

The Reorganization Meeting of the Waterford Township Planning Board was called to order by Mayor Maryann Merlino and was followed by the salute to the flag.

The newly appointed Planning Board Members for 2012 are: Class I Member – Mayor Maryann Merlino, Class II Member – Richard Yeatman, Class III Member – Charles Hamilton, and Class IV Alternate #2 Member – Richard Jacoby.

At this time Mayor Merlino noted that all of the new members have been sworn in with the exception of Mr. Jacoby, who is not present at this time.

Roll call was taken and the following members were present: Mayor Maryann Merlino, Richard Yeatman, Charles Hamilton, Michael Achey, Carl Lange, Francis DiRocco, John Rowley, Louis Severino, Thomas Giangliulo, and Richard Jacoby (late), absent was: Mark Shendock.

Reorganization:

Mr. Rowley nominated Tom Giangliulo for Chairperson, Mr. Severino seconded, having no other nominations, roll call vote was taken and all members were in favor, motion carried.

Chairman Giangliulo thanked everyone and conducted the meeting from this point on.

Mr. Lange nominated Mike Achey for Vice Chairperson, Mr. Rowley seconded.

Mayor Merlino nominated Fran DiRocco for Vice Chairperson, Mr. Hamilton seconded.

Roll call vote for Mike Achey for Vice Chairperson:

| | | | |
|---------------|-----|-----------------|-----|
| M. Merlino | no | R. Yeatman | no |
| C. Hamilton | no | M. Achey | yes |
| C. Lange | yes | F. DiRocco | yes |
| J. Rowley | yes | L. Severino | yes |
| T. Giangliulo | yes | motion carried. | |

Mr. Rowley nominated Wendy Parducci for Board Secretary, Mr. Yeatman seconded, having no other nominations, roll call vote was taken and all members were in favor, motion carried. It was realized that Ms Parducci's title is Recording Secretary.

Mr. Rowley motioned to rescind the vote to have Wendy Parducci for Board Secretary, Mr. Severino seconded, all members were in favor, motion carried.

Mr. Rowley nominated Wendy Parducci for Board Recording Secretary, Mr. Yeatman seconded, having no other nominations, roll call vote was taken and all members were in favor, motion carried.

Mr. Rowley nominated Carl Lange for Board Secretary, Mr. Severino seconded, having no other nominations, roll call vote was taken and all members were in favor, motion carried.

At this time Mr. Jacoby entered the meeting.

Mr. Achey nominated the firm of Florio Perrucci Steinhardt & Fader, LLC for Board Solicitor, Mr. Severino seconded, having no other nominations, roll call vote was taken and all members were in favor, motion carried.

Mr. Rowley nominated the firm of Adams Rehmann & Heggan Engineers for Board Engineer, Mr. Severino seconded.

Mayor Merlino nominated the firm of Environmental Resolutions Inc. for Board Engineer, Mr. Hamilton seconded.

Roll call vote for Adams Rehmann & Heggan Engineers for Board Engineer:

| | | | |
|---------------|---------|--------------------------|-----|
| M. Merlino | no | R. Yeatman | no |
| C. Hamilton | no | M. Achey | yes |
| C. Lange | abstain | F. DiRocco | no |
| J. Rowley | yes | L. Severino | yes |
| T. Giangiulio | yes | Tie vote, motion denied. | |

Roll call vote for Environmental Resolutions Inc. for Board Engineer:

| | | | |
|---------------|-----|----------------|-----|
| M. Merlino | yes | R. Yeatman | yes |
| C. Hamilton | yes | M. Achey | no |
| C. Lange | no | F. DiRocco | yes |
| J. Rowley | no | L. Severino | no |
| T. Giangiulio | no | motion denied. | |

Solicitor Brennan noted that both motions were denied, there needs to be another motion.

Mr. Rowley nominated the firm of Adams Rehmann & Heggan Engineers for Board Engineer, Mr. Severino seconded.

Mayor Merlino nominated the firm of Environmental Resolutions Inc. for Board Engineer, Mr. Hamilton seconded.

Roll call vote for Adams Rehmann & Heggan Engineers for Board Engineer:

| | | | |
|---------------|-----|-----------------|-----|
| M. Merlino | no | R. Yeatman | no |
| C. Hamilton | no | M. Achey | yes |
| C. Lange | yes | F. DiRocco | no |
| J. Rowley | yes | L. Severino | yes |
| T. Giangiulio | yes | motion carried. | |

Eric Jerome, P.E. of ARH Engineers was present.

Chairman Giangiulio noted that he would like to have a nomination for a Conflict/Special Projects Engineer.

Mr. Achey nominated the Alaimo Group for Conflict/Special Projects Engineer, Mr. Rowley seconded, having no other nominations, roll call vote was taken:

| | | | |
|---------------|---------|-------------|---------|
| M. Merlino | abstain | R. Yeatman | abstain |
| C. Hamilton | no | M. Achey | yes |
| C. Lange | yes | F. DiRocco | abstain |
| J. Rowley | yes | L. Severino | abstain |
| T. Giangiulio | yes | | |

Chairman Giangiulio stated that because there were questions on this vote he would like to table it.

Mr. DiRocco motioned to table the vote for Conflict/Special Projects Engineer, Mr. Lange seconded, all members were in favor, motion carried.

Chairman Giangiulio asked for a nomination for Board Planner, having none, he asked to have this nomination tabled also.

Mr. Lange motioned to table the vote for Board Planner, Mr. Severino seconded, all members were in favor, motion carried.

Mr. Yeatman motioned to designate the Record Breeze and Courier Post as the official newspapers of the Board, Mayor Merlino seconded, roll call vote was taken and all members were in favor, motion carried.

Mr. Lange motioned to designate the first and third Tuesday of each month as the official meeting dates with 7:30 PM the prevailing starting time, Mayor Merlino seconded, all members were in favor, motion carried.

Mr. Rowley motioned to stipulate that no new applications will begin after 10:30 PM and no testimony will be taken after 11:00 PM, Mayor Merlino seconded, all members were in favor, motion carried.

Mr. Lange motioned that the Board follow Robert's Rules of Order whenever the Planning Board Rules and Regulations do not cover a particular procedure of practice, Mayor Merlino seconded, all members were in favor, motion carried.

At this time Richard Jacoby was sworn in as the Class IV Alternate #2 member of the Board by Mayor Merlino.

At this time the Zoning Official, Edward Toussaint, entered the meeting.

Swearing in of Board Professionals:

Solicitor Brennan swore in Eric Jerome of Adams Rehmann & Heggan Engineers as Planning Board Engineer for 2012.

Regular Business:

Parkwoods Care, LLC, Block 146, Lot 5.02, location – 480 Jackson Road, Conditional Use Variance and Bulk Variances, zoned – NB.

Robert Kingsbury, Esq. of Norman · Kingsbury stated that with him is Glen Christen of Parkwoods Care LLC and Gerald Pliner, the property owner. The variances they are asking for tonight are for existing conditions. This property is a DCA approved boarding home. The building they are discussing tonight is identified as building 480 D. on the plan. The setback requirements for front and side setback are 100' and they have 39' in the front and 20' on the side. The building was built in 1974 and has been traditionally used as a residential home.

Glen Christen was sworn in by Solicitor Brennan.

Mr. Christen stated that he is one of the owners of the Boarding Home and they would like to use this building for residential health care, as existing in three other buildings on the site. It would be the same type of residents that are there now, some of the people may be moved from other buildings. The State would tell them how many people could live in the building once the architect redesigns the interior. They are at full capacity and can use the room.

Chairman Giangiulio read Mr. Darji's November 9, 2011 review letter, noting that it he feels a D(3) conditional use variance is required along with the front and side yard setback variances.

Parkwoods Care - continued

Mr. Kingsbury noted that he understood the letter to say that the conditional use is allowed, but the setback variances were required.

Chairman Giangiulio asked the Board Engineer, Mr. Jerome, to take a look at the application and review letter.

Gerald Pliner was sworn in by Solicitor Brennan and stated that at this time the second story of the home has two very large bedrooms, the first floor has a very large bedroom, very large family room, living room, and large kitchen, and the basement is finished with a very large recreation room and three other rooms. Each building has a dining area, but the cooking is done in the central building. There are presently 3 ½ bathrooms, but changes will be made per the architect. The architect said that the State Code allows one person for every 110 gross square foot of the house, but it doesn't work that way because there are corridors and such.

Mr. Toussaint, Zoning Official, noted that prior to them getting a CO for the building a CCO inspection would be required. Because it is going from single family residential he would need to see the architectural plans, including emergency egress options and things like that.

Mr. Jerome asked about parking, vehicle circulation and access for emergencies.

Mr. Pliner noted that there is a huge parking lot toward the back that never gets used and that there is plenty of access to this building.

Mr. Jerome stated that he did have a chance to do a quick review of the ERI letter and can concur with the letter.

Mr. Kingsbury noted that the use is a listed conditional use in the ordinance, that it is an inherently beneficial use that satisfies the positive criteria. As far as the negative criteria, it is a building that has been there for 40 years with no negative impact.

Mr. Jerome noted that he was OK with the application.

Open to the public:

Andy Wade, 382 Jackson Road, stated that he owns property about 500' away from this site and he feels that the variances should be granted.

Gabriel Cimino, 504 Jackson Road, stated that he lives next door and has no reason to oppose this request.

Closed to the public.

Solicitor Brennan reminded the Board that the Mayor and Committeeman can not vote on a use variance.

Mr. Achey motioned to approve the D-3 conditional use variance, Mr. Lange seconded, roll call vote:

| | | | |
|---------------|-----|-------------|-----|
| R. Yeatman | yes | M. Achey | yes |
| C. Lange | yes | F. DiRocco | yes |
| J. Rowley | yes | L. Severino | yes |
| T. Giangiulio | yes | R. Jacoby | yes |

Motion carried.

Mr. Severino motioned to approve the variance allowing the 39' front yard setback, Mr. Rowley seconded, roll call vote:

| | | | |
|---------------|-----|-----------------|-----|
| M. Merlino | yes | R. Yeatman | yes |
| C. Hamilton | yes | M. Achey | yes |
| C. Lange | yes | F. DiRocco | yes |
| J. Rowley | yes | L. Severino | yes |
| T. Giangiulio | yes | motion carried. | |

Parkwoods Care - continued

Mr. Lange motioned to approve the variance allowing the 20' side yard setback, Mr.

Yeatman seconded, roll call vote:

| | | | |
|---------------|-----|-----------------|-----|
| M. Merlino | yes | R. Yeatman | yes |
| C. Hamilton | yes | M. Achey | yes |
| C. Lange | yes | F. DiRocco | yes |
| J. Rowley | yes | L. Severino | yes |
| T. Giangiulio | yes | motion carried. | |

Communications:

NJ Planner Newsletters – November.

DVRPC – Municipal Implementation Toll #22 Brochure.

ANJEC – Information and application for Sustainable Land Use Planning Grants.

DEP – Treatment Works Approval for Sally Starr's Restaurant.

Notice of Public Development Appl. to Pinelands from ARH Engineers for Pestletown Road.

Pinelands Memo concerning CMP amendments concerning communications facilities, solar energy facilities, and accessory uses on deed restricted parcels.

Thank you letter from this Board to Mr. Toussaint.

Letter to Township Committee from this Board asking about Recreation Trust Fund.

NJPO – Schedule & Registration forms for Mandatory Classes.

Minutes:

Mr. Lange motioned to approve the December 6, 2011 minutes, Mr. Severino seconded, those members eligible voted all in favor, motion carried.

Resolutions:

12-01, Louis Kitsios, Bl 34, Lt 6, rescinding of resolution 11-16.

Chairman Giangiulio explained the situation and read the resolution.

Mr. Rowley motioned to rescind resolution 11-16 and memorialize this resolution, Mr.

Achey seconded, roll call vote:

| | | | |
|---------------|-----|-----------------|-----|
| M. Merlino | yes | R. Yeatman | yes |
| C. Hamilton | yes | M. Achey | yes |
| C. Lange | yes | F. DiRocco | yes |
| J. Rowley | yes | L. Severino | yes |
| T. Giangiulio | yes | motion carried. | |

Reports:2011 Annual Planning Board Report

Mr. Lange motioned to have the 2011 Annual Planning Board Report accepted, Mr.

Hamilton seconded, all members were in favor with the exception of Mr. Yeatman who abstained, motion carried.

Open to the Public:

Bill Richardson, 2247 Bartram Avenue, questioned the outcome of the vote taken for Conflict/Special Engineer.

Chairman Giangiulio stated that he will have the Solicitor review the information and resolve it at the next meeting.

Gabriel Cimino, 504 Jackson Road, noted that he appreciated being on the Planning Board last year. He noted that his project was being reviewed by last year's Conflict Engineer and he wondered if he would be required to continue using them.

Solicitor Brennan noted that the Board could assign it to a new Engineer, but from a practical stand point it could cause him to incur more cost because they would have to review it.

Chairman Giangiulio noted that he can request the Board to assign his application to a new Engineer, but he is pretty far down the path with his review process for a new Engineer to take over the review.

Mr. Cimino noted that he understands.

Andy Wade, 382 Jackson Road, noted that he thinks there should be a clock in the newly remodeled meeting room.

Closed to the Public.

Motion to adjourn, seconded, meeting adjourned at 8:40 PM.