

CHESTERFIELD TOWNSHIP PLANNING BOARD

November 20, 2012

The meeting of the Chesterfield Township Planning Board was called to order by Chairman Panfili at 7:27PM. The Open Public Meetings Act statement was read and compliance noted.

Roll call was taken showing present: Donald Coover; John Nunziato; F. Gerry Spence; Brian Wilson; Mary Acevedo; Gerard Hlubik; Chairman Panfili. Absent: Jeremy Liedtka; Richard LoCascio; Glenn McMahon; Joseph Malison. Professional staff present: Doug Heinold, Solicitor; Joseph Hirsh, Engineer.

MINUTES

September 11, 2012 Regular Minutes

A motion was made by Mr. Coover seconded by Mr. Nunziato to approve the September 11, 2012 Regular minutes. All were in favor with the exception of Mr. Spence who abstained. Motion carried.

RESOLUTIONS

2012-08 On the application of a Subdivision with variances denial to Thomas and Judith Morgenstern, 431 Ellisdale Road, Block 301, Lot 19.01.

A motion was made by Mr. Wilson, seconded by Ms. Acevedo, to approve Resolution 2012-08. The vote was in the affirmative, with the exceptions of Mr. Spence who abstained, motion carried.

APPLICATION FOR ACTION

Ehrich & Ehrich Landscape Block 700, Lot 21.05; 139 Bordentown-Chesterfield Road; Amended Site Plan.

Mr. Coover sat with the public due to conflict that Mr. Ehrich is his neighbor.

Mr. Lothar Ehrich, owner and Mr. Mark Shourds, Engineer and Planner were sworn. Mr. Shourds testified that the applicant's prior site plan application was approved in 2003, since then changes to the original site plan have been done on the site. The applicant is now looking for their bond release and a recommendation from Nancy Jamanow was to have the board review and approve the changes before it can be released. Mr. Shourds stated that the applicant had made a few changes to the site plan that were not originally approved. The main driveway is now proposed to continue around the loop, they also installed steps on the walkway, the emergency access drive is now proposed to remain open; the main driveway; long driveway and parking lot that were approved to be paved are being proposed to stay gravel except for the entrance

apron. They are proposing to erect a 12 x 12 pump house by the pond and are requesting to move the dumpster back behind the barn. The staging area was not original defined and per Nancy Jamanow's letter requested the applicant clarify the use. Mr. Ehrich stated it is used for CSA parking. It was stated that the handicap parking area can accommodate 3 cars and the parking area has 22 parking spaces. Throughout the site are different pieces of landscape displays which are also for sale, they are not necessarily permanent.

Mr. Hirsh asked if there were any changes to the use, Mr. Erich stated that it is now a vineyard and eventually would like to have a wine school, they would like to bottle wine and have wine testing, he would also like to expand his vegetable production and would like to create an eco tourism spot. He also stated that he intends are living there as well. He said that he will have approximately 1,000 CSA members but most of the produce will be delivered to the members as opposed to the members picking up.

The board stated that having CSA members is retail and that was not discussed at the first site plan approval. Changing the use as far as a vineyard and also CSA members would require another application requesting a use variance. Mr. Heinold stated that we could not approve the CSA use tonight.

Mr. Wilson stated that the use of the site matters. Chairman Panfili stated for the record; that the staging area was to be used for overflow of equipment and temporary parking; however the applicant stated that the area would be used for CSA members. This was never discussed in the previous application nor was it approved.

Mr. Hirsch stated that before anymore work is done he would like to visit the site and compare it with the original site plan approval to verify that the recommended changes have been done. He would like to make sure the building inspectors have also been there.

Mr. Heinold stated that when he is drafting the resolution he will make it clear that the board did not address the CSA issue and that it will need to be address before Spring. Mr. Shourds testified that he would address what needs to be done.

Chairman Panfili opened the meeting for public comment

Joe Sabat – 77 White Pine Road asked the board if the applicant would have to notice for a future application to which he was told yes.

Susan Lohmann - 73 White Pine Road asked was CSA was. Mr. Ehrich stated Community Supportive Agriculture.

Michael Milano – 106 White Pine Road stated that the applicant has a wedding website. Mr. Ehrich stated that he receives calls from people to have pictures taken. Chairman Panfili stated that property is currently approved for a design center and any other use is not permitted under the current zoning if its being used for anything else the applicant should get approval from the Zoning Officer.

Don Coover – 127 Bordentown-Georgetown Rd – Expressed his concern with the operations being done on the property, Mr. Hirsh stated that the building does not have an occupancy certificate and no functions should be held there. Mr. Ehrich stated that he has had family functions there. Mr. Coover feels a wine school should not be permitted. The property was entered into TDR program and he has no problem with the agricultural

use and the building was to be used for a landscape office and he sees it growing into something more. He believes that CSA members travel from much further away than 15 minutes. Drainage is a major concern and he would like the Township Engineer to make sure that everything is up to standards with drainage etc.

Hearing no further public comment Chairman Panfili closed the public portion.

Mr. Heinold reviewed that the board would be voting on the emergency access drive is proposed to remain open, the main drive, long drive and parking lot will not be paved with the exception of the apron. With the Township Ordinance in place the applicant will agree to pave the minimum footage off the right of way to easement line on both entrances. The pond will be improved by erecting a 12 x 12 pump house, the dumpster will be moved to the back, the staging area will be used for overflow parking and temporary storage. All aspects from prior application will remain. There will also be a condition that the Engineer inspects the site and all outside approvals are met. In regard to the infrastructure, the board request the Township Engineer certify that what is there now works.

A motion was made by Mr. Spence seconded by Mr. Nunziato to approve the revised site plan with the conditions stated by Mr. Heinold.

A roll call was taken:

Mr. Nunziato – yes
Mr. Spence - yes
Mr. Wilson – yes
Ms. Acevedo – abstain
Mr. Hlubik – yes
Chairman Panfili - yes

All were in favor, motion carried.

Mr. Coover returned to the board @ 8:32

James and Kathy Heptinstall Block 202, Lot 63; 34-36 Front Street-Preliminary Major Subdivision.

A motion was made by Mr. Spence seconded by Mr. Wilson to carry the application until the December 11, 2012 meeting without notice.

Traditions at Chesterfield Block 206, Lots 24.01, 25.01 and 25.02; Old York Road; Final Major Subdivision; Bulk Variance; Other and Waivers.

A motion was made by Mr. Spence seconded by Mr. Nunziato to carry the application until the January 8, 2012 meeting.

Mr. Heinold stated that Traditions has asked to be postponed until January 8, 2012 meeting. He stated that due to the time lapse he has asked the applicant to re-notice.

Chairman Panfili opened the meeting for public comment.

Mr. Ehrich asked the board about what would need to be done regarding having CSA members. He was informed that an application would have to be submitted and he would have to meet all required traffic studies. A concern is that it meets all minimum requirements for a business.

Hearing no more public comment, the public portion of the meeting was closed.

CORRESPONDENCE

Letter from Burlington County Board of Chosen Freeholders regarding Burlington County Farmland Preservation Program-Acquisition Targeting List.

Mr. Wilson explained to the board that the County is required by State law to send to all Townships showing all properties eligible to apply for preservation. The letter is sent yearly and is totally voluntary. He stated that Chesterfield has the highest % of preserved acreage per land base.

ADJOURNMENT

A motion was made by Mr. Spence seconded by Ms. Acevedo to adjourn. All were in favor, meeting adjourned at 8:45 PM.

Respectfully submitted,

Aggie Napoleon, Secretary