

Florence, New Jersey 08518-2323  
August 20, 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 7:30 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:

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

ALSO PRESENT: Solicitor David Frank (substitute for Nancy Abbott)  
Engineer Dante Guzzi  
Planner Carl Hintz (late)

## RESOLUTION

### **Resolution PB-2007-30**

**Granting a one year extension of the protection period for Final Major Site Plan to Whitesell Construction Co., Inc. for Block 158, Lot 8, located in a GM General Manufacturing District.**

Motion of Fratinardo, seconded by DeAngelis to approve Resolution PB-2007-30.

Upon roll call the Board voted as follows:

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

## MINUTES

Motion of Fratinardo, seconded by DeAngelis to approve Minutes of the July 16, 2007 meeting as submitted. Motion unanimously approved by all members present. Motion unanimously approved by all members present.

## CORRESPONDENCE

Chairperson Hamilton-Wood stated that there was correspondence A through D. Motion of O'Hara, seconded by DeAngelis to receive and file Correspondence A through C and to discuss D. Motion unanimously approved by all members present.

The Board discussed Correspondence D, which was a letter from Front Street resident Joan Young regarding the height of the berm across from her house on the Griffin Pipe site. Mrs. Young was not in attendance at the meeting. Chairperson Hamilton-Wood stated that she was confused because the Board had painstakingly attempted to make the site aesthetically pleasing. Mayor Muchowski said that Mrs. Young had previously indicated that she did not want to see the back end of the Griffin site and now she is suggesting lowering the berm from 7' to 3'. He stated that possibly Mrs. Young doesn't realize that the berm is going to be landscaped.

Secretary Smith stated that the Board should investigate what the pile of dirt that will make up the berm is composed of. Engineer Guzzi stated that the additional dirt was removed from the basin that is being constructed in the back of the site. Engineer Guzzi stated that he would look at the make up of the soil to be sure that there is nothing wrong with it. This would be capped with topsoil and then landscaped. He said that the intent had always been to build the berm out of the excavated material from the back.

Secretary Smith stated that he recalled that Griffin was going to remove the material that was there originally from the construction of the swales. Secretary Smith said that this material is not dirt; it is something that has come from the foundry. Engineer Guzzi stated that he would check to make sure that Griffin Pipe was conforming to the original approval. He stated that he would coordinate with the Township Administrator and contact Mrs. Young to speak about the proposed landscape on the Board.

Vice Chairman O'Hara said that part of the resolution was to create a landscaped berm. He stated that this was going to be a huge berm. Engineer Guzzi stated that if Griffin Pipe had extended and enlarged the berm to use the excess dirt and if it doesn't meet the site plan that this Board approved, then they would have to remove that material and reduce the size of the berm.

Chairperson Hamilton-Wood called for the Informal Review for the proposed Dunkin Donuts at the BP station on Cedar Lane.

George W. Matteo, Jr. from the law firm of Wolf Block. He stated that he represents Mr. Raj Vorha who is a prospective tenant in a building that had previously received site plan approval from Florence Township at the location of the current BP gas station on Cedar Lane. Attorney Matteo stated that he did not represent the owner of the property he represents Mr. Vorha a possible tenant. Mr. Vorha is a franchisee for a number of Dunkin Donut stores throughout the region.

Attorney Matteo stated that the previous approval was to allow for a convenience store at the property. Mr. Vorha is considering entering into a lease of the space that was approved for the convenience store and putting in a Dunkin Donuts in lieu of the convenience store. There would be no physical changes to the property from what was previously approved as part of the site plan. He stated that they feel that because there are no changes to the site then the use of the former convenience store space by the Dunkin Donuts would not trigger a site plan. They realize that they would have to come for a site plan for signage package for the Dunkin Donuts.

Chairperson Hamilton-Wood stated that Attorney Matteo's client along with the owner of the property was before the Board's Technical review committee several months ago for the same issue. Attorney Matteo stated that he was aware of this. Mayor Muchowski asked if the applicant believed that circulation would not change with the use? Attorney Matteo stated that they did believe this. He said that they had prepared a traffic study that had been previously submitted to the Board's Engineer. He stated that this would not be a Dunkin Donuts with a drive thru. It would be very much akin to the way a convenience store would function.

Attorney Matteo stated that he understood that the site owner has a pending application to address the driveway opening on Cedar Lane. Mayor Muchowski asked if Attorney Matteo had said that the Dunkin Donuts fits the definition of a convenience store. Attorney Matteo said that under the Florence Township definition of what would trigger a site plan review, switching this use would not trigger the site plan review.

Engineer Guzzi stated that he had received a copy of the traffic study at approximately 3:30 p.m. this afternoon. He stated that after a cursory review the conclusions were that a Dunkin Donuts would result into 15 additional trips in the morning peak time and 10 fewer trips in the evening peak.

Mayor Muchowski stated that he hasn't seen the traffic study but it is hard for him to believe a destination like a Dunkin Donuts would only generate 15 more people during the peak.

Mayor Muchowski stated that he didn't know how this would relate since the applicant is only a tenant, but the circulation on the site does not work right now without a store. Mayor Muchowski stated that Mr. Vohra is well aware of the problems existing on the site.

Attorney Matteo stated that they are proposing to the Board that they want to replace the convenience store with the Dunkin Donuts. Mayor Muchowski stated that the proposal says that the applicant is not planning on doing anything with the site. They fit the definition and do not even have to come in for site plan approval. Attorney Matteo said that they believe for the change of use from the convenience store to the Dunkin Donuts this would be appropriate for a site plan waiver. They would need a site plan for the signage package for Dunkin Donuts, which was not part of the original approval. They have a traffic report that indicates that there would be a net increase of 5 cars over the

span of a day. Mayor Muchowski stated that he had not read the report and he was not an expert in traffic studies, but he said that he finds it hard to believe that this is an accurate depiction of the change with an introduction of a destination such as a Dunkin Donuts.

Mayor Muchowski stated that there is a maze of islands for dispensing of gasoline, which the plan is to weave the traffic through to access 8 parking spots. The convenience store was an accessory use to the site that you could see someone who is getting gas to pull over for a soda or snack. A Dunkin Donuts is a stand-alone destination that is in addition to that site. He stated that he does not believe that the approved site plan and circulation will safely handle the addition of a Dunkin Donuts substituting for the convenience store that was proposed by the original applicant.

Attorney Matteo stated that the meeting with the Technical Review Committee triggered the applicant to address the traffic on the site by having the traffic study prepared. He stated that the convenience store could also be a destination. He said that they are working from a site plan that was reviewed and approved by the Board. There is a 1200 square foot space that was planned and approved to be a convenience store. The only change is what was presented to the Board that the convenience store would be changed to a Dunkin Donuts. He said that it is his understanding that the property owner has an application into DOT to widen the entrance on Cedar Lane.

Councilman Fratinardo stated that right now there are circulation problems on the site. The additional burden on the site, even if it is only 5 cars just adds to a site that already doesn't work. Attorney Matteo stated that he feels that this use is appropriate for a site plan waiver based on the Florence Township ordinance and the Municipal Land Use Law. The traffic report that was submitted was a result to the concerns that were raised as part of the Technical Review Committee comments regarding the impacts of the Dunkin Donuts.

Mayor Muchowski asked if the applicant had asked the Zoning Officer as to whether a site plan would be required? Attorney Matteo stated that the increase of 5 cars as revealed by the traffic study is a de minimus increase. It is clearly appropriate with the information to make the request of the site plan waiver.

Chairperson Hamilton-Wood asked when the traffic study was submitted? No one on the Board had the opportunity to review it.

Solicitor Frank stated that the Board would not be granting waiver of site plan. The standard for that is the Florence Township ordinance section 91-60D. Solicitor Frank read the procedure for site plan waiver.

Attorney Matteo stated that he did not have an application before the Board and that he was not asking the Board or the Professionals to react. Chairperson Hamilton-Wood stated that Attorney Matteo was asking the Board to react. She said that the applicant has come before the Board with an informal to get an impression, but Attorney Matteo is saying that the Board doesn't have the right to say anything so what impression is the

Board supposed to give. She said that the TRC Committee was very clear with their concerns and very clear that they were not at all certain that this was a viable change to this particular site. She said that the applicant has submitted a traffic study that no one has had time to review, therefore the Board is unable to give the applicant any further insight than they gave several months ago when they did the technical review. Engineer Guzzi stated that the report was dated June 25, 2007 but the Board never received a copy of it. Engineer Guzzi stated that in looking at the report it does not discuss a comparison with other Dunkin Donuts. Mr. Vohra owns several Dunkin Donuts and the TRC Committee had asked for a comparison because some of the numbers that were submitted regarding people who buy coffee in the morning seem rather low. The Committee thought this comparison would help them to get a handle on Dunkin Donuts rather than just going to the ITE and using data on fast food restaurants without a drive through. He stated that he didn't know if this really compared with a Dunkin Donuts.

Mayor Muchowski stated that the Board would love to see a Dunkin Donuts in the community but at the same time there is a concern over the circulation to and from and within the site because you have private passenger vehicles, tractor-trailer type vehicles and an intersection that is now servicing the new high school. This concern was relayed to Mr. Vohra from the very first meeting that he had with the Mayor and Township Administrator. The question is can that site safely support the traffic that will generate to and from that site because of that destination?

Attorney Matteo stated that he didn't want anyone to misconstrue why they were here. This is an informal. They are not asking the Board to act on any kind of an application. The purpose of the informal was to bring this information to light to see if this begins to address the concern. Chairperson Hamilton-Wood stated that the traffic report brought nothing to light because it was not submitted to the Board. Attorney Matteo stated that the report indicates a net increase of 5 cars in the a.m. peak.

Vice Chairman O'Hara stated that Engineer Guzzi had just asked for a comparison with other Dunkin Donuts. Attorney Matteo stated that this was a valid point. He stated again that this was just an informal, furthering the dialogue to see if this was a viable project at this location. He also asked what the next formal step would be? Application for a site plan waiver? Minor site plan that the ordinance applies for or full blown site plan for using the existing building in the space provided.

Chairperson Hamilton-Wood stated that it seems that this is a step backwards when there had already been a technical review. The applicant should be well aware of the concerns of the Board regarding this site.

Vice Chairman O'Hara said that the applicant would have to come in with a minor site plan with variances for the sign package because the site already is at the limit for signage. He stated that the building had been designed to match the BP design of what stations should look at. The Planner reviewed the roof material so that the colors matched. Dunkin Donuts has its own colors that don't match what has already been approved.

Attorney Matteo said that he understands that there was a technical review hearing. He stated that he was not a participant in that hearing. He said it is important to avail oneself of an informal like this to get firsthand from the Board its concerns. He said that as he understands it the Board is concerned with an internal circulation issue as well as a sheer volume increase that one would continue for a site that already has a site plan approval in place. He stated that he assumed that the Board considered the internal circulation and the issues that now are troubling about whether or not the site works. So the question being whether the deminimus increase will have a negative impact on the internal circulation issues.

Engineer Guzzi stated that the problem is that the approved site plan has not been implemented yet. No one has seen the finished product yet. There have historically been problems with this intersection. He said that this Board needs a realistic estimation of the traffic increase that would be generated by Dunkin Donuts in particular. Attorney Matteo said they would supply anecdotal information as opposed to the acknowledged acceptable standards of the ITE.

Chairperson Hamilton-Wood stated that one of the concerns of the TRC was combining the Dunkin Donuts use with the diesel fuel use. The tractor-trailers are causing a problem with the flow of traffic into and around the site.

Councilman Fratinardo said that the ITE standards were used as basis for the original site plan. Right now this is not working and the Board doesn't know if it will work with the DOT approval. The site is not working without the convenience store being there, so if the site is not working now any increase is not deminimus.

Mr. Vohra said that he thinks that the traffic report is accurate. He apologized that the Board had not received a copy of the report prior to the meeting. He stated that the owner of the site would be trying to improve the traffic pattern after the DOT approval is received and that this would be done prior to opening of the Dunkin Donuts.

## APPLICATIONS

Chairperson Hamilton-Wood called for application PB#2007-05 for William Cenneno. Applicant is requesting Minor Subdivision approval with bulk variances for property located at 1134 Hornberger Avenue, Roebling, NJ. Block 146.09, Lot 3.

Attorney Patrick McAndrew stated that he was representing the applicant. William Cenneno was sworn in by Solicitor Frank. Mr. Cenneno stated that he owned the subject property. He stated that this is a through lot with frontage on Hornberger Avenue and the back of the lot fronts on Emerick Avenue. The proposal is to cut the lot in half to match the rest of the neighborhood. Attorney McAndrew stated that they had photographs to be submitted as exhibits. Engineer Guzzi stated that the Board needed to act on the submission waivers before they move on with the hearing.

Engineer Guzzi referred to his letter dated August 9, 2007. Submission waivers were requested for the Environmental Impact Statement, Preliminary Delineation of Wetlands, General Indication of Drainage Flow, and Structures and Wooded Areas within 100' of the site.

Attorney McAndrew stated that in terms of the drainage flow, when the house plan for the new house to be built on the lot was submitted they would supply a grading plan. They are asking to defer that until they come in with the building plan. He stated that if the building inspector believed that the back yard was wetlands then they would have to address that at that time. They did bring pictures that show that this is an established back yard.

Mayor Muchowski stated that for the record the applicant should go through each of the submission waivers in order and tell the Board why they are asking that they be waived.

Attorney McAndrew said that for the Environmental Impact Statement they have requested the waiver because it is an already developed property in a developed neighborhood.

Attorney McAndrew stated that they are asking to defer the delineation of wetlands until they go in for a building permit. Councilman Fratinardo said that waiving that would concern him because if the Board was to grant the subdivision and then they were wetlands on the site it would be an un-buildable lot. Engineer Guzzi stated that typically with an application like this there would be a letter from the applicant's professional stating that they had inspected the site and there were no wetlands present.

Engineer Guzzi stated that the Board could make this a condition of approval to require this information. Attorney McAndrew stated that they would submit this as a condition of approval.

Engineer Guzzi stated that this is an infill development and the Board could grant the waiver for the purpose of completeness.

Engineer Guzzi stated that the drainage plan is a requirement of the subdivision checklist. This is to insure that stormwater is not shed on neighboring properties. If the applicant were not sure what the house was going to look like this could be made a condition of approval. The grading plan would have to be submitted prior to the issuance of a building permit.

Attorney McAndrew stated that all the adjoining lots are the same size or slightly smaller and none of them are wooded lots. They are proposing to meet the required setbacks for the new house so they are requesting the waiver for structures and wooded areas being shown on the adjoining property.

Chairperson Hamilton-Wood stated that in order to deem this application complete the Board would be waiving the requirements for the Environmental Impact Statement, they

would be requiring the a statement be made regarding the wetlands by a qualified professional as a condition of approval, grading would be required as a condition of approval, and waiving the structures and wooded areas due to the infill nature of the development.

Motion of Fratinardo, seconded by Ryan to grant the waiver as set out by the Chairperson.

Upon roll call the Board voted as follows:

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

Chairperson Hamilton-Wood stated that frequently the Board will conduct a completeness hearing and then the public hearing will be at the next scheduled meeting. However, in this case, due to the lightness of the agenda, if none of the Board members object they will hear the substantive nature of the application at this time.

Attorney McAndrew submitted exhibit A1, which was a survey of the property. Mr. Cenneno stated that exhibit A2 was a photo of the existing home at 1134 Hornberger Avenue. Exhibit A3 is a photo of a tree in the back yard of the lot facing Emerick Avenue. Exhibit A4 is a copy of the Florence Township tax map that shows the surrounding lots.

Attorney McAndrew stated that the zone calls for lot area of 10,000 square feet. When the lot is cut in half each new lot would be 7,500 square feet. This is consistent with the other lots on the street. He stated that if the subdivision were granted then variances would be required for the existing house. Lot coverage would be 24% where 20% is permitted. The rear yard would be 34.75' where 35' is required. The side yard and the lot width of the existing house are already non-conforming.

Mr. Cenneno stated that his goal is to build a house on the new lot that meets all of the bulk requirements. Attorney McAndrew submitted exhibit A5, which was a sketch of the 2 story colonial house that Mr. Cenneno would like to construct on the site.

Mr. Cenneno stated that he did not see any negative impact in subdividing this lot and building the new home. He stated that it was his intention to live in the proposed house.

Mayor Muchowski asked if a driveway would be proposed. Mr. Cenneno stated that he would be installing a stone driveway. Mayor Muchowski said that stone is acceptable, but the Township prefers that the driveway be paved. Engineer Guzzi stated that depending on the footprint of the house there might be room for a paved driveway without exceeding the impervious coverage requirement.

Mayor Muchowski stated that they would like to see a solid surface driveway and service walk. He stated that under the current ordinance paver blocks, as long as they are sand set, do not count as impervious coverage. The utilization of pavers would give the applicant the opportunity to install a patio or shed.

Member Morris questioned where the utilities would be located because they weren't listed on the plan. Mr. Cenneno said that he had been told that the utilities would come from Hornberger and since he owns the Hornberger property he will grant himself an easement.

Chairperson Hamilton-Wood stated that the report from David Lebak, Township Director of Water and Sewer, stated that water is available on Emerick Avenue. The sewer would have to be a dead end or go over to Hornberger. It would be a bigger job to take the sewer from Hornberger. Mr. Cenneno stated that he would do whichever the water and sewer department preferred.

Chairperson Hamilton-Wood asked about the COAH contribution. Mr. Cenneno stated that he was aware of the COAH.

Engineer Guzzi stated that curbs and sidewalks would be required. Engineer Guzzi went through the balance of his review letter and listed the bulk variances that would be required as a result of the proposed subdivision. Mr. Cenneno agreed to comply with all items listed on Engineer Guzzi's report.

Mayor Muchowski asked about the large tree that is located at the rear of the lot. Mr. Cenneno stated the tree might be located in the right of way. He stated that if the Board preferred would like him to remove the tree, he would do so. He said that he prefers to work around the tree. Attorney McAndrew stated that if the tree were in the way of the sidewalk they would grant an easement to allow the sidewalk to go around the tree.

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

Motion of DeAngelis, seconded by Fratinardo to approve Application PB#2007-05.

Upon roll call the Board voted as follows:

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

Chairperson Hamilton-Wood called for application PB#2007-13 for HAPCO Petroleum Corp. Applicant is requesting Amended Final Major Site Plan approval for the existing BP gas station located at 2051 Route 130 South, Block 159, Lot 13.01.

Chairperson Hamilton-Wood stated that a letter was received from applicant's attorney, Robert Sexton dated July 16, 2007 stating the NJ Department of Transportation will be issuing a permit to allow for the opening of the driveway to conform to the Board's prior approval. The existing building should be scheduled for demolition and they are looking for an end of August certificate of occupancy for the new building. Based on this Attorney Sexton is requesting that the application be withdrawn.

Chairperson Hamilton-Wood stated that Attorney Sexton has also requested a refund of escrow fees. Engineer Guzzi stated that the reviews had been completed, the Board held a completeness hearing and acted on the application at the June meeting. The Board stated that the escrow fees would be held to cover the cost of the review and hearing.

Solicitor Frank stated that the proper action would be to dismiss without prejudice.

Motion of O'Hara, seconded by DeAngelis to dismiss application PB#2007-13 without prejudice.

Upon roll call the Board voted as follows:

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

#### OTHER BUSINESS

Mayor Muchowski asked a question on procedure regarding the appropriateness of an applicant requesting an Informal Presentation after attending a TRC. After discussion the Board determined that once a TRC has been held the applicant should not be eligible for an Informal Presentation. Procedurally the step following TRC is submission of an application.

#### PUBLIC COMMENTS

Motion of Fratinardo, seconded by Smith to open for Public Comments. Motion unanimously approved by all members present. Seeing no one wishing to comment motion was made by Fratinardo, seconded by DeAngelis to close the public comment. Motion unanimously approved by all members present.

#### MASTER PLAN REVIEW/DISCUSSION

Planner Hintz stated that this was a continuation of the discussion the Board had a month ago about the Re-Examination report. At the meeting last month the Board suggested adding an adjacent piece of land to the proposed ROP zone. The also suggested that the area adjacent to the municipal complex which is currently zoned AGR should be changed

to P (Park). Planner Hintz stated that he had spoken to Administrator Brook about designating public sites as a Public zone. He stated that he also looked at changing the GM zone on Cedar Lane to an SM zone.

The Board had asked Planner Hintz to investigate the AGR zone in the country, which is currently at 3 acre minimum lot size. Planner Hintz looked at the zoning of adjacent municipalities. He stated that Burlington is pretty well built out adjoining Florence. Mansfield is compatible with the SM/GM zones. The AGR zone extends down to the Springfield Township line. In Springfield Township the zoning was changed 2 years ago to 10 acre minimum zoning.

Planner Hintz stated that he then looked at the environmental constraints affecting the AGR zone. He presented a map, which highlights wetlands, wetlands buffers, seasonal high water level, preserve land and other parkland areas. When these areas are subtracted out there remains 375 acres of developable land. When this is divided by 3 acres. Some of the parcels are landlocked and some of the parcels are under the 3 acre per lot minimum. This would yield approximately 100 building lots. The suggestion for the time being is to not change the minimum lot size.

The recommendation in the report is the creation of the ROP zone, the AGR at the municipal complex being converted to Park, creation of PUB (public zones) and the re-designation of the zones off of Cedar as SM and for the time being not changing the AGR zone.

Mayor Muchowski said that part of the review of the AGR zone had to do with becoming a truer residential component within agricultural was that to become farm qualified the parcel has to be a total of 6 acres (5 acres plus 1 acre for the farmstead).

Vice Chairman O'Hara asked about Council's concern about Cross Acceptance. Planner Hintz stated that currently all of the Township's throughout the State are going through the Cross Acceptance process with their individual Counties and then the Counties and the State. This process is supposed to terminate around December of this year. The County has been working with Florence Township to talk about how consistent their zoning is with the County and with the objectives of the State plan. This process is expected to culminate sometime around the end of this year.

Planner Hintz stated that the County's recommendations are not clear at this time. He said that the area designated AGR in Florence Township is designated as Planning Area 4. They have talked about Planning Area 4B which is environmentally sensitive and agricultural, but they haven't indicated what they recommend as lot size. Mayor Muchowski said that the thought was that while we are in the midst of this examination that we should look at this lot size process as well. He stated that the second prong in this issue is Farm Land Preservation. Florence Township never set up a mechanism to pay for this. For the first time the Township is making a municipal contribution (\$80,000) towards the preservation of the Ashmore Farm. Because no mechanism is in place this is

a cash expenditure for the Township. He said that the Council has thought of putting this issue on as a referendum question.

Planner Hintz said that the Board had a discussion about the proposed height requirement of 50' in the ROP zone being too high. The Board needs to deliberate this. He stated that he also received a letter from Administrator Richard Brook regarding energy issues for homes (solar and wind turbines). He said that he added this to the report and the Board should determine whether there should be regulations on this issue.

Councilman Fratinardo asked if solar panels would affect the assessment of a property. Solicitor Frank stated that there had been some legislation that would remove this from the assessment and count it as equipment.

Mayor Muchowski stated that several residents had put solar panels on the roofline, but now the issue has come up for free standing panels. Planner Hintz stated that the panels should be buffered in some fashion. He said that he also added regulations on shading out solar panels on a neighboring property.

Chairperson Hamilton-Wood said that the Board needed to discuss the building height for the ROP zone. Planner Hintz stated that the proposed buffer is 100' and the proposed height is 50'. Vice Chairman O'Hara asked if there was additional percentage above the 50' permitted. Planner Hintz stated there is 10' added for rooftop equipment.

Chairperson Hamilton-Wood stated that the concern was for the area adjacent to residential areas.

Vice Chairman O'Hara asked what the current zoning was for the Roebling Mill site? Planner Hintz answered that it is zoned as GM but with a Redevelopment Overlay. Councilman Fratinardo stated that this means that anything that is proposed has to be approved by the Council ahead of time. Planner Hintz agreed and said that the zoning doesn't really matter because it is subject to the Redevelopment.

Mayor Muchowski stated that interaction would be necessary between the Township, EPA and the Re-developer to make sure that the plan to redevelop is consistent with the clean-up and that all the dynamics work.

Mayor Muchowski stated that the overriding concern with that site is Hornberger Avenue. The access to the site is limited regardless as to the use. There is only one way in and one way out unless there are emergency exits going through the village. He stated that the most appeal in the marketplace is for distribution type uses. This is inconsistent with what the Township is trying to generate within the village. Distribution centers would not have to spend as much money on walkways and waterfronts. They could make the preservation areas and develop 150 acres with big box buildings. The only problem is how to get the trucks and people in and out of the site.

Vice Chairman O'Hara asked if the DOT had been consulted about this. Mayor Muchowski stated that a DOT study conducted 2 years ago generated 2 recommendations. One was to leave Hornberger Avenue in its present configuration and do widening. The second one was eliminating the current Hornberger Avenue and Rt. 130 intersection and redirecting Hornberger Avenue to bend just over the bridge and then aligning it with Fairbrook Drive. Either study still has the intersection failing just on traffic volume without the introduction of traffic from the mill site.

The Board returned to the discussion of building height. Mayor Muchowski stated that if you reduce the building height to 40' you lose one story of the building. Planner Hintz is trying to design the zone in such a way that it won't be intrusive to the residential component but is still attractive and financially viable enough for developers to consider investing their money in it. Planner Hintz stated that the current permitted height in the OP zone is 35'.

Resident Fritz Wainwright addressed the Board regarding access to the mill site. He stated that one solution would be to build a bridge across the sluice and come up where the old spring factory used to be in Mansfield Township. Mayor Muchowski stated that since the DOT has done the improvement on Route 130 the Assistant Administrator was going to go out and take a look at this site. He stated that this was a potential alternative.

Mayor Muchowski said that he would try to get some pictures of buildings at 50' height just to give everyone an idea.

Chairperson Hamilton-Wood asked what the Board's action should be on the Re-examination report. Mayor Muchowski asked if all the Board members agreed with the other proposed recommendations.

Vice Chairman O'Hara asked about regulations for signs in the OP zone. Planner Hintz stated that he would look into this and add language on signage to the ROP zone.

Mayor Muchowski asked what the buffer was to a 35' building in the OP zone to a residential neighborhood? Engineer Guzzi stated that the buffer was 30' to the residential zone. The rear yard setback is 40'. Chairperson Hamilton-Wood asked what the permitted height of the houses was at Crossroads. Mayor Muchowski stated that it was 38'. Chairperson Hamilton-Wood stated that it was different to build a 35' building next to a 38' house then to build a 50' building next to a 20' house in the ROP zone. Mayor Muchowski stated that the ROP buffer was greater.

Mayor Muchowski stated that there should be some understanding of the difference between the OP and ROP zone.

The Board agreed that they needed to look at the consistencies between heights and buffers for non-residential zones. Planner Hintz stated that he would chart the differences in the zones for the Board.

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Vice Chairman O'Hara asked if everyone was comfortable with the Roebling Mill being zoned GM? Mayor Muchowski stated that there was nothing that could come through the mill without a developer's agreement, a prospective purchasers agreement with the EPA plus an application before the Planning Board for approvals. He said that he would ask if the zoning should be changed on the site. Mayor Muchowski asked that a copy of the Redevelopment Rules and Regulations for the Board Members.

Motion was made and seconded to continue the discussion of the Re-examination Report of the Master Plan at the September 17, 2007 meeting.

Motion of O'Hara, seconded by Fratinardo to adjourn the meeting at 10:25 p.m. Motion unanimously approved.

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John T. Smith, Secretary

JTS/ne