

**Upper Pittsgrove Township  
Land Use Board Minutes  
November 20, 2014**

**TO:** Township Committee  
Land Use Board Members

Linda S. Buzby, Twp. Clerk  
L. Andrew Hoglen, Zoning Officer

A regular meeting of the Upper Pittsgrove Township Land Use Board was held in the Township Hall on the above date. The meeting was called to order at 7:30 P.M. by Board Chairman reading the public announcement stating that adequate notice had been given provided under the "Open Public Meetings Act" and a flag salute.

**Members present were:** John Coombs, Robert Duus, Edward Meschi, Ralph Sickler, Glenn Myers, William Gantz and Linda Buzby.

**Also present was:** George G. Rosenberger, Jr., Board Solicitor, J. Michael Fralinger, Jr., Board Engineer, Sarah Birdsall, Board Planner, Michael Fralinger, Esquire, Jamell Rosario

**Business to come before the Board:**

1. Minutes from October 16, 2014
2. Jamell Rosario – Waiver from Site Plan
3. Resolution –  
GMH Ventures, LLC

**1. Minutes –**

A motion to approve the minutes from the October 16, 2014 meeting was made by Robert Duus. This motion was seconded by Linda Buzby and adopted unanimously.

**2. Jamell Rosario – Block 34 Lot 24**

The Board Chairman opened the public hearing for Jamell Rosario. Mr. Rosario was represented by Michael Fralinger, Esquire. Mr. Fralinger explained that Mr. Rosario was requesting a waiver from providing a site plan. An as-built plan had been submitted for the Board's review. He explained that Mr. Rosario had a lease agreement for Block 34 Lot 24, former site of Miranda Motors. Mr. Rosario was proposing to operate a crossfit business in the existing building. He explained that this site was particularly suited for this activity. There is already parking areas established on the property. They were proposing 31 parking spaces delineated by concrete stops. Mr. Rosario stated that there were four classes per day, two each AM and PM, Monday through Thursday, two on Friday and only one held on Saturday. Class size would range from 10-15 people. Upgrades would be done to comply with ADA requirements. He planned to utilize the

existing light pole but add some landscaping to the base. Mr. Fralinger stated that they were requesting that all previous variances or waivers granted would be done so for this application and that the proposed use was less intensive than had previously operated on the property. Board Engineer, J. Michael Fralinger, commented on his review letter dated November 17, 2014 stating that the waivers being requested by the applicant were for providing a Letter of Interpretation from the Department of Environmental Protection, filing an Environmental Impact Study and from requirements of the Checklists for Major Site Plan. The Board Engineer had no objections to the granting of the requested waivers since the lot was developed. Robert Duus made a motion to deem the application complete. This motion was seconded by Glenn Myers and adopted unanimously.

The Board Engineer continued with the technical portion of his review. He stated that the parking shown on the plan was adequate for the proposed use, safety would be enhanced with the installation of the concrete stops, and circulation. Mr. Fralinger stated that the applicant would comply with comment #4 to provide a detail of wheels stop, handicapped parking sign and line striping, #5 provide an engineer's estimate of the site improvements for review and determination of the performance bond and inspection escrow amounts, and #6 any and all other regulatory agency approvals that would have jurisdiction. The Board Planner agreed that a waiver from providing site plan could be granted along with acknowledging the previously granted variances and agricultural buffer waiver. She requested some additional landscaping around the post of the sign and along the grassy area fronting Route 77. The Board Chairman stated the presentation for waiver was well presented and gave enough information for the waiver from site plan to be considered. He still had two concerns regarding the agricultural buffer and the remaining vehicles belonging to the property owners. Jamell Rosario was sworn in by the Board Solicitor and gave testimony. Mr. Rosario stated that the training classes would include running the perimeter of the property and he agreed to coordinate the class schedule with the adjoining property owner. The Board Planner asked Mr. Rosario if the sign would be lit and would be controlled from inside the building. All Mr. Rosario was proposing would be a new sign skin. The Board Chairman opened the hearing to the public for comment. The being no one present speaking either for or against this application, the Board Chairman closed the hearing to the public for comment. The Board Solicitor reviewed the application and what was needed for approval. Robert Duus made a motion to grant the requested waiver from providing site plan based on the fact that the lot was already developed as well as the requested waivers and setting the following conditions: provide landscaping as approved, comply with #4, #5, and #6 under the Board Engineer's technical comments, no expansion without Land Use Board review, all signage would comply with the Ordinance, and the applicant had ninety (90) days to have the property owner remove all vehicles so as to have only one principle use on the property. This motion was seconded by Ralph Sickler and adopted unanimously.

### **Resolutions –**

Robert Duus made a motion to adopt the resolution for GMH Ventures, LLC which was necessary as a result of the lawsuit between GMH Ventures, LLC and the Township of Upper Pittsgrove/Upper Pittsgrove Land Use Board. This motion was seconded by William Gantz and adopted unanimously.

There being no further comment and business before the Board, Robert Duus made a motion to adjourn the meeting. This motion was seconded by Ralph Sickler and adopted unanimously.

Respectfully submitted,

Linda Buzby, Secretary  
Upper Pittsgrove Township  
Land Use Board