

**TOWNSHIP OF BORDENTOWN
PLANNING BOARD MEETING**

December 10, 2015

The Bordentown Township Planning Board meeting was called to order at approximately 7:40 PM in the main meeting room of the Municipal Building on Municipal Drive.

PRESENT: Kevin Hirschfeld, Vice-Chairman, Class IV
Stephen Benowitz, Committeeman, Class III
Patricia Concannon, Class IV
Tim Fairlie, Class IV
Eugene Grybowski, Class IV
William Popko, Class IV
Joseph Nyzio, Alt #1
Nicholas D'Angelo, Alt. #2

ABSENT: James Cann, Mayor, Class I
George Chidley, Chairman, Class IV
Roger Plew, Class II

PRESENT: Lou Garty, Attorney
Frederick J. Turek, II PE, PP, CME, CPWM, Engineer
Jack Carman, RLA, FASLA, PP, Planner / Landscape Arch.
Brian K. Johnson, Secretary, Dir. Of Community Development
Pamela Keintz, Recording Secretary

The meeting was opened by Vice-Chairman Kevin Hirschfeld. The Board participated in the salute to the flag. The open public meetings announcement was read by the Vice- Chairman. Roll Call was taken by Pamela Keintz, Recording Secretary. Vice-Chairman Hirschfeld announced that Mayor Cann, Chairman Chidley and Roger Plew were all excused.

MINUTES:

The minutes from the December 3, 2015 Planning Board meeting were not available.

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

RESOLUTION(S):

Resolution No. P-2015-21 – ON THE APPLICATION OF DAVID SCHIAVONE FOR A SECOND ONE YEAR EXTENSION OF A PREVIOUS APPROVAL OF A SITE PLAN APPLICATION FOR THE PROPERTY IDENTIFIED ON THE TAX MAPS OF THE TOWNSHIP OF BORDENTOWN AS BLOCK 29, LOT 4.01 AND 4.02, MORE COMMONLY KNOWN AS THE 60 ROUTE 130

Mr. Popko made a motion to approve the resolution; Mr. D’Angelo seconded the motion.

Motion approved.

Roll call AYE: Concannon, Fairlie, Grybowski, Popko, Nyzio, D’Angelo, Hirschfeld
 NAY: None
 ABSENT: Cann, Chidley, Plew,
 NOT VOTING: None
 ABSTAIN: Benowitz

Mr. Hirschfeld announced to the public the continuation of K.Johnson Urban Renewal, LLC , PB-2015-0092, will not be heard until the January 7, 2016 Planning Board meeting. Letter was received by applicant’s attorney. No need to re-advertise notice.

Motion to adjourn K.Johnson to the January 7, 2016, January 14, 2016 or until such a date for this meeting is made by Mr. Fairlie; seconded by Committeeman Benowitz.

Roll call AYE: Concannon, Fairlie, Grybowski, Popko, Nyzio, D’Angelo, Benowitz, Hirschfeld
 NAY: None
 ABSENT: Cann, Chidley, Plew,
 NOT VOTING: None
 ABSTAIN: None

Motion Approved

NEW BUSINESS:

<p>PB-2015-0145</p> <p>Received 11-12-15</p> <p>Proof of Publication: None Required</p> <p>Escrow Fees: PAID</p>	<p><u>LOVE’S COUNTRY STOPS & COUNTRY STORES, LLC</u></p> <p>Applicant is seeking Amended Prelim. & Final Site Plan Approval</p> <p><u>REPORTS BY BOARD PROFESSIONALS:</u> Jack Carman, Planner/Landscaper Architect: Letter dated December 5, 2015 Fred Turek, Engineer: Letter dated December 5, 2015</p> <p><u>APPLICANT SUBMISSIONS:</u> Application</p>	<p>Block 134.03 Lots 1 & 2</p> <p>2008 Route 206</p> <p>Zoned- GCII-(General Commercial II)</p>
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Eric Goldberg, Attorney for the applicant, spoke regarding several prior applications for the Planning Board, with approvals for a Tire Shop and light repair work. Applicant is seeking an amended site plan approval. The application which is now submitted to the board is for a 5,300 sf. building. Parking was for 138 spaces and now increased to 143 parking spaces. Building is proposed to be located closer to Rising Sun Road; since there was a conflict where the building was approved and the underground fuel tanks.

The Board and the professionals discussed submission waivers with the applicant. It was agreed that the Traffic Impact Statement and the Community Impact Statement did not need to be updated, since the revised application did not change any aspects of either report. Regarding the Environmental Impact Statement, the applicant indicated that the diesel storage tanks were replaced and they complied with applicable NJDEP requirements.

Bradley Leblanc, Store Manager was sworn in by Attorney Lou Garty. Mr. Leblanc gave testimony there were no leaks in the old tanks, but they were removed before they became an issue. Concrete was cracking on top of the tanks. An Environmental company came in and checked all of the ground water and checked all the dirt making sure everything was done properly. They also indicated that DEP was onsite. All work has been completed.

The Board members requested a letter from LSRP certifying that site has no environmental hazards, as a condition for approval. Applicant agreed.

Mr. D'Angelo made a motion to deem application complete, seconded by Committeeman Benowitz.

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

Bradley Leblanc gave testimony on every day duties as a General Manager of Love's, running day to day operation of facility such as sales, customer service, and making sure property is clean and maintained. Currently there are eight gas pumps, seven auto and truck diesel pumps, and a Wendy's on location with a convenience store inside that carries food and truck parts.

Tire work and light repairs will be offered in the proposed Tire Store. Love's is a national company with about 365 locations all having the same services.

There will be an attendant on the premises Monday thru Friday from 7 am – 11 pm. An average of 80 trucks per month will be able to be repaired. There will be two bays available to work on the trucks to facilitate the repairs in order to get the trucks back on the road safely. No fluid changes will be done on premises. No repairs will be performed outside with the exception of mud flaps or batteries which would need to be changed out to get a vehicle moving again.

Love's will comply with the Townships recycle requirements.

Questions were asked by the Board professionals addressing storage for tires and the smaller size of the building. No tires will be stored outside the building.

Matthew Baldino, Civil Engineer for the applicant, was sworn in by Attorney Lou Garty.

Mr. Baldino give testimony regarding changes made in the lobby/waiting area versus the prior approval. There was an issue with obtaining a permit for the restroom in the tire shop so it was eliminated. The building still complies with requirements because there is a bathroom in proximity. The code official gave verification that they do not need a restroom facility in the building.

Mr. Baldino testified on where the tires will be stored. Tire racks will be located within the two truck bays. Tires will be stored on lower level and upper level. Repairs will be done in the bays; no work will be done outside in the parking lot.

Fred Turek asked how often will the used/old tires picked up and taken away by a private company. Mr. Baldino answered there will be no outside storage and tires would be removed as needed. General waste will be stored in trash compactors and dumpsters on the site. Rags will be cleaned in their laundry room on premises.

The revised parking will add 5 spaces. Parking lot will be paved with sidewalk and additional grass area will be provided.

The same, previously approved landscaping buffer along Connector Road is proposed for this application. If additional landscaping is needed, the applicant will work that out with the Boards professionals.

Fred Turek indicated that there can only be down lighting on the building. There will be no rooftop HVAC units. The applicant agreed.

The Board professionals and the applicants engineer Mr. Baldino discussed signage. Love's and Tires ID signs will be on the west elevation which faces Rising Sun Road. Love's and 24 hour sign will be on the south side, which faces the parking lot and no sign will be on the east elevation which faces Route 206.

The applicant's attorney Mr. Goldberg pointed out that all the variances the applicant is seeking have already been approved. The conditions from the last approval were discussed by Lou Garty. Employees will park in designated spots and no RV's are permitted on the site.

Letters by the Townships professionals were reviewed. Mr. Turek made comments on the lighting, truck and car headlight glare, landscaping, solid waste, and making any appropriate fence repairs. The applicant agreed to comply with his review comments, and with Board Planner Carman's comments.

Applicant was notified of The Affordable Housing (COAH) obligation.

A motion was made by Committeeman Benowitz, seconded by Mr. Grybowski, to open the meeting to the public on application. All members voted in favor. Seeing no public present, Mr. Hirschfeld closed the public portion of the application.

A motion was made by Committeeman Benowitz; seconded by Mr. Fairlie to approve The Preliminary and Final Site Plan with variances and conditions cited by Attorney Lou Garty.

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

Motion Approved.

Discussion by Board Secretary on administrative matters:

- K.Johnson meeting being held on January 7, 2016.
- The Joint meeting between Bordentown City and Bordentown Twp. Planning Boards for the Investors Bank application will tentatively be February 4, 2016.
- The Re-Organization meeting will be held on January 7, 2016.

Motion to open to the public was made by Committeeman Benowitz; seconded by Mr. D'Angelo. All Board members were in favor. No one from the public was present.

A motion to close to public was made by Mr. D'Angelo; seconded by Mr. Fairlie. All Board members were in favor.

A motion to adjourn the meeting was made by Committeeman Benowitz; seconded by Mr. D'Angelo. All Board members were in favors.

The meeting was adjourned at 9:10 pm.