

**TOWNSHIP OF BORDENTOWN  
ZONING BOARD MEETING**

**November 20, 2013**

The Bordentown Township Zoning Board Regular Meeting was called to order at approximately 7:33 PM in the main meeting room of the Municipal Building on Municipal Drive.

**PRESENT:** James L. Whittington, Chairman  
Eugene Grybowski, Vice-Chairman  
Michael Carney, Secretary  
Teresa Godek  
Mark McTamney  
Stuart Rothman  
Eric Holliday, Alt #1  
VACANT, Alt #2

**PRESENT:** Victoria Britton, (Substitute) Attorney, Mason, Griffin & Pierson  
John P. Carman, RLA, FASLA, PP, Planner /Landscape Arch.,  
Design for Generations  
John B. Taylor, III, PE, (Substitute) Engineer, ACT Engineers

**ABSENT:** Rick Simpson

The meeting was opened by Mr. Whittington. The Board and public participated in the salute to the flag. The open public meetings announcement was read by Mr. Whittington.

**REORGANIZATION OF THE BOARD:**

**APPOINTMENT OF MEMBER**

- Township Committee RESOLUTION #2013-273-17 from the Township Committee – APPOINTMENT OF MEMBER TO ZONING BOARD OF ADJUSTMENT.

2 Year Unexpired Term Expiring 12/31/14: Eric B. Holliday  
Alternate #1

Substitute Zoning Board Attorney, Victoria Britton, administered the Oath of Office to Mr. Holliday.

Roll call was taken by Cindy Dziura, Recording Secretary.

**RESOLUTIONS:**

None

**MINUTES:**

The minutes for Regular Meeting dated August 28, 2013 were discussed. Mr. Carney made a motion to approve the minutes; Mr. McTamney seconded the motion.

Roll call: AYE: McTamney, Carney, Grybowski, Whittington  
NAY: None  
ABSTAIN: Godek, Rothman  
ABSENT: Simpson  
NOT VOTING: Holliday

**NEW BUSINESS:**

<p><b>ZB-2013-0023</b>          Received 8/28/13          Noticing: Complete          Escrow fees: PAID</p>	<p><b><u>130 BORDENTOWN ASSOCIATES</u></b>          Applicant is seeking to erect Dunkin Donuts in Bottom Dollar parking lot.  <b><u>REPORTS BY BOARD PROFESSIONALS:</u></b>          Jack Carman, Planner/Landscape Architect: November 12, 2013          Rob Korkuch, Engineer: November 13, 2013    <b><u>APPLICANT SUBMISSIONS:</u></b>  <ul style="list-style-type: none"> <li>• Application packet/plans</li> <li>• Revised Site Plan dated 7/17/13; latest revision 11/1/13</li> </ul> </p>	<p>Block 127, Lot 3          262 Route 130          Zone is HC</p>
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Zoning Board Planner Carman stated that the professionals were agreeable to the 2 waivers the applicant asked for corresponding to #47 of the application: existing and proposed watercourses are shown and profiles of existing roads. These are not applicable to this application.

Mr. Carney made a motion to deem the application complete; Mr. McTamney seconded the motion.

Roll call:        AYE: Godek, McTamney, Rothman, Holliday, Carney, Grybowski, Whittington  
                       NAY: None  
                       ABSTAIN: None  
                       ABSENT: Simpson

Present giving testimony representing applicant were:

- Dino Spadaccini, Attorney, The Spadaccini Law Firm, LLC
- Teal S. Jefferis, Engineer, Jefferis Engineering Associates, LLC
- Ken Moran, Operations Manager, Dunkin Donuts
- Tracy Craig-Paci, Architect, The Pettit Group, LLC
- Andrew Feranda, Traffic Engineer, Shropshire Associates, LLC
- James A. Miller, Planner, J.A. Miller Planning Consultants, LLC

The representatives were sworn in by Substitute Zoning Board Attorney Britton and the hearing commenced. Mr. Moran said that hours of operation are 5:00 a.m. to 10:00 p.m., with deliveries before 5:00 a.m.

Mr. Carney presented photographs of a Dunkin Donuts site in Trenton in which the vehicles were backed up onto Broad Street. The meeting recessed at 10:21 p.m. so that the applicant's attorney could review the photos. The meeting resumed at 10:29 p.m. and the applicant addressed Mr. Carney's concerns.

Zoning Board Engineer Taylor stated that the applicant has addressed most of his comments. Zoning Board Planner Carman stated that they have met with the applicant several times and they have revised/made changes as requested and there are very few outstanding issues.

Dr. Rothman made a motion to open to the public; seconded by Ms. Godek.

Roll call: AYE: Godek, McTamney, Rothman, Holliday, Carney, Grybowski, Whittington  
NAY: None  
ABSTAIN: None  
ABSENT: Simpson

SAL SCHIANO, 9 Farmington Court: Mr. Schiano commented on car stacking. He said there is a N.J. law that says no idling for more than 3 minutes. The applicant responded that the standard is 2 minutes. Mr. Schiano said the traffic at the intersection is an "F" and will get worse. Lastly, he was concerned about the large number of sign variances requested.

At this time, Attorney Spadaccini gave his summation.

Seeing no further comments, Mr. Grybowski made a motion to close to the public; seconded by Ms. Godek.

Roll call: AYE: Godek, McTamney, Rothman, Holliday, Carney, Grybowski, Whittington  
NAY: None  
ABSTAIN: None  
ABSENT: Simpson

11:00 PM – Mr. McTamney made a motion to continue the meeting until 11:30 pm; seconded by Dr. Rothman.

Roll call: AYE: Godek, McTamney, Rothman, Holliday, Carney, Grybowski, Whittington  
NAY: None  
ABSTAIN: None  
ABSENT: Simpson

Ms. Godek stated that it was necessary for her to leave the meeting. The meeting recessed at 11:04 p.m. and resumed at 11:06 p.m. for the attorneys to discuss her leaving early. Ms. Godek remained at the meeting.

Zoning Board Planner Carman said that the applicant has agreed to meet with the Professionals to resolve all the final issues which will be stated in the resolution.

Mr. Rothman made a motion to approve the application pending the conditions as cited by Zoning Board Attorney Britton; seconded by Mr. McTamney.

Roll call: AYE: Godek, McTamney, Rothman, Grybowski, Whittington  
NAY: Holliday, Carney  
ABSTAIN: None  
ABSENT: Simpson

At this time, Ms. Godek left the meeting.

**FOR DISCUSSION / CORRESPONDENCE:**

None

Mr. Grybowski made a motion to adjourn the meeting; seconded by Mr. Carney.

Roll call: AYE: McTamney, Rothman, Holliday, Carney, Grybowski, Whittington  
NAY: None  
ABSTAIN: None  
ABSENT: Godek, Simpson

The Zoning Board of Adjustment meeting was adjourned at approximately 11:10 PM.