

**BOROUGH OF WOODBINE
COUNTY OF CAPE MAY
LAND USE BOARD
SUMMARY MINUTES
November 9, 2022**

REGULAR MONTHLY MEETING was called to order by Chairperson Fisher at 6:05 P.M.

MEMBERS PRESENT: Councilman Bennett, Ms. Childs, Mr. Ciabaton, Chairperson Fisher, Mr. Hudgins, Ms. Lees, and Mr. Phillip.

Also, in attendance were Solicitor Brock Russell, Board Professional, Lewis H. Conley, and Board Secretary Monserrate Gallardo.

MEMBERS ABSENT: Mr. Mitchell. Councilman Benson notified the Secretary that he would be unable to attend this meeting. Ms. Marra notified the Secretary via email that she would be unable to attend this meeting. Vice-Chair Prettyman also notified the Secretary via email that she would be unable to attend this meeting.

Adequate notice of this meeting was provided in compliance with the Open Public Meeting Act by notifying the Atlantic City Press on April 18, 2022, and by posting a copy of said notice on the Lobby Bulletin Board, of the Borough Hall.

An audio recording of this Open Public Meeting is filed with the Secretary of the Board.

Chairperson Fisher led the Board to the Pledge of Allegiance.

APPROVAL OF THE MINUTES for October 12, 2022, as prepared by the Secretary was:

OFFERED BY: Councilman Bennett

SECONDED BY: Ms. Lees

ROLL CALL: 5 Voted in Favor

2 Abstained 0 Opposed

Mr. Hudgins and Mr. Phillip abstained.

At this time, Chairperson Fisher introduced the new application under New Business.

NEW BUSINESS:

New Application: Ludlam Island Brewery

Application No. 3-11-22

Block 139 Lot 2

2051 Dennisville-Petersburg Road

Site Plan Waiver/Variance

Dorothy Hamill introduced herself as the Attorney for the above listed application. She also disclosed that her husband was a partner in the Ludlam Island Brewery Application. She stated that the use on the property used to be a bowling alley, restaurant, and bar and was now being converted into a brewery with a restaurant, and a bar. She also stated that neither the footprint nor the outside of the building nor the sewer would be changed. There would only be modifications to the inside of the building. And since no major significant change would occur, she requested a waiver for the site plan requirement for said application.

Solicitor Russell stated that he could swear in Joseph Maffei, Engineer for the Applicant, but wanted to make clear that no notice was made to the utility companies and therefore the variance part of the application could not proceed. Attorney Hamill affirmed that she became aware that only the owners within two hundred feet

were noticed and therefore, would not proceed with the variance part of the application which she stated could possibly be dealt with at the December 14, 2022 Land Use Board Meeting.

However, Mr. Russell stated that they could proceed with the site plan waiver if they would withdraw the variance. The Applicant agreed to withdraw the variance part of the application. Solicitor Russell also stated that a list of stockholder's names and addresses of the Brewery had to be submitted. Attorney Hamill submitted a handwritten notice of the stockholder's names and addresses and the percentage of stock held by each partner to see if the Board would accept it. The Board agreed to accept the list as submitted by the Attorney. The list was given to the Secretary.

Attorney Hamill proceeded to explain how the business traded but, Solicitor Russell stopped her, to swear her in. Board Professional Conley also pointed out that the notice to property owners needed to have more detail in its description. Solicitor Russell swore in Joseph Maffei, Engineer for the Applicant. Mr. Maffei stated his name and address, and started to explain how the business would operate, and how the site plan would work.

Board Professional Lewis Conley proceeded to give a verbal report on this application. He stated that the variance may need to be cleaned up. Mr. Conley had a question as to whether Upper Township property was involved. An error he saw in this matter was discussed. He also discussed the extra space that could be used for service if a revision to the site plan were to be made. Solicitor Russell discussed the parking spaces.

Mr. Conley continued the meeting by stating that the use of the brewery was permitted in the zone. At this time, Mr. William Topley was sworn in by Solicitor Russell. Mr. Topley introduced himself and stated he was the managing partner in the business. He also informed the Board that he had a 75% interest in the business. His other partners were Larry Szarek with a 15% interest, and Lewis Cerone owned the remaining 10%. He proceeded to give a brief history of the brewery, and his intentions as to what the business would offer. He gave details of the food that would be offered and the business operating hours. He was asked several questions by the Board Members.

Attorney Hamill gave details regarding Mr. Cerone's other currently operating businesses. There was no more discussion so at this point, a motion was made and seconded to approve the site plan waiver.

MOTION TO APPROVE A WAIVER FOR THE MINOR SITE PLAN FOR THE LUDLAM ISLAND BREWERY LLC., WHOSE MANAGING PARTNER IS APPLICANT WILLIAM TOPLEY ON PROPERTY BLOCK 139 LOT 2 ALSO KNOWN AS 2051 DENNISVILLE-PETERSBURG ROAD IN THE BOROUGH OF WOODBINE was:

OFFERED BY: Councilman Bennett

SECONDED BY: Mr. Hudgins

ROLL CALL: All Present Voted In Favor

The Board was thanked for their time.

ESCROW REPORT:

The Secretary reported no change regarding the Escrow Report.

Mr. Conley stated at this time that the sign application reviewed by the Site Plan and Sign Committee earlier in the evening should be reported on as "New Business."

NEW BUSINESS: (Con't)

New Sign Application: American Legion Post 298

Application No. S1-10-22

Block 30 Lot 4

525 Washington Avenue

Minor Sign Application

Chairperson Fisher introduced the sign application listed above. She stated that the Site Plan & Sign Committee had reviewed the sign application and the Zoning Officer's determination. She stated that the Committee agreed with Mr. Graham's recommendation. Mr. Conley gave a summary of Mr. Graham's recommendation. He stated that Mr. Graham's recommendation was for the applicant to hire a surveyor to lay out the sign appropriately. Mr. Conley also stated that this recommendation should now be memorialized with a copy of the minutes for the file that would be established for the said sign application. He asked if anyone had any questions. No one had any questions. Chairperson Fisher asked if a vote was needed. Mr. Conley stated that it would suffice to report on the determination in the minutes unless a new procedure was to be established.

UNFINISHED BUSINESS:

Board Professional Lewis H. Conley commented regarding page 16 of the Engineer's Report. He reported on the Bike path and Pedestrian Master Plan. Mr. Conley spoke of certain priorities that could be worked on. He reported on the possible zone changes, and their conditional uses. He commented on the possibility of cleaning up the campground ordinance. He also stated that the language should be reviewed regarding climate control change. He stated that Maria Connelly, of DCA LPS was working on a standard for the state. He stated that she agreed to send him a copy of those standards once it was available. He commented that at some point he will not be at these meetings but that once or twice a year a council member could report at the council meeting what was being worked on from the point of planning.

RECOMMENDATIONS FROM THE ENGINEER:

Mr. Conley continued this portion of the meeting by commenting that since the Postal Service has not been at its best, that at some point, digital submissions of applications should become a requirement. He gave his explanation as to why this was needed. A discussion was initiated regarding this matter.

RECOMMENDATIONS FROM THE SOLICITOR: None

There was no audience participant. Correspondence from the Mayor's Office was reviewed before the Board.

There being no other official business to come before the Board, Chairperson Fisher called for a motion for adjournment at 7:10 P.M.

MOTION FOR ADJOURNMENT:

OFFERED BY: Councilman Bennett

SECONDED BY: Mr. Hudgins

ROLL CALL: All Present Voted in Favor

Respectfully submitted by:

Monserate Gallardo

Monserate Gallardo
Board Secretary