

LAND USE BOARD

MINUTES

August 20, 2018

The August 20, 2018 Joint Land Use Board meeting of the Township of Waterford, called to order at 7:00 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 Board members answered present to the roll call vote: Mr. Hanna, Mr. Becker, Ms. Ferguson, Committeeman Giangiulio, Mr. Howarth, Mr. Mauriello, Mr. Russomanno, Mayor Richardson, and Chairman Condo.

SWEARING IN OF PROFESSIONALS: Mr. Boraske swore in Mr. Hanson, Joint Land Use Board Engineer.

MOTIONS OF ADJOURNMENTS OR OTHER MOTIONS: No Motions

OLD BUSINESS: No Old Business

NEW BUSINESS:

1. Archway Programs, 2331 State Street, Block 601 Lot 20, Minor Site Plan for an office building.

Peter Flannery, Esq. explained the application on behalf of his client, Archway Programs. He noted that they wished to convert a single family home to an office building. Mr. Jack Gravelin offered his qualifications to the Board and was accepted as a Professional Engineer. Mr. Gravelin presented a site plan to the Board, which was labeled Exhibit A1. Mr. Gravelin noted the change in the traffic pattern (in the driveway on Jackson Road, out of the driveway on State Street). Mr. Gravelin then presented the board with Exhibit A2; another site plan that detailed the trees and shrubs (all consistent with the Board Engineer comments). The lighting system and signage was also discussed. Mr. Gravelin noted that they were requesting a CI Hardship Variance, a waiver for the Natural Resource Inventory, a design waiver, and a variance for the parking (9 stalls are required, they are looking at having 7).

George Richards, CEO and CFO of Archway Programs was sworn in by Solicitor Boraske. Mr. Richards detailed the planned use of the office building, including description of the days/hours it would be utilized (M-F 8AM – 5PM, rarely used on weekends). Mr. Richards also noted that they have a maintenance crew that takes care of trash.

William Laminey, an Architect representing Archway, detailed his qualifications and was accepted as a professional by the Board. Mr. Laminey presented the board with Exhibit A3, a rendering of the existing floor plan vs. the proposed floor plan. He noted that it would house three offices, a break room (previously the kitchen), a handicapped bathroom (on the lower level), and a meeting room (formally the family room).

Mr. Hansen reviewed his letter and noted that general office buildings are permitted in this zone. He had no objections to the design or Environmental Study waivers. Discussion ensued regarding the parking area and Mr. Toussaint noted that based on the net area of the building, the parking area they are presenting would comply. Further discussion ensued regarding the fire alarm and it was suggested that a Knox Box be installed. Ms. Fergusson voiced concern regarding people walking across Jackson Road from the main Archway campus. Mr. Richards noted that he doesn't foresee that happening often.

Chairman Condo opened the meeting to the public for comments.

Ralph Ferguson of the Old White Horse Pike suggested that Archway encourage the employees to go to the light at Jackson and Cooper to make a left hand turn. Mr. Richards responded that this was a good idea and noted he would suggest that to employees.

Mr. John Lee of State Street voiced concern for the number of school busses that park along his street. He detailed examples of how difficult it is to exit his property when busses are lined up the road. Mr. Lee noted that if people who begin to utilize this office building park on the street, it will be impossible to navigate. Mr. Richards responded that he will look into the issue and assured Mr. Lee that employees will not be parking on the street. Mr. Lee voiced his frustration and Chairman Condo noted it would be a police enforcement issue.

Solicitor Boraske reviewed the application and reminded the Board that the applicant was requesting a minor site plan approval and bulk variance relief with submission waivers.

Moved by Mayor Richardson, 2nd by Committeeman Giangiulio to approve the minor site plan approval and bulk variance relief with submission waivers for 2331 State Street, Block 601 Lot 20

ROLL CALL VOTE: Hanna - Yes	Giangiulio - Yes	Richardson - Yes
Becker - Yes	Mauriello - Yes	Russomanno - Yes
Ferguson- Yes	Howarth - Yes	Condo - Yes

9 - 0 Motion Carried

2. Timothy Weisneck, 425 Church Street, Block 1007 Lot 2 seeking a variance for the placement of a fence

Mr. Timothy Weisneck was sworn in by Solicitor Boraske. Mr. Weisneck explained his desire to place a six foot privacy fence along the backside of his property. Mr. Hansen explained that the rear of his property backs up to a 10ft wide alley. Mr. Toussaint also interjected that the alley is overgrown and not used to access the properties. Discussion ensued, noting that firetrucks could not utilize the alley with or without the fence, so it would not make a difference in regards to emergency response.

Chairman Condo opened the meeting to the public for comments. There being no comments, Chairman Condo closed the meeting to the public.

Solicitor Boraske reviewed the application and reminded the Board that the applicant was requesting a variance to place a fence.

Chairman Condo called the meeting back to order at 9:05 PM.

ROLL CALL AFTER RECESS: The following Board members answered present to the roll call vote: Mr. Hanna, Mr. Becker, Committeeman Giangiulio, Mr. Howarth, Mr. Mauriello, Mr. Russomanno, Mayor Richardson, and Chairman Condo. Lynn Ferguson recused herself and stepped down from the dais.

COMMUNICATIONS / DISCUSSIONS:

1. Ordinance 2018-23 of the Township of Waterford amending chapter 176 section 9 captioned "Definitions"

Director of Community Development Ed Toussaint explained that this was really just consolidating Ordinances; definitions were being relocated to Chapter 176 and that no new terms were included except for "corral."

Chairman Condo opened the meeting to the public for discussion of Ordinance 2018-23.

Lynn Ferguson of the Old White Horse Pike was sworn in. Ms. Ferguson noted that she is the president of the Waterford Township Livestock Association. Ms. Ferguson voiced concern regarding usage of the term "Agricultural Animals" and opined that the term "Livestock" should be used instead. Mr. Toussaint explained that the "Agricultural Animals" term was already in the Ordinance and that it wasn't changed. Ms. Ferguson also noted her opinion that the term "permanently" should be removed in regards to a corral. Discussion ensued regarding the need for the word.

Margo Morgan of the Old White Horse Pike was sworn in. Ms. Morgan expressed concern that corrals consistently change and that the word permanent makes compliance difficult. Ms. Morgan also noted that she felt the word "Livestock" was more appropriate in the Ordinance.

There being no further public comment, Chairman Condo closed the meeting to the public for discussion of Ordinance 2018-23.

Moved by Mr. Howarth, 2nd by Mr. Becker to recommend adoption of Ordinance 2018-23 to the Township Committee with the comments and concerns of the Public noted

ROLL CALL VOTE: Hanna - Yes	Giangiulio - Yes	Richardson - Yes
Becker - Yes	Mauriello - Yes	Russomanno - Yes
	Howarth - Yes	Condo - Yes

8 - 0 Motion Carried

2. Ordinance 2018-24 of the Township of Waterford amending chapter 176 section 48 captioned "Animals"

Director of Community Development Ed Toussaint explained that the revisions to the Ordinance clearly define the amount of area required for horses. It also removed the portion of the Ordinance requiring every horse to be registered. The revisions further clarify that boarding of horse is a business. Manure management and shelter requirements did not change.

Chairman Condo opened the meeting to the public for discussion of Ordinance 2018-24.

Lynn Ferguson of the Old White Horse Pike commented that she felt adding the word "fence" into the Ordinance made it too restrictive. Ms. Ferguson noted that barns, riding areas, and hay storage are all areas devoted to horses but are not "fenced in." Ms. Ferguson provided the Board with a document (labeled P1) which contained suggestions for the wording of Ordinance 2018-24. Committeeman Giangiulio inquired the necessity for some definitions, including "dry lot." Discussion ensued regarding the difficulty in proving what

areas are used for horses and the gray areas involved. Mr. Toussaint noted that they need to focus on land use. Mr. Toussaint detailed the difficulty of addressing property maintenance issues without clearly defined Ordinances.

Julia Levoch-Day of Tremont Avenue was sworn in. Ms. Day presented Solicitor Boraske with a document regarding state law (labeled exhibit P2). Ms. Day encouraged the Board to allow people who are involved with the horse community to assist in making the Ordinance work. Discussion continued regarding land use issues and horse husbandry issues.

Jim Brosious of Tremont Avenue was sworn in. Mr. Brosious requested clarifications on pre-existing non-conforming use and if this Ordinance would affect his property value.

Robert Ruffin of the Old White Horse Pike was sworn in. Mr. Ruffin noted that fencing in a wooded area is difficult and that the word fence is very constricting to horse owners.

There being no further public comment, Chairman Condo closed the meeting to the public for discussion of Ordinance 2018-24.

Moved by Mr. Howarth, 2nd by Mr. Mauriello to recommend adoption of Ordinance 2018-24 to the Township Committee with the comments and concerns of the Public noted

ROLL CALL VOTE: Hanna - Yes	Giangiulio - Yes	Richardson - Yes
Becker - Yes	Mauriello - Yes	Russomanno - Yes
	Howarth - Yes	Condo - Yes

8 - 0 Motion Carried

Ms. Ferguson returned to the dais.

3. Ordinance 2018-25 of the Township of Waterford amending chapter 176 section 74 captioned "Lot configuration"

Mr. Toussaint explained that this Ordinance is in reference to the basketball nets. He explained that meetings were held with the residents to ensure that this would work. The nets would be permitted in the grassy area of the right of way but would need to come down in the winter months.

Moved by Committeeman Giangiulio, 2nd by Mr. Becker to recommend adoption of Ordinance 2018-25 to the Township Committee

ROLL CALL VOTE: Hanna - Yes	Giangiulio - Yes	Richardson - Yes
Becker - Yes	Mauriello - Yes	Russomanno - Yes
Ferguson - Yes	Howarth - Yes	Condo - Yes

9 - 0 Motion Carried

4. A motion to recommend payment of the bills as submitted to Township Committee

Moved by Mr. Russomanno, 2nd by Mayor Richardson to recommend payment of the bills as submitted to Township Committee

VOICE VOTE: All in Favor. No Objections. Motion Carried

5. New Jersey Planner magazine – given to each Board Member.

RESOLUTIONS: No Resolutions

MINUTES:

1. Minutes from the July 16, 2018 meeting

Moved by Mr. Becker, 2nd by Mr. Russomanno to adopt the July 16 2018 Meeting Minutes as presented

VOICE VOTE: All in Favor. No Objections. Motion Carried

OPEN TO THE PUBLIC:

No Public Comment

BOARD COMMENTS AND QUESTIONS:

Mayor Richardson commented that the demolishing of the Forte property on the White Horse Pike would soon be completed. Mr. Richardson also noted that the appointed redeveloper has withdrawn and that they are searching for a new developer.

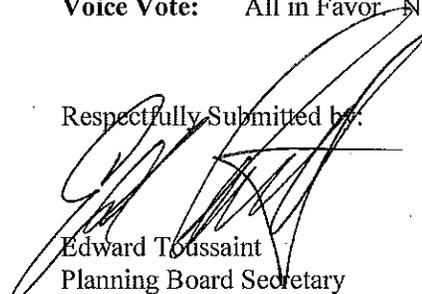
Mr. Mauriello commented that the property of the cell tower (across from Atco Dragway) is overgrown and needs to be addressed. Mr. Toussaint noted that he would reach out to the Public Works department.

ADJOURNMENT:

Moved by Mayor Richardson, 2nd Mr. Becker by to adjourn the meeting at 10:08 PM.

Voice Vote: All in Favor. No Objections. Motion Passed.

Respectfully Submitted by:


Edward Toussaint
Planning Board Secretary

Approval Date: 9/17/18