

**TOWNSHIP OF BURLINGTON PLANNING BOARD
BURLINGTON COUNTY, NEW JERSEY
MINUTES OF JULY 9, 2015**

The regular meeting of the Township of Burlington Planning Board was held on Thursday, July 9, 2015, at 7:00 p.m. at the Township Municipal Complex.

PRESENT: Robert Davis; Mayor Brian Carlin; Delbert Rife; Councilman Michael Cantwell; Israel Rivera; Charleen George; Celeste Niles; Alan Warner; Denis Germano, Esq., Board Solicitor; Scott Hatfield, PE, Board Engineer; Joseph Fishinger, PE, Board Traffic Engineer; and Kevin Rijs, PP, Board Planner

ABSENT: Matthew Tomaszewski, Fire Official; Lacy Walker; Joseph Sabatino;

Meeting was called to order by Chairperson George. She opened the meeting by reading the "Statement of Minutes" as follows:

PUBLIC NOTICE of this meeting pursuant to the Open Public Meetings Act has been given by Planning Board in the following manner:

- (a) Posting written notice on the official bulletin board at the Township Municipal Complex on January 6, 2015;
- (b) Mailing written notice to the Courier Post and Trenton Times on January 8, 2015, by certified mail, return receipt requested; delivered to the Burlington County Times on January 6, 2015, hand receipt obtained; and Legal Ad in the Burlington County Times on January 8, 2015;
- (c) Filing written notice with the Clerk of the Township of Burlington on January 6, 2015.

Approval of Minutes

Chairperson George requested approval of the minutes of the June 11, 2015 Regular meeting.

MOTION made by Mr. Rife and seconded by Mayor Carlin to approve the minutes of the June 11, 2015 Regular meeting. On roll call the following vote was recorded:

AYES: Mr. Davis, Mayor Carlin; Mr. Rife; Mrs. Niles, Mr. Warner; Chairperson George

NAES: None

ABST: Councilman Cantwell, Mr. Rivera

Chairperson George declared the motion carried.

Correspondence

There was no correspondence to be filed.

ACP Burlington, LLC – Block 116 Lot 2.

Applicant is requesting Amended Final Major Site Plan approval for the installation of a Cogeneration Facility to provide heat and power to the existing Shop Rite Supermarket.

Bob Barinowski, Esq. was present for the application. He introduced Jay Sims, PE; Kim Lingard, Director of Project Management from Unison Energy; and Jeff Eikoff of ShopRite. All were sworn in.

This application proposes the installation of a Cogeneration Facility to provide combined heat and power for the existing Shop Rite supermarket in the Wishing Well Shopping Center.

Mr. Barinowski stated that they are looking to amend their approval to add the cogeneration equipment.

Ms. Lingard offered testimony on the CHP unit. She stated that the maximum height is 19 feet, which is the top of the stack.

Mr. Sims reviewed the color rendering of the site plan, marked as Exhibit A-1.

Ms. Lingard stated that once the equipment is installed they could have an acoustic engineer evaluate the equipment and if does not meet code then they could make modifications to ensure that it does.

Ms. Lingard stated that maintenance on the unit is performed within a few weeks of startup and then four times a year thereafter.

Mr. Sims stated that the contact water and condensate will go into the sanitary sewer system within the facility.

Mr. Hatfield questioned the volume of water that is being discharged on a daily basis since it will not be calculated on the water meter.

Ms. Lingard stated that she will research it and follow up with Mr. Hatfield regarding the volume of water discharged.

Mr. Sims reviewed the magnified color rendering of the site plan, marked as Exhibit A-2.

Mr. Hatfield reviewed his report of June 17, 2015.

Mr. Rijs stated that he had no concerns from a planning standpoint.

Mr. Fishinger stated that he had no concerns from a traffic standpoint.

At this time Chairperson George opened the meeting to the public. There being no public comment that portion of the meeting was closed.

MOTION made by Mayor Carlin and seconded by Mr. Davis to grant Amended Final Major Site Plan approval for the installation of a Cogeneration Facility, contingent upon Mr. Hatfield's report of June 17, 2015. On roll call the following vote was recorded:

AYES: Mr. Davis, Mayor Carlin; Mr. Rife, Councilman Cantwell, Mr. Rivera, Mrs. Niles, Mr. Warner; Chairperson George

NAES: None

ABST: None

Chairperson George declared the motion carried.

Islamic Academy of Burlington County – Bock 109.31 Lot 5.03.

Applicant is requesting Major Preliminary & Final Amended Site Plan approval to expand the existing school to a 2 story building. This application was continued from the June 11, 2015 meeting.

Pat McAndrew, Esq. was present for the application. He introduced Nathan Mosley, PE; and Mohammad Zaki. All previously sworn in.

This application proposes the construction of a 2-story, 3,185 S.F. addition for six high school classrooms, a Pre-K classroom, a kindergarten classroom, a daycare room and an expanded cafeteria for an existing Mosque and Private School.

Mr. McAndrew submitted a picture of the front of building, marked as Exhibit A-6; a picture of the adjoining properties, marked as Exhibit a-7; and a diagram of the window elevations; marked as Exhibit A-8.

Mayor Carlin expressed concern with the safety of the children if there were an emergency with the height of the windows.

Mr. Hatfield suggested applicant consult the Burlington Township Fire Department.

Mayor Carlin expressed his concerns and stated he supports the enforcement of Title 39 for this application.

Councilman Cantwell agreed.

Mr. Zaki stated that his congregation is uncomfortable with Title 39.

At this time an extensive discussion occurred regarding the enforcement of Title 39.

Mr. Rijs questioned how the overflow of parking would be handled.

Mr. Zaki pointed out the areas of overflow parking would be located on the site plan.

At this time extensive discussion occurred regarding the need for Title 39 as a condition of approval.

At this time Chairperson George opened the meeting to the public.

Kimberly Jonas-Farmer – 74 Amherst Drive (sworn in)

Ms. Jonas-Farmer stated that the applicant has fixed the fence behind her property and thanked them.

There being no further public comment that portion of the meeting was closed.

Mr. Rijs suggested putting regular sized windows on the rear of the building.

Applicant agreed to take the suggestion into consideration.

Mr. McAndrew stated that applicant is willing to agree to the Title 39 if they can reserve the right to reappear before the Board to request that the condition be removed in the future.

MOTION made by Mayor Carlin and seconded by Mr. Davis to grant the construction of a 2-story, 3,185 S.F. addition for six high school classrooms, a Pre-K classroom, a kindergarten classroom, a daycare room and an expanded cafeteria for an existing Mosque and Private School. Contingent upon Mr. Hatfield's report of June 3, 2015; Mr. Rijs' report of June 1, 2015; and Mr. Fishinger's report of June 3, 2015. On roll call the following vote was recorded:

AYES: Mr. Davis; Mayor Carlin, Mr. Rife; Mrs. Niles, Mr. Warner, Chairperson George

NAES: None

ABST: Councilman Cantwell, Mr. Rivera,

Chairperson George declared the motion carried

Reports

Solicitor's Report

Mr. Germano requested approval of the following resolutions:

WaWa – Block 118 Lot 1, SPR#718a.

WaWa – Block 102 Lot 1.02, SPR#747.

MOTION made by Mayor Carlin and seconded by Mr. Rife to approve the above resolutions and make them part of the June 2015 minutes. On roll call the following vote was recorded:

AYES: All NAES: None

Chairperson George declared the motion carried.

Engineer’s Report

Mr. Hatfield stated that he had no report.

Planner’s Report

Mr. Rijs stated that he had no report.

Traffic Engineer’s Report

Mr. Fishinger stated that he had no report.

Adjournment

MOTION made by Mr. Rife and seconded by Mr. Davis to adjourn the meeting. On roll call the following vote was recorded:

AYES: All NAES: None

Chairperson George declared the motion carried.

RESPECTFULLY SUBMITTED,

EILEEN LISS, SECRETARY

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APPROVED: _____