

**TOWNSHIP OF BORDENTOWN
ZONING BOARD MEETING**

January 23, 2020

The Bordentown Township Zoning Board Meeting was called to order at approximately 7:31 PM in the main meeting room of the Municipal Building on Municipal Drive.

PRESENT: Michael Carney, Chairman
Charles Klosinski, Vice-Chairman
David Caldwell
Amadeo Dela Cruz
Rick Simpson
Brian J. Carlin, Attorney, Law Office of Brian J. Carlin
Brian Boccanfuso, CME – Engineer
Malvika Apte, CME – Planner
Mike Theokas, Board Secretary / Interim Director of C.D.
Cindy Dziura, Alt. Board Secretary / Deputy Clerk

ABSENT: Mark McTamney
Linda Schiano
Amina Anderson, Alt. #1
Nadia Bandukda, Alt. #2
James L. Kochenour, PE – Traffic Engineer

The meeting was opened by Mr. Theokas. The Board and public participated in the salute to the flag. The open public meetings announcement was read by Mr. Theokas.

REORGANIZATION OF THE BOARD:

RESOLUTION 2020-23 FROM TOWNSHIP COMMITTEE DATED 1/4/20:

4 Year Term Expiring 12/31/23:	Amadeo Dela Cruz
4 Year Term Expiring 12/31/23:	Linda Schiano

Administration of Oath of Office was given by Attorney Carlin to Mr. Dela Cruz. Ms. Schiano was not present.

Roll call was taken by Deputy Clerk Dziura.

Nominations for Chairperson were entertained by the Board. Mr. Simpson nominated Mr. Carney; seconded by Mr. Dela Cruz. There were no other nominations.

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

Nominations for Vice-Chairman were entertained by the Board. Chairman Carney nominated Mr. Klosinski; seconded by Mr. Caldwell. There were no other nominations.

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

Mr. Klosinski nominated Mr. Theokas for the position of Board Secretary and Ms. Dziura for the position of Alt. Board Secretary; seconded by Chairman Carney. There were no other nominations for Board Secretary and Alt. Board Secretary.

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

MINUTES:

Mr. Klosinski made a motion to approve the December 19, 2019 Minutes; seconded by Mr. Carney.

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

OLD BUSINESS: None

NEW BUSINESS:

<u>OUTFRONT MEDIA -- AMENDED</u>		
ZB-2018-04	Applicant wants to amend a previous determination for a billboard.	Block 137.02, Lot 10
Received 9/25/19		
Escrow fees: PAID #987300	<u>REPORTS BY BOARD PROFESSIONALS:</u> Brian Boccanfuso, Engineer: November 9, 2019 Malvika Apte, Planner: November 9, 2019 Jim Kochenour, Traffic Engr.: None Steve Scholey, Fire Marshall: None	2475 Old York Rd. Zone is REO

Present giving testimony representing applicant were:

Jennifer Berardo, Price, Meese, Shulman & D'Arminio, P.C, attorney for applicant
Barbara Bridge, Director of Real and Government Affairs, Fact Witness Representing
Outfront Media,
Peter Tantala, Tantala Associates, LLC, Engineer
Daniel Bloch, Licensed Planner, Maser Consulting

Ms. Berardo stated that the only change is the request for the increase in height. 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. Klosinski made a motion to deem the application complete and waive the requirement that the application be heard only for completeness on the first hearing date; seconded by Mr. Caldwell.

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

Mr. Simpson made a motion to amend the prior approval to grant approval of amended preliminary and final site plan approval with conditional use variance under Section 25:601 C2J to permit a billboard built to a height of 90 feet where 30 feet would be required, but the Zoning Board has discretion to go to 90 feet, and that all conditions of the prior approval will remain in effect and be complied with by the applicant, that all approvals from all State, Local and Federal entities who would have any interest in this property have to be provided, and that the structural portion of changes would be acceptable to the Township Construction Official; seconded by Mr. Klosinski.

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

NEW BUSINESS:

<u>UPMANIS, CHRIS & TERESA</u>		
ZB-2020-01	Applicant is requesting a variance for a concrete pad to direct water away from the house.	Block 49.01 Lot 14
Received 1/02/20	<u>REPORTS BY BOARD PROFESSIONALS:</u> Brian Boccanfuso, Engineer: January 17, 2020	885 East Drive
Escrow fees: PAID #990000		Zone is R-6

Zoning Board Secretary Theokas stated that no representatives for the Upmanis application were present. There were a few items that had not yet been supplied to us including 200' notices, etc.

Attorney Carlin said it was appropriate to deem the application as incomplete, so that the clock would not run on any approvals. The Township will contact the applicant and advise them that the application will be heard on February 27, 2020 at 7:30 pm. If the applicant does not appear, the Zoning Board will consider this as abandonment of their application, and will allow Code Enforcement to take whatever necessary steps are needed.

ADMINISTRATIVE ITEMS FROM THE COMMUNITY DEVELOPMENT OFFICE

Discussion on Report of Variance Applications heard by the Zoning Board of Adjustment, Calendar Year 2019.

Zoning Board Secretary Theokas stated that it is customary that the Zoning Board review its decisions and applications for appeals of variances and prepare a report on its finding from the year 2019.

This is a requirement that needs to be done under the Municipal Land Use Law as well as the Township Ordinance. This report will be forwarded to the Township Committee to evaluate whether they need to make any changes to the ordinances.

Resolution Z-2020-01 – Resolution to approve report on variance applications heard by the Zoning Board of Adjustment Calendar Year 2019.

Mr. Klosinski made a motion to approve Resolution Z-2020-01; seconded by Mr. Caldwell.

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

RESOLUTIONS:

Resolution Z-2020-02 -- Establishing the meeting date and time for the 2020 meeting, designation of official newspapers, and meeting noticing. (This resolution was provided to the Zoning Board members at tonight's meeting.)

Zoning Board Secretary Theokas said that there is only one meeting scheduled pending actions by the Township Committee to create one land use board. This will set one more official meeting for February 27, 2020. The ordinance to combine the boards is being considered by the Township Committee and would make the Planning Board the authority of zoning as of March 1, 2020. There are a few items pending, including memorializing of the resolution for Outfront Media and, potentially, the Upmanis application. A special meeting will be scheduled in March 2020, if needed.

Attorney Carlin said if there is anything pending, it should be the responsibility to the Zoning Board to memorialize their actions. In fairness to the Planning Board, the Community Development Department should get notification from Crystal Splash and Isiais, LLC on the status of amending their prior applications. The Zoning Board may also want to give direction to Code Enforcement to issue them both citations.

Attorney Carlin said a report should be prepared for the Planning Board on the status of applications to facilitate the transition.

Mr. Simpson made a motion to approve Resolution Z-2020-02; seconded by Mr. Dela Cruz.

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

Mr. Carney made a motion to adjourn the meeting.

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

The meeting adjourned at approximately 9:15 pm.