

**TOWNSHIP OF BORDENTOWN  
PLANNING BOARD MEETING**

**December 3, 2015**

The Bordentown Township Planning Board meeting was called to order at approximately 7:37 PM in the main meeting room of the Municipal Building on Municipal Drive.

PRESENT: James Cann, Mayor, Class I  
Roger Plew, Class II  
George Chidley, Chairman, Class IV  
Kevin Hirschfeld, Vice-Chairman, Class IV  
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: Stephen Benowitz, Committeeman, Class III

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 Chairman George Chidley. The Board participated in the salute to the flag. The open public meetings announcement was read by the Chairman. Roll Call was taken by Pamela Keintz, Recording Secretary. Chairman Chidley announced that Committeeman Benowitz absence was excused.

**MINUTES:**

The minutes from the November 12, 2015 Planning Board meeting were presented. Grant adjournment to application PB-2015-0141. Mayor Cann made a motion to approve the minutes as amended; Mr. Plew seconded the motion.

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

**RESOLUTION(S):** None

**NEW BUSINESS:**

<p><b>PB-2015-0130</b></p> <p>Received 10-5-15</p> <p>Proof of Publication: None Required</p> <p>Escrow fees: PAID</p>	<p><b><u>DAVID SCHIAVONE</u></b></p> <p>Applicant is seeking to extend site plan approval that was memorialized on November 13, 2014 under Resolution No.P-2014-24.</p> <p><b><u>REPORTS BY BOARD PROFESSIONALS:</u></b>                  Jack Carman, Planner/Landscape Architect: Not needed.                  Fred Turek, Engineer: Not needed.</p> <p><b><u>APPLICANT SUBMISSIONS:</u></b></p> <ul style="list-style-type: none"> <li>• Application</li> </ul>	<p>Block 29, Lot 4.01 &amp; 4.02</p> <p>60 Route 130</p> <p>Zone is HC</p>
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David Schiavone was represented by Attorney Jonas Singer. Mr. Schiavone, applicant, was sworn in by Attorney Garty.

Testimony was given by applicant regarding efforts to sell the property and for land lease. Applicant asking for extension so he can find a tenant or purchaser of property.

Questions by our board member regarding the subdivision of the property located at 60 Route 130, Bordentown.

Motion to extend the approval for one year by Mayor Cann, seconded by Mr. Popko.

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

Mr. Chidley announced to the public the continuation of K.Johnson Urban Renewal, LLC , PB-2015-0092, will not be heard until the December 10, 2015 Planning Board meeting. Letter was received by applicant's attorney. No need to advertise notice again.

<p><b>PB-2015-0141</b></p> <p>Received 10-28-15</p> <p>Escrow fees: PAID</p>	<p><b><u>PETRO TRUCK STOP (TA OPERATING, LLC) PB2015-0141</u></b></p> <p>Applicant proposes Preliminary/Final Major Site Plans to add 2,200 sq. ft. addition for retail food service, and auto fuel pumps and canopy, and redevelop existing parking lot.</p> <p><b><u>REPORTS BY BOARD PROFESSIONALS:</u></b>                  Jack Carman, Planner/Landscape Architect: November 30, 2015                  Fred Turek, Engineer: November 30, 2015</p> <p><b><u>APPLICANT SUBMISSION:</u></b> Application packet including plans, application and supporting documents.</p>	<p>Block 134.01                  Lot 12.02</p> <p>402 Rising Sun Road</p> <p>Zone is GC II</p>
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The Attorney for applicant, James Burns, Esq., provided an overview of the application.

The Board reviewed the completeness of the application. Mr. Turek and Mr. Carman discussed recommended waivers including an Environmental Impact Statement and Community Impact Statement.

Mr. Cann made a motion to deem application complete with requested waivers, seconded by Mr. Fairlie.

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

Present, giving testimony representing the applicant:

James Burns, Esq. - Dembo, Brown & Burns LLP  
Walter Fouche - Regional Construction Manager,  
Louis Zuegner - Engineer & Planner P.E. – MidAtlantic Engineering Partners, LLC.  
Cynthia Nolde – Architect GPD Group  
Rosario Chiarella - Facility General Manager

Applicant representatives were sworn in by Attorney Garty, one at a time.

Mr. Fouche gave testimony on the facelift and renovations for TA Operating, LLC / Petro. He expressed the willingness to work with the township.

The board members asked questions regarding trucks trying to fuel up at this location. Mr. Fouche answered that this will not happen. If trucks do come up for gas, site personnel (security) will control this and have those trucks fill up at the truck fuel pumps.

Mr. Chiarella gave testimony regarding the car fuel pumps. Attendants working will instruct any truck to fuel in the diesel islands in the back of building. Fuel will run 24/7, the drive thru will not be 24/7. No major upgrades to the convenience store are proposed.

Louis Zuegner, applicants Engineer & Planner gave testimony on the rendering of the site plan for applicant.

Mr. Turek discussed headlight glare and landscaping to avoid glare.

Cynthia Nolde gave testimony for the applicant. She testified on the plans submitted and her training in Architecture. She discussed the building façade and the proposed materials.

The applicant will re-utilize the existing brick on the building. Samples of the new materials being used on the building such as brick, metal and tiles, were passed around to the board members. The entire building will have the same look on all four sides. Ms. Nolde spoke about keeping the outside of the building safe by using new lighting on the building, illuminating down onto the sidewalks keeping it safe for pedestrians. The light from the windows will also illuminate the sidewalks. GPD Groups intentions are to mimic the design of other TA Operating sites around the US.

The Board reviewed the applicant's proposed sign package and it was agreed that the applicant would only be permitted four (4) façade signs instead of the five (5) originally proposed. The applicant could choose where to place the fourth sign, either on the south or west façade.

Fred Turek discusses the canopy, the height and the need for more lighting on the site, the design concept changing in regards to a different gasoline tenant. Board members were remarking on the colors of the canopy, Exxon Mobil will be the gasoline tenant. When and if there will be a color change of the canopy, applicant will submit it to Brian Johnson, Director of Community Development.

Mayor Cann questioned the applicants Engineer, Mr. Zuegner on his concerns about spillage of pumped gas and oil from the site going into the Townships drainage system. A spill management plan will be submitted by the applicant.

The Board addressed the monument sign. The Planning Board would like it to look consistent with the other monument signs in the township. Applicant will work with the professionals to revise the sign, with no change to the height.

Lou Garty addressed the trash receptacles on the site. All loading and trash will be kept in the back as shown on the original plan.

Jack Carman, Township Planner, stated the applicant has addressed all the items and agreed to meet the conditions in Mr. Turek and Mr. Carman's review letters. Screening the vent pipes for the fuel tanks will be determined at a later date and will be approved by the professionals. Applicant agreed to provide landscape around them once they know where the popes will be located.

Mr. Johnson explained that the Affordable Housing fee would be applicable to the applicant.

Motion to open to the public was made by Mayor Cann; seconded by Mr. Fairlie.

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

Motion to close to the public was made by Mayor Cann; seconded by Hirschfeld.

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

The applicant's attorney shared that they were pleased at how with how well the applicant has been received and how well our professionals have worked with them and they appreciate that.

Motion made by Mayor Cann that the application is approved; seconded by Mr. Fairlie. Approval is for Preliminary and Final Site Plan with variances, and conditions cited by Attorney Lou Garty.

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

The meeting was adjourned at approximately 11:10 pm.