

**Minutes Open Session  
White Township Zoning Board of Adjustment  
March 15, 2018**

There was a regular meeting of the White Township Zoning Board of Adjustment on Thursday, March 15, 2018. Present were Board Members: Donald Weidlick, Barry Wessner, James Cooper, Elaine Reichart, Kyle Shoemaker, Paul Mourry, and Jack Shade. Also Present: Attorney Matt Lyons, Board Engineer Joseph Modzelewski, Board Planner Joseph Layton, and Board Secretary Alfia Schemm. Chairman Shade led the Board in the pledge to the flag and he called the meeting to order at 7:30 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 Shade opened the meeting to the public for non-agenda items. With there being no public comment, the meeting was closed to the public.

**OLD BUSINESS:**

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

Michael Selvaggi, Esq. was present and he provided a status overview of their application. Also present Jessica Caldwell, who was sworn in and she provided her experience and qualifications as a Planner. She went on to review the conditional use standards that cannot be met: minimum lot size, landscape strip, lot and building coverage, access width, minimum parking spaces, driveway setback, and number of driveways. She described the proposal and she stated that it is the best design. She stated that they have their DOT permits and the site functions well as proposed. She stated that the site is a difficult site and it's an existing developed property. She stated that the property is a rundown older property and it is a pre-existing non-conforming use. She stated that the property is an eyesore and the Applicant would like to clean it up and make it a modern visually improved site. She stated that it will be an improvement to the neighborhood and the area. She continued to provide testimony on the proposal. Attorney Selvaggi addressed the gore. Planner Caldwell then went on to address the bulk variances for slopes, setbacks, and signs. Both Attorney Selvaggi and Planner Caldwell reviewed the Quick Check application that was approved by the Board several years ago. The Board addressed the differences between the Quick Check site where they do not fuel tractor trailers, they have fewer pumps, and more parking spaces. They also discussed the tractor trailer circulation and whether they have received a response from the fire department. Board Planner Layton questioned whether Planner Caldwell has reviewed the latest plans as some of her testimony does not match the most recent submission. The Board continued to state their concerns over the tractor trailer circulation plan. Attorney Selvaggi stated that it's not possible to design for every hypothetical issue. Ms. Reichart stated that Quick Check is not the gold standard and they have their own issues.

Jasvinder Arjani acknowledged that he was still under oath and provided his comments. Attorney Selvaggi asked if there were any outstanding issues. Mr. Shade questioned the lighting and it was noted that the Applicant agreed to conform. The Board continued to discuss the proposal. Board Engineer Modzelewski stated that the current plan is an improvement to the original submission. Board Planner Layton stated that the Applicant has addressed most of his comments in regards to landscaping; however, the signage is still larger than he prefers. The Board continued to discuss the proposal with the Applicant and the Applicant agreed to remove the ATM sign and lower the height of the sign. The Board and the Applicants discussed which Board Members are eligible to vote. Mr. Shoemaker was absent last month and he would need to listen to the audio in order to be eligible to vote on the matter. Ms. Reichart stated that she may not be at next month's meeting. Attorney Selvaggi stated that they will carry their matter to the next meeting of April 19, 2018 so that Mr. Shoemaker can listen to the audio of the hearing. Attorney Lyons announced that this matter will be carried to the Board's April 19, 2018 meeting, without further notice.

**#469 Elham Valipay, Block 17.91, Lot 67**

Elham Valipay was present and she stated that she would like to review some concerns that she has over the draft Resolution that was prepared and circulated. She discussed the funding for her proposed sanctuary, fostering of cats, and TNR. Ms. Reichart questioned the difference between a cat sanctuary and a shelter, which was reviewed by the Township ACO Robert Lagonera. He stated that perhaps Ms. Valipay could incorporate a holding facility for a TNR program in addition to her sanctuary. The Board went on to discuss this proposal and operation with Mr. Lagonera and Ms. Valipay. Ms. Valipay continued to discuss her proposal and stated that she would remove the razor wire and install chicken wire and plant climbing roses. She then went on to discuss the succession plan. The Board also suggested that the inspections should be done by either the Township Zoning Officer or the Township ACO. Ms. Valipay stated that the property is in her name; however, the non-profit sanctuary will be under an LLC. Attorney Lyons stated that the LLC should be represented by an Attorney. The Board continued to discuss the issues. Chairman Shade recommended that Ms. Valipay provide the Board with a written Business Plan. Mr. Lagonera stated that he could provide Municipal funds for any cats that he brings in. Ms. Valipay went on to describe the proposed waste operation. This matter was carried to the Board's April 19th meeting.

**OTHER**

**NC Zone**

Chairman Shade brought up the proposed Township modifications to the NC Zone.

**Annual Report**

Not prepared yet.

**MINUTES APPROVED:**

The minutes of the February 15, 2018 meeting were distributed to all Board Members prior to this evening's meeting.

Mr. Mourry made the motion to adopt the minutes. Motion seconded by Mr. Wessner. In a voice vote, all were in favor, except for Mr. Shoemaker, who was not present at the February meeting.

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

Gebhardt & Kiefer-General	672.50
Gebhardt & Kiefer-Valipay	280.50
Gebhardt & Kiefer-Bel Pikes	82.50
Maser Consulting-Cheema	350.00
Maser Consulting-Cheema	1015.00
Dynamic Traffic-Cheema	3162.68

Ms. Reichart made the motion to approve the vouchers. Motion seconded by Mr. Cooper. Discussion on the motion: The Board discussed the two additional vouchers that were received this week. In a roll call vote, all were in favor.

**ADJOURNMENT:** In a motion made and seconded, the meeting was adjourned at 9:30 p.m. In a voice vote all were in favor.

Respectfully Submitted:

Alfia Schemm  
Board Secretary  
4/13/18