

MARCH 19, 2012

The Plymouth Township Zoning Board held a public meeting at the Plymouth Township Building on Monday, March 19, 2012.

The meeting was called to order at 7:05 PM.

The following were present:

Vincent Frangiosa	Chairman
Robert Esposito	Vice Chairman
James Saring	Member
Michael Mattioni	Member
Robert Sassi	Member
Bernadette Kearney	Solicitor
Paula Meszaros	Court Reporter

The Pledge of Allegiance was recited.

Ms. Kearney advised that a revised Settlement Agreement was sent in by Edward Hughes, Esq. for the Rapoza Matter. Ms. Kearney stated that the Zoning Order was taken out of the original agreement.

Member Saring made a motion that the Rapoza Settlement Agreement be approved. Member Esposito seconded the motion. Members Saring, Esposito, Mattioni, Sassi, and Frangiosa voted in favor of the motion. The motion passed by the vote of 5-0.

The Board heard the following:

IAN TREGO: On an application for a Variance from Plymouth Township Zoning Ordinance No. 342, as amended, Article VII, Section 702.C.1.

The Variance requested is as follows: To allow an aggregate side yard setback of 20' where 30' is required, and to allow one side yard setback of 5' where 12' is required, as a result of a 2 story addition.

The property is located at 485 Jefferson Street in a "C" Residential Zoning District.

Ms. Dana Trego was sworn-in to testify.
Mr. Ian Trego was sworn-in to testify.

Ms. Trego advised that the purpose of the proposed addition is to add a bathroom, add a family room, and to widen the dining room. Ms. Trego stated that they have one child, and another one is on the way. Ms. Trego advised that she is a court reporter, and she will do work in her house.

Member Sassi asked if people will visit the premises as Ms. Trego does her work. Ms. Trego advised that clients will not come to her site as she does her work. Member Sassi asked if the addition will be attached to the house. Ms. Trego stated that they are building onto the existing house.

Member Mattioni asked if there are plans showing the elevations. Ms. Trego advised that their home will be 2 story from the middle of the house to the back. Ms. Trego stated that the house is 1 story in the front.

Member Mattioni noted that there do not seem to be similar additions in the 15 foot sideyard for similar properties in Plymouth Township. Ms. Trego advised that there are two properties in her neighborhood that have side additions.

Member Mattioni advised that there is concern about taking a side yard down to 5 feet when there is a minimum 12 foot wide sideyard with 30 feet required between the two houses. Member Mattioni stated that the neighbors on that side may want to do a similar addition. Member Mattioni advised that maybe more of the backyard can be used for the addition.

Mr. Trego advised that they are flexible with the area that the addition can encroach into. Mr. Trego stated that they can have more than 5 feet of side yard..

Member Mattioni asked if neighbors have been spoken to concerning the proposed addition. Ms. Trego advised that neighbors were contacted, and they did not seem to be against or for the addition.

Member Saring asked why the addition could not go on the back of the house. Ms. Trego advised that there is a pool in the back yard. Ms. Trego stated that the addition is going out 20 feet. Member Saring asked if the pool is in ground or above ground. Ms. Trego advised that the pool is above ground.

Member Saring commented that the applicant could square up the addition straight in the back of the property. Member Saring advised that a variance would not be needed if the entire addition is done in the back. Ms. Trego stated that there is concern that the kitchen and dining room would be very narrow if the addition is done toward the back.

Member Esposito asked if the additions in the neighborhood have a setback for 5 feet. Ms. Trego advised that she thinks the addition on Jody Drive has a setback of about 3 feet.

Member Esposito asked if the applicant will have employees working at her house for her business. Ms. Trego advised that she does not have any employees.

Member Esposito advised that he is concern about the side yard and the property line being so close after the addition is constructed.

Chairman Frangiosa asked if the applicant has started working with a builder. Ms. Trego advised that they decided not to contact a builder until zoning relief was granted. Chairman Frangiosa stated that an applicant's builder can work with the Zoning Officer before the application is brought before the Zoning Board. Chairman Frangiosa stated that the builder can help the applicant with the design, and this will determine what is needed concerning zoning relief.

Ms. Kearney asked what rooms are proposed to be widened. Ms. Trego advised that the living room and the dining room are proposed to be widened. Ms. Kearney asked if there is a shed on the property. Ms. Trego stated that a shed exists, and it will be taken down. Ms. Trego advised that it is uncertain as to whether the shed will be replaced. Ms. Trego stated that the Zoning Officer did not mention impervious coverage when the application was being drawn up.

Ms. Trego advised that they could have an 8 foot setback creating a side yard of 7 feet, and this will be their amended application.

There were no questions from the audience. There was no testimony for or against the applicant from the audience.

The Board discussed and decided as follows:

IAN TREGO: Member Saring made a motion that the amended application be denied. Member Esposito seconded the motion. Members Saring, Esposito, Sassi, Mattioni, and Frangiosa voted in favor of the motion. The motion passed by the vote of 5-0.

BIMBO BAKERIES T/A TAYSTEE BAKING COMPANY: On an application for a Special Exception from Article XVII, Section 1701 and Variances, from Plymouth Township Zoning Ordinance No. 342, as amended, Article X, Sections 1002.F & 1002.G, and an interpretation and/or Variance from Article XVII, Section 1706 and Article X Sections 1002.C and 1002.D.

The Special Exception requested is as follows: To install 27 new parking spaces on a parcel separate from the property.

The Variances are as follows: To allow Tax Map Parcel No. 49-0010372-00-1 to

increase from 74% to 84% impervious coverage and decrease from 26% to 16% green space; to allow Tax Map Parcel No. 49-00-10381-00-1 to increase from 84% to 85% impervious coverage and decrease from 16% to 15% green space

The Interpretations and/or Variances requested are as follows: From buffering, side yard setback, and rear yard setback requirements.

The property is located at Tax Map Parcel Nos. 49-00-10369-00-4, 49-00-10372-00-1, and 49-00-10381-00-1 (1113 Ridge Pike) in "Commercial" and "Heavy Industrial" Zoning Districts.

John Rice, Esq. was present to represent the applicant in presenting their application.

Mr. Rice advised that the applicant's request is to add 30 more parking spaces over the three properties, and restriping the current spaces.

Mr. George Chajkowsky was sworn-in to testify.

Mr. John Bowden was sworn-in to testify.

Mr. Rice advised that Conicelli occupies a parcel, and Enterprise occupies a parcel. Mr. Rice stated that the applicant occupies the third parcel which has an access road, and another lane crosses the Enterprise Parcel. Mr. Rice advised that there are no left turns for both lanes.

Mr. Rice advised that the offices for the bakery operation are in the front of the building, and the baking facilities are in the rear. Mr. Rice stated that 27 parking spaces are being added on the bakery parcel that currently do not exist. Mr. Rice advised that stormwater management will be done on advice from the Township Engineer.

Submitted for inclusion into the record were the following:

A1) Aerial Photo

A2) Existing Features Plan

A3) Zoning Plan

Mr. Chajkowsky advised that it is desired to have increased employee parking. Mr. Chajkowsky stated that there is currently 41 employee parking spaces, and the additional 30 would make for 71 employee parking spaces.

Mr. Chajkowsky advised that there will be angled parking along the northern portion of the site. Mr. Chajkowsky stated that there will be three handicap parking spaces. Mr. Chajkowsky advised that the new paving will provide for 27 new parking spaces. Mr. Chajkowsky stated that this will be about 150 feet of new impervious coverage.

Ms. Kearney asked if the tractor trailer area will be entirely eliminated. Mr. Chajkowsky

advised that loading areas for trucks will remain. Mr. Chajkowsky stated that there is a small portion of area that will be used for striped parking spaces.

Mr. Rice advised that the Special Exception requested permits the shared parking. Mr. Rice stated that there are increases in impervious and reductions of green space on the two smaller lots. Mr. Rice advised that impervious and green space does not change on the larger lot.

Mr. Rice advised that buffering seems to be exempt from the applicant's parking situation. Mr. Rice stated that the applicant's property is not adjacent to residential property. Mr. Rice advised that new parking area would encroach into the other lots.

Mr. Chajkowsky advised that currently two parking lot inlets exist on the largest parcel. Mr. Chajkowsky stated that all water drains into these two inlets. Mr. Chajkowsky advised that it is proposed to add another inlet to accommodate the new paving, and this will take care of the additional water that will come from the additional paving.

Mr. Chajkowsky advised that an underground detention basin will take care of the water run off from the 1.2 acres of area. Mr. Chajkowsky stated that water going to Ridge Pike will be reduced by 25%. Mr. Chajkowsky advised that he does not know of any stormwater management for the two smaller lots.

Mr. Chajkowsky advised that the applicant will have much more than what is required for parking. Mr. Chajkowsky stated that it is his opinion that there will still be safe ingress and egress for the site after the proposed parking configuration goes in.

Member Mattioni advised that he is concern about stormwater because driving down Ridge Pike in the rain is terrible. Member Mattioni expressed concern about impervious coverage being added to the site. Mr. Chajkowsky advised that the applicant is required not to increase water run off. Mr. Chajkowsky stated that water run off will actually decrease by 25% for the 1.2 acres of area with 5,100 square feet of impervious being added.

Member Mattioni asked if the 1.2 acres includes the new 27 parking spaces. Mr. Chajkowsky advised that the 27 spaces are included. Mr. Chajkowsky stated that this partially includes area where striping take place. Mr. Chajkowsky advised that the applicant is going above what is required for stormwater management. Mr. Chajkowsky stated that the present discharge number will be 25% less.

Member Mattioni asked if 8 tractor trailer loading spaces are being taken away with the parking. Mr. Rice advised that operation hours will be rearranged so that loading will be handled, and the loading will not interfere with parking.

Member Mattioni asked if retaining walls will be added to the site. Mr. Chajkowsky advised that there is an existing retaining wall. Mr. Chajkowsky stated that there will

be striped spaces near the loading area, however the loading operation will start around 2:00 AM and last only a couple of hours. Mr. Chajkowsky advised that the first shift of workers will begin at 8:00 AM.

Member Mattioni asked if there will be the proper easements between properties. Mr. Rice advised that the properties are leased to Conicelli and Enterprise. Mr. Rice stated that there is the right in the lease agreement for the applicant to park on those parcels. Mr. Rice advised that the applicant owns all three parcels.

Member Mattioni asked if Bimbo Bakeries has standing to bring forward the application. Mr. Rice advised that Bimbo Bakeries is parent corporation for the number of subsidiary companies. Member Mattioni asked if there are access easements. Mr. Rice stated that presently there are only the lease agreements.

Ms. Kearney asked if there would be recorded access agreements. Mr. Rice advised that the access agreements would be internal. Mr. Rice stated that unless the properties would be separated there would have to be some recording of an easement in order to sell the properties.

Ms. Kearney asked on which parcel would the stormwater management take place. Mr. Rice advised that stormwater management will take place on Unit #12, and the bulk of the parking is on Unit #14.

Member Saring asked how many employees are at the site. Mr. Bowden advised that there are about 330 employees at the site. Mr. Bowden stated that about 15 office employees were added during the last couple of years. Mr. Bowden advised that the applicant has a 24 hour 7 day operation.

Member Saring asked if all three parcels can be combined into one property. Mr. Bowden advised that the applicant does not need to use the two other properties. Mr. Bowden stated that the income from the leases is good for the applicant, and there is the option to sell these parcels in the future.

Member Esposito asked if the spacing for tractor trailer loading and unloading will have an impact on the additional parking spaces. Mr. Bowden advised that it would have been too tight to put these spaces in the existing parking area. Mr. Bowden stated that the parking area is expanded out, and will not affect the loading operation.

Member Esposito asked if there will be any changes to the current egress patterns that are present today. Mr. Bowden advised that there will be no changes for egress, and there will be no left turns out because it is very dangerous.

Member Esposito inquired about what would happen if the current lessees do not continue

to use the properties. Mr. Bowden advised that when the leases run out there will probably be talk about renegotiation. Mr. Bowden stated that the applicant has a very good relationship with Conicelli.

Mr. Bowden advised that he is Regional Vice President of Operations for Bimbo Bakeries USA. Mr. Bowden stated that the applicant has vacant office space that has not been used for many years. Mr. Bowden advised that it is desired now to utilize that office, and the 27 new parking spaces will be used by the office workers. Mr. Bowden stated that the operation has grown considerably over the last few years.

Mr. Bowden advised that he believes the proposed will improve the overall parking situation and also the egress and ingress. Mr. Bowden stated that it will provide for a more safe situation for people coming to the site with the striped parking. Mr. Bowden advised that organizations such as the cub scouts and girl scouts quite often take tours of the facility.

Mr. Bowden advised that presently the spacing between the aisles in the parking lot is not ideal. Mr. Bowden stated that there is very little room when cars back out of the parking spaces. Mr. Bowden advised that the angled parking will be a better design in helping cars maneuver. Mr. Bowden stated that it will also be a better situation when tractor trailer trucks come in to deliver the yeast.

Mr. Rice advised that the variances requested are dimensional. Mr. Rice stated that the applicant is addressing a parking situation that has been present since the 1960's. Mr. Rice advised that more stormwater management may be done in the future. Mr. Rice stated that the applicant is working on another ingress/egress toward the rear of the site. Mr. Rice advised that the applicant is working with Montgomery County to take traffic off of Ridge Pike.

Ms. Kearney asked if the Township Engineer has approved the Stormwater Management Plan. Mr. Rice advised that the final Stormwater Management Plan must still be approved by the Township Engineer.

There was testimony from the audience from the applicant.

Mr. Michael Van Buren, 345 Oxford Road, was sworn-in to testify.

Mr. Van Buren advised that he is a member of the Environmental Advisory Board to Plymouth Township. Mr. Van Buren stated that he is concern about the Stormwater Management for the parcels in question.

Mr. Van Buren advised that the applicant is already above the allowable impervious surface, and now they are going more above with another 10%. Mr. Van Buren stated that the retention basin is good because it will help keep water off of Ridge Pike, and keep contaminants out of the streams and rivers.

Mr. Van Buren advised that he feels the plan is good, however stormwater management can be further reviewed and be improved upon.

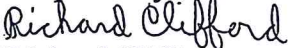
The Board discussed and decided as follows:

BIMBO BAKERIES T/A TAYSTEE BAKING COMPANY: Member Esposito made a motion that the Special Exception from Section 1701 and Variances from Sections 1002.F & 1002.G and Variances from Sections 1706, 1002.C and 1002.D be approved with the interpretation being denied subject to the following:

- 1) There be no left hand turns out, and the Zoning Board suggests to Plymouth Township Council that there be an Ordinance concerning this.
- 2) The Stormwater Management concerning 1.2 acres be reviewed by the Township Engineer which is above the 5,100 square feet of impervious being added to the properties, and Stormwater Management include the review of contaminants flowing to rivers and streams.
- 3) Access Easements be recorded or parking be removed if there is a sale for the parcels.
- 4) The application proceed in accordance with the testimony and exhibits presented.

Member Saring seconded the motion. Members Esposito, Saring, Mattioni, Sassi, and Frangiosa voted in favor of the motion. The motion passed by the vote of 5-0.

The meeting was adjourned at 8:20 PM.

Respectfully Submitted,

Richard Clifford