

PLANNING BOARD MEETING MINUTES

Regular Meeting was called to order by Chairwoman Conte at 7:00pm.

Open Public Meeting Notice was read by Chairwoman Conte, noting that all postings, filings, and emailing's took place on January 14, 2015.

Pledge of Allegiance / Moment of Silence was led by Chairwoman Conte.

Roll Call taken by Board Secretary Ms. Bucci - Member in attendance:

Chairwoman Conte, Vice-Chair Chatzidakis, Councilman Van Noord, Township Manager Mitchell, Mr. Pizzo, Alt #2 Ms. Ingravallo, Alt #1 Mr. Howard, Mr. Hellen, Mr. Cortese.

Absent: Mayor Edelson, Mr. Doulong.

Professionals in attendance:

Mr. Nicholas Dickerson (T&M)- Conflict Planner, Mr. Joseph Petrongolo- Board Planner, Mr. William Long- Board Engineer, Mr. Michael Angelastro- Board Traffic Engineer, Mr. Christopher Norman- Board Solicitor, Ms. Gerry Bucci- Board Secretary. Absent: Mr. Brian McVey- Fire Marshal.

Board Professionals were sworn in by the Planning Board Solicitor Mr. Norman: Mr. Joseph Petrongolo, Mr. William Long, Mr. Michael Angelastro, Mr. Brian McVey, Mr. Nicholas Dickerson.

Discussion Items/Correspondence:

Chairwoman Conte noted the response letter dated June 25, 2015 from the Planning Board Secretary to Churchill Consulting Engineers regarding the NJTA maintenance facility.

Chairwoman Conte noted two letters from Planning Board Solicitor to Council one dated June 19, 2015 regarding the VOADV Property Need for Redevelopment and second dated June 30, 2015 regarding the ERLH III and Connell Tract Need for Redevelopment.

New Business:

Adopting Minutes: Chairwoman Conte called for a motion and Councilman Van Noord made a motion to approve the Regular Meeting Minutes of June 11, 2015, and Mr. Pizzo seconds the motion. All present were in favor, and the motion was carried.

Resolution R-2015-16: Fair Share Housing Inc, File SP#7932, Mount Laurel Road, Block Block 601, Lots 23, 23.03, 23.04, Ethel R. Lawrence Homes Phase III, and Block 701, Lot 3, Connell Tract, Need for Redevelopment Determination. Chairwoman Conte called for a motion and Mr. Hellen made a motion to approve resolution R-2015-16, and Mr. Cortese seconds the motion. All present were in favor, and the motion was carried.

Fair Share Housing Dev. Inc., Block 701, Lot 3, Connell Tract, Block 601, Lots 23, 23.03, 23.04, Ethel R. Lawrence Homes Phase III, Section 26 MLUL Review, Redevelopment Plan/ Ordinance for Consistency with the Master Plan, File SP#7932. Board Planner Mr. Petrongolo reviewed Art Bernard's report last revised June 30, 2015, and noted it is consistent with the Master Plan. Chairwoman Conte called for a motion and Mr. Cortese made a motion to recommend the redevelopment plan to Council, and Mr. Hellen seconds the motion. All present were in favor, and the motion was carried. Roll Call Vote: Mr. Cortese- Agree, Mr. Hellen- Agree, Mr. Howard- Agree, Ms. Ingravallo- Agree, Mr. Pizzo- Agree, Township Manager Mitchell- Agree, Councilman Van Noord- Agree, Vice-Chair Chatzidakis- Agree, Chairwoman Conte- Agree; and the motion was carried.

Submission Waivers: Fair Share Housing Inc, Mt Laurel Rd, Ethel R Lawrence Homes III, File SD#460A, Block 601, Lots 23, 23.03, 23.04, R-3 Zone, Minor Subdivision & Preliminary Site Plan, Request for Completeness of Submission Waivers. Board Professionals recommended granting the Submission Waivers. Chairwoman Conte called for a motion and Mr. Hellen made a motion to grant the submission waivers, and Mr. Pizzo seconds the motion. All present were in favor, and the motion was carried.

Submission Waivers: Fair Share Housing Inc, Mount Laurel Rd, Connell Tract, File SD#400, Block 701, Lot 3, R-3 Zone, Amended Preliminary Subdivision, Request for Completeness of Submission Waivers. Board Professionals noted there were no new submission waivers requested and recommended granting. Chairwoman Conte called for a motion and Mr. Pizzo made a motion to continue submission waivers, and Mr. Howard seconds the motion. All present were in favor, and the motion was carried.

Site Plan Waiver: Jeffrey B Canfield, 183 Hooton Road, Block 900, Lot 9, File SPW#7935, Detached Garage over 1,000 sf (30'x46'). Mr. Jeffrey Canfield of 185 Centerbury Road was sworn in by Board Solicitor Mr. Norman. Mr. Canfield testified that he is moving from 185 Canterbury Road to 183 Hooton Road, which has no garage. He needs a place to store his cars and other personal items. He will not be running a business working on cars. He will have a stone driveway which needs to be added to the plan. Chairwoman Conte called for a motion and Councilman Van Noord made a motion to approve the Site Plan Waiver 7935, and Mr. Pizzo seconds the motion. Roll Call Vote: Councilman Van Noord- Agree, Mr. Pizzo- Agree, Mr. Cortese- Agree, Mr. Hellen- Agree, Mr. Howard- Agree, Ms. Ingravallo- Agree, Township Manager Mitchell- Agree, Vice-Chair Chatzidakis- Agree, Chairwoman Conte- Agree; and the motion was carried.

Public Hearings:

Robert Schwartz, File SP#2328, 821 East Gate Drive, Block 1201.04, Lot 7, Industrial Zone, Amended Preliminary & Final Site Plan. Chairwoman Conte read the application. Ms. Victoria Fannon, attorney at law, represented the applicant and introduced those providing testimony, Richard McGuire of TWT as the Professional Engineer, Robert Schwartz as the applicant and President of Food Sciences Corp., David Shropshire as the Professional Traffic Engineer, David Lumus as the Professional Architect, and they were sworn in by Board Solicitor Mr. Norman. Ms. Fannon described the application for a 24,500 sf addition to an existing Food Sciences Building. Mr. Schwartz described the operation of the business, which sells special blend powders for nutrition and weight control to doctors and healthcare facilities; with no retail. Total of 150 employees, 127 on peak shift. No additional employees for addition. Mr. McGuire distributed an aerial site plan entered into evidence as Exhibit A-1 and a rendering as Exhibit A-2 and a site plan as Exhibit A-3. Drainage Easement is overgrown and applicant has a DEP Permit to clear it out. Received Colonial Pipeline approval to clear out their temporary easement. Received Burlington County approval. Flood Lights shut down, add light to loading dock, add landscaping, increasing parking, 22 phantom spaces. Mr. Shropshire reviewed parking and traffic. Mr. Lumus gave his credentials and they were accepted by the Chair. Mr. Lumus reviewed the architectural design entering into evidence as Exhibit A-4 was a rendering of the building elevations. Board Planner Mr. Petrongolo reviewed his report dated June 29, 2015. Board Engineer Mr. Long reviewed his report June 17, 2015. A response report was received dated June 25, 2015. Board Traffic Engineer Mr. Angelastro reviewed his report dated June 29, 2015. Fire Marshal Mr. McVey reviewed his report dated June 29, 2015. Chairwoman Conte opened the Public Portion at 7:44pm, seeing none, closed the Public Portion. Board Solicitor Mr. Norman reviewed the conditions as the applicant to install landscaping when phantom parking installed, add 2 shade trees, compensatory plants, shields added to light fixtures, design waiver for lighting, plants along the emergency access. Chairwoman Conte called for a motion and Councilman Van Noord made a motion to approve SP2328 with the conditions stated, and Mr. Pizzo seconds the motion. Roll Call Vote: Councilman Van Noord- Agree, Mr. Pizzo- Agree, Mr. Cortese- Agree, Mr. Hellen- Agree, Mr. Howard- Agree, Ms. Ingravallo- Agree, Township Manager Mitchell- Agree, Vice-Chair Chatzidakis- Agree, Chairwoman Conte- Agree; and the motioned was carried.

Board Planner Mr. Petrongolo and Board Traffic Engineer Mr. Angelastro left the meeting due to a potential conflict with the next application. Board Conflict Planner Mr. Nicholas Dickerson of T&M Associates was sworn in by Board Solicitor Mr. Norman.

Mt Laurel Development, LLC, Walmart, File SP#7687, Route 73 between Beaver Ave and Fellowship Road, RA-1 Zone, Block 1304.01 Lots 11-18, Block 1304.02 Lots 15-18, Block 1304.03 Lots 1-12, Block 1305.01 Lots 1-10, Block 1310 Lots 10.01, 11, 12, 12.01, 13, Whispering Woods Hearing, Potential Settlement of Land Use Litigation, Sign Variances Requested. Chairwoman Conte read the application. Mr. Edward Sheehan, attorney at law, represented the applicant and introduced those providing testimony, Mr. Sam Renauro as the project engineer as he was sworn in by Board Solicitor Mr. Norman. Mr. Sheehan explained the Whispering Woods Hearing giving an account of events that lead to this hearing. Mr. Sheehan distributed to Board Solicitor Mr. Norman a copy of the Mutual Cooperation Agreement dated 4-27-15 entered into evidence as Exhibit A-1. Entered into evidence as Exhibit A-2 was a sign plan. Fellowship Area Redevelopment Plan was adopted August 15, 2011; Walmart final site plan was approved January 10, 2013 and the resolution memorialized February 14, 2013; Owners of Red Roof filed a lawsuit April 5, 2015; in court between 2013 and 2014, cross motions, negotiations, May 2014 settlement agreements drafted, November 3, 2014 Board Planner Harry McVey objected to the existing pylon sign during the compliance plan review. Board Engineer Mr. Long in his review letter dated March 25, 2015 noted that the draft settlement agreement was no longer in sync with the compliance plans. Mr. Sheehan stated that Mt Laurel Development LLC agreed to pay \$4,000 to owners of Red Roof, FMW RRI II, Mt Laurel Development LLC agreed to improve the property, Bob Evans sign will be moved off easements, Red Roof agreed to drop the lawsuit, Red Roof agreed to grant easements. Mr. Sheehan explained that the Planning Board has to dismiss the lawsuit, and approve the sign plan. Then Council will need to stop condemnation and applicant will come back to the Planning Board; the Redevelopment Plan to be revised to allow hotel/motel use. Mr. Renauro explained that the existing pylon sign to be removed and replaced with pylon sign 1 and that the monument sign will be moved 10' from property line so no variance is required. Board Conflict Planner Mr. Dickerson reviewed his report dated June 25, 2015. Board Engineer Mr. Long reviewed his report dated June 22, 2015. Chairwoman Conte opened the Public Portion at 8:24pm, seeing none, closed the Public Portion. Board Solicitor Mr. Norman reviewed the action required by the Board, to vote on the revised sign plan, to vote on the amended preliminary and final site plan to include the signage & settlement agreement, and to dismiss the lawsuit. Chairwoman Conte called for a motion as stated by Mr. Norman, and Mr. Pizzo made a motion to approve the amended preliminary and final site plan SP7687 along with the changes to the signage plan and sign the settlement agreement and dismiss the lawsuit, and Mr. Hellen seconds the motion. Roll Call Vote: Mr. Pizzo- Agree, Mr. Hellen- Agree, Mr. Cortese- Agree, Mr. Howard- Agree, Ms. Ingravallo- Agree, Township Manager Mitchell- Agree, Councilman Van Noord- Agree, Vice-Chair Chatzidakis- Agree, Chairwoman Conte- Agree; and the motioned was carried.

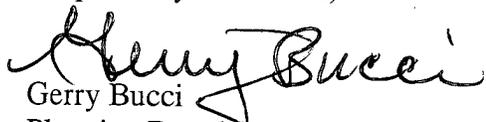
Board Secretary Ms. Bucci reviewed the Minor Site Plan Alteration for SP#4761A, which was approved by the committee July 1, 2015.

Board Secretary Ms. Bucci reviewed the Site Plan Waivers #7933 and #7934 which were both approved by the Acting Construction Official July 2, 2015.

Chairwoman Conte announced that the August 13, 2015 Planning Board Meeting is cancelled due to lack of complete applications, and reminded the Board about the Special Meeting scheduled for July 22, 2015 at 6:30pm.

Chairwoman Conte called for a motion to adjourn the Regular Meeting and Councilman Van Noord made a motion to adjourn at 8:28pm, and Township Manager Mitchell seconds the motion, all present were in favor and the motion was carried.

Respectfully Submitted,


Gerry Bucci
Planning Board Secretary

Adopted On: _____

9/10/15