

Elk Township Combined Planning and Zoning Board

Regular Business Meeting October 19, 2016

Minutes

- **Call to Order:** Board Secretary called the meeting to order at 7:30pm.
- **Roll Call:**
Present: Robert Clark, Ed McKeever, Donna Nicholson, Ed Poisker, Richard Schmidt, Eugene Shoultz, Jeanne White, Frank Goss (Alt. 1), Wayne Swanson (Alt. 2)

Absent: Phil Barbaro, Jay Hughes

- **Open Public Meeting Act:** was read by the Board Secretary
- **Flag Salute:** Secretary led the flag salute.
- **Swear in Board Professionals:**
Board Solicitor swore in Steven M. Bach, P.E., R.A., P.P., C.M.E., Bach Associates, PC, 304 White Horse Pike, Haddon Heights, NJ 08035, the Board's professional planner, and Stan Bitgood, P.E., C.M.E., Federici and Akin, 307 Greentree Road, Sewell, N.J. 08080, the Board's professional engineer.
- **Approval of Minutes:**
September 21, 2016

Mr. Shoultz moved to approve the minutes of September 21, 2016, Seconded by Mrs. Nicholson. With all other members in favor, the motion was carried.

- **Resolution(s):**
2016-22: granting applicant, Weona Pond, LLC, two one-year extensions of time to perfect a previously granted final major subdivision approval, property located at Hughes Drive and Vivian Lane off of Buck Road, block 44, lot 1

Mr. Shoultz moved to approve resolution 2016-22, Seconded by Mrs. Nicholson.

Roll Call:

Voting in favor: Poisker, Clark, Nicholson, Shoultz, White, Schmidt, Goss, Swanson

Against: None **Abstain:** 8-0-0

2016-23: granting to Daniel Haynicz, a minor subdivision with bulk variances regarding property located at 145 Haynicz lane, block 175, lot 1.

Mr. Goss moved to approve resolution 2016-18, Seconded by Mayor Poisker.

Roll Call:

Voting in favor: Poisker, Clark, Nicholson, Shoultz, White, Schmidt, Goss

Against: None **Abstain:** 7-0-0

2016-24: granting to Kevin Eaise, a “d” use variance for property located at 1198 Aura Road, block 175, lots 8 & 9.

Mr. Schmidt moved to approve resolution 2016-19, Seconded by Mr. Shoultz.

Roll Call:

Voting in favor: Clark, Shoultz, White, Schmidt, Goss

Against: None Abstain: 5-0-0

➤ **Old Business:** None

➤ **New Business:**

Completeness hearing:

Ewan 77, LLC, Preliminary & Final Major Site Plan for a Medical Office Building, block 6, Lot 1, 412 Ewan Road. Application #SP-16-07

Attorney Christopher Wisniewski of Lauletta Birnbaum, Sewell, NJ, represented the applicant.

David Kreck, PE, the Petit Group, LLC, Sewell, NJ

Dr. Joseph DelGiorno, principal of Ewan 77, LLC

The applicant is applying for Preliminary and final Site Plan approval to add a second medical building on block 6, lot 1 and requests submission waivers.

Board Planner, Steve Bach, reviewed his letter of August 4, 2016, for the completeness items. He added the Engineer’s letter of October 13, 2016 has the same items:

Item #29 Environmental impact Statement

Waiver is recommended

Item #30 requires Phase I Environmental Assessment report

Waiver recommended.

Item #31 requires Traffic Impact Study prepared by a NJ licensed professional engineer.

Waiver recommended. Engineer agreed.

Items #33 statement demonstrating compliance with affordable housing requirements

Conditional Waiver for completeness only.

Item #42 show structures and wooded areas within 200 ft of the property lines.

Waiver is recommended. Engineer agreed.

Item #63 requires cross sections and center-line profiles of all existing or proposed streets or water courses within dimension at 50 foot intervals

Conditional Waiver for completeness only.

Item #65 requires preliminary plans and profiles of proposed utility layouts an connection to existing or proposed utility systems and water and sewer facilities.

Conditional Waiver for completeness only.

Item #67 results and location of all percolation tests and borings for an on-site sewerage disposal system.
Conditional Waiver for completeness only.

Item #75 submission of a Utility Plan.
Conditional Waiver for completeness only.

Mr. Bitgood had the following additional items for completeness:

Item 37 drafts of protective covenants, deed and easements (basin easement must be updated, a draft has been received.)

Waiver for completeness only with testimony provided there are no others.

Item # 72 Copies of permits issued by NJDOT (permit required for the stormwater outfall system)
Conditional Waiver for completeness only.

Item #77 Proposed Signage.
Conditional Waiver for completeness only. The applicant will discuss at hearing.

Mrs. White moved to grant the waivers subject to the compliance conditions required and to deem the application "complete." Seconded by Mrs. Nicholson

Roll Call:

Voting in favor:

Clark, McKeever, Nicholson, Poisker, Schmidt, Shoultz, White, Goss Swanson 9-0-0

Public hearing:

Ewan 77, LLC, Preliminary & Final Major Site Plan for a Medical Office Building, block 6, Lot 1, 412 Ewan Road. Application #SP-16-07

Mr. Wisniewski gave an overview referring to several exhibits that were entered into the record:
Exhibit A-1- an aerial of the existing site
Exhibit A-2- an aerial view of the same site but with an overlay of the proposed new medical building. The existing driveway will be repaved, new parking area added, the wooded area will remain, and there will be an expansion of the existing basin (to accommodate the additional impervious coverage proposed). Landscaping is proposed around the basin. The project is set up with a potential future driveway extension to Route 77. This will not be installed until the applicant receives an NJDOT access permit. The applicant is asking the board to approve the driveway extension at this time. More parking is proposed than required and it remains a one way circulation pattern. New handicap parking is provided adjacent to the new building and the existing handicap parking will remain. A common trash enclosure (block) with a gate will be provided. The Board Engineer recommended a walkway connection between both buildings. The applicant proposes to extend the crosswalk to the existing sidewalk and adjust the location of the trash enclosure (further away from the basin slope which is preferred) and adjust some of the parking spaces. The Board Planner had requested additional landscaping and the applicant agrees to provide. Utilities- the existing septic system will be expanded. This system includes a pumping station. A utility plan was not provided as the applicant is still working on the plan and will submit it for follow up with the Board Engineer. All the required information will be submitted, soil testing, pump station, etc. The site is serviced by a well. Not sure if a new well be in installed for the new building or if they will share the existing well. The waivers requested for items 65, 67 & 75 are for pipe profiles. All the

other information will be provided, utility layout, calculations for new septic system, soil profile test pits will be provided. Lighting-lights will be on one hour before sunset and will shut off between 11 & 12 pm.

Security lighting will be lighting over the doorways and will have a minimal impact on neighbors. A waiver is requested from providing sidewalks along the frontages of Ewan Rd & Bridgeton Pike. There are no sidewalks or curbing anywhere in this area. The applicant agrees to provide sidewalk easements in the event the township ever decides to install a sidewalk system. The applicant agrees to work with the municipal engineer regarding the basin slope.

Board Planner, technical review portion of his letter dated August 4, 2016.

Landscaping around the basin. The Board Planner did not feel it was necessary to provide full evergreens around the entire basin but just to add a staggered row of evergreens. Planner had no objection to the location of the basin due to the grade of the parcel and that it will encroach into the buffer area. Fencing will be provided around the basin. The street trees as show on the plan are acceptable and the applicant agrees to replace any dying trees. Board Planner was in favor of sidewalk easement.

Signage – no signage is proposed at this time however the applicant agrees to add a note to the plan that they will provide ground base plantings for any future signage and that they will comply with the sign ordinance.

Affordable Housing Trust Fund. The applicant doesn't believe this requirement applies as block 6, lot 1 is not an unimproved lot (there is an existing building on it). Mr. Bach read the ordinance (70-4) and explained the intent of the ordinance is that any addition or expansion on a property is responsible to comply. The fee would be based only on the value of the new building constructed. The language used by the Affordable Housing isn't the greatest. The applicant has the right to appeal. The applicant didn't feel they should be penalized by poor wordsmithing of the ordinance.

Mr. Taylor added this is common practice throughout the State for any new construction and that they are subject to the fee. The proposal is not for an addition to the existing structure but is for a new building, new construction. The applicant can appeal but the Board will stick with its interpretation.

Mr. Taylor will include the applicant letter of October 11, 2016 as part of the record.

Dr. DelGiorno, owner, testified to the uses of the existing 3 medical office spaces. He has a pediatric office and leases space to Salem Hospital and to Rowan University OBGYN practice which will switch to Kennedy hospital in June of 2016.

The current space is no longer adequate for his growing practice and doesn't fit in with modern health care today. The OBGYN practice is interested in joining him with securing this new building. Salem Hospital will most likely not renew their lease.

The existing building will then be vacant and Dr. DelGiorno intends to lease the spaces to complementary medical uses.

The applicant agrees to comply with the balance of Mr. Bach's review letter.

Board Engineer reviewed the balance of his letter:

Signage - Mr. Bitgood confirmed the application will secure 911 address assignments for the new and existing building and install all the proper signage. This should be included on the plan.

Landscaping - Bottom end of driveway parking area, adjacent to trash enclosure-Mr. Bitgood recommended adding landscaping, the applicant agreed. They may add a split rail fence

ADA parking is provided for each building and proper handrails will be provided. An ADA walkway will not be provided between the two buildings. Mr. Kreck testified that it would not be possible to have a handicap walkway between buildings because of the nature of the grade. The Board's Engineer requested that special signage be provided to alert handicapped patrons that there is no ADA accessible path between the two buildings. The Applicant agreed to comply and will work with the Board's engineer on the details of such signage. Mr. Kreck testified

Fencing - split rail fencing will be added to the top of the basin.

Stormwater checklist submission- the applicant will comply.

NJDOT permit- the applicant will comply.

Mayor Poisker commented the applicant should consider the split rail fencing location as it relates to snow plowing/removal. The applicant will consider a snow pile area.

Mr. Shoultz moved to open to the public, seconded by Mrs. White.
With all members in favor, ***the motion was carried.***

Vince Siderio, 347 Bridgton Pike

Mr. Siderio addressed the board with the following concerns:

1) What will the new building look like?

The applicant showed a drawing of the proposed building. Mr. Siderio did not feel the design fit into the neighborhood.

2) Maintenance complaint on the property and provided 7 color photos of the grounds (tall grass/weeds, trash) over the past few years. The photographs were marked as exhibit O-1.

Dr. DelGiorno was not aware of any property maintenance issues. He pays a landscape service to keep up the grounds. For any future complaints, the Doctor asked Mr. Siderio to contact him directly so he can take care of the matter.

3) He is not in favor of the parking lot location. He owns lots 4 & 5. He may want to sell lot 4 someday and is concerned the parking lot location will devalue his lot. He suggested another location on the other side of the parcel.

4) View of the basin from his house

The applicant agreed to extend the evergreen trees along the entire length of Mr. Siderio's property to provide a buffer screen.

Mr. Shoultz moved to close to the public, seconded by Mrs. Nicholson.
With all members in favor, ***the motion was carried.***

Mayor Poisker moved to grant preliminary & final major site plan approval condition upon the applicant's testimony, the professionals review letters and all required outside agency approvals.
Seconded by Mrs. Nicholson

Roll Call:

Voting in favor:

Clark, McKeever, Nicholson, Poisker, Schmidt, Shoultz, White, Goss Swanson

9-0-0

General Public Portion

Mr. Shoultz moved to open to the general public portion, seconded by Mr. Barbaro.

With all members in favor, *the motion was carried.*

With no comment from the public, *Mr. Goss moved to close the general public portion, seconded by Mrs. Nicholson.* With all members in favor, *the motion was carried.*

➤ **Correspondence:** None

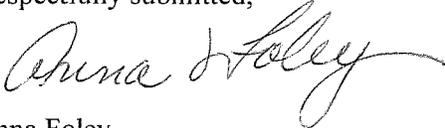
Adjournment:

Mr. Shoultz moved to adjourn, Seconded by Mrs. White.

With all members in favor, *the motion was carried.*

Adjournment time: 8:48pm

Respectfully submitted,



Anna Foley
Board Secretary