

**TOWNSHIP OF BORDENTOWN
PLANNING BOARD MEETING MINUTES**

December 12, 2019

The Bordentown Township Planning Board meeting was called to order at approximately 7:31 PM in the main meeting room of the Municipal Building on Municipal Drive.

PRESENT: Stephen Benowitz, Mayor, Class I
Bill Grayson, Class II
Eric Holliday, Committeeman, Class III
George Chidley, Chairman, Class IV
Kevin Hirschfeld, Vice-Chairman, Class IV
MaryAnn Holston, Class IV
William Popko, Class IV
Nicholas D'Angelo, Alt. #2
Lou Garty, Attorney
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
Timothy Fairlie, Class IV
Erica Bowyer, Alt. #1

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:

Mayor Benowitz made a motion to approve the November 14, 2019 meeting minutes; Committeeman Holliday seconded the motion.

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

PUBLIC HEARING :

Public Hearing of Land Use and Circulation Elements of the Township Master Plan with presentation by Susan Gruel of Heyer-Gruel, Township Planner for Special Projects. Ms. Gruel gave a brief background on the history on what has transpired to date, and said she believed all the suggested changes have been incorporated. There was discussion/comments from the Planning Board professionals and members.

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

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

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

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

• Resolution No. P-2019-25 -- A RESOLUTION OF THE BORDENTOWN TOWNSHIP PLANNING BOARD AUTHORIZING AN AMENDMENT TO THE BORDENTOWN TOWNSHIP MASTER PLAN WITH RESPECT TO THE LAND USE AND CIRCULATION ELEMENTS.

Committeeman Holliday made a motion to adopt Resolution P-2019-25; Mayor Benowitz seconded the motion.

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

RESOLUTIONS:

• Resolution No. P-2019-26 – RESOLUTION MEMORIALIZING A FINDING OF COMPLETENESS AS TO THE APPLICATION OF JIMMY’S FIRESTONE AMERICAN GRILL FOR PRELIMINARY & FINAL MAJOR SUBDIVISION/SITE PLAN APPROVAL.

Mayor Benowitz made a motion to adopt Resolution P-2019-26; Committeeman Holliday seconded the motion.

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

OLD BUSINESS:

	<i>HEARING OF APPLICATION: (Deemed Complete on November 14, 2019)</i>	
PB-2019-09	<u>JIMMY’S FIRESTONE AMERICAN GRILL</u>	ESCROW #989400
Received: 10-23-19	Applicant is seeking to replace an existing deck with a building addition.	Block 57, Lot 12.02
Escrow fees: PAID		140 Rt. 130 South
Taxes: PAID	<u>REPORTS BY BOARD PROFESSIONALS:</u> Fred Turek, Engineer: 12/5/19 Jack Carman, Planner/Landscape Architect: 12/3/19 Jim Kochenour, Traffic Engineer: N/A Steve Scholey, Fire Marshall: N/A	Zoned: HC (Highway Commercial)

Present giving testimony representing applicant were:

Tim Prime, Attorney, Prime and Tuvel, representing the applicant
Teal Jefferis, Engineer, Jefferis Engineering Associates
Frank Aiello, Architect, Aiello Associates LLC
Dimitrios Manetas, Owner, Jimmy's Firestone American Grill

Attorney Prime, attorney for the applicant, gave an overview of the project. The representatives were sworn in and the hearing commenced.

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

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

CAROL WATKINS, 130-132 Route 130: Ms. Watkins asked if alcohol would be permitted outside in the designated smoking area patio and if additional lighting would be required there. Attorney Prime confirmed there would be no alcohol outside and no additional lighting. Ms. Watkins inquired about the drainage at the office addition area. Mr. Jefferis responded it would be accommodated within the existing storm water management system. Planning Board Engineer Turek confirmed they are still in compliance with original drainage approval. Ms. Watkins added that since Mr. Manetas has taken over, things have been very pleasant for her.

NICHOLAS REPECI: Lenox Law Firm on behalf of Mastoris Diner: Mr. Repeci said the primary item of interest is if the proposed additional square footage will have any effect on seating capacity of 250 seats and the shared parking lot. Mr. Repeci asked that the Planning Board require the applicant, as a condition of approval, submit an interior drawing showing the seating chart and how the interior of the building would be used. Planning Board Engineer Turek responded that we typically do not require this; the number of seats and tables is generally identified in the Resolution. Attorney Prime stated that 328 parking spaces on a shared basis were reflected in the plan.

CAROL WATKINS, 130-132 Route 130: Ms. Watkins asked that it be a condition that no alcoholic beverages be permitted on the smoking patio.

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

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

Mayor Benowitz made a motion to grant the application subject to all the conditions, as cited by Planning Board Attorney Lou Garty; seconded by Mr. D'Angelo.

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

The Planning Board recessed their regular meeting at approximately 9:09 pm and reconvened the regular meeting at 9:15 pm.

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)</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>
---	---	---

Present giving testimony representing applicant were:

- James Burns, Attorney, Dembo, Brown & Burns
- Douglas Grysko, Professional Engineer, Dynamic Engineering
- James Kyle, Professional Planner
- Chelsea Rawson, Licensed Architect
- Dave Ragone, representing Pomona Development Group, LLC

Attorney Burns, attorney for the applicant, gave an overview of the project.

The representatives were sworn in and the hearing commenced.

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

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

JOAN BOROCZ, 808 Farnsworth Avenue: Ms. Borocz stated that she is one of 7 residents on Farnsworth Avenue and is greatly impacted by this plan. She is concerned about traffic and said this is a dangerous road. Ms. Borocz said she did a traffic count and gave the statistics, and stated there will be a constant back-up. She would like to see the intersection fixed before adding more traffic. She cited the names of the already five pharmacies in our community.

CLARK BOYD, Owner, Boyd's Pharmacy, Bordentown City: Mr. Boyd said the proposed CVS effects other pharmacies and retail businesses. He commented on the banked parking spots, and said the Board should consider having these. He said he thought 7 signs were too many, and asked about the ingress and egress for the McDonalds and CVS. Mr. Grysko responded to his questions.

SIMMEE DARPINO, 804 Farnsworth Avenue: Ms. Darpino thanked the Planning Board for making all the new buildings in the Township look good. She said she thought there was too much signage. She also questioned the letter she received from the developer regarding "any and all additional variances, waivers, and permits . . ." Chairman Chidley responded that is a typical practice of every

applicant so nothing is left out. Attorney Garty added that the first part of the letter fairly represented the relief sought.

CARON BOYD, 325 Chestnut St, Florence: Ms. Boyd commented on the visual aspects of the CVS building. She also stated there will be additional traffic from the bridge that will be built on Farnsworth Avenue in Bordentown City.

SILPAT RATHIE, RPS Bordentown, LLC: Mr. Rathie said they own 31 acres behind the houses and businesses on Farnsworth Avenue. He said there is no cross access easement and asked that this be included in the approval process. Mr. Chidley explained this would be something he needed to negotiate with the owner of the property, and the Planning Board would have no jurisdiction to impose this. Mr. Rathie said he'd like to see a public walkway installed there.

Seeing no further comments, Mayor Benowitz made a motion to close to the public; seconded by Mr. D'Angelo.

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

Chairman Chidley announced that the application is being adjourned to the January 9, 2020 meeting at 7:30 pm and will begin with the traffic testimony. Attorney Garty stated that no further notice or publication will be required.

EXTEND MEETING:

11:00 PM – Chairman Chidley asked the meeting be extended past 11:00 pm.

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

ADMINISTRATIVE ITEMS FROM THE COMMUNITY DEVELOPMENT OFFICE:

Planning Board Secretary Theokas stated that the Township was granted a Conditional Judgment of Repeal of our Affordable Housing settlement on December 10, 2019, which is a very positive outcome for the Township. Many of the projects included were already approved by the Planning Board or will be coming before the Board. We will have immunity until at least the year 2025. The Township is working to complete its obligation.

The Township Committee is considering the possibility of a Joint Land Use Board for the year 2020 and beyond. It would be a disintegration of the current Zoning Board and giving the current Planning Board powers and authority to hear Zoning Board applications, as well. There will be some additional responsibilities and a few additional meetings in the beginning of the year. As the matter formalizes, things have to be done at the Township Committee level.

Mayor Benowitz gave some statistics on the number of meetings held and cancelled, and the number of applications received. He asked the Planning Board members if anyone had constraints and could not attend additional meetings to let him know.

ADJOURNMENT:

Chairman Chidley made a motion to adjourn the meeting at approximately 11:13 pm; seconded by Mr. Hirschfeld.

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