

Shamong Township
August 19, 2014

A regular meeting of the Shamong Township Land Use Board was held on the above date at the Municipal Building. The meeting was called to order by the Acting Chairman Burgin at approximately 7:04 P.M.

The Secretary provided the sunshine statement.

Members present from re-organization meeting were:

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| Noni Bookbinder-Bell | P | Susan Onorato | P |
| Chris Bouffard | A | Bonnie Schneider-Alt | P (7:15) |
| Charles Burgin | P | James Sweet | P |
| Mike DiCroce | A | Gary Vinciguerra | A |
| Doug Dimmig, Alt | P | Kathleen Wigley | A |
| Kenneth Long | A | Kevin Wise | A |

Also present were Peter Lange, Esq., Solicitor, and Dante Guzzi, Engineer.

Pledge of allegiance

On motion of Mrs. Onorato seconded by Ms. Bookbinder-Bell, it was moved that the minutes of the June 17, 2014 regular meeting be approved as submitted. All members present were in favor of adopting the minutes except Mr. Sweet who abstained and Mrs. Schnieder who was not present for this portion of the meeting.

Mr. Lange summarized resolution 2014-9 for the Loffredo application on block 15.01 lot 7.11 to construct a 30' X 45' framed garage accessory to a single family home. **On motion by Mr. Burgin and seconded by Mrs. Onorato the resolution was approved with all members present voted yes, with exception to Mr. Dimmig & Mr. Sweet who abstained and Mrs. Schnieder who was not present for this portion of the meeting.**

Mr. Burgin stated the hearing tonight is on the application submitted by the Pinelands Preservation Alliance (PPA) on block 51 lot 13 for a preexisting non-conforming use. Mrs. Onorato provided copies of the application along with the related site plan, photographs, maps, survey and documentation confirming the origin of the Adams Canoe Livery Business. Gary Thompson, Esq. for the applicant summarized the need for a confirmation of the preexisting non-conforming use prior to 1978. Mrs. Schnieder joined the meeting at this time (7:14). Mr. Lange reviewed the process of this application which has not previously come before the Board. Mr. Lange stated that since the property owner could have certified the preexisting non-conforming use within one year of the 1978 zoning ordinance with the Zoning Officer at that time. As this was not done at that time, the applicant has submitted the request as per N.J.S.A. 40:55D-68. Mr. Lange then swore in Mr. Carlton Montgomery and Mr. Robert Adams to give testimony on the application. Mr.

Thompson verified the affidavit of advertisement and affidavit of service has been submitted. Mr. Thompson assisted Mr. Adams' testimony. Mr. Adams stated his parents have lived at 1005 Atsion Road the PIQ since 1953 and that he purchased the property from his mother in 1995. Mr. Adams submitted a certificate of incorporation (**exhibit A-4**) for Adams Canoer Rental, Inc. as of June 29, 1972, which Mr. Adams testified is a correct date of the beginning of the operations on site. Mr. Adams testified the location of the buildings on the survey prepared by Harold Bogart, Jr. on August 5, 2014(**exhibit A-1**), with exception to the addition of a deck on the rear of the home which is not used by the business. Mr. Adams testified the aerial photograph submitted (**exhibit A-5**) also accurately depicts the location of the buildings as of 1978. He also stated that there is a movable storage container located on the site which is not on the survey, but visible on the aerial photograph and is used to store business gear and equipment, which has been on site since 1978. Mr. Adams then reviewed the site drawing (**exhibit A-2**) and photographs (**exhibit A-3**) of the property which accurately depict the condition of the property as of 1978. Mr. Adams then summarized the business operations that have taken place at the PIQ since 1972 as a Canoe & Kayak Livery, kayaks were added since 1978, and previously row boats were also rented. Mr. Adams stated the livery service provides for hiking, canoeing, kayaking for smaller and larger groups including Boy Scouts and school groups. Mr. Adams testified he has a total of 3 bus/vans which can carry up to 20 passengers. He stated the main business operates from April 1st - October for canoe/kayak rentals. He has transported hikers outside of those dates occasionally, but weather permitting, warmer than 55 degrees he has stayed opened outside of those dates and he has transported year round if the customer has their own equipment. The busiest days are Saturday and Sunday 8 am – 6 pm in general. The business has operated continuously since 1972 at this location. Mr. Montgomery testified he is the Director of the PPA which is interested in the livery business on site and to promote the awareness and education of the Pinelands. Mr. Montgomery testified they currently have no plans to expand the business or structures of the current business. Mr. Montgomery stated the PPA is in the process of raising funds for the purchase of the property and business and the purchase is contingent upon the confirmation Mr. Montgomery also stated they plan to have an employee and his/her family live in the main house to maintain and secure the property. There would also be some office space in the house in addition to the office area in the garage. Mr. Adams stated all book work is completed in the office in the house. Mr. Adams stated since 1978 they have sold camping supplies such as water, paddles, bug spray, sun screen, eyeglass holders, coolers, life jackets, etc. related to the canoe/kayak trips. Mr. Montgomery stated the PPA intends to continue to sell these items but has no intention of selling sandwiches or prepared food. There were no further questions or comments from the board or professionals. Mr. Montgomery intends to utilize the upper two floors as living space and the office/den area of current house layout would be used as an office area for PPA staff. Mr. Adams stated he has 3 – 5 employees including him and his wife to operate the business. Mr. Adams also stated he has had as many as 7 employees during very busy times. Mr. Montgomery stated the PPA has no intent to increase the capacity, signage, traffic in and out of the property. Mr. Thompson was requested to provide detail of the current sign on the property as the PPA will be limited to similar size sign. Mr. Thompson provided a photo of the current sign on the property (**exhibit A-6**). Mr. Lange stated that the current approval pending would limit PPA to the current staffing, operations and buildings on site. Any expansions or changes in use would require the PPA to submit another application to the Joint Land Use Board. Mr. Adams testified he has had as many as seven (7) employees including himself

and his wife on occasions with three (3) van/buses. Mr. Adams also stated he currently has 51 canoes and 35 kayaks. In 1978 he had 119 canoes and 2 rowboats. Mr. Adams stated he added 5 kayaks last week and if you add 20 addition kayaks, you are adding 20 people, as they only carry 1 person. Mr. Montgomery stated the PPA would only have an employee and his/her families occupy the home on site. Mr. Lange summarized for the Board they are only asked to certify, based upon the testimony tonight that the current operations are reprehensive of what existed in 1978. Mr. Lange requested the location of the sign and storage trailer be included on an updated survey. Mr. Guzzi summarized the current conditions of the site as per his report. Mr. Guzzi requested the height of the garage to be provided for the record. Mr. Guzzi's report also states the status of setback limits which have or have not been met in relationship to the survey submitted. Mr. Lange reminded the Board that they are establishing a baseline of what currently exist on site. Nothing prohibits PPA from submitting an application in the future to expand or modify the operations on this property in the future. **On a motion by Mr. Sweet and seconded by Mr. Burgin the application was approved with all members present voted yes.**

The Secretary reviewed the correspondence at this time.

- The NJ Planner May/June, 2014 was distributed
- Letter received from the County of Burlington dated 6/20/14 regarding Lawrence Valenzano's property located at block 22 lot 10.03 consisting of 20.092 acres which the Burlington County Planning Board has approved the final plan of the subdivision.
- Letter received from Pinelands Commission dated July 25, 2014 regarding Lawrence Valenzano's property located at block 22 lot 10.03 consisting of 20.092 acres which they have scheduled a public hearing on October 23, 2014 for which they require a copy of each recorded requisite deed notice to the proposed lots must be submitted prior to hearing.
- Letter of interpretation received from Pinelands Commission dated July 2, 2014 re: Indian Mills Farm, LLC at block 28.01 lot 4.01 consisting of 168.54 acres requesting calculation of Pinelands Development Credits (PDC's) for this property calculated to be 8.5 PDC's.
- Letter received from County of Burlington dated 6/20/14 regarding Crossroads Community Church at block 7 lot 23. There is a conditional approval on the property requiring a number of waivers to permit the change of use from a dance/gymnastics studio to a church.
- Letter received from the Pinelands Commission dated August 8, 2014 regarding Crossroads Community Church at block 7 lot 23. The Pinelands review required a copy of approved plans before the review period will begin.
- Letter received from the Pinelands Commission dated August 13, 2014 addressed to Michael Jentsch and John & Tina Gatley regarding block 19.01 lot 8.01 minor subdivision approval dated June 22, 2004 by the Shamong Township Planning Board with subsequent approval from the Burlington County Planning board issued on August 31, 2004 on the 52.62 acre parcel. The Pinelands has scheduled a public hearing on September 9, 2014 to verify if the proposed subdivision is permitted use in the agricultural production zone and if it is consistent with the environmental standards of the Shamong Township land use ordinances

Mr. Burgin questioned a very large barn being constructed on Forked Neck Road wondering why it was permitted on a smaller lot without coming to the Joint Land Use Board. Mrs. Onorato stated it was her understanding the lot is 6 plus acres in size and the indoor riding arena and barn was approved on Agricultural Production land for agricultural and personal use by the Zoning official.

Mr. Burgin opened the meeting to the public. As there were no comments from the public, Mr. Burgin closed the meeting to the public and asked for a motion to adjourn. **On a motion by Mrs. Schnieder, seconded by Mr. Sweet the meeting was adjourned, all members present voting yes. The meeting was adjourned at approximately 8:00pm.**

Susan Onorato
Secretary Joint Land Use Board