JOINT LAND USE BOARD

REGULAR MEETING MINUTES

September 6, 2012

Chairman Schwager called the meeting to order at 7:06 pm.

Adequate notice of this meeting had been provided in accordance with the Open Public Meetings Act.

Chairman Schwager led all present in the Pledge of Allegiance.

Roll was as follows:

John Casella – Present, Frank Costantini – Present, John Descano –Present, John Juliano – Present, Paul Lott – Present, Mayor Maccarone – Present, Chief Marino – Present, Joe Maugeri – Present, Alan Schwager – Present, Bob Rushton – Present, Les Viereck – Present, Dana Wizorek – Absent.

Also present: Mike Aimino – Solicitor and Tim Kernan – Planner.

First on the Agenda are the Minutes from the regular meeting of August 2, 2012. L. Viereck made a motion to accept the Minutes as written which was seconded by J. Casella. All were in favor except for Mayor Maccarone and J. Descano who both abstained.

Next on the Agenda is the Resolution Granting a Use Variance to Kenneth D. Gabriele for the Property located at 131 Steeplebush Run designated as Block 25, Lot 3.04.

L. Viereck made a motion to approve that was seconded by J. Maugeri. Roll was as follows:

**P. Lott – yes, L. Viereck – yes, Chief Marino – yes, J. Casella – yes, J. Maugeri – yes, F. Costantini – yes, Chairman Schwager – yes.**

New on the Agenda is a courtesy review for the Swedesboro/Woolwich School District for a proposed new school building.

Mr. Victor Valeski, Superintendent – Swedesboro/Woolwich School District, Mr. Michael Grigel, Administrator of Swedesboro/Woolwich Schools and Scott Downie, Architect ~ Spiezle Architectural Group were all sworn in by Mr. Aimino.

Mr. Valeski continued explaining the need for a new school building. He stated that in the “4” short years since they constructed the Harker School, they have grown exponentially. They are currently at capacity at that school and the only school they have incapacity at is the Walter Hill School. They are following State recommended guidelines for class size. The projections for 2016 are showing them at nearly 3200 students in the schools. He stated that they have taken a conservative approach on investigating what a new a facility for their district would look like and they assumed an additional 1,000 students by the 2016 deadline. They feel like they have come up with a proposal that is reasonable to the community.

Mr. Scott Downie continued with the description of the new school and the road ways leading up to and around the school. The new building would be a similar layout to the Harker School, but flipped in configuration and slightly larger. It will handle about 1,000 which is about 200 students larger than the Harker School is currently. It is proposed to be a 2 story building and about 136,000 square feet.

He stated that the District is targeting a Public Referendum in December but there is a question pending right now because the State of NJ Department of Education is not granting any funding whatsoever and everything is on hold right now and has been for a period of close to 2 years. The anticipated cost of the building is about 42.5 million.

P. Lott stated that the last time they came in and gave a presentation it changed, is this the final version of what they are going with? Mr. Downie stated it is preliminary and any changed would be minor.

J. Descano asked if there was any consideration given to expanding the existing school as opposed to building a whole new school.

Mr. Valeski stated yes, that was actually one of the concepts they investigated and the design, adding to the Harker school, began to take on the appearance of a high school and it was inappropriate for elementary age students.

The grades that will be in each of the schools were discussed.

J. Maugeri asked about the traffic at Oldman’s Creek and Auburn Road on a School Day. Regarding the flashing light that was installed, he has seen traffic backed up from that light to the school and to him that doesn’t improve the traffic flow. Since this is “2” County Roads and the Township cannot do anything about it, are they going to make any petition to the County to make that a regular traffic light.

The design standards regarding screens and landscaping around parking areas and basins was discussed.

Chairman Schwager asked if there are any Township Ordinances that the school is required to live by. T. Kernan stated that it is a permitted use but it’s permitted conditionally in this zoning district and we have “2” conditions, 1) no building or part there of or parking can be within 50’ of any street or property line and the meet that. 2) Is a little more subjective, location of access driveways, Landscaping and Site Plan design shall be compatible with the neighborhood in which it is to be located and he has asked the applicant to address that.

L. Viereck asked if they are exempt from most of our other Ordinances. T. Kernan stated, yes he believes that is true.

Chairman Schwager made the comment that he thinks the way they configured the road that will eventually go back to Villages II is a really nice way of doing it. It addresses their concerns with keeping the traffic out of the middle of the campus and also addresses the requirements that they had to do it.

He continued asking if the size of the basin is adequate to handle the additional school, the parking lot and all the impervious coverage that comes along with it. Mr. Downie stated that when the original school was designed on this site, the engineered design was in line for a second school of roughly the same size. This second school is slightly larger so if modifications are necessary they will be done under this contract.

A second discussion ensued over the landscaping.

F. Costantini asked about children that are “walkers” and if sidewalks are planned along that road. Mr. Downie stated “yes” there will be sidewalks to allow for a pedestrian connection.

F. Costantini made a motion to open to the public which was seconded by J. Maugeri. All were in favor.

With no public comment F. Costantini made a motion to close the public which was seconded by Chief Marino. All were in favor.

P. Lott asked how long this project would take to which Mr. Downie stated post referendum they are looking at about “2” years.

Chairman Schwager asked if they have had public school board meetings to discuss this. Mr. Valeski stated “yes” and they do plan on having more.

J. Juliano asked how close they are with the enrollment projection from when it was made until now. Mr. Valeski stated that they are a little behind on what those projections were because the last two years have been relatively flat for them. They did have a 1 month period where they enrolled 30 students. They are starting to see a relatively steady increase in enrollment. So he expects to potentially enroll another 40 to 50 students during the first part of the school year.

With nothing further to discuss, J. Maugeri made a motion to approve the Resolution that would include the proposes configuration of the connector road and also include the suggestions that were spoke about tonight regarding the landscaping the screening and conferring with the County and recommending to the County to improve the light at Oldman’s and Auburn and provide pathways for walkers in neighboring developments present and future. J. Casella seconded the motion. Roll was as follows:

**J. Casella – yes, F. Costantini – yes, J. Descano- yes, P. Lott- yes, Mayor Maccarone – yes, Chief Marino – yes, J. Maugeri – yes, L. Viereck – yes, Chairman Schwager – yes.**

Chairman Schwager called for a 5 minute recess at 7:44 pm.

The meeting reconvened at 7:52 pm.

Chairman Schwager would like to acknowledge that Mayor Maccarone and J. Descano are no longer present due to the fact that the next “2” pieces of business are Zoning matters, so they have been excused.

Next on the Agenda is Liberty Venture I, LP – Block 6, Lot 1.03. This is for a Sign Variance.

Mr. Michael Floyd of the Firm Archer and Greiner was present to represent the applicant.

Mr. Mark Goldstein, Vice President of Liberty Property Trust and Mr. Lance Landgraf of Marathon Engineering were both sworn in by Mr. Aimino.

Mr. Floyd gave Mr. Landgraf’s qualifications and asks that he be recognized by the Board as an expert. Chairman Schwager stated they will say he’s an expert but reserve the right to question him.

Mr. Floyd continued stating that they are asking for Sign Variance approval for a sign to be placed on the northeast façade of the existing light industrial facility building located at 100 Berkley Drive. He stated that he building is setback approximately 400’ from the highway frontage and due to the overall size of the building they do need a sign of a certain size in order to notify passing motorist of the buildings availability for lease. This is the best way for Liberty to try to find a tenant for that building in the shortest amount of time.

They are requesting “2” Variances which are C2 Bulk Variances pursuant to the NJ MLUL.

Mr. Landgraf continued with his description of the building. He said that the façade is about 12,400 square feet and can accommodate the proposed 675 square foot sign. The sign will actually be a very small portion of that whole façade.

For the record an Aerial Photograph of the property in questions was marked as A1.

They feel 675 square feet is a reasonable size and is visible from the street. The second Variance is actually to not only advertise this building but others within the facility that may become vacant.

Mr. Landgraf continued giving the positive and negative criteria for the proposed façade sign.

Mr. Floyd asked Mr. Goldstein in his experience, is a banner sign on the side of a building of this size one of the most effective ways to advertise a building and capture a tenant. Mr. Goldstein responded “yes”.

J. Juliano asked how long the banner sign would be up. Mr. Goldstein stated it would only be up until they lease this building, and then the sign would come down.

Chairman Schwager asked why they need the Variance to advertise for other buildings. Mr. Floyd stated that when the application for the sign was submitted it said “buildings”, plural available and as a precaution they noticed for buildings offsite. However, all the other buildings are nearly fully leased.

Mr. Floyd stated if the Board does not feel that a Variance for this is needed, then they withdraw the request for the second Variance and as a condition of any approval they would agree that the banner sign would come down once 100 Berkley is leased.

F. Costantini asked if the rent the place and in three years need a new tenant then they don’t have to come back for another variance, is that correct? Mr. Aimino stated that they would need to come back at that point because the condition was once it’s rented, the sign would come down and the variance extinguishes at that point.

Mr. Goldstein stated he has no problem with that whatsoever only a minor exception that he would ask for is that it is not unusual to have someone at Christmas time say they need the building for 6 weeks. He does not want something like that to extinguish the variance because that is not a real lease. He would consider a permanent lease of anyone more than a year.

J. Maugeri asked if the condition could be once the building is under long term lease the banner comes down. The Board agreed.

Mr. Goldstein stated that he will take the banner down if should sell the building as well.

L. Viereck made a motion to open to the public which was seconded by J. Casella. All were in favor.

Ms. Jane Weisinstein of 36 Danbury Road was sworn in by Mr. Aimino. Ms. Weisinstein stated that ratables are needed so it is a no brainer.

With no further public comment, J. Casella made a motion to close public which was seconded by L. Viereck. All were in favor.

F. Costantini made a motion that they Grant this Variance in accordance with the application and the testimony provided by the applicant. It is a unique location of the property near Route 322, yet the property is distant from the road so it needs a larger sign to be seen and the size of the building makes a smaller sign not really practical. He feels it meets the intent of the zoning to have industrial uses in that location; it does not have a detriment to the public good, it does not impair the intent of zoning, it does not have adverse impact to surrounding properties and with the condition that the sign be removed when 100 Berkley is leased for longer than 12 months and the banner will be taken down if the building is sold. J. Maugeri seconded the motion. Roll was as follows:

**J. Casella – yes, F. Costantini – yes, P. Lott – yes, Chief Marino – yes, J. Maugeri – yes, L. Viereck – yes, Chairman Schwager – yes.**

Next on the Agenda is Pond View and Westbrook at Weatherby, Amended Permanent Sign/Plan Variance, Block 2 ~ Lot 24.06 and 24.01.

Mr. Robert Mintz was presented on behalf of the applicant, Pond View.

Mr. James Miller, P.P., Mr. Gary Civilier P.E. and Land Surveyor, and Mr. Art Corsini, Jr. Principal in Westbrook at Weatherby, LLC and Pond View were all sworn in by Mr. Aimino.

Mr. Mintz marked the drawing before the Board, the Amended Preliminary Signage Plan as A1, and the Amended Permanent Sign Plan was marked as A2.

Mr. Civilier continued with a description of the sign package.

With no questions to Mr. Civilier, Mr. Miller continued stating that there is a “Use Variance” and a Group of Bulk Variances. He gave the special reasons to justify the relief they are seeking and also that the site is particularly suited for the sign. In terms of the identification sign, this would have been a permitted sign if it were installed in the beginning of the project rather than later.

Regarding the directional signs, it is a necessary from a functional standpoint because a rental complex has to have some means of directing potential tenants to the rental office. Mr. Miller continued discussing the benefits of the directional signs.

F. Costantini asked if the sign on the pork chop is flush with the road. Mr. Miller stated that it will be curb height.

J. Maugeri asked if the pennant flags are just going to be colored flags or will they have wording too. Mr. Corsini stated the flags will identify the “2” properties with the logos.

J. Juliano asked about the height of the directional signs. Mr. Civilier stated that the leasing sign will be 12” x 18” and the other sign is 25”x24” mounted at about a 3’ height.

Mr. Kernan continued with his letter dated August 30, 2012.

B. Rushton asked about the height of the flag poles. It will be 40’ total.

Mr. Kernan added that he does not know if this requires a review by the County, it is not in the County right of way, it is 5’ behind it but he thinks there was an issue with Four Seasons out on Auburn Road some years ago with a gate house. Mr. Mintz stated that the County would only get involved if it were viewed as a Site Plan and not just a Variance to permit flags. Mr. Mintz stated he will write a letter to the County just to be sure.

Chief Marino made a motion to open to the public which was seconded by J. Casella. All were in favor.

With no public comment, J. Maugeri made a motion to close which was seconded by Chief Marino. All were in favor.

With nothing further to discuss J. Maugeri made a motion to approve the Use and Bulk Variances that are spelled here in the application and the testimony provided. He thinks the site for the monument sign is particularly well suited as it is at the main entrance to the development. The directional signs do improve safety and allow for a better traffic flow on the interior. He does not think anything presented here really impairs the zoning plan. Advances the purposes of zoning in place for the site and the surrounding sites. Mr. Aimino stated to include the conditions that they have agreed to as well. Mr. Maugeri agreed. J. Casella seconded the motion. Roll was as follows:

**J. Casella – yes, F. Costantini – yes, P. Lott- yes, Chief Marino – yes, J. Maugeri – yes, L. Viereck – yes, Chairman Schwager – yes.**

Chairman Schwager continued stating that there was an Administrative review on the Pond View Club House and there were some minor changes that were made.

With no comments and nothing further to discuss, J. Casella made a motion to adjourn which was seconded by J. Maugeri. All were in favor.

The Meeting adjourned at 8:38.

Respectfully submitted,

Christina M. Marquis

Joint Land Use Secretary

*Minutes not verbatim*

*Audio recording on file*