

**TOWNSHIP OF BURLINGTON
BURLINGTON COUNTY, NJ 08016
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING, APRIL 16, 2014**

The regular meeting of the Burlington Township Zoning Board of Adjustment was held on Wednesday, April 16, 2014, at 7:00 P.M. at the Township Municipal Complex.

PRESENT: Mrs. Painter; Mr. Butler; Mr. Gillespie; Mr. Farr; Mr. DiGiovanni; Ms. Howell; Mr. VanCamp; Mr. Ransom; Mr. Aberant, Esq., Board Solicitor; Mr. Hatfield, Board Engineer; Mr. Augustyn, Board Planner; Mr. Witkowski, Board Traffic Engineer

ABSENT: Mrs. Horner; Mr. Mullen; Mrs. Craig;

Chairman Ransom called the meeting to order. 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 Zoning Board of Adjustment 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; delivered notice 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.

Correspondence

Mr. Gillespie read the correspondence as listed on Addendum I. All correspondence was received and filed.

Christopher G. Schmalz – 102 Connor Court, R-20 Zone, Bock 139.01, Lot 417.

Applicant is requesting the construction of a 6' fence in a front yard where 4' is the maximum allowed and any additional variance's the Board may require.

Christopher Schmalz was present and sworn before the Board. He explained that he lives on a corner lot and currently has a 4' fence. He would like a 6' privacy fence for security. H added that they are expecting their first child soon and would like the 6' fence for safety. The fence will be a 6' white vinyl fence.

Mr. DiGiovanni questioned the placement of the fence.

Mr. Schmalz explained that his intentions are to install a fence on the other side as well.

Mr. Hatfield stated that the variance would be valid for one year so both sides would have to be completed within one year.

Mr. Hatfield reviewed his report of April 9, 2014.

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

MOTION made by Mrs. Painter and seconded by Mr. Butler to grant the construction of a 6' fence in a front yard where 4' is the maximum allowed, contingent upon Mr. Hatfield's report of April 9, 2014. On roll call the following vote was recorded:

AYES: Mrs. Painter, Mr. Butler, Mr. Gillespie, Mr. Farr, Mr. DiGiovanni, Mr. VanCamp, Chairman Ransom

NAES: None

ABST: None

Chairman Ransom declared the Motion carried.

Ms. Howell arrived at this time in the meeting.

Chairman Ransom stated that he will reclude himself from the meeting and Vice-Chairman Gillespie will continue with the meeting.

The Dolan Group XV, LLC – 15 Campus Drive, BLI-1 and R-12 Zones. Bock 102, Lot 1.09.

Application submitted for Preliminary and Final Site Plan and a Use Variance to construct a warehouse/distribution facility and to permit trailer parking and tractor trailer circulation within an R-12 Zone along with and various bulk variances and design exceptions.

Pat McAndrew, Esq. was present for the application. He introduced Mike Dolan, Applicant, and Mike Citerone, PE. Both were sworn in.

This application proposes the construction of a 179,833 SF warehouse building along with appurtenant parking, utility, drainage, landscaping, and lighting improvements.

Mr. Dolan offered testimony on the company and their intentions with the proposed building. They do not have a tenant lined up for this building, however, two parties have expressed interest in the property.

Mr. Aberant questioned if the sale of the property would be contingent upon approval of this application.

Mr. Dolan stated that the potential buyer would purchase upon approval of this application.

Mr. Witkowski questioned the number of employees.

Mr. Dolan stated that out of the two companies that are currently showing interest the most would be 50 employees.

Mr. Witkowski questioned deliveries.

Mr. Dolan stated that there are 10-15 trucks per day.

Mr. Citerone gave a site plan overview.

At this time an extensive discussion occurred regarding emergency access.

Mr. Hatfield questioned County approval.

Mr. Citerone stated that they will be submitting all information to the County soon.

Mr. VanCamp questioned the impervious coverage.

Mr. Hatfield explained that 50% lot coverage is low for this type of site.

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. Augustyn reviewed his report of April 10, 2014, updated from his February 14, 2014 report. He made suggestions on the landscaping.

Mr. Witkowski reviewed his report of January 29, 2014. He recommends approval of the waiver from submitting a Traffic Impact Report based upon the applicant not exceeding 5% of office space for the building.

Mr. Hatfield reviewed his report of April 9, 2014, updated from his February 12, 2014 report.

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

MOTION made by Mrs. Painter and seconded by Mr. DiGiovanni to grant a Use Variance to construct a warehouse/distribution facility with trailer parking and tractor trailer circulation within an R-12 Zone.

On roll call the following vote was recorded:

AYES: Mrs. Painter, Mr. Butler, Mr. Farr, Mr. DiGiovanni, Ms. Howell, Mr. VanCamp, Vice-Chairman Gillespie

NAES: None

ABST: None

Vice-Chairman Gillespie declared the Motion carried.

MOTION made by Mr. DiGiovanni and seconded by Mr. Farr to grant Preliminary and Final Site Plan approval. Contingent upon Mr. Augustyn's report of April 10, 2014; Mr. Witkowski's report of January 29, 2014 and Mr. Hatfield's report of April 9, 2014. On roll call the following vote was recorded:

AYES: Mrs. Painter, Mr. Butler, Mr. Farr, Mr. DiGiovanni, Ms. Howell, Mr. VanCamp, Vice-Chairman Gillespie

NAES: None

ABST: None

Vice-Chairman Gillespie declared the Motion carried.

Mr. Witkowski excused himself from the meeting at this time.

Ms. Howell had to reclude herself from the Board for the next application.

New Life Cathedral Primitive Baptist Church – 1106 Sunset Road, B-3 Zone. Block 102.01, Lot 3.11 C1106.

Applicant is requesting a Use Variance to open a House of Worship in a B-3 Zone.

Dorian Morgan, Esq. was present for the application. He introduced Pastor Eric Wallace and David Singer, both sworn in.

Pastor Wallace stated that they currently have 30 members. They have bible study during the week at 7:30pm to 9:00pm. Their services are Sunday from 10:00am to 1:00pm and Wednesday from 7:30pm to 9:00pm. He submitted a revised floor plan to the Board.

Mr. Augustyn reviewed his report of March 17, 2014.

James Filler, Property Owner, was present and sworn before the Board. He explained the shopping center is a condominium and that he only owns 27% of the shopping center. He is willing to contact the other 2 owners and make improvements to the common area.

Mr. Filler's attorney was present and stated that he will take responsibility for all common areas of the shopping center.

Mr. Hatfield requested that the existing signage for the vacant tavern be taken down.

Mr. Filler's attorney reviewed they photos and stated that the signs will be taken down.

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

MOTION made by Mrs. Painter and seconded by Mr. Butler to grant a Use Variance to open a House of Worship in a B-3 Zone and site plan waiver. Contingent upon Mr. Augustyn's report of March 17, 2014 and meeting with the Board Engineer to review the improvements required for the parking lot and other common areas. On roll call the following vote was recorded:

AYES: Mrs. Painter, Mr. Butler, Mr. Farr, Mr. DiGiovanni, Mr. VanCamp, Vice-Chairman Gillespie

NAES: None

ABST: None

Vice-Chairman Gillespie declared the Motion carried.

Ms. Howell rejoined the Board at this time.

Miscellaneous

A. 2014 Rules & Regulations

Mrs. Painter offered recommendations to several grammar corrections.

MOTION made by Mr. Farr and seconded by Mr. Butler to adopt the 2014 Rules & Recommendations as amended. On roll call the following vote was recorded:

AYES: All NAES: None

Vice-Chairman Gillespie declared the Motion carried.

Reports

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

Christopher R. Mozdy – 1 Braxton Lane, R-12 Zone, Block 109.14, Lot 11.

MOTION made by Mr. Farr and seconded by Ms. Howell to approve the above resolution and that it be made part of the March 2014 minutes. On roll call the following vote was recorded:

AYES: Mr. Butler, Mr. Farr, Ms. Howell, Mr. VanCamp, Vice-Chairman Gillespie

NAES: None

ABST: Mrs. Painter, Mr. DiGiovanni

Vice-Chairman Gillespie declared the Motion carried.

TJC Development, LLC – 2315 Rancocas Road, Block 110, Lot 1, I-1 Zone with an Age Restricted Housing Overlay.

MOTION made by Ms. Howell and seconded by Mr. DiGiovanni to approve the above resolution and that it be made part of the March 2014 minutes. On roll call the following vote was recorded:

AYES: Mr. Butler, Mr. Farr, Mr. DiGiovanni, Ms. Howell, Vice-Chairman Gillespie

NAES: None

ABST: Mrs. Painter, Mr. VanCamp

Vice-Chairman Gillespie declared the Motion carried.

Engineer's Report – Mr. Hatfield reported on Johnson's Specialized Transportation.

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

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

Approval of Minutes

Vice-Chairman Gillespie requested a Motion to approve the minutes of the March 19, 2014 Regular meeting.

Mrs. Painter stated that she was not present at that meeting and would like the minutes corrected to reflect that.

MOTION made by Mr. DiGiovanni and seconded by Ms. Howell to approve the minutes from the March 19, 2014 Regular meeting with the correction. On roll call the following vote was recorded:

AYES: All NAES: 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

There being no further business, Chairman Ransom adjourned the meeting.

Respectfully submitted,

Debbie Painter, Secretary

APPROVED: _____
/kaa