

**TOWNSHIP OF BORDENTOWN  
PLANNING BOARD MEETING**

**September 14, 2017**

The Bordentown Township Planning Board meeting was called to order at approximately 7:32 PM in the main meeting room of the Municipal Building on Municipal Drive.

**PRESENT:** Steven Benowitz, Mayor Class I  
Kelly Lozito, Class II  
Eric Holliday, Committeeman, Class III  
George Chidley, Chairman, Class IV  
Kevin Hirschfeld, Vice-Chairman, Class IV  
Patricia Concannon, Class IV (arrived at 7:40 pm)  
Timothy Fairlie, Class IV  
Eugene Grybowski, Class IV  
William Popko, Class IV (departed at 9:05 pm)  
Nicholas D'Angelo, Alt. #2

**ABSENT:** Joseph Nyzio, Alt. #1

**PRESENT:** Brian Johnson, Planning Board Secretary  
Cindy Dziura, Recording Secretary  
Lou Garty, Attorney  
Frederick J. Turek, II PE, PP, CME, CPWM, Engineer  
Jack Carman, RLA, FASLA, PP, Planner / Landscape Arch.  
James L. Kochenour, PE, Traffic Engineer

The meeting was opened by Chairman Chidley. The Board participated in the salute to the flag. The open public meetings announcement was read by Chairman Chidley.

**REORGANIZATION OF THE BOARD:** Attorney Garty administered the Oath of Office to new Class II member, Kelly Lozito.

Roll call was taken by Recording Secretary, Cindy Dziura.

**MINUTES:**

At this time, Mayor Benowitz made a motion to adopt the Planning Board Special Meeting Minutes of June 15, 2017; seconded by Vice-Chairman Hirschfeld.

Roll call: AYE: Grybowski, Holliday, D'Angelo, Benowitz, Hirschfeld, Childley  
NAY: None  
ABSTAIN: Fairlie, Lozito, Popko  
NOT VOTING: None  
ABSENT: Concannon, Nyzio

At this time, Vice-Chairman Hirschfeld made a motion to adopt the Planning Board Meeting Minutes of August 10, 2017; seconded by Mr. D'Angelo.

Roll call: AYE: Fairlie, D'Angelo, Holliday, Hirschfeld, Childley  
NAY: None  
ABSTAIN: Grybowski, Lozito, Popko, Benowitz  
NOT VOTING: None  
ABSENT: Concannon, Nyzio

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**RESOLUTION(S):**

Chairman Childley read the Resolution of Appreciation for Roger Plew into the record. (Mr. Plew recently resigned from the Planning Board.)

7:40 PM – Ms. Concannon entered the meeting.

**NEW BUSINESS:**

Review of Township Ordinance #2017-17 entitled **FLOOD DAMAGE PREVENTION ORDINANCE.**

Mayor Benowitz stated that the ordinance was introduced at the August 17, 2017 Township Committee Meeting. It wasn't included on the September 11, 2017 Township Committee Meeting for Public Hearing and adoption because it had to come back to the Planning Board. Once it is before the Planning Board for their comments, it will go back to the Township Committee. The State of New Jersey is requiring the Township of Bordentown to adopt this ordinance. This will enable more homeowners to obtain flood insurance at the lower rates FEMA sets. C.D. Director Johnson added that this ordinance is a part of adopting the new flood maps that are going to be effective in December of 2017.

At this time, Mayor Benowitz made a motion that the ordinance is consistent with the MLUL, the Township's Master Plan and Zoning Plan and that further identification of the flood zones and making flood insurance more available and feasible for purchase by the Township residents is something to be fostered. It will also authorize C.D. Director Johnson and/or Attorney Garty to provide to the Township Committee the Planning Board's recommendation for passage of this ordinance; seconded by Committeeman Holliday.

Roll call:        AYE: Concannon, Fairlie, Grybowski, Lozito, Popko, Holliday, Benowitz, Hirschfeld,  
                              Childley  
                              NAY: None  
                              ABSTAIN: None  
                              NOT VOTING: D'Angelo,  
                              ABSENT: Nyzio

Review of Township Ordinance #2017-18 entitled **AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING CHAPTER 25, THE LAND DEVELOPMENT CODE OF THE TOWNSHIP OF BORDENTOWN, TO MODIFY THE STANDARDS FOR FENCES, SWIMMING POOLS, AND RESIDENTIAL GARAGES AND SHEDS.**

Mayor Benowitz stated that the ordinance was introduced at the August 17, 2017 Township Committee Meeting. It wasn't included on the September 11, 2017 Township Committee Meeting for Public Hearing and adoption because it had to come back to the Planning Board. The ordinance amends definitions for in-ground and above-ground swimming pools, residential sheds and garages. These changes only affect residential properties. C.D. Director Johnson added that the genesis of this ordinance was a report by the Zoning Board of variances that they had seen in the past years, provides definitions, and loosens up regulations on fences. Sheds will be permitted to be up to 200 sq. ft., as opposed to the current 100 sq. ft. Two sheds can only total 200 sq. ft.



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Mr. Griegel clarified that the application was for 3 medical office buildings and 2 retail buildings.

He added that there is an easement required for the existing sewer service to Crescent Village; there are prior owners who are supposed to get that done in writing. According to the survey, it is filed on a file plat, but the meets and bounds description was never filed with the deed. It does not come up on the title report. They have been coordinating with the Sewerage Authority on this. This will be a condition of approval. He said the Township has a copy of the title report and deed restrictions. Mr. Griegel also asked for tree inventory be a condition of approval. They are requesting the Community Impact Statement be waived, which the Planning Board declined. Mr. Lurie said the applicant will be providing checklist items #33-#66; Planning Engineer Turek said that some of the items were provided yesterday and today. Mr. Griegel asked that the architectural detail and the letters from the utilities also be provided as a condition of approval as opposed to a completeness item.

Mr. Chidley said there are a lot of pieces missing from this application and no architecturals have been submitted. Planning Board Engineer Turek added that the remaining utility letters have not yet been received. Mr. Chidley also asked that at least Phase I architecturals need to be received and can be presented to the public. Planning Board Planner Carman said that he felt tree identification is important and should be submitted as well.

Vice-Chairman Hirschfeld made a motion to deem the application for Team Campus Phase II, LLC incomplete at this time due to insufficient evidence to go forward to make a proper decision for completeness; seconded by Mr. Fairlie.

Roll call:        AYE: Concannon, Fairlie, Lozito, Popko, Holliday, Benowitz, Hirschfeld, Chidley  
                       NAY: None  
                       ABSTAIN: Grybowski  
                       NOT VOTING: D'Angelo  
                       ABSENT: Nyzio

Chairman Chidley stated that the applicant needs to submit the Community Impact Statement, the tree inventory, and at least the architecturals for Phase I. Mr. Kochenour asked that the Traffic Engineer contact him because there was a lot of information missing from the Traffic Impact Statement. Mr. Chidley asked that the letter from the Sewerage Authority be submitted.

**OLD BUSINESS:**

**237 Route 130 Convenience, LLC (Wawa) continued from August 10, 2017**

<p><b>PB-2017-0038</b></p> <p>Received: 3-17-2017</p> <p>Escrow fees: PAID</p> <p>Taxes: PAID</p>	<p><b><u>237 ROUTE 130 CONVENIENCE, LLC (WAWA)</u></b></p> <p>Applicant is seeking Preliminary and Final Site Plan Approval with Conditional Use Approval</p> <p><b><u>REPORTS BY BOARD PROFESSIONALS:</u></b></p> <p>Jack Carman, Planner/Landscape Architect: June 9, 2017          Fred Turek, Engineer: June 9, 2017          James Kochenour, PE: June 7, 2017</p>	<p><b>ESCROW #981500</b></p> <p>Block 121 Lot 5</p> <p>237 Rte. 130 Bordentown</p> <p>Zoned: HC/ Redevelopment Zone</p>
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**RESOLUTION(S) CONTINUED:**

**Resolution #P-2017-15 entitled AMENDED RESOLUTION ON THE APPLICATION OF MATRIX REALTY, INC. FOR APPROVAL OF A PRELIMINARY AND FINAL MAJOR SITE PLAN WITH DESIGN WAIVERS FOR THE PROPERTY IDENTIFIED ON THE TAX MAP OF THE TOWNSHIP OF BORDENTOWN AS BLOCK 130, LOT 2, MORE COMMONLY KNOWN AS 201 OLD YORK ROAD.**

Attorney Garty stated that the purpose of this amending resolution is to clarify the developer's fee obligation.

At this time, Mayor Benowitz made a motion to approve Resolution #P-2017-15; seconded by Committeeman Holliday.

Roll call:        AYE: Fairlie, Holliday, Benowitz, Hirschfeld, Chidley  
                      NAY: None  
                      ABSTAIN: Concannon, Grybowski, Lozito, D'Angelo  
                      NOT VOTING: None  
                      ABSENT: Popko, Nyzio

**FOR DISCUSSION/CORRESPONDENCE:** None

**ADMINISTRATIVE ITEMS FROM THE COMMUNITY DEVELOPMENT OFFICE:** None

**MOTION TO ADJOURN:**

A motion to adjourn was made by Vice-Chairman Hirschfeld; seconded by Mr. Fairlie.

Roll call:        AYE: Concannon, Fairlie, Holliday, Hirschfeld, Childley  
                      NAY: None  
                      ABSTAIN: None D'Angelo,  
                      NOT VOTING: None  
                      ABSENT: Grybowski, Popko, Nyzio, Benowitz

Meeting adjourned at 11:07 pm.