

**BOROUGH OF MAGNOLIA
PLANNING BOARD MINUTES
November 16, 2011**

The meeting was called to order by Chairman Lawrence Barrar at 7:31 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		Absent	Michael Moore	A2	Present
John DiBartolomeo		Present	Robert Mastalski	A3	Present
Joseph Dymond		Present	VACANT	A4	
Richard Krause	MD	Absent			

ALSO

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

ALTERNATE REPLACEMENT

Michael Moore for Brian Carson

APPROVAL OF MINUTES

Motions were made to approve the following months minutes as written August 24, 2011 and October 26, 2011. AIF-motions approved

OLD BUSINESS

Resolution

Motions were made to approve #2011-13 resolution. AIF-motion approved by roll call vote.

Completeness Review

Abraham Levy – Mr. Kreck reviewed his letter dated November 9th. Mr. Ward swore in the applicants engineer John C. Miller. After some conversation regarding the site plan Mr. Kreck recommended that the board deem the application complete. Motions were made to deem the application complete. Motions approved by roll call vote.

NEW BUSINESS

Site Plan & Variance/Abraham Levy – Mr. Levy was represented by his attorney, Daniel Levy. Mr. Ward swore in Abraham Levy the owner of the property. Mr. Levy is seeking a use variance to expand the existing Auto Sales facility, they feel the expansion will not be a detriment to the commercial area and there will be no negative impact to the adjacent residents. Mr. Kreck continued to review his letter dated November 9th. Mr. Miller discussed the proposed use of the property with the board. After a lengthy conversation regarding expansion of use, parking spaces, lighting, landscaping and loading area; Mr. Kreck requested a turning template and the loading & unloading areas to be provided on the final site plan.

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

Mr. Al Anconetani, 501 N. Warwick Road, Magnolia: Mr. Anconetani has no objection to the new use of the lot, but would like a buffer along his property line.

Being no other public comment, motions were made to close the meeting to the public. AIF motions approved.

The Chairman asked if all outstanding issues are satisfied regarding this property. Mr. Kreck stated he had one other issue to discuss that is not part of this application. Mr. Kreck questioned the retaining wall on the existing auto lot, it is higher than permitted by our code and needs a demonstration from a structural engineer that the wall is safe as part of the approval of the site plan application. Mr. Levy said he had an inspection from the Borough and will look for his permit, but he has contacted a structural engineer and they will not prepare a report without having part of the wall demolished and rebuilt. Mr. Wassenar the Zoning/Construction Official will look to see if permits were issued and if inspections were performed.

BOROUGH OF MAGNOLIA
PLANNING BOARD MINUTES
November 16, 2011
Page 2

Mr. Ward stated the existing retaining wall is a safety issue, the borough needs to protect the health, safety and welfare of the public and we need proof that the retaining wall is safe as part of the site plan approval. Motions were made to approve the use variance. Motions approved by roll call vote. Motions were made to approve the site plan application conditioned upon proof that the existing retaining wall is safe and that all of the requirements made by Mr. Kreck in his letter dated November 9, 2011 are completed. Motions approved by roll call vote.

2012 Professional Appointments

Motions were made to recommend Michael Ward as Planning Board Solicitor. AIF-motions approved.
Motions were made to recommend Dave Kreck of K2 Consulting Engineers, Inc. as Planning Board Engineer. AIF-motions approved.

OPEN PUBLIC

Being no public, no need to open the meeting to the public.

COMMENTS & DISCUSSION

Mr. Ward reminded the board that emails could be considered a meeting, so he suggested they be vigilant not to be in violation of Open Public Meeting Act.

Michael Moore stated that Council created an advisory committee called the Committee of 8, he is a member and they are to review and recommend to Council alternate uses for the Magnolia Commons property.

ADJOURNMENT

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

*AIF – All in Favor

Unofficial Copy

Official copies should be requested through the Borough Clerks Office
by completing an Open Public Record Act Request Form. Contact us
at (856)783-1520 for additional information.