

CITY OF BURLINGTON

LAND USE BOARD MEETING MINUTES

May 25, 2016

The City of Burlington Land Use Board held their regular monthly meeting on Wednesday, May 25, 2016 in the City Hall Building, 525 High Street, Burlington, New Jersey.

The meeting was called to order at 7:00 p.m.

Members present: Victor Carnivale, Councilwomen Helen Hatala, David Ballard, Charles Johnston, Ernest Turner, Bruce Davis, Vice-Chair Samuel Richter, Chairwoman Claudine Conaway.

Absent: Ofc. Matthew Mercuri, David Tishler, Raymond Schobert

Also present: M. Lou Garty, Solicitor
Bob Perry, Planner

APPLICATIONS:

Application #731-16 – Danalis Anderson (400 High St.)

Applicant is seeking a Change of Use & Site Plan Review Waiver.

Danalis Anderson was sworn and presented testimony regarding the proposed business operation planned for the location. Ms. Anderson described her business as a Women's Boutique, which is a permitted use.

Applicant/Expert Testimony:

Ms. Anderson provided detailed testimony concerning the days & hours of operation proposed for her business. Ms. Anderson further testified she would be owner/operator of the business & would have no other employees. She testified that the footprint or exterior of the building would not be revised so that drainage would not be affected and addressed operations as it related to trash and recycling disposal; signage testifying that the size of any business sign would not change. She agreed to comply with a condition for approval to comply with City Code requirements as to any required building or construction permits; business registration and obtaining a permit for any signs and complying with all other applicable requirements including payment of all fees and escrows.

Board Member Questions: None.

Engineer/Planner Review:

Mr. Perry recommended the requirement to submit a formal Site Plan be waived as there was no

perceived impact as there were no proposed changes to the exterior of the building.

Public Comment:

Opened, no comments made.

The Public Comment portion was closed

Solicitor Review:

Ms. Garty summarized the application before the Board as to the relief sought, burden of proof and the conditions agreed to by the Applicant.

The Chairwoman called for a motion to approve the Application and relief requested based upon a finding that the burden of proof was met and subject to the conditions cited by the Board.

Motion: Mr. Ballard

Seconded: Mr. Davis

Affirmative: 6

Against: 0

Abstention: 0

Application #732-16 – Fishbird, LLC (801 Bordentown Rd.)

Dante Alfieri, Esq. on behalf of the Applicant Fishbird, LLC. Applicant is seeking a Change of Use & Site Plan Review Waiver. James Watt, Architect & member of the LLC. Mr. Watt was sworn for testimony

Applicant/Expert Testimony:

Mr. Watt provided the board with a brief background of his qualifications and was accepted as an expert in the field of architectural design. Mr. Watt provided the board detailed testimony regarding to proposed (3) unit dwelling. Mr. Watt gave detailed testimony regarding the proposed additions & alterations to the existing structure.

Board Member Questions:

Councilwomen Hatala asked what Mr. Watt planned to do with the existing trees on the property

Mr. Ballard asked what Mr. Watt planned to do with the existing fencing on the property, Mr. Watt believed the fence would be updated.

Councilwomen Hatala asked what timetable the applicant had for the project, Mr. Watt stated he believes the project could be completed by Spring 2017

Chairwomen Conaway asked what the applicant plans to do with the signage at the property

Engineer/Planner Review:

Mr. Perry stated the only thing he believes needed to be added to the proposed alterations is perhaps some Shade Trees at the curb line. Mr. Perry recommended that the Applicant submit a landscape plan for his review and the Applicant agreed to do so as a condition for approval once the building project is completed.

Public Comment:

Kathy O’Conner-760 Bordentown Rd

Asked a question regarding the impact to the water/sewage on Bordentown Rd., also asked what the proposed rent would be for the property. Mr. Watt responded currently he has no specific parameters set for the monthly rental amount and also provided detailed information as to water/sewage impact, noting that usage and impact would be much less by residential users than by the current use, which is as a tavern.

There was no further comment so the public comment portion of the meeting was closed.

Solicitor Review:

Ms. Garty summarized the application before the Board as to the relief sought, burden of proof and the conditions agreed to by the Applicant.

The Chairwoman called for a motion to approve the Application and relief requested based upon a finding that the burden of proof was met and subject to the conditions cited by the Board.

Motion: Mr. Ballard

Seconded: Councilwomen Hatala

Affirmative: 6

Against: 0

Abstention: 0

NEW BUSINESS:

Councilwomen Hatala asked if the Board has received any correspondence concerning SS Mart; none was reported as none had been received by this Board.

NEXT MEETING SCHEDULED:

June 8, 2016 (Special Meeting advertised)

June 22, 2016 (Regular Meeting per annual schedule.)

APPROVAL OF MINUTES:

March Meeting

April Meeting-Ms. Garty provided some corrections, Board approved the corrections

Motion: Mr. Davis to adopt Minutes as amended;

Seconded: Mr. Ballard

All in Favor

RESOLUTIONS:

Resolution #13-2016

Motion: Councilwomen Hatala

Second: Mr. Ballard

All in Favor

PUBLIC COMMENT:

None

ADJOURNMENT:

Upon the motion of David Ballard, seconded by Bruce Davis, this meeting of May 25, 2016 was adjourned at 7:50pm.