

**Township of Lumberton
Land Development Board
Regular Meeting
August 21, 2008**

The regular meeting of the Lumberton Township Land Development Board was called to order by Chairman Bennett on Thursday, July 19, 2008 at 7:41 p.m.

Chairman Bennett read the following statement:

In compliance with the Open Public Meetings Act, this is to announce that adequate notice of this meeting was provided in the following manner:

On January 2, 2008 advance written notice of this meeting was posted on the bulletin board in the main lobby in the Town Hall; was mailed to the Burlington County Times and the Courier Post; was filed with the Clerk of Lumberton Township and was mailed to all persons who requested and paid for such notice.

Please note that unless otherwise modified by Resolution of the Land Development Board, all meetings shall begin at 7:30 p.m. and no new matter shall be initiated after 11:00 p.m., except where the Land Development Board, by majority vote of those present, shall specifically authorize the extension of the meeting beyond 11:00 p.m.

Those testifying before the Board on any application are required to be sworn in. The Board's Engineer and Planning Consultant have taken an oath upon their agreement and their testimony on an application is under oath on a continuing basis.

Roll Call

Citizen Member	Thomas Ammerman Robert Bennett, Chairman Thomas Bintliff	(Absent)
	Sheldon Evans Robert Morton Bradley Regn John Pagenkopf	(Absent)
Representatives of Governing Body	James Conway, Jr. Beverly Marinelli	
Alternate #1	Nancy Bleznak	(Absent)
Alternate #2 Alternate #3 Alternate #4	Craig Potter Doug Alba Mike Petty	(Absent)
Solicitor Consulting Engineer & Planner	Peter Emmons, Esq., Gibbs, Gregory & Emmons Gregory J. Sullivan, P.E., P.P., Remington, Vernick & Arango	
Board Secretary	Catherine Borstad	

Minutes

- a. Regular Meeting Minutes for July 17, 2008

Motion was made by Mr. Regn, seconded by Mr. Morton to approve the Regular Meeting Minutes of July 17, 2008. The vote was affirmative with the exception of Mr. Petty who abstained, and the motion carried.

Correspondence

There was none.

Resolutions

- a. 2008-29 Executive Session

Motion was made by Mr. Morton, seconded by Mr. Potter to approve Resolution 2008-29. The vote was affirmative with the exception of Mr. Petty, who abstained and the motion carried.

- b. 2008-30 STA Seal, 13 Maple Avenue, Block 14, Lot 2.01. Continued to August 21, 2008 agenda.

Motion was made by Ms. Marinelli, seconded by Mr. Morton to approve Resolution 2008-30. The vote was affirmative with the exception of Mr. Petty, who abstained, and the motion carried.

- c. 2008-31 Ferrell, Donald, 6 Point Street, Block 12.01, Lot(s) 1,2,3 and 4. Bulk variance for construction of detached garage. Continued to August 21, 2008 agenda. .

Motion was made by Ms. Marinelli, seconded by Mr. Potter to approve Resolution 2008-31. The vote was affirmative with the exception of Mr. Petty, who abstained and the motion carried.

- d. 2008-32 Murphy, Francis, 6 Cameron Lane, Block 33.03, Lot 24. Conditional Use Variance for Home Occupation (Psychologist Office). Continued to August 21, 2008 agenda.

Motion was made by Mr. Morton, seconded by Mr. Evans to approve Resolution 2008-32. The vote was affirmative with the exception of Mr. Petty and Mr. Conway, who abstained, and the motion carried.

- e. 2008-33 Stott, Victor, 1 Cameron Lane, Block 33.04, Lot 11. Bulk Variance for Detached Garage. Continued until October 16, 2008 agenda.

Motion was made by Ms. Marinelli, seconded by Mr. Morton to approve Resolution 2008-33. The vote was affirmative with the exception of Mr. Petty and Mr. Conway who abstained, and the motion carried.

- f. 2008-34 Grato Enterprises, LLC (Franklin Machine), 101 Mt. Holly Bypass, Block 15.04k, Lot 2.05. Preliminary and Final Site Plan for 40,000 SF Addition. Continued to August 21, 2008 agenda.

Motion was made by Mr. Ammerman, seconded by Ms. Marinelli to approve Resolution 2008-34. The vote was affirmative with the exception of Mr. Conway and Mr. Petty, who abstained, and the motion carried.

g. 2008-35 Thomas Alberto (T/A ATW), 1609 Route 38, Block 18, Lot 1.04. Site Plan Waiver. Continued to August 21, 208 agenda.

Motion was made by Ms. Marinelli, seconded by Mr. Evans to approve Resolution 2008-35. The vote was affirmative with the exception of Mr. Conway and Mr. Petty, who abstained, and motion carried.

Items for Action

**Alberto, Thomas t/a ATW Associates
1609 Route 38**

B-2 Zone

Block 18, Lot 1.04

Site Plan Waiver and Change of Use. Continuance until September 18, 2008.

Motion was made by Ms. Marinelli, seconded by Mr. Morton to continue the application until the September 18, 2008 meeting. The vote was affirmative with the exception of Mr. Conway, who abstained, and the motion carried.

Sta Seal

13 Maple Avenue

Block 14, Lot 2.01

I-1 Zone

Minor Site Plan for placement of Scale House and 2 Scales with Variances. Continuance until September 18, 2008.

Mr. Emmons stated that he received a letter from Sta Seal's attorney requesting a continuation until the September meeting as the applicant is waiting to meet with the County. He stated that it is at the discretion of the Board whether to continue the application or deny without prejudice.

Mr. Conway suggested to motion to deny without prejudice.

Motion was made by Mr. Conway, seconded by Mr. Morton to deny the application without prejudice. The vote was unanimous and the motion carried.

Murphy, Francis

6 Cameron

RA/Zone

Block 33.03, Lot 24

Conditional Use Variance for a Psychologist Office in Residential Zone. (7:45-9:15)

Exhibits marked.

Mr. George J. Singley, Esq., present representing applicant.

Dr. Francis Murphy, applicant, sworn to provide testimony.

Mr. Singley stated that Dr. Murphy is a psychiatrist requesting permission to see patients in his home at 6 Cameron Lane. Mr. Singley stated that there will be less than 500 SF in the home used for the home occupation. Mr. Singley stated that there will be no noise, exterior lighting, signage, or any type of sales from the home. He stated that the parking would be within the driveway which can accommodate 1-2 cars at one time.

Mr. Singley stated that Dr. Murphy would be treating patients for depression, marriage counseling and geriatric patients. Mr. Singley stated that these types of patients typically are not dangerous. He stated that the Dr. does not see any type of criminal patients. He stated that the patients are paid through insurance. Mr. Singley stated that on some occasions there could be two cars at once. He stated that this would occur if a child of a geriatric patient comes to meet at the office for the appointment. He stated that Dr. Murphy would see patients from the home two nights per week from the hours of 7p.m. until 9 p.m. and on Saturdays.

Mr. Singley stated that he believes this is a conditional use and falls within the Ordinance.

Mr. Singley questioned Dr. Murphy.

Dr. Murphy stated that he treats adult patients for depression and anxiety. Dr. Murphy stated that he does not take any criminal clients. Dr. Murphy stated that he would not bring anyone to his home that would bring danger to his house. He stated that he is employed full time by the State of New Jersey New Lisbon Developmental Center. He stated that he has a part time practice in Marlton.

Mr. Emmons asked Dr. Murphy if he will continue the practice in Marlton. Dr. Murphy stated no.

Mr. Regn asked Mr. Sullivan if he received a floor plan. Mr. Sullivan stated no.

Dr. Murphy stated that the he would be using one 12'x12' room in his house which is approximately 144 SF.

Chairman Bennett asked how patients would enter the house. Dr. Murphy stated that they would enter through a back entrance behind his garage. Chairman Bennett asked if there would be signage. Mr. Singley stated that if they are required to have signage they would request to the appropriate authorities.

Chairman Bennett asked Dr. Murphy if he would keep any of the drugs that he prescribes at the home. Dr. Murphy stated no.

Mr. Conway asked if there would ever be an overlap of patients. Dr. Murphy stated that if it occurs it would be for approximately 5 minutes. Mr. Conway asked where the patients would wait. Dr. Murphy stated in a small waiting 5'x10' area in the foyer.

Mr. Potter asked how many patients would be seen per night. Dr. Murphy stated 6-7.

Mr. Conway asked if the patients would be parking in the driveway. Dr. Murphy stated yes.

Chairman Bennett asked if Dr. Murphy treats patients with dementia. Dr. Murphy stated yes.

Chairman Bennett asked Dr. Murphy if his patients are triaged. Dr. Murphy stated no that the patients are referred to by the insurance companies.

Chairman Bennett asked if there would be any type of van transportation from a facility. Dr. Murphy stated no.

Ms. Marinelli asked if Dr. Murphy plans to keep the patients at this level. Dr. Murphy stated yes.

Mr. Petty asked Dr. Murphy if he treats patients that have not committed a crime but could have a potential and that is why they are being treated. Dr. Murphy stated no. Dr. Murphy stated that he would not bring potential crime committing people to his home.

Mr. Ammerman asked what the hours of operation would be. Dr. Murphy stated Mondays and Thursdays from 4:30-9:00 p.m. and Saturdays 8:30 a.m. until 1:00/3:00 p.m.

Mr. Emmons stated that the hours would be limited by the Township Ordinance.

Ms. Marinelli asked how long Dr. Murphy has lived at this property. Dr. Murphy stated he has been there since 2006.

Mr. Regn asked Dr. Murphy as a consultant does he entertain patients from New Lisbon. Dr. Murphy stated no.

Mr. Conway asked if Dr. Murphy would be the sole person working out of the home. Dr. Murphy stated yes. Mr. Conway asked if there would be any other staff. Dr. Murphy stated no.

Chairman Bennett asked what type of patients Dr. Murphy treats at the State. Dr. Murphy stated that it is a development center and the patients there are mentally retarded and with mental disorders. He stated that there is a section with sex offenders.

Ms. Marinelli asked Dr. Murphy if he advertises. Dr. Murphy stated no, that he gets his patients from insurance referrals.

Mr. Emmons asked if they are requesting site plan waiver. Mr. Sullivan stated yes. Mr. Sullivan stated that there may be parking issues. He stated that the driveway may need to be widened.

Chairman Bennett asked Dr. Murphy how many personal cars are kept at the home. Dr. Murphy stated that he has three cars with a three car garage. Chairman Bennett asked if the cars are garaged now or kept in the driveway. Dr. Murphy stated that at the time they are in the driveway but can be kept in the garage.

Ms. Marinelli asked how many acres Dr. Murphy's property is. Dr. Murphy stated 2 acres.

Ms. Marinelli asked if they can stipulate that there be no parking on the street. Mr. Sullivan stated yes.

Mr. Conway asked Dr. Murphy if the driveway becomes a problem with parking issues would he be willing to address it. Dr. Murphy stated yes.

Mr. Emmons stated that there needs to be a vote on completeness.

Motion was made by Mr. Conway, seconded by Mr. Evans to deem the application complete. The vote was unanimous and the motion carried.

At this time Chairman Bennett opened the meeting up for public comment.

Bruce Buckwald - 2 Caitlyn Court

Mr. Buckwald stated his concerns regarding other businesses coming into the neighborhood. He stated that when Dr. Murphy purchased his home, it was purchased in a residential area. Mr. Buckwald stated that there is no way to know if patients coming to the home use drugs. He stated that he has concerns for his own children. Mr. Buckwald stated that there would have to be a handicap ramp and bathroom that is handicap accessible. Mr. Buckwald expressed his concerns over signage in the residential area advertising the Dr.'s practice.

Mr. Emmons clarified that the applicant is present for a conditional use and not for a variance.

Tony Leggio - 5 Cameron Lane

Mr. Leggio agreed with Mr. Buckwald. He stated that he lives next door. He stated that his previous neighbor had a photography business and he constantly had to redirect clients. Mr. Leggio stated that he was inconvenienced with people knocking on his door looking for the right house. He stated that he is concerned that it would happen again if this application is approved. He expressed his concerns against having the business in the residential area.

Mr. Emmons stated that per the Ordinance one wall sign would be permitted.

Theresa Leggio - 5 Cameron Lane

Ms. Leggio expressed her concerns if the application is approved that down the road Dr. Murphy may see cases that would require medication and could be a potential threat to the neighborhood. Ms. Leggio expressed her concerns about the extra cars parked in the driveway and on the street and making it difficult for her backing out of her driveway. She stated that there are children in the neighborhood and she was not in favor of unnecessary cars driving through the development looking for the Dr.'s house. Ms. Leggio also stated that this development was designed as a rural area where there are no sidewalks and the streets are narrow. She also stated that there is not lighting in this area at night.

Mr. Emmons asked Dr. Murphy if he would be willing to stagger his patients so that there would not be a potential of excessive cars. Dr. Murphy stated that the appointments are spread out in 20 minute appointments. Mr. Emmons asked if the appointments could be scheduled one per hour. Dr. Murphy stated that would not be worth doing. Mr. Singley asked how many patients are seen per hour. Dr. Murphy stated two. He stated that most offices would see four per hour.

Ms. Marinelli stated that the neighborhood is very dark at night. She asked how patients would see which house to go to. Dr. Murphy stated that he would be explaining directions to his patients. Mr. Sullivan asked if Dr. Murphy's name was on the mailbox. Dr. Murphy stated presently no. Mr. Sullivan stated that placing the name on the mailbox may resolve some of the issues.

Mr. Emmons asked if the clients would see the number from the mailbox. Dr. Murphy stated yes. Mr. Emmons asked if there were any neighbor's mailboxes on his property. Dr. Murphy stated no.

Ms. Marinelli asked if Dr. Murphy resided where his current practice is. Dr. Murphy stated no.

Chairman Bennett asked Mr. Sullivan if handicap access would be required. Mr. Sullivan stated that this Board's jurisdiction is for site issues outside of the building. He stated that once inside the building it is building code issues. Chairman Bennett asked if the geriatric patients that Dr. Murphy sees are wheelchair bound. Dr. Murphy stated that they are not wheelchair bound but some use walkers.

Mr. Emmons asked the applicant if he would be willing to restrict the practice to non-dangerous, non sex offender and non drug addict. Mr. Singly stated that any number of dangerous people could be around and no one would know. Mr. Singly stated that Dr. Murphy would not knowingly accept those types of patients into his home.

Ms. Marinelli asked Dr. Murphy if he has children at home. Dr. Murphy stated yes that he has two.

Frank Marchese - 3 Cameron Lane

Mr. Marchese stated that he agrees with all the concerns that his neighbors have raised. He is concerned about property values that this practice may impact. He expressed his concerns for someone thinking that Dr. Murphy may keep drugs at his house and try and break in. He expressed his concern for the welfare of his own grandchildren.

John Bozewicz - 6 Stirling Way

Mr. Bozewicz stated that there is really no way for anyone to know what type of patients Dr. Murphy will see. He stated that there is Doctor/patient confidentiality. He expressed his concerns for the neighborhood and the children.

Denise Guerriere - 5 Stirling Way

Ms. Guerriere stated that she agrees with all her neighbors. She asked if this conditional use is granted what would keep her other professional neighbors from wanting to do the same thing. Mr. Emmons stated that the conditions would have to be met. She stated that even if there is a name on the mailbox it would still be hard to see at night.

Mr. Emmons asked if the applicant would be willing to illuminate the mailbox. Dr. Murphy stated he has an 8' existing lamp post. Mr. Singly stated that they would like to keep this as inconspicuous as possible.

Mr. Deshpande - 7 Cameron Way

Mr. Deshpande expressed his concerns on the impact this would have on the residential area. He stated that what would stop this practice from becoming a full time practice.

Mr. Emmons asked if the operating hours would be two evenings per week and one Saturday. Dr. Murphy stated Monday and Thursday 4:30 p.m. until 8:00 p.m. and Saturday 8:30 a.m. until anywhere between the hours of 1:00 and 3:00 p.m. Mr. Emmons asked if the applicant would be willing as a condition to restrict the hours to these set hours. Mr. Emmons stated that as a condition of approval it will be limited to two evenings per week and Saturdays.

Kim Cutler - Cameron Way

Ms. Cutler stated that she agrees with everything her neighbors have stated. She stated that she is friendly with the Murphy's. Ms. Cutler stated that she lives right next door.

She stated that she has an 8 year old son who likes to ride his bike in the neighborhood. She has concerns about elderly people driving through the neighborhood. She stated that she has moved into a lovely residential neighborhood that is quiet. She expressed her concerns for parking on the street. She expressed her concerns for her child and the different clientele that the doctor may treat.

Mr. Sullivan stated that the issue of parking on the street is that the Dr. Murphy has agreed to no parking on the street.

Pat Locasale - Cameron Way

Ms. Locasale asked if the application is approved when the conditions of approval would be available. Mr. Emmons stated that the conditions would be stated tonight and would be listed in a resolution. Ms. Locasale expressed her concerns regarding the practice expanding and having more days and hours. Mr. Emmons stated that if the use is expanded the applicant would have to come back to the Board for further approval. Ms. Locasale stated that this development has no sidewalks or lighting which is natural for the area. She stated that this is not an appropriate business for this area.

Mr. Singley stated that the conditions that have been brought up, Dr. Murphy has agreed to comply with even though they are not required by the Ordinance. Mr. Emmons stated that the applicant has agreed to all the conditions that have been brought up tonight.

Carmen Murphy - Applicant's Spouse

Mrs. Murphy stated that she understands all of the neighbor's concerns. She stated that she also has two children. Mrs. Murphy stated that they are making the practice smaller and have no intention on expanding. Mrs. Murphy stated that having the practice out of the home would allow Dr. Murphy to be home more. Mrs. Murphy stated that she would not want any potential dangerous people coming into her home.

Ms. Marinelli asked is the number of patients would be 6 per night. Dr. Murphy stated he would see 6-7 per night and 10-12 on Saturdays. Ms. Marinelli stated that it would be 44 extra trips in and out of the street per week.

Bruce Buckwold

Mr. Buckwold asked Dr. Murphy to please reconsider. Mr. Buckwold stated that he is a retired police officer and that the police cannot do anything about cars parking on the street.

Mr. Sullivan stated that parking in the street is a condition of approval. Mr. Buckwold stated that where a client parks their car is their decision not Dr. Murphy's. Mr. Emmons stated that the neighbors would contact the code enforcer and it would be a violation of this approval.

Kim Cutler - Cameron Lane

Ms. Cutler stated that this business will affect the quality of life for her. She stated that her husband at times works away from home which leaves her and her son home alone. She stated that she wants to feel safe at home. She stated that she does not want to have to worry about her son being hit by a car or someone knocking on her door.

Motion was made by Mr. Marinelli, seconded by Mr. Petty to close public comment. The vote was unanimous and the motion carried.

Ms. Marinelli stated that this neighborhood is very dark at night. Ms. Marinelli stated that this type of use will have a negative impact on the neighborhood. She stated that it is her opinion that this is not a proper business for this neighborhood. She stated that she is concerned as to the type of patients that may come to the neighborhood.

Chairman Bennett stated that he agrees with Ms. Marinelli.

Mr. Regn asked if Dr. Murphy works full-time with the state. Dr. Murphy stated yes. Mr. Regn asked if there was anything that precludes Dr. Murphy from keeping the off site office. Dr. Murphy stated it would be for convenience, cost, location and the ability to be at home in the evening hours.

Mr. Regn stated that he agrees with the previous Board members and does not feel this is an appropriate business for this location.

Mr. Ammerman stated that this type of home occupation would change the nature of the neighborhood.

Chairman Bennett asked if there was a motion. Ms. Marinelli made a motion to deny this application. Mr. Emmons stated that the denial would be based on the nature of the business in a rural area. He stated that the home occupation that is proposed would not be subordinate and incidental to the residential nature of the neighborhood. Nothing precludes the applicant from having an office off-site. The proposed use would change the residential structure bringing elements opposite to the nature sought to be achieved by the Ordinance.

Ms. Marinelli stated that this development is a small development with houses on large pieces of ground. She stated that this development is a horse-shoe type drive that does not connect to any other roads. Ms. Marinelli stated that the development is a rural quiet area.

Motion was made by Ms. Marinelli, seconded by Mr. Regn to deny this application. The vote was affirmative with the exception of Mr. Conway and Mr. Morton, who voted no, and the motion carried.

Ferrell Donald
6 Point Street
HAZone
Block 12.01, Lot 1,2,3,4
Variance for Height for Detached Garage (9:15-9:30)

Trisha Ferrell, sworn to provide testimony.

Ms. Ferrell stated that they have been going through the approval process since October of 2007 and she still does not know where they stand.

Chairman Bennett asked if a foundation plan was presented to Mr. Sullivan. Mr. Sullivan stated that the issue in question is the location of the foundation. He stated that the documents that he has show two different locations of foundation. Mr. Sullivan suggested the applicant have a survey done to show the location of the old and existing foundation. Mr. Sullivan stated that the application is still incomplete.

Ms. Ferrell stated that they simply came for height variance approval, which she thought they were approved for and then this issue came up. She stated that they have tried to contact the professional that did the survey and he is with another consulting firm. She stated that the surveyor told them that they would have to make an appointment with his new firm and pay additional fees. She stated that would add to their cost which they have spent over \$15,000 since they started and have nothing done. She stated that they have no barn to stick their stuff in and they cannot afford anymore expense. She stated that they are worse off than what they started with and \$15,000 in the hole.

Ms. Marinelli stated that the approval was to simply take the building down with the existing foundation to remain. Ms. Ferrell stated that she understands and believes it was a miscommunication with everyone. Ms. Ferrell stated that they had gone through HARC for approval. Ms. Marinelli stated that HARC approval was to simply see if the barn was worth saving. Ms. Ferrell stated that once the removal of the barn was approved, it was their understanding that they had approval to move forward.

Ms. Ferrell stated that they have gone through half of their budget already and have nothing.

Mr. Sullivan stated that a survey may solve the problem. He stated that if the building foundation was moved they may need DEP approval.

Mr. Conway asked if Ms. Ferrell was able to get a survey. Ms. Ferrell asked if it was an as-built survey. Mr. Conway stated yes. Ms. Ferrell stated that she thinks they can get that.

Ms. Ferrell asked if they have approval for the height variance. Ms. Marinelli stated that they have not got that far with the approval yet.

Mr. Sullivan stated that he needs to see another plan to determine whether other variances may be needed.

Mr. Emmons stated that they need to get a survey. He suggested that the applicant go on Google Earth to see what the property looked like to at least locate where the barn was.

Mr. Conway asked if a copy of DEP approval was submitted to Mr. Sullivan. Ms. Ferrell stated no that when she reviewed the permit it was only for the addition.

Ms. Ferrell stated that when they received approval to remove the barn, they did not know they could not remove the foundation.

Chairman Bennett asked if Ms. Ferrell could get the DEP approval. Ms. Ferrell stated yes. Ms. Borstad stated that they have a copy of the DEP approval in the office.

Mr. Emmons stated that this application should be deemed complete.

Motion was made by Ms. Marinelli, seconded by Mr. Morton to deem the application incomplete. The vote was unanimous and the motion carried.

***Radwell Enterprises
111 Mt. Holly Bypass
I-2 Zone
Block 15.04, Lot 2.05
Major Site Plan for a 36,000 SF Addition (9:30-***

Exhibits marked.

Mr. Thomas Eherhardt, Esq., representing applicant.

Chairman Bennett asked if the application can be deemed complete. Mr. Sullivan stated yes.

Motion was made by Mr. Morton, seconded by Mr. Ammerman to deem the application complete. The vote was unanimous and the motion carried.

Mr. Daniel Love and Mr. Jack Buehler, Radwell Representatives, sworn to provide testimony.

Mr. Love stated that he is the Vice President of Operations and has been employed with Radwell for thirteen years. He stated that he is responsible for the IT Department, Accounting, Human Resources and general operations. He stated that Radwell sells and services electronic parts that are sold to industry for items that control automation, such as factories and amusement parks. Mr. Love stated that he has been at this location for three years. He stated that there are approximately 220 employees at this location. He stated that there are several part time employees. He stated that the hours of operation are generally from 8:00 a.m. until 5:00 p.m. He stated that they have some employees start at 7:00 a.m.

Mr. Love stated that they have some sales groups that start at 7:00 a.m. and some at 9:00 a.m. and leave at 6:00 p.m. He stated that they have some part time employees that work the hours of 9:00 a.m. to 1:00 p.m. or 10:00 a.m. to 2:00 p.m.

Mr. Eherhardt asked how the employees arrive to work. Mr. Love stated that as far as he knows by car. Mr. Eherhardt asked what part of the day has the most vehicles. Mr. Love stated most likely between the hours of 9:00 a.m. and 1:00 p.m. which would have all the part time employees and full time employees at one time. Mr. Love stated that there are several company vehicles that are used by employees for sales and deliveries. He stated that there are spots allocated for guests in the case they have a meeting.

Mr. Emmons stated that this application was originally approved back in 2002 for Phase I and II. He stated that they are here tonight for an amended final preliminary and final major site plan.

Mr. Emmons asked how big the location is. Mr. Love stated that they have 36,000 SF and are requesting 16,400 more than previously approved.

Mr. Morton asked if they anticipate increased truck traffic. Mr. Love stated that it would be minimal. Mr. Morton asked if they are proposing one loading dock. Mr. Love stated yes.

Mr. Emmons asked if there enough loading docks per code. Mr. Regn stated yes.

Mr. Jeffrey King, Architect, Licensed in 1991, sworn to provide testimony. The Board accepts Mr. King as an expert witness.

Mr. King discussed the architect of the building on Sheet A1.

Mr. Carl Gaskill, P.E., sworn to provide testimony.

Exhibits marked SB-6, SB-6a, C (Drainage Plan) and D (Manufacturers Specifications)

Mr. Gaskill discussed the site plan.

Mr. Gaskill stated that the current truck traffic does not warrant the extra loading dock.

Mr. Gaskill stated that they are agreeable to the landscaping.

Mr. Gaskill discussed the alternate for the storm water basin.

Mr. Sullivan stated that he is agreeable with the storm water basin.

Mr. Gaskill stated that they are in compliance with all the comments raised by Mr. Sullivan.

Mr. Regn asked if there was a proposed man door by the handicap spots near the loading dock. Mr. Gaskill stated yes.

Mr. Ammerman asked if employees parked in the back enter the building through the front or back.

Mr. Emmons asked if the applicant is aware and agreeable to the COAH requirements. Mr. Eherhardt stated yes. Mr. Emmons stated that the COAH obligations would be half due when the first permits are issued and the other half would be due at final certificate of occupancy.

At this time Chairman Bennett opened the meeting up for public comment. There being none, this portion of the meeting was closed.

Mr. Sullivan recommended that this application just be for preliminary at this time.

Mr. Emmons stated that this is an application for amended preliminary major site plan approval

Motion was made by Mr. Morton, seconded by Mr. Potter to grant amended preliminary major site plan approval. The vote was unanimous and the motion carried.

Franklin Machine
101 Mt. Holly ByPass
I-2 Zone
Block 15.04, Lots 2.04
Preliminary and Final Major Site Plan for 40,000 SF Addition (10:29-10:45)

Exhibits marked.

Mr. Matthew Madden, Esq., present representing applicant

Mr. Phil Ruggieri - 1225 North Broad Street, Woodbury, Architect, sworn to provide testimony.

Mr. Joe Grato - President of Franklin Machine, sworn to provide testimony.

Andrew Haug, Professional Engineer, sworn to provide testimony.

Mr. Haug discussed the site plan.

Mr. Sullivan stated that the applicant has provided sufficient testimony to request a waiver from the Environmental Impact Study and Traffic Study.

Motion was made by Ms. Marinelli, seconded by Mr. Ammerman to deem the

application complete. The vote was unanimous and the motion carried.

The Board accepts Mr. Andrew Haug's qualifications as a Professional Engineer.

Mr. Haug stated that the proposal is for a 40,000 SF addition to be constructed on the easterly end of the building. He stated there would be 22 additional parking stalls in the front parking lot. He stated that they are proposing three additional loading docks. Mr. Haug stated that the storm water basin was designed accordingly in the original application. Mr. Haug stated that there are no variances required with this application.

Mr. Sullivan stated that this application is consistent with the preliminary approval.

Mr. Ruggieri stated that the architecture will be identical to what is existing.

Mr. Emmons asked if the applicant was agreeable to the COAH obligation. Mr. Madden stated yes.

At this time Chairman Bennett opened the meeting up for public comment. There being none, this portion of the meeting was closed.

Motion was made by Ms. Marinelli, seconded by Mr. Morton to grant preliminary and final approval. The vote was affirmative with the exception of Mr. Pagenkopf, who abstained, and the motion carried.

Old Business

a. Philly Soft Pretzel

Ms. Borstad reported that they posted a bond in escrow.

Public Comment

There were none.

Comments from Professionals

There were none.

Comments from the Board

a. Bill List

Motion was made by Mr. Regn, seconded by Mr. Ammerman to approve the bill list. The vote was unanimous and the motion carried.

Executive Session

Motion was made by Mr. Morton, seconded by Mr. Ammerman to adjourn to Executive Session at 10:52 p.m. The vote was unanimous and the motion carried.

Adjournment

Motion was made by Mr. Conway, seconded by Ms. Marinelli to adjourn at 11:07. The

vote was unanimous and the motion carried.

Respectfully Submitted,

Caryn L. Cutts, Recording Secretary
Land Development Board

