

**TOWNSHIP OF BORDENTOWN
PLANNING BOARD – ZOOM MEETING**

July 9, 2020

A Virtual Zoom Meeting of the Bordentown Township Planning Board was called to order at approximately 7:02 PM.

PRESENT: Stephen Benowitz, Mayor, Class I
Bill Grayson, Class II
Eric Holliday, Deputy Mayor, Class III
George Chidley, Chairman, Class IV
Kevin Hirschfeld, Vice-Chairman, Class IV
Erica Bowyer, Class IV
Danielle Esser, Class IV
Timothy Fairlie, Class IV
MaryAnn Holston, Class IV
Linda Schiano, Alt. #1
Brian Carlin, Attorney
Fred Turek, II PE, PP, CME, CPWM, Engineer
Jack Carman, RLA, FASLA, PP, Planner / Landscape Arch.
Mike Theokas, Interim Dir. of Comm. Dev./ Alt. Bd. Secretary
Cindy Dziura, Alt. Bd. Secretary/Recording Secretary

ABSENT: Nicholas D'Angelo, Alt. #2
James L. Kochenour, PE, Traffic Engineer

The meeting was opened by Chairman Chidley. Roll call was taken by Alt. Board Secretary Dziura. The open public meetings announcement was read by Chairman Chidley.

MINUTES: None

RESOLUTION(S):

Resolution No. P-2020-13 – A RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF BORDENTOWN MEMORIALIZING THE GRANTING OF THE BULK VARIANCE APPLICATION OF CAPITAL HEALTH SYSTEMS, INC. FOR THE PROPERTY DESIGNATED AS BLOCK 56, LOT 36.02, MORE COMMONLY KNOWN AS 115 ROUTE 130.

Deputy Mayor Holliday made a motion to approve Resolution P-2020-13; Vice-Chairman Hirschfeld seconded the motion.

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

Resolution No. P-2020-14 – A RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF BORDENTOWN MEMORIALIZING THE GRANTING OF THE BULK VARIANCE APPLICATION OF MANNINO SPECIALITIES T/A VILLA MANNINO RESTAURANT FOR THE PROPERTY DESIGNATED AS BLOCK 28, LOT 4, MORE COMMONLY KNOWN AS 73 ROUTE 130.

Deputy Mayor Holliday made a motion to approve Resolution P-2020-14; Vice-Chairman Hirschfeld seconded the motion.

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

OLD BUSINESS:

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| <p>ZB-2020-01</p> <p>Received: 1/2/2020</p> <p>Escrow fees: PAID</p> <p>Taxes: PAID</p> | <p style="text-align: center;"><i>COMPLETENESS AND HEARING</i> <i>(Application adjourned from May 28, 2020 meeting)</i></p> <p><u>UPMANIS, CHRIS & TERESA</u></p> <p>Applicant is seeking to variance relief to existing 20' x 11' concrete patio that is within 1 foot of property line where 5' is required. Patio was installed to alleviate drainage issues.</p> <p><u>REPORTS BY BOARD PROFESSIONALS:</u> None</p> | <p>ESCROW #990000</p> <p>Block 49.01, Lot 14</p> <p>885 East Drive</p> <p>Zoned: R-6</p> |
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Planning Board Secretary Theokas stated that notification was received from Chris & Teresa Upmanis indicating that a further adjournment was necessary. They need to submit further measurements on their survey.

Deputy Mayor Holliday made a motion to adjourn the application until July 23, 2020, or until the next meeting where a quorum is available; Vice-Chairman Hirschfeld seconded the motion.

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

OLD BUSINESS:

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| <p>ZB-2019-1</p> <p>Received: 6/4/2020</p> <p>Escrow fees: PAID</p> <p>Taxes: PAID</p> | <p style="text-align: center;"><i>REQUEST FOR EXTENSION OF APPROVAL</i></p> <p><u>(Old York Business Park) / G.S. REALTY CORP.</u></p> <p>Applicant is requesting an extension of approval, per letter received June 4, 2020. Reference: Resolution Z-2019-14.</p> <p><u>REPORTS BY BOARD PROFESSIONALS:</u> None</p> | <p>ESCROW #987700</p> <p>Block 137.02 Lot 1, 11.03</p> <p>Old York Bus. Park</p> <p>Zoned: REO (Research/ Engineering/Office)</p> |
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Attorney Carlin gave background information on this application and referenced the letter dated June 4, 2020 submitted by Steven P. Gouin, attorney for the applicant. He said that Governor Murphy has enacted Assembly Bill 3919 Permanent Extension Act of 2020 that extended the time to perfect approvals by 6 months. After discussion among the Planning Board Members, Professionals, and Planning Board Secretary, Attorney Carlin said the Planning Board has three options: 1) interpret/hold the ordinances to provide that the use variance and conditional use variance are part of the site plan process for the billboard only, which would automatically allow the applicant to perfect the billboard by December of 2022, or 2) grant a one-year extension that will take them out to December 2021, or 3) the Board can see if they start work before December and tell them they can come back and seek the extension of approvals at that time. Chairman Chidley said he thought it may make more sense to marry up the times, and the Governor may extend the order again.

Vice-Chairman Hirschfeld made a motion to open to the public; seconded by Ms. Esser.

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

Planning Board Secretary Theokas confirmed he received no public comment on the Zoom host screen.

Vice-Chairman Hirschfeld made a motion to close to the public; seconded by Ms. Esser.

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

Ms. Esser made a motion to grant a 1-year extension of the approval of the use variance (d-variance) and conditional use variance; seconded by Vice-Chairman Hirschfeld.

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

DISCUSSION:

Referral of Township Committee Ordinance #2020-07 entitled **AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE AGWAY (GROWMARK)/YATES REDEVELOPMENT PLAN.**

Planning Board Secretary Theokas stated that the Planning Board members were provided a copy of the Amended Redevelopment Plan prepared by the Township's Special Planner, Heyer-Gruel. The Board was also provided a copy of the accompanying Settlement Agreement that was the onus for the amendment in the Redevelopment Plan. This will allow on the current Team Campus I site construction of some residential buildings totaling up to 130 residential units of which 26 units are affordable. The Settlement Agreement made this a part of our global settlement with Fair Share Housing.

He also noted that on page 18 of the Amended Redevelopment Plan it states according to Susan Gruel, "This Redevelopment Plan is consistent with the Township's Master Plan 2018 Reexamination Report

and Land Use Plan. It is also a component of the adopted August 2019 Housing Element and Fair Share Plan.”

Vice-Chairman Hirschfeld made a motion to open to the public; seconded by Ms. Esser.

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

Planning Board Secretary Theokas confirmed he received no public comment on the Zoom host screen.

Vice-Chairman Hirschfeld made a motion to close to the public; seconded by Ms. Esser.

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

After discussion among the Planning Board Members, Professionals, and Acting Community Development Director/Board Secretary, the Board considered the following Resolution.

Resolution No. P-2020-15 – A RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF BORDENTOWN RECOMMENDING THE ADOPTION OF A REDEVELOPMENT PLAN AMENDMENT FOR THE AGWAY (GROWMARK)/YATES REDEVELOPMENT AREA.

Vice-Chairman Hirschfeld made a motion to approve Resolution P-2020-15; seconded by Deputy Mayor Holliday.

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

ADMINISTRATIVE ITEMS FROM THE COMMUNITY DEVELOPMENT OFFICE:

Board Secretary Theokas stated the next Zoom meeting is scheduled for July 23, 2020.

PUBLIC COMMENT:

Chairman Chidley opened and closed the meeting for public comment. There was no comment received.

ADJOURNMENT:

Deputy Mayor Holliday made a motion to adjourn the meeting at approximately 7:47 pm; seconded by Vice-Chairman Hirschfeld.

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