

**MINUTES
TOWNSHIP OF WEST ORANGE
ZONING BOARD OF ADJUSTMENT
SPECIAL MEETING
March 26, 2015**

The West Orange Zoning Board of Adjustment held a special meeting on March 26, 2015 commencing 8:00 PM at 66 Main Street, West Orange, N.J. in Council Chambers.

Chairman Buechler called the meeting to order at approximately 8:00 P.M. It was announced that notification of this meeting was given to the Township Clerk, the West Orange Chronicle and posted on the Township Bulletin Board on March 13, 2015 in accordance with the "Open Public Meetings Act."

Chairman Buechler asked everyone to stand for the Pledge of Allegiance.

Alice Beirne, Esq., Board Attorney, read the Opening Statement.

PRESENT: B. Buechler, G. Bullock, D. Gabry, P. Neuer,
B. Quentzel, I. Schwarzbaum, W. Steinhart

ABSENT: M. Sussman (excused absence)
A. Weiss (excused absence)

ALSO PRESENT: Paul Grygiel, Consulting Planner
Frank Russo, Consulting Engineer
Alice Beirne, Esq., Board Attorney
Rose DeSena, Board Secretary
H. Grossman, Esq., Public Advocate
D. Dillon, Audio-Digital Transcription Service

ANNOUNCEMENTS

Future Meetings: April 16, 2015 (Regular Meeting) – 8:00 pm
May 21, 2015 (Regular Meeting) – 8:00 pm
June 18, 2015 (Regular Meeting) – 8:00 pm

SWEARING IN

Irv Schwarzbaum, who was recently appointed to the Zoning Board of Adjustment by Mayor Parisi, was sworn in as an alternate member by Ms. Beirne.

Consulting Engineer for the Township Frank Russo and Consulting Planner for the Township Paul Grygiel were sworn under oath by Ms. Dillon

APPLICATION(S)

1. ZB-13-15/Quick Chek

Carried from 2/26/15

Block: 168; Lot: 26; Zone: B-2
555 Northfield Avenue

Seeking multiple "D" and several "C" variances for site plan and subdivision approvals
For developing a Quick Chek food store with fuel sales.

EXHIBITS

O-1 – Site layout and aerial photograph map dated 2/26/15

O-2 – Ten (1) pages consisting of Figures 1 to 12

Vice Chairman Neuer stated for the record that he was absent at the last special meeting held on 2/16/15 and has read the transcripts from that meeting that were provided to him. He signed the required certification which was passed to Ms. DeSena for inclusion in the file.

Jennifer M. Porter, Esq., attorney for the applicant, approached the podium.

Ms. Porter stated that at the last meeting held on February 26th the meeting ended after the Board Members questioned the applicant's Planner, John McDonough. She said that tonight's meeting will begin with Mr. Magaletta, attorney for an objector, cross examining Mr. McDonough.

John McDonough approached the podium and was sworn under oath.

Mr. Magaletta referred to Exhibit A-15 and asked Mr. McDonough if everything was correct on the Exhibit; he replied yes.

Mr. Magaletta asked Mr. McDonough to detail Exhibit A-15, specifically asking what lot the hotel is located on, the square footage of the hotel and where the hotel parking is located; Mr. McDonough complied.

Mr. Magaletta asked Mr. McDonough if there will be internal access to the hotel from the front of the hotel to the back of the hotel; he replied no.

Mr. Magaletta asked Mr. McDonough how deliveries will be made to the hotel; he said deliveries will be made exactly the same way they are made today.

Mr. Magaletta asked Mr. McDonough where the dumpster is located; he said in the back of the hotel.

Mr. Magaletta asked Mr. McDonough if the easement agreement between the hotel and Quick Chek has been completed; he said that he did not know.

Mr. Magaletta asked Mr. McDonough if he was correct in saying that hotel guests cannot park in the Quick Chek parking lot; he replied yes, that was correct.

Mr. Magaletta asked Mr. McDonough how they will enforce that; he said he did not know. Mr. McDonough said that any parking enforcement would be an internal problem for Quick Chek.

Mr. Magaletta stated for the record that the Municipal Ordinances for the Exxon case and the Razberry case, that Mr. McDonough referred to at the last meeting, were different in those cases than this application.

Mr. Magaletta asked Mr. McDonough if the hotel guests park in the Chinese restaurant parking lot; he said he did not know.

Mr. Magaletta said that at the last meeting Mr. McDonough stated that Quick Chek will be improving the physical appearance of the site. He asked Mr. McDonough if aesthetics is a basis to grant approval; he replied yes.

Mr. Magaletta said that at the last meeting Mr. McDonough stated that the BP gas station on Northfield Avenue is an older facility. He asked Mr. McDonough if he knew that the BP was upgraded in 2014; he said no he did not know that.

Mr. Magaletta stated that there is a driveway by Korn Plumbing that was utilized by the old Chinese restaurant. He asked Mr. McDonough if Quick Chek is asking the Board to approve the use of that driveway too; he replied yes.

Mr. Magaletta asked Mr. McDonough what color the sidewalk will be in front of the driveway; he said the color will be in accordance to the Township's specifications.

Ms. Porter stated for the record that the color of the sidewalks are irrelevant to the application.

Mr. Magaletta asked Mr. McDonough if he was aware that the Township requires different colored sidewalks; he replied no.

Mr. Magaletta asked Mr. McDonough if he knew that the sidewalk in front of a driveway had to be a different color; he said he did not know that.

Mr. Magaletta asked Mr. McDonough if he was aware of any business being open for 24 hours on Northfield Avenue; he said he did not know.

Mr. Magaletta asked Mr. McDonough how often the Korn Plumbing driveway is used; he said that driveway has low activity.

Mr. Magaletta asked Mr. McDonough what he based that answer on; he said he based it on the nature of the use.

Mr. Magaletta asked Mr. McDonough if he specifically watched that driveway and witnessed low activity; he replied no.

Mr. Magaletta asked Mr. McDonough if a 500' buffer was required for the gym in the TSI East Brunswick case; he replied yes.

Mr. Magaletta had no further questions for Mr. McDonough.

Chairman Buechler asked if any members of the public who were not at the last meeting had any questions for Mr. McDonough.

Eric Bellomo approached the podium and stated that he lives at 28 Bradford Avenue.

Mr. Bellomo asked Mr. McDonough how many variances they are asking for; he replied twenty two (22) variances.

Mr. Bellomo asked Mr. McDonough if the people of West Orange need a convenience store and gas station that require twenty two (22) variances; he replied yes.

Mr. Bellomo asked Mr. McDonough if something else would be better for that site instead of a convenience store and a gas station.

Chairman Buechler advised Mr. Bellomo that he cannot ask what would be better for the site because the applicant is not here for that. He said that is a hypothetical question.

Mr. Bellomo asked Mr. McDonough if a convenience store and gas station is the best that the town can be offered after all of the money Essex County has spent in this area; he said that he feels that it is a perfect fit for this area.

Mr. Bellomo asked Mr. McDonough if he thinks that the children in West Orange will ask their parents to take them to a convenience store; he said that he did not know.

Stephen J. Christiano, Esq. approached the podium and stated that he lives at 45 Fairview Avenue and is here to represent the West Orange Board of Education.

Mr. Christiano stated that it is a given that there is a BP gas station and a Delta gas station in close proximity to the proposed site along with other convenience stores close by. He asked Mr. McDonough what benefit does a Quick Chek convenience store and gas station provide to the St. Cloud area; he said a capitalistic society that offers choice.

Scott Dias approached the podium and stated that he lives at 272 St. Cloud Avenue. He asked Mr. McDonough if they are going to require more truck trips for gas delivery; Vice Chairman Neuer stated that Mr. McDonough is not the traffic engineer.

Mr. Dias asked Mr. McDonough how the gas delivery trucks are going to turn around on the site; Vice Chairman Neuer said that this is not a question for this witness.

Mr. Dias asked Mr. McDonough why Quick Chek is going forward with this if there is a big public outcry; he said that the community will benefit from the aesthetics because they are enhancing an undesirable site. Mr. McDonough said that it will enhance the community as a whole.

There were no further questions for Mr. McDonough from the members of the public.

Vice Chairman Neuer asked Ms. Beirne if Mr. McDonough provided her with a list of all of the cases that he cited during his testimony; she replied yes.

Vice Chairman Neuer said that a number of the cases he cited are unreported. He told Mr. McDonough that when he cites an unreported case, a copy of all such cases must be attached to his report.

Ms. Porter stated for the record that she would provide the Board Members with copies of the cases.

Vice Chairman Neuer asked Mr. McDonough if there have been any changes to his report dated 12/17/13 that was submitted to the Board; he replied yes.

Vice Chairman Neuer asked Mr. McDonough if he submitted an updated report; he replied no. Mr. McDonough said he testified to the changes.

Vice Chairman Neuer asked Mr. McDonough if his report is accurate; he said it is not 100 percent accurate.

Vice Chairman Neuer asked Mr. McDonough if he has represented Quick Chek in other cases; he replied yes.

Vice Chairman Neuer stated that at the last meeting, Mr. McDonough was asked if there were any convenience stores within a certain proximity and he did not know the answer. He still does not know the answer.

Vice Chairman Neuer asked Mr. McDonough if he agreed that items such as cold beverages, hot beverages, sandwiches and soup are sold at the convenience store to the east of the proposed site; he replied yes.

Vice Chairman Neuer asked Mr. McDonough if he would agree that the Chinese restaurant to the east of the proposed site sells soup; he replied yes.

Vice Chairman Neuer asked Mr. McDonough if there is anything that the Quick Chek sells that the other stores do not sell; he said that he does not know.

Vice Chairman Neuer asked Mr. McDonough if he thinks it is appropriate to sell cigarettes in the store in an area highly populated with children and young adults; he said that it is against the law to sell cigarettes to minors.

Vice Chairman Neuer stated that the phrase "lot line adjustment" has been used by Mr. McDonough and Ms. Porter. He said that he went through the Municipal Land Use Law and the Cox book and he did not see anything about "lot line adjustment". Mr. McDonough agreed but stated that it is a phrase used in these situations.

Vice Chairman Neuer asked Mr. McDonough if he knows the definition of a subdivision according to the Municipal Land Use Law; he replied yes. Mr. McDonough said that it is the division of one lot into two lots or multiple lots.

Vice Chairman Neuer asked Mr. McDonough if the definition of a subdivision includes a lot line adjustment; he replied yes.

Vice Chairman Neuer asked Mr. McDonough if it says that in the statute; he replied no.

Ms. Porter stated that the application is for a major subdivision and that it meets that definition in the Land Use Law.

Vice Chairman Neuer stated that he could not find lot line adjustment and questioned why they did not just use the phrase subdivision of the property. He asked Mr. McDonough if the subdivision of the property is what is triggering most of the variances; he replied yes.

Vice Chairman Neuer presented a copy of the major subdivision plan, dated 8/23/13, that was submitted with the application. He said that he took this plan from the Board Secretary's file.

Vice Chairman Neuer referred to the major subdivision plan and pointed out the proposed lot line on lot 26. He said that the lot line on the plan is clearly visible.

Vice Chairman Neuer asked Mr. McDonough why he called the lot line an invisible lot line; Mr. McDonough said it was from a physical planning standpoint.

Vice Chairman Neuer stated that Mr. McDonough's testimony was that they cannot move the building and this is why the building is right on the lot line. He said that you are creating a set back with a building in that lot line. Vice Chairman Neuer said there is no physical reason why you cannot move the lot line 10' to the west; Mr. McDonough said that the curb line is going to provide a separation.

Vice Chairman Neuer asked Mr. McDonough if conditional uses should be permitted in a B-2 zone; he said from a planning standpoint, no. Mr. McDonough said of multiple uses, he does not see a problem with one of them being a conditional use.

Vice Chairman Neuer asked Mr. McDonough if he was the Planner in the Jazzy Xpress case in South Plainfield that he cited during his testimony; he replied yes. Vice Chairman Neuer asked

Mr. McDonough if the Zoning Board in South Plainfield found his testimony to be credible; he replied yes. Vice Chairman Neuer pointed out that the credibility was based upon the property being at the exit ramp from Route 287; Mr. McDonough agreed.

Vice Chairman Neuer stated that the owner of the property never consolidated the lots since 1986. He said that the owner then sold lot 29 to a third party and asked Mr. McDonough if a property owner can sell an un-subdivided part of his property; he replied no.

Vice Chairman Neuer asked Mr. McDonough if the owner of the property took a non-conforming lot and sold it to a third party; he replied yes.

Vice Chairman Neuer asked Mr. McDonough if lots 26 and 28 are under common ownership; he replied yes.

Vice Chairman Neuer said that there was a condition as part of an approval in 1986 that the lots should have been combined and they were not. Mr. McDonough agreed.

Vice Chairman Neuer stated for the record that Stagg Field is owned by the Township and leased to the Board of Education. He asked Mr. McDonough how far the Quick Chek site is from the park; he said it abuts the property.

Vice Chairman Neuer asked Mr. McDonough why a fence is not required; he said there is an existing fence along the Stagg Field side.

Vice Chairman Neuer asked Mr. McDonough what the condition of the existing fence is; he said it is an older fence.

Ms. Porter stated for the record that there is a fence on Stagg Field's property. She said that Quick Chek has already agreed to repair the fence but will not replace it.

Vice Chairman Neuer asked Mr. McDonough if he has done a study showing how long it takes a customer arriving at a gas pump, walks to the convenience store, shops around and then goes back to their car and pulls out of the parking spot; he replied no.

Vice Chairman Neuer asked Mr. McDonough how long it takes to fill a gas tank; he replied three (3) to four (4) minutes.

Vice Chairman Neuer asked Mr. McDonough approximately how long will someone to shop inside the convenience store; he said approximately three (3) to four (4) minutes.

Vice Chairman Neuer asked Mr. McDonough why Quick Chek would not prohibit people getting out of their cars to enter the convenience store while their gas tanks were being filled; he said that it is his personal opinion and experience that it is efficient and convenient. Mr. McDonough said that he has done it many times and it works.

Vice Chairman Neuer asked Mr. McDonough if in his professional opinion leaving the car unattended to shop in the convenience store was safe. Mr. McDonough said yes.

Vice Chairman Neuer told Mr. McDonough that there should have been an inventory of existing uses in his planning analysis.

Mr. Bullock asked Mr. McDonough what changes he would make in his Planning report dated 12/17/13 if he was requested to do so; Mr. McDonough said in terms of the relief that the applicant is seeking, the ongoing and continuing evolution of the area should have been discussed in the report.

Ms. Porter referred to Exhibit A-15 and asked Mr. McDonough to point out the lot line; he complied.

Ms. Porter stated that the reason the lot line was referred to as “invisible” is because there is no fence or demarcation on the lot line; she said it will be a landscaped area separating the hotel and the Quick Chek.

Ms. Porter asked Mr. McDonough to explain why he cited the TSI East Brunswick case in his testimony; he said in regards to the negative criteria.

Ms. Porter asked Mr. McDonough if the Township’s Master Plan speaks about the proposed use regarding the promotion of development specifically in the Saint Cloud area; he replied yes. Mr. McDonough said the Township’s Master Plan cited the need for new uses such as convenience and retail stores in the Saint Cloud area.

Ms. Porter asked Mr. McDonough if the Township’s Planner also cited this in his report; he replied yes. Mr. McDonough stated that the proposed use is consistent with the Township’s Master Plan.

Ms. Porter asked Mr. McDonough if gasoline filling stations and hotels are conditional uses; he replied yes.

Ms. Porter asked Mr. McDonough if conditional uses are permitted in this zone subject to conditions; he replied yes.

Ms. Porter asked Mr. McDonough to explain what a prohibited use is compared to a conditional use; he said that a prohibited use is not allowed and a conditional use is allowed with conditions.

Mr. Magaletta asked Mr. McDonough if the applicant has a plan that shows the existing lot line; he replied yes.

Mr. Magaletta referred to Exhibit A-15 and asked Mr. McDonough to point out the lot line on lots 26 and 28; he complied.

Mr. Magaletta asked Mr. McDonough if there is space between the rear of the restaurant and the hotel; he replied yes.

There were no further questions for Mr. McDonough.

Mr. Magaletta called his next witness.

Nicholas D'Ambrosio approached the podium and was sworn under oath. Mr. D'Ambrosio detailed his professional background as a Geographic Information Systems (GIS) expert and stated that he has never testified before a Zoning Board before.

Vice Chairman Neuer asked Mr. D'Ambrosio if he has any licenses; he replied yes.

Mr. D'Ambrosio presented a site layout and aerial photograph map.

Chairman Buechler asked to have the site layout and aerial photograph map marked as Exhibit O-1 for identification.

Mr. D'Ambrosio referred to Exhibit O-1 and stated that the plan represents the current site conditions and began detailing them.

Mr. Steinhart asked Mr. D'Ambrosio if Exhibit O-1 is going to be used in conjunction with any overlays; he said that the objectors' Planner will use it for identification.

Mr. Grygiel referred to Exhibit O-1 and asked Mr. D'Ambrosio the source of the lot lines; he said that the objectors' Planner provided him with the survey and the tax map of the proposed sub-division that was provided by the Township.

Ms. Porter stated that she wanted to know the relevance of Exhibit O-1; Chairman Buechler stated that the Exhibit was marked for identification and not as evidence.

Ms. Porter asked Mr. D'Ambrosio how Exhibit O-1 is different from the aerial photograph that Mr. McDonough presented; he said that the objectors' Planner will explain that.

There were no further questions for Mr. D'Ambrosio.

Chairman Buechler asked if any members of the public had any questions for Mr. D'Ambrosio; there were none.

Chairman Buechler called for a recess at 9:31 pm.

Chairman Buechler resumed the meeting at 9:42 pm.

Mr. Magaletta called his next witness.

Elizabeth Pomeroy approached the podium and was sworn under oath. Ms. Pomeroy detailed her professional and educational background as a Professional Planner licensed in the State of New Jersey.

Chairman Buechler accepted Ms. Pomeroy as an expert in Professional Planning.

Ms. Porter stated that Chairman Buechler asked Mr. Magaletta at the last meeting if there would be any witnesses and he replied yes. She said that Chairman Buechler asked Mr. Magaletta if his witness will be preparing a report and he replied yes. Ms. Porter stated that she did not receive a copy of a report and wanted to know if there was a report.

Ms. Pomeroy stated that she had read the transcripts from the past meetings, reviewed the file and visited the site. She said that in lieu of a report, she prepared visual exhibits and will be presenting testimony.

Ms. Pomeroy presented ten (10) pages of figures that include colored photos of the survey, site plan and photographs of the site and said she will refer to these figures in her testimony. Chairman Buechler asked to have the ten (10) pages of colored figures 1 to 12 marked as Exhibit O-2 for identification.

Vice Chairman Neuer stated for the record that the Zoning Board's rules and regulations stipulate that when a Professional testifies they are to submit a written report ten (10) days prior to the meeting.

Mr. Maganella stated that the applicant is required to provide a report, not an objector.

Ms. Pomeroy referred to Exhibit O-2 and detailed the current condition of the site, the parking area and the surrounding sites.

Chairman Buechler asked Ms. Pomeroy if she knew when the hotel was built; she replied no.

Ms. Porter stated for the record that she needs to understand who Ms. Pomeroy is representing.

Chairman Buechler said that he was under the impression that Mr. Magaletta is the attorney for the owner of the BP gas station and he called Ms. Pomeroy as his witness.

Chairman Buechler asked Ms. Pomeroy who she is representing and who she got paid from to be here.

Ms. Pomeroy stated that she was paid from "crowdsourcing" which is a method of asking for donations over the internet from the community.

Chairman Buechler asked Ms. Pomeroy who she received the check from; she said she received a check from one person. Ms. Pomeroy said that Charlotte Wescott gave her the check.

Ms. Porter said that this witness represents individual members of the community and she objects.

Ms. Beirne asked Ms. Pomeroy if she has a list of all of the contributors; she replied yes. Ms. Pomeroy stated that some of the contributors are anonymous.

Ms. Beirne instructed Ms. Pomeroy to submit a list of all of the contributors.

Ms. Pomeroy continued her testimony and identified all of the figures in Exhibit O-2.

Chairman Buechler stated for the record that her google map is incorrect in figure 3; he said there is no traffic light in it.

Ms. Pomeroy stated that this is not a continuance of a non-conforming use; she said this is a new use.

Ms. Pomeroy stated that there are safety issues regarding the hotel parking.

Chairman Buechler asked Ms. Pomeroy if she is a traffic expert; she replied no.

Ms. Pomeroy stated that there are three public uses in the area, not one use, and those three areas each need a 500' buffer.

Vice Chairman Neuer asked Ms. Pomeroy if she is suggesting that there should be a 1500' buffer; she replied no.

Ms. Pomeroy said that there is no buffer between the school and the Quick Chek.

Chairman Buechler asked Ms. Pomeroy if she is saying that it is bad because the school can be seen from the Quick Chek; she said that the canopy over the gas pumps can be seen.

Chairman Buechler said that the canopy is illuminated only at night and the school is not open then.

Ms. Pomeroy said that there will be a lot more commercial activity which is negative to look at. She said that the gas station will be unsightly to look at also.

Ms. Pomeroy said that she believes that all of the information that was given to the Board Members was inconclusive.

Vice Chairman Neuer stated that the applicant will have to go before the Essex County Planning Board also because Northfield Avenue is a county road. He said they will also address drainage and traffic at that time.

Ms. Pomeroy said that the pedestrian improvements that the applicant is proposing do not meet the requirements of the Township's Master Plan.

Ms. Pomeroy stated that there is some conflict regarding the refuse and gas delivery trucks. She said that all deliveries are going to be introduced into the drive aisle. Ms. Pomeroy detailed how, in her opinion, the design lacks continuity noted by the lack of buffers.

Ms. Pomeroy explained why the variances being sought should not be granted. She said that lots 26 and 28 are undersized and that there is no room for any further amenities for the hotel if you reduce the lot size.

Ms. Pomeroy expressed her concern regarding the existing parking in front of the hotel and having no way to access the rear parking lot from the interior of the hotel.

Chairman Buechler stated that there is no difference in what is there today or what is being proposed as far as walking through the parking lot to get to the rear of the hotel.

Ms. Pomeroy stated that she does not see any benefit to this application.

Chairman Buechler asked Ms. Pomeroy if the BP gas station has a canopy; she said she did not know.

Ms. Pomeroy stated that the site is too small and by reducing the size of the lot it will affect the hotel.

Chairman Buechler asked Ms. Pomeroy if she has any experience in environmental matters; she replied no.

Ms. Pomeroy stated that the proposed use of this lot will have a negative impact.

Chairman Buechler asked Ms. Pomeroy how many times she visited the site in the past three months; she replied three times.

Chairman Buechler asked Ms. Pomeroy how much time she spent at the site; she replied one hour each time she visited.

Chairman Buechler asked Ms. Pomeroy if she walked up and down Northfield Avenue; she replied yes.

Mr. Quentzel asked Ms. Pomeroy if she is representing the BP gas station; she replied yes.

Mr. Quentzel asked Ms. Pomeroy what the buffer is from Codey Arena to the BP gas station and did BP get a variance at the time of his approval; she said it was a pre-existing use.

Mr. Quentzel asked Ms. Pomeroy if the BP gas station is within 500' of the Codey Arena; she said it is 100' from lot line to lot line.

Mr. Quentzel asked Ms. Pomeroy if there are any benefits to the hotel use to be derived from the proposed Quick Chek development; she replied no.

Mr. Quentzel stated that the new proposed development will provide easier access to the parking spots although Ms. Pomeroy said there would be no benefit to the current hotel use.

Mr. Quentzel asked Ms. Pomeroy how many parking spots the hotel currently has; she replied fifty eight (58).

Mr. Quentzel stated that there are fifty six (56) rooms and more than one parking space per room. He asked Ms. Pomeroy if there would be enough parking spaces; she replied yes.

Mr. Bullock stated that Ms. Pomeroy said that she represents the BP gas station but was paid by a citizen group. He asked Ms. Pomeroy how she can represent someone who did not pay her; she said that a shared group paid her.

Mr. Bullock asked Ms. Pomeroy if she thought it would have been better if she had prepared a report; she said that she felt uncomfortable preparing a report before the applicant's Planner finished his testimony.

Mr. Grygiel asked Ms. Pomeroy if she knew the definition of a school according to the Township's Ordinance; she said she did not know.

Mr. Grygiel cited Section 25-4b of the Township's Ordinance for specific definitions; he said a school shall mean any building for education. He asked Ms. Pomeroy if Stagg Field is considered a school; she replied no.

Mr. Grygiel asked Ms. Pomeroy, in regards to the building coverage, if the proposal included increasing the size of the hotel building; she replied no.

Mr. Grygiel asked Ms. Pomeroy if the County has to approve all of the street improvements on Northfield Avenue; she replied yes.

Chairman Buechler noted the time and stated for the record that the Zoning Board meetings end promptly at 11:00 pm.

Chairman Buechler asked Ms. Porter if she will be requesting another special meeting; she replied yes.

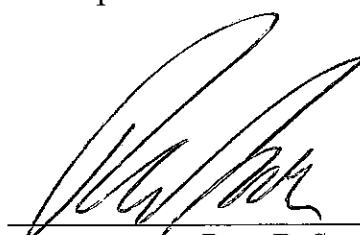
Chairman Buechler stated that the Board Secretary provided him with the next available date of June 4, 2015 for a special meeting. He asked the Board Members if they were available for June 4, 2015; all were available.

Chairman Buechler stated that this meeting will be carried over to a special meeting on June 4, 2015 and that no further notice will be required.

Chairman Buechler advised Mr. Magaletta to bring back Ms. Pomeroy so that the attorney for Quick Chek and the members of the public have a chance to ask her questions. He said after they have questioned Ms. Pomeroy, the meeting will go to public comment. Chairman Buechler said that all public comments will be limited to five (5) minutes.

The meeting was adjourned by Chairman Buechler at 11:04 pm.

Adopted: April 16, 2015


4/17/15

Rose DeSena
Zoning Board Secretary