



EDGEWATER PARK TOWNSHIP PLANNING BOARD Reorganization Meeting Minutes

January 10, 2019 at 7:00 PM

I. MEETING CALLED TO ORDER – *Read by previous Chairperson, Marian Johnson*

II. FLAG SALUTE – *Read by previous Chairperson, Marian Johnson*

III. STATEMENT OF THE MINUTES – *Read by previous Secretary, Nicole Carter*

Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 2, 2019; written notice was emailed to the Burlington County Times and the Courier Post on January 6, 2019; written notice was filed with the Clerk of the Township on January 7, 2019.

IV. NEWLY APPOINTED OFFICIALS – *Read by previous Secretary, Nicole Carter*

At the Township Committee Reorganization meeting held on January 5, 2019 the following appointments were made by Mayor William A. Belgard III.

1. **Class IV Member** for 4 year term: Kenneth Kauker
2. **Class IV Alternate Member** for 2 year term: Gwendolyn Bonner
3. **Class IV Alternate Member** for 2 year term: Bonnie Tumminia (Fulfill 1 year of 2 year term)

The following appointments were made by Township Committee:

1. **Class I Member** for 1 year term: William A. Belgard, III
2. **Class III Member** for 1 year term: Lauren DiFilippo
3. **Class II Member** for 1 year term: John Alexander

❖ **OATH OF OFFICE**

Will the appointees that were unable to make the Township Oath of Office please come forward to receive the Oath of Office tonight, administered by Mayor William A. Belgard III?

✓ Gwendolyn Bonner takes her oath.

V. ROLL CALL – *Read by previous Secretary, Nicole Carter*

Present: Mayor Belgard, Mr. Alexander, Mrs. DiFilippo, Mrs. Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Westphal, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.

Absent: None

Professionals in Attendance: None.

VI. PROCEDURES – *Read by previous Secretary*

The procedures that will be followed for Nominations and Appointments:

If the situation should occur in which there is more than one person or agency nominated for appointment, upon roll call vote each nomination shall be voted for as an independent motion in the order announced. If the first motion fails to receive a majority vote then roll call will continue with the next motion until one receives a vote sufficient for appointment.

VII. NOMINATIONS – *Read by previous Secretary, Nicole Carter*



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1. At this time I would like to ask the Planning Board Members for nominations of the Chairperson for the year 2019.

- a. Nomination for Chairperson Marian Johnson; By: Charles Robinson
- b. Second by: Stephen Malecki

Are there any further nominations?

No further nominations.

Hearing None – Nominations are now closed.

Roll call to appoint Marian Johnson as Chairperson for the year 2019.

- a. **Roll Call:** Mayor Belgard, Mr. Alexander, Mrs. DiFilippo, Mrs. Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Westphal, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.

Chairperson Marian Johnson, at this time it is my pleasure to turn the meeting over to you.

2. Nominations for Vice Chairperson for the year 2019.

- a. Nomination for Vice Chairperson Charles Robinson; By: Marian Johnson
- b. Second by: Jeff Westphal

Are there any further nominations?

No further nominations.

Hearing None – Nominations are now closed.

Roll call to appoint Charles Robinson as Vice Chairperson for the year 2019.

- a. **Roll Call:** Mayor Belgard, Mr. Alexander, Mrs. DiFilippo, Mrs. Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Westphal, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.

❖ **OATH OF OFFICE TO THE CHAIRPERSON, Marian Johnson, AND VICE CHAIRPERSON, Charles Robinson, as read by Mayor William A. Belgard III.**

3. Nominations for Planning Board Solicitor for the year 2019.

- a. Nomination for Solicitor Raymond, Coleman, Heinold, & Norman; By: Marian Johnson
- b. Second by: Charles Robinson

Are there any further nominations?

No further nominations.

Hearing None – Nominations are now closed.

Roll call to appoint Raymond, Coleman, Heinold, & Norman as Solicitor for the year 2019.

- a. **Roll Call:** Mayor Belgard, Mr. Alexander, Mrs. DiFilippo, Mrs. Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Westphal, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.



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4. Nominations for Planning Board Engineer for the year 2019.

- a. Nomination for Engineer Environmental Resolutions, Inc.; By: Charles Robinson
- b. Second by: Vincent Smith Jr.

Are there any further nominations?

No further nominations.

Hearing None – Nominations are now closed.

Roll call to appoint Environmental Resolutions, Inc. as Engineer for the year 2019.

- a. **Roll Call:** Mayor Belgard, Mr. Alexander, Mrs. DiFilippo, Mrs. Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Westphal, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.

5. Nominations for Planning Board Planner for the year 2019.

- a. Nomination for Planner Edward E. Fox, AICP, PP; By: Kenneth Kauker
- b. Second by: Charles Robinson

Are there any further nominations?

No further nominations

Hearing None – Nominations are now closed.

Roll call to appoint Edward E. Fox, AICP, PP as Planner for the year 2019.

- a. **Roll Call:** Mayor Belgard, Mr. Alexander, Mrs. DiFilippo, Mrs. Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Westphal, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.

6. Nominations for Planning Board Secretary for the year 2019.

- a. Nomination for Secretary Nicole Carter; By: Marian Johnson
- b. Second by: Charles Robinson

Hearing None – Nominations are now closed.

Roll call to appoint Nicole Carter as Secretary for the year 2019.

- a. **Roll Call:** Mayor Belgard, Mr. Alexander, Mrs. DiFilippo, Mrs. Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Westphal, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.

VIII. SET DATE AND TIME OF PLANNING BOARD MEETINGS FOR THE YEAR 2019:

Previously held on the third Thursdays of every month, time commencing at 7:00 PM.

Date: Third Thursdays of every month; **Time:** 7:00 P.M.

- a. **Motion:** John Alexander; 2nd: Charles Robinson
- b. **Roll Call:** Mayor Belgard, Mr. Alexander, Mrs. DiFilippo, Mrs. Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Westphal, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.



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IX. RESOLUTIONS

➤ Resolution P-1-2019

Notice of scheduled meetings.

- a. **Motion:** Charles Robinson; 2nd: Stephen Malecki
- b. **Discussion:** None
- c. **Roll Call:** Mayor Belgard, Mr. Alexander, Mrs. DiFilippo, Mrs. Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Westphal, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.

➤ Resolution P-2-2019

Open Public Meetings Act.

- a. **Motion:** Charles Robinson; 2nd: Kenneth Kauker
- b. **Discussion:** None
- c. **Roll Call:** Mayor Belgard, Mr. Alexander, Mrs. DiFilippo, Mrs. Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Westphal, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.

➤ Resolution P-3-2019

Professional Contracts.

- a. **Motion:** Charles Robinson; 2nd: Kenneth Kauker
- b. **Discussion:** None
- c. **Roll Call:** Mayor Belgard, Mr. Alexander, Mrs. DiFilippo, Mrs. Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Westphal, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.

X. MEETING OPEN TO THE PUBLIC

None

XI. ADJOURNMENT

- a. **Motion:** Charles Robinson, 2nd: Kenneth Kauker.
- b. **All in favor?** Yes, **Anyone Opposed?** No.
- c. **Time:** 7:18.



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I. MEETING CALLED TO ORDER

Chairwoman Johnson called the meeting to order.

II. FLAG SALUTE

Chairwoman Johnson led the flag salute.

III. STATEMENT OF THE MINUTES

Read by Nicole Carter, Planning Board Secretary as quoted,

“Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 9, 2018; written notice was emailed to the Burlington County Times and the Courier Post on February 11, 2018; written notice was filed with the Clerk of the Township on February 12, 2018.”

IV. ROLL CALL

Present: Mayor Belgard, Mrs. DiFilippo, Chairwoman Johnson, Mr. Robinson, Mr. Smith, and Mr. Malecki.

Absent: Mr. Alexander, Mr. Kauker, and Mr. Westphal.

Alternates in attendance: Ms. Bonner and Ms. Tumminia.

Professionals in attendance: Thomas Coleman and Edward Fox.

Professionals absent: Rakesh Darji

V. APPROVAL OF MINUTES

➤ January 10, 2018 – Re-Organization Meeting

a. Motion: Mr. Robinson, 2nd: Mr. Malecki.

b. Discussion: No discussion.

c. Roll Call: Mayor Belgard, Mrs. DiFilippo, Chairwoman Johnson, Mr. Robinson, Mr. Smith, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.

VI. OLD BUSINESS

None.

VII. NEW BUSINESS

None.

**AGENDA CHANGE hearing Twp. Resolution first:*



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VIII. ADOPTION OF RESOLUTIONS (Part 1)

➤ Review of Twp. Resolution No. 2019-23

Resolution of the Township Committee of the Township of Edgewater Park Authorizing and Directing the Planning Board of the Township of Edgewater Park to Undertake a Preliminary Investigation for Determining “Non-Condemnation Areas in Need” of Redevelopment as Set Forth in the Local Redevelopment and Housing Law Pursuant to N.J.S.A. 40A:12A

Marian Johnson adds that this is the old Pathmark site.

Mark Remsa and Jason Miller worked on study together. Discusses this is mostly empty lot, gas station lot, Dunkin Donuts, & Big Lots. Twp. would look over the study and develop an Ordinance that would come back to Planning Board where they would review for Master Plan Consistency. If we agree if it is consistent, it would go back to Township Committee where they would develop it as an ordinance.

Marian Johnson, was unaware that the lease was expiring on the gas station. Clarifies, the lease is expiring this year, in 2019. Curb cuts at the current location are an unsafe feature currently and would like to see a safer solution.

Tom Coleman titles the mark up prepared by Mr. Remsa:
Exhibit A1: Report

Hearing open to the public for this application:

Chairwoman Johnson opened the hearing to the public.

No discussion

Chairwoman Johnson closes the meeting to the public.

Tom Coleman does the resolution overview.

Resolution # **P-4-2019**

a. Motion: Mr. Robinson, 2nd: Chairwoman Johnson.

b. Discussion: No discussion.

Roll Call: Mayor Belgard, Mrs. DiFilippo, Chairwoman Johnson, Mr. Robinson, Mr. Smith, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.

IX. APPLICATIONS

➤ Dina & Gerald Gares– **139 Warren Street** – Block: 1601, Lot: 21

Fence Bulk Variance, proposing to a 5’0” black aluminum picket fence within the 40’ front yard setback of its property, where a maximum 4’0” fence is permitted.

Gerald M. Gares Jr., 139 Warren Street, Edgewater Park, NJ 08010. Explains that when his wife and he



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purchased the property at the end of June, they discussed how they would eventually like to fence the yard in for their dog and grandchildren. There is an existing 5'0" high, black, aluminum, picket fence. To keep the esthetics the same, they wanted to continue with the same style fence that is surrounding their yard already.

Photos are submitted into evidence.

Exhibit A-1: Fence across the street.

Exhibit A-2: Close up of front fence with address.

Exhibit A-3: 5'0" high fence adjacent to column.

Exhibit A-4: Close up of existing height.

Exhibit A-5: Existing 5'0" gate, fixed, will be operable.

Exhibit A-6: View front end of driveway North to Burlington.

Exhibit A-7: Shoulder of road North to Burlington.

Exhibit A-8: 10'0" in from curb.

Exhibit A-9: Neighbor's driveway to right and bush.

Exhibit A-10: Bottom center, orange flag, and property line.

Exhibit A-11: View of existing posted rail fence, 6'0" side.

Exhibit A-12: Close up of fence, post/rail fence.

Exhibit A-13: Existing 5'0" high fence, separated front from back.

Exhibit A-14: Closer view of Exhibit A13.

Mr. Coleman asks Mr. Gares if the fence would be a detriment to the neighbors, which Mr. Gares replies, no. Tom Coleman asks will the fence match the current fence, he replies yes. Mr. Coleman asks if it would enhance the property, Mr. Gares replies yes. Agreed it would be an added safety feature.

Chairwoman Johnson inquiries about the gate, will be open during the day, because it could be hard to open a gate on Warren Street with traffic. Mr. Gares informs her that there is plenty of room to pull up and open the gate without stopping in traffic.

Hearing open to the public for this application:

Chairwoman Johnson opened the hearing to the public.

1. **Jeffrey M. Bello**, 143 Warren Street, Edgewater Park, NJ 08010
Neighbor to the right of 139 Warren Street, of Mr. & Mrs. Gares.

Had neighborly discussion about the fence prior to request, because there is a water line easement (book #15-36 pg. 821) that borders 139 Warren Street property line. Mr. Bello not find out about fence application until he was noticed in the mail. Advises the board that the fence could hinder any work on it in the future. Objects to the location where they would like to put the fence, on the property line, due to restrictions on maintaining trees that are there, the possibility of unnecessarily removing trees, an unappealing "zig-zag" fence, and the dog would have the capability to run and bark at them when they are near their mailbox.



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Photos are submitted into evidence.

Exhibit P-1: Mailbox and location of the existing fence with landscaping.

Exhibit P-2: Close up of Exhibit P-2 with 2 orange markers, in street and at mailbox.

Exhibit P-3: Sightline down the driveway with the tree.

Exhibit P-4: Close up of Exhibit P-4.

Exhibit P-5: Street view of same sightline.

Exhibit P-6: Inside of fence from street view, orange flag on right side near driveway.

Exhibit P-7: Proposed fence would start at street.

Mr. Bello provides the easement documents to Mr. Coleman.

Exhibit P-8: Book #15-36, page 821, Easement

Tom Coleman determines that this is not a water line, but a water meter. Asks Mr. Bello how the fence will impede the easement, if work needs to be done. Mr. Belgard helps to clarify that typically the shut off will be at the street, by a curb shut-off. Homeowner could/would run the risk of any removal and repairs were needed to be made on the easement.

Mr. Gares speaks a rebuttal, discussing that his application is for height approval only. Were his application for a 4'0" high fence only, he could still put it on the property line without having to need board approval. Mr. Bello's concern are understandable, but to address them, no trees will be taken down. Marian confirms that they are putting their fence in a legal spot, and the board is not responsible for neighborly disputes. Mr. Coleman discusses that Marian and the board are to take in the application and Mr. Bello's testimony as a whole and consider whether it could impact the neighbor.

Ed Fox declares that the concerns that ERI had, have all been addressed and resolved.

2. **Cedric Minter**, Zoning Officer, Edgewater Park Township, NJ

This situation arises where a resident wants to put a fence on the property line, but when you set your fence away from the property line, you are still responsible for maintaining that area that is past the fence. It is not always the case where that happens. Good neighbors go to each other to work this out, however there is no obligation for trees, shrubs, to encroach with acceptance.

Mr. Robinson shares a similar situation where a tree lifted his fence, where he had to remove/replace and build his fence around that neighbor's tree.

Mr. Belgard confirms with Mr. Minter that the contractor is responsible for putting the cost of work on the easement, including any disturbance to the property. They will remove and fix any damage done to restore the property to its original condition.

Chairwoman Johnson closes the meeting to the public.



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Tom Coleman does the application overview requests for a motion to approve the fence bulk variance.

- a. **Motion:** Mr. Robinson, 2nd: Mr. Smith.
- b. **Discussion:** Marian Johnson – speak neighborly to discuss this cordially.
- c. **Roll Call:** Mayor Belgard, Mrs. DiFilippo, Chairwoman Johnson, Mr. Robinson, Mr. Smith, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.

X. ADOPTION OF RESOLUTIONS (Part 2)

Review of Twp. Ordinance No. 2019-2

An ordinance of the Township of Edgewater Park, Burlington County amending Chapter 16 of the Township or Edgewater Park Township Code to establish the R-TH/MF Townhouse/Multi-Family inclusionary zoning district as well as use, bulk & other standards therefor in order to address the affordable housing requirements of the New Jersey Superior Court; and to extend the C-3 highway commercial zoning district.

Resolution # **P-5-2019**

Tom Coleman, suggests this is a strong cornerstone for the affordable housing and help the township satisfy that with the work Mr. Ettinson's client would like to do.

Ed Fox shares the judge and court master's concern would like to see these adjustments to clean up any variances to keep in line with the master plan.

Tom Coleman does the resolution overview.

- a. **Motion:** Mr. Robinson, 2nd: Chairwoman Johnson.
- b. **Discussion:** No discussion.
- c. **Roll Call:** Mayor Belgard, Chairwoman Johnson, Mr. Robinson, Mr. Smith, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.

XI. MEETING OPEN TO THE PUBLIC

None.

XII. CORRESPONDENCE

1. None

XIII. ADJOURNMENT

- a. **Time:** 8:21 PM
- b. **Motion:** Mr. Malecki, 2nd: Mr. Robinson.
- c. **All in favor?** Yes, **Anyone Opposed?** No.



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I. MEETING CALLED TO ORDER

Chairwoman Johnson called the meeting to order.

II. FLAG SALUTE

Chairwoman Johnson led the flag salute.

III. STATEMENT OF THE MINUTES

Read by Nicole Carter, Planning Board Secretary as quoted,

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IV. ROLL CALL

Present: Mr. Alexander, Mrs. DiFilippo, Chairwoman Johnson, Mr. Kauker, Mr. Smith, and Mr. Westphal, and Mr. Malecki.

Absent: Mayor Belgard, and Mr. Robinson.

Alternates in attendance: Ms. Bonner and Ms. Tumminia.

Professionals in attendance: Thomas Coleman, Rakesh Darji, and Edward Fox.

V. APPROVAL OF MINUTES

➤ March 21, 2019

a. Motion: Chairwoman Johnson, 2nd: Mr. Smith.

b. Discussion: No discussion.

c. Roll Call: Chairwoman Johnson, Mr. Smith, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.

VI. OLD BUSINESS

None.

VII. NEW BUSINESS

None.

VIII. APPLICATIONS

➤ Ariel Realty, LLC – N/A – Block: 1202, Lot: 9, 9.01, 1.10

Lot being subdivided for 1 townhouses, 2 apartments buildings (26 units total), and 1 retail building at 18,000 sq. ft. – 2 bulk variances.



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Alan Ettenson speaks on behalf of the applicant for preliminary and final approval on Route 130 Adjacent to Pep Boys. In accordance with Township Resolution 2017-5, and the new ordinance, 2019-2. The goal is to comply with everything required from the Engineer's report, with 2 minor exceptions.

Pep Boys has 60% impervious coverage.

Mark Shourds, 181 Southampton Drive, Galloway, NJ 08205, Professional Engineer.

Plans submitted into evidence.

Exhibit A-1: Color version of the plans & data.

Exhibit A-2: Sheet 3 of 15 from the set of plans.

Retail has no exact plans yet.

Tom comments on ERI's letter, variance is 40" in height, that is being changed, no issue.

Of example A-1: Mark details 23.51 acres, have been evaluated previously. The proposal is 156 lots, 6 shared parcels, 2 lots of 24 apartment units, 16,000 square feet retail. A setback in zone (zoning limit changed) associated with Route 130. Variance from access (dedicated road) is 45', not Route 130.

Of example A-2: Should something occur on Forrestal, there is access/egress.

Of example A-1: Considerable amount of buffering, along all adjoining properties. Basins & pipes will infiltrate and not discharge into neighboring properties. Retaining wall proposed based on significant grade difference. Parking spaces added for multiple ownership, guests, and overflow.

The 6 shared open space includes:

1. A strip of land going to cooper, sanitary sewer easement (upper left).
2. 2 open space lots (tot lot and open green).
3. Center has walk path.
4. Right, the strip behind, within the retaining wall.
5. 2 associated with basins, left side of roundabout associated with dog-park.
6. Route 130, open space.
7. Tot lot by apartments.

Of example A-2: Interconnect a walking/biking type path with Fox Run if owner's permit. Stormwater management and landscaping will be addressed per the advisement in ERI's letter.

Of example A-1: Route 130 entrance/exit will have sight visibility. Residential portions are conforming.

Alan Ettenson speaks that there will possibly be two Associations. One for the townhouses and one for the affordable housing, with the consent and approval of the Township. The retail would be a standalone lot. The walkway over was at the request of the Township, running between Fox Run and the new townhomes. The affordable housing was done to meet Township requirements.



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Rakesh Darji, expresses there was a lengthy Engineer review letter. Questions why would there be an association needed for Affordable Housing. If it is a rental property, the owner, owns it, and it may not need a Home Owner's Association. Tonight's meeting will likely entertain a preliminary approval only, not final. Mark, elaborates that the preliminary subdivision is the essence of the plans. A final subdivision conforms to those comments. Rakesh would like to see them come in front of the Board with a cleaner plan and review letter. Marian speaks that it is the will of the board to address the preliminary approval only.

Rakesh asks if Phase 1 was done on land. It was done (addressing comment #29 of review letter). The parking spaces would be maintained by H.O.A.

Jacob Bensadigh, *no address provided, no title provided*. The buildings themselves would be variations in colors/materials and the residential and townhomes are being phased.

Edward Fox establishes that this would be the Township's first roundabout, and who would maintain it. It would be up to the H.O.A. The sidewalks, anticipated for Route 130 Traffic, perhaps adding some frontage sidewalk. Mark says the sidewalk proposal is really on the left side of the retail. Alan confirms, that yes it can be put it.

Rakesh questions the pylon sign in the island, and the intentions (comment #57 on review letter). Jacob confirms the sign is for retail. Rakesh states (comment #53 on review letter) that the lights should be consistent with Cooper Street. Tom Coleman states that the proposed sign should be a monument sign to keep with the Township's vision.

Marian asks if any school implication studies were done yet for general knowledge and public consumption, to which the applicant replied no.

Andrew Feranda, Shopshire Associates, 277 Whitehorse Pike, Atco, NJ 08004, recognized as the traffic expert. Refers to example A-1: Route 130 North/South, Woodlane/Levitt is North, South is Cooper/Charleston. The peak periods are in the AM commuter time, PM commuter time, and Saturday Middy. The hours are 7 – 9 AM, 4 – 6 PM, 11 AM – 2 PM; along Route 130 around 7:30 – 8:30 AM, 5 – 6 PM, and 12 – 1:30 Middy. Volumes, the analysis, is done on future conditions, developed in 2021 and no build conditions (without site). The Trip Generation, 96 trips in AM, about 50 in/50 out. In the PM 248 trips, about 125 in/125 out. Saturdays are 311 trips, about 150 in/150 out. Most are expected by the main entrance, by the retail/commercial (Route 130). During peak times, 20 – 30 cars along Forrester Drive. Silver Park West are all public streets now.

Ken asks how the trips are figured. Andrew answers that Pep Boys is included in those peak hours. Ken asks is the truck radius/site distance safe for deliveries. All roadways, accesses, and changes, must be D.O.T. approved.

Ed prefaces by explaining his previous experiences working on the Burlington County Bridge Commission prior to joining ERI. There they looked how to improve the pedestrian environment of Route 130. He has met with Mark Remsa, the project leader on the study, and anticipates changes, that should be released in May.



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Rick Fumo, the Architect, 101 Route 130 South, Cinnaminson, NJ 08077 brings in more exhibits.

Plans submitted into evidence.

Exhibit A-3: Townhouses

Exhibit A-4: Retail

Exhibit A-5: COAH Building A

Exhibit A-6: COAH Building B

Of example A-3: 5 Unit building. Block 6, 7, & 8. Pretty similar. 3 Story building. All have private, single car garage. Entryway, rec room, bathroom. 2nd floor kitchen, living room, dining room, 3rd floor. 3rd floor, 2 bedroom. Some brick & vinyl siding, A-frame roof.

Of example A-5: Building A is 12 compartment units. 2, 1 bedroom and 2, 3 bedroom apartments of similar material to match the townhomes.

Of example A-6: Building B are all 2 bedroom units.

Of example A-4: The retail has glass storefront with brick veneer.

Gwendolyn asks if fireproof walls are between the units, and yes there are. Not there for retail, though, as it is not required. Tom offers that sprinklers are for commercial.

Alan asks if there is a laundry room for the entire building, or each apartment. There is a laundry room for each apartment. The building heights were over 40', is that still applicable. They have been corrected to 37' – 38' in height, now.

Ed asked if the applicant was looking for approval of the signs now. Alan says no, at the final meeting. Ken asks if they will be one color or varying colors. Rick confirms different colors. The townhouses will also have an optional deck. No decks for the apartments. Ken states that there should be a patio under the deck if it's not there already. This would (potentially) increase the impervious surface ratio. Ken asks if the sidewalks go up to the homes, Mark clarifies just from the driveway to the door. Ken asked for additional planting at the front of each unit, which will be addressed at the final meeting.

Mark discusses the infiltration, basin, storm water, no discharging offsite. Perforated pipes and stone beds. Basins will not hold water. It should be 72 hour drainage. Basin 3 is mostly for apartments. Rakesh says the design, for the area to the east, drain integration makes them all connected. If too high, it ques to the other two. H.O.A. is in charge of the basins. Jeff Westphal inquiries about an existing pond on the property now. Mark explains it is not considered protected wetlands and it is to be filled in. There is not a sprinkler system for landscaping, yet. Construction times and days will meet the Twp. ordinance. Estimate \$240,000 should be the highest townhomes. Ed fox asks if the post office will have gang or separate mailboxes. That should be addressed prior to having owners move in to avoid missed mail. Stephen inquiries about the drainage, up to the 100 year storm, to which answered yes. Lauren raises a concern asking if it is anticipated that the 3 basins will eventually be acquired by the Twp. Rakesh states that they will be owned by the H.O.A. No municipal water will go into those basins and the Twp. should



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not have responsibility to them. Ken inquires if there is a sewer line? There is no pump as part of the application, it relies on gravity. Ed says that the tot lots are H.O.A. responsibility, not municipal owned/maintained.

Hearing open to the public for this application:

Chairwoman Johnson opened the hearing to the public.

1. Dennis Robbins, 9 Crystal Drive

Q: Will they be using the fence that currently borders Forrestal Drive?

A: Landscaping is up to the fence.

Q: Since relying on the resident's fence as a divider of developments, the costs in replacing or repairing the fence in the future should be shared (Silver Park West owns the fence in reference)

A: Jacob states they are okay with that notion to share costs of repairs/damages in an agreement between the H.O.A.

Q: In regards to the flow of water, in the early parts there were problems with the retention basin.

A: Rakesh states that it is not back behind enough to impact the Silver Park West "pond"

2. Noel Rayne, 7 Spring Lane

Q: Referring to page 3 of 14 of the overall site plan, the roads connecting to Silver Park West, everything leads to the right. Spring Lane and Forrestal, roadway "E" leads into Silver Park West. If the developer were to add homes to the top North-East corner and instead add an access point through Fox Run to Cooper Street, this could solve the residents concern. Silver Park West is a 55+ residential community and it is a 25 MPH road, they fear will be impacted by this.

A: N/A

3. Dominic Morazzo, 10 Yansick Drive, Delran, NJ 08075 (Friend of residents)

Q: With a "expertise and background" in construction. The development is much higher than Forrestal Drive. Dominic lives borderline of Riverside, where there was a problem when Delran was flooding into Riverside, when Riverside tried to sue the township for reparations, they lost because of the "natural flow of land". Why is it even necessary to open the sub street?

A: Andrew answers that the sub street allows the traffic to distribute. Mark state that the drainage does not propose to increase anything.

Q: If the traffic is of minimal impact, then why open it up at all?

A: Ed answers that when Silver Park West development as approved it included the sub street. It was there to eventually be used in the future.



EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

March 21, 2019 at 7:00 PM

4. **Noel Rayne**, 7 Spring Lane (again)

Q: Traffic flies up and down now, more traffic will only be worse.

A: N/A

5. **Pat McCool**, (142) Alexander Road

Q: Topic of excess children, ending sidewalks at a certain distance, would it be better to continue to sidewalk?

A: No.

Q: School bus areas to get on/off.

A: Yes

Q: Pep Boys, the 2nd exit be closing possibly, would it be better to leave for possible emergency entrance/exit?

A: No, Mark states the D.O.T. required it be closed.

Q: Consider pedestrian crossings?

A: Rakesh mentions the state is doing things on Woodlane/Cooper, there is a plan.

Q: How will it affect property values?

A: Tom states there are unable to answer that question.

Q: How far does the fence on Spring/Forrestal go down?

A: Rakesh answers there is no fence on that side.

6. **Joyce Williams**, 41 Forrestal Drive

Q: Street proposed to be open, borders her property line. Can they propose speed bumps in the area?

A: The Township would consider that.

7. **Linda Raymond**, 802 Perkins Lane

Q: How many homes at \$240,000?

A: Approximately 40

Q: How much is the lowest priced home?

A: Approximately \$210,000 (not sure).

...continues on with a prepared letter about the future of Edgewater Park.

8. **Dennis Robbins**, 9 Crystal Drive (again)

Q: Wants to state this is a good development for Edgewater Park.

A: N/A

Chairwoman Johnson closes the meeting to the public.



EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

March 21, 2019 at 7:00 PM

Tom Coleman does the resolution overview for preliminary major site plan approval.

- b. **Motion:** Mr. Kauker, 2nd: Ms. Bonner.
- c. **Discussion:** No discussion.
- d. **Roll Call:** Mrs. DiFilippo, Chairwoman Johnson, Mr. Kauker, Mr. Smith, Mr. Westphal, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.

IX. ADOPTION OF RESOLUTIONS

- Dina & Gerald Gares – 139 Warren Street – Block: 1601, Lot: 21
Fence Bulk Variance, proposing to a 5'0" blank aluminum picket fence within the 40' front yard setback of its property, where a maximum 4'0" fence is permitted.
Resolution # **P-6-2019**
 - a. **Motion:** Chairwoman Johnson, 2nd: Mr. Malecki.
 - b. **Discussion:** No discussion.
 - c. **Roll Call:** Mrs. DiFilippo, Chairwoman Johnson, Mr. Smith, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.

- Annual Report of Variance Applications
For the year 2018.
Resolution # **P-7-2019**
 - d. **Motion:** Mr. Kauker, 2nd: Mr. Malecki.
 - e. **Discussion:** No discussion.
 - f. **Roll Call:** Mrs. DiFilippo, Chairwoman Johnson, Mr. Kauker, Mr. Smith, Mr. Westphal, Mr. Malecki, and Ms. Bonner.

X. MEETING OPEN TO THE PUBLIC

None.

XI. CORRESPONDENCE

- 1. None

XII. ADJOURNMENT

- a. **Time:** 10:00 PM
- b. **Motion:** Mrs. DiFilippo, 2nd: Mr. Kauker.
- c. **All in favor?** Yes, **Anyone Opposed?** No.



EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

April 18, 2019 at 7:00 PM

I. MEETING CALLED TO ORDER

Chairwoman Johnson called the meeting to order.

II. FLAG SALUTE

Chairwoman Johnson led the flag salute.

III. STATEMENT OF THE MINUTES

Read by Nicole Carter, Planning Board Secretary as quoted,

“Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 9, 2018; written notice was emailed to the Burlington County Times and the Courier Post on February 11, 2018; written notice was filed with the Clerk of the Township on February 12, 2018.”

IV. ROLL CALL

Present: Mr. Alexander, Mrs. DiFilippo, Chairwoman Johnson, Mr. Kauker, Mr. Robinson, and Mr. Westphal.

Absent: Mayor Belgard, Mr. Smith, and Mr. Malecki.

Alternates in attendance: Ms. Bonner and Ms. Tumminia.

Professionals in attendance: Chuck Petrone.

V. APPROVAL OF MINUTES

➤ March 21, 2019

a. Motion: Mr. Kauker, 2nd: Mr. Westphal.

b. Discussion: Bonnie has two typos to suggest amending.

i. Page 5, Line 6, the word “now” should be “not”.

ii. Page 7, Question 2, should be “how much” not “how many”.

c. Roll Call: Mrs. DiFilippo, Chairwoman Johnson, Mr. Kauker, Mr. Westphal, Ms. Bonner, and Ms. Tumminia.

VI. OLD BUSINESS

None.

VII. NEW BUSINESS

None.



EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

April 18, 2019 at 7:00 PM

VIII. APPLICATIONS

None.

IX. ADOPTION OF RESOLUTIONS

➤ Review of Twp. Ordinance No. 2019-6

An ordinance of the Township of Edgewater Park adopting a redevelopment plan pursuant to the provisions of N.J.S.A. 40A:12A-7.

Resolution # **P-9-2019**

a. Motion: Ms. Bonner, 2nd: Chairwoman Johnson.

b. Discussion: Ken Kauker with Mark Remsa.

Ken:

- i. Page 11, Item #1B – Western Property Line, assuming the building remains, if any portions have to come down, does it make sense to plan ahead where the Western edge (against Silver Park), gets a side yard setback of 20'?

Mark:

- i. It is up against a storage unit. If rebuilt, it will be built under new conditions. Anything pre-existing stays the same.

Ken:

- ii. 6' high fence, stays the same, to remain as buffer.

Mark:

- ii. If taken down, it will have to comply with new setback lines.

Ken:

- iii. Page 13, Item F, #2A – Can metal be specified?

Mark:

- iii. Gives the developer flexibility, but planning board will have ultimate discretion.

Ken:

- iv. Page 14, Item C – Temporary Permanent Residential Relocation.

Mark:

- iv. Required by law; shouldn't be any. Has to be addressed.

c. Roll Call: Mr. Alexander, Mrs. DiFilippo, Chairwoman Johnson, Mr. Kauker, Mr. Robinson, Mr. Westphal, Mr. Westphal, Ms. Bonner, and Ms. Tumminia.

➤ Ariel Realty, LLC – N/A – Block: 1202, Lot: 9, 9.01, 1.10

Preliminary Approval only for the lot being subdivided for 145 townhouses, 2 apartments buildings (26 units total), and 1 retail building at 18,000 sq. ft. – 2 bulk variances.

Resolution # **P-8-2019**

a. Motion: Mr. Kauker, 2nd: Mr. Westphal.

b. Discussion: No discussion.

c. Roll Call: Mrs. DiFilippo, Chairwoman Johnson, Mr. Kauker, Mr. Westphal, Ms. Bonner, and Ms. Tumminia.



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April 18, 2019 at 7:00 PM

X. MEETING OPEN TO THE PUBLIC

None.

XI. CORRESPONDENCE

1. None

XII. ADJOURNMENT

a. **Time:** 7:17 PM

b. **Motion:** Ms. Bonner

c. **All in favor?** Yes, **Anyone Opposed?** No.



EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

June 20, 2019 at 7:00 PM

I. MEETING CALLED TO ORDER

Chairwoman Johnson called the meeting to order.

II. FLAG SALUTE

Chairwoman Johnson led the flag salute.

III. STATEMENT OF THE MINUTES

Read by Nicole Carter, Planning Board Secretary as quoted,

“Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 9, 2018; written notice was emailed to the Burlington County Times and the Courier Post on February 11, 2018; written notice was filed with the Clerk of the Township on February 12, 2018.”

IV. ROLL CALL

Present: Mr. Alexander, Chairwoman Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, and Mr. Malecki.

Absent: Mayor Belgard, Mrs. DiFilippo, Mr. Westphal, and Ms. Bonner.

Alternates in attendance: Ms. Tumminia.

Professionals in attendance: Thomas Coleman.

V. APPROVAL OF MINUTES

➤ April 18, 2019

a. **Motion:** Mr. Kauker, 2nd: Mr. Robinson.

b. **Discussion:** No discussion.

c. **Roll Call:** Chairwoman Johnson, Mr. Kauker, Mr. Smith, Mr. Malecki, and Ms. Tumminia.

VI. OLD BUSINESS

None.

VII. NEW BUSINESS

None.



EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

June 20, 2019 at 7:00 PM

VIII. APPLICATIONS

➤ Diamond Tool – **4171 Route 130** – Block: 404, Lot: 2.05

Proposing a construction tool and equipment establishment (at the former Aldi's site) that rents, sells, and services construction tools and equipment. Conditional use approval, amended site plan to fence in part of the existing parking areas and add additional large doors to the existing building, and use variance if needed for a rental establishment.

Tom Coleman addresses the board that Diamond tool is not present. We are not going to carry their application because the application is incomplete. They did not notice properly; noticed solely for old Aldi property, when they have an easement from the sign to Bridgeboro Road which sits on the Wawa property. Even though they are not disturbing the property, an active notice should be sent. Notices should be for 200' from Aldi and 200' from Wawa. To the best of his knowledge, they should be in front of the board for July.

IX. ADOPTION OF RESOLUTIONS

None

X. MEETING OPEN TO THE PUBLIC

None.

XI. CORRESPONDENCE

1. None

XII. ADJOURNMENT

a. **Time:** 7:18 PM

b. **Motion:** Mr. Robinson, 2nd: Mr. Malecki.

c. **All in favor?** Yes, **Anyone Opposed?** No.



EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

July 18, 2019 at 7:00 PM

I. MEETING CALLED TO ORDER

Vice-Chairman Robinson called the meeting to order.

II. FLAG SALUTE

Vice-Chairman Robinson led the flag salute.

III. STATEMENT OF THE MINUTES

Read by Nicole Carter, Planning Board Secretary as quoted,

“Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 9, 2018; written notice was emailed to the Burlington County Times and the Courier Post on February 11, 2018; written notice was filed with the Clerk of the Township on February 12, 2018.”

IV. ROLL CALL

Present: Mayor Belgard, Mr. Kauker, Mr. Robinson, Mr. Smith, and Mr. Malecki.

Absent: Mr. Alexander, Mrs. DiFilippo, Chairwoman Johnson, and Mr. Westphal.

Alternates in attendance: Ms. Bonner and Ms. Tumminia.

Professionals in attendance: Thomas Coleman, and Edward Fox.

*Mayor Belgard is excused from hearing the use variance application per Mr. Coleman.

V. APPROVAL OF MINUTES

➤ June 20, 2019

a. **Motion:** Mr. Malecki, 2nd: Mr. Smith.

b. **Discussion:** No discussion.

c. **Roll Call:** Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Malecki, and Ms. Tumminia.

VI. OLD BUSINESS

None

VII. NEW BUSINESS

Diamond Tool– **4171 Route 130** – Block: 404, Lot: 2.05

Proposing a construction tool and equipment establishment (at the former Aldi’s site) that rents, sells, and services construction tools and equipment. Conditional use approval, amended site plan to fence in part of the existing parking areas and add additional large doors to the existing building, and use variance if needed for a rental establishment.



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Patrick McAndrew is representing the applicant, along with 3 witnesses Edward Kelly of Diamond Tool, Heath Dumack the surveyor and engineer, and Jim Miller, planning consultant. The 3 witnesses are sworn in.

Edward F. Kelly, of 5 Birch Court, Shamong, NJ 08088, Vice President of the Company and Co-Founder. They are a contractor supply and rental firm, similar to John Deere or Cat. Selling tools and equipment to build buildings. Some servicing on equipment. Most repairs could take a day or two. Made up of 50% rentals, 40% service, and 10% sales. Targeting: commercial and industrial contractors. Hours of operations are 7 am – 5 pm, and no weekends. Estimated 5 employees. Deliveries are infrequent, 2 – 4 days on a good day. There would be less traffic compared to the Aldi's that was previously there. Low parking needs, contractors will be able to pick up with trailers provided to them.

Exhibit A-1: Diamond Tool circular.

There may be 30-40 pieces of equipment on site at once. There will be a gate that will be locked on off hours.

Heath Dumack, is a licensed surveyor and engineer in NJ. The site is on the northerly side of Route 130, to the south is Wawa. Proposing an addition of a 6 foot chain fence with gated access, opening at 2 locations. Eliminating the island and proposing a ramp up to the service area doors with 5 roll up doors without needing a loading dock. Ken Kauker asked if the proposed LED lights will be shining down with no glare and if the loading area will have the screening that is required. Heath suggests that the chain-link would be more secure than opposed to aluminum. Edward Fox questions how a chain-link is more secure than other fencing because it is not necessarily. Heath answers that it provides the benefit of visibility from passersby's, but if the will do what is required to please the board.

Mr. McAndrew talks about the sign on Route 130 that is not proposed to be changed at this point with no expansion proposal, either. Mr. Coleman asks about trash and debris. Mr. Dumack answers that they received palletized shipments and the trash is nominable. Mr. Kelly interjects that there will be an outdoor dumpster for normal trash and agrees about the aluminum fence/shrubs. The 15 yard dumpster, no garbage in the back. Ken Kauker clarifies that the pallets would be run over and dumped. Mr. McAndrew agrees to working with the shrubs and fence.

Craig Miller, 411 Sycamore Avenue, Folsom, PA 19033, is the project manager and consultant to Diamond Tool. There will be 2 street signs, pole signs 7 x 8 or 9 feet, double sided, one on Route 130. The trees are overgrown there and pruning them are an option, not removal.

Jim Miller, 222 Nicholson Drive, Mooretown, NJ 08057, has been before the board before. The variance is technical, because the use is limited to retail. Use is similar being that the rental is 50% feet to space ratio. Current proposed is 60 spaces to the public and 51 to outdoor storage. Conveying product to customer. Adaptively reuse a currently vacant site. Reoccupation by a new owner. This satisfies the positive criteria. No negative criteria, no detriment to the public or zoning. Correct benefits, the D-1 variance reconciled in the C-3 district. Mr. McAndrew says this is well suited because of limited traffic,



EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

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Jim confirms less traffic. Stephen Malecki asked about recycling cardboard, bottles, and cans. Mr. Kelly confirms they do and will recycle everything.

Edward Fox speaks that most of these are planning issues, not zoning. As reference in the engineering letter on page 2 there are 2 situations where the existing building and improvements are pre-existing conditions. On page 3, as it was discussed about the use variance, regards that the signs should be removed when a business is out of business and off importance of offsite signs. Signs are offsite and Route 130 should not have pole mount signs, only monuments. Wall mounts are only 40 square feet in size. Jim Miller speaks that the C-2 Variance, is seeking relief to better the building signs. Having 2 signs would be practical for both access points justifying the larger sign area. It is a pre-existing structure and be re-utilized. Mr. Fox discuss the cross access easements, the item 10, from page 5, about outdoor storage. Mr. McAndrew confirms they will meet those conditions. Mr. Fox talks about lighting and landscaping, if there will be trailers or box trucks, and a Knox box for the Fire Marshall.

Hearing open to the public for this application:

Vice-Chairman Robinson opened the hearing to the public.

1. **Cedric Minter**, Zoning Officer for Edgewater Park Township

Q: Is Diamond Tool aware of the daycare center next door?

A: Answered by Mr. McAndrew, that the yard/customer parking lot will be on that side.

Vice-Chairman Robinson closes the meeting to the public.

Tom Coleman does the resolution overview for amended site plan approval. A use variance to operate in a rental aspect in the C-3 zone. Also, a conditional use variance approval to reuse sign adjacent to Wawa, sign by Bridgeboro Road, pole signs, and (2) 130 square foot signs. There is a variance for side yard setback to be 30, plans allows for 9.3 foot existing non-conforming set back. The existing 75% impervious coverage (should be 60%), but shall not be exceed. The aluminum fence will run along the front with low profile shrubbery. Lastly, a parking variance, 78 spaces are required, however there are 111 spots there, so 60 spots to the public will remain and 51 spots will be enclosed, leaving a deficiency of 18 spots. Approval is all subject to Mr. Darji and Mr. Fox's June 14th engineering letter.

Craig Miller brings up the removal of the island, landscaping, 2 tree removals. Stephen Malecki said if you take one down, another should be put up.

a. **Motion:** Mr. Kauker, 2nd: Mr. Malecki.

b. **Discussion:** No discussion.

c. **Roll Call:** Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Malecki, Ms. Bonner, and Ms. Tumminia.



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VIII. ADOPTION OF RESOLUTIONS

None

IX. MEETING OPEN TO THE PUBLIC

1. Cathy Corvine, 104 Alexander Road

She has concerns about the access roads for new development on Route 130, wondering where it stands and if there is any more discussion on it, can it be changed.

Tom Coleman states there is currently no discussion and the preliminary approval was granted in March. Details about the streets were provided to Ms. Corvine by Mr. Fox.

X. CORRESPONDENCE

1. Acer Associates LLC

Re: NEPA Survey – Cellular Antenna Facility
Project of (6) six antennas on 118 foot water tank.

2. Board of Chosen Freeholders County of Burlington

Re: Ariel Realty, 23.5 Acres
To Mr. Minter (Construction Official) about conditional approval.

3. Shropshire Associates LLC

Re: 4325 Route 130/Edgewater
NJDOT Driveway/Access permit application for Ariel Realty. Traffic impact study, traffic controls plans, existing conditions/demolition plan, and subdivision/site plans (one copy submitted, on file in the Township Office).

XI. ADJOURNMENT

a. **Time:** 8:12 PM

b. **Motion:** Mr. Smith, 2nd: Mr. Malecki.

c. **All in favor?** Yes, **Anyone Opposed?** No.



EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

September 19, 2019 at 7:00 PM

I. MEETING CALLED TO ORDER

Chairwoman Johnson called the meeting to order.

II. FLAG SALUTE

Chairwoman Johnson led the flag salute.

III. STATEMENT OF THE MINUTES

Read by Nicole Carter, Planning Board Secretary as quoted,

“Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 9, 2019; written notice was emailed to the Burlington County Times and the Courier Post on February 11, 2019; written notice was filed with the Clerk of the Township on February 12, 2019.”

IV. ROLL CALL

Present: Mr. Alexander, Chairwoman Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, and Mr. Malecki.

Absent: Mayor Belgard, Mrs. DiFilippo, Mr. Westphal, and Ms. Tumminia.

Alternates in attendance: Ms. Bonner.

Professionals in attendance: Thomas Coleman.

V. APPROVAL OF MINUTES

➤ July 18, 2019

a. **Motion:** Mr. Smith, 2nd: Mr. Kauker.

b. **Discussion:** No discussion.

c. **Roll Call:** Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Malecki, and Ms. Bonner.

VI. OLD BUSINESS

None.

VII. ADOPTION OF RESOLUTIONS

➤ Diamond Tool – 4171 Route 130 – Block: 404, Lot: 2.05

Proposing a construction tool and equipment establishment (at the former Aldi’s site) that rents, sells, and services construction tools and equipment. Conditional use approval, amended site plan to fence in part of the existing parking areas and add additional large doors to the existing building, and use variance if needed for a rental establishment.

Resolution # **P-10-2019**

a. **Motion:** Mr. Malecki, 2nd: Ms. Bonner.

b. **Discussion:** No discussion.

c. **Roll Call:** Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Malecki, and Ms. Bonner.



EDGEWATER PARK TOWNSHIP PLANNING BOARD Meeting Minutes

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VIII. NEW BUSINESS

Discussion of Township ordinances.

Tom Coleman advises the board and the public how the meeting will transpire about the planning board discussions about chickens; this is not a referendum. The board has been asked to look at the zoning codes in order to guide the Township Committee. The function is to have an earnest discussion about the current zoning code and if it could be modified, it at all. Mr. Coleman introduces the topic of chickens and where the confusion lays within the Township, Zoning, and Board of Health Permits. There is a zoning code, section 16.80.2 (paraphrased) that specifically prohibits the keeping of chickens and fowl; 16-80.3 (paraphrased) however, if you had chickens or fowl before the code was modified, you may be grandfathered in. Title 6 of Code (not related to zoning) entitled Animals, 6.04.02 (paraphrased) any person, firm, corporation, etc. – maintaining fowl, etc. that they may make application to the township for approval to keep such animals.

Chairwoman Johnson reflects that in 2015 the board discussed the same topic. Tom says that at the time there was too much criteria and the topic was tabled, not being adopted into ordinance. Marian remembers that space was a problem. Mr. Malecki states that going to other town's committees is a good idea. However, we see their examples and not their results. The results in such spaces per square footage, would be deemed on a case by case application. Marian states that in addition to allowing chickens, as a Township we would need to support an inspector, a board, classes, and permits. Mr. Smith states that this was a long discussion at the Township Committee.

Tom Coleman reads the memo (supporting documentation provided by the Municipal Clerk from the Township's documents of material given in the agenda packets) from Kevin Johnson (Planning Board Secretary 2015) to Linda Dougherty (Municipal Clerk 2015). Mr. Kauker mentions that chickens may roam per Delran's example of laws. Marion says for chickens, they can produce eggs up to 2 and 3 years. Also, in the event that someone obtains a rooster (accidentally), per Delran's example, there is a "no slaughter policy". So these chickens that were kept for their fresh produce are now going to be turned loose or killed. Wild chickens would be unacceptable and what will be done when they can no longer produce eggs. Mr. Kauker includes that a coop would need clarification as an accessory structure as it would require a bulk variance. Mr. Coleman reads that ordinance that the Board of Health should not be issuing permits to anyone (other than those grandfathered in) because zoning sets the tone that chickens are not allowed.

Mr. Robinson does not think we can manage a chicken ordinance. There is not enough staff to keep up. Chickens also bring on more insects, mice, rats, foxes. They are not good for neighbors who bought into the residential community. Edgewater Park Township is classified as urban, not rural. It would be expensive, to pay for a survey, pay for notices, paying the board application, Board of Health permits, adequate fencing, habitat and chickens, the upkeep, possible tree removal, etc. Farmers have a vested monetary interest. The Township cannot be trusted to keep up with the town rules currently in place how can they prove to upkeep chickens. Mrs. Johnson states that it would not be the Planning Board's job to do more than hear the applications. A new board would have to be created to police them. It would be volunteers to check the coops when there are complaints. Mr. Alexander like's Mr. Coleman's idea to protect the rights of the neighbor and apply have them apply for a variance. Ms. Bonner echoes Mr. Robinson's message of concern for the neighborhood as it is residential not a farm. Mr. Smith states that



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it could cause friction between neighbors. Mr. Malecki states the variance notices people that may have severe health allergy to chickens. Mr. Kauker says that a variance will give them an idea of many accessory structures will be on the property. Mrs. Johnson states that there are really just the same questions and more from the last time they met.

Mr. Coleman puts it to the board that the sum discussion that the recommendation to the Township Committee that the Zoning Code is not to be revised.

Mrs. Johnson confirms that it is the will of the board that the zoning code not be changed.

Hearing open to the public for this application:

Chairwoman Johnson opened the hearing to the public. Statements should be kept to about 3 minutes for person.

1. **Christine Fair**, 503 Warren Street of Beverly, but owns Edgewater Park property.
Statement: As a registered nurse she states that there are various health issues to coops to take into consideration. People can develop lung conditions from improper maintenance, salmonella, suffer allergies, etc. In much agreement with Mr. Robinson's statements.
2. **Judith Hall**, 6 Johnson Place
Statement: Back 70 years ago, this was a farming community. The town fathers decided to allow the development of track homes. It was a very restricted type of development community. Please, keep in mind in decision that will be made. Some are still farm areas, but not many. The perimeter is river funded. There are resolutions and ordinances, that govern the track community, that need to be considered when purchasing into this town.
3. **Fatih Karatas**, 1335 Mt. Holly Road
Statement: People looking to keep chickens are not looking to keep a business, but to have chickens for the organic eggs. The chickens feed naturally and it is for a better quality of life as everything is mixed with chemicals now. He remarks on allergies, everywhere is chicken soil that people use for gardening every year. The chicken waste will then be used as organic soil. Also, as example, a resident is not currently restricted to own a pet dog if their neighbor is allergic to dogs.
4. **Ali Zivali**, 435 South Arthur Drive
Q: Does not plan to own chickens personally, but understands everyone's concerns. Organic eggs are desired. People are paying taxes, living in town, it would be fair to have chickens if people are allowed to have other pets. Having lived here 15 years, if people cannot keep up with their homes, they are fined. There are 150 single homes that desire to have chickens per his findings. Also, remarks that Turkish people are clean, that dirty coops should not be an issue from the Turkish community within town.



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5. **Joe Chiemelenski**, 7 Crystal Drive

Q: There are lots half the size of what the township is asking to be allowed for chickens. Can they be guaranteed that the smaller sized lots will not be allowed by such ruling? Chickens also lead to roosters.

A: Marian answers that we are not guaranteeing anything either way at this time. Mr. Coleman states that his by-laws come first.

6. **Dennis Robbins**, 9 Crystal Drive

Statement: References that as discussed the Township would have to hire another inspector. That inspector's salary would cost roughly \$80,000 yearly plus benefits. The Township cannot afford to have an additional inspector if chickens are allowed.

7. **Fatih Karatas**, 503 Warren Street

Statement: Are these inspections for pets other than chickens?

A: Marian answers if they are complained about.

Statement: So there is not a separate inspector just for dog inspections. The township would not hire an inspector just for investigating chickens. He and all the residents he know that are invested in the Township keep their properties clean to keep up value and taking pride in their homes.

8. **Kahraman Ozedimr**: Not disclosed

Statement: Has 2 kids, lived in Edgewater Park for 13. His children asks often to keep chickens. If he wants to provide chickens to his kids, he would have to move. His neighbors states that keeping chickens would not bother them.

A. Marian state she is understanding why chickens are wanted and they are allowed to ask for such, but at this time we are only discussing the good and bad of keeping chickens. Convincing the board does not change anything at this time. Planning board at this moment is just a sounding board to give their discussion to Township Committee.

Statement: New Jersey is the garden snake and chickens keep away the snakes.

9. **Michael Panzera**, 1 Danbury Court

Statement: There were 30 cats in the house across from him and the animal control does not respond well. The health department had to call animal control to take action. Comparatively, chickens make little noise and dogs make a lot more noise. Dogs that will be neighboring to a chicken will be barking all day long.

10. **Dale Rising**, 31 Belmont Avenue (Vice Chair of Chesterfield Zoning, 10 years)

Statement: Lived here 15 years, First job on a farm in Indiana by the age of 5, where they were taking care of chickens. This is not necessarily a farming town, but Burlington County is a farming county. One nuisance will be the animals that will follow flocks of chickens like opossums, red tail hawks, skunks, raccoons, and other uncontrollable wildlife.



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11. Cedric Minter, Edgewater Park Township Zoning Officer

Statement: Currently, chickens are not allowed unless grandfathered in. Yet we currently have problems enforcing the ordinance. People are currently hosting chickens that have not received approval. If the board is considering allowing chickens, we must clean up the unapproved residents first and foremost. The office will have to hand out those violations. It has been difficult trying to bring everyone to compliance.

A: Marion mentions, if considered, other chicken problems are abated.

12. Muhammed Gunaydin, 212 Hendrickson Avenue

Statement: Resident of 26 years. Knows people that have chickens and not aware this was a problem. Is the ordinance restricted for residential or commercial?

A. Residential is restricted. His home backs up to Moore farm who have had chicken coops prior to 1996. Chickens coops should be had prior to 1996 to be considered grandfathered in, not by length of residency.

Question: If his neighbor has dogs that are properly fenced in, and there is a mess he is under the impression it is none of his business and he cannot report it.

A. He has every right to report.

Chairwoman Johnson closes the meeting to the public.

a. Motion: Mr. Robinson, 2nd: Ms. Bonner.

b. Discussion: Mrs. Bonner states that the board has heard the testimony and concerns. There are more residents that may want chickens that may not be as cleanly as other small communities within town.

c. Roll Call: Mr. Alexander, Chairwoman Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Malecki, and Ms. Bonner

IX. MEETING OPEN TO THE PUBLIC

None.

X. CORRESPONDENCE

1. None

XI. ADJOURNMENT

a. Time: 8:08 PM

b. Motion: Mr. Robinson, 2nd: Mr. Kauker.

c. Roll Call: Mr. Alexander, Chairwoman Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, Mr. Malecki, and Ms. Bonner



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I. MEETING CALLED TO ORDER

Chairwoman Johnson called the meeting to order.

II. FLAG SALUTE

Chairwoman Johnson led the flag salute.

III. STATEMENT OF THE MINUTES

Read by Nicole Carter, Planning Board Secretary as quoted,

“Proper notice of this meeting pursuant to the Open Public Meetings Act has been given by the Planning Board in the following manner: written notice was posted on the Official Bulletin Board at the Municipal Building on January 9, 2019; written notice was emailed to the Burlington County Times and the Courier Post on February 11, 2019; written notice was filed with the Clerk of the Township on February 12, 2019.”

IV. ROLL CALL

Present: Mayor Belgard, Mr. Alexander, Chairwoman Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, and Mr. Malecki.

Absent: Mr. Westphal,

Alternates in attendance: Ms. Bonner and Ms. Tumminia.

Professionals in attendance: Chuck Petrone, Rakesh Darji, and Edward Fox.

V. APPROVAL OF MINUTES

➤ September 19, 2019

a. **Motion:** Mr. Robinson, 2nd: Ms. Bonner.

b. **Discussion:** No discussion.

c. **Roll Call:** Chairwoman Johnson, Mr. Kauker, Mr. Robinson, Mr. Smith, and Mr. Malecki.

VI. OLD BUSINESS

None.

VII. NEW BUSINESS

➤ **Master Plan – Phase III**

- Master plan was previously adopted in 2017. Being suggested is: Updated Land Use Plan Element, pages 18 – 30 of the re-examination report for recommendations.

Tom J. Stanuikynas – Burlington County Bridge Commission. Ready to help the Township with Master Plan land use element. Recommending the Township takes a new look at the land use plan from 2000, updated in 2005. A re-examination report is to be done. It would take a few volunteers to form a



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working committee between 3 – 5 members to work and guide the process, a focus group. Their staff is experienced to prepare maps. Community input and involvement is welcomed in the beginning of this process. They have experienced staff to work up this maps based on analysis of changes in their review. The process could take up to about 6 months.

Chairwoman Marian Johnson asked if it would make sense to do after the 2020 census. Mr. Stanuikynas states that it could take 2 years to do a census and they would use the most relevant information from the 2018 data. Ed Fox comments that it is updated every year, this is for enumeration purposes. Mr. Stanuikynas says that the Bridge Commission has helped many towns in the county, prepare their background data; assistance offered at no cost. Chairwoman Johnson remarks doing this is new to the board and has no questions, yet, but is sure more will arise. Mr. Fox says that he worked on the re-examination report with the Township and there are some unclear items; would the commission have the ability to do marketing analysis on areas in the town that we are not sure of what would work in those tough areas. Mr. Stanuikynas could do something similar to what was done to help Beverly, in that would be a “rough and ready” analysis with a 10 year projection to find what would be practical. John Alexander mentions that we have a Master Plan, this is just where we need to look at outdated items. Charles Robinson states that during the course of the recent review of the Master Plan this topic was brought up. Mr. Stanuikynas confirms that a committee be put together after the holidays, possibly reconvene in January. Committee should consist of 2 Planning Board members, 1 elected official, and 2 public residents; meetings to be scheduled at their discretion.

- **Applicant:** Ariel Realty, LLC – N/A – Block: 1202, Lot: 9, 9.01, 1.10
Final Subdivision Plans & Site Plans for the lots being subdivided for 1 townhouses, 2 apartments buildings (26 units total), and 1 retail building at 16,000 sq. ft. – 2 bulk variances.

Alan Ettenson, here on behalf of Ariel Realty, seeking final approval. They have been before the board for Preliminary approval back in March. What is provided today, is the result of many meetings and discussions, showing the many corrections and improvements.

All representatives for this application are sworn in at the same time, including, Joe Mancini – Licensed engineer and licensed planner, Andrew Ferenda – Traffic engineer of Shopshire. Nick Krasinski – Affordable Housing, and Jacob.

Rakesh Darji wishes to clarify, there already is preliminary approval for site plan and subdivision, and applicant should be seeking subdivision only. Final site plan should be reserved for a final date for the commercial portion. Mr. Petrone states we are including the 2 apartments buildings tonight, and keeping Lot 9 (the retail portion) for a later meeting.

Joe Mancini, discusses the minor but important modifications. We are discussing the southbound side of Route 130, frontage of Forrestal Drive, frontage of no-named street in the rear, and small frontage on Cooper Street which includes sanitary sewer connections. Project maintains to have a right in/right out drive from Route 130 near Pep Boys, new access to Forrestal drive, and new access to “no-name” Street in rear. There will be 136 townhomes, 2 apartment buildings with 24 of those being COAH units,



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proposed retail, and the existing Pep Boys. Changes would include improvements to landscaping, grating, drainage, and storm water management. They have expanded Basin 1 to accommodate runoff from Pep Boys, also adding Basin 4 to the North in the backside. Existing conditions in the rear to the backside in regards to Silver Park West. Basin 4 was added to accommodate run off from Silver Park West should any issues occur, that will be collected on their site. Grating and landscaping was scrutinized to ensure it would not negatively impact neighboring properties.

Mr. Kauker discusses plan sizes that are not 30" x 42" or 24" by 36" are too hard to read. The board secretary informs him that will be remedied in the future and is not the applicant's fault.

Discussing the tot lots are in the same place as the original plans and not in an objectionable location. Mr. Kauker asks is the tot lot is in a fair location near the backyards of the neighboring community. Mr. Mancini states that they do not believe they are in an objectionable location and within the ordinances of the township. Chairwoman Johnson asks to define the tot lots; whom they are geared towards. The equipment is estimated for ages 3 – 6, and not anticipated for use of ages 10 and older, relatively small in size. The Homeowner's Association will set up hours of use within the townships laws. Ed Fox states no objection at all. John Alexander does state that these small, secluded areas can be a target rea for nuisances a more central location could be utilized than the perimeter. Mr. Mancini says that it is also considered a welcoming public park for the families they anticipate moving in. Moving the lot into an area between homes would impede on parking availability. Mr. Fox adds that conforming to the needs for the placement of basins affected the site as well.

Mr. Mancini moves on to discuss signs, proposing to retain and upgrade the pylon sign within the island of the boulevard entrance of route 130, total sign area 208 square feet; details included in the site plans. There are additional 4 proposed monument signs located at Route 130 and Forrestal, Forrestal and Wendowski, and 2 near the roundabout near the entrance of the residential site.

Exhibit A-1: Site Plan

Exhibit A-2: Signs

Variances are needed for the signs, such as, a variance to allow the existing pylon sign to remain where it is, our ordinance does not allow them in the right-of-way. A variance to allow the pylon sign to remain because our ordinance does not allow pylon in general. A variance for the size, 208 square feet, ordinance allows maximum of 100. Permit sign height of 33 feet where maximum of 8 feet is permit, and set back of 5 feet from Route 130 where 25 feet minimum is required. A variance of the 4 monument signs where 21.25 square feet height of 5 feet where ordinance allows 1 sign within area of 12 square feet maximum height of 4 feet. Another variance would be for the rear decks. Along the northern boundary (buildings E & F) requires a 50 foot buffer, asking for 6 feet into that encroachment buffer.

Positive criteria for the signs are that they effectively identify the site, in an already existing location and the height promotes safe notice for entry and access. They are attractive and a significant aesthetic property for the environment. They propose a sign is at the intersection at Forrestal to identify that is it



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not part of Silver Park West. Need to identify multiple access points. In regards to the decks, there is a requirement of 50 feet of buffer. We propose to maintain 40 feet of buffer. Within that there is a proposed fence and double row landscaping. Note that in the general ordinance 16-89(g) – required buffer between sub-divisions is only 15 feet, 30 feet in a C-3 zone.

Ken Kauker says putting the sign on the Northern sign could be an option if opportunity is there. Mr. Kauker, John Alexander, and Charles Robinson agree that the current sign is an eye sore and should not be reused. Mr. Ettenson says that makes sense and if the board wants a change of sign they will respect the boards comments. Mr. Fox asks why there are 2 signs at the roundabout. Mr. Mancini says it was purely aesthetics. Mr. Ettenson says that if the sign is important the looks will be improved, location in the triangle important. Rakesh Darji says that they must show sight triangle. Mr. Mancini clarifies the variance is for the total of 5 signs. Mr. Ettenson says the plan, referencing Exhibit A-1, is roughly the size 12 square feet, and Mr. Mancini does not think that is adequate for safety purposes. Chairwoman Johnson states the signs should not be larger than Silver Park West's signs, but the same size. Mr. Ettenson states that the client will be agreeable to the board's will to comply with sign size preference. Mr. Fox asks of the other sign on the Eastern Site for Silver Park West and why is it not on the Silver Park West property, is there an easement? Mr. Ettenson tried contacting the two associations the HOA and the condo association for Silver Park West. After speaking to Danmar of the condos, they are to contact him about the sign. He wants to create a maintenance easement, to which will be resolved between them. Rakesh states the partial was subdivided as Silver Park West subdivision and is its own separate lot. They could create an easement to allow the sign remain. Gwendolyn Bonner asks if a dual sign possible, showing both Ariel and Silver Park West? It could be a possible solution. Chuck Petrone reminds the board we are suggesting based that Silver Park West will agree and then who is responsible for maintenance?

Mr. Darji says they may want the applicants to come back for signage portion of application when they return for the commercial portion. Mr. Kauker says that there should be no more trucks in this town during development for the site. Applicant with withdraw the sign package for this evening and bring it before the board for approval.

Discussing the deck variance, for 2 buildings, to allow 2nd floor decks (and patios) to encroach 6 feet; into the 50 foot perimeter buffer, as an affixed portion of the building.

Mr. Fox brings up page 5 of 13, item 12, where there were issues of the perpendicular parking stalls, being tight. Mr. Mancini states that easements are proposed on the individual lots.

Mr. Fox says that it mentions in the review letter about complying with the fence and retaining wall. Mr. Darji believes comments related to the engineering are clear and Mr. Ettenson agrees with almost everything on the letter baring no more clarifications. Mr. Ettenson talks about Fox Run's proposed walkway to connect them and that Mr. Pellegrino admits that they did not want it. This was item 13 on the letter. Mr. Ettenson talks about number 17 on the letter, and that they did do Phase 1, with additional testing to comply.



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Albert Abigail, the developer, explains there will be a master association on top of the Home Owner's Association, for retail and COAH. Owner of retail, they will be a part of the master association board. The board will be made up of the HOA, COAH, and retail agencies. Tot lots will be managed by the HOA. William Belgard asked are there dog restrictions, the answer is no; they could indicate to new residents that there are dog parks nearby.

Andrew Feranda, was here before the board back in March, for the traffic testimony. There are no revisions to the effect of traffic in the update applied to the DOT. They are subject to their timeframe of the offsite intersections that the DOT is reviewing.

Nick Krasinski, for affordable housing.

Exhibit A-3: Apartments

A 12 unit building, a walk up building, going right into the first floor, four units per floor that are handicap accessible. Same configuration on the second floor. The buildings are identical. Essential stair case. Total building size is 81 feet long – 56 inches – 37 feet high. Under laying façade, bead board, stone veneer, and brick veneer. There are sprinklers, as not firewalls are not required.

Exhibit A-4: Townhouse

Townhomes will have three floors, no changes except the height of the building will not exceed what's required, 40 feet. Floor plan is basic, 1 car garage, front entry, bathroom, recreation room, upstairs to living room/kitchen and deck, then top floor bedrooms, bathrooms. Metal covered entry, stone and brick. Mr. Kauker asks if the homeowners will select color palate for the front, which is no. They clarify they will have different colors for variety but still maintain uniformity and consistency with materials. Ms. Bonner brings back the fire wall discussion from the March meeting and asks what changed that fire walls are no longer a requirement. Townhomes will have firewalls, the apartment building does not require it however.

Bonnie Tumminia has a comment on percentage of owner occupied parcels. For FHA loans, there must be a certain minimum percentage met in order to receive those. Chairwoman Johnson asks if it would be beneficial to put firewalls in the attics between units as experience dictates that most fires have started at the top of these buildings. That is already a requirement to divide the spaces up.

Hearing open to the public for this application:

Chairwoman Johnson opened the hearing to the public.

1. Joe Chimilenski, 7 Crystal Drive

Q: Will they tear down the existing fence that was just replaced for \$110,000?

A: No, it was the applicant's understanding that at the preliminary hearing that they will replace the fence on the northern side. If that no longer applies, they will not take the fence down.

Q: Will the entry to Forrestal be open to make a left or right (there is not enough room)?

A: Yes, break in island for full movement.



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S: Will the township send police cars or speed bumps to maintain traffic? As a comment, there are too many ifs and who will maintain the buffer? Also, the Storage near building, previously worked for Pathmark, there will not be enough room to make a turn.

R: Mr. Kauker confirms that he brought up the turning radius so they may address it.

2. Noel Rayn, 7 Spring Lane

S: Page 3 of 15, shows streets site plan overall, too congested. A suggestion is that if it doesn't work, change the traffic pattern. Comments getting in and out and the irrigation system.

3. Michael Panzera, President of SPW, represents the condos, 1 Danbury Court

S: Has a petition with 163 signatures for not opening access roads into SPW by putting the safety of the seniors at risk. Silver Park West signs no through traffic, water issue.

R: Mr. Petrone states that we may only take Mr. Panzera's testimony as not everyone on the petition is here to speak for themselves.

S: There is a sign that already states no through traffic. With new development, there will be an influx of more traffic. Is there a water issue that will need to be dealt with?

A: Mr. Fox reminds that Basin 4 was added primarily for Silver Park West, at the request of the board engineer, which most will be overflow from their property.

4. Crystal McRae, 10 Belmont Avenue – Former Board member

S: Resident for 15 years, believes road opening takes away choice of lifestyle.

5. Tony Rizzo, 20 Spring Lane

S: In March of 2018, he was in the house that was hit, with no injury. Here is the largest concentration of seniors from Edgewater Park and elderly handicap within Silver Park West. An open road will endanger them.

6. Valeria Dix, 136 Alexander Road

S: Newer resident to Silver Park West, and opening the access roads will take away serenity of walks within the neighborhood.

7. Dennis Robbins, 9 Crystal Drive

S: Storm water, it is a problem that must be solved.

8. Eric Piper, 32 Palmer Square

S: Cooper traffic flow northbound on Route 130, theory from opening roads from side, going from Spring to Woodlane will be a detour people will take. There is a foot traffic concern, with more comes less security.

9. Susanne Scareacashottole, 18 Crystal Drive

S: Cars will be speeding by while using roads as a detour.



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10. Donna Ott, 20 Palmer Square

S: Questioned 2 young girls that were walking within the area and saw them leave through a cut out hole in a gate at one of the dead ends. There will be more issues like that. Typographical error on what was sent in notice versus the agenda.

11. Noel Rayn, 7 Spring Lane (again)

Q: Where the signs going to be lit?

A: Yes they were proposed to be lit, however we are not voting on signs at this time.

S: What about the dead trees that the township was taking care of, the applicant should assume such responsibility.

12. Crystal McRae, 10 Belmont Avenue – Former Board member (again)

S: Will this increase expenses as there is no age restriction on the new homes, like taxes?

A: No more than 3 bedroom units, and there was an indication from the previous meeting that these plans should not negatively impact the school in terms of students, needing more teachers, and so forth.

13. Joe Chimilenski, 7 Crystal Drive (again)

S: Speaking of traffic, keep in mind school buses.

Chairwoman Johnson closes the meeting to the public.

Mr. Krasinski, after hearing concerns of the public, he would like to remind everyone that in the traffic study done, there is not a lot of difference relatively speaking. The 20/30/40 vehicles in peak periods are accurate. The speeding and cut through issues sound like a current problem that needs to be resolved. He would hope that people would follow the rules of the road, but if not, that needs to be solved within their existing development. It is not a negative necessarily brought on by result of the applicant. Also in the event of emergency, these access roads will also provide that alternate method for emergency vehicles and traffic; a benefit to both communities.

Vincent Smith states they the board hears and appreciates concerns from the public about traffic and speeding. He very well understands and would like it known that it is a concern in multiple areas.

Mr. Ettenson is sympathetic, and age qualified to live in such a development so he does take these concerns seriously. There is nothing against Silver Park West and would like to work with them. Their licensed engineer has given testimony and made extensive changes in the plans, including taking on the water problems from Silver Park West. Requesting final subdivision and site plan approval, not to include commercial or sign package. The only variance requesting tonight is for the 6 foot overhang in the buffer.

Mr. Darji speaks of the fence along the back, the applicant is proposing to replace the fence that was requested at the last meeting (9 months ago). If it has been replaced since then and no longer required, is it possible to get clarification. Administratively, it will need to be determined that that is no longer necessary, will be done by the board engineer, speaks Mr. Petrone.



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Chuck Petrone does the resolution overview for motion to grant final major subdivision approval to the applicant as well as final site plan approval for the multi-family section of the development subject to the engineering letter and the board's conditions.

- a. **Motion:** Mr. Robinson, 2nd: Ms. Bonner.
- b. **Discussion:** No discussion.
- c. **Roll Call: In Favor:** Chairwoman Johnson, Mr. Robinson, Mr. Smith, Ms. Bonner, and Ms. Tumminia.
Opposed: Mr. Alexander and Mr. Kauker

Motion carries in favor of applicant 5 to 2.

***5 minute recess**

- **JIF Training:** Presented by the Board Attorney, Chuck Petrone.
 - Members will sign the Group Affidavit Certification of Completion.

14. ADOPTION OF RESOLUTIONS

None

15. MEETING OPEN TO THE PUBLIC

None

16. CORRESPONDENCE

1. Reminder that if you were given a term appointment renewable application that should have been given to the Municipal Clerk. Planning board re-organization meeting will be on Thursday, January 9, 2020 at 7:00 pm; the first Thursday after Township Re-organization special meeting on January 4.

17. ADJOURNMENT

- a. **Time:** 11:15 PM
- b. **Motion:** Mr. Robinson, 2nd: Mr. Alexander.
- c. **All in favor?** Yes, **Anyone Opposed?** No.