

PLANNING BOARD MEETING

Meeting Minutes

August 17, 2023

MEMBERS PRESENT:

Kevin Aberant
Melissa Arcaro-Burns
James Barry
Lisa Petriello
William Wesolowski
Robert Bertino
Robert Musnug, Chairman

STAFF PRESENT:

Patty Muscella, Planning Board Secretary
Matthew Wieliczko ESQ, Board Attorney
John Barree, P.P, A.I.C.P Board Planner
Christopher Knoll, Board Engineer

ABSENT: Naoji Moriuchi, Chris Chesner, Joseph Maguire, David Zipin,

Mr. Musnug called the meeting to order at 7:05 PM in the Council Chambers of Town Hall, 111 West Second Street by reading the Open Public Meeting Act statement. The Pledge of Allegiance followed a moment of silence. Roll call was listed as above.

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August 3, 2023

Mr. Wesolowski made a motion to approve August Meeting Minutes seconded by Mr. Aberant. A roll call vote of eligible Board members was unanimous in favor.

Adoption of Resolutions:

- PB#2023-24, 353 Crider Avenue LLC, 353 Crider Ave., Block 701 Lot 3, Minor Site Plan to pave 38,199 sf of existing gravel and grass area with an increase of 4175 sf of impervious coverage.

Ms. Arcaro-Burns made a motion to approve Resolution 2023-24 seconded by Mr. Wesolowski. A roll call vote of eligible Board members was unanimous in favor.

- PB#2023-21, Moorestown Mall, LLC, 400 West Route 38, Block 3000 Lots 3.05, 3.06, 3.08, 3.07, 3.09, 3.10, 3.11, 3.12, & 3.13, Major Subdivision with Bulk Variances.

Ms. Arcaro-Burns made a motion to approve Resolution 2023-21 seconded by Mr. Wesolowski. A roll call vote of eligible Board members was unanimous in favor.

New Business:

- PB#2023-33, Moorestown Family Apts., Borton Landing Road, Block 7401 Lots 1&2 (proposed lot 1.02), Preliminary & Final Site Plan for a multi-family mixed-income apartment community consisting of 76 income-restricted affordable rental units and 76

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market rate units with associated site improvements.

Mr. Damien Del Duca, Attorney for the applicant. Mr. Del Duca introduced the application to the Board and gave a brief overview of the what the applicant. He introduced the professionals testifying on behalf of the applicant to the Board:

Edmond C. Speitel, Vice President of Development for the Applicant and the Walters Group

Jason T. Sciallo, P.E., P.P.

Michael Donovan, professional architect

Cory Chase of Dynamic Traffic

The professionals for the applicant were sworn to provide the testimony for the application in front of the Board.

Mr. Del Duca presented Exhibit A-1 (colored rendering site plan) The land the applicant is proposing to develop is 12.2 acres currently by Lockheed Martin Company. There is a current agreement between Moorestown Twp. and Lockheed Martin to transfer this property to the Township who will in turn transfer it to Moorestown Family Apartments for the development of the 152 unit proposed apartment complex. The applicant is seeking site plan approval for this application. On August 3, 2023 the Planning Board granted a subdivision of Lots 1 & 2 to create lot 1.02 for this application. There will be 13 different buildings made up of towns homes and flats or apartment units. 76 units will be considered market rate units meaning there will be no income restrictions. The 50% of the units will be affordable units meaning there will be income restrictions for these units. There will be a set of rules that the applicant will have to follow in order to live in the affordable housing. The property is located in the AM6 Zone making the application a permitted use in this area. There is no variance required since this application meets all the requirements of the ordinance of the Board. There is a call out in Mr. Barree's letter about the sign referenced in the application but the applicant will be either moving the sign or coming back before the Board for a variance for the sign. The applicant is seeking 3 design waivers for this application, location of street trees, some spaces of parking, to be used for parallel parking, the buffer width is also being asked to be 5 ft. wide compared to the 6ft. requirement. Mr. Deluca spoke to the history of the property and how it plays into the role of the application.

Mr. Del Duca asked to have his witnesses sworn in to provide testimony to the application. Mr. Speitel, with the Walters Group, is the VP of the Development for the Walters Group and provided a short overview of what the Walter's Group involvement is with the application before the Board. He spoke to the agreement dated June 2021. He then provided an overview of how the Walter's Group will handle the property management piece of the project. There will be onsite property managers, maintenance etc. should a problem arise after hours there will be a phone number to call or they will be able to fill out a worksheet online and someone will be dispatched out to the area of the problem. The trash enclosure will be centralized and screened in one area to avoid looking messy within and around the property. The applicant felt this would be the best option. They spoke about the mail and how the mail would be handled by the post office and the leasing office. He spoke about the amenities that will be on the interior and exterior of the property. They will have large areas to congregate and hang out, they will be complying with all the low-income requirements set in place. The hours of the outside amenities will run

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from dawn to dusk and the parking for this location will not be reserved for the renters but there is a right in the lease between the applicant and the complex to change that should there be an issue with parking. There was a discussion about the storage, there will no permitted storage on the balconies.

Mr. Sciullo, Planning Engineer, gave his qualifications to the Board and was accepted by the Board as an expert. He was asked a series of questions pertaining to the opening remarks of the application. The plans were revised between 2021 and 2023 based on the comments made by the Board and the Board professionals. He explained Exhibit A-1 in more detail highlighting the layout and the parking on and around the property, the traffic engineer will be discussing this in further detail during his testimony. He spoke to the parking spaces and how they meet the requirements of the ordinance. He spoke to the way they determined the length of the parking spaces based on the RSI requirements, spoke to the storm water and how the applicant was meeting all the requirements and standards. The applicant complies with all landscaping requirements set forth by the Board, there are trees and shrubs not shown on the plan since there were too many to show on the plan. The plan complies with all the lighting ordinances and has no threat of spillage of overhead lights. They spoke to the comments of the Board Professional's letters and how the applicant will be complying with those comments. The design will be done in such a way for emergency vehicles as well as other vehicles coming and going. The outside light will be a soft white color that is compliant with the ordinance.

Mr. Michael Donovan, Architect, was introduced to the Board and accepted as an expert. He presented Exhibit A-2 (1st page of the project paperwork created) Mr. Del Duca reviewed the arrangement of the buildings in the proposed area, they wanted to have the smaller scaled buildings facing towards Borton Landing Road to work on keeping the site more pleasing to those passing by. The bulk of the parking will be in the back to minimize the area looking to crowded by cars. He spoke about the townhouses and how they would be arranged and how they would also be labeled, they will have deluxe and affordable units that will be all together so those who need to utilize the low income they will not feel singled out with a different look. He spoke about the storage in the units in response to Mr. Barree's letter. There will be bike storage in some of the longer buildings that house bike racks that will be covered so those who need to use them. There will not be bikes out in the elements, these racks will not be at every building but in a centralized location. Mr. Donovan spoke about the building materials the applicant will be using on the outside and inside of the property, each building will have its own color in which the applicant is still working on figuring out.

Mr. Cory Chase, Traffic Engineer was introduced to the Board and accepted as an expert. Mr. Chase spoke about the traffic impact study dated 6/2021. The purpose of this report is to find out what impact an application such as this one will have on the traffic around the area of any proposed project. They collected the data during peak hours of the weekday morning and weekday evening areas on Borton Landing and Salem Crossing Rd. which is south of the proposed application location. They compared their counts to the DOT counts taken in 2019, there was about a 3 to 7% deviation in the numbers and they adjusted their counts to follow the DOT counts more closely. Mr. Chase spoke in more depth about how they came to the numbers they put in their report given to the Board for this particular application. They also evaluate the average crossing delay for roads and intersections to help gain a better understanding of a traffic pattern. They take all the numbers they get from the additional trip generation to the crossing delays to determine if this application in particular would create a huge delay in traffic. When they ran

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the numbers for this application they found there would be a 6.3 second on average delay in the traffic pattern on the East bound Salem Crossing to Borton Landing Rd approach. He spoke in some length about how they come up with the numbers for the report. Since they will be close to the elementary school there is some additional vehicles delay especially in the morning. In his professional opinion this project will not adversely impact the current traffic pattern during the peak hours. He spoke about that they are required to provide 308 parking stalls and they will be providing 312, so in his professional opinion the applicant was providing enough parking. There was additional testimony of the crosswalk and how they would be installing a pedestrian crossing sign so there is warning that there is a walkway for people as well as ensuring the safety of those that would be crossing.

This would conclude the plan testimony and the applicant reserved the right to add or rebut anything in the application.

Professional Comments:

Mr. Knoll spoke to his letter and testified the applicant has addressed most of the comments. He spoke about water flow and requested one of the conditions of approval be a fire suppression system test be submitted. There are no objections to anything in the letters from the professionals. Mr. Del Duca spoke about the August 3rd letter from the construction official asking to adhere to the building code in which the application is willing to do. They do object to the interpretation of the code and they will confirm with the professionals. Mr. Knoll spoke about the lighting on the outside of the buildings. He also spoke about the storm water management and Mr. Sciullo will be providing an updated report on that when it becomes available. Environmental testing was done 2 years ago that came back under the levels and the professionals are ok with the test results.

Mr. Barree spoke about the August 8th report, he felt the applicant did a great job addressing all comments in that letter. He wanted to point out on the top of page 4 of this letter regarding the sign variance in which the applicant will comply or come back before the Board should they need to for the signs. The initial plan review had the correct bedroom mix but that was corrected with the architect and this plan depicts the accurate numbers. He asked about the lighting at the pickle ball and basketball court. He spoke about comment 4B noting the comment about the irrigation or plant drought comments, the applicant agreed to comply with the requests and comments. The 15ft street lights will be removed as a condition of approval, there will be no direct light over the pickle ball or basketball courts. The applicant is complying with all the comments in the Professional's letters.

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Mr. Bertino spoke about the traffic pattern and the 6 second time increase, he wanted to know what would be considered a high number that would cause concern. Mr. Wesolowski asked about Mr. Barree's letter and providing testimony about the affordable units being all in one area however the applicant felt it would be better to have them disbursed though out the building. Building N & K would be just affordable units in them. The applicant wanted to minimize the impact of the scale of the buildings on Borton landing Rd. They will also have most of the parking in the back as well. The 2 units for the affordable housing will be 3 stories while the other buildings will be 2 stories and they felt this was the most integrated plan they have seen in a project they have completed.

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Ms. Arcaro-Burns said the applicant has done a good job of balancing the different type of needs within the locations throughout the site.

PUBLIC COMMENT:

Mr. Robert Connor- 144 Country Club Dr.

He asked about the outline of the units and how the other 76 units were not spoken about during the testimony. He also asked about the parking spaces and how it would work with there being 2 and 3 bedrooms and how the parking may not be adequate for the buildings. He was concerned about the traffic study being outdated and it was done during the height of COVID, now that people are back to work he feels there will be more of an issue with traffic. He would like the Board to wait to approve the application and redo another traffic study to be done with more accurate traffic patterns. He was concerned about the noise that would possibly be coming from the apartments. He suggested a noise study be done since there will be a pickle ball court and the noise coming from the balls being used in the court. He asked about if the applicant were to sell it to another entity there would be concern about additional lights around the apartments. Mr. Wieliczko stated the Board does not enforce contracts with the applicant therefore they can only place things as a condition of approval.

Mr. Robert Castner- 941 Borton Landing Rd.

Mr. Castner was concerned about the dated traffic report completed in 2021, since there have been many changes since then he would like to have a new study completed. He wants to request that the Board ask the applicant to provide a new study. He is also concerned about Moorestown being known for their open space and now that will be taken away by constructing these apartment buildings.

Ms. Susan Ambrose

Ms. Ambrose was also concerned about the traffic pattern and felt it was unsafe the pickup/ drop off line is at the school. There have been many accidents and some people have even gone over the curb to go around the stopped traffic. She wanted to know if the study was conducted during the rain or the sunshine, since she stated it was a longer traffic wait times depending on the letter. She asked about the apartments being moved one block due to national security, Mr. Wieliczko reviewed the testimony given at the beginning of the hearing by Mr. Deluca. She also wanted to know about the department at Lockheed who conducts testing all throughout the night and how close the apartments would be to that site, there has been no concern from the Navy or Lockheed regarding safety concerns.

Mr. Gary Morse- 7 Baldwin Hill Place

He expressed concern about the traffic pattern and how he felt this application would severely impact the traffic. He wanted to know if the applicant would be willing to go back out and redo the traffic study when school begins in September. He also wanted to know who makes the determination about who qualifies for the low-income housing, Mr. Wieliczko stated the State of NJ makes that determination. The State of NJ does the screening for those low-income

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requirements and also who will be monitoring the tenants. He wanted to know what other Township committees were involved in the application. He wanted to know about the fire and public service, the Fire Official has reviewed the application on 3 separate occasions and he agrees with what they have done with the measures on this application. He would also like to have another traffic study done when everyone is back to work and school.

Mr. David Lees- 356 Salem Rd.

He spoke about that building N & K being the only 2 buildings being low income and Mr. Wieliczko stated there was discussion during the testimony about the integration of the low/moderate income units. He also stated it was a disgrace that the whole town of Moorestown was not at the hearing to speak at the hearing about their concerns. He asked about when the tracks were swapped how it went from 20% to 50%. This application has been “restarted” and he feels they should slow down the application and decide on the preliminary site plan and save the final site plan approval for another day. He wanted to know when the current management company leaves who will be taking over. He felt this location was the worst location since it was right across the street from a school. He wanted to know about public transportation and how it will be working. He would also like to see more spaces for bikes on the property. He was also concerned about the water issues mentioned in the Professional letters.

Mr. Douglas Dillon- 14 Center St.

He was concerned about the handi-cap access to the building since all the drawings showed steps. He was concerned about the safety of the basketball and pickle ball courts since there will be no lights, will there be a security guard onsite at all times. He would like to know if the occupants of the apartments will be paying a fire and school tax like the residents of the town. Will the parking spaces be numbered or will it be a free for all, the applicant stated the parking spots will not be assigned? The streets will be private and will be maintained by the apartment employees or a contractor they hire. He asked about Drive B being an in and out with no right turns. He also stated concerns about the busing situation in the apartment complex.

Mr. 404 Salem Crossing Rd.

He was concerned about the ratio of low-income housing to the rest of the housing on this property. Mr. Wieliczko stated the Board does not have the authority to determine the ratio.

Mr. David Lees- 356 Salem Rd.

He expressed his concern again about the traffic flow and congestion that would be there since their study was updated traffic study was provided.

Mr. Del Duca went over the questions from the public regarding the lighting, traffic, and integration of the apartments. He stated the applicant would comply with all the comments in the Professional Letters and the requests from the Professional and Board Members. He testified to the buildings and which would be 3 stories and which would be 2 stories. He spoke about the comments regarding how the applicant would need to comply with the state regulations on the low-income housing. Mr. Chase spoke to the traffic study and how it is considered current even though it was conducted 2 years ago. Mr. Deluca spoke about what the application before the

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Board and how they would not be updating the traffic study since they feel it was unnecessary. He asked the Board to consider approving the preliminary and final with the 3 waivers they have in front of the Board. Ms. Petriello asked about the noise from the courts and how the applicant would handle that, the property management company would intervene should that be necessary.

Mr. Wieliczko summed up the application for the Board as well as the conditions of approval spoken about during the hearing.

Mr. Aberant was in support of this application since the applicant was complying and agreeing to all the conditions of approval. He felt the integration was great since the affordable units would be the same as the rest of the units so there would be nothing showing a difference between the low income to the market priced units.

Mr. Aberant made a motion to approve application PB#2023-33 seconded by Mr. Wesolowski. A roll call vote of eligible Board members was unanimous in favor.

Resolution 2023-34 Enter into Closed Session

Ms. Arcaro-Burns made a motion to approve application PB#2023-34 seconded by Mr. Musgnug. A roll call vote of eligible Board members was 6 to 0 in favor.

Discussion Items:

NONE

ADJOURNMENT:

A motion to adjourn was made by Mr. Barry and seconded by the Board the meeting was adjourned at 9:41 PM.

Next Meeting: 9/07/2023 Special Meeting at 7:00pm