

TOWNSHIP OF BORDENTOWN ZONING BOARD MEETING

July 27, 2017

The Bordentown Township Zoning Board Meeting was called to order at approximately 7:35 PM in the main meeting room of the Municipal Building on Municipal Drive.

PRESENT: Michael Carney, Chairman
Erica Bowyer, Vice-Chairwoman
Danielle Esser
Amadeo Dela Cruz
Charles Klosinski, Alt. #2
Brian J. Carlin, Attorney, Law Office of Brian J. Carlin
Pamela Keintz, Recording Secretary

ABSENT: David Caldwell
Mark McTamney
Rick Simpson
Linda Schiano, Alt. #1
Brian Boccanfuso, CME – Engineer
Megan Stanley, CME – Planner
James L. Kochenour, PE – Traffic Engineer
Brian K. Johnson, Secretary, Dir. of Community Development

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 was taken by Recording Secretary Pamela Keintz.

RESOLUTIONS: None

OLD BUSINESS: None

MINUTES:

Chairman Carney made a motion to approve the minutes of February 23, 2017, as amended with corrections cited by Attorney Carlin; seconded by Ms. Dela Cruz.

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

NEW BUSINESS:

Zoning Board Attorney Carlin announced that this past December 2016/January 2017, APCO Petroleum came before the board to ask for 1 year extension of preliminary and final site plan use variances, conditional approvals, bulk variances, and design waivers. The Zoning Board granted them a one year on both the final site plan and the variances as permitted under the Municipal Land Use Act and our local ordinance. Those extensions expired on June 30, 2017. On June 15, 2017, the applicant exercised their right under the Municipal Land Use Law to come and make a request for a second one year extension of

the variances. Rather than bringing the applicant and his attorney in to put on a full record, he is asking the board to take notice of the fact that construction permits have been issued, so effectively the approvals have frozen but they're going through the process in case they have to come back and seek some amendment. Work has commenced, but they are asking for a second one year extension that would take it through June 30, 2018. The record consists of, Mr. Moore's letter (APCO's attorney) requesting the extension, Zoning Board Attorney Carlin's letter to the Board, and the Board's past resolution.

ZB(UV)-2012-03 Rec'd 6/15/2017	APCO – PETROLEUM CORPORATION Applicant is seeking Extension of prior approvals. <u>REPORTS BY BOARD PROFESSIONALS:</u> None required	Block 121 Lot 3 247 Route 130 Zone is HC
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ZB(UV)-2012-01 Rec'd 6/15/2017	APCO – PETROLEUM CORPORATION Applicant is seeking Extension of prior approvals. <u>REPORTS BY BOARD PROFESSIONALS:</u> None required	Block 134.01 Lot 2 1080 Rte. 206. Zone is HC
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Ms. Esser made a motion to grant a one year extension of the variance for the through June 30, 2018 for 247 Route 130 APCO; seconded by Mr. Carney.

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

Attorney Carney said that the 1080 Route 206 location was going to be delayed and wouldn't start until September 2018/Early 2019. The Board made a finding to that effect, and in the resolution the Board approved three 1-year extensions of preliminary and final site plan approval and conditional use approval. By ordinance, variances are limited to a 1-year extension. The applicant is seeking a second 1-year extension of the use and bulk variances as provided in the ordinance through June 2018.

Ms. Esser made a motion to grant a one year extension of the variance for the through June 30, 2018 for 1080 Route 206; seconded by Mr. Carney.

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

Ms. Esser made a motion to approve the granting of a one-year extension of the previously granted use variances and bulk variances for 1080 Route 206; seconded by Mr. Dela Cruz.

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

These applications are done routinely so no notices are required and did not require the appearance of the applicant and his attorney.

REORGANIZATION OF THE BOARD:

With the absence of Zoning Board Secretary Brian Johnson, it was discovered that an Interim Board Secretary would need to be appointed.

Mr. Carney made a motion to appoint Fred Turek as the Interim Zoning Board Secretary from February 23, 2017 through July 27, 2017 and ratifies anything he has done on the Zoning Board's behalf; seconded by Ms. Esser.

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

The Zoning Board of the Township of Bordentown recessed their regular meeting at approximately 8:00 pm and reconvened the regular meeting at 8:02 pm.

Mr. Carney made a motion to appoint Rick Simpson as the Deputy Zoning Board Secretary for a term to expire on December 31, 2017 or at such time as his successor gets appointed; seconded by Ms. Esser.

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

ITEMS FOR DISCUSSION: None

At this time, Mr. Carney opened the meeting to the public. Seeing no one in the public, Mr. Carney closed the meeting to the public.

Mr. Klosinski made a motion to adjourn the meeting at 8:08 pm; seconded by Mr. Carney.