

**Township of Lumberton
Land Development Board
Regular Meeting
October 21, 2010**

The regular meeting of the Lumberton Township Land Development Board was called to order by Chairman Morton on Thursday, October 21, 2010 at 7:30 p.m.

Chairman Morton 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 4, 2010 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, Vice-Chairman Robert Bennett Sheldon Evans Beverly Marinelli Robert Morton, Chairman John Pagenkopf Craig Potter	
Representatives of Governing Body	James Conway, Jr. Lewis Jackson	(Absent)
Alternate #1	Nancy Bleznak	
Alternate #2	Thomas Bintliff	(Absent)
Alternate #3		
Alternate #4	Ed Borm	
Solicitor	Peter Emmons, Esq.	
Consulting Engineer & Planner	Thomas Cundey, P.E. Remington, Vernick & Arango	
Consulting Planner	Mr. Petrongolo Remington, Vernick & Arango	
Board Secretary	Catherine Borstad	

Minutes

Meeting minutes for September 16, 2010

Motion was made by Ms. Marinelli, seconded by Mr. Conway to approve the September 16, 2010 Meeting minutes. The vote was affirmative and the motion carried.

Special meeting minutes for September 27, 2010

Motion was made by Mr. Evans, seconded by Ms. Marinelli to approve the September 27, 2010 Meeting minutes. The vote was affirmative and the motion carried.

Special meeting minutes for October 6, 2010

Motion was made by Ms. Evans, seconded by Ms. Marinelli, to approve the October 6, 2010 Meeting minutes. The vote was affirmative and the motion carried

Correspondence

Letter dated October 11, 2010 from Hyland Levin, regarding Virtua Health and Rehabilitation Center requesting to withdraw their site plan application.

Motion was made by Mr. Conway, seconded by Mr. Potter, to withdraw their application without prejudice. The vote was affirmative and the motion carried.

Resolutions

- a. 2010-16 PSEG, 386 Main Street, Block 40, Lot 2. Amended Major Site Plan approval with variances. Approved

Motion was made by Mr. Ammerman to approve Resolution 2010-16 seconded by Mr. Pagenkopf. The vote was affirmative with the exception of Mr. Conway who absented and the motion carried.

- b. 2010-17 Virtua Health and Rehabilitation Center, 62 Richmond Ave. Block 12, Lot(s) 1 and 2, Block 17, Lot(s) 1.01, 2.01 and 2.02. Preliminary and Final Major Site Plan. Continued to October 21, 2010 meeting.

Motion was made by Mr. Evans to approve Resolution 2010-17 seconded by Mr. Potter. The vote was affirmative and the motion carried.

- c. 2010-18 Perfection Cleaning by Max, 1626 Route 38, Block 19.05, Lot 9.05. Minor site plan. Continued to October 21, 2010 meeting.

Motion was made by Mr. Ammerman to approve Resolution 2010-18 seconded by Mr. Conway. The vote was affirmative and the motion carried.

- d. 2010-20 Walmart, 1740 Route 38, Block: 22, Lot: 8.02. Preliminary and Final Major Site Plan. Continued to October 21, 2010.

Motion was made by Mr. Evans to approve Resolution 2010-20 seconded by Mr. Ammerman. The vote was affirmative and the motion carried.

Items for Action

- a. Perfection Cleaning by Max
1626 Route 38
Block 19.05, Lot 9.05
Minor Site Plan with Conditional Use Variance Continuance to October 21, 2010.**

Chairman Morton asked if anyone was here to present this application, there being none. Mr. Emmons stated that a motion to deny without prejudice is needed.

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

- b. Walmart
Route 38
Block 22, Lot 8.02
Amended Final and Preliminary Site Plan Application**

**Transcripts are prepared for this portion of the meeting. Please refer to the Transcript for detailed analog.

Present at this hearing were:

Ms. Tracy Siebold, Esq. Ballard, Spahr, LLP, 210 Lake Drive East, Suite 200, Cherry Hill, New Jersey 08002 attorney for the applicant.

*Mr. Jeffrey Baron, Esq., Baron & Reifberg attorney representing Ms. Dottie Leverage.
(arrived at 8:00)*

Mr. Gemma, Gemma & Eskwitt appearing on behalf Mr. Gasiorowski's Office.

Exhibits marked (Exhibit A-11 thru A-14)

Mr. Moonan, Professional Engineer

Mr. Gallagher, Architect

Ms. Bartolino, Market Manager for Walmart sworn to provide testimony regarding the operations for Walmart.

Mr. Zimmerman, Licensed Professional planner sworn to testify on behalf of the opposing counsel.

Exhibits marked (O-1 thru O-3)

Mr. Emmons stated that the next scheduled meeting for Walmart would be on the agenda would be the regular scheduled meeting on November 18, 2010 which beings at 7:30 pm.

Motion was made by Mr. Bennett, seconded by Mr. Conway, to continue the application to the November 18, 2010 meeting. The vote was unanimous and the motion carried.

Old Business

No Old Business.

Public Comment

Comments from Professionals

Comments from the Board

A. Bill List

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

Adjournment

Motion was made by Mr. Conway and seconded by Mr. Ammerman to adjourn at 10:48 p.m. The vote was unanimous and the motion carried.

Respectfully Submitted,

Catherine A. Borstad
Land Development Board Secretary