

Call to Order:

The meeting was called to order at 7:00 p.m. by Chairman McLaughlin who read the following statement: "Notice of this meeting was given as required by the Open Public Meetings Act in the Annual Notice of Meetings. This notice was sent in writing to the Gloucester County Times on January 11, 2012. A copy was posted on the second floor bulletin board of Town Hall and a copy was given to the Township Clerk. In addition, notice for this evening's public hearings was sent in writing to the Gloucester County Times.

The Board saluted the flag.

Roll call: Present – Ms. Beltrante, Mr. Carney, Mr. Fritz, Mr. Salvadori, Mr. Fitzgerald, Mr. Kozak, Mr. McLaughlin. Absent – Mr. Manfredi (excused), Mr. Price, (excused). Also present – Mr. Marmero, Solicitor, Ms. Pellegrini, Planner, Mr. Sander, Engineer, Mr. Sebastian, Council Liaison.

Public Hearings:

1. #12-08 - Walter V. Clark, Jr. – Lot Frontage & Lot Width Variances

Present – Walter Clark, Jr., applicant, Andrea Speziali, applicant's daughter, Christopher Speziali, applicant's son-in-law, Wayne Streitz, applicant's attorney.

Member's packets contained: 1. A copy of the applicant's variance application. 2. A copy of the applicant's deed. 3. Letter dated April 10, 2012 prepared by Angelo Martilini, Director of Code Enforcement, Borough of Glassboro. 4. Photographs of the property and a copy of the applicant's survey.

The applicant is requesting a lot frontage variance to allow access to the property through an easement from his adjacent property; where 200 feet is required and the applicant is proposing thirteen feet. A lot width variance is also being requested for the required front yard setback where 100 feet is required and fifty-five feet is proposed. The property in question is located in Monroe Township; however the proposed access drive to access this property is located in Glassboro on property owned by the applicant. The property is known as Block 15401, Lot 32 in the R-3 Zoning District.

Public Hearings: (continued)

1. #12-08 – Walter Clark, Jr. (continued)

Mr. Streitz introduced himself as the applicant's attorney. Mr. Clark, Mr. Speziali, and Mrs. Speziali were sworn in by Mr. Marmero. Mr. Streitz stated that this matter is rather unique due to the shape of the lot in question which is approximately seven acres, triangular in shape, and located right along the border between Monroe Township and Glassboro. It has a thirteen foot frontage along Glassboro-Williamstown Road but then opens up to a very wide depth. Mr. and Mrs. Speziali want to construct their home towards the rear of the property which is depicted on the plan of survey. The rest of the property does comply with the required setbacks. If they wanted to place the house at the 100 foot required setback line, then they would only have fifty-five feet in width, which is why they want to construct the house further back on the property. The Board could make the placement of the house in that location a condition of approval. They will obtain an easement from Mr. Clark, Ms. Speziali's father, to protect at least a fifty foot access to the property.

Mr. Streitz submitted an email from Allen Zeller, attorney for the Glassboro Planning Board. The email indicated that Ms. Speziali would require bulk variances from Glassboro as well. Mr. Streitz stated that Mr. and Mrs. Speziali intend to place their driveway on the thirteen foot portion of the lot and only want the easement to protect a frontage of fifty feet; the driveway will not impact Mr. Clark's lot. Mrs. Speziali testified that she would abide by any requirements set forth by the Borough of Glassboro with regard to this matter. They will submit any documentation necessary to Monroe Township concerning any requirements by Glassboro or the State DOT. Mr. Clark testified that he is willing to grant a thirty-seven foot easement as shown on the plan. Mr. Marmero asked that the applicant provide a copy of the easement. Mr. Streitz stated they will provide the easement with the metes and bounds as well as prepare a full survey. All documentation will be submitted to Monroe Township.

Mr. McLaughlin indicated he forgot to have the application deemed complete by the Board. Motion by Mr. Salvadori, seconded by Mr. Fitzgerald to deem application #12-08 complete. Voice vote; all ayes, motion passed.

Mr. Marmero reviewed the testimony and commented that there wouldn't be any other way to build the home without the variances. Mr. Streitz stated that because of the unique shape of the lot it qualifies as a hardship variance; in addition, not granting the relief would render the property into inutility which is really inverse condemnation.

Public Hearings: (continued)

1. #12-08 – Walter Clark (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. Carney, seconded by Mr. Fitzgerald to grant the lot frontage variance to allow a thirteen foot lot frontage; a lot width variance to allow a lot width of fifty-five feet conditioned upon the applicant complying with any necessary land use regulations imposed by Glassboro and keeping the Board updated on that situation; receiving all necessary outside agency approvals, such as the NJDOT. In addition, the applicant will provide a copy of the metes and bounds easement along with a survey; the applicant will also construct the house in the general location depicted on the submitted survey. Roll call vote: Ayes – Mr. Carney, Mr. Fitzgerald, Ms. Beltrante, Mr. Fritz, Mr. Salvadori, Mr. Kozak, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

2. #12-09 – Cross Keys Monroe/Pizzo & Pizzo, Inc. – Use Variance

#444-SP – Cross Keys Monroe/Pizzo & Pizzo, Inc. – Amended Prelim. & Final Site Plan

#1796 – Cross Keys Monroe/Pizzo & Pizzo, Inc. – Amended Prelim. & Final Subdivision

Present – Robert Mintz, applicant's attorney, Bill Ralston, applicant's engineer, Rob Larsen, applicant's architect and planner, Anthony Guzzo, co-applicant, Ken Pizzo, applicant, Art Corsini, applicant.

Mr. McLaughlin asked if the applications contained the necessary information to be deemed complete. Mrs. Farrell stated that a waiver of the agreement of sale is being requested as well as a waiver of the photographs since photographs were previously provided. Motion by Mr. Salvadori, seconded by Mr. Fritz to grant the requested waivers and deem the applications complete. Voice vote; all ayes, motion passed.

Mr. Mintz introduced himself as the applicant's attorney. Mr. Guzzo, Mr. Ralston, Mr. Corsini, and Mr. Larsen were sworn in by Mr. Marmero. Mr. Mintz commented that the previously approved subdivision has not been filed to date for this application. The applicant is before the Board to request amendments to the site plan and the subdivision, as well as seeking use variance approval as a result of the proposed amendments.

Public Hearings: (continued)

2. #12-09/#444-SP/#1796 – Cross Keys Monroe (continued)

The applicant is providing close to a million dollars worth of infrastructure, namely water and sewer to the site. Sewer will be brought to the area from the pump station located at the by-pass and through the Lucas subdivision. It will cross under the Black Horse Pike on the south side of Sam's Club and then continue to the back of the proposed project to service all of the property. Mr. Mintz stated the site was originally proposed as a shopping center; however due to the economy, those plans weren't feasible. The Zoning Board then granted a use variance to allow 204 apartment units along with the commercial pad sites. At that time only the residential was approved; however the commercial pad sites were created as separate lots for future development. In that approval an office building was proposed and was to contain the office for the apartments as well as other outside offices. That building was on a separate lot from the residential lot. The applicant is requesting to modify that component of the project without changing the lot lines. The previously approved office building is now being proposed as a clubhouse with a pool and the rental office to service the apartment complex. The applicant is also proposing to eliminate the lot line between the residential lot and the clubhouse lot which will require a use variance.

The roadway between the pad sites and the residential site must be built as part of the residential construction as well as the access driveways off of Berlin-Cross Keys Road. All of the utilities will be placed under that roadway connecting the commercial pad sites to the residential site. There will be cross easements for all of the connecting roadways and access drives. The previous approval also allowed for a multi-panel sign on the signaled access drive lot. The applicant is requesting to move the sign to the opposite side of the access drive. It's the same sign as previously approved; however because the sign will be located on property with no other use, a use variance is required. The applicant is also proposing directional signage at the intersection between the first access drive and the roadway behind the pad sites.

A variance is being requested for the distance between the rear walls of the apartment buildings where fifty feet is required and forty-four feet is being proposed in some areas. The applicant has provided landscaping between the buildings. The perimeter buildings were moved back to allow the units in those buildings to have garages. With regard to signage, the applicant is requesting to place a temporary identification sign for the residential units at the site of the proposed multi-use paneled sign until the multi-use paneled sign is constructed.

Public Hearings: (continued)

2. #12-09/#444-SP/#1796 – Cross Keys Monroe (continued)

Mr. Sebastian asked Mr. Mintz to explain the changes to the trash collection. Mr. Mintz stated rather than having several dumpster areas on the site, they are proposing a centralized trash compactor and recycling area. That area is located to the left of the proposed clubhouse building. Mr. Corsini stated the company owns and manages approximately 2000 rental apartments and all but one of those projects has one trash compactor and recycling area. The thirty yard unit for a project of this size will probably be picked up once a week. The recycling may have to be picked up twice a week. The residents will bring their trash to the compactor area and use a key fob that will open the door to the compactor. Mr. Kozak commented that the Amberleigh development has one trash compactor area and there are a lot of problems because the people do not put their trash in the compactor, they leave it on the ground. Mr. Corsini stated that that does happen when you have it an area where the residents own the homes; however there is an association that should handle those issues. This project being a managed apartment complex will have a surveillance camera in the trash compactor area to monitor who accesses the area at all times. In addition, the key fob also shows which residents have accessed the area. All of the rules are clearly spelled out in their lease. If a resident is found to be in continuous violation of the rules they will be evicted. Mr. Kozak asked if there will be janitorial personnel on the site. Mr. Corsini testified that there will be twenty-four hour maintenance with a maintenance person living on site.

Under the previous approval the Board allowed preliminary and final approval subject to the condition that after the sixty-sixth unit, the first commercial pad site had to be developed or if not developed, Mr. Guzzo would make a tax payment equal to the assessment of a developed site. With this amended application, the applicant intends to construct the entire project in one phase; however the same condition will apply, if one of the commercial pad sites is not developed before the completion of the sixty-sixth unit, Mr. Guzzo will make the tax payment as agreed to in the last approval. In addition, if the other pad sites are not developed after the one hundred and fiftieth unit, then the same condition will apply with regard to the tax payments. Mr. Guzzo testified that he was in agreement with those conditions.

Mr. Ralston marked the exhibit depicting the new layout as Exhibit A-1 and the old layout was marked as Exhibit A-2. He stated that they submitted the new plans to the County; however the traffic counts are the same since the number of units hasn't changed.

Public Hearings: (continued)

2. #12-09/#444-SP/#1796 – Cross Keys Monroe (continued)

There are no changes to the stormwater management systems proposed on the site. Mr. Ralston explained how water and sewer were being brought to the site and stated that they have met with the MMUA to change their permits. They should be getting an amended Form B approval from them very soon. The number and the size of the parking spaces meet the RSIS and exceeds the requirements by twenty-five or twenty-six spaces. The garages are included in the calculation for the number of parking spaces. Mr. Mintz commented that most people do not use their garage for their cars and asked Mr. Corsini to address this concern. Mr. Corsini testified that the lease contains language that requires the tenants in the units with garages to park one vehicle in the garage and one in front of the garage in the driveway, if they have two vehicles. In addition, there is paperwork included in the lease where they must give the make and model number of their vehicles as well as the license plate number. The property manager as well as the maintenance personnel will enforce these rules.

Mr. Kozak inquired about bulk trash, for example if someone wanted to get rid of their old sofa. Mr. Corsini stated that the resident must contact the property manager so arrangements can be made with the trash hauler for a special pick-up. The items must be kept in the tenant's apartment while waiting to be picked up. Mr. Kozak commented he didn't think one area for trash collection was enough because not everyone has a car to drive their trash to the collection area. Mr. Corsini replied that the system works well in all of the other properties managed by the company; he also stated that the tenants have a trash valet service offered to them where the maintenance personnel will pick up the trash if the tenant cannot get to the trash area for any reason.

Ms. Beltrante asked if the number of parking spaces included the garage spaces and if so, how many there are. Mr. Ralston replied that the number does include the garages and there are sixty garage spaces. She asked how the property manager would know if someone gets a different car. Mr. Corsini replied the lease requires all tenants to register their vehicles. He stated that the majority of the units are one and two bedroom units and there are some three bedroom affordable units. If they encounter a parking problem in one location, the issue will be addressed by the management. Mr. Sebastian commented that there are more than enough parking spaces for this complex especially with extra twenty-five spaces. He also commented that the type of trash collection being proposed works well in other complexes such as this one and that it is privately owned and managed so it will not become the Township's burden.

Public Hearings: (continued)

2. #12-09/#444-SP/#1796 – Cross Keys Monroe (continued)

Mr. Corsini also commented that even if there were multiple dumpster areas, it would not stop someone from dumping their trash or leaving their large bulk items on the ground instead of putting them in the dumpster. Mr. Mintz asked Mr. Corsini to talk about the anticipated monthly rent for these units. Mr. Corsini stated that the two bedroom, two bath units will start at \$1295.00 and go up into the \$1400.00 range. The units with garages will be slightly more with the most expensive units being in the \$1550.00 range. The one bedroom, one bath units will range from \$1000.00 to \$1150.00. The tenant will be responsible for all the utilities except for sewer.

The Board took a brief recess.

Mr. Larsen displayed the architectural elevations of the clubhouse and the apartment buildings. The clubhouse elevation was marked as Exhibit A-3. Mr. Larsen pointed out that all of the units with garages are in the buildings along the perimeter of the site, with the interior buildings containing the garden style flats. The sixty garage units are intended to be two bedroom units. With regard to the COAH units, there are nine three bedroom units, eight one bedroom units, and twenty-four two bedroom units, with a mix of one and two bedroom units in the remaining one hundred and three units. The COAH units are not substantially different in size or finish than the other units. He testified that this client builds a very nice product and that you will not be able to differentiate the affordable units from the others. He displayed the elevation for the garaged buildings which was marked as Exhibit A-4. These buildings are two story buildings each with a garage and each will be finished with high quality materials including stone, siding, and trim work. The front elevations for the interior three story buildings were marked as Exhibit A-5. There are two points of access in each building with each entry having access to twelve units. The finish on these buildings will be of high quality using a mix of materials such as stone, some metal roofing, siding and trim work. An alternate elevation view was displayed and marked as Exhibit A-6. Mr. Larsen commented that the three story buildings will require a height variance to allow a building height of thirty-eight and half feet where thirty-five feet is the maximum allowed. The reason for the variance is to allow some architectural interest at the roof level as well as providing higher interior ceilings for the units.

Public Hearings: (continued)

2. #12-09/#444-SP/#1796 – Cross Keys Monroe (continued)

The clubhouse will contain the property manager's office, a maintenance facility/office and other amenities that will service the tenants. Mr. Larsen stated that from a planning perspective, he believes the new configuration, including the clubhouse, is as good as or even better than the previously approved layout. There are variances and waivers required and listed in the professional's reports. He named the previously granted variances and while they haven't changed, they should be reaffirmed. The applicant is asking for a variance for the buffer in the location of the trash collection area of three feet, ten feet, and fifteen feet. The building height variance as previously stated, a variance for the rear wall to rear wall distance for some of the area between the interior buildings; a variance for the distance from the buildings to the pavement where twenty feet is required and fifteen and sixteen feet are proposed for areas at the end of the buildings. A variance is requested for the setback of the building to the lot line where fifty feet is required and the plan proposes some distances of twenty-seven and half feet, thirty-two feet, thirty-three feet, and thirty-seven feet. There are the variances required for signage as previously discussed.

With regard to the use variances or "D" variances, the applicant is requesting to expand the use to incorporate the clubhouse lot into the residential lot. The applicant is also requesting to allow signage as the primary use on a Lots 3.06 and Lot 3. The last is a variance to allow a roadway easement across Lots 3.02, 3.03, and 3.04. Mr. Larsen stated that it was his opinion as a planner, and after reviewing the Township's Master Plan, that this project is a benefit to the town especially with the applicant providing the infrastructure with regard to water and sewer and bringing it to this site not only for this project but for future development in the area. The market study has shown that rental units are needed in this area that will draw young professionals and empty nesters. Mr. Larsen stated that the granting of the bulk variances and use variances does not cause a substantial detriment to the public good and that the project will further the purposes of the Municipal Land Use Law by promoting the property development.

Mr. Mintz commented that two additional variances are being requested; the first for the fence around the pool since it technically is considered to be in the front yard, and the second for the trash compactor area setback since it abuts a commercial lot. He stated that the applicant is requesting a reduction in the agreed upon recreation fee since they are now providing a clubhouse, pool, and walking path on the site. The original amount was agreed to be \$1000.00 per unit and the applicant is requesting to reduce that amount to \$500.00 per unit.

Public Hearings: (continued)

2. #12-09/#444-SP/#1796 – Cross Keys Monroe (continued)

Ms. Pellegrini reviewed her report for the Board. She stated that most of the issues have been discussed and addressed by the applicant. There are some temporary uses proposed such as the stormwater basins and signage. There are two rear yard setback variances required for two of the buildings. With regard to landscaping, Ms. Pellegrini stated that any approval should be conditioned upon the applicant meeting with her office to resolve those issues. Mr. Ralston agreed to this condition. Ms. Pellegrini commented that the surface treatment for the driveways was not delineated on the plans and there isn't any vegetative separation between the driveways and sidewalk to distinguish one from the other. Her office is recommending permeable pavers or stamped concrete for the driveways. The applicant is proposing asphalt; however this issue is at the discretion of the Board. She asked the applicant as a condition of approval, to delineate on the plans the number of COAH units in each building. Mr. Mintz asked that the provision in the original resolution with regard to the COAH units, be carried over to this amended application. Ms. Pellegrini asked that the cross easements be provided to the Board. Two additional waivers are being requested; the first to allow parking spaces fifteen feet from the building they serve, and the second is to allow parking spaces in the buffer area which is only in one location on the site.

There were some questions concerning the surface of the driveways. The applicant stated that they are requesting the driveways to be approved with asphalt paving. Mr. Sander reviewed his report for the Board. Mr. Ralston commented that they are in agreement with all of the comments in Mr. Sander's report. Mr. Sander stated that the detail on the plan shows the driveways as a concrete driveways; however they are not proposed as such. Mr. Ralston agreed to correct that detail. In addition, the detail for the sidewalk shows the four inch thickness for the top of the curb but the detail for the six inch thickness where the sidewalk abuts the driveway apron is not shown. Mr. Ralston stated that he would add that detail as well as adding the cost of maintenance for the stormwater management systems to the maintenance plan.

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

Public Hearings: (continued)

2. #12-09/#444-SP/#1796 – Cross Keys Monroe (continued)

Mr. Marmero stated that the motions would be broken down into three different parts, the first for the various use variance approvals, the second for amended preliminary and final subdivision, and the third for amended preliminary and final site plan. He reviewed the four use variance requests; the first to expand the previous use variance to include the proposed clubhouse, the second to allow signage as a primary use on Lot 3.06, a use variance to allow a multi-use directional sign on Lot 3, and a use variance to allow the roadway as a primary use on Lots 3.02, 3.03, and 3.04.

Motion by Mr. Salvadori, seconded by Ms. Beltrante to grant the use variances as proposed. Roll call vote: Ayes – Mr. Salvadori, Ms. Beltrante, Mr. Fritz, Mr. Fitzgerald, Mr. Kozak, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

Mr. Marmero stated that the next motion is to amend the subdivision to allow the removal of the lot line for the clubhouse as well as amending the roadway lot. Motion by Mr. Carney, seconded by Mr. Fritz to grant the amendments to the preliminary and final subdivision approval. Roll call vote: Ayes – Mr. Carney, Mr. Fritz, Ms. Beltrante, Mr. Salvadori, Mr. Fitzgerald, Mr. Kozak, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

Mr. Marmero stated that the next motion is to amend the site plan with the following conditions; the applicant agreed to allow Title 39 for police enforcement; the provision stated concerning the development of the commercial lots or taxes paid in lieu of development after the sixty-sixth unit and then after the one hundred and fiftieth unit; approval of the landscaping plan; determination of the COAH units on the plan; continuing the language concerning COAH in the previous resolution; the reduced recreation fee; and the submission of the cross easements; compliance with the planner's and engineer's reports and any other conditions or issues discussed and addressed on the record. In addition all the bulk variances and waivers discussed and listed in the professional's reports. Motion by Mr. Carney, seconded by Mr. Fritz to grant amended preliminary and final site plan approval. Roll call vote; Ayes – Mr. Carney, Mr. Fritz, Ms. Beltrante, Mr. Salvadori, Mr. Fitzgerald, Mr. Kozak, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

Public Portion:

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

Discussion:

1. Use Variance Fee

Mrs. Farrell asked that the Board postpone this item to the May 15, 2012 regular meeting. The Board was in agreement with suggestion.

Reports:

No reports.

Approval of Minutes:

1. 04/03/12 regular meeting.

Motion by Mr. Salvadori, seconded by Mr. Carney to approve to the minutes from the April 3, 2012 regular meeting. Voice vote; all ayes, motion passed.

Adjournment:

The meeting was adjourned at 9:00 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