

JANUARY 10, 2017

**PLANNING BOARD REORGANIZATION MINUTES
JANUARY 10, 2017**

Meeting called to order by Chairman Miller at 7:00 p.m.

Secretary Levy announced the Opening Statement: “All the notice requirements of the Open Public Meeting Act have been complied with in full”.

ROLL CALL:

Present: Chairman George Miller Vice Chair Joseph Hartmann Mayor Edward G. Campbell Councilman Gerald Bonsall Ms. Barbara Gellura Ms. LuAnn Watson Mrs. Susan Croll Mrs. Patricia Croghan Professionals: Solicitor - Donald S. Ryan Engineer - Gregory Fusco Planner - Brian Slaugh	Absent: None
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REORGANIZATION:

**Nominations for Chairperson – George Miller
Mr. Hartmann, Second Mayor Campbell**

**Nominations for Vice Chairperson – Joseph Hartmann
Chairman Miller, Second Ms. Gellura**

Motion to approve nominations Councilman Bonsall, Second Chairman Miller

Poll Vote:	Chairman Miller Mayor Campbell Ms. Gellura Mrs. Croll	Aye Aye Aye Aye	Mr. Hartmann Councilman Bonsall Ms. Watson Mrs. Croghan	Aye Aye Aye Aye
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RESOLUTIONS

2017PB-1-01 RESOLUTION NAMING GEORGE MILLER CHAIRPERSON TO THE GIBBSBORO PLANNING BOARD

WHEREAS, the laws of the State of New Jersey require the position of Chairman for municipal planning boards; and

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NOW, THEREFORE, BE IT RESOLVED by the Gibbsboro Planning Board that George P. Miller, Jr. shall serve as Chairman for the year 2017.

2017PB-1-02 RESOLUTION NAMING JOSEPH HARTMANN VICE CHAIRPERSON TO THE GIBBSBORO PLANNING BOARD

WHEREAS, the laws of the State of New Jersey require the position of Vice-Chairperson for municipal planning boards; and

NOW, THEREFORE, BE IT RESOLVED by the Gibbsboro Planning Board that Joseph Hartmann shall serve as Vice-Chairperson for the year 2017.

2017PB-1-03 RESOLUTION APPOINTING SOLICITOR DONALD S. RYAN TO THE GIBBSBORO PLANNING BOARD

WHEREAS, the laws of the State of New Jersey require that municipal planning boards have a solicitor to guide the Board in legal matters; and

WHEREAS, such special legal services can be provided only by a recognized firm, and Donald S. Ryan of the law firm of Ryan & Thorndike, Cherry Hill, New Jersey is so recognized by the legal community; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that notice with respect to contracts for Professional Services under the Open and Fair process;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Gibbsboro, County of Camden, State of New Jersey as follows:

1. Donald S. Ryan of the law firm of Ryan & Thorndike, Cherry Hill, New Jersey is hereby retained to provide the specialized legal services necessary in connection with the Gibbsboro Planning Board in accordance with an Agreement submitted to the Planning Board (the "Contract").
2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Borough.
4. A notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in the Borough's legal newspaper.

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2017PB-1-04

**RESOLUTION APPOINTING ENGINEER GREGORY FUSCO TO THE
GIBBSBORO PLANNING BOARD**

WHEREAS, there exists a need for the services of a Engineer for the Gibbsboro Planning Board;

WHEREAS, such engineering services can be provided only by a recognized firm, and Gregory Fusco of the engineering firm of KEI Associates, Berlin, New Jersey is so recognized by the engineering community; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that notice with respect to contracts for Professional Services is awarded under the Fair and Open process;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Gibbsboro, County of Camden, State of New Jersey as follows:

1. Gregory Fusco of the engineering firm of KEI Associates, Berlin, New Jersey is hereby retained to provide the specialized engineering services necessary in connection with the Gibbsboro Planning Board in accordance with an Agreement.
2. The Contract is awarded under the Fair and Open process as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a).
3. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Borough.
4. A notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in the Borough's legal newspaper.

2017PB-1-05

**RESOLUTION APPOINTING PLANNER BRIAN SLAUGH TO THE
GIBBSBORO PLANNING BOARD**

WHEREAS, there exists a need for the services of a Planner for the Gibbsboro Planning Board;

WHEREAS, such special planning services can be provided only by a recognized firm, and Brian M. Slaugh, of Clarke Caton Hintz, Trenton, New Jersey is so recognized by the planning community; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that notice with respect to contracts for Professional Services is awarded under the Fair and Open Process;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Gibbsboro, County of Camden, State of New Jersey as follows:

1. Brian M. Slaugh of the planning firm of Clarke Caton Hintz, Trenton, New Jersey is hereby

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retained to provide the specialized planning services necessary in connection with the Gibbsboro Planning Board in accordance with an Agreement.

2. The Contract is awarded under the Fair and Open Process as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a).
3. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Borough.
4. A notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in the Borough's legal newspaper.

2017PB-1-06 RESOLUTION APPOINTING ANNE D. LEVY AS SECRETARY TO
THE GIBBSBORO PLANNING BOARD

WHEREAS, the laws of the State of New Jersey require the position of Secretary for municipal planning boards; and

NOW, THEREFORE, BE IT RESOLVED by the Gibbsboro Planning Board that Anne Levy will serve as Secretary for the year 2017.

2017PB-1-07 RESOLUTION AUTHORIZING MEETING DATES FOR 2017

In accordance with the requirements of the Open Public Meetings Act, Chapter 132, P.L. 1979 of the law of New Jersey, the following meeting dates for the Borough of Gibbsboro Planning Board for the year 2017 have been established.

Meetings will be held in the Municipal Building every second Tuesday at **7:00 P.M.** of the month unless otherwise stated. The scheduled dates are:

- January 10, 2017
- February 14, 2017
- March 14, 2017
- April 11, 2017
- May 09, 2017
- June 13, 2017
- July 11, 2017
- August 8, 2017
- September 12, 2017
- October 10, 2017
- November 14, 2017
- December 12, 2017

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REORGANIZATION January 09, 2018

Motion to approve Resolutions Chairman Miller, Second Councilman Bonsall

Poll Vote:	Chairman Miller	Aye	Mr. Hartmann	Aye
	Mayor Campbell	Aye	Councilman Bonsall	Aye
	Ms. Gellura	Aye	Ms. Watson	Aye
	Mrs. Croll	Aye	Mrs. Croghan	Aye

APPLICATION COMPLETENESS REVIEW:

1. PRELIMINARY AND FIND MAJOR SITE PLAN AND CERTIFICATE OF APPROPRIATENESS

Applicant/Owner: PROJECT FREEDOM
Representative: JOHN DUMONT, ESQ.
Taxes & Sewer: Current
Escrow: \$4,500.00

- a. Review letter dated 1/6/17 from Planner Brian Slaugh
- b. Review letter dated 1/4/17 from Engineer Greg Fusco
- c. Review letter dated 1/6/17 from Fire Marshal & Fire Chief

Planner Brian Slaugh and Engineer Gregory Fusco were sworn in and testified regarding the completeness of the application.

The Planning Board, having determined that the Application, Notice to Property Owners, Notice of Publication and affidavits were in proper form and having examined the Exhibits and considered the testimony, finds as follows:

1. The Gibbsboro Planning Board has jurisdiction with respect to the preliminary and final site plan approval, request for waivers and exceptions and a Certificate of Appropriateness pursuant to the Municipal Land Use Law N.J.S.A 40:55D-46.1, 40:55D-51 and N.J.S.A 40:55D-110.

2. Based upon the testimony of Borough Engineer, Greg Fusco and Planning Board Planner, Brian Slaugh, the Planning Board Pursuant to N.J.S.A. 40:55D-10.3 deemed the application complete in connection with the Gibbsboro checklist requirements, subject to the waivers, which were recommended by the professionals.

Motion to declare application complete Chairman Miller, Second Mr. Hartmann

NEW BUSINESS:

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1. PRELIMINARY AND FINAL MAJOR SITE PLAN AND CERTIFICATE OF APPROPRIATENESS

Applicant/Owner: PROJECT FREEDOM
Representative: JOHN DUMONT, ESQ.
Taxes & Sewer: Current
Escrow: \$4,500.00

- a. Review letter dated 1/6/17 from Planner Brian Slaugh
- b. Review letter dated 1/4/17 from Engineer Greg Fusco
- c. Review letter dated 1/6/17 from Fire Marshal & Fire Chief

John Dumont, attorney for applicant, Project Freedom, was present.

The following witnesses, appeared, were sworn and testified in support of the application:

1. Tim Doherty, President of Project Freedom, Inc.
2. Christopher P. Rosati, PE of FWH Associates, PA, a licensed Engineer.
3. Ronald Weston, a licensed NJ Architect.
4. David Shropshire, PE PP, a Traffic Engineer.

Also, Brian Slaugh, Planning Board Planner and Greg Fusco, Planning Board Engineer, were sworn and testified with respect to the application

The following exhibits were also included as part of the record:

- A-1 Application and cover letter dated 12/21/16
- A-2 Preliminary and Final Site Plan prepared by Christopher P. Rosati, P.E., of FWH Associates, PA, dated 12/19/16, consisting of 23 sheets
- A-3 Architectural Drawings, prepared by Ronald Weston, AIA, of Paulus Sokolowski and Sartor Architecture & Engineering, PC, dated 12/19/16, consisting of 11 sheets
- A-4 Boundary & Topographic Survey, prepared by William P. Schemel, PLS, of FWH Associates, PA, dated October 21, 2016, consisting of 5 sheets
- A-5 Phase I Environmental Site Assessment, prepared by Trident Environmental, dated December 8, 2016
- A-6 Traffic Engineering Assessment, prepared by Shropshire Associates, LLC, dated November 30, 2016

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- A-7 Flood Hazard Area & Riparian Zone Verification Report, prepared by Christopher P. Rosati, P.E., of FWH Associates, PA, dated 11/11/16
- A-8 Stormwater Management Report dated 12/2/16 and Drainage Maps dated 12/9/16 prepared by Christopher P. Rosati, P.E., of FWH Associates, PA
- A-9 Sanitary Sewer Technical Specifications, prepared by Christopher P. Rosati, P.E., of FWH Associates, PA, dated 12/15/16
- A-10 Catalogue pages showing sheds (2; undated) and Shed Invoice, dated 9/28/15
- A-11 Project Freedom Redevelopment Plan dated 12/14/16
- A-12 Building Rendering
- A-13 building rendering looking southwest.
- A-14 Aerial photograph of site
- A-15 Proof of mailing.
- A-16 Proof of publication.
- A-17 Notice to Property Owners
- A-18 Proof of taxes paid
- PB-1 Review Letter from Greg Fusco, Gibbsboro Planning Board Engineer dated 1/4/17.
- PB-2 Review Letter from Brian Slauch, PP, Gibbsboro Planning Board Planner dated 1/6/17.
- PB-3 Letter from Gibbsboro Fire Chief and Fire Official to Planning Board dated 1/6/17.

The applicant is Project Freedom, Inc., the contract purchaser of the subject premises. The Borough of Gibbsboro is the owner of the subject premises and has consented to the application.

Project Freedom, Inc. is a non-profit corporation of the State of New Jersey, which has been engaged in IRS 501(c) projects since 1984. Project Freedom develops residential housing for families who are disabled and with low or moderate income. The Board finds that this project is intended to implement the Borough's recently adopted Project Freedom Redevelopment Plan (adopted December 14, 2016) and to address at least some portion of the Gibbsboro obligation for low and moderate income housing.

The project includes four multi-family residential buildings which contain a total of 72 units, a clubhouse building, a shed and associated parking facilities. Streetscape improvements are proposed along the site frontage on Lakeview Drive South and around the intersection with United States Avenue. A bikeway is proposed along the northern perimeter with connections to surrounding streets.

The site is located on the northerly side of Lakeview Drive South (County Route 561) at the intersection of United States Avenue. Vehicular access will be provided from Lakeview Drive South and United States Avenue.

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The Board finds that the Borough of Gibbsboro adopted the Project Freedom Redevelopment Plan by ordinance dated December 14, 2016 (Ordinance No. 2016-10). The plan establishes all of the development standards and permitted uses for the overall tract. The Board finds that the proposed application conforms to the Project Freedom Redevelopment Plan with the exceptions noted in the Review Letter of Brian Slauch dated January 6, 2017, which is incorporated by reference herein.

Based upon the testimony of the applicant's Engineer and the Planning Board Planner, the Board finds that in revised plans the minimum bikeway path width conforms to the Redevelopment standard and the perimeter landscaping also complies with the standards in the redevelopment plan. Therefore, no variances are required.

The Planning Board finds that the project was specifically designed to address several environmental constraints associated with documented freshwater wetlands that are located within and adjacent to the tract. The freshwater wetlands are contiguous with the shoreline of Little Silver Lake, which adjoins the project limits along its northern boundary. The NJDEP, which has jurisdiction to regulate freshwater wetlands, has issued a letter of interpretation (LOI) on February 11, 2016 delineating and establishing the required transition areas (Buffers). This LOI was amended on August 2, 2016 as a result of a challenge to the resource classification. Based upon the amended LOI, the applicant's project does not conflict with the LOI.

The applicant submitted a traffic engineer assessment prepared by David Shropshire dated November 30, 2016, which was received in evidence by the Planning Board. David Shropshire also testified with respect to the findings and conclusions in the traffic report.

The Board finds that the trip generation projections of 39 total AM peak hour trips and 57 total PM peak hour trips are consistent with the data provided. The Board finds that the proposed development will cause minimal changes in the future individual levels of service at the Haddonfield Berlin Road/United States Avenue intersection as the generated traffic adds only roughly 2% to the existing traffic volume in the weekday AM and PM peak hour. However, the testimony of the objectors is persuasive and the Board finds that the existing conditions at the subject location during the peak hours reflect serious congestion problems which include difficulties in making turning movements. By reason of the fact that this is a County Road and within County jurisdiction, the Board defers to the County Planning Board and Engineer any proposed improvements to address the traffic problems.

With respect to site circulation, the Board finds that the proposed development is accessed by the two main driveways known as Road A and Road B. Road A provides ingress and egress from Haddonfield Berlin Road and Road B provides ingress and egress through a proposed easement on lot 6.06 from United States Avenue. The applicant must provide a copy of the proposed easement for approval of the Planning Board engineer and Planning Board attorney.

The New Jersey Residential Site Improvement Standards (RSIS) require that a 72 unit apartment complex contain 142 parking spaces. The development provides 154 parking spaces. Driveway isles have been proposed to be 24 feet wide, which is in accordance with RSIS standards. A vehicular circulation plan has been provided. However, based upon the review of Gibbsboro Fire Chief and Fire Official, the applicant has agreed to modify the vehicular circulation plan based upon any recommendations of the Gibbsboro Fire Chief and Fire Official.

There are no areas provided for delivery vehicles and the applicant has testified that

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deliveries would be a minimum.

The Board finds that pedestrian sidewalks have been provided for adequate pedestrian circulation. An 8 foot wide bikeway has been provided along Haddonfield-Berlin Road with a 10 foot wide and 8 foot wide bikeway extending through the site along the wetland buffer connecting the existing bikeway on Alton Avenue. A pedestrian sidewalk has been provided along the westerly side of United States Avenue for a distance of approximately 140 feet from the intersection of Haddonfield-Berlin Road.

With respect to stormwater drainage in accordance with RSIS, the applicant is required to comply with the NJ Stormwater Regulations for water quality and quantity. The Regulations require that stormwater recharge meets certain groundwater recharge specifications, a reduction of 80% of the total suspended solids from the post development service runoff and post development stormwater runoff flows generated must be reduced below the predevelopment peak runoffs during various types of storms (ie. 2 year, 10 year and 100 year storms).

Based on the testimony and evidence presented, the Board finds that the runoff will be generated by clubhouse roof collected by a roof gutter system and will be conveyed to a subservice infiltration trench consisting of 50 feet of 48 inch diameter perforated high density pipe. The runoff generated by virtually the remainder of entire development site would be conveyed to a large stormwater infiltration basin. The runoff generated by the existing portions of the property associated with Lakeview Drive will be conveyed to a small shallow buyer(not sure that is right) retention garden basin area. A small portion of the site (.2 acres) will drain towards Haddonfield-Berlin Road.

The Board finds that a de minimus exception to the RSIS stormwater management standard is appropriate based on the fact that a two year storm indicates a post development flow of .10 and a pre-development flow of 0. Because of the soil types involved, this de minimus exception is certainly insignificant and it is impractical to require strict compliance.

The Board finds that with respect to trash and recycling, the applicant will provide receptacles in sufficient amount and will contract for with private vendors at least two pickups per week. There will be four dumpsters on site which will be maintained by the owner/applicant, Project Freedom.

Open to the public:

The following members of the public spoke in opposition of the application:

- George Norton of 200 United States Avenue – concerned about park hour traffic and fire exits
- Michael Hauber of 109 United States Avenue – concerned about wetlands buffers, low income housing, location of decks
- Mrs. Paula Kane of 17 Alton Avenue, Voorhees – concerned about traffic safety
- James Gruccio, Jr., Esquire – concerned about traffic safety, visibility of buildings to neighbors.
- Ann Braddock of 72 Haddon Avenue – concerned about traffic safety
- Cheryl Walters, Esq., Voorhees COAH Counsel – concerned about low income occupants

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- Chris Kolovos, 15 Presidential Drive, Berlin – commented that he was treated unfairly when e submitted a plan to build three houses in Voorhees.
 - Robert & Diane Johns of 107 United States Avenue – concerned about loss of open space, setbacks and traffic safety
 - Bill Kozuch of 215 United States Avenue – concerned about traffic safety and storm water drainage
 - Anita Mancini of 110 Berlin Road – concerned about traffic safety
 - Rosemary Spohn of 101 S. United States Avenue – concerned about traffic safety
- Closed to the public.

With respect to the Certificate of Appropriateness, the Planning Board heard testimony from Ronald Westin, architect for the applicant and Brian Slaugh, the Planning Board Planner. The Planning Board finds that the building design provides vertical and horizontal elements, architectural features and window lights as required by the redevelopment plan design standards.

The applicant has further agreed to comply with the recommendations of the Borough Planner, including but not limited to the recommendation set forth in the January 6, 2017 letter under the category of Historic Preservation.

The Planning Board finds that the grading plan indicates all of the existing vegetation outside of the wetlands property is proposed to be removed. As such, an exemption from items one under Landscape Design Standards on page 13 of the redevelopment plan is required. The Board has determined that under the circumstances, it is impractical and without cause and undue hardship because of the peculiar conditions related to the development and therefore such an exception should be granted.

The Planning Board concludes that the applicant has substantially complied with the site plan requirements set forth in the redevelopment plan of Project Freedom and therefore grants preliminary approval with the two exceptions noted above and the de minimus exception relative to stormwater drainage subject to the following conditions:

- The applicant complies with the recommendations set forth in the review letter of January 4, 2017 of Greg Fusco.
- The applicant complies with the recommendations set forth in the review of January 6, 2017 of Brian Slaugh
- The applicant complies with the recommendation of the fire chief and fire official set forth in the letter dated January 6, 2017.
- The applicant will in good faith work with the County Planning Board and its Engineer, as well as the Gibbsboro professionals in order to mitigate the traffic concerns of the objectors.
- The applicant obtaining all necessary approvals from all applicable agencies, including but not limited to NJDEP and the Camden County Planning Board.

Motion made by Chairman Miller, Second by Mayor Campbell

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Poll Vote:	Chairman Miller	Aye	Mr. Hartmann	Aye
	Mayor Campbell	Aye	Councilman Bonsall	Aye
	Ms. Gellura	Aye	Ms. Watson	Aye
	Mrs. Croll	Aye	Mrs. Croghan	Aye

INFORMATIONAL:

1. Next Planning Board meeting is Tuesday February 14th.
2. The New Jersey Planner dated November/December 2016

MEETING OPEN TO THE PUBLIC:

No comment from the public.

MEETING CLOSED TO THE PUBLIC:

MEETING ADJOURNED AT 10:05 PM MR. HARTMANN, SECOND CHAIRMAN MILLER

Poll Vote:	Chairman Miller	Aye	Mr. Hartmann	Aye
	Mayor Campbell	Aye	Councilman Bonsall	Aye
	Ms. Gellura	Aye	Ms. Watson	Aye
	Mrs. Croll	Aye	Mrs. Croghan	Aye

Anne D. Levy
Secretary

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