

**BOROUGH OF MAGNOLIA
PLANNING BOARD MINUTES
January 28, 2015**

The meeting was called to order by Chairman Lawrence Barrar at 7:37 PM. The public statement was read by the Chairman, followed by the flag salute.

ROLL CALL - CH-Chairman, VC-Vice Chairwoman, C-Council, MD-Mayors Designee, A-Alternate

Lawrence Barrar	CH	Present	Mary Martz	C	Present
Joyce Albrecht	VC	Present	Michael Moore	MD	Present
Robert Brown		Present	Robert Mastalski	A1	Present
Brian Carson		Present	William Kennedy	A2	Present
John DiBartolomeo		Present	VACANT	A3	
Joseph Dymond		Present	VACANT	A4	
Richard Krause		Absent			

ALSO

David Kreck	Engineer	Present	Michael Ward	Solicitor	Present
VACANT	Zoning Off.		John Keenan, Jr.	Act. Secretary	Present

REORGANIZATION OF THE BOARD

Resolution 2015-01 was motioned and seconded with all members voting aye for the meeting schedule for 2015.

Class I	Michael Moore	Mayor Designee	Term Expires: December 31, 2015
Class III	Mary Martz	Councilwoman	Term Expires: December 31, 2015
Class IV	Lawrence Barrar		Term Expires: December 31, 2018
Class IV	Joyce Albrecht		Term Expires: December 31, 2018
Alternate 1	Robert Mastalski		Term Expires: December 31, 2016
Planning Board Engineer	David Kreck		Term Expires: December 31, 2015
Planning Board Solicitor	Michael Ward		Term Expires: December 31, 2015

Motion and seconded for Resolution 2015-02 to appoint David Kreck as the Engineer and Resolution 2015-03 to appoint Michael Ward as Solicitor for 2015. All members voted in favor. The above appointed members along with the appointed Engineer who were present were sworn in by Michael Ward, the Board Solicitor. The Solicitor was not required to be sworn in as an Attorney.

Nominations

Joyce Albrecht made the motion to nominate as Chairperson Lawrence Barrar, with John DiBartolomeo making the second. A motion was made by Brian Carson, seconded by Robert Brown to close the nominations for the Chairperson position. All members voted aye for Resolution 2015-05 for Lawrence Barrar as Chairperson for 2015. Mr. Barrar abstained from voting.

Councilwoman Martz made the nomination of Joyce Albrecht as the Vice Chairperson for 2015, with a second motion made by Robert Mastalski. A motion was made by John DiBartolomeo, seconded by Brain Carson to close the nominations for Vice Chairperson. All members voted aye for Resolution 2015-06 for Joyce Albrecht as Vice Chairperson for 2015. Joyce Albrecht abstained from voting.

Motion was made by Brian Carson, seconded by Councilwoman Martz to table Resolution 2015-07 to appoint a secretary, to the next meeting with all members voting aye. It was recognized John Keenan would be the acting Secretary for this meeting.

APPROVAL OF MINUTES

Motions were made by John DiBartolomeo and Joseph Dymond to approve the December 17, 2014 minutes. All members voted aye for approval.

OLD BUSINESS

Completeness Review VAR 14-3 ACRE Group, LLC Block: 5.04 Lot: 9.01

The applicant's attorney Robert Mintz was present and introduced the engineer Mark Malinowski and the owner and applicant Seth Auerbach of ACRE Group, LLC. The engineer provided his education and experience and the Planning Board Engineer also added he has been present for other applications in which this engineer has testified. It was agreed by the Planning Board the engineer was able to testify for the owner/applicant.

Exhibit A-1 which was a colorized version of the site plan was submitted and accepted.

Mr. Kreck confirmed there was no change in the footprint of the building. He also noted the road access for the State Highway was based on an existing permit, and there would be no requirement for County approval. The lighting on site was existing and Mr. Malinowski agreed to supply to Mr. Kreck the light meter readings within 30 days.

Mr. Malinowski explained the grade drop from the rear property line toward the building was a drop of about 8 to 9 feet. Mr. Kreck agreed the natural existing buffer was sufficient in the rear which was along the residential zone.

Mr. Kreck inquired as to deliveries. The owner stated two truck deliveries would be made each day and these would be made to the far side door.

The zoning adjacent to the site was questioned. The acting secretary confirmed from the municipal zoning map the zone in the rear was Residential A and Residential B was also adjacent to the site.

A motion was made by John DiBartolomeo, seconded by Robert Brown to approve the completeness review of this application. All members voted aye by roll call vote.

NEW BUSINESS

Site Plan Review

Exhibits A-2 the façade signage and A-3 the freestanding sign were submitted as evidence.

Mr. Mintz spoke about the site plan waiver and the sign variance. He confirmed there were 36 parking spaces on the site which would remain, but the parking lot would be re-stripped. He confirmed the ADA parking was being moved from the side to the front nearer the new ramp to the front door. He explained there would be new solid vinyl fencing on both sides. The trash enclosure would be reconstructed with vinyl fencing or chain link with vinyl slats. The signs were explained. The monument sign is 15 feet less than allowed by the code in height. He did confirm a variance is required for the area of the freestanding monument sign. He explained the area of the freestanding sign is based on a formula of the front of the building. He noted a lot of the freestanding sign area was the monument portion and not actually the words or the LED board space. He stated the sign copy is 35.85 sq. ft. and the LED board is 33.45 sq. ft. totaling 69.2 sq. ft. The balance of the 190 sq. ft. proposed sign area was architectural features of the sign. He noted the façade sign met the code and no variance was required.

Mr. Malinowski spoke of the benefits of the proposed sign and the need to catch the public's attention driving down the Pike. The location of the sign was noted to be in the middle of the property. The setback he noted is beyond the code and does not block vision for vehicles. He did confirm there was no negative impact to the area and the freestanding sign was not inconsistent with other signs in the area.

The owner Mr. Auerbach gave some history of his company. He stated it had been in business since 1976 starting on the White Horse Pike in Oaklyn, and in the late 1990's moved to the Westmont Shopping Plaza, and now moving to Magnolia. He spoke about the services offered and equipment offered to customers in their home. He noted the new store should be open for business on February 21 at 9am. He stated this was a 12 year labor of love for him. He tries to assist customers' needs and allow them to age at home not at costly facilities. He offers various products. He noted CBS News is to do a news story on the business. He assists breast cancer survivors and is expanding his services for braces and pain management. He has fitters that will now go to the customers' homes for their convenience. He will employ 11 people who will not be at the site all at one time. The maximum number at one time would be two sales people and four billing employees. He confirmed the traffic resulting from his store will be less than the traffic of the prior auto parts store. He said about 20-30 people will visit the store each day. He did confirm the Westmont store would be closing, and only have the Magnolia store.

Mr. Kreck referred to his engineer's report of January 21, 2015. He reviewed the sign variance, and the directional sign. He noted the one monument sign proposed for 9 sq. ft. where 3 sq. ft. are allowed. He noted section 6c2d of the sign ordinance which allowed 12 sq. ft. for commercial use. Also he noted section 10 which may conflict with the prior section. It was agreed between Mr. Kreck and Mr. Ward the directional signage as proposed complies with the code and no variance was required.

Mr. Kreck requested a statement be added to the plan that the ADA parking stall complies. He asked the fence detail be added to the plan for the fencing on both sides and the trash enclosure.

At this time the Board Members reviewed the options of chain link with slats and solid vinyl fencing for the trash enclosure. It was agreed the fencing on both sides and trash enclosure be the same of tan solid vinyl fencing.

Mr. Kreck recommended the STOP letters be included to be painted when the lot was restriped. When landscaping was reviewed it was agreeable to remove a tree noted, but the front landscaping would remain. Fencing would stop at the front building line, and not exceed it. Mr. Kreck asked the directional sign be noted on the plan.

John DiBartolomeo made a motion to open the meeting to the public, with Joseph Dymond making a second with all members voting aye. No one from the public spoke.

A motion was made by John DiBartolomeo to close the public portion with Brian Carson making the second, with all members voting aye.

John DiBartolomeo made a motion to approve the sign variance allowing 190 sq. ft. freestanding sign, with Robert Mastalski making a second. All members voted aye by roll call vote.

John DiBartolomeo made a motion to approve the site plan waiver conditioned upon the Planning Board Engineer's letter and recommendations with Robert Brown making the second.

There was discussion regarding a site plan waiver when there was a site plan submitted as part of the application.

Based on the discussion the motion was removed.

John DiBartolomeo made a motion to approve the site plan to be submitted with the recommendations noted by the Planning Board Engineer and conditioned upon the Planning Board Engineer's review and approval, with Robert Mastalski making the second. All members voted aye by roll call vote.

OPEN PUBLIC

No public was present.

ORDINANCE ISSUES

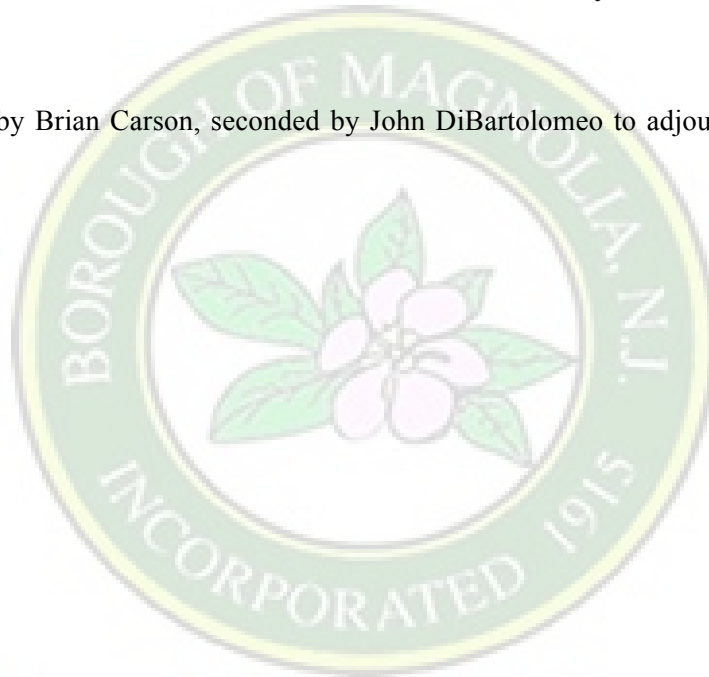
Councilwoman Martz stated she would review the sign ordinance for any other conflicts as were noted this evening. She also confirmed the compensation for members attending the meetings has been increased to \$20.00 for each meeting attended.

COMMENTS/DISCUSSION

It was agreed by Brian Carson and Robert Mastalski to send a thank you note to the former secretary Denise O’Kane.

ADJOURNMENT

A motion was made by Brian Carson, seconded by John DiBartolomeo to adjourn the meeting with all members voting aye.



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