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:

FOR COMPLETENESS ONLY

<table>
<thead>
<tr>
<th>PB-2018-05</th>
<th>RISING SUN MEADOWS (Zieger Property)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Received:  7/20/2020</td>
<td>Applicant is seeking amended preliminary and final site plan approval to add a sewer pump station.</td>
</tr>
<tr>
<td>Escrow fees: PAID</td>
<td>REPORTS BY BOARD PROFESSIONALS:</td>
</tr>
<tr>
<td>Taxes: PAID</td>
<td>Fred Turek, Engineer: September 18, 2020</td>
</tr>
<tr>
<td></td>
<td>Jack Carman, Planner/Landscape Architect: July 16, 2020</td>
</tr>
<tr>
<td></td>
<td>ESCROW # 986200</td>
</tr>
<tr>
<td></td>
<td>Block 138,01, Lots 41,42,43</td>
</tr>
<tr>
<td></td>
<td>Rising Sun Rd. &amp; Route 130</td>
</tr>
<tr>
<td></td>
<td>Zoned: AH-1</td>
</tr>
</tbody>
</table>
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:

| ZB-2020-01 | COMPLETENESS AND HEARING  
(Application deemed incomplete on July 23, 2020) | ESCROW #990000 |
|------------|-------------------------------------------------|----------------|
| RECEIVED: 1/2/2020 | UPCMANIS, CHRIS & TERESA  
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.  
REPORTS BY BOARD PROFESSIONALS:  
None | Block 49.01, Lot 14  
885 East Drive  
Zoned: R-6 |
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