

**TOWNSHIP OF BURLINGTON PLANNING BOARD
BURLINGTON COUNTY, NEW JERSEY
MINUTES OF JULY 14, 2011**

The regular meeting of the Township of Burlington Planning Board was held on Thursday, July 14, 2011, at 7:30 P.M. at the Township Municipal Complex.

PRESENT: Robert Davis; Chief William Diamond; Mayor Brian Carlin; Delbert Rife; Councilman Michael Cantwell; Lacy Walker; Joseph Sabatino; Israel Rivera; Celeste Niles(late); Patricia Siboczy; Charleen George; Denis Germano, Esq., Boart Solicitor; Scott Hatfield, PE, Board Engineer; Kevin Rijs, PP, Board Planner

ABSENT: Matt Witkowski, PE, Board Traffic Engineer (presence was not required at this meeting)

David Horner, PE was present as Board Traffic Engineer for the application of US Home Corp/Lennar.

Meeting was called to order by Chairperson George. She opened the meeting by reading the "Statement of Minutes" as follows:

PUBLIC NOTICE of this meeting pursuant to the Open Public Meetings Act has been given by Planning Board in the following manner:

- (a) Posting written notice on the official bulletin board at the Township Municipal Complex on January 5, 2011;
- (b) Mailing written notice to the Courier Post on January 6, 2011, by certified mail, return receipt requested; hand delivered to the Burlington County Times on January 5, 2011, hand receipt obtained; and Legal Ad in the Burlington County Times on January 7, 2011;
- (c) Filing written notice with the Clerk of the Township of Burlington on January 5, 2011.

Approval of Minutes

Chairperson George requested a Motion to approve the minutes of the June 9, 2011 meeting.

MOTION made by Mayor Carlin and seconded by Mr. Rife to approve the minutes from the June 9, 2011 meeting. On roll call the following vote was recorded:

AYES: Mr. Davis, Chief Diamond, Mayor Carlin, Mr. Rife, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mr. Rivera, Mrs. Siboczy, Chairperson George

NAES: None

ABST: None

Chairperson George declared the motion carried.

Correspondence

Items of Correspondence are listed in Addendum I.

All items were received and filed.

PSM Donut, LLC – Block 103, Lots 2.12 & 2.13. 1007 sunset Road.

Pat McAndrew, Esq. was present for the application. He explained to the Board that the applicant is a tenant within a shopping center and there have been issues raised with the owner which need to be addressed before the applicant can appear before the Board. He requested a continuance to the August meeting.

MOTION made by Mayor Carlin and seconded by Mr. Sabatino to grant a continuance to the August 11, 2011 meeting. On roll call the following vote was recorded:

AYES: Mr. Davis, Chief Diamond, Mayor Carlin, Mr. Rife, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mr. Rivera, Mrs. Siboczy, Chairperson George

NAES: None

ABST: None

Chairperson George declared the motion carried.

Mrs. Niles arrived at this time in the meeting.

Masonic Charity Foundation – Block 133 & 134, 902 Jacksonville Road.

Applicant is requesting a continuance to the August 11, 2011 meeting.

MOTION made by Mayor Carlin and seconded by Mr. Walker to grant a continuance to the August 11, 2011 meeting. On roll call the following vote was recorded:

AYES: Mr. Davis, Chief Diamond, Mayor Carlin, Mr. Rife, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mr. Rivera, Mrs. Niles, Mrs. Siboczy, Chairperson George

NAES: None

ABST: None

Chairperson George declared the motion carried.

US Home Corp / Lennar – Block 98, Lots 7 & 8, Beverly Road & Aqua Lane.

Applicant is requesting Preliminary & Final Major Subdivision approval.

Frank Petrino, Esq. was present for the application. He introduced Robert Stout, PE; Anthony Mignone, Vice President and Project Manager of Lennar; Mark Roth, Traffic Engineer; Angelo Alberto, Architect and Planner. (all sworn in)

This application proposes the construction of 250 single-family attached dwelling units consisting of 182 side-by-side townhouse units and 68 stacked townhouse units consisting of a mix of 2-bedroom (34) and 3-bedroom (216) units on 50.46 acres.

Mr. Germano stated that he has checked the Public Notice and Burlington Township has jurisdiction.

Mr. Petrino gave an overview of the application. He stated that the concept plan has been determined by the Burlington Township Council to be consistent with the Redevelopment Plan.

Mr. Stout gave a site plan overview.

Mr. Stout gave an overview of the Actual Preliminary & Final Major Subdivision Site Plan, marked as Exhibit A1. He stated that Lot 7 has no road frontage, which is an existing condition that is not going to change.

Applicant is requesting a waiver for the location of property lines within 500 feet of the tract.

Mr. Stout gave an overview of a blown up version of the Redevelopment Plan, marked as Exhibit A2.

Mr. Stout gave an overview of a Colorized Rendering of the Site Plan with Landscaping, marked as Exhibit A3, and the design changes. He stated that there has been an increase in buffers and open space.

Applicant is requesting a de minimus exception for a right-of-way width of 45' from the required 50' and a de minimus exception for a centerline radius less than 100' at two locations.

Applicant is requesting a Bulk Variance for minimum front yard setback within the stacked townhouse units for five units less than 25'.

Mr. Stout explained that Aqua Lane will be the only entrance and exit so a center island is proposed. He gave an overview of the landscaping proposed as well as the utilities including the water, sewer and storm water management. He stated that the whole project will be done in 5 phases and applicant will return before the Board with a phasing plan.

Mr. Rivera questioned the phasing.

Mr. Stout stated that it will be a construction phasing plan as the units are sold.

Mr. Rivera questioned the student projections.

Mr. Petrino stated that they can provide student projections for each phase.

Mayor Carlin stated that this issue has been addressed as part of the Redevelopment Plan process.

Chief Diamond questioned the sprinkler systems.

Mr. Stout explained that the single family homes will have sprinkler systems but they are not proposed for the townhomes.

Chief Diamond requested that applicant consider sprinkler systems for the whole project. He explained the substantial impact they have in the case of a fire.

Mark Roth, PE offered his professional background and was accepted as an expert.

Mr. Roth gave an overview of the traffic studies conducted using the current traffic and projections given by the applicant. He explained that the warrants were evaluated for a traffic light and turn lanes.

Mrs. Niles questioned the parking of boats, motor homes and vehicles of that nature.

Mr. Petrino stated that there are rules and regulations that limit those types of vehicles within the Condo Association.

Angelo Alberto, Architect and Planner, offered his professional background and was accepted as an expert.

Mr. Alberto offered testimony on the requested variance. He stated that the setback requested is minimal and will not be easily noticed.

Mr. Alberto gave an overview of the Front Elevation of a 6 Townhome Building String, marked as Exhibit A4. He reviewed the two standard townhome model types that are being proposed.

Mr. Alberto gave an overview of the Rear Elevation of a 6 Townhome Building String, marked as Exhibit A5, and the Front Elevation of a Stacked Townhome Building String, marked as Exhibit A6. He explained the building structure of the stacked townhomes.

Mr. Alberto gave an overview of the Rendering of Development Entrance, marked as Exhibit A7.

Mr. Hatfield reviewed his report of July 8, 2011. He stated that he has previously spoken with Mr. Stout regarding his report and has agreed to most of the items with a few exceptions. He gave an overview of the items that requested testimony by the applicant.

Mr. Stout confirmed that the illumination from the light will be adequate for this type of development and the lighting will be supplied and installed by PSE&G.

Mr. Stout reviewed the area that is designed for trash and recycling containers.

Mrs. Niles excused herself from the Board at this time in the meeting.

Mr. Stout reviewed the items of the report that applicant will not comply with. He explained that the association will be responsible for the water service up to the valve boxes then it would be the responsibility of the HOA.

Mr. Germano confirmed with applicant that there is no intention to start building until final approval is received. Applicant agreed.

Mr. Rijs reviewed his report of July 8, 2011. He requested that any plantings be included on Phase I and that any building mounted lighting be coordinated with his office. Applicant agreed to both requests.

Mr. Stout gave an overview of the recreational areas.

Mr. Horner reviewed his report of July 7, 2011. He stated that he agrees with findings of the warrant study for a traffic light and a light should not be required.

Mr. Horner recommended that the lane widths be increased to 15' for the ingress lane and 11' and 14' for the egress lanes.

Mr. Stout stated that he is willing to work with Mr. Horner on this issue.

Mr. Horner questioned the status of the County process.

Mr. Stout stated that they have submitted an application for minor subdivision and they have requested the application for major subdivision which they will submit based on the outcome of this meeting.

Mr. Horner recommended approval of the de-minimus exception for the proposed right-of-way width of 45' and the roadway radius less than 100'.

Mr. Stout stated that if they were to request a de minimus exception for 9' parking spaces, where 10' is required, it would allow for over 170 more spaces.

At this time Chairperson George opened the meeting to the public.

Mike Coceano – 2005 Beverly Road (sworn in)

Mr. Coceano expressed concern with the traffic on Beverly Road.

Mr. Germano explained that since Beverly Road is a County road this Board does not have jurisdiction.

Mr. Hatfield explained the impact on the homes on Beverly Road if it was widened.

Mr. Roth reviewed his study on sight distance.

Linda Kirk – 91 Jennifer Lane (sworn in)

Ms. Kirk questioned if there will be a change in her water pressure.

Mr. Stout stated that her water pressure will actually improve.

Ms. Kirk expressed concern that the tot-lot and recreational facilities may not be completely restored.

William Thornton – 2004 Beverly Road (sworn in)

Mr. Thornton expressed concern with the wild animals that currently reside on that lot.

Patricia Christiansen – 95 Jennifer Lane (sworn in)

Ms. Christiansen expressed concern with the amount wild animals currently on that lot and their relocation when construction begins.

David Crespin – 2108 Beverly Road (sworn in)

Mr. Crespin expressed concern with the traffic and impact on the Township schools.

Mayor Carlin explained the 5 year school study plan that was conducted. The study showed that there will be less children entering than will be leaving the school district over that same time period.

There being no further public comment that portion of the meeting was closed.

Mr. Germano stated that all approvals will be contingent upon Mr. Hatfield’s report of July 8, 2011; Mr. Rijs’ report of July 8, 2011; and Mr. Horner’s report of July 7, 2011.

MOTION made by Mayor Carlin and seconded by Councilman Cantwell to grant preliminary major subdivision approval. On roll call the following vote was recorded:

AYES: Mr. Davis, Chief Diamond, Mayor Carlin, Mr. Rife, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mr. Rivera, Mrs. Siboczy, Chairperson George

NAES: None

ABST: None

Chairperson George declared the motion carried.

MOTION made by Mr. Davis and seconded by Mr. Rife to grant a bulk variance for front yard setback for 5 front yards not to be less than 20’. On roll call the following vote was recorded:

AYES: Mr. Davis, Chief Diamond, Mayor Carlin, Mr. Rife, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mr. Rivera, Mrs. Siboczy, Chairperson George

NAES: None

ABST: None

Chairperson George declared the motion carried.

MOTION made by Mayor Carlin and seconded by Mr. Walker to grant a design exception to permit the average stacked townhouse units per structure of 13.6. On roll call the following vote was recorded:

AYES: Mr. Davis, Chief Diamond, Mayor Carlin, Mr. Rife, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mr. Rivera, Mrs. Siboczy, Chairperson George

NAES: None

ABST: None

Chairperson George declared the motion carried.

MOTION made by Mayor Carlin and seconded by Mr. Walker to grant de minimus

exceptions for a right-of-way width of 45' from the required 50'; a centerline radius less than 100' at two locations; and 9' parking spaces. On roll call the following vote was recorded:

AYES: Mr. Davis, Chief Diamond, Mayor Carlin, Mr. Rife, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mr. Rivera, Mrs. Siboczy, Chairperson George

NAES: None

ABST: None

Chairperson George declared the motion carried.

MOTION made by Mr. Sabatino and seconded by Councilman Cantwell to grant partial waivers of property lines shown on the plans and the Environmental Impact Statement. On roll call the following vote was recorded:

AYES: Mr. Davis, Chief Diamond, Mayor Carlin, Mr. Rife, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mr. Rivera, Mrs. Siboczy, Chairperson George

NAES: None

ABST: None

Chairperson George declared the motion carried.

MOTION made by Mayor Carlin and seconded by Mr. Davis for memorializing the resolution with all the conditions of approval. On roll call the following vote was recorded:

AYES: Mr. Davis, Chief Diamond, Mayor Carlin, Mr. Rife, Councilman Cantwell, Mr. Walker, Mr. Sabatino, Mr. Rivera, Mrs. Siboczy, Chairperson George

NAES: None

ABST: None

Chairperson George declared the motion carried.

Reports

Solicitor's Report

Mr. Germano stated that he had no report.

Engineer's Report

Mr. Hatfield stated that Springside School is currently being evaluated as a redevelopment area, specifically affordable housing.

Planner's Report

Mr. Rijs stated that he had no report.

Adjournment

MOTION made by Mayor Carlin and seconded by Councilman Cantwell to adjourn the meeting. On roll call the following vote was recorded:

AYES: All NAES: None

Chairperson George declared the motion carried.

RESPECTFULLY SUBMITTED,

EILEEN LISS, SECRETARY

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APPROVED:_____