

**DELANCO TOWNSHIP
JOINT LAND USE BOARD
REGULAR MEETING
JULY 7, 2009**

Ms. vanGenderen called the meeting to order and led the flag salute.

Sunshine Statement

Please be advised that proper notice of this meeting has been given in compliance with the Sunshine Law in the following manner: written notice has been mailed to the Burlington County Times and Courier-Post newspapers and published in the January 3, 2009 editions. Written notice has been posted on the official bulletin board of the Township of Delanco at least 48 hours prior to the meeting.

Present: Mr. Taraschi, Ms. Jass, Mr. Lord (arrived at 8:47 PM), Ms. Mader, Mr. Martin, Mr. Matulewicz, Ms. Moore, Ms. vanGenderen, Mr. Schmitt, Mr. Anastasi

Absent: Ms. Lohr

Board Professionals: Denis Germano, Esq.; Hugh Dougherty, Engineer; Cheryl Bergailo, Planner

Master Plan Consistency Review

Ordinance 2009-8 Planned Unit Development—Affordable Housing—2 Zoning Regulations

Ms. Bergailo stated that the proposed ordinance was completely consistent with the 2009 Master Plan and with the 2008 Fair Share Plan. Board members discussed item 5 on page 1 of the ordinance and the language pertaining to rental units that would be available for occupancy by Church Founding Pastors, elders or critical campus staff. A written recommendation from the Board suggesting that more general language be used regarding the market rate units will be sent to the Township Committee before their July 13 meeting.

Motion by Ms. Moore, seconded by Ms. Jass to find Ordinance 2009-8 consistent with the 2009 Master Plan and with the 2008 Fair Share Plan and to comment on the limitation on the occupancy of the market rate units.

Those voting in favor: Mr. Taraschi, Ms. Jass, Ms. Mader, Mr. Matulewicz, Ms. Moore, Ms. vanGenderen, Mr. Schmitt, Mr. Anastasi

Those voting against:

Those abstaining/recusing: Mr. Martin

Applications

Abundant Life Fellowship, Inc.—Living Springs project

Block 2200 Lots 2.01 & 3

Route 130 South

Planned Development—Affordable Housing—2 Zone

Final Major Site Plan and Subdivision

Completeness Determination

Mr. Dougherty referred to his letter dated June 30, 2009 identified as Review No. 1. He reviewed the section on page 3 which dealt with completeness issues. Mr. Dougherty recommended that the Board declare the application to be complete with the requested waiver of the scale of the plat.

Mr. Martin recused himself from the hearing at this time.

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Motion by Ms. Mader, seconded by Ms. Moore that the application be determined complete.

Those voting in favor: Mr. Taraschi, Ms. Jass, Ms. Mader, Mr. Matulewicz, Ms. Moore,
Ms. vanGenderen, Mr. Schmitt, Mr. Anastasi

Those voting against:

Those abstaining/recusing: Mr. Martin

Hearing

Notice of the application was done in a timely manner and went to everyone who should receive it.

George Kroclicik, Esq. represented Abundant Life Fellowship. Mr. Kroclicik asked about finalizing the applicant's Preliminary Major Site Plan and Subdivision. Mr. Dougherty referred to his letter dated June 25, 2009 identified as Preliminary Review No. 3. The application had been approved with conditions, and Mr. Dougherty felt that the technical portions were addressed. Most of the administrative issues were tied to the Final Major Site Plan and Subdivision so they will be addressed then. Ms. Bergailo stated that there were still outstanding comments from the Taylor Design Group letter of June 23, 2009 identified as First Resolution Compliance Planning Review.

Mr. Kroclicik stated that the applicant would be providing testimony regarding Phase I of their plan which would encompass the "Lourdes commercial building", the 100-unit residential building, and the 20-unit residential building.

Mr. Germano swore in the following witnesses: Brian McMorrow, Senior Project Manager with Bohler Engineering; the Reverend Aubrey Fenton of Abundant Life Church; David Shropshire, traffic engineer with Shropshire Associates LLC; Bob Persichetti, owner and operator of Effective Sign Works; Rick Ricciardi, Principal Environmental Scientist with Marathon Engineering; Anthony Sirizzotti, Vice President of Architecture with The Bannett Group; and Raymond Rebilas, architect with Kitchen & Associates.

Brian McMorrow was called as the first witness. Mr. McMorrow reviewed his qualifications for the Board and was accepted as an expert. He reviewed Exhibits A-1 and A-2 which showed the overall plans for the property. Topics covered included the size of the property, the type of buildings approved, points of access, street names, parking and driveway modifications at the Lourdes medical center building, removal of a cul-de-sac at end of Lakeview Drive, emergency access drives, wall alignments at Holiday Lake, and tree locations. Mr. McMorrow next updated the Board on where things stood with outside agency approvals. Using Exhibit A-3 he discussed New Jersey Department of Environmental Protection permits. Topics covered included the proposal of a boardwalk along the rear of the cottages running along the shoreline of the tidal water and the change in classification of a feature from "wetlands" to "State open water". Mr. McMorrow then referred to Exhibit A-4 which identified what will be built during Phase I including which buildings will be constructed, parking, and access to the site. He also referred to Exhibit A-5 during this part of his testimony. Exhibit A-5 provided additional details regarding access and sidewalks. There was extensive discussion pertaining to the location of the sidewalk and its purpose, bicycle and pedestrian traffic, the possibility of extending the sidewalk in the future, and access to Pennington Park. Mr. McMorrow briefly reviewed Exhibit A-6 which showed the location of grass pavers and an area of reinforced sidewalk to be used for emergency access, Exhibit A-7

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which showed proposed building location and directional signs, Exhibit A-8 which showed sign details, and Exhibit A-9 which showed the final subdivision plan for Phase I.

After Mr. McMorrow's presentation there was discussion pertaining to traffic entering the campus on Parkview Drive (Exhibit A-2 was used). Board members expressed concerns about safety when traffic enters the parking area next to the proposed 43 unit building. David Shropshire was called as the next witness. Mr. Shropshire reviewed his qualifications for the Board. He provided testimony regarding possible traffic calming techniques to be used where Parkview Drive enters the parking area, and there was extensive discussion regarding this topic. Mr. Shropshire also updated the Board on the status of Abundant Life's pending application with the Department of Transportation. [Mr. Lord joined the Board 8:47 PM.] Mr. Shropshire next referred to Section G. Signage in the Taylor Design Group letter of June 26, 2009 and provided testimony with respect to the variances identified in that section. An architectural drawing by The Bannett Group showing façade signs on the medical office building was marked as Exhibit A-10, and Mr. Shropshire referred to this drawing during his testimony.

Bob Persichetti was called as the next witness. Mr. Persichetti reviewed his qualifications for the Board. He provided testimony regarding how the signs would be lighted.

Rick Ricciardi was called as the next witness. Mr. Ricciardi was qualified as an expert during the Preliminary hearing. He referred to Exhibit A-3 during his testimony and gave the Board an update regarding the pending applications with the Department of Environmental Protection and other regulatory agencies. Mr. McMorrow used Exhibit A-3 to identify where arsenic will remain on site.

Anthony Sirizzotti was called as the next witness. Mr. Sirizzotti reviewed his qualifications for the Board. He referred to Exhibit A-10 during his testimony regarding the commercial building. Mr. Sirizzotti provided details on the building materials used, features of the building, rooftop equipment, and colors of the building materials. Mr. Sirizzotti had samples of the materials to be used.

Raymond Rebilas was called as the next witness. Mr. Rebilas was qualified as an expert during the Preliminary hearing. He referred to Exhibit A-13 which showed a floor plan of the 100 unit senior residence. Mr. Rebilas reviewed details of the floor plan and discussed the trash/recycling rooms, conversion of units to handicapped units, the sprinkler system and the use of an elevator for emergency evacuations. Mr. Rebilas then referred to two color renderings of the senior residence which were marked as Exhibits A-14 and A-15. He pointed out building details including the materials used and colors of the building materials. Mr. Rebilas had samples of the materials to be used. He discussed the fact that mechanical equipment would be located within the building. There was also discussion about the location of trash and recycling dumpsters and the size of the enclosure for them. Rev. Fenton provided testimony regarding the proposed recycling program for the site.

Mr. Kroclic then asked Mr. McMorrow to review the Pennoni Associates letter of June 30, 2009. Mr. Dougherty stated that there had been a meeting on July 1 of the Joint Land Use Board professionals and the Abundant Life professionals to review the conditions on page 4 of the letter. Using Exhibit A-5 Mr. McMorrow provided details regarding use of the existing driveway for Phase I and construction of the new Peace Way driveway. He also discussed removal of a billboard on Route 130 and when details of

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the retaining walls will be provided. Mr. McMorrow and Mr. Shropshire referred to Exhibit A-7 to answer questions regarding signage near the existing and future driveways. Mr. Dougherty provided information about the use of Holiday Lake for stormwater management, and Rev. Fenton provided information about how the Lake would be maintained.

Mr. Kroculick next referred to the Taylor Design Group letter of June 26, 2009. Mr. McMorrow provided information on parking, open space, lighting, relocation of the trash enclosure, and the boardwalk behind the cottages. Mr. Rebilas provided information on green building techniques.

There was considerable discussion pertaining to the possibility of the applicant building market rate units as part of the project. The Board determined that changing from 100% COAH units to 90% COAH and 10% market rate units was not a substantial change to the application.

Ms. vanGenderen opened the hearing to the public and since there were no public comments the hearing was closed to the public.

Motion by Ms. Jass, seconded by Ms. Moore to approve Final Site Plan, Final Subdivision Phase I which includes Phase IA, and sign variances as enumerated in the Taylor Design Group review letter and testified to by the applicant's planner. The applicant will amend the plan and provide supplemental information and documentation as indicated on the record.

Those voting in favor: Mr. Taraschi

Ms. Jass looks forward to the completion of this project.

Ms. Mader does think the use has changed, however, since it does not have a big impact and since the Township Committee saw fit to have it that way she is voting in favor.

Mr. Matulewicz, Ms. Moore, Ms. vanGenderen, Mr. Schmitt, Mr. Anastasi

Those voting against:

Those abstaining/recusing: Mr. Martin

Open Meeting to the Public

Ms. vanGenderen opened the meeting to the public and since there were no public comments the meeting was closed to the public.

Update on Creekside at Delanco, LLC vs. The Township of Delanco and the Joint Land Use Board of the Township of Delanco

Mr. Germano gave a brief overview of the case and updated the Board on its status. Mr. Germano stated that the Township solicitor informed him that Creekside's attorney had assured him and Judge Bookbinder that the complaint was going to be withdrawn. Mr. Germano has heard nothing further about the withdrawal so he will send a follow up letter to Creekside's attorney to find out where things stand.

Comments from the Board

Ms. Jass asked the Board to consider some dates to take a trip out to "The Dunes".

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Ms. Martin informed the Board that she had received a report from the Taylor Design Group regarding their inspection of the Newton's Landing walking trail. Board members asked to receive an e-mail copy of the report. Ms. Martin also thanked the Board for their kind gift of flowers and a restaurant gift certificate after her recent illness.

Adjournment

A motion to adjourn the meeting was made by Ms. Jass and seconded by Ms. Mader. The voice vote by the Board was unanimous in favor.

Katherine Martin
Board Secretary

Approved: August 4, 2009