

**HAINESPORT TOWNSHIP JOINT LAND USE BOARD
MINUTES**

Time: 7:00 PM

October 2, 2019

1. Call to Order

The meeting was called to order at 7:10 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, Mrs. Tyndale, Ms. Kosko, Mr. Krollfeifer, Mr. Levinson, Mr. Sylk, Mr. Tricocci

Absent: Mr. Wagner

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

6. Items for Business

- A. Case 19-13: Quaker Group Burlington II, LP**
Block 100.14 Lot 12, Block 100.18 Lot 4, Block 108 Lot 2.01
Bancroft Lane
Preliminary and Final Major Subdivision
Attorney: Patrick McAndrew

Proper notice was given.

Mr. McAndrew stated the application is for a preliminary and final major subdivision for 20 single family homes

Mr. Kingsbury swore in the following: Nick Casey from Quaker Group, Bill Banks from Paparone Samuel Agresta, Engineer

Mr. Casey provided some background information on the site. This property was adopted as an area in need of redevelopment earlier this year. He referred to the area outlined in orange on the map and pointed out this area will be deeded to the Township. This is a benefit to the Township as redevelopment opportunities happen along Route 38. During their investigation of the property, there were a few encroachments which have been removed. One of the encroachments is with the old Heidelberg building. There was a discrepancy on the location of the property line. They are correcting this during this subdivision process. They will do a quick claim deed, with no contesting from either party.

Mr. Casey stated they did receive review letters from the following: Taylor Design review letter 9/29/19, 3 letters from Alaimo (review letter 9/27/19, environmental impact study review 10/1/19, operations and maintenance manual review 10/1/19) and a fire official review letter 9/18/19.

Mr. McAndrew stated that this redevelopment plan that they are proposing does three things: Going from 32 townhouses to 20 single family homes, 5 acres will be deeded to township for helping with future redevelopment, and some encroachment with neighbors is solved with this plan.

Mr. Casey agreed. He explained this plan does not include any affordable housing. They agree to pay an affordable housing fee that is greater than the normal. It has been established in the agreement with the township.

Mr. McAndrew asked Samuel Agresta, applicant's engineer and planner to give his credentials.

Mr. Agresta gave his credentials and the Board accepted.

Mr. McAndrew asked that he describe the subdivision plan and the present conditions.

Mr. Agresta referred to an Ariel map of the site (exhibit A1 – existing conditions, exhibit A2 – site plan rendering) and discussed the area to be developed. There are currently no improvements or infrastructure on site.

Mr. Agresta explained they are seeking 8 submission waivers:

- 1) Traffic Impact Study. The ordinance requires it if there are more than 20 lots. This project proposes 20 building lots and 2 additional open space that would not generate any traffic.
- 2) Existing contours 200 feet beyond the property line. They feel that there is significant data to establish the drainage pattern. Their design will not interfere with any of the adjacent lots.
- 3) Soil conditions for onsite sewage. There will be no onsite sewer, the MUA has an existing main to connect.
- 4) Sequence of development. All site work will be done in one phase. The dwellings will be constructed as they are sold.
- 5) Key map scale. They are seeking preliminary/final approval and does not pertain to their project.
- 6) They are in the process of getting Certification from Burlington County Soils. It is just a temporary waiver.
- 7) Submission of plans that differ from preliminary plans. They will submit any changes and will work with the engineer and planner.

- 8) Copies of development agreements with other agencies. This would be a temporary waiver. Any agreements received would be forwarded to the town or the appropriate body.

Mr. Krollfeifer questioned if it would be city water or well.

Mr. Agresta stated it would be city water and they started the process of filling out the application with NJ American Water. They will also have public sewer with the MUA. There is an existing main that they will hook into. The application with the MUA has also been started. They will comply with all their regulations.

Mr. Agresta continued with parking. Each home will have a two car garage with an 18' driveway giving 1 parking space credit. Total parking is 60 spaces. There would be an additional 10 street parking spaces. There will be a surplus of parking. RSIS requires 50 spaces they have a total of 70 spaces. They have proposed 4' concrete sidewalks all the way around and 2 ADA compliant ramps.

Stormwater management it was one of the tough parts of this site. There is not a lot of runoff from this site as it is today. There is a low point in the center of the site where everything drains. They are not allowed to have a lot of stormwater runoff this site. They tried to minimize their impervious surface. They are at 32 percent impervious coverage, the redevelopment allow up to 65 percent. The stormwater includes a total of 7 inlets. The water will transfer naturally from the swales between the homes, out to the streets, into the inlets and conveyed to the basin.

Lighting is being proposed four 16' cobra head lights. They kept the lighting at a minimal and allow it to give people clear vision while they are walking. Landscaping will have a buffer on Bancroft Lane along with street trees all the way around. They added more trees to come around per Mr. Taylor.

Mr. Agresta stated that this is a site plan that is 100 percent compliant with the redevelopment plan and stormwater. It is a very nice product.

Mr. McAndrew questioned if they meet the zoning requirements.

Mr. Agresta answered yes, there are no variances.

Mr. McKay questioned how the developer will handle the minimization of tree loss.

Mr. Agresta stated that they do need to clear a large amount of trees to get the homes where they need to be. There are putting in a buffer, maintaining the two back corners, and the land being deeded to the township will remain as is.

Mr. McKay questioned what the owner proposes for the two lots in addition to the 20 housing lots that are one to the north side and one to the south side.

Mr. Agresta believes the HOA will be responsible for those two lots.

Mr. McKay questioned if the HOA will own them, pay taxes, and maintain them.

Mr. Agresta stated the HOA will.

Mr. McKay questioned if the one basin is designed to be dry in dry weather. Will the basin be an open design like the one in Hainesport Chase?

Mr. Agresta stated that was correct and is not designed to be a wet pond.

Bill Banks stated it will be similar to the Chase.

Mr. McKay questioned the depth of basin and if there would be any proposed fencing.

Mr. Agresta explained the invert is 37 and the highest is 43 (approx. 6'). There will be no fencing.

Mr. McKay questioned if there would be any landscaping along the basin (south side).

Mr. Agresta explained there is not. You want it to have the look of open space.

Mr. McKay questioned if the lots will be sold fee simple.

Mr. Agresta believes they will.

Mr. McKay asked what the lot dimensions were and the space between houses.

Mr. Agresta commented that the lots are a minimum of 5,200 sq. ft., approx. 50' x 110' with 15' between houses.

Mr. Taylor clarified that there is a minimum of 5' side setback with an aggregate of 15'. Example one side of house to house could be a minimum of 10'.

Mr. Krollfeifer asked for clarification on the stormwater. It was said that the stormwater would stay there and go into the basin and then mentioned something about it coming out to Bancroft.

Mr. Agresta explained that the way it is today, there is 1.5 cubic feet per second that runs off site. It is not a lot. DEP regulations requires them to reduce that by 75%. They are only allowed .84 cubic feet per second. They look at the different year storms. They are not allowed to release any water off site until the 10 year storm, which would be .07 cubic feet per second. There is an outlet structure that controls the flow for offsite. The basin will have some water during a storm until it infiltrates the ground. As the storms get bigger they have to provide some relief. There is a pipe that will tie into the inlet in the event the storm is larger enough that they have to release water offsite. Very minor and very little water.

Mr. Krollfeifer questioned who maintains the inlet on Bancroft.

Mr. Agresta believes it is the township. It would be less than what is running in there now. They will be decreasing the demand that was on the inlet prior to construction.

Mr. Miller explained that he is very comfortable and he went through it with the applicant. There were several comments in the review letter. The applicant will take care of the comments. He has no problems with the stormwater plan.

Mr. McAndrew agreed with the Alaimo letter.

Mr. Taylor addressed his letter dated September 29, 2019. The application complies with all standards and requires no variances. There were exhibits in the redevelopment plan which the Board reviewed. The architectural plans were submitted to Township Committee and determined that they are consistent with the redevelopment plan.

Mr. McAndrew stated that there are 5 models and not just 3. They are consistent with the drawings. If there are any questions, Mr. Banks can address them. They will resubmit them so they are part of the record.

Mr. Taylor stated there are a couple minor technical issues in his report that he believes the applicant will have no problem addressing. It is noted that ordinance 104-97 (recreation) that projects of this size have 1,500 sq. ft. of developed recreation area per unit for the residents. There is also a requirement for a tot lot. The applicant is not proposing any recreation area. They would require a design waiver.

Mr. McAndrew stated they did look into a tot lot and some alternatives. It is not practical for a development this small. Eventually the HOA does not want to maintain it. He believes there is a legal issue in case law regarding a tot lot being a condition in an ordinance for a subdivision. A tot lot for 20 homes has issues getting used and maintained.

Mr. Casey stated that this project and layout was presented with the Township Committee and this board. There was never any discussions regarding recreation. They believe it would not be an appropriate location. They would request a waiver from the requirement.

Mr. Taylor stated they are referring to the Jackson case. This project gives the town the flexibility because this is still part of a planned development to ask for that requirement. He does agree regarding the tot lot. They suggested that a gazebo or picnic tables would be appropriate. This does not have any access to any HOA recreation facilities.

Mr. McAndrew believes that this project was never part of a planned development. He thinks they are on good ground with the Jackson case. Their biggest concern is the practicalities of it. He doesn't believe the people would want a tot lot or gazebo and have possible maintenance issues in the next ten years.

Mr. Taylor stated that items 8 thru 11 are minor and technical.

Mr. McAndrew stated that a development sign is not proposed.

Mr. Taylor addressed item 12. The ordinance does not require any buffer around the detention basin. So they asked for some visual separation between the existing homes to the south and the detention basin. The ordinance does have a replanting requirement regarding existing 8" caliper trees or greater be replaced with a 3" caliper tree. They asked the applicant to meet the intent of that. Try to maximize the edges and get some trees along the common property line. So that the detention basin is buffered from the upper floors of the adjacent homes.

Mr. Casey explained that from the onset of the proposals, it was known that the entire site was wooded. The townhouses and the current single family proposal was considered a better use of the property, less intense than the highway commercial. As part of the redevelopment plan, he believes that section of the ordinance would apply. He heard the arguments from the planner and have had discussions and are willing to install an evergreen buffer along the south edge of the detention basin behind the existing family lots. They can work out the type and suggested that they be planted 10' on center. They will fill in and provide a nice buffer behind those properties.

Mr. Krollfeifer questioned what is there now.

Mr. Casey stated there are some trees and there are pockets that there is nothing. Walking the site, there are a number of trees that have fallen. Some have a shallow root system and are not in the best of shape.

Mr. Krollfeifer asked if item 11 for the lighting is resolved.

Mr. Casey stated the cobra head lights have been used along Bancroft Lane and throughout Lakeside and Creekview. That is what is being proposed here. Using an alternate light would most likely increase the number of lights required. The township will become responsible and would create additional maintenance and operational costs. This was discussed with the township during Lakeside and Creekview development. The township agreed that it was more beneficial to the township. They are in agreement to what the township would want regarding the intensity of the light, but stay with the cobra head lights.

Mr. Taylor explained that he has not seen cobra head lighting proposed in the last 15 years. A lot of the townships are going to full cutoff or dark sky compliant fixtures. They are recommending the 3,000-3,500 degree Kelvin light to reduce glare impacts.

Mr. McKay questioned if that would increase the number of poles.

Mr. Taylor explained it usually doesn't, it's more of a change in the color of the lighting.

Mr. Casey stated in speaking with Mr. Banks, Paparone has installed the cobra head lights in all the developments that they have done in Hainesport.

There was a short discussion regarding the difference in cost between pole costs, operation costs, and uniformity.

Mr. McKay clarified that they are proposing the cobra head light pole with the smaller light bulb.

Mr. Casey agreed.

Mr. Clauss stated that the cobra head lights are available with the cutoffs. He believes they can still use the cobra head and still meet the planner's recommendation. The lower Kelvin allows for better visibility at night.

Mrs. Kelley commented that all the studies out state that the lower the Kelvin the better it is for your eyes.

Mr. Krollfeifer stated that they will use the cobra head light with cutoffs and a lower Kelvin bulb.

Mr. Casey agreed. In talking to contract purchaser, the cutoffs should be available for the cobra head lighting. He doesn't see an issue.

Mrs. Kelley questioned if the basin would have the new style with small plantings.

Mr. Taylor stated this is a sand bottom basin, therefore they are not allowed to put any plantings in the bottom of the basin.

Mrs. Kelley questioned if the sand bottom will be kept. The soil in that area is very sandy.

Mr. Agresta explained that the HOA must maintain the basin. There is a maintenance report that is included that they must follow and is part of this application.

Mrs. Kelley stated that in the lowest point of the basin it's in the 30's going up to 42. In a very quick storm, which we have had a number of, she believes that amount of water in a short time would make the water go onto Bancroft Lane.

Mr. Agresta explained that the basin is designed to maintain the 100 year storm. That is 8.8" of rain in any given time period in 24 hours. The criteria is set by the DEP and they are obligated to adhere to that. The basin as designed today adheres to the criteria.

Mrs. Kelley asked that there is another pipe that if it gets to that point.

Mr. Agresta continued that there is an emergency spill way and explained how it would work on the map. This is a safety.

Mrs. Kelley stated that the water from the inlet goes downhill and eventually into the creek.

Mr. Agresta agreed. It is a very small quantity. They are reducing the number that is running off the site as it is today.

Mr. Krollfeifer asked for clarification if the water was going to the creek or lake.

Mr. Casey commented that it goes to both.

Mr. Taylor continued with his letter. Items 13 thru 22 are minor in nature and require no additional testimony. He hopes the applicant agrees to comply with them.

Mr. Casey referred to #16, 1 shade tree every 50' of roadway length on each side of proposed street and Bancroft Lane. On Bancroft Lane there is an easement that the trees are planted in behind the sidewalk. That is the area that they are proposing buffer planting which is not required along the road. The street trees that are required are incorporated into that buffer planting. It is consistent with any street trees along Bancroft Lane.

Mr. Taylor commented that the ordinance does require the buffering. So they will be planting the trees but will be in the buffering planting.

Mr. Casey agreed. They are also proposing a Glory Maple instead of the Bowhall Maple, a Star Magnolia instead of Callery Pear. It will be worked out with the planner. It was already discussed about the evergreens along the back of the property on the south side of basin.

Ms. Kosko questioned if the Jackson Case disallow or the planned development allow for a contribution in lieu of for recreation.

Mr. Kingsbury answered no. He explained what is allowed and not. That is why Mr. McAndrew is requesting a waiver and the case supports. You cannot require it or require a payment.

Mrs. Baggio commented that there would be 5 model homes to choose from. That is a lot of options for only 20 homes. Are the five homes dimensions sufficient for the size of any lot or only certain ones will fit on certain lots?

Mr. Banks stated that the Magnolia home, which is age targeted, will not fit on all the lots.

Mr. McAndrew stated the Magnolia has a bedroom on the first floor so that one does not have to go up and down stairs.

Mr. Kingsbury questioned if there is a limit on the number of particular models there can be?

Mr. Banks explained they have a company policy not to build any more than two next to each other. If they build two next to each other, it must have different elevations.

Mrs. Tyndale had concerns with naming the road Barclay Court since there is already a Barclay Road.

Mr. Banks stated it was brought to their attention and there are proposing Quaker Court.

Mrs. Kelley commented that the fire official approved this and wanted to know if there is enough radius for a fire truck and moving van.

Mr. Agresta answered yes with no problem.

Ms. Kosko questioned if there is a landscape island in the cul-de-sac?

Mr. Agresta answered no.

Mr. Krollfeifer opened public comment.

Danny Cruz, 9 Winchester Court, was sworn in. He has concerns with the traffic on Bancroft. The traffic in the morning an evening is congested. The building of the new homes will cause more congestion and would like the traffic looked into more. He suggested that the traffic study not be waived.

Barbara Gaunt, 12 Winchester Court, was sworn in. She questioned if there would be a tree buffer where her court is to maintain some privacy.

Mr. Casey stated there is nothing proposed. There are some existing trees along the lots. He pointed out what would be maintained.

Mr. McKay questioned if the fence line goes down and turn the corner.

Mr. Casey stated that it does. There is a fence that was put in for the carriage homes at Creekview.

Mr. Glodowski, 36 Edgewater Drive, was sworn in. He had concerns with the traffic on Bancroft Lane. It currently has a lot of traffic backing up and believes that a traffic study should be done.

Mr. Casey stated that this property was a highway commercial zone which is a more intense use that would have generated an awful amount of traffic. When they obtained the variance for the

32 town homes, the engineer did present some preliminary calculations based on the traffic manuals. It would have been insignificant. The timing on the traffic light should be changed. He believes the township would have to push for that. There is also an age restricted community that will exit onto Bancroft Lane.

Mrs. Tyndale commented that there was an issue at Route 38 and Fostertown. It was determined that it was not the townships responsibility and believes this would be the same issue. The township does not control the lights and timing.

Mr. Casey believes that a petition can come from the township but state would have to analyze it and make a determination whether their traffic light should be modified.

Mrs. Newcomb stated that a few years back DOT refused to change timing or look at anything along that route. She believes DOT would not even look at it since this impact is less than prior.

Mrs. Kelley explained that she lives on Lumberton Road and that was just elongated that light on Route 38. Lumberton Road is a county road. She believes that she should go to township to write a letter and contact the state legislation to look at it.

Mr. Clauss explained that any intersecting road the largest government controls the light. He knows the county goal is to keep traffic moving. They are not concerned with tie ups at the light and believes the state is the same way.

Neftali Torres, 49 Lenox Dr., was sworn in. He questioned if the 50' buffer zone, 25' on his property and 25' on adjacent property, stay in place. Will the trees be replaced or remain alongside of properties on Lenox? If so, what is the size? If the one basin overflows will it go into the second basin? Will the lighting interfere with coming into the windows at night for their homes? When will the development start?

Mr. Casey explained the buffer he referred to was for between residential and commercial land uses. That no longer exists. A buffer is not required but have agreed to put a strip of evergreens trees 10' on center the full length of the properties that front on Lenox outside of the basin.

Mr. Agresta explained that there are 4 lights on Quaker Court. There will not be much spillage past the sidewalk. If the basin were to ever fail, it has an emergency spillway.

Mr. Krollfeifer questioned how far is it from the back of the basin to the fence?

Mr. Agresta stated maybe 25'.

Mr. Krollfeifer asked when they believe construction will begin.

Mr. Casey believes it would be early spring. They have applications in the process or submitted with outside entities and should be finalized by the end of the year. He explained some of the things that would need to be done with those entities.

Mrs. Baggio questioned if there are mature trees now along the one side of the proposed basin.

Mr. Casey explained based on the ariel, there are pockets with no trees are very far between. There are a lot of trees that have fallen over. They will clearing the area and putting in evergreens which they believe will provide a better buffer.

Mr. Levinson questioned what the height of the evergreens and is there any way of saving any of the older trees.

Mr. Casey stated the trees are typically 5' to 6' which grow quickly. They will work with the planner.

John Cane, of Lakeside at Creekview, was sworn in. He had concerns with clearcutting the property and the flow to the lake. Lakeside at Creekview spends around \$20,000 a year to maintain the lake. He had concerns with the landscaping chemicals from the 20 homes running into the lake and the environmental impact on the creek. All the drainage from the streets were designed to flow into the lake. There are enough chemicals going into the lake from the existing homes. At the one side of the lake there is a pipe that drains into the vegetation of Rancocas Creek.

Mr. Krollfeifer asked for clarification that there would be less water coming off of this site after the development.

Mr. Agresta explained that they are obligated by regulations to reduce the amount coming off the site now.

Mr. Cane doesn't have an issue with water flow from an undeveloped site, it is all natural.

Mr. McKay questioned if both Lakeside at Creekview and Creekview contribute towards the maintenance of the lake.

Mr. Cane stated that there is one association and they all contribute to maintaining the lake. This new development would be adding more chemicals to the lake but not be paying to maintain it.

Mr. Agresta explained they also have to meet the water quality obligations. The majority of the water would be maintained in this basin. It would be a very rare instance during a very large storm that a very small minor quantity of water would be leaving this basin.

Debbie Torres, 49 Lenox Drive, was sworn in. She was concerned with the tree removal because she enjoys the woods and the change of seasons they go through.

Mr. Sylk believes we should get a tree inventory.

Mr. Taylor explained there is a tree ordinance requirement that has two provisions. A survey of all trees 8" or more in diameter and a replanting plan that addresses the removal of the 8" + trees.

Mrs. Baggio questioned if all the trees must be removed.

Mr. Taylor explained that there may be some area around the perimeter of the site where they may be able to save a little of the vegetation. He suggested in his report that the tree clearing be staked and approved before clearing. There are certain places that during grading for stormwater, there are maximum slopes that they must maintain. There is not flexibility throughout the site but there are a handful of places. That is why he was asking for additional buffering. He suggested that they also do a few shade trees.

Mr. Casey stated that they do not want to clear any more than what is necessary. It was known with this plan that it was a wooded site. There have been tradeoffs. They are donating land to the township that has value with their redevelopment efforts along the highway. They agreed to

a 60% higher affordable housing fee that is typically required and a minimum sale price on homes that are about 7% higher and put evergreens 10' on center along the back of the properties that is not required. They will work with the planner while they stake out the site for grading. If there are additional areas that trees can be saved, they will work to the greatest extent practical.

Mr. Sylk questioned if he was opposed to replacing the 8" caliber trees with 3".

Mr. Casey stated yes and they feel that the development concept presented was clear that it was a totally wooded site and would be cleared. It was nothing required under the redevelopment plan and there were other concessions they agreed to including donating 5 acres over to the township.

Mr. McAndrew stated it is not accurate to say that were clearing the entire site. Five acres will remain untouched and donated to the town. It is a concentrated area. They have made compromises. There are putting in a buffer. You normally do not buffer houses to houses. They will work with Mr. Taylor to save what they can.

Mr. Krollfeifer questioned the length that would be buffered.

Mr. Casey said approximately 638'.

Mr. Krollfeifer commented that would be 60 to 70 trees. Each home along Lenox would have about 7 trees. He questioned the prices of the homes.

Mr. Banks explained they do not know what their costs will be yet which would impact it. Maybe \$350 to \$450 thousand.

Margie Passalacqua, 28 Hastings Lane, was sworn in. When the development was originally sold, it was three sections Carriage Homes at Creekview, Lakeside at Creekview, and the Woods at Creekview. The selling point of there being wooded lots. Some of those lots will no longer be wooded. She sold some of the townhomes and worked in the office selling the single family.

Mr. Casey stated that this property was left over from the Creekview subdivision. It was never part of the subdivision or subject to anything related to it. What happened on the Creekview homes with trees after he is unaware? There is also a 6' fence along the back of those properties in addition to the landscaping they agreed to put in and work with the township planner to preserve any existing trees we can.

Mr. Torres asked for clarification regarding the buffer zone behind his home. It is his understanding that nothing can be touched or cleared there.

Mr. Casey explained that the buffer was required between residential and nonresidential uses. This is residential against residential so no buffer is required. There is an existing fence, they agreed to an evergreen buffer and will work to maximize the number of trees to preserve.

Mr. Cruz moved here several year ago on Winchester Court and part of it is due to the beautiful landscaping. He questioned if the fence will remain at the end of Winchester Court. He's concerned with the landscaping being torn down and hopes it is replaced.

Mr. Casey stated a few years ago, it was determined that the fence was put up as part of the Carriage Homes. It is the responsibility of the individual homeowner or their HOA. They do not intend on touching the fence and it will remain.

Mr. Krollfeifer questioned the remaining area.

Mr. Casey referred to the map and pointed out the area. The fence is on the individual homeowners or their HOA.

Mr. Cruz questioned the removal of the trees.

Mr. Casey stated the trees on the carriage side of the fence will remain. It is not their property to touch.

Ms. Kosko clarified that she and the prior planner, Ragan Design, rectified with the HOA that the fence belongs to the individual homeowners and not the HOA about 2 years ago.

Mr. Krollfeifer closed public comment.

Mrs. Kelley recommended that when they do the landscaping to make sure it is deer resistant as possible.

Mr. Krollfeifer asked for clarification that the stormwater meets all rules and regulations.

Mr. Miller answered yes.

Mr. Krollfeifer questioned if we are in agreement with waiving the traffic study.

Mr. Miller explained this site is proposing the minimum amount of traffic than the last three proposals. It is the least you can get.

Mr. McKay motioned to approve preliminary/final major subdivision granting the waivers starting with the traffic study to the temporary waiver of the related agreements.

Mr. Kingsbury stated they are asking for a waiver from the tot lot.

Mr. McKay agreed. There was also an agreement to use the lower Kelvin lights with the cutoffs. Also to add the evergreen trees buffer on the southerly line on the back of homes on Lenox.

Mr. Casey stated they will also work with planner to maximize the number of trees to preserve and evergreens on 10' centers.

Mr. McKay continued with the trees protection to maximize the number of trees preserved, modifications in the field within reason. There would be street trees in the buffer along Bancroft and extensions of the buffer. The standard compliance with the engineer, planners, fire official, and other agencies letters.

Mr. Taylor stated it should include that the developer has agreed to pay the affordable housing fee that was determined by the township in conjunction with the redevelopment agreement. The applicant agreed to submit the 5 different model homes for consistency review.

Mr. Levinson suggested they replace the trees with species type tree to that area so people still get the same visual appreciation of the area.

Second: Mr. Clauss

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

Motion carries to approve.

Mr. McKay stated that every development is a compromise. This development is a result of a lot of compromise. This site could have been developed as a strip mall, which would have been an intense use when it was zoned for highway commercial. It is not any more. That would have resulted in light pollution, traffic, and a larger loss of vegetation than under the current plan. The town did not approve that. There was a lot of litigation with the applicant who wanted to put that strip mall in. After that the town took advantage of a redevelopment law that the state had passed that would give the town and residents a number of benefits. This parcel along with other parcel along Route 38 were rezoned. A result of that was to take the development intensity on this parcel way down what it had potential been. So the development was then appealing to a developer, Paparone, to come in and through further negotiations. Intensity was even brought down from the 32 townhomes to the 20 homes. The town and residents will have the benefit of the 5 acre strip which sits between the residential and highway commercial development. That strip is not only a vegetation buffer, for wildlife, it can be a walking place, it could be developed by the town for recreation, and has many potential benefits down the line. In time it can help improve the development down Route 38 in that area. The town has been trying to develop it the last 25+ years. It would be a better ratable and appearance for the town. There is a tremendous amount of benefit to the town out of the compromises that have been reached over many years to get this site into the best position. Please keep that in mind when you go home and talk to your families about this development. It is a very good compromise given what could have been. It took a long time with a lot of people to put this property in the position to be developed. It will be developed and is not park land to stay as woods forever. This is the best deal that the town could get under the circumstances.

Mrs. Newcomb thanked Mr. McKay.

A few of the members discussed how long they have lived here and the area.

7. Minutes

A. Regular Meeting Minutes of August 7, 2019

Motion to approve: Mrs. Kelley

Second: Mrs. Tyndale

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

Motion carries to approve.

B. Regular Meeting Minutes of September 4, 2019

Motion to approve: Mrs. Baggio

Second: Mr. Levinson

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

Motion carries to approve.

8. Resolutions

A. Resolution 2019-09: Granting Design Waiver and Preliminary Site Plan Approval for Construction of 2 Apartment Buildings.

Motion to approve: Ms. Kosko

Second: Mr. Clauss

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

Motion carries to approve.

9. Correspondence

A. Letter dated August 27, 2019 from MHMUA to Hainesport Land Use Board
Re: Block 98 Lot 8 & 9. Letter of no interest.

B. Letter dated August 28, 2019 from MHMUA to Hainesport Land Use Board
Re: 301 Davenport Ave., Proposed Income Restricted apartment units. Letter of interest.

C. Hainesport Township Resolution 2019-145-9: Determining Quaker Group Burlington II LP and Paparone Builders' Site Plan, Subdivision Plan and Model Plans as being consistent with the Bancroft Lane Redevelopment Plan and Agreement.

D. Letter dated September 10, 2019 from Burlington Co. Planning Board to Quaker Group

Motion to accept and file: Mrs. Kelley

Second: Mrs. Gilmore

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

Mr. Krollfeifer called for a break at 9:25pm.

The Board amended the agenda to discuss the Lawrence Blvd Plan for Master Plan consistency.

Mr. Taylor explained that a few months ago the Township Committee asked the Land Use Board to undertake a preliminary investigation to determine whether or not whether the Industrial Blvd area met the statutory criteria to be considered an area in need of redevelopment. He had prepared the investigation, the Board affirmed, and the governing body confirmed by resolution that it was an area of redevelopment.

The next step in the process is a redevelopment plan. He will go through it. This is not a public hearing, it is for master plan consistency. There was a redevelopment plan approved on that property years ago. It envisioned industrial redevelopment on that property. Part of Industrial Blvd was vacated. Some of those properties fell through. This includes the two Stevens parcels, Paul's tank farm, two Trap Rock properties, and the Verizon property.

There have been preliminary discussions to come up with a redevelopment plan based on a response from a developer who would like to put a 478,000 sq. ft. building on the property.

Mr. Taylor referred to the map that is in the redevelopment plan and described the area. The redeveloper is currently proposing to use the two Stevens Properties. They are trying to work through some issues regarding Paul's tank farm and the two Trap Rock properties, which would be subject to a future redevelopment or modified redevelopment plan.

We did not want to have a larger warehouse or distribution center closer to Route 38. A 200' deep area was preserved for the highway commercial district. There will be access from the jug handle at Route 38 and also the private roadway that gives access out to Berry Drive. The circulation would have loading docks on both sides. It is setback 200'. They will provide buffering, the architecture is nice, and there is a corporate headquarters at the main front. No access is proposed to Lumberton Road. Easements will be provide for utilities. Stormwater will be held onsite and designed to regulations.

Mr. Taylor stated the steps of the redevelopment plan. The Lawrence Blvd. Redevelopment Plan it is modifying the zoning for the two large parcels to facilitate the industrial warehouse development that is envisioned for that 478,000 sq. ft. building. All the statutory requirements are set forth in the plan. Because this property has been discussed in prior master plans and there was a redevelopment plan for this site that was approved years ago. He believes the redevelopment plan as proposed is consistent with the master plan. It would be appropriate if the Board also would see fit to make that same determination. The redevelopment plan has been introduced by the governing body by title only. The governing body will hold a public hearing next week which is part of the urgency in trying to work with the people working on the project.

Mr. Taylor stated he would be happy to answer any questions. A motion would be needed that the plan is consistent with the master plan.

Mr. McKay commented that we use to have Industrial Blvd.

Mr. Taylor explained that it has been vacated. They are still working on administrative issues on the filing of that. Ordinances were passed to vacate it.

Mr. McKay questioned if he was happy with the 200' frontage or is that what works out when you put the building on the site.

Mr. Taylor stated that they tried to work through this. The developer was first proposing to just have a large berm or buffer out there. The town appreciated that but if they can get some smaller units out at the front that would stimulate some of the economic development that we have been trying to get. Those businesses would create some screening and buffering. For what the developer needed, that was the most we could get.

Mr. McKay questioned if this is proposed as a single use warehouse.

Mr. Taylor explained that there are two concept plans within the redevelopment plan. One is for a single user and the other allows for a second user could have a separate corporate headquarters at the western corner to give them some flexibility. It is hard for the developer to market someone specific due to the large financial burden. They do things in baby steps and try to get some preliminary approvals through a redevelopment plan. They will have a one use or two user prototype. They would prefer to just have one.

Mr. McKay questioned if this is a proposed flat roof building and can he give a sense of what a 400,000+ sq. ft. warehouse is in terms of size? Is it similar to CVS?

Mr. Taylor said that it has a flat roof and is smaller than the CVS.

Mr. Krollfeifer asked about the three little lots in the northwest corner.

Mr. Taylor explained that they are not changing that. It would be where that 200' line is.

Mr. Krollfeifer questioned if Stevens would be selling the property?

Mr. Taylor stated he believes the developer is purchasing it.

Mrs. Baggio asked if the only access will be at the jug handle.

Mr. Taylor explained they will have direct access to Route 38 at the jug handle.

Mr. McKay thought that there was a piece of land that would connect back to Berry Drive.

Mrs. Kelley stated a lot of problems when Berry was developed. Berry Drive is fine, it is the back road that goes into ShopRite. You may want to think about putting a back entrance into the liquor store and Sonic. Stevens would not give the right of way.

Mr. Taylor commented that they have had discussion in conjunction with this.

Mrs. Kelley stated that there were two other problems they saw. One may not be able to be fixed. For whatever reason they did not make a truck turn from the bypass onto Berry. Make sure you have truck lanes for turning. If at all possible, instead of having it come out on Lawrence Blvd and do the wiggly thing, try straightening it out. She lives on Lumberton Road and have illegal trucks on her road all the time. They also need to put the sign back further on Route 38 that the trucks cannot turn onto Lumberton Road, it is right near the bridge.

Mr. McKay commented that the architecture of this building is critical because no matter what you put out front on Route 38 the building will be visible.

Mr. Taylor stated that is why they have asked them to soften the colors and provide some additional detailing.

Mr. Krollfeifer commented that when looking from Route 38, you will be able to see the truck bays on the western side.

Mr. Taylor stated you will. Once the Route 38 frontage gets developed and when you have plants, buffering, and buildings that building will disappear more into the background. That building will be over 400 ft. back.

Mrs. Kelley questioned if the building would be in line with ShopRite.

Mr. Taylor believes just the front corner may be closer.

Ms. Kosko stated this is a master plan consistency hearing like we did for Bancroft.

Mrs. Baggio questioned if the area that stays commercial is a single owner or multiple owners.

Mr. Taylor said that Stevens owns it. There are three very small parcels.

Mr. Krollfeifer questioned if there was no contamination into this property.

Mr. Taylor explained there are environmental issues that are in the process of being addressed.

Mr. McKay asked what was needed from the Board.

Mr. Taylor stated a motion is needed to determine that the Lawrence Blvd. Redevelopment Plan is substantially consistent with the master plan.

Mr. McKay motioned to amend the agenda to include this review of the Lawrence Blvd Plan for Master Plan consistency.

Second: Mrs. Kelley

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

Mr. McKay motioned that the Lawrence Blvd. Redevelopment Plan is substantially consistent with the master plan.

Second: Mrs. Kelley

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

Mr. Taylor explained there will be a public hearing next week and then move to adopt the ordinance. They would still have to go the course of any subdivision, site plan application.

Mr. Krollfeifer stated that it is not a use variance.

Mr. Taylor confirmed it is not.

10. Professional Comments

11. Board Comments

Mrs. Kelley appreciates all that Mr. Taylor and Mr. Miller do. She is requesting that she get the information the Friday before the meeting. She likes to have all her reading and preparation done by Sunday night. She has trouble with the computer because of her eyes.

Mr. Taylor understands. He lost a good employee this year, Greer. He has been working 7 days a week trying to stay caught up, they did hire a great young fellow that lives in Burlington County. They will stay on top of it to get it out in a more timely matter. It has been a mad rush throughout the state.

Ms. Kosko personally thanked Scott, Michelle, and their staff. She receives correspondences, letters, plans, and updates on a Sunday night, even on Labor Day. She knows he has cut his vacation short and time with his college son. He is very dedicated to Hainesport. We have been working him to the bone not only through these redevelopment plans, investigation reports, compliance hearings, and they are also working on our Master Plan Update. They put together a phenomenal economic development packet highlighting most individual properties available. Deputy Mayor Gilmore and she have been attending conferences and conventions promoting Hainesport. They received many compliments at the CSC Convention in Philadelphia on our marketing materials which Scott and staff put

together. They are working on additional parcels and materials which we are sending it out with our regional representation from EPA out to California. There is a National Brownsfield Convention in December and we are shipping out 50 packets. Bluewater developers engineer called today and commented how great the process has been working with us.

12. Public Comments - None

13. Adjournment

Mrs. Tyndale motioned to adjourn at 10:05pm

Second: Mrs. Baggio

Roll call: All in favor

Paula L. Tiver, Secretary