

# MINUTES

## Hopewell Township Land Use Board

February 21, 2018

7:00 PM

The regular meeting of the Hopewell Township Planning/Zoning Board was held on February 21, 2018.

Chairman Andersen called the meeting to order at 7:00 p.m.

Public Notice was sent to The South Jersey Times for publication as prescribed by Law and posted on the Township bulletin board. All requirements of the Open Public Meetings Act have been met in compliance with the Sunshine Law.

Chairman Andersen led the flag salute.

The following members were present:

Mr. Andersen	Mr. Caggiano
Mr. Strait	Mrs. Lewis
Mr. Tedesco	Mr. Shoemaker
Mr. Hepner	Deputy Mayor Ritter
Mr. Earnest	Mrs. Crispin

Others Present: John Hitchner (Secretary), Steve Nardelli (Board Engineer), Bob Pryor (Board Solicitor), Gordon Gross (Zoning Officer), Howard Melnicove (Applicant's attorney), George Scull (Realtor), Lois Yarrington (Township Administrator).

<b>Oath of Office:</b> Paul J. Ritter III	Class I	12/31/18
Diane Crispin	Alternate	12/31/19

**Resolution 2018-02** - Approval of Appointment of John Hitchner as Secretary. *A motion was made by Mr. Earnest, seconded by Mr. Caggiano to nominate John Hitchner as secretary. The motion was approved unanimously.*

**Resolution 2018-03** – Approval of the Report of Annual Review for calendar year 2017. *A motion was made by Mr. Hepner, seconded by Mr. Caggiano to approve the Report of Annual Review. The motion was approved unanimously.*

**Approval of Minutes:** January 17, 2018 Regular Meeting Minutes. *The minutes from January 17, 2018 were submitted for approval. A motion was made by Mr. Caggiano and seconded by Mr. Strait to approve the minutes. The motion was approved unanimously.*

### New Business:

Item #1: Application 17-09-Bahri Yilmaz-B36 L17&18 (727-729 Shiloh Pike)-Use Variance-Mr. Yilmaz is proposing to create a Single Family Dwelling at the location of the former Church of God of Hopewell. He is also requesting any Bulk Variances that may be required.

*Mr. Melnicove spoke on behalf of the applicant Bahri Yilmaz who was not present. Mr. Melnicove states that the sale of this property is contingent on approval from the Board to grant any necessary variances. He states that the church is surrounded on three sides by dwellings. Mr. Melnicove states that the church looks like*

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*a residential dwelling and that churches aren't a permitted use for the Highway Commercial (HC) zone. Mr. Melnicove submits two deeds for the property as evidence that prior to the structure being a church, it was likely a residential dwelling (Exhibit A-1 & A-2).*

*Mr. Scull is sworn in to give expert testimony. He states that he works for G. Scull Realty LLC. He states that the property has been on the market for two months. During that time period he had three churches inquire about the property and all three stated it was too small. Mr. Scull states that the property is hard to market as HC because it is small and there is not enough room for parking. Mr. Melnicove points out that any business interested in the property would require bulk variances because the lot size is 1/3 acre and HC zones require 2 acres. Mr. Nardelli agrees and says he sees no problem with this property being residential as the 1/3 acre lot size would make it difficult to run a business. Mr. Strait asks who owns the alley behind the property and Deputy Mayor Ritter states that the Township owns it. Mr. Hepner points out that by granting approval the property would be put back on the tax roll.*

*Mr. Hepner motions to open the discussion for public comment. Mr. Strait seconds. There are no members of the public present to speak at this time. Mr. Hepner motions to close public comment with a second by Mr. Caggiano.*

*Mr. Melnicove begins his summary. He points out that there are only 1,200 square feet of space available inside the building and it is not likely adaptable to HC uses. He states that the total lot area is 1/3 acre which is too small for new commercial development and more comparable to a residential lot with the potential for sewer hook-up. Mr. Melnicove states that the property is surrounded on three sides by residential buildings. He reiterates that the building was likely a residential dwelling prior to being converted into a church. Mr. Melnicove points out that churches are not a permitted use in HC zones showing an absence of negative impact. He states that residential uses are a less intense use than a church and provide fewer ingress and egress.*

*A motion was made by Mr. Hepner to approve the variance. The motion was seconded by Mrs. Lewis and approved by a unanimous roll call vote (Andersen, Hepner, Lewis, Strait, Tedesco, Crispin) with Mr. Caggiano and Mr. Earnest abstaining.*

Item #2: Conduct a preliminary investigation pursuant to N.J.S.A. 40A:12A-4.b and -6 to determine whether Block 63, Lot 3, following public notice and hearing, meets the eligibility criteria for a redevelopment area pursuant to N.J.S.A. 40A:12A-5.

*Deputy Mayor Ritter gave a short explanation of the intent of the Township Committee. He showed the Board the location of Block 63, Lot 3, via a map. Discussion ensued about what is a preliminary investigation and how long was needed for public notice. It was agreed that the Township Planner should conduct the preliminary investigation and provide a report. Once the Planner has developed a report, adequate public notice should be given so action on the topic can be taken.*

### **Adjournment**

*There being no further business, a motion was made by Mr. Earnest at 8:05 pm to adjourn the meeting. The motion was seconded by Mr. Hepner and approved unanimously.*

John Hitchner  
Secretary