

Chairman Brod called the Third Regular Meeting to order at 7:00 P.M. in the Court Room

The Pledge of allegiance and Moment of Silence was observed

The Board Secretary read the open public notice which was published and posted on 1/12/16

Roll Call taken by Jenifer DeSimone Board Secretary

Board Members: Ms. Jones, Present; Mr. Bailey, Present; Mr. Folcher, Present; Mr. Green, Present; Mr. Killen, Present; Mr. Kramer, Present; Mr. Francescone, Present; Vice-Chairman List, Present and Chairman Brod, Present.

Board Professionals: Mr. Michael Angelastro, Traffic Engineer, Present; Mr. Brian McVey, Fire Marshal, Present; Mr. Joseph Petrongolo, Planner, Present; Mr. William Long, Engineer, Present; Mr. Christopher Norman, Board Solicitor, Present; Ms. Jenifer DeSimone, Board Secretary, Present.

Chairman Brod reviewed the Boards Procedures and the Announcements were made that the application for 3030 Route 38, ZB#15-B/D-20 was withdrawn on March 1, 2016. The application for Joseph R. Perla, ZB#15-D-10 is continued to the April 6<sup>th</sup> Regular meeting.

Memorialize Resolutions:

GREGORY CAMARATTA, ZB#16-C-01, 12 Arianas Court, Block 1102, Lot 20.06. Chairman Brod asked for a motion to memorialize the resolution Board member Francescone moved the motion and Board member Folcher second. All present voted affirmatively with the exception of Board member Kramer who abstained from the vote and the motion was carried.

DAVIS RACEWAY, LLC, ZB#15-D-14, 503 Fellowship Road, Block 1202, Lot 2. Chairman Brod asked for a motion to memorialize the resolution Board member Francescone moved the motion and Board member Killen second the motion. All present voted affirmatively with the exception of Board member Kramer who abstained from the vote and the motion was carried.

VSNA, LLC ZB#14-D-15A, 2051 Briggs Road, Block 510, Lot 4.06, Chairman Brod asked for a motion to memorialize the resolution Board member Francescone moved the motion and Board member Green second the motion. All present voted affirmatively with the exception of Board member Kramer who abstained from the vote and the motion was carried.

Minutes: Chairman Brod noted the Regular Meeting Minutes of February 3, 2016 would be adopted at the next Regular meeting.

Zoning Board Professionals: Mr. Joseph Petrongolo, Planner, Mr. William Long, Engineer, Mr. Michael Angelastro, Traffic Engineer, and Mr. Brian McVey, Fire Marshal were sworn in by the Board's Solicitor Mr. Norman.

Petitions before the Board:

1. PASSPORT PROPERTIES, LLC, ZB#15-C-15, 1230 Route 73 South – I Industry zone Block 1300.05, Lot 2.02. The Bulk Variance is sought from section 154-92.6 & 154-92.7 of the Zoning Ordinance to enable the applicant to permit the install signage on the Lexus Dealership. The master sign package has been approved that package supersedes the ordinance in determining allowable sized and height. The Board Secretary read the application and certified the completeness. Mr. Thomas Begley, III Attorney at law represented the applicant. Witnesses' to give testimony Mr. Peter Brown, Partner/Applicant; Mr. Randy Appel, Director of Permitting Services, AGII Architectural Graphics were sworn in by the Board Solicitor. Mr. Begley had Exhibits A-1 Rt. 73 Freestanding sign; A-2 Directional signs; discussed the freestanding bulk sign variance the existing sign size is 19 square feet in height and 45 square feet in area. The new proposed freestanding sign is 16' in height and is smaller than the existing sign. Mr. Petrongolo, Planner reviewed his report dated February 17, 2016, and discussed E04 & E05 signs. Mr. Long, Engineer stated the freestanding sign is outside the site triangle. Chairman Brod opened the hearing to the public, seeing none, closed the public portion of the hearing and asked for motion. Board member Green moved the motion to approve #15-C-15 subject to the Planner's report and Board member Killen second the motion. Roll call: Mr. Green, Agree; Mr. Killen, Agree; Mr. Folcher, Agree; Mr. Francescone, Agree; Mr. Kramer, Agree; Vice-Chair List, Agree; and Chairman Brod, Agree; motion carried application approved.

## IX. Petitions before the Board:

2. HIRSHLAND & COMPANY, ZB #15-D-19, 3531 Route 38 – I Industry zone, Block 514, Lot 2 - The applicant amended the Use Var. application on 1/21/16

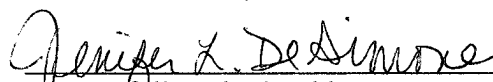
The Use and Bulk Variances is sought from section 154-56 of the Zoning Ordinance to enable the applicant to sell at retail goods and services as typically found in neighboring shopping centers. Proposed Multi-Tenant Retail use. The Board Secretary read the application and certified the completeness. Mr. Michael Floyd, Attorney at law represented the applicant. Witnesses' to give testimony Mr. Laurence S. Hirshland, President – Hirshland & Company; Mr. James Miller, AICP, P.P. James Miller Planning Consultant; Mr. Matthew Rutt, P.E. Landcore Engineering Consultants, P.C.; Ms. Deanne B. Drumm, P.E., P.P., PTOE Traffic Planning & Design, Inc. were sworn in by the Board Solicitor. Mr. Floyd had the following exhibits marked into evidence A-1 Conceptual Site Plan; A-2 Photographs of Site & Improvements-street level; A-3 Zoning Map; A-4 Aerial Photograph site; A-4B Aerial Photograph trade area. Mr. Hirshland testified to the proposed 8,000 square foot multi-tenant retail building ideal for 2 to 4 tenants such as a Hair Salon, and Cell phone, Mattress store 2,000 square foot or less. There would be no fast food drive thru, hours of operation 9 am to 9 pm, sufficient parking 5 parking spaces per thousand square feet, there is good circulation at this site. Board member Green asked if the applicant has inquired about buying ground around this site. Mr. Hirshland said DOT doesn't want to sell their property. Mr. Matt Rutt, P.E. testified to the access on Rt. 38 & Marter Avenue, the setbacks, percentage of impervious coverage, current structured buildings, 42 parking spaces, lot being  $\frac{3}{4}$  of an acre, and sidewalk on Marter Avenue. Ms. Deanna Drumm, Traffic testified to growth of this area from 1956 to the current being completely developed. She discussed the small shopping center and the impact on traffic, the right in and right out on Route 38 and Marter Avenue. Depending on who the tenants are the applicant might need a parking variance and the 42 parking spaces exceed the requirements. Mr. James Miller, Planner testified to the positive and negative criteria on the  $\frac{3}{4}$  acre parcel within a commercial area, proofs, special reasons this site is suited for the retail use as advanced in the MLUL (a) & (g). There are multi access points to this proposed new shopping center which would enhance the area and the Township. Mr. Petrongolo, Planner reviewed his report dated January 21, 2016. Mr. Long, Engineer reviewed his report dated January 22, 2016. Mr. Angelastro, Traffic Engineer reviewed his report date January 21, 2016. Mr. McVey, Fire Marshal reviewed his report dated January 22, 2016. Mr. Floyd discussed the lot size and configuration of the lot. The applicant can't build any more than 8,000 square feet on this site and agreed to restrict no drive thru food restaurants or drive thru windows. Deliveries to the site would be by small box trucks. The applicant would like to meet with the Boards professionals to review the list of tenants submitted. Mr. Petrongolo recommended the applicant go to Township Council for a re-zoning of the parcel. The Board Solicitor Mr. Norman said that would be alright to meet with the Board's professionals. Mr. Floyd asked for the application be continued to the April 6<sup>th</sup> Regular meeting. Chairman Broad opened the hearing to the public, seeing none, closed the public portion and asked for a motion to continue the Hirshland & Company application the Zoning Board's Regular meeting April 6<sup>th</sup>. Board member Francescone moved the motion and Board member Killen second the motion. Roll call: Mr. Francescone, Agree; Mr. Killen, Agree; Mr. Folcher, Agree; Mr. Green, Agree; Mr. Kramer, Agree; Vice-Chair List, Agree; Chairman Brod, Agree; motion carried

Discussion Items: NONE

Temporary Use Permit: NONE

Chairman Brod asked for a motion to adjourn the meeting at 9:10 PM Board member Francescone moved the motion. All present voted affirmatively and the motion was carried.

Adopted on: April 6, 2016



Respectfully submitted by:

Jenifer L. DeSimone, Zoning Board Secretary