

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. Schwenke, Mr. Ravitz, Mr. Rashatwar, Mr. DiNatale, Mr. Kleiman, Mr. Nicini,
Mr. Kleinman, Mr. Brocco, Mr. Stein

Absent: Mayor Mignogna, Mr. Schallenhammer

Also present was Mr. Norman, Board Solicitor, Mr. Rakesh Darji, Board Engineer

MEMORIALIZATION OF RESOLUTIONS

Hadley House LLC
Waiver of Site Plan
Block 198; lot 7
PC# 21-012

Motion to memorialize the resolution was made by Mr. Rashatwar, seconded by Mr. Nicini. The motion carries by the following roll call vote:

AYES: Mr. Schwenke, Mr. Ravitz, Mr. Rashatwar, Mr. DiNatale, Mr. Kleiman, Mr. Nicini,
Mr. Kleinman, Mr. Brocco, Mr. Stein

ABSTAIN: None

NAYS: None

APPROVAL OF MINUTES

Motion to approve the minutes dated July 14, 2021 was made by Mr. DiNatale; seconded by Mr. Rashatwar. Motion carries by the assenting voice vote of all present board members with the exception of Mr. Nicini, Mr. Ravitz and Mr. Kleiman who abstained.

NEW BUSINESS

MAI, LP – KRESSON GOLF COURSE
WAIVER OF SITE PLAN – INSTALL ADIDTIONAL FENCING
298 KRESSON-GIBBSBORO ROAD
BLOCK 222, LOT 8
PC# 21-012
ACTION DATE: 7/29/21

Appearing before the Board is Ms. Laura D'Allesandro, attorney, Mr. Wesley Aducat, applicant, Mr. Richard Clemson, engineer

Ms. D'Allesandro informs the Board the application has returned this evening after being continued from the July 14, 2021 meeting to allow the applicant and the contract purchasers of the 27 residential properties currently being built most affected by the fence privately to further discuss concerns on the fence height and placement. She states the applicant has amended it's application and has agreed to reduce the height of the fence to 4 foot which is consistent to the existing fence around the remaining perimeter of the golf course. She informs the Board the applicant is not amending the application regarding the setback and is still install the fence just inside the property line.

The witnesses were sworn in at the last meeting and are still under oath. Mr. Clemson remains qualified.

Mr. Aducat testifies that he met with Mr. Jon Deren who is the representative for some the property owners in the TJC Development and walked the property line. He testifies that Mr. Deren is opposed to building the fence and that all the property owners except one will be installing their own fences. Mr. Deren sent Mr. Aducat a proposal that included a restrictive covenant along the 900 feet that the Golf Course would never install a fence in that area. After discussion with his attorney it was decided the

request was too restrictive without knowing what any future use of the property may be and enforcing future homeowners to install a fence.

Mr. Aducat testifies he is proposing to further reduce the height of the fence to 4 foot instead of 6 foot and keep it at the property line. He testifies if it was installed 15 feet back from the property line they would have to remove over 60 mature trees. He testifies the existing fence is 4 feet high and will be vinyl coated chain link which will match existing.

Mr. Clemson testifies that keeping the fence on the property line is a benefit due to the fact if they install the fence at the setback line the applicant will have to remove a large number of mature trees. He states the applicant has agreed to install a 4 foot black vinyl coated chain link fence which is also less obtrusive but will provide security for the golf course and property owners.

Mr. Clemson testifies he has reviewed the most current Subdivision and Landscaping Plan for the TJC subdivision which is adjacent to the golf course. He testifies there is an open space lot between the golf course and the property owners. He states the open space lot separates the building lots from the golf course property line. The open space lot width is 30 feet and becomes wider at the areas.

Mr. Ravitz has concerns regarding the residents seeing the black chain link fence. Mr. Aducat states the chain link is a thinner material than aluminum and is less obtrusive.

Ms. D'Allesandro presents Exhibit A-2 which is a copy of the Landscaping Plan. She points out the open space lot along with the drainage easement on each individual lot.

Mr. Darji states if the applicant would install the fence according to the required setback it would be up to 3 different entities, the HOA, the golf course and individual homeowners would be responsible for maintenance of the fence and the open space areas which could become an issue. Mr. Darji states the maintaining of the existing trees and wooded areas would provide a buffer as well if the applicant is permitted to install the fence on the property line.

Mr. Schwenke states the Township currently has an Ordinance to protect mature growth trees and if the Board were to impose the setback of 15 feet they would be imposing direct opposition of that Ordinance by cutting down 60 to 70 mature trees.

Mr. Clemson presents pictures taken by Mr. Aducat of the mature trees looking onto the fairway.

In response to Mr. Stein's question at what exactly the residence are looking at from the back of the properties Mr. Aducat testifies the property owners are currently looking at the trees not the fairway. There is no open view of the fairway.

Ms. D'Allesandro states the variance previously requested for the height is no longer required due to the reduction in the height of the fence to 4 feet.

The Chairman opens the meeting to the public.

John Deren
13 Tylers Way

Mr. Deren states he walked the property with Mr. Aducat and he informs the Board that the proposed fence will be visible from all the lots except one. He states that he was made aware that Mr. Aducat was not in agreement to grant a deed restriction as requested by himself and the other homeowners. He states he feels the applicant does have the opportunity along at least 4 or 5 of the properties to install the fence at a 15 feet setback without disturbing the existing trees. He is requesting that the applicant install landscaping in front of the fence. He states an aluminum fence is more desirable for the property owners.

Mr. Aducat states the developer cleared some trees that were supposed to remain intact.

Seeing further public comments Mr. Nicini makes a motion to close public portion, motion seconded by Mr. Kleiman. Motion carries by the assenting voice vote of all present Board members.

Mr. DiNatale states the applicant has made compromises regarding the height of the fence and that the benefits outweigh the detriment.

Mr. Stein states he would be interested in the applicant installing landscaping in front of the fence.

Ms. D'Allesandro states that installing the landscaping in front of the fence would be difficult because you would have to impose this condition on an HOA that is not present or even formed at this time.

Mr. Schwenke states that if the Board were to impose this condition it would be asking the applicant to plant trees on a property that is not his and for him to maintain it for a duration that cannot be determined at this time.

Mr. Darji informs the Board that the Developer is required to plant some landscaping within the open space buffer therefore if you require the applicant to plant trees as well how do you decide who maintains it, whose trees belong to who and becomes complicated when deciding whose responsible. He also informs the Board the Developer will have to adhere to certain criteria in order to have the maintenance bond released.

Mr. DiNatale makes a motion to grant Waiver of Site Plan together with bulk variance approval to install a 4 feet black vinyl coated chain link fence at the property line as requested for the property located at 298 Kresson-Gibbsboro Road, Block 222; Lot 8 with the following conditions/stipulations:

1. The applicant will submit the required permit applications.

Motion seconded by Mr. Brocco. Motion carries by the following roll call vote:

AYES: Mr. DiNatale, Mr. Brocco, Mr. Nicini, Mr. Kleiman, Mr. Rashatwar, Mr. Kleinman, Mr. Stein, Mr. Ravitz, Mr. Schwenke

NAYS: None

ABSTAIN: None

REVIEW CANNABIS ESTABLISHMENT ORDINANCE

Mr. Ravitz recuses himself from this discussion and vote.

Mr. Norman summarizes Ordinance. He states the cannabis ordinance establishes a cannabis overlay zone. He reviews the different types of Classes which distinguish what types of cannabis business will operate. He states the business does not permit onsite consumption and that the business must meet state licensure requirements. There was further discussion regarding the distance from schools, playgrounds, daycare centers.

Mr. Schwenke opens the meeting to the public. Seeing no public comments Mr. Nicini makes a motion to close public portion. Motion seconded by Mr. Rashatwar.

Mr. Kleiman makes a motion to approve the Ordinance as it is substantially consistent with the Master Plan subject to the change that for the use the 1000 foot buffer does not include natural buffer areas.

Motion seconded by Mr. Nicini. Motion carries by the following roll call vote:

AYES: Mr. Kleiman, Mr. Nicini, Mr. Brocco, Mr. Stein, Mr. DiNatale, Mr. Rashatwar, Mr. Schwenke

NAYS: None

ABSTAIN: None

Seeing no further business Mr. Schwenke adjourns the meeting

Wendy Flite
Planning Board Secretary
Voorhees Township

Minutes prepared by Wendy Flite. The minutes are intended to reflect the basic comments and action. Verbatim transcripts of all electronic recordings can be available upon proper request and payment.

