

**BOROUGH OF WOODBINE
COUNTY OF CAPE MAY
LAND USE BOARD
SUMMARY MINUTES
November 13, 2024**

REGULAR MONTHLY MEETING was called to order by Chairperson Fisher at 6:05 P.M.

MEMBERS PRESENT: Councilman Bennett, Ms. Childs, Mr. Harry Ciabaton, Mr. Louis Ciabaton, Chairperson Fisher, Ms. Lees, Mr. Petro, Mr. Phillip, and Councilwoman Prettyman.

Also, in attendance were Solicitor Jon Batastini, Board Professional, Lewis H. Conley Jr., and Board Secretary Monserrate Gallardo.

MEMBERS ABSENT: Ms. Becica notified the Secretary via email that she would be unable to attend this meeting. Mr. Ovens also notified the Secretary that he was not feeling well and would be unable to attend this meeting.

Adequate notice of this meeting was provided in compliance with the Open Public Meeting Act by notifying the Cape May County Herald on January 17, 2024, and by posting a copy of said notice on the Lobby Bulletin Board, of the Borough Hall, and on the Borough Website.

An audio recording of this Open Public Meeting is filed with the Secretary of the Board.

Chairperson Fisher led the Board to the Pledge of Allegiance.

APPROVAL OF THE MINUTES for October 2, 2024, as revised by the Secretary was:

OFFERED BY: Mr. Harry Ciabaton

SECONDED BY: Mr. Phillip

ROLL CALL: 7 Present Voted in Favor

2 Abstained 0 Opposed

Mr. Louis Ciabaton and Ms. Lees abstained.

As Solicitor Batastini reviewed the minutes, he commented that Resolution No. 8-11-2024 needed to be revised. He explained the reasons why the resolution needed revision.

UNFINISHED BUSINESS & STATUS REPORTS:

Borough Ordinance 612-2022

Review

Chairperson Fisher mentioned the Borough Ordinance listed above. Board Professional Lewis H. Conley Jr. commented that the ordinance had been tabled at the October 2, 2024, Land Use Board Meeting. The Secretary affirmed that it had been tabled. A brief discussion was held regarding said ordinance. Solicitor Batastini stated that it was Borough Ordinance 633-2024 that needed to be reviewed, and he stated that this ordinance can be set aside.

NEW BUSINESS:

New Resolution: Kathleen Mills

Resolution No. 8-11-2024

Application No. 8-8-24

Block 16 Lot(s) 13 & 14

516 Webster Street

Interpretation or "D" Use Variance

Minor Site Plan Waiver

Chairperson Fisher introduced the above-listed resolution. Solicitor Batastini stated the revisions that were to be done on the resolution. He agreed to revise it after the meeting so that Chairperson Fisher and Vice-Chair Lees could sign the resolution before they left for the night. A motion was made and seconded to approve the resolution with the revisions.

MOTION TO APPROVE RESOLUTION NO. 8-11-2024 MEMORIALIZING A DECISION MADE BY THE WOODBINE LAND USE BOARD TO APPROVE KATHLEEN MILLS WITH APPLICATION NO. 8-8-24 FOR AN INTERPRETATION THAT THE PROGRAM OWNED AND OPERATED BY KATHLEEN MILLS REFERRING TO THE HERITAGE HOMESTEAD DAY CARE CENTER BE DETERMINED TO BE A SCHOOL AND HAS MET THE BURDEN FOR A SITE PLAN WAIVER ON BLOCK 16 LOTS 13 AND 14 ALSO KNOWN AS 516 WEBSTER STREET IN THE BOROUGH OF WOODBINE was:

OFFERED BY: Mr. Harry Ciabatonì

SECONDED BY: Mr. Petro

ROLL CALL: 6 Present Voted in Favor

3 Abstained 0 Opposed

Mr. Louis Ciabatonì, Ms. Prettyman, and Vice-Chair Lees abstained.

Borough Ordinance 633-2024

Review

Solicitor Batastini continued the meeting by introducing the above-listed ordinance. He described the intention of this ordinance. He stated that the ordinance sought to remove asphalt manufacturing facilities as a permitted use within the Light Industrial Manufacturing (LIM) at section 26-4.12(a)(2)(g). He also stated that the ordinance amended and supplemented Chapter 26, Section 26-4.12(a)(5) to permit asphalt and concrete manufacturing facilities only as conditional uses within the LIM zone, and that the ordinance further established bulk and other standards for the operation of asphalt and concrete manufacturing facilities in the LIM zone.

Solicitor Batastini continued by stating that the ordinance rezoned Block 111, Lot 10 (owned by Cape May County MUA), Block 111, Lot 11 (owned by Borough of Woodbine), Block 121, Lot 2 (owned by Borough of Woodbine), and Block 122, Lot 1 (owned by the Borough of Woodbine) from the existing R-1 Residential Moderate Density zone into the LIM zone. He stated that the lots were being rezoned due to the proximity to the existing industrial uses, such as railroad lines and the Cape May County Secure Sanitary Landfill facility, and the incompatible residential uses. Mr. Conley further explained the situation and gave a brief summary of what was done regarding the Master Plan. He stated that Borough Ordinance 633-2024 was very consistent with the intent purpose of the Master Plan. He went on to explain to the Board Members the outlines on the Zoning Map.

Mr. Conley stated in summary that the ordinance was consistent with the Master Plan and not “inconsistent” with the intent of the Master Plan. He stated that it was very desirable and supported the Master Plan with what was in mind when the Master Plan was adopted. He felt that there were still areas that needed to be cleaned up including a few ordinances that he had in mind but that a pretty good job was done by those that put the Master Plan together. He concluded and asked if anyone had any questions. Mr. Harry Ciabatonì questioned regarding the box outlined in red on page 7 of the report. Mr. Conley correctly explained that the red box showed the current location in the residential zone of the four (4) lots mentioned above but that they would be moved to the LIM Zone in the rezoning of these lots. He stated that this was the reason a conditional use for an asphalt, and/or a concrete plant was important. Mr. Conley restated the question Mr. Harry Ciabatonì asked as to whether there was an area big enough for an asphalt or a concrete plant. Mr. Conley affirmed that there was and gave one example of how ground could be acquired to build such a plant.

Board Professional Conley Jr. continued by stating that he had reviewed Upper Township and other areas to determine that 30 acres would be ideal regarding Asphalt Plants. He explained a few other examples of how this was determined. He asked if anyone else had any questions. No one else had any questions. Solicitor Batastini gave a final summary. A motion was made and seconded that Borough Ordinance 633-2024 would be voted to be not inconsistent with the Master Plan.

MOTION TO APPROVE RECOMMENDING TO MAYOR AND COUNCIL THAT BOROUGH ORDINANCE 633-2024 WOULD BE VOTED AS “NOT INCONSISTENT” WITH THE MASTER PLAN was:

OFFERED BY: Councilwoman Prettyman

SECONDED BY: Ms. Childs

ROLL CALL: 9 Present Voted in Favor

0 Abstained 0 Opposed

Recommendations from the Engineer: Board Professional Conley went over his “Status of Projects” Report with the Board Members.

Recommendations from the Solicitor: Solicitor Batastini reported on the current status of the 2nd Seaweed Land LLC Application.

There was no correspondence to review. Chairperson Fisher reported on a fund raiser that was being done for Ben Jargowski who had a stroke. Mr. Harry Ciabatonni also commented on this matter.

Audience Participation: None.

There being no other official business to come before the Board, Chairperson Fisher called for a motion for adjournment at 7:00 P.M.

MOTION FOR ADJOURNMENT:

OFFERED BY: Mr. Harry Ciabatonni

SECONDED BY: Mr. Petro

ROLL CALL: All Present Voted in Favor

Respectfully submitted by:

Monserate Gallardo

Monserate Gallardo
Board Secretary