

Call to Order:

The meeting was called to order at 7:00 p.m. by Chairman McLaughlin who read the following statement: “Notice of this meeting was given as required by the Open Public Meetings Act in the Annual Notice of Meetings. This notice was sent in writing to the South Jersey Times on January 17, 2013. A copy was posted on the second floor bulletin board of Town Hall and a copy was given to the Township Clerk. In addition, notice for this evening’s public hearing was sent to the South Jersey Times by the applicant’s attorney.”

The Board saluted the flag.

Roll call: Present – Mr. Carney, Mr. Fitzgerald, Mr. Fritz, Mr. Manfredi, Mr. Salvadori, Ms. Hui, Mr. Kozak, Mr. McLaughlin. Absent – Mr. Price (excused). Also present – Mr. Marmero, Solicitor, Mr. Kernan, Planner, Mr. Sander, Engineer, Mr. Caligiuri, Council Liaison.

Public Hearing:

1. #461-SP – Black Horse Pike & Washington, LLC – Preliminary & Final Major Site Plan

Present – Damien Del Duca, applicant’s attorney, John Pettit, applicant’s engineer, Jaime Lara, Advanced Auto.

Member’s packets contained: 1. Report dated October 22, 2013 prepared by Martin Sander. 2. Report dated October 7, 2013 prepared by Martin Sander. 3. Report dated October 24, 2013 prepared by Pam Pellegrini. 4. A copy of the applicant’s proposed site plan.

The applicant proposes to construct a 6,900 square foot Advanced Auto retail store and associated site improvements. Access drives are proposed from both the Black Horse Pike and Washington Avenue. There is a conservation easement on the site and the existing paper street, Monroe Avenue, will have to be vacated. The applicant was granted a use variance on July 10, 2012 permitting this use on this site, known as Block 3101, Lots 2 & 3, located in the RG-30 and RG-40 Zones.

Public Hearing: (continued)

1. #461-SP – Black Horse Pike & Washington, LLC (continued)

Mr. McLaughlin asked Mrs. Farrell if the application contained the necessary information to be deemed complete. Mrs. Farrell stated that the applicant is requesting several submission waivers. Mr. Sander commented that the following submission waivers must be granted by the Board in order to deem the application complete; the first is from providing the contours two hundred feet beyond the property line, the second is from providing contours beyond the paved portion of the tract, the third is from providing the location of all existing lights, signs, and driveways within one hundred feet of the property, and from providing a written description of the proposed operations of the building. Mr. Sander stated that he did not have any problem with the Board granting the waivers with the exception of the applicant providing the written description of the operations of the building including the number of employees, the hours of operation, etc.

Mr. Del Duca stated that they would provide a written description of the operation of the building as a condition of approval. He noted that they gave testimony as to the operation of the building when they appeared before the Board for the use variance and those are stated in the resolution of approval. He stated they will confirm those statements this evening and provide it in a written form as well. Mr. Marmero reviewed the three submission waivers for the Board. Motion by Mr. Salvadori, seconded by Mr. Fitzgerald to grant the submission waivers and deem application #461-SP complete. Roll call vote: Ayes – Mr. Salvadori, Mr. Fitzgerald, Mr. Carney. Nays – Mr. Fritz, Mr. Manfredi, Ms. Hui, Mr. McLaughlin. Abstentions – Zero. 3 ayes, 4 nays, motion failed.

Mr. Del Duca asked if they could present some testimony with regard to the waiver request for the Board's consideration. Mr. McLaughlin asked the Board and stated that he would accept testimony with regard to the waiver request. Mr. Pettit was sworn in by Mr. Marmero. Mr. Pettit displayed an existing conditions aerial photograph for the Board which was marked as Exhibit A-1. He stated the aerial shows the boundaries of the site in question and the surrounding area. He also displayed the same aerial photograph but with a superimposed image of the proposed Advanced Auto building which was marked as Exhibit A-2. Mr. Pettit testified that they have submitted a survey of the property which shows all the contours and grading and felt that that information was sufficient for the Board's review. They are not doing anything beyond the site; all development is taking place on the site which is the reason they did not feel it was necessary to provide the contours beyond the site limits. The same reasons are true for providing the surrounding lighting, signs, and driveways offsite.

Public Hearing: (continued)

1. #461-SP – Black Horse Pike & Washington, LLC (continued)

With regard to the written description of the operations of the building, Mr. Del Duca stated that they would seek a temporary waiver from that requirement as they will submit those as a condition of approval. In addition, Mr. Lara is present to reaffirm those operations that were provided at the use variance. Mr. Marmero stated that based on the testimony with regard to the waiver request the Board can make another motion to deem the application complete. Motion by Mr. Salvadori, seconded by Mr. Fitzgerald to grant the waivers and deem application #461-SP complete. Roll call vote: Ayes – Mr. Salvadori, Mr. Fitzgerald, Mr. Carney, Mr. McLaughlin. Nays – Mr. Fritz, Mr. Manfredi, Ms. Hui. Abstentions – Zero. 4 ayes, 3 nays, motion passed.

Mr. Del Duca stated that they were before the Board in July of 2012 and the applicant was granted use variance approval. The property is located in the RG-30 and RG-40 Zones. Due to the properties being located in these zones, they have noticed for a variance with regard to maximum impervious coverage; however Ms. Pellegrini's report indicates that because this is a commercial use and the use variance was granted, the standards for the RG-C zone should apply which would alleviate the need for the variance. In the RG-30 zone, twenty percent impervious coverage is permitted; they are requesting twenty-seven percent. In the RG-40 zone thirty-five percent is permitted and they are proposing just over thirty-five percent impervious coverage. The combined impervious coverage overall being proposed is just over thirty-one percent. The RG-C zone permits a maximum impervious coverage of seventy percent. The applicant complies with all of the other bulk requirements regardless of the zone standards used. They do require and are requesting several waivers; the first for the number of parking spaces, the ordinance requires forty-six parking spaces and the applicant is proposing thirty-nine spaces, in addition, the ordinance states the size of the parking spaces should be ten by twenty; however it allows the size to be reduced to nine by eighteen. There is a paper street, Monroe Avenue, which will need to be vacated by town council; that of course will be a condition of approval.

Mr. Pettit testified as to his credentials as a licensed professional engineer and planner. He gave a brief overview of the existing conditions and the surrounding area. Mr. Pettit identified the area of proposed development on the first exhibit as well as the surrounding properties and the Black Horse Pike. He displayed a presentation plan depicting the layout of the site plan and other features of the proposal which was marked as Exhibit A-3. The layout is almost identical to the one presented at the use variance.

Public Hearing: (continued)

1. #461-SP – Black Horse Pike & Washington, LLC (continued)

With regard to the parking spaces, the spaces in front of the building will all be ten by twenty; the other regular parking spaces are being requested to be reduced to the nine by eighteen. There is extensive landscaping being proposed around the perimeter of the site, they do maintain the required twenty-five foot buffer. The light standards are proposed at sixteen feet and will meet the required illumination. There are three stormwater basins proposed on the one acre site due to Pinelands requirements. They originally submitted the plan with one infiltration basin to the right of the building which would discharge into the existing wetlands; however the Pinelands wanted the infiltration spread across the site. They added two shallow basins in order to comply with the Pinelands requirements. The property owner of Lot 4 was concerned about part of one of the basins being located next to his property in the buffer. They spoke with the Pinelands and they are permitted to eliminate the “finger” of that proposed basin which runs along the property line in the buffer with Lot 4 so that the basin will be located just along Washington Avenue. If the plan is approved they will revise the plan and resubmit the plan to the Pinelands with the change to that basin and buffer area.

Delivery vehicles and trash removal vehicles will enter and exit the site from the Black Horse Pike access drives. Mr. Lara will testify that deliveries usually occur once or twice a week during off peak hours. No delivery vehicles or trash removal vehicles will be permitted to enter or exit the site via Washington Avenue. Mr. Kozak asked how they would be stopped from entering or exiting on Washington Avenue. Mr. Del Duca replied that the delivery trucks come from the company and they will be informed that they must adhere to those requirements when entering and exiting the site. The same will apply to the trash removal company used to remove trash from the site. Mr. Caligiuri inquired as to the distance of the basin next to Lot 4. Mr. Pettit stated that the basin is within the twenty-five foot buffer and is approximately eighteen inches deep. Mr. Caligiuri commented that he didn't see the need for that particular basin to extend along the property line with Lot 4 since there seemed to be adequate basin space to infiltrate the site. Mr. Pettit agreed and stated that he did say they spoke to the Pinelands with regard to that basin and they are permitted to remove the portion of the basin along that property line within the buffer and they will revise the plans and resubmit to the Pinelands. There are two pylon signs being proposed, one at Washington Avenue and one at the Black Horse Pike, they both conform to the ordinance; they are twenty foot high with the sign area being forty-eight square feet. One façade sign is proposed; that sign being one hundred square feet which conforms to the ordinance as well. All of the signs are internally illuminated.

Public Hearing: (continued)

1. #461-SP – Black Horse Pike & Washington, LLC (continued)

There were design waivers being requested for the plantings in the buffer; however now that they are pulling part of that basin out of the buffer, they should be able to comply with the required plantings within the buffer and they will work with the Board's planner as to that issue. A waiver is being requested from providing sidewalk along both the Black Horse Pike and Washington Avenue since there aren't any sidewalks in the area and they would not connect to anything. A waiver is required from identifying all trees greater than five inches in diameter on the site. They do show the limits of clearing and the silt fence and they will try to maintain as many of the existing trees as possible. The final design waiver is from providing compensatory plantings.

Mr. Del Duca asked Mr. Pettit to discuss the conservation easement. Mr. Pettit replied that the conservation easement is in place to protect the existing wetlands; that easement will be recorded. The site does require NJDOT approval and a copy of that approval will be submitted to the Board. Mr. Kozak asked if the one pylon sign at the Washington Avenue location could be eliminated since that is the residential area and there wouldn't be any impact from the sign. Ms. Hui expressed her concern with regard to the close proximity of the access drive to the Washington Avenue intersection. Mr. Del Duca stated that this is an unusual lot configuration since they do not own the property on the corner. There are corner clearance requirements they must meet with the NJDOT and they do comply with those requirements. Mr. Pettit stated that it is approximately two hundred and twenty feet to the corner from the center of their driveway. Mr. Fritz asked if the proposed signs will be changeable copy signs or will they be proposed as changeable copy in the future. Mr. Pettit stated that they are not proposed as changeable copy signs; the signs will be internally illuminated.

Mr. Lara was sworn in by Mr. Marmero. He stated that he is the real estate manager for Advanced Auto and largely responsible for site selection. This site will be a typical Advanced Auto store similar to those in other locations in New Jersey. The hours of operation will be Monday through Saturday from 7:00 a.m. to 9 p.m. and Sunday from 9:00 a.m. to 7:00 p.m. There will be eight to ten employees working per shift with a total of about fourteen employees. Deliveries generally take place once or twice a week during off peak hours. Deliveries are made by tractor trailer. No auto repairs are offered at this location. They do some complimentary services such as changing wiper blades or batteries. They do recycle motor oil at no charge and all the oil is contained in EPA approved tanks above ground inside the store and removed by a certified recycler.

Public Hearing: (continued)

1. #461-SP – Black Horse Pike & Washington, LLC (continued)

When they sell a battery, they do require that the old battery be returned. There is a core charge that is returned to the customer when a battery is returned and properly recycled. With regard to the number of parking spaces, thirty-nine parking spaces are proposed. Mr. Lara testified that there are more than enough parking spaces for a typical Advanced Auto store. They typically only require about twenty-eight spaces. He also stated that the reduced size of the parking spaces to nine by eighteen is an adequate size for the needs of Advanced Auto.

Ms. Hui asked why the applicant is requesting the waiver for sidewalk along Washington Avenue and the Black Horse Pike. Mr. Del Duca replied that they thought it would be impractical to provide sidewalks at this location since there aren't any sidewalks in the area and nothing to connect them to. He also stated that they do not own the corner property at the Black Horse Pike so the sidewalk would not extend across that property. Ms. Hui stated that she thought the sidewalk along Washington Avenue would be practical since it's a residential area and there might be some residents that would walk to the store. Mr. Lara replied that most people will drive to the store especially if they need a part for their car so they can have the car there for reference of the parts needed. Ms. Hui restated that she thought there should be sidewalk on Washington Avenue and that is was okay that it did not go all the way to the Black Horse Pike since they did want to encourage people to walk on the pike. Mr. Kozak asked Mr. Lara if it was possible to eliminate the sign at the Washington Avenue entrance. Mr. Lara stated he would have to check with the corporate office but thought it might be possible. He asked if they would possibly scale the size of the sign down on Washington Avenue. Mr. Del Duca suggested a monument sign instead of a twenty foot high pylon sign. The Board was in agreement with that suggestion.

Mr. Kernan reviewed his report for the Board. He stated the applicant has reaffirmed their testimony from the use variance with regard to the operation of the auto parts store. He asked if the area where battery changes take place could be on the side of the building instead of the front of the building if the Board was in agreement with that suggestion. Mr. Lara testified that they could designate the side parking area for battery changes. Mr. Kernan stated that they did look at it as a commercial use and used the RG-C requirements with regard to the lot coverage; however just to cover all bases the variances should be granted for impervious lot coverage using the existing zoning.

Public Hearing: (continued)

1. #461-SP – Black Horse Pike & Washington, LLC (continued)

There has been discussion about the sidewalk and Mr. Kernan stated he would leave it to the Board as to which frontages if any should have sidewalk; however if sidewalk is not provided there should be a sidewalk donation in lieu of the construction of sidewalk which is in the code. A waiver is being requested to allow a reduction in the number of parking spaces; Mr. Kernan stated he was satisfied that there are more than enough parking spaces for this use. The reduction in size of some of the spaces is also acceptable.

With regard to the buffer, Mr. Kernan's report indicates what the composition of the buffer should be in accordance with the ordinance. The plan as presented does not conform to the ordinance for buffer plantings; however Mr. Pettit did testify that they will be removing a portion of the basin from the buffer so they should be able to comply. He did not recommend the waiver from that requirement. Mr. Kernan agreed that a smaller monument sign at the Washington Avenue entrance is more suitable to the area. He asked Mr. Pettit to revise the plan with regard to the façade signage and clarify the size of the proposed sign. Mr. Kernan supported the waiver request with regard to identifying all the trees five inches in diameter or more since the Pinelands is making them go above and beyond for their stormwater management areas so that more area is needed to be cleared. Mr. Kernan stated that if they clear beyond the limits proposed on the plan the applicant will incur a penalty. That will be monitored and inspected by the Township engineer. The applicant has agreed to comply with the other minor comments under general comments. With regard to the COAH fee, Mr. Del Duca indicated that they will comply with whatever the State law is at the time of requesting permits. Mr. Kozak commented that there is a large tree on the corner of Washington Avenue, he wasn't sure if it was on the applicant's property or the MMUA's property, and he wondered if they would keep that tree. Mr. Del Duca thought it looked like it was partially on their property but it was hard to tell. Mr. Kernan also stated that fencing should be provided along the property line with Lot 4; he suggested a split rail fence. The applicant agreed to that suggestion.

With regard to sidewalk, Mr. Fritz asked what the designation of Sidewalk Area 1 meant in Mr. Kernan's report. Mr. Kernan replied that area one is a higher priority area for sidewalk and fee is greater as well. Mr. Marmero stated that he has the information on the sidewalk areas and the fees associated; Sidewalk Area 1 would require a \$20.00 per linear foot donation if the sidewalk is waived. Mr. Marmero stated that the Board's options are to require the sidewalk, waive the requirement of sidewalk, or allow them to make a contribution in lieu of providing the sidewalk.

Public Hearing: (continued)

1. #461-SP – Black Horse Pike & Washington, LLC (continued)

Mr. Fritz stated he thought sidewalk should be provided along Washington Avenue. Mr. McLaughlin commented that there isn't any sidewalk to connect it to. Mr. Manfredi stated that there is sidewalk out there or there was, it's just covered up. Ms. Hui suggested that the sidewalk could be constructed along the Washington Avenue frontage up to the driveway and turn into the site to connect to their pavement at the front of the store and not extend the sidewalk on the other side of the driveway since it will not connect to anything. Mr. Del Duca stated that they are in agreement to install the sidewalk along Washington Avenue and into their site and then waiving the contribution for the balance. The Board felt the contribution would be required in lieu of providing the sidewalk along the Black Horse Pike. Mr. Kernan stated that the contribution for the frontage along the Black Horse Pike would be approximately \$3,080.00; he did not feel that a contribution would be necessary for the area on the other side of the access drive on Washington Avenue since they agreed to extend the sidewalk onto their site which is probably a greater area than the remainder on the other side of the driveway. Mr. Manfredi commented that if the MMUA puts sidewalk on their piece of property on the corner then there will be a gap if they don't provide sidewalk on the other side of their driveway. Mr. Sander commented that there was a reasonable trade off for the applicant to bring the sidewalk into their property as opposed to extending on the other side of the driveway. He asked if the MMUA is going to put sidewalk on the corner. Mr. Manfredi stated they might and somebody might want to get the bus there on the corner. Mrs. Farrell stated that she thought the State owned that property. Mr. Del Duca stated that it was given to the MMUA by the State but the State has reversionary rights to the property. He commented that the applicant will comply with whatever the Board wants with regard to the sidewalk. The Board stated that they wanted the applicant to install sidewalk along all of his property on Washington Avenue and make the contribution in lieu of sidewalk for the Black Horse Pike frontage; as a result the sidewalk will not extend into the site.

Mr. Sander reviewed his report for the Board. He stated that Monroe Avenue must be vacated by Council as a condition of approval. He stated that based on the minutes from the use variance, the applicant's engineer agreed to provide a traffic impact report to address the concerns of the Board with regard to truck circulation and deliveries. Mr. Del Duca stated that the resolution of approval for the use variance does not indicate that such a report was required with the site plan application. Mr. Sander also asked the applicant to address his concerns with regard to the maneuvering throughout the site by the trash trucks and tractor trailers.

Public Hearing: (continued)

1. #461-SP – Black Horse Pike & Washington, LLC (continued)

Mr. Pettit testified that they did submit the traffic information to the NJDOT and that he would provide a copy of that submission to the Board if necessary. Mr. Del Duca commented that they did not believe an additional traffic impact report is necessary. Mr. Sander commented that the concern was the maneuverability on the site with regard to the delivery vehicles and trash removal vehicles. Mr. Del Duca stated that that information is not contained in a traffic impact report but that Mr. Pettit can address those issues.

Mr. Pettit stated that they did submit a truck circulation plan as part of the submission of plans to the Board's professionals. Mr. Sander stated that the trucks have to back up quite a distance on the site in order to maneuver out of the site, he expressed his concern especially with the parking spaces located on the side of the building. Mr. Pettit stated that in addition to submission to the NJDOT and the Board, they also submitted the plan to the corporate office for Advanced Auto and they did not feel the truck circulation was an issue since there would only be one or two deliveries a week during off peak hours. Mr. Sander asked if that pertained to the trash pick-up too. Mr. Pettit stated that trash removal will occur a couple of times a week as well and during off peak hours. Mr. Sander stated that there is a certification that must be added to the Phase I Environmental Site Assessment report that was not included as per the ordinance. Mr. Del Duca stated that they will get that certification from the consultant that prepared the report as a condition of approval. Mr. Sander indicated that the applicant must provide an annual maintenance plan to the Township prior to April 15th of each year and agreement to provide that submission should be a condition of site plan approval. A rodent control plan must be provided and the building footprint must be corrected on the architectural plans to agree with the site plan. Mr. Pettit agreed to provide the rodent control plan and make the noted correction to the building footprint.

Mr. Sander commented that there isn't a loading area depicted on the plan. Mr. Lara stated that unloading of the delivery truck is done with a pallet jack and takes about an hour to an hour and half; there isn't any loading by hand from the truck. The door will be shown on the revised plan. The applicant agreed to the other minor comments in Mr. Sander reports including the posting of bonding and inspection escrows and outside agency approvals.

Motion passed to open the hearing to the public. There being none, motion passed to close the hearing to the public.

Public Hearing: (continued)

1. #461-SP – Black Horse Pike & Washington, LLC (continued)

Mr. Del Duca asked if the applicant has the option to install the sidewalk along the Black Horse Pike or make the contribution. Mrs. Farrell stated that the applicant should decide that issue this evening. Mr. Kozak commented that the Board would prefer the contribution. It was noted that the applicant has the option to install the sidewalk if they choose. Mr. Del Duca indicated that the revised plans would reflect the applicant's decision with regard to the sidewalk on the Black Horse Pike.

Mr. Marmero reviewed the variances, waivers, and conditions of approval set forth by the professional's reports and as discussed and agreed to at the hearing. Motion by Mr. Carney, seconded by Ms. Hui to grant the applicant preliminary and final site plan approval along with the required variances and waivers subject to the conditions stated on the record and listed in the professionals reports and the submission of revised plans in accordance with those conditions. Roll call vote: Ayes – Mr. Carney, Ms. Hui, Mr. Fitzgerald, Mr. Fritz, Mr. Manfredi, Mr. Salvadori, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

The Board took a brief recess.

Discussion:

1. #13-20 – Salvatore Nardello – Interpretation

Present – Salvatore Nardello, applicant.

Member's packets contained: 1. A copy of the applicant's application for interpretation including paperwork from the machine shop that was in operation in this building up to 2007. 2. A copy of Resolution 80-19 for the original use variance granted to the owner at the time for the machine shop. 3. A copy of the tax map showing the lot in question, a survey, and photographs of the property.

Mr. Nardello was sworn in by Mr. Marmero. Mr. McLaughlin asked Mr. Nardello to explain his request to the Board.

Discussion: (continued)

1. #13-20 – Salvatore Nardello (continued)

Mr. Nardello replied that his request is to the determination of the property being grandfathered with regard to the use of the property for a machine shop. The building was built in 1965 and used for a machine shop. Mr. Nardello purchased the property in 1991 and his son ran the machine shop up to 2007 when he closed the business. He was prepared to sell the building to a buyer who intended to continue the use but the financing for the buyer fell through due to the housing crisis. The building has been vacant ever since. He has someone who is interested in leasing the building and using it for a machine shop; however the zoning of the property has changed since the time he purchased the property, a fact he was unaware of until he inquired about reopening the building. The zoning used to be R-10S/light industrial and has since changed to a RD-A zone.

Mr. McLaughlin asked if there had been some sort of fire on that property. Mr. Nardello stated that there used to be a house on the property as well, but the house burned down and the former owners rebuilt a house directly behind the property on another lot. Mr. Manfredi commented that the building has been used as a machine shop for as long as he has lived in Williamstown. Mr. Marmero stated that the only issue would be is to whether or not the use was abandoned. He commented on the law and the definition of abandonment which is an intention to abandon and/or an overt act or failure to act which carries a sufficient implication that the owner does not plan or does not retain interest in the subject matter of the abandonment. In this case the applicant has testified that there was never any intent to abandon and gave testimony as to the reason why it has been closed for six years. There has never been a change of use; the building has just been vacant. Mr. Marmero advised the Board that he did not see this as a case of abandonment or the intent to abandon and he would not have a problem from a legal standpoint with the Board allowing the applicant to continue the use as a machine shop.

Motion by Mr. Salvadori, seconded by Mr. Fritz to allow the use to continue as a machine shop. Roll call vote: Ayes – Mr. Salvadori, Mr. Fritz, Mr. Carney, Mr. Fitzgerald, Mr. Manfredi, Ms. Hui, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

2. #09-02 – Christopher Fazio/Jason Giloley – Use Variance Extension

Member's packets contained: 1. Letter dated October 31, 2013 prepared by Christopher Fazio.

Discussion: (continued)

Mr. Marmero stated that this is the standard letter the Board has been getting every year from Mr. Fazzio with regard to the use of property for the storage of materials and his request for another extension. Mr. Marmero commented that he discussed this letter with Mrs. Farrell today and they are not going to require any action on this matter this evening. After further investigation, Mr. Marmero concluded that the applicant must provide public notice for this extension because they are seeking to modify the conditions of the use variance; essentially the set period of time placed on the applicant by the Board. Mrs. Farrell explained that the applicant cannot be heard until the December 17, 2013 meeting since he has to send public notice. Mr. McLaughlin asked when the extension expires for this year. Mrs. Farrell stated that the extension expires sometime this week of November. Mr. Fritz commented that the applicant brought in truck loads of pipe to the new site a few weeks ago while he hasn't cleaned the stuff off of the old site. Mrs. Farrell stated that she will contact Mr. Fazzio to see if he is available to come to the December 17, 2013 meeting.

Public Portion:

Motion passed to open the meeting to the public. There being none, motion passed to close the meeting to the public.

Reports:

1. Mrs. Farrell stated that the next meeting is scheduled for December 3, 2013. She informed the Board members that there is a use variance scheduled for that meeting and asked that the members please try to be present. She explained that the applicant is asking for a site plan waiver in conjunction with their use variance application. The Board will have to make the determination at the time of the use variance whether or not they want a site plan or will accept the site plan waiver. There was further discussion on site plan waivers by the Board.

2. Mr. Kozak asked whether or not the prior applicant for the Advanced Auto would be required to install curbing as well as the sidewalk. He didn't think curbing was mentioned by anyone. Mrs. Farrell commented that she didn't think the ordinance requires curbing just sidewalk. Mr. Manfredi commented that the applicant should be required to install the curbing as well because that is how it gets done; the developer has to do it. Mr. Kernan commented that Mr. Sander can ask where the curbing is when they submit their revised plans. Mr. Sander stated that he could ask about the curbing but the applicant might say they are not required to install the curbing. Mr. Kozak stated that he was just curious as to why it wasn't brought up at the hearing.

Approval of Minutes:

1. 10/15/13 regular meeting.

Motion by Mr. Salvadori, seconded by Mr. Fritz to approve the minutes from the October 15, 2013 regular meeting. Voice vote; all ayes, motion passed.

Adjournment:

The meeting was adjourned at 8:40 p.m.

These minutes are an extract from the meeting that was held on the above date and are not a verbatim account or to be construed as an official transcript of the proceedings. The tape of the meeting is stored in the office of the Board.

Ninette Orbaczewski
Clerk Transcriber