

**Call to Order:**

The regular meeting of the Monroe Township Planning Board was called to order at 7:02 p.m. by Chairman O'Brien. The Board saluted the flag. Roll call was as follows:

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

Proper notice of this meeting was given in accordance with the requirements of the Open Public Meetings Act on January 13, 2014.

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-18-14 – App. #1829 – RJP Homes, LLC – Completeness Approved

Motion by Mr. Crane, seconded by Mr. Kozak to adopt resolution PB-18-14. Roll call vote: Ayes – Mr. Agnesino, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Ms. Hui, Mr. Scardino. Nays – Zero. Abstentions – Zero.

2. PB-19-14 – App. #1829 – RJP Homes, LLC – Pipe Velocity Waiver Approved

Motion by Mr. Agnesino, seconded by Mr. Kozak to adopt resolution PB-19-14. Roll call vote: Ayes – Mr. Agnesino, Mr. Crane, Mr. Heffner, Mr. Kozak, Mr. Masterson, Ms. Hui, Mr. Scardino. Nays – Zero. Abstentions – Zero.

3. PB-20-14 – App. #1829 – RJP Homes, LLC – Final Major Subdivision Approved

Motion by Mr. Agnesino, seconded by Mr. Kozak to adopt resolution PB-20-14. Roll call vote: Ayes – Mr. Agnesino, Mr. Crane, Mr. Heffner, Mr. Kozak, Mr. Masterson, Ms. Hui, Mr. Scardino. Nays – Zero. Abstentions – Zero.

4. PB-21-14 – Chapter 175-140 – Amendment HDPE Pipe Requirements Approved

Motion by Mr. Agnesino, seconded by Mr. Crane to adopt resolution PB-21-14. Roll call vote: Ayes – Mr. Agnesino, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Ms. Hui, Mr. Scardino. Nays – Zero. Abstentions – Zero.

5. PB-55A-13 – App. #1739 – 110 Whitehall, LLC – Amended Resolution

Mr. Agnesino made a motion to adopt the resolution. Mr. Schwartz explained that Exhibit A-2 has been revised to clarify the COAH as discussed at the previous meeting. Mr. Gabbianelli asked if everyone had time to review the changes since he didn't see the revision until today. He stated that the development wasn't going to start being built for quite a while so he didn't see the reason to rush. Mr. Schwartz replied that he thought there was an issue with financing for the applicant. Mr. Schatz was present and Mr. Gabbianelli asked him if two weeks would make a difference. Mr. Schatz replied that two weeks would not make a difference. Mr. Gabbianelli asked if it was okay with everyone to wait. Mr. Masterson inquired as to the \$75,000.00 being paid up front. Mrs. Farrell replied that that money would be paid up front if there is an agreement with another provider, if not, the applicant will pay \$4,500.00 per unit. Mr. Agnesino withdrew his motion; the matter will be scheduled on the meeting of May 8, 2014.

**Public Hearing:**

1. #1833 – Comfort Development Group, LLC – Minor Subdivision

Present – Clifford Gail, applicant, William Ziegler, applicant’s attorney.

Member’s packets contained: 1. Report dated April 1, 2014 prepared by Tim Kernan. 2. A copy of the applicant’s minor subdivision plan.

The applicant is proposing to subdivide Lot 15, into two lots. The proposed new lot will contain approximately 4.068 acres. The remaining lot of approximately 1.033 acres contains an existing single-family dwelling and related improvements and will be retained by the current owner and resident. The property is located at 1430 North Main Street, also known as Block 801, Lot 15 in the R- 2 Zoning District.

Mr. Ziegler introduced himself as the applicant’s attorney. He stated that the only variances listed for this application are for the front yard building setback and the side yard as pre-existing non-conforming conditions associated with the existing single-family dwelling. He commented that he advertised just in case they were construed as variances. Mr. Gail and Mr. Kernan were sworn in by Mr. Schwartz. Mr. Kernan reviewed his report for the Board. He stated that the application can be deemed complete. Motion by Mr. Agnesino, seconded by Ms. Hui to deem application #1833 complete. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Ms. Hui, Mr. O’Brien. Nays – Zero. Abstentions – Zero.

Mr. Kernan explained that the applicant is purchasing a portion of the existing lot; creating a flag lot, which will eventually be added to additional property they are planning to purchase in the future for development. But for today no development is proposed. There are a couple existing non-conformities such as the garage being into the side yard setback and the single-family dwelling encroaching into the front yard setback. However, this Board does not find it necessary to grant variances for pre-existing non-conforming conditions but they do have to be recognized. The fifty feet of frontage for the flag lot is not permitted in the R-2 zone but it is conforming to the conditions for a flag lot. The plan does conform to the flag lot requirements. There is a comment concerning sidewalk in the report and the Board will make a decision regarding sidewalk. There is a correction needed to the legal description that Mr. Kernan reviewed. Mrs. Farrell replied that they did make the correction. The lot numbers have to be approved by the tax assessor’s office. With regard to COAH, there isn’t any development proposed at this time, so there isn’t a COAH requirement. Mr. Gabbianelli asked if there is a sidewalk requirement. Mr. Kernan stated that there is a \$3,000.00 per dwelling unit requirement; however there isn’t a new dwelling proposed. He stated that the applicant will probably be back before the Board later this year or next year for a major subdivision once they acquire additional properties.

Mr. Gabbianelli expressed concern with the future roadway and whether it would line up with the approved development across the street. Mr. Gail explained that it is not directly across the street from the flag pole portion of the proposed new lot; it is further south. Mr. Ziegler agreed that if one single-family dwelling is constructed on the proposed new lot, they understand they have to pay the sidewalk fee. Mrs. Farrell commented that the resolution can state that the applicant will have to pay the \$3,000.00 fee when they apply for a zoning permit. Mr. Caligiuri commented that it should be whatever the fee is at the time. The resolution will indicate that the applicant will pay whatever the sidewalk fee is at the time of zoning permit.

**Public Hearing: (continued)**

1. #1833 – Comfort Development Group, LLC (continued)

Motion passed to open the hearing to the public. There being none, motion passed to close the hearing to the public.

Motion by Mr. Agnesino, seconded by Mr. Kozak to grant the minor subdivision approval conditioned upon the agreement with regard to the sidewalk contribution. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

**Approval of Minutes:**

1. 4/10/14 regular meeting.

Motion by Mr. Agnesino, seconded by Mr. Kozak to approve the minutes from the April 10, 2014 regular meeting. Voice vote; all ayes, motion passed.

**Reports:**

1. Mr. Gabbianelli informed the Board that Applebees will be building in the WalMart shopping center along the Black Horse Pike. It will be in the location where the proposed bank was approved on the site.

**Adjournment:**

The meeting was adjourned at 7:25 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