

**TOWNSHIP OF BORDENTOWN
PLANNING BOARD MEETING**

FEBRUARY 13, 2020

The Bordentown Township Planning Board meeting was called to order at approximately 7:00 PM in the main meeting room of the Municipal Building on Municipal Drive.

PRESENT: Stephen Benowitz, Mayor, Class I
Eric Holliday, Deputy Mayor, Class III
George Chidley, Chairman, Class IV
Kevin Hirschfeld, Vice-Chairman, Class IV
Timothy Fairlie, Class IV
Bill Grayson, Class II
MaryAnn Holston, Class IV
Rich Wells, Attorney, Garty Law Firm
Fred Turek, II PE, PP, CME, CPWM, Engineer
Jack Carman, RLA, FASLA, PP, Planner / Landscape Arch.
James L. Kochenour, PE, Traffic Engineer
Mike Theokas, Interim Dir. of Comm. Dev./ Alt. Bd. Secretary
Cindy Dziura, Alt. Bd. Secretary/Recording Secretary

ABSENT: Danielle Esser, Class IV
William Popko, Class IV
Erica Bowyer, Alt. #1
Nicholas D'Angelo, Alt. #2
Lou Garty, Attorney, Garty Law Firm

The meeting was opened by Chairman Chidley. The Board participated in the salute to the flag. Roll call was taken by Alt. Board Secretary Dziura. The open public meetings announcement was read by Chairman Chidley.

MINUTES:

The minutes from the January 9, 2020 Reorganization Meeting were presented. Mayor Benowitz made a motion to approve the minutes; Deputy Mayor Holliday seconded the motion.

Roll call: AYE: Fairlie, Grayson, Holston, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Esser, Popko Bowyer, D'Angelo
ABSTAIN: None
NOT VOTING: None

RESOLUTION(S):

Resolution No. P-2020-03 -- RESOLUTION MEMORIALIZING A FINDING OF COMPLETENESS WITH CONDITIONS WITH RESPECT TO THE APPLICATION FILED BY PROACTIVE/EVOQUA, LLC, FOR APPROVAL OF A PRELIMINARY AND FINAL MAJOR SITE PLAN AS TO BLOCK 137.01, LOT 4.04, MORE COMMONLY KNOWN AS 207 HEDDING ROAD.

Mayor Benowitz made a motion to approve Resolution P-2020-03; Deputy Mayor Holliday seconded the motion.

Roll call: AYE: Fairlie, Grayson, Holston, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Esser, Popko Bowyer, D'Angelo
ABSTAIN: None

NOT VOTING: None

NEW BUSINESS: None

OLD BUSINESS:

<p>PB-2019-07</p> <p>Received: 7-25-19</p> <p>Escrow fees: PAID</p> <p>Taxes: PAID</p>	<p style="text-align: center;"><i>HEARING OF APPLICATION</i> <i>(Deemed Complete on August 8, 2019; Continued from December 12, 2019 meeting)</i></p> <p><u>POMONA DEVELOPMENT GROUP, LLC / CVS</u></p> <p>Applicant is seeking to build a CVS and make site improvements at the existing McDonald's.</p> <p><u>REPORTS BY BOARD PROFESSIONALS:</u> Fred Turek, Engineer: December 4, 2019 Jack Carman, Planner/Landscape Architect: December 4, 2019 Jim Kochenour, Traffic Engineer: December 12, 2019 Steve Scholey, Fire Marshall: August 5, 2019</p>	<p>ESCROW #984500</p> <p>Block 128.01, Lots 1-3, 37-38</p> <p>Rt. 130 & Farnsworth Ave.</p> <p>Zoned: GWC-S (Gateway Commercial-South)</p>
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Present giving testimony representing the applicant were:

- James Burns, Attorney, Dembo, Brown & Burns
- Robert Gehr, Architect, Larson Design Group, Williamsport, PA
- Nathan Mosley, Traffic Engineer, Shropshire Associates
- Dave Ragone, representing Pomona Development Group, LLC
- James Kyle, Professional Planner
- Douglas Grysko, Professional Engineer, Dynamic Engineering

Attorney Burns, attorney for the applicant, explained that this is a continuation of the December 12, 2019 hearing. The professionals were sworn-in by Attorney Wells.

Board Secretary Theokas announced that Board Member Tim Fairlie has signed the affidavit stating that he listened to the audio of the December 12, 2019, and is eligible to participate and vote on the application.

The hearing commenced.

Mayor Benowitz made a motion to open to the public; seconded by Deputy Mayor Holliday.

Roll call: AYE: Fairlie, Grayson, Holston, Holliday, Benowitz, Hirschfeld, Chidley
 NAY: None
 ABSENT: Esser, Popko Bowyer, D'Angelo
 ABSTAIN: None
 NOT VOTING: None

JOAN BOROCZ, 808 Farnsworth Avenue: Ms. Borocz commented on the additional traffic that will be generated by the Matrix warehouse. Mr. Mosley responded that general traffic growth was included but not specifically for that site; additional Wawa traffic was included. Mayor Benowitz said that the first

tenant in the Matrix building gave the assurance that ingress and egress by 18 wheeled trucks will only be on Old York Road. Mayor Benowitz added that the County told the Township that a weight restriction cannot be done on Georgetown Road, but the Township is still looking into other ways the amount of trucks can be reduced. Ms. Borocz also commented that moving the project's driveway down from the intersection will not help the dangerous traffic situation. She said the intersection should be corrected first before the project is approved. Ms. Borocz asked how the construction vehicles will handle the situation. Mayor Benowitz stated that according to the Municipal Land Use Law, we cannot hold the applicant to the traffic problem; they did not create this situation. Ms. Borocz also addressed the trash and recycling. Ms. Borocz asked if the mixed use building could be more than 1 tenant. Mr. Ragone responded that the property has not yet been marketed and they would have to return to the Planning Board with a site plan for final approval. Ms. Borocz said she is also concerned about the emergency vehicles when the traffic is backed up. Chairman Chidley responded that once the road improvements are made, it will make it safer. She said that the amount of traffic on this road should be reduced, and we should be protecting our local pharmacies.

JASON METHVIN, 441 Willow Street, Bordentown City: Mr. Methvin asked if the road improvements by the State be done regardless if the development is approved. Board Secretary Theokas responded, yes they need the dedicated right-of-way. Mr. Methvin asked about the traffic circulation at the site. Mr. Methvin said placing a CVS at this location is a lot of stress on that area.

CARON BOYD, 325 Chestnut St, Florence: Ms. Boyd is the daughter of the owner of Boyd's Pharmacy. Ms. read a statement voicing her concerns of the project including that it may put her family business out of business

CLARK BOYD, Owner, Boyd's Pharmacy, Bordentown City: Mr. Boyd asked if there were any decisions made on the multi-purpose building tonight; Chairman Chidley responded, no, they must return for final site plan approval. He commented about the banked parking spots, signs, and drive-thru at the CVS. He asked what the the status of NJ DOT is on the intersection. Mr. Mosley responded the NJDOT's plan was presented tonight and they did do a traffic study. Mr. Boyd asked how someone could exit left from property on Farnsworth Ave. when there is a 280' stack. Mr. Mosley said this problem should be corrected with the new traffic plan.

SIMMEE DARPINO, 804 Farnsworth Avenue: Ms. Darpino read a statement regarding how her life will be adversely affected by this project.

Seeing no further comments, Mayor Benowitz made a motion to close to the public; seconded by Deputy Mayor Holliday.

Roll call: AYE: Fairlie, Grayson, Holston, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Esser, Popko Bowyer, D'Angelo
ABSTAIN: None
NOT VOTING: None

Attorney Burns gave a summation.

Mayor Benowitz made a motion to grant the application subject to all the conditions, as cited by Planning Board Attorney Rich Wells; seconded by Vice-Chairman Hirschfeld.

Roll call: AYE: Fairlie, Grayson, Holston, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Esser, Popko Bowyer, D'Angelo
ABSTAIN: None
NOT VOTING: None

ADMINISTRATIVE ITEMS FROM THE COMMUNITY DEVELOPMENT OFFICE:

None

RESOLUTIONS (cont.):

Resolution No. P-2020-4 -- A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.

The Planning Board recessed their regular meeting at approximately 10:45 pm to meet in Closed Session, and reconvened the regular meeting at 11:02 pm.

Mr. Fairlie made a motion to appoint Turek Consulting, LLC as Engineer, Design for Generations as Planner, Arora & Associates as Traffic Engineer, and Law Offices of Brian Carlin as Attorney for 2020; seconded by Mayor Benowitz.

Roll call: AYE: Fairlie, Grayson, Holston, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Esser, Popko Bowyer, D'Angelo
ABSTAIN: None
NOT VOTING: None

Board Secretary Theokas will communicate this information to the Professionals.

ADJOURNMENT:

Mayor Benowitz made a motion to adjourn the meeting at approximately 11:05 pm; seconded by Vice-Chairman Hirschfeld.

Roll call: AYE: Fairlie, Grayson, Holston, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Esser, Popko Bowyer, D'Angelo
ABSTAIN: None
NOT VOTING: None