

Elk Township Planning and Zoning Board Meeting

Regular Business Meeting September 17, 2014

Minutes

Call to Order: Board Chair called the meeting to order at 7:43pm.

Open Public Meeting Act: read by Board Secretary

Roll Call:

Present: Bill Carter, Jay Hughes, Ed McKeever, Eugene Shoultz, Jeanne White, Frank Goss

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

Absent: Matt Afflerbach, Dave McCreery, Mayor Spring, Christine Yenner, James Rambo

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:** None

➤ **Resolution(s):**

2014-12: resolution memorializing approval of a minor subdivision, lot line adjustment and variances for block 18 lots 31 and 28 to applicants Kenneth and Myra Toms to permit a lot line adjustment between their land and the land of their neighbor, George Lucas.

Mrs. Adams explained she had made a few changes. The first one is due to is the County Planning Board's review that has slightly modified its right-of-way distance (increasing a variance distant slightly, decreasing a variance distance slightly and removing a variance. The deviations are so minor that it would be an unreasonable expenditure for the applicant to return to the board). The second change is for the engineer's signature block to be revised to "Township/Planning Board Engineer" where it presently denotes "Township Engineer" to comply with the Map filing law. In our case, the Planning Board and Township Engineer are the same person.

Mr. Shoultz moved to adopt resolution 2014-12, Seconded by Mr. Hughes.

Roll Call:

In favor: Hughes, White, Goss

Against: None

Abstain: None

3-0-0'

➤ **Old Business:**

Postponed from the August 20, 2014 meeting and was announced for the September 17th meeting and that no further notice would be required.

1) Completeness Hearing, Application #SP-14-05 - Model Homes Park Minor Site Plan with signage D(3) variances, block 29 lot 24, for community known as Aura I, to applicant Aura Development Group, LLC.

Candace Kanaplue from Bach Associates was filling in for Leah Bruder and was sworn in as the Board's Planner.

The following were sworn in for testimony:

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

Mrs. Kanaplue referred to Mrs. Bruder's letter of September 4, 2014 for the following two outstanding completeness items:

- 1) Clarify whether the application is for 3 model homes and parking area but then also indicates the approval is for 4 additional model homes (not identified on the plan) and a parking area.

Applicant should identify the four model homes sites in order for them to be considered as part of the approval.

- 2) Checklist item #71, provide the location & details for trash and recycling. A dumpster is not permitted on site.

Applicant indicated the trash/recyclable would be disposed of off-site by sales people. The applicant should describe the procedure for handling both.

Michael Canuso addressed the board, referring to a display board of the plan with a specific area outlined as Section I. Section one consists of nine (9) lots. One lot is for parking. The plan denotes lots 3, 4 & 13 as model homes sites. Ryan Homes has two lots, 3 & 4 (they have contracted for 100 homes), one lot (lot 13) is for Chiusano Homes (C&C Development Company). The additional lots will be for two other builders.

Each will require specific building permits, plot plan reviews will be done by the construction office, so rather than come back to the board and amend the site plan, it's all being done now.

To clarify, the future model home lots are for lots 1, 2, 5, 11 & 12.

Trash. No dumpster are proposed. Cleaning staff will dispose of all trash and recyclables, one to two times a week. There will be a port-a-potty on site.

Mrs. Kanaplue confirmed the future model homes lots numbers as 1, 2, 5, 11 & 12 and had no other items.

Mr. Bitgood referred to review letter prepared by James Spratt, dated September 9, 2014 for open completeness items: Checklist item #12: requires floor plans & front elevation views of the buildings.

Applicant provided 3 building images that were marked as exhibits. Mr. Bitgood asked if the board was comfortable with not having images for the others.

Mrs. Adams confirmed the Board Engineer was in agreement with all the other waiver requests.

Mr. Bower commented typically Planning Boards do not usually review floor plans or elevations of single family houses. They do for commercial & manufacturing uses, that's why it's on the checklist. The board won't see the elevations or floor plans for the rest of the houses.

Mrs. Adams explained the purpose of this process is to determine whether under the facts of this particular application whether that checklist item is really necessary. The checklist was created to cover everything we have relied upon, but we don't always need everything. Mrs. Adams slightly disagreed with Mr. Bower, true applications for a single family home, boards would not review floor plans or elevations. However, applications for sales trailers - we would want to see the

plans and/or elevations. In this case we are foregoing sales trailers and moving into model homes and the board will need to determine whether the plans and elevations are necessary.

For the record, Mr. Bower added there will not be a repetition of product within the project.

The applicant agreed, as a condition of approval, that no two models would be next to each other.

The model homes will have the sales offices located inside the garage. Entrance to office will be on the side of the garage. With a sidewalk leading to the entrance. When looking at the home from the street, the home will look like a regular house with a garage front.

Mrs. Adams added that a condition of approval would be that the architectural elevations have to be different that before the construction of any new model be submitted to the construction office for review and consistency and second copy be submitted to the Planning Board for the file. The applicant agreed.

The Board Engineer had no other completeness items.

Mr. Hughes confirmed, for fire protection services, that there would be actively fed and pressurized water mains and fire hydrants ongoing as they move into each phase. Mr. Canuso, stated "yes" and added it is a requirement of a previous approval that before they can open the doors to these models, these systems have to be up and running. For the first sections, the lines have been pressure tested and bacteria testing has been completed.

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

Voting in favor: Carter, Hughes, McKeever, Shoultz, White, Goss

Against: Abstain: 6-0-0

2) Public Hearing, Application #SP-14-05 - Model Homes Park Minor Site Plan with signage variances, block 29 lot 24, for community known as Aura I, to applicant Aura Development Group, LLC.

Board attorney confirmed with the secretary that proper public notice had been completed by the applicant.

Mr. Canuso, referring to a displayed plan, explained the entrance off of Aura Road into section I into the model homes park, the parking location and where the signage is proposed.

Proposed signage includes:

two freestanding information center directional signs (5x3), directing customers to the parking area.

two free standing signs (3.5 x 4.5) identifying the sales office and hours of operation

three freestanding signs (5.25 x 3) identifying the name of each model home

All the signs will match throughout the project with a common color and design scheme. Photos of the signage (3 photos) were marked as an exhibit for the file and labeled as applicants #1.

Each lot will be landscaped and sidewalk installed. Three model homes will be constructed at approximately the same time. Mr. Shoultz asked the price range of the homes, and Mr. Canuso responded the Ryan Homes are in the \$260,000-\$300,000 range and Chiusano is around \$300, 000.

Architectural drawings, elevations and floor plans were distributed for three of the model homes for the file (4 pages each) and they were marked as exhibits and labeled: applicants #2- Kensington model, Chiusano Homes, applicants #3-Venice model Ryan Homes, applicants #4 Shakespeare model, Ryan Homes.

Mrs. Kanaplue referred to the remainder of Mrs. Bruder's review letter of September 4, 2014.

The model home/sales office within an approved residential subdivision is a conditionally permitted use and is considered a conditional accessory use. The sales offices are only permitted during the period necessary for the sales of the lots in this subdivision. It appears that all of the conditions, except those related to the permitted temporary signage, have been satisfied. Therefore a "D(3)" variance is required to permit a deviation from a standard, in this case for the signage, pertaining to a condition use.

Overall, the planner did not have a problem with the signage as proposed. She confirmed there will be up to four

builder's signs and up to 8 freestanding signs identifying the name of the model homes. The signs must be located so as not to impede traffic or sight triangles and a variance is required for the additional information added to the sign copy relating to the hours of operation.

Mrs. Kanaplue asked for a time frame of the model homes. Mr. Canuso responded his longest projection is 7 years for 350 units. Mrs. Adams confirmed the sales offices will only be used by developers within this project.

Mrs. Kanaplue read the ordinance requirement 96-79D(4), to restore the land and be secured by a performance bond. The applicant has already posted a performance bond for this section and a cost estimate for the removal of the temporary facilities and restoration of grading has been provided for review. The Board Engineer is satisfied with the estimate.

Rather than post a bond for 7 years, Mr. Canuso asked the board to consider a waiver from providing the paved parking lot and instead consider on street parking to accommodate 18 parking spaces, including handicap parking. A handicap port-a-potty would also be provided along with the appropriate landscaping.

Mrs. Adams clarified that if there is a parking lot, they have to post a bond. Discussion followed on some other options or possible conditions of approval. The end of Cortland Boulevard will only be used for the model homes and will be fenced off, it will not be a through street.

Mr. Carter was in favor of not having the parking lot and using the on street parking if that option was safe for model home visitors. This way the town won't have to worry about a parking lot not being removed, should a builder become defunct, and future residents complaining about a parking lot in their development.

Mr. Canuso added visitors normally spend anywhere from 15 to 30 minutes visiting the model homes. Mr. Haley explained the size of the parking spots, center island and road width. He added the parking spots could be striped. By doing this, one of variance for directional parking would be eliminated. Mr. Canuso agreed to work with the Planning Board Engineer to revise the plan, the parking layout, for the on street parking. The board was in favor. Mr. Carter summarized, there will be no parking lot, parking will be on the street, and no parking on the island side of the street. One handicap parking space will be provided for the first three model homes. With the addition of a fourth model home, the applicant agrees to provide another handicap spot on the opposite side of the street. The handicap port-a-potty location will be worked out with the board engineer and/or planner.

The applicant has added pedestrian crossing signs and a cross walk between the depressed curbs across Cortland Boulevard addressing Pedestrian safety.

Board Planner had no other items.

Applicant Engineer, Mr. Haley provided the following testimony regarding positive criteria for the Signage: Sign "A" informational for parking, will be removed since there will not be a parking lot, removing the variance request. Sign "B" Informational Center sign will be located in front of each sales office and will have up to 4 sign potentially. Sign "C" individual sign identifying a model for each sales unit, up to 8 at the most. The signs are a "D" variance because of the size and number proposed. The site is zoned for residential use, so the signs are a permitted use. The signs are for a temporary offices which are also permitted. It is normal for a project of this nature to have these signs for direction, traffic flow, identification and public safety. The signage is slightly large for easier identification. The number of signs requested is due to the uniqueness of the site, it is a model homes park, with up to potentially 8 sample homes, with three builders all in one location. With the model homes approval, the temporary sales trailer, previously approved, will not be used. Mr. Haley concluded there wasn't any negative criteria. Signs are allowed, there is no substantial detriment to the public good and will not impair the intent and purpose of the zoning plan.

Mr. Bitgood, Board Engineer, referred to the balance of the engineer's review comments dated September 9, 2014. The applicant confirmed Street trees would be installed on lots in order to obtain a C.O.

Sales Office hours of operation – the applicant's provided testimony as to the proposed hours of operation, which will be 10-6pm. Also bonding will be required for the fencing and the crosswalk, applicant agreed.

Mr. Bitgood asked for a time frame in which the fence will be removed and the boulevard opened. Mr. Haley, referring to the display plan, explained each section in relation to the fenced boulevard and how there would not be a significant

impact with the fenced off section and that there would be sufficient circulation to the surrounding sections. In the long term, seven homes would be impacted. The midblock crosswalk would not be subjected to traffic.

Mr. Carter suggested a deed notice to the 7 homes in sections 4 & 5 making them aware that the road will be fenced off until the model home park is decommissioned. The applicant agreed. It was requested, and the applicant agreed to install sidewalk in the model homes park.

Board Engineer had no other comments.

Mr. Goss moved to open to the public, seconded by Mr. Hughes. With all members in favor, *the motion was carried.* With no comment from the public, **Mr Goss moved to close to the public, seconded by Mr. Hughes.** With all members in favor, *the motion was carried.*

Mr. Hughes had a concern that the fence would become a transportation issue in the future for school buses. Mr. Canuso agreed if it became a problem it would be addressed.

Mrs. White moved to grant minor site plan approval for the construction of a Model home park with potentially 9 models with 4 different builders & 4 different sales offices, and sign variances condition upon the items outlined in the board's professionals' review letters, the applicant's testimony and all required outside agency approvals. Seconded by Mr. Shoultz.

Roll Call:

Voting in favor: Carter, Hughes, McKeever, Shoultz, White, Goss

Against: **Abstain:** **6-0-0**

- **General Public Portion**

Mr. Shoultz moved to open the general public portion, seconded by Mr. Carter.

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

- **Correspondence:**

Mrs. Kanaplue had distributed a memorandum, dated September 17, 2014, from Leah Bruder explaining the Master Plan reexamination process. At next month's meeting or at November's meeting, Mrs. Bruder intends to provide additional information for the board's review and consideration including a map and some potential zoning alternatives for the focus areas for the board as a discussion item. It would be scheduled as an agenda item.

Mrs. Adams's made the board aware that a new member's training session was being held in Salem County in October by the NJPO organization.

- **Adjournment:**

Mr. Goss moved to adjourn, Seconded by Mr. Hughes. With all members in favor, *the motion was carried.*

Adjournment time: 9:36pm

Respectfully submitted,



Anna Foley
Board Secretary