

**TOWNSHIP OF HAINESPORT  
JOINT LAND USE REVIEW BOARD  
RESOLUTION NO. 2019- 0 9**

**RESOLUTION GRANTING DESIGN WAIVER AND PRELIMINARY  
SITE PLAN APPROVAL FOR CONSTRUCTION  
OF 2 APARTMENT BUILDINGS  
ON BLOCK 9.01, LOT 43, TAX MAP, TOWNSHIP OF HAINESPORT**

**WHEREAS**, Davenport Village Associates, LP has made application to the Joint Land Use Review Board of the Township of Hainesport for a design waiver together with preliminary site plan approval for the construction of 2 new apartment buildings for the expansion of an existing apartment complex located on Block 9.01, Lot 43, Tax Map Township of Hainesport; and

**WHEREAS**, the matter coming on to be heard at a public meeting on September 4, 2019 pursuant to all notices required by law, and the Board having heard the testimony presented and having examined the exhibits filed, finds the following facts and conclusions of law:

- A.** The subject property is identified as 101 – 708 Davenport Avenue in the R-3 Residential Zone. The site is located on the southerly side of Marne Highway across from the intersection with Pine Lane. The site currently contains 56 residential apartment units within 7 buildings. The property is approximately 10.329 acres in area.
- B.** The applicant seeks preliminary site plan approval to permit the construction of 2 new apartment buildings containing a total of 16 units with an associated 26 space parking lot. The existing tennis courts will be removed to accommodate the proposed improvements. Apartment buildings are a permitted use in the R-3 Zone. No bulk variances are being requested.

C. Testimony in support of the application was presented by James M.

Reynolds, who is the Executive Director of Diocesan Housing Services Corporation and representative of DV Hainesport, LLC. The applicant (DV Hainesport, LLC) is a contract purchaser of the property. The existing apartment units are 100% affordable restricted housing based upon income. As part of the expansion project the existing buildings will be upgraded and the 2 new buildings will help fulfill the Township's affordable housing obligation. At this point the applicant is seeking preliminary approval only, since further approval is needed from the State of New Jersey for the tax credit associated with affordable housing.

D. The site currently contains 7 apartment buildings with 8 residential units in each building. The 2 new buildings will also contain 8 units each. One of the two new buildings will contain approximately 1600 additional square feet to accommodate leasing and social service offices, community meeting space and maintenance facilities. Associated landscaping will be installed and the property will have on-site management. According to Mr. Reynolds the apartment complex does not have a parking issue and they currently have more parking than needed even with the new buildings.

E. Additional testimony was provided by Jason T. Sciallo, P.E. who is the Project Engineer. Mr. Sciallo reviewed the site plan and building location with the parking area in between the buildings. The site has 1.48 parking spaces per unit and there will be associated landscaping and expansion of the basin. There will be no change to the street access to

the site. The Project Engineer has reviewed the letter submitted by the Board Engineer (August 30, 2019) and will agree to comply with the Engineer's comments. The applicant has also reviewed the Planner's review letter (August 29, 2019) and will comply with the Planner's comments, however they are requesting a waiver from the requirement to provide a tennis court and basketball court. In support of the waiver request the applicant has stated that the tennis court and basketball court are rarely if ever used and the apartment complex is located very near the municipal recreation facilities.

**F.** The application has been reviewed by the Joint Land Use Board Engineer (Alaimo Association of Engineers) by letter dated August 30, 2019. The applicant will comply with all comments in the Engineer's review letter and the Engineer has raised no additional concerns.

**G.** The application has been reviewed by the Joint Land Use Board Professional Planner (Taylor Design Group) by letter dated August 29, 2019. The applicant has stated that they agree to comply with the comments and recommendations of the Planner's letter with the request of a waiver for the recreational facilities. The applicant provided additional testimony that they will comply with the lighting requirements for the site and they will upgrade the existing playground.

**H.** During the public portion of the hearing the Board heard testimony from Loretta Lewis who lives in nearby Franklin Estates. She stated her concerns about having children crossing Marne Highway in order to access the municipal basketball courts rather than using an on-site



facility. In response the applicant stated that they will consider the installation of a basketball court area.

- I. The Board determines that the expansion of the existing apartment complex will be in compliance with the permitted uses in the R-3 Residential Zone. The requested relief involves no bulk variances and will assist the Township in fulfilling an affordable housing obligation.

**NOW THEREFORE BE IT RESOLVED** by the Joint Land Use Review Board of the Township of Hainesport as follows:

1. The applicant is granted a design waiver for the installation of a basketball court and tennis court, however the applicant has agreed to consider the possibility of construction of such courts as an on-site amenity. The existing playground facility will be upgraded.
2. The suppliant is granted preliminary site plan approval for the construction of the 2 new apartment buildings containing 8 residential units each. In addition, one of the two new buildings will contain approximately 1600 additional square feet to accommodate leasing and social service offices, community meeting apace and maintenance facilities.
3. The applicant will enter into a Development Agreement with the Township to comply with the affordable housing obligation. The agreement will be subject to the review and approval of the Board Attorney and Professional Planner.

4. The rights, duties and obligations of the applicant with respect to preliminary site plan approval shall be as set forth in New Jersey Statute 40:55D-49.

Dated: October 2, 2019

Motion to Grant Design Waiver and Preliminary Site Plan Approval

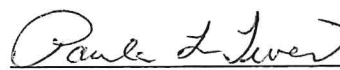
Yes Votes

Clauss  
Gilmore  
Kelley  
McKay  
Levinson  
Baggio  
Kosko  
H. Krollfeifer

No Votes

Recused

  
H. KROLLFEIFER, JR.  
BOARD CHAIRMAN

  
PAULA TIVER  
BOARD SECRETARY

