

Regular Meeting
Zoning Board Meeting
8/10/23

Chairman Saioni called the meeting of the Middle Township Zoning Board to order at 6:00 p.m. He stated that notice had been given to the Gazette-Leader, Press of Atlantic City and Herald Times and posted on the bulletin board of the Middle Township Building stating the time and place of the following meeting, as required in the P.L. 1975, Chapter 231 of the State of New Jersey.

ROLL CALL

Members Present

Mark Saioni, Chairman
Mike DiPalantino
TJ Repici, Jr.
Chris Brown
William Crowther
Alicia Markle

Members Absent

Camille Fitzmartin

Attorney Present

Robert Belasco

Alternates Present

Melanie Collette
Kim Banks

Engineer Present

Vincent C. Orlando, PE, PP

Secretary Present

Rachel Shepherd

HEARING

222332

Applicant's Name: TURNKEY DEVELOPERS
INVESTMENT GROUP

Subject Property: 1077 RTE 47S

Block and Lots: Bl: 1432 Lots: 3

Corey Gilman, Esq spoke on behalf of the applicant and explained the nature of the application.

Dumpster picked up once a week; will be screened. 2nd dumpster for recyclables. RV owned by tenant in 1D, it's his only form of transportation and uses to go back and forth to work.

Move fence in slightly to landscape the other side. Work to be done in 90 days, 30 days for the fence.

The following individuals were sworn in and testified on behalf of the Applicant:

1. Stefaun Powell
2. Andrew Schaeffer, PE

The following exhibits were shared:

A1 pages 1-13: photos of site taken 8/9/23 by Mr. Powell

Vincent C. Orlando, PE, Engineering Design Associates, went over the engineers' report.

Public Comment:

Susan Denecke- 703 Tidewater Ln: RV not moving

Roseanne Rossi- 103 Tidewater: would like 30-day time frame

Stanley Donige- 608 Tidewater: would like performance bond

Albert Manko- 605 Tidewater: Dead trees addressed?

Chairman Saioni closed the hearing to the Applicant and the public.

VOTE: Site Plan, prelim & final

Moved: M. DiPalantino

Seconded: T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
Chairman Saioni	YES

HEARING

232331

Applicant's Name: BRIAN LEACH

Subject Property: 1019 RTE 9

Block and Lots: Bl: 350 Lots: 48

Lindsay Newcomb, Esq spoke on behalf of the applicant and explained the nature of the application.

The following individuals were sworn in and testified on behalf of the Applicant:

1. Mark Gibson, PLS
2. Brian Leach, owner

Brian Leach stated large lot with 2 dwellings currently. Subdivide into 3 lots.

Mark Gibson gave overview of property and current conditions; no negative impact. Shed on lot 48.03 will be moved.

Vincent C. Orlando, PE, Engineering Design Associates, went over the engineers' report.

Public Comment: David Robinson, 1015 Rte 9 South CMCH

Chairman Saioni closed the hearing to the Applicant and the public.

VOTE: 250-408(B) non-conforming use with structure

Moved: M. DiPalantino **Seconded:** T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: 250-408(E) minimum lot frontage- prop lot 48.01

Moved: M. DiPalantino **Seconded:** T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: 250-408(E) minimum lot width- lot 48.01

Moved: M. DiPalantino **Seconded:** T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: 250-408(E) Minimum lot frontage, lots 48.02 & 48.03

Moved: M. DiPalantino

Seconded: T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: 250-408(E) Minimum lot width, lots 48.02 & 48.03

Moved: M. DiPalantino

Seconded: T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: 250-408(E) Minimum front yard setback, lot 48.01

Moved: M. DiPalantino

Seconded: T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: 250-408(E) Minimum side yard setback lot 48.01

Moved: M. DiPalantino

Seconded: T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: 250-408(E) Minimum total side yard setback lot 48.01

Moved: M. DiPalantino

Seconded: T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: Waiver A- soil borings and percolation test, Waiver B- environmental impact assessment, Waiver C- community impact statement

Moved: M. DiPalantino

Seconded: T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: Minor subdivision

Moved: M. DiPalantino

Seconded: T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

HEARING

#232332

Applicant's Name: REICHERT, GEORGE

Subject Property: 310 DIAS CREEK RD

Block and Lots: Bl: 163.01 Lots: 188

Mark Saioni stepped down for this application

Lindsay Newcomb, Esq spoke on behalf of the applicant and explained the nature of the application.

The following individuals were sworn in and testified on behalf of the Applicant:

1. Brian Murphy, PE
2. George Reichert, owner

Brian Murphy gave testimony on application and plan. Existing accessory structure, converting office into 1-bedroom apartment, no detriment to zone plan. Garage is used as storage for apartment above.

Vincent C. Orlando, PE, Engineering Design Associates, went over the engineers' report.

Public Comment: None

Chairman closed the hearing to the Applicant and the public.

VOTE: 250-404(B) Permitted uses (D Variance)

Moved: T. Repici Jr. **Seconded:** C. Brown.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M. Collette	YES
K. Banks	YES

VOTE: 250-404(E) Bilk- accessory side yard set back

Moved: T. Repici Jr. **Seconded:** C. Brown.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M. Collette	YES
K. Banks	YES

VOTE: Waiver A- traffic study

Moved: T. Repici Jr. **Seconded:** C. Brown.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
K. Banks	YES

VOTE: Waiver B- environmental impact assessment

Moved: T. Repici Jr. **Seconded:** C. Brown.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
K. Banks	YES

VOTE: Waiver C- environmental assessment report

Moved: T. Repici Jr. **Seconded:** C. Brown.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
K. Banks	YES

VOTE: accessory building- 24.5 (C variance)

Moved: T. Repici Jr. **Seconded:** C. Brown.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
K. Banks	YES

HEARING

232335

Applicant's Name: CAPE MAY SHORE CLUB

Subject Property: 1170 GOLF CLUB RD

Block and Lots: Bl: 3356.01 Lots: 24.01

Lindsay Newcomb, Esq spoke on behalf of the applicant and explained the nature of the application.

The following individuals were sworn in and testified on behalf of the Applicant:

1. Doug Larson, Shore Club
2. Paul Farham, RA

The following exhibits were shared:
A-1 photo of the existing structure

Paul Farham gave testimony on application
New maintenance garage in same location of existing building.

Vincent C. Orlando, PE, Engineering Design Associates, went over the engineers' report.

Public Comment: None

Chairman Saioni closed the hearing to the Applicant and the public.

VOTE: 250-631A- accessory structure height

Moved: M. DiPalantino

Seconded: T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: Waiver A- site plan

Moved: M. DiPalantino

Seconded: T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: Waiver B- traffic study, waiver C environmental impact statement, Waiver D, environmental assessment report.

Moved: M. DiPalantino

Seconded: T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

HEARING

232334

Applicant's Name: MCNICHOLAS, MINDY

Subject Property: 11 KINGS LANE

Block and Lots: Bl: 351 Lots: 17

Lindsay Newcomb, Esq spoke on behalf of the applicant and explained the nature of the application.

The following individuals were sworn in and testified on behalf of the Applicant:

- 1.Mindy McNicholas, owner
- 2.John Halbruner, PE

Mindy McNicholas; owned the property since 1990, house is primary residence. Contract purchaser of rear lot 52. Gave testimony on plans for property, wants to get all cars off the street.

John Halbruner gave testimony on application.

Hours are 8am-8pm 7 days a week

Vincent C. Orlando, PE, Engineering Design Associates, went over the engineers' report.

Public Comment:

Linda Maud- 38 Kings Lane: concerns with access; cars, chaos now; pool aerobics/pickelball; block road
 Daniel DiPietro- 14 Kings Lane: speeding cars; cars parked across from driveway; park in street; lights on at night; parties
 David Robinson- 1015 Rte. 9 S CMCH: disappointed with demeanor of the board
 Paul Burns- 27 Kings Lane: there was a dump back in area; who is cleaning that up, residential zone/neighborhood. Do not want commercial in a residential area
 Mike Grimes-13 Kings lane: poor lighting on street; driveway will be against his property, hours of operation
 David Smith- 33 Kings Lane: concerned with traffic, parking, cars, constant cars turning around in cul de sac; no guarantee cars wont park on street
 Michael Burns- 21 Kings Lane: questions about access to rear or property, trash trucks going back there? Stop sign on driveway, thinks applicant needs to get access from rte. 9, no guarantee everything will be closed down. Concerned with speeding and parking.
 John Ryan- 32 Kings lane: traffic concerns, speeding, turning around on cul de sac, trash trucks have to back in, street not wide, two cars can just get by each other.
 Richard Michner- 36 Solar Way: goes to Mindy once a week, players are all very respectful.
 Lee Evans- 41 Kings Lane: at end of the street, not really cl de sac, never traffic before, people turn around in her driveway, pool aerobics that was a paid class, problem with easement.
 Bob Chew- 15 Kings Lane: lived there 65 years, people turning around in driveway, park in handicap spot, moved his cones so he couldn't park truck, drive on neighbor's lawns/ hit mailbox, emergency vehicle access, noise.
 Mindy McNicholas; blindsided by neighbors' concerns

Chairman Saioni closed the hearing to the Applicant and the public.

VOTE: Adjourn Application – table to October 12th meeting

Moved: T. Repici Jr **Seconded:** C. Brown

T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
K. Banks	YES
Chairman Saioni	YES

HEARING

232328

Applicant's Name: BUCHANAN, ANDREW

Subject Property: 219 S MAIN ST

Block and Lots: Bl: 252 Lots: 13

Chuck Sandman, Esq spoke on behalf of the applicant and explained the nature of the application.

The following individuals were sworn in and testified on behalf of the Applicant:

- 1.Arthur Chew, PE
- 2.Andrew Buchanan, owner

Andrew Buchanan, site was former Molino's restaurant, now Mexitalia-Mexican/Italian restaurant.

Arthur Chew gave testimony on the application. Units will be affordable rental units.

Public comment: None

Vincent C. Orlando, PE, Engineering Design Associates, went over the engineers' report.

Chairman Saioni closed the hearing to the Applicant and the public.

VOTE: 250-408(E) Bulk- proposed front yard setback

Moved: M. DiPalantino **Seconded:** T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: 250-408(E) Bulk- proposed impervious coverage

Moved: M. DiPalantino **Seconded:** T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: 218-77 Off Street parking

Moved: M. DiPalantino **Seconded:** T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: 250-81(D) Landscape Buffer- buffer to row Schoolhouse, parking buffer to property line, parking buffer to building, commercial buffer to residential

Moved: M. DiPalantino **Seconded:** T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: 218-83(1) Sign area

Moved: M. DiPalantino **Seconded:** T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: Waiver A

Moved: M. DiPalantino **Seconded:** T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES

A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: Waiver B

Moved: M. DiPalantino **Seconded:** T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: Waiver C with 5 ft fence

Moved: M. DiPalantino **Seconded:** T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: Waiver D-F

Moved: M. DiPalantino **Seconded:** T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES
M.Collette	YES
Chairman Saioni	YES

VOTE: Site Plan - minor

Moved: M. DiPalantino **Seconded:** T. Repici Jr.

M. DiPalantino	YES
T. Repici Jr.	YES
C. Brown	YES
W. Crowther	YES
A. Markle	YES

M.Collette YES
Chairman Saioni YES

VOTE: D Variance (D2) 1st Floor

Moved: M. DiPalantino **Seconded:** T. Repici Jr.

M. DiPalantino YES
T. Repici Jr. YES
C. Brown YES
W. Crowther YES
A. Markle YES
M.Collette YES
Chairman Saioni YES

HEARING

222325

Applicant's Name: FRENCH, HARRY B JR

Subject Property: 542 AVALON BLVD

Block and Lots: Bl: 17 Lots: 42

Moved to September 14th meeting.

OLD BUSINESS

Memorialize Resolution #182311EXT 812 Avalon Blvd

Upon a motion by M. Saioni, seconded by M. DiPalantino that the resolution be adopted. The motion carried unanimously by the following vote: M. Saioni- Yes; M. DiPalantino -Yes; T. Repici Jr.-Yes; C. Brown-Yes; W. Crowther-Yes; A. Markle- Yes

Memorialize Resolution #222323 Turnkey Developers (variance only)

Upon a motion by M. Saioni, seconded by M. DiPalantino that the resolution be adopted. The motion carried unanimously by the following vote: M. Saioni- Yes; M. DiPalantino -Yes; T. Repici Jr.-Yes; C. Brown-Yes; W. Crowther-Yes; A. Markle- Yes

The next regularly scheduled meeting will be on 9/14/23

With there being no other business, the meeting was adjourned.