

Monroe Township Zoning Board Meeting Minutes
July 10, 2018 at 7:00 pm

Call to Order

Chairman Salvadori read, "Proper notice of this meeting was given as required in the Open Public Meetings Act on January 5, 2018 and a copy was posted on the first floor bulletin board and a copy was given to the Township Clerk. Be advised, no new business or item of discussion will be started after 10:30 pm and the meeting shall terminate no later than 11:00 pm".

Pledge of Allegiance

Roll Call:

Members:

Mrs. Fox - Present

Mr. Fritz- Present

Mr. Kozak- Present

Mr. Manfredi - Excused

Mr. McLaughlin, Vice Chairman- Present

Mr. Mercado- Present

Mr. Salvadori, Chairman- Present

Mr. O'Reilly, Alt.#1- Present

Mr. Sebastian, Alt.#2- Present

Professionals:

Rick Coe, Solicitor- Present

Engineer, Marty Sanders- Present

Planner, Pam Pellegrini- Present

Council Liaison, Ron Garbowski- Present

Community Development Director/Zoning Officer, Rosemary Flaherty- Present

Tara Park, Secretary and Transcriber- Present

Memorialization of Resolutions:

Resolution ZBA-23-2018, T-Mobile Northeast LLC, 1835 N. BHP, Block 201 Lot 44, Resolution 11-15 and Resolution 11-16, Extension previously granted under Resolutions 11-2018 granting a one-year extension to 6/30/2017 and Extension previously granted under Resolution 12-2018 granted a one-year extension to 6/30/2018. The applicant sought a third year extension of approval per NJSA 40:55D-52, Permit Extension Act. The request was to grant an extension for a period of one-year and was approved.

Motion to approve: Mr. Kozak

2nd motion to approve: Mr. McLaughlin

Roll Call:

Mrs. Fox - Yes

Mr. Fritz- Yes

Mr. Kozak- Yes

Mr. McLaughlin, Vice Chairman- Yes

Mr. Salvadori, Chairman- Yes

Mr. O'Reilly, Alt.#1- Abstain

Mr. Sebastian - Yes

Resolution ZBA-24-2018, Bruce Paparone, Application ZBA #05-2018, Density and Bulk Variance, Block 15301 Lots 1-16; Block 15303 Lots 31-36, 38 and 39, Block 15402 Lots 9-13, Cross keys Road. The applicant sought a d5 variance approval for density, bulk and lot frontage, width, front, side and rear yard setbacks to construct a 292 Single family dwelling home subdivision and was denied.

Motion to approve: Mr. McLaughlin

2nd motion to approve: Mr. Kozak

Roll Call:

Mrs. Fox - Yes

Mr. Fritz- Yes

Mr. Kozak- Yes

Mr. McLaughlin, Vice Chairman- Yes

Mr. Salvadori, Chairman- Yes

Mr. O'Reilly, Alt.#1- Yes

Public Hearing:

ANB Leasing, Application #0476-SP Final Major Site Plan, Block 8501 Lot 4, 2599 South Black Horse Pike:

The applicant is seeking final major site plan retroactive to a construction site located at this property known as 2599 South Black Horse Pike. The applicant has received a use variance and preliminary major site plan approval.

Attorney for the applicant approached the Board and all witnesses were sworn in by the Solicitor of the Board.

Mr. Schwartz announced that with the exception of the typographical error that is in relation to the comment on Mr. Sanders report 5c, they agree to all other conditions. The Solicitor asked for a time frame for the tank removal to be completed and steel plates to be removed, Applicant Anthony Imperial testified that it would take approximately 2 months.

PROFESSIONAL REPORTS:

Ms. Pellegrini mentioned her note about plant material storage, and the Engineer for the applicant stated that it will be noted on the plan that it will be never done again. Mr. Sanders went over his report and said that he has spoken to the Engineer about addressing minor grading issues on revised plans. The Zoning Officer had nothing to report other than they are awaiting final approval to continue to remediate violations and get them cleared up.

Motion to open to the public: Mr. McLaughlin

2nd motion to open to the public: Mr. Fritz

All in favor by voice vote.

At this time anyone wishing to address the Board about this application is able to do so, and with no one wishing to speak from the public,

Motion to close to the public: Mr. McLaughlin

2nd motion to close to the public: Mr. Mercado

All in favor by voice vote.

The Solicitor went over the conditions of the approval as stated:

- *Comply with all comments on the Planners and Engineers report*
- *Fuel Tank & Steel Plate removal within two months*
 - *Enforcement by Zoning official and Inspections for Tank Removal required with obtaining Construction Permit*

- *Maintenance & Upkeep of Escrow*
- *Comply with stormwater management plan*
- *Storage Plant Materials area to be removed*
- *Payment of Development Fee*
- *Outside Agency Approval, all Certificates and Inspections*
- *Discussion, Investigation of the Performance & Maintenance Bond due to recent changes will be done by Board Solicitor and conveyed to applicants attorney due to the onsite basin affecting waterways of the state.*

Motion to approve the application: Mr. Fritz

2nd motion: Mr. McLaughlin

Roll Call:

Mrs. Fox - Yes

Mr. Fritz- Yes

Mr. Kozak- Yes

Mr. Manfredi- Yes

Mr. McLaughlin, Vice Chairman- Yes

Mr. Mercado - Yes, want tank out of there in two months

Mr. O'Reilly, Alt.#1- Yes

Mr. Salvadori, Chairman- Yes

Wawa, Application ZBA-06-18, Use Variance and #SP-0479 Amended Preliminary and Final Major Site Plan Approval, Block 11201 Lot 2, 1445 S. Black Horse Pike : The applicant is seeking a use variance approval to allow the sale of diesel fuel in addition to gasoline. Modifications include the removal and replacement of four of the eight existing gas dispensing units and the addition of one 22,000 gallon compartmentalized tank to provide diesel fuel and signage improvements.

Duncan Prime, of Prime Law, Attorney for the applicant approached the Board and gave the description of what the application was for and all witnesses were sworn in by the Solicitor of the Board. Mr. Ron Klos of Bohler Engineering gave his qualifications to be approved including 20 plus years with Bohler Engineer and Wawa, and completing 250-300 of these conversions for Wawa.

Deeming of application complete motion made by: Mr. Fritz

2nd motion: Mr. Kozak

All members in favor.

Approval of qualifications of Engineer motion made by: Mr. Fritz

2nd motion: Mr. Kozak

All members in favor.

Mr. Klos stated that the dispensers will be replaced with 3+1 dispensers where you can get regular, midgrade, premium or diesel. He noted that the pricing sign will be replaced with the same exact size signage with a diesel area in green. There will also be a 2- 12 ft vent stacks adjacent to the tank on a 3 x 5 when it's installed. He then went over the anticipated three week process for this install and conversion, and noting that the wing will be shut down and fenced during the construction. Mr. Klos said that there will be no change of operation after installation, and no circulation change. He said that tractor trailer fueling including cabs will not be able to fuel with diesel, as that is a company wide ban.

Mr. Sebastian noted that the 8 lanes, is because it is two sided dispensers correct, and Mr. Klos agreed. Mr. Sebastian asked about trucks fueling the diesel tank itself and the process was explained as well, they will pull up alongside. Mr. Mercado asked about truck delivery circulation, and that processed was described, as well as noting that the roadways were made larger in the circulation path, noting the knowledge of Wawa fueling trucks would need to use them. Mr. Kozak mentioned the ground water sampling requirement would need to add diesel to the list after this is complete. The Solicitor asked about the Spill prevention plan and Mr. Prime went over the plan and that each store has its own plan, and the sampling report can be sent to the Township. Mr. Sebastian asked about the area where MC is stated and Mr. Klos noted that they are Manhole Covers.

PROFESSIONAL REPORTS:

Mr. Sanders asked about signage, and Mr. Klos noted that both signs will be changed to reflect Diesel. Ms. Pellegrini noted that she mentioned the use variance due to the fact that the original approval stated no diesel. Mr. Sanders requested that two copies of the spill prevention monitoring plan be submitted, one for himself and one for the Boards file.

Motion to open to the public: Mr. Fritz

2nd motion to open to the public: Mr. McLaughlin

All in favor by voice vote.

At this time anyone wishing to address the Board about this application is able to do so, and with no one wishing to speak from the public,

Motion to close to the public: Mr. Mercado

2nd motion to close to the public: Mr. Kozak

All in favor by voice vote.

The Solicitor went over the conditions of the approval as stated:

- *No tractor trailer service*
- *Maintain and satisfy all escrow*
- *Sampling of groundwater for diesel*
- *Provide a copy of spill prevention plan and modifications*
- *All Prior Approvals remain in effect except to modify for diesel.*

Motion to approve the application: Mr. Kozak

2nd motion: Mr. Fritz

Roll Call:

Mrs. Fox - Yes

Mr. Fritz- Yes

Mr. Kozak- Yes - Since diesel fuel has become more common and with the exclusion of servicing tractor trailers

Mr. McLaughlin, Vice Chairman- Yes

Mr. Mercado - Yes with the conditions

Mr. O'Reilly, Alt.#1- Yes

Mr. Salvadori, Chairman- Yes will be a good addition for the community

Minutes Approval for 6/19/2018:

Motion to approve: Mr. McLaughlin

2nd: Mr. Fritz

All in favor.

Reports:

Solicitor noted that the next light meeting he would like to go over the rules and regulations of the Zoning Board.

Mr. Garbowski noted that the Solicitor of the Board may want to get with Mr. Capelli in reference to the Ordinance changes being made for Bonding requirements. Ms. Flaherty noted that ordinance will be in front of the Planning Board at the next meeting, then will go to Council. She will send them to Mr. Coe.

Mr. Fritz asked if Mr. Fazzio is complete and she stated that he is, then Mr. Fritz noted that there is now a tank on the property behind a pile of dirt. Ms. Flaherty said that she will check it out.

Adjournment:

Motion to adjourn: Mr. McLaughlin

2nd motion: Mr. Kozak

All were in favor, and meeting was adjourned.

These minutes are a brief summary of the proceedings and should not be taken as verbatim testimony

Respectfully submitted, Tara Ann Park ~ Transcriber