

Monroe Township Planning Board Meeting Minutes
July 12, 2018 at 7:00 pm

Pledge of Allegiance

Call to Order

"Proper notice of this meeting was given as required in the Open Public Meetings Act on January 11, 2018 and a copy was posted on the first floor bulletin board and a copy was given to the Township Clerk. Be advised, no new business or item of discussion will be started after 10:30 pm and the meeting shall terminate no later than 11:00 pm".

Roll Call:

Members:

Mr. Boorstein - Present

Mr. Crane, Vice Chairman- Present

Ms. Flaherty- Present

Councilman, Mr. Heffner- Present

Mr. Masterson- Absent

Mr. O'Brien, Chairman- Present

Mr. Scardino- Present

Mayor, Mr. Teefy- Present

Alt. 1, Mr. Colavita- Present

Alt. 2, Mr. Cotton- Excused

Professionals:

Solicitor, Joe Rocco, Campbell Rocco Law Firm- Present

Secretary, Rosemary Flaherty - Present

Transcriber, Tara Park- Present

Planner, Tim Kernan

Engineer, Ray Jordan

Resolution Correction:

Application 395-SP, Fuel Station at Sam's Club, 334 Berlin Cross Keys Road, Block 101 Lot 3.01, Resolution of Approval PB-22-15, Extension Resolution PB-17-18, Extension Resolution PB-38-18 The applicant was recently approved for a one-year extension of time to start this project. At our recent pre-construction meeting it was revealed that the address that was used in the application in early 2015 was incorrect and the correct address is 300 Berlin Crosskeys Road. This correction of resolution will be published by the applicant immediately to avoid a delay in the project.

Motion to approve: Mr. Heffner

2nd motion to approve: Mr. Scardino

Roll call vote:

Mr. Boorstein - Yes

Mr. Crane - Yes

Ms. Flaherty - Yes

Councilman, Mr. Heffner- Yes
Mr. O'Brien, Chairman - Yes
Mr. Scardino- Yes
Mayor, Mr. Teefy - Yes
Alt. 1, Mr. Colavita- Yes

Extension of Approval:

Applications #1809 and #SP0437 Williamstown Assembly of God, Block 3901 Portion of Lot 1.01, 1.02, 1.03 Malaga-New Brooklyn Road and Corkery Lane for Minor Subdivision and Major Preliminary and Final Subdivision Approval under PB 52-09 and PB-58-09, Extension of Approval Granted under Resolution PB-52-17 for a one – year extension to June 30, 2019.

Motion to open to the public: Mr. Heffner

2nd motion to open to the public: Mr. Colavita

All in favor by voice vote.

At this time anyone wishing to address the Board about this application is able to do so, and with no one wishing to speak from the public,

Motion to close to the public: Mr. Heffner

2nd motion to close to the public: Mr. Crane

All in favor by voice vote.

Motion to approve: Mr. Heffner
2nd motion to approve: Mr. Scard
Roll call vote:
Mr. Boorstein - Yes
Mr. Crane - Yes
Ms. Flaherty - Yes
Councilman, Mr. Heffner- Yes
Mr. O'Brien, Chairman - Yes
Mr. Scardino- Yes
Mayor, Mr. Teefy - Yes
Alt. 1, Mr. Colavita- Yes

Application #1714 Smithfield Estates, Block 15301 Lots 2, 3, 3.01, 37 and Block 15303 Lots 31-36, 38 and 39 and Block 15402 Lots 9-13, located between Glassboro Road and Glassboro Williamstown Road Route 322 Final Major Subdivision Approval under Resolution PB-39-06 and Extension granted under PB-73-16 granting approval of a two year extension to June 30, 2018 to construct 172 single family dwellings. The applicant is requesting a one-year extension which would expire June 30, 2019.

Laura D'Allessandro of Del Duca Lewis on behalf of the Applicant, Bruce Papparone Inc, a contract purchaser of the development. She spoke to the Board about the extensive costs to bring water and sewer to the area of the development, which is the reason the construction has halted.

Memorialization of Resolutions:

Resolution PB-49-2018, Equestrian Estates #1725, Block 3704 Lots 9, 9.01, 9.02 and 9.03, Final Major Subdivision Approval under PB-47-08, Amended Final Major Subdivision Approval under PB-78-08, 2-year extension under PB-85-16, property located at southerly side of Winslow Road, west of Buckhorn Drive consisting of 31 acres with Final Major Subdivision approval to construct 38 single family homes, a stormwater management basin and associated site improvements.

The applicant requested a 1-year extension as provided under the applicable statutes and in particular N.J.S.A. 40:55D-52.

Motion to approve: Mr. Heffner

2nd motion to approve: Mr. Colavita

Roll call vote:

Mr. Boorstein - Yes

Mr. Crane - Yes

Ms. Flaherty - Yes

Councilman, Mr. Heffner- Yes

Mr. O'Brien, Chairman - Yes

Mr. Scardino- Yes

Mayor, Mr. Teefy - Yes

Alt. 1, Mr. Colavita- Yes

Memorialization of Resolutions:

Resolution PB-50-2018, Application #WSP-27-2018, Advanced Counseling Services LLC, Block 11806 Lot 1, 5 South Main Street, Site Plan Waiver- The applicant proposed a therapeutic interventions to those in need of counseling services for mental health, mental wellness, and career counseling to those in need from adolescents to adults at this location.

Motion to approve: Mr. Crane

2nd motion to approve: Mrs Flaherty

Roll call vote:

Mr. Boorstein - Excused from Application

Mr. Crane - Yes

Ms. Flaherty - Yes

Councilman, Mr. Heffner- Yes

Mr. O'Brien, Chairman - Yes

Mr. Scardino- Yes

Mayor, Mr. Teefy - Yes

Alt. 1, Mr. Colavita- Yes

Resolution PB-51-2018, Application #WSP-28-2018, Spirit of Halloween, Block 201 Lot 1, 2099 North Black Horse Pike, Site Plan Waiver - The applicant proposed retail sales of Halloween Costumes, accessories and indoor and outdoor decorations at this location.

Motion to approve: Mr. Heffner
2nd motion to approve: Mr. Colavita
Roll call vote:
Mr. Boorstein - Yes
Mr. Crane - Yes
Ms. Flaherty - Yes
Councilman, Mr. Heffner- Yes
Mr. O'Brien, Chairman - Yes
Mr. Scardino- Yes
Mayor, Mr. Teefy - Yes
Alt. 1, Mr. Colavita- Yes

Site Plan Waiver:

Application #WSP-29-2018, Bakemyday Inc. c/o Mohamed Saleh, Pretzel Factory, 200 North Black Horse Pike Block 1502 Lot 26 - The applicant is proposing a change of ownership at this location to continue to operate the pretzel factory.

Motion to table application: Mr. Heffner
2nd motion to approve: Mr. Scardino
All yes by voice vote.

*Application #WSP-30-2018, Pinnacle School of Health Careers, LLC c/o Dr. Bryana Carrea, 100 North Black Horse Pike, Block 1503 Lot 4 - The applicant is proposing a medical business at this location to train Medical Assistants, Phlebotomist, Home Health Aides, and EKG Technicians at this location.
The Solicitor swore in Dry Bryana Carrea in front of the Board, and she gave a brief description.*

Motion to open to the public: Mr. Heffner

2nd motion to open to the public: Mr. Scardino

All in favor by voice vote.

At this time anyone wishing to address the Board about this application is able to do so, and with no one wishing to speak from the public,

Motion to close to the public: Mr. Heffner

2nd motion to close to the public: Mr. Colavita

All in favor by voice vote.

At this time the Zoning Officer went over her report and the following information was responded by the applicant:

- The signage will be shared on the freestanding sign
- No subleasing for classrooms, for administrative areas only
- Initially 2 part time employees - one instructor and one administrative
- Initial Hours are 5-10 pm daily and CPR will be held every other weekend from 8:30am-1pm
- Department of Education will require licensing with CO when it is issued and that will be forwarded when received.

- Biohazard materials (for blood draws) are put in a designated container (red box) which is mailed back to facility in compliance with OSHA regulations. A new container will then be given to the facility to use.
 - Mr. Heffner asked how these will be stored - the applicant replied that it is stored inside the lab, under a locked container.
- Friends and family will be the only ones who come to the facility to help the students get their “sticks” in for their certification.
- The building tenants use a shared dumpster.
- All Certificates and Inspections will be received and completed, copies forwarded to the Zoning Officer.

Motion to approve: Mr. Heffner

2nd motion to approve: Mr. Colavita

Roll call vote:

Mr. Boorstein - Yes

Mr. Crane - Yes

Ms. Flaherty - Yes

Councilman, Mr. Heffner- Yes

Mr. O'Brien, Chairman - Yes

Mr. Scardino- Yes

Mayor, Mr. Teefy - Yes

Alt. 1, Mr. Colavita- Yes

Presentations:

Housing Element of the Master Plan- Presentation provided by Tim Kernan, see the attached draft Mr. Kernan went over the draft ordinance and the booklets in the members packets and said that a Settlement agreement was made Jan 30th with Fair Share Housing Center. One of the agreements was that a Housing Element and Fair Share Plan be updated. This will be on the agenda for Council on July 23rd and it will be discussed at the August 23rd Public Hearing at the Planning Board Meeting. Mr. Kernan advised the members to go over the information prior to the meetings.

Public Hearings:

Application #480-SP, Holly Oak Estates (formerly Pin Oak Estates), Block 13001, Lots 9, 10, 11, 11.01, 12 and 13, located on the east side of Tuckahoe Road, south of the Williamstown High School and adjacent to Owens Park sports complex: The applicant is proposing a major subdivision on 6 undeveloped and primarily wooded parcels of land that will be subdivided into 89 single family residential lots and 3 open space lots. All of the lots will be serviced by public water and sewer.

Richard Hoff of Bisgaier Hoff, Attorney for the applicant addressed the Board. He gave a brief description of the application and noted that the site (43 acres) is already approved for 89 SF lots, and the application tonight is for the same amount with larger open space areas. The applicant is requesting the approval to tighten up the lots and to make them smaller. Mr. Larry Ragone, was the original planner in 2005 was present. Ken Shatz, of the owner, Morgan Development Group, and Eric Littlehales

of CES, Engineer for the applicant was also present, as well as the Board Professionals were all sworn in by the Board Solicitor. Mr. Hoff noted that additional engineering information and reports would be provided if the Board grants the approval.

Mr. Ragone went over the plan being presented and the amendments that were made:

- *Clustering of 89 lots and reduce lot size and increase Open Space*
 - *First plan was 10.01 acres and 2nd plan is over 19 acres*
- *Roadway reduction in linear feet*
 - *First plan was 5,799 linear feet and 2nd plan is 4,351 linear feet*
- *Storm Draining implication due to less impervious areas*
- *Stormwater facilities - Basins*
 - *124,121 to 74,000 square feet of Basin area*
- *Access from Tuckahoe Road that was being added was removed*
- *Braves Boulevard relocated to create a 4-way intersection and plan to create a traffic light at the intersection.*
- *Donation of Property to Township at the Rear of Owens Park which also fronts on Tuckahoe Road.*

Mr. Ragone went over the variances requested by the applicant:

- *Minimum Lot size is 10,000 and they are requesting 7,200 (smallest lot), average lot is 9,200 square ft.*
 - *Mr. Rocco asked if the applicant could calculate how many lots are under 10,000 sq ft.*
 - *57 lots are less than and 32 are greater than*
- *Mr. Rocco asked Mr. Hoff to clarify that this is not an amendment, and he said that is correct.*
- *Minimum Lot Width is 75 ft and they are requesting 60 ft*
- *Minimum Lot Frontage is 75 ft and they are requesting 60 ft*
- *Minimum front yard is 40 ft and they are requesting 30 ft*
- *Minimum side yard is 10 ft, and they are requesting 5 ft with a 15 ft aggregate*
 - *Mr. Ragone noted that aggregate meant that there shall be no less than 15 ft between two dwellings.*
- *Maximum Lot Coverage is 30% and they are requesting 35%*

The applicant believes that this plan meets both positive and negative criteria under C2 of MLUL, most specifically it presents a better Planning and Zoning alternative, and that it benefits the general public by the following:

- *Increase Open space*
- *Remove Cut Through which could be a potential problem*
- *Reduction in Road Area to maintain*
- *Reduction of Basin Area to maintain*

Negative Criteria Includes:

- *No substantial detriment to the Public Good, with actual benefits to the public good*

- *Does not negatively impact the Master Plan*

Mr. Rocco asked for clarification of the new plan to a stand alone in respect to the positive criteria and Mr. Ragone and Mr. Hoff clarified and reiterated that the same items listed previously would still stand. They also along with Mr. Littlehailes noted that the plan complies with the RSIS for Circulation, Stormwater and Basins, as well as roadways. Mr. Littlehailes noted that there is about 2 acres less of impervious ground on this plan.

Mr. Schatz spoke to the Board about their existing project with these lot sizes which is Weatherby in Woolwich Township and he provided photos of the elevations by the developers who have built in there. This includes Paparone, Ryan, Fieldstone, and Deluca. \$2,000 per lot was agreed on the last approval for Parks & Rec Fees, as well as a water & sewer stub for Owen's Park. Mr. Schatz spoke about the homes in Weatherby, saying that they range from 1500-3500 sq ft and \$270,00-\$350,000.

Professional Reports for Application #480-SP:

Engineer, Ray Jordan went over his report.

Mr. Hoff noted that the justification for the checklist waiver will be given at final if approved. The applicant agreed to all items to be provided at final submission if they are granted approval.

Mr. Rocco asked if there was a traffic assessment and Ray said that there was, and Mr. Heffner asked when that was done and it was done in May 2018.

Mr. Heffner asked how many acres were Open Space and originally it was 10.02 acres and in the 2nd plan it is 19 acres including basins.

Mr. Heffner asked for clarification of the traffic signal approval by the County, Chairman O'Brien and the Solicitor reviewed the correspondence from the County. Mr. Schatz stated that the design is already done.

Motion to grant waivers in order to deem application complete: Mayor Teefy

2nd: Ms. Flaherty

Roll Call Vote:

Mr. Boorstein - Yes

Mr. Crane - Yes as long as everything is met at final and submitted

Ms. Flaherty - Yes

Councilman, Mr. Heffner- No

Mr. O'Brien, Chairman - Yes

Mr. Scardino- Yes

Mayor, Mr. Teefy - Yes

Alt. 1, Mr. Colavita- No

Mr. Jordan went over the waivers being requested as well as variances. The applicant agreed.

Mr. Jordan went over his technical review and noted his items of concern including that there are existing issues in the Federal Hill with student parking and that they would recommend the same restrictions going to be imposed at the that development in this development as well. The Mayor stated that the restrictions are not in place yet to clarify what this meant for Mr. Rocco. Mr. Schatz noted that they had to do this in a commercial lot across from Washington Township High School.

Mr. Boorstein asked what the plan was for the Open Space, and Mr. Schatz said that most of it is wooded and it would likely remain that way.

Mr. Boorstein referenced a recent application in front of the Zoning Board, which he was a member of the public for that meeting, Smithfield Estates. Mr. Boorstein noted that there was a mention of financial feasibility to the developer for an application not being able to be a reason for approving an application. Mr. Kernan clarified that was in front of the ZBA due to the density, not clustering.

Mr. Colavita noted a few items that concerned him:

- The entrance to the High School and parks is now going to be a residential road
- Traffic study times not being at height of traffic in the area
 - Mr. Schatz said that is why the light needs to be installed and it was designed, Mr. Colavita noted that they will not be funding it though
 - Mr. Hoff noted that the sidewalks will also be extended to the school as well, and placed on both sides of the streets
- Mr. Colavita asked if the eliminated road was a two way road
- Resale value of these homes will not be appealing with the lot size
- Concern with extensive amount of time to complete the development
- Costs/Expenses being returned back to the buyer
 - Mr. Schatz confirmed expenses for COAH at 1.5% and \$2,000 P&R contribution would add to these expenses as well

Tim Kernan, Planner went over his report for the applicant. Mr. Kernan noted that the Pinelands Certificates were forwarded to Roe and himself as noted on 3.2c. Mr. Kernan noted that the lot sizes do not concern him in reference to Mr. Boorsteins concern earlier. Mr. Kernan noted the variances and bulk requirements and that the average home lot size is 9,280 sq ft as confirmed by the applicant.

Motion to open to the public: Mr. Heffner

2nd motion to open to the public: Mr. Scardino

All in favor by voice vote.

At this time anyone wishing to address the Board about this application is able to do so.

William Buerklin of 425 Fryers Lane - *Noted that the smaller size lots only benefits few people, and that drainage and privacy on this lot will be a problem. The Applicant also clarified side yard aggregates. He lastly voiced his concern about the Open Space, since there is Open Space behind him that has become a trash collecting area.*

Lynn Stellaccio of 1029 Winslow Road - Voiced her concern with smaller lot sizes will reduce tax revenue.

Susan Jengehino of 1110 New Brooklyn Road - She voiced her concern as well that smaller lot sizes would affect taxes, and in turn create less revenue to reiterate Mrs. Stellaccio's statement.

Valencia Nichols of 583 North Tuckahoe Road - Voiced her concern that the light will not be completed especially with the added developments since the last approval. She spoke about the amount of traffic and how hard it is to get out the driveway. Praised the recent changes at 322 and 555 traffic light.

Tomas Toner of 1095 Morgan Road - Voiced concerns with where the kids will go since there is an existing school issue in our elementary schools and children being relocated.

Motion to close to the public: Mr. Heffner

2nd motion to close to the public: Mr. Scardino

All in favor by voice vote.

Mayor Teefy recommended the applicant go back and see what they can do to increase the lot size and decrease the Open Space. Mr. Schatz clarified its 12 acres currently being offered back to the Township if approved. There was also a clarification that there was no variance requested on the rear yard setback, and it is currently 25 ft.

Mr. Colavita went over with the applicant again the cost absorbed by the buyer on the lots due to the improvements being completed. Mr. Hoff stated that they are cumulative costs for the development for utility connections and such that affect that cost.

Motion to deny: Mr. Heffner

2nd motion to approve: Mr. Colavita

Roll call vote:

Mr. Boorstein - Yes

Mr. Crane - Yes

Ms. Flaherty - Yes

Councilman, Mr. Heffner- Yes

Mr. O'Brien, Chairman - Yes

Mr. Scardino- Yes

Mayor, Mr. Teefy - Yes

Alt. 1, Mr. Colavita- Yes

THE APPLICATION WAS DENIED.

Application #481-SP, Morgan Landing, Block 2901 Lots 3 and 3.01, The property is located on the south side of Morgan Road and east of Williamstown – New Brooklyn Road, Preliminary Major Subdivision - The applicant is proposing a major subdivision on 2 parcels of land that will be subdivided into 82 single family residential lots, 2 open space lots and 1 pump station lot. All of the lots will be serviced by public

water and sewer. - ***the Applicant requests to withdraw their application for this project at this time. The Chairman advised the public that was present of this and said that they will be re-noticed if the application comes back in front of the Board.***

Motion to approve Withdraw: Mr. Heffner

2nd: Mr. Scardino

All in favor by voice vote.

Recommendation requested:

Recommendation requested by Township Council on Ordinance 18:2018 regarding Performance and Maintenance Guarantees, see the attached.

Mr. Rocco recommended to table this until the next meeting because he received an email from an attorney stating that the Ordinance is Unconstitutional and would like to review and get back to the Board.

Public Portion:

Motion to open to the public: Mr. Heffner

2nd motion to open to the public: Mr. Scardino

All in favor by voice vote.

At this time anyone wishing to address the Board, and with no one wishing to speak from the public,

Motion to close to the public: Mr. Heffner

2nd motion to close to the public: Mr. Scardino

All in favor by voice vote.

Minutes:

Motion to approve 6/21/2018 Minutes: Mr. Heffner

2nd: Mr. Scardino

All in favor by voice vote.

Discussion / Comments / Training: None

Motion to adjourn: Mr. Heffner

2nd: Mr. Scardino

All in favor by voice vote.

These minutes are a brief summary of the proceedings and should not be taken as verbatim testimony

Respectfully submitted,

Tara Ann Park