

# MINUTES

## Hopewell Township Land Use Board

September 20, 2023

**Start Time:** 7:05 p.m.

The **Sunshine Statement** was read into the record by Chairman Caggiano.

The **Flag Salute** was led by Chairman Caggiano.

### **Roll Call:**

Present: Chairman Al Caggiano, Vice Chairman Paul Earnest, Committeeman Tom Tedesco, Lee Hepner, Ken Strait Jeff Shimp, Alternates Judy Zirkle and Jamie Gaunt

Also present: Rebecca Bertram, Esquire, LUB Counsel; Steve Nardelli, Engineer; and Jeannette Pace, Board Secretary

Absent: Committeeman David Miller, Diane Crispin, Betty Lewis.

**Approval of Minutes:** Minutes from the August 16, 2023 meeting were approved by Motion made by Earnest; Seconded by Shimp with a voice vote all in favor (Strait abstained).

**Resolutions: #23-07: Resolution of the Hopewell Township Land Use Board re: Application by Toby H. Cuff, for a variance for a non-conforming set ack. Property: 19 Harmony Road, Block 12, Lot 5.01 – Application No. 2023-04 – Motion to approve by Earnest; Seconded by Hepner; Voice Vote all in favor (Strait abstained).**

### **Discussion:**

Review of Township Ordinance No. 2023-09 – Ordinance Amending Chapter 220-57 of the Township Code Regarding Temporary Housing for consistency with the Master Plan was moved up on the agenda to be heard prior to the pending application on the agenda.

Tedesco advised the Board that the ordinance was introduced at the last Township Committee meeting and the Committee asked that the Board review it. The general consensus of the Board was that Sections A and D of the ordinance are acceptable as prepared.

Discussion was held on Section E as prepared. Strait questioned the sanitary conditions of having the travel trailers on the property. Tedesco wondered if the travel trailers were utilizing the sewer system. The Board questioned how they would know whether the travel trailers were there for 3 days or 4 days and how far they actually lived and who would police this. Definitions of RV, Travel Trailer and Mobile Home were discussed and may need to be clarified at some point. The general consensus of the Board is to remove this paragraph from the ordinance as it appears to be specific to one property and not all

properties within the Township. Tedesco will take the Board's recommendations back to the Committee for review.

### **Applications:**

#### **No. 2023-05: Application by the Greater Bridgeton Amish Market, LLC, 2 Cassidy Court, Block 63, Lot 1.05 for minor site plan approval/non-conforming lot coverage**

Chairman Caggiano introduced the application and confirmed receipt of required noticing documents. Caggiano explained the application to the Board.

As to **Completeness:** Motion by Board – Voice Vote:

Motion to Approve by Earnest; Seconded by Strait. Voice Vote all in favor.

Motion to Open to the Public was made by Earnest; Seconded by Hepner. Voice Vote all in favor.

Seeing no one, a Motion to Close to the Public was made by Hepner; Seconded by Earnest. Voice Vote all in favor.

Discussion:

Robert DeSanto, Esquire appeared on behalf of the applicant. Gregory J. Simonds, P.E., a licensed professional engineer, was sworn in and accepted as an expert on applicant's behalf. Simonds provided background on the application and went through Engineer Nardelli's review letter.

As the concrete pads, Simonds testified that there are actually 3 pads and not 2 as mentioned in Nardelli's review letter.

As to the landscape plan, Simonds testified that applicant is willing to comply with the recommendations in the review letter.

As to Nardelli's concerns regarding the "playground area," Simonds deferred to applicant for comment.

As to the concern for signage in Nardelli's letter, Simonds deferred to applicant for comment.

Simonds testified that he is agreeable to Nardelli's request for an engineer's estimate of the site plan improvements being submitted for review and determination of the performance bond and inspection escrow amounts.

Jason Riehl of Dutchway Structures and the Greater Bridgeton Amish Market is the applicant in this matter and testified on his own behalf. Riehl testified that he is the new owner of the Amish Market along with his father, Elam and brother, Lavern. He agreed with the testimony of Simonds. As to the sign, he advised the Board that the previous Township Administrator/Zoning Officer, Leo Selb, gave him a permit allowing the construction of the sign in question. He testified that the sheds currently on display are all for sale and it is not the intention to utilize them as a playground, although sometimes

customers allow their kids to play on them. They display the sheds and playground equipment for one season and switch them out. By changing them, the number of sheds displayed could vary depending on their size, but they do not encroach outside the permitted area.

Chairman Caggiano mentioned the 2011 preliminary and final plans which only approved the playground display area and not an extended shed area and the new plan reflects the current conditions. DeSanto requested that the application be amended to reflect the current plan.

Discussion by the Board: Shimp questioned the relocation of the concrete pads. Riehl testified that the disposal company cannot gain access to the dumpsters if the pads are relocated. Caggiano confirmed there are 3 pads there and Nardelli indicated that he made the requirement for additional trees so they would act as a buffer from the public.

Nardelli commented that because former Zoning Officer Selb granted a permit for the sign, this should be added to the variance request and approved. DeSanto requested that the application be amended to reflect this request. Tedesco commented that due to the size of the business, 2 signs appear to be acceptable so long as they are not impeding traffic visibility.

Nardelli mentioned that 2 sheds are in front of the basin to which Riehl testified that this was a temporary situation and that the 2 sheds were already purchased by customers awaiting delivery. Riehl further testified that the 2 lots that he will be purchasing from the Township will alleviate this.

Caggiano commented that the 2011 plan did not include shed sales to which Riehl requested that the application be amended to include the approval of shed sales.

Lavern Riehl of Dutchway Structures and the Greater Bridgeton Amish Market testified that the new lots being purchased will act as an expansion of the business and not a new location as they intend to continue utilizing the front area for display of the items for sale. Riehl testified that the parking lot expansion is for employee and vendor parking to allow the current parking lot to be used for customers of the Amish Market.

Strait questioned drainage to which Nardelli commented there is no issue with drainage. Strait also suggested more handicap curb cuts in the front of the market. He has a handicapped family member and the only cut out is in the middle of the sidewalk.

The Board questioned Riehl as to the RVs parked on the property. Riehl testified that the occupants of the RVs shower and use the bathroom inside the Amish Market. He intends to move the RVs to the back of the property near the tree buffer area. Zirkle questioned Riehl as to an upstairs at the market to which he testified that there is only a catwalk for mechanical maintenance. Riehl further testified that the animals previously kept at the property have been removed and he has a company that comes in regularly to mow the basin area and empty the trash.

**Application for Minor Site Plan Variance:**

Caggiano indicated that the County has advised that they do not need to review the application. The Board will vote to approve the application for minor site plan approval and requested variances for the modifications to the on-site conditions, including the addition of a playground equipment display area as noted on the plans, to permit the sales office shed to remain onsite, to permit the second sign on location and for the slight increase in impervious coverage onsite, with the following conditions: plans will be revised to include the extension of Leyland Cyprus trees down to the corner of the common lot with the West Cumberland Senior Center; the sheds and playground equipment shall be limited to the space provided on the plan and shall not expand further; plans will be provided to the Township Engineer consistent with the approvals granted; and the applicant’s engineer will submit an estimate of the cost of the proposed site improvements so that the amount of the required performance bond and inspection escrow can be established.

Motion to Approve by Earnest; Seconded by Zirkle. Roll Call Vote:

	MOVED	SECOND	YEA	NAY	ABSENT	ABSTAIN	RECUSED
Al Caggiano, Chairman			X				
Paul Earnest, Vice Chairman	X		X				
Tom Tedesco			X				
David Miller					X		
Ken Strait			X				
Lee Hepner			X				
Betty Lewis					X		
Diane Crispin					X		
Jeff Shimp			X				
Judy Zirkle, Alternate		X	X				
Jamie Guant, Alternate			X				

Motion carried. Approved 8-0.

**Public Comment** Portion: Caggiano noted there is no one present.

**Adjournment Time:** 7:30 p.m.

Motion to Adjourn by Tedesco and seconded by Earnest; Voice Vote all in favor.

**Next Scheduled Meeting:** October 18, 2023 at 7:00 p.m.

Jeannette A. Pace, Land Use Board Secretary  
cc: Land Use Board  
Solicitor Rebecca Bertram, Esquire  
Engineer Steve J. Nardelli  
Zoning Officer Dave Elwell