

**TOWNSHIP OF BORDENTOWN  
PLANNING BOARD MEETING**

**July 13, 2017**

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

**PRESENT:** Steven Benowitz, Mayor Class I  
Eric Holliday, Committeeman, Class III  
Chairman Chidley, Chairman, Class IV  
Kevin Hirschfeld, Vice-Chairman, Class IV  
Timothy Fairlie, Class IV  
William Popko, Class IV  
Nicholas D'Angelo, Alt. #2

**ABSENT:** Roger Plew, Class II  
Patricia Concannon, Class IV  
Eugene Grybowski, Class IV  
Joe Nyzio, Alt. #1

**PRESENT:** Lou Garty, Attorney  
Frederick J. Turek, II PE, PP, CME, CPWM, Engineer  
Jack Carman, RLA, FASLA, PP, Planner / Landscape Arch.  
James L. Kochenour, PE, Traffic Engineer  
Pamela Keintz, Recording Secretary

The meeting was opened by Chairman Chidley. Roll Call was taken by Pamela Keintz, Recording Secretary. The Board participated in the salute to the flag. The open public meetings announcement was read by Chairman Chidley.

**MINUTES:** None

**NEW BUSINESS:** None

**OLD BUSINESS:**

<p><b>PB-2017-0011</b></p> <p>Received 1-30-17</p> <p>Proof of Publication: received</p> <p>Escrow fees: PAID</p>	<p><b><u>MATRIX REALTY, INC.</u></b> (Continued from June 8, 2017 Planning Board meeting.)</p> <p>Applicant is seeking Preliminary and Final Site Plan Approval and Submission and Design Waiver requests.</p> <p><b><u>REPORTS BY BOARD PROFESSIONALS:</u></b> waiting for Jack Carman, Planner/Landscape Architect: May 24, 2017 Fred Turek, Engineer: May 30, 2017 James Kochenour, PE: June 1, 2017</p> <p><b><u>APPLICANT SUBMISSIONS:</u></b></p> <ul style="list-style-type: none"> <li>• Application</li> </ul>	<p><b>ESCROW #</b> <b>984100</b></p> <p>Block 130, Lot 2</p> <p>201 Old York Rd., Bordentown</p> <p>Zone is REO</p>
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Present giving testimony representing applicant were:  
Glenn Pantel, Attorney for Matrix Realty Inc.  
Mark Janiszewski, Professional Engineer, Maser Consulting

Attorney Garty explained the hearing is a continuation first heard on June 8, 2017 and Chairman Chidley, who was absent, has reviewed and listened to the June 8, 2017 hearing.

Testimony commenced.

Mayor Benowitz made a motion to open the meeting to the public; seconded by Vice-Chairman Hirschfeld.

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

SAL SCHIANO, 9 Farmington Court: Mr. Schiano commented that GPS will send drivers via Georgetown Road and not Yorktown Road. He also commented on the issues with trucks at the turnabout and noise problems.

WILLIAM MISCOSKI, Part Owner of Old York Country Club, 228 Old York Road. Mr. Miscoski stated that trucks coming down Old York Road will destroy his business.

GLEN ASHTON, 12 Windingbrook Road: Mr. Ashton said he is dismayed and disgusted that a 600,000 sq. ft. warehouse is being considered for this site. He told the applicant that this location for a warehouse is "not a fit". He asked the Planning Board to respect the interest of the residents and pull their support for this project, and is asking for a better alternative.

BILL BARTHOLOMEW, 12 Wyndham Court: Mr. Bartholomew, who is a Professional Mechanical Engineer, addressed the sound issue and the retention basin.

SYLVIA SCOZZARI, 8 Windingbrook Road: Mr. Scozzari said the Planning Board has control, but when the application is approved, control is lost. She said that Amazon Warehouse built in Robbinsville has wreaked havoc on the residents, which prompted a change in the employees work hours. She asked the Planning Board to consider what a potential warehouse will do to Bordentown Township, and when the control is gone.

SARAH MAGUIRE, 18 Andover Court: Ms. Maguire says she loves this area, but she is starting to be concerned about the expansion of the turnpike, the pipeline, the proposed power generator plant, and now a warehouse. She said she sees this beautiful little town changing so drastically that she doesn't want to stay here. She asked to not allow this misuse of land, and expressed her concern over how dangerous the tractor trailers will make the area. She also commented on how the warehouse will decrease property values and asked how much taxes will be reduced with this ratable.

AL MARSALA, 116 Bordentown-Hedding Road: Mr. Marsala said even though Matrix will try to encourage their truckers to use Old York Road (and not Georgetown Road), but he lives on Hedding Road by the Grainger Warehouse and no matter what the police do, they cannot stop the trucks because it is never the same trucker. He added that their water pressure has reduced since the Grainger Warehouse was built.

JEFF LANIGAN, 22 Georgetown Road: Mr. Lanigan commented on the traffic in front of his house on Georgetown Road and said this road was not built for the large trucks. He believes the tractor trailers cannot maneuver the round-about, and it will slowly be destroyed. He would like to see the Planning Board fight this situation.

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KAREN STRONG, 1 Westbury Court: Ms. Strong asked about building a warehouse in close proximity to a residential neighborhood. She also commented on the impact of the noise from the turnpike and future warehouse. She asked the Planning Board to further look at the traffic studies with regard to trucks coming from the turnpike; trucks will use Georgetown Road as opposed to taking the Route 68 jughandle to Old York Road and the entrance to Old York Road has a narrow opening. She asked about getting copies of the reports that are mentioned in the minutes. Chairman Chidley advised her to file an OPRA request with the Township Clerk. She expressed concern over the traffic and the speed of traffic on the roads.

GARY ZOHN, 24 Barclay Court: Mr. Zohn said he moved to Bordentown Township for the quiet and tranquility. He asked several questions and made suggestions about the berm, alternate entrance, and the roundabout.

AMANDA PAPA, 25 Dorset Court: Ms. Papa said if a warehouse comes in, the Township will lose residents and residents will lose their property values and happiness living here. Ms. Papa also asked how the trucks would maneuver the curve. Mr. Pantel responded that if the roundabout isn't modified, they would follow the legal maneuver set up by the County or the County may insist a right turn by-pass lane be created.

BILL BARTHOLOMEW, 12 Wyndham Court: Mr. Bartholomew asked why they wouldn't make the entrance farther down, and said they are making the residents' lives miserable.

LEILA KLAJMAN, 20 Andover Court: Ms. Klajman said she understands the property is zoned for this use, but how can a community that is so concerned with every little detail of controlling their lives and community, can undertake the idea of putting a warehouse of this magnitude into this neighborhood and think that the roads that lead in and out of it can support it. She said she feels that the roads currently being used are not sufficient for the growth that the area is experiencing.

KAREN STRONG, 1 Westbury Court: Ms. Strong asked if this was a done deal. Chairman Chidley responded that the Planning Board has to take things into consideration that relate to the existing zoning. There are rights that are given to an applicant by the zoning and the Planning Board is not in a position to change. They have an application by right, which means the application conforms to most of the requirement if not all of the requirements in the ordinance. The Planning Board takes into consideration that the application before the Planning Board is consistent with the local zoning. The Governing Body is the one that is charged with adopting the Master Plan. Ms. Strong asked who has the authority over deciding whether Georgetown and Old York Roads are sufficiently built for this particular use; Chairman Chidley responded, the Burlington County Planning Board. The REO designation was discussed.

TIM ROLLENDER, 44 Dorsett Court: Mr. Rollender said he moved here because of the peaceful neighborhood. He is very concerned about the traffic, safety, and lighting. Mr. Pantel responded.

NOREEN CARDINALI, 28 Windingbrook Road: Ms. Cardinali echoes the concerns of the residents and says what is about to be done is a mistake. She said traffic models can be used if the applicant knows who the client will be in the warehouse.

BILL BARTHOLOMEW, 12 Wyndham Court: Mr. Bartholomew asked if the Township had a noise ordinance. Mr. Pantel discussed the noise study that was submitted.

JEFF LANIGAN, 22 Georgetown Road: Mr. Lanigan asked what the height of the building was and if trucks were permitted to idle on site and if an air quality study was done. Mr. Pantel responded the building is 45 feet and the State has an idling law in place.

MR. FAIRLIE AND MR. POPKO: Mr. Fairlie and Mr. Popko stated the responsibilities of the Planning Board.

JEFF LANIGAN, 22 Georgetown Road: Mr. Lanigan said Georgetown Road is substandard and crosses two small box culverts which were both recently reconstructed because they collapsed. The road also has adverse curvature in two locations. Mr. Lanigan asked the Planning Board if they can make it a condition of approval that the applicant seeks at the County level a truck weight limit. Mayor Benowitz responded that the Township is going to do that.

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AMANDA PAPA, 25 Dorset Court: Ms. Papa asked when the warehouse would tentatively break ground. Chairman Chidley said the applicant has three years from the time of approval to start a project. Mr. Pantel said they did not have a specific start date.

Seeing no further comment from the public, Mr. Hirschfeld made a motion to close the meeting to the public; seconded by Mayor Benowitz.

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

The Planning Board recessed the meeting at approximately 10:05 pm and reconvened the meeting at 10:17 pm.

The Board's Professionals reviewed additional information from their review letters. There was discussion between the attorneys about an administrative vs. de minimis change regarding the proposed slip ramp.

Mr. D'Angelo made a motion to approve a preliminary and final major site plan submission with five (5) design waivers, no variances, for the permitted use of a warehouse at Block 130, Lot 2 based upon the testimony submitted and the comments made and agreed upon changes and conditions as cited by Attorney Garty; seconded by Mayor Benowitz.

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

Mr. Hirschfeld made a motion to extend the meeting to 11:15 pm for the Matrix Realty application; seconded by Mayor Benowitz.

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

The Planning Board entered Closed Session to discuss pending litigation at approximately 11:12 pm and reconvened the meeting at 11:24 pm.

Attorney Garty stated that in regard to approved Planning Board application PB-2015-0009, K. Johnson Urban Renewal, the Board has been made aware of a pending legal action brought by the applicant with respect to a condition of the prior approval in the resolution at paragraph 10. The Planning Board has considered the matter and authorized an amendment to only paragraph 10 of the conditions of approval to revise it in a matter consistent with the hearing and with the Board's interest in enforcing the terms of the Township's legal agreement. The Planning Board Chairman is authorized to sign the amending resolution in advance of the next meeting.

Mr. Fairlie made a motion to approve the amending resolution; seconded by Mr. Hirschfeld.

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

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ABSTAIN: None

**RESOLUTIONS:**

**Resolution No. P-2017-12 – TC BORDENTOWN ASSOCIATES, LLC FOR APPROVAL OF AN APPLICATION FOR A ONE YEAR EXTENSION OF THE APPROVAL OF THE FINAL MAJOR SITE PLAN FOR THE PROPERTY IDENTIFIED ON THE TAX MAPS OF THE TOWNSHIP OF BORDENTOWN AS BLOCK 137.02, LOT 5.01, MORE COMMONLY KNOWN AS THE PROPERTY ADJACENT TO THE INTERSECTION OF RISING SUN ROAD AND INTERSTATE 295.**

Mayor Benowitz made a motion to approve resolution P-2017-12; seconded by Mr. D'Angelo.

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

**FOR DISCUSSION/CORRESPONDENCE:** None

A motion to adjourn was made by Mr. Hirschfeld; seconded by Mayor Benowitz.

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

The Planning Board meeting adjourned at 11:28 pm.