

Call to Order:

The regular meeting of the Monroe Township Planning Board was called to order at 7:00 p.m. by Chairman O'Brien. The Board saluted the flag. Roll call was as follows:

Present – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Mr. Cotton, Mr. O'Brien. Absent – Ms. Hui, (excused), Mr. Kernan, (excused), Mr. Jordan, (excused). Also present – Mr. Rocco, Solicitor.

Proper notice of this meeting was given as required by the Open Public Meetings Act on January 8, 2016.

Chairman O'Brien read the following statement: "Be advised, no new item of business will be started after 10:30 p.m. and the meeting shall terminate no later than 11:00 p.m."

Memorialization of Resolutions:

1. PB-29-16 – App. #WSP-14-16 – Mini, LP – Site Plan Waiver Approved

Motion by Mr. Agnesino, seconded by Mr. Cotton to adopt resolution PB-29-16. Roll call vote: Mr. Agnesino, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Teefy, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

2. PB-30-16 – App. #WSP-15-16 – Thanh Vu – Site Plan Waiver Approved

Motion by Mr. Agnesino, seconded by Mr. Masterson to adopt resolution PB-30-16. Roll call vote: Ayes – Mr. Agnesino, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Teefy, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

3. PB-31-16 – App. #WSP-18-16 – Kimberly Sacco – Site Plan Waiver Approved

Motion by Mr. Agnesino, seconded by Mr. Crane to adopt resolution PB-31-16. Roll call vote: Ayes – Mr. Agnesino, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Teefy, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

4. PB-32-16 – App. #WSP-10-16 – 4644 Black Horse Pike, LLC – Site Plan Waiver Approved

Motion by Mr. Agnesino, seconded by Mr. Masterson to adopt resolution PB-32-16. Roll call vote: Ayes – Mr. Agnesino, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Teefy, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

5. PB-33-16 – App. #1734 - HRTJ, LLC – One Year Extension Approved

Motion by Mr. Agnesino, seconded by Mr. Masterson to adopt resolution PB-33-16. Roll call vote: Ayes – Mr. Agnesino, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Teefy, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

6. PB-34-16 – App. #1739 – 110 Whitehall, LLC – One Year Extension Approved

Motion by Mr. Agnesino, seconded by Mr. Masterson to adopt resolution PB-34-16. Roll call vote: Ayes – Mr. Agnesino, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Teefy, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Site Plan Waivers for Board Action:

1. #WSP-16-16 – Amos Stoltzfus, (Amish Farmer's Market) – Site Plan Waiver

Present – Amos Stoltzfus, applicant, Len Schwartz, applicant's attorney.

Member's packets contained: 1. A copy of the applicant's site plan waiver application and plot plan of the property. 2. Letter dated March 28, 2016 prepared by Rosemary Flaherty, Zoning Officer.

Site Plan Waivers: (continued)

1. #WSP-16-16 – Amos Stoltzfus (continued)

The applicant is proposing to relocate two existing retail shops into different units within the Farmer's Market building as well as installing a dividing wall in Suite 10. The property is located at 701 N. Black Horse Pike, also known as Block 1702, Lots 1 & 2 in the Commercial Zoning District.

Mr. Schwartz introduced himself as the applicant's attorney. Mr. Stoltzfus was sworn in by Mr. Rocco. Mr. Schwartz stated that within the Farmer's Market building there are at times the moving of walls and/or the change of occupants which require zoning permits. He stated that he did discuss the site plan waiver issue with Ms. Flaherty, the Zoning Officer, with regard to changes within the Farmer's Market. They agreed that as long as the space was going from retail to retail and not retail to restaurant or some other more intense use and as long as the footprint of the building is staying the same and no additional parking is required, then the applicant will just need a zoning permit and not a site plan waiver. He asked that the language be included in the resolution for this application. Ms. Flaherty agreed and stated that the Farmer's Market operates more like a flex space retail center so as long as the space is going from retail to retail and not retail to restaurant or any other more intense use, a zoning permit is all that will be required. Ms. Flaherty stated that applicant agreed to remove all illegal signage and banners from the site. Ms. Flaherty stated that she did notice the tractor trailer was in the right-of-way and remained there for quite some time and asked Mr. Stoltzfus to remind the operator to not extend out into the right-of-way on Marsha Avenue. Mr. Stoltzfuz agreed to this request.

Mr. Rocco reviewed the conditions for the Board. Motion by Mr. Crane, seconded by Mr. Scardino to grant the site plan waiver. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

2. #WSP-17-16 – H & M Development, LLC – Site Plan Waiver

Present – Christine Haugh, applicant, Charles Haugh, applicant, Len Schwartz, applicant's attorney.

Member's packets contained: 1. A copy of the applicant's site plan waiver application, property survey, and photographs. 2. Report dated March 28, 2016 prepared by Rosemary Flaherty, Zoning Officer.

The applicant is requesting a site plan waiver in order to be able to continue the accessory use of the U-Haul business at the property. The property is located at 640 N. Black Horse Pike, also known as Block 1603, Lot 45 in the Commercial Zoning District.

Mr. Schwartz introduced himself as the applicant's attorney. Ms. Haugh was sworn in by Mr. Rocco. Mr. Schwartz stated that the U-Haul business is an accessory use to the self-storage business located on the property known as Monroe Self-Storage which is on the Black Horse Pike and Hoffman Avenue. The U-Haul business has been located there since 2006 or 2007. There is a separate building located on the property as well with its own parking area. That building used to be a lab at one time and has been rented separately to different businesses over the years. Currently the building is not occupied. Ms. Haugh stated that there may be six or seven customers that come to the self-storage site on a daily basis, definitely no more than ten in one day. She commented that they have six U-Haul trucks in rotation for local use; two cargo vans, three ten foot trucks, and one fifteen foot truck. U-Haul will drop off different trucks of different sizes based on a customer's needs or reservation. Sometimes they don't have any trucks parked at the site and sometimes they may have up to twelve trucks; it changes on a daily basis. U-Haul can drop off trucks up to twenty-six feet long.

Site Plan Waivers: (continued)

2. #WSP-17-16 – H & M Development, LLC (continued)

Mr. Crane commented that he drove past the site earlier in the day and noticed that there is a sign and banners on the property. He asked if they are part of the application. Ms. Haugh replied that the sign is on their property but it's not part of their application. She displayed photographs of the sign that is actually advertising the karate school which is located further back on Hoffman Avenue. Mr. Schwartz replied that Mr. Crane is referring to the Garaguso Karate sign that is on the corner of the Black Horse Pike and Hoffman Avenue, which is cemented in and electrified.

Mr. Schwartz stated that there are also banner signs that are out along the property that are illegal. His client has been trying to get a resolution to this issue for quite some time with the previous Zoning Officer because there was never any approvals granted for the sign. He stated that his client has no objection to the resolution stating that the sign must be removed. Ms. Flaherty stated that she did speak to Mr. Garaguso and he stated that his landlord allowed him to have the sign and that he did receive a permit for the sign. She did tell him that the banners must be removed. Ms. Flaherty stated that she believes the issue of the sign being on someone else's property is a civil matter. Mr. Rocco asked whose property the sign is on. Mr. Schwartz stated that the sign is on the Haugh's property. Mr. Haugh was sworn in by Mr. Rocco. Mr. Haugh stated that this issue has been going on for eight years and this is the fifth sign that's been erected. He has removed the others but now this one has been cemented in. Mr. Haugh stated he has called the police, written letters, and he has been to the Zoning Office many times to speak to Mr. Weikel. Mr. Rocco stated that he didn't know what the Board can do about it. Mr. Schwartz stated that it's an illegal sign and it's in the sight triangle.

Ms. Flaherty restated she thought the issue was a civil matter because if she were to cite anyone she would have to cite the property owner for an illegal sign. Mr. Haugh commented that if he put a sign on someone else's property the property owner would get cited and not him; he stated that he could do that all over town then as free advertising. Ms. Flaherty stated that she did speak with Mr. Garaguso who told her he had permission to have the sign. She suggested the Haugh's have their attorney tell Mr. Garaguso he has to remove the sign because she can't give them permission to remove the sign. Mr. Schwartz stated that it is an illegal sign and Ms. Flaherty has been going around town and notifying other property owners to remove all illegal signs and banners. If they are here because of the U-Haul business then she should also be citing his client for the illegal sign and have him remove it. Ms. Flaherty stated Mr. Garaguso was cited for the banners but he also stated that he has a permit for the sign. Mr. Schwartz stated that if he has a permit the Haugh's would have had to give their permission and they have not ever done so. He stated that they are asking as part of the resolution to require the removal of the sign. Ms. Flaherty stated she can't do that. Mr. Rocco replied that it can be done. There was further discussion on whether Mr. Garaguso received a permit or not and if the sign is actually on the Haugh's property. Mr. Rocco stated that the resolution will state that if the sign is illegal or does not have a permit the applicant will have to remove it. Mr. Schwartz stated that was fine but it should also include the banners. Mr. Teefy asked if there is a permit for the sign in the zoning files. Ms. Flaherty stated that she did not find a permit in the files but a survey should be done to show the sign is actually on the Haugh's property. Mr. Rocco stated that the Board's jurisdiction is that there is an illegal sign and since the applicant is before the Board for another issue, then they can tell him to remove the sign. Mr. Schwartz stated that a survey was submitted with the application and the applicant's property does go out to Hoffman Avenue and the sign is clearly on their property.

Mr. Rocco reviewed the conditions for the Board. He stated that the applicant is before the Board for approval of the accessory U-Haul business. To the extent that the Garaguso Karate sign is on the applicant's property and does not have a legal permit then the applicant has to remove the sign as well as any banners. Motion by Mr. Masterson, seconded by Mr. Agnesino to approve the site plan waiver with the conditions stated. Mr. Cooper asked if Ms. Flaherty had any issues listed in her letter. Ms. Flaherty inquired about the existing brick building at the front of the site.

Site Plan Waivers: (continued)

2. #WSP-17-16 – H & M Development, LLC (continued)

Ms. Haugh stated that they have leased that building to various businesses over the years but it is vacant right now. Ms. Flaherty commented that any use of that building may require a use variance. Mr. Schwartz stated that the building has existed there for many years. Ms. Farrell stated that the site did previously receive a use variance and the use of the building was discussed but she does not remember what was discussed or permitted with the use of that building. She indicated that if they are going to lease it the Zoning Officer will have to look at the past approvals. Mr. Caligiuri asked if the applicant's reported the illegal sign to the police. The applicant's stated that they did call the police department, sent many letters, and spoke to the Zoning Officer. Ms. Flaherty stated that the applicant's must submit a zoning application for the U-Haul signs and obtain a permit. She also inquired about a dumpster. Mr. Haugh stated they only have two employees and the people who use the self-storage units must remove their own trash. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

3. #WSP-19-16 – Rinh Kim (T & T Nail Salon) – Site Plan Waiver

Present – Robert Marks, property owner, Rinh Kim, applicant, Kader Benabbed, applicant's associate.

Member's packets contained: 1. A copy of the applicant's site plan waiver application, survey, and photographs of the site. 2. Letter dated March 28, 2016 prepared by Rosemary Flaherty, Zoning Officer.

The applicant is before the Board for a site plan waiver approval in order to be allowed to utilize a unit in the Trader's Lane shopping center for a nail salon. This unit has been a nail salon and Mr. Kim is taking over the business. The property is located at 1951 Black Horse Pike, also known as Block 201, Lot 51 in the Commercial Zoning District.

Mr. Benabbed spoke for Mr. Kim and testified that the salon is offering the same services as it always has; manicures, pedicures, and waxing. They are not doing anything different than before. The signage is not changing and the name is staying the same. Mr. O'Brien stated that Ms. Flaherty issued a letter and asked if there were any problems with the comments in the letter. Mr. Benabbed stated that Mr. Kim cannot submit the State license until they actually have a Certificate of Occupancy. Ms. Flaherty stated that she will provide a letter to them which should be okay for the State to issue the license. Once they receive the license a copy should be submitted to the Zoning Office. She stated that there isn't any sidewalk in front of the shopping center or landscaping but it's the Board's pleasure how they want to handle those issues. She stated that there is a green tarp attached to the fencing that is coming off in sections. Mr. Agnesino stated that he has seen the pictures Ms. Flaherty has provided with all of the issues however this gentleman is only one tenant; how is it his responsibility to fix the tarp. Mrs. Farrell stated that the owner is present to address the issues in Ms. Flaherty's letter or questions from the Board. Mr. Agnesino stated that it looks like there is mess behind the building. Ms. Flaherty stated the tarp is hanging off of the fence and should be re-tacked. Mr. Marks agreed to fix the tarp. Mr. O'Brien asked if Ms. Flaherty was okay with the other issues on the site. She indicated that the applicant must come back for a zoning permit if they do wish to change the sign or the name of the salon. Motion by Agnesino, seconded by Mr. Crane to grant the site plan waiver approval. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

4. #WSP-22-16 – Briana Bueno Moran (La Bamba) – Site Plan Waiver

Present – Briana Bueno Moran, applicant.

Site Plan Waivers: (continued)

4. #WSP-22-16 – Briana Bueno Moran (continued)

Member's packets contained: 1. A copy of the applicant's site plan waiver application, sample menu, and photographs of the property. 2. Letter dated March 28, 2016 prepared by Rosemary Flaherty, Zoning Officer.

The applicant is proposing to open a grocery and deli in an existing building that was formally used as a grocery and deli. The property is located at 408 N. Main Street, also known as Block 1801, Lot 21 in the R-1 Zoning District.

Ms. Moran was sworn in by Mr. Rocco. Ms. Moran testified that she is proposing to utilize the space for a grocery and deli which is what it was before. She stated that the County Health Department told her that if she wanted to have a couple of tables inside the building she would have to have a clear path to the bathroom facilities for the public. At this time the freezer is in a location that would prohibit them from making a clear path to the bathroom. They cannot afford to do that at this time. Ms. Flaherty asked if the applicant was planning to have a couple of tables outside. Ms. Moran stated that they are planning to have a couple of tables outside in the warmer months. She stated that the concrete outside the building is cracked and not level and asked if she needs a permit in order to remove the existing concrete and put in pavers. Ms. Flaherty indicated that they should discuss that issue before they do anything.

With regard to the trash Ms. Moran stated that she does not need a dumpster but will utilize the existing trash containers. Ms. Flaherty stated that it is the owner's responsibility to remove the phone post that is located in front of the building; she indicated that she would send the owner a letter letting her know she must have it removed. Mr. Teefy asked when the applicant is planning to open. She stated that they hope to be open by April 10th. Ms. Moran stated that there is parking behind the building. There are three apartments and the tenant parking is identified with signage. Ms. Flaherty asked the applicant to remove the lottery signs in the front windows. Ms. Moran stated that they will remove those signs. She inquired as to whether it was necessary to remove the freezer in order to have two tables inside the deli since the previous tenant had tables and the set up inside is the same. Ms. Flaherty replied that Ms. Moran should talk to the construction official about that issue since under the rehab code there are certain things that she must do and there are certain things that are allowed as pre-existing conditions. Mr. Teefy commented that the previous owners did not keep items in the grocery up to date and fresh. Ms. Moran stated that she will keep the bread and eggs and things of that nature fresh. Mr. Teefy stated that she will have a good business there if the quality of merchandise is there. Ms. Flaherty asked the applicant to come into the office the next day so they can get the permit for removing the concrete and installing the pavers; but first she had to check with the County to see what is permitted to be done there since it's a County road. Motion by Mr. Agnesino, seconded by Mr. Crane to grant the site plan waiver. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

5. #WSP-23-16 – Adversary Fitness (Justin Crane) – Site Plan Waiver

Present – Justin Crane, applicant, Len Schwartz, applicant's attorney, Robert Marks, property owner.

Member's packets contained: 1. A copy of the applicant's site plan waiver application. 2. Letter dated March 28, 2016 prepared by Rosemary Flaherty, Zoning Officer.

Mr. Crane stated that he would recuse himself from voting on this application as the applicant is his son Justin. Justin Crane was sworn in by Mr. Rocco. Mr. Schwartz introduced himself as the applicant's attorney. Mr. Crane testified that he would like to occupy one of the buildings located behind the Williamstown Pavilion shopping center for a cross fit gym. The building in question is known as the B building.

Site Plan Waivers: (continued)

5. #WSP-23-16 – Adversary Fitness (continued)

Mr. Crane stated that at this time there will not be any employees but two of the managing members will be working in the gym. With regard to parking, Mr. Crane stated that he did not see any issues with parking as they are offering personalized one on one training so it's not a typical gym. In addition the hours will be from 5:00 a.m. to 10:00 a.m. then 5:00 p.m. to 9:00 p.m. Monday through Friday and Saturdays from 9:00 a.m. to 12:00 p.m. Ms. Flaherty stated that there are some outstanding violations on the property with trailer bodies that one of the tenants is storing on the property, however she and Mr. Marks have spoken about this issue and the tenant will be having them removed. There also is some stockpiling of concrete and shingles in the rear of the property and Mr. Marks has been taking measures to remove them from the site. Motion by Mr. Agnesino, seconded by Ms. Flaherty to grant the site plan waiver. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

6. #WSP-25-16 – Deborah Savigliano/Bianca's Kids – Site Plan Waiver

Present – Deborah Savigliano, applicant.

Member's packets contained: 1. A copy of the applicant's site plan waiver application, survey of the property, and plot plan. 2. Booklet highlighting the mission of Bianca's Kids which is a non-profit organization. 3. Letter dated March 28, 2016 prepared by Rosemary Flaherty, Zoning Officer.

The applicant is proposing to utilize space in an existing building for donations they receive from other businesses and private citizens as well as for fundraising. The building is located at 621 S. Main Street, Unit A, also known as Block 11604, Lot 6 in the RG-TC Zoning District.

Ms. Savigliano was sworn in by Mr. Rocco. Ms. Savigliano stated that Bianca's Kids is a Williamstown based non-profit organization that provides granted wishes and basic needs for foster, needy, and sick children. The above noted location will serve as the headquarters for the organization. There will be an office in the unit as well as the space being utilized for storage and board meetings. Ms. Savigliano stated that they are starting to get a lot of publicity; they have a documentary film coming out and they have received information regarding a potential national show. They really want to bring the spotlight on Williamstown and turn the thirteen thousand children they have already helped into a million. She stated that she is very happy they finally found a space and appreciated everything Ms. Flaherty did to help her. Mr. Teefy stated that Bianca's Kids is having a fundraising event at the VFW on April 9th; he encouraged everyone to purchase a ticket and go out and support this organization. Ms. Flaherty commended Ms. Savigliano on the work that she does and stated that it is an honor to have her and the organization in town. Ms. Savigliano stated that she will utilize the existing sign box and have a slot in the existing monument sign. Motion by Mr. Caligiuri, seconded by Ms. Flaherty to grant the site plan waiver. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Approval of Minutes:

1. 2/25/16 regular meeting.

Motion by Mr. Agnesino, seconded by Ms. Flaherty to approve the minutes from the February 25, 2016 regular meeting. Voice vote; all ayes, motion passed.

2. 3/10/16 regular meeting.

Motion by Mr. Agnesino, seconded by Mr. Crane to approve the minutes from the March 10, 2016 regular meeting. Voice vote; all ayes, motion passed.

Reports:

1. Mr. Teefy stated that there are meetings scheduled for Friday with the developers for Mink Lane. Also included in the Friday meetings now will be Ed Hoff the superintendent for the MMUA which will be good for the MMUA and for the town so that everyone is on the same page with any new proposals coming into the town.

2. Mr. Masterson inquired about the proposed brewery. Ms. Flaherty stated that the couple who want to start the brewery are in discussions with the property owner of the old Penn Jersey building.

3. Mr. Teefy stated that the Township is looking at the possibility of purchasing the old M.D. Crane buildings on Chestnut Street because they don't want it to be sold to someone who proposes something the town doesn't want there. Ms. Flaherty stated that there are glass tunnels under those old buildings lead to areas on Main Street. Mr. Agnesino stated that the glass house used to be where Carino Park is and the tunnels were used for air circulation for the blowers on the heaters. He stated that the whole area Chestnut Street, Blue Bell Road, and Main Street was all tenement housing for the glass factory workers. Mr. Teefy also commented on the County paving project that will be done from Corkery Lane and Blue Bell Road all the way to Main Street. The County portion of Blue Bell Road ends at Virginia Avenue but the town offered to contribute if the County would continue the paving to Main Street so the paving will go down Blue Bell from Corkery Lane to Main Street. Mr. Teefy stated they will also finish paving Winslow Road and after that they are looking at Gordon Avenue and Princeton.

Adjournment:

The meeting was adjourned at 8:10 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