

Call to Order:

The regular meeting of the Monroe Township Planning Board was called to order at 7:00 p.m. by Chairman O'Brien. The Board saluted the flag. Roll call was as follows:

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

Proper notice of this meeting was given as required in the Open Public Meetings Act on January 6, 2017.

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-32-17 – App. #429-SP – M3 Hotel Developers, LLC – Extension Request Approved

Motion by Mr. Agnesino, seconded by Mr. Cooper to adopt resolution PB-32-17. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Ms. Flaherty, Mr. Scardino, Mr. Teefy, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

2. PB-33-17 – App. #1723 – Morgan Development Group, LLC – Extension Request Approved

Motion by Mr. Agnesino, seconded by Mr. Cooper to adopt resolution PB-33-17. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions.

3. PB-34-17 – App. #1739 – 110 Whitehall, LLC – Extension Request Approved

Motion by Mr. Agnesino, seconded by Mr. Cooper to adopt resolution PB-34-17. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

4. PB-35-17 – App. #1751 – Morgan Development Group, LLC – Extension Request Approved

Motion by Mr. Agnesino, seconded by Mr. Cooper to adopt resolution PB-35-17. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

5. PB-36-17 – App. #1829 – RJP Homes, LLC – Extension Request Approved

Motion by Mr. Cooper, seconded by Mr. Agnesino to adopt resolution PB-36-17. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

6. PB-37-17 – App. #WSP-21-17 – Inspira Health Network, Inc. Site Plan Waiver Approved

Motion by Mr. Agnesino seconded by Mr. Cooper to adopt resolution PB-37-17. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

7. PB-38-17 – App. #WSP-22-17 – Robert Chinappi – Site Plan Waiver Approved

Motion by Mr. Agnesino, seconded by Mr. Masterson to adopt resolution PB-38-17. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Mr. Cotton, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Site Plan Waivers for Board Action:

1. #WSP-23-17 – Bach T. Tran – Site Plan Waiver

Present – Bach T. Tran, applicant, Christian Vasikonis, applicant’s spokesperson.

Member’s packets contained: 1. A copy of the applicant’s site plan waiver application. 2. Letter dated April 23, 2017 prepared by Rosemary Flaherty, Zoning Officer.

The applicant is requesting a site plan waiver in order to take over the existing nail salon known as T & T Nails. The new name will be Vivi Nails; the property is located at 1951 North Black Horse Pike, also known as Block 201, Lot 51 in the Commercial Zoning District.

Ms. Tran and Mr. Vasikonis were sworn in by Mr. Rocco. Mr. Vasikonis stated that Ms. Tran has taken over ownership of the existing nail salon and would just like to change the name from T & T Nails to Vivi Nails. She is proposing to change the façade sign over the door and the sign plaque in the multi-tenant freestanding sign at the curb. Ms. Flaherty reviewed her letter for the Board. She advised the tenant that she must contact the water department to change the name on the account for the water and sewer. She asked for all services being offered at the salon. Mr. Vasikonis stated that the services will be manicures, pedicures, and waxing services. With regard to the number of employees Ms. Tran stated she is the only employee at this time as business is very slow and she makes the appointments for herself only. She will submit a copy of her license to the office. The salon will be open from 9:00 a.m. to 7:00 p.m. every day except for Tuesday’s. She will provide the information with regard to how she will dispose of her trash when she applies for her zoning permit. A copy of the proposed façade sign is included in the site plan waiver application. A zoning permit and Certificate of Occupancy are required. Mr. Masterson inquired as to any future employees and their licenses. Ms. Tran stated she will supply any future employee’s licenses to the office at the time they are hired.

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. Teefy to grant the site plan waiver approval with the conditions stated on the record. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Mr. Cotton, Mr. O’Brien. Nays – Zero. Abstentions – Zero.

2. #WSP-24-17 – Torrey Brooks – Site Plan Waiver

Present – Torrey Brooks, applicant.

Member’s packets contained: 1. A copy of the applicant’s site plan waiver application. 2. Letter dated April 23, 2017 prepared by Rosemary Flaherty, Zoning Officer.

The applicant is requesting a site plan waiver in order to occupy a unit in an existing commercial building for a basketball clinic. The property is located at 1041 Glassboro Road, Unit A3, also known as Block 13901, Lot 28.01 in the Business Park Zoning District.

Mr. Brooks was sworn in by Mr. Rocco. Mr. Brooks testified that he would like to open a basketball clinic in the industrial park. Ms. Flaherty reviewed her letter for the Board. She asked the number of participants per training session. Mr. Brooks replied there will be approximately forty participants per session. Normally the parents just drop their children off but there is a place where they can sit and watch if they choose to do so. There will be six part-time employees and two full-time employees and the hours of operation will be seven days a week 8:00 a.m. to 9:00 p.m.

Site Plan Waivers: (continued)

2. #WSP-24-17 – Torrey Brooks (continued)

Ms. Flaherty stated that the Mr. Brooks should provide testimony on the business protocol regarding background checks for all coaches. Mr. Brooks stated that he will use a company named IdentiCo for the background checks. She asked of testimony regarding trash removal. Mr. Brooks stated that the landlord provides trash removal. Ms. Flaherty stated that lawn signs are not permitted but a grand opening banner sign is permitted for thirty days. The applicant should testify as to any proposed signage. Mr. Brooks stated that the will have a sign on the door and a sign above the door. She stated that he is permitted to have ten percent of the total square footage of the unit for signage; Mr. Brooks can email her the proposed signage and she will review it for him. A zoning permit and Certificate of Occupancy are required.

Mr. Teefy inquired as to Mr. Brooks' background. Mr. Brooks stated that he is from Glassboro and graduated in 1995. He has played basketball in Germany and London for two years. Mr. Teefy asked what basketball camps he attended. Mr. Brooks replied that there weren't too many camps in 1995 and he was just a local player from Glassboro. Mr. Teefy stated that he cannot stress enough the importance of the background checks and the policies Mr. Brooks puts in place for the employees dealing with the youth. He stated that no one should be in the facility just one on one; there should be another adult or parent present. Mr. Brooks replied that he understood.

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

Motion by Mr. Teefy, seconded by Mr. Scardino to grant the site plan waiver subject to the conditions stated on the record. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

3. #WSP-25-17 – Edward Marchese – Site Plan Waiver

Present – Edward Marchese, applicant.

Member's packets contained: 1. A copy of the applicant's site plan waiver application. 2. Letter dated April 23, 2017 prepared by Rosemary Flaherty, Zoning Officer.

The applicant is requesting a site plan waiver in order to be permitted to open a retail store in an existing strip store center. The property is located at 1951 North Black Horse Pike, also known as Block 201, Lot 51, in the Commercial Zoning District.

Mr. Marchese was sworn in by Mr. Rocco. Mr. Marchese stated that he would like to open a retail store to sell and install retail safes. Ms. Flaherty reviewed her letter for the Board. She stated the applicant must establish an account with the MMUA for water and sewer. She asked the applicant to testify as to the number of employees. Mr. Marchese replied that there will be two employees; his brother and himself. He stated that the retail store will sell safes, smaller office safes, vaults, and larger safes that can be as large as four feet by six feet. Mr. Marchese noted that the proposed signage is included in the site plan waiver application. A zoning permit and Certificate of Occupancy are required.

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

Motion by Mr. Crane, seconded by Mr. Scardino to grant site plan waiver approval subject to the conditions stated on the record. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

Site Plan Waivers: (continued)

4. #WSP-26-17 – Brielle Gamane – Site Plan Waiver

Present – Brielle Gamane, applicant, Troy Brennan, applicant’s husband.

Member’s packets contained: 1. A copy of the applicant’s site plan waiver application. 2. Letter dated April 23, 2017 prepared by Rosemary Flaherty, Zoning Officer.

The applicant is requesting a site plan waiver for her existing business located at 876 Radix Road, also known as Block 2501, Lot 5 in the R-2 Zoning District.

Brielle Gamane and Troy Brennan were sworn in by Mr. Rocco. Mr. Brennan stated that they have built their business over the last three years. They are new to the area and they have been working on building their dream facility. They are competitive horse athletes and they built the facility in order to have an indoor place to ride. They will bring in cattle and chase cattle; they compete on a competitive level inside the facility. They also use the facility for lessons, weddings, and various other events. They enjoy hosting the barn weddings and they also will hold birthday parties. When they started the business they were not aware they needed permits since they are a farm and they thought they could have a farm business. Ms. Flaherty informed him if he holds a public event he must come to the Township for a permit.

Ms. Flaherty reviewed her letter for the Board. Ms. Flaherty inquired about the church sessions held on the site. Mr. Brennan testified that some Sundays they hold a cowboy church which is non-denominational and something that is really popular in the south. She inquired as to the number of employees. Mr. Brennan replied that his wife is the only full-time employee and he helps her on a part-time basis. Ms. Flaherty asked the applicant to provide information with regard to parking at the site when they have an event. Mr. Brennan stated that they use the fields for parking as they have thirty-five acres. He also stated that if his neighbor’s properties become available he intends to purchase those adjacent properties. With regard to signage Mr. Brennan stated that they are using the sign that was existing which they changed to their name “My Favorite Farm”; the sign is approximately 3’ x 4’. Ms. Flaherty stated that if they want a bigger sign in the future they have to come in to the zoning office and submit an application. She asked the applicant to testify as to the number of livestock and the type of livestock at the property. Mr. Brennan replied that it all depends but right now they have approximately seventeen horses. They will have cattle at different times; there are times when he will bring in seventy head of cattle but it will vary. Because they are a farm they do start very early in the morning and go to late in the evening. If they hold an event they will adhere to whatever the Township ordinance requires with regard to noise. Ms. Flaherty asked the applicant the size of the pole barn. Mr. Brennan replied that the pole barn is 80’ x 130’. Mr. Brennan also testified that if they hold an event he will bring a dumpster to the site for trash and waste disposal. Ms. Flaherty asked the applicant to provide a copy of the well and septic certification. Mr. Brennan stated that they did receive that when they purchased the house but for the record when they hold an event he brings in port-o-pots and if it’s a nicer event he will bring a trailer in with a nice bathroom so there isn’t any impact on his septic system. A zoning permit and any construction permits are must be obtained. She asked that when the applicant holds events the Township be notified prior to the event to insure public safety. Ms. Flaherty commented on how nice the facility is and that it needs more recognition so people know that there is this type of facility in the town. Mr. Brennan invited the Board members to visit the facility and look at it first hand; he also thanked Ms. Flaherty for her help and for being so friendly and accessible to them during the application process.

Mr. Cooper commented on the wedding events and asked if Mr. Brennan was a pastor. Mr. Brennan stated that he is an assistant pastor but he has his pastor come out to perform the weddings. There was some question on whether the barn is already existing and Mr. Brennan explained that it is existing and he did receive an approval from the previous Zoning Officer but he was not aware he needed an approval to have the business since it was a farm and he is operating a farming business.

Site Plan Waivers: (continued)

4. #WSP-26-17 – Brielle Gamane (continued)

Mr. Masterson asked if the only livestock they have are horses and cattle. Mr. Brennan stated that is all the livestock they have on site. He asked what they do with all the manure. Mr. Brennan stated that they use a manure spreader and spread it out over their fields. Ms. Gamane stated that she also rakes the manure out so that it does not draw flies or smell. Mr. Cotton inquired about insurance. Mr. Brennan stated that they have a very large liability policy since they have people come in and ride.

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

Motion by Mr. Masterson, seconded by Mr. Cooper to grant site plan waiver approval subject to the conditions stated on the record. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

5. #WSP-27-17 – Joseph J. Campellone – Site Plan Waiver

Present – Joseph J. Campellone, applicant.

Member's packets contained: 1. A copy of the applicant's site plan waiver application. 2. Letter dated April 23, 2017 prepared by Rosemary Flaherty, Zoning Officer.

The applicant is requesting a site plan waiver in order to operate a lawn maintenance, landscaping construction, irrigation, and snow removal business at 1732 Glassboro Road also known as Block15403, Lot 20 in the Commercial Zoning District.

Mr. Campellone was sworn in by Mr. Rocco. Mr. Campellone stated that he wants to use the residentially used property as a commercial property for his business. He intends to keep the residential home as a rental and use the existing garage for his business. Ms. Flaherty reviewed her letter for the Board. She stated that two uses are permitted and that residential uses in the Business Park and Commercial Zones that have been issued a valid Certificate of Occupancy are considered conforming uses subject to the schedule of limitations for similar uses in the R-2 Zone. She asked Mr. Campellone to testify as to the number of vehicles, trailers, and trucks that will be on the property. Mr. Campellone stated that they have three vehicles and four trailers. They will not be storing materials at the site. He is planning to install some tress and landscaping to separate the two uses. She asked the applicant to testify as to the number of employees and where they will park once they pick up their commercial vehicles as well as to the hours of operation. Mr. Campellone stated that they have eight full-time employees and three part-time employees. They will park their vehicles in the rear on stone parking area. He will eventually look to pave that parking area with asphalt. Ms. Flaherty asked the applicant to provide parking bumpers and to submit a parking schedule to her. Mr. Campellone stated he is not proposing any signage at this time. The hours of operation are from 7:00 a.m. to 6:00 p.m. Monday through Saturday. She stated that the applicant must obtain County approval for the business since it is located on a County road. With regard to trash and waste, Mr. Campellone stated that the residents will use the Township trash receptacles and he will provide a dumpster for the business waste. No sidewalk exists in the area and the applicant should indicate if he is requesting a waiver; however even if the Board grants the waiver the County will have the jurisdiction on that issue. She asked the applicant to provide an updated well and septic certification. Mr. Campellone agreed to provide that information. A zoning permit and all construction permits must be obtained by the applicant.

Site Plan Waivers: (continued)

5. #WSP-27-17 – Joseph J. Campellone (continued)

Mr. Teefy asked the type of trucks and trailers being used. Mr. Campellone stated that the largest truck they have is an F550. Mr. Agnesino cautioned Mr. Campellone about runoff onto the neighboring properties if he adds any impervious coverage to the site such as asphalt.

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. Teefy to grant site plan waiver approval subject to the conditions stated on the record. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

6. #WSP-28-17 – H2HHC GH2437, LLC – Site Plan Waiver

Present – Shiggy Rosenberg, applicant.

Member's packets contained: 1. A copy of the applicant's site plan waiver application. 2. Letter dated April 23, 2017 prepared by Rosemary Flaherty, Zoning Officer.

The applicant is requesting site plan waiver approval in order to convert a single family home to a residential group home. The property is located at 123 Carroll Avenue, also known as Block 11605, Lot 7 in the RG-PR Zoning District.

Mr. Rosenberg was sworn in by Mr. Rocco. Mr. Rosenberg stated that he is requesting the site plan waiver in order to renovate the existing home on Carroll Avenue to an accessible group home for people with developmental needs. Ms. Flaherty reviewed her letter for the Board. She stated that the property is located in the Pinelands and the applicant should obtain an exemption letter from the Pinelands as a condition of approval due to the occupancy and use changes. She also stated that notice to the MMUA is required as a condition of approval since the use is changing. Submission of the incorporation documents must be submitted as a condition of approval. Testimony should be provided regarding the company and their practice of flipping homes and making them into group homes. Mr. Rosenberg replied that they do not buy the homes, change them into group homes, and flip them. They are the owners of the homes. They make some modifications to the homes to provide for accessibility and then take care of the residents that will be living in those homes as the service provider.

All construction and architectural drawing should be submitted to the zoning and construction office as a condition of approval. The applicant should testify as to the weight and size of the van that will be used at the property. Mr. Rosenberg stated they use a passenger van; sometimes it's a seven passenger van and sometimes it's a twelve passenger van. They typically weigh between eighty-six and nine thousand pounds. Ms. Flaherty stated she believes any vehicle over eight thousand pounds in a residential zone requires a use variance so she will need a copy of the registration when it becomes available. Mr. Rosenberg stated that the facility is a licensed facility by the State and they are subject to inspections. She asked if the managers of the facility are licensed by the State and if so a copy of their licenses should be provided to the office. Mr. Rosenberg stated that the managers of the home are employed by the service provider. The managers do not require a license but the service provider does require the State license. They do need a certain certification or type of training such as a home health aide or LPN. The highest licensure they might have in the home is an RN or an occasional therapist. Ms. Flaherty stated that copies of all certifications and/or licenses should be submitted as a condition of approval.

Site Plan Waivers: (continued)

6. #WSP-28-17 – H2HHC GH2437, LLC (continued)

She asked for clarification on the statement that the hours of operation are from 9:00 a.m. to 5:00 p.m. Mr. Rosenberg replied that those hours refer to the service provider's office hours although they do have twenty-four seven on call hours for emergencies. The house is staffed around the clock so there is always a manager on duty. Ms. Flaherty stated that applicant should provide protocol operations in case of an emergency and how the occupants will get out of the home. Mr. Rosenberg replied that once the occupants are in the house they create a specific fire evacuation plan for those occupants. With regard to ADA compliance Mr. Rosenberg stated that they focus on the bathrooms, exist doors, and interior doors where necessary. The Carroll Avenue residence does have sidewalk and a concrete driveway; if there are any cracks they will be repaired. A dumpster should be onsite for any trash and debris from the renovations. Mr. Rosenberg agreed to comply. Ms. Flaherty stated that if they sell the property to another service provider they must appear before the Board for approval. A zoning permit and any construction permits must be obtained. Ms. Flaherty read the Ordinance 40:55 D-66.1 and 66.2 with regard to the use being a permitted use in all residential zones within the Township.

Ms. Hui asked how long people who live in these types of homes stay in the home. Mr. Rosenberg replied that typically they stay in the home on a permanent basis. They want to become part of the neighborhood and part of the community just like any other residents. These types of facilities are long term facilities and people don't typically come and go. Ms. Hui asked how many people will be living in the home. Mr. Rosenberg stated that if there are four bedrooms there will be four residents. Mr. Agnesino asked how a person qualifies to be in a group home. Mr. Rosenberg stated that the person has to qualify as developmentally disabled by the NJ Commission of Developmental Disabilities. Mr. Cotton asked if the homes are coed. Mr. Rosenberg replied that coed homes are allowed but they try to stay away from that. The managers typically do eight hour shifts. Usually there is only one full-time person but occasionally there might be a second staff person on the weekends or if more help is needed during the day. They are proposing to install a ramp at one of the exits at the Carroll Avenue house for any resident that may be classified as handicap. Mr. Teefy asked how many other home like the one proposed does this company have in New Jersey. Mr. Rosenberg replied that they are running approximately twenty homes but they may be in different programs. Mr. Cooper asked if any of the residents will be mentally impaired and what the chances are one of them will just walk off the property without supervision. Mr. Rosenberg replied that in a home such as this one they try to place highly functional residents but if there would be someone who is at risk then they will provide adequate staffing.

Mr. Masterson asked if any of the residents will have their own vehicles. Mr. Rosenberg replied that they will not have their own vehicles. He was concerned with the parking since the van will be there permanently and then the staff vehicles. He also asked if the house will generate any medical waste. Mr. Rosenberg replied they do not; the most they would have would be needles for diabetic residents which are disposed of like any other resident disposes of them. Mr. Teefy asked if legally the Board can require references from other towns where this company has group homes. Mr. Rocco replied that the Board cannot require that as a condition. Mr. Rosenberg replied that he would happily and voluntarily provide references if the Board wants them. Ms. Flaherty asked if Mr. Rosenberg would voluntarily sent out letters to the neighbors to let them know what they can expect with the proposed use. Mr. Rosenberg stated that he can send out a letter.

Motion passed to open the application to the public.

1. Jeanette Costa, 113 Carroll Avenue, was sworn in by Mr. Rocco. Ms. Costa asked if this program is similar to the Bancroft program. Mr. Rosenberg replied that it is. She asked about background checks on the residents. Mr. Rosenberg stated that they do get a pretty thorough background on the residents and the ones proposed for this property have no issues.

Site Plan Waivers: (continued)

6. #WSP-28-17 – H2HHC GH2437, LLC (continued)

2. Michael Medoro, 117 Carroll Avenue, was sworn in by Mr. Rocco. Mr. Medoro expressed his concerns over the fact that no one was notified that this was going to happen with this house. He also has concerns with the residents that are going to live in this home. Mr. Rosenberg stated that he understands the concerns of the neighbors but he will assure them that they will come to get to know and get along with the residents in the house. He stated that the residents of the house want to become part of the neighborhood and the community. He also stated that if the neighbor's report any issues that will be resolved immediately.

3. Joy Kenney, 40 Carroll Avenue, was sworn in by Mr. Rocco. Ms. Kenney stated that has lived in her home on Carroll Avenue for many years. She is concerned about her grandchildren that stay with her. She also commented that having this group home will bring down the value of her property. She works in a nursing home and is familiar with people with developmental disabilities and knows they can have anger issues and sometimes violent behavior. She does not want to see her family and grandchildren placed in harm's way due to this group home. Mr. Rosenberg stated that statistically there is no basis for the comment that living near a group home lowers the value of anyone's home. This home is not a burden on the Township services as they are a for profit company and they will pay taxes. Ms. Kenney commented that this is not a single family home it's a business since this company is getting paid.

4. John Polen, 44 Carroll Avenue, was sworn in by Mr. Rocco. Mr. Polen stated that he is concerned with the children at the school right near this home as well as the traffic on Carroll Avenue.

Motion passed to close the application to the public.

Mr. O'Brien commented that the Zoning Officer read the ordinance and this use is a permitted use in the zone. With regard to notice under the ordinance applications for a site plan waiver do not require public notice. Mr. Cooper asked about the staff and their qualifications. Mr. Rosenberg stated that all employees have background checks and must be certified to take care of people with developmental disabilities. Mr. Agnesino commented that he does feel badly for the neighbors but he looked into this use and there isn't anything the Board or town can do to stop this type of use in a permitted zone.

Motion by Mr. Agnesino, seconded by Mr. Scardino to grant site plan waiver approval subject to all the conditions stated on the record. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

7. #WSP-29-17 – H2HHC GH2444, LLC – Site Plan Waiver

Present – Shiggy Rosenberg, applicant.

Member's packets contained: 1. A copy of the applicant's site plan waiver application. 2. Letter dated April 23, 2017 prepared by Rosemary Flaherty, Zoning Officer.

The applicant is requesting a site plan waiver in order to convert a single family home into a group home at property located at 1544 Victory Avenue, also known as Block 9010, Lot 12 in the RG-MR Zoning District.

Mr. Rosenberg was sworn in by Mr. Rocco. Mr. Rosenberg stated that want to renovate the existing home for accessibility for residents with developmental disabilities.

Ms. Flaherty reviewed her letter for the Board. She stated that the applicant must obtain a letter of exemption from the Pinelands. The application states the property is serviced by public water and sewer but the resale file indicates it is well and septic. Mr. Rosenberg stated that they verified today with the MMUA that they do have public sewer and a well. They will provide the well certification to the office. Similar to the previous application the incorporation documents must be provided as a condition of approval. Mr. Rosenberg stated that this application is similar to the previous application with regard to them being the service provider for the home as well as the type of van used. Ms. Flaherty reminded him that if the van is over the weight limit allowed in a residential area they will need a use variance.

With regard to the stone driveway at this site Mr. Rosenberg testified that they will be paving the driveway and that will be shown on the plans. All State licenses and inspection certifications must be submitted to the office as a condition of approval. Mr. Rosenberg agreed to provide those documents. 'The hours of operation are the same as the previous application with emergency service available twenty-four seven. The certifications for all managers will be submitted to the office. The home will be made ADA complaint similar to the previous application and fire evacuation plans will be implemented here as well. This house is a ranch style house and they will be doing minor modifications with adding ramps and widening the doorways. With regard to sidewalk, the street does not have sidewalk but they intend to pave the driveway and construct a deck with a ramp at the back of the house. Ms. Flaherty stated the same conditions will apply to this application as the previous application. She read the same ordinance with regard to the use being permitted in all residential zones.

Mr. Scardino asked if they have private contractor for snow removal and grass cutting. Mr. Rosenberg stated that they do. Mr. Teefy commented that the applicant presented his application very well. He wanted him to know that if there are any issues in these neighborhoods the neighbors will let the town know and they will hold him to his word they will handle any problems immediately.

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 subject to the conditions stated on the record. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Ms. Hui, Mr. O'Brien. 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.

Correspondence:

1. Amendments to Chapter 175-89 – Accessory Buildings

Member's packets contained: A copy of the proposed changes to the ordinance.

Ms. Flaherty stated that there are proposals by residents to build large accessory buildings such as the one shown tonight at 80' x 130' without any variance required. The multiple amounts of accessory in single family dwellings which really aren't the accessory anymore but the primary. There isn't any strict language for the placement of accessory buildings and people who are putting up four and five garden sheds in their backyard. She stated that she worked with Councilman Marino and the Mayor and Council reviewed it a couple times. So these changes make what accessory uses should be in a residential zone and not primary uses where we find out that businesses are being run out of them instead of people finding a building on the Black Horse Pike. Mr. Masterson asked if this is an amendment or a replacement of the current ordinance.

Correspondence: (continued)

1. Chapter 175-89 (continued)

Ms. Flaherty stated that is pretty much replaces the ordinance where before for an accessory building would have to meet the setbacks for the zone so sheds were having to be placed in the middle of the property because they would have to meet the setback say of fifty feet or go for a variance. She stated that if it's over five hundred square feet you only have to be fifteen feet from the side and rear yard and if it's under that it's five feet for each setback. Mr. Masterson asked what sections of the current ordinance are being stricken since it doesn't show that on the amendment. Ms. Flaherty stated she has the document that shows what is being removed and what is new. This does not pertain to agricultural operations or farming operations just residential homes. Ms. Farrell commented that the amendment only allows for a shed up to 200 square feet, if someone comes in for a shed at 300 square feet what is that classified as a shed or a garage. Ms. Flaherty replied that if it's a shed that is going to go over 200 square feet then they will need a variance. Mrs. Orbaczewski asked what a pole barn is classified as. Ms. Flaherty stated it is a garage. Mrs. Orbaczewski asked what type of variance it is goes over the maximum square footage noted in the proposed ordinance. Mr. Teefy stated that anything over 200 square feet will require a variance because before they just came in and got a permit for 300 or 400 square feet and then they would be running a business out of them. Mrs. Farrell commented that that might happen for people who come in for an accessory building that was like 1000 square feet but for someone who just wants a 300 square foot shed for storage will now require a variance. Mrs. Orbaczewski asked what type of variance it will be. Ms. Flaherty replied it will be a bulk variance for the size. Ms. Hui asked how the 200 square foot number was chosen. She stated that they looked at other Townships and that is the number that was most consistent. She stated that the maximum size of a garage is 900 square feet and one of each will be permitted. Mr. Crane asked where it states you need a variance. Ms. Flaherty stated if you don't meet the code you need a variance.

Motion by Mr. Agnesino, seconded by Mr. Cooper to recommend the amendments to Chapter 175-89 to Council. Roll call vote: Ayes – Mr. Agnesino, Mr. Cooper, Mr. Crane, Ms. Flaherty, Mr. Masterson, Mr. Scardino, Mr. Teefy, Ms. Hui, Mr. O'Brien. Nays – Zero. Abstentions – Zero.

2. Letter dated 4/21/17 – MMUA Annual Update

Member's packets contained the Annual Planning Board update from the MMUA for their information.

3. Letter dated 4/27/17 addressed to Councilman Dilks – Resident concerned about increased traffic from the approved daycare to be constructed on Fries Mill Road and Stanger Avenue. Ms. Flaherty commented that public notice was sent when it was first proposed in 2007 and that was their time to come out and voice their concerns. Mrs. Farrell stated they might not have been notified if they are further than 200 feet. Mrs. Farrell stated that Fries Mill Road is a County road and they have jurisdiction on whether the access drive can be located on Fries Mill Road or not.

Reports:

1. Mr. O'Brien commented on the fact that the microphones were not working this evening. He stated that it was very difficult to hear what the applicants were saying. He suggested that Township get someone in to fix the system because it's very disheartening not being able to hear everything someone is saying. He also suggested that the microphone be attached to the podium instead of people having to lean over to speak. Mr. Teefy stated that they could have this problem at Council meetings and he will mention it to the IT department; some microphones are working and some are not. Mr. O'Brien stated that there were controversial applications on this evening and record should be clear.

Approval of Minutes:

1. 4/20/17 regular meeting.

Motion by Mr. Masterson, seconded by Mr. Agnesino to approve the minutes from the April 20, 2017 regular meeting. Voice vote; all ayes, motion passed.

Adjournment:

The meeting was adjourned at 9:20 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