

**MONTGOMERY TOWNSHIP ZONING BOARD
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY
REORGANIZATION AND REGULAR MEETING
JANUARY 19, 2016**

MINUTES

Zoning Officer Palmer called the meeting to order at 7:35 p.m. and read the opening statement which affirmed that adequate notice of the meeting had been posted and sent to the officially designated newspapers.

BOARD MEMBERS PRESENT: Mr. DeRochi; Mr. Fedun; Mr. O'Brien; Mr. Thompson; Mr. Campeas; Mr. Wu

ALSO PRESENT: Mr. Cline; Mr. Drollas; Mr. Conforti; Mr. Palmer

I. SWEARING IN OF NEW MEMBERS

The members who are required to, have executed a written oath of office and they are duly sworn.

II. SALUTE TO THE FLAG

III. REORGANIZATION

A. Election of Officers

1. Call for Nominations for Chairman

Mr. DeRochi was nominated as Chairman by Mr. O'Brien, which was seconded by Mr. Thompson. There were no further nominations. Mr. O'Brien motioned to close nominations, which was seconded by Mr. Fedun. This carried on the following voice call vote: Ayes (6) Nays (0)

The following roll call vote was taken for Steven DeRochi as Chairman:

Ayes: DeRochi, Fedun, O'Brien, Thompson, Campeas and Wu

Nays: None

2. Call for Nominations for Vice Chairman

Mr. O'Brien was nominated as Vice Chairman by Chairman DeRochi, which was seconded by Mr. Thompson. There were no further nominations. Mr. Thompson motioned to close nominations, which was seconded by Mr. O'Brien. This carried on the following voice call vote: Ayes (6) Nays (0)

The following roll call vote was taken for Mr. O'Brien as Vice Chairman:

Ayes: DeRochi, Fedun, O'Brien, Thompson, Campeas and Wu

Nays: None

3. Call for Nominations for Chair Pro Temp

Mr. Voitach was nominated as Chair Pro Temp by Mr. Thompson, which was seconded by Mr. O'Brien. There were no further nominations. Mr. Thompson motioned to close nominations, which was seconded by Mr. Fedun. This carried on the following voice call vote: Ayes (6) Nays (0)

The following roll call vote was taken for Mr. Voitach as Chair Pro Temp.

Ayes: DeRochi, Fedun, O'Brien, Thompson, Campeas and Wu

Nays: None

B. Appointment of Recording Secretary – Joseph Palmer

Mr. Palmer was appointed as Recording Secretary by Mr. Fedun, which was seconded by Mr. O'Brien. This carried on the following roll call vote:

Ayes: DeRochi, Fedun, O'Brien, Thompson, Campeas and Wu

Nays: None

C. Meeting Schedule

BE IT RESOLVED by the Zoning Board of Adjustment of the Township of Montgomery that the monthly meetings of the Board will be scheduled on the following dates in 2016 at 7:30 p.m. in the Municipal Building located at 2261 Van Horne Road (Route 206) Belle Mead, New Jersey. Special work sessions scheduled periodically will be noticed as required upon scheduling. Formal action may be taken. All interested persons may attend and be heard. The following notice shall be sent to the officially designated newspapers.

	July 19, 26	January 17, 2017
February 16, 23	August 16, 23	
March 15, 22	September 20, 27	
April 19, 26	October 18, 25	
May 17, 24	November 15, 22	
June 21, 28	December 20, 27	

Mr. O'Brien made a motion to adopt the meeting schedule, which was seconded by Mr. Thompson. This carried on the following roll call vote:

Ayes: DeRochi, Fedun, O'Brien, Thompson, Campeas and Wu
Nays: None

D. Designation of the Official Newspaper

The official newspapers for legal municipal advertising and notice shall be the Courier News. All legal notices to be published must appear in an official newspaper as stipulated by the NJ-MLUL.

A motion to designate the official newspaper was made by Mr. Fedun, which was seconded by Mr. O'Brien. This carried on the following roll call vote:

Ayes: DeRochi, Fedun, O'Brien, Thompson, Campeas and Wu
Nays: None

E. Appointment of Subcommittee

I. Site Plan/Subdivision Committee (meets the 2nd Monday of each month)

Mr. Cline noted that the meeting date and time may change to the 1st Tuesday at 8:00 a.m.

Mr. Wu was appointed to the Site Plan/Subdivision Committee and Mr. Campeas was appointed as the alternate.

F. NJ Federation of Planning Officials - Renewal of Membership

Combination Membership - Zoning Board Membership - \$185.00

A motion to renew the membership was made by Mr. Thompson, which was seconded by Mr. Wu. This carried on the following roll call vote:

Ayes: DeRochi, Fedun, O'Brien, Thompson, Campeas and Wu
Nays: None

G. Appointment of Professional Services under the "Local Unit Pay-to-Play Law"

Chairman DeRochi read a resolution to appoint the following professionals.

- 1. Appointment of Legal Counsel – Capehart Scatchard, PA**
- 2. Appointment of Board Planner – Clarke Caton Hintz**
- 3. Appointment of Traffic Engineer – McDonough and Rea Associates and Dewberry Engineers, Inc.**
- 4. Appointment of Landscape Architect – Richard Bartolone**
- 5. Appointment of Board Engineer – Remington, Vernick & Vena Engineers, Inc.**

A motion to adopt the resolution was made by Mr. Fedun, which was seconded by Mr. Thompson. This carried on the following roll call vote:

Ayes: DeRochi, Fedun, O'Brien, Thompson, Campeas and Wu
Nays: None

IV. EXTENSION REQUEST

Case BA-09-13

Applicant: Sunoco, Inc.

Block 35004 Lot 1

One Year Extension of Amended Site Plan and D(3) Conditional Use Variances

Sara Szymborski, Esquire represented the applicant. The application was approved in 2012 for a Sunoco fuel station and retail store which was later amended in 2014 to include the sale of diesel fuel. The applicant was required to apply for and obtain the construction permit by January 21, 2015. From that point they have two years to commence and complete construction. Due to a change in the ownership of Sunoco things have been held up. The construction permit was applied for in April 2014 but has not been obtained. The applicant is requesting a one or two year extension through the end of 2017 to obtain the permit.

Laurie Pettengill, Construction Engineer with Sunoco, remains under oath since she previously testified in this matter before the Board. Ms. Pettengill explained the acquisition of Sunoco.

Joe Jaworski, Dynamic Engineering, remains under oath since he previously testified in this matter before the Board. Mr. Jaworski gave a history of the site and application. The outside agency approvals are valid through June 2016. Requests for an extension through the end of 2017 have been submitted.

Ms. Szymborski distributed and discussed a memorandum dated January 19, 2016 summarizing the status of the conditions. The sight triangle easement still needs to be recorded.

Chairman DeRochi opened the meeting to the public. There being no public comment, the public session was closed unanimously.

The extension is conditioned on obtaining the outside agency approvals. If the extension of the outside agencies is not received, the project cannot be constructed.

The Board discussed the resolution condition regarding the time to obtain the building permit. An extension is needed beginning in 2015. The Board will grant an extension to 2017 and they could request one more if needed.

A motion to approve an extension to January 27, 2017 was made by Mr. O'Brien and seconded by Mr. Thompson. The motion carried on the following:

Ayes: DeRochi, O'Brien, Thompson, Campeas and Wu

Nays: Fedun

V. MINUTES

December 15, 2015 – Regular Meeting

A motion to approve the minutes was made by Mr. Thompson, which was seconded by Chairman DeRochi.

This was carried on the following roll call vote:

Ayes: DeRochi, O'Brien and Thompson

Nays: None

December 15, 2015 – Closed Session

A motion to approve the minutes was made by Mr. Thompson, which was seconded by Mr. O'Brien. This was carried on the following roll call vote:

Ayes: DeRochi, O'Brien and Thompson

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 8:15 p.m.