

Florence, New Jersey 08518-2323
 April 24, 2018

The regular meeting of the Florence Township Planning Board was held on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Chairperson Hamilton-Wood called the meeting to order at 7:31 p.m. followed by a salute to the flag.

Chairperson Hamilton-Wood 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 to the official newspapers and posted in the main hall of the Municipal Complex."

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

Mildred Hamilton-Wood	Wayne Morris
Ray Montgomery	Mayor Craig Wilkie
John Pagano	Council Representative Ted Lovenduski

ABSENT: Thomas McCue, James Molimock, Carl Mattson

ALSO PRESENT: Solicitor David Frank
 Engineer Dougherty
 Planner Barbara Fegley

Clerk Federico mentioned that Mr. Morris, who has been unable to attend meetings this year due to an injury, had been sworn in by the Township Clerk's Office in January 2018.

RESOLUTIONS

- A. **Resolution PB-2018-10:** Finding Proposed Redevelopment Plan for Primestone Properties (Block 163.02 Lot 13.02 located on Hunts Circus Drive) Substantially Consistent with the Township's Master Plan and Recommending Adoption of the Plan Pursuant to N.J.S.A. 40A:12A-7(e).

It was the Motion of Councilman Lovenduski, seconded by Mr. Montgomery to approve Resolution No. PB-2018-10.

Upon roll call, the Board voted as follows:

YEAS: Lovenduski, Montgomery, Pagano, Wilkie, Hamilton-Wood

NOES: None

ABSTAIN: None

Motion carried

MINUTES

It was the Motion of Councilman Lovenduski, seconded by Mr. Pagano to approve the minutes of the regular meeting of March 27, 2018 as submitted. Motion unanimously approved by all those present.

CORRESPONDENCE

- A. Letter dated 3/28/18 from Burlington County Planning Board regarding Lennar.
 B. Letter dated 3/28/18 from Solicitor Frank to Mayor and Township Council regarding the Planning Board's Redevelopment Plan recommendation.

- C. Letter dated 3/29/18 from Burlington County Planning Board regarding Lennar.
- D. Letter dated 3/29/18 from Burlington County Planning Board regarding 500 Cedar Lane.
- E. Letter dated 4/3/18 from Maser Consulting regarding East Front Street, Block 60, Lots 4.05 & 8.
- F. Compliance Review No. 1 dated 4/5/18 from Engineer Dougherty regarding James Heupel, 1011 Potts Mill Road.
- G. Deed Review No. 1 dated 4/5/18 from Engineer Dougherty regarding James Heupel, 1011 Potts Mill Road.
- H. Report from Burlington County Soil Conservation District dated 4/2/18 regarding Academy Woods Apartments.
- I. Notice dated March 2018 regarding Kampack Incorporated's application for flood hazard area permit.
- J. Freshwater Wetlands Flood Hazard Application Notice dated 3/30/18 from PSE&G.
- K. Conformance letter dated 4/16/18 from Planner Fegley regarding James Heupel, 1011 Potts Mill Road.
- L. Deed Review No. 2 dated 4/19/18 from Engineer Dougherty regarding James Heupel, 1011 Potts Mill Road.
- M. Compliance Review No. 2 dated 4/19/18 from Engineer Dougherty regarding James Heupel, 1011 Potts Mill Road.
- N. Letter dated 4/11/18 from PSE&G regarding Freshwater Wetlands Letter of Interpretation – Line Verification.

Mayor Wilkie did bring mention that Correspondence "I" is in regards to Kampack. The correspondence reflects the address as Church Street; however, this is for the Roebing Steel Site and it is their flood hazard notification.

It was the Motion of Councilman Lovenduski, seconded by Mr. Morris to receive and file correspondence A through N. Motion unanimously approved by all those present.

APPLICATIONS

- A. **Application PB#2018-01:** Application for David Boudwin for Minor Subdivision with Bulk Variances for subdivision/lot line change on property located at 32 & 34 Fountain Blvd., Florence Township. Block 171.02, Lots 16 & 17.

Solicitor Frank swore in applicant David Boudwin and his engineer, Dante Guzzi of Guzzi Engineering. Mr. Guzzi is qualified as an expert in the field of site and civil engineering.

Mr. Boudwin stated that when his house, 34 Fountain Boulevard – Lot 17, and his neighbors' house, 32 Fountain Boulevard – Lot 16, were built, they discovered later that the corner of his neighbors' house, was built on his property line. He is here tonight to request the lot lines to be adjusted.

Mr. Guzzi displayed Exhibit A-1, which is a bigger version of what was submitted with the application, but his display has some additional markings on it. He stated that the red dash line shows the existing property line and you can see how the corner of the house on Lot 16 actually crosses the property line and is on Lot 17. What is being proposed is to draw a new line to separate the 2 lots of equal area so the lot sizes remain the same. It will also provide a 10' setback from the property line for the Lot 16 off of Fountain Boulevard and make a slight angle to the rear of the property line. It is a square foot for square foot trade off. The lots themselves do not meet current zoning standards for the AGR Zone (Agricultural); however,

this development was approved with different setbacks and bulk standards. There is no change proposed to the buildings and no change proposed to any of the structures or improvements on the properties. The applicant is just trying to adjust this lot line to eliminate the encroachment and make Lot 16 actually more conforming. When the development was originally approved, it was approved for a 100' minimum width required at the setback line and Lot 16 currently does not meet that, so this will make it more conforming.

Mr. Guzzi stated they have reviewed Engineer Dougherty's letter and there were 2 outstanding comments about a request for waivers that was not supported. One was in regards to the septic system. Mr. Guzzi stated he located the septic system and has sketched them each on their corresponding lots; which is approximately 8' for each septic system. With respect to drainage in general, that from the house, everything drains forward on Fountain Boulevard, and from the back, it drains back to the Assiscunk Creek. Mr. Guzzi stated the yellow highlighted portion on the exhibit is an existing draining easement which really serves no purpose, there are several drainage easements along this development on the outside. The 20' wide easement to the right of Lot 17 has pipes in it and pipes out towards the back to the creek and basin. He is suggesting that it might be prudent at this point just to possibly get that easement vacated if the Board wishes to do so. If not, the applicant is fine to just leave it as it is.

Mr. Guzzi also pointed out that there is a shed currently located on Lot 16 that is way off that property. This plan is that the shed will be removed or relocated.

Engineer Dougherty mentioned that in regards to his comments in his letter dated April 5, 2018 and as a matter of completeness, the testimony provided by Mr. Guzzi is sufficient for completeness. He agrees with the applicant that because this is a minor subdivision, there were many items that are not applicable in the application checklist. There were some items that were somewhat addressed by Mr. Guzzi but are a bit more substantial as they are asking for waivers: The Environmental Impact Statement, Delineation of the Wetlands, and all structures and wooded areas within 100 feet. With those 3 items, Engineer Dougherty did feel a waiver was necessary and has no objection to granting those waivers. These would really defer to the original subdivision, and since it is now an existing subdivision, it is not required for this application. He stated that Mr. Guzzi did refer to the utilities and drainage easements within the tract and the location of the drainage flow arrows. Engineer Dougherty's concern is that even though the proposed lot line is a better configuration, that in creating this new lot line, do any of the septic or well utilities fall onto the other property thus creating a separate problem. He noted that Mr. Guzzi has sketched the septics on the exhibit and provided testimony that the current utility placement will not create any problems with creating a new lot line. Mr. Guzzi has stated that the septics shown are on their correct corresponding properties and the well for Lot 16, which is currently not on Lot 16, will be on Lot 16 once the lot line has been adjusted. Mr. Guzzi has also stated that he will update the plans to show the septics and the wells as has been depicted here today. Engineer Dougherty stated that he has no problem deferring these as a condition of approval.

Engineer Dougherty stated Mr. Guzzi testified to the easement area and generally he finds that the easements follow the property line so that it creates a side yard swale, such as the roof drains to the side yard and to the rear of the property via the swale. He stated he does not advise vacating it because the original subdivision most likely had these side yard swales. Unless there was some additional investigation as to why it was created, he does not recommend that it be vacated and that it should be left as is. He asked Mr. Guzzi if they planned to change the configuration of the drainage easement to match the new property line

or just leave it as is. Mr. Guzzi stated they will just leave it as it is if the Board is in agreement. It would not make sense to change it because if it is there for the drainage of the grading that is there now, you would not want to change it. Mr. Boudwin stated he is not proposing any new improvements to the property, just looking to have the lot line adjusted.

Engineer Dougherty stated that with the above-mentioned deferrals, the application can be declared complete.

Mr. Morris asked if the change in lot line will meet the minimum requirement. Mr. Guzzi stated that it would not and does not meet any of the yard requirements for the AGR zone; however, all setbacks and yard sizes were approved with the subdivision. Mr. Morris asked if this subdivision would be filed by deed. Mr. Guzzi stated that it would.

It was the Motion of Mr. Montgomery, seconded by Mr. Pagano to deem this application complete. Motion unanimously approved by all those present.

Chairperson Hamilton-Wood asked Solicitor Frank that before hearing the application, did we need to have the other homeowner here. Solicitor Frank stated the other homeowner has consented to the making of application so no testimony is required from that homeowner. Clerk Federico confirmed that the owner of 32 Fountain Boulevard (Lot 16) did sign the application along with Mr. Boudwin.

Engineer Dougherty stated that the only other issue with regard to this application is the zoning itself. On page 3 of Engineer Dougherty's review letter, he has a table that would apply to what is required now, what's existing, and what's proposed in the current AGR zone. None of the Bulk Requirements meet the current zoning standard, but they are all pre-existing non-conforming so we wouldn't necessarily regrant those variances. The applicant is improving the situation. He is going from a -1.4, which is an encroachment on the other property, to a +10-foot setback. Because of this change, technically a variance is required, even though it's a positive change. Overall, Engineer Dougherty believes this is a betterment for the lot line to be adjusted and has no problem with the application proceeding tonight.

Engineer Dougherty stated the applicant did verify he is filing by deed which was a question on page 4 of his review letter. And the applicant also testified as to the drainage easement and that it would be left in its current spot if the Board did not wish to vacate it.

Engineer Dougherty stated he would like testimony from the applicant that the plans will be revised that the proposed conforming location of the shed that is to be relocated. His understanding is that the shed currently shown on Lot 17 actually belongs to the homeowner of Lot 16 and was improperly placed. Mr. Guzzi stated they are not sure where the homeowner will move the shed to, but they will say that the homeowner of Lot 16 will have to come in to the township to get a permit for the shed. And if at that time, they have to get a variance for the shed, will then come before the Zoning Board. The applicant would prefer to leave the shed on the plan "to be relocated" and make that a condition of approval and leave it up to the owner of Lot 16 to take care of the permit and placement. Solicitor Frank stated that if that is made a condition of approval, then it becomes a condition precedent to the Board Secretary's release of the deeds for recording the minor subdivision. Mr. Boudwin stated that the pool has since been removed on Lot 16 and the owner had told him that he wanted to move the shed to where his pool had been. Mr. Guzzi stated he is amending his prior statement and will show the shed where the pool was which may require some additional bulk variances for the location of an accessory structure closer than 50 feet from the side lines. Engineer Dougherty stated the pool is currently shown at 12.3 feet. Mr. Guzzi stated that 12.3

feet could be the new setback. Mr. Montgomery asked if we are sure that's where the homeowner wants the shed? He understands the homeowner made that indication to Mr. Boudwin; however, how can we be sure? Engineer Dougherty stated that it could be noted as a variance and that it can be no closer than 12.3 feet of that side property line. The homeowner then has some flexibility of putting the shed elsewhere on his property, but not within 12.3 feet of the side property. What the Board would be doing is granting relief to be as close as 12.3 feet from the property line. Solicitor Frank stated by doing this, we can get the subdivision dealt with and if that homeowner needs a different location, he can go to the Zoning Board for that variance.

Engineer Dougherty continued with page 4 of his review letter and the table mentioned before. There will now be some minor changes and in addition, we can note the 12.3 ft. bulk variance the applicant is now looking for this evening. Also, with his #5 comment, even though the applicant is filing by deed, the plan will be on record here at the township. Mr. Guzzi stated he has no problem making the changes and resubmitting the plan.

It was the Motion of Councilman Lovenduski, seconded by Mr. Montgomery to open the meeting for public comment. Motion unanimously approved by all those present.

Seeing no one wishing to be heard, it was the Motion of Councilman Lovenduski, seconded by Mr. Morris to close public comment. Motion unanimously approved by all those present.

It was the Motion of Councilman Lovenduski, seconded by Mr. Pagano to approve application PB#2018-01.

Upon roll call, the Board voted as follows:

YEAS: Lovenduski, Pagano, Montgomery, Morris, Wilkie, Hamilton-Wood

NOES: None

ABSTAIN: None

Motion carried

- B. **Application PB#2018-02:** Application for B&H Foto & Electronics, Corp. for Amended Final Major Site Plan for the addition of three trash compactors on property located at 400 Cedar Lane, Florence. Block 148.06, Lot 2.

Erin Szulewski of Parker McCay was in attendance representing the applicant, B&H Foto & Electronics. Ms. Szulewski stated they were here tonight for an Amended Final Major Site Plan approval on property located at 400 Cedar Lane that is within the GM zone (General Manufacturing). This site recently received Preliminary and Final Site Plan approval in February 2016 for construction of an approximately 577,000 sq. ft. warehouse and associated improvements on the site. In July 2017, this site received Amended Final Site Plan approval for several on-site changes as detailed within the Board's professionals' reports. This evening, the applicant is seeking Amended Final Site Plan approval for the addition of 3 additional trash compactors. With Ms. Szulewski was Ahmad Tamous and Yakov Herman.

Solicitor Frank swore in Mr. Tamous, Professional Engineer, and Yakov Herman, Facility Director. Solicitor Frank stated that Mr. Tamous has previously appeared before this Board as an expert in site and civil engineering on prior applications and was accepted at that time as an expert in his field.

Mr. Tamous presented Exhibit A-1 and described the location of the proposed 3 trash compactors. One is to be located in the back and the other two are to be located in the front at two of the docking bays. He stated there are no other changes to this site plan application.

Mr. Tamous explained there are 105 loading bays at the facility and the compactors will eliminate 3 of those loading bays, but in conversation with the tenant of the facility, those bays are never used and will not impact any of the stacking or storage onsite. He also stated there will be minimum noise increase and it will comply with the NJDB requirement. He explained that because of the traffic on Cedar Lane and Amazon being across the street, it would be rare if any noise from these additional trash compactors would be heard. The anticipated operating hours of these compactors would be between 7:00 AM – 7:00 PM. When the dumpster has filled up, the equipment would then operate which is run by a small hydraulic pump. He stated the three proposed compactors are the same make and model of the existing compactor on site. Mr. Tamous handed out Exhibit A-2 which consisted of 5 photos on 3 pages. The photos were of the existing compactor currently on site. Solicitor Frank asked where the existing compactor was located. Mr. Tamous stated it was on the southeast corner of the building.

Mr. Herman explained the three compactors are needed because of the way the inside is configured with the shipping and receiving and the conveyor systems. The compactors are needed in the unpacking areas of the product. There are 105 loading bays at the facility and this will be displacing only 3 of those bays. He stated there are currently only 15 of the loading bays being used, and all of those bays are located on the east side of the building.

Chairperson Hamilton-Wood asked if there were any issues with setbacks. Engineer Dougherty stated that there were no issues because the compactors are basically taking the place of a trailer at the loading bays. There are currently dumpsters in the locations temporarily until the compactors can be put in if approved.

Engineer Dougherty stated that his review letter of 4/12/18 stated this application needs a completeness determination before it is heard. He stated the applicant noted items on the major site plan checklist as “not applicable” but they’ve really already been submitted with the original application. The applicant requested a design waiver for various checklist items with one being the Property Owners Within 200’ list of this site. Engineer Dougherty did feel that this should be updated for this application. Ms. Szulewski stated that will be done because they do have an updated list. Engineer Dougherty stated with the update to the list and the testimony already provided by the applicant, this applicant could be deemed complete.

It was the Motion of Mr. Montgomery, seconded by Mr. Morris to deem this application complete. Motion unanimously approved by all those present.

Engineer Dougherty stated that on page 3 of his review letter it is noted that no deviation or variance from the bulk standards is indicated from the previous approvals. The compactors to be located in the front does not require any additional bulk variance. The only sheet that was submitted with this application was sheet 5 of the plans. Testimony should be provided that sheets 1-4 and 6-29 from the previous application have had no revisions to them because of this application. Mr. Tamous stated that none of the other sheets have been revised and upon approval of the Board, they would like to submit just sheet 5 instead of submitting the entire set of plans. Engineer Dougherty stated that would be fine because the engineer in the field inspecting the site would need to have a current document. He did ask Mr. Tamous if they could fit a detail of the compactors onto page 5 of the plan. Mr. Tamous stated he did not recall if that had been put on the original amended plan but they do have an exhibit that does show the dimensions of the compactor but will try to fit it on the site plan sheet. He provided sheet 5, which Engineer Dougherty stated was acceptable and it was entered in as Exhibit A-3.

Engineer Dougherty stated Mr. Tamous testified as to the noise level of the additional compactors; one will be added to the back to the already approved existing one and two will be located in the front. He stated that the compactor is an internal operation so the material is placed inside the dumpster, inside the building and then when full, it's compacted into the unit. Mr. Herman stated that is correct. He stated one compactor is for cardboard and the other compactor is for trash that is collected from the building. It is gathered all by conveyors and comes to a certain point and is then thrown into the compactor. Once the compactor gets filled to a certain point, it is then compacted and pushed into the container. When the container is full, it is then removed and an empty one is put in its place. The same is true with their existing compactor.

Planner Fegley stated her review letter is dated 4/12/18. Three of her questions were answered with tonight's testimony. In addition to that, she would like some testimony as to why the two compactors are needed in the front of the building where the preference would be to have them located in the rear of the building. Mr. Herman stated that the way the building is laid out right now is that all the trucks go to the rear of the building. The Receiving Department is on the southeast corner and the Shipping Department is on the northeast corner. The Packing is in the center right and Picking is over to the front left. There is a whole maze of conveyors going from Receiving to Warehouse, from Warehouse to Shipping to Packing and out the building. The way the conveyors are set, they have conveyors run across the receiving area to collect the empty cardboard boxes and bring it up to the compactor. There are also conveyors that run along the packing area and the cardboard and such end up in the front location where the compactors would be. Planner Fegley stated that because of the building layout, the compactors cannot all be located in the rear. Mr. Herman confirmed that is correct.

Planner Fegley then questioned why only 15 loading bays were currently being used. Mr. Herman stated that they are not fully occupied or at full merchandising and are still in the process of bringing the rest of their merchandise from the Brooklyn warehouse. Once they are complete they will be using more of the bays; however, they will not ever occupy all of the bays and will not use any in the front of the building. Only the rear bays will be used.

Seeing there were no other questions or comments from the Board or the professionals, it was the Motion of Councilman Lovenduski, seconded by Mr. Montgomery to open the meeting for public comment. Motion unanimously approved by all those present.

Seeing no one wishing to be heard, it was the Motion of Mr. Montgomery, seconded by Councilman Lovenduski to close public comment. Motion unanimously approved by all those present.

It was the Motion of Mr. Pagano, seconded by Mr. Morris to approve application PB#2018-02 conditioned upon the comments made by the Board Engineer and Planner.

Upon roll call, the Board voted as follows:

YEAS: Pagano, Morris, Montgomery, Lovenduski, Wilkie, Hamilton-Wood

NOES: None

ABSTAIN: None

Motion carried

OTHER BUSINESS

There was no other business.

PUBLIC COMMENT

It was the Motion of Councilman Lovenduski, seconded by Mr. Montgomery to open the meeting for public comment. Motion unanimously approved by all those present.

Seeing no one wishing to be heard, it was the Motion of Councilman Lovenduski, seconded by Mr. Montgomery to close public comment. Motion unanimously approved by all those present.

PUBLIC HEARING REGARDING THE AMENDMENT TO THE HOUSING ELEMENT AND FAIR SHARE PLAN OF THE MASTER PLAN

Mary Beth Lonergan and Kendra Lelie were in attendance to present the Amendment to the Housing Element and Fair Share Plan of the Master Plan to the Board. Solicitor Frank swore in Ms. Lonergan and Ms. Lelie. Both have appeared before many times in the capacity of professional planners and are deemed qualified.

Ms. Lelie stated they were here tonight to present to the public and the Board the Amended Housing Element and Fair Share Plan. She stated she would like to share three things with everyone: first, the history of affordable housing in New Jersey and specifically how it relates to Florence Township and what the township has done to comply with the rules and regulations that are before us in this state; secondly, what is affordable housing especially in today's economic numbers and who qualifies and what are we looking at as far as home ownership and rental units and to talk about the components of the Housing Element and Fair Share which the Board has received copies of the draft; and third, the township's obligation, what is the township's number and what is the plan to address that number.

Ms. Lelie started with the historical context:

1975 = Affordable Housing started with what is called the Mount Laurel Case. Mount Laurel was found to have exclusionary zoning and were not allowing for low-and-moderate income households within their municipality through their zoning which was found to be unconstitutional.

1975 - 1982 = Municipalities understood that they had an obligation but didn't really have a numbers obligation.

1983 = Municipal numbers obligations begin to come into effect. In relation to that obligation, municipalities are then required to submit their plans to the courts for approval.

1985 = The Fair Housing Act is developed and creates COAH (Council on Affordable Housing) which was created to administer the Fair Housing Act and to establish rules. They were not only responsible for creating rules, but also reviewing the Fair Share Plans and housing limits that came through from the municipalities and they would then grant substantive certification which gave municipalities protection from Builder's Remedy suits.

1999 - 2014 = Third Round Rules come into play. Unfortunately over a period of about 9 years, they tried to adopt rules and both times were overturned. It's invalidated in 2013 by the Supreme Court and they are ordered to adopt new rules that are trying to be more in line with the second round rule methodology was. COAH tries there best to do it and fails to adopt it.

In 2014, Fair Share Housing Center files a motion that compels the state to adopt the rules.

2015 = We have what's called "Mount Laurel IV" and Supreme Court deems COAH to have not done their job and therefore now courts are now responsible for taking over COAH's responsibilities.

Ms. Lelie stated she will be mentioning the word “Rounds” which are rounds that deal with the affordable housing obligation and each round has its own affordable housing number, or obligation. The First Round ran between 1987 and 1993 and the Second Round ran from 1993 to 1999. The First Round and Second Round are now combined and they are considered cumulative and known as the Prior Round. In the Township’s Plan, you will see there’s a Prior Round chart. Florence Township has fulfilled the Prior Round’s obligation where other municipalities are still trying to figure out how to deal with their past obligation. The Third Round is basically a 26-year compliance period from 1999 to 2025.

Florence Township fits into this history by having many years of compliance; 26 years of not just creating plans, but also implementing a lot of affordable housing mechanisms across the board.

In 1992, Florence Township received First Round substantive certification for its obligation of 210 total.

In 1999, where First Round and Second Round come together and are cumulative, Florence Township received Second Round substantive certification for its obligation of 171. Even though the two rounds were combined, Florence Township’s numbers went down.

Between 1999 and 2005, Florence Township started to implement mechanisms as well as affordable housing projects, including an RCA (Regional Contribution Agreement) where Florence Township was able to provide money to another town to take a portion of the obligation. This practice is no longer allowed as a mechanism. Florence Township also approved affordable housing family and senior rentals, as well as a couple of special needs homes (also known as alternate living arrangements). Between the Second and Third Rounds, Florence Township has done a lot of affordable housing implementation.

In 2005, a lot of things happened: one is that because COAH had failed to adopt Third Round Rules, Florence Township had to ask for an extension of the Second Round Rules because the township didn’t necessarily have numbers to deal with the up and coming Third Round plan. The extension is granted, and in the meantime, rules are finally adopted by COAH in 2009, Florence Township creates a Third Round Plan that deals with a growth share number and in 2010, Florence Township does a small amendment to that plan. The rules are then invalidated and Florence Township does not have a Third Round Plan any longer. In 2015, Florence Township filed a Declaratory Judgement which protects the township by the Court. Because the Courts took over the Affordable Housing, municipalities had to file with them to be protected and immunity from any Builders Remedy suits. Florence Township is considered a Certified Municipality which means that the township had received Third round certification, and gives the township a higher level of review when it comes to immunity status. The next two years were spent working with Fair Share Housing with the administration and the Board as far as coming up with some opportunities and some ideas for complying with what the Third Round number would be.

Ms. Lelie explained who qualifies for Affordable Housing. The current chart that is being used is based on 2017 regional median income numbers. It does run by household median income and the number of persons in that household. That median income determines if they qualify for a moderate, low, or very low income level. By looking at the moderate income level for a 1 person household, these are the working class people of our community. This does not only show who qualifies for affordable housing, but also what types of housing units people who qualify can afford to rent or buy.

Florence Township does have a Housing Element and a Fair Share Plan. The Municipal Land Use Law (MLUL) and the Fair Housing Act require certain items to be in the Housing Element and Fair Share Plan. You have to have a Housing Element in order to zone. Florence Township does have what is required and has complied with the Fair Housing Act. Some of these items required are: The Demographic Analysis (the census data) which is from 2015 American Community Survey and is the first appendices in this plan. The Probable Future Housing Stock looks at the past 10 years of building permit data and what is predicted for the future by using that data. The Fair Share Plan talks about the obligations and how the township is going to satisfy them. The Spending Plan is shown in the appendices. The township receives money into their Affordable Housing Trust Fund from what's called development fees from the non-residential and residential developments. The township has to tell the court how it is going to spend that money moving into the future towards 2025. A Development Fee Ordinance is also in the appendices which the township currently has. There are also some resolutions, draft ordinances and some manuals for the remaining appendices.

Ms. Lelie explained there is a New Construction obligation and out of that number there are required micro requirements; 25% of that number has to be rental units; 25% is the maximum for senior units; 50% has to be for low income – split between low income and moderate income and out of the low income, 13% must be for very low income. So not only does the township have an obligation, there are also regulations that tell you what you can and can't do with that particular obligation.

The obligation is broken into three areas; Rehabilitation (Rehab), Prior Round and Third Round. What are Florence Township's numbers and how is the township going to satisfy their obligation? What is the proposal?

Rehab (96 credits), which is also called present need, basically is the rehabilitation of existing units in the township that have low to moderate income households.

At this point the Rehabilitation, the ability to help folks who are low to moderate income households rehabilitate existing housing, currently has two programs that help with this. One is a county program that receives community block grants to provide funding to homeowners and municipalities that meet certain income qualifications and are dealing with a major system that needs to be upgraded (ex. heating, electric, structure, etc.) with a minimal of \$10,000.00 per unit and a lien is typically placed on that house. Currently, 1 house has been rehabilitated since 2010 through this particular program. There is now a requirement with the new rules that the township has a rental program. Previously it's been rehabilitating homeowner's houses, now there are rentals that have to be dealt with and the programs to go with them. Florence Township was proactive and worked with BCCAP (Burlington County Community Action Program) with Roebing Inn and over the past year have come to an agreement to help them rehab 14 existing units within Roebing Inn. There are some additional programs Florence Township is looking into including Roebing Arms. The Rehab number is ongoing and is a requirement. The way the rental program happens with the township program is that the township uses money from its trust fund and has the same requirements as the county program; minimum of \$10,000 and the improvement has to be for a major system to be upgraded.

The Prior Round (114 credits) is cumulative from 1987-1999 and includes the first and second round.

Because the township was extremely proactive and made sure the obligations were dealt with as they were coming forward. The 114 credits has been 100% complied with:

- 42 credits = RCA's
- 48 credits = Family Rentals (Roebing Arms – 24 credits at double credit)
- 14 credits = Senior Rentals (Roebing Inn)
- 10 credits = Alternative Living Arrangement (5 credits at double credit)

The Third Round (378 credits) runs from 1999 – 2025 and the number of credits for this round was actually reduced by 30% as part of a settlement agreement with the Fair Share Housing Center.

The plan for the Third Round and the 378 credits is:

- 61 credits = The remaining balance of RCAs. The township can split the RCA's to provide credit in both the Prior Round and the Third Round even though they were done many years ago.
- 160 credits = 100% Affordable Housing Developments (Family and Senior). The Duffy School is completed and there is one proposed (Hornberger/Rte. 130 Site).
- 24 credits = Market to Affordable for family for sale or rental. 7 of the 24 proposed have been completed.
- 50 credits = Alternative Living Arrangements credits count as double credits. Florence Township has already made quite a bit of headway on the group homes. Each bedroom supplied counts as 1 credit and as of now, 21 bedrooms are complete with 4 approved. Once those 4 are completed, there will be 25 bedrooms offered at double credits which will total 50 credits. These group homes are typically for folks with special needs of low income and in need of a particular place to live and have certain services provided to them.
- 92 credits = Inclusionary Development with 39 Family Units (36 of those counting as double credits) totaling 75 credits plus 17 Senior Units totaling 17 credits. Of the Family Units, 3 are completed and of the Senior Units, all 17 are completed.

In summary, in the Prior Round, 100% has been completed. In the Third Round, the actual units existing or to be built to make up the numbers is 292 units, and because some of those units are worth double credits, it gives the township 95 bonus credits. The 292 plus 95 = 387 units which gives the township a surplus of 9 credits. Of the 292 units, 60% are completed already, 14% are already approved and the remaining 26% are proposed. After 2025, a Fourth Round is anticipated and Florence Township will have the surplus of 9 credits plus the extension of controls for Roebing Inn and its 14 credits, giving the township 23 credits already to its credit for the next round.

Solicitor Frank stated that what's before the Board is a Master Plan element the Board is to consider adopting, as well as the Fair Share Plan all of which is consistent with the settlement that was reached with Fair Share Housing. The Board's role in this is to say whether or not this plan is where we want to go as a township.

Because this is a public hearing, it was the Motion of Mr. Montgomery, seconded by Councilman Lovenduski to open the meeting for public comment. Motion unanimously approved by all those present.

Seeing no one wishing to be heard, it was the Motion of Mr. Morris, seconded by Councilman Lovenduski to close public comment. Motion unanimously approved by all those present.

It was the Motion of Mr. Montgomery, seconded by Mr. Pagano to adopt the Third Round Housing Element and Fair Share Plan of the Master Plan.

Upon roll call, the Board voted as follows:

YEAS:	Montgomery, Pagano, Morris, Lovenduski, Wilkie, Hamilton-Wood	
NOES:	None	
ABSTAIN:	None	Motion carried

Solicitor Frank addressed the Board and stated that with the guidance and support of our planners and the township administration, he has a resolution prepared for the motion just taken by the Board. Marybeth Lonergan stated this was done because of a time constraints with the Superior Court being part of the approval. The township has until May to not only adopt a plan, but for the governing body to adopt a series of ordinances and resolutions. All of this needs to be packaged in May and submitted to the Superior Court. Clerk Federico then handed out a copy of the resolution to all Board members.

Solicitor Frank reviewed the resolution with the Board since they had not receive it prior to the meeting.

Resolution PB-2018-11: Adopt the Amendment to the Housing Element and Fair Share Plan of the Master Plan.

It was the Motion of Mr. Montgomery, seconded by Mr. Pagano to approve Resolution PB-2018-11.

Upon roll call, the Board voted as follows:

YEAS:	Montgomery, Pagano, Morris, Lovenduski, Wilkie, Hamilton-Wood	
NOES:	None	
ABSTAIN:	None	Motion carried

REVIEW DRAFT MASTER PLAN REEXAMINATION REPORT

Planner Fegley began by reminding the Board that in January 2017, we started talking about the Master Plan and whether it was going to be a full Master Plan or a reexamination. Because the original Master Plan is from 1976 and has a lot of reserved areas in it, it was decided to do the reexamination first and at the same time, really start looking to redo some of the elements; such as the circulation element, housing element and fair share plan (that was just adopted earlier this evening), recreation element and others. Later on in 2017, a subcommittee that was formed consisting of Chairperson Hamilton-Wood, Russell MacArthur and Wayne Morris. Questionnaires were given out to the Board members and Planner Fegley met with the subcommittee. She stated she has had a lot of good input from the questionnaires, subcommittee and township officials. What was produced out of all of that is the Draft 2018 Master Plan Reexamination Report she is discussing with the Board tonight. Planner Fegley wanted to briefly review the draft with the goal being to hold the public hearing at the May meeting with a more formal presentation on the document and adopt it. The last reexamination report was dated August 20, 2007 and it was adopted June 16, 2008. The Master Plan is required by law to be reexamined every 10 years and Solicitor Frank's interpretation is that as long as we adopt the new reexamination report before June 16, 2018,

we are still in compliance. If we do not adopt it by that date, the township's zoning can be challenged and we do not wish for that to happen.

Planner Fegley explained that the document starts explaining what the reexamination report is. The introduction explains the 5 items the reexamination report shall state. Planner Fegley added the history of the township's Master Plan, the elements, the reexamination reports, and amendments done since its origin in 1976.

The Reexamination Report Components look at the major problems and objectives relating to land development in the municipality at the time of the adoption of the last Master Plan Reexamination Report. The components are: Residential versus Commercial/Industrial Development, the Affordable Housing obligation, Agricultural Lands, Redevelopment, Light Rail Transportation System, School Facilities, Alternative Energy Sources, and Zoning Issues. Some of the zoning issues are with institutional uses (library, fire house, cemetery, etc.) and really should become zones and not just uses. There is an existing park that still needs to be changed out of the AGR zone.

The next part of the document deals with the extent to which such problems and objectives have been reduced or have increased subsequent to such date. This section discusses the disparity in residential development versus commercial development; that the township remains committed to be in compliance with the Affordable Housing Obligation; Agricultural Lands and targeted open space; Redevelopment; Alternative Energy Sources and wind turbines no longer being considered; and Zoning Issues with the Public zoning district (PUB) never implemented from the prior reexamination report.

The next section discusses the extent to which there have been significant changes in the assumptions, policies, and objectives. The first mentioned is Redevelopment. In 2009 and expanded in 2013, the township embarked on a Redevelopment effort that has rehabilitated or redeveloped Areas in Need of Redevelopment. Because of the all the redevelopment that has been done, the increased traffic has been identified as a public concern. Ms. Fegley stated there is a link from the DVRPC in regards to Freight Movement Around NJ Turnpike Interchange 6A that really looks at how to improve the intersections. Burlington County is also preparing a report as well regarding traffic movement in the area. Engineer Dougherty stated that dvrpc.org is where you can find the traffic study done by the DVRPC.

Ms. Fegley continued by stating that attracting small neighborhood businesses is still a goal as well as recreation and open space and the Delaware River waterfront needs to be enhanced with more amenities and better pedestrian connections need to be provided. Better pedestrian connections would also tie into the Circulation Plan.

Specific recommendations in this Reexamination Report is for a new Master Plan, considering that the current one is from 1976. The Reexamination Report would include the statement of objectives, principles, assumptions and standards upon which the Master Plan is based. The first element would be the Land Use Element and it would also have a Circulation Element. The Housing Element was just completed. Another element identified as needed was the Recreation Element. There are many other elements under the MLUL that can be included in the Master Plan; however, the ones mentioned so far are main ones that have been recommended. Mayor Wilkie added that some of these plans have already been developed but not incorporated into the Master Plan. A lot of pieces of these elements exist, it's just putting them all together. The goal is to make sure to get the critical elements done first.

Planner Fegley mentioned that Zoning Ordinance Revisions or Amendments are to be looked at. Solicitor Frank stated that one that needs to be updated is our performance guarantee ordinance. Another one is parking and loading which needs to be consistent and in one section.

Planner Fegley stated that there were some suggestions of rezoning of a few areas to make them more consistent to the current use. Mayor Wilkie stated that the township owns a lot of the land between the Roebing School and the church. That zone is now RC, but probably be changed to a public type of zone. It was asked is the School should be changed to a Park since it was purchased through open space funds. Planner Fegley stated that if it's a park, then it would fall under green acres and that has all types of restrictions and is not recommended, but will look at a recommendation for that area. Schools are permitted in the NC zone. Mayor Wilkie mentioned that in the Master Plan Reexamination Report the Roebing Steel Mill site is zoned as GM but it is owned by the town. He was wondering what could be the division for that. If we're going to have manufacturing on a portion, what do we want adjacent to it? More manufacturing or would we want an office/recreational type area? What would the township like to consider; water uses, commercial uses, restaurants, offices, etc.? All would like to see a restaurant on the water.

PUBLIC COMMENT

There were no members of the public present.

Engineer Dougherty had one item to mention before adjournment. The NJDEP has required that all board members must take a 45-minute seminar online in regards to stormwater management. Clerk Federico will email the information to the Planning Board and Zoning Board members. All members can do this training on their own time but it must be complete by July 1, 2018.

ADJOURNMENT

It was the Motion of Mayor Wilkie, seconded by Mr. Montgomery to adjourn the meeting at 9:47 p.m. Motion unanimously approved by all those present.

Wayne Morris, Secretary

/kf