



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

MAY 2ND 2011 REGULAR MEETING MINUTES

Chairman Phalines called the meeting to order at 7:02 pm. He asked that we all rise for the pledge of allegiance to the flag after which he announced that this meeting was duly advertised and posted on the bulletin board in the Municipal Building and conforms to the directives of the "Open Public Meetings Act" of New Jersey.

Roll call found the following; Mr. Conley, Mr. Hart, Mr. Flynn, Mayor Elton, Mr. Deeck, Mr. Holmstrom, Mrs. Sesko, Mr. Martino and Chairman Phalines present. Absent were Councilman Scull, Mr. Smith and Mr. Baresich. Also in attendance were Gerald Sinclair, Board Solicitor, Ms. CuvIELLO, Board Planner and Mr. Brunermer, Board Engineer.

Chairman Phalines entertained a motion to approve the minutes of the April 4th meeting. Motion was moved by Mr. Conley, seconded by Mr. Holmstrom and passed with the following vote; Mr. Conley, yes, Mr. Hart, yes, Mr. Flynn, yes, Mayor Elton, abstain, Mr. Deeck, yes, Mr. Holmstrom, yes, Mrs. Sesko, yes, Mr. Martino, yes and Chairman Phalines, yes.

Chairman Phalines called on Mr. Sinclair for the solicitor's report and Mr. Sinclair stated he had nothing outside of the application.

Chairman Phalines noted that we have an application before the Board and asked them to step forward. Mr. Dale Taylor, attorney for the applicant presented himself and Sam Balducci, president of the corporation. Chairman Phalines asked Mr. Taylor if he received Mr. Sinclair's letter. Mr. Sinclair apologized for the lateness of his letter (he hand delivered them this evening) as he had not received the notices in a timely manner. Mr. Sinclair noted that Mr. Taylor is aware of the time frame for submission. Mr. Taylor states that he disagrees with Mr. Sinclair and if the Board does not want to hear the application tonight that is fine; they will resubmit. Mr. Taylor states they met with Ms. CuvIELLO in reference to the parking situation and they are willing to come back in June with the amended Phase I and full application for Phase II. Mr. Taylor states he has to act as the

advocate for his client and reiterates the "juice bar" is not any different from the other "juice bar" in town which also has a full menu of sandwiches. Mr. Taylor is stating this to preserve their rights. Chairman Phalines asked if the additional 18 spots pertains to the change in the buffer and Mr. Taylor stated yes. Mr. Taylor stated that in meeting with Ms. CuvIELLO she gave suggestions in changing the existing front parking which could increase parking space. Mr. Taylor states also that in reference to Mr. Conley's concerns about parking in the fire lane; Mr. Balducci has installed "NO PARKING" signs. Chairman Phalines asked for clarification that the 18 parking spaces are part of the additional 40 in Phase II and Mr. Taylor stated yes.

Mr. Sinclair states that calling it a "juice bar" is misleading to the public. Chairman Phalines states calling it another primary use would be helpful. After further discussion it was decided to change the meeting date to later in June to allow ample time for the revised application to be submitted. Chairman Phalines asked the Board if they are flexible and they answered yes. Ms. CuvIELLO encouraged the applicant to make sure they are fully prepared since the Board is accommodating them with the meeting change. The date of June 20th was selected and Anne, secretary, will confirm this date via email; once confirmed she will send notice to the paper of the change in meeting date for June.

Mr. Holmstrom noted that he has received positive feedback as to the color scheme and look of the University of Penn Medical facility.

Chairman Phalines opened the meeting to the public on a motion made by Mr. Conley, seconded by Mr. Deeck with a favorable "Aye". There being nothing from the lone public person, Chairman Phalines closed the public portion on a motion made by Mr. Conley and seconded by Mr. Flynn with a favorable "Aye".

Chairman Phalines adjourned the meeting at 7:30 pm.

Anne L Deeck, Board Secretary