



**CITY OF ABSECON
Municipal Complex
500 Mill Road
Absecon, New Jersey 08201**

PLANNING & ZONING
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**OCTOBER 21, 2025
ZONING BOARD
MEETING MINUTES**

The meeting was called to order by Chairman, Pat Malia at 7:00 p.m.

Flag Salute
Notification of Meeting

ROLL CALL

PRESENT: Baltera, Cottrell, Famularo, Lawler, Sellers, Curran, Malia

ABSENT: Reilly, Seher

ALSO PRESENT: Brian Heun, Esq., board attorney; Tina Lawler, board secretary

OLD BUSINESS:

VOTE: Minutes of April 15, 2025 meeting

Motion to approve: Steve Baltera – second – Mike Famularo

All were in favor

NEW BUSINESS:

Application #2-2025 for Daud & Mina LLC – 531 E. Absecon Blvd. – Block 225 – Lot 6.01 for a Use Variance and Preliminary and Final Site Plan Approval to operate a Behavior Health Rehabilitation Facility

Brian – this matter had been on for September and proper notice was given, but the secretary came at the regular appointed time to make the announcement if anyone from the public had shown up.

Brian Callaghan, Esq., attorney for applicant. Also appearing and sworn in were: Jon Barnhart, applicant's engineer and planner and applicant, Dr. Daud Panah.

Brian gave a brief background of this site and previous application. He explained that this had already received a Use Variance back in 2016, but we are back and it is going to be a smaller version

conforming use, so they are asking for a Use Variance again, along with site plan approval. Mr. Barnhart will explain the changes to the board. The prior conditions and approvals are also being adopted as part of this application tonight.

Dr. Panah – explained how the behavioral institute is operated. It is for people who have substance abuse or mental health issues. It is on a voluntary basis and patients are ambulatory and usually private insurance covers it. They would receive intervention and detox. Unfortunately, there are many people who need this kind of help. We would have two doctors and six nurses, with a total of about 30 employees over a 24-hour shift. It will have 24-hour surveillance and no patients will be allowed to drive there. They will get picked up and dropped off. There would probably be 22 employees max at one time and 60 patients if full.

Jon Barnhart – has been a licensed engineer/planner for about 30 years now. His office has been involved with this property since the late 90's early 2000's when it became a motel first. He has been before this board before as well.

Exhibit A1- he went over the 2016 approval and layout of what was approved. This application is a smaller development. There will be no long term stays and a less intense use. The patients will be able to stay 28 days or less. No resident will be allowed to have a car and there will be limited visitation by appointments only. The plan was to remodel the two-story motel, with a mixed use of long and short-term stays, but that has been changed. There will be no building expansion now and just short-term stays. All the conditions from the first approval would stay. We need to put proofs on the record and all the ones from our first application still hold true. We believe that this is an application that goes to the heart of zoning, which is to promote the general welfare. This is a much-needed use. It is a touchy subject of where these uses should go, but they feel this site has no negative impact to the surrounding sites and it is well-suited for the use due to the location of it and size. It is in disrepair and allowing him to occupy it, it would create a desirable visual environment.

Exhibit A-2 – site plan rendering of the site was marked into evidence. The building would stay in its current location and no expansions would be done. Stairs and an ADA ramp will be modified for access. The site is overparked for this use. There are 50 parking spaces now and the most needed will be about 22 or so, if you have that many employees at one time. The driveway would stay the same and they propose a 6 ft. security gate around the facility, which was part of the prior approval as well. It will have controlled access and get buzzed in if allowed. There will be Knox box for the police and fire to be able to get in if there is an emergency. There is no change to the traffic pattern or the trash area in the rear. All the improvements will be brought up to what they were approved for in 2016.

Exhibit A-3 – a front elevation of the building was marked into evidence. Everything is in the building, except for the outside stair cases on each side. As to the negative criteria, there are two prongs. One is whether there is a substantial detriment to the zoning ordinance and he would argue there is not. As to the zone plan, it is the HC zone, which struggles now because it is all motels. We believe this is a very appropriate use for this piece of property and the board agreed in the past. The second prong is whether there is a detriment to the public good. There really is no public nearby or around them and it is surrounded by open wetlands and bay and marsh area. The police chief did have some concerns, but we met with him and went over some of his concerns. They had addressed the concerns that the previous chief had with their first approval. This chief is mainly concerned with the

his comments.

Board questions

Pat – is it considered substantial improvements because that will matter?

Jon – not yet. All the numbers need to be redone.

Chris – are there any other facilities in this area like this?

Dr. Panah – on the Black Horse Pike across the high school and two in Mays Landing. It was estimated that 3,000 beds are needed in NJ, so more are needed.

Pat – you said 30 staff over a 24-hour period, how many staff are there overnight? What is a typical length of stay?

Dr. – there will be a security person and one driver if needed and a couple of nurses. A pharmacist is on call and 6 technicians who help with the patients. It takes 7 days to detox, depending on each situation and you get 4 weeks, 28 days. They are not allowed to come and go, unless they have an appointment. Visitations are done on a case-by-case basis too and are limited.

Steve – what happens if a patient is not finished in the 28 days?

Dr. – it depends on their funding or the clinical status. They can go to a sober living or go home with family members and become out patients.

Mike – so there are no day patients then?

Dr. - no

Pat – do you know how many trips a day the van will take?

Dr. – depends on the number of residents

Matt – will the sign stay in the same spot and is the lighting up to code?

Dr. – yes to both

Matt – how about a secure room in case someone has a break down and can be moved away from everyone else?

Dr. – yes, the nursing station will be a central area and there will be a multi-purpose room. Staff and security will handle it.

Pat – you were here 9 years ago, what happened? The building has been an eyesore for years. What took so long?

Brian C. – the approval from the State took 4-5 years and then with Covid the prices of everything went up. We are now at the point to begin again.

Arianne – so there are no court mandated treatments and does the State oversee the licensing and credentials of the employees?

Dr. – the visits will not be court mandated and the state oversees that.

Bob Smith – his report is dated 9/11/ 25. Mr. Barnhart testified that he had no problem complying with his comments. The open space minimum required is 30% of the upland areas and the maximum height of fence allowed is 4 ft. but the board granted a variance for 6 ft. The fire chief reported in his letter that the fire hydrants should be checked. He asked if they had look at any other sites before settling on this one? The facility is in a flood hazard zone and is subject to frequent flooding. What are you doing to address that with emergency access?

this site is high and it did not flood during Sandy. The finished floor height is 11.12 ft. from the 1988 datum and 12.4 for the 29 datum.

Bob - as to the signs, will you just change the copy? Yes

Is the loading zone in the rear enough? Yes

It may need lighting upgrades to comply with the ordinance and they should re-establish the old landscape plan on the site plan. Regarding the storm water management plan, the basin is over grown. Do you know if it is functioning as it is designed?

Jon – we are not aware of any issues related to it. It does need some maintenance and cutting and we will implement any requirements. The parking space required a waiver and he has no objection to the waiver being granted.

Pat – does this need health care approval from the State?

Brian – yes as to construction and health care

Matt – is the building sprinklered? How are the visitors handled?

Brian – yes, it is and visitors are by appointment only

Public Portion – no public present

Board deliberations

Matt – feels this is a great idea and unfortunately, it is a dire need in the area. The building has been vacant for a long time and it is an eyesore and it will be nice to see it cleaned up. He sees no detriments

Chris – agrees with Matt. We do not need any more replacement motels.

Arianne – this is a viable business opportunity for the property.

Pat – the typical concern is additional need of police or first responders on a community that is already troubled with that. He hopes it does not sit there for years again and this not get done.

Brian H. – even though the fence was previously approved, and now it needs to be moved slightly, he felt a variance should be added. The waivers are: the size of parking space and drive aisle; an Environmental Impact Study and a survey showing topography.

Motion to approve a D1 use variance to allow an inpatient substance abuse treatment facility with no long-term care longer than 28 days and no outpatient treatments; no motor vehicles for residents; and visitors by appointment was made by Steve Baltera – second – Mike Famularo

ROLL CALL: Baltera, yes; Cottrell, yes; Famularo, yes; Lawler, yes; Sellers, yes; Curran, yes; Malia, yes

Motion to approve amended site plan with a “C” variance to allow a 6 ft. fence, where 4 is maximum along with the waivers for: a survey showing topography; EIC study; parking stall size; drive aisle width; and amended site plan made by Chris Cottrell – second – Arianne Sellers

ROLL CALL: Baltera, yes; Cottrell, yes; Famularo, yes; Lawler, yes; Sellers, yes; Curran, yes; Malia, yes

ADJOURNMENT

Motion to adjourn – Matt Lawler – second – Steve Baltera

All were in favor.

Respectfully submitted,



Tina Lawler, Secretary

Approved: 12/16/25