

**PLANNING BOARD MEETING MINUTES**

Regular Meeting was called to order by Chairman Chatzidakis at 7:00pm.

Open Public Meeting Notice was read by Chairman Chatzidakis, noting that all postings, filings, and emailing's took place on January 15, 2016.

Pledge of Allegiance / Moment of Silence was led by Chairman Chatzidakis.

Roll Call was taken by Board Secretary Ms. Bucci - Members in attendance:

Chairman Chatzidakis, Vice-Chair Pizzo, Councilman Van Noord, Mayor Bobo, Acting Township Manager Tomczyk, Mr. Howard, Mr. Cortese, Ms. Conte, Alt#2 Ms. Sarcone.

Absent: Ms. Ingravallo, Alt#1 Mr. Cassidy.

Professionals in attendance:

Mr. Joseph Petrongolo – Board Planner, Mr. William Long – Board Engineer, Mr. Michael Angelastro – Board Traffic Engineer, Mr. Brian McVey – Fire Marshall, Mr. Christopher Norman - Board Solicitor, Board Secretary Ms. Gerry Bucci. Absent: Michael Angelastro, Traffic Engineer.

Board Professionals were sworn in by the Planning Board Solicitor Mr. Christopher Norman:

Mr. Joseph Petrongolo, Mr. William Long, Mr. Brian McVey.

Adopting Minutes:

Chairman Chatzidakis called for a motion, and Ms. Conte made a motion to approve the Regular Meeting Minutes of July 14, 2016, and Mr. Cortese seconded the motion. All present were in favor, except Mayor Bobo, Ms. Sarcone (alt #2) and Mr. Howard who abstained, and the motion was carried.

Resolution(s):

Robert Schwartz, File SP#2328, 821 East Gate Drive, Industrial Zone, Resolution **R-2016-19** Block 1201.04, Lot 7, Amended Preliminary & Final Site Plan w/Bulk Variance.

Chairman Chatzidakis called for a motion and Councilman Van Noord made a motion to approve the Resolution R-2016-19, and Ms. Conte seconded the motion. All present were in favor, except Mayor Bobo, Ms. Sarcone (alt #2) and Mr. Howard who abstained, and the motion was carried.

Laurel Creek Country Club, File SP#2486A, Creek Rd & Centerton Rd, Resolution **R-2016-20** MCD Zone, Block 216, Lot 1, Amended Major Preliminary & Final Site Plan W/Bulk Variance.

Chairman Chatzidakis called for a motion and Ms. Conte made a motion to approve the Resolution R-2016-20, and Vice-Chair Pizzo seconded the motion. All present were in favor, except Mayor Bobo, Ms. Sarcone (alt #2) and Mr. Howard who abstained, and the motion was carried.

TopGolf USA, File SP#7910, Centerton Road, Block 503.01 Lots 2, 2Q, Resolution **R-2016-21**

MCD Zone, Preliminary & Final Major Site Plan w/Bulk Variance. Chairman Chatzidakis called for a motion and Councilman Van Noord made a motion to approve the Resolution R-2016-21, and Ms. Conte seconded the motion. All present were in favor, except Mayor Bobo, Ms. Sarcone (alt #2) and Mr. Howard who abstained, and the motion was carried.

Submission Waivers:

Jersey Wahoos Swim Club Inc., File SP#4959, 4101 Church Road, Block 1301, Lot 1.02, Major Preliminary & Final Site Plan - Request for Completeness of Granting Submission Waivers. The Board Professionals recommended granting the submission waivers conditioned upon the applicant submitting a parking study. Chairman Chatzidakis called for a motion and Ms. Conte made a motion to grant the submission waivers with the condition stated, and Mr. Cortese seconded the motion. All present were in favor, and the motion was carried.

Public Hearings:

Chairman Chatzidakis read the first application on the agenda J & J Builders SD#703. Mr. Gary Zangerle, attorney at law, representing the applicant announced his client was not present yet. Chairman Chatzidakis announced that the second application on the agenda Maximus Land Development LLC SD#701 would go first tonight.

Chairman Chatzidakis then recused himself from the Maximus Land Development LLC SD#701 application due to a potential conflict of interest. Vice-Chair Pizzo sat as acting Chair.

Maximus Land Development LLC, File SD#701, 663 Walton Ave, R-3 Zone, Block 601, Lots 3.02, Major Preliminary Subdivision to subdivide into one lot into 12 lots for 11 single family homes. Acting Chair Pizzo read the application. Mr. Berge Tumaian, attorney at law and also a resident within 200', represented the residents in opposition and requested a postponement of the hearing. Mr. Tumaian distributed to the Board 5 letters that were entered into evidence; Exhibit O-1 letter to DEP from Anne Rosenberg, Exhibit O-2 letter to

DEP from Burge Tumaian, Exhibit O-3 letter to DEP from Mark Zimmerman, Exhibit O-4 letter to Planning Board from Andrew Sampson, Exhibit O-5 letter to Planning Board from Charles Moore. Board Solicitor Mr. Norman explained there was only one incident in case law where postponement was granted due to the fact that the required notices were sent over the Thanksgiving holiday. Acting Chair Pizzo announced that the Board will proceed to hear the application. Mr. Norman indicated we will hear the residents' concerns and have their letters on the record during the public portion. Mr. William Hyland, attorney at law, represented the applicant and introduced those providing testimony; Mr. John Renz as the Vice-President, and Mr. Henry Haley as the Engineer; and they were sworn in by Board Solicitor Mr. Norman. Entered into evidence was a rendering of the subdivision plan as Exhibit A-1 and a color rendering of the overall plan as Exhibit A-2. Mr. John Renz described the site and the application. The homes will be fee simple and will have a Homeowners Association to maintain the basin. The applicant will fulfill their housing obligation by purchasing two units and converting them from Market to Affordable. Mr. John Renz reviewed the wetlands and indicated DEP permits have been submitted. A conservation easement will be required. Mr. Henry Haley reviewed the drainage, the variance for the fence, the proposed homes, and indicated that a conservation easement will be required. Mr. Haley further noted that 2 ID signs will be submitted with the final subdivision application. Board Planner Mr. Petrongolo reviewed his report dated July 26, 2016, noting safety concerns with the proposed basin. The applicant will work with the Engineer and Planner on the basin design between now and final submission. The applicant submitted response reports the latest dated August 5, 2016. Board Engineer Mr. Long reviewed his report dated July 26, 2016. Fire Marshal Mr. McVey reviewed his report dated July 27, 2016. Acting Chair Pizzo opened the public portion at 8:25pm. Mr. Berge Tumaian of 679 Walton Avenue was sworn in by Board Solicitor Mr. Norman. Mr. Tumaian had concerns with flooding and wildlife. Mr. Tumaian read the letters from Mark Zimmerman, Andrew and Nicole Sampson, and Charles and Lauren Moore. Acting Chair Pizzo called for a motion to extend the public hearing beyond 1 1/2 hours, and Ms. Conte made the motion to extend the public hearing and Councilman Van Noord seconded the motion. All present were in favor and the motion was carried. The Board discussed drainage flow, elevations and contours comparing other developments. Michael Crowley and Caroline Brown of 675 Walton Avenue were sworn in by Board Solicitor Mr. Norman. They had concerns with drainage and flooding, and being the closest home to the new development, the construction noise, and headlights from cars turning into new development. David and Carolyn Ellis of 570 Walton Avenue were sworn in by Board Solicitor Mr. Norman. They had concerns with drainage and traffic. Anne Rosenberg of 655 Walton Avenue was sworn in by Board Solicitor Mr. Norman. She had concerns with drainage, runoff on her property, wildlife, noting that her other property on Hainesport Mount Laurel Road has had drainage issues after 2 other developments were constructed. Ms. Rosenberg indicated that Lisa Dunn of the NJDEP said the residents have a right to appeal. The Board Professionals reviewed the DEP permit process and noted that the LOI, dated December 10, 2015, is valid up to 5 years, but if the residents have additional information, the DEP would consider a reevaluation of buffer averaging. Mr. Tumaian noted that Lisa Dunn of the NJDEP will be visiting the site. The applicant did contact the National Heritage Foundation and the National Fish and Wildlife. Seeing no further comments from the public, Acting Chair Pizzo closed the public portion at 9:45pm. Acting Chair Pizzo asked if the application could be tabled to wait for the DEP approval. The Board Professionals explained it can take months for the DEP approval process. Board Solicitor Mr. Norman noted that the outside agencies can by a condition of preliminary approval and further noted that the act by date on this application is October 13, 2016, so if the Board does not vote by that date, it is an automatic approval on the plan as submitted. Board Solicitor Mr. Norman reviewed the conditions as; the applicant to provide and bond for 2 COAH market to affordable units by the sixth certificate of occupancy, work with Board Engineer and Planner on the basin, Point of Sale Disclosure indicating the location of the conservation easement area, Deed Restriction to be reviewed and approved by the Board Solicitor and Engineer, tree compensatory plantings, buffer screening for neighboring property of Caroline Brown and Michael Crowley, submit HOA Documents for review and approval, 2nd fire hydrant on Walton, obtain outside agency approvals, comply with professionals reports. Acting Chair Pizzo called for a motion and Mr. Howard made a motion to approve the application for SD#701, and Mr. Cortese seconded the motion. Roll Call Vote: Mr. Howard- Agree, Mr. Cortese- Agree, Ms. Conte- Agree, Ms. Sarcone- Agree, Acting Township Manager Tomczyk- Agree, Councilman Van Noord- Agree, Mayor Bobo- Agree, Acting Chair Pizzo- Agree; motion carried.

Acting Chair Pizzo called a 5 minute recess at 10:10pm. Meeting called to order by Acting Chair Pizzo at 10:15pm.

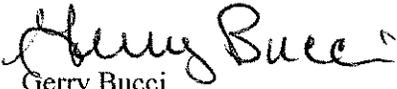
J & J Builders, File SD#703, 117 Fleetwood Ave, R-3 Zone, Block 206.01, Lot 13.01, Minor Subdivision to divide one lot into two residential lots. Acting Chair Pizzo read the application. Mr. Gary Zangerle, attorney at law, represented the applicant and introduced those providing testimony; Mr. Joseph Angelo as the applicant and was sworn in by Board Solicitor Mr. Norman. Mr. Zangerle described the application. Board Planner Mr. Petrongolo reviewed his report dated July 22, 2016. Board Engineer Mr. Long reviewed his report dated July 25, 2016. Fire Marshal Mr. Mcvey had no comment. Acting Chair Pizzo opened the public portion at 10:24pm; seeing none, closed the public portion. Board Solicitor Mr. Noman reviewed the conditions as comply with board professionals reports, applicant to pay a contribution instead of constructing a sidewalk, street trees to be planted at time of construction of each home, one tree to be removed in front yard because of septic field - applicant will provide another tree nearby, deed to be reviewed and approved by solicitor and engineer. Acting Chair Pizzo called for a motion and Ms. Conte made a motion to approve the application for SD#703, and Councilman Van Noord seconded the motion. Roll Call Vote: Ms. Conte- Agree, Councilman Van Noord- Agree, Mr. Cortese- Agree, Mr. Howard- Agree, Ms. Sarcone- Agree, Acting Township Manager Tomczyk- Agree, Mayor Bobo- Agree, Acting Chair Pizzo- Agree; motion carried.

Board Secretary Ms. Bucci reviewed the Minor Site Plan Alterations SP#2254B, SP#4758A, SP#159A, which were denied, and SP#2253C and SP#790A, which were approved.

Board Secretary Ms. Bucci reviewed the Site Plan Waivers SPW #7987, #7988, #7989, #7990, #7991, #7992, #7993, #7994, #7995, which were all approved.

Acting Chair Pizzo called for a motion to adjourn the Regular Meeting and Ms. Conte made a motion to adjourn at 10:25pm, and Councilman Van Noord seconded the motion. All present were in favor, and the motion was carried.

Respectfully Submitted,

  
Gerry Bucci  
Planning Board Secretary

Adopted on: 9/8/16