

**GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT
WEDNESDAY, July 27, 2016**

Chairman Bucceroni called the meeting to order. Mr. Lechner read the commencement statement.

Roll Call:

Vice Chairman Simiriglia Absent
Mr. Bucceroni Present
Mr. Scarduzio Present
Mrs. Chiumento Present
Mr. Rosati Present
Mr. Acevedo Present
Mr. Treger Absent
Ms. Scully Absent
Chairman McMullin Absent

Chairman Bucceroni had the professionals sworn in:
Also Present: Mr. Anthony Costa, Zoning Board Solicitor
Mr. James Mellett, P.E., Churchill Engineering
Mr. Ken Lechner, Township Planner

APPLICATIONS FOR REVIEW

#162001BDCPMSFMS
Brahin Properties
Zoned: R1
Bulk C Variance/Prel./Final Major Subdivision
Block: 16504 Lot: 10-11-12
Location: 189/1271/1263/ Jarvis Rd. Sicklerville
50 single family homes with accessory functions & lots for open space & drainage.

Mr. Mintz starts by explaining the application in detail along with reviewing the previously approved application (R1 to R4 zone). Mr. Mintz also introduces the applicants professionals to the board along with the realtor and project developer.

Mr. Costa swears in:
Mr. Brian Peterlin (PE)
Mr. Michael Weisberg - Realtor

Mr. Lee Brand - project development
Mr. Nathan Mosely - Traffic engineer (PE)
Mr. Michael Leib - Land manager
Ms. Tiffany Cuviallo - Planner

Mr. Brian Peterlin (PE):

- Mr. Peterlin gives an overview of the site; 50 lots on 16 acres.
- A1 Aerial of lot,
- A2 color rendering of subdivision plan,
- A1 aerial of lot surrounded by residential and open space fits in the area - horseshoe driveway with eye cut outs,
 - drives will line up with schools' driveways
 - maintain 50' off road buffer which will be a nice separation before you see the first home.
 - lots are 65' wide now.

- usability of the lot was a concern

A3 - largest lot layout 17,000 sq. ft. plenty of area for shed and pool,

A4 - average lot layout 8100 sq. ft. room for deck, pool and shed which can all be done without variances.

A5 - minimum lot layout plan: curve in the entrance limits these lots: 70' W x 101.2 L with some flexibility w/ 10' x 10' shed, pool (small round), deck and morning rooms.

A6 - variety of elevations / Venice model 3

A8 - Venice Model I

A9 - Venice Model II

Mr. Mintz says if they change model elevators/layouts will be provided.

A10 - Milan model

A11 - Florence model

Mr. Peterlin continues:

- zone around the area is a 3
- lots perimeter are generally 8.5 to 10.5 /17,000 sq. ft.
- the larger lots are towards the northern property lines/will maintain existing woods
- drainage: flows south west to north east thus the basin is there diagonally/ with high point inlet in-between.
- drainage flows west to east along with the storm drainage,
- HOA will maintain the easement and basins/Township will have access to all

Mr. Mellett questions the HOA maintaining the storm pipes and inlets.

Mr. Peterlin answers: provision to go in that direction.

Mr. Peterlin cont:

- parking w/20' setbacks and 2 car garage;
- 30' cart way width;- 3.5 parking stalls & on street parking available;
- space for 6 cars per lot;
- a proposed foot path in the rear of the property has been removed because the neighbors didn't want it;
- they have filed with the County but haven't had a response yet;
- 50 lots will not be constructed all at once;
- PHI North side;
- PHII South side;
- will have to get County improvements in first;
- eases bonding requirements;

Mr. Mintz: There will be no sales trailer/sample home instead. After Phase I is bonded 2 homes will be built as samples and office. The first 2 lots on left would be used after the basin is constructed.

A1- (2-10-2016) entry design feature and signage on a stone wall with project name on the south side of the northern entrance. Sidewalks will be throughout the community along with Belgian blocks for curbing.

Mr. Mellett states work Gloucester Township in on the sign.

Mr. Peterlin states the lighting will be decorative acorn and they will work with Township professionals on details.

Mr. Rosati asks Mr. Peterlin: what is the distance from curb to house?

Mr. Peterlin: 21' from right of way to garage and 31' from right of way to garage/ 58' in back of the house and 68' without the morning room.

Mr. Lechner asks the dimensions of the homes.

Mr. Peterlin states A4 is 34' x 38'2 story/28' high.

Mr. Nathan Mosley - Traffic PE:

Mr. Mosely discusses traffic counts: 7:45am to 8:45am 275trips; 5pm to 6pm 315 trips; 3pm when Union Valley Grammar school students are going home: 215 trips.

- Jarvis Rd. is a county road with a speed limit of 35 mph and is a standard 36' cart way; it is classified a "collector" roadway, not a volume road . The location of the site is good.

- The trip generation for the development will be: in the morning 45 trips will be added and in the evening 56 trips will be added (in & out).

- The distribution of the commuter flow is: 2/3 heading north in the morning and 2/3 heading south in the evening.

- Level service assessment to Jarvis Rd. will be an average delay. To turn in or out of the development is "B" level service/10 to 11 seconds.

Mr. Scarduzio asks if the traffic study was done during school months.

Mr. Mosely states the count was done in April.

Mr. Mellett questions Mr. Mosley on the sight distances at intersections.

Mr. Mosely discusses the ASHTO standards.

- required 440' from the decision point,

- meet site triangle requirements,- The county will review

Mr. Mellett discusses a design waiver from the township will not allow them to be consistent with the county.

Mr. Mosely discusses the Apex; 20' back and 14.5 back.

Mr. Lechner asks Mr. Mosely why the applicant can't meet the township standards.

Mr. Mintz states they are obliged to meet the county standards and they aren't sure what the county would say if they used the township standards. They are worried a township vs. county standards could cause a problem with a future site.

Mr. Lechner states the reason for the different standard is that townships follow the DOT standards from 1994 and the county follows the ASHTO standards of 2011.

Mr. Costa suggests following the township standards and giving it to the county to see what they have to say.

Mr. Mintz states the overlap of standards may cause a problem with future developments.

They would prefer to comply with county otherwise the standard is diluted.

Mr. Costa adds: submit with the township standards and see what the county says.

Mr. Mintz states they will look at the roadway that way with the township standards and see if the county will accept it; the county is the superior jurisdiction

Mr. Mellett states the ASHTO standard is widely accepted and the engineer would not have problem with the county standard.

Mr. Mellett reviews his engineer letter with Mr. Mosley:

- Mr. Mellett: clarify item 10 pg. 6 - conflicts with existing striping; no left turn lane; northern edge; school zone.

Mr. Mosely states they may have to do a break wall and they will work that out with the county but there is no queue problem.

Mr. Mellett discusses the 2 crosswalks across Jarvis Rd. mid block.

Mr. Mosely states there is a provision in for the possibility of the crosswalks mid block; there is a possibility they can reduce to one crosswalk at the southern end.

Mr. Michael Weisberg ; Commercial Broker/site selection:

- PH I study and Ph II study:

The environmental study was done with his contacts.

Ph II report determined there was no significant ground water contamination.

Ph I report determined there were some junk yard issues: drums/stains (former well staining). These will be resolved along with tires being removed and any other issues.

Mr. Mellett asks if LSRP remediation will be necessary and who is overseeing that remediation.

Mr. Mintz states no findings for the DEP but the applicant will still use a LSRP even though they are not under state mandate.

Mr. Lechner asks if the clean up will take place before they start building.

Mr. Weisberg states: "Yes, they will test additionally if needed. The areas of concern did not rise to DEP levels.

Mr. Lechner asks if a historic pesticide test was done.

Mr. Weisberg states there was no arsenic found but they will continue testing. Their biggest concern was the ground water.

Mr. Lechner asks what the clean up procedure will be if they aren't using clean up professionals.

Mr. Weisberg states they are using LSRP professionals.

Mr. Mellett asks if they can get a report from the LSRP professionals.

Mr. Lechner states he thought some of the fill material is odd on the property.

Mr. Lee Brand - they will be hiring an environmental professional (LSRP) and they will be doing the clean up; following an environmental engineers directions. The reports will be handed over to the town before any digging occurs.

Mr. Mike Leib: Land Manager w/ Ryan Homes:

- product line up 1700 sq. ft. to 2500 sq. ft.

- build homes with this line up presented as it is the most popular line up and is presently be built in Elk Twsp and doing well. Average sales is \$330,000.

Mr. Acevedo asks if this price will be used here in Gloucester Township too.

Mr. Leib stated: Yes, with the same options.

Mr. Lechner states that Ryan homes has a formula for each model so there is a balance.

Mr. Leib states if they can not build the same model/or color next to each other or across the street. There are not a lot of the smaller model, typically there are more large models. The model home will be in the mid price range. Ryan homes will be putting up a model home for a sales office.

Mr. Lechner asks if there would be any objections to a deed restriction in case Ryan homes moves out of this site. In case the homes don't sell as expected and a new developer takes the site over.

Mr. Mintz states the expectation is it will go well. They understand the condition but believe the building permits would give you an idea how well the homes are selling.

Mr. Leib states they are starting with the models shown and they will stay consistent.

Mr. Lechner states that Ryan homes buys lots and builds houses; he is trying to build communities.

Mr. Mintz states the architecture deed restriction will make it difficult to sell .

Mr. Lechner suggests putting it in the by-laws.

Mr. Mintz suggests putting it in the homeowners document.

Ms. Tiffany Cuvillo: Planner:

- variances and lot sizes/setback variances:

- A4 to lay out,
- A 2 site plan,
- increase the lot 60' to 65',
- 39 lots over 7800 sq. ft.,
- made changes by increasing lot size,
- minimum 9375 sq. ft./ 90% meet goal,
- meet R3 standard or trying to,
- C2 variances overall development plan

Ms. Cuviallo explains standards and reasons for towns and what is behind the planners thoughts.

- she references the standards,
- accessory structures proposed and showed the exhibit to the board to prove they fit.
- adequate open space/ light & airy not over crowded.
- no detriment to the public good.

Mr. Mellett engineers' report:

- 15 pages that set record and description;
- pg. 3 of 15: requirement for use variance; environmental impact statement and waiver request and why (?) as it is written specifically into the resolution.
- environmental impact statement with facts on wetlands and streams.
- Ph I and Ph II contamination statement.

Mr. Peterlin: water, septic, & the condition of site was discussed and testified to and they can add additional information, for the waiver or partial waiver.

Mr. Mellett: phase the project; revise Phase I and limit #18 to be removed from Phase I.

Mr. Peterlin they have defined limits and have no issues with clarification.

Mr. Mellett refers to Pg 7 comment 16: parking credit within the garage be deed restricted. Prove the street parking and retract the deed restriction of the garage.

Mr. Mellett: also, prohibit parking at the entrance.

Mr. Peterlin states they will add on to the dedication of the road.

Mr. Mintz states put the garages on the HOA agreement.

Mr. Mellett references Pgs. 7-10 & 11 significant drainage concerns.

- applicant will build an infiltration basin for the 100 year storm/8.5 in 24 hours,
- not outlet during storm,
- some concern over 6.7' deep basin/possibility to make this shallower?
- pg 8 of 15 requirement twsp. ordinance 3' between basin bottom and seasonal right now only 2 1/2 feet.

Mr. Peterlin states they will look to get the other 1/2 foot.

Mr. Mellett states the infiltration rate; factor of safety; is not defined.

Mr. Peterlin states there was an infiltration rate and he could find it.

Mr. Mellett states this basin in not addressed adequately.

Mr. Mellett pg. 8 comment 12: emergency spillway for a catastrophic event should be directed away from the property. The off site system in not on residential property.

Mr. Peterlin stated they could have tied into the storm water on Jarvis Rd. but it's not deep enough.

Mr. Mellett suggests tying into the spillway for emergencies.

Mr. Peterlin states they would have to and they've been following the state standards. Mr. Peterlin states they will work with Mr. Mellett's office for spillway.

Mr. Mellett: pg. 9 of 15 comment 15:

- provide inlets in rear of property;
- in addition drainage swales added according to township ordinance requirements.

Mr. Peterlin states it is problematic for the whole development.

Mr. Mellett continues: bulk density variance issue, add inlets as close to the rears as possible w/least encumbrance. The southern side abuts to open space lot.

Mr. Peterlin states additional clearing is required.

Mr. Peterlin discusses pg. 10 comment 24: The township discourages the use of Polyethylene pipe and encourages RCP pipe (reinforced concrete pipe), they are looking for relief from that requirement. Mr. Peterlin states they would like to use Polyethylene pipe out of the right of way and use RCP pipe in the right of way.

Mr. Peterlin states they will use all RCP if the town wants to take over the system.

Mr. Lechner suggests building 5 less homes and building a better basin.

Mr. Mellett states there are certain things that don't meet township standards and they are willing to work that out.

Mr. Mellett suggests only giving preliminary approval tonight as there are too many things up in the air.

Mr. Mellett tells Mr. Mintz that RCP must be used in the right of way and in non-traffic areas they can use polyethylene.

Mr. Mintz states they will comply with that ordinance.

Mr. Mellett states there are a number of other things in the letter that need to be addressed. The drainage design doesn't meet the township ordinance and they can make changes to make the basin work.

Mr. Bucceroni discusses the drainage problem: the southwest corner Danbury station where streets flood out. The public works department went to great pains to fix this issue along with the town and residents.

Mr. Mellett continues:

- proper separation from seasonal,
- state standard,
- technical issues need to be met,

- all have to be done before final approval is granted.

Mr. Rosati asks if this is critical for final passage of the application.

Mr. Mellett states the drainage is the #1 problematic issue during the life of the project.

PUBLIC PORTION:

Ms. Cindy Bailey; she has been there for 30 years and the flooding was a huge problem. She is making sure the easement is not going to the Sturbridge homes.

Mr. Howard Redfield: He has lived there for 40 years.

- only 1 house for sale on Tiffany and it's still for sale,
- 35 homes for sale in the neighborhood,
- Hickstown has new homes also,
- He counted the cars on Danbury and he came up with 119 cars for 50 homes,
- Are there HOA's in town that work?

Mr. Bucceroni states there are many HOA's in town that work well.

- Mr. Redfield cont: requests show hand for anyone who would pay \$330,000 for a postage size lot.
- dozens of foreclosures in town.

Ms. Joslyn Stone:

- very concerned about the basin because it is next to her private drive and it's the only way she can get in and out of their homes.

Mr. Lechner report:

- Pg. 3 submission waiver,
 - item 6 aerial of general area,
 - item 7 waiting for the county.
- waiver requests vs. bench marks:

Mr. Peterlin will provide the HOA,

- easement access to the township lot will be provided,
- all landscaping: agreed,
- screening the basin with trees,
- open space 80' x 80' flat area for open field,
- will comply with all lighting and type,
- fence can be coordinated / vinyl 3 rail fence,
- clarification of all open space on Jarvis Rd. included in Phase I agreement.

Mr. Mintz suggests no signing the plan until the drainage is resolved.

A motion to approve the above mentioned application w/ following conditions: allow 2 samples, twsp. vs. county site triangle, architecture stays the same if owners change, EIS waiver, subject to final approval/ reduce lots if necessary to fix basin, PRELIMINARY approval only : was made by Mr. Rosati and seconded by Mr. Scarduzio.

Roll Call:

- Mr. Bucceroni Yes**
- Mr. Scarduzio Yes**
- Mrs. Chiumento Yes**
- Mr. Rosati Yes**
- Mr. Acevedo Yes**

Preliminary Approval Only.

A motion to Adjourn was made by Mr. Rosati and seconded by Mrs. Chiumento.

Respectfully Submitted, Jean Gomez, Recording Secretary.

