

**WHITE TOWNSHIP PLANNING BOARD
555 CR 519, BELVIDERE, NEW JERSEY**

**MINUTES
APRIL 8, 2014**

The regular meeting of the White Township Planning Board was held on Tuesday, April 8, 2014. Present were: Timothy Matthews, Jeff Herb (arriving at 7:35 p.m.), Sam Race (arriving at 7:37 p.m.), Robert Mackey, Michael Grossmann, Joseph Phillips, Joseph Magnini, and Bryan Vande Vrede. Board Member Absent: David Pritchard. Also present: Board Attorney Richard Dieterly, Board Engineer Paul Sterbenz, and Alternate Board Planner Dan Bloch.

CALL TO ORDER:

Chairman Matthews called the meeting to order at 7:30 p.m. He stated that the meeting is being held in accordance with the "Open Public Meetings Act", with adequate notice to the appropriate newspapers and posting on the Township bulletin board.

OPEN TO THE PUBLIC:

Chairman Matthews opened the meeting to the public for non-agenda items. With there being no public comment, the meeting was closed to the public

MINUTES OF PREVIOUS MEETING:

The minutes of the meeting of March 11, 2014, were distributed to all the Board Members prior to the meeting.

Mr. Magnini made the motion to approve the minutes. Motion seconded by Chairman Matthews. In a voice vote, all were in favor, except for Mr. VandeVrede, Mr. Mackey, Dr. Phillips, and Mr. Grossmann, who were not present at the Board's March meeting.

VOTE: 2 AYES

The motion carried

COMPLETENESS:

#770 T & G Rental, LLC, Block 64, Lot 8.01

Glenn Williams, Esq. was present on behalf of the Applicant. He stated that his client is requesting Preliminary and Final Major Site Plan approval to allow for improvements to the site. He stated that in his opinion he feels that the Planning Board has jurisdiction to hear the application. Board Attorney Dieterly reviewed some of the issues, which were discussed with Attorney Williams and the Board. Mr. Herb and Mayor Race arrived. Board Attorney Dieterly stated that the Board can assume jurisdiction, with the proviso, that if it appears, through the testimony provided, that the Planning Board does not have jurisdiction, the application would have to be transferred to the Zoning Board of Adjustment. Board Engineer Sterbenz stated that the Applicant has addressed the items on his report.

Kevin Smith, P.E. was also present on behalf of the Applicant and he reviewed Board Engineer Sterbenz's April 1st review letter and the waivers being requested. Attorney Williams then addressed the non-applicable items. He stated that he is requesting that the Board grant the waivers, deem the application complete, so that a hearing can be scheduled for the Board's May meeting.

Mr. Magnini made the motion to grant the waivers, as requested and discussed this evening. Motion seconded by Mr. VandeVrede. Discussion on the motion: Board Attorney Dieterly reviewed some additional language that should be included in the motion: that the representation by the Applicants, is that the improvement to the conforming use, will have no deleterious impact on the nonconforming use, as they are distinct facilities and the Board reserves the right to transfer the application to the Zoning Board of Adjustment, during the hearing process, if it is determined that the Board does not have jurisdiction of the matter. Both Mr. Magnini and Mr. Vande Vrede agreed to amend their motion to include the language outlined by Board Attorney Dieterly.

VOTE: 8 AYES

The motion carried

The Board agreed with Board Engineer Sterbenz as to the non-applicable items, as discussed this evening. Mr. Magnini made the motion to deem the Application complete. Motion seconded by Mr. Grossmann. In a voice vote, all were in favor.

VOTE: 8 AYES

The motion carried

NEW BUSINESS:

#769 Trinacria LLC, Block 21, Lot 7.03-Preliminary and Final Site Plan

Jack Cornish, Esq. was present on behalf of the Applicant. He confirmed with the Board Secretary that adequate notice has been provided. Board Secretary Schemm stated that the notice is in order. Attorney Cornish stated that they are present this evening for approval on the first building, of a four building project. Board Attorney Dieterly administered the oath to Pio Mannino, Mark Zgoda, Jess Symonds, Board Engineer Paul Sterbenz and Alternate Board Planner Dan Bloch.

Mr. Mannino went on to describe his present operation at his present location and the proposed operation at the proposed location. Board Engineer Sterbenz questioned the proposed seating and the DEP submission, which was reviewed with the Applicant.

Mr. Zgoda presented his qualifications as an Architect and he then reviewed and described the proposal. He displayed several colored renderings, which he described and he reviewed the variance request for the proposed sign. The following were submitted and marked as Exhibits:

- A-1 Colored Rendering of the Elevations
- A-2 Colored Rendering of Floor Plan of Building One
- A-3 Colored Rendering of the overall site plan/future Buildings

Jess Symonds presented his qualification as a Civil Engineer and he displayed the submitted site plan drawings and Phase I of the Proposal. The following was submitted and marked as an exhibit:

- A-4 Site Plan Submission, revision date of 2-27-14

Engineer Symonds addressed the overall site, the landscaping, the parking, proposed ingress and egress, onsite traffic circulation, the signage, the stormwater management, pedestrian circulation, truck traffic, drive through lanes, connecting to the sewer system, and the phasing. The Applicants reviewed at great length the April reports of both Board Engineer Sterbenz and Board Planner Layton. Mayor Race left at 9:29 p.m.

Chairman Matthews opened the hearing up to the public.

Linda Stettler was sworn in and she questioned the survey markers and she also stated her concern over the amount of garbage that blows onto her property.

Rick Ferrugia was sworn in and he commented on Village Drive and the maintenance agreement. The following was submitted and marked as an Exhibit:

A-6 Letter from Bruce Jones, Esq. dated March 6, 2014, Re: Village Drive

Board Attorney Dieterly stated that this issue needs to be worked out by the individual parties. Mr. Ferrugia stated that he supports the Applicant's connection to the sewer system and he discussed the traffic circulation.

Valerie Tishuk was sworn in and she questioned when the survey stakes would be removed so that they can work on the fields.

Chairman Matthews asked if there was anyone else from the public wishing to speak. With there being no further public comment, the hearing was closed to the public.

Board Attorney Dieterly stated that he does not think the Board should consider Final approval this evening, as there are a lot of outstanding issues. The Board reviewed the variance for the sign and the driveway width.

Mr. Magnini made the motion to grant the variance relief for the signage. Motion seconded by Mr. Vande Vrede. In a voice vote, all were in favor.

VOTE: 7 AYES

The motion carried

Mr. Magnini made the motion to grant the variance for the width of the proposed driveway. Motion seconded by Dr. Phillips. Discussion on the motion: Mr. Herb asked what will happen if the Applicant does not have the right to utilize Village Drive. The Board discussed the conditional approval process. Board Engineer Sterbenz stated that he feels that the Board can grant Preliminary and then grant Final approval in phases. In a voice vote, all were in favor.

VOTE: 7 AYES

The motion carried

The Board then discussed Preliminary approval and the concern over the number of outstanding items. The following was submitted and marked as an Exhibit:

A-7 Agreement of Village Drive, dated October 13, 2004

The Board continued to discuss the outstanding items.

Mr. Magnini made the motion to grant conditional Preliminary approval, subject to the Board Professional reports and tonight's discussion. Motion seconded Mr. Mackey. In a roll call vote in favor: Mr. Magnini, Mr. Mackey, Mr. Grossman, and Mr. Vande Vrede. Opposed: Mr. Herb, Dr. Phillips and Chairman Matthews.

VOTE: 4 AYES

The motion carried

BILLS:

Maser-La Torre Plaza	307.25	Escrow #50059
Maser-La Torre Plaza	1242.50	Escrow #50059
Maser-Flowerland	406.25	Escrow #00757
Maser-DSM	62.50	Escrow #60013

In a motion made by Mr. Magnini and seconded by Dr. Phillips, the bills were paid. In a voice vote, all were in favor.

VOTE: 7 AYES

The motion carried.

ADJOURNMENT:

With no further business to discuss, a motion was made and seconded to adjourn the meeting at 10:18 p.m. In a voice vote, all were in favor.

Respectfully Submitted:

Alfia Schemm
Board Secretary