

Meeting Minutes

Carneys Point Township Planning Board

A Special Meeting of the Township Planning Board was held on April 17, 2012 at the time of 6:30 PM. In attendance were S. Apossos, E.J. Shockley, W. Pelura, A. DiTeodoro, K. Dennis, D. Jim Sassi, E. Sparks, L. Marini, J. Venello, C. Weigle, M. Morrison and B. Scafiro. Absent was D. Wright. Also in attendance was Board Professionals; Solicitor, Joan S. Adams, Conflict Engineer Hugh Dougherty and Planner, Robert G. Hall.

Chairman Apossos 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.

W. Pelura and B. Scafiro having conflicts of interest recused themselves and left the table.

Under Public Hearings:

Application No. 2012-02
Affordable Salem, Inc.
Block 1, Lots 16 & 17
Preliminary Major Site Plan w/ some submission waivers

1. Completeness Review – The Application was deemed complete.

Member	Moved	Seconded	Y	N	Abstain	Absent	Conflict
S. Apossos			X				
EJ Shockley		X	X				
W. Pelura							X
A.DiTeodoro			X				
K. Dennis			X				
L. Marini			X				
D. J. Sassi			X				
E. Sparks	X		X				
D. Wright						X	
C. Weigle			X				
M. Morrison			X				
J. Venello							
B. Scafiro							X

2. Technical Review

Jack Plackter of Fox Rothschild, LLP at 1301 Atlantic Ave., Atlantic City, NJ 08401 is representing the applicant, Affordable Salem, Inc. for preliminary approval of a major site plan to construct an affordable multifamily residential apartment building consisting of 60 units; 12 one bedroom units, 30 three bedroom units and 18 two bedroom units. All units will meet handicap requirements and affordable housing guidelines of the State of New Jersey. The property is known as Block 1, Lots 16 & 17 on the Tax Map of the Township of Carneys Point Township. The property is in the FDRP redevelopment zone and as the base zoning it is LR Residential. His client was selected by the township committee as the redeveloper. There is a signed redevelopment agreement; one of the requirements of the redevelopment agreement is that they are required to submit the plans for approval to the redevelopment agency which in this case is the governing body of this community. There are some submission waivers of which they are to be deferred to final approval. There are no variances required.

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Dale Boston of Boston Seeberger described the existing site conditions (exhibit A1) and the site plan (exhibit A2) of the proposed development; Mr. Boston described the site plan elements. The water company has confirmed that there is adequate capacity to service the project. The applicant did not yet have the certification that there was enough sewer capacity yet. Concerning storm drainage, Mr. Boston went through a report prepared by Bob Seeberger to address this issue. Mr. Boston stated that the plan meets all the requirements of the FDRP zoning district he went through the requirements and their proposals. The Master Plan Housing Elements and Fair Share Plan addresses this site which is identified as the Frangible Disk Site, 47 Seventy Avenue....Mr. Boston further reads the description and based on that description this project, in his opinion meets the goals and objectives of the Carneys Point Housing Element and Fair Share Plan. Based on his review of the proposed plan he concludes that ingress and egress is safe for both regular and emergency vehicles. The complete drainage calculations not done, but is designed to comply with the regulation of both Carneys Point and NJ Department of Environmental Protection. Lighting and Landscaping of the design also complies with Carneys Point Redevelopment Plan and Zoning Ordinance. The Open Space recreation area also meets the requirements of the Carneys Point Redevelopment Plan. It is Mr. Boston's opinion that the applicant has met the requirements for the preliminary major site plan.

Board Member E. Sparks asked that Mr. Boston go over the recreation plan again, which Mr. Boston did.

Board Planner, Mr. Hall addressed the memo dated April 16, 2012 from the Fire Official's report concerning circulation, weight limits to access area at the rear of the property, driveway access point and not curbing, markings of fire lane, fire department connection to the building etc. Mr. Boston said they would comply with all of the requirements of the Fire Official.

Mr. Hall stated that the area was in a Flood Plan and the requirements of the Ordinance and asked how they will meet those requirements. Mr. Boston went into detail

All sideways will be six feet wide.

The Applicant's architect, Steven Cohen, testified to the features and materials that will be used in the construction in detail. All apartments and the building itself is handicap accessible. Each apartment will have its own washer and dryer. The entire building will be green sustainable and meet current applicable energy standard requirements. The building will be fully sprinkled. Mr. Cohen feels the construction/features and materials used will compliment the area and will fit in nicely.

E. Sparks asked Mr. Cohen what kind of maintenance will be required of the materials used on the outside of the building. Mr. Cohen answered to the best of his ability.

Board Member, S. Apeossos asked who will be maintaining the upkeep on the building once it's completed. Mr. Cohen indicated that it will be the owner.

E. Sparks asked about concerns from a safety aspect with special needs individuals and asked that this be addressed.

Ron Rukenstein, part owner stated that he and John Bibeau have worked with many groups, Wounded Warriors Group, with the State through Fort Dix returning home program which provides a level of social services there. They have a lot of experience working with special needs individuals as part of their affordable housing projects. This facility is entirely handicap accessible and designed for the wheelchair to provide for this kind of population. They make sure that before they move in that the Social Services Program is adequate to provide care so they are viable and can live independently.

Planning Board Planner, Robert Hall went through his review letter dated April 16, 2012. As to Application completeness, there were several items that were not submitted and Mr. Hall had no objection to waiver of these items as they were minor details and not necessary for review of the project. There were items that were not submitted that Mr. Hall had no objection for the preliminary but they must submit them with the final site plan application. The site is not to be disturbance prior to the receipt of that information. The applicant represented that they will comply with all the recommendation in the review letter.

Mr. Hall went through the Lighting, Utilities and Landscaping comments and/or recommendation. Item Number VIII on the review letter concerning Environmental, The applicant is to comply with all provision and/or recommendation

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and a copy of the plan (Freshwater Wetlands Letter of Interpretation from NJ DEP dated 10/21/12) referenced needs to be submitted.

There was some general discussion about NJ COAH and also where the township stands in the "rounds" and their obligation.

Planning Board Conflict Engineer, Mr. Hugh Dougherty continued with the review letter dated April 16, 2012. The applicant agreed in testimony to address any outstanding issues. The applicant is to meet all criteria of the storm water management ordinance. The applicant is to provide a grading plan. Mr. Dougherty is satisfied at this point with testimony the applicant has presented.

Planning Board Solicitor, Joan s. Adams stated that with all site plan approvals there are basic legal conditions, bonding, fees, inspections etc. all straight out of the ordinances and the applicant agrees to all legal conditions.

Mr. Sparks asked how long from start to finish will the project takes. Mr. Bibeau said that if awarded funding by midsummer they hope to start construction by early fall. With this round of funding for tax credits the building must be placed in service by December 2013.

Mr. Apossos asked about the processing of screening of people. Mr. Rukenstein stated that in all of their buildings there are background checks, credit checks, criminal check and drug testing done for screening. Mr. Apossos asked about the screening after they move in. Mr. Rukenstein stated that they have to live within the rules and regulations of the building. If rents are not paid by month end they are taken to court. Any complaints by other tenants or residents are dealt with directly by them. Mr. Bibeau said that the apartments are physically inspected every three months, they go in to inspect for sanitary conditions and that the apartments are not over occupied. There are security cameras throughout as well.

Board Member, A. DiTeodoro asked if there is going to be an evacuation plan, Mr. Bibeau stated yes there will be.

Tony Santana of 70 Seventh Ave. feels that the building cannot be filled with all special needs/veterans. His concerns are more about the people coming to visit opposed to the residents who are screened and will live there and people in and out all day will increase the traffic on the street. He does not feel that the facility is helping their neighborhood and/or the community and it's not suitable for the neighborhood.

Mark Lee of 76 Seventh Ave. agrees with everything Mr. Santana said. The road cannot handle all the traffic. He reviewed the site plan and has parking concerns with some or the 120 parking spaces being banked. He wants to know how the storm water will be directed and go to the basin. Is there going to be any soil samples on the ground once the building is torn down? He has concerns how this building will affect the water pressure in the area. What kind of impact will this have on the school system? He questions with the increase of traffic if the township will end up putting signs up for no off street parking once the building is completed. Mr. Lee stated that the lighting on the street is extremely bad and wants to know if the township if going to do something about that as he knows the builder will only put lighting up on his project. He questions why they will only be putting in young shrubs and not full grown ones.

Mr. Boston addressed concerns and stated that all 120 parking spaces will be constructed and that none will be banked. He also stated the soil samples have already been taken. The shrubs will be 4 – 6 feet high on raised mound beds. He addressed the storm and water drainage concerns as well and with this there was a lot of discussion about standing water on the road which is already a problem.

Mr. Sparks asked about the water pressure concern from a resident be addressed. Mr. Boston and Mr. Bibeau both addressed the issue. There will be separate pumps, fire pump for the sprinkler system and a booster system.

Catherine & Thomas McDonald of 25 Seventh Ave. Mrs. McDonald says this does not fit in the neighborhood. The area is surrounded by wetlands and the footprint is barely off the wetlands. She has concerns about the buildup of water which is already a problem and will be a bigger problem with this building. The ditch/drainage basin behind her house that is taken care of by the County, she wants to know what the County's position is on taking care of it. Her concerns are the ditch is not large enough and that they personally clean it out before it rains to help prevent flooding. Ms. Adams stated that the applicant must get County approval before they can proceed and if the County significantly changes their design than the applicant must come back before the Planning Board. Mr. Plackter wasn't sure if they had

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to get County approval. Ms. Adams said they do have to apply with the County and get their determination. Mrs. McDonald wants to know about their privacy, the parking lot butts up against her driveway and her garage and her den is right there. There is nothing about a privacy fence there. Mr. Bibeau stated for the record that he would put a fence there. Mrs. McDonald would like an eight foot height fence. Ms. Adams stated that Mr. Bibeau would have to abide by township ordinance regarding fencing height. Mrs. McDonald questions the cost for 48 special needs children (the 48 figure is based on calculations for standards in the industry) that need care. Planning Board Member, Ms. Shockley said that any special needs children that need a nurse are sent out of the district (which still has a cost), she also states that she does not believe that there will be 48 special needs children; there may be an increase in students but not 48. Mrs. McDonald does not agree with the PIOLET agreement. Does the township have any plans for the road which is not wide enough, has no gutters/storm drains? She does not see any financial benefit for the township and feels the residents are "being screwed".

Mr. William Dennis of 38 Seventh Ave. has concerns about the water problems, there is talk about drains but he wants to know where the water is going to go. There is nowhere for it to go. He spoke of a home that started to sink on Delaware Ave. because of the water problems and is this going to happen to this building.

Dan Galey of a business address of 390 W. Broadway, Pennsville, Mr. Galey is the Director of the Salem County Center for Autism and feels this project will give his people, people in his community an opportunity that is usually not allotted to them. He is also the father of an autistic child and that when he is gone who is going to take care of him, he will need housing. He supports this project.

Mary Ottinger of 228 Leap Ave. feels this does not fit here. She has many concerns about the current water problems, flooding and draining. Questions about the Environmental Impact Statement and what it says. Concerns about the children and the balconies and would like to know where the children will go. What kind of record does Mr. Bibeau have managing these properties?

Patty Bomba of 628 Hawks Bride Road. Ms. Bomba is the grandmother of a disabled special needs girl. She is an advocate for the rights of the disabled. She feels this project is needed; there is the need for it.

Richard Necelis of 169 Delaware Ave. states his yard floods as well but the township has COAH obligations and whether it's here or somewhere else it's going to be done. Mr. Necelis stated that he has worked for Mr. Bibeau (his brother-in-law) and knows that his properties are maintained extremely well. Mr. Necelis has went on the quarterly inspections that are done and can attest to the fact the Mr. Bibeau does follow up taking tenants to court if needed.

Bud Harris of 924 Courses Landing Road, Mr. Harris said that there were projects that fell through for this site and it's time for something to get done on this site. He wants the Board to take leadership and listen to the professionals and have the builder/developer live up to his standards and he would like to see this project approved. Mr. Harris said that Carneys Point needs to move forward and that the builder has proven himself in other projects.

Confessor Santiago of 79 Sixth Ave. Mr. Santiago has the same concerns as many residents already have testified to. The water drainage and flooding that already exist. He questions the two exits proposed and the traffic pattern on this project. How much more traffic will be generated and the safety of the neighbors.

Barbara Santiago of 79 Sixth Ave. Ms. Santiago concerns is about the children and will the children truly have independence. There is no place for them to go but their own units. Where are the children going to play? Ms. Santiago feels this project does not fit there for what they are promoting.

John Ferzetti of 407 Georgetown Road, Mr. Ferzetti said that a developer you know is better than one you don't Mr. Bibeau has vested his entire life in this community. He feels the disabled children and veteran population is grossly under serviced.

Patrick Bomba of 628 Hawks Bridge Road. Mr. Bomba said that this property as it sits is doing nothing for the community or county. It's an eyesore and doing nothing for the tax rolls. He feels what is being proposed is a service that is long overdue.

Mr. Plackter said that the residents do have legitimate concerns with respect with drainage. The current flooding problems are technically not their obligation of properties already flooding and they are not required to fix it. Even

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through Mr. Bibeau is not legally obligated he said he will look into some of the problems and if he can will agree to correct those problems. As to the project they will comply with all regulations. They are compliant with the redevelopment plan, they need no variances and believe they have addressed everything and will continue to work with the community.

Mr. Apossos ask that they play ground recreation area be addressed. Mr. Bibeau said that there is a handicap assessable play ground and picnic grove. There is a large recreation area in the back by the gazebo. There is also a large community room inside that opens up to the patio. They will also be activity rooms inside and they are also working with the YMCA.

Mr. Sparks asked about the Environmental Impact Statement Study verses the offsite impact from testimony by residences; this was answered by Mr. Dougherty.

Ms. Adams did a recap of the application and testimony that was heard before the Board tonight.

Voting on the application for approval heard before the Board tonight:

Member	Moved	Seconded	Y	N	Abstain	Absent	Conflict
S. Apossos			X				
EJ Shockley	X		X				
W. Pelura							X
A. DiTeodoro		X	X				
K. Dennis			X				
L. Marini			X				
D. J. Sassi			X				
E. Sparks			X				
D. Wright						X	
C. Weigle			X				
M. Morrison			X				
J. Venello							
B. Scafiro							X

Motion to adjourn @ 9:42 pm made by Mr. Dennis and seconded by Mr. Sparks with all in favor.

Approved: *May 22, 2012*

Margy F. Taylor
Margy F. Taylor
Planning Board Secretary