

**DELANCO TOWNSHIP JOINT LAND USE BOARD
JUNE 13, 2007**

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 December 29, 2006 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. Denlinger, Ms. Jass, Ms. Mader, Mr. Matulewicz, Ms. Moore,
Mr. Templeton, Ms. vanGenderen.

Absent: Mr. Lewandowski, Mr. Lord, Mr. Pawline.

Ms. vanGenderen advised everyone that the following application would not be heard because the hearing date that was noticed was not correct and they will have to re-notice for the July 11, 2007 meeting.

Avery, Suzanne C.

Block 2000, Lots 13 & 19, 1107 Coopertown Rd.

I-2 General Industrial Zoning District

Bulk & Use Variances

Ms. vanGenderen also advised everyone that the Savannah Mews and Creekside applications will take a lot of time and may not be completed in one meeting. She set a limit for the meeting until 11:00PM.

Applications:

Zimecki, David & Gina

Block 703, Lot 3, 410 Larchmont Dr.

R-3 Single Family Residential Zoning District

Bulk Variance

(Began at 7:40:15PM and ended at 7:51:55PM)

Mr. Germano swore in David Zimecki the applicant and Jennifer Belan from Sunrooms America.

Mr. Zimecki stated that he proposes to put in a 16 foot by 12 foot sunroom off the back of his house. He requested a rear yard variance from 35 feet to 16 feet and two side variances.

Ms. Taylor stated that the lot depths in the zone were altered and rear yard setbacks were altered and a variance from the 35 foot setback to 16 feet will be required. The applicant should testify about the location of the house on the lot as well as the location of the sunroom and its relationship to the rear yard and the house.

Mr. Dougherty went over his letter dated April 27, 2007. His letter listed the existing nonconformities. When the ordinance was adopted the lot became a nonconforming lot with existing structures. There is a provision in the ordinance that if it was existing at the time the ordinance was adopted it was

grandfathered. Granting the existing nonconformities would not be necessary based on the current ordinance. The encroachments would have to be in existence at the time the ordinance was adopted.

Mr. Zimecki stated that he has owned the lot for seven years and did own it during the re-zoning. The encroachments existed at the time he purchased the lot.

Mr. Dougherty stated that the applicant is proposing to construct a glass enclosure over the existing concrete patio. He will be required to obtain a variance for the sixteen foot rear yard setback. Adding the glass enclosure does not increase drainage. He asked Mr. Zimecki if he has had any problem with grading or drainage from the concrete patio.

Mr. Zimecki stated that he has not.

Mr. Matulewicz asked if the neighbors had been noticed.

Mr. Zimecki stated that the certified letters were sent out and that there were no comments from them.

Mr. Germano stated that the advertisement was published on May 29, 2007 which was within the required time and that the publication was concise and that the Board has jurisdiction in the matter. He advised the Board that this type of variance is a hardship variance. The Board has to determine if granting the variance would substantially impair the zoning ordinance or the master plan. It is a permitted use in the zone and would be an enhancement to the residence. The question would be whether it would impact adjoining properties or overburden the lot. Mr. Germano asked about the location of the house behind him.

Mr. Zimecki stated that he does not have a house behind him and that the backyard of a house that sits on Burlington Avenue is behind him.

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

Ms. Mader made a motion to approve the bulk variance and stated that the location of the sunroom was appropriate and an enhancement to the neighborhood and will not crowd the neighbors. She also commented that there were no objections.

Ms. Moore seconded the motion.

Those voting in favor: Ms. Mader,

Mr. Matulewicz voted to grant the variance based on the hardship posed by the nonconforming lot,

Ms. Moore voted yes and stated that she agreed with Mr. Matulewicz,

Mr. Templeton voted yes and also agreed with Mr. Matulewicz,

Ms. vanGenderen voted to grant the variance because it meets the hardship criteria and will not be a detriment to the neighborhood or not conform with the master plan as written,

Mr. Denlinger,

Ms. Jass voted yes and stated that she agreed with Ms. vanGenderen's comments and also stated that it would be an asset to the area.

HOVBROS Delanco, LLC - Savannah Mews

Block 2100, Lots 3.01, 3.02, 3.05, 6, 7, 8.01 & 8.02, Coopertown Road

PRD/V Planned Residential Development/Village

Preliminary Major Subdivision

(Began at 7:52:03PM and ended at 10:42:48PM)

Patrick McAndrew represented the applicant.

Mr. Germano swore in the following professionals that would testify for the applicant:

Bill Bodwell, engineer.

John vonBusch, in house consultant.

Jeffery Lucas, independent consultant, real estate specialist and redevelopment specialist.

Mr. McAndrew stated that the Board approved a series of variances mostly use density variances for the project over a year ago and that they are back after working on the design and to complete the open items which are mostly bulk related and related to the type of product that will be built. He also stated that he didn't expect to complete everything at one meeting and hoped that the applicant's professionals and the board's professionals could meet to iron out some of the technical details.

Mr. Bodwell gave his credentials and distributed copies of the exhibits that would be discussed.

The following exhibits were identified and reviewed:

A1 – A colored rendering of the Savannah Mews site layout dated 05/01/07.

Mr. Bodwell went over the approvals obtained and outlined in Resolution Number 2006-06 approved by the Board on February 7, 2006.

A2 – A colored layout comparison exhibit dated 05/01/07.

Mr. Bodwell stated that the exhibit shows the upper right hand corner of the approved variance application layout and the application layout currently proposed. The number of market units has not changed. The mixed use lot has been changed on the proposed layout. The COAH units have changed to flats with one unit on top of another. There will be eight four bedroom units, four one bedroom units and four three bedroom units for a total of twenty units instead of twenty-one units. There is one missing unit that will have to be discussed. The COAH units will be rental units and the project will also include a total of one-hundred forty market rate units. He also stated that Ms. Taylor has advised them that they need twenty-four COAH units rather than the twenty-one units that are shown on the variance plan.

Mr. McAndrew stated that the COAH units and commercial units were on one lot on the variance plan and that the product type was also changed.

Mr. Bodwell stated that the road was moved after they received input from the County. He also stated that they discussed the COAH component with some of the COAH operators and they were concerned about the original concepts shared parking. They preferred designated parking for the COAH units and only the bare minimum number of parking spaces that are required to be provided. They wanted one parking space per unit. The new layout provides only one parking space per unit and there is a commercial lot with a five thousand square foot building on it. The COAH units are now on fee simple lots and more open space has been added. The original mixed use lot was 6%. The commercial lot is now 1.88% and the COAH lots are a total of 2.53%. The new layout contains an area that totals 4.4% for mixed use. There were adjustments to the main road and to the alley way behind the units and an additional alley way was added.

Ms. Moore expressed her concern that the COAH units will only have one parking space and felt that requiring someone to use the light rail would limit their employment opportunities.

Mr. Lucas a former member of the Workforce Investment Board stated that the number of job opportunities is even greater for someone living in Savannah Mews because of the proximity to the light rail. A lot of people feel that COAH units should only be near public transportation for accessibility to

work. Moorestown Ecumenical Neighborhood Development imposes a restriction on the number of cars a tenant is permitted to have.

Mr. Germano stated that if the operator imposes a restriction on the number of cars a tenant can have they are also imposing it on the Township.

Mr. Bodwell stated that the units on the Rosner Tract in Delanco have only one parking space per unit.

Ms. Moore stated that MEND testified about the parking requirements for the Rancocas Mews project and that reality is showing that the occupants there have a need for more than one car and that the parking is inadequate. MEND started out running Rancocas Mews and is no longer running it.

Mr. Bodwell stated that there is visitor parking on the perimeter roads.

Mr. McAndrew stated that they aren't asking for a variance at this time and will research the issue further and discuss it with the Board. Most affordable housing providers will tell you that you will have less parking for affordable housing.

Mr. Dougherty stated that the RSIS requires a certain number of spaces per unit and does not distinguish between COAH and non COAH.

A3-A Single Family Detached Lot Exhibit dated 05/04/07.

Mr. Bodwell stated that there are two models of single family detached units that have various variations and options. They have a recessed garage and a front porch that is forward of the house. The lot width will be 52.5 feet and the depth will be 110 feet with corner lots being larger. The adjacent lots on Newton's Landing are 50 feet by 110 feet. They proposed to reduce the side yard setback from 15 feet to 5 feet. The maximum building coverage would be increased to 43% when 40% is allowed. The total lot coverage of 60% would not be exceeded. A 25 foot buffer was added between Savannah Mews and Newton's Landing.

Mr. McAndrew asked if the developments will be connected.

Mr. Bodwell stated that the existing Newton's Landing Circle has a dedicated right of way so that a road could be pushed through. The residents of Newton's Landing did not want it put through so an emergency access connection has been proposed which still needs to be designed with input from the Board's professionals and the Board

Mr. McAndrew stated that there will be provision for emergency access which will not be for day to day vehicular access back and forth.

Mr. Bodwell stated that there will also be pedestrian access between lots 19.01 and 20.01 and there is also additional access for emergency vehicles.

Ms. Moore asked if the bay windows are included in the 5 foot setback requirement.

Mr. Bodwell stated that they would be an encroachment into the 5 foot setback.

Ms. Mader stated that eaves are counted in the setback requirements and bay windows would also be counted.

Mr. McAndrew stated that they will have to look into it and address it if necessary.

Mr. Templeton stated that some of the fire officials are concerned that the separation between units in new developments presents a problem when containing a fire.

Mr. Bodwell stated that they will have to look into the matter and that it will have to be discussed further.

Ms. Moore expressed her concern about families being so close to each other.

Mr. Lucas stated that he toured the Chesterfield developments done by K Hovnanian and Toll Brothers and Washington Township's Town Center. The trend is for manor homes to be on small lots. People are not looking to have a lot of grounds to maintain.

Ms. Moore asked if the setbacks were 5 feet on the units that he saw.

He said that he will get copies of the site plans and will bring in pictures.

A4-Single Family Attached Lot Exhibit dated 05/04/07.

The lots will be 32.5 feet wide and 110 feet deep. The units will be 24 feet wide with an 8 foot side yard and will comply with the front and rear yard requirements. There will be a garage and driveway allowing for two parking spaces for every unit on every lot. They will be on fee simple lots. Each building will be on its own lot. A number of the buildings will require a variance for lot building coverage because the buildings will be on separate lots.

Ms. Mader commented that she thought the lots were originally supposed to be 8500 square feet for the two buildings.

Mr. Bodwell stated that she is correct and that each lot was reduced in size from the original variance approval.

Ms. Mader commented that the lot is smaller which creates a coverage problem.

Mr. Bodwell stated that if you would look at it as one lot with two units on it would be in compliance with the 40% requirement.

Ms. Moore asked if there will be on street parking in front of the homes.

Mr. Bodwell stated that there will be on street parking.

Ms. Moore asked how many bedrooms the units will have.

Mr. Bodwell stated that the duplexes and townhouses will be predominately three bedroom units.

A5-Townhouse Lot Exhibit dated 05/04/07.

Mr. Bodwell stated that buildings will contain four or six units. The largest unit on the smallest lot will have a 64% building coverage and a 74% lot coverage. A 10 foot variance for the rear yard is being requested because garages are being proposed for the rear of the units so that each townhouse will have a one car garage. The rear yard requirement is 25 feet.

Mr. McAndrew stated that the lots will be broken down into individual lots with the smallest lot being 24 feet which is the width of the townhouse.

Mr. Templeton stated that the driveway pad for the garage will be 10 feet by 10 feet and if someone parks their car on the pad the back of their car will be blocking the alleyway.

Mr. Bodwell stated that they will not be permitted to do that.

Mr. Templeton asked who will advise the owner.

Mr. Bodwell stated that the homeowners association would and it would also be an enforcement issue.

Mr. Templeton stated that it would be better if things would be put on paper that would work rather than the Township Committee having to deal with the problem several years later.

Mr. Bodwell stated that they were looking at putting a second parking spot behind the units adjacent to the garage which could be an assigned parking spot for every townhouse unit and that they could look at it further.

Mr. McAndrew stated that they will follow up on the issue later.

A6-Mixed Use Lot Exhibit dated 06/07/07.

Mr. Bodwell stated that each COAH building will be on its own fee simple lot. There will be only one operator for all the units and the operator will own all the individual lots. The twenty units will be on approximately one acre of land.

Ms Moore asked were they will park.

Mr. Bodwell stated that they will not be directly in front of the units and the residents will have to walk to their units.

Ms. Jass asked about the width of the streets.

Mr. Bodwell stated that they will be 30 feet wide to allow for parking on both sides.

Mr. Templeton asked if it will be a one way street.

Mr. Bodwell stated that the alley way is a two way street. Road "A" is a two way street with a 30 foot pavement and a 50 foot right of way.

Mr. Templeton stated that the 30 foot pavement with 8 feet wide parking spaces doesn't sound like a two way street.

Mr. Bodwell stated that it is in accordance with the Residential Site Improvement Standards and that they are willing to discuss all the parking issues. He also commented that the distance to the parking area is no different than the parking for large apartment buildings.

Ms. Jass asked about the areas at the back of the buildings that extend beyond the main portion of the building.

Mr. Bodwell stated that they are storage areas for the units in the buildings.

Ms. Jass asked if there are rear entrances.

Mr. Bodwell stated that the first floor units have rear entrances. He also stated that the notice included side yard variances and that they haven't been worked out yet.

Ms. Jass asked what the recommended parking would be for the 5,000 square foot commercial building.

Mr. Lucas stated that it would be five cars per thousand feet of space or twenty-five parking spaces.

Mr. Bodwell stated that the commercial building has more than twenty-five and that they are not doing the site plan for it at this time.

Mr. McAndrew asked Mr. Bodwell to go over the variances.

Minimum lot area for townhouse: 20,000 is required and the smallest proposed is 2,700.

Minimum lot width for townhouse: 200 is required and the smallest proposed is 44.5.

Minimum depth for townhouse: 100 is required and the smallest proposed is 66.6.

Front yard setback: 25 is required and 10 is proposed.

Side yard: 15 is required and 5 is proposed.

Maximum lot coverage: 50% or 70% is required and 50% is proposed.

Building coverage: 30% is required and the smallest proposed is 40%.

Non residential lot: minimum of 2 acres and .72 acres is proposed.

Non residential: maximum of 3 acres and .71 acres is proposed.

The commercial building will be 5000 square feet.

Mr. McAndrew stated that when the County moved the road it put the 5000 square foot building on a smaller lot.

Mr. Bodwell stated that they tried to keep the building in the same general location.

Minimum lot width: 300 feet is required and 192.6 feet is proposed.

A1 – A colored rendering of the Savannah Mews site layout dated 05/01/07.

Mr. Bodwell returned to exhibit A-1 and advised everyone that 40% of the site will be open space.

There is one large lot that is open space and whether it will remain as one lot along with ownership and public access will have to be determined.

Mr. McAndrew asked where public access will be provided.

Mr. Bodwell stated that there will be public access to the waterfront at the end of the two long roads.

Ms. Jass asked if the basin closest to the creek is a detention basin or infiltration basin.

Mr. Bodwell stated that basin "B" is composed of two components one is infiltration and the other is detention where water is stored when there is excessive rainfall. He also stated that the four basins are part of the open space.

Ms. Moore asked if the Township would be responsible for the maintenance.

Mr. Bodwell stated that he thought the homeowners were going to be asked to maintain them.

Mr. Templeton asked if they will be fenced.

Mr. Bodwell stated that they are open and that they will be dry basins except when there is rainfall and there is excess storage in them.

Mr. Templeton asked if there are any fencing requirements.

Mr. Bodwell stated that he is not aware of any requirement.

Mr. Dougherty stated that there isn't anything in the ordinance that would require fencing.

Mr. Templeton was concerned that there will be families with kids in the community.

Mr. Bodwell stated that fences don't really keep kids out but they do keep adults out and make response to an emergency more difficult.

Ms. Jass stated that we are being asked to determine the ownership of the open space.

Mr. Bodwell stated that the creek frontage is being offered to the Township and the village green and other pockets of open space would be the responsibility of the homeowners association and that it is still open for discussion.

Ms. Moore asked if it would be the Township Committee's decision.

Mr. Germano stated that it would be the Township Committee's decision and that the Board can make a suggestion.

Ms. Jass asked if it has been discussed with the County to be included in the Rancocas Greenway.

Mr. Bodwell stated that the County is interested in doing some type of swap with the town.

A-7 750' Buffer Exhibit dated 05/25/07.

Mr. Bodwell stated that the ordinance requires that all the residential units have to be either within 750 feet of either the village green or the open space along the creek. The majority of the residential units meet the requirement and a variance will not be required.

A-8 Alternate Layout Exhibit dated 05/25/07.

Mr. Bodwell stated that at the suggestion of Ms. Taylor the plan shows the same number of lots without a cull de sac with the units facing road "F" and road "I" which makes the layout a grid layout. The ordinance permits one cull de sac which was included on the variance plan. He stated that it is an alternative option for the Board to consider and hoped for some feedback from the Board and its professionals.

Mr. Germano asked Ms. Taylor if she preferred the alternative layout.

Ms. Taylor stated that it was a way to conserve pavement and to make it more efficient.

Mr. Bodwell stated that there is also more open space in the layout.

Mr. Germano asked if the plan was forwarded to the fire official.

The secretary stated that it was not because it wasn't available prior to the meeting.

Mr. Matulewicz stated that the cull de sac adds architectural interest but there will be back yards backing up to front yards.

The Board members briefly discussed the layout. The Board made no decision on the layout.

Mr. McAndrew stated that there will be additional testimony concerning the plans by the planner.

Mr. Germano stated that the Board heard a resident's residential application first and decided to divide the remainder of the time between the two remaining applications. He also commented that since there isn't much time remaining for this application the Board may not want to have public comments at this time.

An unidentified resident of Newton's Landing expressed his concerns about the project and asked that the hearing be open to the public for the public to comment on the applicant's testimony.

Mr. Germano suggested that the residents need to hear the complete application before making comments.

Ms. vanGenderen stated that the Creekside Application is only on the agenda for a completeness determination and that the hearing could be opened for some public comments.

Public Comments:

Joseph Holland – 73 Shipp's Way – He expressed his concern that the project will be adjacent to Newton's Landing an age restricted development and felt that the developer needs to hear the public's comments.

Kathleen Ebert – 33 Emery Way – She stated that they moved into a quiet community and expressed her concerns about traffic to and from the train station, fire issues, and the use of a fire access road by everyone and that their development will no longer be quiet and that their property values will go down. Ms. vanGenderen stated that she thought the road between the developments will not be connected for public access.

Mr. Bodwell stated that she is correct and that there will only be emergency vehicle access and that it will not be paved.

Ms. Ebert stated that when people find out about the access they will use it anyway and that the development will have a negative impact on Newton's Landing.

Michael Depadova – 69 Shipp's Way – He expressed his concern that the public would not be given enough time to express their concerns about taxes, vehicle and pedestrian traffic, right of ways through Newton's Landing, and about the kind of impact a development with families will have on an adjacent age restricted development. He also expressed concerns about the height of the houses, and where the soil will be stock piled during the construction process. He stated that Mr. Hovnanian agreed to increase the buffer between the developments from twenty-five feet to fifty feet.

Mr. Bodwell stated that there is an open space buffer of twenty-five feet between the developments with a twenty-five foot rear yard setback on each lot.

Mr. Depadova stated that a fence was requested between the two unlike communities and the developer agreed to put in dense shrubbery and bushes as a barrier and a berm. He was concerned about the type of plants that will be used.

Mr. Bodwell stated that the landscape plans for the development still need to be worked out with the planner.

Mr. Depadova asked about the height of the properties that border Shipp's Way.

Mr. Bodwell stated that he will have an exhibit for the next meeting.

Mr. Depadova stated that they are also concerned about drainage and asked if the detention basins will be wet or dry and how excessive rain will be handled.

Mr. Bodwell stated that they are designed to be dry basins and only contain water when it is raining and the excessive rain overflow will be handled on site and will not affect Newton's Landing.

Mr. Depadova asked if there is a proposed walking path from Pennington Park to the train station.

Mr. Bodwell stated that the path goes through Pennington Park, through Newton's Landing and stops at the COAH unit that is part of the Newton's Landing project. The path should continue on through. The location would have to be finalized with the County.

Mr. Depadova requested that the homes along Newton's Landing be started first.

Mr. Peter Hovnanian was sworn in by Mr. Germano.

Mr. Hovnanian stated that the technical issues will be worked out and that they will respond to everyone's concerns.

Mr. Depadova asked when the project will begin.

Mr. Hovnanian stated that it has been designated as a 2008 project but it is subject to change depending on the approval process.

Jean Mastalesz – 97 Shipp's Way – She expressed her concern that the information available to the public may not be the most current information. She commented that the bow windows were not on the plans that she reviewed and that there is a lot of information that they are not aware of.

Mr. Germano stated that there is no legal requirement that every piece of paper that is entered as an exhibit at the hearings be filed with the Township ten days in advance of the hearings. The applicant is allowed to submit additional materials at the hearings.

She was concerned about some of the variances and the stockpiling of the soil and the health issues that it might cause. She was concerned about the items in their application that have been deferred.

Mr. Hovnanian stated that they could possibly stockpile the soil on one of the open spaces and that they maintain their sites during construction.

She was concerned about drainage, the stumps of the trees that were previously removed near their property, noise, privacy when the properties are so close together, the number of houses that will border Shipp's Way, and about living through the construction of the development. She asked if the project will be done in phases.

Mr. Hovnanian stated that it will be done in phases.

She asked if the fire lane would be used during construction.

Mr. Hovnanian stated that it would not.

She expressed concerns about the homeowner's association's responsibility for the maintenance of the basins.

Steve Schofield – 400 Burlington Ave. – He was concerned about there only being one driveway, parking not being adequate for the project and access for emergency vehicles and snow removal. He suggested that fences should be around the basins to protect young children. He was also concerned about variances being approved by the Board.

Steve Mastalesz – 97 Shipp's Way – He was concerned about the size of the side yards, the number of parking spaces for the COAH units and drainage issues.

Angelo Ruvo – 75 Shipp's Way – He was also concerned about the buffer between the developments.

Mr. Bodwell stated that there is a twenty-five foot open space buffer that will be dedicated to either the Township or Homeowner's Association. There will be approximately seventy feet between the buildings.

Ms. Jass a member of the Board and resident of Newton's Landing stated that they are concerned about soil erosion during the different phases. She was also concerned about the entrance and the intent of the commercial property along with its ownership and the storage of waste and its removal.

Mr. Lucas stated that the commercial property is to be a five thousand square foot office building with possibly two or three tenants. It will be a separate block and lot that will contribute to the association for the common space. He also stated that a lot of her questions and concerns are site plan issues.

Ms. Jass stated that the affordable housing being near the commercial property is a problem.

Mr. Lucas stated that the County only wanted one entrance and the commercial building cannot have its own entrance off of Coopertown Road. They felt that it would be better to have the commercial building front Coopertown Road and have the parking behind it in order to create a streetscape.

Ms. Moore expressed her concern about the children from the affordable housing units playing in the parking lot for the commercial building.

Mr. Lucas stated that they will look at it further.

Ms. Jass was concerned about where the mailboxes will be located in the development.

Mr. Lucas asked her if the commercial building should be eliminated.

Ms. Jass stated that a variance would probably be required and it would be something for the Board to consider.

Mr. Lucas stated that they had agreed to the five thousand square foot office building and had advised the Board that there isn't a commercial market for fifteen or twenty thousand square feet of space and that it would hurt the downtown retail.

Mr. Denlinger asked if the commercial building will be built before there are tenants for it.

Mr. Lucas stated that they have talked about a build to suit basis because if it would be medical it would have to be a specialized building.

Ms. Moore asked if the soils have been tested for pesticides.

Mr. vonBusch stated that a phase one study was done on the site which includes soil testing.

Mr. Matulewicz stated that the document wasn't included.

Mr. vonBusch stated that they don't have the results yet.

Ms. vanGenderen advised everyone that the application will be continued on Wednesday, July 11th.

Mr. McAndrew stated that they noticed for this meeting and will not re-notice for the 11th.

Ms. vanGenderen stated that anyone that received notice will not receive another notice.

The Board took a brief recess before proceeding with the next application.

Creekside at Delanco, LLC

Block 1802 Lot 2, Burlington Ave.

Completeness Determination

Preliminary & Final Major Site Plan & Final Major Subdivision

(Began at 10:49:30PM and ended at 11:01:17PM)

Frederick Hardt represented the applicant.

He stated that the applicant is seeking approval for a Final Major Subdivision and Preliminary & Final Major Site Plan for the COAH units in the development. He also stated that all of his applications for COAH are being submitted under protest and with a reservation because he doesn't know what the Supreme Court will do. He asked for certification of completeness.

Mr. Germano stated that the engineer has suggested seven deferrals that are detailed on page four of his report.

Mr. Dougherty stated that his report is dated May 25, 2007 and suggested that the Board deem the application for Final Major Subdivision and Preliminary Major Site Plan for the COAH unit be deemed complete and set the hearing for the next meeting. Deferrals one through five are to be submitted prior to the formal review. Items six and seven should be completed at the time of final approval.

Mr. Hardt stated that he would like to keep the option for approval of the Final Major Site Plan at the next meeting.

Mr. Templeton asked about the Township maintaining the stormwater management.

Mr. Dougherty stated that a homeowners association could be formed for its maintenance.

Mr. Hardt stated that there is a third option of a special assessment district for the maintenance.

Mr. Templeton was concerned about it being an open question and deeming the application complete.

Mr. Dougherty stated that his letter presents an overview of the project so that the Board has an idea of what they will be reviewing and advises the Board that there is enough information so that the Board can start the review of the application.

Mr. Templeton stated that he wanted to be certain that they were only determining completeness and not agreeing to something that is binding.

Mr. Dougherty stated that the first part of letter is simply an overview of the application.

Motion by Ms. Moore to deem the application complete for Final Major Subdivision, second by Ms. Jass.

Those voting in favor: Ms. Mader, Mr. Matulewicz, Ms. Moore, Mr. Templeton, Ms. vanGenderen, Mr. Denlinger, Ms. Jass.

Meeting opened to the Public:

Steve Mastalesz –97 Shipps Way – He wanted to know if there will be a public portion at the next meeting for Hovnanian Brothers.

Ms. vanGenderen stated that she would like to allow for an hour of public comments.

Since there were no further public comments the meeting was closed to the public.

Correspondence:

The secretary advised the Board that correspondence was either e-mailed or distributed on the dais.

Comments From The Board:

Ms. Jass reported that the Historic Preservation Committee met and are moving forward with the October 5th postal centennial.

Adjournment:

A motion to adjourn the meeting was made by Mr. Matulewicz and seconded by Ms. Mader.

All members present voted in the affirmative.

Roseann M. Lameiras

Board Secretary

Approved: August 7, 2007