

Meeting Minutes

Carneys Point Township Planning Board

The Meeting of the Township Planning Board was held on March 27, 2012 at the time of 6:34 PM. In attendance were W. Pelura, , A. DiTeodoro, D. Jim Sassi, E. Sparks, D. Wright, Charles Weigle and Barbara Scafiro (late) Also in attendance was Board Professionals; Solicitor, Joan S. Adams, Engineer Kerry L. Engelhardt and Planner, Robert G. Hall.

Acting Chairman E. Sparks called the meeting to order; he read the Open Public Meeting Act and led the Pledge of Allegiance to the Flag. Roll call was taken.

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- 1) Approval of Meeting Minutes for January 10, 2012 and January 24, 2012; motion was made by Mr. Pelura and seconded by Mr. Sassi with all affirmative votes.

Under Old Business

- 1) Review of the Land Development Checklist to the Planning Board Application. The Variance column was inadvertently omitted from the final version submitted to the Township Committee which was approved and adopted on September 7, 2011.

Mr. Hall had a few recommendations for changes to the Variance column requirements which he went through with additional comments from Ms. Adams on the recommended changes. The Checklist with the recommended changes was approved for submission to the Township Committee. Motion by Mr. DiTeodoro and seconded by Mr. Wright with all affirmative votes.

Under Applications

1. Ernest Nicholas
2nd Conceptual Review
Construction of Apartment Buildings
Block 54, Lot 1 – 320 Penns Grove-Auburn Road

Ernest Nicholas is the applicant for a Site Plan for Building of rentals garden apartments consisting of 37 units (18 one bedroom, 19 Two bedroom & one of which is the rental office) with 72 parking spaces. With Mr. Nicholas is Dale Boston, PLS & PP.

Mr. Boston states that he has revised the plan to incorporate issues in prior review letter (January 23, 2012). Mr. Sparks ask that Mr. Boston give a brief overview of the first conceptual which Mr. Boston did. Mr. Sparks addressed Mr. Nicholas and wanted him to know this was a conceptual review and not an approval process and what he is getting is ideas from a planning perspective and board perspective on the conceptual application. Mr. Boston stated that the site is presently serviced by a water line; there is a line through the property than goes to the township maintenance garage. As part of the application they would have to install a forced main down Penns Grove-Auburn Road and then sanitary sewer. Each unit would have its own sewer and

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water line, separate gas services. They are limited on this site for the recreation area so it would have to be located to the rear of the property which is considerable away from the dwellings themselves but provides a walkway to have access to it. As far as storm water, one basin is shown on the plan. Exploring some area in the front for re-charge, no drainage study done on the project yet.

Mr. Hall went through his list of comments outlined in his review letter dated March 22, 2012. Most important is that apartments are not a permitted use in the AG zone and the applicant would have to apply for a Use Variance first. The applicant would have to demonstrate some kind of special reasons why this would meet the purpose of the land use law or special reason why the Use Variance should be granted. Not consistent with the Master Plan.

Ms. Adams indicated that in fact there would be a need for several variances; use for the apartment and also for density. When you go to apply and the applicant comes before the board for Variance (use & density) it will be a rather relatively large legal battle hurdle that the applicant will have to address straight on. Mr. Sparks concurred and said this was addressed in the first conceptual before the board and this is a big head wind to overcome.

Mr. Hall continued and said it appears that the applicant can meet all the bulk variance requirements in the AG zone as opposed to the last Planners as there were issues with setbacks. Now that the units have been reduced gives more room to meet all setbacks. As to the parking and driveway it appears that part of it is over the water company's easement and approval would be needed from the water company to do that. Parking seems to meet State requirements. Suggests that since parking is in a single row that some landscaping islands be added to break up the expanse of blacktop and some landscaping along the public street to screen the parking area from public view. There is a sight triangle easement proposed which seems rather extensive and may require some taller landscaping and you want to keep the landscaping below the line of sight for cars exiting. There are two trash recycle areas at either end of the parking lot but doesn't look like a truck wouldn't be able to turn around and would have to back out which would be a concern. The pump station doesn't appear to be accessible it should have some kind of access drive. Recreation area provided on the site but it is remote from the apartment units. Recommendation would also have new utility lines underground. A Phase I screening environmental study be done. Copy of the wetland delineation (which is on the Plan) from DEP would be needed for backup with actual letters and map. Flood area or not.

Ms. Adams recommended to the applicant that if he is going to move forward that he use an attorney for the Use Variance as "he only gets one bite of the apple".

Ms. Engelhardt stated that the recreation area is awkward located and doesn't know if it would be useful. The layout of the site is feasible opposed to the first one seen. They show that it can be constructed and show space is available for the storm basin. It would be a question of getting the Use Variance.

Mr. Sparks commented that the major matter is the AG zone and getting Use Variance approval, the Board usually tries to respect the Master Plan. The applicant will have to prove and have good reason overcome those variances. It was suggested that single family dwellings be build and Mr. Nicholas responded that he would only be able to put two to three houses. Ms. Scafiro asked

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about townhomes and Mr. Nicholas responded same difference. Ms. Adams stated for any new members that this is conceptual and the Board is not bound by anything they say. Mr. Sparks continues and stated they he did not feel this was a good fit for the area. Mr. Nicholas would be investing a lot of money and in this and there is a lot of head wind to get this application going. The Board is sensitive to all applicants spending a lot of money and particularly to its residents spending a great deal of money to put an application on the table that may not be successful. This is what the conceptual is about. Mr. Nicholas asked what his next step is if not getting conceptual approval. Mr. Sparks said the next step would be to go with a formal application and come before the Planning Board.

Mr. Sassi commented that he doesn't see apartments here and for that matter anywhere, he does not feel that the Township is short of housing in his view.

Ms Adams commented to Mr. Nicholas that would be one of the elements of proof was the Township in need of apartments, another thing that maximizing for financial return of the property to you doesn't justify a variance, the Board can't consider that or rely on that on hearing the variance. It's a tough road to travel and the applicant needs to take time to put the case on.

Under New Business

Appointment of a Conflict Engineer. There was not a Conflict Engineer appointed at the beginning of the New Year and there may be in need of one. Pennoni Associate, Inc. has been recommended and Mr. Hall the Board's Planner of Pennoni Associates gave the Board some background on the company and stated that Hugh Dougherty of the Haddon Heights division would be the conflict engineer from the company. Mr. Pelura asked if the conflict engineer is for the entire Board or just a specific application. It was noted that the conflict engineer is for the entire year of 2012 and is used when a conflict engineer is needed on any applications.

Resolution 2012-02 Appointment of Pennoni Associates, Inc. for Professional Engineering Services when Conflict Engineer is needed for the year 2012. Motion made was made by Mr. Wright, seconded by Mr. DiTeodoro with affirmative votes from Pelura, DiTeodoro, Sassi, Sparks and Wright.

Under Comments from the Board and/or Board Professionals

Mr. Sparks asked if there was anything else that needed to be discussed. It was noted by the Board Secretary, Ms. Taylor that there currently is only one application and that is for Mr. Hesser (Use & Bulk variances) and that at this point Mr. Hesser is incomplete and the ball was in his court for the next move. Ms. Taylor mentioned that Mr. Hesser does not have an attorney and she is not sure that Mr. Hesser knows how to proceed. Ms. Taylor has sent the applicant several letters on this matter. Ms. Adams said that applicant is incomplete and it would be for the Board to consider adding to their rules and regulation that after a specific time, say six months if there is no activity on the applicants part that the application be dismissed without prejudice, that meaning that the applicant can always come back.

Mr. Sparks commented on the John Bibeau application that is forthcoming and that there will be a Special Meeting scheduled for April 17, 2012 and all members should try to be at the meeting. The application is for Preliminary Site Plan approval for a 60 Unit Apartment Building for

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Disabled Veterans and person with Special Needs on the site commonly known as 37th and 47th Seventh Avenue.

Ms. Adams asked Mr. Weigle if he had attended the mandatory training class for new members yet and Mr. Weigle stated that he would be attending the class this Saturday (March 31st). Ms. Taylor commented that Mr. Dennis would be attending the class as well and that Mr. Morrison had not picked that class that he will attend out of the three remaining classes. It's noted by Ms. Taylor that if Mr. Morrison missed this round of classes he will be still be within the 18 month time frame and can attend the next round of classes held at the beginning of 2013. Ms. Adams again offered classes to all new members (and/or any member) a class with her at no charge. This class would be in addition to the mandatory class.

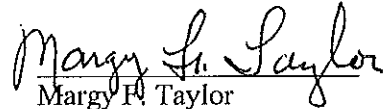
Public Participation

None

Motion to adjourn @ 7:20 pm made by Mr. Sassi and seconded by Mr. Wright with all in favor.

Approved:

April 10, 2012


Margy F. Taylor
Planning Board Secretary