wordage on page one regarding 'reasonable fashion' and wondered if the broad term was a prelude. Mr. Scharff said it was and is why regulation is being contemplated. If the illuminated signs weren't regulated, there can be a high level of blinking, brightness, and moving parts and this can be a safety issue and a road hazard. Mr. Leeds asked how attorneys would interpret the 24 sf. Mr. Scharff said the proposal is limiting the size of the sign. Mr. Perri said the signs can be different shapes, but are limited to 24 sf. Mr. Stein said the Board will interpret, not an attorney, and he felt the wording was clear and consistent. Mr. Doran suggested wording it 'the maximum LED face is 24 sf'. Mr. Stein suggested leaving it alone. Mr. Roegiers suggested added that it state the frame is included. Mr. Stein said some signs may be a hybrid sign. The wording should state the LED portion should not exceed 24 sf.

Mr. Stein said the motion is to amend the changes as outlined subject to the change of correcting the error of 64 sf to 24 sf. Mr. Shippen made the motion and Mr. Rowe seconded.

The roll call vote was as follows:

Mayor Chau-absstained due to conflict

Mr. Leeds-yes

Mr. Massari-no vote-9 voting members present

Chief Newman-absent

Mr. Notaro-yes

Councilman Perri-yes

Mr. Reardon-no vote-9 voting members present

Mr. Roegiers-yes

Mr. Rowe-yes

Mr. Scharff-yes

Mr. Shippen-yes

Mr. Vain-absstained

Dr. Levitt-absent

The motion carries.

Mr. Scharff said he will edit the proposal and email it to the Secretary to forward to City Council. Mr. Perri thanked Mr. Scharff for all the hard work he put into this proposal and how much he appreciated his efforts.

Mr. Shippen made the motion to close the meeting. Mr. Roegiers seconded. Mr. Scharff closed the meeting at 7:40 p.m.

Respectfully Submitted,

Robin Atlas, Secretary to the Board