

The regular meeting of the Waterford Township Planning Board was called to order by Mayor Maryann Merlino followed by the salute to the flag.

Chairman Jacoby read the notice to the public.

Roll call was taken and the following members were present: Mayor Maryann Merlino, Dave Chiddenton, Rick Yeatman, Michael Achey, Pat Vitarelli, Ro Isles, John Rowley, Rich Jacoby, Harry Rheam. Also present were Ed Toussaint Zoning Official, and Ted Brennan, Board Solicitor. Those absent were Tom Giangulio.

Motions for adjournments of cases or other motions:

None

Old Business:

Rita das 330 Raritan Avenue Block: 38 Lot: 1 Final Major Subdivision

Appearing on behalf of the applicant is Jeffrey Brennan Esq. Mr. Brennan stated this is a 9 lot subdivision that received preliminary approval in November 2013. Those giving testimony were sworn in, Rita Das, property owner and applicant, and Hector Baez, engineer. Mr. Baez stated this lot sits on the corner of Raritan Avenue and Cooper, all proposed lots are conforming, there are no variances requested. Mr. Brennan asked if there are any comments on the plans from the Board engineer.

Mr. Kurt Otto of CME Associates, board engineer commented on his review letter. Mr. Otto referenced his letter dated March 12<sup>th</sup>, 2014. He reviewed the plans, and they conform to the Preliminary approval. He has minor comments, page 5 of his report reference the map filing law, are there questions regarding meeting the conditions, and addressing the proposed utility easement. The easement did not meet the width requirement. Mr. Baez stated they will conform to the map filing law, the easement will be extended to conform. Mr. Otto suggested to consider the gas line and easement at the grading plan review. As for outside agency approvals, the applicant will comply with all outside agency approvals. Upon final milling and paving, all details will be addressed with the Township Engineer. Mr. Vitarelli commented on the plan showing both county roads, and the easements will have to be dedicated to the County, not to the Township. With nothing further from the board, Chairman Jacoby opened this portion of the meeting up to the public. With no one from the public wishing to speak on this application, Chairman Jacoby closed the public portion. Ms. Isles made a motion to approve this application, and Mayor Merlino seconded the motion. On roll call vote:

M. Merlino	Yes	D. Chiddenton	Yes
R. Yeatman	Yes	M. Achey	Yes

P. Vitarelli	Yes	R. Iles	Yes
J. Rowley	Yes	R. Jacoby	Yes
H. Rheam	Yes		

New Business:

ARP Renovations 2308 Auburn Avenue Block: 1610 Lot: 6 Use Variance

Chairman Jacoby announced that Mayor Merlino, and Rick Yeatman will not be eligible to vote on this application as it is a D Variance.

Appearing before the board on behalf of the applicant is Tamara Rudo, Esq. Providing testimony is Andrew Pollock, owner of ARP Renovations, and he was sworn in.

Mr. Pollock was sworn in and testified that he is the owner of ARP Renovations. The business provides home remodeling type renovations, roofing, and siding. He has been in business for 8 years, and currently his business is on Cross Keys Road. Mr. Pollock testified there have been no changes to the site in comparison to the survey. There are woods that separate this lot from the residences. There is a storage unit on the site it is a fixed structure, there is ventilation. There are no waterways or streams onsite. The wooded areas are along the rear and right of the property. This property has a wide area to store materials, vehicles etc.

Mr. Pollock testified that he has 4 to 6 employees, the hours of operation are 8 am. to 5pm. The workers go offsite to work at various locations. If trailers are left at the site they would be indoors. The vehicles one is gas driven, one is diesel. The truck starts up at 8am and leaves, it may be earlier, but the diesel truck does not make any more noise than a personal diesel vehicle. There are materials that would be stored in the trailer. Trash would be disposed of off-site. There may be 2 personal vehicles left onsite, no more than what would be at a residence. There is intention to clean up the property, there will be no signage, and Mr. Pollock agreed to remove the existing sign. The storage container would be used for extra storage space. The applicant requested a waiver from providing a scaled report, this is an open area, vehicles would be kept inside for security, the applicant wishes to keep his business in Waterford.

Mr. Otto of CME Associates commented on his review letter of March 12<sup>th</sup>, 2014. Mr. Otto stated this is a D-Variance application, the applicant should list the positive and negative criteria as part of his application through testimony. The applicant is also seeking a waiver to provide a storage trailer per chapter 176-94. The existing trailer appears to be approximately 2.5 ft. from the property line. This site is previously the Rabbit Rescue site. The stored trailers fit into the garage, no special deliveries, all deliveries are made to the offsite job location, and trash will be removed at the job site. There are no improvements proposed to the property. Mr. Otto mentioned cleaning the lawn, and removing some items that were left from the previous tenant.

Mr. Toussaint stated that 176-94 does not permit the storage trailer. Mr. Toussaint suggested removing that trailer since it does not resemble any type of residential shed or trailer. The Township does not collect commercial trash/debris, he feels there should be some sort of trash containment. Where would that be located? Mr. Toussaint added that any employee parking should be on the left side of the property (Eastern side) where there is more of a buffer. The site does have city sewer. When any type of aluminum products are not disposed of, where would it be kept? Mr. Pollock stated he would keep it inside the building.

Mr. Chiddenton commented on the application stating there are 7 vehicles, will they all fit inside? Mr. Pollock stated the vehicles get taken home by employees. Maybe one vehicle kept. If there is a day that there is no work, there may be someone in the office. Mr. Chiddenton asked if there are Saturday operations. Mr. Pollock stated yes, and he is willing to follow the rules. Mr. Rowley requested removal of the trailer as a condition. It is 2ft. from the fence. Ms. Rudo stated the trailer was a condition of the sale that the trailer stayed. Mr. Yeatman suggested as a representative of Township Committee, would the applicant consider placing a shell around the trailer and move it 10ft. off the rear property line. Mr. Pollock agreed.

Mr. Pollock agreed to have a fence put up along the residential side, and will keep all vehicles inside the garage. At this time, Chairman Jacoby opened this portion of the meeting up to the public.

Appearing before the board is Richard Mintz of 2302 Auburn Avenue. Mr. Mintz stated he was told some time ago that this would not be a commercial site once the Rabbit Rescue was sold. There is a concern of traffic. People in the area walk their dog, and there are children at play. This is a residential area, and he is opposed to the application. Mr. Mintz stated he did not feel there was proper notice for this application, he questioned the applicant. This is an R1 Zone, there is no house on the lot, and it is undersized for residential. Mr. Rowley made a motion to table the application or further research on this. Mr. Brennan the board solicitor explained the applicant is seeking a variance, so despite what happened with a prior application, it is not relevant to the application in front of you. With nothing further from the public, Chairman Jacoby closed the public portion. Mr. Pollock stated there is no parking on the street, and no visitors to the site. The existing building is safe and secure. Mr. Achey commented that this was built as commercial and operated as commercial. Mr. Toussaint verified the applicant provided adequate notice in the appropriate time frame. Certified letters were sent on February 28<sup>th</sup>. Mr. Vitarelli stated he would like to see adjoining property owners listed on the plan since he did not recognize Mr. Mintz's property location on the plan. Mr. Toussaint stated it is not required for a Use Variance.

Mr. Brennan summarized the application as a Use Variance with 2 waivers, and applicant conditions. One condition is to provide fencing along 4<sup>th</sup> street side in the rear, the second condition is to move the trailer to a 10ft. set back, and build a shell around it, third condition is if a trash container is needed, it must be addressed with the Zoning department, and the last condition is that trailers stored overnight are stored inside the garage. Mr. Achey made a motion to approve this application with the listed conditions and Mr. Chiddenton seconded the motion. On roll call vote:

D. Chiddenton	Yes	M. Achey	Yes
P. Vitarelli	Yes	R. Iles	Yes
J. Rowley	Yes	R. Jacoby	Yes
H. Rheam	Yes		

Communications:

Mr. Toussaint discussed with the board that the Pinelands is doing a wetlands pond study. The Township Committee gave them permission, and they extended the request to include the retention basins, and do water quality studies.

The final approvals for the DeNafo subdivision has been met, plans just need to be signed.

Mr. Toussaint also mentioned a meeting with the Pinelands on redevelopment changes, and adding Senior Housing to the permitted uses. Mr. Vitarelli commented he is concerned with adding Senior Housing that he does not want to decrease our population in the schools, has there been an increase or a decrease? Ms. Iles stated if a decrease it is very minimal.

Resolutions:

Resolutions 14-01, 14-02, and 14-03, Mr. Yeatman made a motion to approve all resolutions, and Ms. Iles seconded the motion. On roll call vote:

M. Merlino	Yes	D. Chiddenton	Yes
R. Yeatman	Yes	M. Achey	Yes
P. Vitarelli	Yes	R. Iles	Yes
J. Rowley	Yes	R. Jacoby	Yes
H. Rheam	Yes		

Minutes:

January 14<sup>th</sup>, 2014

Mayor Merlino made a motion to approve the minutes from January 14<sup>th</sup>, 2014 and Ms. Iles seconded the motion. On roll call vote, all eligible members voted aye.

Reports:

Board Comments and Questions:

Adjournment:

Mr. Rowley made a motion to adjourn the meeting, Mayor Merlino seconded the motion. Meeting adjourned.

Respectfully Submitted,

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Ed Toussaint, Planning Board Secretary