

A meeting of the Township of Hamilton Planning Board was held on the above date with Chairman David Wigglesworth presiding. Other members present were Heather Tomasello, John Percy, William Christman, John Kurtz and Wayne Choyce. Alternate member present was Harry Rogers. Also present were Christopher Carey, Landscape Consultant; Steven Filippone, Engineer Consultant; Alexander Litwornia, Traffic Engineer Consultant; John Rosenberger, Solicitor; and Philip Sartorio, P.P., Community Development Director.

Compliance with the Open Public Meetings Law was acknowledged.

Approval of Minutes - Mr. Christman moved, seconded by Mr. Percy, to approve the minutes of the meeting of June 21, 2012, as published. SAID MOTION CARRIED WITH ALL MEMBERS VOITNG "AYE", NO "NAY", NO "ABSTAIN".

James Pashley and Andre Santori – Mr. Percy moved, seconded by Mr. Kurtz, to adopt the resolution prepared by the Solicitor for James Pashley and Andre Santori.

ROLL CALL VOTE ON THE ABOVE MOTION:

Mr. Choyce – Aye

Mr. Christman – Aye

Mr. Kurtz – aye

Mr. Percy - Aye

Ms. Tomasello - Aye

Mr. Wigglesworth – Aye

SAID MOTION CARRIED.

Land Use Ordinance Amendment Discussion – Mr. Litwornia reviewed his memo, dated July 27, 2012, that he had prepared in response to the direction of the Board to develop an ordinance requirement for submission of a plan to control site traffic during all phases of construction.

Mr. Litwornia suggested that the Board consider consulting with the Fire Chiefs of the Township with regard to including provisions of the Fire Code within the Ordinance, and adding the National Fire Code as a reference. He noted that he had included within his proposed amendments parts of the Fire Code that he felt were relevant to project phasing.

Mr. Rogers objected to including reference to the National Fire Code, stating that it would be over reaching and has the potential of added cost to businesses. He noted that the individual Fire Companies already meet with developers who are doing projects within their area of jurisdiction and review their submissions, and any attempt to standardize the criteria that they use would never be all-inclusive and would be a hindrance.

Mr. Christman pointed out that the traffic control plan would need to consider not just the traffic generated by patrons, but through traffic as well.

Board members commented and offered suggestions with regard to blind spots during construction, speed bumps, Title 39 enforcement, speed control, proper signage and other areas of concern. The situations at the Hamilton Mall and Walmart were used as a reference. Mr. Litwornia explained how he had addressed the issues in the proposed ordinance.

Mr. Litwornia informed the Board that the Manual on Uniform Traffic Control Devices (MUTCD), the standard throughout the Country, has been expanding over the past year to include shopping centers and all roads open to the public, so, if there is a loop road that serves a shopping center, the MUTCD standards would have to be met. He stated that he is in the process of working with Washington, DC, for traffic calming measures to be included in front of the stores.

It was decided to expand upon Mr. Litwornia's proposed ordinance revisions and to include language that requires a traffic control plan that separates site traffic from construction traffic and through traffic; language that would indicate that traffic calming measures may be

considered and required by the Board; and language that requires a site speed limit to be proposed for the site, and a speed limit to be proposed for the period of construction, as part of the plan.

Mr. Sartorio reviewed his memorandum dated July 30, 2012, which contained suggested Land Use Ordinance amendments to maintain consistency with changes to the Municipal Land Use Law, Pinelands Comprehensive Management Plan and other State statutes, and to address changes that had been discussed with Township Committee members and the Township Administrator. Mr. Sartorio's memo, also, contained staff generated recommendations and discussion items for the Board to consider.

Mr. Sartorio explained why certain changes were necessary and why certain changes were being proposed. He noted that one other amendment to consider would be a new Zoning Board application form, in addition to an application checklist, but he had not included it in his memo because it had not yet been completed by the Board.

Board members asked questions and made suggestions, to which Mr. Sartorio responded.

Mr. Sartorio stated he would incorporate Mr. Litwornia's proposed ordinance amendments with certain proposed amendments identified within his memo and develop an ordinance for the Board's consideration at its next meeting. A recommendation could then be made to Township Committee.

Mr. Wigglesworth opened the meeting to public comment.

Aline Dix recalled Township Committee's past acceptance of Title 39 enforcement with regard to certain properties, and where the actual enforcement could occur. She suggested that there be some clarification as to where the law can be enforced, particularly as it applies to the marginal access road.

Some discussion ensued and Mr. Rosenberger advised that the Board could require an applicant, as a condition of approval during the application process, to request Title 39 enforcement, but there is nothing the Board could do with regard to an already developed site, unless an application is submitted for some modification.

Mr. Litwornia suggested that the ability to request Title 39 enforcement be included in the proposed ordinance amendment and the Board agreed.

Mr. Percy moved, seconded by Mr. Kurtz, to close the public portion of the meeting. SAID MOTION CARRIED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Adjournment – Mr. Percy moved, seconded by Mr. Christman, to adjourn the meeting. SAID MOTION CARRIED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Respectfully submitted

Nancy Rainbow,
Planning Board Administrator