

MINUTES
MT. EPHRAIM LAND USE BOARD MEETING

Borough Hall Court Office
121 S Black Horse Pike, Mt. Ephraim, NJ 08031
Monday, January 10, 2021, 7:30pm

1. **CALL TO ORDER.** Steven Eggert called the meeting to order and stated the meeting was advertised and notices posted in accordance with the “Open Public Records Act.”
2. **PLEDGE OF ALLEGIANCE.** All persons present, stood for the pledge of allegiance.
3. **ROLL CALL** – Mayor Tovinsky, Kim Beebe, Comm. Gies, Michael Schiavo, Steve Eggert, Michael Marrone, Gary Prinski, Carmine Rampolla, present. Thomas Maxwell, Robert Carter, Anthony Stagliano, Douglas Morgan, absent.
4. **CALENDAR OF NEW BUSINESS**

Hearing on Bobby Ray Harris minor site plan and variances, use variance approval needed.

David Rowan, the attorney for the applicant explains they had an engineer, but he is unable to attend tonight he has covid. He states they would still like to proceed with the application if everyone is ok with that.

Beth Marlin swears in the applicant Robert Harris and the Planner Brain Seidel.

Brain Seidel gives testimony to show he is qualified as a Planner. The Board is satisfied with his qualifications.

David Rowan - asks the applicant for his full name and address. Robert Harris – 123 Heath Road, Medford NJ. David Rowan and you are the record owner of the property located 13 S and 15 S Black Horse Pike. Robert Harris, yes that is correct. David Rowan and that is Block 55, Lots 8.01 and 8.03. Robert Harris yes that is correct. David Rowan you are familiar with Giuseppe’s former restaurant that was there. Robert Harris, yes, I am. David Rowan, can you describe or when you were purchasing this property do you recall the seating in that property. Robert Harris total capacity was between 90-110, I confirmed that with the previous owners. David Rowan and do you know how many parking spots where there? Robert Harris, I think 27. David Rowan now you have undertaken to reconstructing the old Giuseppe’s, correct? Robert Harris yes that is correct. David Rowan matter of fact there is a new building there. Robert Harris, yes. David Rowan was there any reason you couldn’t have reconfigured the old building. Robert Harris, so there are many reasons why I couldn’t have, so originally, I didn’t plan to take the building down obviously for financial reasons,

as well as the timing it would take to do that. However, as we were taking this building apart trying to refurbish it to make it look better inside, there was a lot of issues with the structure, the floor on both levels as well as the roof. While we were inside working it started raining and there was like 27 holes which started to leak, and they were bleeding down both sides of the walls which was deteriorating the walls all the way to the basement, which is where the foundation had some serious issues on the Mt. Ephraim side, at that point when we got to the front of the building there was one steel beam basically holding up the building and we started taking apart the steel beam and the whole building dropped about three feet from one latch of the steel beam, how it was still standing is a mystery. So basically, it was the right thing to do, and we took it down and are fixing it new. It will be very similar to the building I own now in Pennsauken. This leads to the building that I now just purchased which is next door, I was approached if I wanted to purchase I did and now I am trying to marry the two buildings together. David Rowan and just so we are clear that is lot 8.03 that is the new building you purchased, which is about 20x100 feet. Robert Harris, I believe its 20x73. David Rowan and you purchased that property this past year. Robert Harris yes that is correct. David Rowan now prior to coming to the meeting you laid out the rendering of the new building of what it will look like once its completed, is that correct. Robert Harris, yes, besides the coloring of the stones on the bottom, we will be using New England stone, a lot of the materials are touch and go and I am hoping I can get the stone that I want, its more of a gray color stone at the base of the building. David Rowan how many sits will you have? Robert Harris 136. David Rowan and you are purposing outdoor seating. Robert Harris yes, and we are purposing that for a lot of reasons, so what I have learned from just the history of my place, especially what has been going on over the last couple years, we can not just count on indoor seating, over 165 different places just have closed in the last eight months because they have no outdoor seating at all. Again, very similar to my place in Pennsauken we do have an outside area. David Rowan the new facility restaurant/tavern, how many parking spaces are you purposing. Robert Harris, I believe 28 parking spaces. David Rowan and what will your hours be of operation? Robert Harris so we will be very similar to my place now and I will be open everyday at 11 o'clock 7 days a week, we close at different hours during the week, however we don't stay open very late, we are a 1 o'clock am shut down and depending on the time of the year and weather we may shut down earlier. David Rowan will the kitchen stay open until then. Robert Harris the kitchen does not have a specific time to close, we generally handle that according to the customers that are in there. David Rowan now with the outdoor seating how will you minimize the outdoor noise during the spring and summer months. Robert Harris so what we have done in the past, we put up a fence area that kind of blocks where you would be sitting, so we would have a four-foot fence in one area and a six-foot fence in another area to block the noise. We do not have any speakers outside because that does carry the noise. David Rowan, there won't be any music outside Bobby? Robert Harris the evolution I learned from the other spot, is people want to hear the music they come inside, if it is a warm night the one area in the back, it will be a garage door and that can be opened and shut, we will

manage it appropriately. David Rowan how many employees do you intend to have? Robert Harris initially 12-15 employees, obviously I would love to have the problem of 25 employees, but we will start out with that and see what happens. The Pennsauken place that I have 90% of my employees were either from Pennsauken or Maple Shade, so for this place for me to hire people that are local is what I would prefer. Some of the kids are high school kids either helping with the maintenance or become servers, just trying to make some extra money. I do employee for some reason a lot of nursing students at Rutgers, and I seem to be lucky with that, but I really like to have as many local people as possible in town working, because when you have from the town, they pull in all your local people to come in. David Rowan, you have reviewed the engineer's letter that was submitted. Robert Harris yes. David Rowan one of the questions from the review letter was regarding not purposing a loading dock, how will you handle deliveries then. Robert Harris we will take all the delivers before we open at eleven o'clock, we work it out with all our vendors. Even our trash will be picked up before we open. David Rowan generally how large are the trucks for the liquor vendors and the food vendors. Robert Harris usually it's a large box truck that does our deliveries. David Rowan but regardless there will be no delivery trucks on the Black Horse Pike or Mt. Ephraim Avenue. Robert Harris no they will be using the driveway of the business. David Rowan the engineers review letter also mentioned about the wooden sheds on the property, will they be removed. Robert Harris so yes, I had purchased a shed for construction purposes, tools, etc. so everyone didn't have to take all their stuff with them every night. The shed will be gone shortly I will not have it on the property for when the business opens. I also used the shed to hold onto some of the things I was finding when I was tearing the building down so when the building is done, I can put the signs up inside and other things I have found. David Rowan, I have no more questions but if anyone else does we can start. Robert Harris stated that I have two more things that I want to add to this, our parking lot it is a smaller parking lot, and before I purchased it, it was dilapidated, lots of potholes etc. I had a company who redid my other parking lot in Pennsauken, but it was redone, we had it sprayed and tarred and repatched, the gentlemen did a great job, in the future I plan on completed getting the parking lot redone but right now the cost of it to completely resurface is extremely high. The parking lot though will be completely sprayed, filled, and lined properly to open.

Greg Fusco, I have a couple questions, is the total 136 seating including the bar seats and everything else. Robert Harris yes that is correct.

Michael Schiavo, you stated that you have 28 parking spots available. Robert Harris yes that is correct. Michael Schiavo I am only counting 24 parking spots.

Greg Fusco there are 28 parking spaces.

Beth Marlin can I go back to the seating for one minute, one of these plans say 136 table seating inside, 30 bar seating, and 76 table seating outside, when adding

them that totals 242. Robert Harris along with this original, I sent in a new seating showing a total now for seating being 136.

Steve Eggert on the drawings it almost showing two bars. Robert Harris yes that is correct it's the one bar inside and then the one bar in the enclosed deck. Steve Eggert, ok I understand now.

David Rowan in the engineers report they are also requesting that you replace the sidewalk along the Black Horse Pike. Robert Harris yes, I will absolutely be replacing the sidewalk in the front on the Black Horse Pike. I would also like to put concrete barriers up at that corner for a bunch of reasons, one being just the safety of the patrons that are walking around that corner but two being that it is the Black Horse Pike and with me up there working during the demo, the speed that some of the cars are going making that light at Kings Hwy., and since we are very close to the road I would like to put something there for safety and in the barriers I can put some type of flowers or something to make it look nice. David Rowan another thing on the report, number 9 page 5 talks about the sidewalk along Mt. Ephraim Avenue that the sidewalk may exceed the 2% maximum cross load that is required by the Borough. Robert Harris, I had my concrete guy go out there and it is graded properly. David Rowan but it still exceeds that 2% maximum cross load.

Greg Fusco, I cannot except it just so you know, if it exceeds that 2%. Robert Harris, understood. David Rowan, so you know they will not be able to issue a CO to open if it's not correct, because that is a safety issue. Robert Harris, are you talking about the concrete that we just poured? Greg Fusco, yes. Robert Harris, so we measured that, and he stated it was graded properly. Greg Fusco, all this stems back to the barrier free regulations, the town takes money from the state and the state gets the money from the federal government and whenever we do improvements on Municipal streets which is every street in town, we must follow what the state says. Robert Harris, ok. Greg Fusco, the crosswalk in front of driveway aprons and in front of buildings cannot exceed more then 2%, if the Borough doesn't enforce that then the Borough will not get their state money every year. So, what happens is you invest a fortune in this property and then you go to get your CO, I am the last guy in line to make the recommendation to not give it, so that is why I am just telling you now that if we do the inspection and it is more than the 2%, I can not let it go and get the CO. Robert Harris I am on board with everything if I am told it is more then the 2% we will get it taken care of so we are in compliance. Greg Fusco same thing with the sidewalk in front of the building it needs to be compliant, or I cannot give the recommendation to issue the CO. Robert Harris I am agreeing and will make it compliant with the regulations.

Steve Eggert, can we address the engineer's letter from the beginning. I am only asking because I am trying to follow, and we are jumping all around.

Greg Fusco, we can do that, but I believe you should really get the use variance testimony on record before we go into anything else.

David Rowan, questions Brian Seidel, Planner, if he has reviewed the application. Brian Seidel, yes, I have. David Rowan, you have also seen the review letter that was done by the engineer. Brian Seidel, yes that is correct. David Rowan, have you reviewed the site? Brian Seidel, yes. David Rowan, have you reviewed the ordinance of the Borough of Mt. Ephraim regarding this site? Brian Seidel, yes. David Rowan, can you give your opinion as to the positive and negative criteria explaining what that means to the board in your opinion regarding their ability to grant the variances that we are requesting tonight. Brian Seidel, just with a little quick background, the site is in the Central Business District and part of the Mt. Ephraim, Kings Hwy. Redevelopment Plan designated area. Obviously at the intersection of Mt. Ephraim Avenue and the Black Horse Pike, you heard from the applicant what the proposal is, essentially a renovation of existing building, parking area and site improvements that are already out there or have been in existence at the site. The restaurant, the tavern use that is being proposed is a permitted use in the district. There are a series of variances and relief that are required for the development of this property or redevelopment of this project, they are in my mind mostly due to pre-existing non-conforming conditions. To go over the relief that is required is the impervious coverage, it is required to allow 90% impervious coverage where 80% is permitted, the building area or floor area coverage, which is the use variance component, D4 Use Variance, to increase from .4 from .3 so it would be an increase in the floor area. The parking associated with the property, there is a series of parking components and relief that is required, first being the quantity of the parking stalls, 28 parking stalls are provided where 46 stalls are required for the 136 table seats. Regarding the drive isles there is relief that is requested for the width of one of the drive isles, which is the one furthest from the property, where 24 feet is provided, and 25 feet is required. Closest to the building we are providing 25 feet, on the far side or the south side of the property is 26 feet however its just that one area that were 24 feet due to the narrow nature of the property. Parking in the front yard again the existing conditions have the parking adjacent to Mt. Ephraim Ave., a 10 ft set back is required but as you can see on the drawing the parking is rather close probably only being 1 ft away. Regarding loading, there is not a designated loading area on the property but its going to be utilized in the existing drive isles during off hours on the property. Now the landscape buffer essentially providing the 5-foot landscape buffer where 15 feet is required, in lieu of that there is a landscape plan which was provided with the application, and we are purposing a solid fence which is going to be proposed along essentially the rear residential area and subsequent plan providing landscape in that area as well. So, they are most of the variances and reliefs that are required. Regarding the positive, negative criteria that was discussed in terms of the introduction, the positive and negative criteria are only required for the highest threshold of the variances which is the floor area ratio and the D Variance, so I will certainly provide proofs for the floor area ratio however all the other relief and variances that are requested are

lower threshold which essentially can be approved in my opinion based on the highest level of proofs that are met for the D4 Use Variance. For the positive criteria this site is particularly suited for this type of use, the site contains historically an old restaurant or a property that has already been utilized as a restaurant and associated parking here, it is in a commercial corridor in the Central Business District where restaurants are permitted, the project also advances the purposes of zoning and enhances the general welfare. As a summary of the applicant's testimony and the proposal we will be updating the outdated building which has been in disrepair, we are relocating the mechanical equipment, which is on site to the roof, providing additional amenities of outdoor dining, provided ADA accessibility, provide accessibility from the parking lot to the building, replace the sidewalks that are in disrepair. As I indicated we provided the landscape and vinyl fence to screen and provide buffering from neighbors. We also will be providing modernized lighting to create a safe area for the parking lot. Everything will be built to current code regulations, the parking or expansion that is being discussed at the rear of the property which is being categorized as good main street type of development, your building is on a main street of Black Horse Pike, parking is at the rear and access onto Mt. Ephraim Avenue. Regarding the negative criteria that needs to be shown, there is really no detriment to the public good, no detriment to the planning and zoning ordinance, I did notice in the redevelopment plan the restaurant use is consistent with the Central Business District and the commercial corridor, its an improvement to the residential uses in the area, cleaning up the site and modernizing everything providing fencing, screening. It's an improved pedestrian and vehicular site circulation and access to the property and provides a new and modernized facility for the neighborhood. So, for all these reasons I believe with this application the positives do out way the negatives, the relief that we are asking are warranted and the criteria is met.

David Rowan, Brian we are asking for a 31 square foot sign, where only 24 square foot is permitted so that would technically be a variance, do you feel that 31 square foot sign would have a negative impact upon the community or the zoning codes. Brian Seidel, I do not and thank you for reminding me, when I discussed the variances, they were ones that I initially categorized and pre-existing non-conforming use. I skipped over the signage component for that reason because the signage is being proposed here. My understanding is the signage regulations permit a 24 square foot sign, where we are proposing a 31 square foot sign, the difference of 7 feet, across the building façade is barely negligible that is provided on the drawings on the last page of the plan. So, I do believe the signage variance can be approved again for the same general criteria that I have laid out.

Steve Eggert where on the building was this sign originally, I didn't happen to see, was that on the front of the building on the Black Horse Pike? Robert Harris so if you are coming from Kings Highway it would be right on the corner of the building and then depending on how it looks once its built, I think there may be enough area coming from the 295 direction that would be the second sign. So,

between the two signs there is life 60 feet, and it will not be like a medal arm hanging sign either. In the nighttime you won't be able to see the sign but during the day you can see it.

Steve Eggert, so the sign does not have lights. Robert Harris, the sign will be lit, its LED.

Mayor Tovinsky, I have a question people from town have been asking, will this outside seating in the ground. Originally talk around the town was that it was a roof top bar. Robert Harris yeah, I don't know how that started but we will not be having a roof top bar.

Greg Fusco the second-floor area is 1282 square feet, roughly, what we will that be used for. Robert Harris it will be office space and just storage. Greg Fusco, do you know how much floor space on the first-floor kitchen area. Robert Harris, I don't know off the top of my head, I do know that the one area along the Black Horse Pike if I could guess it's probably 15x30, maybe 18x30.

Steve Eggert in our Redevelopment Zone remember when we had the streetscape, where did that all come into play. Tara Weiss that was on Kings Highway. Steve Eggert but didn't Walgreens and CVS do some on the Black Horse Pike. Tara Weiss they may have done that by themselves, because we never finished the Redevelopment of the Black Horse Pike, we may have asked them and they probably did it because of the other side of their property being done, but we don't have a Redevelopment of the Black Horse Pike. Steve Eggert, ok I understand.

Robert Harris is this regarding the brick walkway. Steve Eggert yeah that and the lighting fixtures, that was done 10-15 years ago. Robert Harris, you know I saw that when I was doing my rounds and I would be interested in making it consistent if that is something you would be interested in doing. Like if I must redo the sidewalk already if we want to make it consistent. Steve Eggert well obviously if you did anything like that, we would want it to match what is already existing, and with the lighting I don't know how we would go about that. Tara Weiss we can look and see if we can get the information on having everything be consistent on the Black Horse Pike with the brick pavers and lighting fixtures. David Rowan so you would be willing to incorporate with the Borough in having everything look consistent. Robert Harris yes absolutely. Steve Eggert, yeah, we would have to figure this out because of it being on a County Highway I don't know how all of this would be done, I don't want to open a can of worms I was just suggesting it. Mayor Tovinsky the Black Horse Pike is a state road.

Beth Marlin, Greg do you still need to run through your letter that was submitted, or do you think they covered everything. Greg Fusco, I think we should just run through it briefly, Mr. Rowan are you finished giving testimony. David Rowan, yes.

Greg Fusco, I just have a couple of questions to help with the use variance, I just did some quick math based on the architects' drawings, if you take out the second-floor mezzanine, which Mr. Harris stated he was using for storage and his office, the floor area ratio, I mean usable floor area in terms of the restaurant use drops to .35, he doesn't know the size of the kitchen but I just did a rough estimate and removing the kitchen area it will drop down to .33 which is a lot closer to the required .3, does this have any bearing on your use variance testimony. Brian Seidel yes absolutely the criteria for the floor area and for the parking that is required is based on the floor area itself, the addition of the outdoor deck for the dining area and for the second floor for space which is primarily storage, its not open for the public use and then the functional aspect of the kitchen itself, I was trying to go through my notes and calculations and I was looking at the architectural and I agree I think the kitchen the one dimension seems pretty clear at 22x15 feet in area. So, I agree it does bring the floor area ratio a lot closer to what is required. Greg Fusco and Mr. Harris did testify this evening that there will be no seating upstairs or a second-floor deck, so that is all consistent with what you just explained. Brian Seidel, yes that is correct.

Steve Eggert does that translate into a certain amount of parking spaces that they don't need. Greg Fusco the floor area ratio component, what that does if Mr. Harris wanted to if there was no floor area ratio, he could build a four-story building and maybe the town doesn't want to see a four-story building in that area, so the floor area ratio prevents the building footprint from rising in terms of parking for this location its really geared with the number of seats he has.

Brian Seidel, don't mean to interrupt but another component to bring up is the floor area ratio to consider here, that I didn't touch on earlier is really the overall lot size, the size of this property is less than half of an acre we are talking about a floor area ratio in a difference of 10%, if you were talking about a 10 acre property that would then be a difference of an acre in size. Here we are talking about a difference of 1000 square feet based on the lot area, so we really are talking about a floor area of closer to 1500 square feet, so for that reason I go back to the pre-existing non-conforming conditions as well. Greg Fusco and Mr. Harris purchased the small narrow lot and purchased the building, just looking at all the aerials pretty much occupied over half of the lot so that building was a pre-existing non-conforming condition regarding the floor area ratio, I just wanted to make sure that this was on the record as testimony, if no one else has any questions I would like to go through my letter briefly.

4. Professionals Comments - Greg Fusco, goes through his review letter.

- We went over the use variance.
- The solid waste and recyclables, will you collect trash once a week or twice a week? Robert Harris on different days a recycling truck comes around I think on Tuesday and then on Wednesday we will have trash. I may need to possibly flip that here though. Greg Fusco, are you open for lunch? Robert

Harris yes, we are. Greg Fusco so it will be opening at 11am until and I guess on the weekend you will be 11am until 1am, maybe Friday it would be 11am to possibly like 9 or 10pm, during the week what do you do? Robert Harris so we open everyday at 11am and we are not open past 1am.

- The applicant indicated that he had 15 employees and hoping it will get busier and possibly get more.
- Item number three, because of the parking situation it lists all the variances which the applicants professionals have reviewed and presented. I had asked the applicants engineer to add some more directional arrows in the parking lot, some stop bars and stop signs, which he did. So, this comment is satisfied.
- There are two barrier free parking spaces that are proposed which meet the intent of the ADA law, the only thing that I need to make clear and make sure the applicant does is verify that the accessible route from the parking space to the ramp on Mt. Ephraim Ave. complies with the intent of the law and the area where the cars park also comply with the intent of the law, these are things that I have no control over, these are all required by the ADA.
- The former loading zone, the applicant is asking for a variance regarding that, he states the loading will be taken care of onsite, which makes sense, do not do it on Mt. Ephraim Avenue or the Pike, because the Borough Ordinance does not allow delivery trucks to stop and unload.
- The sign you are permitted one sign, I am assuming that sign will be on the façade of the building. Robert Harris yes that is correct. Greg Fusco and nothing will be along the Pike. Robert Harris that is correct.
- The revised plans that the engineer submitted indicates that there is a minimum of half a foot candle over the parking lot area, which is required, our office will check that at the time the light is installed, and again that conforms to the ordinance.
- There is landscaping that has been provided which is more than satisfied.
- Item 7 b and c, those items also require variances, its all related to buffers that are required, the way the parking lot is laid out now, it looks like it's been this way based on historic ariels, there really is no 15 ft existing buffer between the residents, the residents behind the building and the parking lot Mr. Harris is going to maintain that, he has made testimony that he will put up fence and landscape. There is no buffer to the adjoining property which I believe is the church, the applicant is going to provide some stone in that area to help with water runoff which currently takes place.
- Item 8 there has been testimony that Mr. Harris will replace the sidewalk on the Pike, he is even going to consider the streetscape theme that the Borough has approved in the past.

Greg Fusco questions the mayor to see if we have the information on file so Mr. Harris can match the streetscape the Borough has. Tara Weiss states that she will try and look through the information to see if she can find anything.

Mayor Tovinsky just have a question if the prior place has less spots, then what they are proposing now, shouldn't they just be grandfathered in? Greg Fusco unfortunately it does not work that way.

Beth Marlin I just want to touch base quick because we have been using the pre-existing non-conforming conditions, but they have built a new building and he is building a building with more seats than what was there originally, so technically those issues are no longer protected as pre-existing. So, the argument that they are stating is that they are improving the site but its technically not counted as pre-existing.

- Greg Fusco continues, I am on item 12, our office must recommend that Mr. Harris overlay the parking lot, he has made testimony that he will seal initially and then come back and do maintenance later. That would be entirely up to the discretion of the board members.
- Item 13 talks about stockpile debris all over the site, its obvious the project has been a work in progress, so once all that material is moved then the applicants engineer indicated we would be able to get the proper topography on the plan which indicates the grading, so I am assuming you will agree to that Mr. Rowan. David Rowan yes that is correct.
- Item 15, just for the record the applicant's engineer has provided storm drainage calculations to document the existing conditions at the site and the proposed conditions, because this site does not disturb more than an acre and it also does not increase new impervious coverage by more than a quarter of an acre, so it does not have to follow the New Jersey Department of Stormwater Regulations and the applicants clearly indicated that, so the applicant further indicates in the report that there would be no impact to adjoining properties, and I believe that is it.
- The trash enclosure, you are going to build a masonry trash enclosure. Robert Harris yes that is correct. Greg Fusco, once that is completed, I just need more detail on the gates to make sure they are secured properly.
- I also must recommend that the Police and Fire review the application. That is everything.

5. Board Comments – Steve Eggert opens it up to the board members.

Michael Schiavo, will the approvals be a contiguous on the asphaltting of the parking lot? Will there be a time limit to give them to get this completed? Greg Fusco that would be up to the board members. Robert Harris, it will be flat and in good condition the day we open, if you want me to rip it all out, I can do that in a couple years after the business is up a running for a little while, but the quotes that I got to rip out and redo were a lot. Michael Schiavo, my main concern is that it looks good and its safe and approachable.

Steve Eggert, Greg during your site investigation that would all have to pass anyway, correct. Greg Fusco see again that is where the unknowns are created,

my definition of what it should be may not match what the applicant's definition is and or what the board definition is. Bottom line is when someone trips and falls its everyone else's fault, and now we are included in that. Robert Harris I can commit into doing it within a time frame if that's what we need to do, but for the opening everything will be in good shape. David Rowan would the board consider if Bobby said he would do it in two years, because he would like to start generating some income.

The board has no issues with him completing the total rip up and completion of the new asphalt. Robert Harris stated it could happen sooner but at least I would have the window of 2 years for completion.

6. Public Comment. There is no one from the public. The public portion is closed.

- **Commissioner Gies made a motion to approve the application for site plan and variances for property located at 13 – 15 S Black Horse Pike, the application was seconded by Carmine Rampolla.**

Roll Call: Mayor Tovinsky, Kim Beebe, Commissioner Gies, Michael Schiavo, Steve Eggert, Michael Marrone, Gary Prinski, Carmine Rampolla, all voting yes.

- **Michael Schaivo made a motion to approve the use variance for property located at 13 – 15 S Black Horse Pike, the application was seconded by Michael Marrone.**

Roll Call: Kim Beebe, Michael Schiavo, Steve Eggert, Michael Marrone, Gary Prinski, Carmine Rampolla, all voting yes.

7. MOTION TO ADJOURN THE MEETING, ALL VOTING IN FAVOR.