

**BOROUGH OF WOODBINE
COUNTY OF CAPE MAY
LAND USE BOARD
SUMMARY MINUTES
December 14, 2022**

REGULAR MONTHLY MEETING was called to order by Chairperson Fisher at 6:10 P.M.

MEMBERS PRESENT: Councilman Bennett, Councilman Benson, Mr. Ciabaton, Chairperson Fisher, Ms. Lees, Mr. Phillip, and Vice-Chair Prettyman.

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

MEMBERS ABSENT: Ms. Childs notified the Secretary via email that she would be unable to attend this meeting. Mr. Hudgins notified the Secretary via phone 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. Mr. Mitchell also notified the Secretary via email that he 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 November 9, 2022, as prepared by the Secretary was:

OFFERED BY: Mr. Ciabaton

SECONDED BY: Mr. Phillip

ROLL CALL: 5 Voted in Favor

1 Abstained 0 Opposed

Vice-Chair Prettyman abstained, and Councilman Benson was not present to vote at this time.

ESCROW REPORT:

The Secretary reported on the Escrow Report. A discussion was initiated between the Secretary and Mr. Conley regarding which accounts should be part of the Land Use Board and which accounts should be located under the Borough.

UNFINISHED BUSINESS:

Mr. Conley stated that this part of the meeting would be covered under "New Business."

NEW BUSINESS:

New Resolution: Ludlam Island Brewery LLC

Resolution No. 6-12-22

Application No. 3-11-22

Block 139 Lot 2

2051 Dennisville-Petersburg Road

Site Plan Waiver

Chairperson Fisher introduced the new resolution listed above. Solicitor Russell commented on who could vote on the resolution. A motion was made and seconded to approve said resolution.

MOTION TO APPROVE RESOLUTION NO. 6-12-2022 MEMORIALIZING A DECISION OF THE WOODBINE LAND USE BOARD TO APPROVE A WAIVER FOR THE MINOR SITE PLAN APPLICATION NO. 3-11-22 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: Chairperson Fisher

ROLL CALL: 5 Voted in Favor

1 Abstained 0 Opposed

Vice-Chair Prettyman abstained, and Councilman Benson was not yet present to vote.

LIM Zone Modifications

Lewis H. Conley, P.P., P.L.S.

Presentation

Board Professional Lewis Conley gave a presentation regarding proposed zone changes to four (4) lots located in the LIM Zone. He showed the Board how they were outlined on the map. He also showed them an Aerial Photograph of the lots. He stated that either the Cape May County MUA or the Borough owned the lots. The Light Industrial Manufacturing Zone was reviewed. Conditional Uses were also reviewed. He stated that the Asphalt Manufacturing facility and the Concrete Manufacturing facility were to be made Conditional Uses. He stated this would make having different lot sizes easier to do. Mr. Conley discussed the wording used and in what sections of the Ordinance were certain details found. He mentioned the complaints applicants were voicing over the location of Stormwater control in the Ordinance.

He continued the meeting by stating that if anyone had questions to let him know. He stated that he took the information to Council, and they recommended bringing it back to the Board. He stated that they requested the Board come up with something that would fit the Ordinance and make a recommendation back to Council. He also stated that it should be consistent with the Master Plan. A brief discussion was initiated regarding this matter. Quiet transport and easements were mentioned. Acreage and OSHA requirements when it comes to bathrooms were also mentioned.

At this time, a motion was made and seconded to approve the zone changes proposed, and to recommend sending it back to Mayor and Council by way of correspondence from Mr. Conley.

MOTION TO APPROVE AND RECOMMEND SENDING BACK TO MAYOR AND COUNCIL STATING THAT THE LIM ZONE MODIFICATIONS WOULD BE CONSISTENT WITH THE MASTER PLAN AS PRESENTED BY BOARD PROFESSIONAL LEWIS CONLEY BY WAY OF A LETTER TO THE GOVERNING BODY was:

OFFERED BY: Chairperson Fisher

SECONDED BY: Mr. Ciabaton

ROLL CALL: 5 Voted in Favor

1 Abstained 0 Opposed

Vice-Chair Prettyman abstained, and Councilman Benson was not yet present to vote.

Land Use Board Annual Meeting Dates

Review

The Secretary introduced the proposed meeting dates for the year 2023. She stated that there were no major holidays that would conflict with them. Mr. Conley stated that it would be better to move application deadlines back to allow more time to deem an application complete or incomplete. He discussed this matter with the Board.

RECOMMENDATIONS FROM THE ENGINEER:

Board Professional Lewis Conley discussed the most recent submission for an informal consultation from Applicant Robert Breunig. He stated that Mr. Breunig wanted to make more modifications, making this latest revision his seventeenth (17th) one. Mr. Conley stated that he had spoken to Mr. Breunig's Engineer, and that the conclusion of the conversation was that there had been no notice or any fees submitted with the application and that it was considered incomplete. The Board determined that a letter needed to be sent to Mr. Breunig stating that his application was incomplete. A motion was made and seconded to send the letter.

MOTION TO SEND A LETTER TO ROBERT BREUNIG STATING THAT HIS MOST RECENT APPLICATION FOR BLOCK 139 LOT 1 REQUESTING AN INFORMAL CONSULTATION HAD BEEN DEEMED INCOMPLETE DUE TO LACK OF NOTICE AND NO FEES was:

OFFERED BY: Vice-chair Prettyman

SECONDED BY: Councilman Bennett

ROLL CALL: 6 Voted in Favor
1 Abstained 0 Opposed

Councilman Benson arrived and abstained on this vote.

RECOMMENDATIONS FROM THE SOLICITOR: None

There was no audience participant. Mr. Phillip showed the Secretary the certificate he received from the Mandatory Training for Board Members.

There being no other official business to come before the Board, Chairperson Fisher called for a motion for adjournment at 7:04 P.M.

MOTION FOR ADJOURNMENT:

OFFERED BY: Councilman Bennett

SECONDED BY: Mr. Ciabaton

ROLL CALL: All Present Voted in Favor

Respectfully submitted by:

Monserrate Gallardo

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Board Secretary