

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

September 24, 2020

A Virtual Zoom Meeting of the Bordentown Township Planning Board was called to order at approximately 7:03 PM.

PRESENT: Stephen Benowitz, Mayor, Class I
 Bill Grayson, Class II
 Eric Holliday, Deputy Mayor, Class III (arrived at 7:05 pm)
 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
 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

ABSENT: Linda Schiano, Alt. #1
 Nicholas D’Angelo, Alt. #2
 James L. Kochenour, PE, Traffic Engineer
 Cindy Dziura, Alt. Bd. Secretary/Recording Secretary

The meeting was opened and roll call was taken by Board Secretary Theokas. The open public meetings announcement was read by Chairman Chidley.

MINUTES:

The minutes from the September 10, 2020 Zoom meeting were presented. Deputy Mayor Holliday made a motion to approve the minutes; Mr. Fairlie seconded the motion.

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

OLD BUSINESS:

<i>FOR COMPLETENESS ONLY</i>		
<p>PB-2018-05</p> <p>Received: 7/20/2020</p> <p>Escrow fees: PAID</p> <p>Taxes: PAID</p>	<p><u>RISING SUN MEADOWS (Zieger Property)</u></p> <p>Applicant is seeking amended preliminary and final site plan approval to add a sewer pump station.</p> <p><u>REPORTS BY BOARD PROFESSIONALS:</u></p> <p>Fred Turek, Engineer: September 18, 2020 Jack Carman, Planner/Landscape Architect: July 16, 2020</p>	<p>ESCROW # 986200</p> <p>Block 138.01, Lots 41,42,43</p> <p>Rising Sun Rd. & Route 130</p> <p>Zoned: AH-1</p>

Present representing the applicant was Ronald Shimanowitz, Esquire, Hutt & Shimanowitz, PC. Attorney Carlin stated that proof of service was received that the applicant properly advertised and noticed this meeting.

Planning Board Engineer Turek and Planning Board Planner Carman had no outstanding issues. They recommended to the Board that the application be deemed complete.

Deputy Mayor Holliday made a motion to open the meeting to the public; seconded by Mr. Fairlie.

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

DONNA O'CONNOR KIEL, 10 Oakbourne Court, President of Meadow Run HOA: Ms. Kiel said that they are in negotiations in with Mr. Werbler and the attorneys and if this goes through, their negotiations can negate that and this application doesn't have to go to fruition. Mr. Shimanowitz responded that is correct. Attorney Carlin stated these negotiations should be discussed with Mr. Shimanowitz and not discussed at the public meeting to protect the record.

Seeing no further comments, Deputy Mayor Holliday made a motion to close to the public; seconded by Vice-Chairman Hirschfeld.

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

Mayor Benowitz made a motion to declare the application complete and waive the requirement to only be heard for completeness at the first meeting; seconded by Mr. Fairlie.

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

The application will be heard on October 8, 2020 without further noticing.

OLD BUSINESS:

<p>ZB-2020-01</p> <p>Received: 1/2/2020</p> <p>New Grading Survey received 7/27/20</p> <p>Escrow fees: PAID</p> <p>Taxes: PAID</p>	<p style="text-align: center;"><i>COMPLETENESS AND HEARING</i> <i>(Application deemed incomplete on July 23, 2020)</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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Attorney Carlin stated that the applicant provided proof of service that indicates all the required notices had been given. Board Secretary Theokas stated that from the Community Development Office perspective, the application is complete and documentation and notices were received.

Mr. Fairlie made a motion to declare the application complete and waive the requirement to only be heard for completeness at the first hearing; seconded by Deputy Mayor Holliday.

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

The applicants, Chris and Teresa Upmanis, were sworn in and the hearing commenced. Attorney Carlin explained that this is for a bulk variance and described the application to the Board.

Deputy Mayor Holliday 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: Schiano, D'Angelo
ABSTAIN: None
NOT VOTING: None

Seeing no comments, Deputy Mayor Holliday made a motion to close to the public; seconded by Vice-Chairman Hirschfeld.

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

Mayor Benowitz made a motion to approve the zoning variance application and permit the construction of the patio subject to all the conditions cited by Planning Board Attorney Carlin; seconded by Vice-Chairman Hirschfeld.

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

ADMINISTRATIVE ITEMS FROM THE COMMUNITY DEVELOPMENT OFFICE:

- Review of Attorney Carlin and Engineer Turek's letter to Planning Board regarding recommendations to Township Committee on pools.

Attorney Carlin submitted a letter dated September 23, 2020 to the Planning Board members for review. This letter was created because of the recent application that involved a pool which was installed incorrectly by the contractor. As a result of that application, there was a request that a recommendation be made to the Township Committee to consider amending the ordinance with regard to above-ground and in-ground pool application process. Attorney Carlin and Engineer Turek provided some suggested language for the ordinance.

After discussion among the Board Members and Professionals, Ms. Esser made a motion to make these recommendations for consideration to the Township Committee to be included in the codification; seconded by Vice-Chairman Hirschfeld.

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

PUBLIC COMMENT:

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

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

Seeing no comments, Vice-Chairman Hirschfeld made a motion to close to the public; seconded by Deputy Mayor Holliday.

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

Board Secretary Theokas stated the next Zoom meeting is scheduled for October 8, 2020.

ADJOURNMENT:

Deputy Mayor Holliday made a motion to adjourn the meeting at approximately 8:10 pm; seconded by Vice-Chairman Hirschfeld.

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