

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, John Kurtz and David Wigglesworth. Alternate members present were Jack Carson and Harry Rogers. Also present were Christopher Carey, Landscape Architect Consultant; Charles Endicott, Planner Consultant; Steven Filippone, Engineer Consultant; Alexander Litwornia, Traffic Engineer Consultant; John Rosenberger, Solicitor; and Philip Sartorio, Community Development Director.

Compliance with the Open Public Meetings Law was acknowledged.

Approval of Minutes – Mr. Christman moved, seconded by Mr. Kurtz, to approve the minutes of the meeting of March 4, 2010, as published. SAID MOTION CARRIED WITH SEVEN MEMBERS VOTING “AYE”, NO “NAY”, TWO “ABSTAIN”.

Mr. Christman moved, seconded by Mr. Carson, to approve the minutes of the meeting of March 18, 2010, as published. SAID MOTION CARRIED WITH SEVEN MEMBERS VOTING “AYE”, NO “NAY”, TWO “ABSTAIN”.

Railroad Estates, LLC, Hamilton Crossing – Thomas Darcy, Attorney, and Richard Hollander were present.

Mr. Darcy referred to the final major subdivision approval granted by the Board for Phase One of the Hamilton Crossing Project, and requested that an extension of the one hundred twenty day time period within which the conditions of approval had to be satisfied be granted.

Mr. Darcy stated that the Applicant was working with the Pinelands Commission to resolve issues related to a boundary between zones and storm water management, but the major issue was the requirement that a performance guarantee be posted for the improvements, which was anticipated to be \$30,000.00. Mr. Darcy pointed to extreme economic conditions resulting in the lack of available funds at the disposal of the Developer and the reluctance of Banks to fund projects such as this.

Mr. Darcy expressed the opinion that economic conditions would not improve significantly within the near future, and he requested that the extension be granted for three hundred sixty days.

Mr. Darcy stated that the Applicant would diligently continue to work with the Board’s consultants to address the comments contained within their reports as quickly as possible, and it was anticipated that the Pinelands’ issues would be resolved within one hundred twenty days.

In response to Mr. Wigglesworth’s question as to whether the Board could grant an extension for that long a period, Mr. Rosenberger advised that the Ordinance did not prohibit it. He commented that, if the Board grants just one, one hundred twenty day extension, it would cause the Applicant to return to request additional extensions, based on the testimony provided.

Mr. Greco moved, seconded by Mr. Cain, to grant an extension of the time period within which the conditions of final approval are required to be satisfied, pursuant to Section 203-107. E. of the Land Use and Development Ordinance, and that the extension be for three hundred sixty days, due to the current economic conditions.

ROLL CALL VOTE ON THE ABOVE MOTION:

Mr. Bilicki – Aye	Mr. Choyce - Aye
Mr. Cain – Aye	Mr. Greco - Aye
Mr. Cheek – Aye	Mr. Kurtz - Aye
Mr. Christman – Aye	Mr. Wigglesworth – Aye
	Mr. Dahl – Aye

SAID MOTION CARRIED.

Buffalo Pike Associates, Gravelly Run Square (Preliminary hearing continued) – Stephen Nehmad, Attorney; David Schropshire, Traffic Engineer; Kevin Heaney, P.E., and Stuart Wainberg, General Managing Partner, were present.

Richard Cheek recused himself due to a conflict of interest.

Mr. Nehmad announced that one of his witnesses had a death in his family and was not able to be present at this meeting. He stated that he would complete the testimony of the Applicant's Traffic Engineer, and requested that the hearing be continued in order that the absent witness could complete his testimony.

Mr. Nehmad presented an updated exhibit list to Mr. Rosenberger.

Mr. Nehmad advised that minor revisions had been made to the plan in response to comments of the Board's consultants.

Mr. Schropshire described the changes that were made to the plan to accommodate concerns raised by the Board's consultants, which were related to internal site issues. He testified that the site design met or exceeded Township criteria, and provided for safe and efficient vehicular movement within the site, including passenger cars, delivery vehicles and emergency vehicles. Mr. Schropshire stated that the plan met generally accepted standards for traffic circulation for development of that type.

Mr. Schropshire advised of the length of time and the effort the Applicant had expended working with the New Jersey Department of Transportation and the Township to develop a plan that would provide for safe and efficient access.

Mr. Schropshire described the improvements to the Black Horse Pike, Wrangleboro Road jughandle and Volunteer Way, and noted that the site's main driveway was designed as if it were a public street. He stated that the proposed improvements and associated costs were significant, and that the NJDOT would not require a pro rata share contribution toward off tract improvements due to those improvements, even though the Applicant was made to study the effect of the project as far east as the intersection of English Creek Road and the Black Horse Pike in Egg Harbor Township. Mr. Schropshire commented that the improvements far exceeded what was necessary for the shopping center.

Pointing to a plan of the project, Mr. Schropshire indicated where access was provided at three locations, and he noted that two of the access points were controlled by NJDOT. He explained the regulatory process to gain access to State highways, and noted that the Applicant had a verbal concept approval of the plan that was submitted to the State.

Mr. Schropshire referred to the transportation element of the Township's Master Plan, and pointed out that certain improvements being undertaken by the Applicant are specifically set forth within an amendment to that Plan. He expressed the opinion that the improvements being constructed as part of the Project would advance certain provisions within the Master Plan of the Township, as well as advancing the State's idea for betterment of the entire roadway system and the policy promulgated by the Office of Smart Growth, which strongly encourages marginal access roads.

Board members asked questions and offered comments related to site access, traffic circulation, existing marginal access road connection, Volunteer Way connection, driveway capacity, peak hour traffic, buffer to wetlands, and land acquisition to accommodate certain improvements and improved traffic problems, to which responses were provided.

In response to Mr. Nehmad's suggestion that the hearing be opened to public comment, it was pointed out that it may be better to wait until all testimony is presented, as the hearing would need to be reopened after the Applicant's Planner presents his testimony when the hearing is continued.

In response to a question with regard to the issues raised in his report, Mr. Litwornia advised as to what had been addressed and noted that the location of the emergency access road he had requested still had to be resolved.

Mr. Schropshire stated that he had discussed the issue of emergency access with Mr. Haney, and they would work with Mr. Litwornia to see where it would be appropriate.

. Mr. Schropshire described the modifications to the plan that were done to increase the level of service in response NJDOT's and Mr. Litwornia's recommendations.

Traffic problems associated with McKee Avenue were discussed, and it was pointed out that improvements to McKee Avenue would be under the jurisdiction of the Township, but improvements to its intersection with the Black Horse Pike would be under the jurisdiction of NJDOT. Mr. Litwornia stated he would like to see the developer provide a pro rata share contribution towards improvements, and he noted that the Township has control over one approach.

Mr. Cain stated that a subcommittee of the Board had met to review storm water management issues, and he questioned whether the Applicant had explored the use of alternative materials for parking lots to reduce the volume of runoff.

A discussion ensued, and it was pointed out that climate in this area affects the alternative materials and maintenance becomes a major problem.

It was, also, pointed out that the storm water management standards have changed in the State, and developers are required to sign agreements forcing maintenance and bonding, that run with the property.

Mr. Dahl announced that the hearing would be continued on May 20, 2010, and Mr. Rosenberger advised that no further public notice would need to be provided.

Mr. Nehmad stated that Mr. Haney would not be present when the hearing is continued, but he had already presented all of his testimony.

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

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

Transportation Subcommittee – Mr. Bilicki reported on what had been discussed when the Transportation Subcommittee met with Mr. Litwornia and what the Subcommittee would be doing.

Adjournment – Mr. Carson move, seconded by Mr. Cain, to adjourn the meeting. SAID MOTION CARRIED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Respectfully submitted,

Nancy Rainbow,
Planning Board Administrator