

**TOWNSHIP OF BURLINGTON
BURLINGTON COUNTY, NJ 08016
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING, FEBRUARY 18, 2015**

The regular meeting of the Burlington Township Zoning Board of Adjustment was held on Wednesday, February 18, 2015, at 7:00 P.M. at the Township Municipal Complex.

PRESENT: Debbie Painter; Matthew Farr; Joseph Butler; David Gillespie; Jeff Mullen; Joseph DiGiovanni; Daniel Carducci; Varinder Bal; Kevin Aberant, Esq., Board Solicitor; Scott Hatfield, Board Engineer; Joseph Augustyn, Board Planner;

ABSENT: Richard Ransom; Toni Horner; David Vancamp; Janet Sharkey, Board Traffic Engineer.

The presence of the Board Traffic Engineer was not required at this meeting.

Vice-Chairman Gillespie called the meeting to order. He 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 Zoning Board of Adjustment 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 notice 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.

Correspondence

The correspondence was read by Mrs. Painter and filed.

Johnson's Specialized Transportation Services – 302 Elbow Lane, Block 120 Lots 3.01, 4.02 & 5.01. Zone I-1.

Applicant is requesting to modify previous approval conditions. Applicant was unable to complete all improvements related to his Use Variance within the 1-year time period set forth in the Township code.

Pat McAndrew, Esq. was present for the application. He introduced Russell Johnson, who was sworn in.

Mr. McAndrew referred to a case that he has spoken with Mr. Aberant about where the Appellate Court awarded an applicant a 2 year extension. He stated that Mr. Johnson is looking for that same relief.

Mr. Aberant stated that he recommends that applicant be given the same relief and an extension to July 2015.

Mr. McAndrew feels that concerns raised about the inspection should be handled separately from this application.

Mr. DiGiovanni expressed concern that applicant's presence before the Board was requested back in October of 2014 and is just now present along with a request for a two year extension.

Mr. Augustyn stated that the buffer screening has been installed but some have died. He will revisit the issue again in the spring for replacement of the plantings lost.

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

Mr. Aberant recommended that the Board adopt a resolution to amend the original resolution to reflect a date of completion for all improvements to July 18, 2015.

MOTION made by Mrs. Painter and seconded by Mr. Butler to adopt a resolution to amend the original resolution to reflect the two year period for completion to July 18, 2015. On roll call the following vote was recorded:

AYES: Mrs. Painter; Mr. Farr, Mr. Butler, Mr. Mullen, Mr. Carducci, Mr. Bal, Vice-Chairman Gillespie

NAES: Mr. DiGiovanni

ABST: None

Chairman Ransom declared the Motion carried.

2015 Rules and Regulations

Mr. Aberant recommended that a rule banning electronics during the meetings be added to the Rules and Regulations.

Vice-Chairman Gillespie stated that the recommendation will be added for the Boards review and action to be taken at the March meeting.

Reports

Solicitor's Report – Mr. Aberant requested a motion to approve the following resolutions:

Laura & Michael Cannon – 11 Whitford Drive, Block 129.16, Lot 1, Zone R-20 MPRD.

MOTION made by Mr. Farr and seconded by Mr. Mullen to approve the above resolutions and that they be made part of the January 2015 minutes. On roll call the following vote was recorded:

AYES: Mrs. Painter; Mr. Farr, Mr. Butler, Mr. Mullen, Mr. DiGiovanni, Mr. Carducci, Mr. Bal, Vice-Chairman Gillespie

NAES: None

ABST: None

Vice-Chairman Gillespie declared the Motion carried.

Terri Realty Associates, LLC – 3 Terri Lane, Block 120.03, Lot 2, Zone I-1.

MOTION made by Mr. Farr and seconded by Mr. Mullen to approve the above resolutions and that they be made part of the January 2015 minutes. On roll call the following vote was recorded:

AYES: Mrs. Painter; Mr. Farr, Mr. Butler, Mr. Mullen, Mr. DiGiovanni, Mr. Carducci, Mr. Bal, Vice-Chairman Gillespie

NAES: None

ABST: None

Vice-Chairman Gillespie declared the Motion carried.

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

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

Zoning Report – Mrs. Liss stated that she had no report.

Approval of Minutes

Vice-Chairman Gillespie requested a Motion to approve the minutes of the January 21, 2015 Reorganizational and Regular meetings.

MOTION made by Mr. Farr and seconded by Mr. Butler to approve the minutes from the January 21, 2015 Reorganizational and Regular meetings On roll call the following vote was recorded:

AYES: Mrs. Painter; Mr. Farr, Mr. Butler, Mr. Mullen, Mr. DiGiovanni, Mr. Carducci, Mr. Bal, Vice-Chairman Gillespie

NAES: None

ABST: None

Vice-Chairman Gillespie declared the Motion carried.

Adjournment

There being no further business, **MOTION** made by Mr. Farr and seconded by Mr. DiGiovanni carried unanimously, that this meeting be adjourned.

On roll call the following vote was recorded:

AYES: All NAES: None

Vice-Chairman Gillespie declared the Motion carried.

There being no further business, Vice-Chairman Gillespie adjourned the meeting.

Respectfully submitted,

Eileen Liss, Secretary

APPROVED: _____
/kaa