

**TOWNSHIP OF EVESHAM**

**Planning Board**

**Minutes**

**7:00 pm**

**October 20 2016**

**Municipal Building**

**Call to Order**

Vice Chairman McGoey made the call to order at 7:08pm

**Flag Salute**

**Statement of Conformance with Open Public Meetings Act**

Vice Chairman McGoey made the statement of conformance with the Open Public Meeting Act and the Municipal Land Use Legislation

**Roll Call**

**Present:** McGoey, Parikh, Cortland, Zeuli, Vassallo, Student, DiEnna

**Also Present:** Platt, Hermann, Furey, Arcari, Turan, Kinney, Bittner

**Absent:** Marrone, Menichini, Rehmann

**Meeting Minutes**

**September 15<sup>th</sup>, 2016**

Motion: Parikh

Second: DiEnna

Ayes: Parikh, Zeuli, DiEnna

**CONTINUATION OF SCHEDULED MATTERS**

Vice Chairman McGoey announces that application PB 13-01A, Merl Holdings will be continued to the November 3<sup>rd</sup>, 2016 meeting. No further notice will be required.

Mr. Platt swears in Mr. Mark Hermann as Engineer. Mr. Hermann is in place of Mr. Chris Rehmann.

**A. Unfinished/New Business**

1. Timber Ridge at North Elmwood, LLC. PB 16-14. (Berkshire Woods)- Major Subdivision- Prel/Final w/ "C" Variance

518, 522, & 526 North Elmwood Rd., Block 15, Lots 11.03, 11.04 & 11.05

LD with MDR Overlay Zone District.

*Applicant proposes to subdivide 28.57 acres for a townhouse development with a total of 68 residential units (62 townhomes & 6 affordable condominium flats)*

*Timothy Prime, Attorney for Applicant*

**Witnesses for Applicant:**

- Eric Ford, Applicant
- Nathan Mosley, Traffic Engineer
- Richard Clemson, Design Engineer

**Exhibits for Application:**

- A1: Colored rendering subdivision plan. Dated December 23, 2015.
- A2: Site Plan (landscaping plan). Dated December 23, 2015. Updated June 24, 2016.
- A3: Colored rendering of architecture. Dated October 19, 2016.
- A4: Aerial photograph taken by NJ DOT.
- A5: Rear elevation/rendering of site.

**Mr. Prime Overview:**

- Site is located at a previous project that was given subdivision approval. Location is the old Testa site.
- Berkshire Woods: name of the new site.
  - Contain 68 Townhomes. 62 will be market rate, 6 will be affordable.
- Applicant is seeking major preliminary/final site plan approval with two bulk variances.
  - Completely new application from previous one. Applicant only requests that the Cultural Resource Survey from previous application is continued.
- Variances Sought:
  - Design Waiver for drive aisle width. Requests 24ft where 25ft is required.
  - Height variance on homes. Requests 38.6 ft where 35 ft is permitted.

**Richard Clemson Testimony:**

- Gives qualifications and is accepted as an expert witness by board.
- Discusses Approvals granted by outside agencies.
  - Discusses wetlands. States that the DEP has given a letter of “no interest” in July 2016.
  - DEP has approved statewide general permits on April 7<sup>th</sup>, 2016. DEP has also given approval to the storm water management plan.
  - EMUA has approved all S1, W1, S3, and W3 items.
  - Sewer extension was approved on August 30, 2016.
  - Water extension was approved September 7, 2016.
  - Burlington County granted approval for projected on April 6, 2016.
  - Only approval that is needed is from the Burlington County Soil Conservation District. All other approvals have been given at this time.
- Site is 28 acres. Site currently houses a farm stand/market, 2 single family homes, and other buildings associated with a farm (barn, greenhouse, etc).
- Shows location of the site. Orients the board to where it is located.
- Townhomes are 24ft wide in the interior, 34ft long on ends.
- Street is proposed to be 24ft wide with 90 degree parking on each side.
  - Request that board grants design waiver as it is a residential access street. The design waiver of a smaller drive aisle is consistent with state standards, just not the township ordinance.
  - Only street parking is the 90 degree parking stalls. Each townhome will also have a 2 car garage and an 18ft drive way.
- Applicant is providing 256 parking spaces, where 221 spaces are required.

- Public Sewer/Water will service the site.
  - Discusses the sanitary sewer system and the water main lines.
  - Applicant has obtained an easement with the neighboring community to run the sewer main.
  - Water main will loop and tie into Clydsdale Court.
- Discusses storm water inlet and storm water management facility.
  - DEP has given approval and it is compliant with state storm water standards.
- Discusses presence of the Long Eared Bat on property, and measures to preserve this endangered species. Applicant will preserve 15 acres of space to preserve habitat for Long Eared Bat.
- Mr. Cortland asks about pumping station and its location on Clydsdale Court. Applicant responds. Mr. Cortland asks about the depth of the garages. Ms. Furey Bruder states that she will respond shortly. Mr. Cortland is concerned about trash can enclosures. Applicant states that the builder has built a notch in the garage so there is adequate room to place the trash cans.
- Ms. Vassallo asks about the conservation restriction area, particularly about the fresh water wetlands. Asks if the conservation district need to be included in the fresh water wetlands as well.
  - Applicant discusses conservation easement and wetlands. Two areas are covered by the conservation district. Multiple plans are involved, so it does not need to be repeated on each plan. Ms. Furey Bruder also clarifies about the plans and conservation easement plan.
- Mr. Platt asks applicant how many building are expected to be constructed. Applicant states that there will be 12. Mr. Platt asks about how the affordable units will be addressed. Applicant states that they will be in their own building.
- Mr. Zeuli asks if the conservation plans will be part of the records plan.
  - Applicant states that this will be located on the final plan of lots so that the future HOA will know about this area.

**Nathan Mosley Testimony:**

- Gives qualifications, is accepted as an expert witness in the field.
- Discusses background of traffic impacts.
  - North Elmwood Road will widen with application.
    - 38 trips in peak am; 44 trips in peak pm.
  - Church Road will also increase in number of trips.
  - Level Service “B” in AM peak hours. Queue 1 vehicle.
  - Level Service “C” in PM peak hours. Queue 1 vehicle.
  - Widen shoulder for right turn lane.
- RSIS parking requirements have been met by the application.
- No impact on driveway at Clydsdale court.
- Mr. Student asks about school in session and the left turns out of Clydsdale Court. Asks that if the duplicate left turn from application have any impact. Mr. Mosley states that no vehicles will be in the site triangles. Various trees and foliage will be removed to enhance views.

- Mr. Parikh asks about an emergency exit. Mr. Mosley states that based on the RSIS there is no need to create a split boulevard entrance, thus application meets the requirements.
- Mr. DiEnna asks if there will be any provision for the detention pond. Mr. Parikh states that conservation plan will not allow for this.
- Mr. Parikh mentions about Gazebo located in front of Crofton Chase. States that the gazebo was built so that children would have a secure way to wait for the school bus outside as the bus could not go around the cul-de-sac. The HOA came in to acquire the gazebo for the children.
  - Ms. Furey Bruder responds that the applicant can put something in to help. However, until the development is finished, the school will not say where the bus stop is located.

#### **Eric Ford Testimony:**

- Gives qualifications, is approved as an expert witness.
- Discusses architecture of the proposed town homes.
- High Pitch Roof/Gables will provide a better façade.
  - First and second floors will be 9ft high each. This will allow the space to feel more open to the buyers.
- Applicant hopes to attract higher end buyers.
- Mr. Cortland asks about architecture located on the back of the properties as they are not as ornate as the front. Ms. Furey Bruder responds that the property is located on one cul-de-sac so nobody would see the back of the properties.
  - Mr. Cortland asks if there are all elevated decks. Applicant states that all properties will have an elevated back.
- Mr. Prime states that there have been responses sent by the applicant to the board professionals review letters.

*Applicant ends formal testimony.*

#### **Leah Furey Bruder, Township Planner**

- Review letter dated October 12<sup>th</sup>, 2016
- Discusses the building height variance, Zoning Board recently heard application from Crysta Enterprises, which was approved for a similar height variance.
- No objection to architecture or height variance in regards to planning. Spoke to surrounding homeowners: height of building is not excessive, building is not in proximity to Clydsdale Court to cause a problem, and there is a significant buffer between the areas.
- Letter sent back by Mr. Clemson, applicant is agreeable to most items.
- Discusses 40 ft. buffer around the area. Applicant has retained the natural buffer. Applicant will utilize both deciduous and evergreen trees.
  - Applicant will use existing buffer as well as additional plantings.

- Discusses Tree compensation requirements. The applicant owes the Township 80 trees. Either they will plant them on site, plant them elsewhere in the township, or pay for compensation of.
- Discusses affordable housing component.
  - Applicant agrees to make affordable units consistent in architecture with market rate units.
  - All affordable units will be placed on one lot.
    - Mr. Prime states that the affordable units will have a sub-association as part of the main HOA. The details will be worked out with Ms. Furey Bruder and the Township Solicitor.
- Applicant has agreed to address comments regarding parking.
- Mr. Cortland asks if the affordable units will also be 2 stories high. Applicant states they will be three stories high, and that lot 5 has already been delineated as affordable housing. Applicant explains and describes architecture and design of the affordable units. Affordable units will not have a garage, but will have adequate storage on the sides.

#### **Behram Turan, Environmental Engineer**

- Review letter dated October 11<sup>th</sup>, 2016.
- Waivers for environmental impact and cultural resource survey are acceptable due to previous application.
- Discusses Phase 1 requirements. Applicant professional has agreed to all recommendations on the review letters. Applicant agrees to provide all further documentation.
- Ms. Vassallo asks what version of the environmental impact report is associated with the application. Mr. Turan was relying on the previous environmental impact survey to make review. Discussion ensues. Mr. Turan says that the DEP has addressed the preservation of the long eared bat's habitat.

#### **Mark Hermann, Engineer**

- Review letter dated October 14<sup>th</sup>, 2016.
- Has met with applicant on October 17<sup>th</sup>.
- Will work out comments with applicant, and all outstanding issues have been addressed. Satisfied at this time with the application.
- No objection to the design waiver.
- Mr. Parikh asks for clarification about the design waiver, and if it is actually a variance. Mr. Platt says it is not a variance, just a waiver. Mr. Platt further notes that the RSIO is superior to local ordinances, so it is a moot point.
- Mr. Platt asks if Mr. Hermann is okay with the applicant not providing 6ft bump outs along the curb. Mr. Hermann says yes he is satisfied.
- Mr. Hermann notes that he is satisfied with the fencing concerns in the area as well.

#### **Stacey Arcari, Traffic Engineer**

- Review letter dated October 13<sup>th</sup>, 2016.

- Previous discussion with applicant regarding creation of a right-turn lane and providing a wider shoulder to bypass other lanes. However, met applicant on site. These plans are not feasible due to traffic. Providing a right turn lane is the best possible alternative.
- Discusses various solutions to access in and out of the site.
- Applicant has agreed to clear the site triangles at this site and at Clydsdale Court.
- Fire Marshal had issue with parking on the street. Applicant agrees to post “no parking” signs on roadway. Mr. Prime notes that the applicant will ask the governing body to approve this measure.
- Mr. McGoeys discusses basin from last application. Ms. Arcari notes that in order to widen the street, it would cost a lot of money, so she is okay with the items as is.

#### **Board Comment:**

- Mr. Student asks Mr. Ford about the starting price point of the homes. Mr. Ford says he not the builder, but will do studies to determine appropriate pricing. Mr. Student asks if there are any amenities for children. Mr. Ford replies there are not, besides a small pavilion at the back of the site.
- Mr. Parikh asks about the bus shelter. Applicant states that they will install the bus shelter for the children.
- Mr. Platt asks Ms. Arcari about breaking, etc. She responds.
- Mr. Cortland asks if sidewalks are around the perimeter. Ms. Furey Bruder replies that there will be. Mr. Cortland asks if Tuxedo Court was built to RSIS standards. Ms. Furey Bruder responds regarding previous agreements to this area. Discussion ensues.

#### **Public Comment:**

##### Michael Hyzy, 15 Clydsdale Court

- Asks about traffic flow given no widening on the opposite side of the road. Mr. Mosley responds; discussion ensues.
- Mr. Hyzy asks about if vehicles turning left will create a delay in traffic. Ms. Arcari states that vehicles will have to stop, but there will be adequate stops to allow traffic to do so.
- Discussion ensues about traffic, and roadways. Mr. Hyzy understands, and is comfortable with professionals’ answers.
- Asks when the trees will be replanted in the buffer area. Mr. Ford replies that they will be built as the buildings are created, and then landscaping will also be installed as well.
  - Mr. Prime discusses the Performance Guarantee and Maintenance Bond. This will ensure that the work is completed. After the bond is released, the HOA will then take over.
- Mr. Hyzy asks about street parking on Clydsdale and oversized trucks. Mr. Ford said he had spoken to the HOA at Clydsdale the HOA will work to make sure an ordinance is enacted for their street.
- Mr. Hyzy asks if there will be any construction on Clydsdale Court to construct the attachment to the water main. Mr. Ford shows where the water main will be connected. States that the street will not be disturbed.
- Mr. Hyzy thanks Mr. Ford for being very helpful.

Mr. Platt Summary:

- Applicant is seeking preliminary/final major subdivision approval.
  - Applicant is seeking a height variance. The board has heard testimony on why the applicant should be granted this variance.
  - Applicant is also seeking to reduce the width of the driveway. The RSIS supersedes the Township Ordinance.
  - Applicant agrees to all comments made in the professional review letters.
  - Applicant agrees to install school bus pick-up and drop off shelter at the site. Approval will be at the discretion of the professionals.
  - Affordable units must be uniform with rest of site. Affordable units will also have a sub-HOA.
  - Applicant has stated that the design in the homes will allow for storage of trash cans in both the market rate and affordable units.
  - Applicant will provide compensation for approximately 80 trees on site. The compensation will be payment in lieu of, planted in kind, or used on site.
  - Evergreen trees will be planted in the buffer.
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- Mr. Cortland asks how the affordable and market rate units be the same if there are no garages in the affordable units. Mr. Prime and Mr. Platt state that it is similar in aesthetics.

Approval to Adopt PB 13-01A:

Motion: Parikh

Second: Cortland

Ayes: Cortland, Parikh, Student, Vassallo, Zeuli, DiEnna, McGoey

**Resolutions:**

PB 11-14A

Motion: Parikh

Second: DiEnna

Ayes: Parikh, Zeuli, DiEnna

PB 16-04SP

Motion: Zeuli

Second: Parikh

Ayes: Parikh, Zeuli, DiEnna

**Next Meeting:** November 3<sup>rd</sup>, 2016

**Meeting adjourned at 8:35pm.**