

**TOWNSHIP OF HOPEWELL
MERCER COUNTY, NEW JERSEY**

R E S O L U T I O N #20-391

**A RESOLUTION DIRECTING THE HOPEWELL TOWNSHIP ZONING OFFICER
TO ISSUE A TEMPORARY ACTIVITIES PERMIT TO
LKE PROPERTIES LLC, PHIL VOLPE AND NANCY O’LEARY-FOOD TRUCK
LADY**

WHEREAS, property owner LKE Properties LLC and business owner Phil Volpe, “Cream King” seek permission to use their property for operation of one (1) food truck through Nancy O’Leary, Food Truck Lady, seven days per week, operating various hours between 11:00 a.m. and 6:00 p.m.; and

WHEREAS, the Governor’s Office has issued an Executive Order allowing restaurants to open for indoor dining as of September 4, 2020; however, operation will be restricted to 25 percent capacity with social distancing between tables and other restrictions; and

WHEREAS, the food truck would operate on a temporary basis during the period of restrictive indoor dining to serve the general public who are unable to purchase food from surrounding restaurants or visit indoor dining facilities; and

WHEREAS, this proposal has been reviewed by the Hopewell Township Attorney who has advised that this proposal can be authorized under a Temporary Activities Permit issued by the Hopewell Township Zoning Officer; and

WHEREAS, this request has been reviewed by the Hopewell Township Health Department, Hopewell Township Police Department, Hopewell Valley Fire Safety and Municipal Construction Office who have raised no objections;

NOW, THEREFORE, BE IT RESOLVED, on this 9th day of November 2020, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Hopewell Township Zoning Officer be directed to issue a Temporary Activities Permit to LKE Properties, Phil Volpe and Nancy O’Leary, Food Truck Lady for the temporary operation of one (1) food truck in the parking area of the “Cream King”, seven days per week, operating various hours between 11:00 a.m. and 6:00 p.m. for the general public, subject to receipt of all final approvals and comments from the Hopewell Township Health Officer, Hopewell Township Police, Hopewell Valley Fire Safety, Municipal Construction Office and Zoning Officer, and subject to any relevant restrictions on use, noise, signs, etc., or other permits as may be required, including:

1. **Operation is limited to one (1) food truck at any given time; any truck proposing to operate at the site must be licensed by the Hopewell Township Health Department. Any truck proposing to operate at the site will be required to obtain a fire safety permit from Hopewell Valley Fire Safety prior to commencing operations at the site. A schedule shall be provided to Fire Safety and the Health Department two (2) weeks in advance as to the truck that will be operating on specific days.**
2. **Patrons must maintain social distancing and shall be required to wear masks consistent with standing Executive Orders issued by the Governor's Office; Six foot (6 FT.) distancing indicators should be placed in the parking area using cones, chalk, tape or other similar marking.**
NJ Department of Health signage guidance shall be provided to the applicant from the Health Department to reinforce social distancing and face coverings.
3. **Advance website or phone ordering and payment is encouraged.**
4. **All food services shall be for take-out only. No tables or other provisions for on-site consumption of purchases shall be permitted on the site of the operations.**
5. **This permit shall be valid through February 28, 2021. The Permittee may apply for an extension to this permit provided such request is received no later than close of normal municipal business hours on February 12, 2021.**
6. **The Temporary Activities Permit approval is granted for the configuration depicted on the plan/sketch attached to this resolution.**

Date Adopted: November 9, 2020

CERTIFICATION

I, Katherine Fenton-Newman, Deputy Municipal Clerk, of the Township of Hopewell, County of Mercer, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Township Committee at the regular meeting held on the 9th day of November, 2020, via Zoom Video Communications and at the Municipal Building.



Katherine Fenton-Newman, RMC, CMR
Deputy Municipal Clerk