

Shamong Township  
December 16, 2008

A regular meeting of the Shamong Township Land Use Board was held on the above date at the Municipal Building.

Members present were:

Noni Bookbinder Bell	James Sweet
Charles Burgin	Gary Vinciguerra
Lynn Heinold	Kevin Wise
Michael Moss	

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

The meeting was called to order by the Chairman, Mr. Vinciguerra, at approximately 8:00 P.M.

The Secretary stated that notification of this meeting had been published in The Central Record and notice had also been sent to the Burlington County Times in accordance with the Open Public Meetings Law.

All joined in the Pledge of Allegiance to the Flag.

The minutes of the meeting of October 21, 2008, were approved as submitted.

The Board reviewed a Resolution of Memorialization for the Variance requested by Barbara Russell for Block 7, Lot 25.01. On motion of Mr. Heinold, seconded by Mr. Wise, it was moved that the Resolution be approved. All members present voted yes, except Mr. Moss who abstained as he was absent from the proceedings on October 21, 2008.

The Board then took up a Minor Subdivision Application and Major Site Plan Application for Anthony Valenzano, Block 23.01, Lot 12. Mr. Lange reviewed the Notice to Property Owners within 200 Feet, and the publication notice, found them to be in order, and informed the Board they could proceed with the application. Anthony Valenzano, Sr., Anthony Valenzano, Jr., and Mark Valenzano were sworn in. John Schweppenheiser, III, engineer for the applicant was present. The Secretary distributed a Pinelands Commission Certificate of Filing dated November 24, 2008, which was entered into the record. The minor subdivision application required no variances and will be filed by deed. Mr. Guzzi's letter of December 11, 2008, was reviewed. The applicant stated that the subdivision will be filed by deed. The applicant informed the Board that he will seek approval from the New Jersey Department of Transportation for the fence encroachment at the corner of Route 206 and Forked Neck Road. Mr. Lange pointed out to the Board that since the applicant has met all requirements of the Township Land Use Ordinance and is not requesting any variances, he is entitled to the subdivision by right.

Anthony Valenzano, Jr. explained the site plan. He also explained that they have a Farm Winery License from the State of New Jersey and that 99% of the material they use to make wine is grown in New Jersey, the majority of which comes from the pinelands. In the proposed addition they will have retail sales of wine and wine accessories such as glassware, bottle openers, and bottle corks. They will also have a kitchen to host events such as fund raisers, weddings, wedding receptions, etc. The 8,331 square foot addition will have 5,000 square feet for the above stated purposes, and the balance will be used for storage. They have proposed 57 parking spaces and will apply to the New Jersey Department of Transportation for an access permit from Route 206. Their retail hours will be from 11:00 A.M. to 6:00 P.M., seven days a week, and they will need approximately two events per week to cover their costs. The events will have an average of 20-85 people in attendance plus caterers and three employees. They are now experiencing 50-60 people per event. There is usually more than one person arriving in each vehicle. They are now experiencing, at their present location, about twelve weddings per year and about 40 other events of 50 people or less. It was pointed out that landscaping is required as buffering between the parking lot and Route 206. There was discussion about lighting of the parking area. The applicant proposes two lights in the middle of the parking lot and noted that the closest homes are approximately 850 feet away with a vineyard planted in between. The proposed lighting exceeds what is allowed in the Township Ordinance, and the applicant requested a waiver to an average of one foot candle. In response to a question about emergency vehicles, Mr. Schweppenheiser said there is adequate turning radius for fire apparatus. The portico will accommodate EMS vehicles but fire trucks will not be able to go under it. Mr. Burgin questioned the relocation of an existing dwelling as shown on the plan. Anthony Valenzano, Sr. said that he does not know if they will build a new house. The existing one is to be demolished, and he has Pinelands' approval to rebuild the house in five years. The Board asked that a note be added to the plan that when and if they plan to build a replacement home that they come back to the Board with plans showing access, parking, and drainage. In response to a question from Mr. Heinold, Anthony Valenzano, Sr. said that they informed the Pinelands Commission of their "event plans." In response to a question from Mr. Burgin, the applicant stated that acceleration and deceleration lanes will be addressed by the New Jersey Department of Transportation. Mr. Guzzi's letter of December 15, 2008, was reviewed. The Board accepted Mr. Guzzi's recommendation of a minimum of 2.5 inches of stabilized base course, provided the soils are adequate as determined by the Township Engineer at the time of construction. After reviewing Mr. Guzzi's letter of December 15, 2008, the applicant stated that he agrees to all conditions. The meeting was then opened to the public at which time Earl Vogt stated that he lives on the east side of the property and has no concerns about the retail wine business but is concerned about the events and parties. He believes that the number of people in attendance and the noise and lights will be a disturbance to him. Anthony Valenzano, Jr. said that their annual wine festival will continue to be held at its present location. Anthony Valenzano, Sr. said there is an existing buffer of trees between the proposed addition and Mr. Vogt's property. He also pointed out that Mark Valenzano will live in a home on the proposed new lot which is between the proposed business and Mr. Vogt. Anthony Valenzano, Sr. did say there will be some sound speakers attached to the building in the outside patio area. Martin Mozitis questioned the hours of operation, and

Anthony Valenzano, Jr. said that the retail business would be from 11:00 A.M. to 6:00 P.M., seven days a week and events would go to about 10:00 or 11:00 P.M. Mr. Mozitis thinks there are too many items left open for the Board to approve the application this evening, and in response to a question from Mr. Mozitis as to the number of people that could attend an event, the applicant has agreed to a maximum of 100 based on current parking. There being no other questions from the public, the public portion of the hearing was closed. There was some discussion as to whether it would be appropriate at this time to grant preliminary and final site plan approval. On motion of Mr. Heinold, seconded by Mr. Burgin, it was moved that the minor subdivision be approved, and that preliminary site plan approval be granted subject to the following:

1. There will be a limit of 100 attendees per event.
2. A landscaping plan will be submitted for the Engineer's approval for a buffer between the parking area and Route 206.
3. A waiver be granted for the lighting of up to an average of one foot candle.
4. If the proposed dwelling that is being demolished is rebuilt, the applicant will come back to the Board with a plan showing access, parking, and drainage.
5. That a design waiver be granted for fifteen parking spaces for a width of nine feet.
6. That 2.5 inches stabilized base course be permitted provided the Township Engineer finds the soil appropriate.
7. The plan shall be revised to show additional employee parking spaces, and the employees will be required to park in this area.
8. That a sign permit will be obtained from the Construction Office and Zoning Officer.
9. Burlington County Health Department approval for the septic system.
10. That the applicant obtain comments from the Indian Mills Fire Company.
11. That except for events, they will have limited food service as an adjunct to wine tasting.
12. There will be no outside music or entertainment except for speakers on the patio.
13. The hours of operation for retail sales will be from 11:00 A.M. to 6:00 P.M., seven days a week.

A roll call vote showed all members present voting yes.

On motion of Mr. Heinold, seconded by Mr. Moss, it was moved that the reorganization meeting and first meeting in 2009 be held on January 20, 2009, at 8:00 P.M.

The Secretary informed the other members of the Board that the Township Administrator had e-mailed a copy of Resolution 2008R-103, "A Resolution Requesting Pinelands Commission to Repeal the Mandated Pinelands Forest and Rural Development Regarding Clustering Program Principles." The Administrator had informed the Secretary that the Resolution was on the agenda to be adopted at the December 9, 2009 Township Committee meeting. The Land Use Board, on motion of Mr. Burgin, seconded by Mr. Moss, directed that a letter be sent to the Pinelands Commission and to the Township Committee supporting the Resolution.

The Secretary read from a letter from Michael Learn, Esq., dated December 3, 2008, asking that the application of T-Mobile for Block 8.01, Lot 16, be placed on the agenda

for January 20, 2009. The letter also stated that they are looking at a PSE&G utility tower as an alternate site.

The Secretary noted that a Certificate of Filing from the Pinelands Commission dated December 8, 2008, to Steve Cantwell for Block 35.01, Lot 43.01, had been received.

Notice has been received from the Waterford Township Planning Board that they will hold a public hearing on December 23, 2008, at 6:30 P.M. on a Master Plan revision of the Housing Element and Fair Share Plan.

A copy of a letter from the Pinelands Commission to John Hotz, Jr., dated November 26, 2008, in reference to Block 16, Lot 2.01, has been received. The Commission needs demonstration that Mr. Hotz is an operator or employee of an active agricultural operation for Lot 2.00.

The Secretary noted that the Board had received a Revised Long-Range Facility Plan that was approved by the Lenape Regional High School District Board of Education on October 15, 2008.

The Chairman was prepared to open the meeting to the public; however, at this time there were no members of the public present.

There being no further business, the meeting was adjourned.

L. E. Heinold  
Secretary