

**HARRISON TOWNSHIP ZONING BOARD
REGULAR BUSINESS MEETING
MARCH 31, 2010 – MINUTES
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Chairman Nancy Kowalik called the Meeting to order at 7:35 P.M. The meeting was held in the Municipal Building in the Township of Harrison, the County of Gloucester, State of New Jersey. The following Zoning Board Members were present: Chairman Nancy Kowalik, Scott Herman, Ron Moore, John Williams, Dennis Bonanni, Fran Plitt, and Fred Link. Absent were: Paul Mattessich, Alternate #1, and Allison Lukacsy, Alternate #2.

Others Present: John Hoffman, Esq., Zoning Board Solicitor; John Cantwell, Remington & Vernick representative; and Susanne H. Rhudy, Zoning Board Secretary.

OPEN PUBLIC MEETINGS ACT: Chairman Kowalik noted that the requirements of the Open Public Meetings Act have been satisfied.

FLAG SALUTE: Chairman Kowalik led in the salute to our flag.

PUBLIC HEARINGS:

Collision Care, Inc. – Use Variance

Thomas DiPilla, Esq. appeared on behalf of the applicant. He said the applicant is seeking a use variance to permit an auto body care center in the C-55 zone. Mr. Hoffman confirmed that proper public notice had been given and the Board has jurisdiction to hear the application. He said the application is bifurcated and Mr. Cantwell will address site plan issues during his variance review. Mr. Hoffman swore in Val Fichera, President of Collision Care; Jeffrey Fazler, engineer and architect; and John Pagenkopf, planner.

Mr. Pagenkopf said he had reviewed the Township's Master Plan, the ordinances and the subdivision resolutions for the Commerce Center phase 2. He said he has also reviewed the plans and elevations for the South Jersey Healthcare Center which is approved for the next lot as well as the plans prepared by Mr. Fazler. The report prepared by Mr. Pagenkopf was marked as Exhibit A-1. Mr. Pagenkopf discussed the site. He said the parcel is 5.57 acres of which approximately 2.02 is suitable for development. There is a large area of wetlands and wetland buffers. The major subdivision plan for the Commerce Center Phase 2 was marked as Exhibit A-2. The conceptual color rendered site plan was marked as Exhibit A-3. Mr. Pagenkopf reviewed the existing and proposed adjoining uses.

Mr. Pagenkopf explained the type of services provided by Collision Care and said all of the work would be done inside the building. He said there will be no outside storage of materials. Mr. Pagenkopf discussed the types of uses permitted in the C-55 zone and how the proposed use is less intensive than some of the permitted uses. He said the tractor trailer repair shop on the lot to the west is more intense and the proposed healthcare center is less intense, and the proposed use provides a transitional use. It will meet several of the criteria of the goals and objectives of the Master Plan.

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Mr. Pagenkopf reviewed the positive and negative criteria and said the use will provide a ratable for the Township as well as a service for the residents. The rendering of the building was marked as Exhibit A-4. Mr. Pagenkopf confirmed that no unlicensed or unregistered vehicles would be stored outside. William Ziegler, Esq., counsel for the property owner, said there are no restrictions against the use in the subdivision approvals. He said there is an architectural design guideline which the individual lots are required to adhere to. Mr. DiPilla acknowledged that those guidelines would be followed. He said testimony would be provided on the suitability of the site for the use.

Mr. Fazler said the current site design does not require bulk variances but he could not say that the final design would be variance free as that would depend upon the parking issues. The plan of existing conditions was marked as Exhibit A-5. Mr. Fazler explained how the site was designed around the unusable areas. The conceptual floor plan and elevations was marked as Exhibit A-6. Mr. Fazler discussed the building design and requirements for the business. He then discussed the parking requirements and said the ordinances do not specify the requirements for the particular use. Twelve spaces are needed for employee parking; there are nine spaces provided for customers; and there are eighteen valet spaces provided for cars that have been repaired or are awaiting repair. Mr. Fazler said there is more room on the site for additional parking should it be needed. He said he does not foresee any bulk variances in conjunction with the site plan. If the parking need was calculated by a combination of the industrial use and office use, a total of 15 spaces plus the handicapped would be needed and more than that are proposed. Mr. Fichera said 18 parking spaces would be needed for cars in transition and explained how customers pick up their cars. He said that cars that are leaking fluids go directly into the building, not the valet area. Mr. Fazler said storm water quality requires that oil/water separators be installed. All storm water on impervious surfaces will be captured by the storm water system.

Mr. Fichera said they planned to screen the valet area by landscaping, not fencing, as there was no anticipation that people would be on the property who were not there on business. The Board and the applicant further discussed screening of the valet area. Mr. Cantwell said at site plan he would need a parking analysis of the other Collision Care locations.

The Tomlin Station Commerce Center Design Guideline dated August 4, 2009 was marked as Exhibit A-7. Mr. Fazler said the Collision Care building was designed to conform to the guidelines and discussed the design of the building. He said the façade sign is made of internally illuminated letters and explained the building materials. Sound attenuation will be addressed as part of the energy code compliance. Mr. Fazler confirmed that the architectural guidelines will be met.

Mr. Fichera introduced himself to the Board. He said he has five locations in Philadelphia and this one will be his first New Jersey location. The size and location of the site fit this market. He explained his business and the length of time a car repair takes

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at his location. Customer service is a high priority in his business. The cars are repaired by a standard process which is constantly under review for maximum efficiency. Parts are delivered at night so the repairs can begin the next morning. Mr. Fichera said he anticipates repairing 5 to 7 cars per day. He said he will have to obtain a body shop license from the State to operate in New Jersey. All the used metal parts are picked up every day by a metal salvager and are stored inside prior to the collection. All other trash will be kept in a trash enclosure outside. Oil, anti-freeze, unused paints, solvents and Freon are all recycled. Everything except plastic bumpers, plastic grills, paper, tape, and cardboard materials are stored inside. Mr. Fichera said business hours are 7:30 a.m. to 5:30 p.m., although the building is open from 7:00 a.m. to 6:00 p.m. He said they will stay open waiting for a customer to pick up their car. There are 12 employees including 3 office staff and 9 mechanics. There is a convection style paint oven which is a self-contained unit. Brochures of the paint unit were given to the Board.

The Board requested clarification on the number of cars on site at any one time. Mr. Fichera explained that there can be 13 cars inside the facility, 18 in the valet area and the employee's cars. Excess cars are moved to a storage facility. Mr. Pagenkopf said conditions could be set to ensure that the site would remain as the Board approved it if they grant the variance. Any modifications to the site or the use would have to return to the Board for further approvals. Mr. Fichera confirmed that he is aware of the architectural guidelines and will conform to them. He said that tires from damaged cars will be stored in the trash enclosure. The Board discussed whether there were zoning areas where auto body shops would be a permitted use. Mr. Fichera said the location he chose is preferable because it is on main thoroughfares and near the Turnpike. Mr. Pagenkopf said the C-2 permits auto repair shops if they are part of an auto sales facility. Chairman Kowalik said internally illuminated signs are not generally used in the town, but channel block signs have been used. Mr. Fazler said a sign package would be submitted with the site plan.

Mr. Cantwell reviewed his March 23rd letter and noted that most of the comments had been discussed or addressed. He reviewed the positive and negative criteria and discussed the architectural design. The guidelines recommend pitched roofs and the applicant is showing a flat roof. The metal on the rear and side walls is not in accordance with the guidelines. Mr. Fazler said there are different use categories in the guidelines and he feels the use falls into the flex building category although it does not meet the square footage requirement. Mr. Cantwell said the Board should discuss those issues at site plan. Chairman Kowalik said the architectural are important and the Board appreciates the applicant's willingness to work with them.

Ron Moore made a motion to open the meeting to public comment. Fred Link seconded the motion. Chairman Kowalik opened the meeting to public comment. Hearing none, Scott Herman made a motion to close the meeting to public comment. Fred Link seconded the motion and Chairman Kowalik closed the meeting to public comment.

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The Board discussed the conditions. All outside storage, including all waste, recycling materials, and tires, would be in the masonry enclosure, to match the style of the building, as large as necessary. There will be no work in progress outside the valet area. The overnight storage of cars outside is limited to no more than 21 cars to be parked in the valet area only. The visibility of the valet area will be examined at site plan. All work will be done inside the building and there will be no outside storage except in the trash enclosure. The Planning Board's planner, Bob Melvin of Group Melvin Design, will review the architectural design of the building at site plan review, and the applicant agreed.

Dennis Bonanni made a motion to grant the use variance as articulated by Mr. Hoffman, subject to the stipulations in the applicant's planner's report, and the testimony. Scott Herman seconded the motion. A Roll Call Vote was taken: Nancy Kowalik – Aye; Scott Herman – Aye; Ron Moore – Aye; John Williams – Aye; Dennis Bonanni – Aye; Fran Plitt – Aye; Fred Link – Aye.

The Board took a short break.

APPROVAL OF THE MINUTES:

January 27, 2010 – Regular Business Meeting
January 27, 2010 – Reorganization Meeting

Dennis Bonanni made a motion to approve both sets of minutes. John Williams seconded the motion and the motion was adopted by a unanimous vote.

RESOLUTIONS:

Resolution 9-2010 – Robert James Pacilli Homes LLC

Mr. Hoffman said the resolution had been reviewed by the Board professionals and Mr. Ziegler, applicant's attorney. Mr. Ziegler discussed a few areas of concern. He said his client intends to build the sidewalk along Route 322 but does not have the right of way. He said if the county cannot get the right of way, his client will make a monetary contribution for the sidewalk if the right of away ever becomes available. He suggested that rather than require his client to post a bond for the monetary contribution, the performance bond not be released until his client builds the sidewalk or makes the contribution. Mr. Ziegler agreed that the issue should be left open until final approval. Mr. Hoffman said the applicant should appear before Township Committee to request the reduction of bonding requirements so as to avoid cost generating items.

Mr. Ziegler said his client would bond the club house for \$250,000. The Board discussed the amount of the bond and Mr. Ziegler agreed to separately bond the club house for the amount of \$500,000.

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Mr. Ziegler said state law does not permit certificates of occupancy to be withheld until street lights are installed. He said an ordinance was adopted last year to change the ordinances. Mr. Hoffman said that condition would be eliminated. Mr. Hoffman reviewed the revisions to the resolution.

Scott Herman made a motion to approved Resolution 9-2010 with the changes as discussed and agreed upon. Dennis Bonanni seconded the motion. A Roll Call Vote was taken: Nancy Kowalik – Aye; John Williams – Aye; Dennis Bonanni – Aye; Fred Link – Aye.

Mr. Ziegler said he would not be ready to appear for final approval at the April meeting and agreed to waive the time constraints and table the final approval to no later than the Zoning Board's June 30th meeting. He agreed to coordinate with the secretary regarding the scheduling.

Dennis Bonanni made a motion to table the application to no later than the June 30th meeting. John Williams seconded the motion. A Roll Call Vote was taken: Nancy Kowalik – Aye; Scott Herman – Aye; John Williams – Aye; Dennis Bonanni – Aye; Fran Plitt – Aye; Fred Link – Aye.

PAYMENT OF BILLS:

Dennis Bonanni recused himself. Scott Herman made a motion to approve payment of the bills. Fran Plitt seconded the motion. A Roll Call Vote was taken: Nancy Kowalik – Aye; Scott Herman – Aye; Ron Moore – Aye; John Williams – Aye; Fran Plitt – Aye; Fred Link – Aye.

PLANNING BOARD REPORT:

Ms. Rhudy said the Planning Board granted an extension to the General Development Plan for the Town Center to give the applicant until June to submit the illustrative site plan. The Planning Board is working on solar farm and wind installations ordinances, and also working on rehabilitation designations.

ZONING OFFICER'S REPORT:

There was no report.

COMPLETENESS COMMITTEE REPORT:

There was no report.

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NEW BUSINESS:

There was no report.

COMMENTS FROM THE BOARD:

Chairman Kowalik complimented the Board on their consideration of the application heard tonight.

COMMENTS FROM THE PUBLIC:

There were no comments from the public.

COMMENTS FROM THE PROFESSIONALS:

There were no comments from the professionals.

ADJOURNMENT: Fred Link made a motion to adjourn the meeting. Scott Herman seconded the motion and the motion was approved unanimously. The meeting was adjourned at 10:56 p.m.

Respectfully submitted,

Susanne H. Rhudy
Zoning Board Secretary