

**North Hanover Township  
Joint Land Use Board  
MEETING MINUTES**

**June 23, 2021**

**7:30p.m. @ Municipal Complex  
USING A PHONE for Audio only**

Toll Free (Canada/U.S.): 1-855-774-8852

Enter Conference ID: 7589919790

**or by VIDEO using the below link:**

**<https://my.umx.vc/join/7589919790>**

**Call to Order**

Vice Chair Greg Grauer called the June 23, 2021 Joint Land Use Board Meeting to order.

**Flag Salute**

**Statement – Provisions of the Open Public Meetings Act**

“The provisions of the Open Public Meetings Act have been met. Notice of this meeting has been transmitted to the Burlington County Times and the Courier Post, given to those having requested and paying for the same and posted on the bulletin board in the foyer of the Municipal Building “

**Roll Call For Attendance**

In attendance: Jim Durr, Ron DeBaecke, Joe Greene, Brendan O’Donnell, Patricia Mellor, Wayne Voorhees, Greg Grauer

Absent: Russ Comisky, Debbie Kucowski, Jack Smylie, Tom Kimball

Also In attendance: Gregory McGuckin Board Solicitor, Joe Hirsh Board Engineer

**Minutes for Approval**

- **May 26, 2021**

Ron DeBaekce made a motion to approve the May 26, 2021 meeting minutes. Motion was seconded by Joe Greene. All in favor

**Memorialization of Resolution 2021-09- Gale Use Variance- 418 Monmouth Road- Block 700 Lot 9**

Jim Durr made a motion to memorialize Resolution 2021-09. Motion was seconded by Joe Greene. Ron DeBaecke and Brendan O’Donnell abstained. All others in favor.

NORTH HANOVER TOWNSHIP  
JOINT LAND USE BOARD  
RESOLUTION 2021 - 09

RESOLUTION GRANTING  
USE VARIANCE RELIEF  
FARMHOUSE BAKERY / ERIN GALE  
BLOCK 700, LOT 9

WHEREAS, Erin Gale (the Applicant), has applied to the North Hanover Township Joint Land Use Board (the Board) seeking Use Variance approval with respect to the property commonly known as Lot 9 in Block 700, as shown on the official tax maps of North Hanover Township; and

WHEREAS, the property has a street address of 418 Monmouth Road, within the Municipality; and

WHEREAS, the property fronts upon Monmouth Road and is generally surrounded by other farm properties containing approximately 0.66 acres in the R-A Residential Agricultural Zoning District of the Municipality; and

WHEREAS, the property is currently improved with a two story residential dwelling, existing metal shed which is proposed to be removed, and a barn which has previously suffered fire damage and is in the process of being removed currently; and

WHEREAS, the Applicant seeks Use Variance relief for the construction of a 38 ft. x 50 ft. (1,900 sq. ft building) to have a commercial kitchen along with typical residential storage; and

WHEREAS, the Application further proposes a small parking area adjacent to the proposed structure; and

WHEREAS, the Applicant has submitted a Joint Land Use Board Variance application, a septic design plan of Environmental Soil Sciences, Inc. dated February 13, 2017; and

WHEREAS, the use proposed herein is not permitted as a principle or accessory use at the site requiring the Use Variance relief sought; and

WHEREAS, this matter was the subject of a public meeting held before the North Hanover Township Joint Land Use Board on May 26, 2021;

WHEREAS, at that time Erin Gale appeared before the Board to testify in support of the application as the owner of the subject property;

WHEREAS, Ms. Gale testified that she operates the "Farmhouse Bakery" and currently rents a space in Bordentown Township which she has outgrown; and

WHEREAS, Ms. Gale intends to continue to sell the same products she currently bakes in a wholesale manner and not retail. However she does wish to expand to allow her the opportunity to provide more product; and

WHEREAS, Ms. Gale advised that the subject property needs to be upgraded in view of the proposed commercial kitchen and it is her intention to use the footprint of the existing building to construct same; and

WHEREAS, Ms. Gale testified as to surrounding land uses and indicated that the application if approved will have no adverse impact upon the Township's Land Use Plan or neighborhood zone; and

WHEREAS, approximately two-thirds of the structure will be used for the kitchen purposes with the balance to be used for storage. The hours of operation will be generally 8:00 AM to 5:00 PM; and

WHEREAS, Ms. Gale testified that there will no night operations and consequently no lighting is proposed and all pick-ups and deliveries are done through personal vehicles, UPS or Amazon deliveries; and

WHEREAS, Ms. Gale testified there will be no employees and while there is a limited chance of customer pick-ups, the site will not be utilized as a retail store; and

WHEREAS, in the event the applicant intends to contribute a sign in the future, the Applicant indicated she would meet all Ordinance requirements; and

WHEREAS, the Board specifically announced the Applicant has not sought Site Plan Approval as part of this application but only Use Variance relief and the Applicant acknowledges she must return to the Board for Site Plan approval before she may operate or construct the building contemplated; and WHEREAS, prior to the public hearing in this matter the Board had an opportunity to review the report of its consulting engineer, Joseph R. Hirsh, PE, CME which report is incorporated herein by reference; and

WHEREAS, at the time of the public hearing the Applicant agreed to comply with all technical review comments set forth in Mr. Hirsh's letter as well as the following conditions: 1. The Applicant shall return to the Board for Site Plan approval prior to construction.

2. The Applicant shall insure an access easement is created to allow use of the driveway from adjoining Lot 10, which access easement must be approved by the Board Engineer and Attorney.

3. The Applicant shall permit pick-ups by only on a limited basis which pick-ups must be scheduled with the customers and no general retail use will be proposed or permitted.

WHEREAS, the Board finds the Applicant has submitted sufficient reasons to grant a Use Variance application. The Board finds special reason to exercise its jurisdiction to grant same as the site is particularly suited to the proposed use based upon the surrounding nature of the uses including farmland, the property is not located in the middle of a residential zone or neighborhood, that the proposal advances the purposes of the Municipal Land Use Law and the Township's Master Plan; and

WHEREAS, the Board finds the Applicant has met both the positive and negative criteria as required as the plan as presented provides adequate light air and open space and a variety of uses and provides a benefit of the entire community; and

WHEREAS, the Board further finds that the application is compatible with adjoining uses, and will not have an adverse impact upon existing properties; and

WHEREAS, with the conditions the Board is amenable to grant a relief requested.

WHEREAS, it appears that all requisite fees and taxes have been paid in full to date; and

WHEREAS, the Board is satisfied the Applicant has submitted sufficient reasons to grant the relief requested; and

NOW THEREFORE BE IT RESOLVED on this 26th day of May, 2021, that the Applicant's request for Use Variance relief be and hereby is approved subject to the Applicant complying to all terms and conditions set forth in the preamble of this Resolution and all prior Resolutions affecting the subject property; and

IN SO APPROVING the Applicant's request for Use Variance relief, the Land Use Board of the Township of North Hanover has made the following findings of fact and conclusions of law and further declares:

1. The Applicant has a proprietary interest in this application.
2. All requisite fees and real estate property taxes have been paid in full to date.
3. The Applicant has complied with all notification requirements of the municipal land use ordinance of the Township of North Hanover.
4. The application is a "complete application" as defined by the municipal land use ordinance of the Township of North Hanover.
5. The application is a substantial compliance with the zone plan and will not unduly impact upon the neighborhood scheme.
6. The Land Use Board adopts the preamble of this Resolution as its findings of facts and has relied upon these findings in the decision rendered by the Board.
7. The Applicant has submitted sufficient reasons to grant the requested relief herein.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:

1. Burlington County Board of Health
2. Burlington County Planning Board
3. North Hanover Township Joint Land Use Board;
4. Township Clerk; and
5. Zoning Officer.

DATE ADOPTED: May 26, 2021

DATE MEMORIALIZED: June 23, 2021

FOR ADOPTION: Russ Comisky, Jim Durr, Joe Greene, Debbie Kucowski, Jack Smylie, Wayne Voorhees, Greg Grauer, Tom Kimball

AGAINST:

ABSTENTIONS/RECUSALS:

**Memorialization of Resolution 2021-10- James Durr Wholesale Florist Inc.- Site Plan Waiver- 297 Monmouth Road-Block 501 Lot 16**

Brendan O'Donnell made a motion to memorialize Resolution 2021-10. Motion was seconded by Joe Greene. Jim Durr abstained. All others in favor.

NORTH HANOVER TOWNSHIP  
JOINT LAND USE BOARD  
RESOLUTION 2021 - 10

RESOLUTION GRANTING

A WAIVER OF SITE PLAN  
JAMES DURR WHOLESALE FLORIST, INC.  
BLOCK 501, LOT 16

WHEREAS, James Durr Wholesale Florist, Inc. (the Applicant), has applied to the North Hanover Township Joint Land Use Board (the Board) seeking a Waiver of the Site Plan requirements with respect to the property commonly known as Lot 16 in Block 501, as shown on the official tax maps of North Hanover Township; and

WHEREAS, the property is located on the westerly side of the intersection of County Route 537 and 665 and contains approximately 6 acre; and

WHEREAS, the property is located in the R-A Residential Agricultural Zoning District and is currently improved with a two story residential dwelling and an existing barn structure; and

WHEREAS, the property currently includes an asphalt driveway entrance and exit from Route 537 and a stone parking area with a driveway apron on the Route 665 side of the property; and

WHEREAS, in support of this application the Applicant has submitted a Joint Land Use Board Waiver of Site Plan Review application as well as a Site Diagram Package consisting of 5 pages; and

WHEREAS, this matter was a subject of a public hearing held before the North Hanover Township Joint Land Use Board on May 26, 2021; and

WHEREAS, prior to that the Board had an opportunity to review the engineer's report of the Board's Consulting Engineer, Joseph R. Hirsh, PE, CME, which report is incorporated herein by reference; and

WHEREAS, the Applicant is not proposing any improvements as part of this application nor is he seeking any variance relief; and

WHEREAS, James Durr testified in support of the application who indicated that the property contains approximately 6 acres and was once an old dairy barn; and

WHEREAS, Mr. Durr intends to convert the barn to a farm market and no variance relief is needed under the Right to Farm Act that; and

WHEREAS, Mr. Durr further testified that he has removed asbestos from the property, cleared up the property, cleared two fields, and while the change in use would normally trigger a site plan, the Applicant appears to be seeking a waiver of same based upon the limited nature of the development proposed and the use of the existing structure; and

WHEREAS, the Applicant has been represented by David Frank, Esquire; and

WHEREAS, Mr. Durr further testified that he has leveled and cleaned the gravel parking area, repaired the roof of a very old structure and wishes to waive the requirements for a Site Plan so that he may sell produce from his own farm while complying with all other Ordinance requirements; and

WHEREAS, the Applicant will meet all building code requirements for the use proposed and must obtain appropriate inspection and approvals from the Construction Department; and

WHEREAS, no shared utilities will be provided to the barn area from the existing residential home and all utilities will be solely dedicated to the barn itself with the house having its own facilities separate and apart; and

WHEREAS, the Applicant proposes the hours of operation will be 9:00 AM to 7:00 PM or dusk and he anticipates 2 employees at a time; and

WHEREAS, the Applicant proposed that there will be some signage on the building and all signs will comply with Township Ordinances; and

WHEREAS, the Board did discuss a number of conditions which will apply to any approvals granted herein as follows:

- :
1. The Applicant shall work with the Board Engineer to delineate the parking to the satisfaction of the Board Engineer with respect to the stone parking area.
  2. The Applicant shall provide for building mounted lighting which lighting must be approved by the Board Engineer.
  3. The Applicant shall pave, mark and assign a handicap spot which shall be ADA compliant providing a barrier free route which must be confirmed on the architectural plans.

4. The Applicant shall comply with all other technical review comments of the review letter of the Board Engineer.

5. The Applicant shall be required to obtain a Certificate of Occupancy before operations.

6. The Applicant shall provide a signage plan to insure the right in and right out turning movement only from Route 537 which plan must be approved by the Board Engineer.

WHEREAS, the Board is satisfied the Applicant has submitted sufficient reasons to grant the relief requested; and

WHEREAS, the Board is amenable to grant a waiver of the site plan requested based upon the fact and circumstances of this application; and

WHEREAS, it appears that all requisite fees and taxes have been paid in full to date; and NOW THEREFORE BE IT RESOLVED on this 26th day of May, 2021, that the Applicant's request for a Waiver of Site Plan approval be and hereby is approved subject to the Applicant complying to all terms and conditions set forth in the preamble of this Resolution and all prior Resolutions affecting the subject property; and

IN SO APPROVING the Applicant's request for a Waiver of Site Plan approval the Land Use Board of the Township of North Hanover has made the following findings of fact and conclusions of law and further declares:

1. The Applicant has a proprietary interest in this application.
2. All requisite fees and real estate property taxes have been paid in full to date.
3. The Applicant has complied with all notification requirements of the municipal land use ordinance of the Township of North Hanover.
4. The application is a "complete application" as defined by the municipal land use ordinance of the Township of North Hanover.
5. The application is a substantial compliance with the zone plan and will not unduly impact upon the neighborhood scheme.
6. The Land Use Board adopts the preamble of this Resolution as its findings of facts and has relied upon these findings in the decision rendered by the Board.
7. The Applicant has submitted sufficient reasons to grant the requested relief herein.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:

1. Burlington County Board of Health
2. Burlington County Planning Board
3. North Hanover Township Joint Land Use Board;
4. Township Clerk; and
5. Zoning Officer.

DATE ADOPTED: May 26, 2021

DATE MEMORIALIZED: June 23, 2021

FOR ADOPTION: Russ Comisky, Ron DeBeacke, Joe Greene, Debbie Kucowski, Brendan O'Donnell, Wayne Voorhees, Greg Grauer, Tom Kimball

AGAINST:

ABSTENTIONS/RECUSALS: Jack Smylie

**Application 2021-06- Site Plan- Mark Stepniewski- 296 Meany Road- Block 800 Lot 39**

Jonas Singer attorney for the applicant, Mark Stepniewski. Mr. Singer stated the property site within the C-2 zone and the use is permitted. No Variances are needed for this application. Mark Stepniewski property owner and Mike Avila Planner for the applicant were sworn in by Attorney Gregory McGuckin. Mr. Stepniewski stated he owns a party rental business. He would use the site for storage for his equipment. Mr. Stepniewski stated he only has one other employee other than himself with no customers coming onsite. Mr. Stepniewski has 2 box trucks, a pick up truck and 2 trailers. Mr. Singer entered exhibit A-1 a schematic of the building. 40 x 80 building to be proposed with garage doors on both ends. All setbacks are in conformance with zoning ordinance. Mr. Stepniewski would like to put a sign up with the name of company, which he will apply for at a later date via zoning application. Typical hours are 9-6

during their peak season. Mr. Stepniewski stated he wishes to keep everything including the trucks inside the building.

Mr. Avila stated his professional experience as a planner and engineer in New Jersey. The Board accepted him as a professional in his field. Mr. Avila stated he has reviewed the Board Engineers Review Letter. He stated there would be Burlington County Soils, Burlington County Health Department, and the New Jersey DEP are prior approvals the applicant is prepared to get. They are proposing an entrance and separate exit. Mr. Avila stated they are asking for relief from having a dumpster area because of the low volume of trash generated at this site. The applicant stated he would take the trash home. Mr. Avila stated the applicant will comply with all comments in the engineers review letter. Mr. Stepniewski stated he will install lights and cameras for security around the building.

Vice Chairman opened the floor to public comment. Being no public comment Ron DeBaecke made a motion to close public comment. Brendan O'Donnell seconded the motion. All in favor.

Ron DeBaecke made a motion to approve the application with all waivers requested. Motion was seconded by Jim Durr.

Roll Call: Jim Durr-YES, Ron DeBaecke- YES, Joe Greene-YES, Patricia Mellor-YES, Brendan O'Donnell-YES, Wayne Voorhees-YES, Greg Grauer-YES

**Joint Land Use Board review of North Hanover Township Ordinance 2021-04 An Ordinance By The Township Of North Hanover In Burlington County, New Jersey Prohibiting The Operation Of Any Class Of Recreational Or Medical Cannabis Businesses Within Its Geographical Boundaries And Amending Chapter 16, §16-040 Of The Revised General Ordinances Of The Township Of North Hanover**

Greg Grauer opened the floor for the board to discuss North Hanover Township Ordinance 2021-04.

Deputy Mayor and Class I Member Ron DeBaecke stated the Township Committee explained the time frame and options the Township was given to decide on Cannabis Business within the boundaries of North Hanover Township. The board agreed the ordinance was constant with the Master Plan. Ron DeBaecke made a motion to have Alexandra DeGood Board Secretary to draft a memo to the Township Committee to state the Land Use Board found the ordinance to be consistent with the Township Master Plan. Motion was seconded by Joe Greene. All in favor.

**Public Comment**

Vice Chairman Greg Grauer opened the floor to public comment. Being no public comment Ron DeBaecke made a motion to close public comment. Motion was seconded by Joe Greene. All in favor.

**Board Discussion**

Vice Chairman Greg Grauer opened the floor to board discussion. Being no board discussion Greg Grauer made a motion to close board discussion. Motion was seconded by Ron DeBaecke. All in favor.

**Correspondence-NONE**

**Adjournment**

Ron DeBaecke made a motion to adjourn at 8:01. Motion was seconded by Joe Greene. All in favor.

Respectfully submitted  
July 28, 2021  
Alexandra DeGood