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Florence, New Jersey 08518-2323
January 15, 2007

The Reorganization/Regular meeting of the Florence Township Planning Board was held on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Board Clerk Nancy Erlston called the meeting to order at 7:30 P.M. followed by a salute to the flag.

Board Clerk Erlston then read the following statement: I would like to announce that this meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been provided to the official newspapers and posted in the main hall of the Municipal Complex.”

Upon roll call the following members were found to be present:

Gene DeAngelis	Dennis A. O’Hara
Councilman Fratinardo	John T. Smith
Mildred Hamilton-Wood	Sean Ryan
Mayor Muchowski	Wayne Morris

ABSENT: None

ALSO PRESENT: Solicitor Nancy Abbott
 Engineer Dante Guzzi
 Planner Lisa Specca

Solicitor Abbott called for Gene DeAngelis, Sean Ryan, and John Fratinardo to stand while she administered the oath of office. Mr. Morris had been previously sworn. The newly sworn members were then seated.

Board Clerk Erlston called for nominations for Chairperson of the Board. Councilman Fratinardo nominate Mildred Hamilton-Wood. The nomination was seconded by Member Smith. Hearing no other nominations, motion was made by Fratinardo, seconded by O’Hara to close nominations. Motion unanimously approved by all members present. The Board then unanimously approved Ms. Hamilton-Wood as Chairperson. Chairperson Hamilton-Wood was then seated. Chairperson Hamilton-Wood thanked the Board for the nomination and election.

Chairperson Hamilton-Wood then called for nominations for Vice Chairman. Motion of Smith, seconded by Fratinardo to nominate Dennis O’Hara. Hearing no other nominations, motion was made by DeAngelis, seconded by Fratinardo to close nominations. Motion unanimously approved by all members present. The Board then unanimously approved Mr. O’Hara as Vice Chairman. Mr. O’Hara thanked the Board for the nomination and election.

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Chairperson Hamilton-Wood called for nominations for Secretary. Motion of Fratinardo, seconded by Ryan to nominate John Smith. Hearing no other nominations, motion was made by O'Hara and seconded by DeAngelis to close nominations. Motion unanimously approved by all members present. The Board then unanimously approved Mr. Smith as Secretary of the Board. Mr. Smith thanked the members of the Board.

Chairperson Hamilton-Wood called for nominations for Clerk of the Board. Motion of Fratinardo, seconded by DeAngelis to nominate Nancy Erlston. Hearing no other nominations motion was made by O'Hara and seconded by Smith to close nominations. Motions unanimously approved by all members present. The Board then unanimously approved Ms. Erlston as Clerk of the Board. Ms. Erlston thanked the Board.

Mayor Muchowski welcomed Wayne Morris as the new alternate member of the Board.

Chairperson Hamilton-Wood asked for nominations for Board Solicitor. Member O'Hara asked if the Board was permitted to approve all the professionals at one time. Solicitor Abbott stated that this would be permitted.

Motion of O'Hara to approve the appointment of Nancy Abbott as Board Solicitor, Dante Guzzi as Board Engineer and the firm of Clark Caton Hintz as Board Planner. The motion was seconded by Member Fratinardo. Motion unanimously approved by all members present.

RESOLUTIONS

Mayor Muchowski asked if since Resolutions PB-2007-01, PB-2007-02, and PB-2007-03 were administrative in nature could they be taken as a whole. Solicitor Abbott stated that this would be acceptable.

Resolution PB-2007-01
Authorizing appointment of Planning Board Solicitor, Engineer and Planner.

Resolution PB-2007-02
Annual schedule of meetings of the Florence Township Planning Board

Resolution PB-2007-03
To readopt the Florence Township Planning Board Administrative Rules.

Motion of O'Hara, seconded by Fratinardo to approve Resolutions PB-2007-01, PB-2007-02, and PB-2007-03.

Upon roll call the Board voted as follows:

YEAS: DeAngelis, Fratinardo, Muchowski, O'Hara, Ryan, Smith,
Hamilton-Wood

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NOES: None
ABSENT: None

Resolution PB-2007-04
Granting Preliminary Major Site Plan approval with bulk variances and design standard waivers to Harold M. Boston for construction of an office building on Block 147.01, Lot 3.03, located in an SM Special Manufacturing Zone.

Motion of Fratinardo, seconded by Ryan to approve Resolution PB-2007-04.

On the question:

Mayor Muchowski said that in the approving resolution it referenced a wood stockade fence. The Board has agreed to a wood fence in the rear of the property, but required a vinyl fence on the two sides of the property. Solicitor Abbott directed the Board to page 8 of the resolution. Condition 15 states that a 6' high vinyl fence shall be installed on the side property line.

Mayor Muchowski questioned as to whether the sidewalk would be from the property out to Delaware Avenue or if the applicant were unable to do this because of easements then they would place the sidewalk in front of their property. Solicitor Abbott said that if the applicant is unable to run the sidewalk out to Delaware Avenue then they would have to come back before the Board for an amendment.

Jonas Singer, attorney for the applicant said that he thought that the testimony was that the sidewalk would be constructed within the right of way from the property line out to Delaware Avenue. Chairperson Hamilton-Wood stated that this is true, but if for some reason outside of the applicant's control they were unable to construct the walk, they would then come back before the Board.

Attorney Singer said that he would prefer that there was language in the resolution addressing this so that the applicant would not have to come back before the Board. Mayor Muchowski asked if the sidewalk couldn't be installed in that location that it be installed in another location approved by the Board Engineer.

Chairperson Hamilton-Wood asked for a roll call to approve the resolution as amended.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, O'Hara, Smith, Hamilton-Wood
NOES: None
ABSENT: None

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Resolution PB-2007-05

Granting of submission waiver, deeming incomplete and continuing the application of Richard and Annette Gaglio for Minor Subdivision approval with bulk variances for Block 166, Lot 16 located in an R Low Density Residential District.

Motion of Fratinardo, seconded by O'Hara to approve Resolution PB-2007-05.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, O'Hara, Smith, Hamilton-Wood.
NOES: None
ABSENT: None

Resolution PB-2007-06

Continuing the application of Joseph Gallina for amended Preliminary Major Site plan approval with bulk variances and Final Major Site plan approval for a restaurant, retail use and apartments on Block 110, Lots 3.01 and 8.01, located in an NC Neighborhood Commercial District.

Motion of Smith, seconded by O'Hara to approve Resolution PB-2007-06.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, O'Hara, Smith, Hamilton-Wood
NOES: None
ABSENT: None

Resolution PB-2007-07

Dismissing without prejudice the application of CBC New Home Building for Preliminary and Final Major Subdivision approval and Preliminary and Final Major Site plan approval for Block 171.01, Lot 1.01 located, in an AGR Agricultural Zoning District.

Motion of Fratinardo, seconded by O'Hara to approve PB-2007-07.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, O'Hara, Smith, Hamilton-Wood
NOES: None
ABSENT: None

MINUTES

Motion of Ryan, seconded by Fratinardo to approve the Minutes of the December 18, 2006 meeting as submitted. Motion unanimously approved by all members present.

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CORRESPONDENCE

Chairperson Hamilton-Wood stated that there was Correspondence A through F. She stated that C, D, and E should be held for future discussion and A, E, and F should be received and filed.

Mayor Muchowski said that he could give a quick overview on C, D, and E. He stated that various people had noticed work going on at Griffin Pipe. He asked Engineer Guzzi to take a look to determine what the scope was. He reminded the Board of the application that Griffin Pipe had filed previously for approval of a stormwater tank. Mayor Muchowski stated that this was all in regards to that and a consent order that they have agreed to with the DEP. The Township has informed the DEP that they have not had the opportunity to review the TWA application or permit and in the opinion of the Township some of it requires site plan approval before the Planning Board. The DEP agreed with this. Griffin Pipe has been apprised on this and the Township is waiting to see if they would be filing an application before they would sign off on the TWA.

Member O'Hara referred to Correspondence F and thanked the Township for naming the streets in honor of former governor Chief Justice Richard Hughes and Judge Paul Kramer.

Motion of O'Hara, seconded by Ryan to receive and file Correspondence A through F. Motion unanimously approved by all members present.

INFORMAL PRESENTATION

Chairperson Hamilton-Wood called for the informal presentation by Cathy Lane LLC for proposed development of 61 Cathy Lane, Block 163.01, Lots 3.01 and 3.04.

Mayor Muchowski informed the applicant that he would have 15 minutes for the presentation.

Toby Chrowstowski stated that he was president of Cathy Lane, LLC and of JOTTAN Roofing who will be the primary tenant on the property. He stated that JOTTAN Roofing was an award winning commercial roofing contractor. He stated that they had been in business for more that 30 years. He stated that JOTTAN Roofing is very safety conscious and is top rated in the roofing industry.

Mr. Chrowstowski said that he has a long term plan to improve this site. He understands that this property has been an eyesore for a very long time. As a prerequisite to JOTTAN buying the property they mandated that the site be cleaned up and brought up to code. He stated that they have greatly improved the appearance of the property.

Mr. Chrowstowski stated that they have lost the lease for their current location and they have to move. Originally the long-term plan was to do a feasibility study of the site to

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determine where was the best place for their shop. The site is approximately 8 acres and they only need 3 acres for the roofing business.

In the meantime they want to move their entire facility from Mansfield to Cathy Lane and utilize the existing office facility. Mr. Chrowstowski stated that the existing office is unattractive and is not large enough for his staff. In order to accommodate his entire staff they are proposing to put a temporary office structure behind the existing building. Most of the temporary office will not be seen from the street.

Mayor Muchowski asked what the definition of temporary was. Chairperson Hamilton-Wood stated that in the proposal it says 3 years.

Mr. Chrowstowski said they were proposing to re-side the existing building and then put the temporary office structure behind it and re-side the temporary structure to match. This would only be a short-term solution.

Mr. Chrowstowski said that they anticipated that from the feasibility study in the beginning to getting the certificate of occupancy and then dismantling and removing the temporary office structure it would take approximately 3 years. They are trying to use this as a means to be able to run their business from the site at the same time as they are improving the site.

Mayor Muchowski asked how long JOTTAN had owned this property. Mr. Chrowstowski stated that they had settled on the property on December 21, 2006. They had been negotiating for months.

Mayor Muchowski stated that an informal proposal is a conceptual plan. What Mr. Chrowstowski really was asking was could they have a trailer for 3 years. Mr. Chrowstowski said that this was an IBC modular office building. Mayor Muchowski said that an informal is just a conceptual presentation. What Mr. Chrowstowski was asking was for the Board to give him permission to have a trailer for 3 years. Chairperson Hamilton-Wood stated that the Board was not educated enough about the temporary structure to be able to give an answer. She stated that the time line looks long to her. If you were putting up a temporary building there would be a great deal of cost. It doesn't make sense to do it for a short period of time. She said that she didn't think that there was any reasonable expectation that it would be any shorter than 3 years.

Mr. Chrowstowski stated that the problem is that they have lost their lease. They do not plan to keep the existing office or the temporary office structure. Once the site is developed they will be building a new office and demolishing the existing office.

Chairperson Hamilton-Wood said that Mr. Chrowstowski is not giving the Board anything to work with. Until the feasibility study is done they don't know what they are doing. Mr. Chrowstowski said that the problem is that they have lost their lease and they don't know where they are going to go. They would use the temporary office space and the existing warehouse while the development of the site takes place.

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Mayor Muchowski asked if Mr. Chrowstowski had zoning approval. Mr. Chrowstowski answered that they had approval for continued use to use the facility as it is. Mayor Muchowski asked what Mr. Chrowstowski was asking the Board. Mr. Chrowstowski said that he wanted to put up temporary office space. Mayor Muchowski said that currently there is zoning approval to use the existing office. He asked if Mr. Chrowstowski was planning on moving his office staff into the existing building. Mr. Chrowstowski said he would if he was granted approval to install the temporary office space. Mayor Muchowski said what if he didn't have approval for the trailer. Mr. Chrowstowski said then he would be in trouble. The existing building is a 2,400 square foot office and this is not big enough to house his staff. The proposed trailer is 25' x 60'. This would increase the office space by about 50%.

Mr. Chrowstowski stated that they are going from month to month on their current lease and the owners are trying to force them out, but they have nowhere to go.

Member O'Hara asked if customers would visit the site. Mr. Chrowstowski stated that customers do not normally visit the business.

Mayor Muchowski asked if Mr. Chrowstowski would have to come before the Board for a site plan for a temporary trailer. Engineer Guzzi said that only construction trailers are permitted and that is for a one year maximum. The proposal of a modular office from the Board's perspective would be considered a permanent structure. If he attached it to the building he could get around the minimum 2,000 square foot requirement. Engineer Guzzi asked if there had been a building attached to the existing office. Mr. Chrowstowski answered that there had been two trailers attached to the back of the building that have been removed.

Mayor Muchowski said that he did not think that this presentation was informal in nature. This is a specific question – permission for a temporary trailer for 3 years.

Solicitor Abbott said that the first issue is the issue of a Use variance. Offices are permitted in the zone. What the Board would need as a starting point is sufficient information to be able to make a determination as to whether this is a modular office which is a permitted use or if it is a temporary trailer which is not permitted. This would determine what Board it would go to. If it is a modular office and it is permitted then they would need site plan approval.

Engineer Guzzi said that if there are not a lot of site improvements being proposed then it might qualify for a minor site plan.

Mayor Muchowski said that for him personally 3 years is longer than he would be comfortable approving. Mr. Chrowstowski said that 3 years is a long time, but he is trying to run a business and the primary business will fund the development of the property.

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Member O'Hara said that this site is off the beaten track. He understands that the Board is concerned with aesthetics, but why would you go to the expense of siding the existing building and making the temporary structure match that and add plantings. He would rather see the timetable of 3 years be shortened. This would save money and allow them to file their site plan. Why go through the expense for a building that will be torn down? Mr. Chrostowski answered because of the perception that this is a trailer. He is trying to upgrade it and make it nice to work in.

Chairperson Hamilton-Wood said that she would like to see plans before the Board makes any type of decision. Solicitor Abbott said that the applicant has to decide whether or not to file the application.

Engineer Guzzi said that if the modular unit was attached it would be an addition to an existing building and based on what has been presented it looks like the disturbance would be less than 5,000 square feet then this would qualify as a minor site plan.

Mr. Chrostowski thanked the Board for their time.

Chairperson Hamilton-Wood called for application PB#2005-13 for Cream-O-Land, Inc. Applicant is requesting amended Preliminary and Final Major Site Plan approval, with bulk variances for property located at 529 Cedar Lane, Block 155.47, Lots 12.01 and 12.03.

Arren Goldman, attorney for the applicant, stated that they were back hoping to be granted Final Site plan approval. He said that the Board had granted Preliminary approval at the November 2006 meeting. The Board had asked the applicant to supply more detail on the guardhouse than is on the plans. He said that the guardhouse and the sign detail had been submitted as part of the Final Site plan. They have also tried to address all the items in the professional's letters.

Attorney Goldman said that they would start with the detail for the guardhouse. Mayor Muchowski stated that the applicant has a beautiful brick building and the proposed guardhouse is not attractive. He stated that he would not be inclined to approve the guardhouse as proposed.

James Marx, Matrix Newworld, engineer for the applicant was sworn in and previously been qualified as an expert. Mr. Marx showed a large photo of the proposed guardhouse. The intention is to put the 8' x 8' structure within the fencing. The fencing is a redwood color and they have matched the guardhouse color to the fence. There will also be landscaping, shrubs and shade trees.

Mayor Muchowski asked if Mr. Marx had received comments from the previous submission of the colored picture of the guardhouse. Mr. Marx said that there were comments regarding the color. The color can be changed. The proposed color is a good match to the color of the fence. In front of the structure there will be landscaping and behind the structure there will be additional landscaping. The main building is set back

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139' and is not the prime focus. The prime focus is the guardhouse with the fencing on either side. Mayor Muchowski expressed his strong dislike of the guardhouse.

Mr. Marx described the guardhouse. Member Fratinardo said that this was not an aesthetically pleasing guardhouse. Attorney Goldman asked if Mr. Marx knew of any other options for the guardhouse. Mr. Marx said that the building is stone and it is so far back from the fence. The proposed guardhouse matches the décor of the existing fence.

Attorney Goldman stated that the applicant indicated that they are willing to install a customized guardhouse that is basically in the nature of the building in terms of style and color.

Member O'Hara asked to see the photograph of the existing building. He asked what color and composition the mullions on the existing building were. He said that he would rather see a tan stucco color that would match the original building.

Mayor Muchowski stated that the Board did not want the applicant to go crazy and spend lots and lots of money, but the proposed guardhouse does not match the corporate image that Cream-O-Land has on the rest of the site.

Mayor Muchowski asked what part of the guardhouse would be visible from Cedar Lane. Mr. Marx showed the location of the guardhouse. The front and 4' to the side would be visible from Cedar Lane as you leave town.

Attorney Goldman again stated that the applicant has agreed to a custom made guardhouse.

Mr. Marx stated that the writing on the existing building that says "Turnpike Business Center" has been removed and there is an illuminated sign proposed. The new sign will be 6'3" x 16'. This will be a lighted sign. This is a conforming sign under the ordinance.

Mr. Marx stated that the existing sign would remain the same.

Mr. Goldman stated that the Planner's review letter also had a comment regarding the fiber optic cable. He submitted as part of the record a letter from the New Jersey Turnpike Authority where they indicate that there is no fiber optic cable in the area.

Solicitor Abbott marked the letter as exhibit A1.

Chairperson Hamilton-Wood asked if Attorney Goldman had seen the Fire Official's letter of January 11, 2006. Attorney Goldman stated that he had. Mr. Marx said that his office had a meeting on site with the fire department and agreed to have a knock box on the site. The applicant will comply with the letter from the fire official.

Member Morris stated that the site plan shows an inlet with a 15" RCP pipe for a length of 40' with an outfall. There is no silt protection for the outfall. Mr. Marx stated that this

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was an oversight and they will be providing an outfall with a riprap that is appropriate for the DEP standard. Engineer Guzzi stated that this was a comment in his report.

Chairperson Hamilton-Wood asked if there were any further outstanding issues in the Engineer's letter. Engineer Guzzi said that there were a number of outstanding issues from his letter dated January 11, 2007.

Item 1 all plans should be dated and include revision dates. Item 2 the bulk table should be corrected to include the acreage of the property. Mr. Marx stated that they would comply with both of these items.

Item 4 the dimensions on the bulk table don't match the dimensions on the plan. Item 5 the signature block needs to be corrected. Mr. Marx stated that these items would be corrected.

Item 8 the variance for the additional sign was granted during Preliminary. Item 9 additional spot elevations are required. Mr. Marx answered that they did have 3 additional spot elevations and they will add more spot elevations. Item 10 requires additional spot elevation for the new sidewalks adjacent to the proposed guardhouse. Mr. Marx indicated that they would add the spot elevations.

Item 11 refers to the proposed outfall pipe that was previously discussed and will be provided.

Item 23 the barrier free curb ramp detail should be revised to include the required visual delineation and detectable warning surface. Mr. Marx stated that they had followed the 1998 ADA guidelines. He said that he believed that this had been revised in 2002. New Jersey adopted these in 1998 and that is what they were following. He said he is not certain that revision Engineer Guzzi suggested was warranted or even advisable because he feels the structures in the pavement are a hazard not a help to the disabled. This is why he does not put these in and it is not mandated by the building code.

Engineer Guzzi said that the ADA requirements are what the Township typically requires on all developments and is what the county requires. This includes the visual delineation, which is the red square that you see and then on the lower half of the 4' x 4' square is the truncated dome bricks which provide a physical feature for anyone who is disabled walking up to the ramp. This is the standard the ADA has adopted and it is the Standard Township has. Mr. Marx stated that if it were a requirement of the Township then they would comply.

Engineer Guzzi stated that the applicant would also have to comply with all the outside approvals.

Attorney Goldman stated that the applicant would be happy to comply with all the recommendations made by Mr. Guzzi. They will comply with the Fire Official's

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recommendations and agree that the guardhouse would be in the spirit of and match the building.

Mayor Muchowski stated that the applicant wouldn't have to come back before the Board for approval of the guardhouse. This could be approved through the Board's professional staff.

Mayor Muchowski asked if the landscaping had been enhanced as requested by the Board. Planner Specca stated that the landscaping absolutely conforms. Mayor Muchowski stated that the applicant should do the plantings during this spring planting season.

Member O'Hara asked if the address sign met the 911 requirements. Mayor Muchowski stated that he believed that it did.

Motion of Fratinardo, seconded by Smith to open the meeting to the public. Motion unanimously approved by all members present. Seeing no one wishing to comment motion was made by Fratinardo, seconded by O'Hara close the public portion of the meeting. Motion unanimously approved by all members present.

Motion of Fratinardo, seconded by DeAngelis to approve the application with the conditions set forth in the letters of the Board Engineer, Board Planner, Fire Official and that the applicant shall construct a customized guardhouse to match the building. The guardhouse will be approved by the Board Planner and Board Engineer.

Upon roll call the Board voted s follows:

YEAS: DeAngelis, Fratinardo, Muchowski, Ryan, Smith, Hamilton-Wood
NOES: None
ABSENT: None

Attorney Goldman on behalf of the applicant thanked the Board and the Professional staff.

Chairperson Hamilton-Wood called for application PB#2006-27 for Joseph Gallina. Applicant is requesting amended Preliminary Major Site plan approval and Final Major Site plan approval with bulk variances for property located at 2107 Route 130 South, Block 110, Lots 8.01 and 3.01.

Jonas Singer, attorney for the applicant, stated that this was an application for amended Preliminary. The amendment being permission to construct an exterior walk-in box that is shown on the site plan as well as allowing for the creation of 2 apartments within the existing area that now consists of 1 apartment.

Mayor Muchowski said that unfortunately the Board's planner had not been apprised of the conversations he had through the administrator with the COAH planner regarding the

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ability to create one of those units as an apartment that would be restricted under the COAH rules and obligations. Mayor Muchowski had this conversation the day after the previous meeting in response to Attorney Singer's comment that he had spoken to Planner Hintz and Planner Hintz indicated that the apartment couldn't be used as a COAH unit.

Attorney Singer said that he didn't think that was what Planner Hintz said. He thought Planner Hintz said that under the Township's current ordinance, they had spoken in terms of trying to restrict one of the units as a low/mod unit and what Planner Hintz had indicated was that the ordinance didn't provide for that and in order for this to happen the ordinance would have to go back to COAH for an amendment of the ordinance.

Mayor Muchowski stated that this was not a completely accurate statement. He said that he had Administrator Brook contact Planner Hintz and Marybeth Lonergan from Planner Hintz's office regarding this because the Township is doing this in other areas of the community. Attorney Singer stated that he was not aware of this. Mayor Muchowski said that he did not know where the Board was going on this application but he was not inclined to approve an undersized apartment without even the consideration of it being deed restricted or meeting a COAH obligation.

Attorney Singer stated that he did not know what the rent would be to make this COAH restricted. Mayor Muchowski stated that he didn't know but the Board had asked the applicant to investigate this 3 or 4 months ago. Attorney Singer stated that he had called Planner Hintz on this issue and Planner Hintz stated that he didn't think the ordinance called for it and the Township would have to go back to COAH and Planner Hintz didn't think that the Township wanted to do that and that is where the conversation ended.

Attorney Singer stated that in speaking with the architect this evening, there is a porch that goes along the entire front of the second floor. They were discussing incorporating that space into each of the apartments and when they do that each apartment would be larger than the required 850 square feet minimum. He stated that this would comply with the ordinance and in his opinion wouldn't need the variance. He stated that he thinks that his client would like to have market rate apartments and with his discussions with the architect they think they can accomplish the minimum square footages.

Member Smith asked what exactly they would be proposing. Attorney Singer said they were proposing to enclose the porch area and each unit would have access to this. Member Smith asked if this would be a living area? Attorney Singer stated that this would be an enclosed sun porch. Member Smith asked if this area would be heated? Attorney Singer stated that if they needed to run some baseboard heat then they would do that. Member Smith stated that to count it as living space it would have to be heated.

Eric Evers, Evers Associates, the applicant's engineer and Rick Fumo, Fumo & Associates, the applicant's architect were sworn in by Solicitor Abbott.

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Planner Specca stated that she was adding the square footage of the porch into the two apartments and she thinks they will be a little short of having 2 conforming units.

Engineer Guzzi said that the ordinance requirement was for 850 square feet of living space. This area would have to be heated to be considered living space. Attorney Singer stated that they would add heat.

The Board Members asked for an explanation of the approval. Attorney Singer stated that Mr. Fumo would give an explanation to the Board. Mayor Muchowski stated that the Board Professionals should have adequate opportunity to review this newly submitted architectural plan. Engineer Guzzi stated that there is no plan yet. This is a new concept that the applicant's professional staff has come up with.

Mr. Fumo stated that there was an existing roof that covered the porch area. They would have to enclose this on 3 sides. Chairperson Hamilton-Wood asked what would happen to all the windows. Attorney Singer stated that they hadn't had time to really devise a plan, but the existing windows would look out to the sun porch area. Chairperson Hamilton-Wood asked if the windows from Apartment A would look out onto Apartment B's sun porch? Mr. Fumo stated that he had just been looking at bumping out the walls to include this as livable space. The existing windows would be moved out to the exterior walls.

Mayor Muchowski said that this is possibly a workable plan, but the applicant should be given an idea of some of the cost associated with the modifications that are being proposed and the Board Professionals should get the opportunity to review this.

Attorney Singer asked Mayor Muchowski if it was his opinion and the opinion of the Board that the proposed undersized apartments would not be acceptable? Mayor Muchowski stated that the only way he would consider it was if one of the apartments would become a COAH unit. Member O'Hara stated that he had a problem with the plan that was submitted this evening. He could not agree with taking a conforming use and creating 2 non-conforming uses for apartments that back up to a residential zone. He said that he doesn't know how you could add living space to it with the way the units are positioned. He stated that he was strongly opposed to it.

Attorney Singer said that he understood. They would do the calculations to see if enlarging the apartments would make sense cost wise and bring that back to the Board.

Planner Specca said that she had done a preliminary appraisal of what the COAH contribution would be. She stated that because they are proposing to create a new unit the contribution would be approximately \$30,000. This fee is over and above any repairs and renovations that would be done. She suggested that the applicant carefully consider the possibility of the COAH rental.

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Member O'Hara stated that in his opinion the existing large apartment could be rented for an extremely nice monthly fee. As he mentioned last month this could be living space for tenants of the proposed retail.

Attorney Singer stated that they would look at the options for the apartment and would come back before the Board.

Attorney Singer asked the Board to move onto the issue of the box freezer. Mr. Evers stated that the walk in box was at the rear of the proposed restaurant in the existing building. It is within the required side yard and rear yard setback. There is additional landscaping planned for the rear of the site and the neighbor at the rear has a 6' stockade fence. So this would be shielded fairly well from the neighbors.

Mayor Muchowski stated that the major concern with the outside box is the sound. Will the applicant be able to meet the decibel level standard at the property line?

Guiseppe Gallina, 6 Pelle Court, Roebling, NJ was sworn in by Solicitor Abbott. Mr. Gallina stated that he owned the property in question along with his brother and father. He stated that he was planning on operating a pizza restaurant on the site. Mr. Gallina said that he currently operated a pizza restaurant in the Township. He said that there is an outside compressor for the walk in box at the current location. He stated that the compressor does not make any noise. Mr. Gallina agreed that as a condition of approval that the noise levels of the compressor would meet the requirement of the ordinance.

Mayor Muchowski said that Mr. Gallina needs to be able to demonstrate from the compressor unit to the property line on the side and the rear that he is not going to exceed the noise level. The manufacturer should have a spec as to what that is. Engineer Guzzi asked that a cut sheet from the manufacturer of the freezer box be submitted.

Planner Specca pointed out that the compressor on top of the freezer box would be right under the bedroom window of the unit 1 apartment. Engineer Guzzi stated that the NC zone does prohibit equipment being stored outside. The outside box would be considered equipment so a variance would be required for the box. Attorney Singer stated that the applicant had applied for and noticed for this variance.

Mayor Muchowski asked if the box was attached to the building? Attorney Singer answered that it was. Mayor Muchowski asked why the box wasn't considered as part of the building? Engineer Guzzi stated that if you considered it as part of the building then there would have to be a façade to match the rest of the building. Typically a stainless steel walk in box is just pushed up to the building.

Member Morris asked if the sound could be mitigated by putting a barrier around the compressor to minimize the sound. Engineer Guzzi stated that this might be required because the compressor will be up against a hard wall, which will tend to reflect the sound into the neighbors back yard.

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Member Morris stated that the air-conditioning units are there too so you have triple the sound.

Attorney Singer stated that they would check with the manufacturer to see if there is a buffering system.

Mr. Fumo stated that the air-conditioning units for the restaurant are located on the ground. Mr. Gallina stated that there is air-conditioning on the existing apartment. This compressor is located in back of the building. Engineer Guzzi said that the air-conditioning units should be fenced or screened.

Mayor Muchowski stated that the applicant should look into whether or not the applicant would be able to meet the state requirement for the noise level with the proposed 4 air-conditioning units and the compressor for the freezer box.

Chairperson Hamilton-Wood asked if the issues had all been worked with manholes in the back and the right-of-way in the back? Engineer Guzzi stated that there were a couple of issues that he had spoken to David Lebak, Director of Water and Sewer about and he said that he believed that Mr. Evers had met with Mr. Lebak with regard to the water and sewer.

Mr. Evers stated that he had met with Dave Lebak and Fred Rowley from Alaimo Associates. He said that he had also met with Kevin Mullen, the Fire Official. Basically what Mr. Lebak wanted was an access driveway to get to an existing manhole. What the applicant proposed was a 10' access drive. This is what is required by the Florence Township Water and Sewer manual. The "L" shaped access drive is shown on the plan coming from a depressed curb at the back. The curb line curves around to the rear so that the trucks can get in near the manhole.

Mr. Evers stated that they also worked out the location of proposed water mains and the location of a fire hydrant. Mr. Evers stated that he had spoken with Mr. Mullen this evening about the requested knox box and the fact that there is a doorway that goes down to the basement which is shown on the architects plans and there is an existing paved walkway next to the building.

Attorney Singer asked if the knox box was required? Mr. Evers stated that the Fire Officials were asking for this so that they could access the units late at night if there were a problem.

Member Smith asked for the size of the water line. Mr. Evers stated that the water main would be 8"; the service line is going to be 2" copper. Engineer Guzzi asked if there would be a fire suppression system. Mr. Fumo stated that this was not required.

Engineer Guzzi asked about extending the water main. Mr. Evers said that they showed on their plans an 8" diameter ductile iron pipe water main running through the existing easement to the rear with a fire hydrant at this point to a 2" fire hydrant for draining the

line. Mr. Evers stated that Mr. Lebak also said that as a condition of approval or as a trade off so that Mr. Gallina doesn't have to extend an 8" line all the way to the rear to tie in at this point, assuming that Florence Plaza is built within a few years, what he is going to do is bring down the new water main and terminate with a cap. When Florence Plaza constructs their water line they would tie in.

Engineer Guzzi said that he had a discussion with Mr. Lebak about this and Mr. Lebak was concerned about the order that those pipes came in and if this development came in and Florence Plaza didn't happen then Mr. Gallina might have to extend the line and be reimbursed some other way. Engineer Guzzi said that this would have to be worked out.

Mayor Muchowski asked Mr. Evers is he was familiar with this? Mr. Evers answered that he was not. The discussions that he had with Mr. Lebak was that when this was constructed Mr. Gallina could tie in but in order to extend an 8" line up to the existing point would be an additional 180' to 200' of 8" pipe. That is fairly expensively. This would place an undue hardship on Mr. Gallina as far as cost.

Mayor Muchowski asked that the board clerk contact Mr. Lebak and have him provide a clarification letter to both the applicant and the Board so that there is an understanding as to how the meeting went because apparently there may be discrepancy as to how the resolution will occur if the other development doesn't occur within a period of time. Mayor Muchowski stated that he doesn't want the applicant to have an unknown cost to him as he moves forward. Mr. Evers called it an accommodation, Engineer Guzzi called it buying time. There is a slight difference between the two. Engineer Guzzi stated that he would speak with Mr. Lebak and make sure that it is clear. He said that the concern is that the entire development happens and Florence Plaza doesn't then there would be an 8" line that doesn't help if there is a fire.

Mayor Muchowski asked about the landscaping detail as it buffered the residential zone from the commercial zone.

Cliff Jones, Land Design Alternatives, 36 Washington Way, Tabernacle, NJ the landscape architect for the applicant was sworn in by Solicitor Abbott. Mr. Jones stated that he was a certified landscape architect and he has been qualified as an expert by other Boards in the state. Mr. Jones was accepted by the Board as an expert.

Mr. Jones stated that he had prepared the landscaping plans for the application. Mr. Jones stated that he had received comments from Planner Hintz's office regarding the landscape plan. Mr. Jones stated that he has done some modifications to the plan as a response to the review letters, but he stated that he had not modified the plan in accordance with the latest review letter. Mr. Jones agreed that he would work with Planner Hintz's office and revise and provide the necessary planting and buffering as requested.

17.

Mayor Muchowski requested that the resubmittal of the landscaping plan as well as any other revisions to the plans be received well in advance to the February 26, 2007 meeting of the Board.

Attorney Singer apologized for the late submission of plans this month and said that this shouldn't happen again.

Member O'Hara said that he thinks that the Board would like to see this site move forward. The applicant needs to conform to the ordinance for the submission date of plan revisions to allow the Board's Professional staff ample opportunity to review them and give their recommendations. He stated that it is not fair to the Board of their Professionals to have the plans received after the deadline. He stated that in his opinion if the plans are not submitted in time then the Board should not hear the application at the next meeting.

Member Morris questioned if the access lane would be chained off? This has the potential of being used as a third parking spots for the apartment. Attorney Singer stated that they would chain of the access lane.

Attorney Singer referred to the Planner's review letter. Item 4.2 regarding the font and color of the freestanding sign. He indicated that this information would be submitted along with the next submission. Item 5 regarding lighting. The lighting detail on the plan shows a shoebox type light. The Board prefers a Colonial or Victorian type light.

Member O'Hara asked Mr. Fumo to classify the type of architecture for the existing building. Mr. Fumo answered that the building is traditional looking so a more traditional light would be acceptable.

Attorney Singer said that he had addressed all the outstanding items in both the Board Planner's and Engineer's reports.

Mayor Muchowski asked if there would be more sign detail provided at the February meeting. Mr. Fumo showed detail of the façade sign for the building. They will supply the colors for the sign at the next meeting.

Member O'Hara questioned the proposed size of the signs. He stated that 8 square feet is very small. Attorney Singer stated that prior to installation they might come back for a variance for signage if it appears that the signage is unreasonable small in relation to the façade. Member O'Hara said that he is in the sign business and this is small especially for a retail operation. Following a discussion it was determined that the applicant could increase the size of the signs to 20 square feet each.

Chairperson Hamilton-Wood asked if all the issues had been addressed. Member Smith stated that he had an issue with the parking on the corner. Solicitor Abbott stated that this had already been approved at the time of Preliminary.

18.

Attorney Singer requested a continuance until the next Board meeting and extended the time for Board action until the end of March 2007. He stated that he intends to come back to the February meeting, but extended the time in case of bad weather.

Motion of O'Hara, seconded by DeAngelis to open the application to the public. Motion unanimously approved by all members present. Motion of Fratinardo, seconded by DeAngelis to close the public hearing. Motion unanimously approved by all members present.

Motion of Fratinardo, seconded by DeAngelis to continue the application until the February 26, 2007 meeting of the Board.

Upon roll call the Board voted as follows:

YEAS: DeAngelis, Fratinardo, Muchowski, Ryan, Smith, Hamilton-Wood
NOES: None
ABSENT: None

Motion of Smith, seconded by DeAngelis to open the meeting to public comment. Motion unanimously approved by all members present. Hearing no one wishing to speak motion was made by DeAngelis, seconded by Fratinardo to close the public comment. Motion unanimously approved by all members present.

Mayor Muchowski introduced Tom Layout, Florence Township Construction Code Official to the Board Members. He explained that Mr. Layout would be attending some of the meetings to get an idea as to how things operate. He also recognized Kevin Mullen, the Fire Official who regularly attends the meetings.

Member O'Hara congratulated the Mayor and Council on the Township sign being 7th in the world. Member Fratinardo stated that Assistant Administrator Tom Sahol did the work on the sign and deserved the recognition.

Motion of O'Hara, seconded by DeAngelis to adjourn at 9:45 P.M.

John T. Smith, Secretary

JTS/ne