

**EAGLESWOOD TOWNSHIP LAND USE BOARD
REGULAR MEETING
April 10, 2012**

Call to Order:

Vice Chairperson, Kathleen Wells called the meeting to order at 7:00 PM. Ms. Wells led in the salute to the flag.

Roll Call:

Members present upon roll call were Don Haines, Kenneth Holman, Edward Nickel, Michael Pasternak, James Pine, Debra Rivas, and Kathleen Wells. James Bartlett, Paul Poklikuha and Kate Thomas were absent. Also present were the Land Use Board Professionals, Russell P. Cherkos, Esq. and Conflict Engineer James F. Stanton, PE, a few persons from the public and one person from the press.

Statement of open public meetings act was read by Ms. Wells.

Approval of the Minutes:

March 13, 2012 Regular Meeting

Michael Pasternak made a motion to approve the minutes as presented. Second by James Pine. Roll call: Mr. Haines, yes, Mr. Holman and Mr. Nickel, abstained as they were not present for the March 13, 2012 meeting, Mr. Pasternak, yes, Mr. Pine, yes, Mrs. Rivas, yes, and Ms. Wells, yes. Motion carried.

Resolution 2012-09

Memorializing Resolution 2012-09 for Donald Haines, Block 4 Lot 196.01, 398 Route 9. Russ Cherkos summarized Resolution 2012-09 for the record. Memorializing an Interpretation of a prior Resolution for Mr. Haines.

James Pine made a motion to approve Resolution 2012-09. Second by Mrs. Rivas. Roll call: Mr. Pasternak, yes, Mr. Pine, yes, Mrs. Rivas, yes, and Ms. Wells, yes. Mr. Haines, Mr. Holman and Mr. Nickel abstained. Motion carried.

**Eagles Nest Aerodrome, LLC, Block 34 Lots 1, 2, 3 Block 36 Lots 13, 13.01, 16 through 22
Administrative Approval for changes - Major Site Plan**

Howard Butensky, Esquire, representing the applicant described the requested changes for administrative approval to the board. The requests involve changing the location of the retention basin due to future development plans for the airport and downsizing the number of T-hangars to construct a larger hangar.

Michael Geller, Engineer for the applicant was sworn in for testimony. Mr. Geller provided site plan/ grading plan maps showing the previously approved location of the retention basin and the proposed new location of the newly designed retention basin. The master plan for the airport includes two (2) additional hangar buildings. The proposed additional hangar buildings will be located in the area of the previously approved retention basin. Mr. Geller testified the new location of the proposed retention basin will cause the need of approximately ninety thousand (90,000) square feet or two (2) additional acres of trees to be cleared. The area of the previously approved retention basin will be cleared, graded and stabilized with plantings for future use of the hangar buildings if so requested and approved. The proposed retention basin was included in the application pending approval from the Soil Erosion Conservation District.

James Pine asked if the retention basin was designed to handle a hundred year storm. Mr. Geller testified the basin is designed to store the entire hundred year storm.

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James Stanton, P.E. pointed out in his March 6, 2012 review letter the applicant should explain clearing the trees in the area of the proposed development of the airport and should present testimony to the board.

The administrative change requested to the approved eighteen (18) hangar space building is to create fifteen (15) hangar spaces and one (1) oversized hangar space, the foot print of the building will remain as approved the change will occur if approved within the floor plan.

Peter Weidhorn was sworn in for testimony. Mr. Weidhorn, owner of Eagles Nest Airport testified at this time there is no time frame for the future development. The proposed future development of the airport is conditioned upon the success of the approved development and possible need for additional hangar space.

Mr. Pasternak asked the applicant to explain the need for a larger hangar space.

Mr. Weidhorn testified the changes to the hangar building floor plan are to construct a larger hangar for office space and storage of equipment, such as snow plow, mowers etc.

Michael Pasternak made a motion to approve the administrative approval for changes to the Major Site Plan. Second by Edward Nickel. Roll call: Mr. Haines, yes, Mr. Holman, yes, Mr. Nickel, yes, Mr. Pasternak, yes, Mr. Pine, yes, Mrs. Rivas, yes and Ms. Wells, yes. Motion carried.

Eagles Nest Aerodrome, LLC, Block 34 Lots 1, 2, 3 Block 36 Lots 13, 13.01, 16 through 22 Sign Variance(s)

Howard Butensky, Esquire, representing the applicant described the request for multiple variances for proposed sign and temporary banner. The Ordinance allows one (1) sign per site; the applicant is requesting two (2) additional signs. The proposed sign (sign #2) is a free standing permanent sign on the northwest corner of the property facing the Garden State Parkway. Sign #3 is a temporary banner sign to hang on the existing fence facing the GSP. Sign #2 exceeds the sign area and height of the permitted sign. Sign#3 is not within the setback requirement of the ordinance as it is proposed to be three (3) feet from the property line where ten (10) feet is required.

Mr. Geller described his Professional Planner credentials. Mr. Geller was licensed as a Professional Planner in 1983. The Site currently is approved for one (1) sign located on Airport Road at the entrance of the Airport. Mr. Geller testified the applicant is proposing two signs. The first sign 8' x 12' single sided sign posted 6' from the ground with a total of 14' in height to be located 10' from the northwest corner of the site facing the Garden State Parkway.

James Pine commented "So you want to put a billboard on the Parkway?"

Mr. Geller testified a variance is required for Sign #2 as there is an approved sign at the entrance of the site. Two additional variances are required as the sign exceeds the area and height limits in the sign ordinance. The applicant is requesting Sign #2 as an Identity Sign for the Airport to the traffic traveling along the Garden State Parkway. Mr. Geller testified many other towns allow additional signs to properties that have more than one frontage on multiple streets roads and highways. Other towns base area of signs on area of frontage of the site. In Mr. Geller's opinion as a Professional Planner sign #2 area and height equates to the frontage and site area facing the Garden State Parkway. Mr. Geller presented the site is within the C-1 Hardship as the site is of an exceptional shape and unique physical features as an airport. Mr. Geller testified the strict application to the number of signs for this site is not applicable; the airport due to its size should be permitted to have multiple signs in Mr. Geller's opinion. Mr. Geller testified there is no identification of the site except blue airport sign on Forge Road and the site sign on airport road. Mr. Geller's Professional opinion is that the variances could be granted with no detriment to the public good or the Eagleswood Zoning ordinances.

Kathy Wells asked the distance from the black top of the parkway to the property line. Mr. Geller testified the distance is 88 feet. Ms. Wells asked about the variance for the setback of banner

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Sign #3 as 10 feet is required 3 feet is provided. This variance is due to the fence being located 3 feet from the property line as the banner is to hang from the fence. Ms. Wells asked about the height of Sign #2, the permanent sign and the height/grade of the parkway. Mr. Geller testified the site is approximately two (2) feet lower than the height of the parkway.

Mr. Pine expressed his concern being there are no signs along the parkway, a high speed highway and there is an issue with safety. Mr. Pine feels it is a traffic safety issue. Mr. Pine's concerns are drivers looking at the sign and causing an accident. There was discussion regarding signs visibility along the parkway.

Mr. Geller testified the area of the sign would allow large enough lettering geared toward the speed of the highway. Mr. Geller believes these variances could be granted without detriment to the public in his professional opinion.

Mr. Geller testified sign #3 is a temporary banner sign to be located on the fence along the Garden State Parkway.

Mr. Pine asked what the time frame is for temporary. Mr. Pine could not read what the banner said at the speed of the parkway. Mr. Butensky and Mr. Weidhorn agreed the banner sign would be temporary and be strictly for special events of the airport.

Ms. Wells asked what the temporary time frame would be. Mr. Weidhorn testified three (3) weeks prior to an event such as "Open House".

Ed Nickel asked how the banner would be fastened to the fence.

Ms. Wells asked how the banner would be changed for each event. Mr. Weidhorn testified the banners are painted signs, heavy gauge vinyl sign made by Typestries.

Mr. Pine asked if the sign was going to be lit. Mr. Weidhorn testified no it would not be a lighted sign.

Mr. Haines felt the sign would not increase business at the Airport. Mr. Haines has not seen the airport advertise in the newspapers or on the internet to attract business. Mr. Weidhorn testified the sign would be an identity sign for the airport site to the vehicles traveling along the Garden State Parkway. Some pilots think Robert Miller Airport is the closest airport to Long Beach Island. There was discussion as to different marketing plans for the airport. Mr. Haines is concerned the sign would be an eyesore on the Parkway.

Ms. Wells asked what the frontage along the parkway was. Mr. Geller testified 605'. The permitted sign is located on Airport Road which is not visible from Forge Road.

Mrs. Rivas commented she looks on the internet if she is interested in doing something, she doesn't drive along the parkway or roadways looking for it.

Mr. Holman could understand the applicant requesting identification along the parkway as it is frequently traveled by many visitors of NJ. Mr. Holman had the same concerns as Mr. Pine. The sign should have large enough lettering as to not be a distraction to drivers traveling the parkway at high speeds.

There was discussion regarding attaching the banner to the permanent sign rather than the fence, the ratio of the size of the banner and the frontage along the parkway of 605' and the sign language detail.

James Pine said the Garden State Parkway is a historical pathway that does not have signs. Mr. Pine doesn't want to see the parkway with signs as it is a safety issue.

Mr. Butensky requested the applicant be permitted to withdraw the sign variances application to take a look at other areas for signs.

Kenneth Holman made a motion to approve the request to withdraw the sign variances application. Second by Michael Pasternak. Roll call: Mr. Haines, yes, Mr. Holman, yes, Mr. Nickel, yes, Mr. Pasternak, yes, Mr. Pine, yes, Mrs. Rivas, yes and Ms. Wells, yes. Motion carried.

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Mr. Weidhorn asked if there was an Ordinance ruling installation of a Flag Pole on his property. Mr. Weidhorn was informed to take his inquiry to the Zoning Officer.

Adjournment:

James Pine made a motion to adjourn. Second by Kenneth Holman. All ayes. Motion carried. The meeting was adjourned at 8:08 PM

Respectfully Submitted,

Sherry G. Cummings, Secretary,
Eagleswood Township Land Use Board