

ZBA EXHIBIT 2

1988 MINUTES

Ms. Reed called the Meeting to order with the following statement:

It is 7:12 pm. This is a Regular Meeting of the Monroe Township Zoning Board of Adjustment. 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 on January 8, 1988 to the Gloucester County Times and the Plain Dealer. A copy was posted on the first floor bulletin board of Town Hall and a copy was given to the Township Clerk. In addition, a notice of this evening's public hearing(s) was sent in writing to the Gloucester County Times on February 12, 1988.

FLAG SALUTE

ROLL CALL: VOTING MEMBERS

Mr. Craig Camarote	Present
Ms. Joyce China (1st. Alternate)	Excused
Mr. Joseph Di Lolle	Present
Mr. Carl Ferrara	Present
Mr. Robert Leonard	Present
Mr. George McDonald	Present
Ms. Helene M. Reed (Vice-Chairwoman)	Present
Mr. H. Douglas Ramseur (Chairman)	Excused

NON-VOTING MEMBERS

Mr. Martin Abramson (Solicitor)	Present
Mr. Daniel Marchisello (Council Liaison)	Excused
Mr. Fred Weikel (Zoning Officer)	Present
Ms. Jeanne Zaroff (Secretary)	Present
Mr. George McCaughey (Twp. Eng.)	Present

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MEMORIALIZATION OF RESOLUTIONS

- 1) Solicitor read Resolution #88-07 by Robert J. Hoffman & George Wagner (Britin Plastics) granting a use variance for application #8802, to allow for a light manufacturing building on Tuckahoe Road, a.k.a. block-13901, lot-3 in a CC zone on the Township Tax Map.
- 2) Solicitor read Resolution #88-08 by Debra Heinz Wolf correcting Resolution #8732 (correction was on the block & lot) to block-101, lot-4 on the Township Tax Map.

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NEW HEARING

APPLICATION #8804 BY JAMES AND BRENDA DICCIO, 320 NEW BROOKLYN ROAD, WILLIAMSTOWN
for an interpretation of the Township Code.

Representing Applicant: Mr. David Dashoff, Esq.

Mr. Dashoff stated that the applicant wishes to operate a tire store, garage for repairs & part and a lot for the storage of trucks. Also stated that it is in compliance with the Township Ordinance and compared the application to Frank Vesley's Trucking on

CONTINUED HEARING #8804

Sicklerville Road, Williamstown. Submitted a hand drawn skale marked into evidence as A-1 by the Solicitor & a copy of the Tax Map marked as A-2. Frontage is on the Black Horse Pike near Ohio Avenue. Falls as CC zone. Currently owns Trucking Company. Wants two (2) buildings for use as tire store, and service establishment (repairs)

James Diccio, 320 New Brooklyn Rd., Williamstown, was sworn in by the Solicitor. and answered the Board's questions with the following statement: I hall sand & stone for concrete Co. in Phila. I would like to open tire store for cars and trucks and park my 8 trucks on the property. Possibly rent space for other trucks in the Township because there is no where for them to park. There are not too many other properties available for what I want to do. Zoning Officer stated that I had to come for an interpretation to make sure this is a conforming use. This is in comparison with Frank Vesley's Trucking. Submitted a Resolution from the Planning Board showing adoption for Vesley's as A-3 into evidence. Combination of wholesale & retail. General Public will be able to utilize this store. Dealing w/parts only on repair end. Will lease building (tire) to someone who will sell tires. I feel there is a need for this service. Will have own office. Will start building as soon as I get approval. Propose lighting, fencing, for protection of mine & other trucks. Will have stone road. I expect to store 15-20 commercila vehicles.

Zoning Officer: Stated, reason for interpretation is CC parking lots refer to banks, stores and the like. Entire lot is CC. Heavy equipment vehicles(Construction) are not permitted. Also, repair stations are not permitted in a CC zone according to the ordinance.

Solicitor:stated to Mr. Dashoff : 175-127 of the MT ordinance.

Mr. Dashoff: commercial aspect to lot- not multiple-175-11 (CC as opposed to industrial use.-retail business & service establishments.)

Mr. McDonald made motion to approve the interpretation stating that it is one use and should be remanded to the Planning Board. SECONDED BY Mr. Ferrara

Secretary called roll: AYES: Mr. Mc Donald, Mr. Camarote, Mr. Leonard, Mr. Ferrara, Mr. DiLolle, Ms. Reed. NAYS:-0- Abstentions-0-
(Application approved and remanded to the Planning Board)

CONTINUED HEARING

#225-SP - - WORKSHOP - Thomas Palermo 6 Prentis Lane, Berlin, NJ was sworn in by the Solicitor and answered the Board's questions with the following statement.
We would like the development of 16 units(Williamstown Professional Building) on the North end of Main St. 14,500 sq. ft. drainage to rear(construct a retention basin)55 ft. rt. of way(40 ft. cart.way-55 ft. rt. of way) loading & unloading(none needed) professioanl business only.20 ft. buffers, Basin(as large as gets)will put (NO TRACTOR-TRAILERS) sign. Engineer for Mr. Palermo(Arthur Dodge, Karahm, McConnell & Dougherty Assoc, 90 Kings Highway

George Mc Caughey stated- revosions are needed to #2-wheel blocks, #3-waiver of design standard, 10x18 tp 10x20 (no problem), #7-new section-rodent control(disturb rodents), #15-what happens when exceed basin, buffer w/less than 25ft. go below 10ft. only w/variance, #18-buffer.

Solicitor- We need to amend the use vaiance first, (add on Council requirments with attorney) need to send Notice to public, then hear final approval on site plan.

Voice Vote- all ayes. (hear prel. & Final approval on March 8, 1988)

NEW HEARING

Application #8805 by Nazareno Regalbutto, 127 B. Greentree Road, Turnersville NJ
Represented by Donald Katz, Esq. on file with complete application are the following documents
proof that taxes are paid to date, sketch of property, Affidavit of Notice, Affidavit to
property owners, 3 photos marked into evidence,

Mr. Katz, Esq. applicant wishes to convert a kennel which is already in existence into
a plumbing shop. Submitted photo's into evidence marked aa A-1 to 18 by the Solicitor.

Nazareno Regalbutto, was sworn in by the Solicitor and answered the Board's questions
with the following statement: Licensed plumber with the state of NJ. Does new construction
plumbing all over NJ. I ideal location is property in question on Rt.322. I wish to acquire
185x400 ft.plus kennel which I will convert into a plumbing shop. Have approx. 10 people
who work for me. They arrive in the am. get into their trucks and leave for the day. Will
store plumbing materials such as: copper pipes, tubs, toilets, sinks and the like. Will
improve offices. Is a masonry building, will have 8 trucks inside fence which is along
the side of the building. Will have lights on the building. Stone will be placed on the
ground in the front and along the sides going toward the back. Work strictly for builders
no resale. Will store all materials inside the building.

Eugene Conway was sworn in by the Solicitor-professional planner and land surveyor since
1971 in the State of New Jersey. Involved in residential & Commercial development such
as (Birches West, Forest Hills, WaWa's, Gas Stations, Dunkin Donuts) Self employed since
1960. Said building fronts 322- approx. 2000 ft. from the Monroe Township-Glassboro Line.
Zone-R-10, Won't impair any building in the area.

Chris Robins 529 Canterbury Ave. Pitman, NJ was sworn in by the Solicitor and made the following
statement: Licensed Broker and Realtor w/ Harvest Realty. Had listing for several months,
people were asking for commercial property. I feel that this will not impair the area.

Motion to Open Public portion by Mr. DiLolle: Seconded by Mr. Camarote: voice vote all ayes.

Solicitor swore in Robert Hochswinder, Glassboro Road, Williamstown, NJ: answered the Board's
questions with the following statement: The commercial businesses are further down the
road. Would like the Board to recommend a large buffer, asphalt in the front (due to the
large hole in the front) Will there be chemicals, propane tanks, and the like? I feel this
will be a safety hazard to the people in the area. Don't want the trucks in the front,
it would be an eye-sore.

Mr. McDonald stated with the high water table, asphalt would not be a good idea, stone would
be a better choice.

Mr. Leonard stated that the trucks would be ended in and not a problem

Mr. DiLolle made motion to close Public Portion; Seconded by Mr. Leonard; voice vote all
ayes.

Mr. Katz: There will be no chemicals or propane; welding materials (propane tanks) will
only be on the trucks. We don't want the trucks in the back as there is a great deal of
material (expensive) on the trucks. They will be on the side of the building and fenced
in.

Mr. Conway: No point in asphalt in the drive-way (front) area is depressed; therefore pond
is created. will put heavy stone (deep) Water flows from 322 (front of yard) to the back.
Will eliminate the front drive-way will enter and exit from the left side. There are 2 empty
and 1 full container of propane on the trucks which are chained to said truck.

Continued Hearing #8805

Zoning Officer stated the property is zoned R-10

Mr. Leonard made motion to approve application #8805 with two conditions: 1) plumbing warehouse with office in front and 2) stone from the front all the way to the back along the side; Seconded by Mr. Ferrara.

Secretary called roll: AYES: Mr. Ferrara, Mr. Camarote, Mr. DiLolle, Mr. Leonard, Mr. McDonald,
Ms. Reed. NAYS: -0- ABSTENTIONS: -0-
(variance approved)

#1424 Subdivision- Nazareno Regalbutto

Would like subdivision to be 185x394. Block 15001 Lot-4 is 16.332 acres. Property to the rear of subdivision- 14.531.7 side yard-existing structure.

Motion to grant subdivision by Mr. Ferrara; Seconded by Mr. Leonard

Secretary called roll: AYES: Mr. Camarote, Mr. DiLolle, Mr. Ferrara, Mr. Leonard, Mr. McDonald,
Ms. Reed. NAYS:-0- ABSTENTIONS:-0-
(subdivision approved)

#WSP-80 by Nazareno Regalbutto

Mr. Katz: Requesting site plan waiver. We meet the criteria-building as is. Nothing more is being done to the property. Will only remodel inside. The wood fence will be replaced.

Mr. McDonald made motion to approve WSP-80 (site plan waiver) seconded by Mr. Camarote

Secretary called roll: AYES: Mr. Camarote, Mr. DiLolle, Mr. Ferrara, Mr. Leonard, Mr. McDonald,
Ms. Reed. NAYS:-0- ABSTENTIONS: -0-
(site plan waiver-approved)

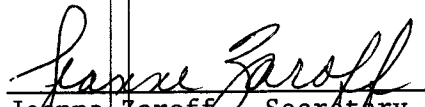
Mr. McDonald would like to take the Tabled vote off Thompson Investment Group. Mr. Leonard seconded; Voice vote- all ayes.

MINUTES OF February 9, 1988- Motion to approve by Mr. Camarote; seconded by Mr. DiLolle
Voice vote- all ayes.

Minutes approved.

Solicitor: Secretary, call Mr. Gable and have his application #8729 amended for a side yard variance. (2ft. on either side)

ADJOURNMENT



Jeanne Zaroff, Secretary
Zoning Board of Adjustment

These minutes were extracted from a tape recording. The tapes are stored with the files of the Zoning Board of Adjustment.

APPROVED:  (Chairman) DATE: March 9, 1988

The regular meeting of the Monroe Township Planning Board was called to order at 7:30 p.m. by Chairman Pace. Those present: Mr. Herron, Mr. Iannacone, Mr. McDonald, Mr. Neri (7:37), Mr. Rocco, Mr. Szychulski, Mr. Yocum and Mr. Pace. Alternates: Mr. Petolicchio and Mr. Straub. Also present: Mr. McCaughey, Engineer; Mr. Shuster, Planner; Mr. Petrone, Solicitor.

Proper notice of this meeting was given on 1/27/88 in accordance with the requirements of the Open Public Meetings Act.

The Chairman read the following statement, "Be advised, no new item of business will be started after 11:00 p.m. and the meeting will terminate no later than 11:30 p.m."

Minutes of the 10/6/88 special meeting have been submitted to members for review.

PUBLIC HEARINGS

1. #1419 & #221-SP - Nationwide Mobile Home Sales & Park, Inc./
B & L Properties - Minor Subdivision/Major Site Plan

Proper notice of this hearing was given by the applicant on 10/2/88.

Present: Leonard T. Schwartz, attorney.

Members' packets contained: 1. ltr. 10/11/88 from AR&H for #1419;
2. ltr. 10/13/88 from AR&H for #221-SP.

The purpose of this hearing is to consider an application for: a. minor subdivision approval (#1419); b. preliminary and final major site plan approval (#221-SP); c. a side yard setback variance to reduce the setback from 20 feet to 0 feet (party wall); d. front yard and side yard setback variances to reduce the front yard from 30 feet to 5 feet and the side yard from 20 feet to 8 and 9 feet, but only around the warehouse at the rear of the lot; e. a variance to reduce the minimum lot width and frontage of lot 50.01 from 100 feet to 50 feet; f. a variance for parking spaces: for 143 spaces instead of 146 spaces; g. for the following waivers: 1. to reduce the 25 foot buffer between a commercial and residential use and to allow the basin and trash enclosure to encroach into the buffer area; as well as encroaching into the side yard area; the location of the property in question is the Black Horse Pike and is also known as Block 201, Lots 49, 50.01, 51, and 54, of the official tax map of the Township of Monroe (Traders Lane).

The Board is in receipt of the Affidavit of Notice; list of names from the Assessor's office; copy of the notice sent; mailing and return receipts; the taxes are current; County Planning Board has determined the application to be exempt.

Mr. Schwartz indicated that these applications had already received approvals, which were for the expansion of the Traders Lane shopping center. They took a portion of the mobile home property, where the sales office is at the present time, and added that to the shopping center, in order to have a larger shopping center. In addition, the roadway to the left of the shopping center, which goes into the mobile home park is actually an extension of the mobile home park; that is the application for the reduction in lot width from 100 feet to 50 feet. The only change, between this application and the one previously approved, which is due to some mortgaging problems, is that instead of having one lot for the stores in Traders Lane, there is a request for a subdivision which will have two lots for Traders Lane, with a zero lot line which will run between the existing structure and the new addition (where DMV building is). There is a variance for the warehouse in the back which is part of Nationwide; it is requested as part of the subdivision, in order to keep that facility where it is.

Motion passed to open the public portion of the hearing; there being no questions, motion passed to close the public portion of the hearing.

The Board reviewed the 10/11/88 letter which dealt with the subdivision.

Mr. McCaughey stated that the application before the Board is basically 99.9% the same as the Board considered and approved the last time.

PUBLIC HEARINGS

1. #1419 & #221-SP - Nationwide (continued)

The biggest exception being that the line will go through the building, whereas before it was going to be all on one lot.

Details

A. Note: This subdivision application should be considered in conjunction with site plan #221-SP; specifically, in regard to parking spaces. Lot 51 does not appear to have sufficient spaces while Lot 51.01 exceeds the code requirement. Variances for number of parking spaces may be required unless easements are provided between the lots. Cross easements are also required for the proposed drainage and also for traffic circulation.

Mr. McCaughey stated that the same issues arise as did the last time. Because they are separating the property, some of the parking spaces, that were originally enough, now get shifted to one side of the stores. As Mr. Schwartz has indicated, there will have to be cross easements for the traffic.

B. The proposed subdivision will create a 50 ft. wide lot (50.01). The proposed lot width and lot frontage do not comply with the minimum 100 feet required by the ordinance.

Mr. McCaughey indicated that the Board had previously approved this lot by granting a variance for the width and frontage.

C. The proposed subdivision will create certain nonconformances with the zoning ordinance. These must be addressed with the Board: Lot 50.01, front yard setback, 30 feet required, 5 feet proposed (warehouse); side yard setback, 20 feet required, 8 feet 9 inches proposed (warehouse); Lots 51 and 51.01 (shopping center); side yard setback, 20 feet required, 0 feet proposed (party wall).

Variances will have to be granted for these nonconformances.

D. Sight triangle easement areas must be shown on the subdivision plan for the existing access road which is proposed as a narrow strip of land 50 feet in total width.

E. The necessary drainage easement across Lot 50.01 must be indicated on the plan.

Administrative Comments

1. A deed of easement must be provided to the shopping center from the adjacent mobile home park for the proposed drainage easement on Lot 50.01.

2. Various deeds and easements must be provided affecting the subdivision.

3. We suggest that Nationwide consider the consolidation of all lands associated with the mobile home park into one lot in order to avoid any landlocked parcels.

4. The Board has previously granted this application various approvals by Resolutions PB-20-88 and PB-21-88.

Mr. McCaughey stated that items 1 to 4, under the administrative comments deal with the previously granted approvals or necessary easements or deeds that the attorney must prepare if approval is granted.

Mr. McCaughey reviewed his 10/13/88 letter concerning #221-SP and indicated that the Board was again dealing with things that were previously approved such as items 1 and 2. He indicated that items 3, 4 and 5 were just discussed under the previous report.

PUBLIC HEARINGS

1. #1419 & #221-SP - Nationwide (continued)

The plans will have to be revised to include items "D and E" of the subdivision report. These items must be shown on the subdivision plan.

Motion by Mr. Herron, seconded by Mr. Szychulski to adopt PB-69-88 granting the requested variances as noted in the 10/11/88 letter from AR&H, items B and C; reference resolution PB-20-88 and note that these are minor modifications to the prior variances previously approved; roll call vote; motion passed; 9 ayes; 0 nays; 0 abstentions.

Motion passed to deem the application complete.

Motion by Mr. Herron, seconded by Mr. Szychulski to adopt PB-70-88 classifying #1419 as a minor subdivision; reference the prior resolutions; subject to the revised plans; reference the 10/11/88 letter from AR&H; subject to the standard conditions; roll call vote; motion passed; 9 ayes; 0 nays; 0 abstentions.

Motion by Mr. Herron, seconded by Mr. Szychulski to adopt PB-71-88 granting the requested variance as noted in the 10/13/88 letter from AR&H for #221-SP, item #3; reference PB-22-88; roll call vote; motion passed; 9 ayes; 0 nays; 0 abstentions.

Motion passed to deem the application complete.

Motion by Mr. Herron, seconded by Mr. Neri to adopt PB-72-88 granting approval to #221-SP, reference PB-71-88; subject to the receipt of acceptable cross easements; granting the waiver from the parking requirements from 145 to 143; reference the 10/13/88 letter from AR&H; roll call vote; motion passed; 9 ayes; 0 nays; 0 abstentions.

2. #239-SP - James Diccio - Major Site Plan

Proper notice of this hearing was given by the applicant on 10/2/88.

Present: A. David Dashoff, attorney; James Diccio, applicant; Henry Haley, engineer.

The purpose of this hearing is to consider a request for major site plan approval and requested waivers for a retail truck service, parking and tire sales facility. The location of the proposed development is the Black Horse Pike and is also known as Block 501, Lot 36, Plate 5 on the tax map of the Township of Monroe.

The Board is in receipt of the Affidavit of Notice; copy of the list of names from the Assessor's office; copy of the notice sent; mailing and return receipts; the taxes are current; County Planning Board has waived the right of approval.

Mr. Dashoff stated that this will be generally a truck service center primarily designed for retail servicing of trucks; there will be some general use by Mr. Diccio, for the storage of the vehicles for his existing business; there will be a second building that will be used as a retail tire outlet; there will be normal business hours; four to five employees; there is a resolution on file from the Board of Adjustment which indicates the use to be permitted.

Mr. Herron asked for clarification; the application form indicates the owner to be James Diccio; however the plan indicates James and Brenda Diccio as owners. Mr. Dashoff stated that the ownership of the land has been taken by husband and wife. Mrs. Diccio will have to sign the plans and application forms.

Motion passed to open the public portion of the hearing; there being no questions, motion passed to close the public portion of the hearing.

The 10/7/88 letter from AR&H was reviewed.

Details A. Architectural sketches of each proposed building must be provided for Board consideration.

PUBLIC HEARINGS

2. #239-SP - Diccio (continued)

Mr. Diccio; sworn in; stated that it would be like a pole barn with all steel girders; he will provide the Board with a copy of what the building will look like, after he receives it.

B. Dealt with the proposed operation. This item was previously explained by Mr. Dashoff.

Comments 1. NOTE: The code requires a minimum 2" FABC over a 6" gravel base for the proposed truck parking area. (A waiver has been requested,

The general concensus of opinion was there would be no problem with the parking area, only, being stone. Mr. Herron asked if the calculations had been done with the assumption that the entire area would be paved.

Mr. Haley was sworn in; he indicated that the calculations were not based upon the entire parking area being impervious; Mr. Herron asked if the proposed finish grade going to be such that the runoff will be toward the back; the reply was yes.

Mr. Petolicchio questioned the type of stone that would be used, in relation to dust. Mr. McCaughey indicated that the plan showed dense grade aggregate which should not create such a problem.

2. Sidewalk is required by Section 175-133 for the entire frontage along the Black Horse Pike. (A waiver has been requested)

Mr. Haley indicated that there are no sidewalks near this site and that the area of the Black Horse Pike is very rarely used for sidewalks.

Mr. Pace asked what was next to this tract; the response was the camper top sales is on one side on the other side is a residence and then Nick Lacovara's office.

Motion by Mr. Iannacone, seconded by Mr. Szychulski to grant the waiver; motion passed; all ayes.

3. Note: No sign has been proposed, therefore, none has been reviewed.

Mr. Herron commented that Item 1, concerning the FABC waiver should be addressed.

Motion by Mr. Herron, seconded by Mr. Neri, that based upon the testimony given tonight by Mr. Haley and the applicant, the waiver be granted from the requirement of 2" FABC over a 6" gravel base for the proposed truck parking area in the rear to the stone as described by the plan; motion passed; all ayes.

4. The design professional must indicate whether or not there are any wetlands located within 300 feet of the site.

Mr. Haley indicated that there are no wetlands within the site. There are some wetlands about 100 feet from the end of the tract.

5. The applicant should be aware of the minimum requirements of Section 175-126 entitled Performance Standards.

Mr. McCaughey indicated that this is for the applicant's benefit to be aware of the many items, such as dust, noise, etc., that are contained in this section of the ordinance.

Motion passed to deem the application complete.

Motion by Mr. Herron, seconded by Mr. Neri to adopt PB-73-88 granting approval to #239-SP; reference the waivers granted; reference the 10/7/88 letter from AR&H; reference the Review Addendum of 10/7/88 from AR&H items A to F; Mrs. Diccio is to sign the plans and application; roll call vote; motion passed; 9 ayes; 0 nays; 0 abstentions.

PUBLIC HEARINGS

The meeting was adjourned from the caucus room and reconvened in the council meeting room, due to the number of public present.

3. #1414 - Pleasant Acres Partnership - Preliminary Major Subdivision/
Variances

Proper notice of this hearing was given by the applicant on 9/26/88.

Present: Anthony Alberto, applicant; David Patterson, attorney; Tom Stilley, engineer.

The purpose of this hearing is to consider a request for preliminary major subdivision approval and variances in conjunction with said application. The variances are as follows: Reduction in requirement for open space as set forth in Section 175-94, which provides that 25% of tract area is to be open space. The applicant seeks reduction from 25%, which would be 10.84 acres, to 7.7 acres or 9.1 acres, if the basin is included. The property for which approval is being sought is located on Winslow Road and is also known as Block 2901, Lots 46 and 47, Plate 29 on the tax map of the Township of Monroe.

The Board is in receipt of the Affidavit of Notice; list of names from the Assessor's office; copy of the notice sent; mailing and return receipts; the taxes are current; Certificate of Filing; County Planning Board has determined the application to be incomplete until drainage calculations are submitted for pre-development and post-development for a 25-year magnitude storm.

Mr. Pace asked the applicant to give a brief presentation of the proposal, prior to opening the meeting to the public. Mr. Patterson indicated he would like Mr. Alberto sworn in, to give testimony. Mr. Anthony Alberto was sworn in; he indicated that the tract is a 43 acre site; they propose 97 single family lots; they have tried to incorporate as much open space as possible; in the front of the site there is a path that goes to the center of the site where there is a park-like area, which meanders to the rear of the project; since the size of the pond is so large, they intend to use some of it for open space; it is a very minimal amount (9/10 of an acre) that does not meet the open space requirement; this is why they have requested the waiver; they intend to keep the natural state of the lots and the surrounding area as it is now; the only areas that will be disturbed during construction, are those areas that must be disturbed, such as the roads and the actual placement of the homes; they will sell the lots as wooded lots and leave as many trees as possible; the plan meets the zoning requirements of the township, with the one exception of the open space requirement.

Mr. Pace asked if Mr. Alberto had any idea of the price range of the houses. Mr. Alberto indicated that the range would be from \$100,000 to \$130,000; it will be a typical two story, two car garage, colonial unit.

Motion passed to open the public portion of the hearing.

1. John Kennedy; sworn in; his property is behind the development, closer to New Brooklyn Road; would like to have a fence erected so he will not have a lot of kids coming onto his property; his property is partially wooded and partially open field; he sees it as being an attraction for kids to hang out and play in and teenagers to drink in; he was hoping a fence might eliminate some of that. He indicated on the plan the area he was referring to.

2. Jim Stellaccio; sworn in; owns 10 acres on the southeast side of the project; there are 18 homes proposed along their property line; he wanted to state that it is a working farm and they have livestock; he indicated that people complain when they move in next door to animals; he indicated that the area is all wooded now; he wanted to know if there could be a 25 ft. buffer area; this would help keep anyone away from their livestock or keep children from going near the fence; there is a barbed wire fence that has been there for 35 years; he asked if it was possible to inform anyone purchasing those units that their home will be adjacent to a working farm.

PUBLIC HEARINGS

3. #1414 - Pleasant Acres (continued)

Mr. Shuster indicated that the state had adopted regulations to protect agriculture and the township had revised its ordinances accordingly.

Mr. Patterson stated that Mr. Alberto has agreed to put in a deed restriction in that will provide, on each property, a 25 ft. wide buffer, that the trees and whatever is natural there, will remain.

Mr. Stellaccio also indicated that there is a portion of about 200 to 300 feet where there is no vegetation; he asked if something could be planted to add to the buffer area. The applicant indicated that he did not think there would be any problem with this.

3. Dan Conte; sworn in; wanted to know if it was possible to erect a 12 ft. high chain link fence that would protect the people in and out of the development from trespassing, etc.; if there will be 97 lots, there will be a minimum of 97 kids going down Newton Avenue to get to Radix Road cutting through their properties; there will be continual calls to the police;

Mr. Pace asked Mr. Shuster if there was anything in the ordinance that would allow the Board to institute such a requirement. Mr. Shuster stated that he was taken back when he heard the request for the height to be 12 feet. Mr. Conte stated that a four or six foot high fence will do nothing. Mr. Shuster responded that if a child is going to climb over a 6 ft. high fence, the only difference between that and a 12 ft. high fence is a little bit more of a challenge. He also commented on the impact of what a 12 ft. high chain link fence would look like. Mr. Shuster further addressed this issue. Other members commented on fences that had been cut by children to gain access. There is no way to prevent someone from trespassing if they want to. Furthermore, there is nothing in the ordinance to require this to be done.

Mr. Conte asked if there was any way to guarantee the homes will be in the price range indicated by the applicant. Mr. Yocum stated that in his opinion as a realtor, for the price they are paying for the ground, and to buy Pinelands Development Credits, they will not be building any \$80,000 houses.

Mr. Pace stated that there is nothing the Board can do to ensure that.

Mr. Conte asked some questions concerning the impact to the schools. Mr. Pace indicated that the state regulations preclude the Planning Board from basing any decisions on that issue.

Mr. Shuster explained that the township has a master plan and likewise the schools must have a master plan and make projections of pupils and how they will educate those pupils. There is a member of the School Board on the Planning Board; everything the Board does, in terms of approvals and numbers of units, is taken into consideration by the School Board when they put together their plan.

Mr. Conte stated that another concern he had was the positioning of a home directly in line with Newton Avenue so as to ensure the fact that the road will not eventually be opened up to through traffic.

The indication given was that Newton Avenue will not be opened up.

Mr. Conte asked how he could insure that Newton Avenue will not become a construction route when the development is being built.

Mr. Pace explained that if approval is granted, that would be one of the conditions; the Board will prohibit construction traffic from using Newton Avenue.

PUBLIC HEARINGS

3. #1414 - Pleasant Acres (continued)

4. John Burke; sworn in; he lives in Kimberly West and a problem arose approximately a year ago when a fire took place, across the street from his home; some of the new fire equipment had difficulty maneuvering through the streets; with the cars parked on the streets it was impossible for them to put the spreaders out to stabilize the trucks while fighting the fires.

Mr. Pace stated that the Board has changed some things that will correct such problems.

Mr. Burke asked where the kids would kill their time after school and during the summer months; will there be an "R & R" area for them.

Mr. Pace stated that the parks and recreation of the township has requested that there not be tot lots in all of the developments. In all of the developments that are happening now, the developer is contributing money to be used for the township developing recreational areas. Past problems with such facilities was explained.

5. Frank Spera; sworn in; indicated that the road is very heavily traveled now; wanted to know what impact the additional traffic would have; asked if the road would be widened.

Mr. Pace stated that the Board is trying to get the county to take over Winslow Road as a start for possibly getting it widened.

Mr. Spera asked what the front of the site will look like. Mr. Alberto stated that he intends to leave the site as natural as possible. He intends to leave the front of the project, basically, as it is.

6. Peg Hoffman; sworn in; showed the Board, on the plan, where her property is; stated that the road is going to be coming out directly onto her property; asked if there was any way she could be guaranteed that at 2 o'clock in the morning, a drunk isn't going to be coming out of the development and kill her while she is asleep; asked if they could get some kind of speed bumps or something to slow down the cars so she will not be dead three months from now.

It was explained that speed bumps are illegal in the state on municipal roadways.

Mrs. Hoffman indicated that her second concern was a health problem. Her mother has emphysema; she would like a guarantee that in the summer time, or any time, that there will not be a cloud of dust all over this area.

It was explained that this would fall under the jurisdiction of the soil conservation agency; there will be a soil conservation plan filed with that office which will indicate the methods they will use to control soil erosion while constructing the site.

Mr. Tom Stilley, applicant's engineer; sworn in; further explained what is involved with soil erosion.

7. Helen Hoffman; sworn in; asked how many of the trees, that face her house, will be left standing. The applicant responded that only those trees that must be removed for construction purposes, will be removed. They will leave as many trees as possible.

Motion passed to close the public portion of the hearing.

Mr. Rocco asked if the applicant would consider putting up a fence around the property. Mr. Patterson responded that the applicant would prefer the 25 ft. deed restriction for the buffer area.

Mr. Rocco asked if a traffic study had been submitted. The response was that it had been submitted and was reviewed.

The Board reviewed the 10/12/88 letter from AR&H.

PUBLIC HEARINGS

3. #1414 - Pleasant Acres (continued)

1. The ownership and maintenance of the open space area and the retention basin must be discussed with the Board.

Mr. Patterson stated that he has been advised by Mr. Alberto, that it was discussed at a prior meeting, there would be a homeowners' association for the open space, without the basin; he has provided a copy of the homeowners association agreement. The exact open space areas were briefly discussed. The Board will recommend for the township to take ownership of the basin.

2. Section 175-94 requires that 25% of the tract area or 10.84 acres be provided as open space. This space should wind between dwellings where possible. Only 7.7 acres is proposed (9.1 acres including the basin.)

The applicant is requesting a variance.

3. Note: The zoning ordinance allows the development of 54 dwelling units for this property with a provision that a maximum 97 units may be allowed if the required Pinelands development credits are obtained. This plan proposes 97 dwelling units. Proof that the required Pinelands development credits have been obtained must be presented to the Board prior to final approval.

Mr. Patterson asked, at the request of Mr. Alberto, that they be able to obtain their final approval prior to showing that payment having been made, but condition building permits on that fact. Mr. McCaughey replied that this requirement is not a township requirement; it is a requirement of the Pinelands Commission. The indication was that the township would have no problem with this request if the Pinelands was agreeable.

4. The proposed street names must be submitted to the Director of Public safety for review prior to final approval.

5. The mix of developed and passive open space must be discussed with the Board.

Mr. Alberto indicated he was willing to make a donation to the parks and recreation fund; the exact amount was not discussed at the last meeting, since there was to be an ordinance that would deal with the formula involved with obtaining the donation figure. It was explained that the ordinance was passed but has not yet become law.

Mr. Petrone read a portion of the ordinance which said, "The amount of the contribution required, pursuant hereto, shall be determined by the estimated cost of the passive and active recreation facilities and equipment that would otherwise be required for the proposed development and shall also take into consideration the value of the additional lots the developer will have for sale."

Mr. Alberto offered \$250 per CO.

Mr. Petrone indicated that the ordinance requires the payment to be made prior to the signing of the final plans, or in lieu of cash payment a developer may post performance guarantees as approved by the Township Council.

6. The question of access to the landlocked lots behind this property must be discussed.

Mr. Patterson indicated they have a title report which does not reflect that as any type of dedication or any type of restriction or right-of-way.

7. The fiscal impact statement must be reviewed by the Board's planning consultant.

Mr. Shuster stated that he had reviewed this information some time ago. The development will have a positive fiscal impact to the township.

PUBLIC HEARINGS

1. #1414 - Pleasant Acres (continued)

8. A copy of the various easements and property titles required to connect the overflow pipe from the proposed basin to the stream must be reviewed by the Board Solicitor.

Mr. Patterson stated that they have provided a deed that shows they own that lot.

9. The applicant must address the issues expressed in the September 20th letter from the Pinelands Commission and have the design engineer explain the effect this issue will have on the proposed drainage system's outflow.

Mr. Stilley indicated that he was in contact with Cathy Timpy, from the Pinelands, this week. The first comment in her letter was just a notation. The second point was the fact that they show their drainage swale that would be constructed beyond the headwall location up to the edge of the wetlands line, as per the inventory map. He asked what the buffer was for that area. She explained the system for reduction in the 300 ft. buffer requirement. If he uses the 300 ft. buffer, he does not feel there will be a problem with the outfall structure.

Mr. McCaughey suggested they persue the reduction in the buffer with the Pinelands Commission; he does not have an answer as to whether or not, by moving it back, a problem would be created for the Kimberly West property. He is concerned that wherever the discharge point will be, that it does not flow onto adjacent properties and cause a problem.

Mr. McCaughey commented on the traffic report which was prepared by Horner & Canter. They looked at the intersections of Walnut Street and Winslow and Malaga Road and Winslow and anticipated the various levels of service that each of those intersections exist at now, and will exist at when this development is built out. He read the summary which indicated that the proposed Pleasant Acres development will be able to function with no adverse impact or degradation of service to the existing roadways and intersection facilities in this area.

Mr. Pace indicated that the Board had to take some action concerning the reduction of the open space requirement. Mr. Herron had some questions concerning the amount of required open space in relation to the donation offer by Mr. Alberto. The result of this discussion was a motion by Mr. Herron, seconded by Mr. McDonald to have the donation be \$350 per building lot; motion passed; Mr. Iannacone nay; all others aye.

Motion by Mr. Herron, seconded by Mr. Neri to adopt PB-74-88 granting the requested variance from the open space requirement of the ordinance, from the required 10.84 acres to the proposed 7.7 acres as requested by the applicant, subject to the inclusion of a deed restriction on the rear of all lots on the perimeter of the project, for a 25 ft. buffer area, that no alteration can take place; the deed restriction shall limit the clearing of that area, as opposed to the use of that area; roll call vote; motion passed; 9 ayes; 0 nays; 0 abstentions.

Mr. Alberto stated that he did not want to get into a back and forth situation between the Board engineer and the Pinelands, concerning item #9. Mr. Pace asked Mr. McCaughey if he had an objection to the 300 ft. buffer. Mr. McCaughey replied that the only problem he had was there is no plan that shows the pipe being in that position. He does not know if it dumps out onto ground that would cause it to flood the adjacent properties. Mr. Stilley indicated that he would certify that the water at the invert of 124 will not drain up to the 129, 130 contour of the last house.

Motion passed to deem the application complete.

Motion by Mr. Herron, seconded by Mr. Neri to adopt PB-75-88, granting preliminary approval for subdivision application #1414, referencing the prior resolution PB-74-88 granting the requested variance from the open area requirement; subject to the submission of drawings showing

PUBLIC HEARINGS

1. #1414 - Pleasant Acres (continued)

an acceptable drainage outflow between the Pinelands and the township; subject to the providing of an acceptable guarantee for the depositing of an amount to be dedicated to the township recreational line item in the amount of \$350 per building lot; the deed restrictions for the buffer area around the perimeter of the tract, in the rear yards; language in the agreement of sale for those lots adjacent to the Stellaccio farm indicating that said properties are adjacent to an active farm with livestock; there will be additional landscaping added on lots 46 and 47, as far as necessary; reference the 10/12/88 review addendum from AR&H, items 1 to 19; reference the 10/12/88 review letter from AR&H, items 1 to 9; a plan showing the construction traffic pattern. Question on the motion; Sgt. Mentzer indicated he would prefer "Yield" signs at the intersections as opposed to "Stop" signs; the applicant had no problem with this. Vote on the motion; roll call vote; 9 ayes; 0 nays; 0 abstentions.

Approval of Minutes

The following minutes have been approved: 9/22/88 regular meeting.

Other Business

Mr. Pace reminded the members that on October 20th, at 7:30 p.m., at the Pfeiffer Center, the meeting will be held for the growth in the township.

Correspondence

1. ltr. 10/7/88 from Larry J. Saunders, Project Manager of Holiday City; Re: Masonry Development Identification Sign Structure.

Mr. Henry Haley, engineer, demonstrated on a plan the location of the proposed sign; he indicated that the area just within the property line is all wetlands area, which means that construction in that area is very restrictive; he indicated the intersection of Sicklerville Road and Holiday City Boulevard and where the sight triangle was; since Sicklerville Road is a county road, they have jurisdiction; he explained what the county requirements were and indicated the sight distances in relation to the placement of the two masonry signs.

Mr. McCaughey stated that a meeting was held with the county and they had no problem with the location of the signs; the county sight triangle requirements are not as large as the township requirements. If the Board has no problem with the proposal, it must recognize the county jurisdiction and indicate that in this particular case, based upon the information shown that it will permit the signs.

Motion by Mr. Herron, seconded by Mr. Szychulski to adopt PB-76-88 granting the request of Hovsons, Inc. to allow them to put the two signs as illustrated on the plans submitted to be constructed within the sight triangle at the various heights indicated on the drawing based upon the comments that the county has no problem; roll call vote; motion passed; 8 ayes; 1 nay (Rocco); 0 abstentions.

Mr. McCaughey indicated that the maintenance of the signs should be included in the responsibilities of the homeowners association.

Mr. Pace reminded Mr. Saunders that the paper prints for Section 1 have still not been received by the planning board office. These are necessary for distribution to various agencies.

2. ltr. 10/11/88 from AR&H re: #236-SP - Hubert A. Temple (clubhouse expansion at Friendly Village).

The letter indicated the application plans to be incomplete for Board review. The applicant is requesting waivers from "Detail" items that are a normal part of a site plan application, such as circulation plans, sidewalk locations, landscaping plan and lighting plan.

A motion was passed to not grant the waivers of the detail items.

Correspondence (continued)

3. ltr. received 10/7/88 from Dr. Susi David, re: trash enclosure to be either eliminated or made much smaller since they will have no more trash than a small residence.

This was briefly discussed; the Board does not want the trash enclosure eliminated, but does not care what size it is.

4. ltr. 10/11/88 from Jeffrey D. Horn re: Site Plan #150-SP Thomas Palermo. Letter explained the history of this application and problems with obtaining the Stream Encroachment Permit; approval has now expired; request the Board grant permission for the applicant to receive final approval without the burden of a reapplication or additional notice to property owners.

The Board determined that revised plans will have to be received and reviewed to determine whether or not another public hearing will be necessary.

5. ltr. 10/12/88 from four residents in Scotland Run, Galloway Ct.


The backyards of their homes face Main Street. They are requesting the township to reduce the 25 ft. buffer requirement to 10 feet.

The Board discussed whether or not there was any relief they could grant in this situation; whether or not the buffer was part of the filed plat or a deed restriction. The secretary was instructed to have Mr. Weikel review the deeds to determine whether or not it was a deed restriction. If it is a deed restriction it must run with the land; it is out of the Board's jurisdiction.

6. ltr. 10/7/88 from Mr. Crass re: WaWa, Inc. #223-SP (Corkery Lane & Black Horse Pike).
7. Notice 10/5/88 re: public hearing in Clayton on 10/19/88 at 8:00 p.m. for South Jersey Development L.P. (portion in Clayton and in Monroe).
8. ltr. 10/7/88 from AR&H with attachment letter from NJDOT.

Meeting adjourned at 11:40 p.m.


Carolyn F. Farrell, Secretary


Joseph J. Pace, Sr., Chairman
Monroe Township Planning Board