

TOWNSHIP OF BORDENTOWN
MINUTES -- PLANNING BOARD ZOOM MEETING
June 10, 2021

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 (entered at 7:04 pm)
George Chidley, 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., Spiegle
Jeff L'Amoreaux, PE, Traffic Engineer, Arora Assoc.
Mike Theokas, Interim Dir. of Comm. Dev./ Board Secretary
Cindy Dziura, Alt. Bd. Secretary/Recording Secretary

ABSENT: Kevin Hirschfeld, Vice-Chairman, Class IV
Vacant, Alt. #1
Nicholas D'Angelo, Alt. #2

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:

The minutes from the May 27, 2021 Zoom meeting were presented. Ms. Esser made a motion to approve the minutes; Deputy Mayor Holliday seconded the motion.

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

RESOLUTION(S):

Resolution No. P-2021-14 – **A RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF BORDENTOWN GRANTING THE APPLICATION OF FIRST INDUSTRIAL REALTY TRUST FOR MINOR SUBDIVISION APPROVAL AND PRELIMINARY/FINAL MAJOR SITE PLAN APPROVAL FOR BLOCK 126, LOTS 1.01, 1.02, 2 & 14.01 PLATE 23.**

Planning Board Attorney Carlin stated that this resolution was received from Attorney Gillespie today with minor grammatical/clerical changes and minor changes as cited by Attorney Carlin. The resolution will be signed reflecting these updates.

Mr. Grayson made a motion to approve Resolution P-2021-14; seconded by Deputy Mayor Holliday.

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

OLD BUSINESS:

Chairman Chidley made the following announcement: An email dated June 3, 2021 was received from Hannah Bartages, attorney for 1784 Capital Holdings, LLC, requesting adjournment to the June 24, 2021 Planning Board Meeting. The applicant will re-notice and advertise the hearing.

NEW BUSINESS:

<i>FOR COMPLETENESS ONLY</i>		
PB-2018-02	<u>VOADV PROPERTY INC. – PHASE II</u>	ESCROW # 986300
Received: 5/11/2021	Applicant proposes to construct two 4-story residential buildings.	Block 140.01, Lots 1.02 & 2.01 Block 140, Lot 5.02
Escrow fees: PAID		Route 130
Taxes: PAID	<u>REPORTS BY BOARD PROFESSIONALS:</u> Fred Turek, Engineer: 6/2/21 Jack Carman, Planner/Landscape Arch.: 6/2/21 Jeff L'Amoreaux, Traffic Engineer: 6/4/21	Zoned: Bordentown Waterfront Village Redevelopment Area

Attorney representing the applicant was Matthew Wait, Attorney with DuBois, Sheehan, Hamilton, Levin & Weissman, LLC.

Attorney Wait stated that the applicant will be providing an Environmental Impact Statement prior to the hearing.

Attorney Carlin swore-in Louis Zuegner, Engineer/Planner of Mid-Atlantic Engineering Partners. Mr. Zuegner reviewed Engineer Turek's and Planner Carman's review letters. Engineer Turek asked they provide him with the utility will-serve letters.

Board Secretary Theokas stated that this project previously received preliminary approval because it was needed prior to them applying for Federal tax credits, which they have received. VOA is part of the Township's Affordable Housing component and part of the housing and Master Plan. And it is important that the Board know that the Township now owns the property which will be, as agreed, deeded to VOA.

Attorney Carlin swore-in Owen McCabe, representative for VOA. Mr. McCabe explained about the tax credits and stated that the project has reduced in size.

Mayor Benowitz made a motion to deem the application complete; seconded by Mr. Fairlie.

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

The hearing is scheduled for July 8, 2021, and the applicant will advertise and notice.

OLD BUSINESS:

	<i>HEARING OF APPLICATION</i> <i>(Approved for Completeness on 4/22/21)</i>	
PB-2021-04	<u>PIONEER TECHNOLOGY, INC.</u>	ESCROW # 100500
Received: 3/22/2021	Applicant is seeking bulk variance for façade sign.	Block 130, Lot 2
Escrow fees: PAID	<u>REPORTS BY BOARD PROFESSIONALS:</u>	201 Old York Rd.
Taxes: PAID	Fred Turek, Engineer: None Jack Carman, Planner/Landscape Architect: June 3, 2021	Zoned: REO

The attorney representing the applicant was Melanie Levan with Earp Cohn, who stated what the applicant was seeking.

Present giving testimony representing applicant and sworn-in by Attorney Carlin were:
 Ray Liotta, Engineer & Planner, Collie’s Engineering & Design
 Gregor Herrmann, Assistant Logistics Supervisor
 Leo Liu, Warehouse Manager from Pioneer Technology

Mr. Herrmann explained that Pioneer Technologies is the warehouse and distributor of Costway brand Products. A site plan was presented explaining the warehouse’s boundaries. A rendering was presented that showed a proposed, larger LED sign that states, “Costway.com”. They explained the sign they are proposing is to advertise their website, and not to be used as a wayfinding sign for vehicles on the New Jersey Turnpike. The applicant stated they would accept the word, “Costway” without “.com”.

After testimony, Attorney Levan requested an adjournment to tweak and resubmit the sign, and to discuss with her client on bringing in a traffic engineer to testify.

Mr. Fairlie made a motion to open to the public; seconded by Mr. Grayson.

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

Five (5) comments, which were emailed to the Township prior to the meeting, were read into the record by Board Secretary Theokas. Attorney Carlin confirmed that they must be read verbatim.

BARBARA A. NURKO, Owner Old York Stables, 203 Old York Road (email dated 6/2/2021): Ms. Nerko emailed that she is against the sign and their request to erect it larger than permitted. She said the warehouses are taking away the rural setting, and she is putting up with the horns and loud engines of the trucks going up and down her road that are spooking her horses.

MARTA HILL, Resident of Clifton Mills Road (email dated 6/3/2021): Ms. Hill also expressed her opposition to the sign.

Attorney Levan stated she objected to reading comments into the record when the applicant cannot respond. Attorney Carlin responded that State Statute requires them to be read into the record, and they would have an opportunity to respond to the comments at the next meeting.

SARAH MAGUIRE, Bordentown Township (email dated 6/3/2021): Ms. Maguire stated that she was opposed to the sign variance.

DONNA CRIBBS, of Bordentown Township (email dated 6/5/2021): Ms. Cribbs said that she recently learned about property zoning, and that the Township cannot turn down warehouse applications, but stated she was also opposed to “the erection of a monstrosity of a sign”.

AGNES MARSALA, 2 Cromwell Drive, Chesterfield Township (email dated 6/9/2021): Ms. Marsala stated that the only sign approved for the Matrix Warehouse application was a monument sign. She asked that the waivers and variances be denied by the Planning Board. She also noted that this sign promotes business using LED lighting, and it is not a wayfinding sign.

SHIRLEY CHANT, 20 W. Constitution Drive: Ms. Chant asked if this warehouse was approved, and could it be approved by referendum. Attorney Carlin responded that this warehouse is built and occupied, and explained the responsibility of the Planning Board and it is State Law that it not a referendum on each application. Ms. Chant said she is also opposed to the sign.

JEANNE WEBER, 9 Barclay Court, Clifton Mill: Ms. Weber stated that it is disappointing that those residing in the warehouse are not aware of their neighbors. She said that she is opposed to the sign, and that they want to use the building as an advertisement. She said the back of the building is visible to Georgetown Road. Ms. Weber also questioned when the hours the sign would be lit, and stated it would be “gaudy” and they would like to maintain the beautiful environment.

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

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

Chairman Chidley stated that additional comments will be welcomed at the July 22, 2021 meeting. Attorney Carlin stated that resubmitted exhibits are due 10 days prior to the hearing. Chairman Chidley added that the Township’s ordinance requires 15 days.

ADMINISTRATIVE ITEMS FROM THE COMMUNITY DEVELOPMENT OFFICE:

Board Secretary Theokas stated that he will send another Planning Board schedule update to the members.

Chairman Chidley asked Attorney Carlin to reach out to Attorney Singer to find out when he anticipates the Hart subdivision application will return to the Board. If not received, the Planning Board should turn down the application without prejudice. The applicant has made several requests for adjournment.

PUBLIC COMMENT: -

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

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

ABSTAIN: None
NOT VOTING: None

SHIRLEY CHANT, 20 W. Constitution Drive: Ms. Chant asked when the meetings will be in person. Board Secretary Theokas responded that the Township is airing on the side of safety.

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

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

ADJOURNMENT:

Mr. Fairlie made a motion to adjourn the meeting at approximately 8:48 pm; seconded by Ms. Esser.

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