

**JOINT LAND USE BOARD of  
Woolwich Township  
REGULAR BUSINESS MEETING  
December 03, 2015**

**“MINUTES”**

Chairman Maugeri called the meeting to order at 7:00 pm.

Adequate notice of this meeting had been provided in accordance with the Open Public Meetings Act.

Chairman Maugeri led all present in the Pledge of Allegiance.

Roll call of the Members Present:

**John Casella – Absent, John Carleton – Present, John Fein – Absent, Mike Iskander – Present, John Juliano – Present, Chief Marino – Absent, Chairman Maugeri – Present, Sue O’Donnell – Present, Deputy Mayor Schwager – Present Randy Rossi – Present, Bob Rushton – Present.**

Also Present; Mike Aimino – Solicitor. Tim Kernan – Planner and Steve Nardelli – Engineer.

Next are the Minutes from the Regular meeting of September 17, 2015. B. Rushton made a motion to approve the Minutes as written and was seconded by S. O’Donnell. All were in favor except for J. Juliano and R. Rossi who both abstained.

First order of business, Liberty Ventures minor site plan, U.S. Route 322 and Berkeley Drive.

Mr. Clint Allen of the Law Firm Archer and Greiner was present to represent the applicant. This application is for the approval of a driveway that is located on the Logan Township/Woolwich Township Municipalities. Mr. Allen continued with a description of the application before the Board.

Mr. Allen stated that has two witnesses with him and two exhibits, one being an aerial photograph of the site and a print out of the site plan.

Mr. Peter Corcoran and Mr. Michael McIntyre were both sworn in as witnesses for the application by Mike Aimino.

Mr. Aimino asked to have the exhibits marked, the aerial photo as A1 and the Print out as A2.

Mr. McIntyre continued stating his qualifications to the Board. Chairman Maugeri accepted Mr. McIntyre as a qualified witness.

Mr. McIntyre continued explaining the site to the Board. The driveway will be for passenger vehicles only.

Deputy Mayor Schwager asked if Mr. Allen found out if this road did actually belong to Woolwich and Mr. Allen stated “yes” it does.

Tim Kernan continued with his letter and stated that what is proposed is consistent with our Master Plan so he has no comments.

Steve Nardelli continued with his letter and stated that they had answered his questions so he has no comments as well.

Deputy Mayor Schwager made a motion to open to the public which was seconded by J. Juliano. All were in favor.

With no public comment, Deputy Mayor Schwager made a motion to close the public portion and was seconded by J. Juliano. All were in favor.

With no more comments, J. Juliano made a motion to grant the waiver of site plan review to construct the driveway exiting on to Berkeley Drive with the required roadway improvements for the warehouse facility in the Commodore 295 Business Park, Block 1001.01 Lot 1 which will include documenting all necessary approvals and escrow fees which are currently covered under Logan Township Bond. B. Rushton seconded the motion. Roll was as follows:

**B. Rushton – yes, J. Juliano – yes, S. O’Donnell – yes, Deputy Mayor Schwager – yes, R. Rossi – yes, M. Iskander – yes, J. Carleton – yes, Chairman Maugeri – yes.**

Next on the Agenda is Albert and Melissa Powell a Conditional Use, Block 3.07 Lot 57, known as 233 Juniper Lane.

Mr. Amino stated that originally the applicant had filed for a Conditional Use or in the alternative a Conditional Use Variance. The applicant has withdrawn the Conditional Use. Deputy Mayor Schwager recused himself from this portion of the meeting.

Ms. Joan Adams is present to represent the applicant, Albert and Melissa Powell and with her tonight is Mrs. Powell. Ms. Adams continued stating that they are here this evening for approval of this application to allow her to operate a home salon, a home occupation which is permitted in this district under the Ordinance of Woolwich.

Ms. Adams stated it will be a very small operation, Mrs. Powell will be the only person in the salon, and she will have no employees. She will have 2 chairs and all customers will be by appointment only during normal business hours.

Ms. Adams asked if Mr. Aimino had a chance to go over the Notice that was provided and he stated “yes” and is satisfied.

A little confusion to the Ordinance regarding a sign was discussed.

Mr. Aimino swore in Melissa Powell.

Ms. Adams continued questioning Ms. Powell. She has lived at 233 Juniper Lane for 14 years and is her primary residence. She plans on dedicating the garage to the home occupation, so the living space will not be involved with the salon. She will not have any employees. There will be no retail sales and no displays. Her hours will be from 9am to 8pm Monday through Saturday and will be by appointment only.

Ms. Adams continued stating that any salon has to have its own entrance and asked what Mrs. Powell is proposing. She stated that she would like to take down the garage doors and put French doors in, which will keep it a residential appearance. Ms. Adams passed a picture to the board that was taken that day of a house around the corner from Mrs. Powell with French doors where the garage doors would be. Mr. Amino marked the photo as A1 for the record. Mrs. Powell stated that this is exactly what she is looking to do.

There would be no noise, odors, smoke, heat, light or radiation produced outside the salon.

Ms. Adams produced a hand drawn sign that Ms. Powell is proposing. It would be a small sign hanging from a Sheppard's hook. It would be double-faced and set back 20' from the sidewalk which is what the Ordinance requires.

J. Juliano asked if there would be an awning and how she plans to advertise. Ms. Powell stated no to the awning and sending out flyers to advertise.

There will be no exterior light but Ms. Powell would like to have a small light on the sign.

Parking was discussed.

M. Iskander asked if any other residents have a sign out in front of their house in Woolwich Township. Ms. Adams stated that she could probably find some. He then asked if she anticipates the same flow of customers at prom time. Mrs. Powell stated "yes" because it is by appointment only. She anticipates no more than 12 people in a day.

Tim Kernan continued with his review letter dated November 23, 2015.

Extensive conversation took place over the proposed sign, the size and where it should be placed and the parking that will be provided.

B. Rushton made a motion to open to the public which was seconded by J. Juliano. All were in favor.

Ms. Erin Morrison of 236 Juniper Lane was sworn in by Mike Aimino.

Ms. Morrison asked if this project is a done deal because it is allowed. Chairman Mauerer responded that if it were to meet all of the conditions of our Ordinance it would be allowed under a conditional use. The sign does not meet that criteria and that is why they are asking for a variance.

Ms. Morrison has a problem with the influx of cars and the traffic and she does not want the residential area to look like a business. She feels it may affect her property value.

Chairman Maugeri stated that there are always questions about signage and if the variance is granted tonight, the conditions that would be placed on the applicant would restrict the characteristics of the sign too.

Mr. Robert Morrison of 236 Juniper Lane was sworn in by Mr. Aimino.

Mr. Morrison is also concerned with the signage and the conversation about using the front of their property for parking is a concern as well.

Mr. Scott Stone of 231 Juniper Lane was sworn in by Mr. Aimino.

Mr. Stone stated that he is a little terrified that a consumer business can open up next to his home that might generate 10 people a day. He applauds entrepreneurial spirit and the home based business. He has a concern about parking because the Powell's have 3 cars and a boat. He feels that the Ordinance is more for the lawyer's offices and those types of things, not home based businesses that generate consumer traffic. He has been neighbors with the Powell's for 14 years and thinks they are great people but he is against them being able to operate this type of business or this type of business anywhere in the development of Weatherby.

Chairman Maugeri stated that if they weren't asking for a sign and didn't want to change their doors, this would be a permitted use as per our Ordinance as it is written right now. This Board is charged with following those Ordinances.

Mike Aimino added that under NJ Case Law this is an allowed home occupation and allow an entrance change to the property in order to allow the business to take place. So the Board is bound by that law.

With no further public comment, B. Rushton made a motion to close the public portion which was seconded by J. Juliano. All were in favor.

Ms. Adams stated that she would like to document the law and place it on the record.

B. Rushton asked about the ADA. Ms. Adams stated that she does not believe there are ADA requirements because the business is small.

Parking and the proposed sign was discussed at length.

With nothing further to discuss, B. Rushton made a motion to grant the approval for a 2 square foot sign. M. Aimino added that if he is going to grant the conditional use variance which includes being able to use the property as it has been represented with a 2 foot sign with French doors as proposed with the conditions placed by the Board and where will the sign be located. B. Rushton added that the sign would be above the door and 2 square feet. S. O'Donnell seconded the motion. Roll was as follows:

**B. Rushton – yes, J. Juliano – no, S. O'Donnell – yes, R. Rossi – no, M. Iskander – no, J. Carleton – yes, Chairman Maugeri – yes.**

**Motion fails 4-3.**

Ms. Adams asked with the Chairman's permission she would like to amend the application to remove the sign request so this can be approved as a Conditional Use. For the record Ms. Adams did advertise for both so the Board would have jurisdiction.

Chairman Maugeri called for a 5 minute recess at 8:35pm.

The meeting reconvened at 8:40pm.

Chairman Maugeri asked for a motion to proceed with this application as a Conditional Use not a Conditional Use Variance.

J. Juliano made that motion which was seconded by R. Rossi. All were in favor.

Deputy Mayor Schwager rejoined the meeting.

Ms. Adams stated that they are withdrawing their request for any signage and feels that they do meet all other conditions. The one question is if the French Doors deviate from the Ordinance requirement.

Discussion took place about the French Doors.

J. Juliano made a motion to approve the application for a Conditional Use and was seconded by B. Rushton. Roll was as follows:

**B. Rushton – yes, J. Juliano – yes, S. O'Donnell – yes, Deputy Mayor Schwager – yes, R. Rossi – yes, M. Iskander – yes, J. Carleton – yes, Chairman Maugeri – yes.**

With nothing further to discuss J. Juliano made motion to adjourn which was seconded by R. Rossi. All were in favor.

The JLUB meeting adjourned at 8:49 pm.

Respectfully submitted,

Christina M. Marquis  
Joint Land Use Secretary

***Minutes not verbatim  
Audio recording on file***