

**TOWNSHIP OF BORDENTOWN  
PLANNING BOARD MEETING**

**July 14, 2016**

The Bordentown Township Planning Board meeting was called to order at approximately 7:39 PM in the main meeting room of the Municipal Building on Municipal Drive.

PRESENT: Steven Benowitz, Deputy Mayor Class I  
Roger Plew, Class II  
James Cann, Committeeman, Class III  
George Chidley, Chairman, Class IV  
Kevin Hirschfeld, Vice-Chairman, Class IV  
Timothy Fairlie, Class IV  
William Popko, Class IV  
Nicholas D'Angelo, Alt. #2  
Brian K. Johnson, Secretary, Dir. Of Community Development

ABSENT: Patricia Concannon, Eugene Grybowski, Joseph Nyzio

PRESENT: Lou Garty, Attorney  
Fred Turek, Engineer  
Jack Carman, Planner  
James Kochenour, Traffic Engineer

The meeting was opened by Chairman George Chidley at 7:39.

The Board participated in the salute to the flag.

The open public meetings announcement was read by the Chairman.

Roll Call was taken by Pamela Keintz, Recording Secretary.

Roll call       PRESENT: D'Angelo, Fairlie, Plew, Popko, Cann, Benowitz, Hirschfeld, Chidley  
                  ABSENT: Nyzio, Concannon, Grybowski

Chairman Chidley stated Mr. Nyzio, Ms. Concannon and Mr. Grybowski were all excused from the meeting.

**MINUTES:**

May 12, 2016

Motion to approve the minutes was made by Mr. D'Angelo; seconded by Committeeman Cann.

Roll call       AYE: D'Angelo, Fairlie, Popko, Cann, Hirschfeld, Chidley  
                  NAY: None  
                  ABSENT: Nyzio, Concannon, Grybowski  
                  ABSTAIN: Plew, Benowitz

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**RESOLUTION(S):**

**Resolution P-2016-15 – ON THE APPLICATION OF TC BORDENTOWN ASSOCIATES, LLC FOR APPROVAL OF AN APPLICATION FOR A ONE YEAR EXTENSION OF THE APPROVAL OF THE FINAL MAJOR SITE PLAN FOR THE PROPERTY IDENTIFIED ON THE TAX MAPS OF THE TOWNSHIP OF BORDENTOWN AS BLOCK 137.02, LOT 5.01, MORE COMMONLY KNOWN AS THE PROPERTY ADJACENT TO THE INTERSECTION OF RISING SUN ROAD AND INTERSTATE 295**

**Mr. Popko indicated the date on the last page of the Resolution should be changed from June 9, 2016 to July 14, 2016. This change was made to the Resolution.**

Motion to approve Resolution P-2016-15, as revised, was made by Vice Chairman Hirschfeld; seconded by Mr. Fairlie.

Roll call        AYE: Fairlie, Popko, Plew, Cann, Benowitz, Hirschfeld, Chidley  
                     NAY: None  
                     ABSENT: Nyzio, Concannon, Grybowski  
                     ABSTAIN: D'Angelo

A letter was read by Chairman Chidley from Robert S. Baronowski, Jr. attorney for the applicant, regarding **CCBP II, LLC- 300 Bordentown-Hedding Road, Block 138.12 Lot 5.03** --- Minor Subdivision and Bulk Variance. The letter stated the applicant requested an extension to the August 11, 2016.

The application was a continuance from the May 12, 2016 Planning Board meeting.

**PB-2016-0036 – BORDENTOWN WATERFRONT COMMUNITY, LLC PHASE II** – Applicant proposes Preliminary and Final Subdivision Approval and Preliminary and Final Site Plan Approval.

Review letters from the Board's professionals were received.

The applicant, Mr. Albert, expressed his gratitude, and indicated they had worked well with the Townships professionals and the Redevelopment sub-committee.

Mr. Albert gave an overview of what would be heard at tonight's meeting.

Paul Schneider, applicant's attorney, introduced Mr. William Hamilton, the applicant's planner.

Lou Garty, Planning Board attorney, stated Mr. Hamilton was sworn in at the last hearing and is still under oath.

Mr. Hamilton testified as follows:

He described how the new plan differs from the one presented at the May12, 2016 meeting. The numbers of townhomes were reduced. In the original plan there were 167 units and in the new plan it has been reduced to 158, which is 9 units less. 5 townhomes were removed from the southern-most phase of the development. This allowed the applicant to expand parking for the mixed-use building. A recreation area and exercise area will be added. One unit from buildings 28, 30, 31 and 33 will be removed. This will provide required visitor parking for the townhouse units. Two rows of parking, 14 stalls each, on either side of this cluster of buildings, will be provided.

The applicant no longer needs a variance for the setbacks on apartment building A-3, with the revisions made. The parking lot has been reconfigured for this.

Adjacent to building A-5, modifications to the side of the building have been made to the north and southern side regarding emergency access, as required by the Fire Marshal.

Mr. Hamilton continued his testimony on the discussion on parking. The required number of townhouse visitor parking spaces is 379 and the applicant has proposed 414 parking spaces.

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The changes which were made and reviewed by Mr. Hamilton were discussed by the Planning Board Engineer and Traffic Engineer.

Mr. Turek indicated that the Applicant will meet the visitor parking requirement which was mentioned in his review letter. He also indicated that this parking will be met for each individual building phase.

Mr. Turek told the Board members that Mr. Hamilton, Steve Scholey and himself will meet to review the circulation throughout the site in order to ensure that the turning radii are sufficient for fire trucks and school buses, etc. He again indicated that the applicant agreed to increase the radii on local access streets from 15 feet to 25 feet.

As requested by the Board, the applicant provided renderings showing how snow plowing could work and the locations of snow storage areas. They are located in designated open areas on the plan.

Chairman Chidley would like these areas to be provided by the applicant to be reviewed by the Public Works Department. His concern was the adequacy of the storage areas in the event of a storm typically seen in this area, as we can have 8-12 inches of snow. Mr. Hamilton stated he will provide that calculation to the Public Works Department.

Sign renderings were presented to the Board members. The applicant indicated that the proposed monument and pillar signs meet the Townships ordinance on size and height. The directional signs, eight in total, are 32 inches by 40 inches, equaling 9 sf.

Mr. Turek discussed the proposed subdivision plans for the project. The applicant indicated that they will be submitted to the Tax Assessor for designation of lot and block numbers.

Mr. Eric Tazelaar, of Richard Reading Associates, the applicant's professional who prepared the Community Impact Statement for the project, was sworn in by Attorney Lou Garty.

Mr. Tazelaar gave his testimony on his findings in the Community Impact Statement. He reviewed the change in the number and type of housing units and bedrooms for the phase II project. The previous plan totaled 450 units, with one, two and three bedroom units. The total number of bedrooms is now proposed to be 352 units, with the reduction of units as agreed to by the applicant. The previous plan had 988 total bedrooms, and the new proposed plan has a total of 771 bedrooms. This amounts to a reduction of 217 bedrooms. The total of projected population for the previous plan was 889, and is now reduced to 757 people under the current plan. He testified that this results in a reduction in the total projected number of school children.

Lou Garty discussed the need for HOA documents, and deed restrictions which would prohibit garages and dens being converted into living space. The applicant agreed to include deed restrictions.

Lee D. Klein, Traffic Engineer for the applicant, was sworn in by Lou Garty.

Mr. Klein gave his testimony regarding traffic issues for the Bordentown Waterfront Community, Phase II. He indicated that he submitted an update to the previous Traffic Impact study, reflecting the changes in the unit counts. Traffic counts and a traffic analysis were done by Mr. Klein. He also added that the Traffic study took into account both the occupied and vacant units in the development.

Trip generations for the currently proposed for 158 Townhomes, 194 apartments and 9,750 square foot of retail were prepared. The estimated number of trips was significantly less than the original 172 townhomes, 278 apartments and 9,750 sf. of retail space in the original study. Previously approved trips were 270 in the peak a.m. hour, 305 trips in the peak p.m. hour and 344 trips on Saturday. Trip generation from the current proposal is 223 trips in the a.m. peak hour, 252 in the p.m. peak hour and 298 trips on Saturday. He further testified that the projected levels of service were acceptable.

Mr. Klein referred to his Traffic Engineer report, and stated that all information regarding the peak hour movements, impacts to rail line, operation of traffic signal are found in this report also.

Committeeman Cann asked whether the commercial property, Quick Chek, will generate a lot of trips and Mr. Klein stated that it was included in his traffic study.

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Mr. Hamilton continued his testimony:

He reviewed the relief which the applicant is seeking from the two provisions of the Redevelopment ordinance:

The first relief is in the townhome phase of the development. They are requesting relief from the minimum required distance between the garages and the curb line. Where 30 feet is required, they are proposing 26 feet in some locations.

The second requested relief is for the size of commercial parking spaces. They are proposing that some of the spaces will be 9 feet by 18 feet, whereas 10 feet by 20 feet is required.

Mr. Hamilton further testified that the applicant is also seeking relief from two for the General Ordinance requirements:

First, as listed in Mr. Turek's review letter, they ordinance requires that storm sewer inlets not be located on curb radii at intersections. They will comply with this requirement on the public road, Rivergate Boulevard. However, they are asking for relief within the community itself on certain intersections for the private roads. Further, the intersections they are asking relief on may change since radius is changing from 15 feet to 25 feet. The applicant is still asking for the waiver.

Second, the code requires fencing around the water quality detention basin; and the applicant has not proposed a fence. They testified that this area is a marsh zone with plants and water partially surrounded by walls, and was approved by the NJDEP in their Waterfront Development Permit.

Mr. R. Michael McKenna, Civil Engineer for the applicant, was sworn in by Lou Garty.

Mr. McKenna gave testimony on the water quality detention basin. He testified that the permit plan designs have been incorporated into their proposed site plans. The permit plans have been approved by the State and will be built in accordance with the approved plan. Mr. Turek indicated that a fence is required by the Township ordinance and is needed for safety. After discussion by the professionals and the Board, it was agreed that a four feet fence will be built around three sides of the proposed detention basin.

Mr. Hamilton continued his testimony on the planning analysis regarding the residential site improvement standards:

He stated the majority of the roads are considered residential access roads and are high intensity roads, due to the amount of dwelling units, which is 8 units per usable site acre. The Boulevard is considered a minor collector. He explained that there are different standards for the residential access versus the minor collector.

The applicant is asking for relief in two situations. For the residential access roads, there is a requirement of 150 ft. between intersections of roadways. The first location is between roads L and the Boulevard, where the distance is less than 150 feet, and the second location is between Roads G and F, where the distance is less than 120 feet and does not meet the standard.

The second situation the applicant is asking for relief is regarding the minimum centerline radius requirement of 100ft. Roads I and K are proposed to have less than 100 feet and therefore relief is requested where Road I meets road K. He testified that this was discussed at the sub-committee meetings.

The minimum minor-collector road radius is 150 ft. They are proposing less than 150 feet. He testified that this will serve the purpose of slowing down traffic, and also this alignment was part of the plans approved by the DEP. Every intersection on the minor collector will have a 25 feet radius in the development.

He testified that these are minor deviations on the parking spaces, street standards, and setbacks. There will be no substantial impairment to the zone plan. It is not inconsistent with the Master Plan. In his opinion, there is no impact on the traffic flow or the setbacks, where 28 feet and 26 feet setbacks are proposed versus the required 30 feet setback.

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Jack Carman, Board planner, discussed the directional signs. The applicant is asking for relief for 9 sf as opposed to the 2 sf that the ordinance calls for. Mr. Hamilton said that way finding signs are important for traffic safety. These signs will direct visitors and residents to the various uses within the site. The additional sizes of these signs are appropriate and the applicant asks for their approval.

Fred Turek discussed his review letter with the Board and the applicant.

He reviewed the proposed locations of sidewalks in the development, indicating that they are mostly on one side of the street. The applicant is asking for relief. The applicant has taken suggestions from our professionals on where sidewalks should be located on the plan.

Mr. Hamilton stated all roads will be two directions. No on-street parking is allowed. There will be signage and the applicant will work with the Fire department on this.

Ms. Christy Flynne, representing the townhome builder for the applicant, gave testimony on the proposed floor plans. She explained where the residence can store their trash cans in the garage. She agrees they will not be stored outdoors.

Ms. Flynne continued her testimony; stating only one space in the garage is counted as part of the parking requirement. The townhomes will be marketed as a two car garage and there is a waiver as part of the sale paperwork that says it depends on what type of cars the owners drive, whether or not two cars will fit into the garage. They do disclose dimensions when they are in the sales process. The garages are 16 feet, 8 inches wide.

These requirements will also be placed in the HOA paperwork.

Ms. Flynne discussed the proposed townhome exterior elevations by showing unique styles and features of homes in Bordentown City. The builder will incorporate these features into the elevations of the Townhomes. Elements such as shake shingles, arched tops for dormers, and brackets will be added to the plans.

Jack Carman discussed the stairs going up to the landing of the front porch, and questioned the width. He asked if they can be widened. Ms. Flynne will get him details on the width and will work with the planner on widening the landing. The style of the garage doors was questioned in that they appeared to be all the same. Mr. Carman suggested they be different styles so people can identify their homes. The applicant agreed to work with Mr. Carman.

Mr. Plew asked about storage over the top the garage. The applicant replied that there will be no storage above them.

Board members questioned the number of steps in the garage, and the applicant stated that there will be only one.

Fred Turek continued with his review letter, and recommended that storm sewers be RCP, instead of HDPE, except in some lawn areas. The applicant has agreed to this.

Mr. Turek also addressed the end unit on building four, and stated that there is an irregular driveway configuration and how it looks like the unit may be squeezed in at this location. Mr. Kochenour and Mr. Cann raised some concerns about the safety of the backing up of the vehicles out of this driveway. This was discussed and the applicant agreed to remove the unit.

The proposed boardwalk was discussed. There will be hand rails on both sides, 'trex' material will be used for the decking and the details will be approved by the professionals. The fishing pier construction details will be submitted to the professionals for their review and approval.

Mr. Cann questioned the emergency road. This will be worked out with the applicant professionals and Steve Scholey, the Fire Marshal.

In regards to the public park, the sub-committee and the professionals will get together and discuss this since it will be used by the public. There are a lot of things to be considered; including wildlife and the environment. Parking for the public park was also discussed. A pervious material should be used.

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There was concern from the Board members regarding the timing of recreational amenities, Public Park, emergency access road, fishing piers, and transit stop shelters. The professionals will work out a timeline.

Mr. Albert stated the timeline is in place as the phases are completed. This information exists on all the plans today.

When questioned on timing of the build out of the development, Mr. Albert stated that he hopes the entirety of the development will be built within 5 years.

Mr. Kochenour discussed his review letter. The applicant and their professionals agreed to address the comments as a condition of approval.

Jack Carman was asked by Chairman Chidley if everything in his review letter was answered by the applicant or professionals and he agreed they were.

Motion to open to the public was made by Committeeman Cann; seconded by Deputy Mayor Benowitz.

Roll call            AYE: D'Angelo, Fairlie, Popko, Plew, Cann, Benowitz, Hirschfeld, Chidley  
                         NAY: None  
                         ABSENT: Nyzio, Concannon, Grybowski  
                         ABSTAIN:

No public were present.

Motion to close to the public was made by Vice-Chairman Hirschfeld; seconded by Mr. D'Angelo.

All were in favor. Motion carried.

Mr. Hirschfeld expressed his concern for the amount of school children moving into the Township schools.

Mr. Cann spoke of the amount of units that have been removed from this development and also stated there will be less school age children.

Lou Garty stated this is not an issue that the Board should be discussing in terms of school burdens. The Board should not base their decision on this. It is valid to ask what impact this will have on the community.

A landscape easement will be included in the deeds for the townhome units. Applicant agreed to this.

Whether the end unit, building 4, should be eliminated was discussed with the Board and the applicant agreed that it will be removed.

Lou Garty discussed the many conditions, waivers, variance reliefs, bulk variances and recommendations in regards to approvals.

Mr. Albert will propose financial agreements and then discuss them at that time with the Township Committee.

Mr. Johnson questioned the affordable housing aspect of the application and the applicant stated that the VOA part of the project fulfills the 15% obligation of the project.

Mr. Fairlie asked if the townhouses are able to put fences up and the applicant stated the homeowner will have to get HOA approvals for a fence.

The engineer and the planner will review fence types with the applicant and develop a style of fence or fences to be allowed.

Motion to approve the application with conditions as listed by Lou Garty was made by Committeeman Cann; seconded by Deputy Mayor Benowitz.

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Roll call        AYE: D'Angelo, Fairlie, Popko, Plew, Cann, Benowitz, Hirschfeld, Chidley  
                  NAY: None  
                  ABSENT: Nyzio, Concannon, Grybowski  
                  ABSTAIN:

Motion to adjourn was made by Mr. D'Angelo; seconded by Deputy Mayor Benowitz.

All were in favor. The motion carried.

Meeting ended at 11 p.m.