

**TOWNSHIP OF BORDENTOWN
PLANNING BOARD MEETING MINUTES**

August 8, 2019

The Bordentown Township Planning Board meeting was called to order at approximately 7:30 PM in the main meeting room of the Municipal Building on Municipal Drive.

PRESENT: Stephen Benowitz, Mayor, Class I
Bill Grayson, Class II
Eric Holliday, Committeeman, Class III
George Chidley, Chairman, Class IV
Kevin Hirschfeld, Vice-Chairman, Class IV
Danielle Esser, Class IV
Timothy Fairlie, Class IV
MaryAnn Holston, Class IV
Erica Bowyer, Alt. #1
Nicholas D'Angelo, Alt. #2
Rich Wells, Attorney
Fred Turek, II PE, PP, CME, CPWM, Engineer
James L. Kochenour, PE, Traffic Engineer
Mike Theokas, Interim Dir. of Comm. Dev./ Alt. Bd. Secretary
Cindy Dziura, Alt. Bd. Secretary/Recording Secretary

ABSENT: William Popko, Class IV
Lou Garty, Attorney
Jack Carman, RLA, FASLA, PP, Planner / Landscape Arch.

The meeting was opened by Chairman Chidley. The Board participated in the salute to the flag. Roll call was taken by Alt. Board Secretary Dziura. The open public meetings announcement was read by Chairman Chidley.

ANNOUNCEMENT:

Chairman Chidley made the following announcement: The applications for DCT Midline Sign Variance and LBA Reit, LLC for a new warehouse on Rising Sun Rd. will be heard at a Special Planning Board Meeting scheduled for August 29, 2019.

MINUTES:

Mayor Benowitz stated that page 5 of the July 11, 2019 meeting minutes should reflect that he made the motion during for the public comment portion.

Mayor Benowitz made a motion to approve the minutes as amended; Committeeman Holliday seconded the motion.

Roll call: AYE: Esser, Fairlie, Grayson, Bowyer, D'Angelo, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Popko
ABSTAIN: Holston
NOT VOTING: None

RESOLUTIONS:

Vice-Chairman Hirschfeld stated all three resolutions should reflect that the number 1 should be removed from the number of abstentions on the roll call vote. In addition, Mayor Benowitz stated that in regard to Resolution No. P-2019-16, first paragraph, the words “the City of Bordentown” should be removed and in the second paragraph, the number of units should be 84.

Resolution No. P-2019-15 -- RESOLUTION MEMORIALIZING A FINDING OF COMPLETENESS WITH CONDITIONS WITH RESPECT TO THE APPLICATION FILED BY LBA RVI – COMPANY XXXI, LLC, FOR APPROVAL OF A PRELIMINARY AND FINAL MAJOR SITE PLAN AS TO BLOCK 137.02, LOT 6, MORE COMMONLY KNOWN AS 334 RISING SUN ROAD.

Mayor Benowitz made a motion to adopt Resolution P-2019-15 as amended; Committeeman Holliday seconded the motion.

Roll call: AYE: Esser, Fairlie, Grayson, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Popko
ABSTAIN: Holston
NOT VOTING: D’Angelo

Resolution No. P-2019-16 -- RESOLUTION MEMORIALIZING A FINDING OF COMPLETENESS WITH CONDITIONS WITH RESPECT TO THE APPLICATION FILED BY TEAM CAMPUS PHASE II, LLC, FOR APPROVAL OF A PRELIMINARY AND FINAL MAJOR SITE PLAN AS TO BLOCK 58, LOT 37, MORE COMMONLY KNOWN AS LAND BETWEEN CRESCENT DRIVE AND OLD HIGHBRIDGE ROAD ON U.S. ROUTE 130.

Mayor Benowitz made a motion to adopt Resolution P-2019-16 as amended; Committeeman Holliday seconded the motion.

Roll call: AYE: Esser, Fairlie, Grayson, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Popko
ABSTAIN: Holston
NOT VOTING: D’Angelo

Resolution No. P-2019-17 – ON THE APPLICATION OF BORDENTOWN WATERFRONT COMMUNITY, LLC. FOR APPROVAL OF A THREE-YEAR EXTENSION OF THE AMENDED PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL FOR THE PROPERTY IDENTIFIED ON THE TAX MAP OF THE TOWNSHIP OF BORDENTOWN AS BLOCK 140, LOTS 5-8, 10-16, 18 AND BLOCK 141, LOT 4, MORE COMMONLY KNOWN AS THE BORDENTOWN WATERFRONT COMMUNITY (PHASE II).

Mayor Benowitz made a motion to adopt Resolution P-2019-17 as amended; Committeeman Holliday seconded the motion.

Roll call: AYE: Esser, Fairlie, Grayson, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Popko
ABSTAIN: Holston
NOT VOTING: D’Angelo

PUBLIC HEARING: Housing Element Fair Share Plan and Master Plan Consistency – Presentation by Heyer-Gruel.

Attorney Wells swore-in Susan Gruel of Heyer-Gruel, who is the Township Planners for Affordable Housing. Ms. Gruel stated that noticing has been complete and proceeded with a summary before the public hearing on the Affordable Housing Element Fair Share Plan. The Plan had been provided to the Planning Board members and professionals.

Mayor Benowitz made a motion to open the meeting for public comment on the Housing Element Fair Share Plan; seconded by Vice-Chairman Hirschfeld.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Popko
ABSTAIN: None
NOT VOTING: D'Angelo

Seeing no comment, Mayor Benowitz made a motion to close the meeting for public comment; seconded by Vice-Chairman Hirschfeld.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Popko
ABSTAIN: None
NOT VOTING: D'Angelo

Resolution No. P-2019-20 -- A RESOLUTION OF THE BORDENTOWN TOWNSHIP PLANNING BOARD APPROVING THE HOUSING ELEMENT AND FAIR SHARE PLAN (HEFSP).

Committeeman Holliday made a motion to adopt Resolution P-2019-20; Mayor Benowitz seconded the motion.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Popko
ABSTAIN: None
NOT VOTING: D'Angelo

Susan Gruel explained that Township Ordinances #2019-14 and #2019-15 are being referred to the Planning Board. She gave a summary of these ordinances, and what the next step is regarding the affordable housing obligation and court order. This round will bring the Township to the year 2025.

Resolution No. P-2019-18 – A RESOLUTION OF THE BORDENTOWN TOWNSHIP PLANNING BOARD REPORTING ITS FINDINGS AND RECOMMENDATIONS TO THE TOWNSHIP COMMITTEE ON THE PROPOSED ORDINANCE # 2019-14 RELATING TO AMENDMENTS TO CHAPTER 25 OF THE TOWNSHIP'S CODE, SECTION 905, RELATING TO DEVELOPMENT FEES.

Mayor Benowitz made a motion to open the meeting for public comment on Planning Board Resolution No. P-2019-18/Township Ordinance #2019-14; seconded by Committeeman Holliday.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley

NAY: None
ABSENT: Popko
ABSTAIN: None
NOT VOTING: D'Angelo

Seeing no comment, Mayor Benowitz made a motion to close the meeting for public comment; seconded by Committeeman Holliday.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Popko
ABSTAIN: None
NOT VOTING: D'Angelo

After Planning Board review and discussion of Planning Board Resolution No. P-2019-18/Township Ordinance #2019-14, Mayor Benowitz made a motion to adopt Resolution P-2019-18; Committeeman Holliday seconded the motion.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Popko
ABSTAIN: None
NOT VOTING: D'Angelo

Resolution No. P-2019-19 – A RESOLUTION OF THE BORDENTOWN TOWNSHIP PLANNING BOARD REPORTING ITS FINDINGS AND RECOMMENDATIONS TO THE TOWNSHIP COMMITTEE ON THE PROPOSED ORDINANCE # 2019-15 RELATING TO AMENDMENTS TO THE TOWNSHIP'S CODE SECTION 1100, CHAPTER 25 ON AFFORDABLE HOUSING.

Mayor Benowitz made a motion to open the meeting for public comment on Planning Board Resolution No. P-2019-19/Township Ordinance #2019-15; seconded by Committeeman Holliday.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Popko
ABSTAIN: None
NOT VOTING: D'Angelo

Seeing no comment, Mayor Benowitz made a motion to close the meeting for public comment; seconded by Committeeman Holliday.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Popko
ABSTAIN: None
NOT VOTING: D'Angelo

After Planning Board review and discussion of Planning Board Resolution No. P-2019-19/Township Ordinance #2019-15, Mayor Benowitz made a motion to adopt Resolution P-2019-19; Committeeman Holliday seconded the motion.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Popko
ABSTAIN: None
NOT VOTING: D'Angelo

<p>PB-2019-07</p> <p>Received: 7-25-19</p> <p>Escrow fees: PAID</p> <p>Taxes: PAID</p>	<p style="text-align: center;"><i>COMPLETENESS ONLY:</i></p> <p><u>CVS/POMONA</u></p> <p>Applicant is seeking to build a CVS and make site improvements at the existing McDonald's.</p> <p><u>REPORTS BY BOARD PROFESSIONALS:</u> Fred Turek, Engineer: July 31, 2019 Jack Carman, Planner/Landscape Architect: July 30, 2019</p>	<p>ESCROW #984500</p> <p>Block 128.01, Lots 1-3, 37-38</p> <p>Rt. 130 & Farnsworth Ave.</p> <p>Zoned: GWC-S (Gateway Commercial-South)</p>
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Present giving testimony representing the applicant were:
 Kyle Eingorn, Attorney, Dembo, Brown & Burns

Mr. Eingorn gave a brief description of the application. He said notice was done for preliminary and final site plan, as well for the preliminary and final application to be carried to the September 12, 2019 meeting.

Mayor Benowitz made a motion to declare the application complete; seconded by Committeeman Holliday.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
 NAY: None
 ABSENT: Popko
 ABSTAIN: None
 NOT VOTING: D'Angelo

The hearing for this application will be September 12, 2019.

<p>PB-2019-02</p> <p>Received: 3-15-19</p> <p>Escrow fees: PAID</p> <p>Taxes: PAID</p>	<p style="text-align: center;"><i>HEARING OF APPLICATION</i> <i>(Deemed Complete on July 11, 2019)</i></p> <p><u>TEAM CAMPUS PHASE II, LLC SR. HOUSING -- THE POINT</u></p> <p>Applicant is seeking to build 84 two bedroom units in 2 buildings and will include 19 Sr. Affordable.</p> <p><u>REPORTS BY BOARD PROFESSIONALS:</u> Fred Turek, Engineer: July 30, 2019 Jack Carman, Planner/Landscape Architect: July 30 2019 Jim Kochenour, Traffic Engineer: July 31, 2019 Steve Scholey, Fire Marshall: July 18, 2019</p>	<p>ESCROW #988100</p> <p>Block 58, Lot 37</p> <p>Route 130 between Crescent & Highbridge Rd.</p> <p>Zoned: AR-AH Age Restricted Affordable Hsg.</p>
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Present giving testimony representing the applicant were:
 Mark Roselli, Esquire, Roselli, Griegel, Lozier, and Lazzaro, P.C.
 David Silber, Attorney, Representing the Applicant
 Jason Burneyko, Sr. Project Site Engineer, D.W. Smith Associates

Alfredo Trevino, Architect
Scott Kennel, Sr. Traffic Engineer, McDonough & Rea Associates
Paul Blackford, Property Maintenance, K.T. Property Management Group
Syed Hussein, Principal Planner, D.W. Smith Associates

The representatives were sworn in and the hearing commenced. The Planning Board Engineer and Planning Board Planner reviewed their reports.

The Planning Board recessed their regular meeting at approximately 9:45 pm and reconvened the regular meeting at 9:58 pm.

The Planning Board Engineer and Planning Board Planner reviewed their reports.

Mayor Benowitz made a motion to open to the public; seconded by Committeeman Holliday.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Popko
ABSTAIN: None
NOT VOTING: D'Angelo

TOM KANE, 14 Highbridge Road: Mr. Kane said that this has been a wonderful presentation and Kevin Johnson does a good job constructing his buildings and maintaining them. However, he said that he is bothered by the two 4-four story buildings, and thinks they are out of proportion. The residents of Crescent Drive and Highbridge Road will no longer have the afternoon sun.

GABRIEL McCABE, 16 Highbridge Road: Mr. McCabe asked if the age-restricted could be changed in the future. Mr. Roselli responded that it could not be changed. Mr. McCabe asked about the structures in the buffer zone. Planning Board Engineer Turek responded that there was formerly a wall there, but it is now removed. He stated that the balconies of the building look right onto his property and at his pool; he is concerned about people staring at his daughters when they swim. He suggested that Kevin Johnson remove the balconies. He also questioned about the soil erosion and wildlife and asked if they will be regulated. He also commented on the dust from the projects and said his pool is constantly dirty.

RANDY HANUSCHIK, 24 Highbridge Road: Mr. Hanuschik said the 4-story buildings with balconies are ridiculous and it will be life-changing. He feels the tenants will be watching them. Mr. Hanuschik asked if taller trees could be planted. Mr. Roselli responded that they had agreed to plant additional, larger caliper trees. Planning Board Engineer Turek assured that they will be working with the applicant's landscape architect.

11:00 PM – Mayor Benowitz made a motion to extend the meeting to 11:30 pm; seconded by Mr. Hirschfeld.

RANDY HANUSCHIK(cont.): Mr. Hanuschak asked about enforcing the "90-day only, no children" rule. Mr. Roselli responded that it is an on-site management so it is easier to enforce.

JASON PELICANO, 18 Highbridge Road: Mr. Pelicano said he was concerned about their privacy and 4-story buildings with balconies being built in their backyard.

Seeing no further comments, Mayor Benowitz made a motion to close to the public; seconded by Mr. Hirschfeld.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Popko
ABSTAIN: None
NOT VOTING: D'Angelo

Attorney Wells gave a summary of the variances and waivers requested, with discussion by the professionals and applicant's attorney.

Mayor Benowitz made a motion to grant the application to build 84 two-bedroom units in two buildings that will include 19 senior affordable housing units in accordance with all the conditions, as cited by Planning Board Attorney Rich Wells; seconded by Mr. Fairlie.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Popko
ABSTAIN: None
NOT VOTING: D'Angelo

ADMINISTRATIVE ITEMS FROM THE COMMUNITY DEVELOPMENT OFFICE:

Planning Board Secretary Theokas reminded the Planning Board Members that there is a Special Meeting scheduled for August 29, 2019 at 7:00 pm. There are two applications scheduled for that day. The CVS/Pomona application is scheduled for the September 12, 2019 Regular meeting.

ADJOURNMENT:

Mr. Fairlie made a motion to adjourn the meeting at approximately 11:20 pm; seconded by Mr. Hirschfeld.

Roll call: AYE: Esser, Fairlie, Grayson, Holston, Bowyer, Holliday, Benowitz, Hirschfeld, Chidley
NAY: None
ABSENT: Popko
ABSTAIN: None
NOT VOTING: D'Angelo