

A meeting of the Township of Hamilton Zoning Board of Adjustment was held on the above date with Chairperson, Elaine Valentino, presiding. Members present were Michael Angelo, Wayne Choyce, William Christman, Bruce Strigh, Amanda Zimmerman & alternate member Carl Pitale. Also present was the Alternate Board Solicitor, Randy Lafferty; Engineer, Kevin Dixon; Planner, Robert Watkins & Landscape Consultant, Chris Carey.

Members absent were: Lisa Avis

The Statement of Compliance was read.

Announcements: Application #20-2015 Fred Bohren will be carried without the need for service, as per council's request, to the February 22, 2016 meeting.

Michael Zyndorf; App. #17-15; Block 668 Lot 4; located at 6481 Harding Highway was present along with his attorney, Tom Darcy & is seeking site plan approval for previous approved Use Variance along with a size modification of 2 previously approved buildings & any other variance(s) found to be necessary.

Solicitor, Randy Lafferty, verified that the proof package had been executed properly & taxes are current.

Mr. Darcy stated Bob Bruce, the engineer, met with the Board Professionals and revised the site plan with regards to approvals, variances & waivers (design & checklist).

The following individuals were sworn in: Bob Bruce, Engineer & Mike Zyndorf, applicant.

Mr. Bruce stated that there will be 2 phases instead of 3. The 1st will be the front 2/3 of the lot & the 2nd the back 1/3. The 2nd will consist of the building, parking, paving & basin in rear. The proposed fence is part of phase 1.

In phase 1, the clearing lines will follow the phase 2 line, 10' off the phase line. There clearing limit for phase 1 would be all of phase 1 (the existing wood line). The loading dock will be relocated & restoration will occur in phase 1. Each phase will be bonded separately with performance guarantees. There were concerns with the run off due to the slope & Mr. Bruce stated the slope now will now be at 2%. Runoff will not leave the entrances from the site. Outlets & pipes will be provided. There will be 1 basin in the back & 3 in the front. There will also be 1 point of access along with handicap parking for the site. There will be more site lighting provided along with the existing sign staying. Another sign will be relocated along the frontage between the 2 basins.

Mr. Dixon confirmed that they will provide additional lighting which will have to conform with the ordinance & be reviewed. The lighting will be during late afternoon hours & early morning (limited hours).

Mr. Bruce stated landscaping will be provided as per Mr. Carey's request along the frontage. Mr. Watkins asked about the architectural & Mr. Bruce commented they will be submitted when the permits are open along with the detail & the fire chief review.

Mr. Strigh had questions regarding the phasing & the current tree line. Mr. Bruce replied the whole perimeter is wooded & traced along the drawing that area. Before the clearing starts it will be marked (with a snow fence) until phase 2 starts.

Ms. Valentino asked about the new set of drawings & how they relate to the rear yard setback. The revised size of the buildings changed the setback from 116 feet to 126 feet. The impervious coverage will be 25.55% & 20% is allowed.

There was discussion regarding obtaining additional PDCs from the Pinelands. It was decided that the applicant will ask for a variance for 20% impervious coverage.

Ms. Valentino asked for the professionals to make comments at this time.

Mr. Dixon testified his reported dated 12/14/15 and noted positive substantial revisions had been made, most notably the grading of the site which is now at a 2% slope. Protections have been added to the upside slope of the basins; the flow has been directed away from the driveway; the placement of the structures in the basins have revised; the flow has also been directed away from Route 40 (the downside of the stream site). The back 1/3rd of the site will go to a basin in the back & drain into the woods in the back.

The lighting submission still needs more added & adequately spaced. Mr. Dixon asked Mr. Bruce to make these changes & if the board takes action on this application these changes can be resubmitted & reviewed administratively. The traffic circulation between the existing site & proposed new site with the phasing lines indicated. No clearing would take place beyond the phasing line. They are requesting to put the fence all at once so it doesn't have to go at phasing line & rebuilt for phase 2. They also provided traffic delineation which Mr. Dixon has to review but he noted the necessary access for the site is part of Phase 1.

Mr. Watkins report is dated 12/7/15 & noted the architectural have been provided for completeness & variances have been discussed. The sidewalks & curbs in the front of the property will have a waiver request & everything else will be submitted for approval. The apron is asphalt. The front of the 1st building will have doors placed on the side & with the equipment there they will not be seen.

Mr. Christman asked if the asphalt will be strong enough for the equipment & Mr. Watson answered yes, 5" is proposed.

Mr. Dixon supports the waiver of a traffic study due to the trip generator that was presented at the last meeting.

Mr. Carey's report is dated 9/14/15 has not amended his review. Mr. Bruce sent him the proposed landscape revisions along Rt. 40 & noted the applicant & professionals have agreed to add 9 more trees along the front for a buffer along the site. The other items are technical items which have to be addressed (sizing chart, signage) & trash enclosure can't be seen from highway. The site won't be seen from residential with the additional trees. The septic is in the back & can't be landscaped.

Ms. Valentino asked about the time line. Mr. Zyndorf stated Phase 1 will start as soon as there is approval & it will take 6-8 months. Phase 2 will start in about a year or less.

Mr. Choyce asked if there were any additional Pineland Approvals. Mr. Darcy stated they have a Certificate of Filing which authorizes the Board to act on the application. Once the Board does that the resolution & minutes will be sent to them for a No Call Up Letter. There is still an issue about buying a 1/4 of a credit for the expansion of the non-conforming use & they will argue against that. There is also an issue with the revegetation in the corner which will be done as part of Phase 1.

There will be another report from the professionals which will note the changes that have been made & once the plans are in compliance those are what will be sent to the Pinelands along with the reports.

Ms. Zimmerman had questions regarding the phasing plan. Mr. Dixon clarified Phase 1 will the building with the wash system along with the septic system & Phase 2 will have the other building.

Mr. Strigh asked about the procedure for Phase 2 clearing. Mr. Dixon stated he will post bonds & there will be a pre-construction meeting (township engineer, all parties, utility companies) to discuss the work & dates will be set for inspections.

Ms. Valentino asked if anyone else would like to speak for public comment. Mr. Strigh moved, seconded by Ms. Zimmerman to close the public portion of the hearing. SAID MOTION CARRIED WITH ALL MEMBERS VOTING "AYE," NO "NAY," NO "ABSTAIN."

At the last meeting the application was deemed complete.

The following exhibit was introduced into the record:

A-8: Modified Site & Phasing Plan dated 12/14/15 (color coded)

Ms. Zimmerman asked if materials for the coverage have changed. Mr. Bruce gave descriptions of the materials which will be used & where they will be used.

Mr. Choyce requested a summarization of the variances being requested.

Mr. Davis gave the following summarization:

- 1). Modification of the Use Variance that the Board granted previously for the 2 buildings (60 sf x 100 sf).
- 2). Preliminary & final site plan approval for the 2 phases. They will be bonded separately & Phase 1 to be implemented prior to Phase 2.
- 3). Administrative Review by Board Planner of architectural drawings of the 2 buildings prior to permits being submitted.
- 4). C Variance for the signs. The small sign (on former Huntzinger’s property) to be removed & the other larger signs kept (2).
 - The 2 signs will be more than 400 ft. apart.
 - The existing sign is 68 sq. ft. & 32 sq. ft. are permitted & 16 ft. high
 - It will be down lit & have the same logo as the existing sign
 - The design will have to be provided for review
- 5). Impervious coverage for 25.55%
- 6). Checklist waivers of traffic study; environmental impact statement; deferment of architectural plans until building permit; fiscal statement; security analysis plan; curb & sidewalk waiver

Discussion ensued regarding impervious coverage.

Mr. Lafferty suggested the application be broken down into 2 votes (D2 Variance & C Variances).

Mr. Choyce moved, seconded by Ms. Zimmerman on App. #17-15, Block 668 Lot 4 located at 6481 Harding Highway for the expansion of a non-conforming use from the 2013 approval of two (2) 50 sf. x 100 sf. building **TO two (2) 60 sf. x 100 sf. buildings**. SAID MOTION CARRIED WITH SEVEN (7) MEMBERS VOTING “AYE”, NO MEMBERS VOTING “NAY” and NO “ABSTAIN.”

ROLL CALL ON THE ABOVE MOTION

MR. ANGELO-AYE
MR. STRIGH-AYE
MS. VALENTINO-AYE

MR. CHOYCE-AYE
MS. ZIMMERMAN-AYE

MR. CHRISTMAN-AYE
MR. PITALE-AYE

SAID MOTION CARRIED.

NOTE: The following Board Members made comments

MR. ANGELO: Yes.

MR. CHOYCE: Yes. The change in the size of the buildings is minimal & doesn’t have any impact on our original decision.

MR. CHRISTMAN: Yes.

MR. STRIGH: Yes.

MS. ZIMMERMAN: Yes. I agree that the change in the size of the buildings in relation to the size of the lots is not significant.

MR. PITALE: Yes.

MS. VALENTINO: Yes for the reasons previously stated.

Mr. Strigh moved, seconded by Mr. Christman on App. #17-15, Block 668 Lot 4 located at 6481 Harding Highway for Preliminary & Final Site Plan; Administrative Review for the architectural drawings for Phase 1 & 2; the signs being reduced from 3 to 2 along with sq. footage as indicated on the plans; impervious coverage of 25.5%; curb & sidewalk waivers & checklist waivers as listed in the reports. SAID MOTION CARRIED WITH SEVEN (7) MEMBERS VOTING “AYE”, NO MEMBERS VOTING “NAY” and NO “ABSTAIN.”

ROLL CALL ON THE ABOVE MOTION

MR. ANGELO-AYE
MR. STRIGH-AYE
MS. VALENTINO-AYE

MR. CHOYCE-AYE
MS. ZIMMERMAN-AYE

MR. CHRISTMAN-AYE
MR. PITALE-AYE

SAID MOTION CARRIED.

NOTE: The following Board Members made comments

MR. ANGELO: Yes based on the testimony of our professionals.

MR. CHOYCE: Yes. I think the variance for the curb & sidewalk is warranted for the area due to the lack of development in the general area. The waivers for the checklist items I think are appropriate for the site & development being planned. I want to thank the applicant for his cooperation with our professionals. The final outcome has done a great deal to meet the boards requests.

MR. CHRISTMAN: Yes. I agree with what Mr. Choyce has said & happy that Mr. Zyndorf will be able to expand & has been an asset to the township.

MR. STRIGH: Yes. I agree with the previous comments. This will be a nice expansion for your business & I wish you good luck.

MS. ZIMMERMAN: Yes. I agree with the previous comments & thank you for working with our professionals & taking into consideration our questions, comments & concerns.

MR. PITALE: Yes. You have worked well with us & this business will work well in that part of town.

MS. VALENTINO: I think there are a lot of people who can take credit for putting together a final product even though there were some loose ends. The Board was diligent in reviewing all the materials; our professionals in the reports they provided & the applicant for attending the workshop. I would also like to thank Bill Christman & Wayne Choyce in joining me at the workshop. The request, waivers & details to be reviewed by our professionals will make a good product. I vote yes.

Approval of Minutes – Mr. Christman moved, seconded by Ms. Zimmerman to approve the minutes from the November 23, 2015 meeting as amended. SAID MOTION CARRIED SEVEN (7) MEMBERS VOTING “AYE,” NO “NAY,” and NO “ABSTAIN.”

ROLL CALL ON THE ABOVE MOTION:

MR. ANGELO-AYE
MR. STRIGH-AYE
MS. VALENTINO-AYE

MR. CHOYCE-AYE
MS. ZIMMERMAN-AYE

MR. CHRISTMAN-AYE
MR. PITALE-AYE

SAID MOTION CARRIED.

Ms. Valentio asked the Secretary to provide the members the discs for the RPFs to be reviewed.

Public Comment- Ms. Valentino asked if anyone would like to speak for public comment. Ms. Zimmerman moved, seconded by Mr. Strigh to close the public portion of the hearing. SAID MOTION CARRIED WITH ALL MEMBERS VOTING “AYE,” NO “NAY,” NO “ABSTAIN.”

Memorialization of Resolution – There were none.

Executive Session- There were no items to discuss.

Ms. Valentino asked Mr. Strigh & Mr. Choyce to review the RFPs with her for 2016. If Ms. Valentino is not reappointed she asked Ms. Zimmerman to be her alternate & if Mr. Choyce is not reappointed she asked Mr. Christman to be his alternate.

The next meeting is the reorganization on January 11, 2016 & the regular meeting is January 25, 2016.

Adjournment – Mr. Choyce moved, seconded by Mr. Strigh to adjourn the Zoning Board of Adjustment meeting at 8:28 p.m. SAID MOTION CARRIED WITH ALL MEMBERS VOTING “AYE,” NO “NAY,” NO “ABSTAIN.”

Respectfully submitted,

Deborah Ohnemuller, Secretary
Zoning Board of Adjustment