

# **HARRISON TOWNSHIP JOINT LAND USE BOARD**

## **REGULAR MEETING**

**September 4, 2014**

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Chairman Joseph Pacera called the meeting to order at 7:30 p.m. The meeting was held in the Municipal Building with the following Joint Land Use Board members present: Chairman Joseph Pacera; Vice Chair, Nancy Kowalik, Dennis Chambers; Steve Dickson; John Williams; Kristin Ross; Dennis Bonanni; Mayor Manzo; Committeeman Diggons; Bill Madara, Alternate #1; Anthony DiFabio, Alternate #4. Absent: Paul Mattessich, Alternate #2.

Others present: Kevin Van Hise, Esq., Joint Land Use Board Solicitor; Hugh Dougherty, Joint Land Use Board Engineer from Pennoni Associates, Inc.; Robert F. Melvin, Joint Land Use Board Planner from Group Melvin Design; and Cyndi Quast, Joint Land Use Board Secretary.

### ***OPEN PUBLIC MEETINGS ACT:***

Ms. Quast read the following statement into the record: "In compliance with Chapter 231 of the Public Laws of 1975 notice of this meeting was given by way of notice filed with the South Jersey Times and posted on the bulletin board in the municipal building on January 24, 2014."

### ***FLAG SALUTE:***

Chairman Pacera led in the salute to the flag.

### ***APPROVAL OF MINUTES:***

#### ***Regular Meeting – August 21, 2014***

John Williams made a motion to approve the minutes. Dennis Chambers seconded the motion and the motion was approved unanimously.

### ***COMMENTS FROM THE PUBLIC:***

Chairman Pacera opened the meeting to public comment. He said comments on agenda items should be held until the matter was opened but that other comments could be made now.

There were several residents with comments to the Board.

**Nikolaos Yiantsos- 351 Swedesboro Rd.** Mr. Yiantsos had questions about a parcel of land. It was recommended by the Chairman that he apply for a Conceptual Presentation before the Board

**Pete Sparacino- 7 Kayla's Way** Mr. Sparacino had questions about repaving 322 and extending the sidewalk to Kayla's way from the Mullica Gardens facility. Chairman Pacera replied by saying that these are all projects the Township has been working on with the county.

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**Denise Opinik- 135 Mullica Hill Rd.** Ms. Opinik expressed concern for her daughter's property which has been impacted by the ongoing construction on 322. Dennis Chambers has been in contact with her daughter and has addressed the situation several times. Once the project is finished, the damage which has been done to her driveway will be fixed.

**Jennifer and Michael Waldmann- 456 Mullica Hill Rd.** The Waldmanns asked for an update for an ongoing problem that Township Committee is in the process of investigating. Mayor Manzo responded by telling them the Township is in the process of gathering all of the information.

Seeing that there were no further comments from the public, Chairman Pacera closed to the public.

***TEMPORARY BUSINESS SIGN PERMITS:***

***App#2014-15 Kevin P. Smith: Mullica Hill Chiropractic and Weight Loss***  
***Sign Location: 47 Woodstown Rd***

Kevin Smith requested an extension for his temporary sign until September 22. He is in the process of purchasing and installing a permanent sign. A motion was made to approve the temporary sign by John Williams and seconded by Dennis Chambers. A Roll Call Vote was taken; Chairman Pacera-Aye; Dennis Chambers-Aye; Steve Dickson-Aye; John Williams-Aye; Kristin Ross-Aye; Dennis Bonnani-Aye; Mayor Manzo-Aye; Committeeman Diggons-Aye.

***App#2014-16 Constantine Benas: Harrison House Diner***  
***Sign Location: 98 North Main St***

Constantine Benas requested a temporary sign permit for his "Best of County" banner. Dennis Bonnani made a motion to approve the temporary sign and John Williams seconded the motion. A Roll Call Vote was taken; Chairman Pacera-Aye; Nancy Kowalik-Aye; Dennis Chambers-Aye; Steve Dickson-Aye; John Williams-Aye; Kristin Ross-Aye; Dennis Bonnani-Aye; Mayor Manzo-Aye; Committeeman Diggons-Aye.

***COURTESY REVIEW***

***App# 2014-14 Capital Project Harrison Township Municipal Building***  
***Parking Lot 114 Bridgeton Pike (Block 75 Lot 15)***

Dennis Chambers, Mayor Manzo and Committeeman Diggons recused themselves from the Board. Dennis Chambers, Deputy Administrator, presented the parking lot project. He stated that the project consists of a total reconstruction of the entire parking lot through grinding up of the existing material, reshaping and adding 2 ½ inch layer of asphalt. On the southside, there will be a small retention basin to pick up any

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additional water flow as a result of the curbing. Mr. Chambers also went over the details of the curbs, sidewalks, and the striping of the spaces. He also said there will be 6 teardrop foot poles for lighting. It will be consistent with what the Board requests of applicants. The Board had questions pertaining to the fence and drainage. Mr. Chambers satisfied all of the concerns of the Board.

***PUBLIC HEARINGS:***

***Harrison Township- Extension of Preliminary Major Subdivision Approvals For Block 53 Lot 4 and Block 54 Lot 1. This hearing is continued from the June 19<sup>th</sup> meeting.***

Mayor Manzo and Committeeman Diggons recused themselves from the Board. Brian Duffield, Township Solicitor, appeared on behalf of Harrison Township. Chairman Pacera explained that the location of the parcels is on Tomlin Station Rd. He then opened the meeting to the public.

**Joseph Leone**-299 Jessup Mill Road, Clarksboro Mr. Leone expressed concern for the property purchased as open space.

Chairman Pacera said that the purpose of extending the approvals is to maintain the value of the property. Township Solicitor, Brian Duffield, stated that a benefit to maintaining the approvals would be that the Township would be able to get more money for farmland preservation. Mr. Leone was satisfied with the Board's decision and had no further comment. Nancy Kowalik made a motion to approve the extension and Dennis Bonnani seconded the motion. A Roll Call Vote was taken; Chairman Pacera-Aye; Nancy Kowalik-Aye; Dennis Chambers-Aye; Steve Dickson-Aye; John Williams-Aye; Kristin Ross-Aye; Dennis Bonnani-Aye; Bill Madara-Aye; Anthony DeFabio-Aye.

***App# 2014-12-New Jersey American Water-Application for Use Variance and Preliminary and Final Major Site Plan with Bulk Variances-174 Bridgeton Pike- Block 56 Lot 3.01***

Mayor Manzo and Committeeman Diggons recused themselves from the Board for this hearing. Frank V. Tedesco, Esquire of Dilworth Paxson, LLP. represented New Jersey American Water. The plan consists of the installation of a 750,000 gallon water storage tank within a 2.57 acre easement area on land owned by the Township of Harrison and leased to New Jersey American Water for this purpose. The zoning on the parcel is Professional Office. A water tower is not a permitted use, therefore New Jersey American Water is requesting a Use Variance. A Variance is also needed for an 8 foot fence which is necessary for security reasons. The sign on the tower is for illustrational purposes only. The applicant will come before the Board at a later date if for the sign if necessary.

Mr. Van Hise confirmed that proper notice was given. He swore in Brian Dougherty, PE; Andrew Thomas, PP/AICP; Joseph P Dugandzix, PE and Lauren Heaps, PE.

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Board engineer, Hugh Dougherty, reviewed his completeness report dated September 2, 2014. He supported a majority of the waiver items and said that if the Board decided a landscaping plan was necessary, it could be included in the site plan. Nancy Kowalik made a motion to deem the application complete and John Williams seconded the motion. A Roll Call Vote was taken; Chairman Pacera-Aye; Dennis Chambers-Aye; Steve Dickson-Aye; John Williams-Aye; Kristin Ross-Aye; Dennis Bonnani-Aye.

Applicant's witness, Brian Dougherty was accepted by the board as an expert witness. He explained the need for the tank which will serve the Township of Harrison. He stated that the improvement is necessary for additional effective water storage. Water storage provides emergency reserve, fire protection, and equalization storage.

Mr. Dougherty continued by describing the Site Plan (Exhibit A-1) and pointed out the location of the easement and the location of the tank on the property. He also explained the other improvements which will be made on the property. (Exhibit A-2) was a digital photo of the proposed tank. The tank was depicted as blue in color.

Applicant's planner, Andrew Thomas presented an aerial map of the site. (Exhibit A 3) Mr. Thomas was accepted by the board as an expert witness. Mr. Thomas gave testimony to the inherently beneficial use that the water tower would provide for the Township by providing water storage, improved emergency services and enhanced systems operations. It was also noted that there would not be a significant impact on the neighboring uses or surrounding community. The request for a variance for the 8 foot fence surrounding the structure is in order to provide safety and security. The Board noted that the barbed wire at the top of the fence was not acceptable and the applicant agreed to adjust the plan to incorporate a black decorative fence with no barbed wire at the top.

The Board Planner, Bob Melvin, briefly went over his report dated September 4, 2014. The applicant agreed to submit final color of tank to Mr. Melvin for approval. Mr. Melvin will also approve the revised plan which will incorporate the 8 foot high decorative black fence enclosure as well as the landscaping plan which will improve the site's entrance site. There will be a maintenance/ developers agreement between the Township and the applicant providing for the maintenance of the tank, compound, and all lands within the easement. There will not be any antennas or cell towers allowed on the tower. After discussion by the Board and Professionals, there were no further comments or questions by the Board. Chairman Pacera opened the meeting to the public.

**Vincent Gangemi**-508 Angie Place

Mr. Gangemi asked applicant for clarity on some items. A brief discussion followed.

With no further comments from the public, Nancy Kowalik made a motion to close to the public and Dennis Chambers seconded the motion. Nancy Kowalik made a motion to approve the application and grant the Use Variance, (fence height) Bulk Variance and Preliminary / Final Major Site Plan approval with exceptions and waivers Necessary also subject to the review and approval of the Board Engineer and Board Planner. A Roll Call Vote was taken; Chairman Pacera-Aye; Nancy Kowalik-Aye; Dennis

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Chambers-Aye; Steve Dickson-Aye; John Williams-Aye; Kristin Ross-Aye; Dennis Bonnani-Aye.

***App# 2014-07-Mullica Lake Estates-161 Mullica Hill Rd. - Block 59 Lots 12.01, 13, 14 & 17 Administrative Change***

Kristin Ross and Anthony DeFabio recused themselves from the Board during this application.

Kathie Renner, Esquire; Brown and Connery LLP, spoke on behalf of the applicants, Dr. Tarak Akrouf, Dr. Zoubir Akrouf and Mullica Gardens Realty Urban Renewal Entity, LLCs' request for an Administrative Change. Tim Kernan PE,PP also appeared on behalf of the applicant. The address is 161 Mullica Hill Rd. Block 59, Lots 12.1, 13,14& 17 now known as Lots 17, 17.02 and 17.03 Ms. Renner stated that the sole reason for applying for the extension is to maintain the value of the land. The applicant is seeking a two-year extension of the vesting period for the Preliminary Major Subdivision approval for Lot 17.02 to permit additional time to obtain preservation financing. The continued validity of the underlying approvals is necessary in order to maintain the fair market value of Lot 17.02 while preservation funding is obtained. In addition, the Administrative Change will also permit the development of Lot 17 in accordance with the Redevelopment Plan. Chairman Pacera stated that one year would be a sufficient amount of time in order to attain the funding necessary.

With no further comments from the Board, Nancy Kowalik made a motion to open to the public and John Williams seconded the motion. Seeing that there were no comments from the public, Nancy Kowalik made a motion to close to the public and John Williams seconded the motion. Nancy Kowalik made a motion to approve a one-year extension of Preliminary Major Subdivision approval until December 31, 2015, subject to and conditioned upon Applicant complying with the terms and conditions of the Redevelopment Plan and Redevelopment Agreement. A Roll Call Vote was taken; Chairman Pacera-Aye; Nancy Kowalik-Aye; Dennis Chambers-Aye; Steve Dickson-Aye; John Williams-Aye; Dennis Bonnani-Aye; Mayor Manzo-Aye; Committeeman Diggons Aye; Bill Madara-Aye..

***Review of Redevelopment Plan for Block 34.03, Lot 43, and the Former Walters Road Right of Way.***

The Board's planning consultant, Robert Melvin AICP/PP prepared a proposed redevelopment plan for Block 34.03 Lot 43 and the formers Walters Road Right of Way. The date of the plan is August 21, 2014. Mr. Melvin explained that the development program for the area will include a medical office building, stormwater basin, parking area, attractive landscaping and buffering and a mulit-modal on site and off site circulation system. After explaining the Plan in detail, and with short discussion, the Board was satisfied and had no further comments. Nancy Kowalik made a motion to open to public comment and John Williams seconded the motion. Comments were made by the following:

**Nikolaos Yiantsos**-228 Tomlin Station Rd

**Lori Joyce**- 24 Kaylas Way A discussion was had pertaining to the buffering that will separate the neighbors. Ms. Joyce was satisfied with Mr. Melvin's response. Seeing that there were no further comments from the public, Nancy Kowalik made a motion to close to the public and John Williams seconded the motion. A motion was made by Nancy Kowalik stated that the Board found the Redevelopment Plan to be consistent with the Master Plan and recommend the Plan to the Governing Body for its adoption. A Roll Call Vote was taken; Chairman Pacera-Aye; Nancy Kowalik-Aye; Dennis Chambers-Aye; Steve Dickson-Aye; John Williams-Aye; Kristin Ross-Aye; Dennis Bonnani-Aye; Mayor Manzo-Aye; Committeeman Diggons-Aye.

***MEMORIALIZING RESOLUTIONS:***

***Resolution 28-2014- Resolution Of The Harrison Township Joint Land Use Board Capital Project Review of Rowan University's West Campus Athletic Fields on Property Located at US Route 322 and Neale Road Block 2.02 Lots 1,1.01, 1.02, 2,3,4,5&6***

Chairman Pacera read the Resolution 28-2014 by title. Nancy Kowalic made a motion to approve the Resolution and Dennis Chambers seconded the motion. A Roll Call Vote was taken; Chairman Pacera-Aye; Nancy Kowalik-Aye; Dennis Chambers-Aye; Steve Dickson-Aye; John Williams-Aye; Kristin Ross-Aye; Dennis Bonnani-Aye; Mayor Manzo-Aye; Committeeman Diggons-Aye.

***SCHEDULE FOR PUBLIC HEARINGS:***

The schedule is as shown on the agenda.

***STATUS OF CURRENT PROJECTS:***

There is no report.

***REPORT FROM TOWNSHIP COMMITTEE:***

There is no report.

***REPORT FROM ECONOMIC DEVELOPMENT COMMISSION***

There is no report.

***REPORT FROM JOINT LAND USE BOARD ENGINEER:***

There is no report

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***REPORT FROM JOINT LAND USE BOARD PLANNER:***

Mr. Melvin has prepared a proposal for Redevelopment Plan for Block 61.01. Lots 1, 2, 2.01, 2.02, 24, 24.01 and Block 61 formerly known as Block 21.(now known as part of Lot 3) The cost of the plan is \$6,200.00. Dennis Chambers made a motion to approve the proposal and was seconded by John Williams. There was a Roll Call Vote taken Chairman Pacera – Aye; Nancy Kowalik—Aye; Dennis Chambers – Aye; Steve Dickson – Aye; John Williams –Aye; Kristin Ross – Aye; Dennis Bonnani – Aye; Mayor Manzo – Aye; Committeeman Diggons –Aye.

***COMMENTS FROM THE PUBLIC:***

**Pete Sparacino- 7 Kayla's Way** Mr Sparacino had a concern with the left turn from 322 onto Kayla's Way. He commented that it is unsafe and that a lane would help to rectify the problem.

***COMMENTS FROM THE BOARD:*** There were no comments.

***ADJOURNMENT***

As there was no further business to be addressed, Dennis Chambers made a motion to adjourn and John Williams seconded the motion.and the motion was carried by a unanimous vote.Chairman Pacera adjourned the meeting at 10:05 p.m.

Respectfully submitted,

Cyndi Quast  
Joint Land Use Board Secretary