

A meeting of the Township of Hamilton Planning Board was held on the above date with Chairman Gordon Dahl presiding. Members present were Harry Bilicki, Charles Cain, Richard Cheek, William Christman, Wayne Choyce, Adam Greco and John Kurtz. Alternate members present were Jack Carson and Harry Rogers. Also present were Robert Cooper, Solicitor appointed for this meeting; Charles Endicott, Planner Consultant; Steven Filippone, Engineer Consultant, Christopher Carey, Landscape Architect Consultant; and Alexander Litwornia, Traffic Engineer Consultant.

Compliance with the Open Public Meetings Law was acknowledged.

Appointment of Planner Consultant to Review Hamilton Township MUA Projects – Mr. Christman moved, seconded by Mr. Carson, to appoint Philip Sartorio, P.P., AICP, to review applications submitted by the Hamilton Township Municipal Utilities Authority. SAID MOTION CARRIED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

James Harkins, Certificate of Appropriateness – James Harkins and Ruth Lynn Harkins were present.

Mr. Harkins stated that he and his wife had purchased Lot 2.01 in Block 655, 5928 Pittsburgh Avenue, Mays Landing, New Jersey, from an estate sale, and there was an existing dwelling on the property that was over fifty years old that had been unoccupied for approximately four years.

Mr. Harkins stated he would like to demolish the existing, four bedroom dwelling, due to its deteriorated condition, and reconstruct a new four bedroom, Cape Cod style house.

Mr. Harkins presented twenty-seven photographs of the structure, which were marked into evidence as Exhibit A1.

Mr. Harkins referred a letter written by Harry S. Harper, Architect, dated February 12, 2010, within which Mr. Harper indicated that the property should be demolished due to its condition.

Mr. Harkins testified that the structure had damage from wood boring insects; that there was termite damage; that there were two or three roofs on the structure that were in bad condition; that there was wood rot, mold and mildew throughout the entire house; that the structure had an offensive odor; that there was a rodent infestation; that the foundation was failing; and that he did not want to live in the house.

In response to a question of Mr. Choyce, Mr. Harkins stated he did not intend to remove any existing accessory structures.

Ms. Rainbow stated that she had notified the Historic Preservation Commission that the Planning Board was considering Mr. Harkins request, but had not received a response.

Mr. Choyce moved, seconded by Mr. Kurtz, to issue a Certificate of Appropriateness to permit demolition of the dwelling presently existing on Lot 2.01 in Block 655, based on the documents provided as part of the application, and the testimony presented during the hearing, that the structure, in its present condition, would present a threat to the safety and welfare of its occupants, and that the structure is in such a state of disrepair that it would present an undue hardship upon its owner to undertake restoration.

ROLL CALL VOTE ON THE ABOVE MOTION:

Mr. Bilicki – Aye
Mr. Cain – Aye
Mr. Carson – Aye

Mr. Christman - Aye
Mr. Choyce - Aye
Mr. Greco - Aye

Mr. Cheek – Aye

Mr. Kurtz – Aye

Mr. Dahl – Aye

SAID MOTION CARRIED.

B. and D. Development, LLC, Harrison Beverage (Site Plan Hearing) – Christopher Baylinson, Attorney; Peter Dolcy, P.E., Mark Duitsman, Architect; Jennifer Marandino, Traffic Engineer; and Brett Matlik were present.

Mr. Baylinson informed those present that B and D Development, LLC, was seeking preliminary site plan approval for Phase One and Phase Two, and final site plan approval for Phase One, to permit construction of a distribution facility to accommodate the relocation of Harrison Beverage from Egg Harbor Township.

Pointing to various exhibits, Mr. Dolcy described existing conditions, surrounding land uses, project layout, traffic circulation, parking lot configuration, site access and the storm water management system.

Mr. Dolcy stated that Summit Associates would be constructing the roadways associated with the project, and Mr. Baylinson pointed out that Harrison Beverage was under contract with Summit Associates to purchase the property and Summit Associates was under contract with the Township of Hamilton Industrial Commission to purchase the property.

Mr. Dolcy expressed the opinion that the waiver request from the requirement for a landscaped parking island every five parking spaces was reasonable, because all of the parking would be approximately one hundred twenty feet from the property line and the parking lot would not be seen from the roadway, and the intent of the Ordinance was being met by what the Applicant was proposing.

Mr. Dolcy stated that a waiver would be needed from the Ordinance requirement for the width of a loading space, as fourteen feet was required and the Applicant was proposing thirteen and one half feet.

With respect to the variance request from the requirement for number of parking spaces, Mr. Dolcy pointed out that the Applicant's existing facility in Egg Harbor Township had less parking spaces than that being proposed, and that parking lot was under utilized. He stated that the plan provides for five more spaces for Phase Two, but it was his opinion those spaces may not be needed.

Board members asked questions with regard to truck traffic, employee vehicles, setbacks, roof drains and gutters, construction timetable and topography, to which Mr. Dolcy responded.

Mr. Dolcy testified that vehicles would be loaded during the night; that the site would be operated twenty-four hours a day; and that the operation would be carefully scrutinized by management staff.

Pointing to a colored rendering, Mr. Duitsman described the layout of the building, the architectural elements and features of the façade and how the building would be screened. He expressed the opinion that the variance requested for building length could be granted without substantial detriment to the zoning plan, as the intent of the Ordinance was being met by what the Applicant was proposing.

Ms. Matlik stated that she was one of the owners of B and D Development, LLC, and one of the owners of Harrison Beverage, a third generation business, doing business for fifty years.

Ms. Matlik informed the Board that the Applicant decided to relocate from Egg Harbor Township to the Hamilton Business Park in an effort to modernize their facility and due to the need for more space, because more products had been added. She stated that the Applicant currently had eighty employees and there was no plan to increase that number.

Ms. Matlik described how the site would be operated, and stated that there would be no retail sales on site; that there would be no reason for anyone to visit the site, except if someone were meeting with her; that there are seventy-eight parking spaces at her present facility, and she had never seen that parking lot filled to capacity; that, at peak time, there would be approximately fifty parking spaces in use; that there would be eight persons in the office; that excessive trash would not be generated; that the proposed seven foot high fence with one foot of barbed wire was being installed for the security of the employees, mainly the night crew; that there would be cameras on site for added security; that their present plan did not include mechanics on site for vehicle repair; that all of their truck drivers were employees, and management had complete control on their truck activity; that truck deliveries to the site involved eighteen-wheelers; and that there would be approximately ten truck deliveries daily to the site, most of which would be coming from Newark.

Ms. Marandino described the traffic impact study she had prepared, its purpose and how she arrived at her conclusion.

Ms. Marandino expressed the opinion that the number of proposed parking spaces would be reasonable and would be able to handle the operation, and that the variance could be granted without substantial detriment to the public good or the zoning plan. She pointed out that her analysis included the present operation.

Board members questioned the impact on various intersections in the area and whether traffic generated from other known projects had been considered. Ms. Marandino stated that a small amount of traffic would be added, and Mr. Baylinson stated that, typically, known projects are included.

Mr. Baylinson advised that the project was a permitted use within the IBP Zone, and that the Board's consideration should be directed to whether there would be difficulty at the access point and not whether there would be offsite traffic. Ms. Matlik added that she chose to locate the facility in the Hamilton Business Park because the Park was designed for the use she was proposing.

Mr. Endicott reviewed his report, noting the variances that would be necessary and what additional information would be necessary. He expressed the opinion that the parking spaces proposed for within the building should not be counted, and explained why a variance would be necessary from the requirement that there be no fences within the front yard area.

Pointing to a plan, Mr. Dolcy indicated where the fence was proposed to be located, and noted the difficulty with trying to relocate the fence to be outside of the front yard area due to the lot configuration. Mr. Baylinson stated that the fence was needed for security purposes, and Mr. Litwornia pointed out that, due to the slope of the ground, the impact, with regard to the height of the fence, would be somewhat diminished.

Mr. Endicott made a recommendation to eliminate the need for pedestrians to cross a certain drive isle. Mr. Dolcy stated that the Applicant was trying to leave as many green areas as possible, and he pointed out that only employees who were familiar with the site would be using it. Pointing to a plan, Ms. Matlik indicated where most of the employees would access the building.

In response to a comment of Mr. Litwornia, Mr. Dolcy agreed to relocate a handicap parking space so it would be closer to the building and to add another handicap space.

Mr. Endicott referred to the shared parking provision within the Ordinance and how it related to the Applicant's proposal. He pointed out that the parking requirement could not be reduced more than twenty-five percent, and that justification had to be provided.

Mr. Filippone reviewed the recommendations and the request for certain information that were set forth within his report. Mr. Dolcy agreed to address the issues raised by Mr. Filippone.

Mr. Litwornia referred to his report, and stated that he felt comfortable with the Applicant's testimony with regard to parking needs for Phase I, but he recommended that the

parking needs be evaluated prior to final approval being granted for Phase II, to ensure the parking is adequate. Mr. Baylinson pointed out that Phase II provides for warehouse expansion for the use proposed.

Mr. Litwornia stated that his concern was that traffic generated and parking needs could change if the Applicant were to sublet the warehouse, or if the owner were changed, as the variance being requested was based on a traffic and parking study that used average numbers; but he expressed the opinion that the proposed number of parking spaces wouldn't be a problem for the Applicant's operation, based on the testimony provided.

A discussion ensued and it was suggested that a condition of granting the variance be imposed that would require, prior to final approval being granted for Phase II, that a determination be made that there had been no further intensification beyond what was testified to at the hearing and that an evaluation of the site, in operation, be completed to justify that more than one hundred thirty-two parking spaces would not be needed as a result of the Phase II expansion.

Reference was made to the Fire Official's request for additional fire hydrants, and Mr. Dolcy stated that they would be shown on the plan and submitted to the Hamilton Township Municipal Utilities Authority.

Mr. Litwornia referred to the sidewalk plan the Board had previously adopted as a policy for requiring installation of sidewalk within the Hamilton Business Park, and he advised as to how it had been administered. A discussion ensued, and it was pointed out that Summit Associates would be constructing the roadway where the sidewalk would be placed, and that the roadway surface would need to be in a condition suitable for emergency vehicle access before site construction could commence.

Mr. Dolcy stated that the Applicant had agreed to provide sidewalk along the opposite side of Nawakwa Boulevard and on the Applicant's side of Unami Boulevard, consistent with the Board's sidewalk plan. Pointing to a plan, he indicated where the Applicant would be constructing an asphalt jogging trail on site.

A discussion ensued, during which it was decided that sidewalk along Unami Boulevard, along the Applicant's property, and the opposite side of Nawakwa Boulevard, would be constructed of concrete within those public rights-of-way, but the jogging path would be constructed of asphalt and located within the confines of the Applicant's property. It was pointed out that Summit Associates would be constructing the streets, consistent with the subdivision approval that was granted, and the plan may have required construction of sidewalk on both sides of the streets. Mr. Cooper advised that it would be between the Applicant and Summit Associates as to which would be installing the sidewalk, but the approval would reflect that the sidewalk would have to be constructed of concrete and in the locations consistent with the Board's sidewalk policy plan.

Mr. Dolcy stated that Summit Associates would be constructing the streets and the associated improvements.

Mr. Litwornia emphasized the need for the approval to clearly state that Nawakwa Boulevard would have to be extended and Unami Boulevard would have to be constructed along the site frontage, at a minimum with a surface suitable for emergency vehicles, prior to commencement of site construction due to the fact that the roadways were to be constructed by someone other than the Applicant.

Mr. Litwornia reviewed his recommendation with regard to the Applicant's pro rata share contribution for off tract improvements.

Mr. Carey reviewed his report and recommendations with regard to landscaping. Mr. Dolcy stated that the Applicant would comply with his comments.

Mr. Dahl opened the hearing to public comment.

Aline Dix asked questions related to Unami Boulevard and sidewalk material to which responses were provided.

Mr. Cain moved, seconded by Mr. Kurtz, to close the public portion of the hearing. SAID MOTION CARRIED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Mr. Kurtz questioned whether the Applicant would be complying with the Fire Official’s comment with regard to height of mature vegetation, and Mr. Carey stated that the issue would be addressed.

Mr. Baylinson stated that the Applicant would accept the comments of the Fire Official.

Mr. Carson moved, seconded by Mr. Cain, to grant variances associated with Application #2010-001, Block 994.03, Lots 3 through 9, submitted by B. and D. Development, LLC, for building length to permit a building of four hundred fifty nine feet, plus or minus one foot, in Phase One, and a building length of six hundred nineteen feet in Phase Two, plus or minus one foot; for parking to permit one hundred thirty-two parking spaces, conditioned upon the Applicant providing evidence at the time of the application for final approval for Phase Two that there has not been a change to the traffic pattern as set forth in the testimony presented; and to permit a seven foot high security fence, with barbed wire, in the front yard area.

ROLL CALL VOTE ON THE ABOVE MOTION:

- Mr. Bilicki – Aye
- Mr. Cain – Aye
- Mr. Carson – Aye
- Mr. Cheek – Aye
- Mr. Christman - Aye
- Mr. Choyce – Aye, because the architectural plan shows that the design of the building meets the intent of the ordinance with regard to building length and the applicant has indicated that the fence is to protect the employees.
- Mr. Greco – Aye
- Mr. Kurtz – Aye
- Mr. Dahl – Aye

SAID MOTION CARRIED.

Mr. Choyce moved, seconded by Mr. Carson, to grant preliminary site plan approval for Phases One and Phase Two, and final site plan approval for Phase One, to B. and D. Development, LLC, Block 994.03, Lots 3 through 9, Application #2010-001, with waivers granted from the requirement for width of the loading area and providing a landscaped island in the parking lot every fifth parking space, conditioned upon compliance with the recommendations contained within the reports of Vincent Polistina, dated January 28, 2010, Steven Filippone, dated February 23, 2010, Christopher Carey, dated February 23, 2010, Alexander Litwornia, dated January 27, 2010, and Frank Primavera, Fire Official, dated February 2, 2010; providing a pro rata share contribution toward off tract improvements in the amount of \$8,000.00 for Phase One and \$4,000.00 for Phase II; construction of concrete sidewalk along Unami Boulevard to the extent of the property; providing concrete sidewalk along the west side of Nawakwa Boulevard; and construction of the public roadways associated with the project to a standard suitable for emergency vehicle access prior to site construction.

ROLL CALL VOTE ON THE ABOVE MOTION:

- Mr. Bilicki – Aye. He said he was very impressed with the proposal and expressed the opinion that the business would be good for the Township.
- Mr. Cain – Aye
- Mr. Carson – He stated that he agreed with Mr. Bilicki’s comments; that he felt that the plan was well prepared; and that the facility was a wonderful addition to the Hamilton Business Park
- Mr. Cheek – Aye. He commented that the building was very impressive.
- Mr. Christman – Aye

Mr. Choyce – Aye. He stated he agreed with the comments of other Board members and expressed the opinion that the granting of the variances and waivers would not result in a negative impact or be a detriment.

Mr. Greco – Aye. He expressed the opinion the facility was a first-class operation.

Mr. Kurtz – He expressed the opinion that the proposal was an excellent plan.

Mr. Dahl – Aye

SAID MOTION CARRIED.

Public Comment – Mr. Dahl opened the meeting to public comment and there was no response.

Mr. Carson moved, seconded by Mr. Greco, to close the public portion of the meeting. SAID MOTION CARRIED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Site Plan Review Subcommittee – Mr. Cheek suggested that the Site Plan Review Subcommittee meet to discuss storm water management. He stated he would be out of town for a while, and Mr. Dahl requested that the meeting be arranged after Mr. Cheek returns.

Adjournment – Mr. Cain moved, seconded by Mr. Choyce, to adjourn the meeting. SAID MOTION CARRIED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Respectfully submitted,

Nancy Rainbow,
Planning Board Administrator