

**ELSINBORO TOWNSHIP
PLANNING BOARD**

Dave Faulhaber - Chairman 935-4472

Steve Cornman - Secretary 935-7593

Board Minutes

Meeting Date: January 16, 2019

The Elsinboro Planning Board re-organization meeting was held at 6:30 p.m. in the Emergency Management Building. Members present were Chairman Dave Faulhaber, Steve Cornman, Michael Khairzada, Joe McAllister, Rich Kazunas, Bill McGowan III, and Ken Brown. There were no members of the public present for the meeting. Dave Faulhaber who then read the sunshine law statement opened the meeting. The Chairman started the meeting with a salute to flag.

Motion #1: Steve Cornman made a motion to appoint Dave Faulhaber as Chairman pro tempore. Bill McGowan seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

Motion #2: Mike Khairzada made a motion to appoint Steve Cornman as Secretary pro tempore. Joe McAllister seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

Dave Faulhaber swore in four Board members to new terms. Those members were Joe McAllister, Bill McGowan, Mike Khairzada, and Ken Brown.

Note: Sean Elwell and Frank Master were not present to be sworn in at this time.

Motion #3: Ken Brown made a motion to elect Dave Faulhaber as Chairman for the year 2019. Mike Khairzada seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

Motion #4: Ken Brown made a motion to appoint Steve Cornman as Board Secretary for the year 2019. Rich Kazunas seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

Motion #5: Dave Faulhaber made a motion to elect Rick Kazunas as Vice-Chairman for the year 2019. Ken Brown seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

Motion #6: Joe McAllister made a motion to appoint Marla D. Gaglione for Board Solicitor for the year 2019. Bill McGowan seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

Motion #7: Bill McGowan made a motion to appoint the firm of Fralinger Engineering as Board Engineer for the year 2019. Mike Khairzada seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

Motion #8: Joe McAllister made a motion to designate the South Jersey Times as the newspaper to which the Board's meeting and legal notices shall be sent for the year 2019. Mike Khairzada seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

Motion #9: Ken Brown made a motion to set the regular meeting dates of the Board to the 3rd Wednesday of each month, at 6:30 PM, in the Emergency Management Building, Elsinboro Township, Salem County, New Jersey. The Board shall be authorized to discuss and formally act upon any business affecting the Board at its regular meetings. Joe McAllister seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

Motion #10: Ken Brown made a motion direct the Board Secretary to file a copy of the Schedule of Meeting Dates for the year 2019 with the Township Clerk. Rich Kazunas seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

Motion #11: Ken Brown made a motion to direct the Secretary to mail a copy of a Schedule of Meeting Dates For the Year 2019 to the Board's designated newspaper within seven days following the date of the Resolution memorializing the Re-Organization of the Board for 2019. Mike Khairzada seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

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Motion #12: Ken Brown made a motion directing the Board Secretary to post and maintain a copy of the Schedule of Meeting Dates for the year 2019 upon the Municipal Bulletin Board. Rich Kazunas seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

Motion #13: Bill McGowan made a motion to table the appointment of a Board Planner for the year 2019. Rich Kazunas seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

Motion #14: Ken Brown made a motion to dispense with the reading and to approve the minutes from the October 17, 2018 meeting. Joe McAllister seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

Motion #15: Bill McGowan made a motion to adopt resolution 2019-01, Elsinboro Township Planning Board Re-Organization for the Year 2019. Joe McAllister seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

Other Business:

The Board Chairman thanked the Board members for their time a service and recognized the Board on the adoption of a shed ordinance to resolve the problem of storage for all lots that do not meet minimum lot size requirements.

The Chairman updated the Board on the status of the Master Plan update and a meeting with the County Planning Board Secretary, Matt Goff, to assist with the revision to the plan.

The Chairman welcomed Mike Khairzada as Emergency Response Organization representative on the Board. Mike indicated that his goals for 2019 will include obtaining additional grant funding for Emergency Management.

The Chairman reminded the members on the importance of attending all meetings and to notify the Chairman or Secretary when you are unable to attend to ensure that a quorum is available for all Board business.

The members requested the secretary to re-distribute a member contact list to assist in improving Board communications.

With no further business before the board, Ken Brown made a motion to adjourn. Mike Khairzada seconded the motion. The motion carried by a unanimous vote and the meeting was adjourned at 7:10 p.m.

Respectfully submitted,

Wm. Steve Cornman

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Board Minutes

On October 23, 2019, at 6:30 p.m., the Elsinboro Planning Board met in the Emergency Management Building. Members present were Chairman Dave Faulhaber, Steve Cornman, Frank Master, Joe McAllister, Rich Kazunas, Bill McGowan III, Ken Brown, Joe Robbins, and Jack Elk. No members of the general public were present for the meeting. Dave Faulhaber read the sunshine law statement opened the meeting. The Chairman started the meeting with a salute to flag.

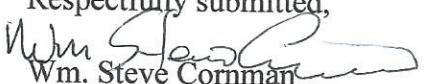
Motion #1: Bill McGowan made a motion to dispense with the reading and approve the minutes of the September 18, 2019. Frank Master seconded the motion. The motion carried by a vote of 9 ayes, 0 nays, and 0 abstentions.

The meeting was held to review Resolution 2019-02, a resolution to memorialize the action taken by the Board at it's 9-18-19 meeting. The resolution documented the action taken by the Board regarding submission waivers and completeness of application 2019-01.

Motion #2: Steve Cornman made a motion adopt resolution 2019-02. Bill McGowan seconded the motion. The motion carried by a roll call vote of 5 ayes, 0 nays, and 0 abstentions. The member voting to adopt the resolution were Dave Faulhaber, Steve Cornman, Frank Master, Bill McGowan, and Joe Robbins.

The Board Chairman discussed the reason the meeting was moved from the normal October 16 date to October the 23rd. The Chairman also briefly discussed the unusualness of the application submission process and that the applicant has chosen to break down the process into two distinct steps, Use Variance approval followed by Site Plan approval.

Motion #3: With no further business before the Board, Bill McGowan made a motion to adjourn. Ken Brown seconded the motion. The motion carried by a unanimous vote and the meeting was adjourned at 6:40 p.m.

Respectfully submitted,

Wm. Steve Cornman

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Board Minutes

On September 18, 2019, at 6:30 p.m., the Elsinboro Planning Board met in the Emergency Management Building. Members present were Chairman Dave Faulhaber, Steve Cornman, Sean Elwell, Frank Master, Kurt Kaufmann, Bill McGowan III, Ken Brown, Joe Robbins, and Jack Elk. Board Solicitor, Marla Gaglione was present and Adam Telsey was present representing his client Carolyn Joyce, who was not present. No members of the general public were present for the meeting. Dave Faulhaber read the sunshine law statement opened the meeting. The Chairman started the meeting with a salute to flag.

Dave Faulhaber swore in members Sean Elwell and Frank Master to their current terms.

Motion #1: Ken Brown made a motion to dispense with the reading and approve the minutes of the January 16, 2019 Re-Organization meeting. Bill McGowan seconded the motion. The motion carried by a vote of 9 ayes, 0 nays, and 0 abstentions.

The meeting was held to review application 2019-01 submitted by Adam Telsey on behalf of his client Carolyn Joyce. The applicant is requesting a Use Variance to allow for the operation of a Coffee Grinding and retail sales business at 21 Money Island Road also known as Block 39, Lot 15.03. The purpose of the meeting was to review the requested application submission waivers and to determine application completeness.

The Board Solicitor explained the agenda, the purpose for re-organizing the Combined Board to a Zoning Board Adjustment, and the limitations of the Boards Township Committee members regarding their participation.

Motion #2: Kurt Kaufmann made a motion to re-organize to a Zoning Board of Adjustment for the purpose of acting upon Use Variance application 2019-01. Frank Master seconded the motion. The motion carried by a vote of 9 ayes, 0 nays, and 0 abstentions.

Adam Telsey spoke to the Board regarding the request for submission waivers and several Board member expressed concern regarding the limited information available to render a decision about the requested Use Variance. The applicant is requesting waivers for Schedule A, Items 4 and 6 and Schedule C, Items 1-12, 14-16, and 19-46 until such time that A Site Plan Application is submitted following approval of the requested variance.

Motion #3: Steve Cornman made a motion to approve the requested waivers with the following exceptions, Schedule A, Item 4 and Schedule C, Items 1, 2, 7, 8, 9, 16, 17, 28, and 46 which should be provided to the Board prior to a hearing on the variance request. Ken Brown seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

Mr. Telsey agreed to the Boards request.

Motion #4: Steve Cornman made a motion to deem the application complete pending submission of the materials listed in the previous motion and agreed to by the applicant's attorney. Bill McGowan seconded the motion. The motion carried by a vote of 6 ayes, 1 nay, and 0 abstentions.

Motion #5: Kurt Kaufmann made a motion to return to a Combined Planning/Zoning Board. Frank Master seconded the motion. The motion carried by a vote of 7 ayes, 0 nays, and 0 abstentions.

The Chairman updated the Board on the status of the Master Plan revision and acknowledge the passing of long time Board member, Doug Bumstead.

Motion #6: With no further business before the Board, Jack Elk made a motion to adjourn. Ken Brown seconded the motion. The motion carried by a unanimous vote and the meeting was adjourned at 7:12 p.m.

Respectfully submitted,

Wm. Steve Cornman

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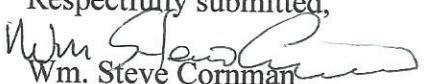
Motion #1: Bill McGowan made a motion to dispense with the reading and approve the minutes of the September 18, 2019. Frank Master seconded the motion. The motion carried by a vote of 9 ayes, 0 nays, and 0 abstentions.

The meeting was held to review Resolution 2019-02, a resolution to memorialize the action taken by the Board at it's 9-18-19 meeting. The resolution documented the action taken by the Board regarding submission waivers and completeness of application 2019-01.

Motion #2: Steve Cornman made a motion adopt resolution 2019-02. Bill McGowan seconded the motion. The motion carried by a roll call vote of 5 ayes, 0 nays, and 0 abstentions. The member voting to adopt the resolution were Dave Faulhaber, Steve Cornman, Frank Master, Bill McGowan, and Joe Robbins.

The Board Chairman discussed the reason the meeting was moved from the normal October 16 date to October the 23rd. The Chairman also briefly discussed the unusualness of the application submission process and that the applicant has chosen to break down the process into two distinct steps, Use Variance approval followed by Site Plan approval.

Motion #3: With no further business before the Board, Bill McGowan made a motion to adjourn. Ken Brown seconded the motion. The motion carried by a unanimous vote and the meeting was adjourned at 6:40 p.m.

Respectfully submitted,

Wm. Steve Cornman

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Board Minutes

December 18, 2019

The Elsinboro Planning Board met in the Emergency Management Building at 6:30 PM. Members present were Chairman Dave Faulhaber, Vice Chairman Rich Kazunas, Secretary and Member Steve Cornman, Sean Elwell, Michael Khairzada, Frank Master, Kurt Kaufmann, Joe McAllister, Ken Brown, and Joe Robbins. Also present was Board Solicitor Marla Gaglione. One member of the public was present, Ann Richman.

Dave Faulhaber opened the meeting and read the sunshine law statement. The Chairman led the Board with the Pledge of Allegiance to the Flag.

Motion #1: Ken Brown made a motion to dispense with the reading and approve the minutes of the October 23, 2019 meeting. Joe McAllister seconded the motion. The motion carried by a vote of 9 ayes, 0 nays, and 0 abstentions.

The meeting was held to review and act upon application 2019-01. The applicant was not present for the meeting.

Motion #2: Ken Brown made a motion to reorganize the Combined Planning and Zoning Board to a Zoning Board of Adjustment for the purpose of reviewing and acting on Use Variance application 2019-01. Michael Khairzada seconded the motion. The motion carried by a roll call vote of 9 ayes, 0 nays, and 0 abstentions. The eligible voting members of the Board of Adjustment were Dave Faulhaber, Steve Cornman, Michael Khairzada, Frank Master, Kurt Kaufmann, Richard Kazunas, and Ken Brown.

The Board Solicitor Marla Gaglione updated the Board regarding the status of, and events surrounding, the application, including,

- The requirement that the application be acted on within the 120-day deadline or a default approval of the variance request would result.
- Following several requests to the applicant and her legal representative to formally request a continuance before the 120-day deadline expired, no formal request was provided.
- After being informed by the applicant's attorney that the application would need to be amended to reflect that the applicant had established a Limited Liability Corporation (LLC), no amendment to the application or details about the LLC were provided.
- After the applicant informed the Board that Adam Telsey would no longer be representing the applicant, no justification that would allow testimony on the application by the LLC without counsel was provided.
- While a legal notice was posted in the newspaper of record identifying the hearing date of December 18, 2019, notice to property owners within 200 feet of Block 39, Lot 15.03 was not provided. Other entities that needed to be informed of the request for a use variance request were not noticed as required.

Due to the 120 day deadline, the Board Solicitor recommended the Board act upon the application. Without a formal request for adjournment, the applicant not being present and proper notice not having been fulfilled the Solicitor recommended that if the Board were to deny the application it be done so without prejudice to permit the Applicant to reapply in the future.

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Motion #3: Mike Khairzada made a motion to open the hearing for public comment. Richard Kazunas seconded the motion. The motion carried by a unanimous vote.

Ann Richman addressed the Board regarding the fact that the property owners were not notified and someone who saw the legal advertisement in the South Jersey Times had informed her of the hearing on the use variance. No additional public comment was provided.

Motion #4: Mike Khairzada made a motion to close the public comment portion of the hearing. Frank Master seconded the motion. The motion carried by a unanimous vote.

Motion #5: Kurt Kaufmann made a motion to deny Use Variance application 2019-01 without prejudice. Steve Cornman seconded the motion. The Chairman asked for Board comments on the motion. No comments were provided. The motion carried by a roll call vote of 7 ayes, 0 nays, and 0 abstentions.

The Board Solicitor briefed the Board on Resolution 2019-03, "Resolution Regarding Application 2019-01 Carolyn Joyce, Applicant of Block 39, Lot 15.03" memorializing the Board's denial of the application.

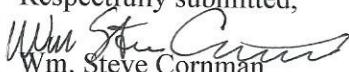
Motion #6: Michael Khairzada made a motion to adopt Resolution 2019-03. Kurt Kaufmann seconded the motion. The Chairman asked for Board comments on the motion. No comments were provided. The motion carried by a roll call vote of 7 ayes, 0 nays, and 0 abstentions.

Motion #7: Michael Khairzada made a motion to return to a Combined Planning/Zoning Board. Richard Kazunas seconded the motion. The Chairman asked for Board comments on the motion. No comments were provided. The motion carried by a roll call vote of 7 ayes, 0 nays, and 0 abstentions.

The Board Solicitor provided the Board with continuing training as stipulated by the Township's agreement with the Municipal Joint Insurance Fund (JIF). This training was based on the booklet provided JIF and distributed to the Board members at the October 23, 2019 meeting. The training started at 6:55 and was completed at 7:30. An attendance sheet was completed as requested by JIF and forwarded to the Township Clerk's office that evening.

Motion #8: With no further business before the Board, Ken Brown made a motion to adjourn. Joe McAllister seconded the motion. The motion carried by a unanimous vote and the meeting was adjourned at 7:35 p.m.

Respectfully submitted,


Wm. Steve Cornman