

**BOROUGH OF MAGNOLIA
PLANNING BOARD MINUTES
May 27, 2009**

The meeting was called to order by Chairman Lawrence Barrar at 7:35 PM. The public statement was read by the Chairman, followed by the flag salute.

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

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

ALSO

David Kreck	Engineer	Present	Michael Ward	Solicitor	Absent
John Szczerbinski	Zoning Off.	Absent	Joseph Dinoto	Acting Solicitor	Present
Denise O’Kane	Secretary	Present			

ALTERNATE REPLACEMENT

A-2 Edward Hoban for Brian Carson, A-4 Robert Mastalski for Arthur Loder, A-3 Michael Moore arrived late

APPROVAL OF MINUTES

Motions were made to approve the April 22, 2009 minutes with corrections. AIF-motions approved.

OLD BUSINESS

Resolution

Motions were made to approve Resolution #09-02 with corrections. AIF-motions approved.

Variance

VAR09-01 / Pasqualina Hall-Simons – Block: 2.08 Lot: 1

Chairman Barrar stated that this application was before the board last month and was required to re-notice for setback variances. The applicant has complied with the required public notice and is requesting a rear yard setback variance from 3’ to 2.2’ and a front yard setback variance from 25’ to 19.35’ to allow the already built Garage to remain.

Being no further questions, motions were made to open the meeting to the public. AIF-motions approved.

Being no discussion, motions were made to close the meeting to the public. AIF-motions approved.

Motions were made to approve the variance application. AIF motions approved.

Completeness Review

SPL09-2 / Latty and Amrita Petroleum, Inc. – Block: 3.10 Lot: 1&2

Mr. Kreck referred to his letter date May 21, 2009. The applicant has complied with the soil boring and permeability test and the soil was not suitable for infiltration, so they had to redesign the storm water management system. Mr. Kreck has deemed the application complete. Motions were made to deem the application complete. AIF-motions approved.

NEW BUSINESS

Major Preliminary/Final Site Plan

SPL09-2 / Latty and Amrita Petroleum, Inc. – Block: 3.10 Lot: 1&2

Acting Solicitor Joseph Dinoto spoke with Mr. Ward and this application will be continued until next month.

The applicants’ attorney has agreed to waive the 30 day automatic approval period. Motions were made to table the application until the June meeting. AIF-motions approved. Solicitor Dinoto stated for the record, that the applicant does not have to re-notice for the June meeting.

PLANNING BOARD MINUTES

MAY 27, 2009

PAGE TWO

CORRESPONDENCE

Mr. Kreck informed the board about an article in the New Jersey Planner regarding "New Law Lifts Age-Related Housing Restrictions". The state has allowed for a period of 24 months for developers who where approved for age-restricted development to convert to market rate developments. This could affect the Magnolia Commons project, the applicant would have to come back before the board to request the change and then the board would have 60 days to approve or deny the change.

OPEN PUBLIC

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

William Anderson had a question regarding the public notice for the Latty and Amrita Petroleum application (Citgo), which was tabled this evening. He noticed that Block 3.10 Lot 14 was also listed for the Final Site Plan/Subdivision for the Center 48 application (Lions Head Plaza). Mr. Kreck stated that was one of the reasons the applicant was not here this evening. The board previously approved a minor subdivision of Lot 14; it was supposed to be subdivided out of the Lions Head Plaza property and consolidated into the Magnolia Citgo property for payment/reimbursement of the land that was taken from Magnolia Citgo for the Lions Head Plaza right-of-way and the subdivision has not been recorded with the county yet.

William Anderson asked if the Center 48 Site Plan Application has to be amended. Mr. Kreck replied, NO, that Center 48 Site Plan was already amended, but the paperwork must not have been followed through for the Latty and Amrita Petroleum application (Citgo).

William Anderson asked if the driveway to Wal-Mart was going to be moved. Mr. Kreck replied, NO.

Being no further discussion, motions were made to close the meeting to the public. AIF – motions approved.

COMMENTS & DISCUSSION

Chairman Barrar stated that Mr. Ward was to look into temporary sign ordinances from other towns'; due to his absence that discussion is tabled until the July meeting.

The board had a lengthy discussion regarding the Master Plan review. Each board member is to review the sections they are the most familiar with and groups will be decided upon at the July meeting. The board inquired if it was possible for an updated copy be generated showing all of the recommendations and changes to date for an easy clean read, instead of reviewing the old worn-out original copies with the attachments? It was stated; that the master plan was not computerized, but would look into possibly having it scanned and computerized.

Chairman Barrar thanked Mr. Dinoto for covering for Mr. Ward for the meeting this evening.

Councilwoman Mary Martz stated that the governing body received a quote from General Code to update our Code book and they are looking into another company for another quote. She also stated that the Codification meeting scheduled for the first Monday in June has been postponed until further notice.

Richard Krause inquired if the borough will be having the taxes re-assessed? Mary Martz stated, to her knowledge not at this time.

ADJOURNMENT

Being no further discussion motions were made to adjourn the meeting at 9:00 pm. AIF-motion approved.

*AIF – All in Favor