

**MANTUA TOWNSHIP MUNICIPAL LAND USE BOARD  
MAY 19, 2020  
MINUTES**

The regular meeting of the Municipal Land Use Board was called to order on May 19, 2020 virtually via zoom conference. Chairman Moyer called the meeting to order, led the Board members in flag salute. The open public meeting statement was read: adequate notice of this virtual meeting has been provided in accordance with Executive Order 103 by providing notice on the Township's website and providing notice to the South Jersey Times and Courier Post.

**Roll Call:**

Present: Acton, deMers, Harris, Legge, Lukens, Masciulli, Moyer, Monte, Mirigliani, Hauss, Huston, Zimmerman.

Absent: Johnson

Board Members Lukens and Zimmerman took the oath of office.

**Minutes:**

A motion was made by Dr. Harris to approve the February 18, 2020 minutes, Mr. Huston seconded the motion. Roll Call Vote: 9 yes, 0 no.

**New Business:**

**Application 2020-2 - Approved**

Robert Ryan

61 Springhill Road, Block 54.06, Lot 2

A bulk variance to allow a side yard setback of 20.5 feet where 30 feet is required to construct a 16x21 foot addition to the existing garage.

Mr. Ryan was sworn to provide testimony for his application. Testimony was provided to the Board that he intended to utilize the additional garage space for storage of his classic car.

A motion was made by Dr. Harris, with a second by Committeeman Legge to open the meeting to the public.

Mr. Irwin J. Montaldo, 63 Springhill Road was sworn and testified that he is the closest neighbor directly impacted by the garage addition and he is not opposed.

Crag Klayman, 59 Springhill Road, Attorney, provided testimony he is a direct neighbor and does not believe the granting of the variance is detrimental to the zone.

A motion to close the public portion was made by Mr. Acton, with a second by Dr. Harris.

A motion was made to approve application 2020-2 for a bulk variance by Mr. Acton, seconded by Dr. Harris. Roll Call Vote: 9 yes, 0 no.

## **MAY 19, 2020 LAND USE BOARD MINUTES CONTINUED:**

### **Application 2020-5 - Approved**

Orbit Energy and Power  
67 Main Street, Block 87, Lot 8

A use variance was granted on December 17, 2019 contingent upon minor site plan approval. Which involves the renovation of the existing structure together with site improvements for mixed use, where two second floor residential apartments with ground floor retail. The applicant seeks a waiver for existing non-conforming condition of a minimum lot area, lot depth and side yard setback together with waivers for drive isle and street trees.

Attorney for the Applicant John Alice gave presentation on this matter. Also sworn for testimony were Larry DiVietro, PE, Land Dimensions Engineering, Andrew Hogg, PE, Land Dimensions Engineering and property owner Edward Eivich.

Board Professionals Melanie Adamson and Michelle Young presented their reports to the Board.

A motion was made by Dr. Harris, with a second by Mr. Acton to open the meeting to the public. When no one from the public came forward, a motion was made by Dr. Harris, with a second by Mr. Huston to close the public portion.

A motion was made to approve the minor site plan 2020-5 along with all requested waivers by Dr. Harris, contingent upon working with Board Professionals regarding the site lighting, Planner's report 3/10/2020, Engineer's report 3/9/2020. The motion was seconded by Committeeman Legge. Roll Call Vote: 9 yes, 0 no.

### **Application 2020-8 – Improper notice adjourned to June 16, 2020.**

Raymond Kilborn  
100 West Elm Avenue, Block 69, Lot 6  
Bulk Variance – Addition to garage

In compliance with NJSA 40:55D-25C Committeeman Legge and Committeewoman Lukens did not take part in the following applications and left the meeting:

### **Application 2020-4 - Approved**

Keith VanMeter  
395 Wenonah Avenue,  
Block 93, Lots 4&5

A lot line adjustment/minor subdivision between two contiguous lots resulting in new lot 4 comprising of 1.248 acres, and new lot 5 comprising of 0.688 acres. As a result of the subdivision the impervious coverage of lot 4 will increase resulting in an expansion of a pre-existing non-conformity (automobile repair shop with used car license in a residential zone) resulting in expansion of the Use Variance.

## **MAY 19, 2020 LAND USE BOARD MINUTES CONTINUED:**

### **Application 2020-4 Continued:**

Attorney for the Applicant John Alice gave presentation on this matter. Also sworn for testimony were John Gellenthin, Land Surveyor and property owner Keith VanMeter.

Board Professionals Melanie Adamson and Michelle Young presented their reports to the Board.

A motion was made by Mr. Acton, with a second by Dr. Harris to open the meeting to the public. When no one from the public came forward, a motion was made by Mr. Acton, with a second by Dr. Harris to close the public portion.

A motion was made to approve the subdivision/use variance expansion 2020-4 by Mr. Acton along with all requested waivers, the Planner's report 3/3/2020, Engineer's report 2/27/2020. The motion was seconded by Mr. deMers. Roll Call Vote: 7 yes, 0 no.

### **Application 2020-1 - Approved**

Total Turf Experience  
614 Lambs Road, Block 254.01, Lot 32.01

Use variance and/or confirmation the pre-existing uses by two of the Applicant's tenants for a sports education academy classroom space and a craft brewery/"brew pub" at two separate locations within the existing sports facility. Specifically that the uses are permitted in the HC zone and Route 55 Redevelopment Area.

Michael Ward, Attorney for the application gave presentation for this matter. Also sworn for testimony were Terry Combs, PP, Petit Group, Jerry McGough and Brad Yates, owners.

Board Professionals Melanie Adamson and Michelle Young presented their reports to the Board.

A motion was made by Mr. Monte, with a second by Mr. Masciulli to open the meeting to the public. When no one from the public came forward, a motion was made by Dr. Harris, with a second by Mr. Acton.

A motion was made to approve use variance 2020-1 by Dr. Harris, contingent upon all requested variances and waivers, the Planner's report 2/13/2020, Engineer's report 2/14/2020. The motion was seconded by Mr. Acton. Roll Call Vote: 7 yes, 0 no.

### **Application 2020-3 - Approved**

Brian Bennis  
53 Sussex Avenue, Block 202, Lot 1.02

A use variance to allow the construction of a storage shed (12x20 240sq.ft.9' high), on a vacant lot, when such use is not permitted and a waiver of site plan approval.

David Thatcher, Attorney for the applicant gave presentation for this matter. Also sworn to provide testimony was owner Brian Bennis. Exhibit A-1 a photograph of the proposed shed was added as an exhibit.

## **MAY 19, 2020 LAND USE BOARD MINUTES CONTINUED:**

### **Application 2020-3 Continued:**

Board Professionals Melanie Adamson and Michelle Young presented their reports to the Board.

A motion was made by Mr. Masciulli, with a second by Dr. Harris to open the meeting to the public. When no one from the public came forward, a motion was made by Mr. Masciulli, with a second by Dr. Harris.

A motion was made to approve use variance 2020-3 by Dr. Harris, contingent upon all requested variances and waivers (230-46B), the Planner's report 3/2/2020, Engineer's report 2/27/2020. The motion was seconded by Mr. Acton. Roll Call Vote: 7 yes, 0 no.

### **Other Business:**

Request for an extension of subdivision approval Resolution 2019-42 from Elite Builders, for 180 Jackson Road, Block 146, Lot 9.

A motion was made by Ms. Mirigliani to grant a one year extension in accordance to 40:55D-47, the motion was seconded by Mr. Huston. A resolution memorializing this action will be adopted June 16, 2020. Roll Call Vote: 7 yes, 0 no.

### **Resolutions**

Resolution 2020-16 was adopted appointing conflict Solicitor Platt and Riso for a matter of litigation with a motion was by Mr. deMers, seconded by Mr. Acton. Roll Call Vote: 7 yes, 0 no.

Resolution 2020-17 was adopted regarding authorizing Parker McKay to represent the Board in a matter of litigation with a motion by Mr. deMers, seconded by Ms. Mirigliani. Roll Call Vote: 7 yes, 0 no.

### **Public Portion**

The meeting was opened to the public, when no one appeared to speak, the public portion was closed.

### **Adjournment**

With no further business, a motion was made by Mr. Masciulli, seconded by Mr. Monte to adjourn the meeting. All members in favor.

Respectfully Submitted,

*Sandi Rost*

Sandi Rost

Land Use Secretary

Adopted on: 6-16-2020