



Borough of Woodbury Heights Planning/Zoning Board
500 Elm Avenue Woodbury Heights, New Jersey 08097

January 17, 2011 Regular Meeting Minutes

Chairman Phalines called the regular meeting to order. He asked for roll call to be taken. Roll call found the following present; Mr. Conley, Mr. Holmstrom, Mr. Flynn, Mayor Elton, Mr. Deeck, Councilman Scull, Mr. Baresich, Mr. Hart, Mr. Martino and Chairman Phalines. Absent were Mr. Lunn and Mr. Smith. Also in attendance were Gerald Sinclair, Solicitor, Tiffany CuvIELlo, Planner and Mark Brunermer, Engineer.

Chairman Phalines asked for a motion on the minutes of the December 6th meeting. After several corrections made by the secretary, Anne, with the help of Mr. Martino and Mr. Deeck, a motion was made by Mr. Deeck, seconded by Mr. Holmstrom to accept the minutes as corrected. The minutes were approved by the following roll call vote; Mr. Conley, abstain, Mr. Holmstrom, yes, Mr. Flynn, abstain, Mayor Elton, abstain, Mr. Deeck, abstain, Councilman Scull, abstain, Mr. Baresich, yes, Mr. Hart, yes, Mr. Martino, yes and Chairman Phalines, yes.

Anne noted that she had placed correspondence for the Balducci property in their packets as they are looking to come back before the Board at the March meeting. Mr. Sinclair asked if we had gotten anything and Anne stated that Mr. Dale Taylor, Esquire, attorney for Mr. Balducci, came in and picked up the necessary application packet. Mr. Sinclair stated that Mr. Taylor had met with Mr. Brunermer and himself and wanted to make sure he was following through. Mr. Sinclair stated that basically, Mr. Balducci had opened the 'Muscle Maker Grill' in the area that was supposed to be a juice bar and it is a full blown restaurant and felt it necessary that he come back and make an amendment to the site plan. Mr. Leech, the zoning officer, had sited them for the violation and Mr. Lozuke, the attorney for the Borough had sent a letter also. Mr. Holmstrom asked if that would include the sign that is on the front of the building and Mr. Sinclair stated yes. Mayor Elton stated for the record that we (the Borough) have agreed to work with them as long as they move forward with the process; otherwise they (the Borough) will shut down what is there. Mr. Sinclair stated that so far we have their attention and cooperation.

Chairman Phalines asked the solicitor for his report. Mr. Sinclair stated that we have the resolution memorializing the decision of the Board at the last meeting to grant the Plum Brothers the waiver and variance for their property on Glassboro Rd. Mr. Holmstrom made a motion seconded by Mr. Baresich, that we adopt Resolution 17 2010. The resolution passed with the following roll call vote; Mr. Holmstrom, yes, Mr. Baresich, yes, Mr. Hart, yes and Chairman Phalines, yes. (Note: Chairman Phalines asked why only four people to vote and Mr. Sinclair stated that only 6 heard the application and only four are present.)

Chairman Phalines asked Anne about Chief Lindsay being at our next meeting. Anne stated that the Chief approached about attending to discuss further building in town as to the materials used that interfere with the radio frequency. Chairman Phalines stated that he is always welcome.

Chairman Phalines asked for a motion to open the meeting to the public. A motion was made by Mr. Conley, seconded by Councilman Scull and passed with a unanimous 'Aye'. Chairman Phalines called on Rose Yerka who asked if anyone knew when the meeting would be held in regards to COAH with the legislatures from our district. Mayor Elton stated that nothing has been heard as of yet. She also asked about the lawsuit and Mr. Sinclair stated that due to the numerous changes and the fact that a new judge, Anne McDonald, would need time to review everything that he feels there may be further delay. Rose also questioned why the minutes and so forth are not on the website and Anne state that the Borough is in the process of finding a new company to maintain the website and make it more user friendly. Their being nothing else from the public, a motion was made by Mr. Conley and seconded by Mr. Holmstrom to close the public portion. The public portion was close with a unanimous 'Aye'.

Mayor Elton stated that he met with someone from the Veterans Administration who is interested in building VA housing on the Bell Telephone site on Glassboro Rd. Mayor Elton noted that this would be a win situation for the Borough as it would not add to the schools but the Borough would lose the ratable. There is a lot to consider but we will have to wait to see what happens.

Chairman Phalines noted that he had appointed a sub committee and that they have not had a chance to meet yet. He confirmed the committee being, Mr. Conley, Mr. Baresich, Mr. Holmstrom and himself and he would like for them to maybe get together sometime this week. Mr. Conley stated that he did have on his calendar to meet with the fence committee along with Mr. Egan who is a resident in town. Mr. Conley stated that he spoke to Mr. Sinclair prior to the meeting and that Mr. Sinclair felt that the fence committee should not meet as Mr. Egan is looking to put his fence on property that belongs to the pipeline. Since that freed up the appointment time; the sub committee will be meeting.

There being no further business; a motion was made by Mr. Conley, seconded by Mr. Flynn that we adjourn. A unanimous 'Aye' followed the motion and Chairman Phalines adjourned the meeting at 7:35 pm.

Submitted by,

Anne L Deeck, Secretary