PLANNING BOARD MEETING
Meeting Minutes
March 7, 2024

MEMBERS PRESENT:
Robert Musgnug
Kevin Aberant
Christopher Keating
James Barry
Robert Bertino
Joseph Maguire
Lisa Petriello
William Wesolowski
Naoji Moriuchi

STAFF PRESENT:
Nancy Jamanow, Planning Board Secretary
Matt Wieliczko, Board Attorney
Laura Russo, Recording Secretary

Mr. Misgnug called the meeting to order at 7:07 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: Melissa Acaro-Burns and Christopher Chesner

Minutes:
October 5, 2023
Mr. Moriuchi made a motion to approve October Meeting Minutes seconded by Mr. Wesolowski. A roll call of eligible Board members was unanimous in favor.

December 7, 2023
Mr. Maguire made a motion to approve December Meeting Minutes seconded by Mr. Bertino. A roll call of eligible Board members was unanimous in favor.

January 18, 2024
Mr. Maguire made a motion to approve January Meeting Minutes seconded by Mr. Musgnug. A roll call of eligible Board members was unanimous in favor.

Adoption of Resolution:
2023-26A Domenica Foundation, Inc. 920 N. Lenola Road, Block 100 Lot 1.09, amending Resolution 2023-26A correcting drafting error. Resolution No. 2023-26 referenced the 150 unit housing development, in the two instances noted above it incorrectly listed "proposed 82 townhomes and 68 flats", instead of the correct and agreed recital of "proposed 120 townhouses and 30 flats". Mr. Maguire made a motion, seconded by Mr. Aberant to adopt Resolution 2023-26A. A roll call vote was unanimous in favor.

New Business:
Ordinance No. 1-2024 – An Ordinance appropriating $1,325,000 and authorizing the issuance of $1,275,000 in Bonds or Notes to be used for the drilling and development of Well #10 and related expenses.

Mr. Aberant explained that Well #10 is intended to replace Well #8. It will be similar in depth (375-400 feet down). The water from this will go into the Hartford Road Plant and it will not change the Township's capacity. Well #8 will be abandoned.

Ordinance No. 2-2024 – An Ordinance amending and supplementing Bond Ordinance No.21-2023 as amended and supplemented by appropriating an additional #2,030,000 and authorizing the issuance of an additional $1,950,000 in Bonds or Notes to be used for upgrading the wastewater treatment plant headworks and related expenses.

Mr. Aberant explained the waste water plant off Pine Street on the west side of town needs upgrades. The upgrades will provide equipment to screen solids. Mr. Moriuchi asked about capacity. Mr. Aberant advised that right now it is fine and waiting to see the impact of new developments due to affordable housing obligations.

Resolution #2024-10. A resolution reporting to Township Council that Ordinance Nos. 1-2024 and 2-2024 are consistent with the Master Plan. Mr. Maguire made a motion to approve Resolution 2024-10 seconded by Mr. Moriuchi. A roll call vote of eligible Board members was unanimous in favor.

Ordinance No. 4-2024 – An Ordinance amending Chapter 180 of the Code of the Township of Moorestown entitled "Zoning" to amend the regulation of cannabis businesses. This ordinance was presented to Township Council for a first reading and is now being presented to the Planning Board for consistency review.

The purpose of this ordinance is to provide clarity in interpretation as well as to provide limitations to business hours for cannabis businesses. Further, it was amended to allow no more than a combined total of two cannabis retailers in the SRC and SRC-1 zoning district. The Board Planner, Megan Stanley, PP, AICP appeared by telephone to provide testimony as to the consistency review letter dated February 29, 2024 provided by her office.

Resolution #2024-11. A resolution reporting to Township Council that Ordinance No. 4-2024 is consistent with the Master Plan. Mr. Maguire made a motion to approve Resolution 2024-11 seconded by Mr. Aberant. A roll call vote of eligible Board members was unanimous in favor.

PB#2021-17, Ventresca/Verdi, 201 & 125 East Camden Ave., Block 1301 Lots 29 & 30 Preliminary and Final Site Plan for 19 Townhouse Units.

Mr. Keating recused himself and stepped out of the room.

Mr. James Burns of Dembro, Brown & Burns, LLP on behalf of the applicant and advised that they were seeking a waiver of the following variances: front yard setback of 25 feet where 37 is required; a fence height variance to install a fence on a retaining wall that will exceed the 6 foot limit; proposed 4th floor attic living space; waiver of proposed spacing of street trees; waiver of installation of recreational facilities.

The professionals were sworn in. Mr. Erik Clase of Gilmore & Associates testified as to renderings and their compliance with review letters. James Miller, Professional Planner, addressed relief being requested.

The Board questioned and professionals addressed: trash and recycling pick-up; lighting; school bus pick-up/drop-off; mail delivery; fill dirt; number of bedrooms per unit; façade materials; traffic analysis; benches and bike racks.

Public Comment:
William and Betty Talver of 207 E. Camden Ave. (Lot 28)
Concerned that the property line is adjacent to their driveway and is asking for a privacy fence to be installed.
Howard Mann of 115 E. Camden Ave.
Objects to the 4th floor being occupied, would like to see conformity of the Mews; believes trees will block sight line when pulling out of street; objects to waiver of setback.
Henry Balikov of 304 Evergreen Drive
Wants to understand the association and their responsibilities. Questioned common areas and stormwater. Asked if a radon test had been performed and if there would be accommodations for electric vehicles.
Barbara Rich of 37 E. Central Ave.
Asked what types of soil are on the property and asked if the applicant received DEP approval.

Board Discussion:

Mr. Maguire asked about the hardship of the setback and Mr. Burns stated they were trying to comply with the design objectives in the district. Mr. Maguire also asked why the building needs to be taller than 2.5 stories and it was answered that they wanted to provide flexibility to the home's layout. There was also further discussion about fence height and specifics of where it would be over six feet tall. Mr. Maguire disagrees with the lack of recreational areas in the design.

Mr. Aberant asked questions about stormwater flow and outlet and impervious coverage. Has a concern that stormwater will flow onto the property behind. He was advised that they are catching stormwater into an underground stone bed that will trickle slowly into the wetlands. Maintenance will be provided by HOA. Mr. Aberant asked if EV charging stations and was advised there is no requirement. Mr. Aberant also questioned sightlines and the tree plantings. Trees will be planted far enough back not to interfere. Mr. Aberant asked what setbacks are of adjacent properties, one is 20 feet back and the other is 30 feet.

Ms. Petriello had follow-up questions about the retaining wall and what supplies would be used. She also expressed concerns about the setback and stated it is not setback far enough for a road with a 40 mph speed limit. She is also against not having a playground or some type of recreation area.

Mr. Barry had follow-up questions regarding the stormwater and how it will be directed into the basin.

Mr. Moriuchi wanted to make sure it was deed restricted that there could not be 5 bedrooms.

Mr. Burns provided a summary of why they should be granted variance waivers.

Mr. Wieliczko summarized the applicant's requests for variance and design waivers. Applicant has agreed to: all call outs, comments and requests in review letters. Additional agreed upon conditions include: provide the updated LOI letter from DEP, provide HOA documents for approval once written, to provide a Point of Sale Disclosure, update the lighting plan, agreed that fill on site will be tested and test results provided within 60 days, lots will be consolidated, will record a deed restriction regarding stormwater, they will perform any testing recommended by ERI, modify the fire lane, deed restriction of 4 bedrooms. Has agreed to install a privacy fence between the property and 207 E. Camden Ave., conditional approval to construct units in the manner presented during meeting.

Mr. Moriuchi made a motion to approve application PB#2021-17 seconded by Mr. Aberant. A roll call vote of eligible Board members was 6-3 in favor.

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

Next Meeting: 4/4/2024 at 7:00 pm