



**MINUTES OF MEETING
HAMILTON TOWNSHIP ZONING BOARD
January 10, 2023**

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

Joseph Weber	James Kochenour
Ileana Schirmer	James Harrison
Jamie Volkert	Angela Evans
Sean Carter	Robert Kudrick

As this was the reorganization meeting the Acting Chairman, Joseph Weber, 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.

The Secretary called for nominations for Chairman. Joseph Weber was nominated by Mr. Kochenour and the nomination was seconded by Mr. Harrison. Mr. Weber was then unanimously elected as Chairman for 2022.

For the next order of business, the Chairman requested nominations for the Vice Chairman where upon Ms. Volkert nominated Mr. Kochenour and the motion seconded by Ms. Evans. Mr. Kochenour was then unanimously elected.

The Chairman then called for nominations for Zoning Board Attorney. Mr. Volkert then moved for the firm of Rainone Coughlin to be nominated for Zoning Board counsel and motion was seconded by Ms. Evans. Mr. Burns was then unanimously elected.

The Chairman then called for nominations for Zoning Board Secretary. Ms. Volkert then nominated Sabrina Bowling for the Zoning Board secretary. The motion was seconded by Ms. Evans whereupon Ms. Bowling was unanimously elected.

For the next order of business, the Chairman asked for the adoption of the meeting dates for the 2023 and January of 2024. A Motion was made by Mr. Kochenour, and was seconded by Ms. Volkert, upon which was unanimously adopted.

The next order of business was the adoption of the official newspapers, and a motion was made by Mr. Kochenour and was seconded by Ms. Volkert. The motion was then unanimously adopted.

RESOLUTION OF MEMORIALIZATION

Application No. 22-10-026 – Approved Unanimously

Type: Residential

Owner/Applicant: Joshua and Rachel Blaney

NEW APPLICATIONS

Application No: 22-09-021

Type: Business

Owner: Levin Management

Applicant: Delectaburger, Inc

PROPOSAL: Constructing a 3,432.3sqft Habit Burger Restaurant

REQUEST: Use variance D-3 (conditional use), D-4 FAR, preliminary & final site plan, variance from side yard setback, impervious surface, front yard setback, sign setback, number of signs

Location: Route 33 & Whitehorse Hamilton Square Road; Map 124; Section 1945; Lot 2

Zone: HC

Board must act by March 10, 2023

Arnold Lakind

John Thomasulo

Ahmed Tamous, PE

Betsy Dolan, PE

Alan Schectel, PP

Exhibits

A1 – Aerial exhibit

A2 – Overall site plan sheet C-302

A3 – Color sheet C-302

A4 – Overall site plan sheet 3 of 40

A5 – Elevations A510-511

Mr. Lakind opens with describing current site conditions and prior approval in 2019 for shopping center and pad site for bank, putting variances on the record. The first witness called is Mr. Thomasulo, who is owner/operator of this Habit Burger location as well as two Taco Bell Restaurants in Hamilton. He provides testimony on the expected operations of this location. Mr. Tamous, PE is then called upon to provide the engineering testimony. This shopping center has been fully functioning and this is the last pad site, as such there is no change to stormwater or lighting. A waiver of parking spaces is being requested since 54 stalls are required and only 16 are proposed. This is due to the overflow parking from the surrounding parking lot. Discussions then followed regarding landscaping and elevations. The Board then calls Mr. Thomasulo to provide more operating testimony. Traffic testimony is then provided by Ms. Dolan, PE. Mr. Schectel, PP is then called next to provide planning testimony with explanations on the requested D3 and D4 variances.

Township professionals were then sworn in. Rick Hunt, PP, Alaimo Group, reads into record his memo dated January 6, 2023. Joseph Kong, PP, T&M Associates, reads into record memo dated December 14, 2022 prepared by Doug White, PP.

Public portion is opened and no one comes forward. The application is then approved unanimously with a motion from Mr. Kochenour and second by Ms. Volkert.

I hereby certify that the Minutes of the Meeting of the Hamilton Township Zoning Board Regular Meeting which was held on January 10, 2023, was approved and adopted as written at a Meeting of the Hamilton Township Zoning Board Regular Meeting which was held on August 8, 2023.



Sabrina Bowling

Date: August 9, 2023