

**TOWNSHIP OF BORDENTOWN
ZONING BOARD MEETING -- SPECIAL MEETING**

February 26, 2015

The Bordentown Township Zoning Board Special Meeting was called to order at approximately 7:02 PM in the main meeting room of the Municipal Building on Municipal Drive.

PRESENT: Michael Carney, Chairman
Amadeo Dela Cruz
James Kostoplis
Mark McTamney
Rick Simpson
James L. Whittington
David Caldwell, Alt. #1
Brian K. Johnson, Secretary, Dir. of Community Development

ABSENT: Eric Holliday, Vice-Chairman
Vacant, Alt. #2

ABSENT: Lou Garty, Esquire, The Garty Law Firm, LLC
John P. Carman, RLA, FASLA, PP, Planner /Landscape Arch.,
Design for Generations
Robert E. Korkuch, PE, Act Engineers, Inc.
James L. Kochenour, PE Traffic Engineer, Arora & Associates, PC

The SPECIAL meeting was opened by Chairman Carney. The Board and public participated in the salute to the flag. The open public meetings announcement was read by Mr. Carney.

C.D. Director Brian Johnson/Board Secretary added for the record that this Special Meeting and start time of 7:00 pm was noticed (on February 18, 2015).

Roll call was taken by the Recording Secretary, Cindy Dziura.

Resolution Z-2015-02 – **Closed Session Meeting to Discuss Professional Appointments.** Mr. Carney made a motion to approve the resolution; Mr. Kostoplis seconded the motion.

Roll call: AYE: Caldwell, Whittington, Simpson, McTamney, Kostoplis, Dela Cruz, Carney
NAY: None
ABSENT: Holliday
ABSTAIN: None

The Zoning Board entered into the Closed Session Portion of the meeting at approximately 7:08 pm and reconvened at approximately 8:05 pm.

Mr. Carney made a motion to appoint CME Associates as Zoning Board Engineer for 2015; seconded by Mr. Kostoplis.

Roll call: AYE: Caldwell, Simpson , Kostoplis, Dela Cruz, Carney
NAY: Whittington, McTamney
ABSENT: Holliday
ABSTAIN: None

Mr. Carney made a motion to reject the only RFP received for Zoning Board Attorney and instruct the Township Clerk to re-solicit additional RFP's for Zoning Board Attorney; seconded by Mr. Dela Cruz.

Roll call: AYE: Simpson, Simpson, Kostoplis, Dela Cruz, Carney
NAY: Caldwell, McTamney
ABSENT: Holliday
ABSTAIN: Whittington

Mr. Carney made a motion to retain Jack Carman of Design for Generations as Zoning Board Planner/Landscape Architect for 2015; seconded by Mr. Caldwell.

Roll call: AYE: Caldwell, Whittington, Simpson, McTamney, Kostoplis, Dela Cruz, Carney
NAY: None
ABSENT: Holliday
ABSTAIN: None

Mr. Carney made a motion to appoint James L. Kochenour, PE, Traffic Engineer of Arora & Associates, PC as Zoning Board Traffic Engineer for 2015; seconded by Mr. Caldwell.

Roll call: AYE: Caldwell, Whittington, Simpson, McTamney, Kostoplis, Dela Cruz, Carney
NAY: None
ABSENT: Holliday
ABSTAIN: None

Resolution Z-2015-03 – A RESOLUTION OF THE ZONING BOARD OF THE TOWNSHIP OF BORDENTOWN APPOINTING A PROFESSIONAL TRAFFIC ENGINEER AS A CONSULTANT TO THE ZONING BOARD. Mr. Carney made a motion to approve the resolution; Mr. Simpson seconded the motion.

Roll call: AYE: Caldwell, Whittington, Simpson, Kostoplis, Dela Cruz, Carney
NAY: None
ABSENT: Holliday
ABSTAIN: McTamney

Chairman Carney asked that the following statement be added to the record, “Mr. Roselli at the last meeting (1/22/15) while discussing the completeness of the application stated that The Highway Corridor Standards is not an ordinance, but in fact it is Township Ordinance #2003-23.”

The minutes for the Regular Meeting dated January 22, 2015 were discussed. Mr. Caldwell made a motion to approve the minutes; Mr. Kostoplis seconded the motion.

Roll call: AYE: Caldwell, Whittington, Simpson, , Kostoplis, Dela Cruz, Carney
NAY: None
ABSENT: Holliday
ABSTAIN: McTamney

OLD BUSINESS:

C.D. Director Brian Johnson stated that the applicant, Bordentown Corner, LLC is not appearing tonight. Mr. Johnson distributed a letter dated February 26, 2015 received from Mark Roselli of Roselli, Griegel, Lozier, and Lazzaro, Attorney for Bordentown Corner, LLC. Mr. Johnson stated that it would be appropriate to make a motion to continue the application to a date in March. The applicant has asked Mr. Johnson to ask the Board to consider holding a Special Meeting on March 30, 2015; the applicant is not available on the Regular March 26, 2015 meeting (which could be cancelled). Mr. Johnson informed the Board that there is a 120-day statutory “time-clock” for the application, beginning January 22, 2015.

Mr. Carney made a motion to continue the application to the March 26, 2015 Regular Meeting as scheduled; seconded by Mr. Kotoplis.

Roll call: AYE: Caldwell, Whittington, Simpson, McTamney, Kostoplis, Dela Cruz, Carney
 NAY: None
 ABSENT: Holliday
 ABSTAIN: None

FOR DISCUSSION:

C.D. Director Brian Johnson explained that the Zoning Board must, by law, report to the Township Committee and Planning Board on the applications of the variances granted. Mr. Johnson prepared a draft of the report on the applications heard from 2012-2014, with recommendations for changes to the ordinances. The Board agreed to amend the report as discussed, and a resolution will be created and memorialized at the next meeting for transmission to the Township Committee and Planning Board in accordance with the law.

Mr. Simpson made a motion that a resolution be prepared by C.D. Director Brian Johnson, adopted by the Zoning Board, and forwarded to the Planning Board with language agreed upon by Chairman Carney and Mr. Johnson; seconded by Mr. McTamney.

Roll call: AYE: Caldwell, Whittington, Simpson, McTamney, Kostoplis, Dela Cruz, Carney
 NAY: None
 ABSENT: Holliday
 ABSTAIN: None

PUBLIC COMMENT:

Mr. Carney made a motion to open the meeting to the public and then seeing no one from the public in attendance made a motion to close the meeting to the public.

C.D. Director Brian Johnson stated that at the beginning of the meeting, he advised two members of the public that the application would be carried to the March 26, 2015 meeting.

Mr. Whittington made a motion to close the public portion of the meeting; Mr. McTamney seconded it.

Roll call: AYE: Caldwell, Whittington, Simpson, McTamney, Kostoplis, Dela Cruz, Carney
 NAY: None
 ABSENT: Holliday
 ABSTAIN: None

Mr. Carney made a motion to adjourn the meeting; seconded by Mr. Simpson.

Roll call: AYE: Caldwell, Whittington, Simpson, McTamney, Kostoplis, Dela Cruz, Carney
 NAY: None
 ABSENT: Holliday
 ABSTAIN: None

The Zoning Board of Adjustment meeting was adjourned at approximately 9:20 PM.