

Elk Township Planning and Zoning Board Meeting

Regular Business Meeting

May 21, 2014

Minutes

Call to Order: Board Chair called the meeting to order at 7:39pm.

Open Public Meeting Act: read by Board Secretary

Roll Call:

Present: Matt Afflerbach, Jay Hughes, Dave McCreery, Ed McKeever, Eugene Shoultz, Patrick Spring, Jeanne White, Christine Yenner, Frank Goss

Also present: Joan Adams, Board Solicitor, Leah Bruder of Bach Associates, Board Planner, Stan Bitgood of Federici & Akin, Board Engineer

Absent: Bill Carter, Gus Rosado

Flag Salute, led by Chairperson

Announcements:

- Notice to Public and Applicants: Board policy is no new business will commence after 10:30 pm and all testimony will stop at 11:00 pm, except for individuals wishing to speak during the general public session. *An individual's comment will be limited in time to five (5) minutes during these general public comment sessions in order to give as many members of the public as are present, time to speak.*

General Business:

- **Approval of minutes:**
 - April 16, 2014

Mr. Shoultz moved to approve the minutes of April 16, 2014, Seconded by Mr. McCreery.

With all members in favor, *the motion was carried.* Mr. Goss abstained.

- **Resolution(s):** None
- **Old Business:** None
- **New Business:**
 - 1) **Application #SP-14-01, Completeness Hearing – Minor Site Plan & Conditional Use D-3 variance for Temporary Sales Trailer with signs for Aura I** (conversion project), Block 29, Lot 24 to Applicant: Aura Development Group, LLC

The applicant was represented by Attorney Vincent D'Elia and the following were sworn in for testimony:

Mike Canuso, Aura Development Group, 1010 Kings Highway, South, Cherry Hill, NJ
Robert Bower, Aura Development Group, 1010 Kings Highway, South Chery Hill, NJ
Henry Haley, PE, CES (Consulting Engineering Services), 645 Cross keys-Berlin Road, Sicklerville, NJ

Board Planner, Leah Bruder, reviewed her letter of May 5, 2014:

Item 8: submit copies of all applications to and certifications of all outside agency approvals. Applicant has provided a list of the status of outside agency approvals. *The proposed driveway is off of County Route 667. A copy of County Planning Board approval must be provided as a condition of minor site plan approval. Conditional waiver for completeness is recommended.*
Applicant agreed.

Item #29: submit an Environmental Impact Statement in accordance with §96-44.
Applicant requests a waiver.
Waiver is recommended given the nature of the application.

Item # 33: requires a statement and demonstration of compliance with affordable housing requirements as applicable.
Waiver is recommended given the nature of the application.

Item 38: requires the applicant to submit site photographs.
Waiver is recommended given the nature of this application.

Item 59: requires the applicant to provide the location of soil borings.
Applicant requests a waiver.
Waiver is recommended given the nature of this application and the Board Engineer had no objection.

Item #64: requires the applicant provide plans and designs for storm drainage facilities including calculations. The applicant has provided information about the direction of water flow and has provided a note regarding the restoration of grading. Deferred to Board Engineer.
Conditional waiver for completeness is recommended by Board Engineer.

Items #66 & 67 requires applicant provide information regarding septic or sewer connection. The applicant has included a note on the plan regarding a holding tank for the proposed trailer. Deferred to Board Engineer.
Waiver is recommended as the sales trailer is temporary – one year.

Mr. Canuso commented the sales trailer proposed is for Ryan Homes only. The other builder prefers to use a model home or on-line site for their sales.

Item #71: requires the applicant to provide the location and details for solid waste and recycling. The applicant has indicated there will not be any exterior trash containers and that trash will be disposed of off-site by the sales staff.
Waiver is recommended if applicant agrees that no dumpsters will be placed on the site.
Applicant agreed and provided further testimony

Item #74: requires the applicant to provide all stormwater items required by Chapter 86.
Deferred to Board Engineer for comment.
Conditional waiver for completeness is recommended by Board Engineer.

Item #75: requires the applicant to submit a Utilities Plan. The applicant has shown the temporary power connection and has provided notes regarding the water supply and sewer tank.
Deferred to Board Engineer for comment.
Conditional waiver for completeness is recommended by Board Engineer.

Mr. Bitgood referred to his letter of May 8, 2014:

Item #13: Metes & Bounds descriptions & lot surveys.
Conditional waiver for completeness is recommended by Board Engineer.

Item #39: Side Yards & setbacks (side distance not shown)
Conditional waiver for completeness is recommended by Board Engineer.

Item #58: Soil Erosion & Sediment Control Plan
Conditional waiver for completeness is recommended by Board Engineer.

Item #64: Hydraulic Drainage Calculations
Conditional waiver for completeness is recommended by Board Engineer.

Ms. Yenner asked for clarification of the wording “given the nature of the application.”

Mrs. Bruder explained the sales trailer is proposed on a site that has already received a broader approval and all the other considerations have been reviewed or will be at final approval. Also this is a temporary site, so once they are finished with it, it will be removed.

Mr. Shoultz moved to grant the waivers as discussed and deem the application complete. Seconded by Mr. McCreery.

Voting in favor: Afflerbach, Hughes, McCreery, McKeever, Shoultz, White, Goss
Against: ***Abstain:*** ***7-0-0***

(This application was for a “D” variance, which is heard by the Zoning Board of Adjustment therefore the Mayor and Committeeperson were not eligible to vote)

2) **Public Hearing, Application #SP-14-01 – Minor Site Plan & Conditional Use D-3 variance for Temporary Sales Trailer with signs for Aura I (conversion project), Block 29, Lot 24 to Applicant: Aura Development Group, LL**

The Board Solicitor confirmed with the Board Secretary that proper formal public notice had been completed and the Board has jurisdiction to proceed. The applicant’s representatives have already been sworn in.

Mike Canuso gave the board a brief overview of the application. The sales trailer will be located south of the main entrance in front of basin A-1. Nine (9) parking spaces are proposed (one handicapped) in a stone parking lot. The handicap space will be paved to meet ADA requirements. Two signs are proposed that require variances. The larger sign will sit off the roadway right-of-way which will identify the builder, single family homes, phone number, etc. A second sign will be placed in front of the sales trailer with hours of operation. The sales trailer will be on site for a year or less and is the standard size (60x12) you would normally see at any site (photos were submitted). The trailer restroom will utilize a holding tank system. Hand sanitizer will be provided. Drinking water will be supplied by a water cooler dispenser. A cleaning service will be on site weekly and is responsible to remove the office trash.

Mr. Haley explained the proposed signage. One small free standing, informational sign, will be approximately 8 square feet and a height of 4 feet where township ordinance permits only a wall mounted sign of a maximum of 3 square feet in area identifying the sales trailer entrance. The larger sign, with an area of 32 square feet with a height of 10 feet is proposed where township ordinance permits a maximum area of 6 square feet and a maximum height of 4 feet, will be located along the county roadway outside of the site triangle. The larger size sign is needed due to the county road speed and site distance on Aura Road. A larger sign can easily be seen directing visitors to the sales trailer. The sign material is wood panel that will be painted with vinyl graphics with printing on both sides.

The sales trailer site is particularly suited for the use and meets all the use standards except for the signs. The site will be landscaped, stormwater will be graded away from the trailer toward the main stormwater system. The sales trailer site will not have a detrimental effect on the major stormwater system for the entire development. Once the trailer is removed, the area will be returned to a landscaped area. The size of the sign is needed due to the site distance and speed traveled along Aura Road and will easily and safely identify the location of the development and sales trailer. In Mr. Haley’s opinion, there are no negatives for this application, they are all positives to identify safe access to the site.

The sign material is wood panel painted with vinyl graphics supported by 2 small columns. The larger sign will be painted on both sides.

Mr. Hughes inquired if a sample home would be used after the time is up for the temporary sales trailer (one year). Mr. Canuso stated that was correct and they hope to have all the site improvements in by the end of this summer. Regarding burglar and firm alarms, Mr. Hughes recommended a Knox Box system be installed whether they are in the sales trailer or model home. Mr. Canuso will make Ryan Homes aware.

Chairperson White inquired how often the trash would be removed. Mr. Canuso confirmed a cleaning company would come on a weekly basis and that no trash would be stored on the site, no trash receptacle outside. Applicant agreed there would be no dumpster on the site. The cleaning company staff would take the trash with them. Applicant agreed this could be a condition of approval.

Mrs. Bruder reviewed the remaining comments of her letter dated May 5, 2014.

The sales trailer is a permitted conditional accessory use of the subdivision. The applicant is asking for a deviation from the permitted temporary signage, a "D(3)," conditional use variance. The applicant is also requesting a variance from providing a paved parking area, except for the one ADA (handicapped) space-which will be paved, and proposes stone. Given the temporary nature, she was in favor of the stone. It is better for stormwater management, easier to remove and easier to restore the area back to landscaping.

Signage.

They are permitted one free standing sign to identify the site and they are proposing two.

One in front of the sale office and one out on the main road. The one on the main road is necessary because a development sign will not be up yet and in this instance both sign make sense. The signs have to be located so not to impede traffic or site triangles and this has already been reviewed and the applicant agrees. By ordinance, the sign copy may include the name of the developer and development and "Sales Office". The proposed sign includes some additional information related to the price of the homes, the phone number and hours of operation therefore a variance is required. This is acceptable for a temporary sign, but not for a permanent sign- too much clutter. Size of signs: one is 8 sq. ft. and one is 32 sq. ft. and the reasoning has already been discussed. Normally access to the sales trailer is not recommended off of a county road, but this is a temporary site. Once the main development road, Orchard Boulevard, is completed the sales office will be moved into a model home located off of Orchard Boulevard. Mrs. Bruder is satisfied with the landscaping proposed for the sales trailer (photos of the proposed sales trailer were disturbed that included landscaping). Mr. Bower added there are 16 shrubs proposed at the foundation and 6 shrubs around the sign. Once the sales trailer is removed, this is an area that will be restored to an orchard area.

Board Engineer, Stan Bitgood, confirmed the following: 1) there will not be an awning with the builder's name on it, as shown in the photo. Mr. Canuso testified that Ryan homes will need approximately 30 days to shut down and remove the sales trailer once the model home is ready, 2) plantings will began in the fall, as recommended by the landscaper and 3) storm water calculations for the sales trailer area are not necessary (as they were included within the overall plan). This is a small, temporary site and a waiver is recommended for the sales trailer site. Applicant's engineer agreed one benchmark will be shown.

Mr. Bitgood had no other comments.

Mr. McCreery moved to open to the public, seconded by Mr. Shoultz.

With all members in favor, ***the motion was carried.*** With no comment from the public, ***Mr. Shoultz moved to close the public portion, seconded by Mr. McCreery.***

Mr. Hughes moved to approve the minor site plan & grant D(3)variance for deviations from the conditions attached to this conditional use subject to the representations of the applicant and the requirements set forth in the professional's review letters. Seconded by Mr. Goss.

Roll Call:

Voting in favor: Afflerbach, Hughes, McCreery, McKeever, Shoultz, White, Goss

Against: **Abstain:** **7-0-0**

- **General Public Portion**

Mr. Hughes moved to open the general public portion, seconded by Mrs. White.

With all members in favor, *the motion was carried.*

With no comment from the public, *Mr. Shoultz moved to close the general public portion, seconded by Mr. Hughes.*

With all members in favor, *the motion was carried.*

- **Correspondence:** None

Committeewoman Yenner asked Mr. Canuso to provide the municipality with a color rendering of the site for residents to view.

- **Adjournment:**

Mr. Afflerbach moved to adjourn, Seconded by Mr. McCreery.

With all members in favor, *the motion was carried.*

Adjournment time: 8:23pm

Respectfully submitted,



Anna Foley
Board Secretary