

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 John Rosenberger, Solicitor; Charles Endicott, representing Vincent Polistina, Planner Consultant; Steven Filippone, Engineer Consultant; Christopher Carey, Landscape Architect Consultant; and Robert Watkins, Alternate Engineer Consultant.

Compliance with the Open Public meetings Law was acknowledged.

Appointment of Alternate Solicitor – Mr. Cain moved, seconded by Mr. Choyce, to appoint Robert A. Cooper to serve as Alternate Planning Board Solicitor during the meeting scheduled for March 4, 2010, in Mr. Rosenberger's absence. SAID MOTION CARRIED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

B and D Development, LLC, Harrison Beverage Company (Determination of Completeness) – Christopher Baylinson, Attorney, and Peter J. Dolcy, P.E., were present.

Mr. Rosenberger informed those present that Mr. Baylinson had previously represented Mr. Cheek and that Mr. Cheek had placed a bid on the job, through the general contractor, but it was his opinion that Mr. Cheek could participate in the hearing, since Mr. Cheek had no continuing relationship with Mr. Baylinson; that Mr. Cheek had no substantive discussions with the Applicant; and that Mr. Cheek had no substantive discussions with the General Contractor, except involving an invitation to place a bid.

Mr. Endicott referred to his report and noted the waiver requests that the Board should consider.

Mr. Dolcy explained that he hadn't submitted certain documentation because the Ordinance did not require it within the IBP Zone, but Mr. Endicott stated that he interpreted the Ordinance such that certain items should be required at a minimum.

Mr. Litwornia suggested that the Board consider waiving certain items at this point in time, as any item could be requested later if a determination is made the information is necessary.

Mr. Carson pointed out that the Business Park was designed to encourage the type of development being proposed by the Applicant, and an assumption could be made that various things were considered prior to creation of the Park. He stated he would accept certain waiver requests because of the nature of the application and where the project would be located.

Mr. Filippone reviewed his report, and asked for an explanation with regard to the note on the plan indicating that a certain roadway improvement would be performed by others. Mr. Dolcy explained, and agreed to provide the plan of the roadway improvement.

Mr. Litwornia stated he had all of the information he needed to recommend that the application be deemed complete for review.

Mr. Carey advised as to what information would be needed for the landscaping review.

The Board considered the various waiver requests, based on the discussion and its consultants' recommendations.

Mr. Kurtz moved, seconded by Mr. Choyce, to deem complete for review application No. 2010-001, submitted by B and D Development, LLC, Block 994.03, Lots 3 through 9, with waivers granted from the requirement for submission of item numbers 10, 21, 23, 25, 38, 39, 40, 41, 43, 45, 47f as set forth on the checklist submitted with the application, dated January 20, 2010, entitled "Land Use and Development Preliminary Major Site Plan Checklist", conditioned

upon compliance with the recommendations contained within the reports of Alexander Litwornia, dated January 27, 2010, Vincent Polistina, dated January 28, 2010, and Steven Filippone, dated February 1, 2010, and the time period within which the Board has to render a decision on the application not commencing until it has been certified that the deficient documentation has been submitted. SAID MOTION CARRIED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

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

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

Ethics Training - Board members left the Public Meeting Room and reconvened in Conference Room “A” to view the DVD of an Ethics Training Session that was conducted on January 15, 2009, to comply with Ordinance No. 1632-2008, as set forth on the agenda for this meeting. The public was invited to attend, but there was no one present in the audience.

Adjournment – When Board members returned to the Public Meeting Room, the meeting was adjourned.

Respectfully submitted,

Nancy Rainbow,
Planning Board Administrator