

Borough of Clementon

Planning/Zoning Board

November 12, 2020 Meeting Minutes

The November 12, 2020 meeting of the Clementon Planning/Zoning Board was called to Order by Chairman Feldman. It was announced that the meeting has been properly advertised and posted Pursuant to N.J.S.A. 10:4-6, The Open Public Meetings Act. The meeting was then opened with a salute to the flag and called to order by Chairman Feldman.

Roll Call: Chairman Feldman, Secretary McKelvey, Mayor Weaver, Member Armbruster, Member Lofland, Member Saunders, Solicitor Rhodes, Engineer Anthony DiRosa were present, Vice Chairman Kunkel, Member Kuns, Member Shover; absent

Chairman Feldman asked the Board if any member has any questions or concerns regarding approval of the October 8, 2020 minutes? One correction needs to be made. Can I have a motion to approve?

Member Armbruster motioned to approve 2nd by Member Lofland, and motion was carried out with roll, Chairman Feldman, Secretary McKelvey, Mayor Weaver, Member Armbruster, Member Saunders; Ayes

No old business so first item on the agenda is:

Jersey Crab 5 Gibbsboro Rd Lin Feng Po Wu architect for restaurant


Po Wu: We are seeking to get approval for the operation of the business Mercantile license

Chairman Feldman: If I can remember correctly at last months meeting you had a diagram of the inside of the store is that correct?

Po Wu: Yes, that is correct

Chairman Feldman: Do you still want to continue with that layout?

Po Wu: Yes

Chairman Feldman: With that being the case we can't grant you a mercantile I don't think without a variance. I think the number of seats you have to the number of parking spaces you have, is sufficient to our zoning regulations 

Po Wu: How about if we take out the seating? We can just do a take-out space with no seating

Solicitor Rhodes: Joe can you hear us now? The applicant is asking if they reduce the amount of seating would that meet the requirement for parking in order to proceed?

Chairman Feldman: Miles how many parking spaces are required for how many seats in a restaurant?

Miles Dumbleton: It's one spot per 3 seats, there are 13 total seats, so its 4 1/3 parking spots they would need.

Chairman Feldman: How many does he have?

Po Wu: I believe we have 4 parking spots

Chairman Feldman: I think you have 4 and 1 out front if I recall

Po Wu: Yes, something like that

Chairman Feldman: So, it does look like you have sufficient parking, is that the case Miles or not?

Miles Dumbleton: I personally didn't think there was sufficient parking, but wasn't really clear where the lines were, but if the board feels there is sufficient parking, and maybe the applicant can have the lines painted clearly where there are spots then I think everything should be good.

Chairman Feldman: Based on that we will proceed with the application. Are you aware sir of the sign regulations?

Po Wu: Not really

Chairman Feldman: Make sure you are aware of the sign and the regulations for it, before you go out and buy it. Do you have one in mind?

Po Wu: Not at this time

Chairman Feldman: Just make sure that before you buy it you comply with the regulations

Member Saunders: Are you going to use the sign that already exists CJ Bok? And put your name in there?

Po Wu: Yes, we can do that and use the same sign

Member Saunders: So, you intend to use the sign on the building and just change the name?

Po Wu: Yes, we can do that

Chairman Feldman: Have you made provisions for trash pickup?

Po Wu: Didn't think of that will it be picked up by the township?

Chairman Feldman: The township will not pick up commercial trash

Po Wu: So, we need to hire someone for trash pickup?

Chairman Feldman: Yes, make sure that is attended to also, how many employees you intend to have? And where do you intend to park those vehicles?

Po Wu: We plan to hire about 5 or 6 employees to work depending on the work load, I will be driving them to and from restaurant so they will not be driving, we will have some type of arrangement like that

Chairman Feldman: Does anyone else have any questions regarding this application for mercantile license?

Member Armbruster: My only concern with the parking is there, in the past there was lines for 4 spots. The 5th spot you are talking about becomes a little dangerous, it creates two issues the cars backing up, and also creates a sight triangle for cars parked there, cars coming out of Lincoln, and pulling out of that

parking lot onto Gibbsboro rd. With the 4 spots there if there is going to be a trash hauler, unless they are using cans if they are using a dumpster, make sure it doesn't take up any of the parking spots.

Miles Dumbleton: It would take up a parking spot, because it can't be next to the building, because of the overhang, that would create a fire hazard

Member Armbruster: The only spot they could use would be next to the wall closest to Lincoln and hand pull out when the truck comes. That is my only concern. Sir is it going to be a take and in-house seating?

Po Wu: That is ideal but we are willing to reduce the seating

Member Armbruster: It's a good idea to have some seating, but during evening hours Lincoln Ave has a lot of residents parking on street might be a little congested, so that might become an issue.

Chairman Feldman: The way it is sitting now, you have 1 too many seats, so you are going to have to eliminate one, and reduce it down to 12 seats, you can't have 13.

Po Wu: Ok that is not an issue

Chairman Feldman: I don't know what you are going to do about the trash, cause if you have a dumpster it should be enclosed, and there certainly is no room on that property to have a closed fenced in dumpster area. You might have to haul it out by hand, I am sure the code enforcement is going to keep an eye on it, to make sure you comply.

Member Armbruster: If I can suggest, I don't know how it will go, but you might want to work with Harper's next door and try to make provisions with them, to allow you to share a dumpster with them their property

Po Wu: Oh ok

Member Armbruster: There is an alley way between the building might be easy to take trash over there, if you can make an agreement with them it would work for you

Po Wu: Ok sure thanks

Chairman Feldman: I also notice there are no signatures on the application what so ever

Miles Dumbleton: I have every signature except for fire, on the original application that was submitted

Chairman Feldman: Well that is a critical signature

Miles Dumbleton: I am not sure why it might have something to do with the plans, I remember there was an issue with the seating people sitting at the long table, with there being enough space for them to walk by

Member Saunders: Does that still have an Ansul system in there?

Po Wu: Yes, there is will use Ansul system

Miles Dumbleton: We still need the certificate from the County Health Department, there are construction permits still needed or that are open for work done on the property

Member Saunders: Are they using the Ansul system that is there and had it been inspected?

Missy Guernon: They are using all the same equipment that is in the establishment.

Solicitor Rhodes: Do you understand the question?

Po Wu: Yes, if we are going to use same system it needs to be inspected.

Chairman Feldman: Can we wrap this application up I am sure council and Mayor have been paying attention to this application and everything is attended to in proper fashion before you give final approval. Ok, can we have a motion to approve this mercantile?

Member Lofland motioned to approve mercantile 2nd by Mayor Weaver and motion was carried upon roll call,

Chairman Feldman, Secretary McKelvey, Mayor Weaver, Member Armbruster, Member Lofland, Member Saunders; Ayes

Solicitor Rhodes: Mr. Wu you understand this is our recommendation to council this is not an approval for Mercantile license that will take place the December 15th Council meeting. There is substantial time from now until that meeting, so you can't open until you have it

Po Wu: Sure, December 15th for Council meeting

Solicitor Rhodes: Best of luck to you

Chairman Feldman: Next on the agenda is Quirky Turkey Lisa Hart is she here?

Miles Dumbleton: She is the applicant I had to run downstairs for if she is not on yet we can go on to the next

Chairman Feldman: Was she the one that was physically at the Borough?

Miles Dumbleton: Yes, she was trying to log on and couldn't, I gave her the information

Chairman Feldman: Ok so we will move on to Isabel's Nutrition, 1 Gibbsboro Rd., is there anyone here for this application?

Isabel Vargas (daughter interpreting): yes, we are here

Chairman Feldman: You are here for a mercantile license also?

Isabel Vargas: Yes

Chairman Feldman: What kind of operation do you have in mind?

Isabel Vargas: Basically, it is like a protein shop, we make protein shakes, teas and nutrition stuff like that

Chairman Feldman: Is the establishment ready to go, or do you have to make adjustments to the building?

Isabel Vargas: It is ready to go just little things like decorating to make it our own but ready to go

Chairman Feldman: Do you need to be inspected by the health department and have you?

Miles Dumbleton: Yes, they have to, I was not aware that they would be serving beverages I thought it was more of a vitamin shop, but they will need an inspection done.

Solicitor Rhodes: Ok Isabel you need to make sure you plan for that for this Board to send it on to be approved.

Miles Dumbleton: Same thing they still need Fire signature but everything else came in good

Chairman Feldman: Have you decided on a sign?

Isabel Vargas: Yes, my mom got a sign done

Chairman Feldman: Are you aware of the size per code?

Isabel Vargas: Yes

Chairman Feldman: Have you provided for trash pickup?

Isabel Vargas: The landlord has a dumpster right next to business

Chairman Feldman: Is there a mutual agreement to the person that is paying for it?

Isabel Vargas: Yes

Chairman Feldman: Any other questions from the Board regarding this applicant?

Isabel Vargas: Since I am new to this and translating for my mom how do we go about getting the health inspection done?

Chairman Feldman: You will have to contact the Camden County Health Department, I am sure Miles can give you the information, contact him later in the week

Isabel Vargas: So, after the Health inspection do we get the Mercantile or do we have to do another meeting?

Chairman Feldman: We don't give out the license itself Council does that, we just have to make sure you comply with the zoning regulations, and apparently you do, so Council will have to approve license and that won't happen till the 15th of December

Solicitor Rhodes: So that means you can't open till after December 15th so that gives you time to get the proper inspections, during these times it might be a little slower. So I would get that done as soon as possible so when it goes to council you can show you had the inspection.

Isabel Vargas: She is asking is there any particular place she needs to get fire extinguisher at?

Solicitor Rhodes: I don't think there is a particular place, you might have to have one rated for a certain pressure, volume but I don't know the details of that. That would be part of your health inspection I would think.

Isabel Vargas: Ok the sign that she bought is it good to go up or she has to wait till she is open?

Solicitor Rhodes: It all depends on the sign you are replacing is it existing are you expanding?

Isabel Vargas: We are using what is already there

Member Armbruster: It should be ok if just replacing and put it up to help with advertising. I will say this as a council member and I think the Mayor would agree with me, if because of the long period of time from now till meeting, if it created some kind of hardship financially delaying the opening, we might be able to grant a temporary mercantile if that would help.

Isabel Vargas: Yes, absolutely that would help out a lot

Solicitor Rhodes: Do you have a plan for when you would like to open?

Isabel Vargas: As soon as possible

Member Lofland: Are you going to be selling products that are prepackaged, or will you mix stuff and serve it to people? How does that work?

Isabel Vargas: So, there is both, she will make protein shakes mixed with water and serve to the customers, and products that they can purchase.

Chairman Feldman: Any other questions?

Mayor Weaver: Just want to let you know when you speak to Miles in reference to moving forward, please ask him to put you on the agenda for the December 15th Council meeting, so that it is not missed and your mercantile license is there. If you do get your Health department approvals ahead of time like Councilman Armbruster said we can issue a temporary if it creates a hardship for you

Isabel Vargas: Ok, thank you very much

Chairman Feldman: If there are no other questions can I have a motion for approval of this application?

Member Armbruster motioned to approve 2nd by Member Saunders, and motion was called upon roll;

Chairman Feldman, Secretary McKelvey, Mayor Weaver, Member Armbruster, Member Lofland, Member Saunders; Ayes

Hi I am on Lisa Hart for Quirky Turkey

Chairman Feldman: Ok Lisa Hart is here for Quirky Turkey, tell us about your operation?

Lisa Hart: My husband and I had an art gallery in Millville the art district we were renting for a year it was successful, we decided to buy our own property, we found that Clementon was small business friendly. We purchased the building we did the renovations at 223 Gibbsboro Rd. We want to apply for mercantile application, and change of usage for this location and a sign permit.

Chairman Feldman: Is that just going to be a business operation, or do you plan to live there also?

Lisa Hart: It's residential and commercial so what we did was we converted the upstairs to a 4 bedroom apartment

Chairman Feldman: So, the upstairs will be your living quarters, and the downstairs will be the gallery?

Linda Hart: Yes, that is correct

Chairman Feldman: Are you at the gallery cause I can see behind you some art work is that what we are dealing with?

Linda Hart: Yes, I am the artist, so there is my work in the main gallery and there is an office studio. Only 2 rooms will be open to the public, one being a break room

Member Saunders: Will you be living in the upstairs or will that be rented out?

Lisa Hart: Just Family my son and husband along with me will be residing there upstairs we already occupy it

Chairman Feldman: I noticed your hours of operation, seem to be a little vague, can you clarify that for us please?

Lisa Hart: First off, I am by appointment only and if I feel like opening I have a major respiratory history and during this Covid, it is if I feel like opening, so I will not be opening to the public just appointment only

Chairman Feldman: I do notice you have some times on here do you plan to be open

Lisa Hart: I don't recall but when I filled out the application I planned on being open until this pandemic started

Member Armbruster: What I recommend is that you leave those hours on your application, once Covid is over you can return to those hours if you so choose so you don't have to come back before the Board.

Lisa Hart: So, I can leave those hours and make the call for appointment only?

Member Armbruster: Absolutely

Chairman Feldman: You did state you re planning signage? What kind of a sign do you have in mind?

Lisa Hart: The sign is already completed by Avalon Sign, and it's going on 2 posts existing that are already out there, and it is a 4x8 sign.

Chairman Feldman: So that is 32sq ft ok that will be fine, I presume that the trash is not going to be a problem, is there going to be a lot of trash?

Lisa Hart: Nothing other than household trash

Chairman Feldman: Do you plan any additional employees except you and your family?

Lisa Hart: No, just a family run business

Chairman Feldman: How about parking?

Lisa Hart: We have 10 spaces of course we occupy 2. There is a handicapped space even though my husband and I are disabled we will be leaving that open for customers with special needs. Since it's by appointment I don't anticipate more than 1 or 2 cars at any given time.

Chairman Feldman: Any other questions from the Board members?

Mayor Weaver: Just quickly I am looking at the 2 sketches from the first floor to the 2nd floor, and I don't see a kitchen area. Is the break room also a kitchenette?

Linda Hart: Ok so the break room is set up like a kitchenette there is a sink, cabinetry, refrigerator but no stove I am afraid of fire. Upstairs is the same thing.

Mayor Weaver: So, I presume you will be ordering from Isabel and the seafood place? (laughter)

Lisa Hart: Yes (laughter)

Chairman Feldman: When do you plan on opening?

Lisa Hart: Actually, I am ready to take appointments now, but as far as an official opening, that will be when Covid is done and I will have an official Grand opening. In Millville I did Grand Opening on Veteran's Day so if I do an official grand opening here it will be on Veteran's Day as well.

Chairman Feldman: Like I stated to the other's if you need to get a temporary Mercantile I am sure that Council will work with you

Lisa Hart: How do I go about that?

Member Armbruster: If you get a hold of Miles he can work alongside the Administrator and get a council consent on it.

Mayor Weaver: And to get you on the schedule for the next council meeting, which is December 15th, if you are not in a rush.

Lisa Hart: No, we are not, how do I go about going forward with the sign?

Missy Guernon: Just submit the building application to the Construction Department

Lisa Hart: Ok submit application to building department what about the change of usage do I wait till Council meeting?

Miles Dumbleton: I don't believe a change of usage is needed

Lisa Hart: No change of use is necessary?

Miles Dumbleton: No, I don't think so

Lisa Hart: So, who will reach out regarding temporary mercantile?

Miles Dumbleton: I will take care of all that with the Borough Administrator

Lisa Hart: Ok, so the sign permit will go through Missy and Miles you will be taking care of the temporary mercantile?

Miles Dumbleton/Missy Guernon: Yes

Chairman Feldman: Now that you brought it up, you shouldn't have, but I don't think our PR zone allows, specifically allows an art gallery, let me check with Mr. Rhodes, cause he is our legal expert, and see if that is an appropriate use for that zone.

Pete Rhodes: I do not have my book in front of me for the requirements for that zone, I am going to have to consult and get back to you on that

Member Armbruster: What would an art gallery be considered I would think on the small scale she has coming in that it would be a professional use

Chairman Feldman: I would think so myself that it would be a professional use, but that would be a guess

Member Armbruster: That is what it was before, an architect or something

Chairman Feldman: The law is a funny thing, sometimes it is a good idea to comply to it, so I think we will let Mr. Rhodes check into it, and upon his ok, I am sure Council can approve this mercantile, based on that if there isn't any other questions or comments can I have a motion to approve this mercantile?

Member Saunders motioned to approve 2nd by member Armbruster, and roll call was called upon;

Chairman Feldman, Secretary McKelvey, Mayor Weaver, Member Armbruster, Member Lofland, Member Saunders; Ayes

Chairman Feldman: Is Shawnee here from People's events?

Shawnee Peoples: Yes, I am here

Chairman Feldman: Tell us what we can do for you?

Shawnee Peoples: I am here to seek a mercantile license, I want to do a small event space

Chairman Feldman: What did you specifically have in mind event wise?

Shawnee Peoples: Repasses, baby showers, birthday parties, just small events

Chairman Feldman: You will be organizing them at this location? Or will they be attended at this location?

Shawnee Peoples: They will be both, organized and attended

Chairman Feldman: How big is your facility? How Many people do you plan to attend one of these events?

Shawnee Peoples: 1800 square feet, between 40-50 people

Chairman Feldman: Is there sufficient parking for that many people in that location?

Shawnee Peoples: Yes, it is very large parking lot

Chairman Feldman: Have you provided or a sign?

Shawnee Peoples: I have called a few places around to get quotes, but for right now I will just be putting a banner up

Chairman Feldman: Just be aware of the size limit when you proceed with that, and you purchase your sign, and what about trash disposal?

Shawnee Peoples: I will be renting a small dumpster in the rear area

Chairman Feldman: How many employees do you intend to have?

Shawnee Peoples: Just me my daughter and my two sisters

Chairman Feldman: Are you going to be there 7 days a week?

Shawnee Peoples: Yes, Monday through Thursday 9am-11pm Friday- Sunday 9am to 1am

Member Saunders: Are you aware of the size requirement for the sign?

Shawnee Peoples: Yes, we were probably going to use the same sign that is there just change the face

Chairman Feldman: How often do you have one of these events?

Shawnee Peoples: Monthly about 5 or 6 events

Member Lofland: Have you had this business before?

Shawnee Peoples: My friend has a banquet hall in Camden called Urban banquet hall I do events out of there right now with him. I do a lot of events that is why I am trying to go out on my own.

Chairman Feldman: Are there going to be dance parties there?

Shawnee Peoples: We are going to be doing line dances, yes, a lot of dancing.

Member Armbruster: Are you going to be preparing food on site or will food be brought in?

Shawnee Peoples: I will not be preparing any food on site at all, people will be allowed to bring their own food and have sterno's, on an 8ft table, no food prepared there at all.

Member Armbruster: So basically, you are providing the space for someone to come in and do event. You provide tables, chairs? And they are responsible for everything else?

Shawnee Peoples: Yes, correct

Member Lofland: Will there be alcohol served?

Shawnee Peoples: No, no alcohol

Chairman Feldman: Any other questions?

Miles Dumbleton: I have one, did you get the heating issue corrected with the gas company yet?

Shawnee Peoples: Yes, I did, I met with South Jersey Gas over a week ago, he came out I did my application, so I am good with them, and also the electric is on, we are all set

Miles Dumbleton: This is just for the Board Members the tax collector has checked off denial because he was 2 quarters behind on taxes, but she told me on the 10th that the landlord is paid up to date on the taxes, so it is ok to approve.

Chairman Feldman: When do you plan to open?

Shawnee Peoples: As soon as possible, I was hoping Monday

Chairman Feldman: Well I don't think it will be by Monday but you can get a hold of Miles on Monday and see about getting temporary mercantile.

Missy Guernon: Chairman Feldman I believe the Fire Marshall would like to speak in regard to this applicant

John Zuggi: Hello Mr. Feldman, I don't think she is going to open right away as she plans, we still have to get in there to do an occupancy load to determine how much seating, and how many tables she can have up. We have to check emergency lighting, fire extinguishers, and I have to sit down to discuss with her about all the decorations, even though it's a sprinklered building, we still have to make sure they meet fire retardant materials, because she just mentioned about having sternos. So, if the table covers she is using isn't fire retardant we will have a hazard there. There are a few issues that we have to discuss

Chairman Feldman: No, that is fine, I am sure you will be in contact with council, and Miles to make sure all these issues are resolved, before any kind of a temporary will be issued.

John Zuggi: I am fine with that I did reach out to Ms. Peoples and explained I could not go in there until the Board approved for her to operate there. So, once we have approval from the Board we can contact her and go out there, and give her more information before the final meeting.

Chairman Feldman: Ok, sounds good thank you very much John, glad you came in. Any other Board members have any questions? Hearing none, lets have a motion for approval?

Member Saunders motioned to approve mercantile, 2nd by Secretary McKelvey and roll call was called upon;

Chairman Feldman, Secretary McKelvey, Mayor Weaver, Member Armbruster, Member Lofland, Member Saunders; Ayes

Chairman Feldman: We have one other issue of a land purchase

Member Armbruster: Joe, this looks like the property we recommended the applicant about 3 meetings ago, where they were putting fence up and we suggested they try to purchase that ground, cause their fence is on that ground already

Miles Dumbleton: Yes, it was appraised by the tax accessor he appraised it at \$700, Public Works approved it there are no utilities. We have to notify all the adjacent land owners, if they decline wanting it or having an interest in it, then the Borough can do a private sale. If someone does have an interest then we have to post and advertise sale date or auction date. Go about it that way.

Member Armbruster: The only thing I would suggest Joe I think \$700 is a fair price but we have to make sure because George will have to draw up a new deed, and make sure it covers the Boroughs cost in doing so.

Chairman Feldman: Ok can I have a motion to approve this sale?

Member Armbruster motioned to approve 2nd by Member Saunders and roll call was called upon;

Chairman Feldman, Secretary McKelvey, Mayor Weaver, Member Armbruster, Member Lofland, Member Saunders; Ayes

Chairman Feldman: Anyone have anything?

Member Saunders: Joe, I think there is a house going up on Chews landing Rd

Miles Dumbleton: Ok so 11 Chews landing Rd is building an in-law suite which doesn't meet our zoning. I sent him a zoning violation, that he needs to seek variance, or he needs to do a use change on the property. One of the use changes is if he plans to keep door on egress then it would be a duplex. And no longer a single-family dwelling with an in-law suite

Member Saunders: It is at least 15 feet from the house that was there originally, unless he is putting a hallway between the two houses

Missy Guernon: Plans have a breezeway

Miles Dumbleton: So that breezeway would make it have an egress door it would have to be completely closed in.

Solicitor Rhodes: So, are you saying if they close the breezeway there is no problem?

Chairman Feldman: If they put a door in that breezeway it is no longer an in-law suite it is a duplex. It states in the code that in-law suites can't have their own entrance.

Member Saunders: The breezeway does not exist right now

Miles Dumbleton: It is supposed to 500 sq ft for in-law suite and he is at 600 sq ft that's one of the situations he is going to have to seek relief from

Member Armbruster: I have one thing Joe you approached me regarding master plan, I did reach out to council at the last meeting regarding that they would agree to make sure that if we want to start now before the end of the year or pass it on to next year the funding would be there for it. So, if you want to start scheduling meeting with the engineer you can do that

Chairman Feldman: Did you hear that Anthony?

Anthony DiRosa: Yes, I did, I'm taking notes to have Steve and Candace schedule something with you

Member Saunders: I have a question for Mark is the Borough hall planning to open up to the public soon?

Member Armbruster: Some of the council people were pushing it very strongly I expected to be opening, but I will say in the last week, week and a half, the number of cases have been increasing pretty rapidly in NJ the Governor is calling back some of the openings he allowed Restaurants are closing earlier now, occupancy is down I believe you will probably have an order in the next week or two to not be able to open. I don't anticipate the Borough hall opening to the public until at least the 1st of the year.

Member Saunders: ok thank you Mark

Member Armbruster: Mayor, do you agree with that?

Mayor Weaver: Yes

Member Armbruster: We did a lot of work to try to open we installed air scrubbers and PPE to try to make it safe for the public, and our employees.

Chairman Feldman: Is there any other questions? In that case can I have a motion to adjourn?

All in favor... adjournment at 8:18pm

Adrianne Guernon