

**DELANCO TOWNSHIP
JOINT LAND USE BOARD
REGULAR MEETING
SEPTEMBER 6, 2011**

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

Sunshine Statement

Adequate notice of this meeting has been provided in the following manner: written notice has been given to the Burlington County Times and Courier-Post newspapers and posted on the official bulletin board of the Township of Delanco at least 48 hours prior to the meeting. Written notice was also filed in the office of the Township Clerk and mailed to those persons who have requested copies and who have paid the required fee. The Secretary is directed to include this statement in the minutes of this meeting.

Present: Mr. Lord, Ms. Lohr, Ms. Jass, Ms. Mader, Mr. Martin, Mr. Matulewicz (arrived at 7:18 PM), Mr. Taraschi, Ms. vanGenderen, Mr. Anastasi, Ms. Porter

Absent: Ms. Moore

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

Approval of Minutes

Approval of June 1, 2011 regular meeting minutes

Minutes were approved by those Board members eligible to approve them. There were no corrections.

New Applications

#2011-02 Village Properties Urban Renewal, LLC

Dietz & Watson Solar Panel Truck Canopy Plan

Bulk Variances, Preliminary & Final Site Plan

Block 1900, Lot 8

1000 Coopertown Road

I-2 Zone

Completeness Determination

Edward J. Hovatter, Esq. appeared on behalf of the applicant. Also appearing were Christopher Eni, a member of Village Properties Urban Renewal and a principal with Dietz & Watson; Jeffrey Richter, the applicant's engineer and professional planner; and Joseph Catelli, project architect. Mr. Dougherty reviewed his letter of August 31 which discussed completeness. The applicant requested a deferral of the survey and landscaping plans and a waiver of all the reports.

Motion by Ms. Jass, seconded by Mr. Taraschi that the application be deemed complete with the requested deferrals and waivers.

Those voting in favor: Mr. Lord, Ms. Lohr, Ms. Jass, Ms. Mader, Mr. Martin, Mr. Taraschi, Ms. vanGenderen, Mr. Anastasi, Ms. Porter

Those voting against: none

Those recusing/abstaining: none

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Hearing

Mr. Eni, Mr. Richter and Mr. Catelli were sworn in by Mr. Germano. Mr. Richter had previously been qualified as an expert by the Board. Mr. Hovatter stated that Mr. Catelli is not licensed in the state of New Jersey. Mr. Catelli was not qualified as an expert.

Mr. Hovatter gave the Board some background on the canopies and detailed the requested variances. Using an aerial photograph of the site, Mr. Richter described the proposed locations of the canopies, changes in parking and changes to landscaping. The photograph was marked as Exhibit A-1. Mr. Richter used a ground-level drawing to show what the completed project would look like when viewed from the entrance road. The drawing was marked as Exhibit A-2. Mr. Eni discussed the solar panels on the roof of the warehouse and stated that they produce 20% of their energy. The proposed plan will provide them with additional energy which they will use. Mr. Catelli provided information about the height of the canopies and the angle of the solar panels. There was discussion about water run-off from the canopies, lighting, hours of operation, landscaping and possible new electrical equipment.

Mr. Germano stated that proper notice of the hearing had been given.

Mr. Catelli had written a response to Fire Marshall Randy Johnson's August 31, 2011 comments on the application. Mr. Catelli's letter was marked as Exhibit A-3, copies were distributed to the Board and he reviewed the details regarding the power supply and disconnect locations. Ms. Taylor commented about the landscaping on the site. There was further discussion about lighting. The Board and the applicant agreed that the Board Engineer or Board Planner must approve any changes or supplementation to the existing lighting plan.

Mr. Hovatter summarized that solar energy facilities under the Municipal Land Use Law have been designated as inherently beneficial. The proposed improvements satisfy the positive criteria. The property in question is 32 acres. The Municipal Land Use Law makes renewable energy facilities permitted uses on parcels that are 20+ acres situated in an industrial zone. There is no impairment to the zone, no impact to the Township's Master Plan and the use satisfies the positive criteria without any negative impact on the zone or the plan for Delanco Township.

Ms. vanGenderen opened the hearing to the public and since there were no public comments the hearing was closed to the public.

Motion by Ms. Jass, seconded by Mr. Martin to grant preliminary and final site plan approval and the bulk variances the plan requires. Mr. Germano summarized the conditions of approval. Resolution 2011-08 was memorialized with the same roll call.

Those voting in favor: Mr. Lord, Ms. Lohr, Ms. Jass, Ms. Mader, Mr. Martin, Mr. Taraschi, Ms. vanGenderen, Mr. Anastasi, Ms. Porter

Those voting against: none

Those recusing/abstaining: none

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Master Plan Ordinances—Joint Land Use Board Review

Ordinance 2011-XX

Amending the use and bulk and building standards in the R-6 District

Mr. Germano originally had concerns about some of the language in the ordinance, however he spoke with Mr. Heinold and Ms. Taylor and there is no problem. It is ready to be sent to the Township Committee for adoption.

Ordinance 2011-XX

Repealing and Replacing §60-1 and §60-2 “Fee and Escrow Schedule”

Mr. Germano stated that all of the changes to this ordinance were the result of the Board’s review of the last draft. There was discussion about the language in Section 60-4 of the ordinance. This ordinance is also ready to be sent to the Township Committee.

Agreement to Pay Fees

There was discussion about the paragraph pertaining to the Refund of Moneys in Escrow Account.

Motion by Ms. Mader, seconded by Mr. Lord to approve the Agreement to Pay Fees.

Those voting in favor: Mr. Lord, Ms. Lohr, Ms. Jass, Ms. Mader, Mr. Martin, Mr. Matulewicz, Mr. Taraschi, Ms. vanGenderen, Mr. Anastasi, Ms. Porter

Those voting against: none

Those recusing/abstaining: none

Creek Road Realignment Zoning Study

Mr. Lord reported that the subcommittee had started looking at the zoning along Creek Road last year because of the realignment. When the State closed down the Motor Vehicles Inspection Station, they wanted to include it in the study. The purpose of the study is to come up with recommendations for future planning. There was discussion about how the building on Block 2100 Lot 11 is being used, the County owned property which is Block 2000 Lot 6.01, the COAH Mediation Agreement and the zoning of Block 2100.01 Lot 50, whether or not the Master Plan needs to be consistent with the zoning ordinance and accessing Block 2100.01 Lot 50 from Creek Road.

Ms. Taylor will make some minor changes to the study and it will be sent out to the Board for review again. Once it is finalized the study can be adopted as an amendment to the Land Use Element of the Master Plan.

Open Meeting to the Public

Ms. vanGenderen opened the meeting to the public and since there were no public comments the meeting was closed to the public.

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Executive Session

Motion by Ms. Mader at 8:57 PM, seconded by Ms. Lohr that the Board enter into Executive Session to discuss a litigation matter. The Board returned to Open Session and continued the meeting at 9:01 PM.

Comments from the Board

Mr. Anastasi reported about the 100th Anniversary Celebration of the Zurbrugg Mansion that is being planned by the Historic Preservation Advisory Board. The event will be held on September 25 from 1 PM to 4 PM. He is working on obtaining ads for a commemorative booklet that is being prepared.

Adjournment

A motion to adjourn the meeting was made by Ms. Mader and seconded by Mr. Lord. The voice vote by the Board was unanimous in favor.

Katherine T. Martin
Board Secretary

Approved: November 1, 2011