



**MINUTES OF MEETING
HAMILTON TOWNSHIP ZONING BOARD
March 8, 2022**

At approximately 6:00 PM the meeting was called to order followed by the flag salute. Thereafter, the secretary of the board called the roll and announced that a quorum was present in attendance were:

Joseph Weber	James Kochenour
Barry Zadworny	Ileana Schirmer
Anthony Angelico	Jamie Volkert
Angela Evans	Sean Carter

The Chairman then noted that the meeting was being held in compliance with the Open Public Meetings Act and that proper notice had been given and explained that the ordering of the Agenda is based on the deadline for Zoning Board action as established by the New Jersey Municipal Land Use Law ("MLUL") and, secondly, by the date an application is received by the administrative officer. Procedurally, the Chairman indicated that opening testimony on any given case shall be presented by the Township staff to be followed by testimony by the Applicant. However, this procedure may be reversed at the discretion of the Board Chairman upon staff request.

RESOLUTION OF MEMORIALIZATION

Application No: 21-10-039 -- Approved unanimously

Owner: Pat Solutions LLC

Applicant: Adam Bless

NEW APPLICATIONS

Application No: 21-11-042 - Testimony continued from Regular Meeting February 8, 2022

Type: Business

Owner: Lukoil North America LLC

Applicant: Mercerville Equities, LLC

PROPOSAL: Constructing a 2,325sq ft Chipotle

REQUEST: Use variance, preliminary & final site plan approval, variance relief from lot coverage, area, frontage, depth, side yard setback, number of parking spaces, buffer, driveway distance to ROW & intersection

Location: 249 Route 33; Map 90; Section 1799; Lot 4

Zone: HC

Board must act by June 3, 2022

Keith Davis, Esq

Lori Pellegrino

Robert Warshefski

Robert Hunter, PE

Andrew Feranda, PTOE

John McDonough, PP

Ryan Turner

Chris Ward

Exhibits

A1 – Architectural plans, sheets 1-4

A2 – Site plan, sheets 4 & 8

- A3 – Truck turning pages 1-3
- A4 – Colored site plan
- A5 – Amended sign package
- A6 – Packets: 6 aerial photos

Mr. Davis opens with brief synopsis of testimony from February 8, 2022. Mr. Feranda is called first to provide traffic testimony. There was a reduction in seat count to 39 total seats and 17 parking spaces. Discussions followed including street parking on Eaton Avenue. It was indicated that the governing body has jurisdiction over public streets, as applicant cannot restrict parking. Mr. Hunter is recalled to provide updated testimony regarding changes to monument sign. Mr. Warshefski is then called upon to provide updates on the layout of the restaurant. During the previous testimony it was requested to re-locate the emergency exit door. Discussions followed and final determination would need to be approved by the construction office to comply with UCC. Mr. McDonough is called to provide planning testimony. Mrs. Pellegrino is re-called to provide follow up testimony on operations. Township professionals are then sworn in. Emily Goldman, PP, Clark Caton Hintz, reads into record her memo dated February 3, 2022. Jeff Richter, PE, ACT Engineers, reads into record his memo dated February 3, 2022.

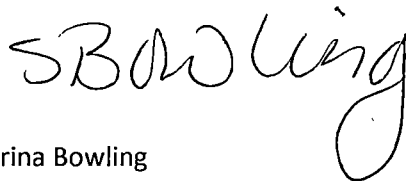
Public portion is opened and comments were made by the following:

- Jeff Scaramozzini, 306 Eaton Avenue
- Christopher Smith, 246 Eaton Avenue
- Jennifer Occhipinti, 256 Eaton Avenue
- Patricia Stiles, 329 Eaton Avenue
- Jay Dugan, 252 Eaton Avenue
- Frank Petrino, 245 Eaton Avenue
- Nelson Gonzalez, 232 Clifford Avenue
- Florence Sakiey, 251 Eaton Avenue
- Mike Lefchak, 696 Shady Lane
- Natalie Megales, 252 Eaton Avenue
- Jennifer Beck, 197 Grayson Avenue
- Patricia Stanzione, 15 Noa Court

Mr. Davis gave closing response. Discussions followed among board members.

The application was moved for approval by Mr. Kochenour and second by Ms. Volkert. Those in favor: Mr. Kochenour, Ms. Volkert, Ms. Evans and Mr. Weber with those opposed: Mr. Zadworny, Ms. Schirmer and Mr. Carter. This application requires 5 affirmative votes to pass due to the use variance; as such this application does not pass with a vote of 4-3.

I hereby certify that the Minutes of the Meeting of the Hamilton Township Zoning Board Regular Meeting which was held on March 8, 2022, was approved and adopted as written at a Meeting of the Hamilton Township Zoning Board Regular Meeting which was held on April 12, 2022.



Sabrina Bowling
Date: April 13, 2022