

**Mantua Township Planning Board**  
**August 21, 2007**

**Call to Order**

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Mr. Kenneth Green, chair, called the regular meeting of the Mantua Township Planning Board to order on Tuesday, August 21, 2007 in the Main Meeting Room, Mantua Township Municipal Building, Main Street, Mantua, New Jersey. Mr. Green made statement that the notice of the meeting was published in accordance with the Open Public Meetings Act.

**Roll Call**

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**Present:** Mr. Michael Datz, Mr. Robert Harris, Mr. Graham Land, Mrs. Sharon Lawrence, Mr. John Legge, Ms. Stephanie Salvatore, Mr. Kevin Howarth and Mr. Kenneth Green. **Also present:** Ms. Pamela Pellegrini, planner; Mr. Jon Bryson, engineer; Samuel Ragonese, Esquire; and Mrs. Shirley Veacock, coordinator. **Absent:** Mr. Joseph Giumarello and Mr. Walter Lenkowski.

**Introduction of New Members**

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Mr. Green introduced Ms. Stephanie Salvatore and Mr. Graham Land as recently appointed members of the Board.

**Approval of Minutes**

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**On motion by Mr. Datz, seconded by Mr. Legge, the Board approved the July meeting minutes. Mr. Land and Ms. Salvatore abstained from the motion. All other members were in favor of the motion. On motion by Mr. Datz, seconded by Mr. Howarth, the Board approved the June closed meeting minutes. Mrs. Lawrence, Mr. Land and Ms. Salvatore abstained from the motion. All other members were in favor of the motion.**

**Swearing in of Professionals**

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Board Professionals, Mr. Bryson and Ms. Pellegrini were sworn in for testimony.

**New Business**

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**07—010, WILLIAM HOFFMAN, MINOR SUBDIVISION, BLOCK 162, LOT 1**

Robert Wiltsee, Esquire, was present on behalf of the applicant. Mr. Gary Civalier, engineer, was sworn in and declared an expert witness. Mr. William Hoffman, applicant, was also sworn. Mr. Ragonese reviewed the notification to neighbors and public notice and determined the Board had jurisdiction to hear the application. Mr. Datz and Mr. Graham excused themselves from the application due to conflicts of interest.

Mr. Wiltsee gave an overview of the application. The property is zoned R40 low density. If approved, the lots will not be in conformance, and thus will need variances. The applicant is requesting the variances under the condition of the exceptional shape of the property and without detriment to the surrounding area criteria. Mr. Hoffman is proposing to cut off a back portion of Lot 5 with the intent to construct a house for his mother so that he can assist in her care.

Mr. Civalier briefly described the application. He reiterated that the non-conforming conditions were pre-existing. He outlined the needed variances. He noted that other lots in the area were similar in size. Public water and sewer service both lots. Mr. Green confirmed that Lot 1 has water and sewer so it does not need a grinder pump, but the other lot will have to be pumped.

**Planner's Comments: July 24, 2007 Review Letter**

Ms. Pellegrini reviewed the planner's letter. There are seven variances needed. Five of the seven are existing non-conforming. Mr. Wiltsee stated they are in agreement with the street tree requirement and COAH obligation. The application will be filed by deed.

**Engineer's Comments: July 27, 2007 Review Letter**

Mr. Bryson gave his review of the minor subdivision plan.

**Public Hearing:** All individuals were sworn in for testimony.

Mr. Robert Spence, Jr., 135 Warwick Court, stated his concern for erosion of his property and contamination of his well. He submitted several items as part of his testimony. They were labeled as follows: Spence 1 was photos depicting site conditions with a portion of the tax map in the upper left corner; Spence 2 was a copy of the overlay tax map. Both exhibit boards had reversed sides with questions. The six 8 x 7 photos on the reversed side were labeled Spence 3.

Mr. Thomas Doughten, 46 Woodstream Court, indicated that he is not within 200 feet of the property, but feels the master plan should be followed and the variances should not be granted. He asked the Board to be consistent and fair in considering the hardship request.

Mr. Thomas Hannon, 128 Warwick Court, also had concerns regarding erosion and the drainage. He referred to Mr. Spence's exhibits in outlining his comments.

There being no further discussions, the public hearing was closed.

**Discussion:** Mr. Green affirmed with Mr. Civalier that if the plan is approved the applicant would have to submit a grading plane to the Township for engineering approval. Mr. Civalier added that the applicant also would need approval from Gloucester County Soil Conservation. Mrs. Lawrence questioned the lots sizes of the surrounding properties. It was noted that there were many smaller lots and a few larger ones. Mr. Green asked Mr. Civalier if Mr. Hannon's property has wetlands. Mr. Civalier responded it did have wetlands. Mr. Harris confirmed that Mr. Hannon's lot was number six. Mr. Ragonese stated that the Board was considering a minor subdivision with variances for lot area, lot width, lot depth, front-yard setback, rear-yard setback and an accessory structure.

**Board Action:** Mr. Harris made a motion to approve the application with the variances outlined in the professional review letters. Mrs. Lawrence seconded the motion.

**Roll Call Vote:** Yes – Mr. Harris, Mrs. Lawrence, Ms. Salvatore, Mr. Howarth and Mr. Green.  
No – Mr. Legge. Abstentions: None.

**07—008, PAPANONE HOUSING, MINOR SUBDIVISION, BLOCK 259, LOT 4**

Mr. Green stated that the applicant has been postponed until September 18.

**07—009, LISA PINIZZOTTO, MINOR SUBDIVISION, BLOCK 69, LOT 4**

Barry Lozuke, Esquire, was representing the applicant. Mr. Ragonese stated that the public notice was in order, however, the notice to neighbors' white slips were not postmarked. The applicant has done what is required, but if Board action is challenged, this could be an issue. Mr. Lozuke indicated that he understood the issue and will assure that any future applications meet the requirement. He stated that Ms. Pinizzotto made the same application last year, but did not follow through. The Board dismissed the

application without prejudice. The proposed subdivision is consistent with other lots in the area. Ms. Pinizzotto is a single mom and this will help with financial problems. Ms. Pinizzotto was sworn in for testimony. Mr. Lozuke asked Ms. Pinizzotto to affirm that his remarks were accurate. Ms. Pinizzotto replied Mr. Lozuke's comments regarding the application were accurate.

**Planner's Comments: July 23, 2007 Review Letter**

Ms. Pellegrini gave her review of the application. Mr. Green asked if Ms. Pinizzotto understands the COAH obligation. Ms. Pinizzotto responded that she did understand.

**Engineer's Comments: July 27, 2007 Review Letter**

Mr. Bryson gave his report. Mr. Lozuke stated the applicant had no objection to the comments and would stipulate to issues five through eight on page 2. The applicant agrees with the contribution in lieu of sidewalks requirement if the application is approved.

**Public Comments:** There were no comments forthcoming from the public.

**Board Discussions:** Mr. Legge asked if Lot 5 was the lot created from Ms. Hoffman's subdivision. He was informed it was the new lot. Mrs. Lawrence stated the lot line has not been moved on her plan. She was advised the plan would be amended.

**Board Action: On motion by Mrs. Lawrence, seconded by Mr. Howarth, the application was approved with conditions.**

**Roll Call Vote: Yes – Mr. Datz, Mr. Harris, Mr. Land, Mrs. Lawrence, Mr. Legge, Ms. Salvatore, Mr. Howarth and Mr. Green. No – None. Abstained – None.**

**07—011, SJ TECHNOLOGY PARK AT ROWAN UNIVERSITY, MINOR SUBDIVISION, BLK 261, LT 9**

William Ziegler, Esquire, was representing the applicant. Mr. Alan Ippolito, project engineer, was sworn in for testimony. Mr. Ziegler stated that the applicant wishes to subdivide the previous lot approved. The plan meets all the requirements and needs no variances. The first Tech Park building is on Lot 9, which will be subdivided. Lot 9 is a landlocked parcel with a blanket easement.

**Planner's Review: Review Letter July 27, 2000**

Ms. Pellegrini reported that the application meets all requirements. She stated that the applicant must submit a *General Development Plan* before any other plans are submitted for review. The applicant understands that request.

**Engineer's Review: Review Letter August 1, 2007.**

Mr. Bryson reviewed his letter. He noted that Mr. Ippolito has provided the documentation for item five.

**Public Comment:** There were no comments forthcoming from the public.

**Board Action: On motion by Mr. Harris, seconded by Mr. Datz the application was approved with conditions.**

**Roll Call Vote: Yes – Mr. Datz, Mr. Harris, Mr. Land, Mrs. Lawrence, Mr. Legge, Ms. Salvatore, Mr. Howarth and Mr. Green. No – None. Abstentions – None.**

**05-013, FOX PLAZA (LAWRENCE GARDNER), FINAL MAJOR SITE PLAN, BLOCK 20, LOTS 21 & 22**

Barry Lozuke, Esquire, was representing the applicant. He stated that preliminary approval was memorialized in Resolution R16-2006. The applicant is proposing a restaurant, retail and office space.

Mr. Edward Belski, engineer, was sworn in as an expert witness. Mr. Belski stated that the property presently has a golf driving range, batting cages, miniature golf course, pizza shop, nail salon and dog grooming shop. The sides and rear of the property included single-family homes. Also, on the one side of the lot is another pizza shop and Karate gym and a day care center occupies the other side. The proposed buildings consist of a pad site restaurant; a one-story retail store and a two-story retail store will offices on the second floor. The applicant is proposing 324 parking spaces. The retail buildings will have entrances located in both the front and rear of the building.

Mr. Lozuke asked Mr. Belski if this plan conforms to the preliminary approval. He answered in the affirmative. Mr. Belski has reviewed the engineer's letter and is in agreement with all comments except the stormwater item. Mr. Belski discussed the proposed lighting, landscaping and stormwater management items.

Mr. Belski said the New Jersey Department of Environmental protection requires 72 hours for discharge while the Township requirements differ. The applicant is requesting a waiver for this item. Mr. Bryson is okay with the request as long as the applicant complies with the comments in his review letter. Mr. Land asked if there would be a light installed on Route 45. Mr. Lozuke responded that an application has been filed with the State.

**Planner's Comments: August 9, 2007 Review Letter**

Ms. Pellegrini reported on the planner's review letter. Mr. Lozuke noted the applicant is requesting a waiver for the sign. Mr. Gardner has only been involved in the application for a few months and is not sure what tenants will rent the space. Mr. Lozuke questioned if a separate application could be made for the sign. After a brief discussion, the Board stated that they want Mr. Gardner to come back with an amendment to the site plan with the signage request when tenants have been confirmed.

**Engineer's Comments: July 19, 2007 Review Letter**

Mr. Bryson reported on his review. Mr. Datz asked what the height and type of fencing would be around the basin. He was advised that it would be a four-foot high split rail fence. Mr. Datz stated he would like to see a six-foot fence due to the day care center. A discussion ensued regarding the fencing. There is a 6-foot fence along the perimeter of the property that will be vinyl.

Mr. Howarth noted that there are specific times for loading and unloading. He asked if the applicant could include trash pick up within the same times. Mr. Belski replied that the applicant would include the trash removal within the same time limits.

**Public Hearing:** All individuals were sworn in for comment.

Mr. Robert Hudgins questioned the hours of operation for the restaurant. Mr. Green noted that was determined during the preliminary application. Further determination will be made when a tenant is confirmed.

Mr. Guy Prasalowicz, 2 Brookview Drive, stated his concern about traffic on Route 45. As the spokesperson for Citizens for the Preservation of Mantua Township, he asked whom he should contact regarding the traffic concerns along Route 45. Mr. Ragonese said he would have to contact the Department of Transportation or his local State representatives.

There being no further comments, the public hearing was closed.

**Board Discussion:** Mr. Lozuke outlined where the fencing would be installed. Mr. Ragonese stated that Board action should be on the final site plan for the three buildings, COAH stipulation, amended site plan for sign detail, soil boring request by the engineer, the fencing issue and other conditions as noted in the professional review letters.

**Board Action:** On motion by Mr. Harris, seconded by Mr. Graham, the application was approved with conditions in the professional review letters and items as outlined by Mr. Ragonese.

**Roll Call Vote:** Yes – Mr. Datz, Mr. Harris, Mr. Land, Mrs. Lawrence, Mr. Legge, Ms. Salvatore, Mr. Howarth and Mr. Green. No – None. Abstentions: None.

### **Resolutions**

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Mr. Ragonese presented resolution 07-28 for application 07—011, SJ Technology Park at Rowan University, Minor Subdivision, Block 261, Lot 9 for a trash enclosure. **On motion by Mrs. Lawrence, seconded by Mr. Datz, the resolution was approved. Roll Call Vote: Yes – Mr. Datz, Mrs. Lawrence, Mr. Legge and Mr. Green. No – None. Abstentions: None.**

Mr. Ragonese stated that Mr. Stanger's attorney said that the Board indicated a waiver would be granted for the sidewalk fee. Mr. Ragonese asked if anyone remembers such a waiver. No one did. Mr. Stanger will listen to the meeting tape. Mr. Ragonese indicated the Board did not have to act at this time. The resolution for application 07—006, Hiram Stanger, Minor Subdivision, Block 5, Lot 10 was presented to the Board. **On motion by Mrs. Lawrence, seconded by Mr. Datz, the resolution was approved. On motion by Mr. Datz, seconded by Mr. Legge, the resolution was approved. Roll Call Vote: Yes – Mr. Datz, Mrs. Lawrence, Mr. Legge and Mr. Green. No – None. Abstentions: None.**

### **Adjournment**

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There being no further business, the meeting was adjourned.

Respectfully submitted,

Peggy Veacock  
Corresponding/Recording Secretary