

PLUMSTED TOWNSHIP LAND USE BOARD

June 20, 2017

A regular meeting of the Plumsted Township Land Use Board was held on Tuesday, June 20, 2017 at 7:30 p.m. in the Municipal Building with the following members present:

<u> X </u> Douglas Hallock, Chairman	<u> X </u> Eric Sorchik
<u> X </u> Michael McGuire	<u> X </u> Jack Trotta, Mayor
<u> AB </u> Wendy Galloway	<u> AB </u> Dominick Cuzzo, Alt #1
<u> X </u> Ronald Dancer	<u> </u> , Alt #2
<u> X </u> Robert Minter	<u> X </u> Robert Bowen, Alt #3
<u> AB </u> Robert Hardy, Vice Chairman	<u> X </u> John Neyenhouse, Alt #4
<u> </u> (Mayor's Designee)	<u> X </u> John Mallon, Engineer
<u> X </u> Glenn Riccardi	<u> X </u> Gregory McGuckin, Attorney

Attorney McGuckin read the Open Public Meetings Act. A motion to approve and accept the meeting minutes of December 6, 2016, and February 7, 2017 was made by Mr. Sorchik and seconded by Mr. Minter, a motion to approve and accept the meeting minutes of January 3, 2017 was made by Mr. Sorchik and seconded by Mr. Riccardi, passing unanimously by the board members listed in attendance for each meeting, Mr. Dancer abstained.

RESOLUTIONS:

The following Resolutions were read and adopted.

2017-05

WAWA Trash Enclosure-One year time extension. Block 77/Lot70.01, 633 Pinehurst Road. A motion was made by Mr. Minter and seconded by Mayor Trotta, followed by a unanimous vote to accept with Mr. Sorchik abstaining.

2017-03

BRAYCO Granting Use Variance and Preliminary and Final Site Plan approval, Block 40, Lot 7, 951 Monmouth Road. A motion was made by Mr. Riccardi and seconded by Mayor Trotta, followed by a unanimous vote to accept with Mr. Neyenhouse abstaining.

Old Business:

None

New Business:

Venue at Crosswicks Creek-Block 40, Lots1, 10, & 18. Preliminary for all phases, final for phases 1, 2, and 3:

Jason Tuvel, attorney for applicant Lennar Plumsted LLC., presented the application for preliminary major subdivision approval for all phases of development and final major subdivision of phases 1, 2, and 3 site plan of the Venue at Crosswicks Creek- adult community. Last year approval for the projects GDP, General Development Plan, 15 years for the project was granted by Resolution. The Township has entered into a redevelopment agreement with the applicant to effectuate sewer service, commerce, connectivity to the downtown and revitalization of

Businesses. The applicant proposes 454 residential units; 263 single family, 80 duplex and 111 tri-plex units. The community includes amenities and recreational areas in conjunction with application and development. Also open space areas will be dedicated to the public. Nine phases in total, the applicant is asking for Preliminary of all phases and Final Major Subdivision and site plan approval on phases 1-3 that will include the construction to the access via Provinceline Road. The applicant is seeking No variance relief as in the redevelopment plan, the application is fully conforming. The applicant is seeking a design waiver for sidewalks on one side of the street and will provide testimony as to why this waiver is appropriate. An additional lot which was not part of the GDP, is included in this application. The applicant has an easement agreement with the church property on Evergreen Road for pedestrian access thru that lot for connectivity to the downtown and municipal offices. Conservation area markings will be approved by the Board Engineer. During the discussion it was agreed upon that the pedestrian walkway/bridge ownership and maintenance will be designated as a private walkway for the adult community residences to use only and the developer is responsible. Jack Mallon read his compliance review letter. Mr. Calabro gave an overview of the proposal which is similar to the GDP which was already approved. He described more in detail the models of the different homes that will be built and showing the exhibits that were presented. Exhibit A-8 showed the concept design of the clubhouse. Gathering areas to play games, an exercise area, a seminar space and a kitchen area. The clubhouse will be 10,500 sq. ft. The sidewalk waiver for one side was decided after conferring with other community residences stating that they really don't use the sidewalk when walking in the neighborhoods and find many people choose to walk in the street instead. Also that some buyers prefer not to have a sidewalk in front of their homes. The main gate will be equipped with guest call boxes and residents' cars will have a mechanism to raise the gate when they approach it. The age restriction is a federal standard that most towns employ in regulating active adult communities and it is intended to follow the state standard. This is noted in the redevelopment agreement. Comment #8 of Mr. Mallon's letter, regarding responsibilities of the recreational facilities. Mr. Calabro said an HOA management scheme is instituted as soon as the developer starts selling homes. For emergency vehicle access, all EMS and police who request them will be given gate cards. And in case of an emergency situation that the gate gets knocked down, will not be contested. Mr. Mallon suggested the best time to construct the clubhouse. Mr. Calabro anticipates to have the clubhouse open and operational by the end of phase 3. Lennar plans to build between 60 and 70 homes per year. They will comply with the landscape and irrigation requirements in the redevelopment plan. A proposed reclamation of Provinceline Road where the entrances to the community is will be a full reconstruction of the area. The age requirements are specifically identified in the public offering statement which will be shared with the town before sales take place. Mr. Tuvel stated for the record that all comments in item C of Mr. Mallon's letter will be complied with. The federal statute is 55 or older with 20% of the people buying to be 48 years or older. As for the clubhouse to be built, the total number of homes up to stage three will be the limit of what is built until the clubhouse is completed.

Mr. Bronson, member of the technical review committee and the MUA, met to discuss and resolve general design issues. The MUA is also reviewing the application and they have issued a review letter with regard to the specific comment that the applicant will be building a sewer system, building the pump station and the forced main connection over to the system that is proposed to be built by the MUA. Once that is completed and operational the MUA will take over and maintain that system. Along with the rest of the collection systems and sewer treatment plant. In addition, North Hanover has approved the Resolution to transfer ownership of Provinceline Road to Plumsted Township for a period of 30 years. After 30 years ownership will revert back to

North Hanover Township. Mr. Bronson suggested that the LUB make the condition that the irrigation for the adult community not come from the public water supply.

Mr. Tuvel introduced Mr. Mark Zelina, PE, CE. To qualify him as witness and as both a Professional Engineer and a Civil Engineer and Professional Planner since he was not at the GDP hearing. Mr. Zelina explained that Exhibit A-11 depicts the project site as it exists today. Further discussion of exhibits A-12 and A-13 show an overview of the proposed development and plans for the site. The total number of units is 452; 268 SFD, 70 Duplex and 114 Tri-plex units. Preliminary approval for all nine phases and only Final approval for phases 1-3 is being sought this evening. There are a series of detention ponds onsite. Wet ponds or retention ponds will retain the water 100% of the time and that water will be used for irrigation and the water levels will be maintained by supplemental wells so as not to take away from the public water system for irrigation. The clubhouse will be 10,500 sq. ft. No variances are required as all was previously approved by the GDP. Exhibit A-17 shows the main access points and operation of the gated entrance. A small structure will be placed at the gate that will not be manned. The residents will be provided with some type of mechanism for gaining access. Call boxes will be provided for guests or deliveries. All roadways will be private, with two way access and parking on one side of the street. Along with sidewalks on one side of the street where parking is permitted. The pedestrian access plan from the community to Evergreen Road has not been finalized yet. Phase one is proposed to come off of Provinceline Road with a Boulevard up to whereabouts the clubhouse is and up to the first cluster of homes. It will include 11 single family homes, 32 duplexes, and three triplexes to be considered the model park. A sanitary sewer pump station, a forced main and water will have to be constructed out to Evergreen Rd. to service the first unit constructed. Exhibits A-21 thru A-29 are phases 1-9. The first three phases that we are seeking final approval on will consist of 165 units in total and all engineering, and all utilities. The application is ready for the Preliminary approval for phases 4-9. All the roadways will be private. The clubhouse is 10,500 sq. ft. along a circular drive, a tennis court, pickle ball court, swimming pool, bocce ball court, shuffleboard and a picnic area, (Exhibit A-30). Commercial or RV parking will not be allowed and will be noted in the HOA documents. Rentals of the clubhouse only applies to the HOA members. The application complies with all RSIS, except with the one side sidewalk design waiver. The curbing will be mountable Belgium block. Lennar will submit foundation plans for each home with their resolution compliance.

Discussion for the pedestrian/walkway bridge will be built, patrolled and maintained by the developer and HOA, making it a private walkway. Utility easements across lot one was part of the GDP. The pedestrian access bridge was not. The ownership of lot one, belongs to the Diocese of Trenton and Lennar has a general agreement to purchase the property at a future date and a firm agreement for the easement of the pedestrian bridge and utility crossing.

Mr. Nicholas Aiello was sworn in as licensed professional engineer specializing in the traffic report analysis of this project. No commercial or RV parking on the private roadways will be noted in the HOA documents. There will be 88 parking spaces for the clubhouse along with street parking should be an adequate amount. 2 parking spaces per unit with street parking for visitors. According to the traffic data report at this time turning lanes are not needed. The applicant has offered to re-review at 50% capacity.

The fencing along the farms for separation shall be 6' high and the applicant agrees to increase the plantings to 8' to screen the community from the neighboring farms. Area disclosures noted in the Deed of conveyance and eventually the bi-laws for the community shall include the right to farm notice, the military base location and flight path. There will no school children allowed to live in the community and will be noted in the by-laws, the public offering and in the township resolution. If a child does stay the visit is limited to 30 days with No school enrollment. Mr. Neyenhouse asked, "What is the possibility of this community being changed over to a non-age restricted community?" Mr. Dancer answered, that a prior state statutory provision to allow these communities to change their status had an expiration date for that provision. As it is now, by current law a community is not permitted to come back and ask for a conversion. Mr. Tuvel stated that from a zoning standpoint, permitted uses in the redevelopment plan are specifically geared toward age restricted development with no provisions for conventional or multifamily housing. Final comment from the board, on the conservation markers will be at points of inflection along the line, points of curvature. The board engineer agreed to every 200' within the community.

Application was opened up for public comments:

Many people from the public were in attendance and had comments on the application. Each person who wished to speak was sworn in prior to doing so. Donna Dey, Mary Barletta and Dennis King had concerns about the roadway improvements of Provinceline Road along with easements and entrances of their properties, the increase in traffic, emergency services, and about when the footbridge would be constructed and available to use.

Dennis King also questioned what if the houses don't sell. He was reminded that the project consists of 9 phases and the company won't build what they don't sell.

Frank Stancati, had comments and suggestions to the Board. He asked if the Township can require the Builder to put up a performance bond to ensure there is no extra burden brought onto the town by allowing this project. Mr. Tuvel noted that a performance bond is required by law. Mr. Stancati asked about the site conditions during construction and what is being done to insure that there is no debris flying around. Mr. Tuvel stated that there are construction code standards that they are required to comply with. Mr. Riccardi ensured that site conditions are noted and the construction office responds when a complaint is called in. The site manager is then notified about the issue and will remedy the problem.

William Bigelow had concerns about the massive amounts of impervious surfaces and the water flowing into the creek. Regarding the redevelopment agreement and sewer plant project he was trying to understand how the tax deferment and sewer project was going to be paid for so as not to put a strain on the tax payers. Mayor Trotta, and Mr. Bronson from the MUA explained and answered his questions.

Karen Preston voiced concerns about the environmental impact the community as well as the sewer collection system and sewer plant could have on the local environment. She also had more questions about the traffic study which were answered by Mr. Aiello and Mr. Tuvel.

Jean Robson lives by the Route 528 entrance and wants to know if there will be a buffer between the properties. Ms. Robson was assured the buffer will be in place as well as her home being quite far from the first house along that entrance.

Lori Thompson of 4 Provinceline Road has a business of boarding horses and is concerned that the suggested screening of her property will not be sufficient enough to protect her horses. She requested for the fencing to be put up first. Mr. Tuvel said they will work with Ms. Thompson and the property owner to get the screening and fencing high enough to shield her property from the work and housing being built. Ms. Thompson also was concerned about the road going in and the drainage towards her property/paddock areas and the wetlands. She want to know what can be done to eliminate flow of excess water onto her property. The plans now reflect how the water runoff will be rerouted into another retention basin. New revised plans will be submitted to Jack Mallon. Chairman Hallock suggested the fence to be graded and fill dirt brought in to raise the fence level to perform the task of screening her property and the horses.

Chris Neuert questioned the board about the sewer rates and how residents in the receiving area of downtown might be affected if not enough homes are built. Mr. Bronson said that extensive research has been done and that 150 units would have to be built for the town to break even on the sewer plant and system.

William Lewis brought up environmental concerns and asked if there was an endangered species survey done. Mr. Tuvel answered yes as it is also a requirement for the DEP application. Mr. Lewis was assured that any building being done will be minimum of 150' above the flood plain of the Crosswicks creek with the exceptions of the crossings. Mr. Neyenhouse said the initial reports came back saying the area impacted by this show no endangered species in the immediate area.

Joanne Christos asked how the units were counted and was told that each unit is counted as one. So if there's a triplex that is considered as 3 units. She asked in regards to the woodlands how much will be removed to build. A very small portion will be affected and removed.

Mrs. Ahearn mentioned that she is not happy about the additional amount of cars added to our roadways that this community will bring to the area. She feels that the notification to the residents about this community and project were not as forthcoming or as frequent as she would've liked.

No further speakers from the public came forward. The public portion was closed.

Mr. Riccardi asked how many public meetings were held over the years concerning this project of an adult community and sewer treatment plant/system. Mr. Dancer said there have been over 100 meetings about the sewers.

Mr. McGuckin read thru a list of comments from the board and the public to be included in the vote for the Lennar- Venue at Crosswicks Creek Community. The applicant will comply with all technical and other comments from the board engineer and his review letter, applicant will show the drain from the township property to the drainage basin, the fence along the horse farms, the height will be up to eight feet which will be installed prior to construction, the plantings of trees

up to 7-8' prior to construction, adding fill to be approved by the board engineer in addition to the prior two items. The pedestrian walkway to be completed by the applicant and maintained by the HOA, the completion of the clubhouse by the end of phase three, conservation markers location and distances to be approved by the board's engineer, no school children to be allowed to reside within the project, applicant will provide notice in regards to the military base, the right to farm notice both as noted in the GDP at the point of sale as well as noted in the deeds. At 50% of occupancy the applicant will provide an updated report to the board engineer to provide the opportunity to provide a turning lane if they don't receive approval by the county engineer. The right to purchase by the developer shall be the contributor/fixture rate. Foundation plans will be submitted for resolution compliance. Age restrictions will be set forth in the public offerings statement. The application is for preliminary and final for phases 1, 2 and 3. Preliminary for phases 4-9, site plan and subdivision.

Mayor Trotta made a motion to approve the project for preliminary for phases 1-9, final for phases 1, 2 and 3 based on the conditions and technical comments set forth. Mr. Riccardi seconded the motion. A roll call vote to approve the application with Mr. McGuire, Mr. Dancer, Mr. Minter, Mr. Riccardi, Mr. Sorchik, Mayor Trotta and Mr. Bowen voting yes and Mr. Neyenhouse and Chairman Hallock voting no.

Discussions from the Board:

Mayor Trotta wanted to bring to the Board's attention a few month ago the Board approved a project on Postol Road and the residents have been complaining that the builder has destroyed the roads with their equipment and that Jack Mallon will check that out when he is out there when he is doing his inspections.

No further discussion

Chairman Hallock asked if there was any further business to be brought before the board. Being none, a motion to adjourn was made and seconded. Carried by all ayes.

Respectfully Submitted,

Joan Gruca