PLANNING BOARD MEETING

Meeting Minutes

November 2, 2023

MEMBERS PRESENT:	**STAFF PRESENT:**
Robert Musgnug, Vice Chairman	Patricia Hunt, Interim Planning Secretary
William Wesolowski	Matthew Wieliczko ESQ, Board Attorney
Kevin Aberant	John Barree, P.P, A.I.C.P Board Planner
Lisa Petriello	Anthony Lopez, Board Engineer
Robert Bertino	
Lisa Petriello	
James Barry	
Chris Chesner	

Mr. Musgnug called the meeting to order at 7:04 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.

ABSENT: Dave Zipin, Naoji Moriuchi, Melissa Arcaro-Burns

<u>Minutes</u>:

NONE

<u>Adoption of Resolutions:</u>

- PB#2023-35, Conservation Element Revision with the addition of the Environmental Resource Inventory 2023

Mr. Maguire made a motion to approve Resolution 2023-35 seconded by Mr. Aberant. A roll call vote of eligible Board members was unanimous in favor.

- PB#2023-41, Appointing Ms. Patrica Hunt as acting Board Secretary effective immediately or until one has been appointed on a permanent basis, or January 31, 2024.

  Mr. Musgnug made a motion to approve Resolution 2023-41 seconded by Mr. Wesolowski. A roll call vote of eligible Board members was unanimous in favor.

  Mr. Aberant recommended there be an Amended Agenda posted to reflect the adoption of Resolution 2023-41.

  Mr. Aberant made a motion to approve Resolution 2023-41 seconded by Mr. Maguire. A roll call vote of eligible Board members was unanimous in favor.

New Business:

- PB#2023-26, Domenica Foundation, 920 N Lenola Road, Block 100 Lot 1.09, Preliminary and final Site Plan for 150 Dwelling Units with 20% set aside for low- and moderate-income families.

Mr. Wieliczko reviewed the application with the Board highlighting what they would be voting on during this application for the preliminary and final site plan.
Mr. John Gilspe, Attorney for the applicant introduced himself to the Board and introduced his professionals than began to introduce the application. The Township approached the applicant and asked them for permission to rezone this land and set aside some of it for low-and moderate-income housing. The applicant agreed and completed the request. Also was asked to relocate Sbar Blvd and consolidate the entire frontage in which the applicant has done. The township has already vacated Sbar Blvd, and the construction intended has already started taking place. There were resolutions passed in 2020 and 2021 to rezone the areas at the request of the Township. The application is really the of a epitome of public/private partnership which drove the public need to fill the Township obligations and the private response offers the solution to get this done. The team has meant with the entire Township Staff to ensure the plan with the Township is acceptable to everyone involved. The appearance committee was pleased with the plan presented to them. Mr. Wieliczko called out each professional's name and swore in to provide testimony to the application in front of the Board.

Planner- Leah Furey-Bruder
Engineer- Rod Richie
Landscaper- Marla Roller
Architect- Jack Chewdavon
Owner Representative- Anthony Repono & Nicholas Cangelosi
NVR Representative- Michael Leiv
Traffic Engineer- Nathan Mosley

Christopher Knoll-Board Engineer
Megan Stanley- Board Planner

Mr. Wieliczko swore all the professionals from the applicant and the Board in for the presentation of the application. Ms. Bruder was introduced to the Board and accepted as an expert after providing her credentials. She presented exhibit A-1, an aerial view of the property. Ms. Bruder testified she has reviewed all the materials presented for the application as well as visiting the site in the preparation of this presentation. The application is for a proposed 150-unit dwelling unit in which 20% will be set aside for low- and moderate-income housing. Ms. Bruder provided the testimony about exhibit A-1 explaining and highlighting the key areas of the exhibit. She gave the details of the existing lots and the acreage as well as the applicant being approached by the township to be used as the low- and moderate-income housing. The application will contain 150 units in twenty buildings on thirteen acres. The units will be made up of 120 townhouses and thirty flats which will be set up to look like two story townhouses, all these units will be listed for sale to integrate the low income to the market rate units within the development. These will all be considered condominiums when being listed, all of the units will be a part of the same condominium association. The roadways and utilities will be privately owned, and the trash will be collected by the township and the county will pick up the recycling as they do in other condo associations. The site does not require any variances and is under the permitted density of the units were acre. She noted the set back and impervious coverage are below what is allowable. Exhibit A-2, rendered site plan, was shown to the Board showing the setback is going to be a 30-foot internal setback where 35 ft. is required which is stated in the Board Planners review letter. The applicant is seeking a deviation from the buffer density requirements set forth in Section 180-33.4E4 which will be explained in detail by the applicant's Landscape Architect during her presentation. Again, the required 20% of the units will be set aside for the fair share housing act. The applicant has agreed to provide 15 2-bedroom units and 15 3-bedroom units which will be marketed by a qualified agency recognized by the fair share housing act. The remaining units will be considered moderate income housing units. All units will look the same as far as roofing and siding looks to be integrated with the other units. The architectural rendering will show those similarities throughout the units.

Mr. Richie provided his credentials and was accepted as an expert by the Board to provide his testimony on this application. He asked the Board through the plan highlighting the parking and how it would work once the construction was completed. He gave a brief condition update on the property and how it currently drains as well as its soil conditions being good for this type of construction. He spoke about the small wetlands adjacent to the location. They plan on connecting to the existing water line on Lenola Rd. and connecting it to the current sanitary service pump station that serves the existing warehouse. The applicant plans on connecting the sanitary sewer lines from the warehouse to the new proposed buildings. The electric and gas will be served by PSE&G and the applicant who has received will receive letters from PSE&G. The proposed site plan was presented to the Board to show the layout of the buildings and units would be set up on the lot. He again reviewed the proposed building coverage and the impervious coverage on the site highlighting the applicant was far below what was the max allowable by the ordinance of Moorestown. He said that access to the community would be off of Lenola Rd. with the private roads. Each townhome would have a garage and 2 parking spaces and the low-income units will be provided with one parking space. There will be several parking areas on the street throughout the community. 350 spaces are required but the applicant is providing 379 spaces throughout the community. There are also EV charging stations throughout the community as well. They feel the layout and the parking spaces are more than adequate for this application and proposed community area. They are also proposing a sidewalk all the way around Lenola Rd and all be ADA compliant. There are proposed bike racks that the applicant will work on with the Board Professionals to iron out all the details of what/ how many they will need to install. The stormwater management plan has been provided and will be connected to the existing stormwater drainage patterns. The Board Engineer will be reviewing the plan and working with the applicant to make sure the plan set in place is sufficient enough for the new proposed area. They prepared a stormwater maintenance manual which spells out the maintenance requirements that will be recorded with the deed to ensure it is followed. The homeowner's association will be responsible for maintaining the protocols are followed and reported to the Township. The mailbox locations will be provided for the tenants and the applicant will review that with the post office for the placement. Reviewed the general landscaping plan but left all details to be reviewed by the landscape architect. The lighting around the property will be a nice, mounted feature that will be mounted 15 ft. Based on the appearance committee suggestions the lights will be 27k color temp with covers to avoid any excess vertical light spread. The overall lighting on the site complies with the ordinances. There is a proposal for a monument sign in front of the Blvd. side, the sign size and dimensions meet the requirements, but they do need a variance for the setback due to the geometry of the entrance and where the sign has to be located on the island. They have pushed the sign back as far back as they can, but this does not allow them to extend the island or the sign any farther back. He feels this is a safer proposal since it would make the sign more visible for the drivers. Trash and recycling will be removed on a regular basis by the town and there will be trash enclosure areas for the affordable units. Exhibit A-6 (trash corral) this supports the applicant's proposal that the enclosure is fully functional and designed with a 4ft high vinyl fence on the end and will house two 96-gallon receptacle and there will be one corral for each of the affordable units. Snow removal will be handled privately, and the town will provide reimbursement according to state law. The applicant reviewed letters and approvals from outside other agencies noting what the applicant was asked to do and how they worked with them to gain the outside approvals. The attorney asked the lighting for the dog park and the playground, and the applicant will not be providing lighting for those areas since they are encouraging people to use those areas during the day and not at night. The applicant spoke to the fire official about the sprinkler systems in the affordable units and the purchased units will not require a sprinkler system since they are using material that does not require a sprinkler system. He spoke about the working farm down the road from the proposed site and the applicant meant with the owners and discussed the issues about people walking over to the farm, the applicant stated they felt the buffer being proposed and the 6ft. vinyl fence people would be discouraged from doing so. The applicant also spoke about posting no trespassing signs as well, but they also don't want to discourage people from walking down the sidewalk. They spoke about the farms need to spray their fruit trees, the applicant has agreed to plant an additional row of evergreen trees on their property to help control the pesticides while also asking the farm to use their best practices of spraying during low winds. The applicant felt there would be no issues and they would be providing a safe space for the residents.

MS. Marla Roller, Landscape Architect, provided her and was approved by the Board as an expert in the field. She spoke about the landscape plan she and the applicant have produced. The landscaping plan was created to flow with the architecture and design of the building. Most of the landscaping is native to the area and will change with the seasons. She spoke about the 312 new trees proposed with 201 shade trees and 111 ornamental trees that will be placed all around the proposed area. She gave details about the 250 evergreens that will be proposed at the site. 528 various shrubs will be planted around the site to aid in buffering the area and were chosen to keep in the design of the other locations in the area. A-3, known as the landscape buffer plan, conforming and the landscape buffer plan proposed, The buffers around the perimeter are made up of large evergreen trees and various shrubs combined to create a more natural looking buffer around the buildings. She reviewed all the shrubs and trees that being used to create this design. The applicant felt the spacing was important for these shrubs and trees. They were placed strategically to ensure the growth and buffering were adequate and would do the job they were intended to do. She spoke in additional depth about the trees and shrubs and how they were providing a long-term solution to the property and having the buffering and growth the applicant was looking for, she spoke about the screening and buffering on the side of the property that is closer to the farm area. Drainage grading was discussed, and how the applicant felt what they had on the plan was sufficient by adding the additional buffering. She spoke in detail about the trees along the inside and outside roads and how they meant the requirements in the ordinance in Moorestown. She reiterated the applicant thought long and hard about the design of the plantings and buffering around the property to ensure adequate buffering and growth for the area.

Mr. Jack Chewdavon, Architect, provided his credentials and was accepted as an expert in his field. He walked the Board through the floor plans designed by himself to show how the project will be laid out and designed. He started with the market rate units known as the symphony series and how they were elevated, and the materials used to design the fronts of the building, these units will run anywhere from 1500 to 2200 sq. ft. and will be 3 to 4 bedrooms depending on what the owner wants. These photos/designs were marked as A-4 also known as the symphony series. They have done significant research into what buyers would like when looking into purchasing a unit. Exhibit 4-B showed the side and back of each unit that will have a back deck providing natural lighting for the buyers. He spoke about the two-story town houses known as the Udessas, exhibit 4-C, which includes a 1 car garage with 3 bedrooms and 2 full bathrooms ranging from 1500 to 2000 sq. ft. The features will be remarkable like the symphony series. He spoke about the affordable/moderate housing units known as the Johnson-Turners, exhibit 4-D, and they are the two units on the far right of the property and how they are supposed to look just as the other units on the property. They are known as flats with one unit on each floor and are intended to look exactly like the rest of the flats and townhomes. They will consist of 1- and 2-bedroom units with a full kitchen and 1 full bathroom. The exhibits also showed where the trash enclosures will be and some of the landscaping. When asked about storage on the property Mr. Chewdavon spoke about where the storage would be for the flats as well as the market rate units. They are collaborating with the planner to discuss bike racks on and around the property.

Mr. Nathan Mosley, Professional Traffic Engineer, introduced and accepted Mr. Mosley as an expert in his field. He provided a traffic report dated 3/24/2023, this showed the traffic in and out of the property and how the traffic will be flowing in an out of the driveway. The way in and out of the driveway will be one lane in and one lane out which works with the current traffic flow. The final approval will need to be given from the County since it is a county road. They submitted a traffic study done on 2/2/23 showing the peak hours from 7am to 9am and then again from 4pm to 6pm on a typical weekday. He spoke more in depth about the peak hours and how they used the formula from ITE to figure the trip totals during those times. In his professional opinion there will be no detrimental impact to the already existing traffic pattern. Mr. Mosley spoke about the dedicated right turn only lane requested from in the one of the professional letters, he did not feel that was something the applicant needed to do since there is a large shoulder that can be used for the turns. The applicant has designed the property to ensure the emergency vehicles can come in and out of the property with ease.

Ms. Fury-Gruder came back to the mic to summarize the variances and provide the positive and negative criteria for the application. She spoke about the trees and the shrubs again citing the long-term positives to the amount and type of trees and shrubs were be proposed. She spoke about the sign being proposed and the variances needed to allow this sign. She does not feel this application has any negative impacts on the Master Plan for the township.

BOARD COMMENTS:

Ms. Megan Stanley spoke too the comments in her review letter and how she felt the applicant was following all the comments and suggestions provided in their review letter. The applicant reviewed the dimensions of the sign being proposed.

Mr. Knoll spoke in response to this letter and how all comments in his letter have been answered or were corrected in the testimony provided. The applicant spoke about the fence that is being proposed and the berms being proposed on the property and how the fence will be placed around the area to follow the grades of the property. When asked about the additional trees being planted in the berms there could not be a number given on how additional trees would be planted.

Mr. Aberant asked about Exhibits 4-C and 4-D and the doorways and how the people will be able to get to the second floor there will not be any deck space to the affordable units, but the market rate units will have a sliding glass door to access their balcony space. He asked about the other units and the decks being owner responsibility or if it would be a condominium association responsibility.

Mr. Mike Levi provided testimony regarding the deck questions and how they will be managing the decks on the units. When asked about the moderate/affordable paying for the fees they were told those living in those units will be paying 28% total which would need to be backed into it to figure out how much they would be charged for the condominium and mortgage fees. Who would be vetting the low-income families, the builder would contract with an administrative agent would be the ones selling the low/moderate units since they need to comply with the housing regulations. Once the list of those people has been generated a lottery will aid in choosing those people to get those units.

The was a question about the names of the streets being proposed which need to be changed since they would like to avoid confusion on for the emergency services. No parking on the street for this property and there will be signs stating there is to be no parking on the street. Stop signs will be placed on both sides of Vincent Way as well at the end of Dominica Dr. Board members asked additional questions about the roadway design and the structure designs as well as the mailboxes and how the owners will be able to access the mailboxes. Ms. Petriello asked about the affordable and market rate units and the interiors. She complimented the landscape architect about the design of the landscaping around the property. She asked about the lighting and how it would work, Mr. Wieliczko stated the warehouse would need to follow an ordinance about lighting. There was discussion about the EV parking spots around the property. There will be trash receptacles near the windows of some of the units, but the windows will be optional for those units.

PUBLIC COMMENTS:

Ms. Barbara Rich- 37 E. Central

Ms. Rich asked about the soil and how that soil be replaced at least 2 feet deep as spoken about in the Burlington County Survey. The applicant testified anything on the site would be vetted to replace whatever soil that would be required, they will also be ensuring they replace the soil as required.

Mr. Jeff Whalen- 70 Red Leaf Road

Mr. Whalen asked about the effect on the schools with the kids coming into the area through this site? Mr. Musgnug stated his wife wors for the school system and they are planning for about 1000 additional kids and the school district is working on how they will accommodate the additional kids coming into the district. He asked about the New Albany and Lenola Road which has been sited as an issue already and with the additional Family Dollar that has been built the traffic has increased already. He felt the traffic study was hard to do now since there were things already in the area that have not been opened yet.

Mr. Gilusppe summed up the application testimony the application more than satisfies the variances of the Township and asked the Board to consider approving the application with the conditions set in the record already.

Mr. Wieliczko reviewed the conditions of approval the applicant has agreed on with the Board refreshing them on what they are as well as what variances they were requesting waivers on.

Mr. Aberant made a motion to approve application 2023-26 seconded by Mr. Maguire. A roll call vote of eligible Board members was unanimous in favor.

- PB#2023-40 Referral from Township Council Ordinance 25-2023; An Ordinance of the Township of Moorestown, County of Burlington Amending Chapter 180 of the Code of the Township Of Moorestown Entitled “Zoning” to Amend the Regulation of Cannabis Businesses in the BP-1 Zoning District; If acceptable, Adoption of Resolution 2023-40; A resolution determining Ordinance 25-2023 amending Chapter 180 of the Code entitled “Zoning” to amend the regulation of cannabis businesses in the BP-1 Zoning District is not inconsistent with the Master Plan (subject to Council introduction on October 30, 2023).

Mr. Wieliczko spoke to the Referral and what the Council was seeking to amend the ordinance and wanted the Board to decide if it was inconsistent with the Master Plan. They are not being asked to rewrite the ordinance but to decide if it follows the Master Plan.

Ms. Stanley was sworn in and provided some testimony about the report and her findings regarding the Master Plan. Board members asked about the conditional use variances they would go the Zoning Board, but all the conditional uses need to be approved the Planning Board.

PUBLIC COMMENT:
Ms. Debbie Browning-Hess—834 N. Lenola Rd.

She lives on a 42-acre family farm, and it is in the BP-1 zoning district. She read the letter she prepared regarding what the district being zoned as a business park but there are actual families that live in that area. She gave back history on her family living on the farm for the last 125 years. She feels the Board is forgetting there are 7 families that live in that area. She is asking the Board to postpone the decision on this referral because the color-coded map did not have a key to indicate what the colors on the map were, they went to Community Development seeking help to understand the map. She spoke about the discrepancies on the map with the colors not showing accurately. She wanted to know where she and the other residents need to go to get protection and the accuracy of the map showing the residential area. Mr. Aberant spoke about the pink on the map being something that touches a residential zoned area.

Mr. David Hess- 834 N. Lenola Rd.

Mr. Hess asked about 820, which is considered a residential zoned and he felt the map was wrong and wanted to speak to Mr. Aberant about the map and how they are residential, but they are in the BP-1 Zone.

Ms. Aubree Whalen- 70 Red Leaf Road

She was not in agreement with the map that was given out as well as the traffic and the fact that she felt it was an injustice to the people residing in that area.

Mr. Jeff Whelan- 70 Red Leaf Rd.

He asked about how the ordinance reads and what it means with what the Board is asking to be considered. He asked about Crider Ave and the wood that are in between are considered residential.

Mr. Musgnug made a motion to approve PB# 2023-40 seconded by Mr. Aberant. A roll call vote of eligible Board members was unanimous in favor.

Discussion Items:

NONE

ADJOURNMENT:

A motion to adjourn was made by Mr. Chesner and seconded by Mr. Aberant. The meeting was adjourned at 9:57 PM.

Next Meeting: December 7, 2023, at 7:00pm