

2014-13

**RESOLUTION APPROVING MINOR SITE PLAN AND VARIANCE FOR
CONDITIONAL USE ON PROPERTY IDENTIFIED AS BLOCK 29 LOT 24 LOCATED
ON RICHWOOD-AURA ROAD**

WHEREAS, Aura Development Group, LLC, a limited liability company with offices at 1010 Kings Highway South Building 1 Floor 1 Cherry Hill, NJ 08034 has made application for conditional use approval, a variance pursuant to NJSA 40:55D-70(d)(3) and minor site plan approval to permit it to construct a model home park to serve the development currently known as Aura I; and

WHEREAS, the Applicant is represented before the Board, with the assistance of its attorney, Mr. Robert Swartz, Esq., 1010 Kings Highway South, Building 1 Floor 1 Cherry Hill, NJ 08034; and

WHEREAS, The Applicant initially received the following approvals:

1. Preliminary subdivision approval for a 318 unit age-restricted residential community in October 2004 (Resolution 2004-16);
2. Relief from minimum landscape buffer in November 2004 (Resolution 2004-28);
3. Final subdivision approval in August 2006 (Resolution 2006-32);
4. Amended preliminary and final approval to affect time to construct clubhouse in March 2008 (Resolution 2008-17);
5. A four year extension of the approval in August 2007 (extension to October 18, 2012);
6. In March 2011 the Applicant received Planning Board approval to convert the approved development from an age-restricted residential community to a non-restricted development in accordance with N.J.S.A. 45:22A-46.3 through 46.16 (known as the "Conversion Law", signed into law in 2009) (Resolution 2011-13);
7. The conversion application reduced the total number of housing units from 318 to 218 in order to ensure that the sewer capacity available will be sufficient to serve the development. Of the total 218 houses, 174 are for single family homes and 44 are for affordable townhomes (20% as required by the Conversion Law). In February 2014 the Applicant received the Board's approval for signage for the development as well as alterations to the proposed phasing and roadway ownership (Resolution 2014-08);
8. In May 2014 the Applicant received the Board's approval for a temporary sales trailer to be located along Richwood Aura Road for a maximum of one year (Resolution 2014-11). The site improvements are currently under construction.

WHEREAS, The Board has received the following documents for review:

◇ Cover letter from Consulting Engineer Services

Dated August 27, 2014

- ◇ Engineer's Estimate for Proposed Temporary Site Improvements Dated August 27, 2014
- ◇ Engineer's Estimate for Removal of Temporary Site Improvements Dated August 27, 2014
- ◇ Model Home Site Plan (Sheet 1 of 2) Revised August 26, 2014
- ◇ Construction Details (Sheet 2 of 2) Dated August 26, 2014
- ◇ Proof that taxes are paid current
- ◇ Gloucester County Planning Board Report of Action Dated September 16, 2014
- ◇ report of Engineer, Mr. James Spratt, PE dated September 9, 2014
- ◇ report of Planner, Leah Furey Bruder, PP, AICP, dated September 4, 2014
- ◇ App-1 3 Photos of signage proposed
- ◇ App-2 Kensington architectural elevations and floor plans
- ◇ App-3 Venice Model architectural elevations and floor plans
- ◇ App-4 Shakespeare architectural elevations and floor plans

WHEREAS, The Planning Board of the Township of Elk has met at public hearing on September 17, 2014 to review the application pursuant to the applicable rules of the Planning Board, the Ordinances of the Township of Elk, the State and County laws and regulations and to consider the testimony and evidence submitted by the Applicant, the Public and the Board Professionals; and

WHEREAS, it appears that the Applicant has followed all procedures in making its application, and that the application, plans and all documents and material submitted therewith were reviewed by Planning/Zoning Board Engineer, the Planning/Zoning Board Solicitor and Planning/Zoning Board members, and the application was found, with submission waivers, to be complete and in conformity with all applicable laws and regulations; public notice was proper and in conformance with the law and the Board had jurisdiction to hear the matter; and

WHEREAS, the Board made the following findings and reached the following conclusions based upon the testimony, representations and the application materials:

1. The Applicant requests minor site plan and conditional use approval, with variances for a residential sales model home park consisting of 9 model homes to service the approved Aura subdivision (formerly known as Grande at Elk or Camelot). The proposed model homes are proposed to be located along the main entrance at Cortland Boulevard on proposed Block 29.03, Lots 1-5 and proposed Block 29.04, Lots 11-14.

2. The Applicant initially proposed to construct three (3) model homes along with a parking area to accommodate 14 cars. At the hearing, the plan was amended to include up to nine (9) model homes with on-street parking. The on-lot parking area was eliminated. The plan shall be revised to depict the locations of each model home site.

3. The model park will be contained within Section 1 of the overall development. The lot numbers shown on the plan correspond to the lot numbers on the approved subdivision plans, although the file plat for the subdivision has not been recorded at the County Clerk's Office.

4. The Aura property has frontage on Richwood Aura Road (C.R. 667) and Ewan-Aura Road (C.R. 623). Access to the development is only proposed from Richwood Aura Road. The site is within the RE Rural Environmental Residential district, and is surrounded to the south and west by other properties in the RE district, to the east by property in the R Rural Residential district and to the north across Raccoon Creek by properties in Glassboro Borough, which are being developed with age-restricted housing.

5. Land to the south is the location of the proposed "Aura II" and "Latham Park" developments.

6. Temporary sales offices within an approved residential subdivision are conditionally permitted in residential zoning districts in accordance with the requirements of section 96-79D of the Township Code and are considered accessory uses.

7. Sales offices are only permitted to be in operation during the period necessary for the sale of the lots in the residential subdivision being constructed at that location. The models may not be used for sales of properties in other locations. It appears that all of the conditions for this use set forth in the ordinances of the Township will be met with the exception of those conditions related to the permitted temporary signage for the models home/sales offices. Since all of the conditions are not satisfied, a "D(3)" variance is required to permit a deviation from a standard pertaining to a conditional use (in this case for the signage).

8. The *Coventry Square* decision, requires that for a deviation from conditions imposed on a conditional use (a D(3) variance) the Applicant must demonstrate: 1) that the site continues to be appropriate for the proposed use despite the fact that the proposal deviates from the conditions imposed on the use, and 2) that any problems that could be brought by the deviations from the standards and conditions can be accommodated by the site.

9. In support of its request for a variance, the Applicant testified that the model homes shall only be utilized during the sales of units in this project. The Applicant testified that the homes would be converted to private residences within 7 years.

10. The Applicant has agreed that all of the architectural elevations of the model homes as constructed on site shall differ in appearance from each other to insure a variety and enhanced aesthetic of the streetscape. Only three architectural models were presented at the public hearing. The Applicant agreed that prior to any additional models being constructed on site the architectural elevations of the new models shall be submitted to the Planning Board office for review to confirm this variation of style. The Applicant confirmed there would be no repetition of product within the model home park. The entrances to the sales offices will be on the side of the garage with a sidewalk leading to the entrance. From the street the office will look like a residential home.

11. Section 96-79D(4) requires that the developer's obligation to restore the land shall be secured by a performance bond. The performance bonds for this infrastructure of this section have already been posted. An additional performance bond shall be posted to guarantee the removal of the temporary pedestrian crosswalk and the two handicap ramps located on either end of the crosswalk. All applicable performance guarantees pertaining to the infrastructure improvements in Section 1 shall be in place prior to commencement of any work in the park area.

12. The Applicant shall file the subdivision prior to any building construction.

13. Parking is required pursuant to ordinance section 96-79.D(6)(b) at one parking space per salesperson plus a minimum of five additional spaces per sales office. The Applicant proposes only fourteen parking spaces (one handicapped) in a paved parking lot. The Applicant testified that each sales office would have no more than two staff persons and that there would be a maximum of five (5) sales offices. This equates to a requirement of 35 parking spaces if the maximum number of sales offices are constructed. During testimony the Applicant and the Board decided a more workable design would be to eliminate the parking lot and provide for on street parking along Courtland Boulevard. 18 spaces would be available on street parking. A variance is required.

14. Section 96-79D(5) requires that the sales office be properly buffered and landscaped. Since the sales office will have the appearance of a residential dwelling and since hours of operation are limited to typical business hours, typical residential landscaping will be adequate. The Applicant has provided a typical landscape plan for the model homes which the Board planner has reviewed and approved.

15. An evergreen screen has been provided on three sides of the proposed portable toilet.

16. It is a condition of this approval that all street trees shall be installed along Cortland Blvd in front of each lot which will contain a model home and the plantings shall be installed in the traffic island prior to the utilization of the first sales office.

17. The separation between phase 1 and 4 of this project will be marked by a temporary break in the island and a fence. All required improvements, curbing, etc will be bonded until the Boulevard is fully opened and operational.

18. The hours of operation for the model homes will be from 10:00 am to 6:00 pm and the Applicant agrees that lighting will be turned off after the offices have closed (by 7pm).

19. The Applicant has added pedestrian crossing signs and a cross walk between the depressed curbs across Cortland Boulevard. The plan was revised to show these details.

20. There will be on street parking for the sales offices. The plan shall be revised to remove the parking lot and the two (2) associated directional signs. The Applicant shall stripe the parking

spaces on the street and depict these on the plans. There will be no parking on either side of the traffic islands. The Applicant will work with the Board Engineer to design the parking.

21. The Applicant must install a sign at the intersection of Cortland to alert traffic that Cortland is not a thru street.

22. There is one handicap space to serve the first three models. When the fourth model is constructed another handicap space will be required.

23. The fence closing off Cortland will be removed when the model park closes. The Applicant and all of the individual builders constructing models in this project, will include a point of sale disclosure which alerts the buyers of residential units on Cortland sections 4 and 5 of the project that the fence is erected to close off Cortland from traffic and that this barricade will remain in place until the last model home is converted to residential use. This notice will also be recorded upon the land records of the County of Gloucester.

24. It is a condition of this approval that if traffic concerns are raised by the Township Officials or the School Board, Cortland may be opened as a through street.

25. The sidewalk will be extended along the full length of Cortland to complete the streetscape aesthetic.

26. There will be no dumpster on site. The cleaning crews will take the trash and the recycling out with them during routine cleaning of the sales offices.

27. The Applicant is permitted to provide temporary signage in accordance with Section 96-79.D(6)(i), but the signage requested exceeds that permitted and variances are required.

28. The use is permitted one freestanding sign, a maximum of 6 square feet in area and 4 feet in height to identify the sales office. The Applicant requests individual freestanding signs identifying each sales office and business hours for each builder, 15.75 square feet in area and 4' 6" high. A variance is required for the size and number of signs.

29. The use does not permit a freestanding sign identifying the name of a model home. The Applicant is requesting an individual freestanding sign for each of the potential nine (9) model homes, 5.25 square feet in area and three (3) feet in height. A variance is required for these signs.

30. The Ordinance allows the sign copy to include the name of the developer and development and "Sales Office". The sign copy includes some additional information related to the hours of operation. A variance is required.

31. The Applicant presented depictions of the proposed signage which indicates that the signs will all be designed with a common color and design scheme. Variation from the specific

dimensions and design would require additional review. If the information on the signage must be changed the sign must be professionally redone.

32. The plans shall be revised to include the submission data required by the Board professionals in their reports attached hereto as Exhibit "A".

33. A handicap accessible portable toilet is proposed within the model park. Prior to the start of the use of the model homes, they will be fully serviced by water and sewer. The Applicant will work with the Board Engineer for the placement of the portable toilet and to insure adequate landscaping to hide and buffer the unit.

34. The approval granted by Resolution 2014-11 is void ab initio.

35. The meeting was opened to the public and no member of the public rose to address the Board regarding this application.

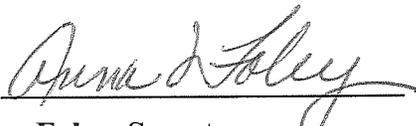
36. The Board finds that the site is appropriate for the model park and that the representations made by the Applicant address the deviations and concerns raised. The Board believes the parking will be shared by the models and will be adequate. Variances were granted for the deviations from the conditions attached to this use. After review of the requested variances and the Board finds that there is a need for the additional signage and the improvements agreed to by the Applicant, will mitigate the negative impacts of the deviations from the ordinances. The Board finds that there is no substantial detriment to the public good or the plan for this area set forth by the Ordinances. On balance the benefits of the variances outweighed the negative impact. The Board granted the variances subject to the conditions set forth in this Resolution.

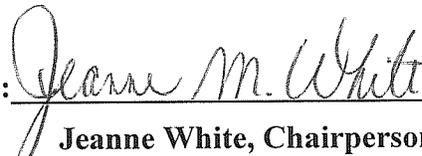
37. The bonding for the site will be supplemented to include the crosswalk and the fencing.

NOW, THEREFORE, be it resolved by the Planning Board of the Township of Elk that the application for minor site plan approval, conditional use approval with variance for the construction of a model home park on Block 29 Lot 24 is **GRANTED** subject to the conditions outlined above.

ATTEST

ELK TOWNSHIP PLANNING BOARD

By: 
Anna Foley, Secretary

By: 
Jeanne White, Chairperson

Voting in favor of the action: Carter, Hughes, McKeever, Shoultz, White, Goss

Certification

The undersigned, Secretary of the Planning Board of Elk Township, hereby certifies that the above is a true copy of a resolution adopted by said Board on the 15th day of October 2014, memorializing its decision of September 17, 2014.



Anna Foley



September 4, 2014

Elk Township Planning/Zoning Board
680 Whig Lane
Monroeville, NJ 08343

Attn: Anna Foley, Board Secretary

Re: Aura Development Group, LLC
Minor Site Plan with D(3) Variances for Signs
Block 29, Lot 24
Richwood-Aura Road (County Route 667)
RE Rural Environmental Zoning District
Elk Township SP-14-05
Bach Associates Proj. # ET2014-1

Dear Chairperson and Members of the Board;

We have received the minor site plan and conditional use variance application for residential sales model homes at the approved Aura I subdivision (formerly Grande at Elk), submitted by Aura Development Group, LLC. The applicant proposes to construct a three (3) model homes along with a parking area to accommodate 14 cars. The model homes are each to be located on approved residential lots, and the temporary parking area will also be located on a proposed residential lot. The model home park is proposed to be located along Cortland Boulevard, which intersects with Richwood Aura Road and is the main access boulevard in the development.

Revised plans were submitted in response to the initial planning and engineering review letters. This letter should supersede our August 18, 2014 review.

Site Overview

The applicant initially received preliminary subdivision approval for a 318 unit age-restricted residential community in October 2004, received final subdivision approval in August 2006, and received a four year extension of the approval in August 2007 (extension to October 18, 2012) for the development that had been known as "The Grande at Elk". In March 2011 the applicant received Planning Board approval to convert the approved development from an age-restricted residential community to a non-restricted development in accordance with N.J.S.A. 45:22A-46.3 through 46.16 (known as the "Conversion Law", signed into law in 2009).

The conversion application reduced the total number of housing units from 318 to 218 in order to ensure that the sewer capacity available will be sufficient to serve the development. Of the total 218 houses, 174 are for single family homes and 44 are for affordable townhomes (20% as required by the Conversion Law). The applicant has submitted revised compliance plans and has been working with the Planning Board's professionals to achieve resolution conformance for the "Aura I" development. In February 2014 the applicant received the Board's approval for signage for the development as well as alterations to the proposed phasing and roadway ownership. In May 2014 the applicant received the Board's approval for a temporary sales trailer to be located along Richwood Aura Road for a maximum of one year. The site

improvements are currently under construction.

The property has historically been farmed and has frontage on Richwood Aura Road (C.R. 667) and Ewan-Aura Road (C.R. 623). Access to the development is only proposed from Richwood Aura Road. The site is within the RE Rural Environmental Residential district, and is surrounded to the south and west by other properties in the RE district, to the east by property in the R Rural Residential district and to the north across Raccoon Creek by properties in Glassboro Borough, which are being developed with age-restricted housing. Land to the south is currently farmed, but is the location of the proposed "Aura II" and "Latham Park" developments.

The purpose of this letter is to address the completeness of the application and to provide planning related comments and recommendations.

Submission Items

The applicant has submitted the following items in support of this application:

1. Land Development Application dated July 29, 2014, Affidavit of Applicant, Affidavit of Ownership, Escrow Agreement dated July 29, 2014, Disclosure Statement, List of property owners within 200 feet, Tax Certification, Letter from Michael Canuso dated July 29, 2014 outlining the proposal.
2. Land Development Checklist dated July 29, 2014.
3. Model Home Site Plan consisting of two sheets prepared by Henry J Haley, PE of Consulting Engineer Services, dated July 28, 2014 and revised through August 26, 2014.
4. Construction Cost Estimate for temporary site improvements and removal of same, prepared by Henry J Haley, PE of Consulting Engineer Services, dated August 27, 2014.

Completeness

The applicant has submitted the land development checklist for the minor site plan application. The Board's engineer prepared a completeness review letter dated August 13, 2014 and the applicant provided a response letter dated August 27, 2014. We offer the following supplemental comments with regard to completeness. **At the hearing the Planning Board will first consider the waiver requests, and if the waivers are granted the site plan application may be heard.**

- The application indicates that the application is for three model homes and a parking area as shown on the site plan, but the applicant also indicates that approval is sought for four additional model homes that are not identified. The applicant should identify the four model home sites in order for them to be considered as part of the approval. *The applicant indicates that this will be addressed at the hearing.*
- **#71** requires the applicant to provide the location and details for solid waste and recycling. *The applicant indicates that trash will be disposed of off-site by the sales people. The applicant should describe the procedure for handing both trash and recyclables during the time that the homes are used for a commercial (sales office)*



purpose.

Model Home/Sales Office Use

Temporary sales offices within an approved residential subdivision are conditionally permitted in residential zoning districts in accordance with the requirements of section 96-79D of the Township Code. The model home sales office is considered a conditional accessory use to the construction of the residential subdivision. The sales office is only permitted during the period necessary for the sale of the lots in the residential subdivision being constructed at that location. It appears that all of the conditions except those related to the permitted temporary signage for the models home/sales offices will be satisfied. Since all of the conditions are not satisfied, a "D(3)" variance is required to permit a deviation from a standard pertaining to a conditional use (in this case for the signage).

Standard of Proof for "D(3)" Variances

Typically for "D" variances it is the applicant's obligation to present the "Positive" and "Negative" criteria to justify the variance. The applicant must prove to the satisfaction of the Board that there are "special reasons" for the Board to exercise its jurisdiction to grant the requested relief, demonstrating that the site is particularly suited to the proposed development and that the proposal will advance the purposes of Municipal Land Use Law and the Township's Master Plan and Zoning ordinances (POSITIVE). The applicant must also show that the variance can be granted without substantial detriment to the public good and that the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance (NEGATIVE).

The *Coventry Square* decision requires that for a deviation from conditions imposed on a conditional use (a D(3) variance) the applicant must demonstrate: 1) that the site continues to be appropriate for the proposed use despite the fact that the proposal deviates from the conditions imposed on the use, and 2) that any problems that could be brought by the deviations from the standards and conditions can be accommodated by the site. Specifically the applicant should address the effect of the deviations on the surrounding properties and reconcile the deviations with the ordinance requirement that the conditions be met.

The following comments are provided for the Board's and the applicant's consideration:

1. **Overall.** The proposed model homes are proposed to be located along the main entrance Boulevard on proposed lots 3 and 4 in proposed block 29.03, and lot 13 in proposed block 29.04. Lot 14 in proposed block 29.04 will contain the temporary parking area for the model home park. Since the final subdivision plats have not yet been filed, the application is for the existing lot number 24. The applicant should confirm that the intent is to file the subdivision prior to any construction. As noted above, it is recommended that the locations of the four additional model home sites be identified on the plan. The applicant indicates that the sales trailer previously approved will not be needed if the model home park is approved, and will not be constructed.
2. **Temporary Sales Office Conditions.** The conditions for the conditional accessory use are set forth in section 96-79D. The following should be addressed.
 - a. The sales trailer is situated within the residential subdivision and will only be utilized during the period necessary for the sale of the lots in the subdivision.

The applicant should indicate the anticipated time frame for use of the model homes. .

- b. Section 96-79D(4) requires that the developer's obligation to restore the land shall be secured by a performance bond. The application notes that performance bonds for this section have already been posted. A cost estimate for the removal of the temporary facilities and restoration of grading has been provided for review.
 - c. The applicant should confirm for the record that the proposal will comply with the conditions set forth in 96-79D(1) through (7), with the exception of (6)(i) related to signs which is detailed below.
- 3. Parking.** Parking requirements are set forth in section 96-79.D(6)(b). One parking space per salesperson plus a minimum of five additional spaces are required. Though not explicitly stated, this code section seems to assume that there is one sales office. Since the development may have three separate builders, there may be a sales office in three of the model homes. The applicant proposes a total of fourteen parking spaces (one handicapped) in a paved parking lot. The handicap space must be paved to meet ADA requirements. The applicant should provide testimony in support of the number of parking spaces relative to the total number of model homes proposed.
- 4. Landscaping and Lighting.**
- a. Section 96-79D(5) requires that the sales office be properly buffered and landscaped. Since the sales office will have the appearance of a residential dwelling and since hours of operation are limited to typical business hours, typical residential landscaping will be adequate. The applicant has provided a typical landscape plan for the model homes.
 - b. An evergreen screen has been provided on three sides of the proposed portable toilet.
 - c. The applicant has added clusters of shrubs around the perimeter of the temporary parking area.
 - d. The applicant agrees that parking lot lighting will be turned off after the offices have closed (by 7pm).
- 5. Pedestrian Safety.** The applicant has added pedestrian crossing signs and a cross walk between the depressed curbs across Cortland Boulevard.
- 6. Signage.** The applicant is permitted to provide temporary signage in accordance with Section 96-79.D(6)(i).
- a. One freestanding sign, a maximum of 6 square feet in area and 4 feet in height to identify the sales office is permitted. The applicant proposes:

- i. 2 freestanding signs that are 15 square feet in area, directing customers to the parking area. The total height of this sign should be identified. One is proposed within the Cortland Boulevard right-of-way median, and one on the lot containing the proposed parking lot. **A variance is required for the size and number of signs.**
 - ii. Two freestanding signs identifying the sales office and business hours for a builder, 15.75 square feet in area and 4' 6" high. Two such signs are shown on the plan, but the applicant requests that one be permitted for each builder. In the past the applicant has indicated that there will be three builders. The applicant should indicate whether the request is for 3 such signs, and if so identify the third location. **A variance is required for the size and number of signs.**
 - iii. Three freestanding signs identifying the name of the model home (one for each model), 5.25 square feet in area and 3 feet high. Three are shown on the plan, but if the applicant adds additional model home locations then additional signs would also be required (up to ??). **A variance is required for the number of signs.**
- b. The signs must be located so that they will not impede traffic or sight triangles. Testimony should be provided at the hearing.
 - c. The sign copy may include the name of the developer and development and "Sales Office". The sign copy includes some additional information related to the hours of operation. **A variance is required.**
 - d. As shown on the site plan, the signs will all be designed with a common color and design scheme. The applicant should confirm that the design scheme among the various signs will be consistent. Variation from the specific dimensions and design would require additional review.

Please call with any questions. We reserve the option to make additional comments as more information becomes available.

Very truly yours,
BACH Associates, PC

Leah Furey Bruder, PP, AICP

cc: Joan Adams, Esq.
James Spratt, P.E.
Aura Development Group, LLC
Henry Haley, PE
Robert Bower, PP



FEDERICI & AKIN, P.A.
CONSULTING ENGINEERS

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Bret T. Yates
 Director of Marketing

September 9, 2014
 File No. 14054

Township of Elk
 Planning/Zoning Board
 680 Whig Lane Road
 Monroeville, New Jersey 08343

RE: Aura Development Group, LLC
Block 29, Lot 24
Richwood – Aura Road
Application for Minor Site Plan Approval
Review No. 2

Dear Chairman White and Members of the Board:

We received the following items submitted in support of an application for minor site plan approval with respect to the above-referenced property.

- | | |
|------------------------------------------------------------------|-------------------------|
| ◇ Cover letter from Consulting Engineer Services | Dated August 27, 2014 |
| ◇ Engineer’s Estimate for Proposed Temporary Site Improvements | Dated August 27, 2014 |
| ◇ Engineer’s Estimate for Removal of Temporary Site Improvements | Dated August 27, 2014 |
| ◇ Model Home Site Plan (Sheet 1 of 2) | Revised August 26, 2014 |
| ◇ Construction Details (Sheet 2 of 2) | Dated August 26, 2014 |

Introduction

The applicant is seeking minor site plan approval to allow a portion of the previously approved Aura I residential development to be utilized as a sales and model park for the development. The subject parcel is situated along Cortland Boulevard immediately west of its intersection with Winesap Way and lies within Section 1 of the overall development. The parts on the northerly and southerly sides of Cortland Boulevard lie within proposed Blocks 29.03 and 29.04, respectively. The lot numbers shown on the plan correspond to the lot numbers on the approved subdivision plans, although the file plat for the subdivision has not been recorded at the County Clerk’s Office.

This application was submitted on July 29, 2014, and we issued completeness and technical review letters on August 13th. Our comments regarding the current submission follow below. The comments as enumerated correspond to the numbered comments in our previous review letters.

Completeness

1. **Open:** The plan shows site improvements and grading for three (3) sample homes and a parking lot. However, the applicant is requesting approval for the three units shown on the plans plus an

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additional four (4) models not shown on the plans. The application should be amended to request approval only for the lots shown with improvements or it should be deemed incomplete. The applicant's engineer stated this issue would be addressed at the hearing.

2. **Waiver Requested:** Checklist item 13 requires metes & bounds & geometry. The lot layout shown on the plan appears to be consistent with the major subdivision plans. However, no bearings or distances are shown on the plan. Site Data Note 5 has been revised to indicate the date and revision date of the approved Plan of Lots. I have no objection to waiving this submission requirement for completeness only.
3. **Satisfied:** Checklist item 20 requires the names of all property owners within 200 ft. The Site Plan has been revised to include the list of property owners as appropriate.
4. **Waiver Requested:** Checklist item 29 requires a Phase 1 Environmental Impact statement. As these lots are completely within the approved subdivision, I have no objection to waiving this requirement for completeness and for review.
5. **Waiver Requested:** Checklist item 33 requires a statement demonstrating compliance with the affordable housing requirements. I defer to the Board Solicitor on this possible waiver item.
6. **Waiver Requested:** Checklist item 38 requires photographs of the site. As the subdivision is under construction, I have no objection to this being waived.
7. **Satisfied:** Checklist item 47 requires a landscape plan with schedule & dimensions. The Model Home Site Plan has been revised to include this information.
8. **Waiver Requested:** Checklist item 48 requires distances along the rights of way to intersections. I have no objection to this being waived.
9. **Waiver Requested:** Checklist item 59 requires soil borings. As the subdivision is under construction, I have no objection to this being waived.
10. **Waiver Requested:** Checklist item 64 required drainage design & plans. As the subdivision is under construction, I have no objection to this item being waived.
11. **Waiver Requested:** Checklist item 66 requires commitment from the sewer & water utility. I have no objection to this being waived.
12. **Open:** Checklist item 68 requires floor plans and front elevation views of the buildings. This item should be provided before the application is deemed to be complete. The applicant's engineer indicated this information is to be provided under separate cover.
13. **Waiver Requested:** Checklist item 69 requires floor area data, ratio and allocation to uses. I have no objection to this being waived.
14. **Satisfied:** Checklist item 73 requires wetlands LOI or Permit documentation. NJDEP requires that this information be shown on all site and subdivision plans as well. The plans should be amended with NJDEP permit information shown prior to the plans being deemed complete. This may be addressed by adding a note indicating the NJDEP LOI file number and reference to a plan illustrating the wetlands boundary line.



15. **Waiver Requested:** Checklist item 74 requires stormwater management & control documentation. As this is part of an approved major subdivision, and no significant grading changes are proposed, I have no objection to waiving this requirement.
16. **Waiver Requested:** Checklist item 75 requires utility plans & profiles. The applicant proposes no changes to the subdivision plans. This item can be waived.
17. **Satisfied:** Checklist item 81 requires traffic control signage & details. The plans have been revised as appropriate to satisfy this requirement.

Review Comments

1. **Open:** The plan shows site improvements and grading for three (3) sample homes and a parking lot. However, the applicant is requesting approval for the three units shown on the plans plus an additional four (4) models not shown on the plans. The application should be amended to request approval only for the lots shown with improvements or deemed incomplete. To ensure conformity with the approved subdivision plans, all lots associated with the sales and model park should show the improvements proposed with the site plan application. As noted above, the applicant would like to respond to this issue during the Planning Board meeting.
2. **Satisfied:** The Model Home Site Plan has been revised to include appropriate information referencing the Plan of Lots on which the layout is based.
3. **Satisfied:** The plan was revised to include a note requiring regrading of the parking lot for compliance with the approved grading plan when the temporary improvements are to be removed.
4. **Satisfied:** The developer is obligated to remove all facilities associated with the temporary parking lot and to regrade the site as necessary to ensure continuity with the overall grading and drainage scheme. The developer must post a performance guarantee with the Township to ensure that obligation is secured. The applicant's engineer submitted a cost estimate as a basis of determining the amount of the guarantee to be posted. The estimate is acceptable as submitted. Posting of the guarantee in the amount of \$11,892.00 as indicated on the engineer's estimate should be a condition of approval, if granted by the Board.
5. **Satisfied:** The aforementioned cost estimate reflects all temporary facilities (walkways, ramps, etc.) to be constructed solely to serve the sales and model area as appropriate.
6. **Satisfied:** The plan has been revised to provide an accessible route from the handicap parking stalls to the sidewalk along the street as required.
7. **Satisfied:** The plan was revised to specify driveway widths of twelve feet (12') as required. In addition, directional arrows are specified on the pavement surface to clarify one-way traffic through the lot.
8. **Satisfied:** The plan has been revised to denote the required 9-foot by 18-foot dimensions for non-handicap parking spaces, as required.
9. **Partially Satisfied:** The applicant shall provide testimony regarding the proposed hours of operation of the sales office. The plan was revised to indicate the parking lot lights shall be turned off by 7 p.m. The applicant should confirm this during testimony.



10. **Partially Satisfied:** The applicant shall provide testimony regarding the use of the proposed portable toilet. In particular, the testimony should indicate if it is intended for employee use only or for visitors as well. In addition, the applicant should testify regarding the length of time the facility would be in use before public sewer service would be available. The applicant's engineer indicated no portable water supply is proposed.
11. **Satisfied:** The plan shows handicap ramps on the opposite sides of Cortland Boulevard in front of Lots 12 and 4 on the southerly and northerly sides of the road, respectively. To ensure compliance with applicable handicap accessibility requirements, the plan was revised as follows:
 - a. The ramps have been repositioned to be directly opposite each other instead of offset.
 - b. The ramps shall be provided with detectable warning surfaces. A detail has been added to the plan illustrating the method of construction.
 - c. A painted crosswalk shall be provided leading between the two ramps.
12. **Satisfied:** §96-79.D(5) indicates the sales office should be buffered with landscaping. The plan has been revised to call for landscaping in this area. We defer to the Board Planner for comment regarding the acceptability of the landscaping.
13. **For Information Only:** Since the proposed sales and model park are situated within part of an approved major residential subdivision, all applicable performance guarantees pertaining to the development Section 1 infrastructure improvements should be in place prior to commencement of any work in the park area. This should be a condition of any approval granted by the Board.

If you have any questions regarding this application, please feel free to contact this office at your convenience.

Very truly yours,

FEDERICI & AKIN, P.A.

James A. Spratt, P.E., C.M.E.
Board Engineer

JAS/

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