

**Township of Lumberton  
Land Development Board  
Regular Meeting  
September 16, 2010**

The regular meeting of the Lumberton Township Land Development Board was called to order by Chairman Morton on Thursday, September 16, 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                 | (Absent) |
|                                   | Sheldon Evans                  |          |
|                                   | Beverly Marinelli              |          |
|                                   | Robert Morton, Chairman        |          |
|                                   | John Pagenkopf                 |          |
|                                   | Craig Potter                   |          |
| Representatives of Governing Body | James Conway, Jr.              | (Absent) |
|                                   | Lewis Jackson                  | (Absent) |
| Alternate #1                      | Nancy Bleznak                  |          |
| Alternate #2                      | Thomas Bintliff                | (Absent) |
| Alternate #3                      |                                |          |
| Alternate #4                      | Ed Borm                        | (Absent) |
| Solicitor                         | Peter Emmons, Esq.             |          |
| Consulting Engineer & Planner     | Thomas Cundey, P.E.            |          |
|                                   | Remington, Vernick & Arango    |          |
| Board Secretary                   | Catherine Borstad              |          |

### Minutes

Meeting minutes for August 19, 2010.

Motion was made by Ms. Marinelli, seconded by Mr. Potter to approve the August 19, 2010 Meeting minutes. The vote was affirmative with the exception of Mr. Pagenkopf and Ms. Bleznak who abstained, and the motion carried.

### Correspondence

None

### Resolutions

- a. 2010-12 T-Mobile Northeast, LLC, 386 Main Street, Block: 40, Lot: 2. Variance and site plan approval for telecommunication antennas and equipment cabinet. Approved

Motion was made by Mr. Evans, seconded by Ms. Marinelli to approve Resolution 2010-12. The vote was affirmative with the exception of Ms. Bleznak and the motion carried.

- b. 2010-13 Sacchetti, Linda, 13 Bridge Road, Block: 40, Lot: 19. Accessory Structure Bulk Variance. Approved.

Ms. Marinelli commented that on page 1 it should read that they have a two car garage. Also, under conditions it should state that no business is approved at the property. Mr. Emmons made the changes and stated that a motion to approve with changes would be appropriate.

Motion was made by Ms. Marinelli to approve Resolution 2010-13 with changes, seconded by Mr. Potter. The vote was affirmative with the exception of Ms. Bleznak and the motion carried.

- c. 2010-14 Virtua Health and Rehabilitation Center at Mount Holly, 62 Richmond Ave, Block: 12, Lot(s): 1 and 2, Block: 17, Lot(s): 1.01, 2.01 and 2.02. Preliminary and Major Site Plan. Continued to September 16, 2010 meeting.

Motion was made by Mr. Ammerman, seconded by Ms. Marinelli to approve Resolution 2010-14. The vote was affirmative with the exception of Ms. Bleznak and the motion carried.

- d. 2010-15 Walmart, 1740 Route 38, Block: 22, Lot: 8.02. Preliminary and Final Major Site Plan. Application Deemed Complete

Motion was made by Mr. Evans, seconded by Mr. Ammerman to approve Resolution 2010-15. The vote was affirmative with the exception of Ms. Bleznak and the motion carried.

### Items for Action

- a. ***Virtua Heath and Rehabilitation Center  
62 Richmond Ave  
Block 12 Lot 1 and 2  
Block 17 Lot(s) 1.01, 2.01 and 2.02  
Preliminary and Final Major Site Plan with Variances***

Mr. Emmons address the public noticing that several members from the public were there to hear this application, announcing that this application was being continued to the October 21, 2010 meeting, and that the applicant would be required to re-notice for that meeting in October.

Motion was made by Mr. Potter seconded by Mr. Ammerman to continued this application to the October 21, 2010 meeting. The vote was affirmative and the motion carried.

**b. 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.**

Mr. Emmons stated that the applicant failed to notice so the application should be deemed incomplete.

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

**c. Lumberton Substation (PSE&G)  
396 Main Street  
Block 40, Lot 2  
Major Site Plan with Variances (7:52-9:25)**

Ms. Brown Esq., Present representing applicant.

Ms. Brown stated that pursuant to the approval by Resolution 2009-7 it was required that they submit a sound test after the walls were constructed. It has been determined that they exceed the allowable sound test and that a design correction is required.

Mr. Willaim Brackmann, Engineer with PSE&G, sworn to provide testimony. Mr. Brackmann gave the Board his credentials as a professional engineer. The Board accepts Mr. Brackmann as an expert witness.

Mr. Brackmann stated that Soundwall T-5-1, west end extended approximately 59 feet and east end approximately 22 feet. Soundwall T-6-2, west end extended 84 feet and east end 62 feet. Soundwall T-2 extended approximately 28 feet west end only, Soundwall T-1 extended 14 feet west end only. The other two walls do not require lengthening to meet the noise criteria.

Mr. Emmons asked what happens if these extensions still do not resolve the sound test issues. Ms. Brown stated that if that were to happen than they would have to research and proposed another design option to bring back before the board.

Mr. Emmons stated that this is an application is for a revised site plan. He stated that many of criteria that they have already testified to from the initial site plan are still in place. He stated that the applicant previously testified that the positive criteria of the facility update is that it would be necessary to provide adequate service to the Township and surrounding areas. He stated that the update will directly serve the Township of Lumberton. Mr. Emmons stated that the applicant has testified that they will not disturb the existing landscaping, will not increase traffic or parking, and there will be no negative impact or detriment to the code or Master Plan. He stated that the applicant has testified that the application will support the goals and elements of the Master Plan. Mr. Emmons stated that the applicant has testified that there will be no increase in fumes, dust and no increase in danger of fire. He stated that the applicant has testified that public health, safety & welfare will not be affected. Mr. Emmons stated that a condition of approval will be that the applicant has agreed to test the sound walls at the property line and if they do not meet state standards the applicant has agreed to redesign and construct to make them comply. Mr. Emmons stated that the applicant has testified that there will be no increase in employees.

Motion was made by Mr. Marinelli, seconded by Mr. Pagenkoff, to approve the revised site plan with conditions. The vote was unanimous and the motion carried.

**Old Business**

No Old Business.

**Public Comment**

Chairman Morton opened the meeting up to the public.

Mr. Vidal-Davila, 408 Main Street, Block 40, Lot 34

Mr. Vidal has some concerns in regards to PSE&G trucks going on his property and causing ruts on his lawn, it makes it very difficult to mow that area.

It was decided that during inspections, either through the construction office or the engineering office, someone would look at the area and make recommendations at that time.

Public portion was closed.

**Comments from Professionals**

Mr. Emmons had a suggestion in regards to the minutes. He stated that Bordentown now only lists the applicant's information, experts that testified and a brief description of the board's action, the rest is referred back to the recording. Ms. Marinelli did not feel that this was a good idea, she often refers back to minutes from previous meetings and felt that this would be difficult.

**Comments from the Board**

**A. Bill List**

Motion was made by Ms. Marinelli, seconded by Mr. Pagenkopf to approve the bill list. The vote was unanimous and the motion carried.

**Adjournment**

Motion was made by Mr. Ammerman and seconded by Mr. Evans to adjourn at 8.05 p.m. The vote was unanimous and the motion carried.

Respectfully Submitted,

Catherine A. Borstad  
Land Development Board Secretary