

MAYOR
Denice DiCarlo

TOWNSHIP COMMITTEE
Megan Kerr
James Mehaffey
Adam Reid
Jim Robinson



WEST DEPTFORD TOWNSHIP

Municipal Building
400 Crown Point Road
West Deptford, New Jersey 08086
Phone (856) 845-4004

Township Administrator
Lee Ann DeHart

Chief Finance Officer
Michael Kwasizur

Registered Municipal Clerk
Lee Ann DeHart

PLANNING BOARD MINUTES

Tuesday, November 23, 2021

CALL MEETING TO ORDER AT 7:00PM BY BOARD CHAIR

- **Pledge of Allegiance**
- **Open Public Meeting Act Statement of Compliance:** In accordance with Section V of the Open Public Meetings Act, Chapter 231, Public Law 1975, notice of this meeting was posted on the Township bulletin board designed for that purpose. Notice was mailed to the official newspapers as provided by Township Ordinance. Notice was filed with the Municipal Clerk. Read by Planning Board chair Phil Zimm
- **Roll Call (in attendance)**
Phil Zimm
Committeeman Adam Reid
Eric Agren
Mark Goggin
Paul Lenkowski
Ahmad Tamous (arrived late)
- **Absent**
Mike Nicolosi
Hunter Kintzing
Committeeman Jim Robinson
- **Swearing In of Professionals by Board Solicitor, Evan Crook. Professionals – Chris Dochney, Board Planner and Paul Brier, Board Engineer**

APPROVAL OF PREVIOUS MEETING MINUTES

- September 28, 2021 Meeting Minutes - Motion to approve minutes by Committeeman Adam Reid, 2nd by Eric Agren. Roll Call Vote – 4-yes, 0-no, 1-abstention Motion carried in the affirmative

OLD BUSINESS

None

NEW BUSINESS

1. **Application #21-PB-0012 (Crown Point Owner)**
Crown Point Owner, LP **Block 323, Lot 1, 10, 11, & 12**
Crown Point Rd & Jobstown Rd.
Application for Preliminary Site Plan Approval, Final Major Site Plan Approval & Submission Waiver Approval for Block 333, Lots 1, 10, 11 & 12 / Crown Point Rd. (N.J.S.H. Rt. 44) & Jobstown Rd.

Representation for the Applicant, Robert Buckman, Jr. Esq

The following exhibits were presented:

A1 – Aerial Image Exhibit

A2 - Rendered Site Plan

A3 – Vehicle Turning Movement Plan

A4 – Rendered Building Elevation (Far Perspective)

A5 – Rendered Building Elevation (Near Perspective)

A6 – Signage

A7 – North Building Elevation

A8 – South Building Elevation

A9 – Floor Plan

A-10 – Area Traffic Circulation Plan

Witnesses: Al Hedin, Owner, Dave Fleming of Marathon Engineering & Environmental Services, Inc; Phillip Ruggieri – Architect, Ruggieri & Partners; Nathan Mosley – Traffic Engineering, Shropshire Associates.

Mr. Buckman stated that this application is a By Rite application stating that all the ordinance requirements have been met. The board professionals confirmed that the application has been deemed complete. Mr. Buckman proceeded to present witnesses for testimony in reference to the application. The board was given an opportunity to ask questions after each witness completed their testimony. Concern was given in reference to the traffic noise/traffic of trucks exiting the site. The traffic engineer stated that the driveway is designed to address these concerns however there was not consideration given to restrict roads to allow certain vehicles to use. Committeeman Reid stated that there is an issue with the buffer of 25ft., however the applicant stated that the buffer is in compliance with the township ordinance for the M1 zoning district. Question of the hours of operation were asked and it was expressed that the hours were not known at the time of application due to not having tenants yet. Environmental and School traffic were addressed during the board questions and answers were received to satisfaction.

Motion to open to public comment by Committeeman Reid, seconded by Paul Lenkowski. All in favor "AYE", no opposers.

All members of the public were sworn in prior to speaking.

Steven Husarik – 243 Crown Point Rd. Asked what the hours of operations are, applicant previously stated that because there is no tenant that question cannot be answered. Raised concerns in reference to noise and light pollution. The planner was given the opportunity to address the concern. Asked whether Jobstown road would be widened. The board engineer gave the floor to the applicant's engineer for further explanation. Stated that there is an over intensive use of the plot being that trucks cannot turn on certain roads. Requested and received approval to use Exhibit A1 for reference to support his opposing the submission waiver. Asked about the water runoff and received an answer to satisfaction.

Ron Glean – 250 Crown Point Rd. Requesting that utilities are not placed on Leonards Ave. Also asked if there would be fencing and/or privacy efforts put in place. Mr. Glean was informed that the applicant will not be using Leonards Ave. Applicant's engineer was given the opportunity to address the concern to satisfaction. Resident

requested information in reference to absorbing Leonards Ave and received instructions to satisfaction.

William and Marsha Weaver – 260 Crown Point Rd. Resident is opposed to the lack of 100ft buffer because of the zoning, Light Industrial. Stated that his home has been there for over 100 years however the zoning is only 30years. Opposed to the size of the facility. Concerned about the land that surrounds this facility in the event of a 100yr storm. Mrs. Weaver stated that she believes even a school bus is massive compares to her home. She fears for her animals and her children for because of the current traffic. She further stated that she does not believe that the traffic will adhere to the 35mph speed limit. Continued to point out that the approval of the facility would be a hardship, whether she decides to sell or stay.

Amy McCay – 251 Crown Point Rd. Been a resident over 30 years. Feels that it's disingenuous to take the oldest Thorofare of the town and make the residents feel less residential. The historical value of the area is not taken into consideration. In comparison of the facility to the homes, the facility is huge. Lives directly across from the entrance/exit. The lights of the cars/trucks would be right into her house and the noise from the trucks would cause a disruptive noise and light pollution. Don't chase us out of the old homes. Where is the water runoff going to go? We should take pride on the historic neighborhoods that we have.

Paul Matelyan – 256 Crown Point Rd. Resident for about 30yrs. There has been issues with walls collapsing from construction vehicles in prior years. What will happen now? Also mentioned the water run-off. He stated that they have an oil tank in the basement, what happens if there is ground water that mixes with the oil from his tank. Who is responsible for that? The speed limit is no adhered to. Suggested that there is an inspection of the Police records that involve accidents. Biggest fear is safety. There is no shoulder on the road. There is no curb and no one wants to take ownership of installing a curb. Second concern is runoff, and third concern is future DEP incurred charges due to fines.

Ienvenido Caceres – 241 Crown Point Rd. Is there going to be enough parking for everyone that will be working there because there is not enough parking in front of our houses. In front of his house is a big pump and the water coming from this big building will not be able to handle it. There will probably be structural damage because of it.

Mr, Matelyan provided a copy of a letter that he sent to DEP labeled as M1 (Matelyan 1).

Amy Mccay, Steven Husarik, Paul Matelyn readdressed the board in reference to not receiving a conversation in reference to the buffers and those neighbors that did not receive the letters of notice. Each further stated their objection.

With no other member of the public to comment – public comment was motioned to be closed by Eris Agren, Seconded by Committeeman Reid, all in favor AYE none opposed

Board and professionals had an opportunity to readdress questions and comments from the public and the applicant. Planner stated that at present there is not an ordinance that references a tree replacement as of today. Questions were answered to satisfaction. Suggestion was for the applicant to agree to adhere to future ordinances in reference to trees. Applicant stated that this would be acceptable

considering an area that does not come into play with any prospective project. Applicant addressed the concerns in reference to the water stating that they are putting in place storm water management that will adhere to the current and future DEP regulations.

Zoning Official confirmed that proper notice was given to all property owners within a 200ft radius of the proposed property.

Committeeman Reid explained the "By Rite" application and stated that many of the arguments presented would not cause this application to be denied, however the one argument that raises concerns is the buffers however the way that the ordinance is written there is not a legal ground to oppose this application until the ordinance is changed.

Board Solicitor was requested to explain a "By Rite" application from a legal standpoint and the requirements of the township and possible ramifications to the township if this application was denied.

With no further discussions, questions or comment a motion to approve application was made by Eric Agren and seconded by Paul Lenkowski. Roll Call vote 5 – approved, 0- opposed.

Recess from 9:50pm – 10:00 pm, Mr. Ahmed Tamous joined the board during the recess.

CORRESPONDENCE

1. LETTER OF RESIGNATION – MIKE NICOLOSI, 51 Pelham Dr West Deptford. Planning Board Chairman read the resignation letter written by Mike Nicolosi, Vice Chair. Chair accepted resignation with regrets.

REPORTS – professionals were given an opportunity to update the board on ongoing correspondence and projects.

1. **Planning Board Solicitor (Malamut & Associates) - none**
2. **Planning Board Engineer (Federici & Akin) –** Gulf Oil explanation that may need to escalate due to lack of response.
3. **Planning Board Planner (CME Associates) –** recommendation from the Planner to examine the current zoning ordinances in reference to existing non-conforming residences in the manufacturing/industrial zones. Planner has been requested to provide written recommendation to the Zoning Officer.

Resolutions For Memorialization

- **2021-7 GROVE LAND URBAN RENEWAL, LLC** Motioned by Eric Agren, seconded by Paul Lenkowski, Roll Call Vote – 5-approved, 0- opposed, 1- abstention

- **2021-8 COIM** Motioned by Committeeman Red, Seconded by Paul Lenkowski, Roll Call vote 5-approved, 0-opposed, 1-abstention

Recommendation resolutions from the Township Committee – Board solicitor explained the statutory requirements of receiving these recommendations. Board Planner was requested to give a summary of the proposed ordinances. Discussion was given in reference to further understanding of the proposed ordinances.

Once discussion concluded, motion to approve the recommendations from the township committee by Paul Lenkowski, seconded by Ahmad Tamous, Roll Call Vote 5-approved, 0-opposed, 1-abstention

- **2021-9 CHAPTER 166, ZONING (OUTDOOR DINING) RECOMMENDATION**
- **2021-10 CHAPTER 143, SUBDIVISION AND DEVELOPMENT OF THE CODE BOOK OF THE TOWNSHIP OF WEST DEPTFORD (LANDSCAPING WITH COMPENSATORY PLANTING) RECOMMENDATION**
- **2021-11 CHAPTER 102, LAND USE PROCEDURES, ARTICLE VI, FEES FOR APPLICATIONS TO PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT RECOMMENDATION**
- **2021-12 CHAPTER 143, SUBDIVISION AND DEVELOPMENT, OF THE CODE BOOK OF THE TOWNSHIP OF WEST DEPTFORD (MAJOR SUBDIVISIONS) RECOMMENDATION**
- **2021-13 166, ZONING, ARTICLE III, RESIDENCE DISTRICTS RECOMMENDATION**

Open Meeting to the Public

Open – Motioned by Committeeman Reid, Seconded by Paul Lenkowski, all in favor "AYE", when no one from the public came forth, Motion to close by Committeeman Reid, Seconded by Paul Lenkowski. All in favor "AYE"

Adjournment

Motion by Eric Agren, seconded by Committeeman Reid, all in favor "AYE" meeting adjourned at 10:30pm

Respectfully Submitted,

Bernadette Davis Green

Bernadette Davis Green
Executive Secretary