

**City of Millville**  
**Planning Board Minutes**  
**February 10th, 2020**

**PUBLIC MEETING**

Members of the Millville Planning Board met on the above date for their regularly scheduled monthly meeting in the 4<sup>th</sup> Floor, City Hall in the Richard C. McCarthy Chamber. The Chairman called the meeting to order at 6:30 PM and announced that this meeting was being conducted in accordance with the Open Public Meetings Act of 1975, was advertised, posted, and made available to the public as required by Statute. In attendance were Vice-Chairman Kasuba, Chairman Gallaher, Commissioner Udalovas, Mayor Santiago, Mr. Malone, Mr. Gallagher, Ms. Arrigo, and Jay Laubengeyer. Mr. Caregnato was Absent. Also present was Mr. Van Embden, Planning Board Solicitor, Samantha Silver, City of Millville Planner, and Michelle Baker, City of Millville Assistant Engineer.

**MINUTES OF PREVIOUS MEETING:**

Ms. Arrigo made a motion to approve the January 13th, 2020 minutes, seconded by Commissioner Udalovas. All present voted yes.

**CORRESPONDENCE:**

Commissioner Udalovas noted and filed the Planning board members received and reviewed letters sent regarding the Cumberland County Board of Realtors concerns with the current measure to repeal and replace chapter 30 of the Land use and Development Regulations of the City of Millville Municipal Code.

**RESOLUTIONS: N/A**

**APPLICATIONS:**

**Courtesy Review for Cumberland County Improvement Authority/ Complete Care Center** for lot consolidation and Site Plan of Block 355, Lot(s) 7& 16-17 into proposed block 356, Lot(s) 1-4& 6-8 between Broad Street and Oak Street to the North and South and Buck Street and Hight Street to the East and West in the B-3 Business district. Al Marmero, Esq., represents the Cumberland County Improvement Authority for tonight's Courtesy review. We have brought with us Corey Gaskill from Fralinger Engineering and Ronald P. Portadin from mmpf Architect who worked on the property being reviewed tonight. The site plan involves the demolition of the existing structures on proposed Lot 7 of Block 355. The existing 3-story structure on proposed Lot 1 of Block 356 is to remain, this building is to be renovated and a new 2-story addition is to be built. A new 17 stall parking lot is proposed on the remaining area of proposed Lot 1. Proposed Lot 7 of Block 355 is to become a parking lot with 72 spaces, all required handicap parking for this project is to be provided within this parking lot. The parking lots are to be lighted to a minimum of 1-foot candle across the stalls and appropriate landscaping is provided. An underground stormwater infiltration system is proposed under the parking lot on proposed Lot 7 of Block 355 to infiltrate the majority of the roof run-off from the existing/proposed buildings to eliminate any increase to stormwater runoff. This system meets all required state standards. The property is currently own by CCIA and there will be a potential end user for the property, which is Complete Care. Not yet finalize but is the ending goal. This project is similar to the project in Bridgeton. The engineer report sent to the Applicant states,

-The applicant is proposing to disturb Penn St. with stormwater and sanitary sewer piping and/or laterals. The existing sanitary sewer main and road surface need some level of rehabilitation. The

applicant will need to coordinate with the City to insure the most efficient method to address these issues as it related to this project.

A: We will coordinate with the City of Millville professionals on the issues but are unsure of the level of coordination is being asked at this time.

-The applicant should indicate the appearance of the gateway at the corner of Broad and High to insure it meshes with the existing decorative elements in the downtown.

A: Depends on what level of meshing, Landscape and paving they will mesh with the surrounding area. It is a redevelopment area, so we are open to feed back.

-The County and City is working to improve signalization and ADA improvements along Broad St. through a federal grant. Coordination will be needed to ensure that proposed improvements in the project do not conflict with the grant project, particularly at the corner. (i.e. handicap ramps, any sight line conflicts with the gateway, etc.)

A: Corey Gaskill, Engineer stated our construction will not be going out into the intersection. The existing crosswalk won't be affected. We will be adding crosswalks on Penn Street and they will comply with ADA and will be inspected as part of the construction process. In terms with the water and sewer hook ups, the sewer hook-up will be on Penn Street and water hook-up will be High Street.

Samantha Silver clarifying that some of line on High Street for the sewer line has some issues itself. We would like to coordinate with the City you don't do a project then it needs to be torn up and redone. Are the crosswalks that you are adding going to painted stripping.

Michelle Baker, City's Assistant Engineer clarifying that the Pedestals on high street the entrance way to the parking lot. There is no elevation of arch way that was supposed to be talked about.

The attorney, architect, and the engineer are willing to work with the City Professionals. To make sure the connection is good.

-Street tree conditions need to be as se accessed as well as paver condition for any lips and uneven surfaces. Coordination with City will be needed.

A: Corey, the enclosure will be fenced in.

-Will access continue for the garage at the NE corner of the lot west of Penn? Where is current access?

A: The garage is completely on the neighboring lot.

-Rutgers and local environmental groups are looking to conduct a green project, which in some cases includes previous pavers, cost considerations, etc. Is the applicant proposing any uses or consider partnering for such a project if it's beneficial?

A: Not currently proposed at this time, but they are opened to comments and are energy efficient.

Can we have a comment that the entire block match and look the same, ask Mr. Malone? They are proposing new sidewalk and curbing in front of the property. There is existing sidewalk in bits and piece that will be replace and installed on Penn Street. Stops along the frontage of Lot 15 and the sidewalk on the other side of Penn only goes down to by a homeowner then there is no sidewalk it's open

pavement. Can only agree for tonight to work with the City of Millville professional on this project. Nathan VanEmbden, Esq, states the goal is to work towards uniform paving on the entire front of Penn Street and sidewalk on at least one block on the other side.

Mr. Laubengeyer, asked "What the volume use and what are the peak times?"

Architect: The building addition itself is about 11,000sq ft. 6700sqft on the first floor, 4400 sq. Ft. on the second floor, the building is primary medical space, adult medical clinic on the first floor and Peds and dental on the second floor. The patient follow can't be determined tonight. As for the parking requirements they worked with Fralinger to make sure they can handle the staff and the patient intake for the building. They are attaching to the selfie building adding a two-story addition using a portion of the selfie building. The first floor of the selfie build will remain a tenant space that can be rent out. The basement will remain as is they will not be adding any changes or using that space. The building itself is in very good condition. Staff entrance is in the back and the patient entrance on the corner of High Street side. The lightening of the pedestrian walkway will come from the building lightening which will carry through there. The time frame is out to bid in the next 2-3 months so start by summer ideally. Need their approvals from the department of health before they move forward.

This is not a matter where the board votes on the project. Chairman Gallaher opens comment portion to the public.

Mr. VanEmbden swore in Kirk Hughet of Millville worried about the amount of sewage that our sewer department can handle, since we are about to spend a lot of money to upgrade it, maybe this is something that needs to be look into the amount sewage will be able to connect without problems.

Mr. VanEmbden swore in Richard Menz of Millville; Impact on traffic in that area during the height of the summer and worried about the sewage, cost being eaten by the companies coming adding into out sewer?

Mr. VanEmbden swore in Christina Pantelis of Millville; Sidewalks are going to be a big impact with the kids walking to the High school and the middle schools.

Mr. VanEmbden swore in Tamara Isajiw of Millville; Will the parking be available to the public on the weekend and after hours? That area is limited in parking and there is business across the street that could benefit from using it. What is the impact of the old Wheaton mansion any protection during construction?

Mr. VanEmbden swore in Lyn Porreca Compari of Millville; Land use plan doesn't follow what is stated for the downtown ordinance for what this project is going to be. Will there be any ratable included with this and help us with the tax rates? Not except from a piolet. Consider a piolet so the City will get some of their expensive paid for.

Mr. VanEmbden swore in Angelina Broomhall of Millville; what is an Adult clinic? Medical, mental, or drug in a downtown area?

Just a normal doctor office you go to when you're sick.

The new building will need sewage and we will need to go through the sewage process and applications. If the City of Millville doesn't have enough to handle the building, we will work with the City. The cost share for the rate payer, between industrial use. The comment on the Wheaton Mansion will be protected by soil report and there is enough space between the buildings. The license Architect will make sure the adjourn buildings will be protected. The parking lot usages after working hours for the public. They will investigate the end uses about maybe getting an agreement on the park lot. Foot traffic impact schools

walking to the middle school. They will add equal access on what is being disturb. South of broad street in a B-3 zone they will need to check with the Zoning Officer. It's In the proposed not the approved. The Planning board recommend they need to work with the professional of City of Millville while completing the project.

### **OTHER BUSINESS:**

#### **Chapter 30 land-use and development regulations review.**

Land use ordinance revision, this goes back 7years or more with the Relook of the Master Plan that reflect what really going on in the City of Millville. Changes were made to that and approved that put the land use ordinance's outdated. A comment was put together and an outreach program with the community and a draft with the Master Plan reexamination and public comment that was all approved that lead to a draft of the Chapter 30 Land use. It was table for a while because of priorities of the City. Tonight hopefully, we will get some feedback on getting our Land use in line with our Master Plan. The sign section will be relooked at Standards and codes, Landscaping section needs to be cost effective to put in and maintain. Residential conversion, boarding houses, charging stations, craft brewery, boat sections, business with trash disposal, sheds, and the lake shore mix use (Wawa track). This are some samples of what the City has been working with. Samantha Silvers, City of Millville Planner, states she would like to stress 35 days in initial phase for review at first reading at the commission meeting and tonight is meant to get this out to the public for their feedback. We know this need to go back for another first reading and another public hearing. The City paid Ms. Sally Birdsall to work on the Ordinance. Samantha stated the ordinance was in good condition but needed to work with what we had. The Signs section is so massive that we should table the signs section, keep what we have for now and get the ordinance in line first then go back and work solely on the signs section after the Land use portion. The zoning map is colored coded and some areas where the ordinance required more acer was reduced. Where there was requirement for 3-5 acer only need 1. The new land use Plan will reduce acreage requirements for zones/uses in order to accomplish the ordinances.

Chairman Gallaher opens the public portion of the meeting.

Mr. VanEmbden swore in Larry Depalma, Millville residents current 32.67 g, language in the sign ordinance. If we table, the existing sign ordinance will we obey by the old one.

Mr. VanEmbden swore in Tomas Duke, New Jersey Realtors (CCBOR) signs existing language functions and want to make sure all the board member received a copy of the Letter sent by the CCBOR.

Kirk Hewitt, Millville Resident Art District being changed to downtown district to change the ordinances to allow the Complete Care build on High street? Explain the timeline? Cedar Street are the codes being change allowing Townhouses in that area. Cedar street before fortune lane is medium density, allowing single family attach, side by sides, which is a conditional use. Are we tightening up the ordinance of regulations on townhouse, duplex, and etc are built in which area? It must meet state standards of law and permitted in any residential district.

Nathan VanEmbden educations the public on Permitted use is something is right, no variance needed. Conditional use you can show you have the additional space needed. The board can Say No to the conditional use and would win in court. Ex: townhouse, condos, rehabilitation homes.

Mr. VanEmbden swore in Norman Susokoff, 504 Fernwood Millville resident the Wawa tract that adjourn my property. Enjoy the conditional the Wawa tract is in right now (conservation Zone) What is the Planning Board planning to do with the Wawa Tract/ Lake community. Add a buffer-between the

Tract and what is already developed. Focus on residential move into changes in use by Target area blending into the existing structure. Conservation zone. The traffic for R-15. Lakeshore mixed use-permitted townhouse (3+units) conditional (motorsports enterprise, and Airport enterprise) Single family attached duplex (1-2 units) concerns on cluster residential area. More roads more people. The value of my property has dropped. Wildlife concern. The city is working making work for the people and the Wawa.

Mr. VanEmbden swore in Timothy Carty, Millville resident Recreational vehicle storage p.131 Items 6a, 21 ft. resident has a 32 ft camper how will that work? Language added it's ok with the neighbors 6d, boat or trailer in yard, must meet the setback of the property line. Residents property is small, how will that be addressed. Need a variance if neighbor is complaining 6e. The city will work on changing that ordinance.

Mr. VanEmbden swore in Robert Moore, Millville residents and worked for Wawa food mark for 30 years. The Wawa property is 375 acres and has bald eagle on it. In the ordinance on pg 91 we go from conditional uses-permitted uses with everything but industrial? The citizens subsidized the taxes on the Wawa property because it's a wildlife forest. Wawa wasn't paying taxes and hasn't touch for x amount of years. Reserve the area closest to the Lake, make it a conditional so the City of Millville doesn't give up the right to push back. Now we are providing permitted uses for expansion, suggestion to split the zone. Reinspect from planned use development area, why not conditional use rather than permitted?

Christina Pantelis, Millville resident Absentee landlords, about code enforcement with land use. Residential conversions. How to enforce?

Danial Charles, Millville resident Drug rehab facility needs to be a conditional use. When Bridgeton took on these faculties Bridgeton town went down. Samantha the Planner stated is has a note to tightening up the Zones to conditional use. Make sure it's more pacific and clearer on the ordinance. Don't want to see that happen out on Carmel Road.

Mr. VanEmbden swore in Brenda Suskoff, Millville resident I found out about this meeting by social media (Facebook) Is the City of Millville drug, halfway house around the Lake to be permitted, tightening up on conditional use. Be creative to make City of Millville more authority and that Board maintains some control, items motorsport, Glass town, and Lake. Existing home in Wawa tract area; non-conforming structures would need a variance before selling; if you can't prove that structure was there, and non-conforming preexisting non-compliant use can be verified by Zoning Officer with a Letter within one year. City is Challenged (Page 132)- auxiliary apartment questions.

Richard Menz- Nature preserve in Wawa tract; any money in our town to make it into a preserve, DEP 40% in County, are we able to purchase through our City so as not to develop it? There must be something that helps Millville hold on to the Lake area. CCIA building does not fit into our zoning ordinance, not Victorian, should be pushing more up to North High Street area, non-appealing, medical rehab and facility, zone it so it can't be done. Do something with the old Wheaton building. Make it so this zone is for medical only.

Angelina Broomhall, 192 Sharp Street, Millville, the rehab doesn't matter where you build it just don't build it by school zones. She likes the idea of concentrating an area for the rehab and medical centers. Close to transportation keep new clinic, keep shopping -oriented on High street. Wawa tract, Benefit to City, why build more residential when so many foreclosures, decide what us the benefit of developing the Wawa tract with residence at all. Gallaher states the best plan is to try a preserve as much of the land as Millville can.

Lynn Compari Millville resident, if permitted if one must it be conditional in another. Why a hotel is allowed but not a bed and breakfast. Page 385 Lawrence township agricultural farms, Interpretation of Lawrence township if changing hands (active farm) Zoning Letter change of transfer confirming letter within one year. Suggestion for the future if order can be same and title can be same as the Land use Plan Element of 2017; revise.

Silvers states Vineland Highway commercial zone, hotels is it arbitrary to add in these uses. Silvers chart of the district regulations.

Brenda Suskoff please try to preserve the tourist attraction that bring people to visit the City of Millville.

Ms. Silvers, Not dis counting what people are saying about the Wawa tract, just giving the public the reasoning behind targeting this area. It is next to infostructure and development and on the other side of the lake is 5,000 preserved acres that's why we're looking at that area, it's not that were trying to take down all the trees. Just recently Holly Farms land was preserved (1100 acres) off the tax drawer. Just trying to target the development areas, instead of just east and west sides of town.

Mr. VanEmbden swore in Paul Porreca, Jr. Had I seen a map with Chapter 30 I would be at less of a disadvantage and could speak intelligently.

Ms. Silvers stated the map is a rough draft which is why the new map wasn't posted. However, there is a link for the land Use map on the Website right under the Chapter 30 link. The zoning map is based off the Land Use plan. I will try to have the map done professional but right now this is what we are working with.

Paul Porreca I can't speak intelligently because I can't read the Map. I need a copy of the Land use map to see what going on. "Flag Lot" page 10. Control to bureaucrat to define much control of all things on land and ground. Why overlap between land use and building code? It's going to mess with the engineer and zoning officials. Questions regarding overbearing standards. Ex: dog kennels: you can have dogs but doesn't give when you need to get a permit for your dog. Opinion Statue to create code for zoning board. Registration, acreage to much ability of zoning officer to use preferential treatment over certain cases. Not defined in rules, easier for people to find different advantages for different people. Ex: if there is a question about suitable of a lot for development for poor drainage. Then you must get soil samples, who to say what the question is?? Everyone gets them or some get them, or some don't.

Nathan VanEmbden, City Solicitor no conditional language just makes it, so everyone must do it.

Ms. Silvers, City Planner We will ask for more information before we make them do it.

Paul Porreca again that is suggestive. Certificate only giving people a year, don't' like.

Nathan VanEmbden, City Solicitor co for nonresidential certificate of nonconformity within one year (state Standards).

Paul Porreca, most important to see giving authority to bureaucrat to make decision on undefine words and opinions

Ms. Silvers typically the zoning officer is the one that is charged to interpreting the Zoning ordinance. That part of the whole statue standards

Mr. VanEmbden swore in Randy Collie, what is being impacted on E Main Street, specifically past Holly Heights, enquiring into changes, would like to put a small campground on his property of 20+ acres. Planned permitted use shed policy page 129 inquired into location of document online.

Med density on E. Main an open space. 10-acre min lot size for a proposed permitted used. Page 129, lot 2200+ 200 sq. ft each shed.

Norman Suskoff- Wawa is not a friend of Millville environment, expense to \$14 million that state needed to make repairs to the dam.

Ed Kasuba, we took out the stuff with the signs. I really heard what people are saying about the Conditional use around the Wawa tract and we think we should go back to the drawing board to meet in the middle, do you think that is possible? No one is going to get 100% of what they want but we heard you and taking your comment seriously.

Larry Malone, With the Wawa are we legally contracted, what are our opinions?

2008-2009 came before the board. Wawa pulled back after working with a developer and lost a lot of money on the project. They are looking for directions in our land uses and the community wants to go.

These comments will be brought back to the commission.

1. the Board recommends that we maintain the old sign ordinance and make modifications to it on an interim basis before revisiting the new ordinance language and revising it to accommodate identified problems.
2. The treatment of the Wawa tract referenced as Lakeshore Mixed Use should be reanalyzed and evaluated with an eye towards retaining as much of the natural aspects of the Lakeshore forest and natural habitat as possible. Specific attention as directed toward the designation of permitted uses including townhomes without making provision for single family residences.
3. The requirements concerning boat and RV storage and shielding as well as location number and size of sheds may need to be reviewed to comport with community standards.
4. The location and definition of rehabilitation facilities and the designation of appropriate locations for same should be evaluated with an eye toward utilizing available resources including public transportation and opportunity for development of land and buildings currently underutilized.
5. The structure of the ordinance should be reviewed to try to match the master plan designations and sequences so as to allow the document to be more easily accessed by those who need to review it and compare it to the master plan.
6. In general, the draft ordinance tends to include unnecessary items regulated by standards and codes which could be confusing or in conflict.

With all the above items having been considered, the Board finds that the plan is not yet mature nor ready for adoption and recommends to the City Commission that the proposed changes to Chapter 30 of the Zoning Code be withdrawn from consideration pending revision with the further

recommendation that the revised updated Chapter 30 code be submitted for a new first reading and restarting of the review process by the City Commission followed by submission to the Planning Board after first reading and ultimately followed up with a second reading and adoption with public input and possible further modification.

Edward Kasuba made a motion for Land Use Ordinance, Chapter 30 and was seconded by Larry Malone. All present voted yes.

With no other further business, Commissioner Udalovas made a motion to adjourn.

Respectfully submitted,

Kristine Klawitter, Zoning/Planning Secretary