

**TOWNSHIP OF BORDENTOWN
ZONING BOARD MEETING**

October 25, 2018

The Bordentown Township Zoning Board Meeting was called to order in the main meeting room of the Municipal Building on Municipal Drive.

PRESENT: Michael Carney, Chairman
Erica Bowyer, Vice-Chairwoman (Arrived at 7:33 pm)
David Caldwell
Amadeo Dela Cruz
Mark McTamney
Linda Schiano
Charles Klosinski, Alt. #1
Brian J. Carlin, Attorney, Law Office of Brian J. Carlin
Mike Theokas, Interim Director of Community Development
Cindy Dziura, Recording Secretary/Alt. Board Secretary

ABSENT: Rick Simpson
Amina Anderson, Alt. #2
Brian Boccanfuso, CME – Engineer
Malvika Apte, CME – Planner
James L. Kochenour, PE – Traffic Engineer
Brian K. Johnson, Board Secretary, Dir. of Community Development

The meeting was opened by Chairman Carney at approximately 7:30 pm. 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 Zoning Board Attorney Carlin.

MINUTES:

Mr. Klosinski made a motion to approve the meeting Minutes of August 23, 2018; seconded by Ms. Schiano.

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

RESOLUTION(S):

**Resolution No. Z-2018-11 – A RESOLUTION OF THE ZONING BOARD OF THE
TOWNSHIP OF BORDENTOWN TO APPOINT AN ADDITIONAL ALTERNATE BOARD
SECRETARY.**

Mr. McTamney made a motion to approve Resolution Z-2018-11; seconded by Mr. Caldwell.

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

NEW BUSINESS: None

<p>ZB-2018-02</p> <p>Received 10/11/18</p> <p>Escrow fees: PAID</p>	<p><u>EUGENE EPSTEIN (Former Hertz location)</u></p> <p>Applicant is appealing Zoning Officer’s determination of site abandonment.</p> <p><u>REPORTS BY BOARD PROFESSIONALS:</u> None</p>	<p>Block 129, Lot 2.03</p> <p>1037 Rt. 206</p> <p>Zone is HC</p>
--	---	--

Present giving testimony representing applicant were:

Jonas Singer, Esquire – Wells and Singer Law Office, LLC
 Eugene Epstein – Property Owner/Applicant

Attorney Carlin explained that the applicant is Eugene Epstein, owner of the former Hertz location at the intersection of Route 206 and Georgetown Road. This is an appeal of the Zoning Officer, Michael Theokas, of site abandonment. Attorney Carlin provided a letter to the Zoning Board members that outlines the scope of the appeal.

Attorney Carlin swore-in Mr. Epstein. The hearing commenced.

Chairman Carney opened and closed the meeting to the public. There was no one present from the public for comment on the application.

Mr. Caldwell made a motion to grant the applicant’s appeal of the determination of the zoning officer and finding and directing that a permit be issued to permit the sales of used autos, suvs, light trucks and vans, and rentals of autos, suvs, light trucks, and vans, along with services of the vehicles and vehicles that were sold by the entity on site. There will be a further finding that the non-conforming use was conforming in 1977 and approved with a site plan in 1982, that the site plan remains unaltered since 1982, and is the site plan that is in place and valid. It also makes a finding of fact that since 1977, the property has been used since 1990 when the ordinance was changed, the applicant has continued the use as he had previously done over 14 years, and despite the fact the property was vacant, the applicant never intended to abandon the use; seconded by Mr. Dela Cruz.

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

OLD BUSINESS:

Zoning Board Attorney Carlin said that Jonas Singer is now representing Tito Viteri (Merrill’s Auto Body) who is making a good-faith effort and is looking to come in with a revised site plan. Mr. Singer reported that he met with Mr. Viteri who explained to him that his business has changed considerably, and he is looking to increase the amount of rental and sale of trucks on the property. Mr. Viteri is currently waiting for plans from his engineer. Mr. Singer will follow-up and provide a letter to Attorney Carlin before the next meeting updating the Zoning Board on the property.

ITEMS FOR DISCUSSION/ADMINISTRATIVE ITEMS:

Mike Theokas, Interim Director of Community Development, announced there will be an application for the November 15, 2018 Zoning Board meeting.

PUBLIC COMMENT:

Chairman Carney opened and closed the meeting to the public. There was no one present from the public.

Mr. Caldwell made a motion to adjourn the meeting; seconded by Ms. Bowyer.

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

The Zoning Board Meeting was adjourned at approximately 9:30 pm.