

**TOWNSHIP OF BURLINGTON PLANNING BOARD
BURLINGTON COUNTY, NEW JERSEY
MINUTES OF AUGUST 6, 2014**

The regular meeting of the Township of Burlington Planning Board was held on Wednesday, August 6, 2014, at 7:30 p.m. at the Township Municipal Complex.

PRESENT: Robert Davis; Mayor Brian Carlin; Councilman Michael Cantwell; Lacy Walker; Joseph Sabatino; Celeste Niles; Alan Warner; Denis Germano, Esq., Board Solicitor; Scott Hatfield, PE, Board Engineer; and Matt Witkowski, PE, Board Traffic Engineer;

ABSENT: Matthew Tomaszewski, Fire Official; Delbert Rife; Israel Rivera; Charleen George; Kevin Rijs, PP, Board Planner

Joseph Augustyn, PP was present for Kevin Rijs, PP, Board Planner

Meeting was called to order by Vice-Chairman Davis. 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 December 31, 2013;
- (b) Mailing written notice to the Courier Post and Trenton Times on December 30, 2013, by certified mail, return receipt requested; hand delivered to the Burlington County Times on December 31, 2013, hand receipt obtained; and Legal Ad in the Burlington County Times on January 3, 2014;
- (c) Filing written notice with the Clerk of the Township of Burlington on December 31, 2013.

Approval of Minutes

Vice-Chairman Davis requested a Motion to approve the minutes of the June 4, 2014 meeting.

MOTION made by Mayor Carlin and seconded by Councilman Cantwell to approve the minutes of the June 4, 2014 regular meeting. On roll call the following vote was recorded:

AYES: Mayor Carlin, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mrs. Niles, Mr. Warner, Vice-Chairman Davis

NAES: None

ABST: None

Vice-Chairman Davis declared the motion carried.

Correspondence

Items of Correspondence are listed in Addendum I.

All items were received and filed.

Clarion Partners - Public hearing to determine whether the former Hercules Chemical Company site qualifies as an area or areas in need of redevelopment pursuant to the local redevelopment and housing law.

Joseph Augustyn was present and sworn in for the presentation. He submitted and reviewed the Clarion Partners/Former Hercules Tract Non-Condemnation Redevelopment Preliminary Investigation and Redevelopment Plan. He then gave an overview of the Redevelopment Area Criteria and Consistency Requirements.

At this time Vice-Chairman Davis opened the meeting to the public.

John Bentley - 514 Neck Road. (sworn in)

Mr. Bentley questioned transportation access to and from the site as well as the site plan.

Mayor Carlin explained that this meeting is to examine the area as redevelopment property, not to review site plan issues..

Mr. Witkowski stated that all truck traffic is directed towards Dulty's Lane.

Steve Rivera – 408 Neck Road. (sworn in)

Mr. Rivera questioned his rear property line that abuts the site and removal of any trees.

Mayor Carlin explained that it is the Board's job to make sure all residential areas are buffered appropriately.

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

MOTION made by Mr. Sabatino and seconded by Mr. Walker to identify this site as a redevelopment area. On roll call the following vote was recorded:

AYES: Mayor Carlin, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mrs. Niles, Mr. Warner, Vice-Chairman Davis

NAES: None

ABST: None

Vice-Chairman Davis declared the motion carried.

MOTION made by Mayor Carlin and seconded by Mr. Walker to adopt the Redevelopment Plan. On roll call the following vote was recorded:

AYES: Mayor Carlin, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mrs. Niles, Mr. Warner, Vice-Chairman Davis

NAES: None

ABST: None

Vice-Chairman Davis declared the motion carried.

McDonald's USA, LLC – 2102 Mt. Holly Road, Block 119, Lot 1.01.

Applicant is requesting Preliminary and Final Major Site Plan approval.

Duncan Prime, Esq. was present for the application. He introduced Scott Logan, McDonald's Construction Manager; Michael Jeitner, PE, Site Engineer; and Corey Chase, PE, Traffic Engineer. All were sworn in.

This application proposes to demolish a 5,282 SF building in the existing Liberty Square Shopping Center formerly occupied by Friendly's Restaurant and construct a 3,911 SF building along with appurtenant site improvements.

Mr. Jeitner gave a site plan overview, marked as Exhibit A-1, and a site plan dated June 17, 2014, marked as Exhibit A-2.

Applicant is requesting a waiver for the Traffic Impact Statement.

Applicant submitted the Proposed Drive Through Signage to the Board, marked as Exhibit A-3.

Mr. Chase offered testimony on the traffic analysis done.

Mr. Witkowski questioned the AM peak hour.

Mr. Chase explained that they focused on the PM peak hours because that is when the shopping center is at its busiest and would have the most impact.

Mr. Hatfield questioned the number of employees.

Mr. Logan stated that there will be no more than 12 employees per shift.

Mr. Sabatino expressed concern with the existing traffic pattern without including any additional traffic this site will generate.

At this time Vice-Chairman Davis opened the meeting to the public. There being no public comment that portion of the meeting was closed.

Mr. Hatfield reviewed his report of July 25, 2014. Applicant will comply with the report.

Mr. Augustyn reviewed Mr. Rijs' report of July 23, 2014. Applicant will comply with the report.

Mr. Witkowski reviewed his report of July 23, 2014. Applicant will comply with the report.

MOTION made by Mayor Carlin and seconded by Mr. Walker to grant Preliminary and Final Major Site Plan approval, contingent upon Mr. Hatfield's report of July 25, 2014; Mr. Rijs' report of July 23, 2014; and Mr. Witkowski's report of July 23, 2014. On roll call the following vote was recorded:

AYES: Mayor Carlin, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mrs. Niles, Mr. Warner, Vice-Chairman Davis

NAES: None

ABST: None

Vice-Chairman Davis declared the motion carried.

Tecoppa Real Estate, LLC, c/o Scott Dorfner – 811 Sunset Road, Block 105, Lot 5.04.

Cheryl Lynn Walters, Esq. was present the application. She introduced Robert Stout, PE and Dr. Scott Dorfner. Both were sworn in before the Board.

This application proposes parking and refuse management improvements to an existing site occupied by medical offices.

Mr. Stout reviewed a color rendering of the site plan, marked as Exhibit A-1. He stated that there are currently 59 parking spaces and they are proposing to add 26 more. The ADA spaces will be reconfigured for the additional spaces. There will be a total of 10 ADA spaces.

Applicant is requesting design exceptions for parking within 20' of the building and 19 parking spaces that are 18' long where a minimum of 20' is required.

Dr. Dorfner offered testimony on the operations. He stated that there are five suites in the building and reviewed the number of Doctors and employees in each.

At this time Vice-Chairman Davis opened the meeting to the public. There being no public comment that portion of the meeting was closed.

Mr. Hatfield reviewed his report of July 23, 2014. Applicant will comply.

Mr. Witkowski reviewed his report of July 23, 2014. Applicant will comply.

MOTION made by Mayor Carlin and seconded by Councilman Cantwell to grant Minor Site Plan approval and design exceptions for parking within 20' of the building, parking space length of 18', and providing bumper blocks in lieu of curbing. Contingent upon Mr. Hatfield's report of July 23, 2014 and Mr. Witkowski's report of July 23, 2014. On roll call the following vote was recorded:

AYES: Mayor Carlin, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mrs. Niles, Mr. Warner, Vice-Chairman Davis

NAES: None

ABST: None

Vice-Chairman Davis declared the motion carried.

MOTION made by Mayor Carlin and seconded by Councilman Cantwell to amend the previous Motion to include a design exception to permit 85 parking spaces where 119 are required. On roll call the following vote was recorded:

AYES: Mayor Carlin, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mrs. Niles, Mr. Warner, Vice-Chairman Davis

NAES: None

ABST: None

Vice-Chairman Davis declared the motion carried.

Reports

Solicitor – Resolutions

Mr. Germano requested a motion to approve the following resolutions:

Clarion Partners – to identify the site as a redevelopment area.

MOTION made by Councilman Cantwell and seconded by Mr. Walker to approve the above resolution and make it part of the June 2014 minutes. On roll call the following vote was recorded:

AYES: Mayor Carlin, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mrs. Niles, Mr. Warner, Vice-Chairman Davis

NAES: None

ABST: None

Vice-Chairman Davis declared the motion carried.

Clarion Partners – to adopt the Redevelopment Plan.

MOTION made by Mayor Carlin and seconded by Mr. Sabatino to approve the above resolution and make it part of the June 2014 minutes. On roll call the following vote was recorded:

AYES: Mayor Carlin, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mrs. Niles, Mr. Warner, Vice-Chairman Davis

NAES: None

ABST: None

Vice-Chairman Davis declared the motion carried.

Harikumar Rajappan – 1805 Route 130, Burlington, NJ Block 148.05, Lots 1 & 2. I-1 Industrial-Light.

Mayor Carlin stated that the Board has heard the case from the Board Secretary and Engineer requesting that the Board waive the bond requirement and gave consideration to it being a small business owner and making improvements to a site that has been abandoned and an eye sore for a long time. This consideration is given on a case by case basis.

MOTION made by Mayor Carlin and seconded by Mr. Sabatino to approve the above resolution with the changes proposed by Eileen Liss and Scott Hatfield to allow the bond requirements to be waived and make it part of the June 2014 minutes. On roll call the following vote was recorded:

AYES: Mayor Carlin, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mrs. Niles, Mr. Warner, Vice-Chairman Davis

NAES: None

ABST: None

Vice-Chairman Davis declared the motion carried.

Engineer's Report – Mr. Hatfield stated that he had no report.

Planner's Report – Mr. Augustyn stated that he had no report.

Traffic Engineer's Report – Mr. Witkowski stated that he had no report.

Adjournment

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

AYES: All NAES: None

Vice-Chairman Davis declared the motion carried.

RESPECTFULLY SUBMITTED,

EILEEN LISS, SECRETARY

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APPROVED: _____