

LAND USE BOARD

MINUTES March 20, 2017
Meeting

The March 20, 2017 Joint Land Use Board meeting of the Township of Waterford, called to order at 7:07 pm by Chairman Ralph Condo

In accordance with Chapter 231, Public Law, 1975, *Open Public Meeting Act*, notice of time, date and place for this meeting was sent as part of the annual notice to the Courier Post and Record Breeze, and is posted in the Municipal Building.

Salute to the flag.

Notice:

The Planning Board reserves the right to change the order of the published agenda. All changes will be announced at the start of each meeting.

It is the intent of the Board to not begin a new application after 10:30 PM and take no testimony after 11:00 PM.

For those of you in attendance with a cell phone, please turn it off or put in on silent mode. Also, if it is necessary to have a conversation with the professionals involved with your application please do so outside the meeting room.

ROLL CALL: The following members answered aye when the roll was called: Mr. Achey, Mr. Becker, Ms. Ferguson, Mr. Russomanno, Mr. Hanna, Mr. Howarth, Mayor Richardson and Chairman Condo. Ms. Iles, Councilman Giangiulio and Mr. Mauriello were notified absences.

SWEARING IN OF PROFESSIONALS: Mr. Wells swore in Mr. Hanson, Planning Board Engineer

MOTIONS OF ADJOURNMENTS OR OTHER MOTIONS: No Motions

OLD BUSINESS:

1. Loudon Vol. Fire Co. Block 2902 Lots 22, 23 & 24 566 Jackson Rd. Site Plan, Use Variance and Subdivision

Appearing before the Board for Maurpayne, Inc is Mark Rinaldi, Esq., Berlin, NJ and Kenneth Mauriello of 2451 Medford Rd, Waterford Twp., NJ. Also, sworn-in was Robert Scott Smith of Key Engineers, Berlin, NJ. The three gentlemen were sworn-in by Mr. Wells, Board Solicitor. Mr. Rinaldi stated that Mr. Mauriello, who is a principle of Maurpayne, a holding company, can speak on their behalf. The company is seeking approval for a variance to

allow his company to operate a HVAC light manufacturing operation at the location on Jackson Rd. They are also seeking approval of dual use to allow recreation activities on a parcel of ground behind the building that was previously used as soccer fields. The original fire house will be located within proposed lot 24 and will function as a meeting house.

Maurpayne, Inc. also owns Thermocool, LLC a local HVAC company. They are under contract to purchase the former Loudon Fire Hall. The property owners plan to use the space for a light manufacturing operation. Mr. Mauriello testified the building will conduct and fabricate sheet metal components used in the HVAC business. He stated there will be no retail, buying or selling at the location. He continued, there will be very little shipping and delivery. Mr. Rinaldi explained the use variance is necessary to re-invigorate the existing soccer fields at the rear of the property that have not be used for more than ten years. Mr. Mauriello seeks approval to change three lots into two lots. Mr. Smith testified the plan was reviewed by the County and they will approve no improvement to the concrete pad. Pinelands has also been notified but as of this date they have not responded. Mr. Toussaint explained that approval of the project will be contingent upon Pineland's approval.

Under questioning by the Board, Mr. Mauriello stated they have not decided on the name of the building yet. It may be Loudon something, he said. He continued the business will manufacture ductwork for HVAC operations such as: hydraulic equipment, presses, brakes, etc. No retail is planned at the site. There will be two to three workers – hours of operation will be from 7:30 to 4:30-5:00 daily. On occasion, there will be part-time employees on site. The company trucks will load up late in the afternoon to be ready for work in the morning. Two to three times a week deliveries will be made to the building. Only ductwork will be done in the building.

Answering additional questions, Mr. Mauriello stated the building will be rehabbed. The roof, exterior, signage, exterior lighting, engineering equipment, handicap accessibility and the parking lot will be addressed. No expansion is planned. It is his intention to fix up the soccer fields that are behind the building. He would like to make them available for sports' teams and residents. No other changes will be made to them.

Jeff Hanson, planning board engineer reviewed the following items such as lighting, signage and the bulk variances. The fifteen-foot set-back was questioned on lot 22 as well as an explanation of the repairs and existing septic system. He cited, no storm water management improvements are required. They will address a trash enclosure, shrubbery and the use and plans for the original fire house.

Mr. Scott addressed Mr. Hanson's and the Board's concerns regarding lots 22, 23, 24, Block 2902. Loudon Fire Company intends to use the old fire house for meetings. The rest of the property will be sub-divided for the proposed building and soccer fields. An agreement is needed with the Township to approve the plan. The septic system is to be cleaned up and re-invigorated so it can be certified. The suggestions for lighting have been discussed with Atlantic Electric and the building owner. There are quite a

few fixtures planned. Also, noted is the business will not operate when soccer fields are being used. The existing parking lot requires a coating of blacktop and handicapped accessibility. It is planned to be improved. A new property line will be developed separating it from the original fire house building. A defined entrance will be created with landscaping, curbing, etc.

Mr. Hanson cautioned about trash enclosures saying that scrap metal cannot be put out in the trash. A dumpster is not needed on site because only regular trash will be generated. Mr. Mauriello stated that will be the case. The small fire hall may generate some trash but also will be regular materials. Mr. Toussaint mentioned the additional trash can be generated from the soccer fields if the concession stand is reopened. He also mentioned the building sign must conform with the regulated 20foot set back. Following discussion by Mr. Smith and Mr. Mauriello it was agreed the sign will be moved on the property to meet township rule. Mr. Toussaint said a new application must be submitted for the sign placement.

Ms. Ferguson asked about landscaping. Will it be adjusted when the required changes are made? Mr. Smith responded yes to her question. Her other question was, how many trucks will be parked overnight? Mr. Mauriello assured her, "maybe one if any".

Discussion then moved to the existing original fire hall. The fire hall is on a separate lot. Mr. Mauriello was not able to answer what the building would be used for.

Chairman Condo opened the meeting to the Public:

Mr. Cimini (??) a long-time member of the Loudon Fire Company came to the microphone. He was sworn in by Mr. Wells and testified the few members left of the Loudon Fire Company have not discussed what events will be held in the building. They would like to hold their meetings there. They may also hold a Christmas and Easter event – "I don't know for sure at this time" he stated.

Several Board members asked questions regarding the building's condition and upgrades required. Many stated the building is decaying – no activities have taken place there for many years they noted. Mr. Smith noted the building is approximately 1800 square feet and the septic system needs repair, the parking lot needs to be paved and striped for eight to ten car spaces. Mr. Achey asked for additional information about the septic system. Chairman Condo asked what are the plans for the soccer fields? Mr. Mauriello indicated he feels he is doing a community service in rehabbing the soccer fields. He plans to get the fields back in shape next year. He knows he needs insurance, etc. Mayor Richardson noted the Township will not get involved in the maintenance of the fields. Mr. Toussaint noted a dual-use variance is necessary for traffic, noise, etc. Mr. Rinaldi indicated, following a parking and traffic study on a commercial enterprise, a permit should be granted with restrictions. He also noted until an answer is received the work on the soccer fields may be delayed.

Following a long discussion about the soccer fields, Mr. Rinaldi withdrew the dual-use proposal request. Mr. Smith gave additional testimony about the fields and the surrounding area of the property.

Positive criteria were discussed. The positive is the social activities building is changing to a small business use facility.

Mr. Hanson and others stated there are no substantial negatives re: the project.

Ms. Ferguson and Mr. Howarth asked additional questions regarding what time trucks will load at the sight and how will the scraps of sheet metal be discarded. Mr. Mauriello answered their questions.

Hearing no further comments from the public, Chairman Condo closed the meeting the public and called for a roll call vote.

Mr. Wells explained the motions the Board would be voting on and to take into consideration regarding the positive and negative criteria of the project. He also reminded them the dual-use request was withdrawn.

Roll Call Vote: On a motion by Mr. Achey seconded by Mr. Becker the request for a variance and subdivision of Block 2902 Lots 22, 23, & 24 at 566 Jackson Road was approved.

Mr. Achey - aye, Mr. Becker - aye Ms. Ferguson - aye Mr. Russomanno – aye, Mr. Hanna – aye, Mr. Howarth – aye, Mayor Richardson – no vote, and Chairman Condo - aye. Ms. Iles, Councilman Giangiulio and Mr. Mauriello were notified absences. Motion carried.

Roll Call Vote: On a motion by Mr. Becker seconded by Mr. Howarth the motion to withdraw the dual-use variance request was approved.

Mr. Achey - aye, Mr. Becker - aye Ms. Ferguson - aye Mr. Russomanno – aye, Mr. Hanna – aye, Mr. Howarth – aye, Mayor Richardson – no vote, and Chairman Condo - aye. Ms. Iles, Councilman Giangiulio and Mr. Mauriello were notified absences. Motion carried.

2. ALI Services LLC, Block 401 Lot 9, 317 White Horse Pike, Site plan with variances

Mr. Mark Rinaldi, Esq., White Horse Pike, Berlin, NJ appeared before the Board on behalf of American Lawn Irrigation Services, LLC. Mr. Rinaldi, Kevin O'Neill and Brian S. Peterman, PE were sworn-in by Mr. Wells.

The applicant is seeking Preliminary and Final Major Site Plan approval together with a Bulk Variance to construct a 6,729 square-foot building that will be used for office and warehouse space. The site plan application will include parking and storage area, landscaping and lighting.

A storm water infiltration basin is proposed in the southerly portion of the site. It has an outlet control structure that discharges into an existing inlet and storm pipe system that conveys storm water to the two existing infiltration basins located in Waterford Pines development.

Mr. Rinaldi reported ALI is requesting a dual-variance because it was discovered in conversation with Mr. O'Neill there are two businesses operating as ALI. One is the irrigation business and the other is a plumbing business. The businesses are registered independently.

The property at 317 White Horse Pike was purchase by ALI on June 16, 2016. Mr. O'Neill responding to questions from Mr. Rinaldi stated the proposed building will consist of two office workers and 3 managers who oversee the services provided by American Irrigation. There is also one plumber and 15 workers who are not housed at the site. The hours of operation are Monday to Friday – 8AM to 4PM. During the summer season the company works six days a week.

The building will face the White Pike and all garage doors will be at the front. The frequency of deliveries to the building by large trucks will be two times a year. The workers pick up their work orders in the morning and begin their work day. Only five trucks will remain on site. Ten trucks go home daily. The second story of the building has a storage loft, three bathrooms and a work area. Externally, the building will be finished with metal in an earth tone color and with burgundy trim matching the structures in Legacy at Waterford Pines. There will be landscaping beds and trees. Mr. O'Neill also stated they will assist in maintaining the entrance to Waterford Pines.

Mr. Brian Peterman, ALI's engineer explained the need for the requested variance. He indicated due to the restriction regarding egress from the property onto the White Horse Pike a driveway is planned onto Virginia Drive. The driveway will be closer to the Pike than originally planned. Regarding problems that have occurred in the past with the basins in the Waterford Pines development, a redesign of the plan was necessary and now includes a filtration basin behind the building. The basin will be built to state standards and state and township regulations. Mr. Peterman also said there are no wetlands or pinelands restrictions on the property. Mr. Peterman explained the proposed basin will reduce the run-off to the existing basins in the development. Mr. Rinaldi stated the basin operation and maintenance will be memorialized and reduced to writing protecting the residents of Waterford Pines. He continued, ALI will go the extra mile in testing the basins for effectiveness.

Mr. Toussaint questioned the placement of the proposed building sign. He stated the sign must be 20 feet from the property line. You will need a variance for the sign if it does not meet township regulation, he stated. He was assured by Mr. O'Neill and Mr. Peterman that the sign will meet code.

Mr. Achey questioned the sale of fire wood by ALI. He wanted to know if they will continue that practice? He was assured by Mr. O'Neill there would no sale of fire wood at the new site.

Mr. Howarth asked about traffic issues on site. Mr. Peterman explained how tractor trailers will enter the property make their delivery and turn and exit the site. The response satisfied the Board.

Mr. Howarth again asked another question regarding hazardous materials stored on site and how will trash, trucks, trailers, etc. be kept out of public view. He was assured there are no hazardous materials stored on site. Fences are being installed on the property to "hide" from view the items mentioned above.

Chairman Condo opened the meeting to the Public:

1. Mr. Israel Del Rio, 74 Virginia Drive, Atco, NJ was sworn-in.

Mr. Del Rio read a letter to the Board regarding his concern regarding the impact on the homes in the Waterford Pines development. He asked what impact will this have on our taxes? He was assured by Mr. Rinaldi that the commercial building being built at the entrance to the community is going to be an asset more than a detriment.

2. Mrs. Lauren Gibson, 33 Virginia Drive. Atco, NJ was sworn-in.

Mrs. Gibson presented a letter to the Board from the residents of Waterford Pines regarding their concerns re: the impact on them if the basins fail. Mr. Condo commented the letter was prepared before the new basin plan was presented by ALI and he feels that the safeties put in place should assure the residents of their concerns.

3. Mrs. Amelia McCracken, 87 Virginia Drive, Atco, NJ was sworn-in.

Mrs. McCracken wanted to know what kind of fencing will be installed from the front of the community to and beyond the proposed driveway? Mr. O'Neill stated at yet the type of fencing has not been decided. She also asked for further explanation re: the basins. The engineer again stated, Waterford Pines basins will pick up the excess water from the ALI property.

4. Mr. Joe Nachbin, 32 Virginia Drive, Atco, NJ was sworn-in.

Mr. Nachbin asked – How are we protected if the basins fail? Our present bond is only for the next two years. What happens after that? Mr. Rinaldi explained that ALI has a maintenance bond and a performance bond in place. If there is a problem in the future with the bonds, the community will be protected by his bonds. Mr. Nachbin asked that Waterford Pines

receive in writing something to share with our residents. Mr. Rinaldi stated that would be done.

5. Mr. John Gibson, 33 Virginia Drive, Atco, NJ was sworn-in.

Mr. Gibson asked, are we getting run-off into the storm water system? Mr. Peterman said, if the basin works there will be less run-off because the building and the surrounding trees and parking lot, etc. will reduce the amount of water running off into the drainage pit to the basins. The community, Mr. Peterman continued will still have about 20 to 30 feet of trees as a buffer at the clubhouse. I want to thank you all for going the extra mile, Mr. Gibson remarked. Mr. O'Neill said, he wants to be part of the process – I want to help, not hinder the community.

6. John Farrell, 37 Virginia Drive, Atco, NJ was sworn-in.

Mr. Farrell is concerned about traffic at the entrance of the community. He asked, can a traffic light be installed? Mayor responded that the request for the light would have to be made to the State by the residents in the community.

7. Dr. Rita Hanna, 69 Virginia Drive, Atco, NJ was sworn-in.

Dr. Hanna stepped out her role of recording secretary and presented herself to the Board as president of the Waterford Pines HOA. She thanked the Board for listening to the concerns of the residents of the community. She followed up with Mr. Farrell's concern re: traffic issues at the White Horse Pike and Virginia Drive. She asked if a "No left turns" sign can be installed thereby avoiding dangerous conditions in exiting the development. The Mayor stated that was a good idea and he would discuss it with the Police Department.

Hearing no further comments from the public, Chairman Condo closed the meeting the public and called for a roll call vote.

Mr. Wells explained the motions the Board would be voting on and to take into consideration regarding the positive and negative criteria of the project. He also reminded them the dual-use request was withdrawn.

Mr. Rinaldi stated the Board is reminded to vote on the dual use request to permit both businesses to use the property.

Roll Call Vote: On a motion by Mr. Howarth seconded by Mr. Hanna the request for an approval of the requested preliminary and final major site plan with a bulk variance for office and warehouse space at 31 White Horse Pike, Block 401, Lot 9, was approved.

Mr. Achey - aye, Mr. Becker – abstained, Ms. Ferguson - aye Mr. Russomanno – aye, Mr. Hanna – aye, Mr. Howarth – aye, Mayor Richardson – aye, and Chairman Condo - aye. Ms. Iles, Councilman Giangiulio and Mr. Mauriello were notified absences. Motion carried.

Roll Call Vote: On a motion by Ms. Ferguson seconded by Mr. Howarth the motion to approve the dual-use variance request was approved.

Mr. Achey - aye, Mr. Becker – abstained, Ms. Ferguson - aye Mr. Russomanno – aye, Mr. Hanna – aye, Mr. Howarth – aye, Mayor Richardson – no vote, and Chairman Condo - aye. Ms. Iles, Councilman Giangiulio and Mr. Mauriello were notified absences. Motion carried.

NEW BUSINESS:

1. Douglas Palladino, Block 2805 Lot 1, 625 6th Street, 4 lot subdivision

Mr. Douglas Palladino of 625 6th Street, Waterford Twp. NJ appeared before the Planning Board to request approval of a minor sub-division plan of Block 2805, Lot 1 Located at 625 Sixth Avenue between Auburn and Bartram Avenues. Mr. James Sassano of Hammonton, NJ, Engineer appeared on behalf of Mr. Palladino. Both gentlemen were sworn in by Mr. Wells.

Mr. Sassano stated that Mr. Paladino will meet the Township planning and zoning laws regarding his request to sub-divide three lots on his property and give them to his nephews. Mr. Paladino stated he bought the ground behind his property and it is own only by family. He continued with more information about the building on the property and his plans to parcel the land to family members in the future.

Mr. Hanson remarked there are no variances are required. The following general comments were presented to Mr. Paladino and Mr. Sassano. A certificate of Filing must be provided; Tax Map Lot numbers must be presented to the Township Assessor; an approval from Camden County Planning Board must be received; parking and improvements on the existing on the proposed lot are required; public sewer and private wells need to be addressed; there are also several other issues to be addressed. Mr. Palladino responded to several of the engineer's comment. Following discussion between the engineer, Mr. Toussaint and the Board a motion was made to approve Mr. Palladino's request with the understanding he will meet all the recommendations and requirements of the Township.

Chairman Condo opened the meeting to the Public

Hearing no comments from the public, Chairman Condo closed the meeting the public and called for a roll call vote.

Roll Call Vote: On a motion by Mayor Richardson seconded by Mr. Howarth the request to sub-divide Block 2805, Lot 1, at 625 Sixth Ave, Waterford Twp. was approved.

Mr. Achey - aye, Mr. Becker - aye Ms. Ferguson - aye Mr. Russomanno – aye, Mr. Hanna – aye, Mr. Howarth – aye, Mayor Richardson – aye, and Chairman Condo - aye. Ms. Iles, Councilman Giangiulio and Mr. Mauriello were notified absences. Motion carried.

COMMUNICATIONS / DISCUSSIONS:

a. Fair Share Housing update

Mr. Toussaint reported our case for Fair Share Housing was held. There was only one public comment made. Our plan was discussed and a settlement was reached on low/moderate housing at 240 homes. There will be another meeting on April 7th but they see no issues and they indicate it is done and approved. The Mayor commented on the success of the plan. Chairman Condo stated after April 7th we can begin to issue RFPs for the Haines Avenue re-development project.

RESOLUTIONS: No resolutions

MINUTES:

On a motion by Mayor Richardson seconded by Ms. Ferguson the minutes of March 6, 2017 meeting were approved as submitted. On a voice vote the motion was approved. Motion carried.

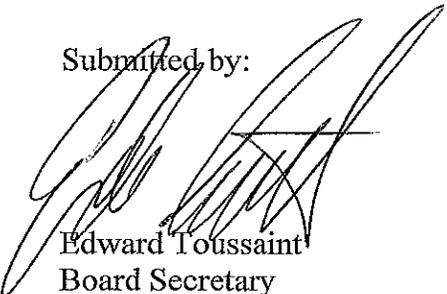
OPEN TO THE PUBLIC: None

BOARD COMMENTS AND QUESTIONS:

Mr. Condo asked Mr. Toussaint to update the Board on the assignment given him at the last meeting Regarding Corvette Place and Abandon House space. Mr. Toussaint stated he created a letter and sent it out to the two property owners. He will update the Board of the status of the properties at the next meeting.

ADJOURNMENT: On a motion by Mr. Achey, seconded by Mr. Becker the meeting adjourned at 10:55PM. On a voice vote the motion was approved. Motion carried.

Submitted by:


Edward Toussaint
Board Secretary