

**HAINESPORT TOWNSHIP JOINT LAND USE BOARD
MINUTES**

Time: 7:00 PM

September 4, 2019

1. Call to Order

The meeting was called to order at 7:00 pm by Mr. Krollfeifer.

2. Flag Salute

All participated in the Flag Salute

3. Sunshine Law

Notice of this meeting was published in accordance with the Open Public Meetings Act By posting on the municipal bulletin board, publication in The Burlington County Times and Courier-Post Newspapers, and by filing a copy with the Municipal Clerk

4. Announcement of “No new business after 11:00 PM”

5. Roll Call

Present: Mr. Clauss, Mrs. Gilmore, Mrs. Kelley, Mr. McKay, Mrs. Baggio,
Ms. Kosko, Mr. Krollfeifer, Mr. Levinson

Absent: Mr. Wagner, Mrs. Tyndale, Mr. Sylk, Mr. Tricocci

Also Present: Robert Kingsbury, Esq., Board Attorney
Scott Taylor, Board Planner
Martin Miller, Board Engineer
Kathy Newcomb, Zoning Officer
Paula Tiver, Board Secretary

Mr. Krollfeifer stated that Item 6B: Case 19-08A has been withdrawn.

6. Items for Business

**A. Case 19-12: Davenport Village Associates, LP
Block 9.01 Lot 43
Davenport Ave
Preliminary Site Plan: Apartments
Attorney: Damien DelDuca**

Proper notice was given.

Mr. DelDuca, attorney, brought his witnesses forward.

Mr. Kingsbury swore in the following:

James Reynolds, Executive Director Diocesan Housing Services Corp
Jason Sciullo, Engineer and Planner

Jim Hailey, Architect

Mr. DelDuca explained that they are here for Davenport Village which is a 10.33 acre lot located on Marne Hwy. There are currently 56 apartment units that were approved in 2003. This community is income restricted to families of low to moderate income, also known as affordable housing/apartment units. There would like to expand Davenport Village by adding 2 additional buildings, 16 units within the two buildings. This would increase it to a total of 72 units on site. They are also proposing some community facilities within one building. These are 100 percent affordable restricted it will be funded by low income housing tax credit financing, administrated by the state. His client will be applying for that financing next week. If awarded, it will fund the construction of this expansion. They will also be upgrading the existing buildings. This is a benefit to the community by helping meet COAH obligations. The lot is in the R3 zone which is a permitted use. The application is for a preliminary site plan with no variances. They will return in the future for final site plan if the tax credit is awarded.

Mr. DelDuca stated that he received three letters: Taylor Design Group August 29, 2019, Alaimo Engineering August 30, 2019, Hainesport Fire Official August 16, 2019. They have no objections to any of the comments; agree to all the recommendations with one minor exception. He referred to Taylor Designs letter under D1. There is an ordinance Chapter 44 relating to affordable housing. He asked for information regarding compliance with that ordinance. He has reviewed that ordinance is antiquated because there has been a lot of change in the affordable housing laws and regulations. He has spoken with Mr. Taylor; they will enter into a developer's agreement with the municipality which will confirm that they will comply with all regulations that apply to a community like this. They will enter into a developer's agreement in lieu of showing compliance to Chapter 44 of the ordinance. Other than that they agree to the rest of the three letters.

Mr. Krollfeifer questioned if the units were all rentals.

Mr. DelDuca believes they are all rentals.

Mr. DelDuca asked James Reynolds to describe his title and role with this community.

Mr. Reynolds explained he is the executive director of the Diocesan Housing Services Corp. of Camden. They developed this property back in the early 2000's which contains 56 affordable housing units in conjunction with the building of Franklin Estates. It has been operational for the last 17 years. He commented on all the affordable housing they do across the state. They are excited to have the opportunity to expand this project and increase the level of service to low and moderate income families.

Mr. DelDuca questioned if it is true that the applicant Davenport Village Assoc., LP does own the property and maintains it.

Mr. Reynolds answered yes.

Mr. DelDuca marked the overall site plan as Exhibit A1 and Mr. Reynolds to give an overview what they would like to do.

Mr. Reynolds explained the current configuration is 7 buildings containing 8 units in each building with parking courts, 3 drainage basins, playground, and a tennis court which largely

been unused. They are proposing to add two buildings with 8 units in each building. The one building will have another 1,600 square feet of community space for offices, meeting

space for residents, some maintenance and storage. They are seeking funding not only for the new building but also to substantially rehabilitate the existing buildings. The buildings are about 17 years old which means some of the systems have come to the normal existing lives so they will be replacing all the HVAC systems, reroof the entire project, new appliances, new flooring, energy efficient lighting, clean up of weathered concrete, and probably an enhanced landscape plan.

Mr. DelDuca questioned if Davenport Village be operated the same way.

Mr. Reynolds explained to do the tax credit, you transfer the ownership. That is the applicant here. Diocesan Housing Services will continue to manage the property as they have.

Mr. DelDuca questioned what the bedroom mix will be in the new 16 units.

Mr. Reynolds answered that it is 5 one bedrooms, 10 two bedrooms, and 1 three bedrooms.

Mr. McKay questioned how one would apply and to whom for an apartment. What would be the income qualifications?

Mr. Reynolds explained that the apartments are restricted to affordable to persons earning no more than 60% of the area median income for Burlington County for the existing units, approximately \$36,000 a year for a one bedroom. It depends on the family size. It ranges between the 30's to the low 50's for a family of 5. People can apply at the management office on site and website with a phone number. Most properties have a waiting list.

Mr. McKay questioned if there is onsite management and what is the turnover rate for tenants.

Mr. Reynolds stated that there is onsite management. Once someone gets into a unit, most people tend to hold on to their units unless their income changes. Since he has worked there the last 3 years, there probably were about 15 to 20 turnovers.

Mr. McKay questioned how the manager knows that the residents are still within the income range.

Mr. Reynolds explained that once they have qualified, they can stay. They recertify them every year. There is a rigorous documentation process. There is a danger of losing tax credits if they do not qualify.

Mr. McKay questioned why they operate so many low income properties.

Mr. Reynolds explained that part of the mission for the Catholic Church is to serve the poor and informed the Board of that development over the last 40 years.

Mr. McKay questioned what prompted the Diocese to build these two units.

Mr. Reynolds stated he was not there when this project was built. It is undersized. It is hard to maintain a full time manager and maintenance person on only 56 units. By expanding it, it increases their ability to serve the residents and serve them well.

Mr. Levinson questioned if the 60% of income has always been the standard.

Mr. Reynolds explained that the original build was at 50% of median income and required to be at that level for 15 years. They went to the state and said this is very difficult and asked to go to the 60% and they agreed to it. The tax credit program caps out at 60%. There will be some units that will be available to lower means as well.

Mr. Levinson questioned if they had calculated the parking to insure there is adequate parking.

Mr. Reynolds stated yes, there is way more parking than required.

Ms. Kosko questioned if 60% is considered moderate income.

Mr. Reynolds explained that it depends on whom you talk to. HUD uses the definition of low for under 50% and moderate over 50%. There are other programs that define it differently. In Mt. Laurel, 50 to 80 percent is considered moderate. There are no programs that let you rent to people in that 60 to 80 band.

Ms. Kosko questioned if these two building were part of the original plan as a phase II.

Mr. Reynolds explained he was not there then and he does not have any direct knowledge. If you look how this was configured, it was built way back from the street. The front area will easily accommodate two additional buildings.

Mr. Krollfeifer commented that there would be parking between the two buildings.

Mrs. Baggio questioned if a family goes about the 60%, due they lose their eligibility.

Mr. Reynolds stated they do not lose their eligibility; they can stay as long as they can. Some affordable operators who have had residents far surpass the 60%. They try to encourage them to go purchase a home, folks some just stay. It gets a little frustrating for the people who are in it to serve the low and moderate income. It is the exception rather than a rule. He can think of one person in that situation.

Mr. Levinson asked what the current occupancy is.

Mr. Reynolds stated it is 55 units due to a resident that just passed away.

Jason Sciuлло, engineer, gave his credentials. The Board accepted.

Mr. DelDuca would like to go into site improvements/changes. He referred to an enlarged map of the changes on site (exhibit A2).

Mr. Sciuлло explained that there are two proposed buildings. The 800 building will go over the existing tennis courts and 900 building is open space. The parking area between the buildings will serve the two buildings. They meet the local ordinance for parking is 1.75 spaces per unit which is 126 spaces, they are proposing 148. They also need to meet the NJ Residential Site Improvement Standards of 143, which they are over. There is more than enough parking to service the area. The light green shows the areas of disturbance. There is the area for the buildings and parking and the area to expand the existing basin. They need to increase the basin due to the impervious coverage and the stormwater standards have changes

since 2003. It is mostly berm grading, it is not like the basin will grow substantially. They will move and rebuild the trash enclosure. The driveway to and from the county road will not change. The utility services will remain as is and will connect to that existing public system for water and sewer. Landscaping will be provided to buffer the building from the main driveway. The intent is to match what is out there now.

Mr. DelDuca questioned if the property is in the R3 zone where apartments are permitted.

Mr. Sciullo answered it is. They have met all the bulk requirements.

Mr. DelDuca questioned if we meet the requirement for 25% open space.

Mr. Sciullo answered yes. The ordinance requires 25% open space or a contribution to the townships affordable housing trust fund. This is all affordable housing and complies just by the nature of the project.

Mr. DelDuca pointed out that the 800 building will be built where the existing tennis court is. The tennis court will be removed. The ordinance requires in addition to a tot lot/playground that a tennis court and basketball court for a community of this size.

Mr. Sciullo stated it does.

Mr. DelDuca commented that they are seeking a waiver for not having a tennis court (being removed) or a basketball court (existing condition).

Mr. Sciullo agreed and it is under ordinance 104-97B2 and are seeking a waiver. The tennis court is being removed, the playground will function as a tot lot and will be upgraded, and the site never had a basketball court and will continue not having one. The tennis court since Mr. Reynolds has been there has never been utilized and it is not a far walk to the township municipal park. They feel a waiver is reasonable and appropriate in this case.

Mr. DelDuca questioned if this application complies with all the RSIS.

Mr. Sciullo stated it does.

Mr. DelDuca stated there will be no change in the streets so there will be no change to getting into this community.

Mr. Sciullo answered no changes.

Mr. DelDuca questioned if he read the Taylor Design and Alaimo Engineers letters and will comply with all the comments other than the one relating to Chapter 44 of the ordinance.

Mr. Sciullo stated that is correct.

Mr. DelDuca asked him to describe the lighting.

Mr. Sciullo explained that the technology for lighting is not the same from back when the site was constructed. They want to replace all the lighting throughout the site with similar lighting. It will be led technology. It will be a softer light. It will be consistent throughout the site and will remain compliant with security lighting. This will save a lot of money on energy costs.

Mr. DelDuca commented that they are here for preliminary major site plan approval and will come back for final approval.

Mr. Sciullo answered yes, if they get funding.

Mr. DelDuca stated if the ordinance required they will give public notice at the time of final.

Mr. Sciullo answered yes.

Mrs. Baggio questioned if there is a current waiting list for people to get into these units.

Mr. Reynolds answered yes and the waiting list is divided up by the number of bedrooms. There is a demand in Burlington County.

Mr. Krollfeifer commented that when he visited the site, there appeared to be a two foot difference in elevation. Will it be leveled out so that the buildings are at the same level?

Mr. Sciullo stated it would be level. It may be slight by a few inches.

Mr. Clauss questioned if they will have cutoff for the led lighting.

Mr. Sciullo answered yes.

Mr. McKay questioned how long it will take to finish the project once all the approvals are granted.

Mr. Reynold stated about 12 to 14 months depending on the weather.

Mr. McKay questioned if the renovations will be done with construction or will they be started sooner.

Mr. Reynolds commented they will probably run simultaneously.

Mrs. Baggio questioned are the improvements contingent on the approval of the new buildings.

Mr. Reynolds explained that the entire thing is based on a single financing application.

Mr. McKay questioned if they know the number of school age (grammar –high school) children that are currently living in the existing and how many for the proposed new buildings.

Mr. Reynolds explained he currently does not have that number. However, Rutgers does a study on school age children impact. They just updated it in 2018. It is relatively a small amount of children.

Mr. Levinson questioned if they will be keeping the exiting tot lot.

Mr. Reynolds stated it is currently a playground and plan on upgrading it as part of the renovations.

Ms. Kosko asked if they can include the timeline in the developer's agreement.

Mr. Reynolds believes it should be fine once they receive their financing.

Mrs. Baggio questioned how long it takes to get the financing approved.

Mr. Reynolds stated between all the steps, approximately 9 months.

Mr. Taylor questioned if the rest of the lighting and upgrades to the tot lot will be shown on the final site plan.

Mr. Sciullo answered yes.

Mrs. Newcomb commented that they have been good in keeping up with the property.

Mr. Miller stated that he did have some concerns and they have made some changes to both of the basins and have addressed stormwater management.

Mr. Krollfeifer opened public comment.

Loretta Lewis, 34 Patriot Way, was sworn in. She had concerns with not having a basketball court for the younger children on site. The children's safety is an issue to cross over Marne Highway.

Mr. Reynolds explained that they have some space restraints due to the positioning of the new buildings. It did not have one when the property was first developed. He is willing to explore the possibility of using the fire lane and put a basketball hoop. It cannot be in the way of the firetruck passing. He will work on it. If you look at the rest of the site, there is really not a good spot for one.

Ms. Lewis questioned is there enough parking for visitors.

Mr. Reynolds stated there is more than enough.

Mr. Krollfeifer closed public comment.

Mr. McKay motioned to waive the recreation facility requirements, partially satisfied with the improved tot lot but waived regarding the removal of the tennis court and no basketball court, and grant preliminary approval as requested. Subject to compliance with the comments in our professionals letters as agreed to by the applicant

Mr. DelDuca asked for clarification that the Board grant a waiver for the tennis court and basketball court but the applicant agrees to explore the possibility of adding a hoop court as Mr. Reynolds mentioned before final site plan. They will work with the Board's professionals.

Mr. McKay amended his motion as Mr. DelDuca has just stated.

Mr. Taylor stated that one his comments in his report that references Chapter 44, the Board would waive that with the understanding and a condition that the developer enter into a developer's agreement with the governing body that this project will fit in and comply with the affordable housing requirements to help the town meet its affordable housing obligation.

Mr. McKay further amended his motion to add that condition.

Second: Mrs. Baggio

Roll call: Mr. McKay, yes; Mrs. Baggio, yes; Mr. Clauss, yes; Mrs. Gilmore, yes;
Mrs. Kelley, yes; Mr. Levinson, yes; Ms. Kosko, yes; Mr. Krollfeifer, yes

Motion carries to approve.

Mr. DelDuca questioned if Mrs. Tiver could give him a letter stating that this was approved this evening so they may file with the HMFA that preliminary approval was granted and a resolution would not be available until next month.

Mrs. Kelley motioned to approve.

Second: Mr. Krollfeifer

Roll call: Mrs. Kelley, yes; Mr. Krollfeifer, yes; Mr. Clauss, yes; Mrs. Gilmore, yes;
Mr. McKay, yes; Mrs. Baggio, yes; Mr. Levinson, yes; Ms. Kosko, yes

Motion carries.

**B. Case 19-08A: Zeus Investments, LLC
Block 98 Lots 8 & 9
1361 Route 38
Preliminary & Final Site Plan, Use Variance
Attorney: Patrick McAndrew**

Proper notice was given.

The applicant withdrew the application by email on September 4, 2019.

7. Minutes

A. Regular Meeting Minutes of August 7, 2019

Mrs. Tiver stated the minutes are not completed at this time and will be ready for the October meeting.

8. Resolutions - None

9. Correspondence

**A. Letter dated August 5, 2019 from Alaimo Engineers to Ms. Kosko
Re: Hirshland & Company Case # 16-11A, Site, Drainage, Utility Plan & Detail
Sheet DS4**

**B. Notification from Environmental Soil Sciences
Re: Application submitted to NJDEP by Edward Adams regarding 2415
Fenimore Road, Block 110 Lot 16.02**

Mrs. Kelley motioned to accept and file.

Second: Mr. Clauss

Roll call: Mrs. Kelley, yes; Mr. Clauss, yes; Mrs. Gilmore, yes; Mr. McKay, yes;
Mrs. Baggio, yes; Mr. Levinson, yes; Ms. Kosko, yes; Mr. Krollfeifer, yes

Motion carries.

10. Professional Comments - None**11. Board Comments**

Mr. Krollfeifer and the Board wished Ms. Kosko a happy birthday.

Mr. Krollfeifer had concerns because two portable toilets are at the fields on Easton Way and he has people knocking on his door complaining. Also the people that live close to it are complaining about the smell. He questioned if they could be moved closer to the middle of the property.

Ms. Kosko explained that she had one resident come to the township to address it and provide a couple of solutions. She has given them to Mr. Schiliro. He has been given administrative approval to utilize the Chase Park for the soccer and lacrosse program because we need to turn our fields over here at the municipal building since we have spent over \$80,000 on turf maintenance. They need an opportunity to rest. The program is growing and they do utilize other town's facilities. The company needs access to those portable units to maintain them and a very wet season which needs to be taken into consideration. We want to make sure that heavy vehicles are not stuck in our grass. We are factoring in all them to accommodate the children. They are working on it.

12. Public Comments - None**13. Adjournment**

Mr. McKay motioned to adjourn at 8:00pm.

Second: Mr. Clauss

Roll call: All in favor.

Paula L. Tiver, Secretary