

**Call to Order:**

The regular meeting of the Monroe Township Planning Board was called to order at 7:05 p.m. by Chairman O'Brien. The Board saluted the flag. Roll call was as follows:

Present – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Ms. Hui, Mr. O'Brien. Absent – Mr. Teefy, (excused), Mr. Cotton, (excused). Also present – Mr. Rocco, Solicitor, Mr. Kernan, Planner, Mr. Jordan, Engineer.

Proper notice of this meeting was given as required by the Open Public Meetings Act on January 8, 2016.

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-64-16 – App. #WSP-42-16 – Vincent Volpe – Site Plan Waiver Approved

Motion by Mr. Agnesino, seconded by Mr. Caligiuri to adopt resolution PB-64-16. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

2. PB-65-16 – App. #WSP-39-16 – Skydive Cross Keys, LLC – Site Plan Waiver Approved

Motion by Mr. Agnesino, seconded by Mr. Caligiuri to adopt resolution PB-65-16. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

3. PB-66-16 – App. #WSP-41-16 – Kathryn Jones – Site Plan Waiver Approved

Motion by Mr. Crane, seconded by Mr. Scardino to adopt resolution PB-66-16. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

**Site Plan Waivers – for Board Action:**

1. #WSP-43-16 – John & Michael Roefs – Site Plan Waiver

Present – John Roefs, applicant.

Member's packets contained: 1. A copy of the applicant's site plan waiver application. 2. A copy of the applicant's Certificate of Filing from the Pinelands. 3. Letter dated June 27, 2016 prepared by Rosemary Flaherty, Zoning Officer.

The applicant is proposing to occupy an existing commercial building for his tire retreading business. He will also be continuing the residential use in the second building which will contain two rental units as per his Certificate of Filing. The property is located at 34 W. Black Horse Pike, also known as Block 6201, Lot 13.01 in the RD-C Zoning District.

Mr. Roefs was sworn in by Mr. Rocco. He stated that his family is the largest recycler of tires. They are looking to expand to this area since they deal with clients in southern New Jersey and in Philadelphia.

Ms. Flaherty reviewed her letter. She stated that the applicant is going to abandon the residential use on the site. Mr. Roefs stated that he is not going to abandon the residential use but he has to eliminate two of the four apartments as per the Pinelands due to the septic dilution. Two of the four apartments have already been dismantled.

**Site Plan Waivers (continued)**

1. #WSP-43-16 – John Roefs (continued)

Ms. Flaherty stated the site currently has a sign box and the applicant has agreed to sponsor a “Come Grow with Us” Monroe Township welcome sign. There isn’t sidewalk along the frontage of the property and Ms. Flaherty stated that the applicant must obtain a letter of no interest from the NJDOT if the Board grants a sidewalk waiver. She also stated that the front of the property looks pretty bland and she wants the applicant to provide a five hundred dollar escrow fee for the Board’s Planner to review a landscape plan for the site. The parking is a combination of stone with blacktop in some areas. The applicant should provide testimony with regard to the parking lot and the overgrown areas. She also would like to do a compliance inspection before a Certificate of Occupancy is issued. She does believe the site is suitable for the proposed use.

Mr. Roef’s stated that one of the tenants is supposed to be the caretaker of the property. He has done some maintenance and clean up on the site and it looks much better today than when the pictures were taken. Mr. Roefs questioned what type of landscaping is required. Ms. Flaherty stated that the applicant should work with Mr. Kernan on that issue. With regard to the parking lot, Mr. Roefs stated that Mr. Seeber from the Pinelands did not want any additional paving done on the site. Mr. O’Brien asked Mr. Roefs if he got that in writing from Mr. Seeber. Mr. Roefs stated he wasn’t sure if it was noted in the Certificate of Filing. Mr. O’Brien asked Mr. Roefs if he could get that information in writing from Mr. Seeber. Ms. Flaherty stated that Mr. Roefs just needs to refresh the stone. Mr. Roefs indicated that he is ADA compliant and he intends to refresh the stone and do some painting.

Mr. Crane inquired as to any odor from the retreading process. Mr. Roefs explained the process and indicated that there will be some odor but there will not be an extensive odor coming from the building but he does intend to install an exhaust fan in the roof. The whole process to retread a tire takes approximately three hours. Mr. Caligiuri asked if the process generates any solid or liquid waste. Mr. Roefs explained that when they process the tire they cut the old rubber off and it becomes very small like little pieces of ground rubber. That all goes into a trailer and gets sold and recycled into gym mats or playground material.

Motion passed to open the application to the public. There being none, motion passed to close the application to the public. Motion by Mr. Agnesino, seconded by Mr. Scardino to grant site plan waiver approval with the conditions stated and agreed to on the record. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Ms. Hui, Mr. O’Brien. Nays – Zero. Abstentions – Zero.

**Public Hearing:**

1. #466-SP – Holiness Worship Center – Minor Site Plan

Present – Pastor Connie Smith, applicant, Len Schwartz, applicant’s attorney, Ken Moninghoff, applicant’s engineer.

Member’s packets contained: 1. A copy of the applicant’s site plan. 2. Report dated July 7, 2016 prepared by Ray Jordan. 3. Report dated July 12, 2016 prepared by Tim Kernan.

The applicant is proposing to construct a 1,800 square foot multi-use daycare facility with associated improvements and parking. The property is located at 1480 North Tuckahoe Road, also known as Block 14501, Lot 22 in the R-2 Zoning District.

**Public Hearing: (continued)**

1. #466-SP – Holiness Worship Center (continued)

Mr. Schwartz stated that the applicant is before the Board with revised plans. Mr. Kernan and Mr. Jordan met with Mr. Moninghoff to discuss the issues raised at the previous hearing and the reports reflect compliance with all of the major issues. Pastor Smith and Mr. Moninghoff were sworn in by Mr. Rocco. Mr. Moninghoff displayed the revised site plan for the Board which was marked as Exhibit A-6.

Mr. Jordan reviewed his report for the Board. The applicant has provided the north arrows and the key maps on the plans. They also have submitted an existing conditions plan and located the lights within 100 feet and the driveways on Lots 21 and 23. The applicant submitted will serve letters from South Jersey Gas and Atlantic Electric; he will submit letters for the well and septic when received from the County. The operations of the building have been addressed. The discrepancy on the plans with regard to the number of parking spaces has been addressed. A waiver is being requested for the reduction in the size of the parking spaces from 10 x 20 to 9 x 18 and Mr. Jordan indicated he would support the waiver request. The handicap spaces have been delineated on the plan and the applicant has provided a 5 x 5 foot sidewalk at the two front corners of the building. The applicant has addressed the drainage by providing a stone filled trench along the new driveway and two stone filled drywells. Mr. Jordan asked for a detail of the drywells to be included on the plans. The applicant must provide the appropriate bonding and inspection fees.

Mr. Schwartz commented that the applicant is requesting a waiver of the filing fee. There was some question as to whether this application is considered exempt because it's for a daycare which is part of the church. Mr. Agnesino stated that it was testified by the applicant at the last meeting that the daycare does not make a profit. Ms. Flaherty asked if the applicant has proof the existing daycare is part of the 501(3) C. Pastor Connie stated that she does have that documentation and will provide a copy the office. Motion by Mr. Agnesino, seconded by Mr. Caligiuri to grant the waiver for the filing fee. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Mr. Masterson, Mr. Scardino, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Mr. Kernan reviewed his report for the Board. He stated the use is a conditionally permitted use in the zone. The first condition requires the applicant to comply with all outside agency approvals and licensing. The second condition requires the proposed use to be constructed as to not adversely impact the surrounding uses. Pastor Connie testified that they do have a license from the State to operate the daycare and that the State does come down and do periodic inspections. She will provide a copy of the license to the Board office. Mr. Kernan stated that there are several bulk variances being requested. The first is for the front yard setback where seventy-five feet is required and the applicant only has slightly over nine feet to the existing storage building. That nine feet will be reduced with the County's requirement for additional right-of-way. A variance is required for the side yard setback where thirty feet is required and the applicant has eight feet to the existing church/daycare and will have twenty-seven feet to the new building. With regard to the lot coverage, the applicant is increasing the lot coverage to thirty-five percent where twenty-five is the maximum; a variance is required.

Buffers are required along the property lines to the residential development at no less than ten feet which shall be planted and landscaped to obscure the activities on the site. The plan does not conform to this requirement. The applicant has added a split rail fence and additional landscaping in the straight area where the driveway will be widened. Mr. Moninghoff displayed the landscape plan for the Board. The proposal calls for the fence and planted arborvitae with additional shrubs in between which will create a solid screen. Mr. Kernan suggested that the buffer and planted area should be extended along the property line to the play area but left it to the Board's discretion.

**Public Hearing: (continued)**

1. #466-SP – Holiness Worship Center (continued)

Mr. O'Brien asked how much further would the buffer need to be extended. Mr. Kernan replied approximately sixty feet to the end of the play area and maybe forty to the fifty feet the other way. Mr. Schwartz stated that Mr. Moninghoff will work it out with Mr. Kernan. There was some discussion on the sidewalk and school buses. Pastor Connie stated that the school bus pulls into the lot to pick up and drop off the school aged children. The applicant is requesting a waiver of providing sidewalk along Tuckahoe Road. New signage is being proposed and the new sign will sit back further from the roadway. Mr. Kernan stated that a waiver is required since freestanding signs are not permitted in the zone. The newly proposed sign conforms to the requirements. Mr. Kernan stated that there are four nice specimen trees at the front of the site. He asked Mr. Moninghoff if all four trees had to be removed. Mr. Moninghoff replied that he looked at that issue and he thinks he will only have to remove two of the four trees.

Mr. Cooper inquired about the existing storage building that is very close to the road and the discussion at the previous meeting to remove that building. Mr. Schwartz commented that the church does not want to remove that building since they just spent money to replace the roof and siding. Mr. Moninghoff stated that the plan has been modified to show the driveway will be a full fifteen feet wide all the way out to Tuckahoe Road. Mr. Kernan noted that the fifteen feet does go right up against the building and the building's roof does overhang some so higher vehicles such as the school bus will have to be aware. Mr. Crane stated that he had a problem with the small storage building being so close the Tuckahoe Road and the Board allowing it to be there. Mr. Agnesino stated that it already exists there. Mr. Schwartz stated that it is being used by the church. Mr. Kernan stated that he didn't know if the approval could be conditioned upon them removing the building but the Board does have to act on a variance for the front yard setback. Ms. Flaherty commented that the Board could deny the variance. She also asked the applicant to install a bollard where the drive isle meets the corner of the fencing around the play area. Mr. Kernan suggested a wooden guiderail which would be more attractive on the site. Mr. Moninghoff stated that he would add that feature to the plans.

Motion passed to open the hearing to the public.

1. Jerry Lodge, 1464 N. Tuckahoe Road, was sworn in by Mr. Rocco. Mr. Lodge stated that he supports the church in their proposal. He had one concern regarding the new septic system being located in the rear of the church and the distance of that septic system from his well. The Board informed his that the County Board of Health will have to approve the location and the distance from any existing wells in the area.

2. Glen Groves, 1464 N. Tuckahoe Road, was sworn in by Mr. Rocco. Mr. Groves stated that he is also in support of the church. He was appreciative of the increased landscaping along the property line. He also stated that their concern was addressed with regard to the drainage. Mr. Kernan asked Mr. Groves opinion about extending the landscaping along the property line to shield the play area as well as extending it in the other direction along the drive isle. He stated that he has planted arborvitae and other bushes along the property line on their side where the play area will be located. Mr. Kernan commented that the applicant will not have to extend the landscaping in that case.

Motion passed to close the hearing to the public.

Mr. Rocco reviewed the variances and waivers for the Board. There are variances required for the front yard setback, side yard setback, and lot coverage. Waivers are required for the size of the parking spaces, the buffer, the signs, and the sidewalk. Motion by Mr. Agnesino, seconded by Mr. Masterson to grant the variances and waivers and minor site plan approval. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Mr. Masterson, Mr. Scardino, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

**Discussion for Board Action:**

1. Chapter 175-133 – Sidewalk Ordinance

Mr. Rocco stated there have been discussions regarding the sidewalk ordinance and the challenge by the Builder's League with regard to the fees charged for a waiver. He and Mr. Fiore have been researching the legality of whether Townships can charge a fee or contribution in lieu of providing sidewalks. They determined that it is in the best interest of the Township at this time to remove the requirement that a fee or contribution must be paid if the sidewalks are waived. The sidewalk ordinance has been rewritten to eliminate the fee; however the Board still has the right to waive or require the sidewalk.

Motion by Mr. Agnesino, seconded by Mr. Crane to recommend the ordinance changes to Council. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

2. Chapter 175-54 – Site Plan Ordinance

Mr. Rocco stated that he also is recommending changes to the site plan/site plan waiver ordinance in order to give the Board more flexibility in their review. The ordinance was edited to require a site plan for any change of use or change of occupancy as well as any construction or alteration of the structure. With regard to the site plan waivers the ordinance will allow the Board to consider matters which would usually be considered under site plan such as lighting, landscaping, parking, etc.

Motion by Mr. Agnesino, seconded by Ms. Flaherty to recommend the ordinance changes to Council. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

3. Recommendation of Redevelopment Plan – 1030 N. Main Street

Mr. Kernan stated that the property is located in the R-2 Zoning District. In order for the prospective tenants to be allowed to locate their brewery at this location without needing a use variance, the Township has designated the area in need of rehabilitation and a redevelopment plan is the next step in the process. The plan lists permitted uses, bulk requirements, prohibited uses, the standards for all uses, signage, etc. Ms. Flaherty asked if under the bulk requirement section they could add to the plan that existing buildings would not have to meet the bulk requirements or require a variance. Mr. Kernan stated that to the best of knowledge the Board doesn't require a variance for bulk requirements on pre-existing nonconforming conditions. He stated that the only issue is the one fourteen foot setback for the middle building on the site. Mr. Rocco agreed with Mr. Kernan on the pre-existing nonconforming conditions that no variance is required; he stated he would include that in the resolution. Mr. Kernan stated that the buffer was planted as part of the previous site plan approval. He visited the property and it appears the buffer is still pretty much intact with the exception of some trees that have died off, so the applicant only has to confirm through the survey that they do have the required buffer and that they will replace the dead trees. The plan also includes design guidelines that deal with lighting, signage, parking, etc. If one of the conditions of that section isn't met it would only require a design waiver not a variance. Mr. Kernan stated that he did a calculation on the parking requirements for the warehouse building which is going to be broken up into different uses. The entire building is approximately 10,000 square feet; 313 square feet is proposed to be a small retail area, 1,735 square feet is proposed to be a tasting room, 1,696 square feet is proposed as event space, 474 square feet is proposed for an office, and the manufacturing for the brewing is 5,571 square feet. He applied the parking ratios for all the proposed uses and calculated a requirement of 84 parking spaces. If you remove the requirement for the event space, you can subtract 34 spaces which leaves 50 parking required spaces. There are approximately 37 spaces right now and if the town grants them an easement for overflow parking they could probably get another 30+ spaces so it should work out. Mr. Masterson expressed his concern with regard to the proposed property owner having to come before the Board for site plan and notification of the neighbors.

**Discussion: (continued)**

3. Recommendation of Redevelopment Plan (continued)

Mr. Masterson stated that he is concerned about the residents living in the area in close proximity to the proposed brewery. He stated he has been to several breweries and usually there is some open field around the building which really gets overtaken by customers. This brewery will most certainly have an outdoor event and he wanted the residents in the area to be aware of the proposal. Mr. Kernan stated that the prospective owners/tenants will have to work out an agreement with the town and those types of things should be part of the agreement. Can the outside be used and how much of the area outside can be used which will add to the required parking if an outside area is permitted. Mr. Masterson stated that he loves the idea of a brewery but he is concerned about the residents in the area.

Motion by Mr. Agnesino, seconded by Mr. Masterson to recommend the plan to Council. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Ms. Hui, Mr. O’Brien. Nays – Zero. Abstentions – Zero.

**Extension Requests for Board Action:**

1. #433-SP – LRC Builders, LLC – Final Major Site Plan

Mr. O’Brien stated that the applicant is requesting a one year extension of their site plan approval. Motion by Mr. Agnesino, seconded by Mr. Crane to grant the one year extension. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Ms. Hui, Mr. O’Brien. Nays – Zero. Abstentions – Zero.

2. #1714 – Steve Smith (Smithfield Estates) – Final Major Subdivision

The applicant is requesting a two year extension on his approvals as they have to negotiate with the NJDEP with regard to the proposed detention basin and the removal of the project site from the sewer service area without the knowledge of the MUA or the GCUA. Motion by Mr. Agnesino, seconded by Mr. Crane to grant the two year extension. Roll call vote: Ayes – Mr. Agnesino, Mr. Caligiuri, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Ms. Hui, Mr. O’Brien. Nays – Zero. Abstentions – Zero.

**Approval of Minutes:**

1. 6/9/2016 regular meeting.

Motion by Mr. Agnesino, seconded by Mr. Cooper to approve the minutes from the June 9, 2016 regular meeting. Voice vote; all ayes, motion passed.

**Public Portion:**

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

**Adjournment:**

The meeting was adjourned at 8:25 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