



**MINUTES OF MEETING  
HAMILTON TOWNSHIP ZONING BOARD  
August 8, 2023**

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
James Harrison	Jamie Volkert
Angela Evans	Sean Carter
Robert Kudrick	

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.

Adoption of minutes from Zoning Board Meetings January 10, 2023, February 14, 2023, April 11, 2023 and April 25, 2023.

**RESOLUTION OF MEMORIALIZATION**

Application No: 23-06-015 – Approved unanimously

Type: Residential

Owner/Applicant: Michael Davis

Application No: 23-06-016– Approved unanimously

Type: Residential

Owner/Applicant: Stephen & Susan Gaissert

Application No: 22-12-029 – Approved unanimously

Type: Business

Owner: McDonald's Real Estate Co

Applicant: McDonald's USA, LLC

Application No: 23-01-002– Approved unanimously

Type: Business

Owner: JDN Real Estate – HAM L.P.

Applicant: McDonald's USA, LLC

**HOMEOWNER APPLICATIONS**

Application No. 23-07-019

Type: Residential

Owner/Applicant: Leo Campbell

PROPOSAL: Constructing a 6' solid fence within a front yard area

REQUEST: Waiver of fence standards and checklist waiver

Location: 61 Wittenborn Avenue; Map 69; Section 1696; Lo 3

Zone: R-10

Board must act by November 3, 2023

Leo Campbell

Lia Campbell

Mr. Campbell explains request being presented to the board. They have two small children and their house is on a cul-de-sac. The fence would provide privacy and safety for his family.

Township professionals are then sworn in. Samantha Brown, Township Engineer, reads into record her memo dated July 7, 2023. Robert Poppert, Township Planner, reads into record his memo dated July 7, 2023. Discussions followed and it was determined that the applicant will comply with 5' setback. Public portion is opened and no one comes forward.

#### HELDOVER APPLICATIONS

Application No: 22-05-009

Type: Business

Owner: Twin Ponds Owner LLC and Pond Court Realty LLC

Applicant: Twin Ponds Owner

PROPOSAL: Constructing a 98,700sqft senior apartment building (69 units)

REQUEST: Revised preliminary and final site plan (amend recreation facilities and Phase 3 layout)

Location: Yardville Hamilton Square Road; Map 213; Section 2173; Lots 21.01, 21.02, 21.03

Zone: RD

The Board must act by September 1, 2023

Charles Petrone, Esq.

Julia Algeo, PE, PP

William Feinberg, AIA

Nicholas Dickerson, PP

Marcus Schontube

#### Exhibits

A1 – First floor plan

A2 – Second floor plan

A3 – Third floor plan

A4 – North & South elevations

A5 – East & West elevations

A6-8 – Unit plans A, B, C, D

A9 – Exterior light fixtures

A10 – Photos of existing buildings

A11 – Overall and Phasing plan

A12 – Condo and Phasing plan

A13 – Boundary

A14 – Twin Ponds Phase 3 – Rev walkway with gazebo

Mr. Petrone gives opening statement with history of prior approvals. This project is being constructed in three phases. Phases 1 and 2 have been completed, and the applicant is before the board for amended Phase 3 plan. The applicant has an agreement with Pond Run Watershed and Clean Water Action regarding changes to the approved plan and the conservation easement. The first witness called is Ms. Algeo, who provides engineering testimony. She explains the revision of the current plan from two buildings to one building, keeping the amount of units approved to 69, with 9 units being affordable units. In response to the amended Affordable Housing plan 4 of the 15 units designated for Phase 3 were given to Phase 1 to be available earlier than the expected completion of Phase 3. They have also removed the recreation amenities from the wetlands areas. The changes also include EV parking spaces, per state requirements. There will be a pedestrian crossing installed at the entrance over Yardville Hamilton

Square Road. The next witness called is Mr. Feinberg, to provide architectural testimony. The applicant confirmed with Fire Official about fire access around the building. Mr. Dickerson is then called upon to provide planning testimony. Township Professionals are then called upon. Rick Hunt, PP, Alaimo Group, reads into record his memo dated May 4, 2023. Doug White, PE, T&M Associates, reads into record his memo dated March 27, 2023. Public portion is opened and no one comes forward. The application is then approved unanimously with a motion by Mr. Kochenour and second by Mr. Carter.

#### NEW APPLICATIONS

##### Application No. 22-11-028

Type: Business

Owner/Applicant: 1437 East State St LLC

PROPOSAL: Constructing a 147,610sqft addition to existing 67,124sqft warehouse

REQUEST: Preliminary & final site plan approval, use variance (FAR), variance relief from impervious coverage, height, buffering, front yard setback and number of parking spaces

Location: 1437 East State Street; Map 81; Section 1730; Lot 4

Zone: IND

The Board must act by August 31, 2023

Jim Stahl

Craig Stires, PE

Gary Dean, PE

Elizabeth McManus, PP

David Feldman, Architect

#### Exhibits

A1 – Sheet 1 Color Landscape

A2 – A2 Existing Conditions

A3 – A3 Proposed Elevations

A4 – A4 Proposed Floor Plan

A5 – Rendering East State Street view

A6 – Aerial view East State Street

A7 – Aerial view East State Street

A8 – Aerial view Walnut Ave

A9 – Ground view Walnut Ave

A10 – Historical Aerial circa 2002

Mr. Stahl gives brief opening statement and confirms this will be built on spec as they do not have a tenant. The first witness called is Mr. Stires. Mr. Stires gives brief history of site. This site was home to a manufacturing plant that was destroyed in a fire and the site is currently at 98% impervious. The existing building will remain to be refurbished and the new improvements will build off this structure. The remainder of the property will be cleaned and regraded. The existing building follows the property line, and since there is minimal setback there will be cross access easement with the adjacent property owner for maintenance purposes. Discussions followed regarding outside approvals and parking. With landscaping and other improvement the impervious will be reduced to approximately 78%. Stormwater is discussed next with 2 basins being proposed. Landscaping is next and berming will be done on all sides, where feasible along with fencing. Mr. Feldman is called to provide architectural testimony. Mr. Dean then provides traffic testimony. Ms. McManus then provides planning testimony. Township professionals are then worn in. Doug White, PE, T-M Associates, reads into record his memo dated April 17, 2023. Rick Hunt, PP, Alaimo Group, reads into record his memo dated April 28, 2023.

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

Brittany DeBord, Attorney representing Save Hamilton Open Space & Pond Run Watershed

Celia Bernstein, Homefront

Barbara Garrido-Rodriguez, 1497 East State Street

More discussions followed. The application is then approved unanimously with a motion by Mr. Kochenour and second by Mr. Carter.

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



Sabrina Bowling  
Date: 10/26/2023