

Florence, New Jersey 08518-2323
April 16, 2007

The Regular meeting of the Florence Township Planning Board was held on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Chairperson Hamilton-Wood called the meeting to order at 7:34 p.m. followed by a salute to the flag.

Chairperson Hamilton-Wood 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:

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| Gene DeAngelis | John T. Smith |
| Councilman John Fratinardo | Mildred Hamilton-Wood |
| Mayor Michael Muchowski | Wayne Morris |
| Dennis A. O'Hara | |

ABSENT: Sean Ryan
Planner Carl Hintz

ALSO: PRESENT: Solicitor Nancy Abbott
Engineer Dante Guzzi

Chairperson Hamilton-Wood stated that Planner Hintz was excused from this meeting, as there were no applications on the agenda that required Planning comments.

RESOLUTIONS

Resolution PB-2007-15
Continuing the application of ALBAX, LLC for Preliminary and Final Major
Subdivision approval for Block 100, Lot 8.03, located in an RA Low Density
Residential Zoning District.

Motion of Fratinardo, seconded by DeAngelis to approve Resolution PB-2007-15.

Upon roll call the Board voted as follows:

YEAS: DeAngelis, Fratinardo, Muchowski, O'Hara, Morris, Hamilton-Wood
NOES: NONE
ABSENT: Ryan

60.

Resolution PB-2007-16
Granting Final Major Site Plan approval to Griffin Pipe Products, Inc. for certain stormwater management improvements on Block 179, Lots 1.02-1.05, located in a GM General Manufacturing District.

Motion of Fratinardo, seconded by Morris to approve Resolution PB-2007-16.

Upon roll call the Board voted as follows:

YEAS: DeAngelis, Fratinardo, Muchowski, O'Hara, Morris, Hamilton-Wood
NOES: None
ABSENT: Ryan

Resolution PB-2007-17
Continuing the application of K. Hovnanian at Florence II, LLC (Crossroads East) for Block 165.01, Lot 4.01, located in an R Low Density Residential District.

Motion of Fratinardo, seconded by O'Hara to approve Resolution PB-2007-17.

Upon roll call the Board voted as follows:

YEAS: DeAngelis, Fratinardo, Muchowski, O'Hara, Morris, Hamilton-Wood
NOES: None
ABSENT: Ryan

MINUTES

Motion of Fratinardo, seconded by DeAngelis to approve the Minutes of the March 19, 2007 meeting as submitted. Motion unanimously approved by all members present.

CORRESPONDENCE

Motion of Fratinardo, seconded by Smith to receive and file correspondence A through D. Motion unanimously approved by all members present.

APPLICATIONS

Chairperson Hamilton-Wood called for application PB#2007-08 for Ryan Homes. Applicant is requesting relief from a condition of approval listed in Planning Board Resolution PB-2006-17 granted to Atlantic Equity Company on March 20, 2006.

Chairperson Hamilton-Wood stated that the applicant had requested a continuance of the application until the May 21, 2007 meeting of the Board.

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Motion of Fratinardo, seconded by Smith to continue the application. Upon roll call the Board voted as follows:

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

Chairperson Hamilton-Wood called for application PB#2007-03 for K. Hovnanian at Florence II, LLC (Crossroads East). Applicant is requesting amended Major Subdivision approval for property located on Florence Columbus Road, Block 165.01, Lot 4.01.

Solicitor Abbott stated that the Board needed to move to transfer the application to the Zoning Board of Adjustment for a Use variance since the sign would be the principal structure on the lot.

Chairperson Hamilton-Wood asked if once the application was transferred for the Use variance would it remain at the Zoning Board for the future commercial development. Solicitor Abbott answered that it would. She stated that she and Engineer Guzzi tried to work with the applicant to investigate other ways of dealing with the sign issues. Mayor Muchowski stated that the whole point of leaving commercial property along Florence Columbus Road was to promote commercial development not for an entrance sign into a residential development. Solicitor Abbott stated that the applicant wants to put a permanent entrance sign and because there is nothing else on that property at this time; then the sign will be the principal use on that property until something else is built.

Solicitor Abbott stated that according to the New Jersey Land Use Law once an application is before the Zoning Board for a Use variance, the Zoning Board keeps jurisdiction of the application. The Board expressed their concern they will lose their input into this future commercial site due to a technicality.

Motion of Fratinardo, seconded by O'Hara to transfer the application to the Zoning Board. Motion unanimously approved by all members present.

Chairperson Hamilton-Wood called for application PB#2007-04 for Alex Stefan d/b/a Pete's Pizza. Applicant is requesting Minor Site Plan approval for property located at Hornberger and Amboy Avenues, Block 140.02, Lots 1.01, 1.03, 1.04, & 1.05.

Richard Hoff with the law firm of Flaster Greeberg appearing on behalf of the applicant Alex Stefan. Attorney Hoff stated that they are before the Board for Minor Site Plan approval in connection with the mercantile license that Mr. Stefan requires to operate his business on the properties already identified.

Robert Stout, Stout and Caldwell was sworn in by Solicitor Abbott. Mr. Stout stated that he had been a licensed professional engineer and land surveyor since 1993. Mr. Stout

was qualified as an expert. Alexander Stefan, 732 Lincoln Avenue, Burlington, NJ. Mr. Stefan stated that he was the proprietor of Pete's Pizza.

Chairperson Hamilton-Wood stated that she would like to address the issue of completeness first. Attorney Hoff stated that the applicant had requested a number of submission waivers.

Engineer Guzzi stated that the applicant had requested submission waivers for environmental impact statement, wetlands delineation, stream encroachment delineation, locator map, lot lines within 200', location of storm sewer drainage systems, test borings to water table or 10' deep, property survey, existing elevations of roadway center line and edge of pavement, and roadway cross-sections at 50' intervals.

Engineer Guzzi stated that his office did not have any significant issues with the requested submission waivers. Chairperson Hamilton-Wood asked about the drainage from the property. Engineer Guzzi stated that the applicant's engineer had done calculations that show a net decrease in stormwater runoff because they are proposing a lawn area.

Motion of O'Hara, seconded by DeAngelis to grant the submission waivers and deem the application complete remembering that at any time if the Board needs the waived application they could still require it.

Upon roll call the Board voted as follows:

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

Attorney Hoff said that this is not a typical Minor Site Plan application due to the fact that there is no structure proposed for the site. This application is for a mobile truck that pulls onto the site once a week and sells pizza. The truck does not remain on site. Once it is done conducting business it leaves the site.

Attorney Hoff asked Mr. Stefan to give a brief description of his business. Mr. Stefan stated that starting at around 3:00 p.m. customers come to the site and order pizza directly from the unit and then come back and pick it up. On occasion customers do wait on the site for their order to be ready. The truck also is equipped with a cell phone to take phoned in orders.

Mr. Stefan stated that his family has been in business in Florence Township for over 30 years. They have been operating from this site for close to 20 years. Mr. Stefan stated that they pull the truck in around 2:30 p.m. and have everything up and running by 3:00 p.m. They usually serve pizza until 8:00 p.m. On rare occasions if they have an especially busy night they may have to stay past 8:00 p.m. to fill orders.

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Mayor Muchowski mentioned that the applicant is asking to operate from 2:30 p.m. to 8:00 p.m. There will be time constraints listed on the approval so the applicant needs to make sure that the application and testimony match what is actually being requested. Attorney Hoff stated that the mercantile license is what has brought the applicant to this Board. Engineer Guzzi stated that the site plan has been submitted and it is specific as to one day of operation from 2:30 p.m. to 8:00 p.m. so if this site plan were approved anything beyond those hours would be in violation of the site plan.

Attorney Hoff asked to amend the application for hours from 2:30 p.m. until 8:30 p.m.

Mr. Stefan stated that there was no on-site dining. It is strictly take-out. He stated that on the rare occasion a friend of his might come and eat a slice of pizza while talking and then Mr. Stefan takes the trash and disposes it in the trash receptacle which is in the truck. This trash is then taken back to the home base at Columbus Farmers Market. Mr. Stefan stated that the pizza is cooked on site in the truck.

Attorney Hoff asked Robert Stout to give a general overview of the site plan. Mr. Stout said that the applicant is proposing to take the vacant open lot and reduce the amount of impervious coverage on the site. The pizza truck will be located on a paved section. Directly adjacent to that will be an ADA compliant parking space for any handicap customers. Directly across from the pizza truck there will be 6 paved parking spaces. The paved area will be confined to the center area of the site.

There have been some issues on the site with stormwater management. The proposed plan actually reduces the amount of run-off. They will be planting grass along the outside of the site and stone the center.

Mr. Stout stated that they did not propose any lighting on the site because there are no permanent structures. Also on the utility pole that sits to the northwesterly corner of the site is a PSE&G light that points into the site and lights up the corner of the site adequately. The truck itself will be internally lit and they will work with the township to make sure that the lighting conforms to the Township's ordinances.

Member O'Hara asked if there were any signs proposed. Attorney Hoff stated that there is no sign proposed.

Member Fratinardo asked about the entrance to the site. Attorney Hoff stated that there was only one entrance to the site and this would be from Hornberger Avenue. Member Fratinardo stated that currently cars are entering the site from Pond Street. Mr. Stefan answered that there would be a split rail fence running up Pond and along the back of the property to keep cars from pulling in.

Mayor Muchowski stated that the adjacent property attached to the Bridges at Roebing Tavern is a residential unit being used as a home. Mr. Stefan's property does not extend all the way to the adjacent building. Approximately 30' of that lot is owned by the

adjacent homeowner. This area has historically been used for parking, however the new owners may fence off this area to eliminate the parking.

Chairperson Hamilton-Wood asked if there was an entrance from Amboy Avenue. Engineer Guzzi stated that Amboy is curbed but cars can access the site from Pond Street.

Chairperson Hamilton-Wood asked about a trash receptacle. Engineer Guzzi stated that this was one of the issues that was discussed at the TRC meeting with the applicant. The TRC Committee recommended concrete sidewalk along Hornberger, a split rail fence or something equivalent along Pond, a trash receptacle and some landscaping. Engineer Guzzi stated that lighting was also discussed. At the TRC meeting there was discussion of a truck mounted light. The applicant did not want to provide an additional utility service just to provide site lighting.

Attorney Hoff stated that they understand the safety and circulation concerns and they would provide adequate lighting from the truck itself. Chairperson Hamilton-Wood asked if they had investigated the truck mounted lighting. Attorney Hoff answered that they did not have any specs at this time but they would work with the Board's Engineer to make sure that what they do come up with meets the lighting requirements in the ordinance.

Member Smith stated that the truck mounted lighting would require that the truck generator be running all the time. Mr. Stefan answered that the generator already has to run the whole time for the refrigerator.

Member O'Hara asked what would prevent cars from using this lot when the truck was not there. Mr. Stefan stated that he was proposing to put posts on each side of the entrance and run a chain across the entrance to keep people off of the site. Member O'Hara expressed concern that a car or a child on a bike would not see the chain and run into it. Engineer Guzzi said that a reflective sign could be put on the chain and the existing streetlight will illuminate the entrance.

Member Smith asked if there were any traffic concerns regarding the proposed new entrance. Engineer Guzzi stated the entrance is slightly offset from Norman Avenue and that the only concern would be its proximity to Amboy. Chairperson Hamilton-Wood asked about how they would deal with snow removal on gravel. Mr. Stefan stated that he would have a truck come in and plow. He said that he has a local man do the lawn care and snow removal on the site.

Engineer Guzzi said that the applicant had requested a design waiver to permit 9' x 18' parking spaces where 10' x 20' are required.

Engineer Guzzi stated that the ordinance required that parking areas be curbed. The applicant has proposed using telephone poles at the end of the parking spaces to act as curbing. This would be a design waiver. Mayor Muchowski stated that the telephone poles was something that the Board would like to see removed. Engineer Guzzi stated

that concrete wheel stops would be more attractive. The site would only require 9 wheel stops. Mr. Stefan asked if he was to line the parking area with the wheel stops. Engineer Guzzi answered that he would just use the wheel stops at the end of each parking space.

Member O'Hara asked if anything had been proposed to define where the stone stops and the grass starts and to keep the grass from growing into the stones. He stated that there is edging material that would keep the stones out of the grass.

Attorney Hoff stated that the applicant would be happy to add some landscaping edging to the plan to divide the stone and grass areas.

Engineer Guzzi stated that there were 3 existing non-conforming conditions. Lot area 10,502 square feet where 20,000 is required, lot width 89' existing where 125' is required, and lot depth 107.7' existing where 150' is required. A variance is required for parking within the front yard setback from Amboy Avenue. The applicant has proposed a 12' setback where 20' is required.

Mr. Stout said that he calculates that there would be a 30% reduction in stormwater runoff by reducing the amount of impervious coverage.

Engineer Guzzi stated that a lighting plan had not been submitted. The applicant has proposed to provide a truck-mounted fixture. Engineer Guzzi said that his office recommended the addition of concrete sidewalks along the Hornberger Avenue frontage, a split rail fence along the Pond Street frontage, a trash receptacle and some low maintenance landscaping. Some shrubbery and one street tree should be provided. Attorney Hoff stated that the applicant agrees with the landscaping requirement. He will provide the split rail fence. He does not agree with the requirement to put in the sidewalk.

Chairperson Hamilton-Wood asked how many cars were typically on the site at one time. Mr. Stefan answered that there are typically no more than 6 cars on site at any given time. He said that 80% of his customers order, leave and then return to pick up the pizza later. The other 20% pull toward the back of the lot and wait until their pie is done. He said that he does occasionally sell slices of pies, but most orders are for full pies. They do bring a cooler of bottled sodas that are for sale, however they only sell 4-5 drinks per night. Chairperson Hamilton-Wood asked if people from the neighborhood walk up to buy the slices? Mr. Stefan stated that this was correct. He said they either stand at the window and eat the slice quickly and then hand the trash back into the truck or they take their napkin and plate and walk back to their house. Chairperson Hamilton-Wood said that in her opinion there should be a trash receptacle and sidewalks.

Engineer Guzzi stated that this doesn't have to be a permanent on-site trash receptacle, it could be a trash can that was stored in the truck and set outside when the truck opens for sales and then taken back in after the business closes. Attorney Hoff stated that this would be acceptable.

Mr. Stefan stated that he did not understand why he would be required to install a sidewalk because he doesn't have any walk-up business that comes from that direction. Engineer Guzzi said that the ordinance requires the connection of sidewalks where site improvements are proposed.

Member O'Hara asked how wide the sidewalk would be. Engineer Guzzi stated that the required sidewalk would be 4' wide and approximately 75' in length. Attorney Hoff stated that the applicant has agreed to provide the concrete apron. They are asking for relief on the sidewalk requirement. He stated that this is not a site where people walk up. This is a site where people drive up. Member Fratinardo stated that the goal is to have continuous sidewalks throughout the entire community. Attorney Hoff said that he appreciates the Board's concern but the applicant is asking for relief on this requirement due to the fact that there isn't a lot of pedestrian traffic.

Chairperson Hamilton-Wood asked if the business had been consistent throughout the 30 years in Florence Township. Mr. Stefan stated that the business had been fairly consistent. He said that when they were parking the truck in the lot on Hornberger that now is the site of Kalman's Bakery, the business was almost double. The Township had concerns with the traffic at that location and the truck had to re-locate. The business did go down when they relocated to the present site, but it is still a good business and worth being there. Member O'Hara said that he thought that the improvements that were being required by the Board would increase the business. It would be a more pleasant site to pull up to. Mr. Stefan stated that some of his elderly customers were afraid to come into this neighborhood. Attorney Hoff stated that they are hopeful that some of the redevelopment efforts that are underway will improve the neighborhood. He said that they have discussed possibly developing this site with a permanent structure if the economics warrant it.

Mr. Stefan stated that since October 18, 2006 he hasn't had an income from this site and it is hurting him financially. Chairperson Hamilton-Wood asked if Mr. Stefan took the pizza truck to other towns. Mr. Stefan answered that he did not. He operates a pizza shop inside Columbus Farmers Market Thursday through Sunday. He stated that on Thursdays and Sundays if the weather is decent and the outside market is open they would use the truck on the Farmers Market site.

Mr. Stefan stated that he doesn't think that installing a sidewalk on Hornberger Avenue would improve his business. He stated that he doesn't have any walk up customers from that direction. In his mind this is an improvement to benefit the Township not his business. Chairperson Hamilton-Wood asked if Mr. Stefan worked at the truck. Mr. Stefan stated that he had 2 female employees that worked in the truck. One of the employees drives the truck and one drives a car. He stated that the employee who drives a car does not park in the lot. She parks either on Amboy Avenue or the lot across the street where the bus picks up.

Mayor Muchowski asked if there would be landscaping to block headlight glare onto the adjacent lot. Engineer Guzzi stated that the 2 areas that he wanted to see landscaping

concentrated was along the adjacent property line and along Pond Street. These are the 2 sides that back up to the residential developments. Mayor Muchowski said that he thought that they had agreed to the split rail fence with some trees to soften it. Engineer Guzzi stated that a landscaping plan has not been submitted.

Mayor Muchowski stated that he feels very strongly that the sidewalk should be installed on Hornberger. Solicitor Abbott stated that the sidewalk is required by Code. The applicant has requested a waiver of this requirement. The Board has the right to grant or deny the waiver. If the waiver is denied then the applicant has to comply.

Engineer Guzzi stated that the landscaping plan should be prepared by a licensed landscape architect. Mr. Stout asked the Board to grant a waiver for the landscape architect. He stated that his firm had a designer that would put together the landscape plan. Mayor Muchowski stated that he thought the Board should grant this waiver.

Engineer Guzzi stated that the applicant has already agreed to install wheel stops on all the parking spots. Mayor Muchowski stressed that all the telephone poles should be removed from the site. Engineer Guzzi stated that the barrier free parking spaces must be 20 feet deep in accordance with A.D.A. requirements.

Engineer Guzzi stated that as a condition of approval the lots should be consolidated. He stated that approval from outside agencies might be required. Mr. Stout stated that they would be requesting a waiver from Burlington County Planning Board since the site is under an acre. He stated that they would meet the requirements of the Fire District. He stated that they would not require approval from the Soil District or DEP.

Mr. Hoff stated that they did not receive review letters from the Fire District or the Police. Kevin Mullen, Florence Township Fire Official, who was in attendance stated that the Fire District had no issues.

Engineer Guzzi stated that design waivers were requested for parking space size, curbing the parking lot, stone parking lot in lieu of a paved parking lot. He stated that there are 3 existing non-conforming conditions of the property – area, lot width and lot depth. A bulk variance is required for parking within 20' of the street line of Amboy Avenue. There has been a request for a waiver from the requirement of sidewalk along Hornberger Avenue and the requirement that the landscape plan be prepared by a licensed landscape architect.

Mayor Muchowski asked about maintaining the stone parking lot to prevent potholes. Engineer Guzzi stated that this would be covered under the Township's relatively new site plan maintenance ordinance, which requires that conditions of site plan approval carry forward and if the conditions deteriorate the owner is responsible to repair.

Motion of O'Hara, seconded by Fratinaro to open for public discussion. Motion unanimously approved by all members present.

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Seeing no one wishing to testify motion was made by DeAngelis, seconded by O'Hara to close the public portion. Motion unanimously approved.

Attorney Hoff requested that the Board would address the sidewalk waiver separately from the site plan approval.

Motion of Muchowski, seconded by Fratinardo to deny the sidewalk waiver.

Upon roll call the Board voted as follows:

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

Chairperson Hamilton-Wood stated that the waiver for the sidewalk had been denied.

Mayor Muchowski asked if the landscaping plan had to come back before the Board or if the Board Engineer would review the landscaping plan? Member O'Hara stated that he did not have a problem with Engineer Guzzi reviewing the landscaping.

Attorney Hoff stated that the applicant would prefer to review the landscaping plan with Engineer Guzzi and not have to appear before the Board again. Mayor Muchowski stated that he had taken part in the TRC and he could work with Engineer Guzzi in reviewing the landscape plan.

Chairperson Hamilton-Wood requested some testimony on the need to reduce the parking space size. Mr. Stout stated that the main reason is to take the impervious area down. He said that 10' x 20' spaces are used mostly in site where there are shopping carts. The 9' x 18' spaces are adequate for the proposed use. Member Morris questioned whether the wheel stops would reduce the length of the spots. Mr. Stout stated that since the edging of the stone area has been proposed, they could put the concrete wheel stops closer to the grass area and increase the length to close to 20'. Engineer Guzzi stated that the wheel stops could be pushed out. Mayor Muchowski suggested keeping the wheel stops about 6" back from the edge.

Motion of Muchowski, seconded by O'Hara to approve the application with the conditions previously stated and the amendments that were made and with the understanding that the Board Engineer would review the landscaping plan.

Upon roll call the Board voted as follows:

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

Chairperson Hamilton-Wood called for application PB#2006-26 for Richard and Annette Gaglio. Applicant is requesting Minor Subdivision approval for property located at 1027 Potts Mill Road, Block 166, Lot 16.

Solicitor Abbott stated that she had a conflict with this application and Attorney David Frank would be the substitute solicitor for this application.

Robert L. Sexton, attorney for the applicant, stated that the applicant had first appeared before this Board on December 18, 2007. At that time the Board granted a waiver for the Environmental Impact Statement (EIS) and deemed the application incomplete. Revised plans dated March 22, 2007 were submitted. These plans show the existing trees, the waterway through the site and the contours of the site.

Mayor Muchowski asked if the application had been re-noticed to the adjacent property owners. Attorney Sexton answered that it had. Solicitor Frank stated that the notice was adequate to give the Board jurisdiction to act. Attorney Sexton stated that the tax certification had been submitted. Engineer Guzzi stated that he had reviewed the tax certification.

Attorney Sexton stated that he had reviewed Engineer Guzzi report dated April 5, 2007. He stated that there were several items outstanding and in his opinion some of those items could be appropriate to be considered as conditions of approval if the Board is so inclined. Attorney Sexton stated that Mr. Gaglio the applicant was in attendance and also Mr. Robins the surveyor who had prepared the plans.

Attorney Sexton stated that one of the questions that came up in Engineer Guzzi's review was a question about how the existing house is serviced for septic. Attorney Sexton stated that several years ago Mr. Gaglio obtained a permit for a new septic system. This permit is on file and approved by the County although the septic system location is not shown on the plans.

Attorney Sexton stated that the question arose regarding the test pit results and permeability results for the proposed lots. He stated that there was a letter from the Township Water & Sewer Department clearly indicating that the subdivision currently being developed by K. Hovnanian Crossroads stated that public water and sewer would be available to hook up. Mayor Muchowski asked if the testimony was that the applicant would not develop until the public water and sewer was available to the site. Attorney Sexton answered no, but he stated that they should be able to prove to the Board that there would be either septic or sewer.

Engineer Guzzi asked if the Board would like to deal with the issue of completeness first. Mr. Guzzi referred to his review letter dated April 5, 2007.

Item A the Township Tax Assessor's Certification had been received. Item B a waiver was granted by the Board regarding the Environmental Impact Statement. Item C the Preliminary Delineation of Wetlands is not provided on the plan, however a note has

been added to the plans that a letter of interpretation will be obtained prior to any construction. Item D the stream encroachment issue goes hand in hand with this. The Board could grant a waiver for the stream encroachment as long as a condition of DEP approval is required before any construction.

Item E the topography has been provided. This is actually better than the drainage flow arrows. Item F was satisfied. Item G regarding the test pits and permeability results. This is required by the checklist. If the proposed lot will be serviced by public water and sewer this is not critical, but if it will be private on-site septic then this should be required at the least as a condition of approval. Item 8 the constraint free circle should be added to the plan.

Attorney Sexton stated that the applicant had no objection to complying with these outstanding issues. He stated that for Item C it might be appropriate for the applicant to get an Area of Disturbance/Letter of Interpretation (LOI) in lieu of the wetlands delineations.

Chairperson Hamilton-Wood stated that the Board was looking for a waiver to deem the application complete with the waivers and conditions of approval as listed by Engineer Guzzi. This would be Items C, D, G, and H on Mr. Guzzi's report. Chairperson Hamilton-Wood stated that she understood that public utilities will become available, however if they want to build before the public utilities become available could the Board impose a condition of approval that at that time the Board would have to see the test pits. Engineer Guzzi stated that this could be a condition and in essence they are going to have to supply this information to the County to get approval for the septic system. Chairperson Hamilton-Wood asked about the water. Engineer Guzzi stated that the water is covered under the State well permit but the Board could make a condition that any application be copied to the Township for the file. Attorney Sexton stated that the applicant did not have a problem with that.

Motion of Muchowski, seconded by Fratinardo to deem the application complete based on the information as outlined by the Chairperson and the Engineer.

Upon roll call the Board voted as follows:

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| YEAS: | DeAngelis, Fratinardo, Muchowski, O'Hara, Smith, Morris, Hamilton-Wood |
| NOES: | None |
| ABSENT: | Ryan |

Attorney Sexton referred back to Engineer Guzzi's review dated April 5, 2007. He said that the subdivision would be perfected by deed. Item 5 on page 3 refers to the limits of disturbance. Attorney Sexton asked what exactly Engineer Guzzi was looking for. Engineer Guzzi stated that the Township ordinance is going to require a plot and grading plan prior to the issue of the building permit. This was required so that the Board has an

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idea of the size and location of the house. Mayor Muchowski stated that adjacent residents had expressed concern about where the house would be built on the lot.

Richard Gaglio was sworn in by Solicitor Frank. Solicitor Frank stated that on his notes from the December meeting that as a condition of the waiver of the EIS that no further subdivision of the property would be granted.

William Robins, professional land surveyor, was sworn in by Solicitor Frank.

Mr. Gaglio stated that he lived at 1027 Potts Mill Road. Mr. Gaglio owns the property and lives in the existing house. He stated that he would like to divide the lot into 2 lots. The lot on which the existing house sits would be 6.4 acres and the newly created lot would be 6.7 acres. Mr. Gaglio stated that he would continue to reside in the existing home. He said that he had purchased the house in 1999. When he bought the house it was uninhabitable and he did extensive remodeling. One of requirements was a new septic system.

Mr. Gaglio stated that on the lot directly behind his house the ground is level through the trees and then there is a slight dip at the stream. On the new lot there is a more significant drop at the stream and the woods are further back.

Mr. Gaglio stated that the front portion of the lot is open. There are dense woods on the back end of the lot. Mr. Gaglio stated that he had no plans to develop the back part of the lot where his house is located. He stated that the wooded area on the proposed lot is in a flood zone so development would not be permitted.

Mr. Gaglio stated that his proposal was to create a residential lot, which will be offered for sale. Attorney Sexton asked if Mr. Gaglio expected any problems with the installation of a septic system on the proposed lot. Mr. Gaglio indicated that he had not had any testing done on that portion of site, but he didn't anticipate any problems based on the results that he had gotten when he installed the existing septic system.

William Robins, 9 Scott Street, Riverside, NJ stated that he was a professional land surveyor licensed in the state of New Jersey since 1986. Mr. Robins indicated that he had prepared the minor subdivision plan for the application. He stated that in his opinion the proposed lot does not require any variances.

Member Morris asked if Mr. Robins could identify the location of the existing septic system and add that to the plan. Mr. Robins said that they probably could have done an approximate location but the septic system is all underground.

Mayor Muchowski asked based on the topography of the site where would the best spot to build a new house on the proposed new lot? Mr. Robins stated that the best spot would probably be about 1/3 of the way back on the lot. Using the topography of the plan no development should be located beyond topography line 36 on the plan. Mr. Gaglio

agreed that any development would be restricted to the area in front of the existing woods.

Chairperson Hamilton-Wood asked about the length of the driveway that would be constructed. Attorney Sexton stated that this lot would have a huge building envelope and the length of the drive would depend on the placement of the house.

Chairperson Hamilton-Wood questioned that the plan did not show the adjacent properties on Potts Mill Road. Attorney Sexton stated that the Potts Mill Road properties were on the certified list and had been noticed, but they were not shown on the plan. These properties would be added to the plan.

Engineer Guzzi returned to his April 5, 2007 review letter. Item 1 Attorney Sexton confirmed that the subdivision would be filed by deed. Item 5 the testimony has been given that there would be no disturbance beyond the existing wood line or any DEP buffer that is established. Item 6 Engineer Guzzi asked for some testimony on the water service to the existing house. Attorney Sexton stated that the existing was private well. Item 7 the existing house is on septic. Attorney Sexton stated that they would provide existing septic plans. Engineer Guzzi stated that he would need to see the location of the existing septic shown on the plans. Mayor Muchowski stated that the condition of the approval should be that if they use public water it would be noted in the appropriate place and if they go with private septic they will provide the appropriate documentation.

Engineer Guzzi stated that Item 9 states that the driveway apron details should be added to the plan. Item 10 requires that a grading plan be submitted for the proposed lot. He stated that with respect to some of the conditions that were discussed (DEP approval and septic approval) the subdivision of the lot should be conditioned upon these approvals. The Board wants to avoid creating a lot that is not buildable because those approvals are not attainable.

Attorney Sexton asked for information on the driveway apron. Engineer Guzzi stated that this was just a concrete apron and this should be shown on the plan. Mayor Muchowski stated that the Board would prefer to have the garage and driveway located on the side of the property adjacent to the newly created lot. Attorney Sexton stated that the plan lists the assumed location of the driveway, but this is not necessarily the final location of the driveway. Mayor Muchowski stated that people subdivide a lot so that they can sell off the building lot and then they put the garage and the effect of the garage to the neighbor away from the subdivision.

Mr. Gaglio stated that he did not care where the driveway was located. He said that he thought the location of the driveway would be chosen by the person who buys the lot. Attorney Sexton suggested adding a note that said driveway location subject to Board Engineer approval. Chairperson Hamilton-Wood stated that it probably would not come back before the Board Engineer. Engineer Guzzi stated that the Township recently enacted an ordinance that requires a grading plan, and he recommended that the Board make this a condition of approval that a grading plan be required at the time that the

future owner applies for a building permit. The applicant agreed to this. Engineer Guzzi stated that the Board could set a minimum setback from the eastern sideline for the driveway. Member O'Hara stated that this lot had a frontage of 200'. Engineer Guzzi stated that the neighboring property is 100' from the property line. Member O'Hara stated that he did not think that the Board had to get too detailed on this.

Mr. Gaglio asked what had been determined by the Board regarding septic and sewer. Engineer Guzzi said that his recommendation was that an approval for either septic or municipal sewer service be attained prior to subdivision. This is one of the reasons that the ordinance requires test pits and permeability tests so that the Board is comfortable that a septic system can be approved on this lot before you create it.

Attorney Sexton asked how far Engineer Guzzi was requiring that the applicant go with the septic approval. Engineer Guzzi stated that this was the Board's decision. The ordinance requires that at minimum the test pits and permeability demonstrating that an on-site system is possible. This would have to happen prior to subdivision. Engineer Guzzi stated that with respect to wetland and stream encroachment DEP permits have to be obtained to establish limit of disturbance prior to subdivision. The Board needs to make sure that the lot that is created is buildable.

Motion of Fratinardo, seconded by O'Hara to open the meeting to the public. Motion unanimously approved by all members present.

Fritz Wainwright, 1091 Florence Columbus Road, was sworn in by Solicitor Frank. Mr. Wainwright stated that he had been on that land off and on for the past 60 some years. He stated that this is a perfect piece of land to build on if you build in the right place, which would be back off the road.

Motion of O'Hara, seconded by Smith to close the public portion of the hearing. Motion unanimously approved by all members present.

Chairperson Hamilton-Wood asked for a recap of the application. Solicitor Frank relayed the following conditions. A letter of disturbance or wetlands delineation is required, the septic location of the existing dwelling must be shown on the plan, if the applicant attends to proceed with public water and sewer there should be documentation that it is in fact available to the site or if they are proceeding with private well and septic that there be test borings showing that soils are designable for on-site septic disposal, driveway detail be shown on the plan and a grading plan be developed and that the driveway location be shown prior to the issuance of any construction permit, the constraint free circle for the created lot should be shown on the plan.

Motion of Fratinardo, seconded by DeAngelis, to approve the application with the conditions set forth by the solicitor.

Upon roll call the Board voted as follows:

74.

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

The Board took a short recess. The Board returned to the regular order of business. Solicitor Abbott returned to the dais. Member DeAngelis left the meeting at this time.

Chairperson Hamilton-Wood called for application PB#2007-06 for Whitesell Construction Co., Inc. Applicant is requesting Preliminary and Final Major Site Plan approval with bulk variances for property located at 1500 John Galt Way (previously 290 Daniels Way) Block 158, Lot 1.

Attorney Lynn Blessing McDougall stated that she was representing the applicant Whitesell Construction Company. She stated that they were before the Board for a completeness hearing of the application for Preliminary and Final Major Site plan.

Terrence Huettl, licensed engineer in the state of New Jersey and Vice President of Whitesell Construction and Rick Cureton, licensed planner and architect in the state of New Jersey and President of Whitesell Construction were both sworn in by Solicitor Abbott. Mr. Cureton stated that their landscape architect, John Pagenkopf, was supposed to be at the meeting, but his home in Lumberton had been flooded from the recent storm.

Mr. Cureton stated that he would give a brief introduction and then let Mr. Huettl answer the technical questions.

Mr. Cureton stated that the project that they are addressing tonight was shown in a dark red color on the site plan. The Haines Center is divided between Florence Township and Burlington Township. There are currently 2 buildings that are in a semi-finished state and one building (the Christmas Tree Shop building is under construction). He said that 2/3 of the building at 1100 John Galt Way is leased by Home Depot Supply. Whitesell is within a few weeks of signing a lease with a clinical lab company for the building that is located at 280 Daniels Way (building #2). This will add approximately 300 jobs to the area.

The proposed building will be the fourth building. Mr. Cureton stated that for over 9 months they have been in discussions with a company called International Paper. This is a first class international organization. Mr. Cureton stated they would know within the next week as to whether they would have a lease with them.

Mr. Cureton stated that currently this project is shown as 430,000 square feet with a 170,000 square feet expansion. This site has rail access and this is a great asset. International Paper needs rail access for their operation to work. The paper is delivered in big, heavy rolls and rail is the most cost effective way to transport.

Mr. Cureton stated that just 2 weeks ago International Paper said that rather than having an expansion they would like to have Whitesell build the whole 600,000 square feet at once. The plan that had been submitted to the Board was for a building as Phase 1 with an expansion as Phase 2. Mr. Cureton stated that he hopes to come back and amend the application to get approval for both Phase 1 and Phase 2. Currently they are requesting Preliminary and Final for Phase 1 and just Preliminary for Phase 2.

Mr. Cureton stated that there is not a lot of parking or trucking associated with this site. International Paper only wants 20 doors for trucks. The freight rail activity all takes place at nighttime. If this agreement does not occur Whitesell would still build this site on speculation.

Mr. Huettl stated that most of submission items to be addressed tonight are related to Master Plan items. When Whitesell first came before the Board for the first subdivision about 4 or 5 years ago, they brought master plans for their traffic impact, environmental impact, and municipal services impact and they tried to determine and estimate what the impact would be for the entire 350 acres that Whitesell owns in Florence so that they would not have to duplicate this information every time they came in.

Mr. Huettl stated that they had agreed at that time that with every project they would provide small letter update reports for each of those impact reports with every application that came in front of the Board. He stated that they did provide reports for this application when they originally submitted it last year. He stated that they viewed this submission as an amendment to the old submission, but Engineer Guzzi was not part of the original submission last year and he is viewing this as a new application and that is probably the correct way to do it. He stated that they would resubmit letter update reports for the environmental impact statement, municipal services and utility impact and the traffic impact statement as they pertain to this new application.

Mr. Huettl stated that in Engineer Guzzi's report dated April 2, 2007 page 3 Item 1.a.(3) refers to the waiver request for the location of trees in excess of 6" in diameter. Mr. Huettl stated that the only existing trees on this site are along the railroad tracks on the back boundary. He stated that they are not proposing to cut any of those trees down. The trees are shown schematically on these plans that have been submitted as clouded areas and since they are not proposing to cut anything down they would prefer to not have to go back and survey them to show every individual tree.

Member Smith asked if there would be a spur? Mr. Huettl stated that there would be a minor disturbance for the spur and Whitesell would survey that area.

Mr. Huettl stated that the final submission issue was the Letter of Interpretation delineating the distribution of wetlands on the site. Whitesell had a Letter of Interpretation (LOI) that addressed the issue of wetlands on the entire 350 acre Florence parcel. This was in effect for 10 years and expired in November 2006. This LOI indicated that there were no wetlands present in the area of the proposed building. He stated that this site is just a big wheat field and there are clearly no wetlands on this site.

Mr. Huettl said that since the LOI that existed for 10 years indicated that there were no wetlands and there are clearly no wetlands there today, Whitesell is proposing to have a wetlands specialist walk the property and verify and provide the Township a letter indicating that there are no wetlands in lieu of having to go through the formal process of establishing a new LOI with the State. Mayor Muchowski asked if this was acceptable procedure or would the State require the LOI. Engineer Guzzi said that this site is far enough away from any wetlands and wetlands buffer to allow this.

Engineer Guzzi stated that the update letters are typically provided and he does not have any problem with the partial waivers.

Motion of Fratinardo, seconded by Morris to deem the application complete conditioned upon the submission of the information as set forth in the testimony given by Mr. Huettl.

On the Question:

Mayor Muchowski stated that the application as submitted has a Phase 1 and Phase 2. If the applicant comes in within the next week to build the whole building at one time would this affect the completeness.

Engineer Guzzi stated that this would not affect the waivers.

Upon roll call the Board voted as follows:

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

Chairperson Hamilton-Wood called for application PB#2007-07 for Cathy Lane, LLC. Applicant is requesting Minor Site Plan approval for property located at 61 Cathy Lane, Block 163.01, Lot 3.01.

Attorney John Gillespie stated that he was representing Jottan, Inc., an east coast roofing company seeking Minor Site Plan approval for an almost 11 acre parcel of land that sits on Cathy Lane. The property is located in the SM Special Manufacturing zone and is a permitted use. The applicant is asking permission to allow a 1,584 square foot office building addition, a 90 square foot vestibule to connect the permanent addition to the existing building and a 1,807 square foot warehouse addition. They are also seeking approval to mill and resurface some asphalt paving and slightly expand the paved area, to install a 6' chain link fence and to expand the stone parking area. The applicant has also advertised for a variance from the 50' side yard setback requirement. There is an existing 15' x 20' shed, which is 11.87' from the side yard. The applicant is seeking the waivers that are outlined in Engineer Guzzi's report.

Robert Tete, Vice President of Jottan Inc. and Robert Stout, Stout & Caldwell, Engineer for the applicant were both sworn in by Solicitor Abbott.

Mr. Tete testified that he had been employed by Jottan, Inc. for 15 years. He said that Jottan, Inc. is a large commercial roofing contractor that deals mainly with roofing jobs of 50,000 square feet and greater. Mr. Tete stated that Jottan has 2 locations; one in Columbus, NJ and one in Baltimore, MD. The corporate office is currently housed in Columbus and this would be relocating to the Cathy Lane site. They are proposing the addition to the existing office to house all of the office personnel. The equipment would be stored in the warehouse and in the proposed fenced in area. Mr. Tete stated that there were approximately 80 employees in New Jersey. There would be 18-20 office employees working from the Cathy Lane site. The other employees are working journeymen and they report right to the job site.

Mr. Tete stated that all the materials for jobs are delivered to the job site by tractor trailers from the manufacturers. The office personnel are basically accounting, estimating, project management and in the warehouse.

Chairperson Hamilton-Wood stated that the Board would like to return to the issue of completeness.

Mr. Stout stated that he had reviewed Engineer Guzzi's letter dated April 5, 2007 regarding the requested waivers.

On page 2, Item 1a the applicant has requested a waiver from the Environmental Impact Statement (EIS). Mr. Stout stated that they are not changing any of the existing conditions. They are proposing to put an addition where a trailer had been located and the stoned area currently exists. There are not a lot of changes proposed for the site.

Item 1b for wetlands delineation. Mr. Stout stated that there are no wetlands in the areas that they are currently using. There are no wetlands within 150' of where the improvement work is proposed. Item 1c there are no stream encroachment areas within the area. They are less than a 50 acre drainage shed so this is not really applicable.

Item 1d requiring that all trees greater than 6" in diameter be shown. There is a large grove of trees to the west of the subject property adjacent to the Turnpike Interchange. This wooded area will not be touched.

Item 1e regarding the drainage area map. Mr. Stout stated that they have done some drainage calculations and there is less 5,000 square feet of disturbance so a waiver is requested. The drainage shed will not change from the current flow.

Item 1f there are some inlets along the projection of Cathy Lane. There are already some drainage facilities located.

Item 1g the applicant requests a waiver from providing the test borings to the water table 10' deep. The applicant is not constructing a basin or doing any subsurface work other than a small footing for the addition.

Item 1h there are no protective covenants and there is one drainage easement that is shown on the overall plan so they are requesting a waiver from the protective covenants.

Chairperson Hamilton-Wood asked Engineer Guzzi for his position on the requested waivers. Engineer Guzzi stated that he did not have any objections based on the testimony and recommended granted the waivers conditioned upon the waived information being available if the Board should require it at a later time.

Mayor Muchowski said that the applicant was proposing an expansion of the building. Wouldn't this require some sort of drainage basin under the new storm sewer regulations? Engineer Guzzi stated that based on the amount of new impervious proposed they fall under the requirements for the new stormwater regulations. He said that if there was an excess of a quarter of an acre that would kick the application into a Major and the applicant would have to bring the site into compliance with the current regulations. Mayor Muchowski asked that if the applicant should decide in the future that they want to add more parking is it cumulative? Engineer Guzzi stated that he would consider it as cumulative.

Mr. Stout stated that he did agree with this. Right now the application is for less than 5,000 square feet of disturbance with the 2 building additions. The only expansions that they are doing is to expand the parking lot to conform to the requirement for 10' x 20' parking stall size and a small wedge shape area along the warehouse facility that gives them the required 25' drive aisle.

Mr. Morris asked about the drainage inlets on the property. Mr. Stout stated that there are 2 inlets. There is also a Township easement that drains back into a swale.

Motion of Fratinardo, seconded by Smith to deem the application complete.

Upon roll call the Board voted as follows:

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

NOES: None

ABSENT: Ryan, DeAngelis

Mayor Muchowski asked if there were any notice requirements for this application. The applicant stated that they had given notice due to the variance request.

Mayor Muchowski asked why the applicant wanted to keep the old shed. Mr. Tete said that he planned to use the shed for storage. He also stated that he was planning to paint the shed. Mayor Muchowski mentioned that this shed is adjacent to the resident on that side of the property. Mr. Tete stated that he would remove the shed. Mr. Gillespie stated that this would eliminate the need for the variance.

Chairperson Hamilton-Wood asked if the applicant would like to go through the remainder of Engineer Guzzi's review letter. Engineer Guzzi stated that Item 2 refers to the request for a design waiver to permit parking within 75' of a street right-of-way. The existing condition shows that the parking is 35' from the street and 20' from Building No. 1. Mr. Stout stated that they are not changing the parking; they are proposing to rehab the paved area and expand to keep to the parking space size. Engineer Guzzi stated that this was an existing non-conforming condition.

Item 3 parking areas are required to be curbed. Mr. Stout stated that the parking area for Building No. 1 has no curbing on it today and they are not looking to change that. This is mainly due to the stormwater management on the site. Everything runs from north to south to the drainage facilities in the back. He said that stone parking area is lined with 8' x 8' landscape timbers.

Item 4 the ordinance requires that parking areas be paved. Mr. Stout pointed out the existing stone parking area. The applicant basically just refreshed the existing stone area. This is a driveway that goes around Building No. 2 and Building No. 3. Mr. Stout stated that the front area is a mixture of asphalt and stone and this is an existing condition.

Item 6 the applicant has agreed to remove the existing utility shed. Item 7 regarding the trash/garbage collection. Mr. Stout said that there was an existing dumpster directly adjacent to the warehouse facility. He stated that they haven't proposed a separate trash enclosure for the office component. The applicant proposes to take any trash generated from the office use and transport it over to the dumpster. Even though this is not directly adjacent to the office use it is on site and will be maintained.

Mayor Muchowski asked if the applicant was going to use both the office and the warehouse for their own use. Attorney Gillespie stated that the applicant was going to use the office and the warehouse is a combined use. There is an existing tenant there now and he would have Mr. Tete testify about this.

Engineer Guzzi stated that the ordinance requires a trash location at each building so this would be a design waiver.

Item 8 regarding the stormwater management. Engineer Guzzi requested testimony in respect to the runoff. Mr. Stout stated that what the applicant is trying to do is maintain the hydraulic gradient from the northern most part of the site to the southerly portion of the site. They are keeping everything the same. The runoff has slightly increased by less than half a CFS and this is due to the small increase in the impervious coverage. There is less than a quarter acre of impervious and less than one acre of disturbance which would kick in any new stormwater management regulations which are not applicable in this case.

Item 9 there is no site lighting shown on the plan. Mr. Stout stated that they have not done a lighting isolux. There are several lights that are existing on site. He stated that they didn't have the cut sheets so they couldn't put together an isolux chart. They will go

80.

out and do a meter reading to make sure they conform to the ordinance. There is a utility pole 20' off the rear of the warehouse and one off to the westerly corner. They both have a 45 degree flood light that is directed toward the back. There are building mounted lights along the side of the warehouse. There are some pole-mounted lights (PSE&G) lighting forward and then some 45 degree flood mounted lights on the pole directed towards the site.

Item 10 Engineer Guzzi stated that the detail for the concrete wheel stops should be provided. Item 11 a barrier free parking space should be provided at the parking area for Building No. 3. Item 12 the Planning Board approval line should be revised to indicate "Chairperson" The applicant will comply with these items.

Item 13 the construction detail for the chain link fence should be added to the plan. Mr. Stout stated that the applicant is proposing to enclose the rear area of the property for security reasons. Mayor Muchowski asked if this would be a front yard variance for the fence. Engineer Guzzi stated that he interpreted that the fence is not in any front yard.

Item 14 Mr. Stout agreed to provide the elevations on the plans based on the United States Coast and Geodetic Survey (USGS) datum.

Item 15 is for the outside agency approvals. Mr. Stout stated that they would get Township Fire District and Police approval if required and they are required to submit to Burlington County Planning Board. DEP permits and Soil Conservation District approval are not applicable.

Mayor Muchowski said that the parking area in the front is not being curbed. What was the thought behind the 8" landscaping timbers on the stone parking lot? Mr. Stout stated that this was an existing condition and basically is used to define the stone area from the grass area and basically acts as a wheel stop. Chairperson Hamilton-Wood asked if these timbers would affect the drainage. Mr. Stout stated that the wheel stops are only used in the stone parking lot area.

Engineer Guzzi stated that landscape ties are used to hold the stone area in so that it doesn't spill out into the grass. The 2 purposes are to act as a wheel stop and to maintain the stone. Mayor Muchowski stated that this was a little different than the pizza truck because this isn't located on one of the main entrances into town. Engineer Guzzi stated that these landscape ties are existing already. The applicant is just proposing to relocate them to conform the parking space size.

Engineer Guzzi said that he thought that the landscape ties were flush with the ground. Mr. Tete stated that they were raised up and were spiked into the ground. Engineer Guzzi stated that if they were above ground they would act as wheel stops.

Chairperson Hamilton-Wood asked for testimony regarding the use of the warehouse.

Mr. Tete stated that 6,000 square feet (approximately half) of the warehouse is currently leased to Roadrunner for a large truck repair shop. The other 6,000 square feet will be utilized by Jottan as their storage area. Mr. Tete stated the truck repair would only be conducted within the building. Mr. Tete indicated an area at the back of the building that is used for parking. Engineer Guzzi stated that there should be an area designated on the plan as truck repair parking and a note should be added that no truck repair would be done outside of the building.

Mr. Tete stated that they would be storing small equipment in the warehouse and the storage building. There will be some trailers and trucks stored outside. They have 3 state body trucks various pick-up trucks and landscape trailers that would be stored in the fenced in area.

Mayor Muchowski stated that the site plan only designates 12 parking spots. He asked if there was any parking delineated for the other building. Mr. Tete stated that he was planning to use the fenced in area for storage, vehicle parking and a staging area. Engineer Guzzi stated that the Board would want see how many vehicles and trailers would be parked on the site. Mayor Muchowski stated that he didn't want to see this turned into a large outside storage area. Mr. Stout indicated that they could easily delineate the truck parking on the plan.

Chairperson Hamilton-Wood asked if the applicant could add a dumpster to Building 1. Mr. Tete said that he was concerned that people will be trying to use the dumpster to dispose of their private trash. Engineer Guzzi stated that the dumpster was outside of the fence. Mayor Muchowski said that if another user goes into the building then there should be another receptacle.

Mr. Stout showed a view of the existing conditions of the site. He then showed the proposed elevation for the building with the addition. The entire building would be sided with a composite siding like Hardiplank. Mr. Tete stated that the center building has already been sided and just needs to be painted. He said that initially he would be painting the large warehouse and then eventually put new vertical metal siding to match the existing, but he would eliminate 60% of the doors.

Attorney Gillespie stated that currently the whole parcel is owned by Jottan, Inc. As part of the agreement when they bought this they agreed to deed back 3.6 acres that would include the cell tower south of the Cathy Lane extension to PRM. Attorney Gillespie stated that they had met with Mr. Minuto and his attorney and they are working on an easement that will allow access to the cell tower.

Mayor Muchowski asked if the proposed siding was acceptable? Is the applicant required to provide architecturals. Engineer Guzzi stated that architecturals were not required, but the applicant had provided them. Mayor Muchowski asked if the architectural was an accurate depiction of the colors. Mr. Tete said that it wasn't the actual color, but it is an actual depiction of the siding and the vertical lines and the window configuration. Mr. Tete stated that it would be a neutral color. Attorney

Gillespie stated that the applicant agrees to use a neutral color for the office. Mr. Tete stated that he could bring the final color in for approval.

Member Morris asked what colors were proposed for the other buildings. Mr. Tete stated that the metal building is another issue. The metal panels come in standard colors. He stated that he would probably choose a medium blue with white roofing. The middle building has a white roof and he would probably be using another blue color.

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

Chairperson Hamilton-Wood asked for a recap of the application. Solicitor Abbott stated that this was an application for Minor Site Plan approval with design standard waivers. The conditions are compliance with all the requirements set forth in the April 5, 2007 report of the Board Engineer, the shed will be removed, there shall be no trucks repaired outside of the building and a note would be added to the plan to that respect, the area to be designated for parking for the truck repair business shall be shown on the plan, and all designated parking shall be shown on the plan, if the building and site come under separate business use in the future an additional dumpster shall be installed for Building 1, a note to this effect shall be added to the plan, the office building shall be sided in a neutral tone to be approved by the Board Engineer.

Mayor Muchowski asked if there was a landscaping plan. Mr. Stout stated they have proposed street trees about every 40' along the street line. There is landscaping proposed along the buildings. The triangular piece between the railroad ties and the stone entrance would be grassed. Mr. Tete stated the area would be green grass. Member Smith asked the applicant to make sure that the placement of the street trees doesn't interfere with the overhead utility wires. Mr. Stout stated that there was plenty of room for this.

Attorney Gillespie stated that in Engineer Guzzi's letter on page 2, items 2, 3, and 4 the applicant had requested a waiver as these are existing non-conforming conditions. On Item 9 the applicant will put the isolux together to comply with the ordinance. Attorney Gillespie stated that the landscaping ties would be taking the place of wheel stops in the stone parking lot.

Mayor Muchowski said that he wasn't concerned with the appearance of the lights in the back of the site, but would be concerned with the proposed lights in the front. Mr. Stout stated that the lights are already there on the existing poles. If they need more lighting he would think that they would go with standard PSE&G lighting that would match what was already there.

Motion of Smith, seconded by O'Hara to approve the application with the conditions as previously outlined.

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Upon roll call the Board voted as follows:

YEAS: Fratinaro, Muchowski, O'Hara, Smith, Morris, Hamilton-Wood

NOES: None

ABSENT: Ryan, DeAngelis

Motion of Fratinaro, seconded by Morris to open to public. Motion unanimously approved by all members present.

Motion of O'Hara, seconded by Fratinaro to close public portion. Motion unanimously approved.

Motion of Smith, seconded by Morris to adjourn at 1100: a.m. Motion unanimously approved.

John T. Smith, Secretary

JTS/ne