

**BOROUGH OF MAGNOLIA  
PLANNING BOARD MINUTES  
OCTOBER 22, 2008**

The meeting was called to order by Chairman Lawrence Barrar at 7:30 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		Present
Joyce Albrecht		Present	Mary Martz	C	Present
Robert Brown		Present	Ronald Buchanan	A1	Absent
Brian Carson		Present	Steven Previtera	A2	Present
John DiBartolomeo	VC	Present	Edward Hoban	A3	Present
Joseph Dymond		Present	Robert Brandt	A4	Present
Richard Krause	MD	Present			

**ALSO**

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

**APPROVAL OF MINUTES**

Motions were made to approve the September 24, 2008 minutes as written. AIF-motion approved.

**OLD BUSINESS**

**Resolutions**

Motions were made to approve Resolution 08-15. Motions approved by roll call vote.

**Interpretation Application**

IA08-1/Walgreen Eastern Co., Inc., 100 N. White Horse Pike

The applicant was represented by attorney Robert D. Mintz of Freeman & Mintz. This application is a continuation from the August 27<sup>th</sup> meeting. The applicant would like to use part of the building for a convenience care/medical clinic. It would be approximately 285 square feet containing two small offices with four to six waiting chairs. No alteration to the external building footprint or lot is proposed. The applicant seeks determination that the clinic is an accessory use.

Chairman Barrar apologized to the Board, the applicant and Mr. Mintz for allowing the prolonged hearing on their application at the meeting on August 27, 2008. The application requested only the Board’s interpretation of our Zoning Ordinance as to whether or not the convenience care/medical clinic is an accessory use in the Commercial Zone. Had the board simply referred to our Ordinance, we could have determined that the requested use is or is not a permitted use. If the use is permitted, Walgreens proceeds without further discussion. If the use is not permitted, Walgreens than proceeds to apply for a use variance.

The Chairman entertained discussion from the board members and the board solicitor. After some discussion, motions were made to open the meeting to the public. AIF-motion approved. There being no additional discussion, motions were made to close the meeting to the public. AIF-motion approved.

Motions were made that the proposed medical clinic within the Walgreens retail drugstore is a permitted accessory use under the Commercial Zone. AIF-motion approved.

**Site Plan Application**

SPL08-4/Kanwaljik Grewal, 345 White Horse Pike

Chairman Barrar read a letter from Madden & Madden, the firm representing the applicant, stating that the attorney presenting the application, Matthew Madden was admitted to Virtua Hospital in Voorhees Township on October 21<sup>st</sup>. James Madden of Madden & Madden requested an adjournment of the application until the November meeting.

Motions were made to table the application until the November agenda. AIF-motions approved.

**OPEN PUBLIC**

Motions were made to open the meeting to the public. There being no discussion, motions were made to close the meeting to the public. AIF-motion approved.

**COMMENTS & DISCUSSION**

Mary Martz: St. Gregorys did not use the approved materials for the drainage channel. The situation is under review with Dave Kreck and he will advise the board when his review is complete.

Chairman Barrar: The sidewalk along Davis Road at Arby's has been completed.

Robert Brown: Is Bill's Wonderland of Pets moving to the new proposed building behind Arby's? Answer: No, they did not sign a lease.

Richard Krause: What happens to the lot? Answer: Nothing at this time. A permit was issued for the construction of the shell of the building; however, they fall under the N.J. Permit Extension Act of 2008 signed by the Governor on September 6, 2008. The owner of the property is looking for a new tenant.

Brian Carson: Did council send a letter to the N.J. Department of Transportation requesting the changes to the intersection at Evesham Avenue and White Horse Pike for the Wal-Mart application?

Answer: Not to anyone's knowledge.

Michael Ward: The Developers Agreement with the N.J. Department of Transportation for the Wal-Mart application was published in the paper.

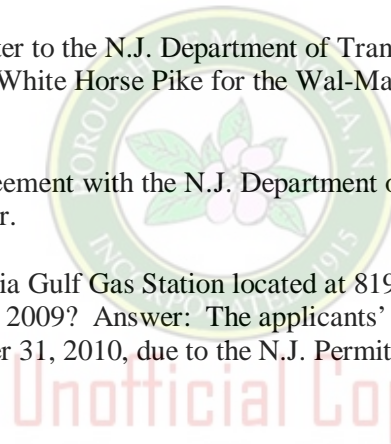
John DiBartolomeo: Will the Magnolia Gulf Gas Station located at 819 W. Evesham Avenue, complete Phase two of their application by January 1, 2009? Answer: The applicants' attorney notified the Construction Official that they have until December 31, 2010, due to the N.J. Permit Extension Act of 2008 signed by the Governor on September 6, 2008.

**ADJOURNMENT**

Motions were made to adjourn the meeting at 8:20 pm. AIF-motion approved.

\*AIF – All in Favor

Respectfully Submitted by: Denise O'Kane, Planning Board Secretary



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.