

**TOWNSHIP OF BORDENTOWN
ZONING BOARD MEETING**

February 23, 2017

The Bordentown Township Zoning Board Meeting was called to order at approximately 7:30 PM in the main meeting room of the Municipal Building on Municipal Drive.

PRESENT: Michael Carney, Chairman
David Caldwell
Danielle Esser
Amadeo Dela Cruz
Mark McTamney
Rick Simpson
Linda Schiano, Alt. #1
Charles Kolsinski, Alt. #2
Brian J. Carlin, Attorney, Law Office of Brian J. Carlin
Brian K. Johnson, Secretary, Dir. of Community Development

ABSENT: Erica Bowyer
Brian Boccanfuso, CME – Engineer
Megan Stanley, CME – Planner
James L. Kochenour, PE – Traffic Engineer

The 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 Chairman Carney.

Roll call:

Present: Kolsinski, Schiano, Esser, McTamney (arrived at 7:30), Dela Cruz, Caldwell, Simpson, Carney
Absent: Bowyer

MINUTES: January 26, 2017 –

A motion to approve the minutes as amended was made by Mr. Caldwell; seconded by Ms. Esser.

Roll call: AYE: Kolsinski, Schiano, Esser, Dela Cruz, McTamney, Caldwell, Simpson, Carney
NAY: None
ABSENT: Bowyer
ABSTAIN: None
NOT VOTING: None

RESOLUTION (S):

Z-2017-03- RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT ON APPLICATION OF APCO PETROLEUM CORPORATION FOR THREE ONE YEAR EXTENSION OF PRELIMINARY AND FINAL SITE PLAN AND CONDITIONAL USE APPROVAL AND FOR A ONE YEAR EXTENSION OF APPROVED VARIANCES FOR THE PROPERTY DESIGNATED AS BLOCK 134.01, LOT 2 ON THE BORDENTOWN TOWNSHIP TAX MAP, MORE COMMONLY KNOWN AS 1080 ROUTE 206 SOUTH.

A motion to approve the Resolution was made by Ms. Esser; seconded by Mrs. Schiano.

Roll call: AYE: Kolsinski, Schiano, Esser, McTamney, Dela Cruz, Caldwell, Simpson, Carney
NAY: None
ABSENT: Bowyer
ABSTAIN: None
NOT VOTING: None

OLD BUSINESS: Continued from January 26, 2017 meeting.

<p>ZB-2017-0001</p> <p>Rec'd 12/21/2016</p> <p>Noticing complete</p> <p>Escrow fees: Paid</p>	<p>TITO VITERI, ISIAS, LLC</p> <p>Amendment or Revision to an approved Site Plan.</p> <p><u>REPORTS BY BOARD PROFESSIONALS:</u> To be provided</p>	<p>Block 30, Lot 14</p> <p>79 Old Amboy Rd.</p> <p>Zone is HC</p>
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Seth Josephsen, attorney for the applicant, gave a general outline of the application. He continued stating how Mr. Viteri, the applicant, has cleaned up the site and has moved the trucks.

Mr. Josephsen corrected the name of the application. It should read Tito Viteri, Isias, LLC. Changes were made. This correction was made.

Mr. Carlin, Zoning Board attorney and Mr. Josephsen, applicant attorney discussed the condition of approvals.

The number of trucks allowed on the site was discussed.

Mr. Carney stated there are a number of conditions from the previous approvals that have not been in compliance.

Mr. Josephsen agreed. Landscaping, the number of trucks on the site and buffering issues are a few of the conditions.

Mr. Carlin stated the applicant cannot move the vehicles until Mr. Viteri gets the dealer's license. He cannot get the dealers license until he gets the approvals from the Zoning Board.

Mr. Carlin expressed his concern regarding selling and leasing trucks at this site.

Mr. Viteri stated his goal is to get into the leasing business. After the liquidation of Mr. Viteri's trucks, the applicant would like to continue to sell and lease trucks. He will be allowed twelve trucks on his site at any given time. This number came from prior findings from the board which is appropriate for the site.

The applicant's Principal, Tito Viteri, stated he has a contract with the City of Bordentown for towing vehicles. These vehicles will be towed to this site. He asked that he be allowed 18 vehicles (limited to police towed cars) at one time. If an owner of one of these towed vehicles does not pick up their car after two weeks, then the applicant may legally sell that vehicle. He can get a salvaged title for that vehicle and junk it. This is what the applicant will do. He stated he will not sell it from this site. None of these cars will be on his property longer than 21 days.

Brian Johnson stated these towed vehicles are stored behind a fence within the yard.

Mr. Josephsen stated that the applicant has previous approval to do repairs and bodywork on his leased vehicles that he owns at this site.

The applicant will put a sign on his property "No right turn". This should deter the truck traffic down Amboy Rd.

Mr. Carlin stated to the Board that the goal for the applicant is to get down to 12 trucks within 9 months after receiving his dealer's license.

Should there be an issue with getting rid of these trucks within the 9 months; the applicant can come back to the board at that time.

Mr. Josephsen stated the applicant will need a sign regarding the trucks for sale or lease. The licensing authority mandates that the applicant have a sign on his property.

Mr. Viteri will comply with the existing sign code ordinance for Bordentown Township.

If the applicant cannot comply with the dealer's license sign requirements, in regards to the township sign ordinance, he will come back to the board and ask for a variance.

Mr. Carlin stated that if the applicant is not down to 12 trucks at the end of 9 months, the applicant will have to come back to the board and ask for relief.

Mr. Viteri stated he will make application for a dealer license within 45 days of resolution.

The meeting was open to the public.

Seeing no one was from the public, the meeting was closed to the public.

A motion to grant and memorialize the resolution approving a use variance subject to the conditions for 79 Amboy Road to permit to lease and sell trucks from this site was made by Ms. Esser; seconded by Mr. Caldwell.

Roll call: AYE: Schiano, Esser, McTamney, Dela Cruz, Caldwell, Simpson, Carney
 NAY: None
 ABSENT: Bowyer
 ABSTAIN:
 NOT VOTING: Mr. Klosinski

NEW BUSINESS: None

ITEMS FOR DISCUSSION: None

Open to the public, seeing no one in the public, meeting was closed to the public.

Motion to adjourn was made by Mr. McTamney; seconded by Mr. Dela Cruz.

Meeting closed at 8:32 p.m.