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Florence, New Jersey 08518-2323
July 19, 2004

The meeting was called to order at 7:35 p.m. by Chairperson Hamilton-Wood , 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:

John Fratinardo	Philip F. Stockhaus, III
Michael J. Muchowski	Mildred Hamilton-Wood
Thomas Napolitan	Robert Semptimphelter
John T. Smith	Gene DeAngelis

ALSO PRESENT: Nancy T. Abbott, Board Solicitor
Martin Sander, Board Engineer
Carl Hintz, Board Planner

ABSENT: Dennis A. O'Hara

RESOLUTIONS

**RESOLUTION PB#2004-20
MEMORIALIZING THE GRANTING OF SUBMISSION WAIVERS, DEEMING
INCOMPLETE AND CONTINUING THE APPLICATION OF ATLANTIC
COAST COMPANIES FOR PRELIMINARY AND FINAL MAJOR SITE PLAN
APPROVAL FOR CONVERSION OF A TRAILER MANUFACTURING PLANT
TO A TRUCK FLEET MANAGEMENT FACILITY AND CONSTRUCTION OF
A GASOLINE STORAGE AND DISPENSING FACILITY ON BLOCK 159, LOT
1.01, LOCATED IN A HC HIGHWAY COMMERCIAL (SM SPECIAL
MANUFACTURING OVERLAY) DISTRICT.**

Motion of Smith, seconded by Stockhaus that Resolution PB#2004-20 be approved.

Upon roll call the Board voted as follows:

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

**RESOLUTION PB#2004-21
MEMORIALIZING DEEMING INCOMPLETE AND CONTINUING THE
APPLICATION OF JOHN E. DRAGER FOR MINOR SITE PLAN APPROVAL
AND BULK VARIANCES TO PERMIT CONSTRUCTION OF A GARAGE ON
BLOCK 165.01, LOT 11.01, LOCATED IN A HC HIGHWAY COMMERCIAL
DISTRICT**

Motion of Fratinardo, seconded by Semptimphelter that Resolution PB#2004-21 be approved.

Upon roll call the Board voted as follows:

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

**RESOLUTION PB#2004-22
MEMORIALIZING DEEMING INCOMPLETE AND CONTINUING THE
APPLICATION OF MAIMON, BLEZNAK, ABRAMSON INVESTMENTS FOR
PRELIMINARY MAJOR SUBDIVISION APPROVAL TO PERMIT
CONSTRUCTION OF AN INDUSTRIAL PARK ON BLOCK 168, LOTS 6, 8, & 11
LOCATED IN A SM SPECIAL MANUFACTURING DISTRICT.**

Motion of Semptimphelter, seconded by Stockhaus that Resolution PB#2004-22 be approved.

Upon roll call the Board voted as follows:

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

**RESOLUTION PB#2004-23
MEMORIALIZING THE GRANTING OF SUBMISSION WAIVERS AND
DEEMING COMPLETE THE APPLICATION OF WHITESELL
CONSTRUCTION COMPANY, INC. FOR PRELIMINARY MAJOR SITE PLAN
APPROVAL WITH VARIANCES AND WAIVERS FOR BLOCK 158, LOT 1
(PROPOSED LOT 8), LOCATED IN A GM GENERAL MANUFACTURING
DISTRICT.**

Motion of Fratinardo, seconded by Semptimphelter that Resolution PB#2004-23.

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Upon roll call the Board voted as follows:

YEAS: Fratinaldo, Muchowski, Napolitan, Smith, Stockhaus, Hamilton-Wood,
Semptimphelter
NOES: None
ABSENT: O'Hara

**RESOLUTION PB#2004-24
MEMORIALIZING THE GRANTING OF PRELIMINARY MAJOR SITE PLAN
APPROVAL WITH VARIANCES AND WAIVERS TO WHITESELL
CONSTRUCTION COMPANY, INC. FOR BLOCK 158, LOT 1 (PROPOSED LOT
8), LOCATED IN A GM GENERAL MANUFACTURING DISTRICT.**

Motion of Fratinaldo, seconded by Stockhaus that Resolution PB#2004-24 be approved.

Upon roll call the Board voted as follows:

YEAS: Fratinaldo, Muchowski, Napolitan, Smith, Stockhaus, Hamilton-Wood,
Semptimphelter
NOES: None
ABSENT: O'Hara

MINUTES

Motion of Semptimphelter, seconded by Fratinaldo that the minutes of the Regular Meeting of June 21st be approved.

Motion unanimously approved by all members present.

CORRESPONDENCE

Motion by Muchowski, seconded by Smith to receive and file Correspondence A through E.

Motion unanimously approved by all members present.

OLD BUSINESS

Chairperson Hamilton-Wood called for PB#2004-05 for Maimon, Bleznak, Abramson Investments. Applicant is requesting preliminary major subdivision approval for the construction of an industrial park at Florence-Columbus Road and Route 295. Block 169, Lots 6, 8, & 11.

Mr. Ott, from Ott & Warner Land Engineering, engineer for the applicant had sent a letter requesting continuance until the August meeting of the Board. Solicitor Abbott stated that the applicant would need to re-advertise before the August meeting.

Motion of Stockhaus, seconded by Fratinardo to continue application PB#2004-05 and require additional notice.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, Napolitan, Smith, Stockhaus, Hamilton-Wood, Semptimpfelter.

Chairperson Hamilton-Wood called for application PB#2004-03 for John Drager. Applicant is requesting minor site plan approval with bulk variances to construct a 30' x 60' garage, a 25' x 6' porch and a 25' x 12' one story addition on his property located at 2122 Route 130, Block 165.01, Lot 11.01.

Motion by Semptimpfelter, seconded by Smith to grant a continuance and require additional notice.

Upon roll call the Board voted as follows:

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

Chairperson Hamilton-Wood called for application PB#2004-04 for Whitesell Construction Co. The applicant is requesting final major site plan approval for construction of a warehouse/distribution building at the Haines Center, John Galt Way, Block 159, Lot 1 (proposed Lot 8). Preliminary major site plan approval was granted on June 21, 2004.

Lynn Blessing-McDougall, Robbinsville, NJ , attorney for the applicant introduced Terrance Huettl, Director of Development at Whitesell Construction Co. and the engineer of record. Mr. Huettl was sworn in by Solicitor Abbott.

Mr. Huettl indicated that they were seeking final approval for a 250,000 square foot warehouse with a small office on the front. Whitesell is building this on speculation; they do not have a tenant at present.

Chairperson Hamilton-Wood asked if Mr. Huettl was able to review the reports of the Board's professional. Mr. Huettl stated the only received a report from Engineer Sander. Chairperson Hamilton-Wood asked Engineer Sander to go over the report. Engineer

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Sander stated that the submitted plans comply with the previous review letter of June 4, 2004 and subject to Planner Hintz' review and approval, preliminary site plan approval was granted by the Board. The applicant was now requesting final site plan approval using the same plans and if the Board grants the approval it should be conditioned on approval of all agencies with jurisdiction, submission of eight sets of plans, revised in accordance with all conditions of approval established by the Board, within 60 days of approval, and payment of all fees and posting of required bonds and escrows.

Engineer Sander stated that the applicant had already submitted eight sets of plans to his office. If the Board requires no further revisions of the plans, Engineer Sander will sign and forward the plans for final subdivision approval. If the Board requires revisions, the applicants engineer was advised that revisions must be noted on the plan and a revision date must be put on the plan each time it is revised.

Planner Hintz indicated that his concerns had been addressed by a memo dated June 24, 2004 and the revised plans.

Solicitor Abbott stated that once the applicant has satisfied all the conditions of preliminary site plan approval, they are eligible to have final site plan as right. She stated that it appeared that all concerns had been satisfied and the final site plan approval can be granted subject to the conditions set forth on Mr. Sanders report.

Chairperson Hamilton-Wood asked the Board if they had any questions for the applicant. Hearing no question or comment Chairperson Hamilton-Wood opened the application up for public comment.

John Hiros, PO Box 46, New Lisbon, NJ, owner of Bung's Tavern adjacent to Whitesell's property. Mr. Hiros stated that several years earlier, when Whitesell had appeared before the Board for another application, he (Mr. Hiros) has testified about the possibility of water draining from Whitesell's property onto his property. Mr. Hiros stated that Whitesell had agreed to correct the drainage problem by removing obstructions to free the flow of water along Bustleton Creek. Mr. Hiros maintains that Mr. Huettl agreed as a condition of approval to remove a culvert and an earthen roadway, and that as of yet this has not been done. Although the culvert has been removed, the old roadway across the flood plain remains. Mr. Hiros feels that this will cause water to accumulate on his property. Mr. Hiros did admit that Whitesell was not the main offender – NJ Transit was.

Chairperson Hamilton-Wood asked Mr Huettl if he wanted to respond to Mr. Hiros' comments. Mr. Huettl stated that there had been a previous discussion about drainage onto Mr. Hiros' property. As a result of those discussions, Mr. Huettl met with Mr. Hiros and they walked along the creek bed and talked about potential solutions to the problems that Mr. Hiros believed existed. Shortly after this a problem arose with the culvert. Whitesell did remove the culvert and accumulated silt and sediment. Mr. Huettl stated

that he felt this fulfilled the requirement of the condition of approval. In addition to that as a result of their discussions, Whitesell agreed to help Mr. Hiros with his attempts to make NJ Transit do some remedial action to a culvert that is upstream of Whitesell's property. Whitesell provided an Engineering Report that they had prepared at their expense for Mr. Hiros to submit to the DEP and NJ Transit to help Mr. Hiros obtain the action he was trying to get from NJ Transit and the DEP. Whitesell felt that this fulfilled the requirements of the condition of subdivision approval.

Chairperson Hamilton-Wood asked Engineer Sander if he was aware of any condition of approval that had gone unmet. Engineer Sander answered that he did not know of any.

Seeing no other members of the public wishing to speak, Chairperson Hamilton-Wood closed the public portion of the meeting.

Motion by Napolitan, seconded by Fratinardo to approve application PB#2004-04.

Chairperson Hamilton-Wood asked if there were any questions on the motion. Member Smith questioned Mr. Hiros if the problem was with NJTransit. Mr. Hiros said that he felt part of the problem was with Whitesell Construction. Mr. Hiros stated that the condition of approval to improve the drainage had not been met. Solicitor Abbott read the resolution from November 19, 2001 at which time final major subdivision approval with bulk variances was granted to Whitesell. Mr. Huettl agreed to improve the drainage on the site by removing silt and similar blockage and regard Bustleton Creek if permitted by NJDEP. Mr. Huettl stated that they had removed silt and blockage and regraded that section of creek. Mr. Hiros stated that Mr. Huettl had promised at the meeting in 2001 to get rid of the culvert, survey the bed of the stream, and remove the earthen road. Mayor Muchowski commented that he remembered the conversation about the culvert, but does not recall discussion about the road. Mr. Huettl indicated on the site plan the area that is in question. Mayor Muchowski asked if when you removed a culvert in an emergency situation if the DEP must be notified. Mr. Huettl stated that at the time Whitesell was farming the parcel that is currently part of this application. They were notified by one of their construction guys, that the culvert had collapsed. Mr. Huettl went out to investigate and saw that one side of the culvert had collapsed into the creek and was clogging the creek. They had heavy equipment there and Mr. Huettl had the workers remove the culvert and bring the banks of the road that crossed the culvert away from the center line of the creek.

Mr. Hiros again stated that Whitesell had not applied to DEP. He said that this was an emergency situation that Whitesell had reacted to and was not done for his (Mr. Hiros') benefit. Mr. Hiros indicated on the site plan where the old road was located. He also spoke about retention ponds and pipes on both the NJTransit property and Whitesell property. Mayor Muchowski asked Mr. Hiros if his property had been adversely effected by the recent heavy rain. Mr. Hiros stated that no it was not. Mr. Hiros wants an upland area to be removed for better drainage during storm conditions.

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Mayor Muchowski asked Engineer Sander how the DEP determined that the culverts were adequate to handle whatever rains occurs. Engineer Sander said that nobody designs for storm like we recently had. Most systems are designed for the 25-year storm due to costs. Mayor Muchowski recalled that Engineer Sander and Mr. Huettl had spent a lot of time discussing the drainage problems.

Solicitor Abbott stated that often during the hearing of an application there would be dialogue between the applicant and an interested member of the public. If the Board determines that this dialogue is really important they will make it a condition of approval.

Chairperson Hamilton-Wood stated that any conversation that took place or promises that were made between Mr. Hiros and Mr. Huettl during their walk in the field would be outside the jurisdiction of the Board. Engineer Sander stated that the problem for Mr. Hiros would be from the culvert on the NJTransit site. Mr. Hiros said that Whitesell had not done all that they should have in regards to the drainage situation. He stated that Whitesell should have gone to the DEP and suggested that the Board listen to the tape from the meeting to verify what was actually said. Engineer Sander said that the resolution does not say that Whitesell must go to the DEP. Mr. Hiros asked Solicitor Abbott to read the resolution again. Chairperson Hamilton-Wood asked Mr. Hiros if the condition had been improved. Mr. Hiros stated that it had been improved, but he did not feel that Whitesell had done everything they were supposed to do. Solicitor Abbott stated that if Mr. Hiros felt that Whitesell was doing something that was having an adverse effect on his property, this would be a private matter between two property owners.

Member Semptimphelter asked if the one sentence in the resolution “that they would go to the DEP” as being a condition of the approval. Solicitor Abbott stated that part of the condition of the approval is that if DEP approval is being required for anything being done on the property that they have to seek that approval. Member Semptimphelter asked if the applicant had met all the conditional of the final site plan approval. Solicitor Abbott stated that they absolutely had.

Chairperson Hamilton-Wood said that at the last meeting the Board had granted preliminary site plan approval and she thought that the issues that were being discussed should have been discussed at the preliminary hearing. Solicitor Abbott said that this was correct and it was unfortunate that Mr. Hiros was unable to appear at the preliminary hearing. That would have been the appropriate time for the Board to take action. Once the preliminary approval has been granted, as long as they meet all the conditions of the preliminary approval they are entitled to final approval.

Mayor Muchowski stated that there were two issues at hand. One is the legal issue. The second is if Whitesell met the intent of what he had promised to Mr. Hiros. The Board wants both parties to be satisfied. Does Whitesell need to do anything with the DEP, even post approval to this area. Has Whitesell met the condition to improve the flow of

water, so the application could be moved forward and avoid this problem on future applications.

Attorney Blessing-McDougall stated that the applicant had satisfied all the conditions of the previous approval. DEP approval was not required for the development and was not part of the approvals that was required for under the final subdivision approvals. Whitesell did improve the drainage conditions. It is not up to Whitesell to fix problems that are caused by NJTransit.

Mayor Muchowski inquired as to whether DEP approval was necessary to regrade Bustleton Creek under emergency conditions. Engineer Sander answered that Whitesell did not need to get DEP approval for the emergency grading. Mr. Huettl stated that the DEP had been on the site to investigate wetlands after the culvert had been remained and had not sited Whitesell for any problems. Engineer Sander stated that removing the road would most likely not have an effect on the culverts upstream.

Upon roll call the Board voted as follows:

YEAS: Fratinaro, Muchowski, Napolitan, Smith, Stockhaus, Hamilton-Wood,
 Semptimphelter
NOES: None
ABSENT: O'Hara

Mayor Muchowski asked Engineer Sander to collect pictures of this area in case the concern should be raised again at a later date.

Mr. Hiros thanked the Board for taking the time to review his concerns.

Chairperson Hamilton-Wood called for application PB#2004-02 for Atlantic Coast Companies. Frederick Hardt, attorney for the applicant, asked to be placed at the end of the agenda. Chairperson Hamilton-Wood agreed but did caution Mr. Hardt about the large agenda and the possibility that the time would get too late. Mr. Hardt stated that he was aware of the 11:00 rule.

Chairperson Hamilton-Wood called for application PB#2004-06 for Mary Ann Forman. Applicant is requesting minor subdivision approval with bulk variances to construct a single family dwelling on the empty lot located at 950 and 956 Wallace Avenue, Roebling, NJ. Block 109, Lots 8 & 9. The application had been deemed incomplete due to waiver and the applicant was appearing for a waiver hearing.

David Glatfelter, attorney for Mrs. Foreman, introduced Dario Gear, builder for the owner of the property and acting as her agent. Solicitor Abbott swore in Mr. Gear. Attorney Glatfelter stated that Mrs. Forman was also present but he did not expect her to offer any testimony.

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Attorney Glatfelter stated that he would go through Engineer Sander's letter.

1a) This pertains to listing the lot lines and names of owners within 200 feet of the site. Attorney Glatfelter is requesting a waiver from this because this information is included in the application and assuming approval is granted this would be perfected by deed and not by plan. Since this is already available in one form, Attorney Glatfelter doesn't see the need to duplicate the information

1b) Preliminary delineation of wetlands based upon NJDEP criteria – and 1c) delineation of stream encroachment – Attorney Glatfelter stated that this property is a developed in town site on Wallace Avenue. The yard is a maintained lawn. There is no evident streams or wetlands existing on this site as far as he can see.

1d) Existing and proposed utilities and 1e) structures and wooded area within the tract and on adjoining properties within 200 feet. Attorney Glatfelter stated that the applicant will provide this information so they are withdrawing the waiver request for these two items.

1f) General indication of drainage flow. Attorney Glatfelter stated that the plan does show some arrows indication that the drainage does go basically to the east (left) of the property. This is the existing situation. If the Board needs to see the flow of drainage in the developed condition, that can be provided. Attorney Glatfelter indicated that there would be some grading done to the two lots to allow the drainage to go out to the street.

1g) Existing zoning of the tract and the bulk requirements – again Attorney. Glatfelter stated that this was shown on the application form and if they are perfecting by deed rather than by plan, they would request a waiver.

Engineer Sander asked Attorney Glatfelter if the applicant was requesting all of the waivers except for 1f which they would show. Attorney Glatfelter stated that they would show 1d and 1e and had shown to some extent what is on 1f. Attorney Glatfelter asked for clarification on 1f. Engineer Sander stated that they should show, on the plan, what the drainage would be like after the lots are subdivided. Attorney Glatfelter agreed to this.

Chairperson Hamilton-Wood asked for a site plan. Solicitor Abbott stated that the survey that was submitted did not meet the requirements for a site plan. Attorney Glatfelter asked if Solicitor Abbott meant a subdivision plan. Solicitor Abbott stated that yes it was a subdivision plan. She also said that the waiver hearing was to let the applicant know exactly what should be included in the plan and what can be waived.

Engineer Sander explained to Attorney Glatfelter exactly how the subdivision plan should be prepared. He stated that the following waivers listed in his letter dated July 12, 2004 should be granted 1b, 1c, and 1e. The other items should be shown on the plan.

Motion by Smith, seconded by Stockhaus to grant wetland delineation, delineation of stream encroachment, and delineation of all structures and wooded areas within the tract and on properties adjoining within 100 feet and to deem the application incomplete.

Chairperson Hamilton-Wood asked for any questions on the motion. Mayor Muchowski wanted to clarify that this motion was only to deal with the requirements to be reviewed. This does make any indications as to the Boards intention to approve or disapprove the application. Attorney Glatfelter stated that he understood this. He did ask if the application could be continued so that they would not have to send out additional notice.

YEAS: Fratinaro, Muchowski, Napolitan, Smith, Stockhaus, Hamilton-Wood,
Semptimphelter
NOES: None
ABSENT: O'Hara

Chairperson Hamilton-Wood called for application PB#2004-08 for the Florence Fire District. Applicant is requesting preliminary and final major site plan approval to construct a new firehouse on the New Jersey Turnpike Access Road, Block 155.47, Lot 10.01.

Robert Gaskill, attorney for the fire district introduced Florence Fire Chief Ed Kensler, Robbie Conley, licensed architect, and Ed Belski, project engineer. Solicitor Abbott swore in the witnesses.

Solicitor Abbott suggested that first a hearing on the completeness of the application would be necessary. Mr. Belski listed the following submission waivers and his reasoning for requesting them.

The applicant had submitted a phase one environmental study and asked that this be accepted in lieu of the environmental impact statement. Engineer Sander indicated that was an acceptable substitution.

The site is heavily wooded so they are requesting a waiver from depiction of all structures and wooded areas on the site. Planner Hintz stated that this is a secondary growth site. There are a couple of large trees at the front of the site that could possibly be saved. Mr. Belski indicated on the plan which trees they intended to leave. It was agreed that Mr. Belski and Planner Hintz should walk the site to determine which trees should be saved.

The facility will be developing a minimal amount of sewage. There are sewage lines close by, so the are not looking treat sewage on site. They will connect to the existing sanitary sewer system. A waiver is not required for this.

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Mr. Belski stated that the only group use at this facility will be for training sessions for fire fighters and the fire districts membership meeting. There is a possibility that one of the rooms could be used for community meetings if necessary. Responding to a question from Member Napolitan, Chief Kensler stated that the training room could hold 100 people, but could be split into two rooms that could be used by the community.

Solicitor Abbott stated that the waivers must be addressed first.

Motion by Semptimphelter, seconded by Fratinardo to grant the two requested submission waivers and to deem the application complete.

YEAS: Fratinardo, Muchowski, Napolitan, Smith, Stockhaus, Hamilton-Wood
Semptimphelter

NOES: None

ABSENT: O'Hara

Chairperson Hamilton-Wood stated that the application is complete and the Board would move on to the substantive issues of the application.

Returning to Engineer Sander's report, Mr. Belski stated that they have revised the drainage calculation. In regards to the spillway - in every direction out of the basin there is an increase in elevation. If the basin were to fill with more than a 100-year storm the direction of flow would be toward the rear of the lot. They did not show a spillway because they wanted to leave as much vegetation as they could on the site. If the Board feels it is necessary they will add a spillway. The time for drainage for the 100-year storm for basin three is approximately 48 hours. Engineer Sander stated that there should be a fence around the basin. Engineer Sander stated that the two-year storm would take approximately 3 hours to drain. The 100-year storm would be more extensive. The 100-year storm would have a depth of approximately four feet in basin 2. Attorney Gaskill stated that they would put up a chain link fence with inch and one quarter squares around the basins.

Engineer Sander stated that one van accessible handicap parking space must be included. Attorney Gaskill stated that the applicant would comply with the parking requirements referred to in items 4, 5, and 6 in Engineer Sander's report.

Planner Hintz referred to his report dated July 15, 2004. Attorney Gaskill stated that they had reviewed the items called out in Planner Hintz's letter under 1.2, 1.3, and 1.4 and the correction will be made. The height of the building is 34 feet.

Planner Hintz stated that the site has some indication of having some wetlands and he feels it is importance to get either a presence/absence or a letter of interpretation. Mr. Belski requested a waiver for this requirement. He stated that he is a wetlands delineator and he had inspected the site and the site does not meet all the criteria for a wetland.

Planner Hintz stated that he too is a wetlands scientist. He advises to get an absence letter from DEP just as insurance for the applicant.

Planner Hintz stated that the rest of the comments in his reports dealt with buffer requirements and landscape requirements. Planner Hintz indicated an area on the plan where he thought some more trees could be saved. Planner Hintz stated that he didn't know if adding fill would be necessary in front of the driveway area. Planner Hintz stated that this area might be used to meet the buffer and landscape requirements. Mr. Conley stated that they didn't want to landscape closer to the driveway due to traffic safety concerns. Planner Hintz suggested planting trees to screen the parking areas from the road. Mr. Belski asked if they could keep any street trees back from the road to not obstruct the view of exiting fire trucks in an emergency.

The applicant has agreed to conform to all points made in Planner Hintz's letter dated July 15, 2004 with the exception of 3.4, which deals with a licensed landscape architect. A waiver will be requested for this item.

Chairperson Hamilton-Wood called for questions from the Board. Member Smith asked why there was a proposed playground. Mr. Kensler said that they are trying to encourage people to volunteer to join the Fire Company and they feel a playground will make this a family friendly environment. Also the community is putting out a lot of money so this is a way the Fire Company can give back to the community.

Mr. Kensler stated that the fire trucks would be filled from inside the building. Member Smith asked why there was no outside access to the electric room. Mr. Conley stated that the electric room would also have access from the utility room. Mr. Conley stated that this would be a standard 240 service, but doesn't know how many amps. They will be a CT cabinet for the electric on the outside of the building. The sprinkler system and telecommunication system will be located in this room also. Member Smith thinks this is a poor design because there is no outside access. Mr. Conley stated that due to security issues he felt that they needed to limit the number of entrances. The stairs and the training room will have exit only doors. Mr. Conley stated that they could look at this at a later date.

Member Smith asked if this was the final plan. Mr. Conley said no this was a schematic design. They are still working on construction documents.

The building will be cooled by air conditioning units and heated by gas powered infrared heaters in the bays and forced hot air in the rest of the building.

Chairperson Hamilton-Wood asked if the sign met the requirements. Mr. Conley stated that there would be two signs. They would both be lit. One will be on the building and two freestanding. The application was verbally amended to include a request for two

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freestanding signs and one sign on the building. The one freestanding sign was a fire district sign. A second sign will have announcements on it.

Chairperson Hamilton-Wood opened the hearing to public comment. Seeing no one wishing to comment the public portion of the hearing was closed.

Motion by Fratinardo, seconded by Smith to grant preliminary and final major site plan approval with variances for number of signs and design standards waiver as set out in Planner Hintz's report.

Conditions attached to approval in addition to the normal conditions of other agencies and payment of fees are that there will be a four feet high chain link fence with 1 ¼" squares around basin 2, the Board Planner will determine the extent and location of the buffers pursuant to item 3.3 of the planners report, increased screening in front of the two parking areas – the extent and location of which will be decided by the Board Planner, the location of the free standing signs will be determined pursuant to an agreement between the applicant and the Board Planner.

Upon roll call the Board voted as follows:

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

Chairperson Hamilton-Wood called a brief recess. The Board returned to the regular business.

Chairperson Hamilton-Wood called for application PB#2004-07 for Roebing Bank. Applicant has requested minor site plan approval for the construction of a parking lot at Route 130 and Delaware Avenue. Block 109, Lots 1, 5, and 7.03.

Board Member Semptimphelter removed himself due to a conflict of interest. J. Robertson MacIver, attorney for the applicant amended the application to preliminary and final major site plan.

Frank Travea, President of Roebing Bank and Hagop Keshishian, Environmental Resolutions, engineer for the applicant were sworn in by Solicitor Abbott.

Attorney MacIver addressed the letter from Engineer Sander dated July 16, 2004. Solicitor MacIver stated that they did not need an Environmental Impact Statement because this is a previously improved piece of land that had been the site of deteriorating structures and since it was proposed to remove those structures and replace them with a very carefully planned parking lot and stormwater management facility that the impact on

the environment could only be positive and that the improvement was not so elaborate so that the issues normally raised in the environmental impact statement would be covered in other aspects of the application.

They didn't include the lot lines and names of owners within 200 feet because the site is bordered by Rt. 130 on one side, on the other side by the existing bank facility, on the third side by another large parking lot of a commercial facility, the only properties that would be impacted by this are the residential properties that lie to the north of the site. So they included these properties on the plan and felt that this would be sufficient.

Attorney MacIver stated that they would provide the location of all existing utilities in both the Tilton Lane and the paper street.

There are no existing storm sewer drainage system, but there is one proposed and this information has been incorporated into the application.

The plans have been enhanced to show vegetation and trees. And an existing/proposed conditions on the plan. They didn't feel that they needed a formal planting schedule since the planting will be put in at the same time.

Attorney MacIver stated that acceleration and deceleration lanes were not applicable because the entrance that is being proposed is roughly the same as the existing entrance off of Rt. 130 to Tilton plus if the application is approved a condition that will be required is receiving all approvals from DOT.

Mr. Keshishian stated that there was proposed grading on the revised site plan. Engineer Sander stated that he did not feel that this was sufficient. He said that at least the plans must indicate how the runoff would get to the detention basin. Attorney MacIver said that they could address that issue as well.

In regards to the requested landscaping waivers, Attorney MacIver stated that the 4" of good quality topsoil is an understood condition. On the planting schedule, they new plantings would be installed all at one. Engineer Sander pointed out that a planting schedule does not mean when you will plant, but what you are going to plant. Attorney MacIver withdrew the request for this waiver.

Engineer Sander asked for a summary of requested waivers. Attorney MacIver referenced the following waivers from Engineer Sanders letter - environmental impact statement, lot lines and names of owners within 200 feet, indication of disposition of existing vegetation, accel and decel lanes, seeded or sodded area and ground cover, trees in accordance with Township shade tree list, lawn, seed and ground cover areas established on a minimum of 4" good quality top soil, copies of legal documentation supporting the granting of an easement by an adjacent property owner.

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Engineer Sander asked if there was a storm drainage system on the site- inlets, pipes etc. Mr. Keshishian stated that they did have a storm drainage system, they could show this on the plan and they don't need a waiver for this.

Mr. Keshishian agreed to provide a third sheet with a grading plan on it.

Solicitor Abbott stated that the applicant is looking for waivers A, B, E, H, J, K, and L as listed on Engineer Sanders report dated July 16, 2004. The waiver request for M has been withdrawn because Attorney MacIver stated that it was not applicable.

Attorney MacIver stated that they would provide C, G, and I, and had already provide F, and G. Member Smith questioned M, which deals with granting of easements. Attorney MacIver stated the situation does not require the granting of an easement by an adjoining property owner in favor of the bank. Mayor Muchowski stated that his understanding was that the plans were drawn as if a standard vacation – half would go to the bank and half the the adjacent property owner.

Engineer Sander and Planner Hintz stated that requested waivers were acceptable for the completeness issue.

Solicitor Abbott stated that the applicant had agreed to provide items C, D, and I as well as J, K, and L eventually. Mr. Keshishian stated that these items would be included on the revised site plan.

Engineer Sander said that his main concern was the site grading. He stated that the site is very flat. He is not sure that the grade will be sufficient, it appears that the detention basin is uphill from the bank.

Mayor Muchowski asked if from a completeness standpoint the applicant has provided information but it might not be adequate. Engineer Sander agreed that they had provided some site grading and if the Board wished to consider this application complete he had no objection to it. Attorney MacIver stated that on the site plan they do have elevations shown at a number of different points and they all trend downhill.

Solicitor Abbott suggested that if the waivers are granted and the application is deemed complete the hearing could start. Perhaps the Board might want to take testimony and then continue to another month.

There was a general discussion as to why Planner Hintz did not receive the plans.

Chairperson Hamilton-Wood said that the Board's comfort level was not very high at this time. She deferred to the Professional Staff again asking if they were comfortable with the plans that were submitted. Engineer Sander stated that he was not comfortable with the grading issue, if the vacation of Tilton Lane goes through there would have to be

easements. Planner Hintz stated that he did not have the opportunity to review the plans. They appear to be complete, but he needs to do a technical review.

Solicitor Abbott suggested that the waivers that can be granted should be granted. Planner Hintz can review the plans. The Professional's can set up meeting with the applicant prior to the next meeting to iron out any issues. Attorney MacIver agreed to this.

Motion by Fratinardo, seconded by Stockhaus to grant waivers A, B, E, & H indicated in Engineer Sanders report dated July 16, 2004 and deem application incomplete.

Member Smith asked if the existing trees would be saved. Attorney MacIver stated that all the trees would be removed.

Upon roll call the Board voted as follows:

YEAS:	Fratinaro, Muchowski, Napolitan, Smith, Stockhaus, Hamilton-Wood, DeAngelis.
NOES:	None
ABSENT	O'Hara

Chairperson Hamilton-Wood called for application PB#2004-02 for Atlantic Coast Companies. The applicant is requesting preliminary and final major site plan approval to convert an empty trailer manufacturing plant to a heavy duty fleet management factory at 2013 Route 130, Florence Township, Block 159, Lot 1.01.

Attorney Fred Hardt introduced applicant John Thayer, Atlantic Coast Companies, Anthony Berito, owner Salson Logistics, Robert Stout, Licensed Land Surveyor and Professional Engineer from Stout and Caldwell, and Ken Garrett, licensed architect and licensed engineer, owner Garrett George Associates. Solicitor Abbott swore in all witnesses

Solicitor Abbott stated that at the June meeting waivers had been granted for Environmental Impact Statement, curbs and curbing. She stated that there were additional submission items that had been required. The only item not yet addressed was the drainage.

Engineer Sander stated that the applicant had not yet submitted a drainage map and drainage calculation. Mr. Stout stated that they would like the waiver for drainage calculation because they are adding stones, but they are not adding more impervious coverage. They felt that there is more than enough capacity and area on the site for sufficient drainage. The water will stay on site and not drain onto other properties.

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Attorney Hardt stated that they are asking for a submission waiver, if during the testimony it appears that additional information is required they will provide it.

Motion by Semptimphelter, seconded by Fratinardo t to grant submission waiver for drainage area map and drainage calculation and to deem application complete.

Motion to grant submission waiver and deem complete

Upon roll call the Board voted as follows:

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

Mr. Stout gave a brief explanation of the site plan. The plan is for a 30,000 square foot warehouse and office facility to be used for servicing tractors and trailers. They are proposing up to 200 trailers as shown on a stone area with a filling station with underground tanks as outlined on the plans. A fire line was added along the perimeter and landscaping was added along the front and side section. The site is currently vacant. They did some borings and there is approximately one foot of stones. They will be modifying one section. They will be clearing out a few trees. Everything else pretty much stays as it is. Chairperson Hamilton-Wood asked if the fueling station would be paved or if it would be stoned. Mr. Stout stated that it would be concrete. The trailer storage facility will be stone. Member Fratinardo asked if the stone area was impervious. Engineer Sander stated that stone is pervious. Engineer Stout stated that they would be replenishing the stone and cleaning up the area.

In the front of the building there is a paved section that will be the car parking area. Attorney Hardt said that they would defer to Planner Hintz as a landscape architect to show them what would be best to meet the Rt. 130 plan. They would prefer to not install berms if possible.

Mayor Muchowski stated that he doesn't want to see 200 trailers lined up on a stone driveway. Attorney Hardt stated that Planner Hintz would review and approve a plan that would continue the 130 screening plan. Attorney Hardt stated that they were aware of what landscaping is unacceptable.

Referring to Engineer Sanders report Mr. Stout stated that the first item is drainage. Attorney Hardt thought that they met the drainage requirement. Engineer Sander said that the applicant needs to provide technical data to prove that the current drainage is sufficient. Engineer Sander thinks that the runoff will increase from the site because of the additional stone that will be added. There is stone under the ground, which will slow

the absorption of water. Plus the current paving has cracks in it. If this were repaired then the pavement would become impervious again. Engineer Sander doesn't know if the basin is sufficient because he hasn't seen any data. Attorney Hardt stated that there should be a condition to approval that they supplement their submission to Engineer Sander to provide data to establish this from a scientific standpoint.

Mr. Stout stated that they would agree to revise the plans to indicate vertical slats in the mesh of the chain link fence around the trash enclosure. They agreed to provide concrete wheel stops for the automobile parking spaces. They are not planning on repaving the parking lot. They intend to patch the seams and clean up the lot and re-stripe the entire lot.

Engineer Sander stated that this was not a good idea. He suggested that the lot be repaved. Mr. Stout said they do not want to curb the parking lot because that would allow water to pool in the parking lots. Engineer Sander asked if they got the waiver for curbs; would they agree to provide wheel stops for all parking? Mr. Stout agreed to this.

Mr. Stout agreed to correct the Canopy & Island Plan as well as to make sure the drawings on sheet A-1 are correctly drawn to scale.

Fuel storage tanks will be installed according to NJDEP standards.

Mr. Stout stated the applicant does not plan to change any of the ingress/egress points on the property so they don't feel that the need to get DOT approval. Engineer Sander requested a letter from the DOT approving the site. Attorney Hardt agreed to contact them and get a response.

Attorney Hardt moved onto Planner Hintz's letter regarding landscaping issue. Attorney Hardt stated that they had addressed these by saying that they would ask that a condition be imposed that they establish the Rt.130 corridor plan at this location.

Mr. Stout stated that they would agree to change the lighting as noted under item 4.7 in Planner Hintz's report dated July 14, 2004. Item 4.8 will be addressed by Mr. Garrett under testimony.

Mr. Berito stated that all tractors would be parked on pavement. Only trailers will be parked on gravel.

Item 4.10 indicated that the plans should identify the exact nature of the structures on the adjacent properties. Mr. Stout indicated that the building to the south is a warehouse and the building to the north is a single-family residence.

Item 4.11 asks for a Letter of Interpretation from the DEP. Mr. Stout stated they had examined the site and they do not believe that there are any wetlands. The area does not

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meet the three parameters that indicate a wetland is present. Mr. Stout agreed to supply the soil borings to Engineer Sander and Planner Hintz.

Attorney Hardt called on Ken Garrett an expert on diesel fuel. Mr. Garrett listed his credentials and stated that he had worked as an engineer for Sunoco for 25 years. He currently owns his own service station canopy company for the past five years.

Mr. Garrett proposed three 20,000-gallon double wall tanks underground. Mr. Garrett described the safety features for the tanks, the alarm systems that would prevent leakage. There is a reservoir underneath the dispenser, which has an alarm if fuel leaks onto it. The nozzles also have safety features.

Mayor Muchowski asked if there were any existing tanks. Mr. Garrett stated that they didn't think so. Member Napolitan asked if new electric would be necessary. Mr. Garrett stated that the existing electric is shot so new electric will be required, however the tanks will not use a whole lot of electricity.

Mr. Garrett stated that the technology today makes spills very rare. Mayor Muchowski asked why they proposed underground tanks. Mr. Garrett explained why the underground tank is preferable in this operation. There is a danger of vandalism in the above ground tanks. Mr. Berito stated that the in ground tanks are much more expensive and safer than the above ground tanks. Attorney Hardt stated that they had met with the Florence Fire Marshal and he was pleased that the tanks were underground.

Engineer Sander asked where the alarm system was located. Mr. Garrett stated that the alarm system is inside the building. Mr. Garrett stated that there was no plan to link the alarm with the Fire Company. Mr. Berito stated that they were selling diesel not gasoline. Diesel is not as flammable as gasoline. Attorney Hardt stated that there would be 24 hour coverage at this site.

Mayor Muchowski brought up the issue of zoning. He asked if they would only be refueling their own trucks. Mr. Berito stated that he would be selling fuel to outside carriers. There would be retail sales. Mayor Muchowski stated that this was not what the application stated. Attorney Hardt stated that the application was set up for company use, but this was an adjunct to it. Mayor Muchowski asked if this would become a truck stop. Mr. Berito stated that they could have drivers come in and if they are out of hours they could sleep in their trucks and buy fuel. Mr. Berito stated that drivers would bring in loads from across country. They drop their trailer in his yard. And Mr. Berito would deliver these trailers to the five boroughs. Chairperson Hamilton-Wood stated that they were staging, not trailer repair and maintenance. Mr. Berito said that they are staging but they are also doing repairs and selling fuel. Mayor Muchowski stated that this was not the way the application was presented.

Mr. Berito stated that there would be 20 yard tractors to move around they trailers. The over the road drivers live in their trailers. They may sleep over if they are out of hours. He stated that this is no different than other trucking companies.

Mayor Muchowski stated that no one on the Board envisioned drivers sleeping in their rigs, or the retail selling of fuel. Mr. Berito stated that this is what his business does. He stated that they are not a truck stop. Member Fratinardo asked how many trucks would be parked over night.

Mr. Berito said that they do not want to be a truck stop, but his business lends itself to truckers sleeping over.

Chairperson Hamilton-Wood stated that the Boards definition of a truck stop is different from Mr. Berito's definition. Chairperson Hamilton-Wood asked how they would police their lot. Mr. Berito stated that the area would be gated and they would monitor who came into the site. Also, Mr. Berito stated that they would not sell gasoline.

Chairperson Hamilton-Wood stated that the professional staff needed to look into this use. This may not be a permitted use for this zone.

Mr. Berito stated that there would be an office in the building. There will be restroom facilities for the staff, no showers; there will be vending machines and a cafeteria for the office staff. The bathroom and the cafeteria will not be open to the public. Chairperson Hamilton-Wood asked if they would limit the stay over time. Mr. Berito said he would have to think this through.

Attorney Hardt asked to continue the hearing of the application until the August meeting. They agreed to waive the time limit. He stated that the applicant would submit to the Board a statement clarifying in detail exactly what they are talking about. Chairperson Hamilton-Wood stated that a copy of this letter should go to the police department also.

Motion by Fratinardo, seconded by Stockhaus to continue hearing until the August meeting.

Upon roll call the Board voted as follows:

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

The Board had a discussion regarding their response to the State about the proposed new High School. It was decided that a letter would be drafted listing that the Planning Board had made suggestions to the Board of Education and they hoped that the

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recommendations would be taken into account when reviewing the plan for the new school.

Motion by Semptimpelster, seconded by Fratinardo to adjourn.

Motion unanimously approved by all members present.

John T. Smith, Secretary

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