

7:04:07 PM - - DENNIS TOWNSHIP CONSOLIDATED LAND USE BOARD  
Regular Meeting - November 16, 2023 - 7:00 p.m.

Attendance: Turner, Watson, VanArtsdalen, Penrose, McEvoy,  
Walsh, Cowan, Chambers, Batastini, Fralinger

Call to Order.

Roll Call.

Applications:

CHANNEL MARINE CONSTRUCTION - Block 262, Lot 11.18: Located on  
Clermont Drive in a CVC (Clermont Village Center) Zone.  
Applicants seeking a use variance to construct a 2,400 square  
foot office building with parking lot and 9,600 square feet of  
gravel outdoor storage.

Other Business:

Correspondence:

Discussion:

Resolutions:

- Pierson Pleasantville, LLC
- Hackett
- Shoreside Legal, LLC
- Turner Partners, LP

Minutes: October 26, 2023

Bills:

Adjourn.

- 7:04:07 PM - - Start Recording
- 7:04:08 PM - - Walsh - call meeting to order
- 7:05:02 PM - - Roll call.
- 7:05:06 PM - - Walsh - first application Channel Marine Construction.
- 7:05:34 PM - - Lindsey Newcomb, Esquire - attorney for applicant. Frank Bowen  
and Paul Kates here with her tonight. Here for a use variance.
- 7:06:37 PM - - Batastini - administer oath to Paul Kates and Frank Bowen, as  
well as Fralinger.
- 7:07:35 PM - - Bowen - President of Channel Marine Construction.
- 7:07:57 PM - - Newcomb - questions to Bowen
- 7:08:10 PM - - Bowen - explain business, marine construction - build docks,  
etc., been in business for 23 years. Contract purchaser of  
subject property. Explain goal is to have office building and  
storage in the back. Would store clean material, jet ski

- run-ups, floating docks, etc. Would be a 9 to 5 operation. Does not anticipate many employees on site. No a lot of activity on site. Understands if approved tonight will have to come back for site plan.
- 7:11:07 PM - - Walsh - question regarding material storage and closeness to Route 9 and not being clean looking from Route 9.
- 7:12:09 PM - - Bowen - main storage area and equipment is stored at property they have in the rear of Clermont Drive. This site will be landscaped, very neat and clean. Envisions that you won't know it's a storage area. Tight on space to store materials and new docks. Board will be happy with outcome.
- 7:14:26 PM - - Walsh - would applicant be willing to have limits on storage materials.
- 7:14:45 PM - - Batastini - Board has ability to limit. Questions to Bowen.
- 7:15:27 PM - - Bowen - will be a very nice looking place and may rent office space. Not planning to storing equipment at this location and willing to have a condition except for having a small forklift on the site to unload materials. No manufacturing will take place at this site, that will be done at other location on Clermont Drive.
- 7:17:28 PM - - Newcome - questions to Kates.
- 7:17:44 PM - - Kates - state his credentials and other Board's he has testified before.
- 7:18:02 PM - - Walsh - accept Kates as an expert.
- 7:18:13 PM - - Newcomb - questions to Kates
- 7:18:31 PM - - Kates - describe property and location, property a little more than an acre. Describe surrounding properties and what is located on each. Describe what is being proposed. Zone permits an office, but not outdoor storage and is reason use variance is needed. Reviewed positive and negative criteria and how it applies to the subject location. Site plan was discussed and how they would provide landscaping, etc. No detriment to the granting of this application. Site meets bulk variances.
- 7:24:23 PM - - Walsh - how far from Route 9 is outdoor storage
- 7:25:03 PM - - Kates - property behind Blue Fish has outdoor storage and he believes it is visible to the right side of that property from Route 9; described other properties that had visible outdoor storage that was visible from Clermont Drive, but not Route 9.
- 7:26:39 PM - - Walsh - how will materials be moved and to where
- 7:27:01 PM - - Kates - material would be unloaded there, stored there and when needed loaded and moved to the construction site
- 7:27:34 PM - - Kates - refer to an overhead photo of area and described storage areas.
- 7:28:05 PM - - Newcomb - confirm that landscaping will hide outdoor storage
- 7:28:32 PM - - Kates - believes that stored materials will be obscured for the most part from Route 9 by fencing, landscaping and trees and would comply with Board's suggestions.
- 7:29:27 PM - - Walsh - any other question of Mr. Kates
- 7:29:37 PM - - Penrose - could this be viewed as 2 independent uses since the building may not be related to the storage
- 7:30:08 PM - - Batastini - not necessarily - described a circumstance, but will look it up
- 7:31:05 PM - - Watson - looks like this may be a good time to request sidewalks in Clermont. Marge's Diner is right there and people walk there.
- 7:32:06 PM - - Newcomb - as Kates if there is room for sidewalks
- 7:32:20 PM - - Kates - believes that there is enough room for sidewalks
- 7:32:39 PM - - Bowen - what do you need a sidewalk for, there is nowhere to walk to, will do it if he has to, but doesn't see it being utilized because there is nowhere to go
- 7:33:21 PM - - Watson - have to start somewhere, and there is a large development being considered behind Marge's Diner
- 7:34:07 PM - - Newcomb - believes that sidewalks could be deal with during the site plan portion

7:34:34 PM - - Bowen - no pilings will be stored at this location, they take too much room. New stuff will go to this site - new docks, jet ski ramps, etc. Will get vinyl deliveries. Very little noise involved with deliveries.

7:36:39 PM - - Kates - can move entrance to get more landscaping along gravel storage area. Shared screen and showed drawing of site and what he is proposing.

7:38:23 PM - - Walsh - what proposed sounds good.

7:38:44 PM - - Penrose - as to sidewalks - very busy south of this site, many businesses and people crossing Route 9 - may slow drivers down and give people a chance

7:40:02 PM - - Walsh - agrees with Watson as to sidewalks

7:40:20 PM - - Bowen - after thinking about it, it may make his building look more professional and enhance the property - has no problem with it

7:41:03 PM - - Batastini - as to see screened share drawing of property and ask Kane to explain again

7:41:39 PM - - Kane - refer to drawing and explain his proposal to move entrance and add landscaping in storage area, would have 2 access drives off of Clermont Drive - one for building and one for storage

7:42:51 PM - - Bowen - wants to discuss ideas with Kates, agrees to entrance from Route 9

7:43:29 PM - - Watson - how tall are stacks of material

7:43:39 PM - - Bowen - materials about 6 feet

7:44:02 PM - - Watson - asking because fence company across from his house stack materials around 15 feet high

7:44:46 PM - - Bowen - 6 to 8 feet stacking height on average

7:45:15 PM - - Batastini - does Board want to restrict height and, if so, at what height

7:46:04 PM - - Newcomb - ask Batastini if that would be a condition of approval

7:46:23 PM - - Batastini - yes

7:46:28 PM - - Newcomb - ask Bowen if he is good with a restriction on height

7:46:57 PM - - Bowen -

7:47:14 PM - - Batastini - ask if adding "permanent " as to storage height would help

7:47:55 PM - - Bowen - agrees as nothing stays there that long

7:48:18 PM - - Batastini - any other questions

7:49:09 PM - - Walsh - will 8 feet restrict ability

7:49:27 PM - - Bowen - 8 feet will work most of the time

7:49:41 PM - - Batastini -

7:49:54 PM - - Batastini - ask for Engineer's report.

7:50:13 PM - - C. Fralinger - engineer's report

7:50:44 PM - - Batastini

7:50:49 PM - - Newcomb - agrees to engineer's recommendations

7:51:02 PM - - Batastini - open to public - none - close public portion. Present form of motion to grant use variance with conditions

7:55:35 PM - - Penrose - motion to approve

7:55:42 PM - - VanArtsdalen - second

7:56:02 PM - - Penrose - will this be 1 uses or 2

7:56:14 PM - - Batastini - 2

7:56:20 PM - - Roll call - all voting members in favor

7:57:56 PM - - Walsh - Pierson Resolution

7:58:07 PM - - Batastini - give clarification of several items in Resolution

7:59:36 PM - - Walsh - motion to approve

7:59:42 PM - - Cowan - second

7:59:47 PM - - Roll call - all voting members in favor

8:00:35 PM - - Batastini

8:00:38 PM - - Paul Baldini - thank Board for their time and patience

8:00:53 PM - - Batastini - Hackett Resolution

8:01:47 PM - - Watson - motion to approve

8:01:57 PM - - Martucci - second

8:02:05 PM - - Roll call - all voting members in favor

8:02:49 PM - - Walsh - Shoreside Legal Resolution  
8:03:01 PM - - Batastini - overview of Resolution  
8:03:42 PM - - Cowan - motion to approve  
8:03:48 PM - - Penrose - second  
8:03:52 PM - - Roll call - all voting members in favor  
8:04:29 PM - - Walsh - Turner Partners Resolution  
8:04:40 PM - - Batastini - overview of Resolution  
8:05:18 PM - - Waston - motion to approve  
8:05:27 PM - - Walsh - second  
8:05:32 PM - - Roll call - all voting members in favor  
8:06:55 PM - - Walsh - minutes of 10/26/23  
8:07:17 PM - - Voice vote on minutes - all in favor  
8:07:26 PM - - Walsh - bills  
8:08:55 PM - - Chambers - motion to pay bills  
8:09:08 PM - - Cowan - second  
8:09:12 PM - - Roll call - all in favor  
8:09:48 PM - - Walsh -  
8:10:17 PM - - Batastini - closing comments  
8:12:56 PM - - Meeting adjourned.  
8:13:11 PM - - Stop Recording