

**Victory Gardens Planning Board Minutes
June 19, 2019**

Diane Feola called the meeting to order.

Meeting started at 7:00 P.M.

Pledge of Allegiance to the Flag of our Country.

This meeting has been advertised in one newspaper, The Daily Record, in compliance with the New Jersey Open Meeting Act.

IN ATTENDANCE:	Mayor Dave Holeman	Jim Glass	Diane Feola
	Anne Davis	Barrie Palumbo	
	Attorney: John Kaplan, ESQ		
	Engineer: Leon Hall		
	Planner: Maxwell Vandervliet		

ABSENT: John Cegelka Avis Byfield

MINUTES: From April 17, 2019

Jim Glass made the motion to accept the minutes from April 17, 2019 meeting. Mayor Dave Holeman seconded it.

A roll call vote was taken:	Mayor Dave Holeman	Yes
	Jim Glass	Yes
	Diane Feola	Abstain
	John Cegelka	Absent
	Avis Byfield	Absent
	Anne Davis	Yes
	Barrie Palumbo	Yes

Minutes were approved with four "ayes."

Resolutions: 2019-05: Pack Mentality

Barrie Palumbo made the motion to approve the 2019-05 Resolution regarding Pack Mentality. Anne Davis seconded it.

A roll call vote was taken:	Mayor Dave Holeman	Yes
	Jim Glass	Yes
	Diane Feola	Yes
	John Cegelka	Absent
	Avis Byfield	Absent
	Anne Davis	Yes
	Barrie Palumbo	Yes

The 2019-05 Resolution regarding Pack Mentality was approved with five "ayes" and no one voting "no."

Applications: 03-2019: AJ's Bagels, 330 South Salem Street, Salem Plaza, Waiver of Site Plan

Attorney: Kurt Peters, Kenvil, NJ

Applicant: Ahmad Jamhour, Budd Lake, NJ

Going into the space that was previously occupied by a bakery. Kurt Peters, sworn in the applicant, Ahmad Jamhour. They will be changing some walls around and adding a sink. Leon Hall pointed out that the affidavit from the owner was not signed and knowledge of consent was not signed. Barrie explained that the owner was here and spoke with her regarding this application and applicant but due to a personal concern he could not stay. Mr. Peters said they will have what Leon pointed out corrected and resubmit that paperwork. The attorney pointed out that he was not aware he had to come before the board until last minute and did not have time to fully examine the application and make sure all was complete. The attorney for the Planning Board stated they may still hear the application and if it is approved

with a condition that the proper paperwork is filed with this board, as soon as possible. The board asked for a copy of the lease and was presented one.

The applicant was asked if he would have a dumpster for the grease for the fryer if he was having one? The applicant stated he will be using the one that is currently located on the property. He plans on having five tables inside. The hours will be from 5 a.m. to 3 p.m., seven days a week. Anticipate opening about four months. Deliveries will be made from about 8 a.m. to 1 p.m. The signage will require a permit once he decides on the style. Barrie informed him no flags are allowed or flowing arm guys are not permitted either. He will be utilizing the garbage dumpsters on the property that are already there.

Jim Glass made the motion to open this application process to the public. Barrie Palumbo seconded it. All approved on a verbal vote.

No public comment.

Jim Glass made the motion to close the public portion. Dave Holeman seconded it. All approved on a verbal vote.

Jim Glass made the motion to approve and accept 03-2019 application, AJ's Bagels, with the stipulation that the signed documents by the owner of the plaza be submitted. Dave Holeman seconded it.

A roll call vote was taken:

Mayor Dave Holeman	Yes
Jim Glass	Yes
Diane Feola	Yes
John Cegelka	Absent
Avis Byfield	Absent
Anne Davis	Yes
Barrie Palumbo	Yes

The 03-2019 application for AJ's Bagels was approved with five "ayes" and no one voting "no."

Correspondences: Notice of Hearing in Randolph, nothing discussed.

Bills: No bills to discuss **Old Business:** None

New Business: Referral of Ordinance from Mayor and Council/Resolution approval
Revision of an ordinance amending section 22-10 revised the general ordinance of the Borough of Victory Gardens about pet shops. Jim Glass said it is in reference to puppy mills.
The attorney explained the process. Barrie explained this was introduced and comes to the Planning Board for comments. Barrie said in paragraph three it allows for the animal rescue organizations to sell their animals. So, if the board does not want any animals sold, then we need to change it to read that. Jim Glass asked about the doggie daycare holding adoption days. Do we want to allow that? He is not sure about what wording to place into the ordinance to read that this is not allowed. Barrie asked the planner if he had any thoughts or suggestions? He asked for clarification that the board does not want any selling of any animals. Jim Glass said or adopt them and Barrie clarified that the selling of animal items, food, bedding, treats, etc. should still be allowed. The attorney said the board should do a resolution for the council recommending the changes they see fit. They agreed that there should be no organization or entity selling of any animal sales and they should prohibit adoption and or rescue within the Borough limits. The change should read "no entity shall sell", not no pet store. The whole second sentence should come out. And number three should come out. This should refer to all animals. Barrie has asked that the attorney rewrite the resolution and then it will be discussed at the next meeting and then presented to the Council.

Jim Glass made the motion to open the meeting to the public. Anne Davis seconded it. All approved on a verbal vote.

No public comment.

Jim Glass made the motion to close the meeting to the public. Anne Davis seconded it. All approved on a verbal vote.

Dave Holeman made the motion to adjourn the meeting. Anne Davis seconded it. All approved on a verbal vote.

