

MANCHESTER TOWNSHIP PLANNING BOARD REGULAR MEETING TUESDAY, JANUARY 3, 2012,
1 COLONIAL DRIVE, MANCHESTER, NEW JERSEY

The Regular Meeting of the Manchester Township Planning Board was called to order by Chairman Vaccaro at 7:00 P.M. on Tuesday, January 3, 2012.

A Salute to the Flag and Pledge of Allegiance was repeated.

This meeting has been advertised as required by enactment of the Sunshine Law.

ROLL CALL:

James Vaccaro	Chairman	Present
William Barron	Vice Chairman	Present
Frederick Trutkoff	Councilman	Present
Donald Czekanski	Mayor's Designee	Present
Sanford Krasky	Member	Present
Donald Somerset	Member	Present
David Borowski	Member	Absent
Christina Edwards	Alternate Member	Present
Ed Liston	Attorney	Present
Al Yodakis	Engineer	Present

APPLICATIONS:

Preliminary & Final Minor Site Plan Approval

Proposed Pickle Ball Court

Block 61.13 Lot 5 Renaissance Blvd.

Applicant Renaissance Homeowners Association, Inc.

Board Members Mr. Vaccaro and Mr. Trutkoff had to recuse themselves from this application because they are residents of the Renaissance community. Mr. Barron will act as Chairman for this application.

Mr. Barron call for applicant presentation.

Carolyn Record, Attorney for the applicant, will here from applicant's engineer and property manager.

Christopher Rosati, Engineer, FWH Associates and Larry Thomas, Property Manager for Renaissance HOA, sworn in by Mr. Liston and accepted by board.

Mr. Rosati, displayed site plan, described area for pickle ball court to go in recreation area..

Color rendering, 11/21/11, 60 x 30 foot court surrounded by 6 foot high fence, see tennis court area, bocce and Tot Lot.

No variances needed, we will address all requirements in T & M letter.

One item being the Tot Lot playground area, court will encroach on a small area of Tot Lot, one ladder will have to be removed from playground we will take care of that. 6 ft chain link fence surround court, if we see wood is needed that will be changed. Want to leave it open as much as possible.

Parking not a issue now, but if increased with new court will be addressed.

Letter address removal of concrete sidewalk, sitting areas around playground will become land locked, we are considering extension of the sidewalk.

Mr. Yodakis, applicant has addressed all of my concerns.

Mr. Krasky, questioned, last we heard this many residents opposed this court, has that changed.

Mr. Liston, we should get on record if there has been a vote regarding application.

Ms. Record, vote of residents 9/21/11 in favor of funding for this project, also notice telephonically went out 12/29/11 informing residents of this hearing, and also running on Channel 22.

Mr. Liston stated because of the nature of this minor site plan change, Municipal Land Use Laws does not require that applicant had to make public notice.

Mr. Barron will you have gates on both sides, Mr. Rosati, no one gate only.

Mr. Somerset, I recall issue was temporary court was located in the Maintenance/RV parking lot and this was the opposition of many residents. They wanted it moved to the location that is proposed tonight.

Mr. Rosati that is correct.

Mr. Yodakis, we also had some safety concerns with that location in a parking lot.

Chairman Barron hearing no further comments from board, call for public comment.

Public Portion Open: hearing none

Public Portion closed.

Chairman Barron called for a motion.
 Motion to approve by Mr. Krasky, seconded by Mr. Somerset
 Roll Call : Mr. Krasky-yes, Mr. Somerset-yes, Chairman Barron-yes
 Mr. Czekanski-yes, Ms. Edwards-yes
 Mr. Liston stated resolution would be memorialized next month.

ADMINISTRATIVE SESSION:

Mr. Vaccaro returned and continued as Chairman for remainder of meeting business, Mr. Trutkoff returned to dais also.

APPROVAL OF MEETING MINUTES:

Mr. Barron, stated he was absent from last meeting, but in reading minutes he was offended by public comments made that the Planning Board does not represent the western end of town. This entire board represents all of Manchester Township.

Mr. Vaccaro, you are absolutely right, and the public was informed they were incorrect and that is not how this board functions, we represent all of the township equally.

Mr. Czekanski, agreed, stated past members from Whiting area, such as Bob Piggott and Bill Staples

Mr. Trutkoff, asked if any of the public that evening, had applied for a position on the board.

Ms. Borthwick, no not to date.

Mr. Liston, past 21 years, he and Mr. Krasky and Mr. Czekanski served on the board, this administration as always maintained balance of this community.

Motion to approve December 5, 2011 Regular Meeting Minutes by Mr. Barron, seconded by Mr. Krasky

Roll Call: Mr. Barron-yes, Mr. Krasky-yes, Chairman Vaccaro-yes

Messrs. Trutkoff-yes, Somerset-yes, Edwards-yes (Not voting, Mr. Barron absent from meeting)

PAYMENT OF BILLS:

December 2011

	Escrow	General Matters	Hov/Stav	Perlmutter
T & M 11034	294.00			
LISTON 5596	121.50	216.00		1,228.50
Total	415.50	216.00		1,225.50
TOTAL BILLS	\$1,850.00			

Bill report given by Ms. Borthwick, Board Secretary

Motion made to pay bills by Mr. Trutkoff, seconded by Mr. Czekanski

Roll Call: Mr. Trutkoff-yes, Mr. Czekanski-yes, Chairman Vaccaro-yes

Messrs. Krasky-yes, Somerset-yes, Edwards-yes

PROFESSIONAL REPORTS:

Judge Mallard ruled that everything that this Planning Board did was proper and supported by evidence. Court ruled and granted approval. Regarding the ordinance change regarding shopping center, to clarify, do to a failure in the Clerk's office to proper notice public, court ruled this was not necessary any way because this was a permitted use. All our hard work was not for nothing. The DEP has reached a settlement with Jaylin and is now in public comment period and the project is moving forward. This does not mean that Mr. Perlmutter will not file an appeal, we have heard he already has.

I do feel this is a strong decision and will be up held in the appellate court. Wal Mart will be moving forward at their own risk, they are confident.

Mr. Krasky asked how long will it take in appellate, Mr. Liston usually about a year.

Mr. Czekanski, this is going on for ten years?, Mr. Liston, yes

Mr. Liston, Perlmutter team is running out of options, I do believe you will see a shovel in the ground.

As soon as DEP finalized things at the end of this month, I believe Wal Mart will start resolution compliance and permit process.

Mr. Barron thanked Mr. Liston for all his hard legal work regarding this application for so many years.

Mr. Vaccaro, agreed and we are looking forward to the ratable.

Mr. Barron asked Mr. Liston to advise board on a member being absent frequently from meetings, do we have to remove member by vote.

Mr. Liston, we are not the appointing authority for the board, that would be the Mayor. The only thing we can do is to advise the Administration of the situation.

I think we have done that.

Mr. Vaccaro, yes we have and we do have an advertisement in the newspaper that we have two openings available for this board.

Mr. Czekanski, public should be aware we do have guidelines regarding members being absent.

Mr. Krasky, Christina Edwards is an alternate member, always here and asset to our board, she should be made a full member.

Mr. Liston what the board can do by motion and roll call vote, is request the Mayor appoint Ms. Edwards a full member to board.

On motion to approve by Mr. Barron and seconded by Mr. Krasky

Roll Call: Mr. Barron-yes, Mr. Krasky-yes, Chairman Vaccaro-yes

Messrs. Trutkoff-yes, Somerset-yes, Czekanski-yes, Edwards-yes

PUBLIC PORTION: OPEN, Hearing None

PUBLIC PORTION CLOSED:

MOTION TO ADJOURN by Mr. Czekanski, seconded by Mr. Somerset

ALL IN FAVOR

NONE OPPOSED

ADJOURNMENT:

Meeting Adjourned 7:45 P.M.

Respectfully Submitted

Marianne Borthwick
Secretary to the Board