

MINUTES OF THE PLANNING BOARD MEETING
Thursday, May 20, 2021

Present:

Chairman Larry Lonergan
Deputy Mayor Alex Roman

Mr. Tim Camuti

Ms. Jessica Pearson

Mr. Jason Hyndman

Mr. Greg Mascera, Planning Board Attorney

Vice Chairman Jim Kirby

Mayor Jack McEvoy

Mr. Al DeOld

Mr. Steven Neale

Ashley Neale, Planning Board Secretary

Meeting called to order at 7:31 P.M. by Chairman Lonergan. This meeting was held via Zoom Video Conferencing due to COVID-19 pandemic.

Pledge of Allegiance:

Chairman Lonergan reads Open Public Meetings Act Statement and explains how the public can raise their virtual hands to participate in the meeting.

Public Hearing

Chairman Lonergan asks if anyone from the public would like to address the board on topics not on this meeting's agenda. No one from the public came forward.

Review of Township Ordinance 2021-14

"ADOPTING THE REDEVELOPMENT PLAN ENTITLED "THE FIRST AMENDED AND RESTATED SUNSET AVENUE REDEVELOPMENT AREA REDEVELOPMENT PLAN" PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW N.J.S.A. 40A:12A-1 *et seq.*

Chairman Lonergan notes for the record that a letter was submitted to the Board Secretary, from Erica Devila, from 32 Sunset Avenue dated May 10, 2021.

Chairman Lonergan expresses his disappointment in the overall Ordinance, noting it limits the Boards ability to review certain aspects, and gives more authority to the Township Engineers. Mr. Kirby expresses his concern about the Ordinance waiving compliance with the Townships Steep Slope Ordinance.

Chairman Lonergan notes for the record that Mr. DeOld is present at 7:37PM. There is some discussion amongst the Board about if the Board should be going through to Ordinance and making a report about its content, or if they are strictly reviewing the consistency with the Master Plan. Mr. Mascera clarifies that the Board is able to do both and should provide the Township Council with any comments they feel necessary.

Chairman Lonergan asks Deputy Mayor Roman to explain this Ordinance from the Council's point of view. Deputy Mayor Roman notes that the intention of this Ordinance was to restructure some of the language in the original Ordinance the Board reviewed back in February. He adds the goal was to avoid ambiguity and that all other Township Code Book Ordinances apply, except what is written. He notes that an analysis was done regarding steep slopes, and it was determined if that ordinance was enforced it could limit the ability to build on the property. Mayor McEvoy notes that there was pushback regarding the exemption from the Tree Removal Ordinance and the Storm water Ordinance in the original review, which were changed from this version. Deputy Mayor Roman comments that regarding the

screening of the parking lot, the Ordinance calls for plantings instead of a wall because the Council thought that would be better.

Ms. Pearson comments that on Page 2, the Steep Slope Ordinance not being upheld is highly inconsistent with the Master Plan, section 5 Environmental Features, and Section 7 number 5 under Goals. She continues by explain the importance of the Steep Slope Ordinance and its goal to protect the ridge, and properties, such as this that are environmentally sensitive. She expresses concern that the Engineer was substituted for some of the Board's duties, she would like the Board to have a voice in the decision making process for the buffer zones. She adds moving on to page 13; she does not understand why buffer zones would not be applicable in certain portions of the site. She also disagrees with balconies and porches permitted in buffer zones.

Chairman Lonergan asks Deputy Mayor Roman about the mention of a pool, and what type it would be. Deputy Mayor Roman responds that a regular swimming pool is what is in the conceptual plans and settlement agreement. Mayor McEvoy notes that it would be located in the courtyard, and not next to the residential houses. There is discussion about buffer zones, plantings in such zones, and detention basins. Mayor McEvoy notes the ordinance calls for a 30-foot buffer zone on the frontage of Afterglow and Sunset. Deputy Mayor Roman comments on the 9x18 parking space size, noting that if they were to agree to 9x20 spaces, the overall footprint of the parking area would be larger, adding that if the developer makes the spaces too small it would affect the marketability of their building. He also adds the Council wanted to keep the building size constrained as much as possible, while getting the number of units. Mr. Mascera asks about overflow parking onto the surrounding streets. Deputy Mayor Roman notes that in that case the Townships overnight street parking regulations would apply. He adds that the developer has built projects similar to this, and they feel there is adequate parking. He compares this project to Annin Lofts, where Annin has 1.5 spaces per unit, and this project is proposing 1.9 spaces per unit. Mayor McEvoy notes that they are close to complying with the Zoning Ordinance and are speaking with the developer to try to add a couple more to be in compliance.

Mr. Camuti comments that he agrees with prior Board members concerns about limiting the Planning Boards review powers. He adds that in his opinion this Ordinance is more consistent with the redevelopment agreement, than the Master Plan. He expresses concern about this high-density building, considering the surrounding zones are R100 and R70 low to medium density. He reiterates the concern about the Steep Slope Ordinance being inapplicable and the environmental concerns of the area. He notes his concerns with the height of the building and obstructed views from signage.

Ms. Pearson points out an inconsistency on page 13 regarding the number of feet for the buffer zones, one page says 30-feet the other says 50. Deputy Mayor Roman clarifies that the intention is to have a 50-foot buffer zone, with 30 feet of that being densely planted. Ms. Pearson suggests making that clearer, since the Board will be unable to comment on buffer zones in the Site Plan approval. There is some discussion on buffers and setbacks, and clarifying what the intention of the wording should be.

Mr. Hyndman notes that he believes the original report submitted by the Board to the Council in February is still applicable, in regards to the consistency with the Master Plan. He continues by stating on page 2 of the Ordinance when they talk about the state plan calling for pedestrian oriented area, and this site being appropriate because of its location to the extended town center. He does not feel the language is applicable because the Master Plan, in section 8 identifies the extended town center as a district that has modified bulk standards. He notes that the Ordinance states it is appropriate because they are converting a non-residential use to a residential use. Mr. Hyndman comments that schools are compatible with residential zones, therefore is inapplicable. He reiterates his concern with transferring the Planning Board ability to review some of the bulk standard to the Township Engineers. He suggests adding visual guidelines for bulk regulations into the document.

Mr. Hyndman suggests clarifying the language regarding the parking requirements. Ms. Gleis from Benecke Economics responds that she agrees there could be clarification that the 1.9 is a minor deviation from the RSIS standard. The RSIS would require this development to have 1.91 parking spaces per unit, making it about three spaces short.

Mr. Kirby agrees with previously stated concerns, specifically the omission of the Steep Slop Ordinance. He asks if this would be setting a poor precedent. Mr. Mascera clarifies that all applications are taken individually and because this is

an Area in Need of Redevelopment, different rules apply, therefore setting no precedent. Mr. DeOld comments he is in agreement with the previous Board members concerns, specifically regarding the signage. They are proposing a 26 square foot sign where 20 is the maximum permitted. He does not agree they need a sign to be that large. He is also concerned about the provision of balconies permitted in buffer zones. Mr. Neale also agrees with the rest of the Board members, noting some of the language could be clearer. He adds his concerns would also be the steep slopes issue, and feels the signage is unnecessarily large.

Chairman Lonergan calls for a break at 9:03 PM. The meeting is called back to order at 9:15 PM.

Chairman Lonergan asks if any members of the public would like to make comments or ask questions on this matter. No members of the public came forward.

There is discussion with Mr. Mascera regarding having enough information to proceed with a report to the Township Council. Chairman Lonergan asks that the letter from Erica Davila be taken into account, as it reiterated many of the Boards concerns.

Adjourn

After a motion made by Ms. Pearson and seconded by Mr. DeOld, there was a unanimous vote to adjourn at 9:23 PM.

Respectfully submitted,

Ashley Neale
Planning Board Secretary

PLEASE NOTE: Meeting minutes are a summation of the hearing. If you are interested in a verbatim transcript from this or any proceeding, please contact the Planning Board office at 973-857-4805.