

**TOWNSHIP OF BURLINGTON PLANNING BOARD  
BURLINGTON COUNTY, NEW JERSEY  
MINUTES OF SEPTEMBER 13, 2012**

The regular meeting of the Township of Burlington Planning Board was held on Thursday, September 13, 2012, at 7:30 P.M. at the Township Municipal Complex.

**PRESENT:** Mayor Brian Carlin, Councilman Michael Cantwell, Lacy Walker, Joseph Sabatino, Israel Rivera, Celeste Niles, Patricia Siboczy, Charleen George, Denis Germano, Esq., Board Solicitor, Scott Hatfield, PE, Board Engineer; Kevin Rijs, PP, Board Planner; Matt Witkowski, PE, Board Traffic Engineer

**ABSENT:** Robert Davis, William Diamond, Delbert Rife,

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 December 27, 2011;
- (b) Mailing written notice to the Courier Post on December 28, 2011, by certified mail, return receipt requested; hand delivered to the Burlington County Times on December 27, 2011, hand receipt obtained; and Legal Ad in the Burlington County Times on December 29, 2011;
- (c) Filing written notice with the Clerk of the Township of Burlington on December 27, 2011.

**Approval of Minutes**

Chairperson George requested a Motion to approve the minutes of the August 9, 2012 Regular meeting.

**MOTION** made by Mayor Carlin and seconded by Mr. Walker to approve the minutes from the August 9, 2012 Regular meeting. On roll call the following vote was recorded:

AYES: Mayor Carlin, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mr. Rivera, Mrs. Niles, Mrs. Siboczy, Chairperson George

NAES: None

ABST: None

Chairperson George declared the motion carried.

**Correspondence**

Items of Correspondence are listed in Addendum I.

All items were received and filed.

**WaWa Store #943, Rt. 541-Burlington-Mt. Holly Road**

Applicant is requesting Minor Site Plan approval to eliminate the left hand turn restriction exiting on to Route 541.

Timothy Prime, Esq. was present for the application. He introduced Andrew Feranda, PE, Traffic Engineer and Jim Bannon, PE. (both sworn in)

Applicant is proposing minor revisions to the existing WaWa Store site on Burlington-Mt. Holly Road (CR 541) which include revisions to the entrance/exit configuration to allow for left turns out of the site onto Route 541 and provide for a paved cross access with the adjacent Wishing Well Plaza (Block 116, Lot 2).

Applicant requested that a color rendering of the site plan be marked as Exhibit A-1.

Mr. Prime stated that when this application was originally approved in 2005 right-hand-turns only were permitted for egress. He explained that this has caused a problem with people using private property to make u-turns after leaving WaWa. He stated that County approval has been obtained to allow left turns out of the site.

Mr. Feranda stated that he has visited the site and done traffic counts as well as gap observations.

An extensive discussion occurred regarding the potential increase in left turns if this application is approved.

Mr. Sabatino expressed concern with the cross easement and Chick-fil-A customers exiting through the WaWa site to make a left turn. Councilman Cantwell expressed concern about the same.

Chairperson George expressed concern with the other business' coming back before the Board to get approvals for left turns out onto Rt.541 if this is approved.

Mayor Carlin expressed concern about the increase in traffic making the left-hand-turn out of the site since it will be more convenient for people that wouldn't normally stop there if they are heading in the opposite direction.

Mr. Witkowski reviewed his report of August 21, 2012. He expressed concern with the stacking of vehicles exiting the site. He suggested that the applicant reconfigure the parking spots in that area and widen the storage area to allow for an extension of the turning lanes which would ultimately provide additional storage and help with the stacking issue.

An extensive discussion occurred at this time regarding Mr. Witkowski's suggestion.

Mr. Prime stated that applicant is now requesting a design exception to eliminate 7 parking spaces to allow for an extension of the turning lanes.

Mr. Hatfield reviewed his report of August 12, 2012.

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

Manjit Guleria – Burlington-Mt. Holly Road, Business owner. (sworn in)

Mr. Guleria expressed concern with the safety of allowing a left turn.

Mayor Carlin explained that this Board does not have jurisdiction over Rt.541, only the site itself.

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

**MOTION** made by Mayor Carlin and seconded by Councilman Cantwell to grant Minor Site Plan Approval and a design exception to reduce the parking by 7 spaces. Contingent upon Mr. Witkowski's report of August 21, 2012, Mr. Hatfield's report of August 21, 2012 and an amendment to the site plan to extend the stacking lanes. On roll call the following vote was recorded:

AYES: Mayor Carlin, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mr. Rivera, Mrs. Niles, Mrs. Siboczy, Chairperson George

NAES: None

ABST: None

Chairperson George declared the motion carried.

**DKR Holdings, LLC** – Block 144, Lots 5, 5.02 & 6.

Applicant is requesting Revised and Final Major Sub-division approval.

Michael McGee, Esq. was present for the application. He introduced Jeff Richter, PE. (sworn in)

This application proposes the construction of 41 single-family dwelling units and two (2) storm water management lots. This project is located on four existing lots totaling 19.51 acres that presently consist of two vacant residential dwellings with surrounding agricultural lands. The property is zoned R-12 Medium Density Residential.

Mr. McGee stated that applicant is requesting a waiver from providing architectural details since they have not yet signed a builder for the project.

Mr. Hatfield reviewed his report of September 11, 2012.

Mr. Richter offered testimony on the Offsite Sanitary Sewer Connection.

Applicant is requesting a waiver for the Market Feasibility Study.

Mr. Richter offered testimony on phasing.

Mr. Germano suggested applicant request approval without the phasing and come back before the Board with the Phasing Plan if they decide to phase the site improvements. Applicant agreed.

Mr. Witkowski reviewed his report of September 10, 2012. He stated that all items in his previous report have been addressed.

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

James Pinto – 14 Goodyear Lane (sworn in)

Mr. Pinto expressed concern with the sidewalk installation, sewer lines, potential need for sewer pumps in the existing homes and the cost of these items for the existing home owners.

Mr. McGee stated that applicant has agreed to pay for half of the sewer connection fee for the existing property owners on Goodyear Lane.

Councilman Cantwell stated that there are 12 conditions currently and suggested having applicant address the conditions before consideration is given for approval.

Mayor Carlin expressed concern with the types of conditions that are still outstanding.

Frank Cai – 28 Lardner Road. (sworn in)

Mr. Cai expressed concern with the sewage odors that currently exist and questioned why the applicant hasn't addressed it.

Mr. Hatfield explained that it is not the applicant's responsibility since it is not a result of their development issue. He stated that it is being investigated by the Township.

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

**MOTION** made by Mayor Carlin and seconded by Mr. Walker to grant a continuance to the November 8, 2012 meeting. On roll call the following vote was recorded:

AYES: Mayor Carlin, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mr. Rivera, Mrs. Niles, Mrs. Siboczy, Chairperson George

NAES: None

ABST: None

Chairperson George declared the motion carried.

**Reports**

Solicitor's Report

Mr. Germano requested that the following resolution be approved:

**Signature Solar LLC (Balford Farm Solar Array)** – Block 121, Lot 1.

**MOTION** made by Mrs. Siboczy and seconded by Mr. Walker to approve the above resolution and that they be made part of the August 9, 2012 minutes. On roll call the following vote was recorded:

AYES: Mayor Carlin, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mr. Rivera, Mrs. Niles, Mrs. Siboczy, Chairperson George

NAES: None

ABST: None

Chairperson George declared the motion carried.

Engineer's Report

Mr. Hatfield stated that he has no report.

Planner's Report

Mr. Rijs stated that he has no report.

Traffic Engineer's Report

Mr. Witkowski stated that he has no report.

**Adjournment**

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

AYES: All      NAES: None

Chairperson George declared the motion carried.

RESPECTFULLY SUBMITTED,

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**EILEEN LISS, SECRETARY**

kaa  
APPROVED: \_\_\_\_\_