

DELANCO TOWNSHIP JOINT LAND USE BOARD
APRIL 3, 2007

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 December 29, 2006 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. Chafin, Mr. Denlinger, Mr. Lewandowski, Mr. Lord, Ms. Mader, Mr. Matulewicz, Ms. Moore, Mr. Pawline, Ms. vanGenderen.

Absent: Mr. Fenimore, Ms. Jass, Mr. Templeton.

Applications:

Coopertown Road Associates, LLC

Distributec/Conwed

Minor Subdivision with Variances - Resubmission

Block 1900 Lot 5 – 800 Coopertown Road

Frederick Hardt represented the applicant. He advised the Board that the application is exactly the same as the application that was previously approved by the Board a year and one half ago and that the subdivision was never perfected. He asked the Board to re-approve the application as it was approved previously and memorialized in Resolution 2005-02. He stated that they will comply with all the terms and conditions.

Mr. Germano advised the Board members that applicants only have a little over six months to perfect a subdivision by filing a deed or plan. Since the subdivision wasn't perfected the approval has expired. Mr. Dougherty has looked over the plan that was submitted to make sure that it is exactly like the plan that was previously signed and the deeds were also reviewed. There are also three variances involved that had expired and because there were variances Mr. Hardt had to advertise a hearing. He also suggested that if the Board was inclined to approve the application a resolution adopting the year and one half old resolution could also be approved.

Public Comments:

Carole Debolt – 931 Coopertown Road – She asked if the application was for the recycling plant and was advised that it was not.

Mr. Hardt stated that the application was for a minor subdivision of three lots and that there is nothing being proposed to go on the property.

Mr. Germano stated that if the applicant wants to do anything on any of the lots the applicant will have to come back to the Board for an approval.

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

Board Comments:

Mr. Denlinger stated that access to lot 5.02 would be through lot 5.03. Mr. Hardt stated that he is correct and that the Board would further address access when a site plan for the property comes before the Board.

Ms. Mader questioned if the lot shape was a problem.

Mr. Dougherty stated that he reviewed the file and compared it to the plan that had previously been signed and it is the same plan. Revision number four was the last revision and is dated 03/30/2005. The zoning hasn't changed and none of the lot lines have changed. Copies of the deeds were reviewed and the deed for lot five was previously filed without the signature of the chairperson. Deeds for lots 5.02 and 5.03 were not filed. The legal descriptions for all of the deeds match the plan and all the deeds can be signed.

Mr. Hardt asked the Board to re-adopt the previous resolution and asked that the deeds be signed.

A motion was made by Mr. Lewandowski to approve Resolution 2007-06 memorializing the previous approval that was memorialized in resolution 2005-02 and authorize the chairperson and secretary to sign the deeds, second by Mr. Pawline.

Those voting in favor: Mr. Chafin, Mr. Lewandowski, Mr. Lord, Ms. Mader, Mr. Matulewicz, Ms. Moore, Ms. vanGenderen, Mr. Denlinger and Mr. Pawline.

Approved 9-0.

Master Plan Reexamination Report:

Ms. Taylor advised the Board that the changes that were recommended at the previous meeting were made. Changes were not made to the construction permit data. She advised the Board that the last page of the document is part of the new master plan and asked the Board to take action on the report. She said that it can be noted in the 2007 master plan document that DCA has not changed their numbers and the new numbers can be plugged in and an appendix can be added. She advised the Board that they can put their opinion concerning the planning area one designation in their resolution and forward it to Diane Allen and Mr. Conaway. If you look at the funding numbers that came out for Burlington County from the State the suburban districts received a 3% increase. They haven't seen an increase in some time. Delanco received a 6.6% increase. The agencies are paying attention that Delanco is in planning area one. Although the increase is not adequate everyone knows that funding is a problem and that they will have to look at the problem again next year. Property taxes are a problem from here to Montvale.

Mr. Germano stated that the reexamination needs to be done every six years and if it isn't done on schedule the Township's zoning ordinances is presumptively invalid.

Ms. Taylor stated that she believes that the Township is good until May. She asked the Board to approve the report and also stated that they will go forward with the master plan. She advised the Board that she received an e-mail from Ms Moore concerning the conservation plan element. Various things are being reviewed during the master plan process. We are trying to connect the county park system through the body of the town between the rail line and Hawk Island. We are trying to make some kind of connections with historic homes even though the pedestrian trail is not connected. The trail is connected in Delanco from the railroad trestle to Hawk Island. We are talking about the historic properties and dealing with the New Jersey landscape project. We

are talking about lighting and spills. The Board should advise us if there are other things they would like to talk about in a conservation plan element.

Ms. vanGenderen asked if the meeting should be opened to the public.

Mr. Germano stated that public participation is not required and that a copy of the plan and resolution should be sent to the County Planning Board. The clerks of the adjoining municipalities should only be sent a notice that the report has been adopted and that it is available upon request.

Motion by Mr. Lewandowski to adopt the Master Plan Reexamination Report, second by Mr. Pawline.

Those voting in favor: Mr. Chafin, Mr. Lewandowski, Mr. Lord, Ms. Mader, Mr. Matulewicz, Ms. Moore, Ms. vanGenderen, Mr. Denlinger and Mr. Pawline.

Approved 9-0.

Mr. Germano stated that he will prepare a resolution for the next meeting.

Meeting opened to the Public:

Proposed recycling plant on Winzinger property.

Nancy Anderson – Edgewater Park – She expressed her concerns about noise and impacts to the aquifer since the property is a former unlined landfill.

Mr. Germano asked if she thought that they have to come before the Board for an approval.

Ms. vanGenderen stated that it is her understanding that the Winzinger's are requesting a limited approval from the Department of Environmental Protection to operate a recycling facility for concrete crushing.

Ms. Anderson stated that they are requesting a nine month approval.

Ms. vanGenderen stated that it is a six month approval and that they could get a three month extension. They are not required to come to the JLUB for an approval and the Board has no jurisdiction over them.

Ms. Anderson stated that she is concerned about how it will affect the value of the surrounding residential properties and was also concerned about the dust and debris and noise that will be generated by a rock crushing plant.

Ms. vanGenderen stated that there are conditions on any approval that DEP would grant. There are regulations regarding noise and dust control.

Mr. Lewandowski stated that he believes that the article in the Burlington County Times indicated that the towns are against it and are fighting it.

Ms. Anderson asked how Delanco feels about it.

Mr. Germano stated that the State understands that if they give towns the right to say yes or no to this type of operation it would not be approved. The State has jurisdiction.

Ms. Anderson asked if it is before the County for approval.

Ms. vanGenderen stated that the County does not have oversight. It is only with the State.

Mr. Denlinger stated that residents can contact their state officials about their concerns.

Ms. Debolt asked if the Township can help in the fight against it and stated that it will affect everyone.

Ms. vanGenderen stated that it is her understanding that the Township Committee is involved in an opposition to the facility.

Linda Raymond – 802 Perkins Lane, Edgewater Park – She asked if she was correct that it will never come before the Board, Township Committee, or County because it is a recycling facility and would go before the DEP.

Ms. vanGenderen stated that they have no jurisdiction over it and the only way that it will come before the County Freeholders would be if they were to make it a permanent recycling facility. They would have to seek an amendment to the District Solid Waste Management Plan to include the facility, but they are not requesting that at this time.

Ms. Raymond stated that they applied for a different type of permit about ten years ago and it was turned down. The DEP doesn't appear to have any problem with this permit.

Mr. Lewandowski stated that according to the article in the newspaper they have a lot of testing to do and the DEP will require them to do the testing. There is a lot involved before it can be approved.

Michael Raymond – 802 Perkins Lane, Edgewater Park – He stated that he is also opposed to it and was concerned that if the temporary request is approved they will be there forever.

Mr. Lewandowski stated that they had a temporary approval for a site in Hainesport and has vacated that site because they weren't allowed to make that site permanent.

Correspondence:

The secretary advised the Board that there was no correspondence for the Board to review.

Comments from the Board:

Zurbrugg Mansion Redevelopment Plan Subcommittee:

Ms. vanGenderen advised the Board that a meeting has been scheduled for April 9th at 6PM. Since she was unavailable to sit on the subcommittee due to a conflict of schedule, she asked Ms. Moore to fill in for her and she also asked Mr. Matulewicz and Mr. Lord to sit on the subcommittee. Mr. Lewandowski also had a conflict and stated that if there are additional meetings he would like to take part in them.

Adjournment:

A motion to adjourn the meeting was made by Ms. Moore and seconded by Mr. Pawline. All members present voted in the affirmative.

Roseann M. Lameiras
Board Secretary
Approved: May 1, 2007