

**Minutes Open Session  
White Township Zoning Board of Adjustment  
April 21, 2016**

There was a regular meeting of the White Township Zoning Board of Adjustment on Thursday, April 21, 2016. Present were Board Members: Donald Weidlick, Barry Wessner Alt #1, James Cooper, Paul Mourry, Kyle Shoemaker, Elaine Reichart, and Joseph Magnini. Board Member Absent: Myron Rasley. Also Present: Board Attorney William Gold, Board Engineer Joseph Modzelewski, and Board Secretary Alfia Schemm. Chairman Magnini led the Board in the pledge to the flag and he called the meeting to order at 7:36 p.m. He then announced that notice of this meeting was given in compliance with the "Open Public Meetings Act."

**OPEN TO THE PUBLIC:**

Chairman Magnini opened the meeting to the public. With there being no public comment, the meeting was closed to the public.

**COMPLETENESS:**

**#463 Eric & Mariann Cliff, Block 77, Lot3**

Kyle Shoemaker recused himself. Eric & Mariann Cliff were present. Board Attorney Gold stated that although the Board is presently busy, he feels that the Applicant could notice for next month. He also stated that although an Attorney is not required, the Applicant might want to confer with an Attorney. He asked if the Board sees any reason why the application cannot be deemed complete.

Mr. Wessner made the motion to deem the application complete. Motion seconded by Mr. Cooper. In a voice vote, all were in favor.

The process was then reviewed with the Applicant. Kyle Shoemaker resumed his position on the Board.

**#464 Arnav Properties, Block 21, Lot 7.05**

Alan Lowcher, Esq. was present on behalf of the Applicant. He briefly reviewed the application and stated that his client is looking for an interpretation and use variance approval. He went on to review the completeness letter of April 19, 2016. He stated that the property taxes are not current and will be prior to the hearing. He stated that they will also provided the affidavit of ownership. Scheduling was then discussed.

Ms. Reichart made the motion to schedule a second meeting in May. Motion seconded by Mr. Cooper. Discussion on the motion: Mr. Wessner suggested and the Board agreed to defer that decision until later in the meeting.

Mr. Cooper made the motion to recommend the application to the Board Planner. Motion seconded by Ms. Reichart. In a voice vote, all were in favor

Mr. Cooper made the motion to deem the application complete and grant the waivers, conditioned upon receiving up to date property taxes and the affidavit of ownership. Motion seconded by Mr. Mourry. In a voice vote, all were in favor.

**NEW BUSINESS:**

**#462 Cheema Oil Corp., Block 39, Lot 10, Block 70.01, Lots 6 & 6.01**

Michael Selvaggi, Esq., was present on behalf of the Board and he summarized the proposal. Ms. Reichart questioned the deed discrepancy. Attorney Selvaggi stated that a corrected deed will need to be filed.

Brian Shortino was sworn in and he presented his qualifications. He displayed a drawing depicting the existing conditions. Attorney Selvaggi stated that the use is a pre-existing conditional use; however, they do not meet all of the conditions. The following was submitted and marked as an Exhibit:

A-1 Sheet 14 of the submission

Mr. Shortino reviewed the existing conditions of the gas station and convenience store. Board Attorney Gold reviewed that the site does not meet the conditions of the conditional use. Attorney Selvaggi stated that they are looking to expand a pre-existing non-conforming conditional use. Ms. Reichart stated that she would like to go through each variance and she asked how many accidents have happened in front of the site. Mr. Shortino continued to review the existing conditions. The following was submitted and marked as an Exhibit:

A-2 Landscape Rendering, dated March 17, 2016

Mr. Shortino stated that the property is in the HD zone. He stated that they are proposing to expand the existing uses of the convenience store and gas station. He stated that everything will be demolished and the facility will be rebuilt. He then went on to describe the proposed 3,000 square foot convenience store and a T-shaped canopy with 9 pump dispensers. The tractor trailer on site circulation was discussed. Mr. Shortino went on to describe that they are proposing to cut into the bank and construct a retaining wall. He also addressed the proposed canopy, access to the site and circulation, parking, loading zone and dumpster area, the topography and the retaining wall, the landscaping, impervious areas, drainage system, lighting, banked/overflow parking if needed, and signage.

At 9:13 p.m. the Board took a break. The meeting resumed at 9:23 p.m.

Mr. Shoemaker asked if the new neighbors were notified of the hearing. Attorney Selvaggi stated that they relied on the list that was provided to them; however, he was in contact recently with their Attorney. The Board also questioned light pollution. The following was submitted and marked as an Exhibit:

A-3 Elevations of the proposed convenience store

Mr. Shortino addressed the variances that pertain to the proposed signage for the convenience store, canopy, and freestanding sign. The following was submitted and marked as an Exhibit:

A-4 Canopy details

Mr. Shortino addressed the height of the canopy and the building. He continued to review the variances for: the canopy signs and freestanding sign; disturbance of steep slopes; lot area; frontage and buffering; lot coverage; and number of access points. He stated that they can provide many of the details in Board Engineer Modzelewski's report and he then addressed the design and construction standards. Attorney Selvaggi stated that they will resubmit revised plans for the next meeting.

Board Attorney Gold stated that the special meeting fee is \$500.00. After a brief discussion, it was agreed that the Cliff application would be placed first on next month's agenda. Attorney Selvaggi asked that this matter be carried to the Boards May 19th Board Meeting. He also stated that this proposal is for a 24 hour operation. Ms. Reichart asked that they address, at the next meeting, the products that they are proposing to sell.

**OTHER:**

The Board then went on to review the possible meeting dates for a special meeting. After a brief discussion, it was agreed that the Board could offer May 26th as a potential meeting date for the Arnav application. The Board discussed bifurcated applications and Board Attorney Gold stated that he will contact Attorney Lowcher tomorrow to advise him of the special meeting date.

**MINUTES APPROVED:**

The minutes of the March 17, 2016 meeting were distributed to all Board Members prior to this evening's meeting.

Mr. Wessner made the motion to adopt the minutes. Motion seconded by Chairman Magnini. In a voice vote, all were in favor.

**PAYMENT OF BILLS:** The following vouchers were submitted:

William Gold- General	\$ 375.00
William Gold-Arnab	\$ 112.50
Hatch Mott MacDonald-Sandhu	\$189.80
Hatch Mott MacDonald- Cheema	\$183.60

Mr. Cooper made the motion to approve the vouchers. Motion seconded by Ms. Reichart. In a voice vote, all were in favor.

**ADJOURNMENT:**

In a motion made and seconded, the meeting was adjourned at 10:25 p.m. In a voice vote all were in favor.

Respectfully Submitted:

Alfia Schemm  
Board Secretary  
5-15-16