

MINUTES OF THE PLANNING BOARD FROM JUNE 28, 2012

The meeting was called to order by the Chairman, Tom Ferrese. Mr. Ferrese stated the meeting was being held in accordance with the Sunshine Laws of the State of New Jersey, Chapter 145, by Mayor and Council and the Planning Board for Official Notices. Notice of this meeting was posted on the Borough bulletin board for that purpose.

Present: Mayor Forte, Rose Fitzgerald, Chief Kinkler, Tom Ferrese, Gregory McAdams, Jaclyn Parisi, Dean Doukakis, David Cox, Jack Merryfield, Christopher Soriano, Terre Boccuzzi

Also Present: Donald S. Ryan, Solicitor, Michelle Fareri, Secretary, Steven Bach, Planning Board Engineer, Ron Newell, Zoning Official

Business:

CS#12-6-4P

Bob Meyer Communities, Inc./Glover Mill Village
Application for Application for Preliminary Major Subdivision Approval,
Bulk Variance Relief and Design Waivers for Development of 27 Single Family
Residential Lots Known as Glover Mill Village Adjacent to Glover Avenue and Park
Drive Block 62, Lots 2 & 6, Haddon Heights, NJ

The Board considered the application of Bob Meyer Communities, Inc., seeking preliminary major subdivision approval, bulk variances and design waivers for development of 27 single family detached residential lots, one storm water basin lot and related site improvements on the premises located at the intersection of Glover Avenue and Park Avenue, Haddon Heights, New Jersey. The property is also designated as Block 62, Lots 2 and 6 on the Haddon Heights Tax Map. The application is made pursuant to Section 450-115 *et seq.* of the Haddon Heights Land Development Ordinances and the New Jersey Municipal Land Use Law N.J.S.A. 40:55D-48 and 40:55D-51 and 40:55D-60. In addition the applicant seeks a de minimus exception with respect to the standards of the Residential Site Improvement Standards under N.J.A.C. 5:21-3.1.

In accordance with N.J.S.A. 40:55D-10.3 and the Haddon Heights Land Development Ordinance, the application of Bob Meyer Communities, Inc. was reviewed by the Planning Board Engineer, Steven Bach as well as the Planning Board for determination of completeness. In the review letter of Steven Bach dated June 27, 2012 there are set forth eleven items which have not been provided in accordance with major subdivision check list contained in Section 450-161 of the Haddon Heights Ordinance. In addition, the applicant was required to submit a preliminary major subdivision plan signed by a licensed New Jersey surveyor. The applicant supplied the preliminary major subdivision plan signed by a licensed surveyor. The Planning Board Engineer recommended the scale model of the proposed development be waived as a requirement. The Planning Board Engineer also recommended that the following items be deferred for a presentation at a subsequent time by the applicant to which the applicant consented:

1, 2, 3, 4, 5, 6, 7, 8, 9 and 11 (as set forth in the letter of Steven Bach dated June 27, 2012).

There was discussion between board members and applicants.

Don Ryan, Solicitor outlined the legal criteria.

Tom Ferrese, Chairman opened the public comment portion of the meeting. There were no questions or comments.

On the motion of Rose Fitzgerald, seconded by Edward Forte, the Planning Board voted to determine the application complete subject to the recommendations of the Planning Board Engineer, Steven Bach and the consent of the applicant.

Roll Call:

Mayor Forte	Yes
Rose Fitzgerald	Yes
Chief Kinkler	Yes
Tom Ferrese	Yes
Gregory McAdams	Yes
Jaclyn Parisi	Yes
Dean Doukakis	Yes
David Cox	Yes
Jack Merryfield	Yes
Christopher Soriano	Yes
Terre Boccuzzi	Yes

The Planning Board, having determined that the Application, Notice to Property Owners, Notice of Publication and affidavits were in proper form and having examined the Exhibits and considered the testimony, finds as follows: The applicant proposes a major subdivision of 28 lots in order to construct 27 single family homes on approximately 7.28 acres of land located along the Camden County Park between the northeasterly side of King Run Creek and Sylvan Drive. A storm water basin will be located on the 28th lot.

The Haddon Heights Historic District Commission reviewed the application for development by Bob Meyer Communities, Inc. and issued a report dated May 21, 2012 recommending approval of the Glover Development Village on the basis that it would not adversely impact the Glover Mill site, the John Thorne Glover House and the Hinchment-Hurley House.

The applicant seeks a de minimis exception to the RSIS Regulation with respect to the split entrance at Park Drive. Based upon the testimony of the applicant's traffic engineer, the Board concludes that the applicant has satisfied the criteria for a de minimis exception in that the proposed street improvements are consistent with the intent of the Site Plan Improvement Act, they are reasonable and meet the needs of public health and safety as well as taking into account the existing infrastructure.

There was discussion between board members and the applicants.

Don Ryan, Solicitor outlined the legal criteria.

Tom Ferrese, Chairman opened the public comment portion of the meeting. Walt Mylarski, a resident who lives close to the proposed houses, was sworn in. He had questions and statements about the application. His main concern being the load on the existing sewer line.

CONCLUSIONS

Based upon the foregoing Findings of Fact and conditions, the Planning Board concludes that:

A. The applicant has substantially complied with the requirements of the Haddon Heights Ordinance and New Jersey Municipal Land Use Law pertaining to preliminary subdivision approval.

B. There is a hardship to the property by reason of the topographic conditions and the existence of the regional (CCMUA) sanitary sewer infrastructure which warrants the granting of certain bulk variances.

C. The purposes of the Municipal Land Use Law outlines above will be advanced by deviations from the zoning ordinance and the benefits of the deviations substantially outweigh any detriments which warrant the granting of the variances set forth in 19 above with the exception of item h.

D. The granting of the bulk variances will not substantially impair the public good and will not substantially impair the intent and purposes of the Haddon Heights Zone Plan and Zoning Ordinance.

E. A de minimus exception to the RSIS Street Standards is warranted because the criteria of N.J.A.C. 5:21-1.1 et seq have been satisfied.

F. Historic District approval of the application for Certificate of Appropriateness is granted subject to the conditions noted above.

ROLL CALL VOTE:

On the motion of Edward Forte, seconded by Jack Merryfield, the Zoning Board voted 10-0 to grant preliminary subdivision approval to Bob Meyer Communities, Inc., as well as the bulk variances set forth except the setting of eave heights; and the Design Waivers and de minimus exception to the RSI Standards subject to the following conditions:

A. Compliance with the recommendations of the Planning Board Engineer and Planner, Steven Bach, as set forth on pages 5-9 in the review letter dated June 27, 2012.

B. Compliance with the following items:

1. The Board finds that based upon the traffic engineer's report and testimony the proposed residential development will have a minimal impact on the adjacent roadway network. However, because of the existing roadway alignment and proposed site driveway location, stop controls should be installed at all four approaches on the North Park Avenue and Glover Avenue intersection. In addition, the Camden County Planning Board must approve the traffic plans.

2. The applicant has agreed to eliminate the smaller island at the intersection of Glover and the cul de sac and replace it with striping to divide the area.

3. In connection with the proposed subdivision, the applicant requires the following bulk variances under the R-7 Form Based Code criteria:

a. Lots 11, 12 & 13 are flagged shaped lots with a 60 foot front yard setback, a 100 foot front yard setback and a 116 foot front yard setback respectively where the maximum front yard permitted is 25 feet (R-7, Section 3.3, item E).

b. Lots 1, 2, 11, 12, 13 & 14 have a minimum 60% lot frontage percentage where the minimum 45% lot frontage is allowed by the ordinance (R-7, Section 3.3, item H).

c. Lots 11, 12, 13 & 14 have frontages less than the minimum of 59 feet and also require other dimensional variances (R-7, Section 7.7, item C).

d. Two story dwelling units have a building height less than the minimum building height of 30 feet required by the ordinance (R-7, Section 3.3, item K).

e. A "wide lot" type variance for lot 1 with 138 foot lot frontage/lot width where the maximum permitted as 85 feet (R-7, Section 3.3, item C).

f. Lot 1 has a 35 foot building depth where the ordinance requires a minimum building depth of 42 feet (R-7, Section 3.3, item D).

g. Lot 1 has a 15 foot garage building front setback where a 40 foot front setback is required (R-7, Section 3.3, item W).

h. 500 square foot garages for all dwellings where the ordinance limits the garages to 450 square feet (R-7, Section 2.2, item B).

i. Garages with a 20 foot height for attached garages only where the ordinance limits garage height to 16 feet (R-7, Section 3.3, item Z).

4. The applicant did not provide sufficient evidence regarding the specific housing units or actual amount of relief requested (i.e. relief for roof eaves, porch eaves, box windows and bays) and therefore the Board deferred action.

5. In accordance with the New Jersey Department of Environmental Protection Natural and Historic Resources Office letters dated December 20, 2011 and March 30, 2012, the applicant must comply with the conditions of protection of Lot 4 adjoining (Glover Mill Ruins) contained in said letters and set forth in the Review Letter of Steven Bach dated June 27, 2012.

6. With respect to landscaping and buffers, the applicant has agreed to provide a required 5 foot tract perimeter buffer to existing adjacent residential areas in accordance with Section 450-115 and Section 7.6 of the R-7 Residential Formed Based Zone Code. The plan also provides for a 25 foot landscaping buffer along the westerly lot line of Lot 11 and a 25 foot buffer on the southerly lot lines of Lot 11 and 12 (the buffer is within the area retained by the Borough of Haddon Heights in Lot 4). The applicant's plans depict trees within the street right of way planted every 45 feet.

7. With respect to the future maintenance of the detention basin, the applicant must enter into an agreement with the Borough of Haddon Heights subject to the approval of the Planning Board and its solicitor. Under the terms of such agreement, the Borough will either accept a dedication of the area on satisfactory terms and conditions or the applicant will create a homeowner's association for the purpose of maintaining said area under satisfactory terms and conditions.

8. The applicant acknowledges that in the event development fees are required to be paid under the Affordable Housing Laws and Municipal Ordinances, the applicant will pay such development fees.

9. The applicant agrees to provide a sample form of Deed of Dedication which will apply to the lots where shared driveways are placed which will notify any potential purchasers of said properties of the existence of the shared driveway. The deed should be prepared by the applicant's attorney and approved by the Planning Board attorney prior to final approval.

10. The applicant must enter into a satisfactory developmental agreement with the Borough of Haddon Heights with respect to the use and development of lot 4, designated as the Glover Historic Landmark.

11. Prior to final approval, the applicant must provide a satisfactory plan for relocation of the two concrete monuments at the entrance of the property.

12. Prior to final approval, the applicant will provide verification that the existing sewer laterals of residential properties along Glover Avenue will not be adversely impacted by the applicant's sewer extension.

13. Prior to final approval the applicant will remove the barb wire from fencing on its property.

14. Prior to final approval, applicant will provide a plan satisfactory to the Borough Engineer relating to the tie in of the subdivision sidewalks and the existing sidewalks along Glover Avenue and Park

Roll Call:

Mayor Forte	Yes
Rose Fitzgerald	Yes
Chief Kinkler	Yes
Tom Ferrese	Yes
Gregory McAdams	Yes
Jaclyn Parisi	Yes
Dean Doukakis	Yes
David Cox	Yes
Jack Merryfield	Yes
Christopher Soriano	Yes
Terre Boccuzzi	Yes

Adjournment:

Jack Merryfield made a motion to adjourn, seconded by Jaclyn Parisi. Motion carried. All Board members were in favor.

Michelle Fareri,
Planning Board Secretary