

Call to Order:

The regular meeting of the Monroe Township Planning Board was called to order at 7:03 p.m. by Chairman O'Brien. The Board saluted the flag. Roll call was as follows:

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

Proper notice of this meeting was given as required by the Open Public Meetings Act on December 1, 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-51-14 – App. #1838 – Blaze Mill Development Group, LLC – Tabled to 12/18/14

Motion by Mr. Kozak, seconded by Mr. Caligiuri to take application #1838 off the table. Voice vote; all ayes, motion passed. Motion by Mr. Kozak, seconded by Mr. Heffner to adopt resolution PB-51-14. Roll call vote: Ayes – Mr. Caligiuri, Mr. Crane, Mr. Heffner, Mr. Kozak, Mr. Masterson, Ms. Hui, Mr. Scardino, Mr. O'Brien. Nays – Zero. Abstentions – Mr. Gabbianelli.

Mr. O'Brien stated that the Planning Board office has certified that Mr. Crane listened to the tape of the last hearing for this application which allows him to participate in this evening's hearing and vote.

Public Hearing:

1. #1838 – Blaze Mill Development Group, LLC – Preliminary Major Subdivision

Present – Richard Hoff, applicant's attorney, Rick Clemson, applicant's engineer, Ken Schatz, applicant, Don Paparone, applicant.

Member's packets contained: 1. Report dated October 27, 2014 prepared by Tim Kernan. 2. Report dated October 23, 2014 prepared by Ray Jordan. 3. A copy of the Final Judgment of Compliance Settlement Agreement issued by the Superior Court and dated July 15, 2013. 4. A copy of Ordinance No. O:15-2013 to establish a Mixed Use Zoning District per the settlement agreement. 5. Response letter dated November 12, 2014 prepared by Rick Clemson. 6. A revised copy of the applicant's proposed preliminary major subdivision plan.

The applicant is proposing to subdivide existing Lots 1 and 1.01 into 250 lots; 244 residential townhouse units, four open space/stormwater management lots, and one pump station lot, on 48.42 acres of a total tract of 62.21 acres. The remaining 13.12 acres is to be reserved for future commercial use. The property is located between Fries Mill Road and Route 322, also known as Block 14101, Lot 1 and Block 141.0602. Lot 1.01 in the MU-Mixed Use Zoning District. This application is continued from the November 13, 2014 hearing.

Mr. Hoff thanked the Board for rescheduling the hearing and stated that the revised plans were submitted to the Planning Board office at least ten days prior to this evening's hearing. The last hearing raised some concerns with the proposed layout of the site; they took notes and made some revisions to the plans that they would like to present to the Board.

Public Hearing: (continued)

1. #1838 – Blaze Mill Development Group, LLC (continued)

The elimination of the six unit building reduces the number from two hundred and fifty units to two hundred and forty-four units. The remaining units will contribute a higher amount to the required COAH contribution per the settlement agreement.

Mr. Kernan, Mr. Jordan, Mr. Clemson, Mr. Schatz, and Mr. Paparone were sworn in by Mr. Schwartz. The revised site plan was marked as Exhibit A-4 and the turning movement plan was marked as Exhibit A-5. Mr. Clemson described the changes to the plan. The elimination of the six unit building reduces the total number of units to two hundred and forty-four. They added turnarounds at the end of the five courts which will enable trash trucks, snow plows, and emergency vehicles to turn around and exit the courts. They reduced the number of units along courts G and H that were originally twelve unit buildings to ten unit buildings in order to keep the turnarounds out of the landscape buffer. Mr. Clemson noted the size of the commercial lot did not change after the revisions were made to the residential section. They extended court I in order to accommodate the turnaround. The parking design was adjusted to provide one hundred and twenty-three guest parking stalls where one hundred and twenty-two are required. If on-street parking is permitted that will provide additional parking for the residents and the guests. The total number of parking spaces required is five hundred and eighty-six spaces and they have provided six hundred and ninety-two spaces. Based on conversations with Mr. Kernan, they shifted some of the lots so the depth was reduced from one hundred and ten feet to one hundred and five feet in order to eliminate rear yard drainage easements on the residential lots. All of the residential lots meet the bulk requirements and the revisions have not triggered the need for any new variances. They relocated the fencing associated with the stormwater management facilities so they can maintain the minimum twenty-five foot area between the tract boundary and the fencing.

After discussion with Mr. Kernan just before this evening's meeting, they will revise the plan further by moving the two six unit buildings and the one four unit building located next to the open space area, more to the west which will allow more space leading to the open space area designated as the multi-purpose field and that will also allow for parking adjacent to the open space. They will eliminate the one walkway connection to the bike path and keep the new walkway connection next to the multi-purpose field and make it larger from six feet to eight feet wide. The two six unit buildings closest to the gazebo will be shifted west which will open up that whole corridor for a better pedestrian connection to the open space linkage. The gazebo will shift slightly to the east.

Mr. Clemson displayed the turning movement plan to show how the large trucks will navigate in and out of the five courts. Mr. Crane asked if a bus could turn around in those courts. It was stated that a school bus would not access the courts but have various bus stops along the main roadways. Mr. Kozak asked if the twenty-five foot area between the fencing and the rear property lines to the Hunter Woods residents will remain in a natural state. Mr. Clemson stated that the areas that are wooded will remain that way and in areas devoid of vegetation they will have to provide some. Mr. Kernan commented that twenty-five feet of the fifty foot required buffer must be planted and that the twenty-five foot landscaped area will be on the side of the fence towards the Hunter Woods development. Mr. Gabbianelli asked if the fencing is black on black five foot vinyl fencing. The applicant agreed that the fencing is black on black five foot vinyl fencing. Mr. Kozak inquired as to the taxes on the commercial lot and how they will be paid. Mr. Hoff replied that as part of the settlement agreement there is a municipal improvement fee that must be paid at the first residential Certificate of Occupancy. Mr. Kozak asked Mr. Kernan if he was satisfied with the revisions to the plan. Mr. Kernan replied that the revisions did address some of the concerns and he was okay with the discussion about the further revisions. Mr. O'Brien asked Mr. Jordan if he had any comment. Mr. Jordan replied that they do not have any problem with the plan.

Public Hearing: (continued)

1. #14-06 – Blaze Mill Development Group, LLC (continued)

Motion passed to open the hearing to the public.

1. Glenn Eberhardt, 1739 Bluestem Avenue was sworn in by Mr. Schwartz. He stated he did read the court order and it is a tall order to provide two hundred and fifty units and maintain fifteen acres of commercial space and comply with all the ordinances. He stated that the plan was conceptual at the time of the agreement and that it should be revisited now that it has been engineered and clearly shows they cannot fit two hundred and fifty units and fifteen acres of commercial space in compliance with the ordinances on this site. He stated the developer should reduce the number of units considerably which will enable them to leave a great many of the existing trees to match the surrounding developments; right now what is proposed is row homes. A reduction in the number of homes will also put less stress on an already horrible traffic problem at the intersection.

2. Stanley Pesotski, 1650 Woodland Drive was sworn in by Mr. Schwartz. Mr. Pesotski expressed his concern with the traffic at the intersection. Mr. Gabbianelli commented that he did not believe this development would be built before the improvements to the intersection are completed. Mr. Pesotski also commented on the water situation stating that he cannot take a shower in the morning because he literally does not have any water pressure. He wanted to be guaranteed that this development will not take more water and water pressure from his development and stated that every resident should be able to take a shower in the morning. Mr. Caligiuri asked Mr. Clemson if they are going to use a separate tap off the water main in Route 322. Mr. Clemson agreed that they were using a separate tap. Mr. Caligiuri commented that the MMUA installed an eight inch force main for the Hunter Woods development and then other surrounding developments tapped off of the same main which is why there is a problem. This development will use a separate tap so it will not make the situation any better or worse for the other existing developments.

3. Mary Cote, 1710 Biden Lane was sworn in by Mr. Schwartz. Mrs. Cote stated that the traffic study was done on two days each for six hours, three hours in the morning and three hours in the evening. She asked if that was the standard amount of time allowed for a traffic study. Mr. Jordan replied that the State and County will review the counts in the traffic study and if they want more then they will ask for more. Mr. Kernan stated that that is pretty standard as they use the three peak hours in the morning and the three peak hours in the evening. Mrs. Cote believes the traffic counts are too low. Mr. Kernan stated that the actual traffic counts are for the existing traffic on the roadway today and that the projected counts from this development are done by a calculation from a text book formula. Ms. Hui commented that she did look at the traffic study and asked why the projected traffic was only taken out to 2018. She wondered if that was standard and why it didn't project further say to ten years. Mr. Hoff replied that he thought the traffic study projected to the estimated build out of the development. Ms. Hui also inquired about the stacking length from the access drive to the traffic signal. Mr. Clemson stated that on Route 322 the access drive is approximately two hundred feet from the traffic signal. He added that those issues will be addressed as part of the NJDOT permitting process. Mrs. Cote stated that the traffic study also does not take into consideration the approved two hundred and fifty homes further down on Fries Mill Road. She asked if the Township's Environmental Commission reviewed the Phase I Study and if they are satisfied with the findings. Mr. Kozak replied that the Environmental Commission is an advisory board only and that there aren't any members qualified to challenge the engineer's findings in the report. Mr. Jordan commented that his office did review the Phase I and the findings complied with the State requirements. Mr. Caligiuri stated that the Board's approval is conditioned upon the applicant receiving all outside agency approvals and that they do not have jurisdiction over the State and County agencies and their approvals.

Public Hearing: (continued)

1. #14-06 – Blaze Mill Development Group, LLC (continued)

Ms. Cote also commented on homeowner's associations and the difficulty they have in collecting fees from the residents. She also listed requests of some of the residents in the area such as the proposed development having coordinating color schemes, more of a buffer between the proposed development and Hunter Woods, having the maintenance crew for the proposed development maintain the entrances to the Hunter Woods development including the lighting for ten years, and for the commercial portion of the property to look similar to the plazas in Haddonfield and Marlton. She commented on the unfinished roadway on Route 322 for the Federal Hill development. Mr. Gabbianelli informed Ms. Cote that that access road is closed and will be used for emergency access only.

4. John Williams, 1500 Salix Court was sworn in by Mr. Schwartz. Mr. Williams asked the price range of the townhomes. The applicant indicated they do not know what the price range will be at this time. He stated someone should have a ballpark figure and didn't understand how the court could allow this development without knowing the price range of the homes. He stated his concern with regard to the intersection and Mr. Gabbianelli reiterated that there is a plan at the State for the improvements to the intersection. Mr. Williams continued to express his concern with regard to the additional traffic not only from this development but others in the area.

5. Kirstin Camiscioli, 1212 Nightshade Drive was sworn in by Mr. Schwartz. Ms. Camiscioli expressed her concern with the traffic and asked if the developer was working with the State and the County on getting the improvements done. Mr. Hoff replied that the applicant has to obtain an access permit from the State and one from the County in order to build the development. The NJDOT has not issued an access permit and neither has the County. He commented that another engineering firm has submitted an application to the State for the improvements to the intersection and the roadways but the final plans are not completed. Ms. Camiscioli asked if there are public hearings at the State and County level that the public can attend so they are informed of whether the County or State is going to approve this project before the improvements are completed. Mr. Hoff replied that the County Planning Board does hold public meetings and they meet once a month. With regard to the NJDOT he did not think they held public meetings but if she contacted them for information about this project or any others they have to disclose that information.

6. Robert Squire, 1805 Arlington Drive was sworn in by Mr. Schwartz. Mr. Squire commented on the possibility of the State and County giving their approvals to this project before the improvements are completed and asked how the Township can approve the project without being sure. Mr. Caligiuri replied that the intersection already has a failed rating and he didn't believe the State and County would approve a project that would substantially add to the problem. He conceded that it could happen but it was unlikely. The town really has no recourse if it does happen as the Board does not have jurisdiction over the intersection or the roadways. Mr. Squire also commented on the impact to the schools from the number of school children that will be generated by this development. Mr. Caligiuri replied that the Board is not legally allowed to deny the application due to the impact to the schools.

Mr. Eberhardt restated that the settlement agreement did call for fifteen acres of commercial area and one hundred thousand square foot of commercial floor space as well as the two hundred and fifty units. The Board may not have the ability to deny the application based on the impacts to the schools or the traffic but they can deny the application because it does not meet the court order and the Township ordinances. Mr. Caligiuri agreed but cautioned that if the Board denied the application or asked the applicant to redo the plan they could come back with three story buildings in order to get the two hundred and fifty units and the fifteen acres of commercial area. He stated the applicant has made some concessions to the plan and he did not believe the project would get any better if it was denied.

Public Hearings: (continued)

1. #1838 – Blaze Mill Development Group, LLC (continued)

Mr. Kernan also commented that the applicant would have been able to fit the two hundred and fifty units and the fifteen acres of commercial area if they had proposed the typical eighteen foot wide units; however they are proposing twenty and twenty-four foot wide units which makes for a much nicer project with the units being a higher value as well. Mr. Eberhardt asked how the plan will be affected if the NJDEP does not approve the removal of the wetlands designation for the one open space lot. Mr. Clemson replied that it would not have any effect on the engineering of the project.

Motion passed to close the hearing to the public.

Mr. Heffner commented that he calculated more than four hundred trash and recycling cans in front of the small lots and asked if the applicant considered trash enclosure areas as an alternative. Mr. Clemson stated that dumpster areas create another set of problems within developments. Mr. Kernan agreed with Mr. Clemson but added that it might work if trash compactors were used.

Mr. Schwartz reviewed the variance and waivers. Motion by Mr. Crane, seconded by Mr. Kozak to grant the variance to allow the commercial area at 13.12 acres where 15 acres is required. Roll call vote: Ayes – Mr. Caligiuri, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Ms. Hui, Mr. Scardino, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Motion by Mr. Kozak, seconded by Mr. Crane to grant the waiver for the reduction in the number of shade/street trees provided. The applicant has agreed to provide as many as they can and they will work on that issue with Mr. Kernan's office. Roll call vote: Ayes – Mr. Caligiuri, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Ms. Hui, Mr. Scardino, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Motion by Mr. Masterson, seconded by Mr. Scardino to grant the waiver for the width of the open space areas. Roll call vote: Ayes – Mr. Caligiuri, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Ms. Hui, Mr. Scardino, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Motion by Mr. Masterson, seconded by Mr. Crane to grant the waiver to allow two open space lots to be less than the two acre minimum. Roll call vote: Ayes – Mr. Caligiuri, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Ms. Hui, Mr. Scardino, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Motion by Mr. Kozak, seconded by Mr. Caligiuri to grant the waiver requiring a clustered, nonlinear pattern within the development. Roll call vote: Ayes – Mr. Caligiuri, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Ms. Hui, Mr. Scardino, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Mr. Masterson inquired about the offsets of the buildings and if the applicant was requesting a waiver. Mr. Kernan commented that the applicant withdrew the waiver request and asked that the issue be deferred to final when they submit the architectural plans. Mr. Schwartz reviewed the conditions of preliminary approval for the Board including the parking, the settlement agreement, the reports by Mr. Kernan and Mr. Jordan, the outside agency approvals, and the COAH requirement as set forth in the court order.

Public Hearing: (continued)

1. #1838 – Blaze Mill Development Group, LLC (continued)

Mr. Heffner asked if the Board was going to allow on-street parking. He stated that there are some developments in town that have on-street parking and there isn't any room to drive down the street if another car is coming in the other direction. He thought the Board should consider whether they want it or not and include that in the motion this evening. Mr. Kernan commented that as a condition of final approval, the applicant would have to appeal to Council for an ordinance for their development. Mr. Schatz stated that they did not have any objection to the Board not allowing on-street parking but stated that it will become a policing issue. Mr. Kernan asked if the Board will require no parking signs throughout the development. The Board indicated they would want signage. Mr. Hoff commented that he understood the reasoning behind the Board not wanting on-street parking; however he believed on-street parking can be a benefit as it acts as a traffic calming device so that people cannot speed down the streets. After further discussion, the Board agreed that they did not want to allow on-street parking in this development on either side of the street. Mr. Schwartz added that condition as part of the motion for the preliminary approval.

Motion by Mr. Heffner, seconded by Mr. Kozak to grant the applicant preliminary approval with all the conditions stated and included in the resolution. Roll call vote: Ayes – Mr. Caligiuri, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Ms. Hui, Mr. Scardino, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Discussion – for Board Action:

1. #1764 – Thomas Duffy – One Year Extension Request

Motion by Mr. Caligiuri, seconded by Mr. Heffner to grant a one year extension from July 1, 2015 to June 30, 2016 for application #1764. Roll call vote: Ayes – Mr. Caligiuri, Mr. Crane, Mr. Heffner, Mr. Kozak, Mr. Masterson, Mr. O'Brien. Nays – Mr. Gabbianelli. Abstentions – Ms. Hui, Mr. Scardino. 6 ayes, 1 nay, 2 abstentions; motion passed.

2. #1809 & #437-SP – Williamstown Assembly of God – One Year Extension Request

Motion by Mr. Kozak, seconded by Mr. Crane to grant the one year extension from July 1, 2015 to June 30, 2016. Roll call vote: Ayes – Mr. Caligiuri, Mr. Crane, Mr. Gabbianelli, Mr. Heffner, Mr. Kozak, Mr. Masterson, Ms. Hui, Mr. Scardino, Mr. O'Brien. Nays- Zero. Abstentions – Zero.

Approval of Minutes:

1. 11/13/14 regular meeting.

Motion by Mr. Crane, seconded by Mr. Kozak to approve the minutes from the November 13, 2014 regular meeting. Voice vote; all ayes, motion passed.

Adjournment:

The meeting was adjourned at 8:42 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