

The Chairman called the meeting to order and stated it was being held in compliance with the "Open Public Meetings Act" and had been duly noticed and published as required by law.

ROLL CALL

Present: Mr. Fanelli, Mrs. DeMesquita, Mr. Murray, Mr. Nicini, Mr. Rashatwar, Mr. Vandegrift, Mr. Ravitz, Mrs. Ayes

Absent: Mrs. Kerr, Mr. Waters, Mr. DiNatale

Also present were Stuart Platt, Board Solicitor and Rakesh Darji, Board Engineer

OPEN & CARRY

LAZGOR, LLC
CHANGE OF USE/SITE PLAN WAIVER
BLOCK 303; LOT 7.01
PC 13-009

Opened and carried to June 12, 2013

MEMORIALIZATION OF RESOLUTIONS

AG-CANDLEBROOK STUCCO OWNER, LLC
(Echelon Glen)
Block 150.03; Lot 1
Minor Site Plan
PC 13-005

SITE ENHANCEMENT SERVICES
(America's Best)
Block 272; Lot 5
Amended Final Site Plan - Signage
PC 13-004

APPROVAL OF MINUTES

Mrs. DeMesquita motioned to approved the minutes dated April 10, 2013; seconded by Mr. Ravitz. Motion carried by the assenting voice vote of all board members present; with the exception of Mrs. Ayes, who abstained.

BEAGLE CLUB CIVIC ASSOCIATION
AMENDED FINAL SITE PLAN – SIGNS
BLOCK 213.04; LOT 109
BLOCK 213.08; LOT 56
PC 13-008

Appearing before the board were Mr. Rick Arango, President of the Civic Association and Mrs. Jeanine Arango, Project Coordinator.

Mr. Arango stated that, he is before the board this evening for the replacement of two neighborhood signs at the Kresson Road entrance that are located on private property. There is a variance needed for the size of the sign. He presented a rendering of the existing sign and the proposed new sign, it was marked A-1. The existing signs are wood and they have been painted many times and they need to be replaced. The allowable sign area is 32 square feet and they are proposing 43.3 square feet. The materials being used are stone and the sign itself is a high density eurothane that does not warp, rot

nor absorb water. This sign will last much longer and will not require much maintenance. A flush mounted light will illuminate the sign. The new signs will be replaced in the same exact location as the ones being removed. There is no Homeowners Association and these signs were put on private property by the developer.

The application was opened for public comment.

Seeing none, Mrs. DeMesquita motioned to close the public portion; seconded by Mr. Nicini, motion carried by the assenting voice vote of all board members present.

Mrs. DeMesquita motioned to grant amended final site plan approval with a variance for the size of the sign subject to the signs being installed in accordance with the plans submitted.

Seconded by Mr. Nicini; motion carried by the following roll call vote:

AYES: Mr. Fanelli, Mrs. DeMesquita, Mr. Murray, Mr. Nicini, Mr. Rashatwar, Mr. Vandegrift, Mr. Ravitz, Mrs. Ayes

NAYS: None

VOORHEES HOMES, LLC
AMENDED MINOR SUBDIVISION
BLOCK 288; LOT 13
PC 13-006

Mr. Rashatwar and Mr. Ravitz recused themselves from hearing this application.

Appearing before the board were, Mrs. Ann Pearl, attorney, Mr. Peter Greenberg, applicant and Mr. Bruce McKenna, engineer.

Mrs. Pearl stated that, they are here this evening to amend the minor subdivision that was granted in 2011. The amendment will be explained by Mr. McKenna as it relates to the sewer laterals and the installation of the sewer line.

Mr. McKenna stated that, the original plan showed a sewer line that would tie in to an easement on the east side of the vacated 8th Avenue. Subsequently the plan has been revised to show the sewer line on the west side of the vacated 8th Avenue, on Lot 2, thereby extending it down a portion of 8th Avenue. It is his understanding that Mr. Greenberg has obtained a deed of easement from the landowner of Lot 2.

Mrs. Pearl stated that, the applicant had obtained a signed document, however she has agreed to certain revisions.

Mr. Platt stated that, the document has been revised and approved and has been given to the Board Secretary.

The board addressed the review letter prepared from Environmental Resolutions dated May 1, 2013.

Mr. Darji had a concern with the grading on 9th Avenue and Mr. McKenna agreed to adjust them. Mr. Darji addressed the driveway shown on Lot 12 (formerly Lot 1) and asked that it be removed from the plan and a note be added that area is to be re-seeded. He also recommended the easements on Lot 12 and 13 be eliminated.

Mrs. Pearl stated that, Mr. Greenberg can extinguish the easement on his lot but he has no control on the lot that was sold.

The board reviewed the Churchill sewer review letter dated May 2, 2013 and agreed to comply with all comments.

Mr. Platt stated that, all other conditions from the prior approval would remain in effect and Mrs. Pearl agreed.

Mr. Murray stated that, originally there was a homeowner who was interested in tying into the sewer and wanted to make sure that option was still going to be viable.

The application was opened for public comment.

Seeing none, Mrs. DeMesquita motioned to close the public portion; seconded by Mr. Nicini. Motion carried by the assenting voice vote of all board members present.

Mrs. DeMesquita motioned to grant amended minor subdivision approval to adjust the sewer connections and amend the prior condition with a sewer easement across a different property subject to the following conditions and stipulations:

1. All conditions of the prior approval contained in Resolution # 11-025 with the exception of this new condition remain in effect.
2. The applicant shall comply with the Board Engineer's review letter dated May 1, 2013 with the exception of comment #5:
 - a. The driveway will be eliminated and the easement for the sewer lateral running perpendicular on the applicant's property will be terminated by a legal document and;
 - b. The lot next door and the easement for the sewer lateral running perpendicular will be dealt with at such time the homeowner comes in to apply for permits.
3. The applicant shall comply with the Sewer Engineer's review letter dated May 2, 2013.

Seconded by Mr. Nicini; the motion carried by the following roll call vote:

AYES: Mr. Fanelli, Mrs. DeMesquita, Mr. Murray, Mr. Nicini, Mr. Vandegrift, Mrs. Ayes

NAYS: None

DCI-GIM VTC CONDOMINIUMS, LP
AMENDED FINAL SITE PLAN
BLOCK 150.01; LOT 6
PC 13-007

Mr. Ravitz recused himself from this application.

Appearing before the board were Mr. Richard Goldstein, attorney, and Mr. Stephen Santola, General Council with Woodmont Properties.

Mr. Goldstein stated that, they are here this evening to seek approval for a change to the residential development at Voorhees Town Center. Approved were 3 residential condominium buildings, 36 units in each on Lot 6. The remainder of the 317 units are rentals and have been constructed. Building 3 is the only building constructed but the interior fit out still needs to be completed. With an evaluation of the market conditions and the lack of ability of financing, the applicant would like to utilize building #3 as rental units. Although form of ownership is not regulated by the ordinance and is not commonly an aspect to be evaluated by the Planning Board, in this particular case all of the approvals and paperwork references condominium units for sale and apartments for rental.

Mr. Goldstein added that, there will be no change to the floor plan, footprint, bedroom distribution and the prior fiscal impact report. All prior conditions will remain in place, including COAH obligations. The existing developer's agreement will remain intact. The Association that controls all of the common areas in the residential portion of the town center development will continue to maintain and manage all of the common areas and the cost will be shared amongst the buildings. Woodmont Properties recently assumed the residential property management at Abitare.

Mr. Santola stated that, they have been in business for 50 years and are currently on site at the residential units. The original redevelopment was a joint venture between Dewey Commercial and an equity provider named Lowe. Lowe has exited the picture and Woodmont has stepped into the role of the active manager partner of the facility. They believe this redevelopment has turned out beautiful and given a little more experience with residential management they can keep an outstanding demographic. This is not the only stacked condo building in the State of New Jersey that is repositioning itself. Apartment rentals are far beyond anyone's wildest dream. The main reason for this is the market. Condos are not selling and lenders are not willing to lend money for fear that potential buyers will not be able to get financing on their side to make the purchase. Then there is the fear of the re-sale of a condo.

Mr. Goldstein stated that, he had indicated that all conditions would remain intact; one of them being COAH. One issue that came up is the need for the production of the recorded deed restriction and wanted to make sure this was acceptable to Mr. Santola.

Mr. Santola responded that it is definitely acceptable.

Mr. Vandegrift questioned the agreement for school age children.

Mr. Goldstein stated that, if there are more than twenty one school age children at the beginning of each school year they are required to pay \$17,000 a year towards transportation. This is for elementary children from the Abitare community attending Osage School.

The application was opened for public comment.

Seeing none, Mrs. DeMesquita motioned to close the public portion; seconded by Mr. Rashatwar. Motion carried by the assenting voice vote of all board members present.

Mrs. DeMesquita motioned to grant amended final site plan approval to convert the thirty six (36) condominium units for sale to thirty six (36) apartment rental units subject to the following conditions and stipulations:

1. The applicant has agreed to comply with all prior conditions of approval ; in particular the COAH obligation and will submit whatever continuing information is needed including but not limited to the deed restriction for affordable units.
2. The applicant has testified that there will not be any changes to the total number of units, the bedroom allocation, the footprint of the building, the floor plan, the phasing of the units and the approved site plan.
3. The total number of units included with this approval will be 353 rental units in 9 buildings and 72 condominium units in 2 buildings for a total of 425 units.
4. The applicant shall comply with the review letter prepared by Environmental Resolutions dated April 30, 2013.

Seconded by Mr. Rashatwar; motion carried by the following roll call vote:

AYES: Mr. Fanelli, Mrs. DeMesquita, Mr. Murray, Mr. Nicini, Mrs. Ayes

NAYS: Mr. Vandegrift

.....

There being no further business before the board, the Chairman adjourned the meeting.

Carole Pfeffer, Secretary