

Call to Order:

The reorganization meeting of the Monroe Township Planning Board was called to order at 7:30 p.m. by Mrs. Farrell who read the following statement: “Notice of this meeting was given as required by the Open Public Meetings Act. This notice was sent in writing to the South Jersey Times on December 22, 2016. A copy was posted on the second floor bulletin board of Town Hall and a copy was given to the Township Clerk.”

The Board saluted the flag.

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

Mrs. Farrell 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.”

Reorganization:

1. Appointments to the Board by the Mayor

a.) Ms. Flaherty	Class II Member	1 yr. term to expire 12/31/17
b.) Mr. Crane	Class IV Member	4 yr. term to expire 12/31/20
c.) Mr. Scardino	Class IV Member	4 yr. term to expire 12/31/20
d.) Ms. Hui	Alternate I Member	2 yr. term to expire 12/31/18

2. Appointments to the Board by Council

a.) Mr. Heffner	Class III Member	1 yr. term to expire 12/31/17
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3. Election of Chairman

Mrs. Farrell open nominations for the election of a Chairman. Mr. Agnesino nominated Mr. O’Brien, seconded by Ms. Flaherty. With no other nominations, Mrs. Farrell cast a vote for Mr. O’Brien as Chairman. Mr. O’Brien thanked the Board for their support.

4. Election of Vice Chairman

Mr. O’Brien opened nominations for the election of Vice Chairman. Mr. Agnesino nominated Mr. Crane, seconded by Ms. Flaherty. With no other nominations, Mrs. Farrell cast a vote for Mr. Crane as Vice Chairman. Mr. Crane thanked the Board.

5. Reorganization Resolutions

1. PB-01-17 – Planning Board Secretary

Mr. Agnesino nominated Dawn Farrell for Planning Board Secretary, seconded by Mr. Crane. There were no other nominations. Voice vote; all ayes, motion passed.

2. PB-02-17 – Schedule of Meetings

Mrs. Farrell reviewed the meeting schedule for the Board. Motion by Mr. Agnesino, seconded by Mr. Crane to approve the Schedule of Meetings for 2017. Voice vote; all ayes, motion passed.

Reorganization: (continued)

5. Reorganization Resolutions: (continued)

3. PB-03-17 – Planning Board Solicitor

Mr. O'Brien opened nominations for Planning Board Solicitor. Mr. Agnesino nominated the firm of Campbell Rocco, seconded by Mr. Cooper. There were no other nominations. Voice vote; all ayes, motion passed.

4. PB-04-17 – Rules and Regulations

Motion by Mr. Crane, seconded by Mr. Teefy to adopt the Rules and Regulations. Voice vote; all ayes, motion passed.

5. PB-05-17 – Planning Board Planning Consultant

Mr. O'Brien opened nominations for Planning Board Planning Consultant. Mr. Cooper nominated the firm of Maser Consulting, seconded by Mr. Teefy. There were no other nominations. Voice vote; all ayes, motion passed.

6. PB-06-17 – Planning Board Engineer

Mr. O'Brien opened nominations for Planning Board Engineer. Mr. Crane nominated the firm of T & M Associates, seconded by Mr. Scardino. There were no other nominations. Voice vote; all ayes, motion passed.

7. PB-07-17 – Clerk Transcriber

Mr. O'Brien opened nominations for Clerk Transcriber. Mr. Crane nominated Ninette Orbaczewski, seconded by Mr. Cooper. There were no other nominations. Voice vote; all ayes, motion passed.

8. PB-08-17 – Official Newspaper

Motion by Mr. Agnesino, seconded by Mr. Teefy to approve the South Jersey Times as the official newspaper for the Board. Voice vote; all ayes, motion passed.

Memorialization of Resolutions 2016:

1. PB-97-16 – App. #WSP-67-16 – David Nieves – Site Plan Waiver Approved

Motion by Mr. Agnesino, seconded by Mr. Crane to adopt resolution PB-97-16. Roll call vote: Ayes – Mr. Agnesino, Mr. Crane, Mr. Scardino, Ms. Hui, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

2. PB-98-16 – App. #WSP-68-16 – Mandy Nieves – Site Plan Waiver Approved

Motion by Mr. Agnesino, seconded by Mr. Scardino to adopt resolutions PB-98-16. Roll call vote: Ayes – Mr. Agnesino, Mr. Crane, Mr. Scardino, Ms. Hui, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

3. PB-99-16 – App. #WSP-69-16 – Timothy Krulikowski – Site Plan Waiver Approved

Motion by Mr. Agnesino, seconded by Mr. Crane to adopt resolution PB-99-16. Roll call vote: Ayes – Mr. Agnesino, Mr. Crane, Mr. Scardino, Mr. Teefy, Ms. Hui, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

4. PB-100-16 – App. #1839 – Grandview Mews, LLC – Prelim. Major Subdivision Approved

Motion by Mr. Agnesino, seconded by Mr. Teefy to adopt resolution PB-100-16. Roll call vote: Ayes – Mr. Agnesino, Mr. Teefy, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Discussion for Board Action:

1. Affordable Housing Ordinance

Mr. Agnesino asked if the items for discussion can be tabled to the next meeting since the Board members have not had a chance to review any of the material. Ms. Flaherty commented that there are applicants waiting for the fee ordinance to be changed and she would like to move the substance abuse treatment center ordinance forward tonight. If the Board members have any concerns they can bring them forward before Council has the second reading. With regard to the affordable housing ordinance, Mr. Kernan stated that the change to the ordinance is to remove the language that will require an affordable housing contribution from a resident who may be constructing an addition to their existing home. Right now the ordinance requires them to pay a development fee based on the equalized assessed value of the improvement. On the State's website the requirement for a town to charge a development fee for an expansion to an existing home is optional. The recommendation is to remove that language from the ordinance. The Board was in agreement that a resident should not be penalized because they want to construct an addition on their home. Motion by Mr. Agnesino, seconded by Mr. Teefy to recommend the changes to the affordable housing ordinance to Council. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Heffner, Mr. Scardino, Mr. Teefy, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

2. Substance Abuse Treatment Center

Ms. Flaherty stated that the Township and many other townships are getting applications for opioid treatment centers, medical marijuana centers, and distribution facilities. This ordinance basically puts them in an area where it's suitable and won't be an impact to any residential areas. She stated that she proposed the Business Park Zone to Council for that reason because if you don't have a specific zone than they can go anywhere. Mr. Rocco stated that he wanted to understand what exactly the ordinance is about. He pointed out a discrepancy in the zoning designation in the proposed ordinance. Ms. Flaherty stated that Mr. Fiore prepared the ordinance and she will let him know he has to correct it. Mr. Rocco asked if the conditions for these treatment centers located in the BP Zone will be included in the ordinance. Ms. Flaherty stated that is something Mr. Fiore has to fill in but he conditions will be for the BP Zone. There was discussion on the conditions which should include that treatment centers must be a specific distance from the schools, playgrounds, recreation areas, etc. Mr. Kernan questioned the section of the proposed ordinance that allows residential uses in the BP Zone. He asked whether or not our current ordinance allows residential uses in the BP Zone. Ms. Flaherty stated that it does; anything that was built prior to 1981. Mr. Kernan replied that this current proposed ordinance allows residential uses in the BP Zone. Mrs. Farrell commented that the ordinance does not permit residential uses in the BP Zone but they are a conditional use not a permitted use. It seems that the underlined section is what's being added which is permitting residential uses in the BP Zone. Mrs. Flaherty stated that she didn't know why Mr. Fiore has it underlined but that is the existing ordinance right now. Mr. Kernan also pointed out that the ordinance states it involves a change not recommended in periodic reexamination of the Master Plan, which is true, but then it states that individual public notice has been served. That means every property owner plus all owners within 200 feet of the BP Zone have to be notified of the proposed change to the BP Zone ordinance. Ms. Flaherty stated that Mr. Fiore will have to determine that since he is the attorney, she will check with him to see if notice has to be sent. Mr. O'Brien suggested that the Board not act on this particular ordinance at this time. Mr. Rocco and Mr. Kernan stated that Board can still recommend it to Council with the suggested corrections. Ms. Hui questioned the amount of property required for such a facility in the proposed ordinance. After further discussion it was determined the Board would move forward with the recommendation. Motion by Mr. Cooper, seconded by Mr. Teefy to recommend the substance abuse treatment center ordinance to Council with the suggested changes. Mr. Rocco and Mr. Kernan will reach out to Mr. Fiore regarding the recommended changes. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Scardino, Mr. Teefy, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Discussion for Board Action: (continued)

3. Land Development Fees

Ms. Flaherty stated that she looked at the land development fees and restructured them to make them more user friendly for developers to come in and lease and buy property here. The town wants people to know that they are business friendly and that is the whole purpose of reducing the development fees. Mr. Cooper asked if the new fees will cover costs for the application and is the escrow going to be enough to pay the professionals. Ms. Flaherty replied yes that they will. Mr. Cooper replied that the Township will not have to pay any of the fees if the escrow is not enough. Ms. Flaherty replied no that the Township will not pay the fees. Mr. Crane asked the Board's professionals if they thought the reduced escrow fees will cover their costs for review of the different applications, for example an escrow of \$1750.00 to cover all the professional reviews. Mr. Kernan replied that he did not think so and he felt that they would be asking the applicant's to put up additional monies. So it may initially come across as it being less expensive to do business but at the end of the day it's going to cost what it typically costs. He stated that it's really tough for any of them to say. Ms. Flaherty stated that she used a couple different township's fee schedules and averaged them out and the fees proposed are realistic. They are going to restructure how things are done here for example they should be having workshop meetings with the applicant's and that will cut down some of the costs as well as looking at the invoices as they come in to make sure there is not triple billing going on or double billing for different professional staff that work on applications underneath the Board's professionals. She stated that a comment for the Planner should not be in the Engineer's report and vice versa so there are not cross overs in the application review. By having the workshop meetings with the applicants and the professionals it will streamline the process when it comes before the Board for preliminary review and then final is really minimal. Mr. Crane asked Mr. Rocco and Mr. Jordan to respond about the escrow fees; he stated he did not want to keep going back to the applicant's to ask for money. He would rather the applicant know up front and if there is money left then they will get it back, but to keep asking them for money is not right. Ms. Flaherty stated that the BNATT minor site plan was \$14,000.00 and the applicant was going to walk away. Mr. Jordan replied that that application had a lot of issues with the drainage so he would say it was more than a minor site plan review. Ms. Flaherty said the escrow fees proposed are very consistent with other towns. She stated she looked at the fees in Washington Township, Winslow Township, and Glassboro. There was further discussion on the escrow fees with Mr. Teefy stating that the professionals can let the applicants know if the project is going to be more involved and will cost more money at the workshop meetings. Mr. Crane stated that he did not want the escrow fees to be unrealistically low and have to keep going back to the applicants. After further discussion on the matter the Board agreed to move the recommendation forward. Motion by Mr. Agnesino, seconded by Mr. Teefy to recommend the changes to the land development fee ordinance. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Heffner, Mr. Scardino, Mr. Teefy, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Approval of Minutes:

1. 8/11/16 regular meeting.

Motion by Mr. Agnesino, seconded by Mr. Crane to approve the minutes from the August 11, 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.

Reports:

1. Mr. Teefy stated that he has heard rumors about a purchaser for Geet's Diner. In addition the people purchasing it want to keep the name. They do not want a sports bar in the back but more of a lounge with the diner section being a little more upscale.

2. There is a meeting scheduled for either the 18th, 19th, or 20th with the NJDOT which will include Senator Madden, Rosemary and Chris Rehmann regarding Route 322 and Fries Mill Road. Mr. DiVietro did receive the letter back from the State but he hasn't submitted it to the Township as of yet.

3. Mr. Teefy stated he would like to remove the back wall in the conference room and make it a bigger room so the Board can sit facing the applicant and make things a little more professional. He wants to move forward with getting a flat screen for the wall and having the plans projected on that rather than on an easel that no one can see. He will have to talk to Kevin with regard to the budget. He commented on how busy the Zoning/Planning Office has been this past year and gave kudos to Mrs. Farrell, Ms. Flaherty, and Mrs. Orbaczewski for doing a good job this past year and turning out a lot of work. He commented that what is key to working with that department is that Ms. Flaherty is the point of contact and everyone must make sure that she is involved in all things that are going on and everyone is communicating with her. There cannot be any going around and back dooring anything anymore. Changing the fee ordinance hopefully will be key in driving more business into town and getting the process more streamlined. This past year things got a little tight with the budget so we have to be sure to stay within the budget. Mr. Heffner sits on Council and they discussed the police budget last night and it didn't go over to well with one of the Councilman. Mr. Teefy stated that it's his goal is to have a safe town and to keep the number of police personnel around sixty-six. He doesn't want to crush the budget but there are some situations where they might have to hire more because they have to have public safety. They would like to see a zero increase in taxes and he will see what they can do to get to the zero but they have to be careful to watch the budget here because they don't want to have to transfer money at the end of the year to cover it.

4. Ms. Hui inquired as to updates concerning COAH. Mr. Kernan replied that last month the Supreme Court heard arguments from Fair Share Housing attorneys and from attorneys representing different towns concerning what is known as the gap period. The gap period goes from 1999 to now since all of the rules put out from COAH were struck down by courts over and over again. The Fair Share Housing consultants feel there should be numbers assigned to the gap period but the town's attorneys feel there shouldn't be a number for the gap period. That decision has not been rendered yet. Most towns have settled with Fair Share Housing Center before they went to trial; they will give a thirty percent discount on the number they calculated for any particular town if they agree to settle with them. The number that came out from Fair Share Housing's consultant recently for this town is zero. In May of 2016, David McKinsey from Fair Share Housing Center gave Monroe Township a zero third round prospective need obligation back dating from 1999 forward to 2025. Richard Redding also gave Monroe a zero number and in 2014 COAH had zeroed out Monroe Township. At one point the town did receive a number of nine hundred and something units so who knows what the real number is but the reason the town was zeroed out is because it has been determined by the experts to be an Urban Aid Municipality, which is not a great distinction, but by being classified as Urban Aid they feel as though you already meet the percentage of low and moderate income households in the community and there isn't a need for anymore.

Adjournment:

The meeting was adjourned at 8:30 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.