

# MINUTES

## Hopewell Township Land Use Board

April 17, 2019

7:00 PM

The regular meeting of the Hopewell Township Land Use Board was held on April 17, 2019.

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

Public Notice was duly sent to The South Jersey Times and The Daily Journal 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: Chairman Andersen, Mr. Caggiano, Mr. Hepner, Mr. Shoemaker, Mrs. Lewis, Mr. Tedesco, Mr. Earnest, Mr. Strait

The following members were absent: Mrs. Crispin, Deputy Mayor Ritter

Others Present: John Hitchner (Secretary), Bob Pryor (Board Solicitor), Steve Nardelli (Engineer), Gordon Gross (Zoning Officer), Howard Melnicove (Applicant Attorney), Alan Turner (Applicant), Suzanne Turner (Applicant), Leo Selb (Administrator), Patty Patrick (Resident), Jeff Shimp (Resident)

**Approval of Minutes:** March 20, 2019 Regular Meeting Minutes.

*The minutes from March 20, 2019 regular meeting were submitted for approval. A motion was made by Mr. Earnest and seconded by Mr. Hepner to approve the minutes. The motion was approved unanimously.*

**Resolution 2019-05** - A resolution memorializing the approval of application 2019-02 (Hasher, Major subdivision with waivers).

*Mr. Caggiano abstained. A motion was made by Mr. Hepner to approve the resolution. Motion was seconded by Mr. Earnest and approved unanimously.*

**Resolution 2019-06** - A resolution memorializing the approval of application 2019-03 (Zark Real Estate LLC, Site plan approval with waivers and variances as necessary).

*Mr. Shoemaker abstains. Mr. Earnest makes a motion to approve the resolution. Motion is seconded by Mr. Caggiano and approved unanimously.*

### **New Business:**

Item #2: Application 2019-04 – Turner (180 Roadstown Rd) – B 67 / L 11 – Bulk Variance – Mr. and Mrs. Turner are seeking a bulk variance for the proposed construction of a garage/outbuilding that will exceed the maximum permitted height in the R-2 district.

*Howard Melnicove introduces himself to the Board. He states the applicant is looking to construct a building that is 22ft tall when height is limited to 15 ft. Mr. Melnicove states that he has submitted a package with proof of notices. He is looking for a motion for completeness. Mr. Nardelli states he has no objections. Neither does Mr. Pryor.*

*Mr. Earnest makes a motion for completeness. Motion is seconded by Mr. Tedesco. Motion passes unanimously.*

*Mr. and Mrs. Turner are sworn in. They live at 180 Roadstown Rd. Mr. Turner states they have lived there since 1991. Going to be storing tractors in the building. Needs height for tractors. Currently has a lean-to type "chicken shed". Will be using tractors to farm property next door. The building will be 50' x 30'. Mr. Melnicove states that the building design will harmonize with the existing dwelling. The chicken coop is going to be removed. Mr. and Mrs. Turner chose the location so they could see out their kitchen window. It aligns with the existing concrete pad.*

*Chairman Andersen states that the old farm was on a much larger lot. Likely had larger buildings. This lot is now smaller. The building seems large for the lot. Mr. Turner states there will be concrete flooring and electric. Mr. Melnicove states that this type of structure is similar to what you would find on neighboring properties.*

*Mr. Hepner makes a motion to open to the public. Mr. Earnest seconds and motion passes unanimously. No one wished to speak at this time. Mr. Earnest makes a motion to close to the public. Mr. Hepner seconds and motion passes unanimously.*

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*Mr. Melnicove states that 7ft in height will not have a negative impact on the neighborhood or master plan. The special reason criteria include the aesthetics improvement of the new structure and the removing of the deteriorated chicken coop structure. Mr. Nardelli states that the architecture matches the dwelling and he does not see a detriment. Mr. Pryor states the benefits justify it.*

*Mr. Earnest makes a motion to approve the application. Motion is seconded by Mr. Caggiano. Motion passes with a unanimous roll call vote.*

**Item #1:** Courtesy review of the proposed short-term rental ordinance for Hopewell Township.

*Mr. Shoemaker states that the Township Committee felt like they had to do something with short term rentals and this is what they chose to do. Mr. Hitchner states this is a stand-alone ordinance. Mr. Caggiano asks why the current rental ordinance doesn't cover these rentals. Mr. Hitchner states that this has to do with inspections at a change of tenants, registration rules, definition of a short term rental ordinance, no commercial endeavors, and fees.*

*Mr. Strait states that in Section 5A it jumps to defining family members and seems out of place in the ordinance. Mr. Hitchner said he would bring it up with Ms. Bertram. Mr. Strait brings up the section on sub-leasing and says that it would make more sense as a condition. There is more discussion about waiving the family section. Mr. Strait brings up in section 7 the definition of commercial endeavors. There is discussion about what a commercial endeavor is. There is discussion about how many people can come on the property at a time. There are limits to how many can spend the night based on bedrooms, but more that that could come over for the day.*

*Chairman Andersen states that with the wedding facility coming, the Township could use a few places like this. He states that the rentals will have to follow code, building and fire codes. Mrs. Lewis asks if AirBnB is different from normal rentals. Mr. Gross states that it is not. There is a difference between an AirBnB and a Bed and Breakfast where the owner stays there and cooks breakfast. Currently "Commercial endeavors" is being left up to being defined by the zoning officer. If this rental was a commercial endeavor than there would be different fire code standards than a home rental. There is discussion about inspections. The short term rental ordinance will require yearly inspections whereas the current rental ordinance does not require re-inspection unless there is a change in tenant.*

*Leo Selb introduces himself as the Township Administrator. He brings up economic development and marijuana. This will become a zoning issue. May need to adjust the master plan. Need to address finance, moral, and legal issues. There are discussions about different options available and how they are taxed.*

### **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.*

Respectfully submitted,  
John Hitchner  
Land Use Board Secretary