Springfield Township Zoning Board Meeting
April 18, 2016

Chair Akins called the meeting to order at 7:30 p.m. and led the flag Salute.

The Chair read the Open Public Meetings Statement:
"Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Springfield Township Planning Board in the following manner on January 10, 2016;

a. Posting written notice on the official bulletin board at the Municipal Building, Jobstown, N.J.
b. Mailing written notice to the Burlington County Times and the Trenton Times.
c. Filing written notice with the Clerk of Springfield Township.
d. Mailing written notice to each person who has requested copies of the regular meeting schedule and who has prepaid any charges fixed for such service.

Roll Call:

C. Earl Akins, Jr, Chairperson	Present
Kenneth Sunderland	Present
Robert Bowen Vice Chair	Present
Barbara Shinn 2nd ALTERNATE	Present
Stacey Gordaychik	Present
Anthony Sam,	Excused Absence
William Seitz, 1st Alternate	Present
John Kapsimalis	Excused Absence
Ernest Borden	Present

Also in attendance were Board Attorney Denis C. Germano Esq. and Board Planner Brian Slaugh PP, AICP

Minutes:

- March 21, 2016

Mr. Sunderland mentioned a typo on page 2, paragraph 2. "Mr. Haviland indicated that he's been a truck for over…." and should be "Mr. Haviland indicated that he's been a truck driver for over…". Chair called for motion to approve the amended minutes. Mr. Sunderland motioned, seconded by Mr. Bowen. Abstain by Mr. Akins

Resolutions:

#2015-7 – Glenn R. Haviland, Block 701, Lot 7.06 (1878 Jacksonville-Jobstown Rd.)

Memorialize Application

Chair called for motion to memorialize said application. Mr. Sunderland motioned to memorialize, seconded by Ms. Gordaychik.

Roll Call

Mr. Bowen Yes, Mr. Sunderland Yes, Mr. Borden No, Ms. Gordaychik Yes, Mr. Seitz Yes, Ms. Shinn Yes, Chair Akins Abstain

Application:

#1-16 – Johnson's Locust Hill Farm, Block 2104, Lot 5 and Block 1501, Lot 22 (2691 Monmouth Road)
Use Variance and Site Plan Waiver

Attorney: Patrick McAndrew, Esq.
Planner: Scott Taylor, AICP, PP, LLA, LEED-AP
Applicant: Pete Johnson, owner of Johnson Locust Hill Farm

Mr. McAndrew introduced himself, the Planner and the applicant to the Board. Mr. Germano swore in Mr. Johnson and Mr. Taylor. Chair Akins requested the Board Planner read his March 22, 2016 review letter. Mr. Germano swore in Mr. Slaugh.

Project Description:

The applicant owns a preserved farm known as Johnson Locust Hill Farm comprised of approximately 309 acres (3.25 acres before easement) with a non-preserved exception area of 6.42 acres that encompasses the farmstead's driveway from Monmouth Road and five of the property's buildings including the house which houses the bed and breakfast use with up to six bedrooms, garage, stone barn, milking barn, livestock barn and smokehouse. Other buildings outside the exclusion area include the equipment barn and 2 tenant houses. The property is operated as a commercial farm growing livestock, rotating field crops, vegetables and fruit crops. The farm operates a "pick your own" and farm market as part of the 2014 SSAMP approval.

Prior Approvals:

- Use Variance – Bed & Breakfast – Approved in the 1990s
- Use Variance - Weddings – Approved 2006 after first having been denied where the applicant appealed the decision to the Superior Court. Though the applicant in this application has requested use variance approval for the conduct of weddings and receptions, it is considered a new application that has a different factual basis
- On-Farm Direct Marketing AMP - In 2014, the Burlington County Agricultural Development Board (CADB) reviewed a Site Specific Agricultural Management Practice (SSAMP) request and determined that the proposed farm market activities at the site were consistent with the On-Farm Direct Marketing AMP.

Applicant's Proposal:

- Church and company picnic events
- Farm to fork dinners
- Anniversary and retirement dinners
- Family reunions and class reunions
- Bridal showers, rehearsal dinners, weddings and receptions

Events to be held from May through October with an average of 50 to 100 people, with a maximum of 200 people at each event. Weddings will be limited to 1 wedding per week and would occur on a Friday, Saturday or Sunday only. All events would end by 10:00 p.m.

Indoor events would be held at the bed and breakfast with in the farm house, at the stone barn or Locust Hall buildings. All of these buildings are in the exception area. Outdoor special events would also take place under a proposed tent to be erected seasonally. The tent would be a maximum of 4,000 square feet. The tent is proposed to located to the rear of the bed and breakfast/farmhouse, or at an

alternative location to the rear of the stone barn. The applicant has not yet settled on a location for the tent.

A grass parking area is proposed to the east of the main driveway, in front of the farmhouse, which would accommodate 96 vehicles during the special events. Four (4) accessible spaces are also proposed on an existing paved area located to the east of the stone barn, and a new walkway is proposed to connect this parking area to the stone barn and Locust Hall.

Surrounding Land Use:

To the north, the site abuts an agricultural property, and to the northeast and southeast, the site is bordered by single-family residential properties. To the west and south, properties located across Juliustown-Georgetown Road and Monmouth Road, respectively, are primarily single-family residential, although there also appear to be several small agricultural properties.

The Completeness Section has been satisfied per Mr. Germano.

Site Plan Waiver Request:

Pursuant to Ordinance 164.I.B, any change of use of an existing site, either within the same use group or from one use group to another, requires site plan approval. The applicant is proposing a new use in conjunction with existing uses on a farm property and thus is subject to this requirement. However, pursuant to Ordinance 164.7, the Board may grant exceptions from the requirement for site plan approval as may be reasonable, if the literal enforcement of these requirements is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question. In its statement regarding the site plan waiver, the applicant should address the conditions of the property which may support the waiver request, such as its large size, the distance of the proposed use from the neighboring properties and roadways, and the extent to which the property may be screened by existing vegetation or buffers.

The use variance plan submitted by the applicant provides some of the information that would be required for a site plan, focusing on the portion of the site where improvements related to the special event use are proposed. The Board should consider what additional site plan information may be needed, if any, to fully evaluate the use variance request, and whether the information could be provided as part of the use variance plan, or as part of a subsequent site plan submittal. For example, additional delineation of the existing parking areas and the location of existing use areas at the site may be helpful, and Section 6 below identifies several site development concerns, including a number of potential exceptions from the ordinance design standards. The Board may also want to require more detailed study of potential impacts such as traffic or noise as part of a site plan.

Use Variance:

The special occasion events proposed are not included as a permitted farm use pursuant to Ordinance 215-96 nor listed as a protected "right to farm" activity under Ordinance 215-99. Accordingly, a use variance for special occasional events is required in accordance with N.J.S.A. 40:55D-70d(I).

Details of Special Events:

The applicant has provided a general description of the proposed special event use and some details regarding the number of people and timing of events. This office obtained additional information during a site visit that included a member of the limited liability corporation that request the variance the landscape architect. We suggest that the applicant expand on this detail in testimony since the special event differs depending on the type intended, and this will have an impact on the times of events, the number of staff vs. patrons and/or visitors, and whether there would be more than one event at a time. Furthermore, the frequency and timing of deliveries related to the special events should also be provided.

Relationship to Existing Farm and Bed & Breakfast Uses:

The applicant should provide additional information regarding the relationship of the proposed special events to the existing uses at the site, including the commercial farming, "U-pick" and direct market activities and events. The extent to which the proposed special events will overlap with the existing agricultural uses – U-pick operation, farm market, and agricultural education classes – should be presented by the applicant in testimony in terms of the locations of the activities and events, staffing, parking and circulation.

Special Reasons:

The applicant's planner should address in testimony the ways in which the project may advance the purposes of zoning pursuant to N.J.S.A. 40:55D-2. The state has established extensive regulations allowing certain activities on farms b right the purpose of which is to provide additional means for agricultural entities to generate additional revenue. Presumably, the development of the regulations took due account of the additional uses necessary to meet this purpose but did not also include the types of additional uses sought by the applicant. In other words, the applicant will need to demonstrate the notwithstanding the uses allowed under a SSAMP, that the additional uses are necessary to meet the intent of the regulations. Otherwise, from the perspective of the positive criteria, the uses would just be considered an ordinary commercial use.

Particular Suitability:

With regard to the particular suitability of the site, the applicant has indicated that the proposed expansion of offerings at the site would help sustain the farm and provide for adaptive reuse of the historic stone barn and nearby structures on the site. The special events use would also utilize local agricultural products. The applicant should discuss the relationship of the proposed use to the existing use of the site, as well as the specific characteristics of the site, such as its large size, and its relationship to surrounding properties, which may support its particular suitability for the proposed use.

Negative Criteria:

The applicant will need to demonstrate that the adverse effects of the lack of conformance of the proposed project with the township's land use regulation will not have a substantially negative impact either on nearby land uses or on the master plan and zoning ordinance. The primary impacts from the proposed special event use appear to be parking, traffic/circulation, noise, light and aesthetics. The applicant should provide testimony regarding parking and traffic control measures, noise control, lighting control, proposed screening or buffer plantings, and any other proposed mitigation measures of potential impacts.

Substantial Impairment of the Zone Plan:

The Board should evaluate whether the proposal would result in any substantial impairment of the zone plan. We note that the site is roughly 30 times larger than the minimum 10 acre lot size required in the AR-10 District. Typically, if significant impacts associated with the use cannot be mitigated, a substantial detriment is present.

Site Development – The applicant has requested a site plan waiver. We recommend that the applicant address the following site development issues in conjunction with the use variance plan, and/or a subsequent site plan, should the Board approve the use variance request:

Parking Space Number:

The applicant has indicated that 73 spaces would be required for the special event use, based on a ratio of 1 space/3 seats for the 67 seats proposed, and 1 space/room for the 6 rooms at the bed & breakfast. A total of 100 spaces, including the 96 spaces within the grass parking area, and the 4 accessible spaces, would exceed this requirement. Although the proposed seating is not depicted, we note that he 4,000 sf tent area would require 66 spaces based on the ordinance ratio of 1 space/60 sf for assembly areas (theater, church, lodge meeting places, etc.) when there are no fixed seats, which is comparable to required restaurant seating. The applicant should also indicate how overflow parking would be handled (if needed), how parking would be regulated during the times when the U-pick operations in particular may overlap, the extent to which the accessible parking area would be shared among the various uses, and the location for the parking of school and other buses on the site. The applicant should clarify whether the valet station is a temporary or permanent structure of if just a stopping point manned by an employee.

Parking and Circulation Design:

The proposed design of the grass parking area and the parking area access design does not appear to comply with a number of the design standards under Ordinance 164-25, including paving and curbing, the delineation of barrier lines and stop lines, safety islands, wheel stops, driveway width, etc. Additionally, the accessible parking would require exceptions from Ordinance 164-25.H for the stall width and the location which requires the disabled to travel behind parked cars for access to buildings. The proposed vehicle circulation plan and traffic control measures, and the pedestrian circulation system between the existing and proposed parking areas and site facilities, should be clarified. We are concerned in particular with the narrow driveway width of 12' from Monmouth Road to the farmstead, yet recognize that it has a certain aesthetic value as is. Furthermore, widening the driveway to a more acceptable width for commercial uses would adversely affect the health of the alee of trees lining both of its sides. This suggests that a one-way circulation pattern is necessary for all of the uses on the site.

Loading:

The applicant has proposed a loading area as required by Ordinance 215-38.A for the special events' sue. However, the loading area is located approximately 80' south of the stone barn, and more than 200' from the rear yard area where the seasonal tent is proposed. The applicant should describe the proposed loading operations and whether any loading areas closer to the special event areas have been considered.

Trash/Recycling:

Ordinance 215-38.B requires a trash and garbage pickup location, to be screened by a fence, wall, planting or combination of all three. The applicant should indicate the location of the trash/recycling pickup location for the special events use.

Landscaping:

The applicant is proposing the two shade trees for the parking area. However, no screening is proposed for the parking area or loading area as required by Ordinance 164-16. The applicant should indicate the compliance of the site with the buffer standards under Ordinance 215-85 and if they do not comply, offer a rationale for not complying.

Lighting:

The applicant is proposing garden string lighting for the parking area and along a portion of the driveway, which does not comply with the parking area lighting standards pursuant to Ordinance 164-25.C(4). The applicant should clarify what outdoor lighting is proposed for the seasonal tent area in conjunction with the outdoor special event use.

Noise Control:

The Township's noise ordinance 130.1 et. Seq. does not provide standards for noise related to special events. The applicant has indicated that all special events will end by 10:00pm, which will limit noise impacts at night. The applicant should indicate whether any additional noise controls have been considered to reduce noise impacts on surrounding residential properties.

Signs:

Ordinance 215-108 permits only limited types of signs in residential districts; however, we note that the existing identification and directional signs appear to be subject to the On-farm Direct Marketing AMP Sign Standards pursuant to N.J.A.C.2:76-2A.13(g). The applicant should indicate whether the proposed directional and parking signs would also comply with these standards. We note that the signs along the parking area fencing that indicate "Please Park Between Posts" would appear to have limited visibility outside of the parking area. Consequently, we have no objection to the need for these incidental signs.

Mr. Johnson proceeded with testimony that he is the General Manager and owner of the farm. He's a 3rd generation farmer in Burlington County. Mr. Johnson mentioned his brother has the Medford farm. Mr. Johnson gave an overview of the current activities of his farm including the sales and the education of the public. He also mentioned fundraising for the local schools and political campaigns. Mr. Johnson indicated the farm will open on April 29th having strawberries and blackberries. Mr. Johnson gave overview of the farm history and he thanked the Board for hearing his application.

Mr. McAndrew explained the special events will operate at different times than the U-pick. The special events will start during the afternoon-evening when U-pick and baked goods sales have ended around 5:30pm. The U-pick and baked goods sales customers exit on Gaunt's Bridge Road. The special events will enter and exit on Monmouth Road (Route 537). They will handle 1 wedding per week. The other special events will only take place on Friday, Saturday or Sunday. Mr. Germano asked if it would be a

wedding and/or a reception. Mr. McAndrew replied as could be both. The maximum of guest would be 200 but they only see about 50 to 100 per occasion. Chair asked if the special events would take place in a tent or the big barn. Mr. Johnson indicated that the occasions will take place in the stone barn, Locust Hall and the big farmhouse. Occupancy loads were discussed. Mr. Johnson further indicated that customers have requested such uses. He mentioned that Fernbrook currently hosts weddings, receptions and bed & breakfasts along with education of the public. Mr. Borden asked about the facilities for cooking for 200 people and restrooms. Mr. Johnson replied that his establishment has certified kitchens and rental bathrooms will be used. He also indicated that a new septic has been installed and the County has approved for 2 additional bathrooms but the locations have not been determined as of yet. Chair asked about the State Fire Marshal inspections. Mr. Johnson replied that they do have annual inspections. Mr. McAndrew asked about liquor at these special events. Mr. Johnson replied that the "renter" would bring and provide the liquor for the guests being the establishment is a BYOB. Mr. Slaugh asked for clarification of the local produce. Mr. Johnson explained the farm has vegetables, fruits and beef for meals. Mr. Slaugh asked of the whereabouts of the bed & breakfast in the farmhouse. Mr. Johnson replied that the family lives on one side of the farmhouse and the b&b takes place on the other side and the outside (picnics). Chair asked if the beef is sold to customers. Mr. Johnson replied as yes, they sell USDA Certified beef to the customers. Mr. Borden asked about the cars leaving at night on Route 537; it could be a hazardous condition. Mr. Johnson indicated that they will have attendants for the customers coming and exiting. Mr. Germano asked if food preparation will be on site. Mr. Johnson responded that offsite catering or they, themselves, will prepare the meals.

Mr. Taylor stated his credentials to the Board and Mr. Germano indicated Mr. Taylor's credentials are acceptable. Mr. Taylor proceeded to describe all the Exhibits dated as April 18, 2016 as follows:

- A1 –Overall Existing Farm Map aerial site photo over 300 acres delineated rendered portions for special events in the central part of the property within the AR-10 Zoning District; nearest residents from Juliustown-Georgetown Road are over 2,100' and 1,800' to a property on Monmouth Road.
- A2 –Existing Farm Map CADB approval in 2014. One
- way circulation system for cars. Segregate pedestrians from vehicles also depicting signage and attendants; showing a hay loop not coinciding with vehicular traffic
- A3 –Use Variance & Special Occasion Events areas conducted within exception area. Depicts night time exit to Route 537 (Monmouth Road) daytime events all done before the night special events begin. Implement lighting at the end of the driveway which will be fully shielded lighting to prevent glare
- A4 –Area Enlargement Use Variance Special Occasion Events showing barricades for night time with signage for special occasions and U-pick area to keep separate. Valet parking will also exist. Mr. Germano asked if a temporary fence will be installed. Mr. Taylor replied as yes and temporary bollards directly opposite of the tenant house across from the stone barn.
- A5 – 8 Site Photos depicting screening all around parking area with fencing – posts every 10' on enter with stencil "Park Between Posts", along with parking attendants. Stabilized turf parking area described by Mr. Taylor. SSAMP area will have the Pick Your Own activity. The applicant requested relief from curbing striping and paving.

There will be no amplified music outside & within the tent; only within the buildings and ends at 10:00 pm. Music will be under 50 decibels. Locust Hall, the stone barn and farmhouse will have amplified music. Mr. Germano pointed out that Locust Hall only has 3 sides so there will be no amplified music

there. The loading zone usually occurs everywhere on the farm but the applicant has established a safe loading zone. Mr. Germano asked if trash will be kept within the exception area. Mr. Taylor replied as no, it's accessory to the use in the non-preserved area. The trash removal is already established with a private vendor. The Chair thanked Mr. Johnson for the good trash removal. It's an improvement from the previous property owner.

Mr. Germano asked about the field crop buffer around the parking lot. Mr. Taylor indicated that a cutting garden grown there as a border could be used as fresh cut flowers on the tables and its very nice aesthetic standpoint when arrival of customers. Mr. Taylor also indicated about half way between Monmouth Road and the parking area, a small stone pull off could be implemented because the drive is so narrow.

Mr. McAndrew indicated there will be no new signage for weddings and special events. Mr. Taylor indicated that only temporary directional signage for event parking will be utilized. No new signage proposed on either of the roadways.

Mr. Taylor responded to Mr. Slaugh's review letter.

Mr. Taylor indicated that sections 2.3 Applicant's Proposal and 2.4 Surrounding Land Use of Mr. Slaugh's letter are described accurately. Chair asked about the 2.2 that the applicant has a use variance for the bed & breakfast. Mr. Germano replied as yes and they have a site plan. Mr. Germano indicated that he and Mr. McAndrew have a little disagreement over the point regarding the use variance. The previous applicant came before the Board to do weddings and he was denied but he appealed. As a result, the Judge in Mt. Holly overturned the Board's decision. The disagreement is whether or not that variance granted by the Judge is still valid. Mr. Germano further stated that the previous application is really different than this one because that application was just to do weddings. One thing not mentioned is that application was the second that the previous owner brought and the first one that same owner brought was also denied. It was denied largely because he wouldn't do anything to agree about doing anything for amplified music. The second time he came before the Board, a big part of the application was that he agreed to do only acoustic music and he received 4 out of the 5 members' approval. That applicant also agreed to limit it to 1 wedding a week. The current application has many different kinds of events and only weddings will be limited to one per week. This proposal can have 6 or 7 activities per week and the only limited event is the weddings. What is before the Board this evening is very different than the last variance and what matters is the application here tonight. Chair indicated that the Board had an application in between the previous one from the Catholic Diocese.
Chair gave the detail of that application which never made it through.

Mr. Germano continued on with the review to page 3, the On-Farm Direct Marketing AMP and he asked the Board if they are comfortable with this item. The applicant went before the County Ag Board for the various marketing services which they approved.

Chair mentioned to address the Site Plan Waiver Request. Mr. Borden asked what other waivers is the Board looking to review. Mr. Germano replied that parking doesn't comply. Mr. Slaugh replied to look at page 8 for Parking and Circulation Design which talks about site development. Mr. Germano indicated that he and the Chair were just speaking to deal with the use variance which is the main event. If that goes in the applicant's favor, then perhaps the Board can discuss the Site Plan Waiver and whether to bring them back or not to do a full Site Plan or a Minor Site Plan. If the use variance is not granted, then there is no Site Plan.

Mr. Taylor continued to page 7 under Site Development. The discussion of the number of parking spaces was mentioned that it exceeds the requirement by 25 is more than enough with the adequate space that is on site. Mr. Germano assumes the applicant would accept the condition of approval if that turned out to be wrong, the Board would be able to require the expansion that Mr. Taylor said there is room to do. Mr. Taylor agreed that if the town determines a parking deficiency exists for special occasion events, the applicant would modify the fencing for the grass parking area to make whatever accommodations are necessary.

Mr. Taylor proceeded to discuss lighting. Along the agriculture fencing, posts are to be erected to string garden lights from them. The garden lights will continue along the pathway and back into the stone barn and Locust Hall. Existing lighting already on the farmhouse and the office building that adequately lights the areas. The garden lights do not specifically comply with the Ordinance requirement but they will try to get around .5' candles through that area with a site lighting test or a night time site visit with the Board Planner or another professional to ensure sufficient lighting. Mr. Taylor described the garden lighting to the Board as LED lights strung from post to post (festival lighting). Mr. Slaugh requested to condition to increase lighting if it's not sufficient. Mr. Taylor agrees to the condition.

Mr. Germano indicated that non-amplified music can be loud. Mr. Taylor indicated that the State Model Ordinance would cap the music at 65 decibels at the property line. Mr. Taylor feels confident that if testing were to occur they would fully comply. Mr. Germano indicated the Zoning Officer may test it. The Zoning Officer was present in public and was sworn in by Mr. Germano. Mr. Dunn, the Zoning Officer, indicated that he reaches out to the Springfield Police and the Burlington County Health Department would be the agency to check the decibel level because they have the training and the instrumentation. Mr. Germano indicated nothing will be amplified in the tent.

Mr. Taylor proceeded with the Master Plan in summary that all Master Plans discuss the importance of the agricultural lands and the most notable change being the change from the AR-3 to the AR-10 district. The buildings, Locust Hall, the stone barn no longer contribute towards modern farming but they do contribute to the education and agricultural history of not only the township but Burlington County. Mr. Taylor indicated for these reasons, it is consistent with the objectives of the Master Plan. Also the 2003 Farmland Preservation Plan indicated that statewide agriculture is a million-dollar industry and provides food, fiber and flowers to 1/8 of the U.S. Population that lives within 1 hour of New Jersey farms. Furthermore, family entertainment is one of the tangible products of viable agriculture. Part of what the applicant does is to provide entertainment in the form of "pick your own" but also "farm to fork" dinners. The education component is for people to understand that beef does not come from a super market, it comes from cattle. Mr. Taylor gave more detail of educational points. The special events will feature local meats, cheeses, flowers, fruits and vegetables. In terms of the D1 Use criteria, the use of the site has to promote the general welfare and the purposes of planning because its suitable for the site and it doesn't propose a substantial detriment to the public good and it doesn't substantially impair the intent and purpose of the zoning plan. Lastly, the Board can satisfactorily reconcile the grant of the variance with the omission of use from the zone. The positive criteria is use of the farm for special events promotes the general welfare and the purposes of planning pursuant to 40:55D-2, in particular g, to provide sufficient space and appropriate locations for a variety of agricultural, residential, recreational and all of the other uses identified according to the respective requirements to meet the needs of all New Jersey citizens. The farm is existing and the project is intended to sustain the existing farm and it also provides for the adaptive reuse of the historic structures. It meets a demonstrated need that has been identified by the owners through customer requests and current

trends that lean toward farm to table meals and events as well as smaller, less traditional wedding venues justify this as part of establishing the positive criteria. Mr. Taylor further stated that the Township Ordinance is silent for this type of a use. Restaurants are permitted in the CC Zone but there is no specific identification of a special occasion event. The applicant feels their use is appropriate for that purpose. It also advances purposes J in the Land Use Law to promote the conservation of historic sites and districts, open space energy resources and valuable natural resources. Also purpose I to promote a desirable visual environment. This is a large 300-acre parcel which is 30 times the minimum requirement for the zone. The applicant proposes adaptive reuse of attractive historic structures, they're agriculturally obsolete. The use is very centrally located within that 300-acre farm and it's 1,800' to the nearest residence. The applicant has a letter from the CADB indicating that this use is substantially consist with the prior 2014 Site Specific Agricultural Management Plan for On Farm Direct Marketing. It also preserves the economic viability of local farms by using local agricultural products including surrounding farms for special occasion events.

In terms of the negative criteria, the applicant believes the proposal will not cause substantial detriment to the public good particularly considering the mitigating factor. The use generates minimal impact to in respect to parking. It is temporary and seasonal in nature and very low impact with respect to the built environment and very little impact on any of the surrounding roadways or neighbors. The traffic will be a very minor increase over the existing. Its highest peak with the largest event at 200 people would generate 67 automobiles. All of the people won't leave at the same time. This site can actually accommodate hundreds of cars in the course of a Saturday. So accommodating another 25 or more cars for an event on a temporary seasonal basis. A wedding which would be once a week would be minimal. The applicant has mitigated the potential impact by taking all nighttime traffic back out onto Route 537 to minimize impact to the neighbors on Juliustown-Georgetown Road. The applicant is hopeful to do a stone pull off area to hopefully address that concern as well as providing some lighting at the entrance where the motorists are traveling in both directions. In terms of noise, as discussed, all the events will be done by 10:00 pm and amplified music will be conducted only within the enclosed buildings of the site and the applicant will fully comply with the State ordinances with respect to noise. In terms of aesthetics, it was discussed the preservation of the existing buildings as well as the topography of the site, the attractive rustic fencing and the proposed screening/buffering surrounding that. The applicant believes there will not substantial impairment of the intent purpose of the Master Plan and the zoning ordinance. This use is generally consistent with the existing uses on the site. Mr. Taylor gave further testimony in support of this use.

Mr. Borden asked if the Farm to Fork dinners will be every night during May through October. Chair asked if they're going to use the farm's vegetables and food for weddings/events or open to the public. Mr. Johnson replied that they've done 3 dinners at the Medford farm where the farm products are utilized along with other Jersey Farm Fresh products and it's open to the public where reservations are required. Chair asked if it is advertised. Mr. Johnson replied as yes. Mr. Johnson further stated that if approved, they plan to have 2 or 3 Farm to Fork dinners in 2016. Mr. Johnson indicated that it would accommodate 20 to 25 people at maximum. Mr. Borden indicated if they're to run a restaurant, then it entails alcohol. Mr. Taylor responded that this would not constitute a restaurant. This is accessory to the farm use. It would be occasional special events like an Elks Club or other type of specific group event; not a daily or weekly basis. Mr. Johnson anticipates they would start with 1 in the spring; 1 in the summer and 1 in the fall. At the Medford Farm last year, the Johnsons had 3 Farm to Fork dinners in spring, summer and fall. Chair Akins asked about the bakery. Mr. Johnson responded they have a very small bakery on site which only produces pies and donuts. Chair said he asked a worker last year about the pies and the worker replied that the pies are at Medford and not at this farm. Chair asked about

winter weddings in the barn. Mr. Johnson replied no because they have no heat now. Mr. Johnson also indicated that they have a certified kitchen approved by the Burlington County Board of Health.

Chair opened to Public Comment for this application.

- Pat Falconello of 753 Juliustown-Georgetown Road was sworn in by Mr. Germano. Ms. Falconello lives across the street from the entrance on Juliustown-Georgetown Road. She has a concern with the U-Pick exit traffic would change to Route 537. She's happy to hear the Farm to Fork and other events will exit on Route 537. Mr. Germano explained the CADB is the authority for the U-Pick activity on the farm who gave approval a couple years ago. Ms. Falconello expressed concern of the U-Pick but she's grateful the evening events will exit on Route 537.
- Joanne Tilghman of 5 Wright Drive in Chesterfield was sworn in by Mr. Germano. Ms. Tilghman has worked for the Johnson's and praises the integrity of the Johnsons. She belongs to an organization called the Armed Forces Heritage Museum which honors Veterans that have come to Ft. Dix-McGuire. Ms. Tilghman has worked with the Johnsons for fundraisers and they have been very generous giving to the community. The Johnsons are good and honest people. They take safety as a priority when having something.
- Bernie Dunn, Springfield Zoning Officer, of 729 Juliustown-Georgetown Road indicated it's a great location and a great farm. Mr. Dunn has heard nothing but good things about the Johnsons. Mr. Dunn has a couple concerns in regards to adding more uses such as weddings Bar Mitzvahs and it all sounds good but depending on the scale of them and how it's handled. Mr. Dunn's main concern is the noise. Some of the current uses in the course of the fall, some of the residents have heard music whether or not amplified. The voices were heard from the bands. Mr. Dunn further indicated that after the logging where the woods have been cleared out, you can certainly hear the music. Mr. Dunn feels the Johnsons will handle everything else well. His main concern is the noise. It seems the traffic is going to be handled well since it won't be coming out onto Juliustown-Georgetown Road. Mr. Dunn indicated that the noise can affect the neighbors. Mr. Dunn also indicated that the previous variance should no longer be valid and it should have lapsed after 2 years or so if it wasn't acted upon. Mr. Germano agrees with Mr. Dunn but Mr. McAndrew does not agree. Mr. Dunn agrees that this application is much different application than the previous one. The once a week weddings are fine but the all weekend events could be an impact. Chair feels cooperation with the Johnsons will be better than the previous owners.
- Gary Pollack of 733 Juliustown-Georgetown Road was sworn in by Mr. Germano. Mr. Pollack hears music on weekends during the day. It started off 4 to 8 weeks but he has been hearing it all the time. He currently has quiet at 9:00 at night due to no night time events. He's the neighbor of Mr. Dunn. Mr. Pollack said the farm is very nice but his concern is noise. Chair feels the Johnsons will work with the community. Mr. Germano asked about the level of music. Mr. Pollack said it's not really loud but he can hear it. Mr. Slaugh wonders if the music is indoor or outdoor. Mr. Pollack said it's outside. Mr. Johnson interjected that during the fall on weekends; outdoors and amplified, they have blue grass bands and he said if it's too loud, it can be turned down. The new events' music will be indoor. Mr. Taylor spoke about sound wave travel.
  - Peter Sobotka of 47 Applegate Road was sworn in by Mr. Germano. Mr. Sobotka indicated the Johnsons have a done a fine job of the improvements. Mr. Sobotka spoke about the noise from the base, the helicopters, taps at 10pm and 5pm end of day. He's been involved in the noise within the township of below 65 decibels and its noise pollution. Mr. Sobotka would like to see it stipulated that no amplification of music will be allowed outside of a building. Whether the exception will be for the blue grass players or whatever bands are brought in, the noise does

carry. Mr. Sobotka can hear it on Applegate Road. On some days, Mr. Sobotka can hear the football stadium at the high school. Noise carries folks. This low volume, low intense annoying noise is what we're talking about per Mr. Sobotka. We are subjected to it and he doesn't want another case of it. Mr. Germano reiterated that the Board can't do anything about the blue grass band. Mr. Sobotka realizes that but he wants it stipulated that all music is to be performed inside and this noise pollution is not subjecting the neighborhood. Mr. Sobotka further indicated that there's 3 miles on Route 537 from traffic light to traffic light. The speed on this highway is over 50 mph. Anyone who has traveled on this road at 5o mph, people ride your tail. It's a high speed highway and he would like to see restrictions when they have the two-way traffic, a right turn made only on Route 537. The other thing is that on the access of the number things that they do with summer camp school buses, when exiting onto Juliustown-Georgetown Road, you only have a stop sign. We've had a number of fatalities on Monmouth Road in and around that area. There is a bridge restriction on Juliustown-Georgetown Road to weight limits so most of the school buses have to make the left to go down Monmouth Road. Mr. Sobotka also expressed concern about liquor. This is one way to get around the liquor laws. He feels the ABC has no control of events where liquor is brought into. Mr. Sobotka has heard no limiting of alcohol consumption at the farm and how they would not allow drunk drivers onto the roadway. Liquor is a serious problem. Mr. Sobotka also indicated that the Johnsons are not increasing the property tax responsibility by bringing in tents. The tent is another way to circumvent increasing the property tax. It's set up as a temporary structure just like greenhouses are up all the year are still considered temporary structures but Mr. Sobotka feels they're long term structures. The term from May to October is a pretty long time frame. Mr. Sobotka continued on to the damage to the land when addressing parking lots that are grass with buses and cars parking on it, he's yet to see a parking lot that doesn't have an oil spill or car fluids dripping on to the ground. You have to recall that this is a preserved farm. We spent our tax money to keep it in farming and the agricultural business needs to be supported by certain activities but when these activities become to such a large extent that will impact others, they have the potential to impact the property and possibly damage farm lands which is his concern. Mr. Sobotka went back to the property taxes and the Johnsons are paying taxes that are only slightly higher than some of the nearby residents who don't even own a business. Mr. Sobotka reiterated his concerns and said they all need to be addressed and not just partially. We cannot authorize these waivers because this is an expanding business. He feels they will run from May to October but they're opening their business April 29th. Mr. Germano indicated it will be the U-Pick business will open April 29th. The Chair said it is only by 1 day. Chair further stated that this township sells itself on agriculture and this is the way the farmers are protected. Let them earn more money so they can afford their supplies for farming and they pay a lot more taxes than we do. Chair and Mr. Sobotka had exchanged ideas. Mr. Germano intervened that he feels Mr. Sobotka is not asking the Board to deny this application. Mr. Sobotka interjected that is incorrect and without these exceptional things taken into consideration, he would not like to see the Board approve it. Chair expressed his thoughts of previous of a previous application regarding Mr. Sobotka.

Mr. Germano called for further Public Comment. Being no further Public Comment, Mr. Sunderland motioned to close, seconded by Mr. Borden. Motion passed unanimously.

Mr. Borden motioned to approve the use variance, seconded by Mr. Sunderland. Chair called for a Roll Call.

Roll Call:
Chair Akins Yes, Bowen Yes, Sunderland Yes, Borden Yes, Gordaychik Yes, Seitz Yes, Ms. Shinn

Mr. Slaugh indicated the applicant has provided more information than would normally be provided for a use variance sketch. Mr. Slaugh's review letter requested a bit more detail to help with enforcement in the future. Mr. Taylor provided a number of exhibits which detailed this additional information that Mr. Slaugh was looking to find for the Board. So it seems if the Board takes what has been submitted and add the additional information, that would be sufficient to itemize all the allowed uses and where they were planning to do. There's no need for a grading plan and a storm water management plan, and there's a small amount of landscaping detail plans that can be handled. The lighting plan has been provided with a nighttime check to ensure sufficient illumination. Chair Akins requested Mr. Slaugh to work with the applicant's Planner to the Board's satisfaction. Mr. Slaugh agreed to work out the areas with Mr. Taylor. The Board agrees. Mr. Taylor agreed also. Mr. Germano reviewed the conditions are the lighting plan will be subject to a post installation check to ensure it provides a .5' candle; the applicant will comply with the 11pm noise standard by 10pm and outside agencies' approvals. Mr. Slaugh recommended a waiver of Site Plan with the conditions. Mr. Sunderland motioned to approve the Site Plan waiver, seconded by Mr. Borden.

Roll Call:
Chair Akins Yes, Bowen Yes, Sunderland Yes, Borden Yes, Gordaychik Yes, Seitz Yes, Ms. Shinn

Mr. Bowen asked how the liquor will be regulated. Mr. Johnson replied that they will be on a learning curve. He spoke with other farms and their insurance agent. This is an issue that they will ensure they do well with it. He spoke of other farms with distilleries. Mr. Slaugh recommended to speak with the Police Department. Mr. Sunderland indicated that Liberty Lake has extra Police on duty paid by the applicant. Mr. Johnson said they will not relinquish management of the events. Mr. Germano indicated that they would be liable and Fernwood has been in the business for a while and they have no problems. Chair recommended to speak with Laurita Winery of how they handle it.

Other Business:
Chair Akins spoke of Mr. Germano's letters to the Board describing of their job of Board Members. One was for their own information and the other regarded a previous application which was filled with good information. Also the Board Engineer and the Board Planner have good information. All our Professional's information is what the Board Members rely upon. Chair continued that the Board has made some denials that may have affected the last meeting. Chair has been told the Board doesn't set a precedence with any application but he can see some people saying that you did it for them but denied it for us. Chair encouraged the Board to read the letters from Mr. Germano.

Mr. Bowen apologized for the last meeting for his behavior at last month's meeting. Mr. Bowen feels he didn't run it very well and he didn't anticipate the fire hazard in a pole barn from an oil truck. He felt it was a hard luck story and he feels the Board passed the applicant. He also indicated that he mentioned if the variance was passed, it would go for the entire length of that property and he feels he should have been more inquisitive about all the necessary regulations when storing flammable liquids in a garage. This applicant came very, very well prepared and they had gotten approval from other Boards which this Board has nothing to do with. Frankly, where ever the Johnsons go, they're an asset to the community. Mr. Bowen asked the Board to accept his apology and it won't happen again. Ms. Shinn indicated that the Board did bring up the fire hazard because Mr. Sam was on the Fire Department. Mr. Bowen

responded that the Board didn't indicate they would approve that application with fire regulation conditions. Chair interjected that the resolution indicates that applicant must go through the Building Code and so forth before the applicant parks the fuel trucks in there. It's a Zoning compliance now.

Correspondence:
None

Public Comment:
None

Adjournment:
Being no further Board Business, Mr. Borden motioned to adjourn, seconded by Mr. Sunderland. The motion carried unanimously. Meeting adjourned at 10:10 pm.

Respectfully submitted,
Susan A. Minock
Zoning Board Secretary