

BOROUGH OF WESTVILLE  
LAND USE BOARD  
*Meeting Minutes*  
Monday, June 1, 2015

The meeting was called to order by Chairman Bruce Nordaby at 7:09 p.m., who read the Public Notice. Salute and Pledge of Allegiance followed.

Roll call was taken, with the following persons in attendance:

Solicitor Thompson, Chairman Nordaby, Board Members: Joe Baldwin, William Bittner, Vince DiCicco, Dawn Leamy, John Louis, Charles Murtaugh, Mayor Russell Welsh, Travis Lawrence, Raymond Berry and Borough Planner Steven Bach and Candace Kanaplue. ABSENT: George Baker

A motion to approve the May 4, 2015 meeting minutes was made by Board Member Louis and seconded by Board Member Mayor Welsh. *Motion was approved by unanimous voice vote.*

Chairman Nordaby requested that in the absence of Board Member Baker, Board Member Lawrence move up to the full board.

OLD BUSINESS: Nothing to report.

NEW BUSINESS:

Board Secretary Helder advised the Board of a Major Site Plans waiver request for 600 Ryan Avenue, Alexandra and Regas Anagnostou/Ellas Auto Repair & Performance (Block 98, Lot 2).

Solicitor Thompson swore in Regas Anagnostou. Solicitor Thompson advised the Board the application from Mr. Anagnostou was to waive preliminary and final major site plan approval for his business. Solicitor Thompson stated that he reviewed the Borough's Ordinance and felt the Board did not have the power to waive the approvals; however, the Board does have the power to waive the requirements for a major site plan as set forth in Section 298-16, items 8-10. Solicitor Thompson stated the way to proceed was with a completeness determination with whatever waivers the board may grant, followed by a public hearing for preliminary and final site plan approval. Solicitor Thompson advised public notice was given and the Board could proceed with the Public Hearing. He suggested the proceedings be turned over to the Borough Land Use Board Engineer/Planner Steven Bach to hear his recommendation for the site plan. Engineer/Planner Bach provided additional information on review of the plans and the applicant's upcoming testimony.

Solicitor Thompson asked applicant Regas Anagnostou to testify as to what has been done and what is planned to be done. Mr. Anagnostou confirmed he would like to erect a larger building to complete repairs on larger trucks. Solicitor Thompson asked Mr. Anagnostou to describe the drainage on the present property and how this building may affect the drainage. Mr. Anagnostou provided details on the drainage around his property and was asked by

Board Member Nordaby if that by putting up this building will the drainage be diverted towards another property and it was established that it would not.

Solicitor Thompson asked if the new building would affect the existing parking on the property or traffic circulation and Mr. Anagnostou responded no. Solicitor Thompson inquired about exterior lighting and Mr. Anagnostou confirmed there would be external lights around the building. Discussion took place on the current parking facilities, improvements made to the property and the upgraded drainage situation. Board Member Bittner advised the building will be a 50 x 100 pole barn with security lighting. Mayor Welsh advised he visited the site and confirmed the improvements made by Mr. Anagnostou which he felt, has enhanced the property and that the proposed building will sit on the backside of the building. Mayor Welsh encouraged members of the Board to visit the property to get a better understanding of the application and how well the property is being maintained. Board Member Bittner asked Engineer/Planner Bach if it would be possible to go through the checklist to address the issues. Engineer/Planner Bach read and identified the items on the checklist that could be waived, which were: A, B, C, E, F, G, H, I, K.

A motion to deem the application complete, with the waivers Engineer Bach indicated was made by Board Member Bittner and seconded by Board Member Welsh. *Motion unanimously approved by roll call vote.*

Solicitor Thompson advised the application was deemed complete and provided Mr. Anagnostou with the opportunity to tell the Board why they should grant him approval. Mr. Anagnostou advised the business is growing and wants to continue to have his business in Westville. Mr. Anagnostou confirmed his business has not had a negative effect on his neighbors.

A motion to open the meeting to the public was made by Board Member Murtaugh and seconded by Mayor Welsh. *Motion unanimously approved by voice vote.*

Eric Phillips, Attorney with Marcus & Hoffman, 326 West 8<sup>th</sup> Street, Media, PA stated his client, I-295 Industrial Condominium Association has an objection to the application. Mr. Phillips confirmed his client does not have an objection to the building being constructed but rather stormwater management.

Mr. Phillips questioned whether permits were obtained for perforated piping that was installed to divert water and Mr. Anagnostou stated he hired someone to install the piping but didn't know if they obtained permits. Board Member Bittner asked if the piping was installed on Mr. Anagnostou's property or someone else's property. Mr. Anagnostou replied that the piping was installed along his property to stop the water that was coming in from another property. Mr. Anagnostou provided additional details on water issues with his property. Board Member Bittner asked Mr. Phillips what kind of permit Mr. Anagnostou would obtain to stop water from another property to coming onto his property.

Mr. Phillips also asked the Board if Mr. Anagnostou hired an Engineer to prefer Stormwater calculations or conduct any kind of stormwater analysis. Solicitor Thompson asked Mr. Anagnostou if he hired an Engineer to address the stormwater issue and Mr. Anagnostou replied he did not. Discussion took place between Mr. Phillips and Mr. Anagnostou regarding the site plan and Engineer/Planner Bach confirmed a professional Engineer did prepare the site plan.

Mr. Phillips asked if Mr. Anagnostou would be willing to submit to a stormwater plan. Board Member Bittner asked Mr. Phillips what kind of problems his client experienced on his property, as a result of this issue. Mr. Phillips indicated there is a stormwater management issue. Board Member Murtaugh described the water problems that currently exists in that area. Discussion took place regarding the stormwater management problem.

A motion to close this portion of the meeting to the public was made by Mayor Welsh and seconded by Board Member Murtaugh. *Motion unanimously approved by voice vote.*

Mr. Anagnostou was given an opportunity to speak to the Board and expressed his concerns about the issues raised by I-295 Industrial Condominium Association. Discussion took place on the stormwater management issue in the vicinity of Mr. Anagnostou's business.

Solicitor Thompson advised the Board, the motion is in place to: approve preliminary and final major site approval plans; grant just preliminary major site plan approval only, which means the applicant would have for a second hearing; require the applicant to provide requested information that Mr. Phillips as requested or the Board can make it a condition of approval or the Board can deny the application.

A motion to approve Preliminary and Final Major Site Approval Plans was made by Board Member Leamy and seconded by Mayor Welsh. Board Member Bittner stated the Board Engineer had examined the property and found no significant problems. Board Engineer/Planner Bach stated there were no significant problems found at this time. Engineer Bach added that the stone at the property must stay as stone and if the applicant wants to pave over any stone, he must return to the Land Use Board.

The motion was revised to say, "Motion to approve Preliminary and Final Major Site Plans, with the condition that the stone area presently depicted on the conceptual site plan for proposing the building prepared by Herb Neilio, PLS, cannot be paved, concreted or otherwise changed without the applicant coming back to the Board for approval. *Motion unanimously approved by roll call vote.*

Solicitor Thompson advised Mr. Anagnostou the application was approved and will be memorialized at the next Board meeting and that the Association or any other organization has 45 days to file a challenge in court. Discussion took place on the next steps and the possible scenario if Mr. Anagnostou erected a building without waiting 45 days after July 6, 2015 to see if a complaint was filed in court. Mr. Anagnostou asked if there was a portable Car Port on the property prior to his request, if so, is it possible to erect another one.

**OTHER NEW BUSINESS:**

Solicitor Thompson discussed the Neilio Sub-division and that he received a letter from Mr. Neilio's attorney pertaining to the subdivision deed that had not yet be signed or recorded. He advised the information had to be revised to reflect the co-executors of Mr. Neilio's estate. Solicitor Thompson advised because it is 190 days from the date of the Resolution (the deadline was May 13<sup>th</sup>) Attorney Lozuke asked for an extension to record the sub-division deeds. Solicitor Thompson recommended that the Board grant the 90 day extension which will be August 13<sup>th</sup>.

A motion to grant a 90 day extension of the deadline to record the sub-division deeds to August 13<sup>th</sup> . A motion to approve was made by Board Member Bittner and seconded by Mayor Welsh. *Motion unanimously approved by roll call vote.*

**COMMUNICATIONS:**

- ❖ Resolution from Mayor and Council authorizing the Land Use Board to make a determination of Area in Need of Redevelopment for Block 99, Lots 5, 6, 7, 10, 11, 12

Board Member Bitter advised the Borough has an opportunity for some of the properties, in need, to be redeveloped (e.g. properties near the Little League fields). Candace Kanaplue from Bach Associates showed a map of the properties and discussed preliminary plans for redevelopment.

- ❖ Copy of correspondence from Bach Associates to Mayor and Council regarding Planning Proposal for Redevelopment Planning Services for Block 99, Lots 5, 12, 6, 7, 10 & 11
- ❖ Letter from Marcus & Hoffman regarding Application for Variance - 600 Ryan Avenue, Block 98, Lot 2
- ❖ Letter from Gloucester County Planning Board, with Plans and Plat requirement sheets re: WB-0021 A for Herbert Neilio, Revised Plans APPROVED
- ❖ Letter dated May 6, 2015 from Bach Associates regarding John E. Shrull, Jr. Block 90, Lot 17

Motion to open up the meeting to the public made by Mayor Welsh and seconded by Board Member Murtaugh. *Motion unanimously approved by voice vote.*

Hearing no one, a motion to close the meeting to the public was made by Mayor Welsh and seconded by Board Member Murtaugh. *Motion unanimously approved by voice vote.*

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Mayor Welsh asked Solicitor Thompson what the Board should do if the Chair and Vice Chair of the Board cannot make the next meeting. Solicitor Thompson responded that the Board would nominate someone to run that meeting.

Motion to adjourn made by Board Member Louis and seconded by Board Member Bittner.

Meeting Adjourned: 8:22 p.m.

*Respectfully Submitted,*

*Christine A. Helder  
Land Use Board Secretary*