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Florence, New Jersey 08518-2323
June 20, 2011

The regular meeting of the Florence Township Planning Board was held on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Vice Chairman Lutz called the meeting to order at 7:30 p.m. followed by a salute to the flag.

Vice Chairman Lutz then read the following statement: "I would like to announce that this meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been provided and posted in the main hall of the Municipal Complex."

Upon roll call the following members were found to be present:

Mayor Bill Berry	Dennis O'Hara
Tim Lutz	Paul Ostrander
James Molimock	Thomas McCue
Wayne Morris	

ABSENT: Mildred Hamilton-Wood
Frederick Wainwright

ALSO PRESENT: David Frank, Esq.
Dante Guzzi, P.E.
Joseph Petrongolo, P.P.

SWEARING IN AND SEATING OF NEW MEMBERS AND/OR ALTERNATES

Solicitor Frank administered the Oath of Office to Class IV Alternate No. 2 Thomas McCue.

RESOLUTIONS

Resolution PB-2011-04

Adopting Preliminary Investigation Report Recommending Boundaries of Proposed Former Duffy School Redevelopment Area, Block 45, Lots 8, 9, 10, 13, 14 and 15, and recommending that the Governing Body declare the parcels as "In Need of Redevelopment" pursuant to N.J.S.A.40A:12A-1 et seq. and finding proposed Redevelopment Plan consistent with Master Plan.

Motion of Molimock, seconded by Morris to approve Resolution PB-2011-04.

Upon roll call the Board voted as follows:

YEAS: Berry, Molimock, Morris, Ostrander
NOES: None

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ABSTAINED: Lutz, O'Hara, McCue
ABSENT: Hamilton-Wood, Wainwright

MINUTES

Motion of Morris, seconded by Ostrander to approve the Minutes of the May 16, 2011 meeting as submitted. Motion unanimously approved by all members present.

CORRESPONDENCE

- A. Letter from Burlington County Planning Board dated May 18, 2011 regarding L. B. Solar, Block 165.01, Lot 4.02.
- B. Letter from Planning Board Clerk, Nancy Erlston to Township Clerk, Joy Weiler dated May 17, 2011 regarding Redevelopment Designation and Redevelopment Plan for the former Duffy School area.
- C. Florence Township Ordinance 2011-05. An Ordinance of the Township of Florence Establishing a Redevelopment Area to consist of Block 45, Lots 8, 13, 14 and 15 and commonly known as the former Marcella Duffy School on West Second Street, and 203 West Second Street, identified as Block 45, Lots 9 and 10 and currently occupied as a single-family dwelling.

Motion of Berry, seconded by Ostrander to receive and file Correspondence A thru C. Motion unanimously approved by all members present.

APPLICATIONS

Vice Chairman Lutz called for Application PB#2011-01 for Duffy Manor, LLC. Applicant is requesting Preliminary and Final Major Site plan approval for converting former Marcella L. Duffy Elementary School into 66 units of Affordable Senior Housing on property located a 225 (a.k.a. 208) West Second Street, Florence, NJ. Block 45, Lots 8 (a.k.a. 8, 13, 14 and 15).

Attorney Michael Supko stated that prior to the substantive portion of the presentation the applicant would like to address a few procedural items. He asked if based on the notices submitted did the Board accept jurisdiction at this time? Solicitor Frank stated that he had reviewed the mailed and published notices and they were adequate. There was some complexity with the notices for the public utilities but the applicant has provided affidavits from each of them indicating that they are waiving the 10 day period for notice.

Attorney Supko stated that in order to address some of the submission waivers at this time he would mark the engineering letter prepared by Dante Guzzi Engineering dated June 14, 2011. Solicitor Frank marked this as Exhibit A1.

Mr. Supko stated that on page 2 of this letter there are submission waivers A through H.

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The applicant is requesting submission waivers for Items A, E, F, G and H at this time and will comply with those submission requests contained in B, C, and D.

Engineer Guzzi stated that he would address the waiver items.

Item A is the Environmental Impact Statement. The applicant has submitted some information regarding environmental impacts so he would support a partial waiver of this requirement.

Item E is test borings to the water table. This application is exempt from stormwater management. They have some stormwater management but no recharge that would prompt the requirement for soil boring so this waiver would be supported.

Item F is existing elevations extending 100 feet past the property line. Since this property really encompasses almost an entire block, information for across the street isn't really necessary. He stated that the applicant had provided adequate information and said that he would support the waiver.

Item G is half cross-sections every 50 feet and at critical points. This is the requirement for additional elevations in the roads. The applicant is basically installing driveways but not providing any roadway improvements or right of way improvements that would require that. The waiver would be supported.

Item H is the loading space. The applicant doesn't need a loading space and will be seeking a waiver. For the purposes of moving forward with the application the submission waiver would be supported at this time.

Motion of Berry, seconded by Morris to grant the submission waivers and deem the application complete.

Upon roll call the Board voted as follows:

YEAS: Berry, Lutz, Molimock, Morris, O'Hara, Ostrander, McCue

NOES: None

ABSENT: Hamilton-Wood, Wainwright

Attorney Supko called all his witnesses to be sworn in. Barbara K. Schoor, Vice President of Community Investment Strategies and managing member of the applicant, Duffy Manor, LLC. Steven Schoch, principal of Kitchen and Associates Architects in Collingswood, Frank Miskovich, Traffic Consultant with Birdsall Services Group, and Rocco Palmieri, Senior Vice President Birdsall Services Group, civil engineering project manager for the application were all sworn in by Solicitor Frank.

Attorney Supko asked Rocco Palmieri to provide his background and qualifications in experience of appearing before municipal boards. Mr. Palmieri stated that he was a licensed professional engineer and land surveyor in the state of New Jersey. He said that

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he has a BS in civil engineering and a MS in environmental engineering from New Jersey Institute of Technology. Mr. Palmieri stated that he had worked in the field of engineering for approximately 40 years and stated that he has appeared before many Boards and Councils throughout the state of New Jersey as an expert. He stated that the first 15 years of his career were spent as a full time municipal engineer for a municipality in northern New Jersey and for the last 25 or so years has been in private practice as a consultant. The Board accepted Mr. Palmieri as an expert in the field of civil engineering.

Mr. Palmieri submitted Exhibit A2, which was a colored rendering of the landscape plan dated June 2, 2011. He stated that the application is for the Marcella Duffy property in Florence Township. The property is 1.03 acres in total area. It is bounded on the south by West Second Street, on the west by Summer Street, on the north by a public alley and on the east by an existing residential property.

The existing Marcella L. Duffy School is located on the property and has an approximate square footage of 52,000 sq. ft. The surface drainage flows in an east to west direction and also from a north to south direction by way of an overland flow into existing catch basins that are located at the corner of Summer and West Second Street. Some of the drainage from the north side of the property also drains overland and gets into the existing street drainage system, which runs along Summer Street and a portion of the existing drainage runs along the alley and out to Spring Street on the easterly end of the property.

The applicant is proposing to construct a new 64,701 sq. ft. three story building. There would be 66 senior housing units (age restricted affordable housing). 61 of which are one bedroom units and 5 are 2 bedroom units. The project proposes to reconstruct the alleyway to improve it. They are also proposing to remove the sidewalks that are located along Summer Street and West Second Street and replace them with new sidewalks. 40 on site parking spaces are proposed, 20 are angled parking spaces along the alleyway to the north and 20 additional parking spaces located in a parking lot on the easterly end of the property. Additionally the plan is to re-stripe 13 parking spaces for designated use along West Second Street. When the school was operating the spaces were not available all day long. Once this project is constructed those parking spaces would become available all day.

Mr. Palmieri stated that there would be new underground water and sewer connections to service the building and the applicant has already met with the representatives of the Township's Water and Sewer Department to coordinate the installation of a water line which would include a domestic as well as a fire sprinkler line and a new sanitary sewer connection.

There is a very intense landscaping plan that has been proposed and consists of deciduous trees, evergreen shrubs, and ornamental plantings that would provide for year round color and minimize maintenance and also provide for some screening. Along the easterly end of the property there is an existing 10' high chain link fence. This fence will be removed

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and replaced with a 5' high vinyl fence that will serve as a screening fence along that edge of the property. The total impervious coverage on site from a stormwater management perspective has been reduced from the existing of approximately 95% down to approximately 89% for the proposed condition. So there will be more green space on the proposed project than exists today. From a stormwater management perspective that is a positive attribute to the application and will reduce runoff to a certain extent. A detailed stormwater management report, which concludes that the peak rates of runoff for the storms that need to be measured (the 2 year, the 10 year and the 100 year storm) will be either equal to or less than the existing condition.

Mr. Palmieri said that the plan proposes 7 pole mounted light fixtures, 4 to be located along the alley and 3 located along West Second Street. Wall mounted light fixtures are proposed at all the entranceway to the building. In order to provide for "green type" energy efficient building, LED lighting is proposed. Each light pole will be 20' high with 74 watt lamps on each of the poles providing the lighting on site.

He said that there is an 8'4" wide and 4'1 1/4" high decorative masonry ground mounted monument sign proposed to be located at the southeasterly corner of the proposed building.

Council Representative O'Hara asked if the lights located along the alley would be screened so that they would not shine light into the adjacent residences. Mr. Palmieri stated that these are shoebox downward illuminated light fixtures and they will project light downward and will not have a negative impact. He stated that a lighting plan has been provided which identifies the intensity of the lighting at the perimeter of the property. This will be discussed in more detail when we go over the professional review letters.

Attorney Supko submitted Planner Petrongolo's review letter dated June 14, 2011 as Exhibit A3.

Mr. Palmieri stated that there was a discrepancy in the floor areas listed on the plans. He said that the engineering plans list the proposed building as 64,400 sq. ft. The architectural plans list it as 65,701 sq. ft. The architectural plans include the balconies for the buildings so that is the more accurate number and the engineering plan will be revised to reflect that.

Mr. Palmieri directed the Board to the Planner's report dated June 14, 2011. He stated that there are a number of items in the report that they will comply with and listed them specifically. They are Items 1, 2, 6, 7, 8, 9, 10, 11, 12, 13 17 and 20.

He stated that on page 4 Item 3 regarding the loading space is the first item. The applicant has not proposed a loading space for this project. Community Investment Strategies is in the business of providing affordable housing projects such as this and they do not typically provide or need a formal loading space for any of their operations. This is a residential use. The typical type of deliveries are made by small vehicles that can

park in a standard parking space for 10 or 15 minutes, make their drop off or pick up and then leave, or they could park in the parking lot. There is really no need for a formal loading space and a waiver is requested.

Planner Petrongolo asked about trucks used by residents as they move into or out of the facility. Mr. Palmieri stated that moving trucks would access the site from West Second Street. There is an area that is approximately 50' wide that has been designated as a no parking area on the striping plan and typically this is where they would come in. He stated that this is for senior affordable housing and there is not the typical moving van type of need associated with families moving in. The experience of Community Investments Strategies has been that the residents bring very little furniture with them.

Planner Petrongolo stated that he has no objection to waiving the loading space from a planning perspective.

Mr. Palmieri stated that Item 4 is a request for a design waiver from Section 91-111 of the code, which indicates that parking spaces are to be served by on site driveways. The proposed parking on the north side of the building will access the parking spaces from the public alley. He stated that this is a suitable situation. The proposal is to have one-way traffic only in the alley. The alley will be widened in some areas and will be paved so that it is an improved roadway.

Solicitor Frank stated that in the event that the Board chooses to grant this waiver, it would of course be subject to Council passing an ordinance to grant a one-way alley. Engineer Guzzi asked if Mr. Palmieri was comfortable with the width of the alley with respect to vehicles being able to back out of the parking spots. Mr. Palmieri answered that the angle of the parking spaces is suitable for their needs. There are more than 24' backing out. Engineer Guzzi stated that this is a good use of the space and the parking will be off of the alley.

Council Representative Dennis O'Hara asked for the number of proposed parking spaces. Mr. Palmieri stated that there would be 40 spaces provided. He stated that the redevelopment ordinance that was recently adopted requires .6 parking space for every unit. This proposal is for 66 units so 39.6 parking spaces are required. The applicant is proposing 40 directly associated with the property. There are 20 angled parking spaces located along the north side of the building and accessed by the alley. There are an additional 20 spaces that will be located on the easterly side of the building and this will be accessed by a 2 way driveway that runs through the parking lot. The plan also proposes the striping of 13 additional spaces along West Second Street so there will be a total of 53 spaces provided.

Mr. Palmieri stated that Item 15 regarding the impact of the lighting on the adjacent properties. He stated that the proposal is for all downward illuminating light fixtures. The major intensity will be at the parking area directly below the light and for a limited distance beyond. On Sheet 8 (Lighting Plan) the intensities are shown at the property line. On the easterly end of the property the footcandle is approximately .1 footcandle off

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the edge of the property. The existing chain link fence will be removed and a 5' high vinyl fence will be installed that will provide additional screening and diminish the lighting intensity at the property line. Along the alleyway the footcandles vary from .2 to .3. They begin to taper off as you go toward that opposite side of the alleyway. He stated that there are no homes in the immediate area of the alleyway. The homes are fronting on Front Street. He stated that they believe that an intensity of .3 for an alleyway that provides for parking in an area such as this is appropriate and will not be intrusive to any of the residents or to their properties.

Planner Petrongolo stated that he had discussed this comment with Mr. Palmieri earlier. He asked that the 0.0 grid should be shown on the plans just to make sure that there is no impact to any adjacent residents or properties. Planner Petrongolo stated that LED lights do really reduce the offsite impact onto adjacent properties.

Planner Petrongolo questioned the height of the proposed fence next to the residential property and asked why not put a 6' fence? Mr. Palmieri stated that as long as 6' is permitted in the ordinance they would install a 6' fence.

Item 16 regarding wall-mounted lighting rather the pole mounted in the area of the angled parking. Planner Petrongolo stated that this was just a suggestion and if Mr. Palmieri prefers pole-mounted lighting there would be no objection.

Item 18 Section 91-119B states that the garbage pickup location should be located separately from parking and loading areas. Mr. Palmieri stated that the proposal is for the trash and recycling collection area to be located along the alley immediately into the alleyway at the northwest side of the building. Based upon the traffic flow and the design of the building this is the best location rather than trying to locate a dumpster in the parking lot. Once the alley is designated as one way it will provide for a much smoother flow and an easier pickup point. Trash is currently collected on the alley for the residential properties so they believe that this is the best location. It is safe. The vehicles can access both of those points and the maintenance personnel for the facility will work in conjunction with the municipal collection people to set the cans up for recycling and trash collection on the day it is to be collected.

Planner Petrongolo asked if the trash would be in a dumpster. The concern being a large truck pulling into the alley to empty the dumpster and then backing out of the alley onto Summer Street. Mr. Palmieri said that the recycling would be in rollout carts that would be picked up and then the truck would continue down the alley. Vice Chairman Lutz said that the rollouts were for recycling. He asked if trash would be stored in a dumpster. His concern would be the ability for the truck to make the turn and then the back end of the truck would be sticking out into Summer Street while the dumpster was tipped.

Mr. Palmieri stated that there was almost 45' of total distance from the alley to the dumpster location. The truck would pull in, back up slightly to tip the dumpster and then continue down the alley. He said that he does not feel that this would be an issue. Council Representative O'Hara stated that he had read a report stating that there would be

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once a week trash pickup and asked if the dumpster can handle the trash from 66 units? Mr. Palmieri stated that the dumpster will be 6 cubic yards and will be able to handle the trash. He stated that if it turns out that an additional collection has to be made it could be arranged. This size dumpster is adequate for the other facilities that Community Investment Strategies is operating right now.

Item 19 requires testimony regarding conformance with COAH requirements. Mr. Palmieri stated that the proposal is for affordable housing units and additional testimony could be provided by Ms. Schor if required.

Mr. Palmieri stated that for Item 20 all new utilities would be located underground and the applicant has already met with representatives of the Water and Sewer Department. A note will be added to the plans to this effect.

Planner Petrongolo stated that he did not object to any of the waiver requests made by the applicant.

Mr. Palmieri referred the Board to Engineer Guzzi's report dated June 14, 2011. He said again there are a number of items that the applicant will comply with. Those would be Items 6, 8, 11, 12, 13, 15, 16, 17, 18, 20, 22, 23 through 30, 33, 34, 35, 36, 37 and 39 through 41.

Mr. Palmieri stated that Item 1 they had applied for a design waiver from Section 91-73 regarding the minimum curb radii in the municipal right of way, which is 25'. The proposal is for 10'. They are essentially leaving the radii at the municipal boundary as they are existing today. Engineer Guzzi stated that he had no issue with this.

Item 2 regarding Section 91-87(I) the plans should show street lighting within 100' of the site whereas information within 55' has been provided. A design waiver is required. He stated that any lighting beyond 55' from this site isn't going to affect this property at all. New lighting is being proposed for the site. Engineer Guzzi stated that he agrees that adequate lighting will be provided.

Item 3 relates to the 10' high chain link fence being within the front yard. He stated that this fence will be removed and the new fence will be in conformance with the ordinance.

Item 4 regarding Section 91-111 stating that access to parking spaces should be from internal on-site driveways. Mr. Palmieri stated that testimony has already been given regarding the proposed access from the municipal alleyway.

Item 5 Section 91-113 requires that concrete curb be provided around all off street parking, whereas no curbing is proposed along the paving adjacent to the eastern property line. The parking lot at the eastern end of the site drains towards a common swale that runs out along the property line with the residential property and then out to the street. The proposal is to leave the curbing out and provide bumper guards so that the drainage flow will continue in that same direction. A waiver is requested. Responding to a

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question from Engineer Guzzi, Mr. Palmieri stated that there would be no increase in stormwater flow onto the neighbor's property. He stated that this is an existing parking lot. Engineer Guzzi stated that he doesn't have problem with this as long as there isn't an increase in the flow to the neighboring property.

Item 10 regarding the submission of 2 existing conditions plans shown. One was sheet 2 of the set and one was a separate submittal. The separate submittal was actually the boundary survey for the property. It was entitled "Existing Conditions". They are actually the same drawing and one was submitted as the boundary and one with the full set. Engineer Guzzi asked to have the title block corrected.

Item 13 Mr. Palmieri stated that they realize that they have to get the "One Way" designation from the Council.

Item 14 Mr. Palmieri stated that testimony had already been given regarding the access to the trash dumpster and the recycling area.

Item 15 Mr. Palmieri stated that he would discuss compliance with the ICC standard with Mr. Guzzi.

Items 31 and 32 relative to the lighting intensities have already been addressed.

Item 34 the construction access drive will be relocated from the alleyway to the proposed parking lot.

Item 38 testimony was given regarding the proposed trash container (dumpster).

Items 30, 40 and 41 regarding the stormwater report, Mr. Palmieri stated that he would address this with Mr. Guzzi. Engineer Guzzi stated that he has had several conversations with Mr. Palmieri and he thinks that they have worked out a stormwater management plan that meets the municipal requirement as well as the state requirement and more importantly will work and not impact any surrounding properties.

Planner Petrongolo stated that he had one comment in regards to the fence along the side property line. Section 91-92 D2 fences are not permitted in the front yard. The front yard runs from the front façade of the building towards the street. The fence that runs along the side of the parking lot may extend into the front yard. He stated that he thinks that the fence should run the length of the parking stalls to provide the appropriate buffer and it should be 6' high. Mr. Palmieri stated that the front yard requirement under the redevelopment ordinance is 5'. Planner Petrongolo said that the ordinance defines it as extending from the front façade of the building. Mr. Palmieri stated that the fence is set back 5'. Planner Petrongolo agreed that no waiver would be necessary.

Mr. Palmieri stated that there were no variances being sought as part of this application.

Engineer Guzzi asked for testimony on Item 7 regarding the parking requirement. Mr.

Palmieri stated that the traffic engineer would testify on that. Council Representative O'Hara asked Engineer Guzzi if his parking calculations were different than what the applicant presented. Engineer Guzzi stated that you have to look at the redevelopment ordinance that was passed. That was the .6 number and the applicant's plan meets that. Then you also have to look at the Residential Site Improvement Standards (RSIS), which includes a great deal of additional parking. He said this is why it was important to get testimony on the record justifying the discrepancy and dealing with that shortfall from the RSIS standard. Solicitor Frank stated that this body does not have the authority to grant a departure from the RSIS. If there is a departure then it has to go to the DCA for approval.

Vice Chairman Lutz asked where the construction entrance would be located? Engineer Guzzi stated that the construction entrance is shown off of Second Street. Vice Chairman Lutz stated that he wants to minimize the storage of construction equipment, storage trailers and supplies on the street. He doesn't want to negatively impact the neighborhood.

Council Representative O'Hara asked where the people who would be working on the site would park? Engineer Guzzi stated that parking on site would be very limited during the construction phase, what little parking space there will be taken up by construction trailers. There most likely will be on street parking by the tradesmen during the day, but hopefully this won't cause too much of a conflict as the residents will be at work during the hours that the tradesmen are there.

Mayor Berry stated that he doesn't want to see a construction trailer left on the street during the entire construction phase. He suggested that the lawn area at the west side of the site could be set up as parking during construction. Mr. Palmieri stated that the logistics of how the building gets constructed would have to be set up by the contractor.

Solicitor Frank stated that there could be a condition that during construction all deliveries would be via the construction entrance on West Second through the future parking area at the east end. There will be no parking of construction trailers or storage of materials on the street.

Attorney Supko stated that rather than impose all these conditions at this time, the applicant would prefer, if the application were approved, to have pre-construction meetings to iron out these issues. He called Barbara Schoor, representative of the applicant to comment on the proposed condition.

Ms. Schoor said that she feels that it is premature to place a restriction on deliveries from West Second Street and she would be reluctant to agree to something that isn't feasible. She stated that she understands the concern and said that they have dealt in well-developed areas, like this, before and would meet with the Township's engineer and chief of police and work out the appropriate arrangements. Ms. Schoor agreed that there would not be a trailer parked on the public street.

Solicitor Frank stated that there would be 2 conditions. One would be the pre-

construction meeting with the Township officials to work out how to deal with logistics and the other would be no construction or storage trailers on the street. Vice Chairman Lutz suggested that there be a staging plan submitted to Engineer Guzzi prior to the pre-construction meeting.

Ms. Schoor responding to question by Member Morris stated that there would be security cameras that will monitor the entryway and the parking area around the building.

Attorney Supko called the applicant's traffic engineer, Frank Miskovich. Mr. Miskovich stated that he has been a licensed engineer in the state of New Jersey since 1976. He said that he had a BS in civil engineering from the Newark College of Engineering and a MS in civil engineering from the New Jersey Institute of Technology. Mr. Miskovich stated that he has approximately 20 years of experience in county government and served 12 years as the Middlesex County Traffic Engineer. He said that for the last 22 years he has been involved in traffic engineering. He has represented a number of municipality's throughout the state and has appeared before a number of Planning and Zoning Boards throughout New Jersey and had a short stint as the Township Traffic Consultant for neighboring Mansfield Township. Mr. Miskovich was accepted as an expert in the field of traffic engineering.

Attorney Supko submitted Exhibit A4, the traffic report prepared by Mr. Miskovich. Mr. Miskovich stated that age restricted housing; especially senior housing is one of the lower traffic generators. He stated that they looked at the amount of traffic that this 66 unit building could generate and they used Institute of Transportation Engineers (ITE) data found in their trip generation publication (8th generation). They also did studies at similar facilities. The data shows approximately 9 trips during the morning, 11 in the evening and 20 trips on a Saturday. These are totaled in and out movements. This is less than 1 vehicle movement every 3 minutes for this type of use.

Mr. Miskovich stated that they also compared this with the former Duffy School. Even though the school was closed they were able to look on line for the number of students and teachers present when the school was open. They took these numbers and looked at the traffic generation for that. When the school traffic was compared to the senior housing it was determined that there would be a significant decrease of 168 trips in the morning. In the evening hours where the school activity would be less intense there would be 49 less trips. So this use will generate considerably less traffic than the prior school use. On a Saturday there was not much data available for school use but with 20 trips in an hour (10 in and 10 out) it is still not a significant movement. He stated that when he looks at the roadway network, which is basically a grid, it is his opinion that the traffic could easily be handled on those area streets for this particular community.

Mr. Miskovich referred the Board to Item 7 of Engineer Guzzi's report, which deals with the comparison to the Residential Site Improvement Standards. The proposal is for 0.6 spaces per unit, which is per the redevelopment ordinance. This requires 39.6 spaces and 40 spaces are proposed on the alleyway and in the parking lot. The RSIS really deals with parking for residential type uses but if you look in the requirements there is nothing

specific for senior housing or for affordable housing. The RSIS tells you to look at the requirement for retirement community, which is the closet, to look at the most common land use type. It might be a high rise; it might be a garden apartment. It has no relationship to actual parking requirements for this type of user.

Mr. Miskovich said that the RSIS has a trip generation requirement of about 25% to 30% for senior housing compared to single-family homes. He stated that if he applied this 25% to 30% reduction to the 120 figure that was in the report the requirement would be down to about 25 to 30 parking spaces for this particular use. Mr. Miskovich stated that he thinks that RSIS recognizes that senior housing and definitely affordable housing has lower traffic generation characteristics which would seem to imply that there would be a lower parking requirement. Since RSIS doesn't state anything specific, he stated that it is their interpretation that they should rely on some empirical data, which was provided in the traffic report dated May 16, 2011 and prepared by Birdsell Engineering

Mr. Miskovich said that the RSIS also shows that if it can be demonstrated that there is statistical evidence to show that something different should be applied based upon local conditions then the Board could consider that. He stated that they had looked at similar sources for this data and all were consistent with what was proposed.

Mr. Miskovich said that Item 19 of Engineer Guzzi's report regarding sight distance at the driveways and whether the driveways from the parking lot onto the alley and onto Second Street allow for safe exit from the site. Mr. Miskovitch said that in his opinion they do exit safely. The report does contain certain criteria for sight distance, which is based on the NJDOT design manual on speed limits. However, when you look at this there are 2 components that must be considered. There is stopping sight distance, which is if a car is traveling down Hornberger toward the site driveway and a car is exiting the driveway there is enough time to react and stop. The other kind is called intersection sight distance. If a car is stopped on the side street it can see the vehicle coming and there is enough time to pull out, accelerate in either direction and not have that vehicle catch up. Mr. Miskovich stated that this site exceeds the intersection sight distance and the stopping sight distance.

Mr. Miskovich stated that they have a parking lot that exits onto a public street and public streets often have parking along side, which makes it somewhat difficult to see. However, ITE, ASHTO and the Department of Transportation look at parked vehicles as a temporary obstruction. When they look at sight distance they look at permanent buildings, bushes, things that provide some sight distance obstructions. The reality is that you stop at the stop line. If you can't see you creep out a little bit so you can see.

Vice Chairman Lutz asked Mr. Miskovich for his opinion as to whether the trash/recycling location being an obstruction for the parking spots located closest to it. He also stated that he is concerned with this area being located close to the residences as opposed to shifting this down to the area closer to the bank and funeral home.

Mr. Miskovich stated that earlier in the project they had discussed the location and they are approximately 50' in from the curb line of Summer Street before they get to the first parked vehicle. More than likely in this operation it would be a front-loading trash truck. It is anticipated that the truck would turn into the alley load up back up into the alley and then continue along the alley. He did say that there may be drivers who want to back out of the alley onto Summer Street and this can't be controlled. Mr. Lutz stated that he was concerned about the location of the enclosure obstructing the backing out motion of the first 2 parking spaces. Mr. Miskovich did not think that this would be an obstruction. He stated that it would be similar to backing up in a parking lot with a car parked on either side. Plus the alley doesn't have a lot of heavy traffic; it is more like a parking lane. He stated that if you pull it closer to the bank you are conflicting with the handicap spaces.

Mr. Miskovich stated that they could work with the Board's engineer to see if it would be practical to move the trash/recycling center.

Vice Chairman Lutz said that he is also concerned that when Rocco's finishes their site improvements, customers leaving the restaurant would go straight down the alley rather than turning onto Summer Street.

Attorney Supko called the applicant's architect, Steven Schoch. Mr. Schoch stated that he was a principal of Kitchen & Associates Architects. He said that he was licensed as an architect in New Jersey as well as 8 other states. Mr. Schoch said that he has a Bachelor of Architecture from Carnegie Mellon University in Pittsburgh and has appeared before many Boards, including this Board as an expert witness. The Board accepted Mr. Schoch as an expert.

Attorney Supko submitted Exhibits A5 and A6. A5 is a conceptual elevation and A6 is an enlarged conceptual south elevation.

Mr. Schoch stated that the building functions as a center corridor double loaded building with residential units to both sides. The resident entrances are from roughly the center of the building on West Second Street as well from the alley in the back. If you are parking in the lot you are walking back to the midpoint. This is one of the reasons that the handicap striped parking spaces are the spaces closest to the building entrances. Right off of these central entrances is the management office so there is visual control of all people entering and leaving the building. The elevators, trash room, laundry facilities and some lounge space are all located in this central area. The one exception is on the ground floor where all the way on the western edge is where the main community room is located. This opens to the paved patio and green space.

Mr. Schoch referred the Board to Exhibit A5, which shows the West Second Street elevation on top and then a photograph in a proportional scale of the existing Duffy School. He stated that the applicant has worked with the Historic Preservation Commission in crafting the elevation, not so it is an exact duplicate of the former school but so that much of the balance and the proportions and the historic details are reused. Especially around the center area the arched entrance and flanking towers are being

maintained. Mr. Schoch referred the Board to Exhibit A6. This shows some of the details that are being used for example the entablature that is above the archway is being salvaged and is being replaced in that same location at the top right above the entrance. They have carried the brick all the way up instead of truncating it at a lower level. They have increased the proportions of the 2 flanking tower elements that ventilate and give it that same kind of signature. So that while it is not a school any more it still has that same kind of civic presence on the site. Some of the detailing, brickwork and cast stone medallions are going to be salvaged, cleaned and reset into the building.

Mr. Schoch stated that he wanted to refer to a couple of the items listed on the professional's letters. On Engineer Guzzi's review letter there were two items that were not yet addressed. Item 29, which is for the retaining wall detail. This is for a short wall, 16" high and located around the ramp of access to a corner of the westerly plaza. This wall will be of a material to match the pavers so that it appears that the paver surface is exposed on that side, like an allen block. The second item had to do with lighting in this area. There is no site lighting shown on the photometric plan for this area but the intention is to provide some low level LED lighting flanking the doorway and pedestrian type bollard lighting to illuminate the edges of the patio. This will provide very low level illumination in the evenings.

Mr. Schoch stated that on Planner Petrongolo's letter there was item 14 about the architectural lighting, which was just addressed, and Item 21 regarding the green elements. He stated that part of the Redevelopment Area Plan criteria was to encourage buildings that were green and sustainable and have environmentally friendly aspect to them. The applicant will be enrolling the proposed building in a formal Leed certification program. This is a scoring criteria and a formal program that is 3rd party verified and run through the United States Green Building Council.

Mr. Schoch stated that this would be a Leed certified building, which means that all the units will be energy star certified. All the lighting as well as the HVAC systems will be very high efficiency. Solar panels are planned for an area on the roof. There will be attention to water saving devices and to indoor air quality. All of the building and decorating materials will be carefully selected so that they do not "off-gas" harmful pollutants to indoor air. They will also be using materials with recycled content and specifying things for very long lasting durability. Much of the landscaping will be drought tolerant which reduces the irrigation required. All of these things will contribute to the Green criteria.

Attorney Supko referred Mr. Schoch to Engineer Guzzi's letter Item 22 regarding the patio and paver patterns. Mr. Schoch stated that when the pattern is selected it would be added to the drawing and submitted. He stated that they would consult with the Historic Preservation Commission to be sure that it is compatible.

Planner Petrongolo asked if the utilities on the roof would be screened? Mr. Schoch stated that there is not going to be a screening enclosure but there is a short parapet wall that will encircle the perimeter of the roof and the utilities will be located along the

middle of the roof. From the pedestrian viewpoint on the street you will not be able to see the condensing units. The solar panels are flat so you would not see them either.

The Board asked if the utilities would generate noise. Mr. Schoch stated that there would be air conditioning units on the roof. The roof is at least 30' high, much higher than most of the residences. The middle of the roof is the place to locate these units in order to minimize noise.

Member O'Hara asked for a description of the trash and recycling enclosures. Mr. Schoch stated that he would defer to Mr. Palmieri for this but said that in the middle of the building there are rooms where trash comes down, is handled and then is manually moved to the trash enclosures.

Mr. Palmieri stated that the enclosures are board on board fence. Member O'Hara stated that Mr. Lutz had expressed concern regarding the safety of people backing up where those enclosures are located. He stated that he realizes that the impervious has been reduced slightly but there is minimum green space on this site. The green space is located in close proximity to the trash and recycling enclosures. He expressed concern that the trash enclosure might give off an unpleasant odor during the heat of summer. This might inhibit use of the green space in the warm months. He asked if there could be some evergreen screening added to mitigate this.

Attorney Supko stated that this was the end of their presentation.

Member O'Hara asked for the frequency of visitors to a facility like this. Barbara Schoor, Vice President of CIS, stated that she would like to say that they need a lot more parking because they like to have visitors for the people who will live there but the reality is that they don't get that many visitors. The .6 spaces per unit that is provided is adequate to serve the tenants, their guests and the anticipated 3 staff people on site. She said that it is anticipated that at least 20% of the population will be a frail, elderly population. These are people that will be living at the site and taking advantage of the housing services that are provided. This is not assisted living, it is still independent living but they do provide support services for elderly to allow them to age independently without going to assisted living or nursing homes. A number of those people definitely won't be driving. She said that she can comfortably say that the parking that is proposed is consistent to other buildings that are similarly located and there is no issue for overflow for guests.

Mayor Berry stated that some elderly people are still active and asked if there would be a place for storing bicycles. Ms. Schoor stated that this doesn't show on the plan, but they do intend to have a bike rack.

Solicitor Frank stated that the issue arose about the RSIS and their applicability to this project. He stated that it is his opinion that the RSIS is not applicable to this project because this is a redevelopment project as opposed to a typical project pursuant to the

Municipal Land Use Law (MLUL). The RSIS cite as their source authority the MLUL exclusively and not the separate statute of the Redevelopment Law. Second, the MLUL says specifically that the RSIS supercedes local development standards. When you look at the Redevelopment Law, which is a separate statute, in Section 40A-7C it says that Redevelopment Plans supercede all provisions of local development ordinances and in addition to that the Redevelopment Law itself has separate definitions for development and redevelopment. So you are looking at 2 separate statutes and the Redevelopment statute has made a very deliberate choice to speak about 2 separate things, development and redevelopment. Solicitor Frank concluded that in this case we are on pretty firm ground to resort to the practical answer to the question, which has been offered by the applicant's traffic engineer.

Motion of Berry, seconded by O'Hara to open the hearing to public comment. Motion unanimously approved by all members present.

Cathy Hutchison was sworn in by Solicitor Frank. Ms. Hutchison stated that she owns a building at 246 West Front Street, Block 45, Lot 1. This is a 4 unit apartment house on the corner of Front and Summer Streets. Ms. Hutchison stated that it seems like this proposal will be a great improvement over the current vacant school and thanked the Board for all the questions they have asked regarding the impact on the neighborhood.

Ms. Hutchison stated that she has owned the building for nearly 30 years. It has 3 one bedroom units and a 3 bedroom house. She stated that the tenant from the house and one of the apartments park on Front Street. The side apartment parks on Summer Street and the tenants from the back apartment park in the alley. She asked how this would project would impact the alley parking. She also asked if the Summer Street parking would be eliminated when Rocco's open their parking lot.

Mayor Berry stated that the parking lot for Rocco's would be one way enter through Front Street and then exit into the alley to Summer Street. Ms. Hutchison stated that currently there is parking on the right hand side of Summer Street if you enter from Front Street. Engineer Guzzi stated that Rocco's parking lot would not impact that at all. Whatever is legal now will still be legal when the parking lot opens. Ms. Hutchison said that she understands that they will lose the alley parking and wanted to be sure that her tenants would be able to park on Summer Street.

Ms. Hutchison stated that she also has a 4 bay garage that backs out onto the alley and wondered if there would be any impact on this. Engineer Guzzi stated that the full width of the alley would still be there. The parking that is going to be on the alley is actually on the Duffy property because the building is going to be narrower.

Ms. Hutchison stated her concern for the lighting and the noise because the bedrooms are on the back of those homes.

William Burkhardt, 203 West Second Street, was sworn in by Solicitor Frank. Mayor Berry stated for the record that Mr. Burkhardt lives right next the existing school on the corner of Second and Spring Streets.

Mr. Burkhardt asked for the direction of the one-way alley. Mayor Berry stated that the proposed parking is angled so that the traffic would go from Summer Street to Spring Street. Mr. Burkhardt stated that his garage sits right on the property line and cars have to pull out into the road to see around the garage. There have been several accidents at this corner. He stated that the garbage truck and recycling trucks run from Spring Street to Summer Street. Mayor Berry stated that once the alley is posted "One Way" the garbage and recycling trucks will have to observe the law. Mr. Burkhardt suggested changing the direction of the angled parking. He stated that this would also help with the recycling at the end of the alley. The truck would travel down the alley and be able to access the recycling without hanging out into Summer Street or having to back up. Mr. Burkhardt asked what the difference would be with which way the parking is angled. It doesn't make any difference as you not changing the number of spaces.

Attorney Supko stated that the applicant would look at whether the parking angle and traffic direction could be reversed. He stated that they would like to work with the engineer on this issue and the concern is that they don't want to lose parking spaces along the alley. Engineer Guzzi stated that Council would need to consider this as well in regards to impact to the businesses.

Mayor Berry stated that they would need to look at the sight triangle on the Summer Street side of the alley also.

Solicitor Frank stated that the decision as to which way the traffic is going to flow is a matter for Council. The Board would be approving a plan that has a certain number of parking spaces and has a certain representation as to the green space and the lighting amenities. So long as there is no substantive change to the performance of that as a result of flipping it, there is no reason why the applicant would have to come back to the Board.

Mr. Burkhardt stated that he was concerned about the parking lot that is adjacent to his property. He asked about the testimony that was given that there was some kind of grading for water to flow out. Engineer Guzzi stated that the applicant's engineer had testified that there is a natural swale along the property line. Mr. Burkhardt stated that the parking lot is higher than his yard and the water runs off the asphalt into his side yard.

Engineer Guzzi stated that there is a difference between "it runs onto his property" and "there is a natural swale that runs down the property line". Engineer Guzzi asked which is it? Mr. Palmieri said that the elevation that he saw showed that there was a swale in that location.

Engineer Guzzi stated that they would look at this with the applicant's engineer to make sure that there is no runoff into Mr. Burkhardt's yard. Mr. Palmieri stated that the elevations on the existing conditions plan show a high point at the end of the parking lot

of 24.18 draining out to the street at 23.42. Mr. Palmieri stated that Mr. Burkhardt's front yard appears to be at elevation 24 in comparison to 23.23 at the sidewalk behind the house. So there is evidence that there is some kind of swale there. It may not be working well. Engineer Guzzi asked if Mr. Palmieri would be amenable to look at this. Mr. Palmieri stated that he would.

Mr. Burkhardt said that he is concerned with older individuals parking in the parking lot with only a concrete barrier and a fence between the parking lot and his house. Engineer Guzzi stated that it looks like there is 5' proposed from the edge of paving to the property line, the wheel stops would be about 2' behind that and then there would be a fence. So the parking lot won't be as close to Mr. Burkhardt's house as it is now.

Mr. Burkhardt said that he is still not sure that this would stop a car if someone were to step on the gas rather than the brake. Engineer Guzzi stated that there is adequate space there. Member O'Hara asked Mr. Burkhardt for the distance from the property line to his house. Mr. Burkhardt stated that the house maybe 18' from the property line.

Attorney Supko stated the plans were reviewed by the police department in terms of safety and while he understands Mr. Burkhardt's concerns, they are hypothetical. Engineer Guzzi stated that maybe 2 of the problems could be solved with putting a curb in there. If the parking stalls were raised up to move that swale from the property line to the back edge of the parking stalls and let the water sheet flow out onto the street. The curb would provide a better barrier than the wheel stops.

Engineer Guzzi stated that earlier in the meeting we discussed a design waiver for not putting curb there because it impeded the natural flow of water leaving the property, going to the property line, perhaps this would solve 2 problems. Attorney Supko stated that the applicant would consent to the curbing.

Brian Boyle, 48 West Second Street was sworn in by Solicitor Frank. Mr. Boyle stated that traffic comes down the alleyway from Broad Street to Spring Street. There are other businesses there that get truck deliveries. The trucks can't make the turn onto Spring Street so they continue down the alley until they find a clear street that will allow the turn.

Mr. Boyle stated that he is not in favor of including the parking on West Second Street because there are a lot of residents that already park along West Second Street. He stated that he did not feel that the parking was sufficient.

Mr. Boyle asked to have the parapet wall higher to redirect the noise from the air conditioning unit. He stated that many senior places have their dumpsters stored indoors and this would eliminate the odors from the trash on a hot day.

Vice Chairman Lutz asked for a description of the air conditioning units. Mr. Schoch stated that each unit would have their own air conditioning unit and electrical circuits. He stated that the AC units are about the smallest on the market. They are 18" to 20"

square and stand approximately 2' high. These units are more efficient and quieter. Mr. Schoch stated that this is on the roof of a 3 story building that has parapet wall around it. Mr. Boyle asked to have the wall made a little taller. Mr. Schoch stated that they could look at this but it will not change the acoustics.

Mr. Boyle said that sometimes the senior is living in the unit but they have grandchildren living with them and those grandchildren have cars. Ms. Shoor stated that as part of the certification project for this to be under the COAH guidelines CIS does monitor all of the residents. Certifications are done yearly as to who is residing in the apartment. They do regular maintenance and housekeeping check where they determine whether there is any suspicion that someone may be living in the unit that is not under the lease. Of course under the Housing for Older Persons Act there are no children under 19 permitted in the building.

Member O'Hara asked if the roof mounted solar panels would have any impact on the air conditioners. Mr. Palmieri stated that the solar panels would not have any effect on the air clearance around the air conditioning units.

There being no one else wishing to speak, motion was made by O'Hara, seconded by Ostrander to close the public comment. Motion unanimously approved by all members present.

Solicitor Frank stated that this is an application for Preliminary and Final Major Site plan to approve this senior affordable housing unit. Waivers are required for on site driveways for the parking off the alley, loading area, separate loading and parking areas, existing street lighting and curb radii.

The conditions would be that Council approve the request and the direction for the "One Way" alley, 00 footcandle grid will be shown on the plan to ensure that there is no lighting impact on neighboring residents, 6' tall fence along the easterly sideline, recycling enclosure under the current direction must be the enclosure closest to Summer Street, roll outs for recycling and a private service will pick up the trash, during construction all deliveries and storage trailer, parking, staging, etc. will be in accord with a plan developed administratively with the Township Engineer and the Chief of Police and it will be worked through during the course of reconstruction meetings. In addition to that during construction there is going to be no parking of any storage trailers or positioning long term of material in the roadway. The applicant will work with the Board Engineer to investigate the reversal potential for the alley direction. The standard for not having to come back to the Board would be that they are able to deliver the same performance of parking, lighting, green space, etc. There will be a review of the grading of the parking lot with the Board Engineer to insure that there is not a flow of water onto the Burkhardt property and adding curbing which would direct the flow and enhance the safety of the neighboring property. In additional all the typical conditions of approval, escrows, etc. would have to be met.

34.

Mayor Berry motioned that he would like to open the public comment back up for one last question, seconded by O'Hara. Motion unanimously approved by all members present. Mr. Boyle stated that the neighbor's want to make sure that the site is kept clean during construction. Vice Chairman Lutz stated that he could assure the resident's that Mr. Guzzi's office and Mr. Layout, the Township Code Official do an excellent job of that.

Motion of Berry, seconded by Molimock to close public comment. Motion unanimously approved by all members present.

Motion of Berry, seconded by Morris to grant Application PB#2011-01 with the waivers and conditions as called out by Solicitor Frank.

Council Representative O'Hara stated that he has served on the Board for many years and he complemented the residents who came out to ask questions and state concerns and thanked everyone for their involvement.

Upon roll call the Board voted as follows:

YEAS: Berry, Lutz, Molimock, Morris, O'Hara, Ostrander, McCue

Vice Chairman Lutz stated that there was no other business.

Motion of Berry, seconded by Ostrander to open the meeting to public comment. Motion unanimously approved by all members present. Seeing no one wishing to comment, motion was made by Berry, seconded by Morris to close the public comment. Motion unanimously approved by all members present.

Motion of Berry, seconded by Ostrander to adjourn at 9:51 p.m.

Paul Ostrander, Secretary

PO/ne