

UPPER TOWNSHIP ZONING BOARD OF ADJUSTMENT
 REGULAR MEETING MINUTES
 NOVEMBER 14, 2024

The meeting of the Upper Township Zoning Board of Adjustment was held at Township Hall at 2100 Tuckahoe Road, Petersburg. The meeting was called to order at 6:30 p.m.

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

| Member | Attendance |
|-------------------------|------------|
| James Burger, Alt #1 | Present |
| Paul Casaccio, Chairman | Present |
| Sherrie Galderisi | Absent |
| Tom Jackson Alt #2 | Present |
| Richard Mashura | Present |
| Lynn Petrozza | Absent |
| Christopher Phifer | Present |

| Member | Attendance |
|------------------------|------------|
| Donald Rainear, Alt #3 | Present |
| Andrew Shawl | Present |
| Matthew Unsworth | Present |
| Hobie Young, Alt #4 | Absent |
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Also, in attendance were Jeffrey Barnes, Board Solicitor, Greg Schneider, Board Engineer and Liz Oaks, Board Secretary and Zoning Officer.

Having enough board members Mr. Casaccio asked if anyone wanted to leave. Tom Jackson took advantage of the offer and stepped down.

APPROVAL OF THE OCTOBER 3, 2024 MEETING MINUTES

A motion to approve the minutes was made by Mr. Unsworth and seconded by Mr. Mashura.

In favor: Burger, Mashura, Phifer, Rainear, Shawl, Casaccio

Abstain: Unsworth

Greg Schneider and Liz Oaks were sworn.

APPLICATIONS

TRYKOWSKI, TERESA – BLOCK 552 LOT 5 – BA 15-2024

Applicant is seeking variance relief for a front yard setback of 21.42’ where 50’ is required and to allow an accessory structure in the front yard to construct a pool at 26 New Bridge Road in Seaville, New Jersey.

This application has been tabled to the December 5, 2024 meeting with no further notice.

HSC SEAVILLE, LLC - BLOCK 561 LOTS 3, 4.02 & 9 - BA 14-2024

Application is for a minor subdivision in conjunction with preliminary and final site plan approval to construct a 21,930- sq. ft. retail store (Tractor Supply) along with variances and waivers for distance between structures of 3’ where 25’ is required, accessory structure building height of 24’ where 20’ is permitted, outdoor display area, wall signage area of 147 square feet where 10% of the area of the face of the store or 75 square feet, whichever is smaller, maximum sign height for a monument sign of 12’ where 8’ is

permitted, informational/directional sign of 74.7 square feet where 2 square feet is permitted, number of parking spaces of 85 where 110 are required, fencing height of 8' where 4' is permitted in the front and 6' is permitted in the rear and a use variance for existing billboards on the site at 13 NJ Rt 50 in Seaville, New Jersey.

Application provided by applicant.

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|-------------------------------|-----------------------|----------------|
| Stormwater Management Report | Stonefield Associates | dated 8/6/24. |
| Traffic Impact Study | Stonefield Associates | dated 8/1/24. |
| Environmental Assessment | Stonefield Associates | dated 8/13/24. |
| Architectural Plans | Michael Crisp | dated 7/9/24. |
| Subdivision Plans | Stonefield Associates | dated 8/6/24. |
| ALTA Title Survey | Stonefield Associates | dated 5/10/24. |
| Preliminary & Major Site Plan | Stonefield Associates | dated 8/1/24. |

Attorney - Lawrence Powers, Attorney, Hoagland Longo
Engineer – Aaron Chan, Engineer, Stonefield Engineering
Engineer – John Corak, Engineer, Stonefield Engineering
Jennifer Nylander, Hix Snedeker

Variations:

20-4.7.L1. Outdoor display area shall be limited to 50 square feet for every 50 feet of road frontage, not to exceed a total of 200 square feet.

- Given that the proposed use includes the sale of outdoor goods such as fencing materials, pet and livestock equipment, trailers, and lawn and garden equipment, a 26,800 square foot outdoor display area is proposed. This includes the entirety of the enclosed area east of the building, sidewalk display areas in front of building, and trailer display along the frontage. Testimony will be provided to support the variance relief being requested for this item.

20-5.10. No billboards or off-site commercial advertising sign shall be erected or replaced except in the Pinelands Area as provided in Subsection 13.

- The existing billboards onsite to remain are not permitted onsite – therefore variance relief is requested for this item.

Schedule C. The minimum distance between an accessory building and other buildings onsite is 25 feet.

- The distance between the proposed Tractor Supply building and the proposed Live Goods Center structure is three feet. Variance relief is requested for this item.

20-5.1.D1 The maximum accessory building height is 20 feet.

- The height of the proposed Live Goods Center structure is 24 feet. Variance relief is requested for this item.

20-5.10.A.5. Information and direction signage. Onsite directional and parking signs are permitted in all zones. No such sign shall exceed two square feet in area.

- A 29.7 square foot “drive-thru pick up” directional sign and 45.0 square foot “garden center” informational sign are proposed. Variance relief is requested for this item.

20-5.10.B.4.(a) The total sign area of an attached sign shall not exceed 10% of the areas of the face of the store wall upon which such sign is attached or 75 square feet, whichever is smaller.

- An attached sign area of 147 square feet is proposed. Variance relief is requested for this item.

20-5.10.B.4.(b) Within the TCC zone, no freestanding sign height shall exceed eight feet.

- A 12-foot-tall freestanding sign is proposed. Variance relief is requested for this item.

20-5.7.B.(4) Local retail and service activities, banks and offices shall provide parking at a ratio of five spaces per 1,000 square feet gross area floor area.

- 65 parking spaces are proposed where 110 spaces are required. Variance relief is requested for this item.

20-5.3.A A maximum fence / wall height of 4 feet is permitted in the front yard.

- An 8-foot-tall fence is in the front areas. Variance relief is requested for this item.

20-5.3.A A maximum fence / wall height of 6 feet is permitted in the side and rear yards.

- An 8-foot-tall fence is in the side and rear yard areas. Variance relief is requested for this item.

Exhibits:

- A-1 aerial dated 11/13/24.
- A-2 colorized site plan rendering.
- A-3 colorized 3D rendering.
- C-5 site plan zoning.

Witnesses:

Jennifer Nylander, Hix Snedeker, 805 Trione St, Daphne, AL was sworn.

Aaron Chan, Site Plan and Subdivision Engineer, Stonefield, 15 Spring St, Princeton was sworn.

John Corak, Traffic Engineer, Stonefield, 92 Park Avenue, Rutherford was sworn.

Marcella Traina, Planner, Stonefield, 92 Park Avenue, Rutherford was sworn.

Ms. Nylander, representing Hix Snedeker, the preferred developer of Tractor Supply.

She explained the use and operation of Tractor Supply. They believe this site will be a great fit. Typically, a Tractor Supply will sell farm and ranch equipment. Such as maintenance products, general merchandise, animal feed, animal equipment, clothing, and footwear. Typically, the outdoor display yard will include fencing, pet, livestock equipment, culverts and plastic water pipes. Utv's, atv's and paddle boats may be part of the display. As well as other items of a similar nature. Typically, there is an equipment display area for 3-point hitches and trailers, dedicated for this specifically and does not take any parking spaces. These items will be secured at night. There will be a garden center to the side of the building, within the fenced area, selling plants, garden materials and similar items. There will be a permanent sidewalk display at the front entrance. It will have items such as mowers, garden carts and other seasonal items.

The typical Tractor Supply operates 7 days a week. Monday through Saturday 8am to 8pm and on Sundays 8am to 7pm. Employees generally consist of a manager, assistant manager and about 6-8 staff members.

Tractor Supply generally receives deliveries 1 to 2 deliveries per week. The trucks will park in the back and unload the supplies. They are particularly good at removing any packaging debris immediately. There will be no packaging stored on site. They will have both trash and recycle containers at this site.

Mr. Powers stated that in the past other Tractor Supply developments have requested a letter from the zoning officer stating that the planned development and use and operation are approved. They have included an initial letter from the zoning officer stating what is permitted and request one stating everything is approved if they are granted approval.

Mr. Casaccio – That is what the resolution is for.

Mr. Shawl – Please explain how the purchase of items in the outside display area would be purchased and picked up.

Ms. Nylander – A customer would go inside to make the purchase and come out with an employee to unlock the product. There is a dedicated lane that would allow for the loading of product.

Mr. Phifer – Will there be the sale of any live animals.

Ms. Nylander – There are times that Tractor Supply will have chicks and ducks for sale in the store around Easter and they expect to have a pet washing station. So, pets would be allowed.

Aaron Chan, Licensed Professional Engineer with 10 years' experience, Stonefield Engineering.

Mr. Chan provided exhibit A-1, an aerial of existing conditions. He described the site as a wooded lot on the northbound side of Route 50 located in the TCC Zone. It consists of 3 lots that total 8.8 acres. He points out the proposed subdivision line that bisects the property. The Tractor Supply is proposed on the southerly portion of the subdivision.

Exhibit A-2, colorized site plan rendering. This is just a colorized version of the site plan submitted. Both lots will be fully compliant with the Tractor Supply lot being 6.6 acres. And the undeveloped lot will be 2.2 acres.

The Tractor Supply proposes to construct a 22,000 square foot retail store with an enclosed outdoor display area immediately adjacent on the right-hand side of the building. The retail and garden center are permitted uses in the zone; however, the outdoor display is not a permitted use. The outdoor display area will be completely fenced with an 8' high fence. The zone permits a 4' high fence in the front yard and a 6' high fence in the side and rear yard. The fence height requires a variance. The 8' height is for security. The permanent display area is about 20' wide directly in front of the building. The area in which they will be keeping the 3-point hitch trailers, will be along Route 50 and will not take up any parking spaces and is approximately 3,000 square feet. These areas combined are 26,850 square feet of outdoor display areas. The township allows for 4 times the building gross floor area which is about 30%. Each of the display areas are intentional for pedestrians and vehicles. The building will meet or exceed the bulk requirements of the zone. They meet the township and CAFRA requirements for tree preservation.

They are proposing 58 parking spaces where 110 are required. Tractor Supply operates 2,200 stores across the United States and understand their parking needs. They include handicap spaces and 3 oversize stalls. The drive aisles are larger to allow the vehicles to move more comfortably. The back of the site is where they have loading and delivery area. Intentionally in the back to be screened by the building. The tree preservation is along the entirety of the rear of the property to buffer. The stormwater basin area consists of above ground basins.

The garden center structure is intentionally directly next to the building for convenience. The height is 24 feet high where the zone only allows 20 feet maximum height. It is still shorter than the principal structure that is 30 feet tall. The zone requires a distance between structures of 25 feet and they propose 3 feet.

The fire tank, located in the top left of the site, is a matter of not having a water main. It is for fire sprinkler and hydrant purposes. It will hold 180,000 gallons to provide adequate water pressure for the sprinklers and any hydrants. The structure is compliant with the setbacks and coverages. It

has a small pump room. The height is 24 feet where 20 feet is permitted. The height is required to build up the water pressure. The location is chosen for shielding of the building and mature trees.

The access to the site is along Route 50. They have filed with the DOT and received comments to shift the driveway to align with the driveway of the retail strip across the street. There is a shoulder along the frontage acting as an acceleration and deceleration lane.

The stormwater includes a series of 3 above ground basins each with a sand bottom that are between 3-5 feet deep with the capacity of over 600,000 gallons.

They have a comprehensive landscaping design with a combination of native trees and grasses scattered across the property. There are 8 shade trees along the frontage. And plantings along the perimeter. There will be evergreens to allow for seasonal coverage. The proposed is well over the 10% required by the township.

Exhibit A-3, a colorized 3D rendering. This shows the monument sign and some of the landscaping. The architecture and design is typical of other Tractor Supplies with signature tractor supply red and front gabled entrance. The sign is proposed at 147 square feet which is larger than the permitted, which is 10% of the façade or not to exceed 75 square feet. They are at 5% of the façade so they fall under the permitted 10% and believe it is proportional and appropriate to the building. The structure is setback twice the required distance which they believe this size is appropriate. There will be a couple gooseneck lamps shining down on the sign. They believe it will be fitting with the neighborhood. The monument sign is setback 30 feet, complying with the requirements. The proposed height is 12 feet where 8 feet is permitted. Their hope is that the height will give more visibility given the speed limit on that stretch of highway. The sign is 48.9 square feet where 100 square feet would be permitted, so they are half that allowed.

The outdoor display area is for bulk supplies and larger items. They choose the outdoor display rather than increasing the size of the store. This will also include items that may be considered messier such as hay. And, again, they are out of the way of parking. It is a designated area. They wanted to keep as much tree preservation in the back and some of the display area out front, which makes sense for a commercial project. There are 2 billboards on the site located at the bottom right of the property. They are in a “V” configuration and are approximately 250 square feet. The other billboard is about 500 feet away and does not have a visual impact. The current users’ lease expires next year, and they will not renew that lease and the billboard will be removed.

All the calculations were based on the subdivided lots. The proposed lighting is 13 poles and 15 fixtures scattered throughout the site. The foot candles proposed are modest. At the subdivision line the foot candle is 1.5 feet with zero spillage after the first basin. They are designed with shielding on the backside of the lights. The DOT has lighting requirements along the highway of .2-foot candles at the curblin to avoid glare and they are compliant.

They received a letter from the township planner dated 10/9/24 which has 2 comments. They agree to comply with both comments, one of which is the COAH. They also have the engineer letter dated 11/7/24 that requested testimony in which they have covered. If there is anything they have missed, they agree to comply.

Mr. Schneider – Questioned lighting times. Would it be all night? And irrigation, both need to be noted on the plans.

Mr. Chan – They could be turned off after hours. Leaving some security lighting.

John Corak, Licensed Professional Engineer, specializing in traffic, Stonefield.

Mr. Corak – The site is on Route 50, not too far from the intersection at Route 9, where they have new traffic signals going up. The orientation of the site and where the location of the driveway is proposed after consulting with the NJDOT and the re-alignment of the driveway and the two-way left turn in front of the site. They believe this is a good application from a traffic perspective. They did some field observations and conducted traffic counts. They were done in April. They are fully aware that is not peak season and have adjusted by a 40% increase. They looked at the intersection at Route 9 and Route 50 and found it to be operating at acceptable levels of service. Looking forward with the addition of a Tractor Supply and forecasting the future change. They do this by using the trip generation manual published by the Institute of Transportation Engineers, which has a special category for Tractor Supply Store. They look at the effect on the intersection and the driveway. It shows they will operate acceptable and there would be no traffic impact to the area for the proposed development. The onsite parking is not lowered only for township requirements but to keep green space. Tractor Supply is very familiar with their needs. They would expect only 30 to 40 spaces being needed at peak.

Marcella Traina, Licensed Professional Planner, Stonefield.

Ms. Traina – The subject property is in the TCC Town Center Core zone where retail is a permitted use. They are seeking a D3 variance for the outdoor display area as well as several C variances. The one billboard on site has a lease that will be terminated in 2025. They will notice in March for a termination in November. Billboards are not uncommon on commercial lots such as this and would not conflict with one another. They see no substantial detriment and it aligns with MLUL purpose (a.) To encourage municipal action to guide the appropriate use or development of all lands in the State, in a manner which will promote the public health, safety, morals, and general welfare.

The D3 conditional use variance for the outdoor display area. They deviate from 2 of those conditions. The maximum height of the items within the area and the size of the area. Tractor Supply primarily sells farming, gardening, hardware, animal feed and other outdoor goods. This includes the sale of plows, trailers, lawn mowers and livestock equipment. The more practical location for these items would be an outdoor display area. They still comply with building coverage so there isn't an impact. They are at 17% where 35% is permitted.

The C variances include a minimum distance between buildings of 3 feet where 25 feet is required. This is that distance between the Tractor Supply and the live goods structure, which is assumed in the proposed use, therefore it makes more sense to be located next to the principal structure. It is customary to the overall use and is not technically regarded as an accessory use. The maximum height of the live goods structure of 24 feet where 20 feet is the maximum. This is a minor deviation, as mentioned the live goods structure acts less like an accessory and more of an extension of the principal building. The height of the principal structure is 30 feet, and the maximum permitted height is 45 feet and what is proposed is way under that.

They are seeking a variance for the height of the water tank where 24 is proposed and 20 feet is permitted. This is needed for the safe operations of the proposed use. The vertical design of the tank will allow for the necessary pressure for the fire suppression system.

They are seeking a variance for the maximum height for the monument sign that is proposed at the entrance of the site. The height and location will allow for greater visibility for vehicles traveling along Route 50 at 40 miles per hour. It is not out of character for any of the surrounding uses.

They are seeking a variance for the maximum area for informational and directional signs. This is for the drive-thru pickup sign and garden center sign which are both wall signs. Directional signs are primarily freestanding and what is proposed will eliminate that need. The maximum area permitted is 75 square feet and they are proposing signage that is under that. The Tractor Supply sign they are seeking a variance for they propose 147 square feet where maximum 75 square feet is permitted. This is on brand for other Tractor Supply stores and is setback far enough not to create a detrimental impact for drivers or pedestrians and is proportionate to the building façade.

They are seeking a variance for parking where 110 are required 65 are proposed. The number of proposed parking spaces will allow for open space in the side and rear yards minimizing any impact the neighboring residents while complying with the parking demands.

They are seeking a variance for the maximum fence height. They propose 8 feet to protect merchandise while being proportionate to the proposed building.

Pursuant to the proposed development they do not anticipate any substantial detriment to the public good. The use is permitted, and they are well below on coverage requirements. There is nothing proposed in the required setbacks as to not impact any of the residents. They are limiting the store and improvements to the southern portion of the lot which is more than 200 feet from Kruk Terrace. They are compliant with CAFRA requirements which includes tree preservation and impervious coverage. This the perfect location for the proposed use. The lot size can accommodate the proposed development. It is located along a State route. Most of the site is buffered with heavily wooded areas so there is limited lighting spillage. The parking supply is sufficient per the traffic impact statement. The project aligns with the Master Plan goals to maintain the townships rural and residential character and provide for the continued scenic and density nature of the township. The nature of the proposed use will maintain the rural character by the sale of tractor equipment.

The designation of this lot permitting retail uses aligns with the MLUL (a.) To encourage municipal action to guide the appropriate use or development of all lands in the State, in a manner which will promote the public health, safety, morals, and general welfare.

The site is well suited for the proposed use with the retail use being permitted and compatible with the surrounding area. The proposed contains minor deviations from the zoning ordinance, however, these deviations do not substantially harm the public good and are justified by the nature of the business and the operational requirements. The large outdoor display area is essential to the success of Tractor Supply and does not conflict with overall zoning goals. The proposed Tractor Supply will provide valuable services to the community particularly in agricultural and outdoor equipment contributing to the local economy and fulfilling a clear local need. The outdoor display is essential to the stores operation and will benefit residents by providing easy access to essential good. The benefits of the proposed project including economic growth, job creation and provision of local services significantly outweigh the minor detriments caused by the deviations from the zoning ordinance. The project supports the overall goals of the townships master plan and zoning ordinance while minimizing negative impacts of the surrounding community.

There was a discussion about the removal of the billboard and how to make sure it is coming down. They agreed to a condition that they would do the best that they can do to comply, and they will provide all documentation. They agree to contact the township if any problems arise.

There was a question about the CAFRA and tree preservation.

Mr. Chan explained that the CAFRA tree preservation did encompass all of the lots. If the other lot was to be developed, they would have to obtain CAFRA approval and they would have this information on file.

There was a concern about the fire tank and access to a water main.

Mr. Chan confirmed that there was no water access at that site. They would have preferred it to the fire tank. There will be a well that replenishes the fire tank.

The meeting was open to the public. Hearing no one and seeing no one this portion was closed and returned to the board for findings of fact.

Mr. Shawl – The applicant, HSC Seaville, LLC come before the board regarding the property located at 13 NJ Rt 50 in the Seaville section of the township, also known on the tax map as block 561 lots 3, 4.02 & 9. The application is for a minor subdivision in conjunction with preliminary and final site plan approval to construct a 21,930- sq. ft. retail store (Tractor Supply) along with variances and waivers for distance between structures of 3’ where 25’ is required, accessory structure building height of 24’ where 20’ is permitted, outdoor display area, wall signage area of 147 square feet where 10% of the area of the face of the store or 75 square feet, whichever is smaller, maximum sign height for a monument sign of 12’ where 8’ is permitted, informational/directional sign of 74.7 square feet where 2 square feet is permitted, number of parking spaces of 65 where 110 are required, fencing height of 8’ where 4’ is permitted in the front and 6’ is permitted in the rear and a use variance for existing billboards on the site. We heard testimony about the operation of the store and would be a good fit for the area. We heard that many of the products they sell are large which creates the need for the outdoor display area. The garden center will provide seasonal items. The hours of operation are 7 days a week, Monday through Saturday the hours would be 8am to 8pm and on Sunday 8am to 7pm. They will have a store manager, an assistant store manager and between 6-8 employees. Trash and recycling material are removed right away. Packing materials are disposed of appropriately. There will be a pet wash in the store. There may be live animals for sale that is an operations decision made by Tractor Supply. We heard testimony from the engineer regarding the proposed use and the proposed subdivision. The proposed development is in the TCC zone which is one of the biggest designated areas in our master plan. Retail sales are a permitted use. The proposed development is slightly different, specifically the outdoor display area. The permitted size of outdoor display area is 200 square feet and proposed is 26,850 square feet. The is composed of 3 separate areas, each of which have been designed specifically for practical and visually appealing reasons. The setback from the front is larger than the code requires. All site triangles will be maintained. The building coverage is under what is allowed. Tree preservation is more than what is required due to CAFRA. We heard testimony about the request for number of parking spaces of 65 when 110 are required. Tractor Supply is particularly familiar

with their need. This allows for larger drive aisles and larger spaces. The height of the accessory structure is lower than the height of the proposed structure and lower than what the zone allows. The structure is also closer to the building. We heard testimony from the engineer that there would be no fire concerns. A fire tank is proposed at 24 feet in height where 20 feet is permitted. The height is required to create the appropriate pressure. Safety from fire and flood is a special reason. There are several sign issues. There are existing billboards on the site. They will be terminating the lease for the one on the Tractor Supply lot. They have agreed to provide documentation that all efforts will be made to confirm the removal of the billboard. The other billboard on the other lot conforms with bulk requirements and will remain. The directional signage is limited to 2 square feet. There are proposed signs on a wall versus freestanding which will eliminate the freestanding directional signs. The signs are setback off the road and provide information. The Tractor Supply sign shall not exceed 10% or 75 square feet whichever is smaller. They propose a sign that is 147 square feet. We heard testimony from the engineer that the sign is in proportion with the building and appropriate with the distance from the road. They propose a monument size at the height of 12 feet where 8 feet is permitted. The proposed will create a visually appealing sign and be better for those driving by. There is a fence proposed at the height of 8 feet where fencing in the front allows only 4 feet and, in the rear, the maximum height is 6 feet. The fence height is to protect merchandise and to be aesthetically appealing. We heard testimony from the traffic engineer that the site allows for ingress and egress. They will need to obtain a street opening permit from the state. The traffic counts that were taken in April were adjusted to account for seasonal traffic. The intersection operates adequately. The driveway will align with the driveway across the street. He testified that the traffic studies show there will be no impact. We heard from the planner that special reason (a.) is appropriate and aligns with the townships master plan. The billboards are an existing non-conformity. The proposed lots are both compliant lots sizes. There was no public comment.

Mr. Burger – There was a lot of testimony, and the variances are common sense. He is in favor of the application.

Mr. Rainear – He concurs. He is in favor of the application.

Mr. Unsworth – He concurs. The free-standing sign out front that is 12 feet tall it is half the allowed size for area. The applicant has agreed to the COAH fees at 2.5 %. The trailer display area by the street does not impact the site triangle. There was a discussion about lighting that will not impact the neighboring properties. He believes the proposed building maintains the rural character of the township. There was discussion about CAFRA and tree preservation and that requirement, while it includes the 2.2 adjacent lot, that requirement will carry over to that lot. He is in favor of the application. With the condition that the applicant comply with progress being communicated with the township.

Mr. Mashura – There will be irrigation on site. He is in favor of the application.

Mr. Phifer – He agrees that special reasons (a.) and (b.) apply. He is in favor of the application.

Mr. Casaccio – Added that Mr. Barnes will go over any conditions. The operations will be attached to the resolution.

Mr. Barnes listed the conditions of approval.

1. To attach the Tractor Supply use and operation statement to the resolution.
2. Exhibits, A-1, A-2 and A-3 will be submitted electronically.
3. Exhibit C5, as presented by the engineer, will be attached to the resolution.
4. They agree to comply with the correspondence from the board planner.
5. The applicant agrees to comply with the board engineers review correspondence and in the event there is an irrigation plan it will be provided to the township.
6. The parking lot lighting will be turned off after hours leaving minimal lighting for security.
7. The applicant will provide best efforts to remove the billboard as indicated in the testimony, pursuant to the lease agreement that exists.
8. The applicant will comply with all fire and safety compliance requirements in order to get their certificate of occupancy.

A motion to approve the application to include the deed of consolidation, subdivision and site plan approval with all c variances and d variance and the conditions listed by Mr. Barnes was made by Mr. Mashura
The motion was seconded by Ms. Shawl
In favor: Burger, Mashura, Phifer, Rainear, Shawl, Unsworth, Casaccio

RESOLUTIONS

Fitzpatrick, Steven – block 666 lots 10.02 & 11 – BA 13-2024
A motion to approve the resolution was made by Mr. Shawl
The motion was seconded by Mr. Phifer
In favor: Burger, Mashura, Phifer, Rainear, Shawl, Casaccio

BILLS

A motion to pay the bills as presented was made by: Mr. Unsworth
The motion was seconded by: Ms. Phifer
All in favor.

ADJOURNMENT

A motion to adjourn the meeting was made by: Mr. Shawl
The motion was seconded by: Mr. Unsworth
All in favor. The meeting ended at 8:21 pm.

Submitted by,
Liz Oaks