

**JOINT LAND USE BOARD of
Woolwich Township
RE-ORGANIZATION MEETING and
REGULAR BUSINESS MEETING
January 15, 2015**

“MINUTES”

Secretary Marquis called the Reorganization meeting and the Regular Meeting to order at 7:11 pm.

Adequate notice of both meetings had been provided in accordance with the Open Public Meetings Act.

Secretary Marquis led all present in the Pledge of Allegiance.

The Oath of Public Office was given to the following members:

- ▶ Deputy Mayor Alan Schwager – Mayor’s Designee’ – Class I Member
- ▶ Chief Russell Marino – Class II Member
- ▶ John Fein – Committeeman – Class III Member
- ▶ Joseph Maugeri – Class IV Member
- ▶ Sue O’Donnell – Class IV Member
- ▶ Michael Iskander – Class IV Member ~ Alternate #1
- ▶ John Carleton – Class IV Member ~ Alternate #2

Mr. Mike Aimino Swore in all members.

Roll call of the Members Present:

John Casella – Present, John Carleton - Present, John Fein – Present, Mike Iskander – Present, John Juliano – Present, Chief Marino – Present, Joe Maugeri – Present, Sue O’Donnell – Present, Deputy Mayor Schwager – Present, Randy Rossi – Present, Bob Rushton – Present.

Secretary Marquis asked for a motion to appoint a Chairperson to the Joint Land Use Board for the Calendar year 2015.

J. Juliano made the motion to appoint Joe Maugeri which was seconded by Chief Marino. Ms. Marquis asked for any other nominations. With no other nominations, roll was as follows:

J. Casella – yes, J. Fein – yes, J. Juliano – yes, Chief Marino – yes, J. Maugeri – yes, S. O’Donnell – yes, Deputy Mayor Schwager – yes, R. Rossi – yes, B. Rushton – yes.

Mr. Aimino swore in Joe Maugeri as Chairperson to the Land Use Board for the year 2015.

Chairman Maugeri continued asking for a motion to appoint a Vice Chairman for the Calendar year 2015.

B. Rushton made a motion to appoint John Juliano which was seconded by R. Rossi. With no other nominations, roll was as follows:

B. Rushton – yes, S. O’Donnell – yes, J. Casella – yes, Chief Marino – yes, J. Fein – yes, Deputy Mayor Schwager – yes, J. Juliano – yes, R. Rossi – yes, Chairman Maugeri – yes.

Mr. Aimino swore in J. Juliano as Vice Chairman of the Land Use Board for the year 2015.

Next on the Agenda are a series of Resolutions

Resolution 2015-03 appointing Christina Marquis as secretary for the Woolwich Township Land Use Board for the Calendar year 2015. J. Casella made a motion which was seconded by Chief Marino. Roll was as follows:

B. Rushton – yes, S. O’Donnell – yes, J. Casella – yes, Chief Marino – yes, J. Fein – yes, Deputy Mayor Schwager – yes, J. Juliano – yes, R. Rossi – yes, Chairman Maugeri – yes.

Resolution 2015-04, establishing the schedule of the Regular Meetings of the Woolwich Township Joint Land Use Board to be held during the Year 2015. Discussion took place over the meeting dates. Chief Marino made the motion to approve the Joint Land Use Board meeting dates for 2015 which was seconded by J. Fein. Roll was as follows:

B. Rushton – yes, S. O’Donnell – yes, J. Casella – yes, Chief Marino – yes, J. Fein – yes, Deputy Mayor Schwager – yes, J. Juliano – yes, R. Rossi – yes, Chairman Maugeri – yes.

Resolution 2015-05, the Woolwich Township Land Use Board designating the Gloucester County Times and the Courier Post to receive Notice of Public Meetings in Compliance with the “Open Public Meetings Act”. J. Casella made the motion to approve which was seconded by J. Juliano. Roll was as follows:

B. Rushton – yes, S. O’Donnell – yes, J. Casella – yes, Chief Marino – yes, J. Fein – yes, Deputy Mayor Schwager – yes, J. Juliano – yes, R. Rossi – yes, Chairman Maugeri – yes.

Resolution 2015-06, Authorizing Agreement with Mike Aimino as Land Use Board Solicitor. J. Juliano made the motion and was seconded by B. Rushton. Roll was as follows:

B. Rushton – yes, S. O’Donnell – yes, J. Casella – yes, Chief Marino – yes, J. Fein – yes, Deputy Mayor Schwager – yes, J. Juliano – yes, R. Rossi – yes, Chairman Maugeri – yes.

Resolution 2015-07, Authorizing Agreement with Fralinger Engineering as Land Use Board Engineers for the year 2015. J. Juliano made the motion which was seconded by J. Fein. Roll was as follows:

B. Rushton – yes, S. O’Donnell – yes, J. Casella – yes, Chief Marino – yes, J. Fein – yes, Deputy Mayor Schwager – yes, J. Juliano – yes, R. Rossi – yes, Chairman Maugeri – yes.

Resolution 2015-08, Authorizing Agreement with J. Timothy Kernan as Land Use Board Planner. J. Juliano made the motion and was seconded by R. Rossi. Roll was as follows:

B. Rushton – yes, S. O’Donnell – yes, J. Casella – yes, Chief Marino – yes, J. Fein – yes, Deputy Mayor Schwager – yes, J. Juliano – yes, R. Rossi – yes, Chairman Maugeri – yes.

Resolution 2015-09, of the Woolwich Township Land Use Board establishing the Completeness Subcommittee as Joe Maugeri, J. Juliano and B. Rushton. J. Fein made a motion which was seconded by Chief Marino. Roll was as follows:

B. Rushton – yes, S. O’Donnell – yes, J. Casella – yes, Chief Marino – yes, J. Fein – yes, Deputy Mayor Schwager – yes, J. Juliano – yes, R. Rossi – yes, Chairman Maugeri – yes.

Resolution 2015-10, Authorizing Agreement with Alaimo Group as Land Use Board Conflict of Interest Engineers. J. Juliano made the motion which was seconded by Chief Marino. Roll was as follows:

B. Rushton – yes, S. O’Donnell – yes, J. Casella – yes, Chief Marino – yes, J. Fein – yes, Deputy Mayor Schwager – yes, J. Juliano – yes, R. Rossi – yes, Chairman Maugeri – yes.

Deputy Mayor Schwager took a few moments stating that he has served on this Board for the last 12 years and the last 5 as Chairman. He just wanted to say he has enjoyed serving as the Chairman and is looking forward to continue working as the Mayor’s Designee’ and just wanted to say Thank You.

Chairman Maugeri also wanted to thank everyone for their vote of confidence in making him the Chairman for this year and appreciates it. He also expressed his appreciation to Deputy Mayor Schwager.

That concludes the reorganization meeting we will now continue with the regular business of the Joint Land Use Board

Next on the Agenda is the Minutes sent via email from the Meeting held on December 4, 2014.

Deputy Mayor Schwager made a motion to approve which was seconded by J. Juliano. All were in favor except for J. Casella who abstained.

Next is Resolution 2015-11 of the Joint Land Use Board of the Township of Woolwich Granting Lot Line Adjustment and Minor Subdivision Approval to Timothy Brogan and Lisa Gabriel for property located at 191 Colony Place designated as Block 36.01, Lots 7 and 8.

J. Juliano made a motion to approve which was seconded by Chief Marino. Roll was as follows:

B. Rushton – yes, J. Juliano – yes, Chief Marino – yes, J. Maugeri – yes, Deputy Mayor Schwager – yes.

Chairman Maugeri continued with New Business. First on the Agenda is Four Seasons and for the record, Sue O'Donnell recused herself from this portion of the meeting.

Mr. William Bowe was present to represent the applicant, Summit Ventures, LLC who are seeking amended preliminary and final approval for Phase 3, Section 1 of the Four Seasons at Weatherby Adult Community.

Mike Aimino swore in Bill Ralston, P.E. with Consulting Engineers, Larry Ragone, P.P. for the applicant, Ken Schatz with Summit Ventures and Akos Nagy with Summit Ventures as witnesses for the application.

Mr. Bowe stated that they are first going to present some overview testimony about not only this project but the full Weatherby project and where they stand today.

Mr. Larry Ragone continued with the overview of the GDP that was approved back in 1998.

K. Hovnanian received approval back in 2008 for 302 units of Phase 3 of the Four Seasons project. This project did not go forward. They are here tonight to request an amendment of a portion of the preliminary and a final so they can move forward.

For the record, the overview color rendering was marked as A1, the depiction of the Hovnanian 2008 Plan was marked A2, and the current plan under consideration is A3.

In this section they were able to get away from an environmental permitting, stream encroachment permitting, things that would slow down the movement of this project. It is their intention from a timing standpoint to hopefully gain approval and move forward with the final and be ready with a builder in the Spring.

The colored rendering of the current plan was marked into the record as A4.

Mr. Ragone stated that aside from the preliminary and final request for the first 50 lots of this side, they are also asking for a minor subdivision to subdivide out the capped landfill so that can be conveyed to GNCC.

Deputy Mayor Schwager asked if the original preliminary had 315 units. Mr. Ragone stated yes. Now they are dropping it down to 265.

Mr. Schatz continued with an explanation of the HOA at Four Seasons. He stated that they will continue to build the way that K. Hovnanian did – 7 sections in Phase 3 and explained some of the small changes they made. The construction traffic will come in off of Auburn Road. The ultimate gate that will be built will be similar to the existing Auburn Road gate.

Chairman Maugeri asked if the construction entrance is the former dump entrance. Mr. Ralston stated it is an existing dirt road that comes off of Auburn Road.

The existing COAH agreement with the Township was discussed.

Mr. Bowe called Mr. Ralston to testify and asked since Mr. Ralston has appeared here in front of the Board if his credentials as an expert are accepted. Chairman Maugeri stated “yes”.

Mr. Bill Ralston continued with the technical aspects of the plan and compliance with the Engineer and Planner’s letters.

Tim Kernan continued with his review letter dated January 2, 2015. The GDP and the 10% required to be active adult was discussed. By the time Four Seasons is finished they should be at about 20%. The Municipal Services fee was discussed. Mr. Ragone stated that there were 2 separate agreements between them and the Town as they moved forward in the Villages I and Villages II project. There was an agreement at one point in the Villages I the single family and multi-family the fees would be \$750 and \$750 going forward. This project was approved in 2008 with the original GDP approval rate of \$400. The difference in this project is that it has recreation built in to it.

Mr. Kernan stated that the rest of his comments are simply housekeeping and conditions of approval.

Steve Nardelli continued with his letter dated January 2, 2015. Mr. Nardelli stated that they have agreed to comply with the comments in his review.

Chief asked how the contractor’s road would be manned for security purposes. Mr. Ragone stated that they have not gotten to that point yet but they could certainly gate it, they will work with him on that. Mr. Aimino stated that they can make that a condition of approval that they will work with the Police Department. Mr. Ragone and Chief Marino both agreed.

Deputy Mayor Schwager asked if the total build out is now 850 or 800. There are a lot of people in the audience that care about a Ballroom. He knows that the point of sales call for this clubhouse to be built at 600 C.O.’s and the rest of the clubhouse will be built at the 900th C.O. If the whole plan calls for 859 units, but according to the GDP they only have to build 450 units – how do you get there?

Mr. Schatz stated that their contract requires them to escrow an adequate amount of money with each C.O. so that when they get to 600 they have the money to build the

ballroom. This will continue with however many units they build from this point. If this job stopped at 822 units whatever amount of money is there will be for the association to do whatever they want to do.

Deputy Mayor Schwager then asked about soil removal and where they will stock pile the dirt. Mr. Schatz stated that they are not planning on excess dirt in that section.

Mr. Ralston stated that they have looked at the overall future build-out of the other sections from a planning cost purpose with respect to earthwork. They will be updating their plan to show where they are excavating some soils in one area and depositing in other in anticipation of future development. That way there is a balance of materials on the site.

With no further comments from the Board, Chairman Maugeri called for a 5 minute recess at 8:26 pm.

The meeting reconvened at 8:35 pm.

Chairman Maugeri asked for a motion to open the meeting to the public.

J. Casella made that motion and was seconded by J. Juliano. All were in favor.

Ms. Janet Richardson of 25 Brattleboro Road was sworn in by Mike Aimino.

Ms. Richardson asked if there were builders for this project and how many years will it take to get to the 600 number to build the ballroom, because as they build more and more people move in to an already overused club house.

Mr. Schatz stated that they are in discussions with more than one builder and they have not firmed up a deal. When they do select a builder they will bring them in to talk with the HOA.

Deputy Mayor Schwager stated that the second part of the question had to deal with the building of the ballroom and unfortunately this Board does not have jurisdiction to require the applicant to build a ballroom in any certain phase.

Mr. Jordon Schlump of 10 Wilshire Boulevard was sworn in by Mr. Aimino.

Mr. Schlump asked if the split rail fence around the basin will require a wire mesh. The answer was yes. He asked if this provision allows them to sell off spots in the community for well sites and future pumping stations for sewer. He stated that Aqua has come in and installed wells. He thinks if this is allowed it should be on a map so people buying homes will know there could be a well in their back yards.

L. Ragone stated they are public utilities providing public water to the Township. In their discussions with Aqua they are not aware of any plans for wells on the Four Seasons Side, including the section they are in for today.

Mr. Schlump asked if the gate on Auburn Road will be concrete to prevent soils from getting on the road. Chairman Maugeri stated that they will be governed by soil conservation.

Mr. Jim Rondinone of 102 Wesley Drive was sworn in by Mr. Aimino.

Mr. Rondinone asked if the current basins will be utilized by this new project. Mr. Ralston stated "no" the 50 units proposed here will be serviced by their own basin.

Mr. Rondinone asked about the construction entrance and if the fencing around the project will be similar to the existing white fences. Mr. Schatz stated that the white fencing will be similar. He asked how emergency vehicles will gain entrance. Chairman Schwager stated if there is an emergency they will get in any way they can to save a life.

A brief discussion took place over the roads and heavy truck traffic.

Mr. Rondinone also asked about the number of homes needed to build the ballroom.

Mr. Randy Croce of 134 Somerfield Road was sworn in by Mr. Aimino. He stated that he has a problem knowing that a developer can come in and say they will build 350-600 homes and stops at 150. All they have done is over-crowded the facilities which are way over-crowded now. He stated that the yoga workout room looked like a can of sardines because he thinks K. Hovnanian underestimated how active this community was going to be. He stated that he visits other communities throughout the year because of the business he is in and this community is a far cry from other communities.

Ms. Sue Ann Metzner of 14 Embassy Drive was sworn in by Mr. Aimino.

Ms. Metzner directed her question to the professionals and the developer.

Ms. Metzner asked if some of the homes will have basements. Mr. Schatz state "yes". Her concern is when the soil borings were done to establish the ground water level in this area. She stated that it is a proven fact that the ground water level in South Jersey has risen quite a few inches over the last decade. Mr. Ragone stated that they were done this past summer. Ms. Metzner asked if it was done during the seasonal high water table. Mr. Ralston stated no.

Ms. Metzner asked when the last Environmental Impact Statement was done. Mr. Ragone stated 2008. She asked if they are certain that between 2008 and today that there are not any changes to that study. Mr. Ragone stated that they can't guarantee that. She asked if there is a reason why they did not do an update. Mr. Ragone stated that they are not required to.

Ms. Metzner asked about the fencing around the basin and why they need it if it is going to be a dry basin. Mr. Ragone stated that they were asked to by the Township.

Deputy Mayor Schwager asked if any other basins in the development have fences. Ms. Metzner stated "no" and they have standing water.

Chairman Maugeri stated that they will come back to this issue.

Ms. Metzner asked about emergency vehicles. Deputy Mayor Schwager stated that the emergency vehicle will use the best means necessary to get back to respond to the emergency. She asked if the temporary cul-di-sac will have the radius for fire trucks to turn around. Mr. Ragone stated yes.

The amount of homes was discussed. She asked about the capped landfill. Chairman Maugeri stated that the applicant has already gone over the plans for the landfill and the Township has seen to it that they have fully complied with everything from the State that they have been required to do.

Mr. Bowe continued stating the steps that were taken to cap the landfill.

Ms. Metzner also asked about the number of homes regarding the facilities.

Deputy Mayor Schwager stated that his comment has always been that this Board does not have jurisdiction to negotiate when and if a ballroom is built or not. The HOA should negotiate with the developer.

With no further public comment J. Casella made a motion to close the public portion which was seconded by Chief Marino. All were in favor.

J. Casella asked if the bike path/walkway will be tied to the next entrance of this site.

Mr. Ragone stated yes.

With no further questions or testimony J. Juliano made a motion to approve the Four Seasons Amended Preliminary Site Plan and Final for Phase 3 Major Subdivision to construct 50 age restricted single family dwelling units in section 1 of the project conditioned upon our Engineer's suggestion that no cul-de-sac be installed at the end of the extension of Amesbury Blvd. and also they will work with our Police Department for the security of the access road and also grant the submission waiver of the 6" clearing limit for the trees.

Mr. Aimino stated that it will also include any agreements that were made by the Board and the Applicant either through written or the testimony here tonight.

J. Juliano agreed and Chief Marino seconded the motion.

Chairman Maugeri wanted to open this up for a quick discussion about the fences around the basins and apparently there are no other fences around the basins in the development. A brief discussion ensued over the basins and the fencing. The Board agreed to not put the fence around the basin but if the HOA wants it then the applicant will agree to do it at the request of the HOA. Mr. Bowe agreed.

J. Juliano and Chief Marino agreed to make that a part of the motion.

Roll was as follows:

B. Ruston – yes, J. Casella – yes, Chief Marino – yes, J. Fein – yes, Deputy Mayor Schwager – yes, J. Juliano – yes, R. Rossi – yes, M. Iskander – yes, Chairman Maugeri – yes.

Chairman Maugeri stated that the next application is Wawa, Inc. Deputy Mayor Schwager and Committeeman Fein recused themselves from this portion of the hearing and Sue O'Donnell has re-joined the Board.

Chairman Maugeri stated Wawa, Inc. Store #974 Amended Final Major Site Plan, Block 9 Lot 5, Route 322 and Swedesboro/Paulsboro Road.

Mr. Duncan Prime was present to represent the applicant. Mr. Prime continued with a brief overview of the project. At the time of the original approval, the zoning for the site was SOC (service office center) where the convenience store and service station were permitted and conditionally permitted use. The zoning for the property has changed and is now RC1 and the use is no longer permitted. Therefore, as part of the application tonight they are seeking a Use Variance for the expansion of their now “non-conforming” use along with amended site plan approval to add the sale of compressed natural gas commonly referred to as CNG for the site.

This is joint partnership between Wawa and South Jersey Gas. It will be the responsibility of SJG to provide for the service and compression of the natural gas and the responsibility of Wawa to ensure that the product is dispensed properly.

Mr. Dave Shropshire - Traffic Engineer, Paul Phillips – Professional Planner, Bill Rearden – Civil Engineer, Todd Gordon – South Jersey Gas, Christine Ritz – Wawa Representative, all were sworn in by Mr. Aimino.

Ms. Ritz was called as the first witness; she is an Engineering Project Manager for Wawa and has been with them for 5 years. Ms. Ritz continued with her testimony as to why Wawa wants to develop the offering of CNG at their site. They believe it demonstrates Wawa and South Jersey Gas' commitment to the general public. That natural gas is a reliable, cost effective and environmentally friendly source of fuel for transportation.

The partnership would be the first of its kind in this region.

Natural Gas for vehicles produces up to 30% less greenhouse gas emissions which demonstrates Wawa's commitment to the environment. Some of the vehicles that have made the switch and will potentially be using the Wawa CNG facility are State and Local vehicles, shuttles/taxis, maintenance vans, school district vans, postal vehicles or delivery services, etc., just to name a few. As a side note, most tractor trailers use LNG which is liquid natural gas. Ms. Ritz wanted to make that point that the tractor trailers would not be using the CNG site.

With all these facts in mind this initiative is another step in the evolution of Wawa's fuel offer, providing an alternative that is less expensive, cleaner and domestically available. CNG not only provides the opportunity to increase the value of our fuel and convenience model to the customer but it will also better position them for the future. The site in

Woolwich Township offers enough space to house the CNG dispensers with a minimal disruption to the site and to the current customers.

Mr. Prime introduced Mr. Todd Gordon of South Jersey Gas who provided a little background to his tenor with South Jersey Gas. Mr. Gordon stated that this is not a new thing for them, they have been involved with CNG for over 5 years now and there are other stations, which are not theirs, that have been up and operating for longer than that.

Mr. Gordon stated that the source of the natural gas comes from the same pipes that are in the streets now that serve the community. There is nothing trucked in to the site or stored on the site the compressed gas is distributed to the dispensers on demand.

Chairman Maugeri asked if the size of the pipe that is there now is sufficient enough to supply what the pumping station would need. Mr. Gordon stated that it was, there is no plan to do any upgrades in that area to support this operation. The capacity that is available is sufficient.

Chief Marino asked how many other Wawa's currently have this application. Mr. Gordon stated that this will be the first Wawa.

Mr. Prime stated that this is a South Jersey Gas operation; they have 3 in the area. Mr. Gordon stated that they have a station in Glassboro, Millville and a station that is recently opening, none of which are Wawa. These are all dedicated natural gas stations. This will be the first mixed use station.

S. O'Donnell asked how long it would take to fill a truck. Mr. Gordon stated that it would depend on the size of the vehicle and they are sizing the station so it would be a typical fill time.

Chief Marino asked about eliminating parking spots. Mr. Prime stated that they are and they will get in to that with a lot more detail. Chief asked how many are being eliminated. Mr. Prime stated they are taking away 18 in that area and dedicating 5 back so a net loss of 13 in the overall site.

Mr. Gordon stated that South Jersey Gas will be operating and maintaining the compression related equipment. The dispensers will be owned by Wawa so we will be working with Wawa for the overall stations operation.

The type of dispenser being installed was discussed.

Mr. Gordon stated that the other stations that they are involved in; they worked very closely with the municipality and coordinate with the fire department and emergency management to provide training prior to the station being open.

Chairman Maugeri asked if the compressed gas is in a storage tank or if it gets compressed when someone starts to fill. Mr. Gordon stated that there is a buffering tank system that essentially has about 80 to 90 useable gallons in it.

J. Juliano asked how sensitive these tanks are to vibrations. Mr. Gordon stated that all the vessels are certified stamped and sealed and set up for that use.

Chairman Maugeri asked about the buffering around the tanks. Mr. Gordon stated that there is a barrier system that is in place to make sure the equipment is not damaged.

Chairman Maugeri asked if there is specialized equipment to handle that type of emergency as opposed to gasoline and diesel fuel. Mr. Gordon stated "no", fire departments are equipped to handle any type of fire.

Next Mr. Prime introduced Mr. Bill Reardon from Bohler Engineering. Mr. Reardon stated his qualifications to the Board and was accepted as an expert in his field.

Mr. Reardon continued with the circulation of the site.

For the record the color rendering was marked in to the record as A1, elevation of the CNG equipment area is marked A2.

Mr. Reardon stated that they are displacing parking spaces, the net deduction is 13 spaces bringing them down to a total of 63 spaced provided on this property. By code they are only required to have 34 spaces. There are 63 regular spaced with 4 truck spaces in the back so that is a total space count of 67. The truck spaces are not being altered at all.

In addition to the layout, there is signage proposed as well. Mr. Gordon continued explaining the signage. The rendering was marked in to the record as A3. The second sign detail was marked as A4.

J. Juliano asked if they will be attended pumps or self-serve. Mr. Prime stated it will be self-service like the diesel operation. All attendants will attend classes on safety and pumping in case someone needs help.

J. Juliano asked if someone needs to apply constant pressure to the pump to dispense the fuel. Mr. Gordon stated that there is a locking mechanism to the tank that until it is locked properly the fuel will not dispense then it will stop automatically when full. So the answer is "no" you do not need to apply pressure to pump the fuel.

Chairman Maugeri asked what the average vehicle that utilizes this fuel is, a van, car? Mr. Gordon stated that there are waste hauling trucks that use the technology; of the 300+ vehicles that are out there using CNG there may be 50 that are trash trucks. The largest user is Waste Management; they have their own fueling station in Camden. South Jersey Gas is in the process of converting their vehicles over to CNG, they have approximately 170 vehicles. The other types of vehicles we are seeing are the shuttle type vehicles like the Jitney Runs in Atlantic City, there are 190 of those.

Discussion over vehicles using the CNG at Wawa ensued.

R. Rossi asked if any car manufactures are making private vehicles with this already. Mr. Gordon stated "yes" there are CNG Vans that they purchase right from the manufacturer;

Honda makes a CNG vehicle, the Civic. Ford and GM are also offering vehicle options from the manufacturer.

B. Rushton stated that Volvo is offering a CNG fueled tractor trailer right now.

Mr. Reardon continued with the Variances requested for this site.

J. Juliano asked how long they would be without the spots they are adding back. Mr. Reardon stated about 3 months.

The ordinance requirement for parking on this site is that they are required to 1 space for 200 square feet of floor space plus 1 for every 2 employees. That totals to be 34 spaces, they are providing 67 spaces, 4 of which are truck spaces in the back so a total of 63 regular vehicle spaces.

Next was the Traffic Engineer, Mr. Shropshire who provided a brief summary of his background. The Board accepted him as an expert in his field.

Mr. Shropshire continued with his report including parking and traffic circulation.

Extensive conversation took place over general parking. Employee parking was also discussed and if they are approved they will make it a condition of the approval to designate employee parking to the spots furthest from the store.

T. Kernan asked Ms. Ritz about the tractor trailer, landscaping trucks, oversized vehicles etc. parking where drivers will sleep on the site. Ms. Ritz stated that they have done some studies and have found that tractor trailers not only park to get their coffee but they unfortunately sleep there as well. So in newer stores they have eliminated oversized and tractor trailer parking. They also have made a resolution to try to have their employees monitor those trucks a little closer. She stated that particularly in this store she has spoken to the store manager and on several occasions she has gone out and pounded on their doors and told them to leave if they are there for more than an hour. They are also willing to get law enforcement involved if their Manager isn't comfortable making them leave. There are signs that say "15 minute parking only" back there.

Discussion over purchasing the adjoining property ensued.

Mr. Paul Phillips, P.P. stated his credentials and the Board accepted his as an expert in his field.

Mr. Phillips stated that they are seeking a D2 Use Variance for expanding a non-conforming use. That expansion is to add Compressed Natural Gas. Mr. Phillips continued with the positive and negative criteria for this application.

J. Juliano asked about changes that have occurred in other pilot programs like diesel. Mr. Prime stated that pumps have been changed over time. Ms. Ritz stated that this would be carefully thought out before putting it in to other stores. Mr. Prime stated that they are only looking to make this site better.

Chief Marino asked about sewer lines going in along Route 322, would they take out the septic system and add more parking. They have not thought about this yet.

Steve Nardelli continued with his letter stating that they have covered all comments in his review through their testimony.

Tim Kernan continued with his letter dated December 15, 2014. They have addressed all his general comments and recommendations either by agreeing to do certain things or through their testimony.

Directional Signage to the CNG pumps was discussed.

J. Casella made a motion to open to the public which was seconded by Chief Marino. All were in favor.

With no public comment J. Casella made a motion to close the public portion which was seconded by Chief Marino. All were in favor.

Mr. Prime stated that they have nothing further and they look forward to working with the Township in making this a first of its kind. He continued with the conditions that they have agreed to.

With nothing further to discuss, J. Juliano made a motion to Deny the application based on the inability to demonstrate special reasons on why this particular project would cause the applicant an undue hardship and they have also failed to demonstrate how the variance could be granted without substantial detriment to the public good due to the traffic flow on the site.

Before a second, Mr. Prime made a motion to withdrawal or at least postpone their application for a month, so they can look at their options before they are actually denied, so they can come back.

M. Aimino stated that there would need to be a Waiver of any time periods and the Board would have to agree to table it to a period of a minimum of 30 days. Mr. Prime would agree to this.

B. Rushton made a motion to table the entire application for 30 days with the applicant agreeing to Waive all statutory time periods for approval, which was seconded by J. Casella. Roll was as follows:

B. Rushton – yes, S. O'Donnell – yes, J. Casella – yes, Chief Marino – yes, J. Juliano – yes, R. Rossi – yes, Chairman Maugeri – yes.

Before continuing Mr. Aimino asked if the Board would or would not require Notice for the next meeting. Mr. Prime asked that they be scheduled at the next meeting provided it is over 30 days from now and if they postponed that then they would provide Notice again. Mr. Prime consulted with his client and stated that they would take February 19th if that is available and if by chance they can't come back they will write a letter to postpone it and

they will have to Notice again. They further agreed to waive all statutory time periods for approval until the February 19, 2015 meeting date.

M. Aimino stated to the Board to be clear that they will reschedule this for February 19th and Notice will not be required, however, if they decide to go beyond that date then the applicant will have to Notice.

J. Casella made a motion to table the application until February 19, 2015 under the stated conditions which was seconded by Chief Marino, all were in favor.

Chairman Maugeri moved a discussion on the Resolution of Findings and Conclusions of the Zoning Board of Adjustment for 2014. A brief discussion ensued.

Chief Marino made a motion that there are no recommendations to the Township Committee at this time and was seconded by J. Juliano. All were in favor.

M. Aimino briefly discussed revisions to 203-46 of the Zoning Ordinance. There is a conflict with respect to the Ordinance and Tim Kernan needs to take a look at this to see what the best way is to clean it up.

J. Juliano made a motion the authorize Tim Kernan to take a look at revising this Ordinance and was seconded by Chief Marino. All were in favor.

T. Kernan stated that it may not be just 203-46 where there is this issue, they may find the same discrepancy in different zoning districts.

With nothing further to discuss, J. Casella made a motion to adjourn which was seconded by J. Juliano. All were in favor.

The JLUB meeting adjourned at 11:23 pm.

Respectfully submitted,

Christina M. Marquis
Joint Land Use Secretary

***Minutes not verbatim
Audio recording on file***