

Call to Order:

The regular meeting of the Monroe Township Planning Board was called to order at 7:00 p.m. by Chairman O'Brien. The Board saluted the flag. Roll call was as follows:

Present – Mr. Cooper, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Mr. Sebastian, Ms. Hui, Mr. O'Brien. Absent – Mr. Agnesino, (excused), Mr. Teefy, (excused). Also present – Mr. Schwartz, Solicitor, Mr. Kernan, Planner, Mr. Jordan, Engineer.

Proper notice of this meeting was given in accordance with the requirements of the Open Public Meetings Act on January 11, 2013.

Chairman O'Brien read the following statement: "Be advised, no new item of business will be started after 10:30 p.m. and the meeting shall terminate no later than 11:00 p.m."

Memorialization of Resolutions:

1. PB-28-13 – Adoption of Open Space & Recreation Plan Amendments Approved

Motion by Mr. Sebastian, seconded by Mr. Kozak to adopt resolution PB-28-13. Roll call vote: Ayes – Mr. Cooper, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Mr. Sebastian, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Public Hearing:

1. #1828 – Philadelphia Suburban Development – Reconsideration of Prelim. Subdivision

Present – Robert Nicoletti, applicant, Henry Haley, applicant's engineer, Robert Mintz, applicant's attorney.

Member's packets contained: 1. Report dated December 10, 2012 prepared by Ray Jordan. 2. Report dated December 12, 2012 prepared by Tim Kernan. 3. A copy of the applicant's preliminary major subdivision plan with a revised layout dated May 20, 2013.

The applicant is proposing to subdivide an 80.03 acre tract into 105 lots; 102 single family lots, one pump station lot, and two stormwater management/open space lots. The property is located on Malaga and Winslow Roads in the RG-MR zoning district and is also known as Block 2702, Lots 11, 15, 17, 40, and 41.

Mr. Nicoletti, Mr. Kernan, Mr. Jordan, and Mr. Haley were sworn in by Mr. Schwartz. Mr. Mintz stated that they have given notice of the reconsideration and thanked the Board for their indulgence. He stated that they would agree the previous testimony would stand so that the Board would not have to go through everything again since this is not a new application. Mr. Haley displayed the original plan which had an overlay showing how the lot lines have been adjusted so that they meet the front yard setbacks. No variances will be required. Mr. Jordan commented that there is a variance still required for the pump station lot. Mr. Haley agreed that the pump station lot will require a variance. Recreation facilities are not proposed on site. They did change the width of the road frontage in areas where the road curves so that the pie shaped lots meet the front yard setbacks; however they will leave that to the Board with regard to whether they want the additional impervious area or would be willing to grant front yard setback variances for those lots.

Public Hearing: (continued)

1. #1828 – Philadelphia Suburban Development (continued)

There are utility easements across some of the lots; however those lots still comply with regard to the required lot area exclusive of the easements. Mr. Mintz stated there was some discussion at the previous hearing concerning the fencing around the basins. Mr. Haley stated that they are in agreement to construct post and rail fence with the black mesh backing. Mr. Gabbianelli stated that he had an issue with that type of fence because it would have to be replaced in a few years; he wanted the fencing to be black or green chain link fencing which will last longer and looks better. The applicant was in agreement with the four foot vinyl coated chain link fencing.

Mr. Haley commented that the project will be phased and asked that the phasing plan be submitted at final. Sidewalk is not proposed along Malaga or Morgan Roads. It is proposed along the frontage of Winslow Road. They will provide curbing and some sidewalk at the front of the access drive located on Malaga Road approximately twenty feet or so. The applicant agreed to extend the sidewalk along Winslow Road to tie in to the sidewalk at the Marissa Estates development as long as they can do that within the right-of-way. A sidewalk contribution will be made in lieu of sidewalk along Malaga Road. Mr. Gabbianelli inquired as to the type of storm sewer pipe being used in the development. Mr. Haley replied that they are using reinforced concrete pipe in all of the main roadways, in some minor areas there may be some plastic piping. Mr. Gabbianelli commented that the development across the street, The Preserves, is about ten years old and there are major problems with the plastic pipe that was used; the pipe has failed and road is caving in. The Township is in the process of replacing some of the pipe. He stated the Township will not be responsible and that if the developer uses plastic pipe, they must have an inspector on the site at all times and they must pay for that inspector to be there while that pipe is being installed.

Mr. Mintz commented that recreation is not proposed onsite and the applicant is proposing a voluntary recreation contribution of \$3,000.00 per market rate unit. Mr. Mintz stated that they would like to pay half that fee at building permit and the other half at CO. There was some discussion with Mrs. Farrell stating the recreation contribution should be paid in full prior to the signing of the plans for each phase. Mr. Crane inquired as to the depth of the basins. He commented that his personal opinion was that he did not like fences around the basins. There was some discussion with the Board agreeing that the fencing should be required due to the depth of the basins and that the fencing is the responsibility of the homeowner's association.

Mr. O'Brien asked Mr. Jordan if he had anything to add from his report from the previous meeting. Mr. Jordan commented that the only change is the elimination of the variances for the lots. There will be changes to the basin but those can be deferred to final. Mr. Kernan commented that all of the lot areas and frontages conform with the exception of the pump station lot. He also commented that the plan shows a utility pipe running inside the buffer area along Malaga Road and that that should be revised so the pipe is not in the buffer area and the applicant is not planting over the pipe. He stated that they have more than enough room to redefine the buffer so that the utility will be out of the buffer area. Mr. Haley agreed to that suggestion. Mr. Kernan commented that the sidewalk contribution in lieu of installing sidewalk along Malaga Road is \$23,520.00.

Public Hearing: (continued)

1. #1828 – Philadelphia Suburban Development (continued)

Motion passed to open the hearing to the public.

1. Hillman Moses, 836 East Malaga Road, was sworn in by Mr. Schwartz. Mr. Moses inquired as to the sidewalk along Malaga Road. The Board replied that there will not be any sidewalk on Malaga Road except for at the entrance; there will be approximately twenty feet of sidewalk on either side of the entrance road. He was concerned about the school children waiting on Malaga Road. Mr. Gabbianelli commented that the school bus will probably pick the children up inside the development and not on Malaga Road. He was also informed that the homeowner's association will be responsible for maintaining the basins and the open space areas. The Board explained the public notice that referenced the lot number as being Lot 11 but in a different block than Mr. Moses property and his Lot 11.

2. Dorothy Brown, 808 East Malaga Road, was sworn in by Mr. Schwartz. Ms. Brown also expressed her concern about the school children on Malaga and Winslow Roads. The Board replied that the school bus will probably pick up the younger children in the development; maybe the high school kids will have to walk to the front of the development to be picked up but there is sidewalk on either side of the entrance drives on Malaga and Winslow Roads. If there are any issues, the matter will be taken care of by the school administration.

3. Elizabeth Jackson Lawrence, 746 East Malaga Road, was sworn in by Mr. Schwartz. Ms. Lawrence inquired as to the proposed oak trees across the street on Malaga Road. She also commented that there was an accident on Malaga Road and that a helicopter landed on Winslow Road. She expressed her concern with the traffic on Malaga Road. Mr. Kozak replied that he was at home at that time and the helicopter never landed but they were taken pictures along the power lines. Ms. Lawrence asked about the widening of Malaga Road in order to have the turning lane into the development. Mr. Haley replied that the County is making the applicant widen the road from the center line to their side of the property, which will increase the width from approximately thirteen feet to twenty-eight feet along the frontage of their development. Mr. O'Brien informed Ms. Lawrence of the County's phone number for information on their meetings concerning this development.

Motion passed to close the hearing to the public.

Mr. Schwartz indicated the Board should deem the application complete. Motion by Mr. Kozak, seconded by Mr. Crane to deem application #1828 complete. Roll call vote: Ayes – Mr. Cooper, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Mr. Sebastian, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Motion by Mr. Cooper, seconded by Mr. Kozak to grant the lot area variance for the pump station lot. Roll call vote: Ayes – Mr. Cooper, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Mr. Sebastian, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Motion by Mr. Kozak, seconded by Mr. Sebastian to grant the waiver from showing the existing site lighting within 100 feet of the site. Roll call vote: Ayes – Mr. Cooper, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Mr. Sebastian, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Public Hearing: (continued)

1. #1828 – Philadelphia Suburban Development (continued)

Motion by Mr. Sebastian, seconded by Mr. Masterson to grant the waiver from providing sidewalk along Malaga Road with the condition that a sidewalk contribution be made in the amount of \$23,520.00 prior to the signing of the plans. Roll call vote: Ayes – Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Mr. Sebastian, Mr. O'Brien. Nays – Mr. Cooper, Ms. Hui. Abstentions – Zero. 7 ayes, 2 nays, motion passed.

Motion by Mr. Gabbianelli, seconded by Mr. Kozak to grant the waiver from providing sidewalk along Morgan Road and extending the sidewalk on Winslow Road to the Marissa Estates development. Roll call vote: Ayes – Mr. Cooper, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Mr. Sebastian, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Motion by Mr. Sebastian, seconded by Mr. Kozak to grant preliminary major subdivision approval subject to the conditions agreed to on the record, the comments in Mr. Kernan's and Mr. Jordan's reports, the recreation contribution being made per phase in full before the plans are signed, the fencing around the basins, concrete piping for the storm sewers in the right-of-way, the buffer on Malaga being worked out with Mr. Kernan's office, all outside agency approvals, the onsite inspector if any plastic piping is used on the site, berming along the frontages in the buffer areas. Roll call vote: Ayes – Mr. Cooper, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Mr. Sebastian, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Approval of Minutes:

1. 5/9/13 regular meeting.

Motion by Mr. Kozak, seconded by Mr. Sebastian to approve the minutes from the May 9, 2013 regular meeting. Voice vote; all ayes, motion passed.

Adjournment:

The meeting was adjourned at 7:55 p.m.

These minutes are an extract from the meeting that was held on the above date and are not a verbatim account or to be construed as an official transcript of the proceedings. The tape of the meeting is stored in the office of the Board.

Ninette Orbaczewski
Clerk Transcriber