

**DELANCO TOWNSHIP
JOINT LAND USE BOARD
REGULAR MEETING
JANUARY 6, 2009**

Ms. vanGenderen called the meeting to order and led the flag salute.

Sunshine Statement

Please be advised that proper notice of this meeting has been given in compliance with the Sunshine Law in the following manner: written notice has been mailed to the Burlington County Times and Courier-Post newspapers and published in the January 3, 2009 editions. Written notice has been posted on the official bulletin board of the Township of Delanco at least 48 hours prior to the meeting.

Present: Mr. Taraschi, Ms. Lohr, Ms. Jass, Mr. Lord, Ms. Mader, Mr. Martin, Mr. Matulewicz, Ms. Moore, Ms. vanGenderen, Mr. Schmitt, Mr. Anastasi

Absent: none

Board Professionals: Denis Germano, Esq.; Hugh Dougherty, Engineer; Michelle Taylor, Planner

Master Plan Hearing

Ms. vanGenderen asked Ms. Taylor to give a brief overview of the Master Plan. Ms. Taylor described the process that had been used to update the Plan and then touched on some points in the summary. Ms. Taylor noted that the mapping has to be updated by Burlington County. She then asked if the Board had any questions.

Ms. Moore asked about the transport of recycled materials and whether the Township had the authority to regulate that. Ms. Taylor responded that she did not know if the Township had the right to regulate that entirely, but she thought that transport of recycled materials should be placed in the ordinance. Ms. Taylor went on to discuss the Winzinger site, how that site was being used, and the impact on the community. The impact of the Winzinger site on Dietz & Watson was discussed. Mr. Taraschi stated that the purpose of zoning was to regulate the health and welfare of the community. What was being mentioned was that a certain use was not healthful to the community and particularly because a food warehousing plant was immediately adjacent to the site. The Board does have the right to regulate within certain parameters, and Mr. Taraschi agreed with Ms. Taylor's comments.

Ms. vanGenderen then opened the hearing to the public.

Public Comments

Ed Devinney, 100 Union Avenue—Committeeman Devinney began by thanking the Board for the service they will be performing for the community for the next year. He congratulated everyone on the job that had been done on the Master Plan. Mr. Devinney asked what the goal was for the area known as "The Dunes". Ms. Taylor responded that The Dunes were mentioned in the Plan on page 42 of the Land Use Plan Element under the paragraph entitled M/OS Municipal Use and Open Space. However, the site is not specifically called "The Dunes" in that paragraph. Mr. Devinney said that at some point it would be nice to pay more attention to that space—to think about how it can be protected and what the community wants to do with it. He would like to encourage community involvement and felt it was important for the community to weigh in on what should be done with the area.

Ms. vanGenderen asked if there were any other members of the public who wished to speak. Since there were no further comments Ms. vanGenderen closed the hearing to the public.

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Ms. Lohr asked if the LW Live/Work Residential district would be a permitted use in the existing commercial district or if it would be a brand new zoning district. Ms. Taylor replied that LW would be a new zoning district. Ms. Lohr asked the same question about the ZRD Zurbrugg Mansion Redevelopment District. The ZRD district is part of the redevelopment plan so that is why it was noted in the Master Plan. Ms. Lohr asked if LW would be a new zoning district on the Township's map but ZRD would not be recognized as a new district and Ms. Taylor confirmed that was correct. Ms. Lohr also asked about the R-1-30 district. Ms. Taylor replied that it seemed the prior plan had flipped the lot characterizations so that the R-1 district should have been where the R-1-30 district was and vice versa. Somehow they got transposed. Ms. Taylor does not know how that happened, but this is a correction.

Ms. vanGenderen asked for a motion from the Board. A motion was made by Mr. Lord that the Board adopt the Comprehensive Master Plan as written. Ms. Moore seconded the motion. The voice vote by the Board was unanimous in favor. There were no abstentions.

New Applications:

**Powerhouse Equipment & Engineering Co.
Block 2000 Lot 6.02
240 Creek Road
I-2 Industrial Zone
Preliminary & Final Major Site Plan
Completeness Determination**

Ms. vanGenderen asked Mr. Dougherty to review his letter of December 31, 2008. Mr. Dougherty did so stating that his office had looked at completeness and then had done a cursory review of the information that was submitted. The application was not complete and there were deferrals and waivers that would have to be granted. Mr. Dougherty's letter contained a completeness checklist. He discussed the items on the checklist and his recommendations. Mr. Dougherty felt that because this application was for an existing site the waivers were appropriate and he would recommend the deferrals at site plan review. With those waivers and deferrals the application could be declared complete.

Ms. Jass asked about waiving the requirement for a Traffic Impact Analysis. Mr. Dougherty answered that he had recommended a deferral of that item. He has asked for "a modified Traffic Impact Analysis describing the effect of the proposed expansion on the Creek Road traffic". Ms. Jass was concerned about the impact on traffic in the area from other possible future development as well as from Powerhouse. Ms. Taylor stated that the application said that Powerhouse was proposing another access, and she raised a question in her correspondence to them about that because it was stated in the application but not shown on the plan. She would like to get more information on access, parking, etc. because if the existing trees can remain as a buffer she would prefer to see that. Access to Creek Road or to Coopertown Road should be addressed.

Mr. Martin had questions about the paint booth including what chemicals would be used and storage. Ms. Taylor recommended that the Board let the applicant come before them and speak about their application and then if the Board was not satisfied it could ask for more information. Mr. Dougherty

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said that he was suggesting that Powerhouse provide a written statement on the environmental controls for the paint booth. He was asking for modified impact statements because this was an existing facility. Mr. Martin also raised the question about what had been approved in 1996 because the existing conditions at Powerhouse may not be currently approved. There was further discussion regarding a resolution that had been done in 1996, the existing conditions at the facility, and the information that the Board can request from the applicant.

Mr. Taraschi raised the same concerns about the paint booth in particular because there are residential properties abutting the Powerhouse property. He expressed concerns about the paint booth and the recommendation for a waiver of the submission of architectural plans. Mr. Dougherty responded that he was not recommending waiving the architectural plans, he was instead recommending a deferral and Powerhouse would have to provide the information for site plan review.

Mr. Germano reminded the Board that the completeness determination just starts the clock running on the Board's time to approve the application. The Board can still ask Powerhouse for additional information.

Ms. vanGenderen asked for a motion from the Board for a completeness determination on the application. A motion was made by Ms. Mader. Ms. Moore seconded the motion.

Those voting in favor: Ms. Lohr, Mr. Lord, Ms. Mader, Mr. Matulewicz, Ms. Moore, Ms. vanGenderen

Those voting against: Mr. Taraschi, Ms. Jass, Mr. Martin

Meeting Opened to the Public

Ms. vanGenderen opened the meeting for public comment.

Public comments:

Steve Schofield of Burlington Avenue: Mr. Schofield asked if it was possible to put a draft of the Master Plan on the website. Ms. Taylor responded that she was going to make changes and then get the CD to Ms. Martin. The file is very large and cannot be e-mailed. Ms. vanGenderen gave Mr. Schofield her copy of the plan. Mr. Schofield also commented that he had been hearing about the Master Plan for several years. He expressed disappointment in the number of people that had attended the hearing.

Since there were no further comments Ms. vanGenderen closed the meeting to the public.

Annual Report of Variances

Mr. Germano stated that the Municipal Land Use Law requires Zoning Boards to prepare an annual report of their activity. The Zoning Board can make recommendations to the Governing Body regarding ordinance revisions they think should be made. There are no recommendations in the report—Mr. Germano was leaving recommendations up to the Board. However, he pointed out that a scenic viewshed was mentioned in the Master Plan, and he suggested that if this was important to the Board that they bring it to the attention of the Township Committee. Mr. Germano mentioned that future reports will be prepared by Ms. Martin.

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Ms. vanGenderen asked for a motion from the Board. A motion was made by Ms. Moore that the Board adopt the Annual Report of Variances and that the resolution incorporate the Board's concerns regarding retaining the viewshed along Delaware Avenue. Mr. Lord seconded the motion. The voice vote by the Board was unanimous in favor. There were no abstentions.

Agreement to Pay Fees

Mr. Germano briefly went over the Agreement to Pay Fees that he had revised for the Board. The changes that Mr. Germano had made to the Agreement were detailed in his December 22, 2008 letter to the Board.

Ms. vanGenderen asked for a motion from the Board that the proposed changes to the Agreement to Pay Fees be adopted. A motion was made by Ms. Moore. Ms. Mader seconded the motion. The voice vote by the Board was unanimous in favor. There were no abstentions.

Approval of Minutes

The following minutes were approved by the Board members eligible to approve them:

December 2, 2008 Work Session & Regular Session Minutes

The following corrections were made: the spelling of Ms. vanGenderen's name was corrected on work session minutes. Correspondence from Zurbrugg was incorrectly identified as being from Winzinger in the regular session minutes. This was corrected.

Correspondence

A letter from Hugh Dougherty dated December 19, 2008 regarding the Zurbrugg Mansion Redevelopment Site was discussed. Mr. Dougherty reported that the applicant's engineer wanted a sign off on the mylars, but there are still some plan changes. Mr. Dougherty prepared the letter to let them know that these plan changes are still required before the mylars can be signed.

Comments from the Board

Ms. Lohr asked Mr. Germano to discuss the required course that needs to be taken by the new Board members. Mr. Germano replied that new members have 18 months to take the required course which is offered by the NJPO (New Jersey Planning Officials). If new members have not taken the course and passed the test within that period of time they cannot vote. Board members who have taken the course felt that it was worthwhile.

Adjournment

Motion to adjourn the meeting made Mr. Lord and seconded by Mr. Matulewicz. The voice vote by the Board was unanimous in favor.

Katherine Martin
Board Secretary

Approved: March 3, 2009