

**BOROUGH OF MAGNOLIA
PLANNING BOARD MINUTES
March 26, 2014**

The meeting was called to order by Chairman Lawrence Barrar at 7:35 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		Absent	Robert Mastalski	A1	Present
Brian Carson		Present	William Kennedy	A2	Present
John DiBartolomeo		Present	William Couse	A3	Present
Joseph Dymond		Absent	VACANT	A4	
Richard Krause		Absent			

ALSO

David Kreck	Engineer	Present	Michael Ward	Solicitor	Present
Dan Wassenar	Zoning Off.	Present	Denise O’Kane	Secretary	Present

REORGANIZATION OF THE BOARD

Chairman Lawrence Barrar swore in the following:

Alternate 2 William Kennedy Term Expires: December 2015

APPROVAL OF MINUTES

Motions were made to approve the February 26, 2014 minutes. AIF-motion approved.

ALTERNATE REPLACEMENT

A-1 Robert Mastalski replaced Robert Brown, A-2 William Kennedy replaced Joseph Dymond and A-3 William Couse replaced Richard Krause

OLD BUSINESS

None at this time

NEW BUSINESS

Completeness Review / Vaughan Oil Company, Inc.

Mr. Kreck reviewed his letter dated March 17th. The applicant wants to remove an existing trailer and construct a pole barn. This property also currently has a cell tower. Mr. Kreck wanted to clarify the use of the property and proposed development and various other issues that were not addressed as required on the site plan submission checklist.

Mr. Ward swore in Robert Vaughan who is a part owner of Vaughan Oil and the property. Mr. Kreck and Mr. Vaughan discussed the following issues; Use, Lighting; Impact on neighbors; landscaping; fencing; resident complaints of existing use; deliveries; parking and circulation with the Oil Co. and the Cell tower activity; vehicle activity; title survey; setbacks, etc. After further discussion, Mr. Kreck stated he did not object to the landscape waiver; however, it is in our ordinance and that is up to the board to decide.

Motions were made to approve the landscape waivers. Motions approved by roll call vote.

Mr. Kreck recommended that the board deem the application complete conditioned upon the applicant making all the necessary revisions to the site plan and the other items to be addressed at the hearing.

After some discussion motions were made to deem the application complete conditioned upon the applicant making the revisions required by Mr. Kreck and his March 17th letter. Motion approved by roll call vote.

OPEN PUBLIC

Motions were made to open the meeting to the public. AIF-motions approved.

Anthony D’Onofrio, W. Collingswood, NJ

Mr. D’Onofrio stated he is the owner of the land located at 130 S. White Horse Pike and the business located in front of his property has blocked off his access (via easement) to his property. He has complained to Mr.

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Wassenar and nothing has been done. Chairman Barrar stated this board has no authority; we are not an enforcement agency.

Mr. D'Onofrio stated he has a resolution that is not being enforced. Chairman Barrar recommended he go to Mayor and Council, the issue is not planning or zoning.

Mr. Ward stated that if someone is blocking your right to use that easement, you have the right to appear before the Superior Court Judge or go to the Municipal Court and file a complaint. The board can not do anything to enforce your easement rights. Mr. Ward suggested he bring the code enforcement issue up with Mayor and Council.

Motions were made to close the meeting to the public. AIF-motion approved.

CORRESPONDENCE

Each member received a copy of "The New Jersey Planner" and the 2014 List of Planning Board members with appointments and terms.

ORDINANCE ISSUES

Mary Martz stated that the ordinance regarding sidewalks and public places is complete.

COMMENTS/DISCUSSION

Mr. Kreck stated that after what we went through with the application tonight; in the future if an application is not fully complete as required by our check list he will recommend to the board to deem the application incomplete. He submits a complete review to the applicants, so there is no reason for them not to comply. Mr. Ward and the board agreed with the decision.

Mr. Ward suggested to Mr. Wassenar and Councilwoman Martz to get Title 39 jurisdiction, the municipality needs to issue citations if emergency access to properties are blocked off.

Mr. Ward stated that the borough should purchase a new zoning and land use Cox book every two years. Councilwoman Martz advised the board secretary to order a new book.

ADJOURNMENT

Being no further discussion, motions were made to adjourn the meeting at 8:15pm. AIF-motion approved.

*AIF – All in Favor