

**BOROUGH OF MAGNOLIA  
PLANNING BOARD MINUTES  
April 27, 2011**

The meeting was called to order by Chairman Lawrence Barrar at 7:34 PM. The public statement was read by the Chairman, followed by the flag salute.

**ROLL CALL - CH-Chairman, VC-Vice Chairwoman, C-Council, MD-Mayors Designee, A-Alternate**

Lawrence Barrar	CH	Present	Mary Martz	C	Present
Joyce Albrecht	VC	Present	Steven Previtera		Present
Robert Brown		Present	Edward Hoban	A1	Absent
Brian Carson		Present	Michael Moore	A2	Present
John DiBartolomeo		Present	Robert Mastalski	A3	Absent
Joseph Dymond		Present	VACANT	A4	
Richard Krause	MD	Present			

**ALSO**

David Kreck	Engineer	Present	Michael Ward	Solicitor	Present
Dan Wassenar	Zoning Off.	Present	Denise O’Kane	Secretary	Present

**REORGANIZATION OF THE BOARD**

Chairman Barrar swore in the following:

Richard Krause, Jr	Mayor Designee	Class I	Term Expires: December 2011
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**APPROVAL OF MINUTES**

Motions were made to approve the March 23, 2011 minutes with corrections. AIF-motions approved.

**OLD BUSINESS**

None

**NEW BUSINESS**

**Site Plan Waiver – Magnolia Properties, LLC**

Philip Ruggieri, R.A. of Ruggieri & Partners and Mr. Stachowski, owner of Magnolia Properties, LLC, reviewed the architectural plans with the board in relation to the borough zoning ordinance. Mr. Kreck discussed the difference between architectural and engineering plans. Mr. Ruggieri reviewed the building details interior and exterior. Mr. Kreck questioned if the building expanded beyond the existing footprint, which included the basement and vestibule. Mr. Ward stated; this is an informal review, we cannot waive variance conditions, why not submit a site plan application?

Mr. Stachowski stated; addition on back meets zoning requirements, I already have a construction permit. Mr. Kreck stated; there has been a significant change, as an engineer I need a site plan. After some heated discussion, Chairman Barrar stated; they need to see the Planning Board Secretary for a Site Plan application for the May agenda. Mr. Ward stated; they need to provide notice and submit application in a timely matter. Motions were made to open the meeting to the public. Being no comment, motions were made to close the meeting to the public.

**Site Plan Waiver – Christ’s Episcopal Church**

Paul J. Adison, R.A. of Holberg & Adison P.A. Architects spoke on behalf of the applicant who is seeking to replace existing church, remove unsafe basement and replace church to slab on grade.

The church only has 30 members and a site plan application would be a hardship. After some discussion with the board, it was determined that there were no site plan issues to review and the work falls under rehab.

Motions were made to open the meeting to the public. Being no comment, motions were made to close the meeting to the public. Motions were made to approve a site plan waiver. Motion approved by roll call vote.

**Site Plan Waiver – 7-Eleven, Inc./Magnolia**

Philip San Filippo, Esq. of Foss, San Filippo & Milne, LLC spoke on behalf of the applicant who is seeking to operate a 7-Eleven retail convenience store at 625 White Horse Pike, currently occupied by “Cash for Gold”.

The applicant is seeking a site plan waiver; they are not changing the site, only upgrading the interior and signage. The use is permitted in the commercial zone; the property was previously occupied by 7-Eleven.

Robert Freud, P.E. reviewed with the board on how they will be using the existing site plan for the property.

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After some discussion with the board, it was determined that there were no site plan issues to review. Motions were made to open the meeting to the public. Being no comment, motions were made to close the meeting to the public. Motions were made to approve a site plan waiver. Motion approved by roll call vote.

Completeness Review – Magnolia Commons

Mr. Kreck stated that he received and reviewed a Conversion Application for the previously approved Magnolia Commons Major Subdivision. The applicant now proposes to convert from age-restricted to a non age-restricted development, in accordance with the “Conversion Law” signed in 2009.

Mr. Kreck reviewed with the board some of the requirements under the law, and discussed the information he received and what items he still needs. The board was concerned about the necessary Water and Sanitary sewer capacity for the site.

Motions were made to open the meeting to the public. AIF-motions approved.

Andrea Hobbs, Runnemedede: Under the conversion law, what happens to a unit if not sold?

Mr. Ward; it can be used as the owner sees fit.

Jennifer Stuart, Barrington: When was application received? Mr. Ward; April 13<sup>th</sup>, amendments around the 15<sup>th</sup>. Ms. Stuart stated her concern with the school and increase cost to the tax payer and inquired about the PILOT program. Mr. Ward; you will need to talk to council regarding the PILOT program.

Michael Cotter, Runnemedede: Will the neighbors within 200’ be notified. Mr. Ward; Yes.

Steve Kaplan: Discussed some of the items that Mr. Kreck reviewed and wanted some information regarding the Conversion Law. Mr. Kreck; you can go on the internet for the Conversion Law and his letter is available for review.

Motions were made to close the meeting to the public. AIF-motions approved.

Motions were made to deem the application incomplete. Motion approved by roll call vote.

Mr. Kreck will notify the applicant.

**OPEN PUBLIC**

Motions were made to open the meeting to the public. Being no comment, motions were made to close the meeting to the public. AIF-motions approved.

**COMMENTS & DISCUSSION**

Mr. Kreck started to discuss his letter dated April 26, 2011, Access to Pike Tavern from White Horse Pike. The letter was a result from a previous meeting discussion with the owner. Due to the time he decided to hold the discussion for the next meeting.

Mr. Ward stated he received a letter from the Borough Solicitor John Kennedy, recommending the board to review the site plan approval requirement within our zoning ordinance. Mr. Ward will contact Mr. Kennedy for some clarification and may appear before council to discuss.

Mary Martz stated that council is reviewing the digital signage ordinance and gathering information from other towns.

**ADJOURNMENT**

Being no further discussion, motions were made to adjourn the meeting at 10:50 pm. AIF-motion approved.

\*AIF – All in Favor