

**HAINESPORT TOWNSHIP JOINT LAND USE BOARD
MINUTES**

Time: 7:00 PM

Thursday, September 6, 2017

1. Call to Order

The meeting was called to order at 7:00 PM by Mr. Krollfeifer.

2. Flag Salute

All participated in the Flag Salute

3. Sunshine Law

Notice of this meeting was published in accordance with the Open Public Meetings Act By posting on the municipal bulletin board, publication in The Burlington County Times and Courier-Post Newspapers, and by filing a copy with the Municipal Clerk

4. Announcement of “No new business after 11:00 PM”

5. Roll Call

Present: Mayor Porto, Mrs. Gilmore, Mrs. Kelley, Mr. McKay, Mr. Lynch,
Ms. Kosko, Mrs. Baggio, Mr. Wagner, Mr. Krollfeifer

Absent: Mr. Clauss, Mr. Dodulik, Mrs. Tyndale,

Also Present: Robert Kingsbury, Esq., Board Attorney
Mara Wuebker, Board Planner
Martin Miller, Board Engineer
Kathy Newcomb, Zoning Officer
Paula Tiver, Board Secretary

6. Items for Business

**A. Case 16-11A: Hirshland & Company
Block 96 Lots 1.01 & 1.04
Route 38
Preliminary Site Plan & Bulk Variance
Attorney: Michael Floyd, Esq.**

Proper Notice was given.

Mayor Porto and Mrs. Gilmore recused themselves from the application.

Michael Floyd, applicant’s attorney, stated that they are here for a preliminary site plan and bulk variances approval on Block 96 lots 1.01 and 1.04 that is located on Route 38.

He explained they received approval in July 2016 for a use variance and bulk variances. One was to locate a fast food restaurant, Dunkin Donuts, within 2,000' of another fast food restaurant, Sonic and a front yard landscape area to be 19.15'. They are asking for temporary submission waivers or deferrals of many of those items. If the Board approves the bulk variances, they will move forward with a full engineered site plan and would return for a more formal hearing on the preliminary site plan.

Mr. Kingsbury swore in the following witnesses: Randy Hope on behalf of the applicant, Alex Tweedie, PE, Deanna Drumm, PE and traffic expert, and James Kyle, PP.

The following exhibits were marked:

- A-1: Existing Conditions Aerial Exhibit
- A-2: Conceptual site plan rendering – revised plan
- A-3: Conceptual site plan rendering – original plan
- A-4: Signage Package
- A-5: Exterior Elevations

Mr. Tweedie explained the property is two separate lots being 1.01 and 1.04. He gave a description of the location located on Route 38. The application requires some minor modifications to the liquor store lot and the development on the vacant lot. It will have an interconnection and shared driveways and parking.

Mr. McKay questioned if there is any plan to make an interconnection with the service road behind the property.

Mr. Hope explained they have tried on several occasions and the owner is currently not interested in granting access to this private road until he knows what he is doing with his property.

Mr. Floyd referred to A2 asked him to highlight what is being proposed.

Mr. Tweedie explained that lot 1.04 is a proposed multi-tenant 12,675 sq. ft. building and a proposed Dunkin Donuts 2,025 building. A new proposed right in and right out driveway and some modification for the exit only driveway.

Mr. McKay questioned if the entrance for the liquor store and Sonic will remain the same.

Mr. Tweedie stated yes, it will remain the same. There are some minor modification to the liquor store lot for circulation purposes. There is a one way circulation around the retail building for loading. There is also a one way circulation around the Dunkin Donuts and a drive-thru. There is parking in the front of the Dunkin Donuts and some employee parking to the rear.

Mr. Krollfeifer asked how he would enter the site if he was heading eastbound on Route 38.

Mr. Tweedie referred to the exhibit.

Mr. Krollfeifer commented that the people wanting to use the overflow parking would have to walk across a traffic lane.

Mr. Tweedie explained they have provided a stripped crosswalk with a paved landing on both sides. Some improvements were made from the previous plan.

Mr. Lynch questioned how many cars they expect to be stacked around the Dunkin Donuts.

Mr. Tweedie stated 8.

Mr. Tweedie explained that this is a coordinated development between lots which are owned by separated owners. The following variances are being requested:

- Side yard setback of 14.87 where 25' required, (liquor store will be 10.23' from property line.
- Parking setback 0' for both lots where 20' is required.
- Parking setbacks along Route 38 proposed 19.65 from right of way. An existing condition of 17.8' from the right away
- Another side yard buffer of 19.38' for the drive thru lane where 20' required
- Impervious coverage on lot 1.01 (lot 1.04 is compliant) is an existing nonconforming situation. Due to the work that will be done for extra paving added for the interconnection will increase totaling 82.9% coverage, also 17.01 vegetated area.

Lot 1.01 currently does not have any stormwater on it. Some of lot 1.01 stormwater will run into lot 1.04 stormwater management.

Mr. McKay asked if the detention basin behind Sonic only service Sonic.

Mr. Tweedie believes so.

Mr. McKay questioned if the liquor stores roof drains that go into the paved area go into their stormwater.

Mr. Tweedie explained that they have not done the full design yet.

Mr. McKay questioned if any the proposed landscaping on the new lot extends over into the liquor store lot.

Mr. Floyd stated that part of the agreement from 2016 was to provide additional enhanced buffering for both of the lots.

Mr. Tweedie stated that parking variances are needed. They are proposing 54 spaces where 80 is required on lot 1.04 and 89 spaces where 122 is required on lot 1.01.

Mr. McKay asked how many parking spaces the Maro Brothers presently have.

Ms. Drumm stated 80, so would increase by 9.

Mr. Tweedie referred to A-4 and A-5. There are two variances that are required. The sign above the drive-thru is projected so a variance is required where it is not permitted. From the dimension standards, that sign is 18' 2" high, 10.51 sq. ft. in area. The proposed façade sign is 86.35 sq. ft. where the maximum of 80 sq. ft. is allowed. He described how that measurement is calculated.

Mr. McKay questioned if there were any proposed pillar type signs out at the street.

Mr. Tweedie stated there is one freestanding sign at the entrance which has not been designed.

Mr. McKay questioned if it would be an electronic sign.

Mr. Tweedie explained that at another site they have a brick foundation with two brick columns to frame in the sign with the tenants in the center.

Mr. Floyd explained that in the list of variances that they are requesting, three of them are existing nonconforming. Many of the variances are related to the fact that is related to the fact that this is an interconnecting development with shared access parking, utility infrastructure, including stormwater management. They are two separate lots that are currently under one ownership. Hirshland and Company is the contract purchaser of the vacant lot. It will remain two separate lots.

Mrs. Wuebker commented that they have been corresponding back and forth and one thing Mr. Tweedie was going to look into was if the owner of lot 1.01 was willing to break up some asphalt at the back to improve previous coverage.

Mr. Tweedie stated a letter dated August 7th was sent and they also spoke to Mr. Maro. They did also speak with the owner of Sonic. It was there understand that during the Sonic application, that area was specified as a fire lane.

Mrs. Wuebker questioned if the township fire official was to approve it, would the owner of the property be willing to have it removed.

Mr. Floyd explained that Hirshland & Company would be ok with it but would need Mr. Maro's approval. They are willing to have that as a condition of approval to make that request.

Mrs. Wuebker commented that there are a couple of locations that could benefit with landscaped islands.

Mr. Tweedie explained that there was some hesitation to remove it at the entrance due to circulation of the loading area.

Mrs. Wuebker questioned if the two proposed ADA parking spaces in front of the building been changed to one.

Mr. Tweedie explained that has not been done yet. Dunkin Donuts proposes 10 spaces for employees and patrons. Three employee's spaces in the rear and 7 in the front. They have agreed to change it to one ADA space on the site plan.

Mr. McKay questioned if they could go to the fire official for a review and opinion.

Mr. Tweedie explained they can send it to the fire official and if there are no restrictions, they will send a letter to Mr. Mario.

Ms. Drumm discussed the parking and traffic. The liquor store traffic typically peaks in the afternoon to early evening, Sonic would be at dinner time, and the Dunkin Donuts would be the weekday morning, and retail is usually at afternoon and midday Saturday. This is complimentary uses for the parking. In her opinion, there will be plenty of parking for all the uses.

Mr. Krollfeifer questioned if this was looked at as one development, there is sufficient parking.

Ms. Drumm agreed and stated that both sites could be able to stand alone. When you put them together it gives more flexibility for parking.

Mr. McKay questioned if the 54 spaces on 1.04 includes the Dunkin Donuts spaces.

Ms. Drumm answered yes.

Mrs. Baggio has some concerns that the traffic exiting the site is close to the intersection of Lawrence Blvd.

Ms. Drumm stated it is a good distance, a 1,000'.

Mrs. Kelley questioned what type of retail is expected.

Mr. Hope stated they have been working with a mattress store and cell phone store.

Mr. Lynch questioned if they would take the entire building.

Mr. Hope explained there would be 3,000 to 4,000 sq. ft. still vacant.

Mr. Krollfeifer questioned when you look at the 45 parking spaces, does that take into account the employees parking.

Ms. Drumm answered yes, the parking demand does include parking for employees and patrons.

Mr. Kyle explained there are a couple variances required with the current proposal which they are seeking in advance of the site plan approval. Many of these are related to the setback conditions with the building and also the parking that are aimed at making the circulation around the proposed building for patron's safety and access around the entire site. In terms of the side yard setback for the proposed retail building on lot 1.04, it will provide safe and adequate access around the building and alongside the liquor store as well. This does not exist today. It promotes the efficient use of land. They are trying to unify the circulation system for both lots so they function together. It will also allow access to the basin. There are not external impact outside the site. The 25' setback is based on a maximum building height of 55'. These are one story buildings that are a lot lower and the issue with the setback is slightly diminished and still providing adequate separation to allow a drive isle.

Mr. Kyle continued with the impervious coverage variance. There are two related issues, maximum impervious for lot 1.01 is 83% is proposed where 65% is permitted with that is the minimum vegetation area of 17% where 35% is required. This allows them to get

closer to the conformance of the parking standard. They are cleaning up some of the issues. Overall it allows for a better circulation and parking system for patrons when they are visiting the site. This is a benefit. The amount of impervious here is consistent with the area. The area will have adequate open space when looking at the entire complex. There is 25% vegetated area when you look at both lots. One thing you have to be concerned with is stormwater management. The additional impervious that is being added for additional parking to the front of the liquor store will drain into their detention system. They are addressing the additional impervious. The appearance of the lot is another concern, you do not want to have a look of over developed. It is being broken up with some parking islands. The board's planner had concerns for additional landscape islands, they will see how that discussion evolves later in the meeting. They are providing pervious areas in key spots. The appearance from the roadway will have some enhanced landscaping according to the landscape buffer they were previously granted. There is no substantial impact to the surrounding properties and they meet the intent of the overall site.

There is another setback variance needed for the parking drive isle, 20' is required and 0' is being requested, which is running down the center of the lot line. The proofs are identical to the ones for the side yard setback. It will meet the same purposes. Since these lots are being developed together it is more of a technical issue.

Mr. Krollfeifer questioned what the distance from wall to wall of the buildings and has the Fire Official approved it.

Mr. Kyle answered that the majority is 33' and a small section in the front that is 25'. The Fire Official did approve it.

Mr. Kyle explained that the Board has already granted a buffer for the front parking. It is allowing them to maximize parking opportunity and maximize circulation on the site. They will provide an enhanced landscape plan which they will work with the board's planner. This will not have an impact to the surrounding area or the zone plan. In his experience with the parking demand, our ordinance is 5.5 per thousand and is a high number. Usually you see between 4 and 5. Based on Ms. Drumm's study, there is some benefit to the reduction in parking they are seeking; conservation of the environment and visual improvement. These uses are good for a shared parking arrangement. According to Ms. Drumm's account, there is more than sufficient parking. The demand will be adequately met as proposed. No substantial impacts and the benefits out way the detriments.

Mr. Kyle explained that the other three variances needed relate to signage. The projecting sign above the drive-thru is not permitted and the height of it is 3' more than what is permitted. There is also the maximum façade area, 80 sq. ft. is permitted, requesting 86.35 sq. ft. The ordinance requires you to measure it as if it was in a box. In looking at the sign, refer to A-5, it has the Dunkin Donuts and then the cup above it. If you were to break that into two signs it would be below the 80 sq. ft. required. Site verification is important to anyone on either side of the highway trying to get to this facility. There is no substantial impact to the surrounding properties or the zone plan. The additional signage compliments the building. The sign package is all part of the architectural scheme.

Mr. Wagner questioned if the liquor store would be included in the new pylon sign.

Mr. Hope stated it has not been discussed.

Mr. Krollfeifer commented that it would only be the Dunkin Donuts and the retail. Mr. Floyd stated that the fire official did sign off on the design of the building by letter dated July 28, 2017.

Mr. McKay commented that does not include that area we discussed regarding the impervious coverage.

Mr. Hope stated it does not include that area in the rear of the liquor store.

Mr. Miller explained that when the applicant made this application there were a number of waivers and deferments that they have asked for. All of his comments were asked to be deferred in this application. He has some reservation regarding the impervious coverage. They are asking for 83.65%, it is roughly a 20% increase throughout the site. In looking at the site and compare it to the Sonic site, this site is a little bigger. He believes there may be a problem meeting the stormwater management. In speaking with Mr. Tweedie, he indicated they have not done the stormwater design and if they can't fit it in the area where the basin is now they would consider underground storage in the various parking areas. It is a reasonable and acceptable way to do storage. This may create different variances if it doesn't fit. There may be some real problems with the site review and management.

Mr. Floyd understands that there are some risks that when the property is fully engineered they have to comply with all the stormwater requirements. The goal for tonight was to get the bulk variances granted. They understand that if additional variances were needed, they would have to come back to the board. Based on Mr. Tweedie's estimate that he can make the stormwater management work. They understand that it has to be fully reviewed and approved. That would be part of a site plan public hearing.

Mrs. Wuebker commented that Maro Liquors does not have a stormwater management. She questioned if they would now be required to take care of their own stormwater. They are required not to have any adverse effect on an adjacent property. The new site will take care of some of the stormwater from this site but what about the balance of the site.

Mr. Miller explained that he will have to discuss it with their engineer and our attorney since they have married the sites.

Mrs. Wuebker has concerns whether the Board should grant the impervious coverage until the stormwater management is figured out. She does not have any additional concerns and believes adequate testimony was given.

Mr. McKay questioned if the proposed basin on lot 1.04 is not sized properly.

Mr. Miller explained that when he looks at the proposed basin to Sonic's basin, it appears to be the same size or slightly larger as well as the site sizes. The proposed basin is an odd shape. Without doing the calculations, it looks very close. This is without considering the Mario site.

McKay questioned if the depth of the basin be changed.

Mr. Miller explained that it is part of the analysis.

Mr. Tweedie explained there is a proposed basin to the rear and anticipating some small rain gardens or smaller basins in the front. He explains how the water would flow through the site. There are many options if underground storage is needed. It will be part of the fully engineered site plan. Stormwater regulations apply to the limited disturbance and proposed impervious. He does not believe the undisturbed area of the liquor store needs to be treated.

There was a discussion regarding the stormwater on both lots.

Mr. Floyd agrees that this site has not been fully engineered and Mr. Miller is not able to offer comments on it other than it has to work. The applicant is taking a business risk to seek all the bulk variances first. Mr. Tweedie cannot make the impervious coverage work, it will have to be part of the site plan application.

Mr. McKay commented that they would have to go to an underground storage to meet any short fall.

Mr. Floyd answered correct, it would be their fallback position.

Mr. McKay questioned how the underground storage gets metered out.

Mr. Tweedie explained how the water would be disbursed.

Mr. Krollfeifer opened public comment. None. Closed public comment.

Mr. McKay questioned if Mr. Miller sees any impediment for underground storage if they determine they need to go that route.

Mr. Miller stated that it is generally sandy soil in that area. He believes that would be a benefit to them.

Mr. Krollfeifer asked for clarification on the variances.

Mr. Kingsbury stated they are asking for only bulk variances tonight.

- Side yard setback proposed is 14.87' where 25' required
- Impervious coverage proposed is 83% where 65% permitted
- Vegetation of 17% for lot 1.01 where 35% permitted
- Parking traffic isle drive setback of 0' where 20' required
- Parking stall setback of 0' where 20' required
- Parking isle setback from right of way proposed 19.65' lot 1.04 and 17.8' lot 1.01 where 25' required
- Parking spaces 54 proposed for lot 1.04 required 80
- Parking spaces 89 proposed for lot 1.01 required 122
- Projecting sign is not permitted. Proposing 18.2' high where 15' permitted
- Façade sign 86.35 sq. ft. proposed , 80 sq. ft. permitted

Mr. McKay motioned to accept Mr. Kyle's testimony in regards to the negative verses positive criteria and grant all the bulk variances requested as itemized by Mr. Kingsbury.

Second: Mr. Lynch, he questioned if the impervious coverage will have an impact on the basin.

Mr. Kingsbury stated that they would have to design something that meets that or come back to the Board.

Mr. Miller stated they would have to reduce the coverage or they will have to come back to the Board.

Ms. Kosko questioned how they can reduce the coverage.

Mr. Tweedie explained the first way to reduce the coverage would be to discuss with the fire official which they have agreed to. They do believe there may be some dead paving that is not used or necessary on the property, which would make a dent in the impervious coverage, more landscape areas but the concern is that it would reduce the parking yield on the liquor store lot, reductions in the loading area, and shortening some drive lanes.

Mr. McKay stated or increasing the capacity by installing the underground containment.

Mr. Floyd explained that the applicant is taking a risk and must make the stormwater management work and satisfy any questions or comments that Mr. Miller or Board may raise. If they cannot make it work they would need to come back with site plan and seek a new bulk variance.

Mr. Krollfeifer questioned if they can't make it work would you be coming back to increase impervious coverage.

Mr. Floyd explained they would have to reduce it to try to make the stormwater work. You may have to add additional landscape island on liquor store lot which means you would have to reduce the parking. Mr. Tweedie is confident that he can engineer the stormwater management system. He will work with the Boards professionals on the stormwater design, so we ask that you grant the variance for impervious coverage along with the other bulk variances.

Mrs. Baggio asked for clarification if the impervious coverage is for both lots combined.

Mrs. Wuebker stated they are seeking it for lot 1.01. They meet the 65% on lot 1.04. Their position is that they only have to take care of the stormwater management on the part of the liquor store lot that they disturb. Even if you get the fire official to agree to allow that additional landscaping, it is not necessarily impacting the stormwater that is being disturbed.

Mr. Miller believes that they have married the lots together and they will have to show what is happening with the drainage on lot 1.01 as it may or may not affect the applicant's lot.

Ms. Kosko commented that lot 1.01 is an existing nonconforming lot. They are putting that as a separate lot not being addressed. You are not requesting the stormwater management to be addressed on 1.01 because it is existing.

Mr. Floyd state they are not asking for any stormwater be addressed at this meeting for either lot. They are only asking for the impervious coverage.

Ms. Kosko questioned when they do submit will they be addressing the concerns with lot 1.01.

Mr. Tweedie stated lot 1.01 is existing nonconforming that exceeds the 65% impervious coverage. It has no stormwater. They will be adding more impervious coverage when they connect the drive isles. They are agreeing to collect the stormwater from that additional impervious coverage and controlling it so there is a net benefit to stormwater for this project after the redevelopment. They are not agreeing to capture the entire lot. He has not studied the Sonic lot which may be taking some of the Maro building. It is possible that the Sonic basin may take half that lot.

Mr. McKay stated that they will have to take care of whatever water is flowing on their lot from lot 1.01.

Mr. Tweedie agreed and stated they have done a conceptual grade. The increase is around 5,500 feet and we capture about 7,000. They will have to control it and drain it.

Mr. McKay motioned to approve (see above)

Second: Mr. Lynch

Roll call: Mr. McKay, yes; Mr. Lynch, yes; Mrs. Kelley, yes; Mrs. Baggio, yes;
Mr. Wagner, yes; Ms. Kosko, yes; Mr. Krollfeifer, yes

Motion carries to approve the bulk variances.

B. Ordinance 2017-10: Authorizing the acquisition of certain properties known as 1411 Route 38, Block 99 Lot 9; and 1404 Route 38, Block 100, Lots 9, 10, 11, 12, & 13.

Mr. Krollfeifer asked if Mrs. Wuebker could explain why we are looking at a Township Ordinance.

Mr. Kingsbury explained that the Township is looking to spend funds on a capital improvement. There is a statute that it be referred to the planning board for a recommendation. This is not a public hearing. It is a determination as to whether the proposed purchase is compatible or incompatible with the master plan. It is not a question if the Township should spend the funds.

Mr. McKay believes it is relevant to know what the proposed use of the parcel after acquisition assuming that occurs. What are the plans? As a point of information, where are the funds coming from to purchase the property? Are these green acres funds or are they coming from the taxpayers.

Mrs. Wuebker explained the Township is looking to purchase this property to preserve it and incorporate some passive recreation with walking trails, and canoe/kayak launches.

The Township also has the ability to subdivide the property and sell off the portion that fronts Route 38. You would still have the ability to have a commercial user in the front and preserve the balance of the property. There is also lot 9 that is in the Senior Citizen zone. That could stay part of the recreation or the town may want to recoup funds by incorporating with any future development.

What she plans to discuss tonight has more to do with what the statute requires which is whether or not this capitol project acquisition is considered to be compatible with the master plan. The master plan speaks about trying to preserve additional open space, preserving stream corridors, adding recreation facilities south of Route 38, and improving public access to the Rancocas Creek. Mr. Ragan visited the site and thought it was a hidden treasure. It had a lot of great views and it had interesting geological features. He recommended that the Township continue to pursue acquisition of it while doing it due diligence because there was prior contamination on the site that has been remediated. The Township is embarking on having another study to make sure the property no longer has any contaminants. She does not know where the funds are coming from. The Township always has the opportunity to sell off part of the parcel and look for open space grants to recoup some of the monies.

Mr. McKay questioned if this fits into the county's plans to try and link up the Rancocas Creek parcels.

Mrs. Wuebker knows what the county plan states but she cannot see how this couldn't fit into the county plan.

Mr. McKay questioned why Hainesport would be taking the financial obligation to buy this as opposed to the County in order for it to become one of the many county parks, like the new one in Lumberton with the canoe launch. It is part of the county's plan to link these parks together as much as possible.

Mrs. Wuebker believes that is a worthy discussion to have with the county in the future if you want to partner with them. The question is why the Township spending the money. It is up for sale and if they don't do something someone else could buy it. It would then be a lost opportunity.

Mr. McKay stated that the question is why the Township and not the County. Maybe the County is not interested or doesn't have the money.

Ms. Kosko explained with her prior recreation experience she can speak a little bit in respect to the County. This would fit into the County's plan for the Rancocas. There are canoe and kayak launches starting at Mirror Lake all the way down the Rancocas. As far as the County buying it, that should be deferred to the Township Committee. They have slowed down a little on their conservation and acquisitions for the past 4 to 5 years. This is an opportunity that was presented and getting it is wise. Mr. Anderson, Mrs. Kelley, Mrs. Umland, Committeewoman Gilmore, and she visited the site on Friday. It is a gem. As far as the funding, they are going with bonding. Once it is subdivided, in speaking with the CFO, the land that is being preserved we will be able to use the open space funding to pay for that portion of the bonding. The front highway commercial portion being sold, hopefully recouping a significant amount of the bond, \$630,000. It would decrease our buy power by only .057%. The budget can sustain this purchase.

Mrs. Kelley agreed that this parcel is a gem. She did walk it and has a lot of background on it. A 1930's map shows two wharfs on this property. The one near the bridge is an easy access for kayaks according to John Anderson. The property in Lumberton is not necessarily a park but a canoe launch which was completed by the Rancocas Pathways. They are trying to make the Rancocas Creek a natural waterway trail. Every launch in Lumberton have to have two or three places for parking. They have to have a handicap access and a bathroom available. These are mostly trails. She is unsure whether this would fit into the County plan because it is the southern branch. The County has been doing the northern branch. There has been talk about using this property in many teachable forms. She referred to the pictures in the packet and described the area. Mr. Anderson suggested that they visit the site after the leaves have fallen to see if there are any problems with the ground itself and where the clearing takes place. She agrees that the contamination testing needs to be done. There are a lot of possibilities. She has questions with selling the front commercial portion because she doesn't know if wetlands are involved.

Mrs. Wuebker stated it is her understanding that a wetlands delineation was done because the survey that shows the wetland flags. Mr. Ragan estimated that the commercial portion would be about 300' of frontage and 300' deep that you could use.

Ms. Kosko explained that there is value to having the wetlands to a potential developer because that could help meet requirements in terms of setbacks and impervious coverage.

Mr. Kingsbury explained the Board needs to make a recommendation that this is consistent with the master plan.

Mrs. Baggio motioned to approve that the acquisition of this property is consistent with the master plan.

Second: Mr. McKay

Roll call: Mrs. Baggio, yes; Mr. McKay, yes; Mrs. Kelley, yes; Mr. Wagner, yes; Mr. Lynch, yes; Ms. Kosko, yes; Mr. Krollfeifer, yes

Motion carries.

Mr. Krollfeifer questioned if there is an ordinance allowing the storage of 20 vehicles without being in violation.

Mrs. Newcomb stated they are in violation. They have received their second notice and denied their business license.

7. Minutes

A. Regular Meeting Minutes of August 10, 2017

Motion to approve: Mrs. Kelley

Second: Mrs. Baggio

Roll call: Mrs. Kelley, yes; Mrs. Baggio, yes; Mayor Porto, yes; Mrs. Gilmore, yes; Mr. Wagner, yes; Mr. Lynch, yes; Ms. Kosko, yes; Mr. Krollfeifer, yes

Motion carries to approve.

8. Resolutions

A. Resolution 2017-13: Granting use variance, subject to conditions, for limited use of a crusher machine on Block 73 Lot 11.01

Mr. Krollfeifer questioned if the resolution addressed Mrs. Wuebker's concerns.

Mrs. Wuebker answered yes.

Motion to approve: Mr. Krollfeifer

Second: Mrs. Kelley

Roll call: Mr. Krollfeifer, yes; Mrs. Kelley, yes; Ms. Kosko, yes;

Motion carries to approve.

B. Resolution 2017-15: Granting minor subdivision approval on Block 111 Lots 16 And 16.01

Motion to approve: Mr. Lynch

Second: Mrs. Baggio

Roll call: Mr. Lynch, yes; Mrs. Baggio, yes; Mayor Porto, yes; Mrs. Gilmore, yes; Mrs. Kelley, yes; Ms. Kosko, yes; Mr. Krollfeifer, yes

Motion carries to approve.

9. Correspondence

A. Letter dated August 10, 2017 from Burlington Co. Planning Board to Mr. Blair
Re: Our Lady Queen of Peace Block 91 Lot 3 Sheet 8

B. Letter dated August 10, 2017 from Burlington Co. Department of PW to Ms. Baker
Re: Verizon Block 96.02 Lot 1 625 Lumberton Road

C. Letter dated August 11, 2017 from Burlington Co. Planning Board to Mrs. Tiver
Re: J. Richard & Sharon Carnall Block 111 Lots 16 & 16.01

D. Letter dated August 14, 2017 from Ragan Design to Mr. Gravlin
Re: Punch List for Pep Boys & Retail Center Block 100 Lot 8.01 1368 Route 38

E. Letter dated August 23, 2017 from Burlington Co. Planning Board to Mr. Eickhoff
Re: ShopRite of Hainesport Block 96 Lots 1.05, 1.08, & 1.09

Motion to accept and file: Mrs. Kelley

Second: Mrs. Gilmore

Roll call: Mrs. Kelley, yes; Mrs. Gilmore, yes; Mayor Porto, yes; Mr. McKay, yes; Mrs. Baggio, yes; Mr. Wagner, yes; Mr. Lynch, yes; Ms. Kosko, yes; Mr. Krollfeifer, yes

Motion carries.

10. Professional Comments

Mr. Miller explained that it was not easy to comment on the application tonight because they had asked for waivers of all his reviews. For the Boards information, if they are going to change the impervious coverage to match the basin it will only come down. If it comes down something else is going to have to change which is probably going to be some of the parking spaces. They stated they will have to come back and deal with that when the time comes. The underground storage is a viable thing but also expensive.

11. Board Comments

Mayor Porto thanked the professionals for working on the proposal ordinance. He also thanked the Board for approving it as part of our master plan. It's a healthy balance of preservation of open space for future generations also maintaining a buffer for the senior citizen housing, and Creekview Lakeside Development. There were a couple of questions and to let everyone know where he is coming from as one committee member. To not impede future committees from the option of, they are doing this in a way where they are not utilizing open space green acres money. The frontage on Route 38 does hold potential not only as an individual property that may compliment the open space use. It could be anything from a bake shop, an ice cream stand or something that could compliment the site and provide a tax ratable with jobs for our local economy. In addition, there is also the ability for the neighboring parcel to have a little additional frontage along Route 38. This could be a source of revenue for the municipality in the future. There are tie-ins to the overall plan for the County by keeping our blue ways of recreation. The County does have a dedicated open space fund that allows grants annually and those may be utilized in future years to improve infrastructure on the property to improve the quality of our park. Kayak and Canoeing have been mentioned and we could have walking paths that connect into the Creekview Lakeside development. There is a possible senior citizen community that could connect and have a place to enjoy walking. We have an enormous borrowing capacity due to their decisions over the last decade and reducing our municipal debt. We also have an expiring debt on the property on Deacon Road to expand our municipal park complex. The open space generally collects 3 cents, over \$200,000 annually. There are maintenance costs that come out of that to maintain our park here. There are enormous amount of funds available for open space acquisition. Voters have twice approved it to encourage open space to maintain a balance between residential, commercial, industrial, and the nature itself with our community. He believes it to be a wise investment. It was an amazing break that this was an estate sale so we were able to get a very fair price. He is available if anyone has additional questions.

12. Public Comments - None

13. Adjournment

Mrs. Baggio motioned to adjourn at 9:00pm

Second: Mr. Krollfeifer

Roll call: All in favor

Paula L. Tiver, Secretary