

## **Minutes**

### **Woodbury City Combined Planning/Zoning Board**

**June 18, 2014**

The following are the minutes of the Woodbury Combined Planning and Zoning Board as held on Wednesday, June 18, 2014 in the Woodbury City Hall Council Chambers. The proceedings of the meeting are recorded and available for public inspection at the Office of the Administrative Officer. Copies of resolutions of approval or denial are on file with the Administrative Officer.

Chairman Sam Ferraino started the meeting at 7:00 pm.

Chairman Sam Ferraino announced it was a regularly scheduled meeting of the Woodbury Combined Planning/Zoning Board and was duly noticed as required by The Open Public Meetings Act.

Pledge of allegiance

Roll Call made by Mr. Bosworth

Present: Mayor William Volk  
Councilman David Trovato  
Chairman Sam Ferraino  
Vice-Chairman Mark Seigel  
Mr. John Belko  
Mr. Mark Meagher  
Mr. Ryan Lange  
Mr. Brian Bosworth  
Mr. Christopher LaCroix

Absent: Mr. Robert Langi  
Ms. Latisha Marks

Staff: Mr. Charles Fiore-Board Solicitor  
Mr. Robert Melvin-Board Planner  
Mr. Paul Breier-Board Engineer  
Mr. John Leech-Board Secretary

**Minutes:**

A motion to approve the minutes for the meeting held on May 21, 2014 was made by Vice-Chairman Seigel, seconded by Mr. Bosworth and passed unanimously.

**New Applications: P/Z-8-14 McDonalds USA LLC**  
444 North Broad Street (Site Plan Waiver/Sign Variance)

Mr. Duncan Prime, Esq. is representing the applicant. Mr. Prime introduced Mr. Cornelius Brown, PE and Mr. Scott Logan, Construction Manager who were sworn in for testimony by Mr. Fiore.

Mr. Prime gave the Board an overview of the application and scope of work that is proposed. Mr. Brown gave the Board a more detailed review of the site as it exists and the detailed work that will take place if the application is approved. Mr. Brown answered questions from the Board members.

Mr. Logan also addressed the Board with regards to the timetable of the work that will be performed and the layout of the site.

Mr. Breier discussed his review letter with the applicant and Board members.

Mr. Melvin discussed his review letter with the applicant and Board members.

The Board, Board Professionals and applicant discussed deliveries, traffic flow and dumpster placement.

Mr. Brown reviewed the site plan waiver request, waiver of check list requirements as well as the sign variances that are requested.

A motion to open the meeting to the public was made by Mr. Belko, seconded by Councilman Trovato and passed unanimously.

A motion to close the meeting to the public was made by Councilman Trovato, seconded by Mr. Meagher and passed unanimously.

A motion to approve the applicants request for preliminary and final site plan review together with their design waiver request as to a lighting plan, storm water management plan, identification of driveways and landscape buffer plan as well as the applicants request for variances as to signage as set forth on the record by the applicant subject to compliance with the applicants representations set forth on the record this evening specifically including the representation that the dumpsters will be enclosed within a trash enclosure and with compliance with the Board Professionals reports was made by Mr. Belko, seconded by Mayor Volk and a roll call vote taken:

Mayor Volk-Yes	Vice-Chairman Seigel-Yes	Mr. Lange-Yes
Councilman Trovato-Yes	Mr. Belko-Yes	Mr. Bosworth-Yes
Chairman Ferraino-Yes	Mr. Meagher-Yes	Mr. LaCroix-Yes

The motion passed 9-0

**P/Z-9-14** Ace Motor Sales, Inc.  
490 Salem Avenue (Use Variance)

Mr. Bosworth announced that Mayor Volk and Councilman Trovato cannot vote on this application.

Mr. Mark Shoemaker, Esq. is representing the applicant.

Mr. Shoemaker explained to the Board that his applicant is seeking a use variance for the property at 490 Salem Avenue and if approved the applicant would then submit a formal site plan to the board for approval.

Mr. Shoemaker introduced Mr. Matthew Miller, PP and Mr. Christopher Eastlack, Owner of Ace Motor Sales who were sworn in for testimony by Mr. Fiore.

Mr. Eastlack gave the Board an overview of his business and his proposed use of the subject property.

Mr. Miller explained to the Board the layout of the surrounding properties as well as the Ace Motor Sales property. Mr. Miller also pointed out the surrounding businesses, their uses and how some of the businesses have grown over the years.

The Board and applicant discussed the concerns of the site and adjacent properties.

Mr. Melvin discussed his review letter with the applicant and Board members.

The Board discussed different aspects of the application.

A motion to open the meeting to the public was made by Mr. Belko, seconded by Mr. Meagher and passed unanimously.

Mr. Jeffery Baron, Esq. representing Mr. Frank Good owner of 492 Salem Avenue

A motion to close the meeting to the public was made by Mr. Bosworth, seconded by Mr. Meagher and passed unanimously.

Mr. Fiore addressed the board.

Mr. Melvin addressed the Board.

Mr. Breier discussed his review letter with the applicant and Board members.

The Board discussed the different aspects of the application and the variance that is proposed.

A motion to open the meeting to the public was made by Mr. Meagher, seconded by Mr. Lange and passed unanimously.

Mr. David Swanson 312 Glover Street

A motion to close the meeting to the public was made by Mr. Belko, seconded by Mr. Lange and passed unanimously.

A motion to approve the use variance as proposed with the conditions stated 1. Lights turned off at 10:00 PM, 2. Directional light boxes on the light fixtures, 3. 8 foot vinyl fence, 4. 25 foot Salem Avenue set-back, 5. 15 foot light standards, 6. Appropriate landscaping and that 1 light standard can be left on for security, all as stipulated by the applicant with the acceptance of 6 feet versus 8 feet fence was made by Mr. Seigel, seconded by Mr. Lange and a roll call vote taken:

Chairman Ferraino-Yes	Mr. Belko-No	Mr. Lange-Yes	Mr. LaCroix-Yes
Vice-Chairman Seigel-Yes	Mr. Meagher-No	Mr. Bosworth-Yes	

The motion passed 5-2

Mayor Volk and Councilman Trovato rejoined the meeting.

A motion to take a 5 minute recess was made by Mr. Meagher, seconded by Mayor Volk and passed unanimously.

A motion to resume the meeting was made by Councilman Trovato, seconded by Mr. Meagher and passed unanimously.

**New Business:**

Mayor Volk announced that as of Monday night William Burris settled on the Country Club property. The project should start shortly.

Councilman Trovato asked the Board to have Mr. Melvin, Mr. Breier, Mr. Fiore, Mr. Leech, Mr. Bosworth and Ms. Woerner review the C-1 section of the City ordinance for package liquor, tattoo parlors and the 1<sup>st</sup> floor restrictions and make a recommendation to the Board at the next meeting.

A motion to open the meeting to the public was made by Mr. Meagher, seconded by Councilman Trovato and passed unanimously.

A motion to close the meeting to the public was made by Councilman Trovato, seconded by Mayor Volk and passed unanimously.

A motion to adjourn the meeting was made by Councilman Trovato, seconded by Mr. Bosworth and passed unanimously.

The meeting ended at 9:34 pm.

Respectfully submitted  
John Leech