

**RESOLUTION OF FINDINGS AND CONCLUSIONS
PLANNING BOARD OF THE
BOROUGH OF WOODBURY HEIGHTS
2024-09**

WHEREAS, Sons of Barley, LLC has applied to the Planning Board of the Borough of Woodbury Heights to amend a waiver of formal site plan review approval granted on February 7, 2022 which will reduce the seating capacity for a licensed brewery from 75 to 50 seats, resulting in a parking requirement of 17 spaces; and

WHEREAS, the property in question is located on Mantua Pike, Block 40.14, Lot 19 in the HC (Highway Commercial) zone; and

WHEREAS, the Borough of Woodbury Heights Planning Board has had an opportunity to review the application for Sons of Barley, LLC and a hearing having been held thereon and proper notices having been served on all surrounding property owners as required by Statute; and

WHEREAS, the Borough of Woodbury Heights Planning Board has made the following factual findings:

1. Michael A. Aimino, Esquire appeared on behalf of the applicant and presented the testimony of one of the members of the LLC, John Kelly, and John Descano, Licensed Architect and Professional Planner. By Resolution adopted on February 7, 2022, the applicant was granted a waiver of formal site plan review to establish a 75 seat licensed brewery in an existing building. The approval included numerous conditions. One of the conditions stated, "The applicant shall enter into a written shared parking agreement with adjacent property owners subject to review and approval by the Planning Board Solicitor, Engineer and Planner." In spite of their efforts, the applicant was unable to obtain an acceptable written agreement. As an alternative, the applicant is seeking to reduce the seating capacity from 75 to 50 which will reduce the parking requirement to 17 spaces. There is adequate on-site parking for the 17 spaces and, therefore, the written shared parking agreement will not be necessary. The applicant agreed to comply with all other conditions of the Resolution of February 7, 2022. No one from the public appeared to comment on the application. The Board carefully considered the review letter of February 26, 2024 prepared by Planning Board Engineer, Mark R. Brunermer, and the applicant agreed to satisfy all comments set forth therein.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Woodbury Heights that the application of Sons of Barley, LLC to amend a waiver of formal site plan review approval granted on February 7, 2022 which will reduce the seating capacity for a licensed brewery from 75 to 50 seats, resulting in a parking requirement of 17 spaces is hereby granted subject to the following conditions:

1. The applicant shall obtain any other applicable governmental approvals which the applicant is required to obtain from any Federal, State, County or Local Governmental Agency or body.
2. All outstanding escrow and inspection fees shall be paid in full prior to the issuance of any permits or certificate of occupancy.
3. The applicant shall comply with all conditions set forth in the Resolution adopted on February 7, 2022 which is incorporated herein and made a part hereof, unless modified herein.

Adopted at a regular meeting of the Borough of Woodbury Heights Planning Board on April 1, 2024.

**PLANNING BOARD OF THE BOROUGH
OF WOODBURY HEIGHTS**



BRUCE FARRELL, CHAIRMAN

ATTEST:

SHANNON ELTON, SECRETARY