

**HAINESPORT TOWNSHIP JOINT LAND USE BOARD
MINUTES**

Time: 7PM

June 1, 2022

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: Mayor MacLachlan, Mr. McKay, Mrs. Gilmore, Mr. Tricocci,
Mrs. Kelley, Mrs. Baggio, Mrs. Tyndale, Ms. Kosko, Mr. Krollfeifer,
Mr. Bradley, Mr. Murphy

Absent: Ms. Kosko

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

6. Items for Business

A. Case 22-05: Fernando and Theresa Lourenco
Block 110 Lot 12.01
Bulk variance
Attorney: Thomas Coleman

Mr. Coleman requested a postponement to the Thursday, July 14, 2022 meeting at 7pm.

Mr. Krollfeifer motioned to postpone until July 14, 2022 at 7pm

Second: Mrs. Kelley

Roll call: Mr. Krollfeifer, yes; Mrs. Kelley, yes; Mayor MacLachlan, yes;
Mr. McKay, yes; Mrs. Gilmore, yes; Mr. Bradley, yes; Mr. Tricocci, yes;
Mrs. Baggio, yes; Mrs. Tyndale, yes

Motion to approve.

B. Case 19-12A: Davenport Village
Block 9.01 Lot 43
301 Davenport Ave.
Final Site Plan
Attorney: Damien DelDuca

Proper notice was given.

Damien DelDuca: Good evening. My name is Daniel DeLuca and I'm an attorney with Delta Lewis LLC, the law firm representing the applicant, which is DD Hainesport LLC. We're here for Hainesport Village tonight, which is a community I'm sure you're familiar with. I have with me, James Reynolds, who's the executive director of the diocesan Housing Services Corporation for the Diocese of Camden. He's here representing the applicant. I also have Jay or Jason Sciuillo, who's our civil engineer. Both of these gentlemen may be providing testimony this evening. Before we get into the testimony, what I'd like to do is give you a brief overview of the application, it's a fairly straight forward application. Hopefully we can present it efficiently so we don't keep you out too late.

The property is known commonly as Davenport village, 301 Davenport Avenue, which abuts Marne Highway, its block 9.01 lot 43. I have an aerial photograph; I've marked exhibit A-1, giving us an aerial view of the site. Here is an existing community consisting of 56 apartment units that are income restricted for low- and moderate-income families. Superimposed on this aerial of that which we propose to add to Davenport village, which is an additional two buildings that will have eight apartment units each for a total of 16 new apartment units. So, it'd be an expansion of Davenport village from 56 units to 72 units. We're here tonight for final major site plan approval. We were here before you almost three years ago, which is hard to believe but September of 2019, at which time this board granted preliminary major site plan approval for this plan that we're here for tonight. Again, tonight, we're returning for final site plan approval. The purpose of final site plan approval, as you know is that the Land Use Board is to confirm that we've complied with the conditions of preliminary, to make sure that we've made the changes to the plans that are required to be made, comply with conditions of approval that were imposed when you granted preliminary and to the extent there are any remaining conditions See whether they can be carried forward as conditions of final site plan approval. You adopted Resolution Number 2019-09 on October 2 2019, which I have a copy of here tonight. So, we're here tonight seeking final approval, and we'll demonstrate to you that we have complied with the conditions of preliminary site plan approval. I think there was one remaining condition relating to a developer's agreement that will be conditional of final.

We have review letters from your professional Taylor Design Group, dated May 23 and Richard Alaimo Associates dated May 26. Other than a few exceptions, which we'll get into, in our testimony, and they're only a few, we had no objection to the comments set forth in those two letters. When we were here, 2019. I know many of you were here, we're probably not all of you. We told you then that this community would be financed through low-income housing tax credits, or litech that are administered by the New Jersey Housing Mortgage Finance Agency, ah, MFA. These are very competitive credits. They're awarded based on a fairly involved and complicated awards or point system and we told you then that we were applying for those tax credit awards. In order to apply we needed to have at least preliminary site plan approval, which you granted. The diocesan

housing services corporation did apply, and were awarded those tax credits, subject of course, coming back getting final site plan and any other approvals that may be required. So those tax credits were awarded, and they will be used to help fund these new units and make these new units' reality. These additional units that we're applying for tonight are not only a permitted use in the R3 zoning district. But they're consistent and provided for in your housing element in your fair share plan. So, this is entirely consistent with your plan, and we'll help the township fulfill its obligations to provide its fair share of low- and moderate-income housing. So that really is an overview of that. That is what we're here for tonight. You have our plans.

We're going to have Mr. Sciullo testify relating to various details of the plan will give you an overview of the plans just to help refresh your recollection as to what's proposed. It's consistent with what you've approved in preliminary. We have the comments are your professionals will address some of those comments in that testimony and then we'll answer any questions that you may have.

I'm going to hand out copies of our exhibits. For the record there are three exhibits A1 which is the arrow on the board. Exhibit A2 which we'll show you in a moment. It's just a zoomed in version of exhibit A1 and exhibit A3 are the architectural renderings that were prepared by Donovan Architects. So, Chairman, we can have both of our witnesses sworn at the same time or one at a time as you please.

Mr. Kingsbury swore in Jason Sciullo and James Reynolds.

Mr. DelDuca: Mr. Sciullo, can you briefly review your professional background.

Mr. Shula: Jason Sciullo special engineer, professional planner licensed in New Jersey. I have a Bachelors of Engineering from Stevens Institute of Technology I've been practicing professionally for 22 licensed for 17 years. I'm an engineering and seven planning specializes in land use and development project of substance has been before this board for the preliminary version of this plan and before many other boards in South Jersey.

Mr. Krollfeifer: Have you testified before us before?

Mr. Sciullo: Yes.

Mr. Krollfeifer: Any questions from the board members? Thank you

Mr. DelDuca: Did your office prepare the civil drawings that were submitted with this application in your direct supervision and you testified at the hearing where the Board granted preliminary. Were you here for my introductory comments? Were they factually accurate?

Mr. Sciullo: Yes.

Mr. DelDuca: Okay, using exhibits a one and a two as you please, please give the board a brief overview of the site and what we're proposing to change.

Mr. Sciullo: This existing development that we're building the 56 units. Today were approved in the early 2000s that you see there seven buildings on site, parking areas,

services buildings, driveway to playground, tennis court, landscaping, and lighting facilities. As part of this application. We're only focused on the Davenport Village when it was originally approved with the neighboring developed Franklin Estates that were originally part of one application. We are focused on the importance of that because a lot of the stormwater that actually gets accommodated on our project site comes from other places. That was again developed in the early 2000s. There are no harmful effects on the site. What's proposed in this application process underneath this building here, we're hanging over there is a tennis court that is underutilize was determined during the design phase that it would be better off replaced with the buildings, as mentioned, it will help the town meet their affordable housing obligations. This proposed development unfortunately 60 new units, there are five one-bedroom units and ten two-bedroom units and one three-bedroom unit that mixes compliant with controls that are placed in the township and statewide. In addition to the two buildings that you see, everything that's in color on the plan are brighter colors proposed firmly the light here on hanging over a building. Everything north of that is new developments. So, we have the parking spaces that are here also, along with a basic expansion of the middle basin and then rerouting around these buildings themselves to make that all work. With that parking that is added the entire site remains compliant with the New Jersey Residential Improvement Standards. So, we have no requested relief of any sort.

Mr. DelDuca: Is that true for the entire plan, not just related to parking. So, we don't require any variances waivers are RSIS exceptions?

Mr. Sciallo: No. It was previously granted related to recreational checklists.

Mr. DelDuca: Okay, so the design waiver that we would require that was previously granted? No new design waivers or exceptions, no new RSIS de minimis exceptions and no variances.

Mr. Sciallo: Correct. We also did the same we're just connecting to the existing properties driveway that comes into the site to the accesses exactly as it is today. Service is currently public water and sewer. The two new building will connect internally in this driveway with water and sewer connected to that part of the development. There are also renovations proposed to the existing units for the overall project, also going to be upgrading the light fixtures on site to the energy efficient led fixture. We received the recreational facilities design waiver during preliminary. As part of the ordinance which required a tot lot, basketball court, and tennis court where we testified during the initial preliminary hearing that the tennis court is underutilized. The tot lot will remain on site. As shown on the plan the basketball court would be a half court painted on the driveway here, like a dead end, but it's just circulation, no building. So, the basketball court makes sense to put there and is the best place as testified during the preliminary hearing. The playground will be upgraded with more current equipment, the play area will be resurfaced, we don't have a plan as of now, and it's still being worked out. So respectfully request conditional approval to provide the information when available. For the submission waivers, just to touch on, there are 5. These are carryover from the original preliminary hearing; traffic study, environmental impact statement, all site drainage features within 500 feet, all site building structures, right of ways, signs and paving within 100 feet of the site, percolation testing and soil logs. So, for the first four I mentioned, we're definitely going to be requesting to leave. Traffic studies are not warranted because again, minor increase in the amount of trips generated. Secondarily is Marne Highway which is under county jurisdiction, we have a separate application filed

with the county under review right now. A request for no environmental impact studies since the site is fully developed. Also, drainage features and all off site buildings are not impacted in any form. Certainly, request relief, percolation test and soil logs. We are not providing exactly what the ordinance requests. Speaking with Mr. Miller, we are going to provide some soil testing and stormwater management. Tell us a little more detail we are.

Mr. DelDuca: So, when the board granted preliminary site plan approval to adopt the resolution that I had identified, and there were several conditions stated in that resolution, three in particular, and I just want to address those briefly. These are on page four of resolution 2019-09. The first one is that the applicant has agreed to consider the possibility construction of your basketball court or tennis court is an onsite. We've addressed that perhaps for basketball correct. The first condition also states that the existing playground facility will be upgraded and we're doing. We will provide the details of upgrades on revised plans. Condition number two on page four of the resolution states that 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. Is it correct that we are still showing that on our architectural plan? The third condition is that the applicant will enter into a development agreement with the township to comply with the Affordable Housing obligations, which will be subject to the review and approval of the board attorney and planner. Is it correct that we asked the board to carry that condition forward as a condition of final site plan approval?

Mr. Sciullo: That is correct.

Mr. DelDuca: Okay, there were a few comments that I wanted to address in the review letters first in Mr. Taylor's letter, dated May 23.

Mr. Krollfeifer: Can you just show us? I think it's below the building 900 where the community center and offices are.

Mr. Sciullo: It is going to be on the southern end closest to Davenport.

Mr. Krollfeifer: Can you explain again, what you said that light green area is down below that expansion.

Mr. Sciullo: That is going to be an expansion of the existing stormwater management area.

Mr. Krollfeifer: Another question I have is on this recreation. Can you show me exactly where you're talking about this half basketball court?

Mr. Sciullo: In the middle of this driveway basically on the existing pavement.

Mr. Krollfeifer: So, you're going to have basketball being played where cars are going to drive through.

Mr. Sciullo: Generally, its low intensity, there's no one using that driveway.

Mr. Krollfeifer: With all due respect, it only takes one no matter how intense. It is just a situation with a couple of people playing over there. Do you have any idea what the young kids' population is?

Mr. Reynolds: We have a statistic for a range of age of kids from young kids to high school. But again, this is the very end of the loop. The only people who may drive here are the people in this building. There's really no reason at all to go there, because the circulation is directly to the stalls. So, it's only if you were parking in these the last four spots, they can even have pause to think about taking that.

Mr. Krollfeifer: I'm not trying to argue with you, I guess in a way you have delivery vehicles that could go down there to.

Mr. Sciallo: The likelihood that you're talking about the length of use hours, three to six. And relatively speaking, it's working it out. We could certainly get one of the requirements is just putting a gate across there to submit fire vehicles to go through it. It is required for fire truck circulation. So, if you wanted to, we'd certainly check with the Fire Marshall.

Mr. Krollfeifer: Where's the mail delivery?

Mr. Sciallo: All the boxes are right here. So, we're going to talk with postmaster and figure it out.

Mr. Krollfeifer: The point I was getting to was that mail will not be where this basketball court is.

Mr. Bradley: Can we make it a condition of approval that a gate is installed to prevent traffic.

Mr. Sciallo: Subject to the fire official's approval

Mr. DelDuca: So, I'll just continue on. The next question was going to be how mail was handled. So, we took care of that. So, comment number six on page three, it's actually comment D six of Taylor design groups letter relates to a comment proposing or stating that the applicant proposes a wood board on board fence trash enclosure, and they suggested a durable masonry enclosure, etc.

Mr. Sciallo: Is that a minimum solid vinyl fence to keep debris from going outside the enclosure? We agree to provide a vinyl fence over the wooden fence if that is what the planner desires. We want to try to get away from doing the masonry enclosure for a couple reasons, mostly costs and credits. Difficult to fit everything you want into the project and that based on being affordable, really not visible from outside of the site. Whatever they do will be an improvement.

Mr. DelDuca: The next comment I want to address unless the board wants to handle these one by one, I'll just keep going unless he asked me to stop. Comment E1 in the Taylor letter which asked for some details relating to the building features. We have exhibit A3, which are the elevations that was identified previously.

Mr. Sciallo: One of the photos is of the existing buildings on site, and the rendering is what's proposed a similar style on the main difference, existing buildings have a vertical brick face on it. Proposed now that it was able to run the entire length of the building, along with some architectural features related to the front facade changes in siding. So, they'll have horizontal siding that's similar to existing ones. The majority of them have white panels kind of stuck in different places like columns, white windows, and asphalt shingles to match the existing on site. So, the intent is to generally make it look like the other buildings.

Mrs. Kelley: Are you planning on the light fixtures on our building?

Mr. Sciallo: There will be light fixtures, required by building code for the access points, but there's no larger structures for that lighting attached to the building.

Mr. DelDuca: The location of those building mounted lights is dictated by code. Comment number eight on the final page of the Taylor letter.

Mr. Krollfeifer: Can we do E3, it's on the subject of Mrs. Kelley's question relative to building lighting. Mr. Taylor says that it's inadequate in front of building 900.

Mr. DelDuca: So, we received that comment, Mr. Chairman, and we're going to comply with all the comments, other than as clarified during testimony. So, our intent was to comply with that, as he requested, show those details on the plans and make sure that it's adequate. Comment F8 asked us to provide testimony regarding irrigation, suggesting a system be considered to ensure the establishment and long-term health of the plantings

Mr. Sciallo: So, the existing condition, hopefully everyone had time to go by the site. The mature vegetation is pretty good shape, same thing. So, we intended for similar treatment conditions and also similar maintenance. So that we didn't need the irrigation system. The contractor is responsible to make sure that it survives through the construction period, and at least a year after that. We will as the owner/applicant maintain the vegetation such that we don't need an irrigation system. So, we request that the condition not be imposed on them.

Mr. DelDuca: On a related topic, Mr. Taylor asked us to consider sodding the site, particularly the frontage.

Mr. Sciallo: So, we would love to use, but we don't want to be run into a condition to use it, we will consider it if the budget allows. But when we want to make sure it's clear, it's very likely going to be seeded in accordance with the standards.

Mr. DelDuca: Which area will the applicant consider sodding? So, we are clear.

Mr. Sciallo: As close to the driveway here, the west side.

Mr. DelDuca: Okay. Unless I miss any comments in the Taylor Design Group letter that you want to address, I'll move to the Alaimo letter dated May 26. We have addressed the request relating to the submission waivers. The comments which begin on page three and continue on to page four, the letter relating to drainage and stormwater, I'm just going to ask you to address those in the entirety, so that we don't get too technical and stormwater issues, I want to make sure we address the comments.

Mr. Sciallo: I'll start by saying Mr. Miller's office did a good thorough review. We had conversations this morning about the comments and how to address the overall condition of the site. So, in general, it's an interesting situation in that the regulatory standards really can't be written around a project such as this expansion of an existing facility. To make it a little more difficult, the existence facility was approved prior to any current standard being in place. Stormwater rules at this time was very different than what we have today, for sure. We also had 2019 preliminary approval granted, which is the standard by which it would be for new construction. You can see on this ariel photo the 3 basins on site here, a little bit of standing water. Not really sure maintenance practices that went on in the beginning of the project, the current owner was not the owner at the time, and that it was done. As a third-party management company, we learned that they haven't done what they need to do so as part of this project, and through conversation with Mr. Miller. What we want to do and the overall goal of this review of our project now is to correct these conditions. As I mentioned, it's not really appropriate to bring these basins that were built 20 years ago in compliance with current standards. What we can do though, is get them as close to that as possible and make them functional as they originally designed. So that's what we have generally agreed to and we will provide all the information necessary to Mr. Miller's office to demonstrate that intent and then obviously your construction.

Mr. DelDuca: I'd like to clarify that especially for purposes of the resolution and make sure we get this straight, is it correct that we would agree to a condition of approval that will evaluate the condition of the existing basins and attempt to remediate them so that they we reduce or hopefully eliminate standing water?

Mr. Sciallo: As part of that which is mentioned in Mr. Miller's letter. There will be some soil testing to evaluate existing conditions. It is very likely that some of these basins have sedimentation.

Mr. DelDuca: The goal being to get these basins closer to the point where they infiltrate as originally intended, correct.

Mr. Sciallo: Correct.

Mr. DelDuca: Were there any other comments in the Alaimo letter that you wanted to clarify touch upon or not comply with?

Mr. Miller: I believe that is it.

Mr. McKay: The one basin is to be expanded upon. So, is that expansion going to be in conformity with the old standard or are you going to upgrade that to the current standard?

Mr. Sciallo: The expanded area will be in compliance with the rules in place in 2019, and we were granted preliminary approval.

Mr. McKay: As well as the other basins that were constructed in 2019 as well.

Mr. Sciallo: The other basins were constructed in 2003. When Franklin Estates was developed, the developer arranged for the affordable piece to be done. So, we accommodate almost all of Franklin Estates. So, the notion that if we were bringing it all up to 2019 standards is not possible. So just something to keep in mind. We kind of have

taken on and are responsible for the maintenance of basins and runoff that we do not even create. So that was just kind of a condition of the original deal. I don't think anyone's paying attention at the time, but the affordable piece kind of bears the burden of all the runoff maintenance.

Mr. McKay: Is there an emergency overflow arrangement for these basins should the unthinkable actually occur?

Mr. Sciuillo: So, when the one of the designs was done and it started in 2001, we can gather they are chained together, this basically takes it off site catches it before it gets to the site that's connected to the middle basin that is connected to the basin of closest to Marne Highway everything is trending towards. There is a control structure in this basin and also in this basin, but there doesn't appear to be an emergency overflow spillway. The structure is set up such that the storm events evaluated back at that time, 1998, and 2000, that nothing left the site. The standards have changed. So now the rainfall depths back then are very different than what we have now. So, there is going to be discharge. There is no overflow, it is all being accommodating for that structure.

Mr. Miller: I went around to most of the town's basins after an 8" rainfall to see if there were any problems. I did not see any.

Mr. DelDuca: So, Mr. Chairman, that concludes our planned testimony. We can answer any questions.

Mr. Krollfeifer: Any questions from the board members, front row first. Professionals any other questions?

Mr. Miller: He is satisfied.

Mr. McKay: What are the affordability controls?

Mr. Sciuillo: So, this is currently income restricted program. We are not just building; we are also rehabilitating the existing housing which will be good for another 30 years. It will also help the township with their round 3 obligations.

Mr. McKay: Are you doing the rehabilitation as the apartment's turnover?

Mr. Sciuillo: No. So, before COVID, we thought we might actually work with the residents in their units. We decide to build these two building first and relocate building by building basis, hopscotch residents around. It will be a challenge but it will allow us to basically go into each building attack it without having to work around the residents.

Mr. McKay: So new kitchens and bathrooms, that sort of thing?

Mr. Sciuillo: Yeah, so we're going to be doing the whole thing, new windows countertops, appliances, flooring, painting, some natural improvements. We've replaced a bunch of HVAC units that typical hot water heaters to extend they have not been replaced.

Mrs. Kelley: Does each unit have their own washers and dryers?

Mr. Sciuillo: They do have their own washers and dryers.

Mayor MacLachlan: So, I wasn't here when preliminary came in. I had heard some talk that Joe and his group taken over management.

Mr. Sciallo: No, the Housing Services Corporation. We have a portfolio of about 1000 units that we've managed throughout South Jersey. So, Walters is our partner on this and they are the builders. So, they're our contractor. They don't have ownership interest.

Mr. Krollfeifer: I spoke to Mr. Taylor today. He mentioned something about a conversation and I don't know who it was with about putting this half basketball thing around or behind building 200.

Mr. DelDuca: Might have been somebody that wasn't here tonight. Maybe with someone from a large group? I don't know. But

Mr. Krollfeifer: Could you mention to Scott Taylor, the conversation we had relative to the blocking of that driveway?

Mr. Lennon: Yes, we did. We discussed that because we see it on the plan. We had concerns about safety. Honestly, I don't know if we would ever be comfortable with that. I'd be surprised that the fire marshal would be willing to gate that as well, to be honest.

Mr. Krollfeifer: Well, I just want to have everybody talk about it so you don't have to come back.

Mr. Sciallo: There are all kinds of projects that I'm sure you've been involved in where you have emergency egress or ingress gated structure and the fire department has a key.

Mr. Lennon: This is a pretty clearly defined circulation route so I think that would really fly but you know,

Mr. Krollfeifer: Maybe have him continue conversation about behind building 200.

Mr. Lennon: Yeah, have you guys looked at that space between building 200 and 300.

Mr. Reynolds: We would play in the streets like this when we were young.

Mr. Sciallo: The issue would be if we located it there, people would be playing it would be loud. The present location is the farthest we can get from any of the buildings. So, we had residents in mind as well I think it's going to be late use in relationship to deliveries. We believe this would be the best location.

Mrs. Tyndale: Where do they play basketball now?

Mr. Sciallo: We know they come here to the township park for recreation.

Mrs. Tyndale: Do they play basketball at the church? Are there any stand-alone basketball nets?

Mr. Sciallo: We don't know. There are no stand-alone basketball courts in any parking spaces now. It's a good spot because there are no parking spots, it's just circulation. He

believes they can talk to the fire official to work it out. The fire truck could run it over if they had to.

Mr. Krollfeifer: Or in the alternative they could just come the other way. Why would a fire truck want to come down there in the first place, just to make a turn?

Mr. Sciullo: They better off just coming straight down. The driveway that has no parking on it. They could just gate it off. (Showing Board Members on plan)

Mr. Lennon: I just had a couple other things. There will be a developer's agreement put in place.

Mr. DelDuca: That'll be a condition of final.

Mr. Lennon: On the colors for the building. The intent is to match the existing.

Mr. Sciullo: The intent is to match the existing buildings. At the moment we're trying to figure out whether we have the budget to reside the existing buildings. At a minimal is to match the existing buildings.

Mr. Lennon: When those colors are selected, would we have an opportunity to chime in on that?

Mr. DelDuca: I would prefer that the condition say that the color of the new building will be consistent with the existing building, whether it's replaced or not, right?

Mrs. Baggio: It is hard to match 20 year old siding.

Mr. Lennon: So, the idea is that it looks like a single development.

Mr. DelDuca: That's the intent and we will be happy with the condition that says that,

Mr. Lennon: Referred to E3 about the lighting. It looks like moving that one light pole would get us lighting in front of 900.

Mr. Sciullo: Okay.

Mr. Lennon: That is all I have.

Mrs. Kelley: Regarding the lighting, it is pointing down.

Mr. Sciullo: Yes.

Mr. Krollfeifer: I'd like to open public comment. Mrs. Tiver is anyone online?

Mrs. Tiver: There is one person online. Please unmute yourself if you would like to comment.

Person Online: No comments.

Mr. Krollfeifer: Thank you. There is no one in the audience for comment. Close public comment. Anyone on the board have anything to add before we see what kind of action we want to take?

Mr. Krollfeifer: I have one. We have a letter that comes up. You do have it because it was addressed to you from Burlington County Public Works Planning Board. They found your application was deficient and it had to do with drainage and so forth. Has that been resolved or is it still an open issue?

Mr. Sciallo: We received a letter but it did not say anything regarding a drainage deficiency. If you'd like to see this letter,

Mr. DelDuca: There's no question that we would need to obtain all necessary outside agencies approval and as the land use law provides that would be a condition of any approval. We understand that.

Mr. Krollfeifer: All right. Just a coincidental that it just came up in our package for tonight accepting correspondence.

Mr. Sciallo: The last we heard from them was asking for an extension.

Mr. Krollfeifer: So, board members what's your pleasure?

Mr. Kingsbury: They are seeking final site plan approval with the waivers they requested. Subject to compliance with the engineers and planners' letters and the gate to isolate the basketball court.

Mr. DelDuca: I was just asked to clarify that the board consider a motion that will comply with the review letters other than as testified which are still only a couple of clarifications relating to irrigation, landscaping, and whatever other ones.

Mr. McKay: You have the traffic study, environmental impact statement, drainage percolation tests, and a fifth one.

Mr. DelDuca: So, the submission waivers were traffic study, environmental impact statement, location on site, and 500 feet in the site ponds, streams, drainage ditches and watercourses, old building structures, etc. within 100 feet of the site, and percolation test the soil logs.

Mr. Krollfeifer: Mr. Miller said in his letter, they have no objection to any of them, right.

Mr. Miller: No objections.

Mr. McKay: So, there's two things that are loose ends. Your request to dispense with irrigation and the sod. In lieu of plants will survive because they are tended to well and the seeds.

Mr. Sciallo: Correct. Just to clarify they were suggestions by ordinance requirements. So, we respectfully request a waiver.

Mr. McKay: Yes, these were Mr. Taylor's suggestions. He is only one member and does not have a problem with either one of those requests.

Mr. DelDuca: The other condition Mr. Kingsbury would be the same condition relating to the developer's agreement that's in the prior resolution.

Mr. Kingsbury: Correct. There are certain conditions that were in preliminary approval which stand.

Mr. Krollfeifer: Just to clarify, what we're talking about. Turn to page five of the Alaimo letter. I think any action we're going to take is going to incorporate it's subject to the approval of the four entities and then the catch all agencies having jurisdiction.

Mr. DelDuca: Yes, that's correct. I do know that the fire official has approved it but that was before we talked about a gate so we'll address that

Mr. Krollfeifer: The ones A through E will be incorporated in our motion, right?

Mr. DelDuca: B through E because A is the board planner that we obviously already addressed in the comments. Comment 35. So, the outside agency or other approval that would be required would be B through E which is fire official, county planning board, County Soil Conservation District, and any other agencies having jurisdiction.

Mr. Krollfeifer: Mr. Kingsbury are you okay with that.

Mr. Kingsbury: Yes, those items would apply whether they were in the resolution or not.

Mr. Krollfeifer: Okay, so we need a motion and a second for whatever action board would like to take.

Mr. McKay: Mr. Chairman, we have a consensus on everything else from here not necessarily yet on irrigation and sod. We just generalized it to the planner's report.

Mr. DelDuca: So, we would ask the Board to consider a motion to approve final major site plan approval with the submission waivers that have been requested subject to the conditions that were just articulated including that we comply with professional's letters, other than the recommendation to install irrigation and sod on the site, and to put a vinyl fence around the trash enclosure and I believe that is everything.

Mr. McKay: Tot lot finalization, basketball court, and fire marshal approved protection.

Mrs. Tyndale: What's the plan if the fire marshal comes back and says that they can't put the gate? I'm okay with no gate, personally. So, I mean, if the fire marshal comes back and says no. Then what?

Mrs. Kelley: I don't think you need a gate.

Mr. DelDuca: I don't either. I agree,

Mayor MacLachlan: He won't just sign off on the application unless he proves it. That leaves them in a bad spot. Just do what he says.

Mr. DelDuca: We're willing to ask him if he will approve the gate. But if they don't, we would like it to be approved as submitted, of course, the board can consider that or other options.

Mr. McKay: Frame it in terms of approval of the gate or other acceptable safety precautions to protect them.

Mr. Sciallo: We're more than willing to.

Mr. Krollfeifer: It is just kind of a rhetorical question. But just for all of us to think about. How is this any different than in the neighborhoods around town where they have the basketball courts in the street? We even have some where they've marked the basketball court on the street.

Mayor MacLachlan: Mr. Myers is more aware of today's standards than any of us. So, I would defer to him, he has to sign off on the application anyway.

Mr. DelDuca: Right. So, the condition would be that we'll consult the fire official and install gates or other safety measures that are agreeable to the fire official and the applicant.

Mr. McKay motioned to approve with the conditions that have been outlined in the last hour or so.

Second: Mrs. Tyndale

Roll call: Mr. McKay, yes; Mrs. Tyndale, yes; Mayor MacLachlan, yes;
Mrs. Gilmore, yes; Mr. Bradley, yes; Mr. Tricocci, yes; Mrs. Kelley, yes;
Mrs. Baggio, yes; Mr. Krollfeifer, yes

Motion carries to approve.

Mr. McKay: It has been three years since preliminary, will it be three years for construction.

Mr. Reynolds: We applied for the tax credit every year and the third was a charm. It is a competitive process. Since we have approval, they hope to break ground late summer, September.

7. Minutes

A. Meeting minutes of the May 4, 2022

Motion to approve: Mrs. Baggio

Second: Mrs. Gilmore

Roll call: Mrs. Baggio, yes; Mrs. Gilmore, yes; Mayor MacLachlan, yes;
Mr. McKay, yes; Mr. Bradley, yes; Mr. Krollfeifer, yes

8. Resolutions - None

9. Correspondence

A. Letter dated May 2, 2022 from Burlington Co. Planning Board to Mr. DelDuca

Re: Davenport Village Affordable Apartments site plan Block 9.01 Lot 43

B. Hainesport Township Resolution 2022-68-5: Accepting a performance bond for Bluewater Property Group, LLC.

C. Letter dated May 11, 2022 from Burlington Co. Planning Board to Ms. Tiver
Re: Marne Highway & NJ Ave., Station Road at Haddonfield LLC Block 65 Lot 15

D. Notice dated May 18, 2022 from PSE&G
Re: Application for an extension of a freshwater wetlands General Permit #2 PSE&G
Natural Gas Distribution and Transmission System Rights-of-Way Maintenance

Motion to accept and file: Mrs. Kelley

Second: Mayor MacLachlan

Roll call: Mrs. Kelley, yes; Mayor MacLachlan, yes; Mr. McKay, yes;
Mrs. Gilmore, yes; Mr. Bradley, yes; Mr. Tricocci, yes; Mrs. Baggio, yes;
Mrs. Tyndale, yes; Mr. Krollfeifer, yes

Motion carries.

10. Professional Comments

Mrs. Newcomb: I just wanted to let everyone know that next week I will be here 20 years. It has been a pleasure working with you all these years and look forward to a couple more years.

11. Board Comments

Mr. Krollfeifer: Please take note of the change of date for the next meeting.

Mayor MacLachlan: I received a letter from a resident who is interested in service on the board. I will take it to the committee, so we may have a new member.

Mr. Krollfeifer: We have a board members resignation letter, Mrs. Cuniglio.

12. Public Comments

Mr. Krollfeifer opened public comment for anyone online or in the audience.

Mrs. Tiver asked if anyone online would like to comment.

Mr. Krollfeifer closed public comment.

13. Adjournment

Mrs. Tyndale motioned to adjourn at 8:05pm.

Second: Mrs. Kelley

Roll call: All in favor

Paula L. Tiver, Secretary