

**BOROUGH OF MAGNOLIA
PLANNING BOARD MINUTES
MARCH 19, 2008**

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	Mary Martz	C	Present
Joyce Albrecht		Absent	John Wolf, Jr.		Present
Robert Brown		Absent	Joseph Conway	A1	Absent
John DiBartolomeo	VC	Present	Joseph Dymond	A2	Present
Jim Hannold		Present	Ronald Buchanan	A3	Present
Richard Krause	MD	Present	R. Brian Carson	A4	Present
Arthur Loder		Present			

ALSO

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

ALTERNATE

Joseph Dymond	A2	for	Robert Brown
Ronald Buchanan	A3	for	Joyce Albrecht
John Keenan	Acting Sec.	for	Denise O’Kane

The Chairman confirmed with Mr. Krause that he had listened to the tapes of the last meeting, which Mr. Krause was absent. This allowed Mr. Krause to participate in this evening’s meeting.

OLD BUSINESS

Major Subdivision/Preliminary & Final

SDV08-1 / D’Anastasio Corporation – Block :7 Lot: 2.04

Mr. Ward gave a statement regarding the Orth Traffic Study, which the Borough of Magnolia hired Shropshire and Associates, who was also used by the Borough in the Lion’s Head Project, and they had reviewed the documents and had submitted a report dated March 19, 2008.

Mr. Tedesco, attorney for the applicant, submitted a detailed list of all documents used to date in the application.

Mr. Ward swore in the following: Mr. Ferenda of Shropshire and Associates, Mr. Hunter of Bach Associates, in for Leah Furey and Mr. Kreck, the Board Engineer, confirmed the past testimony and future testimony provided will be the truth.

Mr. Ferenda reviewed the applicant’s documents regarding traffic studies and reports prepared by Orth and Associates. He confirmed the unit counts and the study and trip generation rates used were acceptable and appropriate for age restricted units. He stated; Davis Road was an urban collector road at 25 m.p.h. with 80% of the traffic traveling 5-10 m.p.h. over the speed limit; Shreve Avenue has speed bumps which reduces the speed on that street to 20 m.p.h. He recommended speed bumps be reviewed by Barrington and Magnolia emergency services regarding their approval since speed humps usually slow response time. No acceleration and deceleration lanes are required on the site. The report prepared by Orth recommended a 390 foot site clearance in the east and west directions, Mr. Ferenda recommended a 390 foot site clearance due to the speed traveled on the road, and a 30 inch height restriction in the sight triangle.

Mr. Ferenda recommended that Davis Road should be used for the access because it is a collector road and the road on Otterbranch Drive should be used for emergency access only.

He further stated; the Trip Impact Study resulted in no changes to the Orth report; all plans should be revised to reflect the current proposal of 56 units and 6 COAH units; the RSIS Standards are met on the layout of the interior roadways; the 6 COAH units had 7 parking spaces which was more than may be needed; the RSIS allows for alternate parking standards, which testimony may have been given

previously or should be given on the spaces for the 6 COAH condo units and a "One Way" and a "Do Not Enter" sign was recommended for Magnolia Way.

Mr. Ward confirmed for the board that Mr. Ferenda is a licensed Engineer and the designation of CME stands for "Certified Municipal Engineer". He also inquired about the term "critical movements", which Mr. Ferenda stated; were movements which are traveling or movements that may cause delay.

There were no further questions from the board for Mr. Ferenda and Mr. Hunter had no further statements at this time.

Mr. Krause had questions regarding the Traffic Impact Study, page 2 item #7 and the 390 foot sight clearance; he wanted to know if the site clearance would encroach on any other sites other than the subject? Mr. Ferenda stated the site looked sufficient.

Chairman Barrar questioned Mr. Kreck if he reviewed the Phase I Environmental Study, the March 10, 2008 review letter and the report from April 2006 from applicant's professional. The reports showed that the chemicals found were below NJDEP levels, no further clean up of site required and the asphalt and concrete debris found has no contaminants of concern. A "No further action" letter dated November 5, 1998 was referenced in the report. There were no filed reports with NJDEP at this site, and further reports were on the developed portion of the site. The areas of concern were not on the subject site, but on the developed portion which adjoins the site. All reports showed the developed site had no impact on the subject site. Discussion of the site began in 1988 after Owens-Corning shut down and took until 1998 when the No Further Action letter was issued.

Mr. Tedesco, the attorney for the applicant gave a copy of the No Further Action letter again and an aerial view of the site.

Mr. Selover of Environmental Resolutions, Inc., was sworn in. He has been with the company for 15 years and is a Hydro-geologist with a BA in Geo Science. He is a licensed professional geologist in Pennsylvania and has 20 years of experience with the NJ Planning and Zoning Boards and the Superior Court. He referenced his letter dated March 11, 2008 about the site and Mr. Kreck questioned if there were any site violations per NJDEP on this site? Mr. Selover stated there were no violations. No further comments from Mr. Tedesco or Mr. Kreck.

Mr. DiBartolomeo commented that in 2005 the Borough decided that this site should be part of the redevelopment zone known as "Atlantic Avenue Redevelopment". Notice was given, Council liked the plan. Scannel the owner of the site came in and FedEx was approved. Mr. John D'Anastasio came in and now wants to build houses per the plan.

Mr. DiBartolomeo made a motion to open the public portion, and inquired if the public portion would end at 10PM? Mr. Ward stated; the time for the public portion should not be limited to 10PM, but there should be a limit to the amount of time per person. A motion was made to allow each person a five minute time limit.

Mr. Krause seconded the motion. Mr. Hannold wanted to be sure that the board members have time to ask their questions. The Board was polled for agreeing to open the public portion and to limit the time per person and not to be limited to a 10PM ending time for the public portion. All members voting aye, with the exception of Jim Hannold, voting no. Public Portion was opened.

Michael P. Menz, 286 Sunset Road, Runnemede was sworn in and spoke regarding the traffic. He thought the trip calculations were low since the statistics were from 2003 and the 2003 statistics were based on figures from 1998. He stated; the studies should have been done on over 55 year old age restricted developments and how the older population works longer since pensions are smaller and utility costs are increased.

He stated; the FedEx facility will not be at capacity until 2012 and currently the Barrington Business Park has many vacant sites in the complex.

He repeated a reference the applicant made about wetlands, how there was no impact to wetlands. He stated that he listened to the meeting tape where the applicant referenced sheet #4 when referencing there was no impact. Mr. Menz inquired to the LOI study and there was no notice to residents on Sunset Road. He had documents of receipt from NJDEP and no notice to Sunset Road.

Mr. Menz asked Mr. Ferenda about the outdated text. Mr. Ferenda stated the information was not outdated.

Ed Copskey, 414 Otterbranch Drive, Magnolia was sworn in and stated he was a lifelong resident and had concerns regarding the wildlife and he listed various species of wildlife, the children and the various plant life on the site. He stated he only remembered propane tanks on the site with red, yellow and white zones. He had no remembrance of any tanks or drums buried. He stated the leaks from vehicles on the site will end up in Otterbranch Creek. He did also note a massive oak tree on the field which should be preserved.

Mr. Kreck stated; the new site has to comply with the stormwater management program with regards to water quality and quantity at all times and has to be reviewed and approved by NJDEP. He further stated; soil erosion will be monitored by the Camden County Soil Conservation District which is a State Agency.

Steve Kaplan, 510 Centre Street, Barrington was sworn in and provided copies to all board members and the applicant of a nine page document. The Chairman stated he had not read the document and did not believe the applicant or the other board members had read the document. Mr. Kaplan read part of the document due to the time restriction. Mr. Ward stopped Mr. Kaplan and corrected him on his statement regarding the legality being incorrect. Mr. Kaplan disagreed. Mr. Kaplan statement was 25% is the maximum allowed of any development for the number of units to be occupied by residents over 55 years of age. Mr. Ward was trying to correct the statement that all units will and could be over 55 year old age restricted.

Mr. Kaplan read from page 12 of the Redevelopment Plan of new streets. He stated the streets do not lead to Magnolia so future residents can not get to shopping. His opinion was the Redevelopment Study was not done in detail. He spoke of testing of soil and detailed page 13 of the Redevelopment Study stating it also does not sound like it was in depth.

Debbie Mealey, 606 Sherwood Road, Magnolia was concerned if housing goes in what would happen if they discovered drums? Mr. Tedesco stated NJDEP would be contacted if any toxic chemicals were found and either clean up the site or leave the site vacant. Mrs. Mealey inquired if a Phase II Study could be requested by the Planning Board. Mr. Ward stated; the board could not compel the applicant to do any environmental study or drainage. The lender involved with the site requires these types of studies.

Mr. Tedesco stated; the applicant met with his consultants and more studies of the site will be done, but a Phase II Study is not required unless a Phase I Study finds something of concern. The Phase II can not be done when the Phase I does not pin point any exact areas of concern.

Mrs. Anna Spencer, 528 Davis Road, Barrington was sworn in and stated her son can pin point exactly where the drums were located. It was confirmed she never told anyone about this issue. Her son's information was given to the applicant's environmental Geologist.

Michael Spencer, 1036 Crest Road, Pine Hill was sworn in and stated the drums were not reported being buried since it was common on the site.

Andrea Hobbs, 232 Sunset Road, Runnemede was sworn in and asked what it would take to have the applicant walk away from the project? She was informed by Mr. Ward that was not an issue for this evening and said she could confer with the builder after the meeting.

Kathleen Balada, 152 Shreve Avenue, Barrington was sworn in and stated she had lived on Shreve avenue for over 40 years and said the traffic would be impacted by 130 cars from the new residents.

Ron Opperman, 5 Ashley Court, Barrington was sworn in and inquired about who enforces the law of over 55 years of age? Mr. D'Anastasio stated; US Department of HUD and the State of NJ, State Law over Federal Law and he quoted 85% of the residents would be over 55 years old and 15% can be as young as 45 years old such as a spouse and children over 19 years old and a child that is handicapped is allowed if the resident is the legal guardian. He explained how his developments are managed by a company which manages over 9000 similar units.

Mr. Opperman inquired if the COAH units could be located in the rear of the development? Mr. D'Anastasio responded they could be, but he thought they were aesthetically better where they are. Mr. D'Anastasio stated he had built six communities similar with age restriction with 600-700 units total.

Mr. Opperman asked the developer if he has done a traffic study himself? The developer responded no, but stated his office is located across from one of his communities with 40 age restricted units, and he feels by what he sees there that the traffic study completed by his professional is accurate.

Mr. Opperman asked the developer a question regarding the land and toxic waste, but the Chairman stopped him since the time allowed for one person speaking was up.

Daniel Stuart, 226 E. Williams Avenue, Barrington was sworn in and submitted a letter from himself and his wife. The applicant stated; a child under 19 had to be part of the family unit with the resident over 55 years old being the primary caregiver of the developmentally handicapped child. Mr. Stuart wanted the board to be aware of how costly it is to educate a developmentally handicapped child due to his experience with such children in the school system.

Alexander Esposito, 407 Brook Avenue, Magnolia was sworn in and questioned Mr. Ferenda if the data was up to date and was it national data, rather than using differentials to allow for this region? Mr. Ferenda stated the data used was a standard and averaged out. It is not adjusted for this region. Mr. Orth, the applicant's traffic engineer stated; he did make adjustments to his data by multiplying it by three, which Mr. Ferenda did not see and review from the last month's meeting with the slide show. He came up with the factor of multiplying by three by a similar over 55 development in Hamilton Township.

Mr. Esposito inquired to Mr. Ferenda if he did his own traffic study of this site? Mr. Ferenda stated no he used the information provided for his report.

Mr. Esposito inquired to Mr. Selover regarding if he did his own environmental study? Mr. Selover responded yes. Mr. Esposito inquired to how much time Mr. Selover had spent on the site as well as doing his report? Mr. Selover stated he spent equal time on the site as well as doing the report. Mr. Esposito inquired if there were any soil tests completed on the site? Mr. Selover responded no. Mr. Esposito inquired if there were any interviews of company employees? Mr. Selover responded no, that was all done by NJDEP of employees at the time of the clean up of the site.

Mr. Esposito questioned why the Mayor of Barrington was given ten minutes at the last meeting to speak and no one else had been given more time? Mr. Ward stated; his letters were entered as part of the record. Mr. Esposito inquired to why his OPRA request was not processed? Mr. Keenan the Acting Board Secretary and Borough Clerk stated he responded to Mr. Esposito's OPRA request by fax to Mr. Esposito's office.

Mr. Tedesco spoke of the documents from the Title Insurance Company dated September 25, 1950 when Magnolia conveyed to Wilbur and Ralph Ganary trading as the Ganary Brothers, and the restriction on the property recorded in Book 1507, Page 293 where the above parcels were bought at public auction September 14, 1950, and sold the land to be used as manufacturing, and the building was to be a concrete block building which had to be constructed within three months of the sale. It also stated the restriction of construction of any building within 200 feet of the South line of the tract. This land was transferred to Owens Corning, and in 1999 to AP Kierra LLC, and on August 29, 2005 to Fiberglass Road Associates.

The Quit Claim Deed from Magnolia Borough extinguished, released, vacated the restriction in reference to be in accordance of the Redevelopment Plan, and was recorded in the Camden County Clerk's Office. The full title document will be given when available as exhibit A-12. The South side of the site was noted to be along the Department of Public Works site.

Douglas Turner, 112 Kingston Avenue, Barrington was sworn in and questioned Mr. Selover on how he came to the conclusion to only do a Phase I Study? Mr. Selover stated he did not feel the site determined it was needed. Mr. Tedesco stated the developer is not in the business of selling contaminated properties.

Pat Fagan, 621 Otterbranch Drive, Magnolia was sworn in and inquired about tax payments. Mr. Ward said the Planning Board was not the correct body to be asking that question. He did give some information on how a PILOT program works as part of a redevelopment area. He did state any questions on the Redevelopment Zone should be directed to the Governing Body. Mrs. Fagan presented the Spring 2008 Borough Newsletter and how there was only a few lines of information about this project.

Lisa Kappatos, 296 Sunnybrook Road, Runnemede was sworn in and questioned to Mr. Selover there was no need for a Phase II Study since there was no gas station on this site? Mr. Selover stated no, his decision is based on the NJDEP report of 1998. She made inquiry to a consent decree. She questioned what the decree stated the property was used for? She stated the consent decree has to state what the property will be used for in the future. Mr. Ward said that was not true. No restrictions could be placed on the future use of the property.

Mr. Tedesco stated the Deed notice is sometimes issued, but would not be issued if a "No Further Action" was issued. Mr. Ward asked Mr. Selover if he knew of any known restrictions? Mr. Selover responded none known.

Brett Moonen, 118 E. Williams Avenue, Barrington was sworn in and inquired if Davis Road and Shreeves Avenue were collector roads? Mr. Orth stated yes in his opinion. Mr. Orth stated the count was taken on Shreeves as well.

Anthony Simone, 707 Brook Avenue, Magnolia was sworn in and he questioned the toxicity of the site and wanted to know who would be responsible for the clean up? The answer was the current owner, and it would work back from that owner to previous owners. He was worried that the Borough of Magnolia may be liable. The response was the Borough of Magnolia should not be liable. Mr. Simone inquired if the developer was bonded? Mr. Tedesco responded the developer was not bonded legally, but has rights against the proper parties and NJDEP would seek responsible parties. Magnolia would not be at fault unless shown and proven to be at fault.

Mr. Simone explained some details in regard to tax abatements and PILOT programs and how they help the Magnolia tax rate. He stated he wanted the Planning Board to pass it, to help the rateables. He asked Mr. Ferenda and Mr. Selover to follow up on the studies.

Michael Colna, 708 Grant Avenue, Magnolia was sworn in and stated; when he was a youngster he remembered seeing the red color in the creek and explained he works for an engineer now and he did not

feel six shovels was sufficient to make a determination and questioned who would be managing the construction site.

The applicant stated the Borough has Engineers on site to watch the job closely including trenching, and would cease construction until testing on site and all material completely removed.

Mr. Selover responded that NJDEP criteria states testing done for every two acres, and this site being twelve acres there were six testing locations.

Tom Corollano, 281 Evergreen Road, Runnemede was sworn in, and he questioned the toxic chemicals. Mr. Selover stated the site did not have industrial uses on the site. Mr. Corollano asked the board not to vote on it.

Jennifer Stuart, 226 E. Williams Avenue, Barrington was sworn in and presented a letter from Michael Menz to be part of the record. She stated Steve Kaplan asked the Borough Clerk for notices to the adjacent Borough Clerks when the Deed restriction was removed. She spoke of topics in Steve Kaplan's letter regarding the Master Plan and open space areas and goals of such a plan and prior plans. She spoke of Cooper Wright Field and it being noted in the Master Plan.

She stated in page 13 of Mr. Selover's report should question disclaimers. She wanted letters read that were submitted by the residents, and if not ask the developer for an extension.

Mr. Selover responded the disclaimers are normal in the industry for these types of studies.

Motion was made by Mr. DiBartolomeo, seconded by Mary Martz to close the public portion, with all board members voting aye, with the exception of Mr. Krause voting no.

Mr. Tedesco presented his closing statement. He stated there have been three hearings, 12 hours of time, and he would try to be as brief as possible. He stated; this application is about 12.65 acres of land on Davis Road. Half of the road is in Magnolia, and the other half is located in Barrington. The site is located in the Atlantic Avenue Redevelopment Area as of 2006. This Redevelopment Area is an overlay to this site and this Redevelopment and zone was done by the borough, not the developer.

There are no variances required for the 56 townhomes and 6 COAH units. It may not be what someone else wants, but as presented to the borough, what project is not. Regarding traffic we can conclude the traffic impact is not substantial. There was no testimony to the board as such. You can not deny if there was an impact, as last man in, there will be an increase due to this development, and all developments in Magnolia, Barrington and Runnemede, but no detrimental levels been proven. The levels of AB were shown and best in the State.

The alternate access going through the DPW site is not an issue. The question is does it meet RSIS standards. The access to Davis Road meets RSIS, which governs all of NJ. There is not a better access here before the board.

The drainage basin meets all requirements and the flow meets NJDEP for quality and quantity. There are no environmental issues. There is only historical information given, which will be investigated, and if anything is discovered it will require the site to be cleaned up. This is the time to clean up the site. If it is not developed the site will stand still and not be cleaned up. Green Acres would require tests and clean up. There are no endangered species, and there is wild life which is everywhere.

The title issues have been resolved. Regarding the Master Plan, the Borough took proper steps to amend it which was done correctly, and this issue is not before the Board. The rules were not made by you, you only follow them.

The approval is for 56 units and 6 COAH units.

Mr. Ward corrected the resident who spoke about the COAH units, and the COAH units are not an issue. It is very complicated but it will be per COAH requirements.

The basin maintenance will be done either by the owners' association or the Borough. This will be decided when the Redevelopment Agreement is completed, as well as the COAH units will be part of the Agreement.

Mr. Ward inquired if the remarks of the Planner, Leah Furey have been answered. Mr. Rahenkamp, the applicant's professional stated; the interior units are 30 feet wide, with an 8 foot wide garage which is less than 50% of the width rule, the end units have a 16 foot garage which is less than the 50% total front. The end units have a 2 foot bump out which gives you a 32 foot total front so it does not exceed the 50%. All complied with the 50%.

Side façade facing the street is a one story structure, if any upstairs options are taken, all the sides facing the streets will have a window above the eve line. They also will add masonry on the side. The front has masonry which will wrap around the side to half the height per the Planner, Leah Furey's report.

MR. DiBartolomeo questioned if the COAH units are age restricted? The answer was yes, and that all the COAH units materials are the same as the townhomes.

Chairman Barrar questioned Mr. Camp about the units on the end, which are an area of concern and also stated the fronts of the townhomes were ugly.

Mr. Krause questioned the access road onto Otterbranch Drive from the DPW site. Mr. Ward stated, the Redevelopment Agreement and outside agency approvals would address this issue.

Question: Will there be sidewalks on Davis Road? Answer: Yes there will be sidewalks.

Question: Will the development roads be Borough roads? Answer: Yes they would be borough owned and maintained roadways.

Question: Who would be picking up the trash for the new development? Answer: Magnolia Borough would be collecting trash.

Mr. Ward stated; all municipal services are required, the sewer would be connected to Magnolia, and the water would be connected by New Jersey American Water onto Davis Road.

Mr. Cray, the applicant's professional discussed the RSIS regulations which allowed Blossom Court not to have a cul-de-sac.

Chairman Barrar questioned about the island in the middle of the one new roadway. Mr. D'Anastasio stated; the association would be taking care of the landscaping on the island and the island is a traffic calming devise, as well as decorative.

Mr. Ward confirmed the fence around the basin was 6 foot high. Mr. D'Anastasio confirmed the fence was 6 foot high.

Mr. Hannold questioned if there was an access gate to the fenced area? Mr. D'Anastasio confirmed there was an access gate. Mr. Hannold asked about further testing. Mr. Ward stated there was no requirement for further testing.

Mr. Krause questioned about the Phase II Study. Mr. Kreck stated the Phase I Study and the aerial photos show an abandon overgrown 1970's ball field and no industrial use. The only proven use is Agricultural so testing was done and pesticides that are there are all levels below NJDEP concerns. Mr. Krause asked if the developer could be made to do a Phase II Study, and Mr. Kreck stated only if anything was found in Phase I. Mr. Krause confirmed that is dependent on what toxin is found, and Mr. Kreck stated yes.

Mr. DiBartolomeo stated the Redevelopment Plan known as Atlantic Avenue was done by a professional hired by the Mayor and Council. Notices were done, and part was industrial and one part residential. Mr. D'Anastasio's proposal was submitted. Planning Board just reviews the layout, etc. and decides if the developer met all the rules, and if they did we must approve it.

Mr. Ward spoke about the process of the municipality and examination of the Master Plan. During re-examination the goals are identified and lack of age restricted housing was noted, and that more and more planning is allowing for this all over the State. Also COAH units in the Borough are needed, and all must be consistent with the Master Plan. All review and comments were given by the professionals at Bach Associates, Planning Board members reviewed the plan and the standards and determine if the applicant has met these standards and law. All recommendations of the Magnolia professionals are made part of application approval.

It was agreed at this time to take a 5 minute break.

Mr. Hannold questioned Mr. Kreck if all of his questions were answered? Mr. Kreck stated; the applicant has agreed to all of his comments; there would be more detail needed on the COAH lot with grades; the pump station location and materials are working with the Borough sewer department and design; the access road and the swales are addressed; the emergency road being shifted possibly and the slopes being reduced will address the drainage and the Runnemede buffer details were to be agreed upon.

The Zoning Official John Szczerbinski inquired if this would be for preliminary and final approval? The answer was yes.

Mr. Tedesco stated; the 95 day period from deeming the application complete has passed, and he extended the 95 day period only for the preliminary approval. Mr. Ward stated; the application could be preliminarily approved for site plan and final site plan, as well for preliminary subdivision or final subdivision, one or the other. If final is denied, the applicant can submit again. Mr. Ward stated preliminary major and final major subdivision approval as well.

The exhibit list which was provided by Mr. Tedesco does match the list Mr. Ward had at this time and the following list of documents were read into record:

- A1 Power point presentation.
- A2 Site plan and subdivision done by Kernan Engineers
- A3 Site rendering map
- A4 Application form, original subdivision plans by Kernan Engineers
- A5 Orth Traffic Study
- A6 Phase I done by Environmental Resolutions
- A7 Supplemental Orth Traffic Study
- A8 Environmental Resolution's letter of March 11, 2008
- A9 NJDEP Owens Corning Letter
- A10 Environmental Resolutions Plan AOC Plan
- A11 Recorded September 07, 2005 extinguishing the Deed Restrictions
- A12 Full title report of site to be submitted tomorrow

Various letters shown during the public portion from Stuart, Kaplan, Menz, and Spencer will be made part of the resolution.

The ability to vote both preliminary and final approval if the plan meets the redevelopment plan and conditions the applicant has agreed to and applicant’s professionals have agreed to, satisfy Magnolia Redevelopment regarding age restricted units and for subdivision in general.

For the final subdivision approval the detail drawings by applicant conforms to standard map filing law.

Mr. Tedesco spoke on how Mr. D’Anastasio responded to the need of Magnolia with a less intensive use versus other residential or non-residential uses, to create a neighborhood and help Magnolia, Barrington and Runnemedede residents remain in their neighborhood. He also stated; the request for preliminary and final since Barrington Mayor has stated a law suit and to help avoid the repeat of this process twice.

Mr. Ward stated not to be guided by the possibility of any litigation here or not. It has no bearing on any of the preliminary or final approval action.

Chairman Barrar clarified the various options open for action regarding preliminary and final approvals for site plan and subdivision, as well as denial, but denial would need factual basis. Mr. Ward agreed with the Chairman’s comments.

Councilwoman Mary Martz made the motion to approve, Second by Mr. Hannold. It was inquired to preliminary or final approval? It was confirmed that the motion was to approve the preliminary and final subdivision and site plan application.

Roll call:	John DiBartolomeo	YES	John Wolf, Jr.	NO
	Jim Hannold	YES	Joseph Dymond	YES
	Richard Krouse	NO	Ronald Buchanan	NO
	Arthur Loder	NO	Chairman L. Barrar	YES
	Mary Martz	YES		

Vote 5 aye, 4 no. Motion passes.

ADJOURNMENT

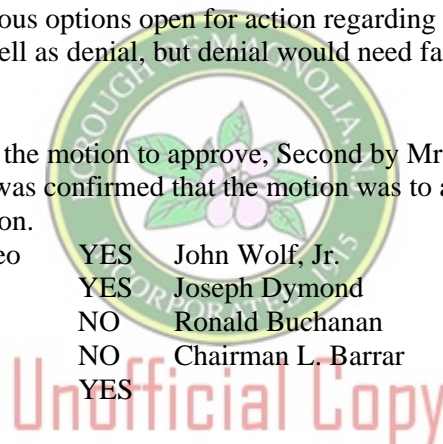
Motion by Mary Martz to adjourn at 11:25 pm, seconded by Jim Hannold, all members voted aye.

*COAH – Council on Affordable Housing

*LOI – Letter of Interpretation

*OPRA – Open Public Records Act

Respectfully Submitted by: John Keenan, Acting 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.