

**Call to Order:**

The regular meeting of the Monroe Township Planning Board was called to order at 7:07 p.m. by Chairman Schwaiger. The Board saluted the flag. Roll call was as follows:

Present – Mr. Conte, Mayor DiLucia, Mr. J. Garbowski, Mr. R. Garbowski, Mr. Helsel, Mr. Kozak, Mr. Laughlin, Mr. O’Brien, Mr. Scardino, Mr. Schwaiger. Absent – Mr. DeFrank, (excused), Mr. Crane, (excused). Also present – Mr. Boraske, Solicitor, Ms. Pellegrini, Planner, Mrs. Farrell, Secretary, Mrs. Orbaczewski, Clerk Transcriber.

Notice of this meeting was given as required by the Open Public Meetings Act in the Annual Notice of Meetings on January 14, 2020.

Chairman Schwaiger 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.”.

**Site Plan Waiver:**

1. #WSP-01-20 – Glenn Gross

Present – Glenn Gross, applicant, Francis Schultz, landlord, Dorothy McClave, employee.

The applicant is requesting a site plan waiver for approval of the location of a smoker and a few outdoor seating tables at his existing business known as Fat Jack’s BBQ which is located at 1155 S. Black Horse Pike, also known as Block 11301, Lot 2.01 in the RG-C Zoning District.

Mr. Gross, Ms. McClave, and Mr. Schultz were sworn in by Mr. Boraske. Mr. Gross gave a brief history of the business known as Fat Jack’s BBQ which started in 1992. Over the years there have been approximately twelve or so franchises; however now there aren’t any open franchises or company stores with the exception of the one open now in Williamstown. Mr. Gross stated he is on the Food Network, the BBQ Pit Masters, and other food segments on different television channels. Since opening this store in Williamstown, he has many original customers, from locations where they used to have stores, coming to the site because they love the food. Mr. Gross stated that they use a smoker to smoke the meats for the business. There isn’t any room inside at the current location for the smoker. It is on a trailer at the end of the building at this time. It is the focal point of the business because people can smell the food from a distance. He stated that he would like to keep the smoker outside the restaurant in the parking lot. The Board of Health has given their approval to have the smoker outside.

**Site Plan Waiver: (continued)**

Mr. Gross stated that the smoker does not get hot to the touch so there is no danger to anyone getting burned just by touching it. It is not uncommon to have them outside as he did have them outside at the Philadelphia locations. It is a unique feature to the restaurant and people do stop and want to look at it and talk about smoking the meats. He did have the smoker out in the back but it was stolen; however, they did get it back about a month later but he still has concerns with not having the smoker in a location where he can see it from inside the restaurant. Mrs. Farrell asked Mr. Gross if he wanted to talk about the proposed outdoor seating. Mr. Gross stated they are also requesting to be allowed to have some small café tables and chairs outside the restaurant, on the sidewalk, when weather permits.

Mr. Gross stated he has talked with the Fire Official who suggested they place a sticker on the smoker that reads “Caution Hot”. He also suggested putting a fence around the smoker. It was also required that they provide for underground wiring to the smoker. Mr. Schwaiger asked if there is a door at the end of the building where the smoker is currently located. Mr. Schutz replied that there is a door down there but that part of the building is vacant. Mr. Schwaiger commented on keeping the smoker on the sidewalk and suggested maybe putting a gate around the smoker and leaving it there. He had concerns about taking up the four parking spaces in the parking lot. Mr. R. Garbowski commented that he thinks it would be a safety issue keeping the smoker on the sidewalk against the building and thought it was better to have it in the parking lot. Mr. Schultz also stated that eventually he may have a tenant for that end of the building who probably would not want the smoker there. He also stated that there is plenty of parking on the site. He stated that, as the owner of the building, if the smoker is kept neat, safe, and looks good in the parking lot, he does not have any objections. There was some question as to whether or not Mr. Gross would be able to move the smoker to the back of the building once Mr. Schultz settles some issues with the current tenant in a rear portion of the restaurant space. Mr. Gross replied that he would prefer to leave the smoker in the front in the parking lot where he can see it and because it’s an attraction and draw for customers to the business. Mr. Kozak also replied that the Newberry Farms development backs up to this property and they have complained in the past about the back of the property being unkempt. They might not like the smoker being located in the back of the building.

Mayor DiLucia commented that the smoker heats up to 325 degrees and asked if there is any heat at all on the outside of the smoker. Mr. Gross stated that the only area that gets hot is the fire box, but you can actually lean on the smoker and it is not hot. The smoker is also locked when it’s in use. There was some question on security if the smoker was left unlocked accidentally with Mr. Schwaiger asking Mr. Gross if he can situate the smoker so the doors are facing the restaurant so they can see if anyone gains access who shouldn’t have access.

**Site Plan Waiver: (continued)**

Mr. Gross stated that it would not be a problem to situate the smoker with the doors facing the restaurant. Mayor DiLucia commented that the smoker should not be freestanding in the parking lot without any type of enclosure around it for safety and security reasons. Mr. Gross replied that he is agreeable to putting up a fence around the smoker. There was some discussion on the type and height of the enclosure. Mr. Kozak suggested the same type of fence required for a pool which is a chain link fence, black on black, four-foot high, with a self-closing, self-latching gate. Mr. Schwaiger asked if the Board is able to see the proposed enclosure before it gets installed. Mrs. Farrell stated it can be a condition of approval.

Mr. Helsel asked if there is a certain distance for the fencing from the smoker. Mr. Gross stated that there is no exposed flame from the smoker. Mayor DiLucia commented that the specs indicate that propane is used for the smoker. Mr. Gross stated that they are allowed to use propane as long as they are fifteen feet from the building. There were further concerns regarding the possibility of someone running into the smoker area with their car. The issue of using bollards was raised to prevent someone from driving into the area. Mr. Garbowski suggested a fire extinguisher in the enclosure in the event it is needed. Mr. Gross stated he would have a fire extinguisher in the fenced area. After some further discussion, it was determined that Mr. Gross would obtain additional information from the Fire Marshall concerning the enclosure and the requirements. The Board also asked him to provide the exact type of enclosure for the smoker and come back to the Board with those plans since there are many unanswered questions. Mrs. Farrell stated Mr. Gross should contact the Fire Official and the Construction Official about the requirements before he comes back to the Board. She stated that the applicant can come back to the Board on February 13<sup>th</sup> with plans for the enclosure in the form of a drawing with the specifications for the enclosure and bollards being proposed. She indicated that she will contact the Fire Marshall to find out exactly what is required to have the smoker in the parking lot and she will inform Mr. Gross.

Motion by Mayor DiLucia, seconded by Mr. Helsel to table the application and reschedule the matter to the February 13, 2020 regular meeting. Voice vote; all ayes, motion passed.

**Final Major Subdivision:**

1. #1823 – Comfort Development Group, LLC – Hamilton Greene/Sections 3, 5-8.

Present – Vincent D’Elia, applicant’s attorney, Cliff Gail, applicant.

The applicant is seeking final approval for sections 3, 5-8 of the Hamilton Greene townhouse development currently under construction. The property is located between N. Tuckahoe Road and N. Main Street, also known as Block 14401, Lots 1,4,5,6,7, and 11 and Block 14501, Lots 24,24.01, and 25 in the R-2 Zoning District.

**Final Major Subdivision: (continued)**

1. #1823 – Comfort Development Group, LLC (continued)

Mrs. Farrell stated that the Board member's packets contain a letter from ARH. The letter is straight forward and the final plan of lots conform to the approvals granted so Mrs. Farrell felt that a representative from ARH did not need to be present this evening. She also asked the Board if they would allow ARH sign the final plan of lots since they have been the engineer to review the project from start to finish. Mayor DiLucia stated that they made a decision to allow ARH to complete any projects they had started so that no one would not have to pay another engineer for review.

Mr. D'Elia introduced himself as the applicant's attorney. He stated they have reviewed the Board professional's letters and they are in agreement with any comments in those letters. Ms. Pellegrini reviewed her report for the Board. She stated they met with the applicant on the other phases of the project with regard to supplementing some buffers and she has suggested they meet again on the final phases to discuss additional landscaping and buffering. There aren't any outstanding issues with the plans. Ms. Pellegrini stated that there is one item that was left over from preliminary and that was the submission of the architectural plans for each phase. Mr. Gail was sworn in by Mr. Boraske. Mr. Gail stated that Ryan Homes is doing the construction for the whole project and that the models are out there. There will not be any additional models but if they decide to change that, they will have to come back before the Board. Ms. Pellegrini stated that she did not have any other concerns. Mr. Kozak asked that the applicant qualify the requirements for COAH, sidewalk, etc. Mr. D'Elia and Mr. Gail stated that they have agreed to all requirements noted in the report. All fees will be confirmed paid before the final plans are signed. Mr. Boraske reviewed the request for the Board. Motion by Mr. R. Garbowski, seconded by Mr. Scardino to grant final major subdivision approval condition upon compliance with the review letters from the Board professionals. Roll call vote: Ayes – Mr. Conte, Mayor DiLucia, Mr. J. Garbowski, Mr. R. Garbowski, Mr. Kozak, Mr. O'Brien, Mr. Scardino, Mr. Helsel, Mr. Schwaiger. Nays – Zero. Abstentions – Zero.

**Public Portion:**

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

**Reports:**

No reports.

**Approval of Minutes:**

1. 1/9/2020 reorganization meeting.

Motion by Mr. O'Brien, seconded by Mr. Conte to approve the minutes from the January 9, 2020 reorganization meeting.

**Adjournment:**

The meeting was adjourned at 7:57 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.

Respectfully submitted by: Ninette Orbaczewski, Clerk Transcriber