

**MINUTES
BUENA VISTA TOWNSHIP
PLANNING/ZONING BOARD
March 17, 2016**

The Regular meeting of the Buena Vista Township Planning/Zoning Board was held on March 17, 2016.

Vice-Chairman Victor Rovani Sr. called the meeting to order at 7:35 p.m.

Board Secretary Lisa Tilton performed Roll Call:

The following members were present: Akers, Babel, Bracaliello, Chiarello, Kelly, Krokos, Monfredo Sr., O'Connell, Rovani Sr., and Turner

The following members were absent: Bylone, Rohs, and Seelman

Vice-Chairman Victor Rovani Sr. led the flag salute.

Vice-Chairman Victor Rovani Sr. stated the following announcement:

On January 22, 2016, Notice of this meeting was mailed to *The Daily Journal & The Press* and duly posted in the Main Lobby of the Municipal Complex. All requirements of the Open Public Meetings Act have been met in compliance with the Sunshine Law. *If any appeal is being heard at 10:30 pm it may continue to be heard, however no new appeal will be started after 10:30 pm.*

Approval of Minutes February 18, 2016:

Board Secretary Lisa A. Tilton requested the approval of minutes be moved to the next meeting as they are still being drafted. Board Agreed.

Approval of Bill List from March 17, 2016:

On a motion by Akers, seconded by Chiarello:

All in Favor Roll Call Vote: **Ayes:** Akers, Babel, Bracaliello, Chiarello, Kelly, Krokos, Monfredo Sr., O'Connell, Rovani Sr., and Turner

Approval of Decision & Resolutions:

#1-2016 Matthew Berk

On a motion by Akers, seconded by Babel:

Roll Call Vote: **Ayes:** Akers, Babel, Krokos, Monfredo Sr., Rovani Sr., and Turner

#2-2016 Louis Petrini, Jr.

On a motion by Monfredo Sr., seconded by Akers:

Roll Call Vote: **Ayes:** Akers, Babel, Monfredo Sr., Rovani Sr., and Turner

Solicitors Report:

Solicitor Michael Malinsky stated the Board should go into Executive Session to discuss a confidential memorandum he prepared for the Board as such the discussion is to address previous and new policy that could have lead to potential litigation.

Resolution 2-2016 – Authorize the Board to Enter into Executive Session

On a motion by Monfredo, seconded by Kelly:

All in Favor Roll Call Vote: **Ayes:** Akers, Babel, Bracaliello, Chiarello, Kelly, Krokos, Monfredo Sr., O'Connell, Rovani Sr., and Turner

The Board entered into executive session at 7:44 pm.

The Board reconvened the meeting at 7:55 pm.

Board Completeness:

App #13-2015 Hanson Aggregates BMC, Inc

On a motion by Chiarello, seconded by O'Connell the application was Deemed Complete:

Roll Call Vote: **Ayes:** Akers, Babel, Bracaliello, Chiarello, Kelly, Monfredo Sr., O'Connell, Rovani Sr., and Turner

App #03-2016 Dennis Tamburro Sr.

On a motion by Kelly, seconded by Chiarello the application was Deemed Complete:

Roll Call Vote: **Ayes:** Akers, Babel, Bracaliello, Chiarello, Kelly, Monfredo Sr., O'Connell, Rovani Sr., and Turner

Zoning Completeness:

App #04-2015 Universal Concrete

On a motion by O'Connell, seconded by Monfredo the application was Deemed Complete:

Roll Call Vote: **Ayes:** Akers, Babel, Bracaliello, Monfredo Sr., O'Connell, Rovani Sr., and Turner

Applications:

App# 03-2016 Dennis Tamburro Sr.
Bulk Variances
B. 8101, L. 23
Time: 7:56pm to 8:18pm

The property is located in within the RDR-2 zoning district and contains approximately 2.4 acres which is pre-existing non-conforming. The property is located at 278 Main Avenue in Buena Vista Township.

Applicant is seeking approval for a constructed garage and proposed car port on the property. The garage is proposed to be 24 feet x 24 feet and exceeds in aggregate the 1,000 square feet permitted on the property in which a variance is required. The garage is 13.6 feet to the peak which is below the 15 feet permitted. The height of the carport is approximately 10 feet and the size is 18 feet x 20 feet. The applicant is seeking a side yard variance of 1.37 feet from the property line for the carport and a front yard setback of 155 feet for the garage. The applicant is seeking a lot coverage variance where 10% is permitted and the applicant is proposing 17%. The proposed use of the garage is for personal storage such as lawn equipment and storage.

On a motion of Akers, seconded by Kelly the hearing was opened to the public.

There was no public comment on the application.

Mayor Chuck Chiarello requested if the car port could be located on the other side of the garage so it is not that close to the property line. Applicant stated they would not be able to access the car port and would have to clear trees. Applicant stated they would like to keep the property shielded.

Solicitor Michael Malinsky summarized the application before the Board.

On a motion by Monfredo Sr., seconded by Akers the application was approved by the Board:
Roll Call Vote: **Ayes:** Akers, Babel, Bracaliello, Chiarello, Kelly, Monfredo Sr., O'Connell, Rovani Sr., and Turner

Board recessed at 8:18 pm.

Board reconvened the meeting at 8:35 pm.

Mayor Chuck Chiarello and Board member Teresa Kelly recused themselves from the zoning application.

Applications:

App# 4-2015 Universal Concrete
"D" Use Variance
Preliminary and Final Major Site Plan
B. 8428, L. 1
Time: 8:35pm to 10:04pm.
Witnesses: Kristopher Facenda, Esq. Attorney for Applicant
Darin Pantalione, Applicant
Peter Mitt, Applicant's Engineer

Exhibits: **A-1 to A-14** Fifteen (15) Pictures of before and after of the Site.
A-15 Aerial Map of Site

The property is located in within the PVRC zoning district and contains 4.47 acres which meets the minimum acres required. The property is located at 1224 Tuckahoe Road in Buena Vista Township.

The applicant is seeking a "D" Use Variance and Preliminary and Final Major Site Plan. The applicant has obtained a Certificate of Filing from the Pinelands Commission. There are three existing buildings located on the property. Building one consists of approximately 12,000 square feet, building two consists of approximately 4,000 square feet and building three consists of 1,200 square feet. The applicant is proposing a storm water basin in the rear of the property, lighting, landscaping and handicap spaces.

Board Planner Tiffany CuvIELlo joined the meeting at 8:47 p.m.

Mr. Pantalione stated he employees approximately 15-20 employees. About 6-9 employees drive their own vehicles to the individual work sites. There are two office employees on the site and no retail sales are conducted on site.

Mr. Pantalione stated the site was abandoned when purchased in 2009. Building one was previously used for cabinetry and modular trailers. A new roof was installed; new overhead doors and all the old vehicles left on the site have been removed. The 1,200 square foot office did receive building permits in order to complete the renovations. Small amounts of Stone and Sand will be stored on the site for various projects. Proposing a retail service establishment for 2,400 square feet of the 4,000 square feet building.

Mr. Facenda stated the applicant did not receive Pinelands approval prior to remodeling or renovating the site. The applicant has since submitted an application to the Pinelands and was issued a Certificate of Filing a year later. No additional buildings are proposed on the site.

Mr. Mitt stated the proposed basin will be shallow basin that will hold approximately 2 feet of water at the 100 year storm before it drains. It is designed to drain in 48-72 hours. The basin is a proposed size of 60 feet by 100 feet in the rear of the property. The site naturally drains toward the rear of the property. There are wetlands and buffer located on the property behind the basin.

Mr. Pantalone stated the loading dock on building one was there previously. Minimal usage of the loading dock is proposed. A 35 foot storage trailer is normally left on the job site or at the building and stores safety equipment.

Mr. Mitt stated there are 29 parking spaces proposed where 29 parking spaces are required. Seven building mounted lights are proposed and will not glare off the property. The site can accommodate additional parking with a retail site. The modifications to the site will bring the site into conformance with the proposed basin and tree buffering along Lombard Avenue. There is currently 11% coverage on the site which conforms to the site. The property is considered a light industrial use with light industrial across the street as well. A variance for a front yard setback is required as the site has three frontages. The application satisfies the positive and negative criteria. The proposed application is seeking waivers for sidewalks, handicap space along the building three that is situated by Lombard Avenue. No signs are proposed with the project.

Board member Bracaliello questioned if the septic was big enough to handle the use and retail space on the site. Mr. Mitt stated the septic is adequate for additional retail space.

Board member Monfredo questioned if the septic was certified. Mr. Mitt stated the existing septic is adequate as the Pinelands accepted the nitrate dilution.

Board Engineer David Scheidegg stated the basin would hold 1.98 feet of water and the basin is 3 feet deep. The existing parking area is stone and would have no issues if the applicant proposed to pave the parking area. The storm water calculations are based on a paved parking area. The septic system is calculated on the size of the site, not the size of the buildings; therefore the septic would be adequate. The site proposes multiple principal uses on the site which requires a use variance. Engineer stated a fence around the basin should be considered.

Mr. Facenda stated he would amend the application to include a paved parking area.

Board Member O'Connell questioned if the Board was permitted to limit the uses in the proposed retail area.

Board Planner Tiffany CuvIELLO stated the Board could place restrictions on the type of retail sales it would permit.

Mr. Facenda and Mr. Pantalone consulted as to the type of proposed retail sales.

Mr. Facenda stated his client would agree to restrict the use to a contractor retail sales office for construction material, construction office, or retail sales of either a cross fit that would limited to indoor only, boxing, batting cages or fitness center.

Mr. Facenda stated none of the proposed uses would affect the current storage area on the site.

Board Planner Tiffany CuvIELLO stated landscaping has been proposed but would like additional time to review and possible request additional landscaping if needed. Trash removal would remain the same on the site and the trash would be located in the storage area along Lombard Avenue. The new retail occupant will need to address signage separately when an occupant is selected. Applicant would still be required to complete a COAH application however COAH may not be required.

Mr. Pantalone stated the trash dumpster is a 1 yard dumpster that is serviced by Waste Management.

Board Planner Tiffany CuvIELLO requested the plans be revised to show the dumpster location.

Mr. Facenda stated curbing was installed along Tuckahoe Road with a County permit. The applicant will plant grass along the right of way.

On a motion of Akers, seconded by Monfredo, Sr., the hearing was opened to the public.

There was no public comment on the application.

Solicitor Michael Malinsky summarized the application before the Board.

Motions:

On a motion by Akers, seconded by O'Connell the application was approved by the Board for a "D" Use Variance for the Multiple Principal Uses on the site:

Roll Call Vote: Ayes: Akers, Babel, Bracaliello, O'Connell, Rovani Sr., Monfredo Sr., and Turner

On a motion by Monfredo Sr., seconded by Akers the application was approved by the Board for expansion of the existing non-conforming use:

Roll Call Vote: Ayes: Akers, Babel, Bracaliello, O'Connell, Rovani Sr., Monfredo Sr., and Turner

On a motion by Akers, seconded by O'Connell the application was approved by the Board for Preliminary and Final Major Site:

Roll Call Vote: Ayes: Akers, Babel, Bracaliello, O'Connell, Rovani Sr., Monfredo Sr., and Turner

Board Discussion: None

Public Comment: None

On a motion by Babel, seconded by Akers the meeting was adjourned at 10:05 p.m.

Respectfully submitted,

/s/ Lisa A. Tilton

Lisa A. Tilton
Planning/Zoning Board Secretary