



## V. APPLICATIONS

### Case BA-09-13

**Applicant: Sunoco, Inc., (R & M)**

Block 35004 Lot 1

Submission Waivers and Amended Site Plan and Conditional Use Variance

Expiration Date – 120 Days from Submission Waiver Approval

Affidavit of Notification and Publication Required

Notice was found to be in order. Tim Prime, Esquire represented the applicant. The site is currently developed with an existing Sunoco gasoline and service station. On July 17, 2012 the Board granted preliminary and final site plan approval and a conditional use variance to convert the existing one story building to a convenience store. The amendment to the approval relates to different underground storage tanks.

Laurie Pettengill, Senior Construction Engineer for Sunoco, Joseph Jaworski, Dynamic Engineering, Joseph Staigar, Traffic Engineer, Richard Bartolone, Jason Cline and Richard Coppola were sworn in.

Ms. Pettengill testified there are currently three 8,000 gallon underground fuel tanks on site. The proposal is to replace those tanks with two 20,000 gallon tanks. One tank will be for gasoline sales and the second tank will be divided; 12,000 gallons for diesel and 8,000 gallons for gasoline. The new double wall tanks will meet all State and Federal regulations. The diesel fuel and gasoline are delivered at the same time there are not separate deliveries for diesel and for gas. Two of the four fueling dispensers will have a second nozzle to sell diesel; all four dispensers will sell gasoline. There is no change in the number of fueling positions. The site is not designed to fuel tractor trailers and Sunoco does not encourage tractor trailers. The dispensers have the smaller sized nozzles and the pumping capacity is 7-10 gallons per minute. They are not set up for high speed for tractor trailers. There will be a sign on the column for the pumps that says "Auto Diesel". The conditions of the prior approval will continue to be met. The approved freestanding sign will remain the same size of 76.9 square feet but the face will be changed from "regular" and "ultra" to "regular" and "diesel".

Mr. Coppola said his only concern was that there is some notification on the prohibition of tractor trailers.

Chairman Walker opened the meeting to question Ms. Pettengill.

Mr. Jaworski described the site plan. The Board accepted Mr. Jaworski as an expert engineer. The site plan did not change in regard to circulation, pumps, location of the store or driveway locations. The original application proposed to keep the existing 8,000 gallon tanks and just do a tank top upgrade. This amendment will include brand new double wall fiberglass tanks and the piping to the dispensers. The two northern dispensers will be the diesel dispensers. The vent for diesel is a smaller diameter pipe than for gasoline, 2" versus 3", but the location and height is the same. They will extend 12' above grade and they are located just below the tanks.

In response to Mr. Wilson's questions, Mr. Jaworski testified that tractor trailers are discouraged on site because it would take them a long time to fill up. However, if they do come in there would be no circulation problems on site. NJDEP review will include soil testing and verification that there were no leaks. .

Mr. Coppola was concerned the sign on the pump column would not be visible until the customer was on site. Mr. Wilson agreed. There was discussion of additional signage to be added without increasing the amount of signage. The pros and cons of the additional signage were discussed. Mr. Coppola suggested a condition that if tractor trailers become a problem on site, the Township will notify Sunoco and Sunoco will work with the Township to resolve the issue or come back to the Board.

Mr. Bartolone asked the applicant to revise their landscape guarantee from 1 to 2 years. Mr. Prime agreed.

Mr. Jaworski testified about the submission waiver from providing an Environmental Impact Statement (EIS). A similar waiver was granted for the original application. The tanks are being replaced in full and they will comply with all State standards. The environmental impact is lessened in this amendment.

Chairman Walker opened the meeting to the public concerning the waiver. A motion to close the public hearing was made by Mr. Cheskis, which was seconded by Vice Chairman Gamache and carried unanimously.

A motion to approve the submission waiver was made by Vice Chairman Gamache, which was second by Chairman Walker. This was carried on the following roll call vote:

Ayes: Cheskis, Gamache, Thompson, Wilson, Woitach and Walker

Nays: None

Ms. Pettengill testified they would probably start the work in April and it will take approximately two months to complete.

A motion to close the public hearing was made by Mr. Wilson, which was seconded by Chairman Walker and carried unanimously.

The relief being sought by the applicant is an amended conditional use variance and an amended preliminary and final major site plan approval. All prior "d" variances and "c" variances are being carried forth since no changes are being sought by the applicant.

Mr. Drill summarized the level of proof required for the D3 conditional use variance and referenced the Coppola memo.

A motion to approve the application subject to the conditions was made by Mr. Cheskis, which was second by Chairman Walker. This was carried on the following roll call vote:

Ayes: Cheskis, Gamache, Thompson, Wilson, Voitach and Walker

Nays: None

## **VI. MINUTES**

### **September 17, 2013 – Regular Meeting**

A motion to approve the minutes was made by Chairman Walker, which was seconded by Vice Chairman Gamache. This was carried on the following roll call vote:

Ayes: Walker, Gamache, Thompson, Wilson, Voitach and Cheskis

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 8:30 p.m.