

**TOWNSHIP OF BURLINGTON
BURLINGTON COUNTY, NJ 08016
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING, FEBRUARY 19, 2014**

The regular meeting of the Burlington Township Zoning Board of Adjustment was held on Wednesday, February 19, 2014, at 7:00 P.M. at the Township Municipal Complex.

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

ABSENT: Mrs. Horner; Mrs. Craig; Mr. DiGiovanni; Mr. Witkowski, Board Traffic Engineer

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

Mrs. Painter read the correspondence as listed on Addendum I. All correspondence was received and filed.

Lara & Allan Schwager – 68 Equestrian Drive, R-12 Zone. Block 147.12, Lot 1.

Applicant is requesting the installation of an in-ground pool in a front yard.

Mr. Schwager was present for the application (sworn in). He explained that his property sits on the corner of Mustang Street and Equestrian Drive. The house faces Mustang Street but both streets are considered his front yard. There is a 6 foot privacy fence on the Mustang Street side of the property. He also stated that the proposed pool will be 14.5'x30'.

Mr. Hatfield reviewed his memorandum, dated February 12, 2014. He submitted pictures of the property to the Board for their review. He recommended that it be made a condition of approval that any pool filter backwash discharge not be directed towards the adjoining residential properties.

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. Farr to grant the installation of an in-ground pool in the front yard contingent upon Mr. Hatfield's letter dated February 12, 2014 and pool filter backwash discharge not be directed towards the adjoining residential properties.

On roll call the following vote was recorded:

AYES: Mrs. Painter, Mr. Butler, Mr. Gillespie, Mr. Mullen, Mr. Farr, Ms. Howell, Mr. VanCamp, Chairman Ransom

NAES: None

ABST: None

Chairman Ransom declared the Motion carried.

Chairman Ransom had to reclude himself from the Board for the next application. Vice-Chairman Gillespie continued with the meeting.

Fran Dungo (5 Points Auto Body) – 1415 Route 130, B-2 Zone, Block 146, Lot 3.01.

Applicant is requesting a Site Plan waiver and to amend a prior Use Variance to expand an impound yard to accommodate trailers.

Pat McAndrew, Esq. was present for the application. He introduced Fran Dungo, owner and Bruce Flynn, owner of towing company. (both sworn in)

Applicant is requesting a Waiver of Site Plan in connection with the current Use Variance Application seeking to expand an existing impound yard by approximately 4,500 SF in order to accommodate larger vehicles such as tractor-trailers.

Mr. Dungo explained that he is looking to expand the impound lot.

Mr. Flynn offered testimony on the operations of the impound yard. He stated that there will be a maximum of 5 tractor trailers stored at any one time at this facility.

Mr. Hatfield questioned the existing pavement with the tractor trailers. He suggested an apron of pavement or heavy stone at the entrance. Applicant agreed.

Mr. Flynn explained the process when he tows and impounds a vehicle. Also, if the situation involves fuel. He is trained in handling hazmat material.

Mr. Augustyn reviewed his report and photos taken on the site on February 18, 2014.

Mr. Hatfield reviewed his memorandum of February 12, 2014. He suggested a heavy duty stone or pavement apron be installed at the entrance of the lot.

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 Mr. Farr and seconded by Mr. Butler to modify the previously approved Use Variance permitting up to 5 Tractor Trailer size vehicles on the site. Contingent upon pavement or heavy stone at the entrance; any new fencing match the existing fence; applicant will provide an updated plan to the Township Engineer; Mr. Augustyn's report of February 18, 2014; and Mr. Hatfield's letter of February 12, 2014. On roll call the following vote was recorded:

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

NAES: None

ABST: None

Vice-Chairman Gillespie declared the Motion carried.

Chairman Ransom rejoined the Board at this time.

RW Real Estate Company, LLC – 4428 Route 130, Zones 130 Zones BLI-1 and B2. Block 99. Lot 8.01.

Application submitted for Amended Final Site Plan approval to permit the reconfiguration of the building increasing the building footprint by 724 sq., and reconfiguring the drive aisles and parking areas for a new car dealership.

John Gillespie, Esquire was present for the application. He introduced Wayne Hileman, owner and Robert Stout, PE. (both sworn in)

This application proposes the construction of a 23,421 SF building, which represents a 734SF increase over the prior approvals and is also making certain modifications to the building access and parking areas.

Mr. Stout gave a site plan overview, marked as Exhibit A-1, and the sign elevations, marked as Exhibit A-2. He then reviewed the Building Elevations, marked as Exhibit A-3, and previously approved 2005 Site Plan, marked as Exhibit A-4.

Mr. Hatfield reviewed his report of February 12, 2014.

Mr. Augustyn reviewed his report of February 14, 2014. He recommended the installation of sidewalks.

Mr. Hatfield questioned the construction schedule.

Mr. Hileman stated that he would like to get started within the next month or two depending on the weather.

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 Mr. Gillespie and seconded by Mr. Butler to grant Amended Final Major Site Plan approval contingent upon Mr. Hatfield's report dated February 12, 2014 and Mr. Augustyn's report dated February 14, 2014. On roll call the following vote was recorded:

AYES: Mrs. Painter, Mr. Butler, Mr. Gillespie, Mr. Mullen, Mr. Farr, Ms. Howell, Mr. VanCamp, Chairman Ransom

NAES: None

ABST: None

Chairman Ransom declared the Motion carried.

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

Applicant is requesting a continuance to the March 19, 2014 meeting.

MOTION made by Mr. Farr and seconded by Ms. Howell to grant a continuance to the March 19, 2013 meeting. On roll call the following vote was recorded:

AYES: Mrs. Painter, Mr. Butler, Mr. Gillespie, Mr. Mullen, Mr. Farr, Ms. Howell, Mr. VanCamp, Chairman Ransom

NAES: None

ABST: None

Chairman Ransom declared the Motion carried.

Reports

Solicitor's Report – Mr. Aberant stated he had no report.

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

