

TOWNSHIP OF EDGEWATER PARK
PLANNING BOARD
REORGANIZATION MEETING
MINUTES
JANUARY 12, 2012
7:00P.M.

The Edgewater Park Township Planning Board Reorganization Meeting for 2012 is held this January 12, 2012 at 7:00p.m. at the Municipal Building, 400 Delanco Road, Edgewater Park, NJ.

FLAG SALUTE

STATEMENT OF THE MINUTES

IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT, CHAPTER 231, P.L. 1975

The Edgewater Park Township Planning Board has given public notice of this meeting pursuant to "The Open Public Meetings Act" in the following manner:

1. Posting written notice on the official Bulletin Board in the Township Building on January 13, 2012.
2. E-mailing written notice to the Burlington County Times and the Courier Post on January 13, 2012.
3. Filing written notice with the Clerk of the Township of Edgewater Park on January 13, 2012.

OATH OF OFFICE TO NEWLY – APPOINTED OFFICIALS

At this time it is my pleasure to report to the Planning Board Members and to those present this evening that at the Township Committee Reorganization Meeting held on January 12, 2012 the following appointments were made by Mayor John McElwee:

Class I Member:	John McElwee for a one year term
Class II Member:	David Levay for a one year term
Class IV Members	Marian Johnson – 4 year term
Class IV Members	Phil Aaronson – 4 year term

Class IV Alternates:

Alt No. 1: Two Year Term	Carol Porter
Alt No. 2: Unexpired Term:	Thomas Sorrells

The following appointment was made by Township Committee:

Class III Member: Aimee Belgard for a one year term

OATH OF OFFICE

The appointees received the Oath of Office, administered by Linda Dougherty, RMC/Administrator

ROLL CALL

Present: Mr. Aaronson, Mrs. Belgard, Mrs. Johnson, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal

PROCEDURES

Ms. Cunningham explained the procedure that will be followed for Nominations and Appointments. If the situation should occur in which there is more than one person or agency nominated for an appointment, upon roll call vote each nomination shall be voted for as an independent motion in the order announced. If the first motion fails to receive a majority vote then a roll call will continue with the next motion until one receives a vote sufficient for election/appointment.

NOMINATIONS FOR CHAIRPERSON

Nomination for Chairperson- Mrs. Johnson
Motion by: Mr. Robinson
Second by: Mr. Levay

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mrs. Johnson, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal
Motion passed 8, 0, and 0

Meeting was turned over to Chairman Johnson at this time.

NOMINATIONS FOR VICE CHAIRPERSON

Nomination for Vice Chairperson – Mr. Robinson
Motion by: Mr. Levay
Second by: Mr. Westphal

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson
Motion passed 8, 0, and 0

NOMINATIONS FOR PLANNING BOARD SOLICITOR

Nomination for Solicitor- Raymond & Coleman LLC.
Motion by: Mr. Robinson
Second by: Chairman Johnson

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson
Motion passed 8, 0, and 0

**Edgewater Park Township
Planning Board Meeting
January 12, 2012**

NOMINATIONS FOR PLANNING BOARD ENGINEER

Nomination for Engineer: Environmental Resolutions Inc
Motion by: Mr. Levay
Second by: Mr. Westphal

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson
Motion passed 8, 0, and 0

NOMINATIONS FOR PLANNER

Nomination for Planner- Environmental Resolutions Inc
Motion by: Mr. Robinson
Second by: Mr. Levay

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson
Motion passed 8, 0, and 0

NOMINATION FOR PLANNING BOARD SECRETARY

Nomination for Planning Board Secretary: Ms. Deborah Cunningham
Motion by: Chairwoman Johnson
Second by: Mr. Aaronson

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson
Motion passed 8, 0, and 0

SET DATE AND TIME OF PLANNING BOARD MEETINGS FOR YEAR 2012

Date: Third Thursday of every month Time: commencing at 7:00 p.m.

Motion By: Phil Aaronson
Second by: Jeff Westphal

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson
Motion passed 8, 0, and 0

RESOLUTIONS:

Resolution P1-2012 (Notice of Scheduled Meetings)

Motion by: David Levay
Second by: Charles Robinson

Amended to include date of Reorganization for 2013: January 10, 2013

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson
Motion passed 8, 0, and 0

Resolution P2-2012 (Open Public Meetings Act)
Motion by: David Levay
Second by: Jeff Westphal

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson
Motion passed 8, 0, and 0

Resolution P3-2012 (Professional Contracts)
Motion by: Phil Aaronson
Second by: Marian Johnson

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson
Motion passed 8, 0, and 0

OPEN MEETING TO THE PUBLIC: NONE

ADJOURN:

Moved: David Levay
Second: Charles Robinson
Time: 7:33 p.m.

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson
Motion passed 8, 0, and 0

Respectfully Submitted,



Deborah A. Cunningham
Planning Board Secretary

TOWNSHIP OF EDGEWATER PARK
PLANNING BOARD
REORGANIZATION MEETING
MINUTES
JANUARY 12, 2012
7:00P.M.

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Class II Member:	David Levay for a one year term
Class IV Members	Marian Johnson – 4 year term
Class IV Members	Phil Aaronson – 4 year term

Class IV Alternates:

Alt No. 1: Two Year Term	Carol Porter
Alt No. 2: Unexpired Term:	Thomas Sorrells

The following appointment was made by Township Committee:

Class III Member: Aimee Belgard for a one year term

OATH OF OFFICE

The appointees received the Oath of Office, administered by Linda Dougherty, RMC/Administrator

ROLL CALL

Present: Mr. Aaronson, Mrs. Belgard, Mrs. Johnson, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal

PROCEDURES

Ms. Cunningham explained the procedure that will be followed for Nominations and Appointments. If the situation should occur in which there is more than one person or agency nominated for an appointment, upon roll call vote each nomination shall be voted for as an independent motion in the order announced. If the first motion fails to receive a majority vote then a roll call will continue with the next motion until one receives a vote sufficient for election/appointment.

NOMINATIONS FOR CHAIRPERSON

Nomination for Chairperson- Mrs. Johnson
Motion by: Mr. Robinson
Second by: Mr. Levay

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mrs. Johnson, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal
Motion passed 8, 0, and 0

Meeting was turned over to Chairman Johnson at this time.

NOMINATIONS FOR VICE CHAIRPERSON

Nomination for Vice Chairperson – Mr. Robinson
Motion by: Mr. Levay
Second by: Mr. Westphal

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson
Motion passed 8, 0, and 0

NOMINATIONS FOR PLANNING BOARD SOLICITOR

Nomination for Solicitor- Raymond & Coleman LLC.
Motion by: Mr. Robinson
Second by: Chairman Johnson

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson
Motion passed 8, 0, and 0

**Edgewater Park Township
Planning Board Meeting
January 12, 2012**

NOMINATIONS FOR PLANNING BOARD ENGINEER

Nomination for Engineer: Environmental Resolutions Inc
Motion by: Mr. Levay
Second by: Mr. Westphal

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson
Motion passed 8, 0, and 0

NOMINATIONS FOR PLANNER

Nomination for Planner- Environmental Resolutions Inc
Motion by: Mr. Robinson
Second by: Mr. Levay

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson
Motion passed 8, 0, and 0

NOMINATION FOR PLANNING BOARD SECRETARY

Nomination for Planning Board Secretary: Ms. Deborah Cunningham
Motion by: Chairwoman Johnson
Second by: Mr. Aaronson

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson
Motion passed 8, 0, and 0

SET DATE AND TIME OF PLANNING BOARD MEETINGS FOR YEAR 2012

Date: Third Thursday of every month Time: commencing at 7:00 p.m.

Motion By: Phil Aaronson
Second by: Jeff Westphal

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson
Motion passed 8, 0, and 0

RESOLUTIONS:

Resolution P1-2012 (Notice of Scheduled Meetings)

Motion by: David Levay
Second by: Charles Robinson

Amended to include date of Reorganization for 2013: January 10, 2013

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson

Motion passed 8, 0, and 0

Resolution P2-2012 (Open Public Meetings Act)

Motion by: David Levay
Second by: Jeff Westphal

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson

Motion passed 8, 0, and 0

Resolution P3-2012 (Professional Contracts)

Motion by: Phil Aaronson
Second by: Marian Johnson

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson

Motion passed 8, 0, and 0

OPEN MEETING TO THE PUBLIC: NONE

ADJOURN:

Moved: David Levay
Second: Charles Robinson
Time: 7:33 p.m.

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson

Motion passed 8, 0, and 0

Respectfully Submitted,



Deborah A. Cunningham
Planning Board Secretary

**TOWNSHIP OF EDGEWATER PARK
400 DELANCO ROAD
EDGEWATER PARK, NEW JERSEY 08010**

RESOLUTION P-1-2012

NOTICE OF ANNUAL SCHEDULED MEETINGS

Notice is hereby given by the Planning Board of the Township of Edgewater Park, that the following is a list of the regular meetings of the Planning Board of the Township of Edgewater Park, County of Burlington, State of New Jersey.

REGULAR MONTHLY OFFICIAL PUBLIC MEETINGS

All such meetings to be held at 7:00 P.M. at the Municipal Building, 400 Delanco Road, Edgewater Park, New Jersey. Formal official action may be taken at such meetings on any and all business involving the Planning Board may be discussed.

January 19, 2012
February 16, 2012
March 15, 2012
April 19, 2012
May 17, 2012
June 21, 2012

July 19, 2012
August 16, 2012
September 20, 2012
October 18, 2012
November 15, 2012
December 20, 2012
Reorg: January 10, 2013

Deborah Cunningham
Planning Board Secretary



**TOWNSHIP OF EDGEWATER PARK
400 DELANCO ROAD
EDGEWATER PARK, NEW JERSEY 08010**

PLANNING BOARD

RESOLUTION # P-2-2012

Whereas, the "Open Public Meetings Act" requires that advance written notice of all meetings of the Planning Board be posted in one public place designated by the Planning Board and mailed, telephoned, faxed or hand delivered to two newspapers designated by Resolution and mailed to all persons requesting a copy of same.

Now, therefore, be it resolved by the Planning Board of the Township of Edgewater Park, County of Burlington and the State of New Jersey, that,

Section 1. All advance written notices of the Planning Board meetings shall be posted by the Secretary on the Official Bulletin Board located in the Township Municipal Building.

Section 2. All advance written notices of the Planning Board meetings shall be given to the two newspapers:

Burlington County Times

Courier Post Newspaper

Section 3. All advance written notices of the Planning Board meetings throughout the year shall be mailed to all persons requesting copy of the same, after payment by such persons of a fee of \$5.00, News Media shall be exempt from such fees.

Section 4. The schedule of regular official Planning Board meetings and regular work sessions for the period from and after this reorganization meeting in January, 19 2012, shall be in accordance with the notice annexed hereto, designating the dates, times and places of such meetings which incorporated within this Resolution by reference.

Deborah Cunningham
Planning Board Secretary

**TOWNSHIP OF EDGEWATER PARK
400 DELANCO ROAD
EDGEWATER PARK, NEW JERSEY 08010
PLANNING BOARD
RESOLUTION # P3-2012**

AUTHORIZING AWARD OF CONTRACTS FOR PROFESSIONAL SERVICES

Whereas, there exists a need for a Solicitor, Engineer and Planner and whereas, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) requires that the Resolution authorizing the award of contracts for professional services without competitive bids must be publicly advertised.

NOW, THEREFORE be it resolved by the Planning Board of the Township of Edgewater Park, County of Burlington and the State of New Jersey that:

Section 1. The Planning Board is hereby authorized and directed to execute the attached agreement with:

- A: - Environmental Resolutions Inc.-Engineer
- B. - Environmental Resolutions Inc- Planner
- C: - Raymond, Coleman & Heinold LLC-Solicitor

Section 2. These contracts have been awarded without competitive bidding as a "Professional Service" under the provisions of the local Public Contract Law because they are a recognized profession under the laws of the State of New Jersey, and therefore not possible to obtain competitive bids.

PURSUANT to N.J.S.A. 40A: 1-5 (1) (a) (i) the following information is set forth:

- A. Nature of the Contract: Legal services, Engineering services and planning services.
- B. Duration of the Contract: One Year
- C. Amount of the Contract: As per Contract, not exceed \$1,000.00 quarterly.
- D. This Resolution and Contract are on file and available for Public inspection in the office of the Township Clerk of Edgewater Park Township.

Section 3. This Resolution shall be printed once in the Burlington County Times, as required by law, within ten (10) days of its adoption.

Deborah Cunningham, Planning Board Secretary

EDGEWATER PARK TOWNSHIP
PLANNING BOARD MINUTES
January 19, 2012, 7:00 P.M.

MEETING CALLED TO ORDER

FLAG SALUTE

STATEMENT OF THE MINUTES

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner:

1. By posting written notice on the Official Bulletin Board at the Municipal Building on January 17, 2012.
2. By faxing/e-mailing written notice to the Burlington County Times and the Courier Post on, January 17, 2012.
3. By filing written notice with the Clerk of the Township on January 17, 2012.

OATH OF OFFICE TO NEWLY – APPOINTED OFFICIALS

The following appointments were made by Mayor John McElwee:

Mr. Tom Coleman swore in the following new members:

Class IV Member: To Fill the unexpired term
of Judith Hall; term expires: 12/31/2014: Ernestine Jones-Booker

Class IV Alternates:

Alt No. 1: Two Year Term Carol Porter

Alt No. 2: To fill the Unexpired Term
Of Karla Hoffman Term Expires 12/31/2012: Thomas Sorrells

ROLL CALL

Present: Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson

*Class IV Alternate Members: Alternate No. 1, Carol Porter
Alternate No. 2, Thomas Sorrells

Also present: Mr. Tom Coleman, Planning Board Solicitor, Mr. Rakesh Darji, Township Engineer, Mrs. Barbara Fegley, Township Planner and Mr. Cedric Minter, Zoning Officer.

APPROVAL OF MINUTES FROM – December 15, 2011

Mr. Levay made a motion to approve the minutes for 12/15/11 and Mr. Robinson Seconded.

Voted in the Affirmative: ~~Mr. Aaronson- Recused from Bottom Dollar portion of the meeting,~~
~~Mrs. Belgard, Mr. Kauker, Mr. Levay, Mr. Robinson, Mr. Westphal, Chairman Johnson~~

Voted in the Negative: None

Abstained: Mrs. Booker and Mayor McElwee

OLD BUSINESS

Jose Torres
Block 501 Lot 5
Minor Site Plan

Mr. Torres is requesting an extension to the February 16, 2012 meeting. Mr. Coleman read the letter into the record.

A temporary extension of the approval is granted until February 16, 2012, Mr. Robinson made the motion to grant the extension for Jose Torres and Mr. Aaronson seconded.

Voted in the Affirmative: Mr. Aaronson, Mrs. Belgard, , Mr. Booker, Mr. Kauker, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson

Voted in the Negative: Mr. Levay

Abstained: none

Seong Ok Oh/ Edgewater Park Dry Cleaner
Block 322 Lot 1
Use Variance

Mayor McElwee and Ms. Belgard recused themselves and departed the meeting.

Mr. Mark Malinowski with Stout Caldwell Engineers made a presentation and introduced the interested parties, including the planner and traffic professional.

Tom Coleman swore in the applicable parties.

Mr. Malinowski testified with regards to residential and commercial portions of the property.
Mr. Malinowski testified to the following information:

1. The property exceeds the impervious cover by 3%.
2. No dry cleaning processes will take place on the site.
3. Tailoring services will be provided onsite.
4. The parking lot will include striping and handicap accessibility to parking lot and entrance door.

5. Lighting will be provided per the plan submitted.
6. Landscaping will be used for beautification as well as buffering for the residential areas from noise.
7. There will be 4 employees onsite: delivery driver, tailor, Ms. Oh, who will live there, and Mr. Rhee.
8. The signage proposed is freestanding signs. A variance will be sought for signage in accordance with Edgewater Park codes as the square footage of the signs will differ from the codes.
9. The hours of operation will be 8 a.m. to 7 p.m. Monday through Friday and 8:30 a.m. to 3:30 p.m. on Saturday and closed on Sunday.
10. Variances will be sought to include impervious coverage increase to 28%.
11. A buffer area variance will be sought.
12. The removal of current trees on the driveway will be necessary.
13. The applicant will be seeking a variance for sign set back, which should be 15 feet and 10 feet will be sought for sign on Delanco/Coopertown Road.

Chairman Johnson asked why 3 big signs – Mr. Malinowski testified that the explanation is advertisement is necessary as the building sits back 70 feet from the street. The freestanding signs will necessitate removal of a few trees along the driveway. Mr. Levay pointed out that proposed sign could stand to the right of the driveway rather than remove the trees.

The Exhibit A-1 color rendering of the site plan was referred to.

Mr. Kauker asked about the parking exiting and entering the driveway area. He expressed concern about a blind spot for exiting traffic backing up. He also asked about trash removal. Mr. Malinowski testified that the business doesn't expect an abnormal amount of trash. He testified that trash will be kept to the rear of the property and will be picked up curbside. The board pointed out that commercial property must arrange to remove their own trash. Mr. Malinowski testified that arrangements would be made for trash removal.

Mr. Kauker pointed out that only 1 employee is allowed in a residential area.

Mr. Malinowski introduced the applicant Ms. Michelle Oh and Mr. David Rhee (manager of the facility).

Ms. Fegley, Planning Board Planner, asked if there is a demand for this type of business. Mr. Rhee said that the use of the word "cleaners" is a common usage of the term, and does not indicate that cleaning will be done on the premises.

Mr. Darji asked if there was an actual demand for this type of business. Mr. Rhee testified that Mrs. Oh has been in the business for 5 years and she hasn't found any other business that does delivery and pick up; she will provide a unique aspect by picking up and delivery which is not available anywhere else.

Mrs. Booker questioned signs in site triangle and expressed concern over hindering traffic. Mr. Malinowski testified that the sign would be 3 ½ feet wide.

Ms. Oh testified to the following using Mr. Rhee as translator:

1. That pickup and delivery will take place on both Tuesday and Friday.
2. Ms. Oh testified that bagging and tagging will be done the rest of the week. A conveyor belt will be onsite to assist with bagging and tagging.
3. Emergency pickup and delivery will be available and she anticipates that the van will be used for emergency pickup and delivery.
4. The business will cover a 15 mile radius from the store. Mr. Rhee anticipates that as demand goes up, there will be intermittent delivery and pick up on other days of the week.

Mr. Levay said that van will be parked in the parking lot for the majority of the week. Mr. Coleman pointed out that signs on trucks are prohibited and a variance will be needed.

Mr. Andrew Feranda with Shropshire Associates Professional Engineers (Mr. Coleman stated qualified professional) testified to the following:

1. Mr. Feranda spoke on traffic flow. The alignment of the driveway with the opposite driveway is in consideration for the placement of the driveway.
2. The peak times for traffic were tested and evaluated.

Ms. Fegley questioned the removal of trees. Mr. Malinowski testified that he would seek approval from the county for traffic on the county road.

Ms. Kendra Lelie testified with regards to municipal land use law:

1. As a professional planner, she believes that use variance should be granted.
2. There are only 2 deviations from the ordinance: signage, and number of employees onsite.
3. The business is a home occupation.
4. The vision is to maintain and enhance the local community.
5. She argued that the position of the board should be to consider the size of the lot; it is almost double because it is a corner property.

Mr. Levay stated his concerns regarding parking, zoning and customer activity. He stated that the master plan for the township did not include an industrial use.

Ms. Fegley stated the application is a D1 variance, not a D3 and that it does not meet most of the criteria with regards to a home business. Ms. Fegley stated the property is a not a node. Home occupations do not have vans or delivery trucks or traffic of this nature.

Chairman Johnson stated that the proposed dry cleaner does not meet the criteria for Home Business. Ms. Lelie argued that the proposed dry cleaner is a home occupation.

Chairman Johnson opened the meeting to the public for discussion for the Seong Ok Oh/Edgewater Park Dry Cleaner only: Hearing no one wishing to speak, the meeting was then closed to the public.

Mr. Levay made a motion to approve a D-1 variance application for Seong Ok Oh/Edgewater Park Dry Cleaner and Mr. Robinson seconded.

Voted in the Positive: None

Voted in the Negative: Mr. Aaronson, Mrs. Booker, Mr. Kauker, Mr. Levay, Mr. Robinson, Mr. Westphal, Chairman Johnson

Abstained: NONE

Motion denied: 0, 7, 0

There was no new business.

Chairman Johnson opened the meeting to the public for discussion: Hearing no one wishing to speak, the meeting was then closed to the public.

There was no correspondence.

ADJOURNMENT

Mr. Robinson made a motion to adjourn at 9:22 PM and Mr. Levay seconded.

Voted in the Affirmative: Mr. Aaronson, Mrs. Booker, Mr. Kauker, Mr. Levay, Mr. Robinson, Mr. Westphal, Chairman Johnson

Voted in the Negative: NONE

Abstained: NONE

Respectfully submitted,



Deborah Cunningham
Planning Board Secretary

EDGEWATER PARK TOWNSHIP
PLANNING BOARD MINUTES
February 16, 2012, 7:00 P.M.

MEETING CALLED TO ORDER

FLAG SALUTE

STATEMENT OF THE MINUTES

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2. By faxing/e-mailing written notice to the Burlington County Times and the Courier Post on, January 17, 2012.
3. By filing written notice with the Clerk of the Township on January 17, 2012.

ROLL CALL

Present: Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mr. Robinson, Mr. Westphal, Chairman Johnson

Absent: Mr. Aaronson, Mayor McElwee, Ms. Porter, Mr. Sorrells

Also present: Mr. Tom Coleman, Planning Board Solicitor, Mr. Rakesh Darji, Township Engineer

APPROVAL OF MINUTES FROM – January 12, 2012 and January 19, 2012

Mr. Robinson made a motion to approve the minutes for 1/12/12 and 1/19/12 and Mr. Kauker seconded.

Voted in the Affirmative: Mrs. Belgard except what she was recused from during January 19th meeting, Mrs. Booker, Mr. Kauker, Mr. Levay, Mr. Robinson, Mr. Westphal, Chairman Johnson

Voted in the Negative: None

Abstained: None

Mr. Sorrells arrived at 7:15 p.m.

RESOLUTION NO. P-4-2012

**RESOLUTION OF THE EDGEWATER PARK TOWNSHIP PLANNING BOARD
SEONG OK OH/EDGEWATER PARK DRY CLEANER
BLOCK 322, LOT 1**

WHEREAS, Seong Ok Oh/Edgewater Park Dry Cleaner (hereinafter referred to as Applicant) has applied to the Planning Board of the Township of Edgewater Park for approval of a Minor Site Plan and Use Variance for the property located at 1335 Mt. Holly Road, known as Block 322, Lot 1 (hereinafter referred to as the "Property") on the Official Tax Map of the Township of Edgewater Park for the purpose of utilizing the existing residence as a drop-off point to service a dry cleaning and alterations business; and

WHEREAS, a Major site plan is required because the Applicant is proposing a use variance and is adding more than five (5) parking spaces to service the facility. Use variance is required because the application proposes to change a mixed use building situated within the R-2 (Single Family Residential) District into a commercial dry cleaning business, which is not a permitted use; and

WHEREAS, the Applicant presented evidence to the Planning Board concerning their application through testimony, plans and other evidence; and

WHEREAS, the Applicant is seeking Major site plan approval, and use variance approval in order to utilize the existing residence as a drop-off point to service a dry cleaning and alterations business on the Property; and

WHEREAS, the application was deemed complete by the Planning Board at the January 19, 2012 meeting; and

WHEREAS, a public hearing to consider the application was held by the Edgewater Park Planning Board on January 19, 2012, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property, as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey;

WHEREAS, the Planning Board after carefully considering the evidence presented by the Applicant in support of their application for Major site plan approval, use variance, and waivers for an Environmental Impact Statement and Traffic Study for utilizing the existing residence as a drop-off point to service a dry cleaning and alterations business on the Property, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

SEONG OK OH/EDGEWATER PARK DRY CLEANER

1. The Applicant owns the Property located at 1335 Mt. Holly Road (Block 322, Lot 1), a lot area totaling 0.99 acres, in the R-2 Residential Zoning District. The site is a corner lot with frontage on Delanco-Coopertown Road and Mt. Holly Road. A small parcel of land South of the Property, directly across Delanco-Coopertown Road is zoned C-1 Neighborhood

Commercial. Commercial dry cleaning is not a permitted use in the R-2 District.

2. The Applicant has submitted an application for a Major site plan, use variance, and waivers providing the Board with a proposed set of plans and testimony.

3. The taxes on the Property are current.

4. The Applicant has paid and/or posted all required fees and agreed to keep their review escrow current.

5. Proper notice of the application for the variance has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.

6. The Applicant is proposing to utilize the existing residence as a drop-off point to service dry cleaning and alterations business on the Property.

7. Use variance is required because commercial dry cleaning is not a permitted use in the R-2 District. Variances are also needed for a) two (2) proposed façade freestanding signs, where one (1) is permitted; b) sign size exceeds in square footage permitted size; c) a portion of the parking spaces sit in the 15 feet buffer area; d) impervious coverage is 27%, where 20% is permitted; e) sign set back along Delanco Coopertown Road is ten (10) feet, where 15 feet is permitted. Waivers are required because Major site plans require an Environmental Impact Statement and Traffic Study.

8. The following individuals were sworn, qualified and testified on behalf of the Applicant at the Planning Board Public Hearing on January 19, 2012.

9. Mark E. Malinowski, PE, of Stout and Caldwell Engineers, LLC, testified for the Applicant at the Planning Board Public Hearing held on January 19, 2012 as follows.

a) He used Exhibit A-1, a color site plan, to describe the residential and commercial components of the Property.

b) There is an existing paved parking lot that could hold ten (10) cars.

c) A beauty salon was once on the Property, and now remains a pre-existing condition for impervious coverage of 27%.

SEONG OK OH/EDGEWATER PARK DRY CLEANER

- d) No actual dry cleaning process will be undertaken on the Property. This will be a drop-off point for dry cleaning.
 - e) Customer's dry cleaning will be picked up at their home and returned to their home.
 - f) A tailor will be on the Property for customers to come and get their clothes tailored.
 - g) The site will have four (4) employees, namely: Ms. Seong Ok Oh, Mr. David Rhee, a tailor and a delivery van driver.
 - h) A freestanding façade sign would post the business hours as: Weekday – 8:00 a.m. to 7 p.m.; Saturday 8:30 a.m. to 3:30 p.m.; and Sundays – Closed.
 - i) Trees will be taken out for signs and widening of the driveway.
 - j) Upgrades will be performed to the electrical system that previously was for residential use.
 - k) Customers will also be able to drop-off their dry cleaning instead of pick-up and home delivery.
 - l) The parking lot will be striped and lights will be added.
 - m) Trash enclosure will be kept in an existing trash pad. The commercial nature of the business requires private pick-up.
10. David Rhee, who will manage the facility interpreted for another witness Michele Oh who will own the facility, testified as follows:
- a) The industry is changing, where 70% of stores are drop-off stores. 30% actually dry clean on the premises. We do not clean on site.
 - b) I have been in business for five (5) years and have delivered and picked-up clothes for dry cleaning.
 - c) Although no market analysis has been done, I feel that the delivery/pick-up aspect will enhance business.
 - d) This is our business model, and it is unique by offering full pick-up and delivery of clothes to be cleaned and tailored.

SEONG OK OH/EDGEWATER PARK DRY CLEANER

- e) Until the public catches up with our business model, we expect that there will be drop-off at the store, and eventually, we hope to have just home pick-up and delivery.
 - f) The only cleaning on the premises will be green cleaning, which is water/wet cleaning, meaning that only water will be used to clean. This is the best natural solvent and gentle washing will be performed using bio-degradable soaps.
 - g) Deliveries will be on Tuesdays and Fridays between 8:00 a.m. and 4 p.m.
 - h) A delivery van will be parked in the parking lot and will have a sign with the business name on it.
 - i) A freestanding sign will be 3 ½ feet wide that will be outside of the sight triangle.
 - j) An internal dry cleaner conveyor belt will be installed that will need additional electric power.
11. Andrew Feranda, PE, of Shropshire Associates, LLC, traffic planners, testified as follows:
- a) Using Exhibit A-1 identified the driveway and the adjoining roads, described that the driveway will be re-aligned to line up with a commercial site across the street.
 - b) Traffic counts were taken on December 8, 2011. There is no apparent overlapping of the a.m. commuter peak, but there will be a p.m. peak overlap.
 - c) The level of service is "B", where on the weekdays there are 16 site trips in the p.m., and 22 site trips on Saturdays.
 - d) Tree removal and traffic issues are still being resolved with Burlington County Land Development.
12. Kendra A. Lelie, PP, AICP, of Scangarello Lelie, planners, testified as follows:
- a) This is a home occupation and classifies as a N.J.S.A. 40:55D-70d(3) use variance.
 - b) The site is well suited for this use even though it does not provide an inherently beneficial public use because of its location to adjoining commercial uses and parcels.
 - c) Use is permitted in this zone and there is an economic trend to allow home-based business.

SEONG OK OH/EDGEWATER PARK DRY CLEANER

- d) The Master Plan supports the expansion of home-based businesses and the "personal services" aspect of it. The four (4) elements of the relevant ordinance are addressed: 1) the building is not increased in size; 2) impervious coverage is not increased; 3) one (1) additional employee rather than the two (2) permitted employees; 4) the signage proposed exceeds the residential standards.
 - e) This site can be considered a "node" because it is across the street from a commercial parcel and is at the corner of the R-2 Zone. An eight (8) foot-freestanding sign is needed because the site has 400 linear feet of frontage. No increase in traffic is anticipated.
 - f) A landscape plan of evergreens is proposed to buffer the surrounding residences, even though there is no real traffic, noise, smells, or other detriments to the public.
 - g) The mechanical conveyor belt exchanger for dry cleaned clothes has no detriment to the public.
13. The meeting was opened to the public for comment and none was offered.

AND, WHEREAS, based upon the above factual findings, the Planning Board of the Township of Edgewater Park, on the 19th day of January, 2012, the Applicant has not provided sufficient credible evidence and satisfactory information to the Board and has not further satisfied all of the legal criteria and conditions for a use variance approval and major site plan approval. In reviewing the Township Ordinance and the New Jersey Municipal Land Use Law this application is a N.J.S.A. 40:55D-70d(1) variance and not a home occupation or a node, which do not have a delivery van or a mechanical conveyor belt exchanger. The negative impact of utilizing the existing residence as a drop-off point to service a dry cleaning and alteration business is considerable, as observed by the testimony of the Applicant's representatives. This impact will not be significantly mitigated by the Applicant's present plans, proposals and testimony provided to the Board. The Board finds that the benefits of permitting the use variance in this location do not substantially outweigh the detriment to the public good and impairment of the zoning plan or the Master Plan that may result from such use.

SEONG OK OH/EDGEWATER PARK DRY CLEANER

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 19th day of January, 2012, hereby denies the Applicant the use variance approval to utilize the existing residence as a drop-off point to service the dry cleaning and alteration business.

ROLL CALL VOTE

Those in Favor: 7
Those Opposed: 0
Those Abstaining: 0

CERTIFICATION

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Edgewater Park in accordance with its decision at its regular meeting on January 19, 2012.

EDGEWATER PARK PLANNING BOARD

Attest:

By: _____
MARIAN JOHNSON, Chairman

DEBORAH A. CUNNINGHAM, Secretary

Dated: February 16, 2012

Date of Approval: January 19, 2012

Date of Memorialization: February 16, 2012

OLD BUSINESS

Seong Ok Oh/ Edgewater Park Dry Cleaner
Block 322 Lot 1
Use Variance
Resolution P-04-2012

Mr. Robinson made a motion to approve resolution P-04-2012 and Chairman Johnson seconded.

Mayor McElwee arrived at 7:22 p.m.

Voted in the Affirmative: Mrs. Booker, Mr. Kauker, Mr. Levay, Mr. Robinson, Mr. Westphal,
Chairman Johnson

Voted in the Negative: None

Abstained: Mrs. Belgard, Mayor McElwee

Chairman Johnson made a motion to change the order of the agenda and put Mr. Knapp first.
Mr. Robinson seconded.

Voted in the Affirmative: Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor
McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson

Voted in the Negative: None

Abstained: None

NEW BUSINESS

Michael Knapp
Block 1301 Lot 9
Variance

Mr. Coleman swore in Mr. Knapp.

Mr. Knapp explained that he was requesting a variance because the porch was approximately 4 feet over what was allowed in the ordinance. Mr. Knapp explained that the porch would be 18 x 10 feet and testified that it would be aesthetically pleasing.

Mr. Coleman asked if there were any anticipated problems within the neighborhood and Mr. Knapp said he didn't anticipate any problems.

Mr. Darji testified that he was satisfied that Mr. Knapp answered all his written concerns.

Chairman Johnson opened the Knapp porch variance to the public for discussion: Hearing no one wishing to speak, the Knapp matter was then closed to the public.

Mr. Levay made a motion to approve a variance for Block 1301 Lot 9. Mr. Westfall seconded.

Voted in the Affirmative: Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson, Mr. Sorrells

Voted in the Negative: None

Abstained: None

Jose Torres

Block 501 Lot 5

Minor Site Plan

Mr. Germano, Mr. Torres' attorney, was present. Mr. Torres was sworn in by Mr. Coleman.

Mr. Germano testified NJDOT Approval has been received as it meets county criteria. Mr. German testified that there were 6 issues which concerned Edgewater Park Townships engineers. Mr. Germano testified that Mr. Darji is satisfied with the lighting and the pavement. Mr. Germano asked for waiver of the township requirement to have a dumpster as there will be little waste. Mr. Germano asked to keep the parking space for proposed handicap space and designate it as staff only.

Mr. Torres testified as to the concerns of the board with regards to a sign and presented a drawing of the sign and explained that the lower sign is an aluminum wrap and will not be lighted.

Mr. Torres testified that landscaping will be done on the northern side of the building and the front.

Mr. Germano testified that the list of variances included in the engineers proposal are preexisting conditions.

Mrs. Belgard asked about parking. Mr. Torres testified that parking would not be an issue as the store hours would be different from the class times, and there would be no overlapping. Mr. Torres testified that there would be 15 parking spots, including handicap parking, and that the store would be small and would close at 5:30. Classes would start at 5:30 and would have 10-20 students per class. Mr. Torres testified that there would be a handicap ramp in the front. Mr. Levay asked about parking for staff, Mr. Torres testified that the parking would be marked. Mrs. Belgard asked about tournaments and events, Mr. Torres testified that there are no planned events at the site. Mrs. Belgard asked about trash removal. Mr. Torres testified that he didn't anticipate much trash. Mr. Darji referred to the engineer report. Mr. Darji is satisfied with the lighting, doesn't have a problem with parking, requested that parking spaces be marked and deferred to the board with regards to a dumpster. Mr. Darji testified that Mr. Torres has addressed some of the pavement issues. Mr. Darji asked if Mr. Torres could spruce up the front by removing pavement. Mr. Torres testified that the ramp would take up some of the area of

concern regarding aesthetics. Mr. Darji asked if it were possible to get some small shrubbery for the right side of the building to make it look aesthetically pleasing. Mr. Germano testified that Mr. Torres is willing to work with the board.

Mr. Darji brought up his concerns about the sign. The sign is not in compliance with township ordinances. Mr. Germano mentioned that it is a preexisting sign. Mr. Torres asked for suggestions as to what would please the board.

Mr. Coleman asked for a time frame for compliance with the sign. Mr. Torres asked for 120 days to come back with a proposal for a sign. Mr. Germano asked for temporary permission to use the existing proposed sign and for the board to approve the minor site plan as it is, with intentions to come back to the board with a sign which will meet the requirements of the board.

Chairman Johnson opened to the public. None.

Mr. Coleman supplied a brief synopsis for this Resolution for Minor Site Plan approval, contingent upon boards' approval of all the variances in Mr. Darji's letter, the present sign will exist, new sign will be proposed within 120 days, subject to all the hours and requirements, P-10-2011, that the store will be open from 9-5:30 and classes will begin after store is closed; subject to a design waiver for no dumpster, subject to applicant complying with ERI's letter with respect to landscaping and pavement removal, and one spot adjacent to handicapped be marked and identified for staff parking only.

Mr. Robinson made a motion to approve a minor site plan and Chairman Johnson seconded.

Voted in the Affirmative: Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson, Mr. Sorrells

Voted in the Negative: None

Abstained: None

Chairman Johnson opened the Torres minor to the public for discussion: Hearing no one wishing to speak, the meeting was then closed to the public.

Mr. Robinson made a motion to adjourn at 8:22 pm and Mr. Westfall seconded.

Voted in the Affirmative: Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mr. Robinson, Mr. Westphal, Chairman Johnson, Mr. Sorrells

Voted in the Negative: None

Abstained: None

Respectfully submitted,



Deborah Cunningham
Planning Board Secretary

**EDGEWATER PARK TOWNSHIP
PLANNING BOARD MINUTES
March 15, 2012, 7:00P.M.**

MEETING CALLED TO ORDER

FLAG SALUTE

STATEMENT OF THE MINUTES

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner:

1. By posting written notice on the Official Bulletin Board at the Municipal Building on January 13, 2012.
2. By faxing/e-mailing written notice to the Burlington County Times and the Courier on, January 13, 2012.
3. By filing written notice with the Clerk of the Township on January 13, 2012.

ROLL CALL

Present: Mr. Aaronson, Mrs. Booker, Mr. Kauker, Mr. Levay, Mr. Robinson, Mr. Westphal, Chairman Johnson

Absent: Ms. Belgard, Mayor McElwee , Ms. Porter, Mr. Sorrells

Also present: Mr. Minter, Zoning Official

APPROVAL OF MINUTES FROM – February 16, 2012

Two corrections: page 2 Mayor McElwee incorrectly spelled, Mr. Aaronson was absent for meeting on February 16, 2012.

Mr. Kauker made a motion to approve the minutes for February 16, 2012 and Mr. Robinson seconded.

Voted in the affirmative: Mrs. Booker, Mr. Kauker, Mr. Levay, Mr. Robinson, Mr. Westphal, Chairman Johnson, Mr. Sorrells

Voted in the negative: None

Abstained: Mr. Aaronson

OLD BUSINESS

Michael Knapp
Block 1301 Lot 9
Variance
Resolution P-05-2012

Mr. Robinson made a motion to approve Resolution P-05-2012 and Mr. Levay seconded.

Voted in the affirmative: Mrs. Booker, Mr. Kauker, Mr. Levay, Mr. Robinson, Mr. Westphal,
Chairman Johnson

Voted in the negative: None

Abstained: Mr. Aaronson

Jose Torres
Block 501 Lot 5
Minor Site Plan
Resolution P-06-2012

Mr. Robinson made a motion to approve Resolution P-06-2012 and Mr. Levay seconded.

Voted in the affirmative: Mr. Aaronson, Mrs. Booker, Mr. Kauker, Mr. Levay, Mr. Robinson,
Mr. Westphal, Chairman Johnson

Voted in the negative: None

Abstained: None

Mr. Porter & Mrs. Sorrells & Mayor McElwell arrived at 7:07 p.m.

NEW BUSINESS

Consideration to Endorse Ordinance 2012-4

Mr. Robinson made a motion to approve Resolution P-07-2012 and Chairman Johnson seconded.

Voted in the affirmative: Mr. Aaronson, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee,
Mr. Robinson, Mr. Westphal, Chairman Johnson, Mr. Sorrells

Voted in the negative: None

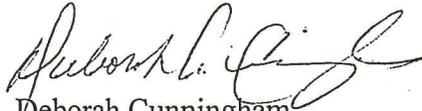
Abstained: None

Chairman Johnson opened the meeting to the public for discussion. Hearing no one wishing to
speak, the meeting was then closed to the public.

Mr. Robinson made a motion to adjourn at 7:09 p.m. and Mr. Levay seconded.

Voted in the affirmative: Mr. Aaronson, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee,
Mr. Robinson, Mr. Westphal, Chairman Johnson, Mr. Sorrells
Voted in the negative: None
Abstained: None

Respectfully submitted,



Deborah Cunningham
Planning Board Secretary

RESOLUTION NO. P-05-2012

**RESOLUTION OF THE EDGEWATER PARK TOWNSHIP PLANNING BOARD
MICHAEL KNAPP
BLOCK 1301, LOT 9
VARIANCE APPROVAL**

WHEREAS, Michael Knapp has applied to the Planning Board of the Township of Edgewater Park for variance approval for property located at 217 North Garden Boulevard, known as Block 1301, Lot 9 (the "Property"), for the purpose of constructing a front porch addition to the existing single family detached residential dwelling; and

WHEREAS, a variance is required because the Applicant has not satisfied all of the requirements of the Edgewater Park Zoning Ordinance; and

WHEREAS, the application was deemed complete by the Planning Board on February 16, 2012; and

WHEREAS, a public hearing to consider the application was held by the Planning Board on February 16, 2012; and

WHEREAS, the Applicant presented evidence to the Board through testimony, plans and other evidence; and

WHEREAS, the Board after carefully considering the evidence presented by the Applicant in support of his application for variance approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the owner of the Property, improved with a single family detached residential dwelling and an in-ground swimming pool. The Applicant is proposing to construct a 10-foot by 18-foot front porch addition to the existing residential dwelling.
2. The Applicant has submitted an application for a variance pertaining to the Ordinance requirements for front yard setback, providing the Board with a proposed set of plans and testimony.
3. The taxes on the Property are current.
4. The Applicant has paid and/or posted all required fees and agreed to keep his review escrow current.
5. Proper notice of the application for variance approval has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.

KNAPP – RESOLUTION NO. P-05-2012

6. The Property is located in the Township's R-4, Single Family Residential Zone.
7. The R-4 Zone requires a front yard setback of 30 feet.
8. The front porch addition, as proposed by the Applicant, will have a front yard setback of 26.7 feet, therefore, a variance is required.

9. The Applicant testified as follows:

- a. The proposed porch will be 18 feet long and 10 feet deep;
- b. The existing front of the dwelling is 3 steps up from ground level leading to the front door;
- c. The proposed front porch will be more aesthetically pleasing than the existing 3 step frontage of the dwelling;
- d. The existing house is white vinyl and the proposed porch will be concrete with white posts and white vinyl railing around the porch;
- e. A similar porch is located in the neighborhood, several doors down from the Property;
- f. The front porch will not have an adverse impact on the neighborhood.

10. The Hearing was opened to the public without comment.

11. The Board Engineer was satisfied with the Applicant's responses to the Engineer's Review Letter.

12. The Applicant is requesting variance approval to allow him to construct the front porch as proposed, to provide greater utilization for his Property and to give the front of the dwelling a nicer appearance.

13. Without variance approval, the Applicant would be unable to construct the front porch as proposed, which is otherwise in conformance with the ordinance requirements of the Township of Edgewater Park.

AND WHEREAS, based upon the above factual findings, the Planning Board has come to the following conclusions:

1. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and the Zoning Ordinance of the Township of Edgewater Park would be advanced by the deviation from the Zoning Ordinance requirement specified herein for front yard setback, as requested by the Applicant.

KNAPP – RESOLUTION NO. P-05-2012

2. The benefits of the deviation from the Zoning Ordinance requirements specified herein would substantially outweigh any detriment to the public good as variance approval would allow for the development of the Property, and otherwise promote the safety, health and general welfare of the Township.

3. Relief as requested by the Applicant can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 16th day of February, 2012, that this Board hereby grants to the Applicant a variance to permit a front yard setback of 26.7 feet for a front porch addition to the existing residential dwelling, in accordance with the plans reviewed by the Planning Board, subject to the following conditions:

1. Proof that the Applicant has applied for the necessary approval(s) from all other agencies having jurisdiction over the Applicant's use of the Property shall be filed with the Township of Edgewater Park.

2. The fulfillment of all other conditions precedent shall forthwith be reported in writing to the Township of Edgewater Park, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of all of the conditions shall any required building permit, certificate of occupancy or zoning permit be issued.

3. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from any and all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

4. Subject to the testimony of the Applicant as made at the February 16, 2012 Public Hearing.

KNAPP – RESOLUTION NO. P-05-2012

ROLL CALL VOTE

Those in Favor: 8

Those Opposed: 0

Those Abstaining: 1

CERTIFICATION

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Edgewater Park in accordance with its decision at its regular meeting on February 16, 2012.

Attest:

EDGEWATER PARK PLANNING BOARD

DEBORAH CUNNINGHAM, Secretary

By:

MARIAN JOHNSON, Chairwoman

Dated: March 15, 2012

Date of Approval: February 16, 2012

Date of Memorialization: March 15, 2012

RESOLUTION NO. P-06-2012

**RESOLUTION OF THE EDGEWATER PARK TOWNSHIP PLANNING BOARD
JOSE L. TORRES, II
BLOCK 501, LOT 5
MINOR SITE PLAN APPROVAL**

WHEREAS, Jose L. Torres, II, has applied to the Planning Board of the Township of Edgewater Park for minor site plan approval for the purpose of operating a martial arts school and its retail store at 4241 Route 130 South, known as Block 501, Lot 5 (the "Property") on the Official Tax Map of the Township of Edgewater Park; and

WHEREAS, the Planning Board granted the Applicant a temporary waiver of site plan approval on August 18, 2011 conditioned upon the Applicant submitting an application for minor site plan approval no later than 90 days from September 15, 2011, the date Resolution No. P-10-2011 was memorialized;

WHEREAS, the Applicant submitted his application for minor site plan approval in accordance with Resolution No. P-10-2011; and

WHEREAS, the Applicant presented evidence to the Planning Board concerning his application through testimony, plans and other evidence; and

WHEREAS, the Applicant is seeking a design waiver from the requirements that a trash dumpster and a landscaping buffer be provided in accordance with the requirements of the Zoning Ordinance of the Township; and

WHEREAS, the application was deemed complete by the Planning Board on February 16, 2012; and

WHEREAS, a public hearing to consider the application was held by the Edgewater Park Planning Board on February 16, 2012, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property, as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

WHEREAS, the Planning Board after carefully considering the evidence presented by the Applicant in support of his application for minor site plan approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the owner of the Property, located in the Township's C-LI-5 Commercial Light Industrial Zoning District.
2. The Applicant has submitted an application for minor site plan approval to

TORRES RESOLUTION

operate a martial arts school and a retail store selling equipment and other merchandise related to the martial arts school on the Property, and has provided the Board with a plan, testimony and other evidence.

3. The taxes on the Property are current.

4. The Applicant has paid and/or posted all required fees and agreed to keep his escrow account current.

5. Proper notice of the application for minor site plan approval has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.

6. On August 18, 2011, the Planning Board granted to the Applicant a temporary waiver of site plan approval in order for the Applicant to re-establish the martial arts school and to be in the Property by September 1, 2011. The Applicant was required to submit an application for minor site plan approval within 90 days from September 15, 2011, the date Resolution No. P-10-2011 was memorialized, which granted the site plan waiver to the Applicant.

7. The Applicant submitted his application for minor site plan approval in accordance with the requirements of Resolution No. P-10-2011.

8. Denis Germano, Esquire, represented the Applicant at the February 16, 2012 Public Hearing, and represented to the Board that the Applicant received approval from the New Jersey Department of Transportation and that proposed non-conforming conditions for Lot Area, Lot Width, Lot Depth Front Yard Setback, Side Yard Setback (One) and Side Yard Setback (Aggregate) are pre-existing conditions and are not aggravated by the Applicant's site plan proposal.

9. The Applicant testified at the February 16, 2012 Public Hearing as follows:

- a. Landscaping will be provided on the northern side of the building and along the front and he will work with the Board Engineer and Planner for an acceptable landscaping plan;
- b. Parking will not be an issue as 15 "marked" parking spaces, including a handicapped space, are provided and the hours for the retail store use and the martial arts school do not overlap as the store's hours conclude and the school hours commence at 5:30 p.m.;
- c. There are an average of 10 to 20 students per class;
- d. A trash dumpster is not required as the martial arts school and its retail

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- store will not generate the amount of trash requiring an on-site dumpster;
- e. A handicap ramp will be provided in front of the building;
 - f. No tournaments are planned;
 - g. Agreed to the removal of some of the pavement at the front of the building; and
 - h. Agreed to come back to the Planning Board within 120 days with a new sign proposal acceptable to the Board so that he can temporarily utilize the existing freestanding sign for identification.
10. The Applicant's testimony from the August 18, 2011 Public Hearing is specifically incorporated herein, including:
- a. In the next two (2) years, the Applicant's intention is to knock down the existing building and come back in front of the Board with a major site plan application;
 - b. If he knocks down the existing building, the Applicant will comply with the Route 130 corridor study;
 - c. The Applicant will re-stripe the parking lot and repair it, but will not re-surface it. Handicap parking will be available;
 - d. Traffic will circulate around the site from the North to the South direction;
 - e. The existing sign will be utilized;
 - f. No structural changes will be made to the existing building, although the roof has been replaced;
 - g. For the first year, the karate/martial arts school schedule will be on Tuesdays, Thursdays and Fridays. The retail store will be open for sale of martial arts equipment seven (7) days a week;
 - h. At this time, there will not be any adult students, only between five (5) to fifteen (15) minor aged students are anticipated;
 - i. Although no tournaments will be running at this location, occasionally special training classes will be held;
 - i. No more than two (2) instructors are anticipated, and they may bring some of the students. Some parents will stay during their children's class, while other parents will drop off their children;
 - j. He has been in business in the Township for the past 10 years.

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AND, WHEREAS, based upon the above factual findings, the Planning Board has come to the following conclusions:

1. The Applicant has submitted a complete set of plans in connection with his application, so that the Planning Board has the necessary information to make a decision on the application for minor site plan approval and for the design waivers from the requirements for providing a trash dumpster and landscaped buffer area.

2. The design waivers as requested by the Applicant for providing a trash dumpster and a landscaped buffer in accordance with the Zoning Ordinance of the Township are appropriate as this relief as requested by the Applicant can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 16th day of February, 2012, that this Board hereby grants to the Applicant Minor Site Plan Approval, in accordance with the plan submitted by the Applicant, subject to the following conditions:

1. Proof that the Applicant has applied for the necessary approvals from all other agencies having jurisdiction over the Applicant's use of the Property as proposed and shall be filed with the Township of Edgewater Park, including but not limited to approval of the Burlington County Planning Board and the Burlington County Board of Health.

2. The fulfillment of all other conditions precedent shall forthwith be reported in writing to the Township of Edgewater Park, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of all of the conditions shall the site plan be signed or any required building permit, certificate of occupancy or zoning permit will be issued.

3. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from any and all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

4. Subject to the Applicant submitting to the Board a new sign proposal for a monument style sign no later than 120 days from memorialization of this resolution. At that time, the Board will determine the length of time that the existing sign can remain until replaced with the new sign. Failure of the Applicant to submit a new sign proposal as required herein is a violation of the site plan requirements for this approval.

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5. Subject to the Applicant working with the Board's Engineer as to the pavement to be removed and the additional landscaping to be provided.
6. Subject to the testimony of the Applicant as made at the August 18, 2011 Public Hearing in connection with the Applicant's site plan waiver application.
7. Subject to the testimony of the Applicant as made at the February 16, 2012 Public Hearing in connection with the Applicant's Minor Site Plan Application.
8. Subject to comments of the Planning Board Engineer and Planning Board Planner, as contained in their December 6, 2011, Review Letter of Environmental Resolutions, Inc., by Rakesh R. Darji, PE, PP, CME, and Barbara J. Fegley, AICP, PP, respectively.
9. Subject to the Applicant's Escrow Account remaining current. Failure of the Escrow Account to be current will result in the non-issuance of a certificate of occupancy for the Property.
10. Subject to the Applicant satisfying all conditions of approval in order for the zoning permits, construction permits and certificate of occupancy to be issued.
11. Subject to Resolution No. P-10-2011.

TORRES RESOLUTION

ROLL CALL VOTE

Those in Favor: 8

Those Opposed: 0

Those Abstaining: 1

CERTIFICATION

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Edgewater Park in accordance with its decision at its regular meeting on March 15, 2012.

EDGEWATER PARK PLANNING BOARD

Attest:

By: _____
MARIAN JOHNSON, Chairman

DEBORAH CUNNINGHAM, Secretary

Dated: February 16, 2012

Date of Approval: March 15, 2012

Date of Memorialization: March 15, 2012

**EDGEWATER PARK TOWNSHIP
PLANNING BOARD MINUTES
April 19 2012, 7:00P.M.**

MEETING CALLED TO ORDER

FLAG SALUTE

STATEMENT OF THE MINUTES

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner:

1. By posting written notice on the Official Bulletin Board at the Municipal Building on January 13, 2012.
2. By faxing/e-mailing written notice to the Burlington County Times and the Courier on, January 13, 2012.
3. By filing written notice with the Clerk of the Township on January 13, 2012.

ROLL CALL

Present: Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Ms. Porter, Mr. Sorrells

Absent: Mr. Westphal, Chairman Johnson

Also present: Mr. Chuck Petrone, Mr. Rakesh Darji, Ms. Barbara Fegley, Mr. Cedric Minter

APPROVAL OF MINUTES FROM – March 15, 2012

Mr. Levay made a motion to approve the minutes for March 15, 2012 and Mr. Aaronson seconded.

Voted in the affirmative: Mr. Aaronson, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Ms. Porter, Mr. Sorrells

Voted in the negative: None

Abstained: Mrs. Belgard

OLD BUSINESS

Edgewater Park Township
Planning Board Meeting
April 19, 2012

None

NEW BUSINESS

Backbone Edgewater LLC
Block 1202, Lot 4.01
Preliminary/Final Subdivision and Site Plan

Mrs. Belgard and Mayor McElwee recused themselves from this portion of the meeting.

Mr. Petrone swore in Mr. Klein, attorney. Mr. Klein introduced the engineer, Mr. Ennis who discussed the development plan. Block 1202, Lot 4.01 will have 100 townhouse units.

Mr. Feranda testified as an expert on traffic.

Mr. Levay made a motion to approve Preliminary/Final Subdivision and Site Plan and Mr. Robsinson seconded.

Voted in the affirmative: Mrs. Booker, Mr. Levay, Mr. Robinson, Ms. Porter, Mr. Sorrells
Voted in the negative: Mr. Aaronson and Mr. Kauker
Abstained: None

Vice Chairman Mr. Robinson opened the meeting to the public for discussion. Hearing no one wishing to speak, the meeting was then closed to the public.

made a motion to adjourn at p.m. and seconded.

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Ms. Porter, Mr. Sorrells
Voted in the negative: None
Abstained: None

Respectfully submitted,

Edgewater Park Township
Planning Board Meeting
April 19, 2012



Deborah Cunningham
Planning Board Secretary

EDGEWATER PARK TOWNSHIP
PLANNING BOARD MINUTES
May 17, 2012, 7:00P.M.

MEETING CALLED TO ORDER

FLAG SALUTE

STATEMENT OF THE MINUTES

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner:

1. By posting written notice on the Official Bulletin Board at the Municipal Building on January 13, 2012.
2. By faxing/e-mailing written notice to the Burlington County Times and the Courier on, January 13, 2012.
3. By filing written notice with the Clerk of the Township on January 13, 2012.

ROLL CALL

Present: Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Ms. Porter, Mr. Sorrells Mr. Westphal, Chairman Johnson

Also present: Mr. Tom Coleman, Mr. Rakesh Darji, Mr. Cedric Minter

APPROVAL OF MINUTES FROM – April 19, 2012

Mr. Robinson made a motion to approve the minutes for April 19, 2012 and Mr. Westphal seconded.

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Ms. Porter, Mr. Sorrells

Voted in the negative: None

Abstained: Mr. Westphal, Chairman Johnson

OLD BUSINESS

Backbone Edgewater LLC
Block 1202, Lot 4.01
Preliminary/Final Subdivision and Site Plan
Resolution P -08-2012

Motion – Mr. Robinson
Seconded – Mr. Levay

Discussion: None

Voted in the affirmative: Mrs. Booker, Mr. Levay, Mr. Robinson, Ms. Porter, Mr. Sorrells

Voted in the negative: None

Abstained: Mr. Aaronson, Mrs. Belgard, Mayor McElwee, Mr. Westphal, Chairman Johnson

Non Voting – Mayor McElwee and Mrs. Belgard

NEW BUSINESS

Mr. & Mrs. David Woodward
Block 1201.08, Lot 32
Addition

Mr. Coleman swore in David and Margaret Woodward. Mr. Woodward testified that an addition was needed for his mother-in-law. Mr. Coleman asked about the 4 variances that are needed from the report from Mr. Darji. Mr. Woodward stated that the utility shed would be removed, and a new shed would be installed. Mr. Woodward testified that a handicap ramp is needed, so the setback variance is needed. Mr. Woodward testified that the deck would be wider because of the ramp. Mr. Woodward testified that everything was shifted over because of the pool. Mr. Woodward testified that they are planning for easy accessibility for his mother-in-law. Mr. Woodward testified that there would be no impact on the neighbors. Mr. Woodward testified that the new shed would be 3 feet inside.

Mrs. Woodward testified that drainage would be taken care of.

Mr. Darji asked about the drainage, and asked if Mr. and Mrs. Woodward intended to submit a plan to the construction office.

Chairman Johnson opened for public discussion. There was no public discussion.

Mr. Coleman asked for an approval for Block 1201.08 Lot 32 on 3 variances, noting that the existing shed would be removed and placed outside the 3 foot setback, 2 side yard setback

Edgewater Park Township
Planning Board Meeting
May 17, 2012

variance approvals and a minimum setback and variance to permit the proposed structure within 3 feet of the existing pool where a 10 foot setback would be required, and that the grading plan would be submitted to the construction code official and Mr. Darji.

The matter was opened to the public for discussion. No public comment was heard.

Motion- Mr. Robinson
Seconded- Chairman Johnson

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson

Chairman Johnson opened the meeting to the public. There was no discussion from the public. The meeting was closed to the public.

Mrs. Belgard noted that Torres Martial Arts had vehicles parking on the grass.

Chairman Johnson brought up 2 issues to be looked into: Cramps Bar-B-Que is not the same setup that was approved by the board. Mr. Coleman said that Cramps must comply with what the board approved.

Chairman Johnson commented on pigeons in her vicinity. Mr. Coleman said that the zoning official cannot restrict the individual with regards to wildlife. Mr. Coleman asked where they were kept Chairman Johnson commented that there was a coop that was disapproved by the board. Mr. Coleman said that the individual needed to put in a permit for the coop.

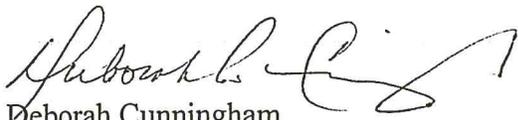
Mr. Levay made a motion to adjourn at 7:28 p.m. and Mr. Westfall seconded.

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal

Voted in the negative: None

Abstained: None

Respectfully submitted,


Deborah Cunningham
Planning Board Secretary

RESOLUTION NO. P-7- 2012

**RESOLUTION OF THE EDGEWATER PARK TOWNSHIP PLANNING BOARD
COUNTY OF BURLINGTON, STATE OF NEW JERSEY
ENDORISING**

**EDGEWATER PARK TOWNSHIP ORDINANCE NO. 2012-4
AMENDING CHAPTER XVI OF THE EDGEWATER PARK TOWNSHIP CODE
TO PROVIDE FOR TEMPORARY INFLATABLE POOLS ON RESIDENTIAL
PROPERTIES IN THE R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, R-LD, R-AR, R-AR-1 AND C-2
ZONES AND FURTHER AMENDING SECTION 8.40 TITLED
“PRIVATE SWIMMING POOLS”**

WHEREAS, pursuant to the Section 51 of the Municipal Land Use Law of the State of New Jersey (N.J.S.A. 40:55D-64), the Planning Board of the Township of Edgewater Park is obligated to review any and all proposed land use control ordinances prior to adoption by the Committee of the Township of Edgewater Park;

WHEREAS, through this resolution, the Planning Board wishes to memorialize its findings concerning the review and analysis of the proposed amendments to the Land Development Ordinance of the Township of Edgewater Park;

NOW, THEREFORE, ON THE 15TH DAY OF MARCH, 2012, BE IT RESOLVED BY THE MEMBERS OF THE PLANNING BOARD OF THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT:

1. The ordinance identified by the Township as Ordinance No. 2012-4 having been previously reviewed by the consulting planner and engineer to the Township and no objection having been identified, is hereby endorsed by this Board for adoption by the Township Committee.

2. The Planning Board's solicitor, consulting engineer, planner and board secretary are hereby further authorized to undertake any and all action to forward the necessary endorsement to the Township Committee concerning the Planning Board's endorsement.

3. This Resolution shall constitute the report of the Planning Board required pursuant to Section 17 of the Municipal Land Use Law (N.J.S.A. 40:55D-26) for the Planning Board's review of proposed Township Ordinance NO. 2012-4.

Action taken on motion made by _____, seconded by _____

_____ to adopt the Resolution. The following roll call vote was taken.

Planning Board	Yes	No
Mayor McElwee	X	
Mrs. Johnson	X	
Mr. Levay	X	
Mr. Robinson	X	
Mrs. Booker	X	
Mr. Kauker	X	
Mr. Westphal	X	
Ms. Porter	X	
Mr. Sorrells	x	

EDGEWATER PARK PLANNING BOARD

Attest:

By: _____
MARIAN JOHNSON, Chairwoman

Deborah Cunningham, Secretary

Dated: March 15, 2012

Date of Approval: March 15, 2012

Date of Memorialization: March 15, 2012

RESOLUTION NO. P-8-2012

**RESOLUTION OF THE EDGEWATER PARK TOWNSHIP PLANNING BOARD,
BACKBONE EDGEWATER, LLC
BLOCK 1202, LOT 4.01**

WHEREAS, Backbone Edgewater, LLC, has applied to the Planning Board of the Township of Edgewater Park for preliminary and final major subdivision approval for property located on Kove Road, known as Block 1202, Lot 4.01, for the purpose of constructing a one hundred (100) unit townhouse development; and

WHEREAS, the property is part of the 2006 Redevelopment Plan of the Township of Edgewater Park; and

WHEREAS, the 2006 Redevelopment Plan was revised on October 18, 2011; and

WHEREAS, in accordance with the revised Redevelopment Plan, the Applicant is proposing 80 market rate townhouse units and 20 affordable housing townhouse units; and

WHEREAS, the Applicant is also requesting a variance to permit "For Sale" signs to be larger than 12 square feet; and

WHEREAS, waivers are required in connection with the application for subdivision approval because the Applicant has not submitted all items listed on the Checklist; and

WHEREAS, the Planning Board Engineer in the April 17, 2012 review letter of Environmental Resolutions, Inc., has recommended the Board grant the waivers as requested; and

WHEREAS, a public hearing to consider the application was held by the Edgewater Township Planning Board on April 19, 2012, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

WHEREAS, the following exhibits were submitted by the Applicant and offered into evidence at the hearing:

A-1 - Color rendering of the Subdivision Plan; and

WHEREAS, the following review letters were submitted by the Board's professionals:

April 17, 2012 review Letter of the Board's Engineer and Planner, Environmental Resolutions, Inc.; and

WHEREAS, the Applicant presented evidence to the Board through testimony, plans and other evidence; and

WHEREAS, the Board after carefully considering the evidence presented by the Applicant in support of its application for preliminary and final major subdivision approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant has submitted an application for Preliminary and Final Major Subdivision Approval for the subdivision of the Property, Block 1202, Lot 4.01. The Property is 12.40 acres in area and its former use, a drive-in movie theater, has been abandoned for approximately 30 years.
2. The Applicant is proposing to subdivide the Property to construct a residential development consisting of 100 fee simple townhouse units, 80 of which will be market value townhouses and 20 will be affordable housing townhouses.
3. The taxes on the Property are current.
4. The Applicant has paid and/or posted all required fees and agreed to keep its review escrow current.
5. Proper notice of the application for subdivision approval has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.
6. Mayor McElwee and Councilwoman Belgard recused themselves from participating as the Development Agreement requires that the Township vacate to the Applicant a portion of the Kove Road right-of-way.
7. In connection with major subdivision approval, the Applicant is requesting a variance to permit up to 3 "For Sale" signs exceeding the 12 square foot maximum size permitted by the Zoning Ordinance.
8. The Applicant has also requested submission waivers as listed in the April 17, 2012 Review Letter of the Board Engineer and Planner, Environmental Resolutions, Inc., by Rakesh R. Darji, PE, CME, PP, and Barbara J, Fegley, PP, AICP.

9. The Property is located in the Township's Redevelopment Area and the Applicant is required to comply with the R-9 TH District Regulations as well as the Developer's Agreement between the Applicant and the Township.

10. Moishie Klien, Esquire, represented the Applicant at the Planning Board Public Hearing and Patrick Ennis, Andrew Ferrande, George Brandt and John Davern testified on behalf of the Applicant.

11. Mr. Ennis testified as follows:

- a. He is a Professional Engineer licensed in the State of New Jersey and has been qualified as an expert witness before land use boards in the State of New Jersey;
- b. The Property currently drains to a Township basin located off site and the stormwater management system for the townhouse development will reduce the amount of water flowing to the Township basin;
- c. The townhouse development will be constructed in 3 phases with affordable housing units located in each phase;
- d. All roads and utilities will be installed in the first phase;
- e. The market rate townhouse units will be 3 stories with a garage;
- f. The affordable townhouse units will be 2 stories without a garage;
- g. New Jersey Department of Environmental Protection close out letters were submitted as part of the application for the arsenic found on the Property and the removal of the underground storage tank;
- h. The arsenic found on the Property was below DEP standards for residential uses;
- i. The results of soil testing for the removal of the underground storage tank revealed that no remediation was necessary;
- j. The Applicant is proposing 10 foot wide utility easements rather than the 20 feet width required by the Residential Site Improvement Standards so that additional landscaping can be planted around the perimeter of the development;

- k. The utilities within the 10 foot wide easement will be electric and communications lines, are not installed deep and would not require large equipment if a repair is required;
 - l. The Applicant is proposing three (3) 4 foot by 8 foot double sided "For Sale" signs with one located at the entrance, one at the Kove Road/Route 130 intersection and one at the Kove Road/Cooper Street intersection;
 - m. Signs larger than 12 square feet are required in order to effectively market the location of the development;
 - n. The signs will be removed upon completion of the development;
 - o. The Applicant would rather Basin 2 not be designed as a "Rain Garden" as recommended by the Board Engineer/Planner so that additional landscaping can be planted around the perimeter and closer to the inlet;
 - p. The Applicant would rather not install an irrigation system in the open space area as recommended by the Board Engineer/Planner but will commit to utilizing a water truck as necessary to allow the landscaping to thrive; and
 - q. The Applicant will comply with the comments of the Edewater Township Fire Official.
12. Mr. Ferranda testified as follows:
- a. He is a professional engineer licensed in the State of New Jersey and is the Applicant's traffic engineer;
 - b. He has been qualified by land use boards in the State of New Jersey to give expert testimony in his field;
 - c. The development has been designed with a divided entrance to a looped road with the divided entrance providing a secondary means of ingress and egress if one side is blocked;
 - d. The development when fully constructed will not result in a significant impact to the existing levels of service, there is a much greater impact resulting in the change in shifts at the nearby Burlington Coat Factory site;
13. Mr. Brandt testified as follows:
- a. He is the Applicant's vice president;

- b. The development will be marketed as fee simple townhouses with the owners responsible for their own lots and a homeowners association responsible for the common areas;
- c. Homeowner Association documents are required and will be submitted to the Board for review;
- d. As each townhouse building is completed, landscaping will be planted at the rear of the completed building;
- e. Sidewalks are being provided along the Loop Road but sidewalks are not proposed along Kove Road as the Development Agreement between the Applicant and the Township does not require sidewalk along Kove.

14. Mr. Davern testified as follows:

- a. He is with Ryan Homes and is under agreement with the Applicant to construct the townhouses;
- b. There will be eight (8) affordable units in Phases 1 and 2 and four (4) affordable units in Phase 3;
- c. A Community Impact Statement has not been submitted because one was submitted with a previously approved application for over 200 homes and the proposed 100 unit townhouse development will have less of an impact on the community than the 200 unit development.

15. After hearing comments and concerns from the Board, the Applicant agreed to work with the Board Engineer to reduce the size of the sign proposed at the Kove Road/Cooper Road intersection, for the re-design of Basin 2 and to determine if sidewalk can be installed along Kove Road fronting the Property.

16. During the Public portion of the hearing, Cathy Murphy asked questions and raised concerns regarding the open space and the size of the development, the bussing and safety of the children residing in the development and the location of the affordable housing units. Noah Rainey expressed concerns over the adequacy of the stormwater management system.

17. The Board Engineer has recommended that the following waivers be granted, as requested by the Applicant:

- a. Waiver to permit a scale of 1" = 40' where 1" = 30' is required;

- b. Waiver to permit use of the previously submitted survey rather than a signed, sealed and current survey;
- c. Waiver of the submission of a tree save plan; and
- d. Waiver of the submission of a Community Impact Statement;
- e. Waiver of the submission of an Environmental Impact Statement.

AND WHEREAS, based upon the above factual findings, the Planning Board has come to the following conclusions:

1. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and the zoning ordinance of the Township of Edgewater Park would be advanced by the deviation from the zoning ordinance requirement specified herein for the size of the proposed "For Sale" signs, as requested by the Applicant.

2. The benefits of the deviation from the zoning ordinance requirement specified herein would substantially outweigh any detriment to the public good as variance approval would allow for the development of the Property, and otherwise promote the safety, health and general welfare of the Township.

3. Relief as requested by the Applicant can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance of the Township.

4. This application relates to a specific piece of property and the Applicant has provided the necessary information in the form of plans, renderings and testimony so that the Board can make an informed decision on the application for Preliminary and Final Major Subdivision Approval.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 19th day of April, 2012, that this Board hereby grants to the Applicant the following:

1. Submission waivers pertaining to scale, survey, tree save plan and Environmental and Community Impact Statements, as recommended by the Board Engineer;
2. Variance to permit two (2) 4 foot by 8 foot "For Sale" signs and one (1) "For Sale" sign to be larger than 12 but less than 32 square feet;
3. A de minimus exception for the proposed 10 foot wide utility easements;

4. Preliminary and Final Major Subdivision Approval for the construction of a 100 unit fee simple townhouse development consisting of 80 market rate units and 20 affordable housing units, with related site improvements, in accordance with the Subdivision Plan submitted by the Applicant, subject to the following conditions:

a. Proof that the Applicant has applied for the necessary approval(s) from all other agencies having jurisdiction over the Applicant's use of the Property as a residential development shall be filed with the Township of Edgewater Park, including but not limited to approval of the Burlington County Planning Board and the Burlington County Soil Conservation District.

b. The fulfillment of all other conditions precedent shall forthwith be reported in writing to the Township of Edgewater Park, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of all of the conditions shall the site plan be signed or any required building permit, certificate of occupancy or zoning permit be issued.

c. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from any and all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

d. Subject to the comments of compliance made by the Applicant and its agents and representatives at the April 19, 2012 Planning Board Public Hearing.

e. Subject to the comments of the Planning Board Engineer and Planner as contained in the April 17, 2012 Review Letter of Environmental Resolutions, Inc. by Rakesh R. Darji, PE, PP, CME, and Barbara J. Fegley, PP, AICP, except as may be modified herein.

f. Subject to all three (3) "For Sale" signs being located outside of site triangle areas, being approved by the Township, County or State, as appropriate, and being removed when the development is completed., with one sign located at the entrance to the development and one sign located at the Kove/Route 130 intersection.

g. Subject to the Applicant and the Board Engineer coordinating the size and location of the third "For Sale" sign.

h. Subject to the Applicant and Board Engineer coordinating the redesign of the landscaping for Basin 2.

i. Subject to the Applicant and Board Engineer coordinating the installation of sidewalk along the Kove Road frontage of the Property;

j. Subject to the Applicant complying with the terms of the development Agreement executed by the Applicant and the Township of Edgewater Park.

k. Subject to the submission of the test results and DEP close out letters for the arsenic and underground tank removal.

l. Subject to the review and approval of the homeowner association documents required for the townhouse development, together with all covenants and restrictions pertaining to the development.

m. Subject to the Township vacating a portion of the Kove Road right-of-way to the Applicant.

n. Subject to the Applicant planting all landscaping and taking those measures that are necessary for all landscaping to thrive with planted landscaping being replaced as necessary.

o. Subject to the Applicant complying with the letter received from the Edgewater Township Fire Official.

ROLL CALL VOTE

Moved by:	Levay
Seconded by:	Robinson
In Favor Of:	9 (Booker, Levay, Robinson, Porter, Sorrells)
Opposed:	2 (Aaronson, Kauker)
Abstained:	None

CERTIFICATION

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Edgewater Park in accordance with its decision at its regular meeting on April 19, 2012.

Attest:

EDGEWATER PARK PLANNING BOARD

_____ By: _____
DEBORAH CUNNINGHAM, Secretary MARIAN JOHNSON, Chairwoman

Dated: May 17, 2012

Date of Approval: April 19, 2012

Date of Memorialization: May 17, 2012

EDGEWATER PARK TOWNSHIP
PLANNING BOARD MINUTES
June 21, 2012, 7:00P.M.

MEETING CALLED TO ORDER

FLAG SALUTE

STATEMENT OF THE MINUTES

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner:

1. By posting written notice on the Official Bulletin Board at the Municipal Building on January 13, 2012.
2. By faxing/e-mailing written notice to the Burlington County Times and the Courier on, January 13, 2012.
3. By filing written notice with the Clerk of the Township on January 13, 2012.

ROLL CALL

Present: Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson, Ms. Porter, Mr. Sorrells

Also present: Mr. Tom Coleman, Mr. Rakesh Darji, Mr. Cedric Minter

APPROVAL OF MINUTES FROM – May 17, 2012

Mr. Robinson made a motion to approve the minutes for May 17, 2012 and Mr. Westphal seconded.

Voted in the affirmative: Mr. Aaronson, , Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson

Voted in the negative: None

OLD BUSINESS

Mr. & Mrs. David Woodward

Block 1201.08, Lot 32

Resolution P-9-2012

Motion – Mr. Aaronson

Seconded – Mr. Robinson

Discussion: None

Voted in the affirmative: Mr. Aaronson, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson, Ms. Porter

Voted in the negative: None

Ms. Belgard entered at this time.

NEW BUSINESS

ABUNDANT LIFE FELLOWSHIP

BLOCK 1201.08, LOT 32

MONUMENT SIGN

Mr. Kroclick with Duane Morris Law Firm was sworn in with 3 witnesses. Mr. Coleman swore in the witnesses.

Mr. Kroclick turned the meeting over to Mr. Miller, the planner for Abundant Life.

Mr. Miller of Moorestown NJ was sworn in and was recognized as a professional for planning purposes.

Mr. Miller testified that it is a C-2 district, locating within the commercial district of Route 130.

Mr. Miller testified that variances are necessary for LED lighting, the size of the sign is an issue, as is the height of the sign. The Abundant Life Property has unique attributes, occupies a very large corner of Route 130. The church is set back from the highway, doesn't have visual access to Route 130, and is not readily recognizable as a church. Mr. Miller testified that it is important that the sign be large enough and tall enough that it be seen from the highway.

LED function is superior to manual sign and can be adjusted by computer. It is more efficient in technology, is clean, aesthetically pleasing, and not subject to vandalism.

Edgewater Park Township

Planning Board Meeting

June 21, 2012

Mr. Miller presented 2 pictures: one of old fashioned church sign and the other of Delanco Municipal sign. This use will not hinder the zone plan. Mr. Miller testified that the sign will not have flashing or scrolling letters; will be programmed to change every 5 or 7 seconds, and, in most cases, the message will remain there for the entire day. Mr. Miller testified that it would be 35 square feet, variance is not a potential threat to the zone plan and overall will benefit the community and will be aesthetically pleasing.

Mr. Kauker asked if a 4th variance for bare bulbs would be applied for.

Chairman Johnson asked why it needed to be so tall, Mr. Miller testified that it needed to be high enough to be seen. Chairman Johnson asked about scrolling. Mr. Miller asked for testimony from Mr. Fenton, pastor of Abundant Life.

Mr. Fenton testified that the sign would not scroll and that it would pertain to events that would be weekly or seasonal.

Mr. Kroculik testified that the sign would not change every 8 seconds.

Chairman Johnson asked if the sign would be lit 24 hours a day, 7 days a week. Mr. Fenton said it would be illuminated 24/7. It will be placed in front of the fence.

Mr. Kauker commented that the church is a large presence; commented that Abundant Life Fellowship is not illuminated on the sign.

Mr. Persichetti testified as an expert on signage. Height of the sign will be 9'2". Aesthetics demand that the sign be off the grain, LED technology will not cause a glare. The cone of the LED is exposed, but the circuit board is embedded. The entire structure will be illuminated by outside lamps. The sign has the capability to scroll, but Abundant Life Fellowship will abide by the boards' wish that the sign not scroll.

Mr. Darji requested a clarification on the number of plantings, Mr. Miller testified that 350 tulip bulbs and daffodils, 275 marigold, 225 chrysanthimums will be planted around the base of the sign.

The matter was opened to the public for discussion. No public comment was heard.

Mr. Coleman verified that the motion is an application requesting 4 sign variances to permit the monument sign that is proposed in the plan submitted, a variance to permit size of sign 32.8 sq feet, 9.2 feet in height, section 1690 a-2 will be subject to condition that light bulbs will not be scrolling or animated.

Motion- Mr. Robinson

Seconded- Mr. Levay

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson

Voted in the negative: None

Chairman Johnson opened the meeting to the public. There was no discussion from the public.
The meeting was closed to the public.

Mr. Kauker asked about Cramps barbecue pit. Mr. Minter asked if the board will accept the enclosed tent, or will the board relax the restrictions for a tent to serve from as opposed to the trailer. Mr. Coleman commented that Mr. Minter needed to see that the resolution be enforced that was already approved by the board.

A discussion with regards to the Hardware store on Route 130, the scrolling sign needs to come before the board and let the board know what exactly they're doing with their signage.

Mr. Darji asked Mr. Minter about landscaping for Golden Dawn Diner.

Mr. Westphal made a motion to adjourn at 7:48 p.m. and Mr. Levay seconded.

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal

Voted in the negative: None

Abstained: None

Respectfully submitted,



Deborah Cunningham
Planning Board Secretary

RESOLUTION NO. P-9-2012

**RESOLUTION OF THE EDGEWATER PARK TOWNSHIP PLANNING BOARD
DAVID WOODWARD
BLOCK 1201.08, LOT 32**

WHEREAS, David Woodward has applied to the Planning Board of the Township of Edgewater Park for variance approval for property located at 409 South Arthur Drive, known as Block 1201.08, Lot 32 (the "Property"), for the purpose of constructing an addition to the existing single family detached residential dwelling; and

WHEREAS, variances are required because the proposed addition does not satisfy all of the requirements of the Edgewater Park Zoning Ordinance; and

WHEREAS, the application was deemed complete by the Planning Board on May 17, 2012; and

WHEREAS, a public hearing to consider the application was held by the Edgewater Park Planning Board on May 17, 2012, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

WHEREAS, the following review letter was submitted by the Board's professionals:

May 14, 2012 Review Letter of the Board's Engineer, Environmental Resolutions, Inc., by Rakesh R. Darji, PE, PP, CME; and

WHEREAS, the Applicant presented evidence to the Board through testimony, plans and other evidence; and

WHEREAS, the Board after carefully considering the evidence presented by the Applicant in support of his application for variance approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the owner of the Property, approximately 9,705 square feet in area located in the Township's R-4 Residential Zoning District.
2. The Applicant has submitted an application for variances pertaining to the Ordinance requirements in the R-4 Zoning District for side yard setback, aggregate side yard setback and pool setback, providing the Board with a proposed set of plans and testimony.
3. The taxes on the Property are current.

WOODWARD - RESOLUTION NO. P-9-2012

4. The Applicant has paid and/or posted all required fees and agreed to keep his review escrow current.

5. Proper notice of the application for variance approval has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.

6. The Property is currently improved with a single-family residential detached split-level dwelling, an inground pool with concrete walkway and a shed.

7. The Applicant is proposing to construct a two-story addition to the rear of the existing dwelling with the first floor being 736 square feet in size and the second floor 361 square feet in size.

8. The Applicant is also proposing to expand an existing wood deck.

9. The Applicant requires the following variances for the proposed addition:

- a. Side yard setback – 8 feet required; 6.7 feet proposed for the wood deck;
- b. Aggregate side yard setback – 20 feet required; 18 feet proposed;
- c. Pool setback – 10 feet required from any principal or accessory structure; proposed addition is within 9 feet of the pool and the expanded deck encroaches to within 3 feet of the pool and overhangs the concrete walkway around the pool.

10. The Applicant testified as follows:

- a. The addition is primarily so that his mother, who is confined to a wheelchair, can live with he and his wife;
- b. The deck was made wider so that it would be handicapped accessible;
- c. The siding on the addition will match the siding on the house;
- d. An existing shed will be replaced with a new shed which will be located outside of the 3 foot side yard and rear yard setbacks required for a shed;
- e. The size and location of the proposed addition and deck is a result of the location of the existing inground pool, that is, the improvements had to be designed around the pool.

11. The Property narrows so that the front of the Property is wider than the rear of the Property.

12. The hearing was opened to the public without comment.

WOODWARD - RESOLUTION NO. P-9-2012

13. The Applicant is requesting variance approval to allow him to construct the addition and deck as proposed, to provide greater utilization for this Property and to improve the aesthetics of the Property and the neighborhood.

14. Without variance approval, the Applicant would be unable to construct the addition and deck as proposed, which is otherwise in conformance with the ordinance requirements of the Township of Edgewater Park.

AND WHEREAS, based upon the above factual findings, the Planning Board has come to the following conclusions:

1. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and the zoning ordinance of the Township of Edgewater Park would be advanced by the deviation from the zoning ordinance requirements specified herein for side yard setback, aggregate side yard setback and pool setback, as requested by the Applicant.

2. The benefits of the deviation from the zoning ordinance requirements specified herein would substantially outweigh any detriment to the public good as variance approval would allow for the development of the Property, and otherwise promote the safety, health and general welfare of the Township.

3. Relief as requested by the Applicant can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 17th day of May, 2012, that this Board hereby grants to the Applicant variances for side yard setback, aggregate side yard setback and pool setback, as listed in paragraphs 9a, 9b and 9c above, to permit the construction of a two-story addition and expanded wood deck on the Property, in accordance with the plans submitted by the Applicant and subject to the following:

1. Proof that the Applicant has applied for the necessary approval(s) from all other agencies having jurisdiction over the Applicant's use of the Property shall be filed with the Township of Edgewater Park.

2. The fulfillment of all other conditions precedent shall forthwith be reported in writing to the Township of Edgewater Park, which may cause such reports to be verified in an

WOODWARD - RESOLUTION NO. P-9-2012

appropriate manner. Only upon the fulfillment of all of the conditions shall the site plan be signed or any required building permit, certificate of occupancy or zoning permit be issued.

3. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from any and all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

4. Subject to the comments of compliance made by the Applicant at the May 17, 2012 Planning Board Public Hearing.

5. Subject to the Applicant satisfying the comments of the Board Engineer as contained in the May 14, 2012 Review Letter of Environmental Resolutions, Inc., By Rakesh R. Darji, PE, PP, CME, except as may be modified herein.

6. Subject to the existing shed or any new shed being complying with the 3 foot side and rear yard setback requirements for accessory structures on a residential property.

7. Subject to the Applicant submitting a grading plan to the Construction Code Official and the Board Engineer as part of the construction permit process.

ROLL CALL VOTE

Those in Favor: 9
Those Opposed: 0
Those Abstaining: 0

WOODWARD - RESOLUTION NO. P-9-2012

CERTIFICATION

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Edgewater Park in accordance with its decision at its regular meeting on May 17, 2012.

EDGEWATER PARK PLANNING BOARD

Attest:

By: _____
MARIAN JOHNSON, Chairwoman

DEBORAH CUNNINGHAM, Secretary

Dated: June 21, 2012

Date of Approval: May 17, 2012

Date of Memorialization: June 21, 2012



RESOLUTION NO. P-10-2012

**RESOLUTION OF THE EDGEWATER PARK TOWNSHIP PLANNING BOARD
ABUNDANT LIFE FELLOWSHIP
BLOCK 401, LOTS 1 AND 2
VARIANCE APPROVAL**

WHEREAS, Abundant Life Fellowship, Inc., has applied to the Planning Board of the Township of Edgewater Park for variance approval for a proposed monument sign on the Abundant Life Fellowship Church Property located at 4151 Route 130 South, known as Block 401, Lots 1 and 2 (the "Property") on the Official Tax Map of the Township of Edgewater Park; and

WHEREAS, the Applicant is proposing to erect a monument sign having a height of 9 feet 2 inches with a total area of 32.8 square feet;

WHEREAS, variances are required because the proposed monument sign does not comply with all of the Zoning Ordinance requirements for signage in the C-3 Highway Commercial Zoning District; and

WHEREAS, a public hearing to consider the application was held by the Edgewater Park Planning Board on June 22, 2012, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property, as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

WHEREAS, the Applicant presented evidence to the Planning Board at the June 22, 2012 Public Hearing through testimony, plans and other evidence, including the following Exhibits:

A-1 - Depiction of old fashion sign for churches; and

A-2 - Picture of sign for the Delanco Municipal Building; and

WHEREAS, the Planning Board after carefully considering the evidence presented by the Applicant in support of its application for variance approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the owner of the Property, located in the Township's C-3 Highway Commercial Zoning District.

2. The Applicant has submitted an application for variance approval for the construction of a monument sign on the Property for the Abundant Life Fellowship Church, and has provided the Board with a plan, testimony and other evidence.

ABUNDANT LIFE RESOLUTION

3. The taxes on the Property are current or exempt.

4. The Applicant has paid and/or posted all required fees and agreed to keep its escrow account current.

5. Proper notice of the application for variance approval has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.

6. The Applicant is proposing to construct a monument sign that is 9 feet 2 inches in height with approximately 32.8 square feet of sign area. The sign will also have a 2 foot by 8 foot LED message area on each side. The proposed sign will be located near the intersection of Bridgeboro Road and Route 130, approximately 25 feet from the property line.

7. The proposed monument sign does not comply with all of the requirements for signage in the C-3 zone and the following variances are required:

- a. Variance from Section 16-90.1(A)(1) to permit changeable type and reader board signs;
- b. Variance from Section 16-90.3A to permit a monument sign for a place of worship to exceed the maximum permitted area of 12 square feet;
- c. Variance from Section 16-90.5B(1)(c) to permit the monument sign to exceed the maximum permitted height of 8 feet; and
- d. Variance from Section 16-90.1A(2) to permit the sign to be illuminated externally by bare bulbs.

8. George Kroculick, Esquire, represented the Applicant at the June 22, 2012 Public Hearing, and James Miller, Aubrey Fenton and Robert Persichetti testified on behalf of the Applicant.

9. Mr. Miller testified as follows:

- a. He is a Professional Planner, licensed in the State of New Jersey and has been qualified by land use boards to provide expert testimony in his field;
- b. A larger sign is needed because of the significant size of the Property and because the church building sits so far back from the road frontages;
- c. LED style signs are more efficient as the message is more easily changed;
- d. The sign will not have a flashing text;
- e. The message will change every 5 to 7 seconds with the character of the message related to church functions and activities;
- f. The sign does not undermine the zoning ordinance of the Township.

ABUNDANT LIFE RESOLUTION

10. Aubrey Fenton testified as follows:

- a. He is the Pastor of the Abundant Life Fellowship Church;
- b. The sign will not scroll and will be lit all the time;
- c. The message displayed will be about Church events happening that week.

11. Mr. Persichetti testified as follows:

- a. He is the President of Effective Sign Works, the Applicant's sign contractor;
- b. The proposed sign will be externally illuminated at night;
- c. The LED is exposed but the electronics for the LED will be buried inside the sign.

12. The meeting was opened and closed to the public without comment.

13. The Applicant is requesting variance approval to allow it to construct the monument sign as proposed, to provide greater utilization for his Property and to properly identify the church use on the Property.

14. Without variance approval, the Applicant would be unable to construct the monument sign as proposed, which is otherwise in conformance with the ordinance requirements of the Township of Edgewater Park.

AND, WHEREAS, based upon the above factual findings, the Planning Board has come to the following conclusions:

1. The Applicant has submitted a complete set of plans in connection with its application, so that the Planning Board has the necessary information to make a decision on the application for variance approval for a proposed monument sign.

2. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and the Zoning Ordinance of the Township of Edgewater Park would be advanced by the deviation from the Zoning Ordinance requirements specified herein for the proposed monument sign, as requested by the Applicant.

3. The benefits of the deviation from the Zoning Ordinance requirements specified herein would substantially outweigh any detriment to the public good as variance approval would allow for the development of the Property, and otherwise promote the safety, health and general welfare of the Township.

4. Relief as requested by the Applicant can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and

ABUNDANT LIFE RESOLUTION

Zoning Ordinance of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 22nd day of June, 2012, that this Board hereby grants to the Applicant variances to permit a part of the monument sign to be LED, to permit the sign's area to be 32.8 square feet and its height to be 9'2" and to permit the sign to be illuminated externally by bare bulbs, in accordance with the plan submitted by the Applicant, subject to the following conditions:

1. Proof that the Applicant has applied for the necessary approvals from all other agencies having jurisdiction over the Applicant's use of the Property as proposed and shall be filed with the Township of Edgewater Park, including but not limited to approval of the Burlington County Planning Board and the Burlington County Board of Health.

2. The fulfillment of all other conditions precedent shall forthwith be reported in writing to the Township of Edgewater Park, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of all of the conditions shall the site plan be signed or any required building permit, certificate of occupancy or zoning permit will be issued.

3. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from any and all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

4. Subject to no scrolling or animation permitted on the LED portion of the sign.

5. Subject to the base of the sign being planted with 350 tulip bulbs, with mums planted in the fall, kale in winter and seasonal flowers in summer.

6. Subject to the testimony of the Applicant and its agents and representatives at the June 22, 2012 Public Hearing.

7. Subject to comments of the Planning Board Engineer and Planning Board Planner, as contained in their June 7, 2012 Review Letter of Environmental Resolutions, Inc., by Rakesh R. Darji, PE, PP, CME, and Barbara J. Fegley, AICP, PP, respectively.

ABUNDANT LIFE RESOLUTION

ROLL CALL VOTE

Those in Favor: 9
Those Opposed: 0
Those Abstaining: 0

CERTIFICATION

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Edgewater Park in accordance with its decision at its regular meeting on June 22, 2012.

EDGEWATER PARK PLANNING BOARD

Attest:

By: _____
MARIAN JOHNSON, Chairman

DEBORAH CUNNINGHAM, Secretary

Dated: June 22, 2012

Date of Approval: July 19, 2012

Date of Memorialization: July 19, 2012

**EDGEWATER PARK TOWNSHIP
PLANNING BOARD MINUTES
July 19, 2012 7:00P.M.**

**MEETING CALLED TO ORDER
FLAG SALUTE
STATEMENT OF THE MINUTES**

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner:

- A. By posting written notice on the Official Bulletin Board at the Municipal Building on January 13, 2012.
- B. By faxing/e-mailing written notice to the Burlington County Times and the Courier on, January 13, 2012.
- C. By filing written notice with the Clerk of the Township on January 13, 2012.

ROLL CALL

Present: Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson, Mr. Sorrells

Absent: Ms. Porter

Also present: Mr. Chuck Petrone, Planning Board Solicitor, Mr. Rakesh Darji, Township Engineer, and Cedric Minter, Zoning Officer.

APPROVAL OF MINUTES FROM – June 21, 2012

Motion- Mr. Aaronson
Seconded- Mr. Robinson

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson

Voted in the negative: None

OLD BUSINESS

**Abundant Life Fellowship
Block 1201.08, Lot 32
Monument Sign
Resolution P-10-2012**

Motion- Mr. Levay

Edgewater Park Township
Planning Board Meeting
July 19, 2012

Seconded- Mr. Robinson

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson

Voted in the negative: None

Abstained: None

Chairman Johnson switched Claudia Duran Bonell to first on the agenda as Mayor McElwee and Mrs. Belgard will be recused for Backbone LLC.

NEW BUSINESS

Claudia Duran Bonell Block 601, Lot 1 House Construction & Bulk Variances

Ms. Bonell was sworn in by Mr. Petrone. Ms. Bonell presented Exhibit A-One, a picture of her home and testified as to impervious coverage. Ms. Bonell testified that the impervious coverage will be 35%. Ms. Bonell testified that the frontage would be on Millman Street, and that the building will be between 30 and 32 feet high.

Mr. Levay asked what the benefit to the community would be. Ms. Bonell stated that she would be a taxpayer to the community and that the house she is planning to build will be aesthetically pleasing.

Mr. Darji stated that the applicant requires a few variances: lot is 9231 square feet, rather than the minimum requirement of 12000 square feet; existing lot is nonconforming lot; a variance to have the setback from Walnut Alley of 17 feet rather than the required 30 feet. Mr. Darji stated that the applicant addressed the 5 points in question by the engineer, the home and driveway cannot exceed 3700 square feet; the driveway needs to be shown. Ms. Bonell testified that the building height will not exceed 35 feet and that the aesthetics of the house would be in keeping with the neighborhood.

Mr. Kauker asked where she planned to put the driveway, Ms. Bonell stated that she had 2 options, but would not exceed the 40% impervious coverage. She was unsure as to where the driveway would be. Mrs. Belgard asked about a path up to the front door. Ms. Bonell stated that she may use decorative stone for a pathway.

Mr. Darji stated that a grading plan for drainage would have to be submitted to the board.

Chairman Johnson opened the meeting to the public.

Barry Snow of 210 Millman Avenue, testified that electric would need to be carried over to the pole.

Ms. Nicki Donaghy of 306 W. Franklin asked about the easement on Millman Avenue. Mr. Darji said it's about 20 feet from the edge of the road. The house would be approximately 50 feet from the road. Ms. Donaghy asked about the backyard, and asked if Ms. Bonell intended to put in a fence in the backyard. Ms. Bonell testified that she would like to put a fence in the backyard. Ms. Donaghy asked about actual acreage. Mr. Darji stated that the lot is 9231 square feet.

Jason Williams of 1012 Stokes Avenue commented that the lot is small and asked that the township look at this very closely before making this decision. Mr. Williams expressed concerns over the size of the lot.

Ms. Doris Kania of 309 Cherrix Avenue testified as the current owner of the property and presented pictures of the property in question.

There was no other public comment.

This portion of the meeting was closed to the public.

Ms. Belgard asked about the ramifications of voting one way or the other this evening. Mr. Petrone pointed out that the impervious coverage and height of the building were addressed and were the only concerns of the board this evening.

Ms. Belgard asked if there would be any adverse impact on the neighborhood. Ms. Bonell testified that there would not be any adverse impact on the neighborhood.

There were no other comments from the board.

Mr. Petrone stated that the motion would approve the application for bulk variance to approve existing condition of 9,231 square feet, rather than required 12000 square feet; as well as front yard setback of 17 feet, and rear yard setback of 12.5 sq ft, recognizing that the lot is unusually shaped; subject to applicant being advised that maximum impervious coverage would be 40%, maximum height would be 35 feet; condition that the applicant must submit grading plan prior to construction.

Motion- Mr. Kauker

Seconded- Mr. Westphal

Voted in the affirmative: Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Mr. Westphal, Chairman Johnson

Voted in the negative: Mr. Aaronson, Mrs. Booker

Abstained: None

Motion approved 7 to 2.

Backbone Edgewater, LLC
Block 1202, Lot 4.01
Major Subdivision Phasing Plan

~~Mayor McElwee & Mrs. Belgard recused themselves from this portion of the meeting.~~

Mr. Klein testified that reason Backbone was here tonight was to clarify page 4 in how the sight would be developed over time.

Mr. Ennis of Lippincott Jacobs was sworn in by Mr. Petrone. Mr. Ennis testified that the phasing will occur for the contractor first to demolish the whole site, rough grade, utility improvements, road improvements, then begin construction of first phase of 40 homes. Phase 2 will have 34 homes, phase 3 will have 26 homes, with 8 COAH homes in phase 1 and 2, 4 COAH homes in phase 3. Landscaping will also happen in phases as each lot is finished, landscaping will be done seasonally and as each property is completed. Mr. Ennis testified that water would be done during the initial phase.

Mr. Ennis addressed each General Comment of the engineer report and testified that each comment would be complied with.

Mr. Darji commented that sewer would also be phased, and that his firm would serve as special project engineer for the sewer authority. The sewer authority requested through Mr. Darji that sewer be done in the first 2 phases and that the easement running from Cooper Street to the connection point be cleared for access by the sewer authority for maintenance issues. Mr. Darji asked for assurance from the applicant that this would be adhered to. Mr. Ennis assured the board that they would comply.

Mr. Westphal asked about demolition of the site. Mr. Ennis testified as to soil requirements and that the soil would be rough graded.

Mr. Kauker stated that it would be a temporary dead end and asked about the number of homes allowed with only one route to enter and leave. Mr. Darji stated that 250 trips are allowed.

Mr. Westphal asked if phase 2 and 3 never happen: "What happens then?"

Mr. Brandt, VP of Backbone was sworn in. Mr. Kauker mentioned that if phase 3 takes 10 years to happen, should consider safety and convenience of homeowners. Mr. Brandt testified that burden and inconvenience of homeowners who move into phase one would be minimized because of the phasing itself. Mr. Kauker expressed concerns about having only one exit for safety if phase 3 were not to happen for 10 years. Mr. Brandt testified that if the job is never completed, the road would still be adequate.

Mr. Brandt said he wanted to ensure the board was clear that the construction would be done in phases. Mr. Petrone commented that the plans show specific phasing. Phase one is definitive,

phase 2 and 3 are bonded, but may be taken out of sequence. Each phase will be bonded accordingly.

Mr. Darji suggested that the plan be approved as a whole, regardless of which phase would be done second.

Ms. Booker asked about the road for construction, Mr. Brandt testified that the road would be constructed as they build each home.

Chairman Johnson opened to the public for comment. No one from the public gave comment.

Mr. Petrone stated that the motion would be for phasing of infrastructure, subject to review letter of Mr. Darji, with a couple little changes: phase 3 sewer is to be constructed with phase 2 and bonded accordingly, initial phase of the project will include demolition, grading, erosion, soil, all phases being bonded as required.

Motion- Mr. Robinson

Seconded- Mr. Levay

Voted in the affirmative: Mr. Aaronson, Mrs. Booker, Mr. Kauker, Mr. Levay, Mr. Robinson, Mr. Westphal, Chairman Johnson, Mr. Sorrells

MEETING OPEN TO THE PUBLIC - None were present

Correspondence was distributed.

Meeting was adjourned at 8:25 p.m.

Motion- Mr. Aaronson

Seconded- Mr. Levay

Voted in the affirmative: Mr. Aaronson, Mrs. Booker, Mr. Kauker, Mr. Levay, , Mr. Robinson, Mr. Westphal, Chairman Johnson

Voted in the negative: None

Abstained: None

Respectfully submitted,



Deborah Cunningham
Planning Board Secretary

**EDGEWATER PARK TOWNSHIP
PLANNING BOARD MINUTES
AUGUST 16, 2012 7:00P.M.**

MEETING CALLED TO ORDER

FLAG SALUTE

STATEMENT OF THE MINUTES

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner:

- A. By posting written notice on the Official Bulletin Board at the Municipal Building on January 13, 2012.
- B. By faxing/e-mailing written notice to the Burlington County Times and the Courier on, January 13, 2012.
- C. By filing written notice with the Clerk of the Township on January 13, 2012.

ROLL CALL

Present: Mr. Aaronson, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Chairman Johnson

Absent: Mr. Westfall; arrived at 7:03, Mrs. Belgard

APPROVAL OF MINUTES FROM – July 19, 2012

Motion- Mr. Aaronson

Seconded- Mr. Robinson

ROLL CALL

Mr. Aaronson, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, , Chairman Johnson

**Vote only upon absence or disqualification of a member of any class*

**Class IV Alternate Members:* Alternate No. 1, Ms. Porter
 Alternate No. 2, Mr. Sorrells

OLD BUSINESS

Backbone Edgewater, LLC

Block 1202, Lot 4.01

Major Subdivision Phasing Plan

Edgewater Park Township
Planning Board Meeting
August 16, 2012

Resolution – P-11-2012

**Motion- Mr. Robinson
Seconded- Chairman Johnson**

Voted in the affirmative: Mr. Aaronson, Mrs. Booker, Mr. Kauker, Mr. Levay, Mr. Robinson, Chairman Johnson

**Claudia Duran Bonell
Block 601, Lot 1
House Construction & Bulk Variances
Resolution P-12-2012**

**Motion- Mr. Robinson
Seconded- Mr. Levay**

ROLL CALL:

Voted in the affirmative: Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Chairman Johnson

NEW BUSINESS

None

**MEETING OPEN TO THE PUBLIC – None present
CORRESPONDENCE – None**

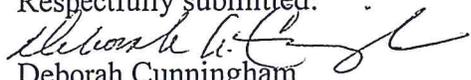
ADJOURNMENT

**Motion- Chairman Johnson
Seconded- Mr. Levay**

Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Chairman Johnson

Meeting adjourned at 7:03

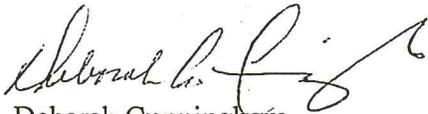
Respectfully submitted:


Deborah Cunningham
Edgewater Park Planning Board Secretary

**EDGEWATER PARK TOWNSHIP
PLANNING BOARD MINUTES
SEPTEMBER 20, 2012 7:00P.M.**

No meeting was held for Planning Board on September 20, 2012.

Respectfully submitted,



Deborah Cunningham
Edgewater Park Planning Board Secretary

RESOLUTION NO. P-11-2012

**RESOLUTION OF THE EDGEWATER PARK TOWNSHIP PLANNING BOARD,
BACKBONE EDGEWATER, LLC
BLOCK 1202, LOT 4.01**

WHEREAS, Backbone Edgewater, LLC, has applied to the Planning Board of the Township of Edgewater Park for Amended Preliminary and Final Major Subdivision approval for property located on Kove Road, known as Block 1202, Lot 4.01, for the purpose of constructing a one hundred (100) unit townhouse development; and

WHEREAS, the Planning Board granted Waivers, Variances and Preliminary and Final Major Subdivision Approval to the Applicant on April 19, 2012, as more fully set forth in Planning Board Resolution P-8-2012, memorialized on May 17, 2012; and

WHEREAS, the Applicant is now seeking Amended Preliminary and Final Major Subdivision approval because the Applicant is proposing to do the demolition, rough grading and soil erosion controls for the entire site as part of Phase 1 and not separately by phase as shown on the Subdivision Plans previously approved; and

WHEREAS, the Planning Board Engineer has reviewed the plans submitted in connection with the application for Amended Preliminary and Final Major Subdivision approval and issued a review letter dated July 5, 2012; and

WHEREAS, a public hearing to consider the application for Amended Preliminary and Final Major Subdivision approval was held by the Edgewater Township Planning Board on July 19, 2012, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

WHEREAS, the following exhibits were submitted by the Applicant and offered into evidence at the hearing:

A-1 - Subdivision Plan showing phasing lines as approved by the Planning Board on April 19, 2012; and

WHEREAS, the Applicant presented evidence to the Board through testimony, plans and other evidence; and

WHEREAS, the Board after carefully considering the evidence presented by the Applicant in support of its application for Amended Preliminary and Final Major Subdivision

approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant has submitted an application for Amended Preliminary and Final Major Subdivision Approval for the subdivision of the Property, Block 1202, Lot 4.01. The Property is 12.40 acres in area and its former use, a drive-in movie theater, has been abandoned for approximately 30 years.

2. The Planning Board granted Waivers, Variances and Preliminary and Final Major Subdivision Approval to the Applicant for the construction of a residential development consisting of 100 fee simple townhouse units, 80 being market value townhouses and 20 being affordable housing townhouses. The approval was memorialized on May 17, 2012 by Resolution P-8-2012.

3. The approved subdivision plans included phasing lines for the construction of the required site improvements.

4. The Applicant has now applied for Amended Preliminary and Final Major Subdivision approval because its current construction plans do not match the phasing lines originally approved and has submitted revised plans that all demolition, rough grading and soil erosion controls for the entire site will be part of Phase 1 rather than separately by phase as originally approved.

5. The taxes on the Property are current.

6. The Applicant has paid and/or posted all required fees and agreed to keep its review escrow current.

7. Proper notice of the application for subdivision approval has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.

8. Mayor McElwee and Councilwoman Belgard recused themselves from participating as the Applicant has executed a Development Agreement with the Township for the development of the Property.

9. Moishie Klien, Esquire, represented the Applicant at the July 19, 2012 Planning Board Public Hearing and Patrick Ennis and George Brandt testified on behalf of the Applicant.

10. Mr. Ennis testified as follows:

- a. He is a Professional Engineer licensed in the State of New Jersey and has been qualified as an expert witness before land use boards in the State of New Jersey;
- b. The only change the Applicant is proposing is to identify the timing of certain construction work at the site as the Applicant's current construction plan differs from the phasing lines originally approved;
- c. The Applicant's current construction plan is that all demolition, rough grading and soil erosion for the entire site will occur as part of phase 1 and not separately by phase as originally approved and that the other infrastructure improvements will be constructed as part of phase 1, phase 2 or phase 3 as identified on the Amended Subdivision Plans;
- d. The Applicant consents to installing the phase 3 sewer improvements with the phase 2 sewer improvements and to clear the sewer easement area as part of phase 1;

11. Mr. Brandt testified as follows:

- a. He is the Applicant's vice president;
- b. The required performance and maintenance guarantees will be posted for each phase as construction of the phase commences;
- c. Each phase can function independently of the other phases.

AND WHEREAS, based upon the above factual findings, the Planning Board has come to the following conclusions:

1 This application relates to a specific piece of property and the Applicant has provided the necessary information in the form of plans, renderings and testimony so that the Board can make an informed decision on the application for Amended Preliminary and Final Major Subdivision Approval.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 19th day of July, 2012, that this Board hereby grants to the Applicant Amended Preliminary and Final Major Subdivision approval, in accordance with the plans submitted by the applicant and subject to the following:

1. Subject to the Applicant complying with all conditions contained in Planning Board Resolution P-8-2012.

5. Proper notice of the application for variance approval has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.

6. The Property is located in the Township's R-5, Single Family Residential Zone.

7. The Property is 9,231 square feet in area. ~~Lot areas for single family detached dwellings in the R-5 Zone are required to be 12,000 square feet, therefore, a variance is required.~~

8. The Applicant is proposing a front yard setback of 17 feet and a rear yard setback of 12.5 feet. Front and rear yard setbacks in the R-5 zone are required to be 30 feet, therefore, variances are required.

9. The Property is a triangular shaped lot located on the westerly side of Millman Avenue. Walnut Alley, an unimproved paper street twenty feet in width fronts the northerly side of the Property. The southern portion of the Property is adjacent to the Beverly National Cemetary.

10. The Property is a corner lot having two frontages. The lot frontage requirement of 30 feet is satisfied for the Millman Avenue frontage but not for the Walnut Alley frontage.

11. The triangular shape of the Property and the two frontages have contributed to the variances required for front yard and rear yard setbacks, as the proposal has a conforming front yard setback for the Millman Avenue frontage and would provide a 30 foot rear yard setback if Millman Avenue was the only frontage for the Property.

12. As a paper street, Walnut Alley could be vacated and added to the adjacent properties, including the Property. If vacated, the Property's lot area could be increased an additional 2,230 square feet, with the lot area deficiency being reduced to approximately 540 square feet.

13. The owner of the Property submitted photographs to the Board showing the Property and surrounding area.

14. The Applicant is requesting variance approval to allow her to construct the dwelling as proposed, to provide greater utilization for this Property.

15. Without variance approval, the Applicant would be unable to construct the dwelling as proposed, which is otherwise in conformance with the ordinance requirements of the Township of Edgewater Park.

AND WHEREAS, based upon the above factual findings, the Planning Board has come to the following conclusions:

1. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and the Zoning Ordinance of the Township of Edgewater Park would be advanced by the deviation from the Zoning Ordinance requirements specified herein for lot area and front and rear yard setbacks, as requested by the Applicant.

2. The benefits of the deviation from the Zoning Ordinance requirements specified herein would substantially outweigh any detriment to the public good as variance approval would allow for the development of the Property, and otherwise promote the safety, health and general welfare of the Township.

3. Relief as requested by the Applicant can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 19th day of July, 2012, that this Board hereby grants to the Applicant variances to permit a lot area of 9, 231 square feet, a front yard setback of 17 feet for the Walnut Alley frontage and a rear yard setback of 12.5 feet also for the Walnut Alley frontage, in accordance with the plans reviewed by the Planning Board, subject to the following conditions:

1. Proof that the Applicant has applied for the necessary approval(s) from all other agencies having jurisdiction over the Applicant's use of the Property shall be filed with the Township of Edgewater Park.

2. The fulfillment of all other conditions precedent shall forthwith be reported in writing to the Township of Edgewater Park, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of all of the conditions shall any required building permit, certificate of occupancy or zoning permit be issued.

3. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from any and all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

4. Subject to the testimony of the Applicant as made at the July 19, 2012 Public Hearing.

5. Subject to the comments of the Board Engineer as contained in the July 5, 2012 Review Letter of Environmental Resolutions, Inc. by Rakesh R. Darji, PE, PP, CME.

6. Subject to the Applicant being advised that the maximum height permitted for single family dwellings is 35 feet in the R-5 Zone.

7. Subject to the Applicant being advised that the maximum impervious coverage for the Property is 40 percent.

8. Subject to the Applicant submitting a Grading Plan for the review and approval by the Township Engineer prior to construction.

ROLL CALL VOTE

Those in Favor: 7

Those Opposed: 2

Those Abstaining: 0

CERTIFICATION

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Edgewater Park in accordance with its decision at its regular meeting on July, 19, 2012.

Attest:

EDGEWATER PARK PLANNING BOARD

DEBORAH CUNNINGHAM, Secretary

By:

MARIAN JOHNSON, Chairwoman

Dated: _____

Date of Approval: _____

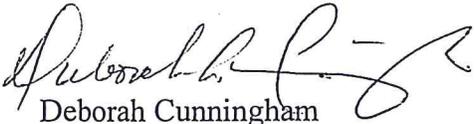
Date of Memorialization: _____

**EDGEWATER PARK TOWNSHIP
PLANNING BOARD MINUTES
OCTOBER 18, 2012 7:00P.M.**

No meeting was held for Planning Board on September 20, 2012.



Respectfully submitted,



Deborah Cunningham
Edgewater Park Planning Board Secretary

**EDGEWATER PARK TOWNSHIP
PLANNING BOARD MINUTES
NOVEMBER 15, 2012 7:00P.M.**

MEETING CALLED TO ORDER

FLAG SALUTE

STATEMENT OF THE MINUTES

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner:

- A. By posting written notice on the Official Bulletin Board at the Municipal Building on January 13, 2012.
- B. By faxing/e-mailing written notice to the Burlington County Times and the Courier on, January 13, 2012.
- C. By filing written notice with the Clerk of the Township on January 13, 2012.

ROLL CALL

Present: Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mr. Westphal, Mr. Robinson, Chairman Johnson

Absent: Mayor McElwee

APPROVAL OF MINUTES FROM – August 16, 2012

**Motion- Mr. Westphal
Seconded-Mr. Levay**

NO MEETINGS WERE HELD IN SEPTEMBER AND OCTOBER

ROLL CALL

Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mr. Robinson, Mr. Westphal
Chairman Johnson

OLD BUSINESS

None

NEW BUSINESS

Jose Torres Martial Arts

Edgewater Park Township
Planning Board Meeting
November 15, 2012

**Block 501, Lot 5
Free Standing Sign Bulk Variance**

Mr. Germano testified that the engineers letter will be adhered to and Mr. Torres is completely onboard, asked to wait until spring for planting.

Mr. Torres was sworn in.

Mr. Torres testified that sign will be a single sided illuminated sign, will be lit from the inside of the sign, no external lightings.

Mr. Germano attested that the lot is undersized and the sign needs to be where it is as the parking would be reduced. To best utilize the sign in relationship to the property size, this is best place to put the sign.

Mr. Darji said that the information submitted was requested and is satisfactory to him. He recommends the variance. The sign in the current location, the site line is clear. He concurs that for reason of public safety, this is the best location.

Mr. Levay pointed out that the sign could be moved back 4 feet without hindering parking. It is an existing problem that should be corrected according to the code, rather than approve an existing problem.

Mr. Germano said that moving the sign would be detrimental to the traffic flow in the entrance and exit.

Mr. Torres said that the driveway would be impeded.

Mr. Levay expressed concern that banners would hinder the site triangle.

Mr. Kauker suggested that Mr. Torres do a more vertical sign, rather than a wide sign.

Mr. Torres stated that the base would be brick to give it a monument style.

Mr. Darji stated that the applicant removed the pavement and will replace it with 36 plantings, which would make the sign aesthetically pleasing.

Mr. Petrone recommended that amended site plan be approvaed could not comply with amendment of previous approval, subject that to the that variance to permit use be granted.

**Motion- Mr. Kauker
Seconded- Chairman Johnson**

ROLL CALL:

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Robinson,,
Chairman Johnson

Voted in the negative: Mr. Kauker, Mr. Levay, Mr. Westphal

Mrs. Belgard excused herself from the meeting at 7:40 as she cannot vote on the next application.

**Greater Victory Ministries
Block 1202.07, Lot 4 and Lot 5
Conditional Use Variance**

Mr. Allen Zeller, attorney, asked for a site plan waiver, seeks to locate in the Park Plaza Shopping Center on Route 130. Seeks to rent 5200 square feet in the Plaza, recognizes that it is in the C3 Zone, there are 8 conditions that would have to be met according to ERI, they meet 7 of them, but do not meet the maximum impervious coverage of 50%.

Mr. Zeller explained that the ministry was established in 2000 in Trenton. They relocated the church to Burlington County in Westampton as they outgrew their space and have been looking for 2 years for a place more suitable for their needs.

Mr. Zeller submitted 3 exhibits to the board. The overall site plan shows parking, buildings and floor plan of the space that the clients are looking to rent for 5 years.

Mr. Zeller swore Mrs. Daniels in.

Mrs. Daniels of 4 East Court Willingboro NJ, associate pastor and administrator, wife of the church pastor testified that members of their congregation live in the area. Services will be held on Wednesday 7-9, Bible study; Sunday from 9-1, per diem on Mondays for special activities, provide a community outreach program for women, meets on the first Monday of the month from 7-9 p.m.; sometimes on Saturday, rehearsals for music from 10-1 p.m. A mens' group operates on the 2nd Monday of the month. The 3rd and 4th Monday are used for special topics or classes. Wedding ceremonies will be performed. Mrs. Daniels testified that the congregation consists of about 25 families and that 90 people attend Sunday services.

Mr. Zeller asked Mrs. Daniels about the programs the church is involved with. Annual events include Breast Cancer Awareness Benefit; youth extravaganza annually, annual recital between June and August, a distribution center for toys for tots, as well as caroling, collaborated with various hospital facilities.

Mrs. Daniels testified that Sunday school children get continental breakfast, no cooking or catering would be done; parking would be sufficient, anticipate approximately 25 cars at the Sunday service. No exterior modifications would be done.

Chairman Johnson asked about prior tenants and if there was a full kitchen and if there had ever been a stove.

Pastor Daniels was sworn in and testified that they would not serve full meals.

Mrs. Daniels testified that there are 4 bathrooms, 2 are handicapped accessible. There are 6 places of ingress and egress.

Mr. Darji stated that this is a conditional use, and that he needs more information on the parking spaces, landscape buffer areas need to be addressed by the applicant. The conditions G & H in his letter require more information.

Mrs. Fegley said she visited the site today, there were no ADA spaces.

Mr. Darji stated that landscape buffers needed to be put in, parking spaces need to be highlighted, handicapped spaces need to be put in, handicapped ramps need to be addressed and a site plan is necessary. The site is in a general state of disrepair. The accessible route needs to be outlined also.

Mrs. Booker would like to see a site plan.

Mr. Westphal pointed out that the tenants should not be responsible for the overall site, the owners would be responsible for the property repair.

Mr. Petrone said that more information is needed to approve this conditional use.

Mr. Darji asked that the owner be invited to speak.

Mr. Edward Ciano, regional manager of the property, was sworn in, and testified that they were down to 4 tenants. Occupancy is at about 25% at the current time.

Mrs. Fegley asked about trash removal; Mr. Ciano testified that the dumpster would be in the rear of the center. Mrs. Fegley asked about parking, stated that it would need to be repaired. Mr. Ciano testified that resurfacing of the parking lot in some areas would happen in the spring. Plans to restripe the lot are in the works for spring.

Mr. Darji pointed out that the parking has to be improved; there is no handicapped, new painting, new resurfacing, lighting in the parking lot; planning board needs a site plan to indicate what will be improved on so the board can form an opinion with more information on the conditional use variance.

Mr. Robinson pointed out that to approve the conditional use would grant a pass to the owners for the improvements; the owner should be responsible for the improvements and the conditional use would be based on the improvements being done.

~~Mrs. Daniels said that the ministry should not be punished for the lack of improvements and should not be responsible for repairing the lot. Mr. Zeller stated that they had no control over the owner; Mr. Petrone said that the board cannot grant an approval based on the conditions of the lot. There is no commitment from the owner to repair the existing problems to make it safe to rent. Sufficient information has not be given to the board on the improvements that need to be done to the site: lighting, landscaping, parking lot repairs, sidewalk repairs, and buffering.~~

Mr. Zeller stated that the owner should address the problems with the lot, the ministry should not be responsible for bringing the site up to code. Mr. Zeller said that the board should consider that the negative criteria are not the responsibility of the tenant.

Mr. Zeller requested of the owners formally that everything be brought up to code.

Mr. Petrone said that the problem is that the conditions are not satisfied.

Mr. Zeller requested to know exactly what needs to be done to satisfy the board so he can inform the owner.

Chairman Johnson stated that the parking lot needs to be improved for safety reasons, it is incumbent upon the owner to make the site presentable and safe and not an embarrassment to the township and the tenant.

Mr. Darji stated he needs a site plan that complies with code and address the conditional use requirements. Improvements must be made to parking lot, restriping, we need a plan that delineates the parking, where they're doing it and when the improvements will be made.

The application is incomplete; Mr. Zeller said he would try to get a response from the owner on the improvements of the conditions and concerns of the board to be brought up to code.

Mr. Daniels asked if the owners needed to repair the entire parking lot. The board said ideally that would happen.

Mr. Darji recommended that the board vote that the application is incomplete. A motion was made that the board deem the application incomplete.

Motion-Mr. Levay

Seconded-Mr. Westphal

ROLL CALL:

Voted in the affirmative: Mr. Aaronson, Mrs. Booker, Mr. Kauker, Mr. Levay,
Mr. Robinson, Mr. Westphal, Chairman Johnson

MEETING OPEN TO THE PUBLIC

Correspondence was distributed.

ADJOURNMENT

Motion- Mr. Levay

Seconded- Mr. Kauker

Mr. Aaronson, Mrs. Belgard, Mrs. Booker, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr.
Robinson, Chairman Johnson

Meeting adjourned at 8:57 p.m.

Respectfully submitted:



Deborah Cunningham
Edgewater Park Planning Board Secretary

**EDGEWATER PARK TOWNSHIP
PLANNING BOARD MINUTES
DECEMBER 20, 2012 7:00P.M.**

MEETING CALLED TO ORDER

FLAG SALUTE

STATEMENT OF THE MINUTES

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner:

- A. By posting written notice on the Official Bulletin Board at the Municipal Building on January 13, 2012.
- B. By faxing/e-mailing written notice to the Burlington County Times and the Courier on, January 13, 2012.
- C. By filing written notice with the Clerk of the Township on January 13, 2012.

ROLL CALL

Present: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mayor McElwee, Mr. Robinson, Chairman Johnson

Absent: Mrs. Booker, Mr. Westphal, Ms. Porter, Mr. Sorrells

Also present: Mr. Tom Coleman, Township Attorney; Mr. Rakesh Darji, Township Engineer; Mrs. Barbara Fegley, Township Planner; and Cedric Minter, Zoning Officer

APPROVAL OF MINUTES FROM – November 15, 2012

Motion- Mr. Aaronson

Seconded- Mr. Levay

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Levay, Mayor McElwee, Mr. Robinson, Chairman Johnson

OLD BUSINESS

Jose Torres

Block 501, Lot 5

Resolution P-13-2012 Free Standing Sign Bulk Variance

Motion- Mr. Robinson

Seconded- Mr. Aaronson

Voted in the affirmative: Mr. Aaronson, Mrs. Belgard, Mr. Kauker, Mr. Robinson, Chairman Johnson

NEW BUSINESS

**Greater Victory Ministries
4313 S Route 130 Park Plaza
Block 1202.07, Lot 4 and 4.05
Conditional Use Variance**

Mr. Coleman noted that Mayor McElwee and Mrs. Belgard must recuse themselves. Both departed at 7:06 p.m.

Mr. Zeller, attorney for the Greater Victory Ministries came forward. Mr. Coleman asked Mr. Darji to deem the application complete. Mr. Darji noted that the owner and applicant have worked together to meet the criteria. Mr. Coleman asked for a motion.

**Motion deemed complete: Mr. Robinson
Seconded: Chairman Johnson**

Affirmative: Mr. Aaronson, Mr. Kauker, Mr. Levay, Mr. Robinson, Chairman Johnson

Mr. Coleman swore in Mrs. Nia Daniels of 4 East Court, Willingboro NJ, associate pastor; and also Pastor Justin Daniels of 4 East Court, Willingboro, NJ, senior pastor at Greater Victory Ministry. Mr. Alan Zeller, attorney for the applicant, gave a brief background on the ministry and highlighted the requirements that are not met by the codes. Mr. Zeller stated that the positive criteria are more than satisfied. There are no negative criteria as the owners were present at the last meeting and have met with Mr. Darji and came to an understanding as to what items needed to be improved. Most of the items have been completed to Mr. Darji's satisfaction. Landscaping was agreed upon, repaving of the existing parking lot has been completed and handicapped parking has been designated. Regular services are on Wednesday night, 7-9; Sundays from 9-12:30, special events on Monday evenings 7-9, first and second Monday for Mens' Group, other Mondays' per diem topic seminars; annual youth extravaganza during the summer, dances, choir rehearsals, annual breast cancer awareness.

Mrs. Daniels testified that they would use 5200 square feet of the property solely as a church, they would only operate a Sunday school, the ministry has no regular school program. Mrs. Daniels testified that the space was perfect for their needs.

Mrs. Daniels testified that there is office space and classroom space; there would be no cooking, but would offer the children a continental breakfast of donuts and cereal. Bathroom facilities include 4 bathrooms, 2 bathrooms which are handicap accessible. There are 6 ways of ingress and egress. Mrs. Daniels testified that there would be approximately 20 cars in the parking lot at peak hours. Mrs. Daniels expects that signage would be in accordance with the ordinances of the

town. Mrs. Daniels stated that there would be no detriment to the town to have the ministry move into the township. Chairman Johnson asked about weddings, Mrs. Daniels stated that most weddings would be on Saturday. Mr. Coleman asked about summer camp, Mrs. Daniels said that summer camps are not a factor. Wedding receptions usually take place elsewhere. Pastor Daniels said that weddings would probably take place at other sites rather than here in Edgewater Park.

Mr. Darji stated that 3 conditional uses are of a bulk nature, house of worship is not a detriment, and stated that setbacks variance the building predates the landscape buffer; 50% of impervious coverage is existing condition; Mr. Darji stated that he met with the owners several times to go over the conditions of the site and found that they were responsive and made the requested improvements. Lighting has been updated and is well lit, handicapped parking has been put in, a ramp is now in place; agreed to have additional landscaping done in the spring. Mr. Coleman asked that the board give the owner till April 15 to meet the conditions of landscaping. Mr. Darji stated that lighting needs to be improved and recommends a light meter test be done. The owners have agreed to the test. Mr. Kauker asked about glare in the parking lot, Mr. Darji said that wall packs have been replaced and said that if glare becomes an issue, a shield will be used to make it less glaring. Mr. Levay asked about funerals; Mrs. Daniels said that most funeral services would take place at the funeral home rather than at the site.

Chairman Johnson opened the meeting to the public. No one spoke with regards to this matter. It was then closed to the public.

Mr. Coleman stated that this is a use variance. All 5 board members present would need to vote in the affirmative to have the motion pass. This application requests conditional use approval pursuant to section 16-81F4 with additional bulk variance to buffer setback, is a pre existing condition. This is subject to buffer landscaping installed by April 15, owner through the applicant agreeing to Mr. Darji's light testing and would be subject to conditions of Mr. Darji's letter of December 7, 2012.

Motion to approve: Mr. Robinson

Seconded: Mr. Levay

Discussion - None

Affirmative: Mr. Aaronson , Mr. Kauker, Mr. Levay, Mr. Robinson, Chairman Johnson

Restoration Station Interdenominational Fellowship

4313 S Route 130 Park Plaza

Block 1202.07, Lot 4.01

Conditional Use Variance

Mr. Dorion Morgan spoke and is an attorney and is also the senior pastor of the ministry. Mr. Coleman swore in the both the representatives, Dorion Morgan and his wife Mrs. Joy Morgan.

Mr. Coleman asked for a motion to deem the application complete by the board.

**Motion by Mr. Robinson
Seconded by Mr. Levay**

Affirmative: Mr. Aaronson, Mr. Kauker, Mr. Levay, Mr. Robinson, Chairman Johnson

Mr. Morgan began with stating that the notices were publicized and 200 foot list was met. The application is to use B-11 through B-15 as place of worship, and seeks a Conditional Use Variance to use the property for sanctuary and offices. Mr. Morgan stated that the location is ideal for the use that is intended.

Mrs. Joy Morgan testified that the ministry has been in existence for 9 years, six years in Burlington Township. Mrs. Morgan testified that the average attendance is 120 people, including children and adults. Mrs. Morgan testified that 2 services would take place on Thursday from 7-9 and Sundays at 3 p.m., on Tuesday and Thursday nights for meetings and rehearsals, and would not interfere with the other ministry. Mrs. Morgan testified to activities the church has been involved in: 7 years of hosting a toy give-away, annual spring fair, Easter egg hunt, back to school bash to give away school supplies. Mrs. Morgan stated that the partners of the community include Burlington Rotary Club, Burlington Township police and fire departments., sororities of the county and Burlington school board. Mrs. Morgan testified that the location was sufficient and met the criteria of the ministry and that the ministry would only enhance the community. The church would restore the community through outreach. The church is incorporated, and is listed as nonprofit through the state of NJ and is tax exempt federal government. Mrs. Morgan testified that children Sunday school on Sunday would be at the same time as the services. Funerals would be held on Saturdays, receptions for weddings would be both onsite and offsite, generally on Saturdays. Mrs. Morgan testified that seating would be movable. Mr. Coleman asked about food preparation, Mrs. Morgan testified that no cooking would be done on site, prepared food only would be brought in. Mrs. Morgan testified that signage plans include signage on the marquee and sign on the windows as the prior tenant had and would comply with the ordinance. Mr. Morgan testified that it would enhance the community, would not be a substantial detriment nor would it be a hindrance to Edgewater Park. Mr. Aaronson asked about children's activities, Mrs. Morgan said they would comply with the boards wishes. Mrs. Fegley asked about dumpster facilities for waste, Mr. Morgan said that they will not need a dumpster as they do not generate much trash. Mrs. Fegley asked that the owner show facilities on the site plan for trash removal and that the owner be contacted with regards to such.

Mr. Darji stated that the owner has satisfied most of the conditions of the board.

Open for discussion to the public: None

Mr. Coleman stated that this is an application for Restoration Station Interdenominational Fellowship for a conditional use variance in accordance with Section 16:81(F)4 code, parking to encroach within the 20 foot buffer, subject to owner installing landscaping by 4-15-13 and would be subject to night light test; subject to Mr. Darjis letter of December 7, 2012.

Motion- Mr. Mr. Levay
Seconded- Mr. Aaronson

Voted in the affirmative: Mr. Aaronson, Mr. Kauker, Mr. Levay, Mr. Robinson, Chairman Johnson

REORGANIZATION MEETING DATE – January 10, 2013 at 7 p.m.

MEETING OPEN TO THE PUBLIC - NONE

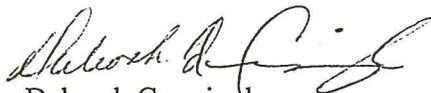
CORRESPONDENCE

The meeting was adjourned at 8:05 p.m.

Motion- Mr. Aaronson
Seconded- Mr. Levay

Affirmative: Mr. Aaronson, Mr. Kauker, Mr. Levay, Mr. Robinson, Chairman Johnson

Respectfully submitted,



Deborah Cunningham
Planning Board Secretary
Edgewater Park Township

RESOLUTION NO. P-13-2012

**RESOLUTION OF THE EDGEWATER PARK TOWNSHIP PLANNING BOARD
JOSE L. TORRES, II
BLOCK 501, LOT 5
AMENDED SITE PLAN AND VARIANCE APPROVAL**

WHEREAS, Jose L. Torres, II, has applied to the Planning Board of the Township of Edgewater Park for Amended Site Plan Approval for the purpose of operating a martial arts school and its retail store at 4241 Route 130 South, known as Block 501, Lot 5 (the "Property") on the Official Tax Map of the Township of Edgewater Park; and

WHEREAS, the Planning Board granted the Applicant a temporary waiver of site plan approval on August 18, 2011 conditioned upon the Applicant submitting an application for minor site plan approval no later than 90 days from September 15, 2011, the date Resolution No. P-10-2011 was memorialized; and

WHEREAS, the Applicant submitted an application for minor site plan approval as required by Resolution No. P-10-2011 and the Planning Board granted Minor Site Plan Approval to the Applicant, as memorialized by Resolution No. P-06-2012, for the martial arts school and retail store; and

WHEREAS, the Applicant has now applied for Amended Site Plan Approval because he could not comply with a condition of Minor Site Plan Approval requiring the replacement of the existing pylon sign with a monument sign; and

WHEREAS, variances are required in connection with Amended Site Plan Approval as the Applicant is not complying with the requirements pertaining to signage; and

WHEREAS, the Applicant presented evidence to the Planning Board concerning his application through testimony, plans and other evidence; and

WHEREAS, the application was deemed complete by the Planning Board on November 15, 2012; and

WHEREAS, a public hearing to consider the application was held by the Edgewater Park Planning Board on November 15, 2012, after appropriate public and personal notice was provided to all property owners within 200 feet of the Property, as required by the land development regulations of the Township of Edgewater Park and the statutes of the State of New Jersey; and

WHEREAS, the Planning Board after carefully considering the evidence presented by the Applicant in support of his application for Amended Site Plan and Variance Approval, and

TORRES RESOLUTION

after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the owner of the Property, located in the Township's C-LI-5 Commercial Light Industrial Zoning District.

2. The Applicant has submitted an application for Amended Site Plan and Variance Approval to operate a martial arts school and a retail store selling equipment and other merchandise related to the martial arts school on the Property, and has provided the Board with a plan, testimony and other evidence.

3. The taxes on the Property are current.

4. The Applicant has paid and/or posted all required fees and agreed to keep his escrow account current.

5. Proper notice of the application for Amended Site Plan and Variance Approval has been given, based upon the certified list from the Office of the Edgewater Park Tax Assessor.

6. On August 18, 2011, the Planning Board granted to the Applicant a temporary Waiver of Site Plan Approval in order for the Applicant to re-establish the martial arts school and to be in the Property by September 1, 2011. The Applicant was required to submit an application for Minor Site Plan Approval within 90 days from September 15, 2011, the date Resolution No. P-10-2011 was memorialized, which granted the Site Plan Waiver to the Applicant.

7. The Applicant submitted his application for Minor Site Plan Approval in accordance with the requirements of Resolution No. P-10-2011 and on February 16, 2012, the Planning Board, as memorialized by Resolution No. P-06-2012, granted Minor Site Plan Approval to the Applicant for the martial arts school and retail store.

8. The Applicant has been operating the martial arts school and retail store in accordance with Minor Site Plan Approval.

9. A condition of Minor Site Plan Approval required the Applicant to submit a proposal for the replacement of the existing pylon sign with a monument sign no later than 120 days from the memorialization of Resolution No. P-06-2012.

10. The Applicant has now requested relief from the condition requiring the replacement of the pylon sign with a monument sign because the monument sign would be within the sight triangle area and obstruct the view of on-coming traffic for people exiting the site onto Route 130. As such, the Applicant has filed an application for Amended Site Plan

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Approval.

11. Variances are required because the Applicant is proposing a pylon sign where only monument signs are permitted and to locate the sign eight (8) feet from the curb where fifteen (15) feet is required.

12. Denis Germano, Esquire, represented the Applicant at the November 15, 2012 Public Hearing and the Applicant testified.

13. The Applicant testified at the November 15, 2012 Public Hearing as follows:

- a. Placing the monument sign in the same location as the pylon sign would create an unsafe condition as the monument sign would obstruct the vision of people exiting the site onto Route 130;
- b. The pylon sign with an open bottom allows people exiting the site to see the on-coming traffic on Route 130, creating a safer vehicular environment;
- c. He has made improvements to visually enhance the Property as proposed as part of Minor Site Plan Approval;
- d. The proposed sign will be internally lit plexi-glass similar in appearance to the temporary signs currently on the pylon sign;
- e. He has met with the Board Engineer regarding a landscaping plan and pavement removal to improve the site aesthetics and will plant the agreed to landscaping in the spring when the weather is better suited for the plantings survival.

14. A letter and sight triangle plan was submitted by the Applicant's Engineer, Raymond L Worrell, II, PE, PLS, that a safer alternative to replacing the pylon sign with a monument sign would be to retain the pylon sign with aesthetic improvements made to the base by replacing the wooden base with a masonry base and to add suitable plantings.

15. The meeting was opened to the public without comment.

AND, WHEREAS, based upon the above factual findings, the Planning Board has come to the following conclusions:

1. The Applicant has submitted a complete set of plans in connection with his application, so that the Planning Board has the necessary information to make a decision on the application for Amended Site Plan and Variance Approval

2. This application relates to a specific piece of property and the purposes of the

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zoning laws of the State of New Jersey and the Zoning Ordinance of the Township of Edgewater Park would be advanced by the deviation from the Zoning Ordinance requirements specified herein for the pylon sign, as requested by the Applicant.

3. The benefits of the deviation from the Zoning Ordinance requirements specified herein would substantially outweigh any detriment to the public good as variance approval would allow for the development of the Property, and otherwise promote the safety, health and general welfare of the Township.

4. Relief as requested by the Applicant can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Edgewater Park, on the 15th day of November, 2012, that this Board hereby grants to the Applicant (i) variances to permit the existing pylon sign to remain in place, 8 feet from the curb and (ii) Amended Site Plan Approval for the martial arts school and retail store, in accordance with the plan submitted by the Applicant, subject to the following conditions:

1. Proof that the Applicant has applied for the necessary approvals from all other agencies having jurisdiction over the Applicant's use of the Property as proposed and shall be filed with the Township of Edgewater Park, including but not limited to approval of the Burlington County Planning Board and the Burlington County Board of Health.

2. The fulfillment of all other conditions precedent shall forthwith be reported in writing to the Township of Edgewater Park, which may cause such reports to be verified in an appropriate manner. Only upon the fulfillment of all of the conditions shall the site plan be signed or any required building permit, certificate of occupancy or zoning permit will be issued.

3. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from any and all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

4. Subject to the Resolution No. P-06-2012, except as modified herein.

5. Subject to the Applicant complying with the September 24, 2012 letter and landscaping sketch of the Board Engineer, Environmental Resolutions, Inc. with the landscaping being planted in the Spring of 2013.

6. Subject to the testimony of the Applicant as made at the August 18, 2011 Public

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Hearing in connection with the Applicant's Site Plan Waiver Application.

7. Subject to the testimony of the Applicant as made at the February 16, 2012 Public Hearing in connection with the Applicant's Minor Site Plan Application.

8. Subject to the testimony of the Applicant as made at the November 15, 2012 Public Hearing in connection with the Applicant's Amended Site Plan and Variance Application.

9. Subject to comments of the Planning Board Engineer, as contained in the November 9, 2012, Review Letter of Environmental Resolutions, Inc., by Rakesh R. Darji, PE, PP, CME.

10. Subject to the Applicant's Escrow Account remaining current. Failure of the Escrow Account to be current will result in the non-issuance of a certificate of occupancy for the Property.

10. Subject to the Applicant satisfying all conditions of approval in order for the zoning permits, construction permits and certificate of occupancy to be issued.

11. Subject to the Applicant posting the necessary inspection fees for the inspection of the proposed improvements by the Township Engineer; a performance guarantee will not be required.

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ROLL CALL VOTE

Those in Favor: 5

Those Opposed: 3

Those Abstaining: 0

CERTIFICATION

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Edgewater Park in accordance with its decision at its regular meeting on November 15, 2012.

EDGEWATER PARK PLANNING BOARD

Attest:

By: _____
MARIAN JOHNSON, Chairman

DEBORAH CUNNINGHAM, Secretary

Dated: November 15, 2012

Date of Approval: December 20, 2012

Date of Memorialization: December 20, 2012