

STRATFORD JOINT LAND USE BOARD
MINUTES
July 23, 2020
Via Zoom

The meeting was called to order by Chairman Santora at 7:00 pm and the public statement was read that the meeting was advertised in the Courier Post, the Collingswood Retrospect and a notice was posted on the bulletin board at the Borough Hall stating the time and place.

The Chairman led the board in the pledge of allegiance and a prayer.

ROLL CALL:

Present

A. Santora, Chairman Class IV
J. Keenan, Mayor Class I
T. Kozeniewski, Class IV
M. Mancini, Vice Chairman Class IV
R. Morello Class II
P. McGovern Class IV
T. Hall, Alternate 1

Absent

J. Keenan Class IV
T. Lomanno, Class III
R. St. Maur, Class IV
L. Mount, Alternate 2

M. Wieliczko, Esq.-Solicitor
J. Catalano, Solicitor
S. Bach, Engineer
S. McCart, Secretary

Mr. Wieliczko stated that the meeting is being held in conjunction with the open public meetings act but also consistent with New Jersey Department of Community Affairs and Division of Local Governments Services Guidance Documents which were issued on April 2, 2020 and March 23, 2020 to provide guidance to Land Use Boards and other Municipal Boards conducting remote hearings.

MINUTES: February 27, 2020

Motion was made by Mr. Mancini and seconded by Mr. McGovern to approve minutes from February 27, 2020. Roll call: Mr. Santora, yes, Mr. Mancini, yes, Mayor Keenan, yes, Mr. Kozeniewski, yes, Mr. Morello, yes, Mr. McGovern, yes, Mr. Hall, yes.

APPROVAL AND ADOPTIONS OF RESOLUTIONS: None

OLD BUSINESS: None

BOARD ACTION: Appointment of Conflict Attorney

Mr. Wieliczko stated this appointment is for a conflict attorney with regards to a parcel in town and issue with regards to the County of Camden and their request for a courtesy review hearing. Mr. Santora asked for a motion to appoint a conflict attorney.

Motion was made by Mr. Mancini and seconded by Mayor Keenan to approve appointment of conflict attorney. Roll Call vote: Mr. Mancini, yes, Mayor Keenan, yes, Mr. Kozeniewski, yes, Mr. Morello, yes, Mr. McGovern, yes, Mr. Hall, yes, Mr. Santora, yes.

Mr. Santora asked for nominations: Mr. Mancini nominated Anthony Costa. There were no other nominations.

Motion by Mr. Mancini and seconded by Mr. Morello to appoint Mr. Costa as Conflict Attorney. Roll Call vote: Mr. Mancini, yes, Mayor Keenan, yes, Mr. Kozeniewski, yes, Mr. Morello, yes, Mr. McGovern, yes, Mr. Hall, yes, Mr. Santora, yes.

NEW BUSINESS: Stratwin LLC, Stratford Towns, Block 53, Lots 2, 3, and 6. Preliminary and Final Major Subdivision and Major Site Plan.

Mr. Wieliczko stated the application consist of 49 townhomes, 1 open space and 2 basins. The parcel is located in the Berlin Road Redevelopment Plan. The applicant is being represented by Mr. Mintz from the law firm of Freeman & Mintz.

Mr. Santora asked that a rendering of project be put up for public viewing. Exhibit A14. Fall in with County Application A1.

Mr. Mintz introduced his professionals. Brian Peterman, Civil Engineer, Tiffany Morrissey, Planner, Nathan Mosley, Traffic Engineer, Mr. Weisberg. Mr. Wieliczko swore in all witness along with Mr. Bach., borough Engineer.

Mr. Wieliczko stated we have jurisdiction over the application and it has been deemed complete for purposes of hearing this evening.

Mr. Mintz stated this parcel is Block 52, Lots 2, 3, and 6 on the tax maps. It is across from the Patco Speedline. It is 4.14 acres fronting on Berlin Road and lies between Bishop Terrace and one lot off of Coolidge and backs up to Coolidge as well. The zoning is commercial subject to Berlin Road Redevelopment Plans. We are requesting Preliminary and Final Subdivision. There are 49 units. Forty-one are market value and 8 affordable units. There is penned to the application a memorandum to the fair share housing which was enter into and reflects their agreement with the eight units. The application does not seek variances or deviation. There are; however, some waivers that we will speak about during testimony. The Redevelopment Plan has been approved by council. Mr. Mintz asked Mr. Weisburg if he was a principal of the applicant. Mr. Weisburg stated yes. Mr. Mintz stated the architectural that we have provided are somewhat of an urban design. Mr. Weisburg stated we are trying to attract a younger customer, professional. The access to the train into Philadelphia is a plus. Mr. Mintz asked Mr. Weisburg to confirm that he signed the Redevelopment Plan. Mr. Weisburg stated he had. Mr. Mintz stated there is a provision for offsite pump study which needs to be studied and reviewed with the potential to upgrade. Mr. Weisburg stated there was correct. Mr. Mintz stated prior to purchase of the property, did you run an environmental study. Mr. Weisburg stated we did a 1 and a 2. Mr. Mintz stated based upon the findings of that study, you were comfortable with the purchase the property. Mr. Weisburg stated yes. Mr. Mintz stated the study does indicate some anomalies that require clean up with respect to the removal of concrete and potentially an underground storage tank. You understand that as you progress, that responsibility will be yours and you will presume the environmental clean-up. Mr. Weisburg stated yes. Mr. Mintz asked Mr. Weisburg if there were any residents on the property currently who are being displaced? Mr. Weisburg stated no. Mr. Mintz asked if the units were for sale units? Mr. Weisburg stated yes, fee simple. Mr. Mancini asked is there going to be anything put or can anything be put in the HOA to eliminate rental after purchase. Mr. Wieliczko stated one condition is HOA documents. There is nothing that would preclude an owner of a unit to rent a unit after purchase.

Brian Peterman stated his credentials. Mr. Mintz asked Mr. Peterman if he had been recognized as an expert witness. Mr. Peterman stated yes. Mr. Mintz asked for Mr. Peterman to be recognized as an expert. Mr. Bach had no objection.

Mr. Mintz asked Mr. Peterman if he had prepared or supervised the preparation of the plans. Mr. Peterman stated yes. Mr. Peterman outlined the property including wetlands and the buffer areas using Exhibit A14. The application has been filed with NJDEP and a LOI has been issued for this property which establishes or confirms the wetlands delineation and the wetlands buffer, Exhibit A13. Exhibit A2 full set of development plans. The development fronts Berlin Road. There will be a private drive that circulates the site with two entrances. Each lot is intended to front the private road. The County advised us to connect or align with the Speedline parking lot driveway across the street. The southern driveway as far away from Bryant as possible. We are proposing 2 storm water management basins to control the increase in surface water runoff resulting from the development. We are sizing this development based on best management practices as well as ordinances. We have a requirement for both infiltration and reduction of flows exiting our site which ties into the existing storm drainage net work at the back side of Coolidge. Shown on exhibit sheet 5 of Exhibit A2 of the set.

Mr. Peterman described the circulation of development as well as parking. When you enter northern entrance there will be parking on either side of entrance driveway. You will then have a private lane north to south and then there will be an exiting drive that exits out onto Berlin Road. It is a horseshoe shape. All

units will have access onto that private drive. The drive will be owned and maintained by the HOA as well as the open space lots and the storm water management system, basin and piping. In regards to other utilities proposed for the site there is existing sanitary sewer that runs along on Berlin Road that we are proposing to tie into. That existing sanitary sewer goes further down Berlin Road in a westerly direction to a discharge into a pump station that is the subject of study to determine adequacy and to determine if any upgrades are required in order to accommodate this development. In regards to water, we are working with NJ American Water with requirements to tie into that system. We didn't get into particulars with Gas and Electric. We believe that is available to connect. Along the frontages, sewer and water are on our side of the street. The county recently did improvement towards Berlin Road, so we would need to have permission from town in order to tie that in. They currently have moratorium. There is still a year or two left of moratorium. We will work with county and town if approved. The storm water drains to rear of site which is Coolidge Avenue. Along that back side we have a smaller storm water management basin on south side. On the northwest side of site there is a larger basin. Those two basins are interconnected. We have various storm drainage throughout the site that drains into those basins. Discharges on the west side through an outlet control structure into the existing piping within Coolidge and drains to Arlington and Coolidge and runs along Berlin Road. Mr. Mintz asked if that was compliant with ordinance 17.60 and 16.36.150. Mr. Peterman stated yes as well as residential site improvement standards of best management practices of the NJDEP. There are two types of trash considerations. There are units that have garages and units that do not. We will provide trash and recycle containers for those that have garages. They would be able to contain those within their garages. For the affordable units, that do not have garages, will have corrals or enclosures on the side of those units. They will store in those contained facilities. They will all put out on private drive for municipal pickup.

Mr. Mintz asked Mr. Peterman to go over parking. Mr. Peterman stated all are a maximum 2-bedroom units which require 2.4 parking spaces per unit. The parking count requires a total of 113 parking stalls which we provided 118 stalls, slightly over.

Mr. Mintz asked about the pump station that is off site. What the value is in having that studied and under the redevelopment agreement if there is to be an enhancement, having that enhanced. Mr. Peterman stated the applicant will follow the redevelopment agreement in regards to the pump station condition and availability. The potential upgrade of the existing pump station will not only be a benefit to support this development but also the portion of the community that presently utilizes it. It has not yet been determined if there is a need. That is still in progress.

Mr. Mintz asked Mr. Peterman to show the board where the signs would be. Mr. Peterman stated we had originally proposed identifications signs on each driveway entrance. For the northern driveway we wanted to have it on the north side and southern driveway I believe it was going to be on the southern side. Each sign was one sided with landscaping. There is a detail on sheet 9 of the development plans. It is an oval sign with 2 post, 3'x 5', less than 15 square feet. The height is 6'. We were working with Bach's office for exact location. There is a middle open space area along Berlin Road that he suggested and recommended we put one double sided sign to eliminate site triangle. We would be able to do is eliminate the 2 signs at the entrances, put one double sided sign and continue with base landscaping.

Mr. Mintz asked Mr. Peterman to review the elevation and floor plans, Exhibit A4. Mr. Peterman stated exhibit A4, Hepburn model, will be the one most visible on Berlin Road. There are varying architectural designs which is consistent with 6.3 of the redevelopment plan and agreement.

Mr. Mintz asked Mr. Peterman to review the buffering and landscaping. Mr. Peterman stated it is page 7 of 13 of the site plans. Mr. Mintz asked Mr. Peterman if building height and building coverage were compliant with redevelopment plan. Mr. Peterman stated as part of this submission we are compliant. Site design does or will meet the permitted use, set back, coverage, parking, storm water management design, and design criteria specifically listed in 6.3, 6.4, and 6.5 of the redevelopment plan. All submission requirements are complete. The parking, street design and storm water management does or will meet Bach's recommendation. The residential site improvement standards as well. Exhibit A2, page 7 of 13. Mr. Peterman stated we are looking to provide shade trees along Berlin Road at appropriate spacing by borough ordinance. Each entrance will have feature landscaping mostly smaller size so that it stays out of site triangles. Internally, there will be additional shade trees. Around each storm water management basin, there will be landscaping buffering between units and basins. The larger basin also has perimeter landscaping. The smaller basin has a natural buffer that will remain with wet lands and wet lands buffer. On north west side there is an elevation change so there will be a retaining wall and on top of that we will have a six-foot-high white vinyl fence that will create separation between site and adjoining daycare. The

fence runs along joint property line until it joins with landscaping surrounding the basin. In the middle there are two sets of four units, which are the affordable units. On either side will have trash enclosures. This will be regular trash and recycling. Each unit will have their own container for the cans and they will be buffered on either end to screen from view. They will be connected to an internal sidewalk network. Mr. Mintz if there was fencing around each basin. Mr. Peterman stated the fence is 4' high fence around each basin and as part of the redevelopment plan where adjacent to the units there will be ten-foot buffering from fencing to basin.

Mr. Wieliczko asked to review the Bach report letter, page 11 of 12 under landscaping and lighting with regard to the proposed screening buffer from the basins to the residential units. Mr. Peterman stated we will be able to provide that ten feet which is item number 4.

Mr. Mintz asked Mr. Peterman to discuss the perimeter fence and street lighting. He stated the only perimeter fence will on the northwest side along the daycare. The basin fences will be the smaller four feet posted rail with wire support. The street lighting is placed at appropriate intersections to highlight and enlighten those intersections at night along with the internal intersections of the private road and appropriately space to follow borough standards. We anticipate that these will be a lease lighting program through Atlantic City Electric. We were able to realign to meet requirement of a two foot to a four foot which will meet requirement of Bach review letter on page 8 of 12, item number 4.

Mr. Mintz asked Mr. Peterman to update the board with respect to the county. Mr. Peterman stated we have not been heard yet by county. We are looking to get local approval first then proceed with county jurisdiction. Mr. Mintz asked if there was a traffic study run for the county. Mr. Peterman stated Shropshire Associates has submitted to the county since the only access is on a county road.

Mr. Mintz asked Mr. Peterman about phasing. Mr. Peterman stated we are not proposing any phasing. We believe that the roadway and infrastructure improvements will be constructed initially. And then the units will be constructed as sold.

Mr. Mintz asked if parcel was 4.14 acres. Mr. Peterman stated that is correct. Mr. Peterman stated the redevelopment plan allows 12 units per acre. Our calculations show that we are 11.8 per which is under the acre allowance.

Mr. Mintz asked if Mr. Peterman had spoken with Patco engineer. Mr. Peterman stated yes. There were three items. The first was to alignment of northern driveway with the Patco. The second was drainage be directed away from Berlin Road. The third was the traffic generated from development. Their peak exits are opposite of developments.

Mr. Mintz stated with respect to the submissions, the plan and submissions documentation are consistent with mandate of filing with either the ordinance or the redevelopment plan. There were one or two waivers that would be required. One is to defer the title report until after the 10-day cut off to our next resubmission. Mr. Peterman stated we did receive title but it was after the 10-day cutoff for submission. We respectfully request that it be a deferral to our next resubmission. Mr. Mintz stated the second was with respect to the zoning map, whether or not the first page of the plans satisfies the condition. Mr. Peterman stated we believe it does at least as it relates to the plans. Mr. Peterman stated a partial zoning map is shown as a key map on the cover sheet of exhibit A2. That shows a zoning of the property as well as the surrounding uses and land within Stratford. What we would need is a waiver or deferral from showing adjoining zoning of what is in the borough of Lindenwold. Mr. Bach stated he had no objections to that waiver.

Mr. Mintz stated there was one with respect to the driveways within 200 feet. Mr. Peterman stated we asked for a submission waiver for the absence of showing all driveways within 200 feet. We have described where are driveways are onto Berlin Road. We have described that there are no others until we hit a municipal street on either side and the only other driveway that has any impact is Patco. We would ask for a waiver of that requirement. Mr. Mintz stated we are asking also to defer the submission of homeowner association documents. They will be drafted and submitted to council and to the professionals if the application is approved. Mr. Peterman stated there is one more deferral. There is an additional topographical information, page 8 of 12, item #1 that is required in the Hunt Avenue area of the adjacent parcel that Bach Associates has requested that we provide. We did not have the opportunity to provide as part of this submission and request deferred until resubmission. Mr. Wieliczko stated it would be a condition of approval would be that topographical information. Mr. Bach stated the only two waivers for submission a zoning map that extends further than what is provided on cover sheet and also driveways withing 200 feet. Mr. Bach stated he had no objections to those for waivers of submission. Everything else would be waiver for completeness only and will be provided if the application is successful.

Mr. Mintz asked Mr. Peterman about sidewalks. Exhibit A2, Page 5 of 13. Mr. Peterman stated we are providing sidewalk along Berlin Road. The internal sidewalks will be connected to that front. Each unit will have accessibility to a sidewalk network within the property. We are asking for relief along Bryant Avenue frontage. There are wetlands and wetland buffer there, so we are asking for relief as there is no sidewalk to connect to and do not want to disturb the environmentally sensitive area. Furthermore, there is a small piece of sidewalk on the backside of Lot 1, near daycare property, wraps around and aligns with Arlington Ave sidewalk network that is on the west side of Coolidge. There is a gap until our property. We are looking for waiver relief of absence of putting sidewalk on our frontage of Coolidge Avenue.

Mr. Bach asked Mr. Peterman about parking calculations. The parking calculations was stated as 2.4 per RSIS and should be 2.3. Mr. Peterman stated yes, it is 2.3. Mr. Bach stated that is consistent with your submission. Mr. Bach stated he wanted to verify that you will be compliant with tract perimeter, building set backs of 10 feet. Mr. Peterman stated we did not put that in our zoning table on the cover but we will add that to it and we will be compliant with setback. Mr. Bach asked the same for the minimum 35% open space requirement. Mr. Peterman stated they will be compliant with 35.3% without the storm water management basin. Mr. Bach stated you indicated that you had no objection to our July 10 review. Mr. Peterman stated we have no objections.

Mr. Wieliczko asked Mr. Mintz to clarify with the exception of the requested waivers which have been identified, the applicant agrees to all recommendations identified in the review letter from Bach Associates office dated July 10, 2020. Mr. Mintz stated that is accurate.

Mr. Mancini stated the plans indicate there is 137 square foot of buffer towards Bishop Terrace and about 50' towards existing homes. Can you give an approximate percentage of what that 137 square foot is to the existing wetlands? Mr. Peterman stated there is an existing wetland delineation that is on the southwesterly portion of our site. There is an existing resident that is on Lot 5 that fronts Coolidge. We have a 50' buffer but beyond that we are also looking, we need to go to DEP, for a wetlands buffer reduction in averaging. So that will reduce that buffer slightly but the 50' is well beyond the property line. I believe it is closer to about 100 feet.

Mr. Mancini asked what would residents be looking at when done versus what they are looking at now?

Mr. Peterman stated in the middle of winter they will have a visual that may exist during those couple of winter months, just one resident on Lot 5 if at all. Mr. Mintz stated the buildings that face the basin are the affordables and are only two story. They are exhibit A7, which is label Beethoven, two story. Mr. Mintz asked if the Hunt Rd Way was vacated? Mr. Peterman stated that is what we have been advised by the borough. It has been vacated and made part of Lot 5. Mr. Mintz asked M. Peterman you have not read documents but do you understand that the entirety of that road way was provided to the Lot 5 homeowner. Mr. Peterman stated that is correct.

Mr. Santora asked if they could explain Bishop Terrace and that it is a paper road and that will never be restored to Bishop Terrace. Mr. Peterman stated that is a paper street that we are not proposing to encroach or develop at any time. It is a right of way, Borough owned.

Mr. Mancini stated the storm water report indicated that the HOA would be responsible for the basins. Mr. Peterman stated it is going to be in place and someone guides them to maintain it properly. Mr. Peterman stated as part of the Best Management Practices, there is a requirement to be completed and submitted. Part of the application pack is a storm water maintenance plan. It is filed as a document at the county court house. That will also be referred to in the HOA documents. HOA will need to follow guidelines.

Mr. Mancini asked why there were 49 townhomes, but 50 lots. Mr. Peterman stated there are 41 market rate units, 8 affordable units, 1 open space. They are deed separated lots. The open space lots owned and maintained by the HOA.

Mr. Mancini asked how many fire hydrants would be located inside the development. Mr. Peterman stated he did not know specifically but fire hydrants need to comply with borough requirements. Mr. Bach stated one of the outside agencies that we need approval from is the fire sub code official. He will be weighing in on locations of fire hydrants. Mr. Wieliczko stated if the applicant anticipates point of sales disclosures to purchasers with regards to a HOA and the obligation of the HOA. Mr. Mintz stated that is the expectation. Mr. Wieliczko stated the applicant as a condition of approval to appoint a disclosure. One of the documents that buyer receives at settlement will be the disclosure that a Home Owners Association exist, what the budget will be and what the HOA will be responsible for.

Mr. Mintz introduced Nathan Mosley from Shropshire Associates. Mr. Mosley gave his credentials. Mr. Mintz asked that he be accepted as an expert witness. Mr. Wieliczko stated he had no objections.

Mr. Mosley stated he had prepared the traffic engineer assessment report that was dated July 10, 2020. The study starts with counts on June 23, 2020. The state had open partially and traffic had greatly increased from traffic levels in March and April. The counts were done at the intersections of Berlin and New Road and the Patco Driveway. We also did counts on Berlin and Arlington Avenue and Berlin and Bryant Avenue. Studies are done from 7-9 in the morning and again from 4-6 in the afternoon.

We typically would use those numbers as our base conditions: however, with conditions being what they are, we did some adjustments to add growth to the data we collected. We contacted the Delaware Valley Planning Commission. They have traffic data for Berlin Avenue just east of our site which included daily traffic counts in both east bound and west bound. Those counts were from January of 2017. We had some existing traffic counts data that we had collected for another application at the intersection of Route 30 and New Road. We apply about 125% growth to the collected data. Mr. Mosley went over the traffic counts. Both driveways are on the Berlin Road. Those driveways are jurisdiction of Camden County and will require final approval with regards to location and design and operations of those driveways. The driveway locations are based on County input. The am looks to generate about 24 total trips and 31 in the pm. The majority of the traffic will be east and west along Berlin, some traffic for New Road and a potentially a few trips that will travel through Arlington. and Bryant back towards Rt. 30. We do not see any changes in the overall or the individual levels of service at Berlin and New Road. At the intersections of Berlin Road and Arlington Avenue and Berlin and Bryant Avenue, the traffic from this project will cause no change in the level of service. From a traffic flow, the development offers a complimentary traffic flow. The traffic flow will be opposite of Patco.

We are proposing 2.4 spaces per unit for parking. RSIS requires 2.3 spaces per unit. In addition, the IT parking generation manual and the 85% parking demand is 1.25 spaces for units. There is more than enough parking without spill over.

Mr. Mintz asked Mr. Mosley if he had contacted the DRPA. Mr. Mosley stated he had reached out and left a message but was not able to follow up today. Mr. Mintz stated that Mr. Peterman was able to speak with them on your behalf.

Mr. Mancini inquired about impact on back streets. Mr. Mosley stated the traffic pattern would mimic traffic patterns in the area. There would be minimum traffic. Some traffic would go through Bryant and Arlington Avenue. We anticipate one or two additional trips through that area.

Mr. Mintz asked Tiffany Morrissey to give a sum of her credentials. Mr. Bach stated he had no objections for Ms. Morrisley to be recognized as an expert in planning. Mr. Mintz asked Ms. Morrissey to review the nature of the zone. Ms. Morrissey stated this is a redevelopment zone. The underlying zone is Commercial, but the redevelopment zone provides for the proposal of development that is before you. The proposed development meets all standards of the redevelopment plan; however, we are requesting a waiver from sidewalks as provided for in the actual land development ordinance. That was reviewed by Mr. Peterman as it relates to the sidewalks on the rear of the property along Coolidge Avenue across from the borough park. The request for that is based upon the fact that sidewalk would in essence would connect to nothing on either end. There is a gap from the existing sidewalk that wraps around the corner from the daycare center and then it would end at the former Hunt Avenue right of way that is now part of Lot 5. There would be no additional sidewalk until you reach Stratford Avenue and go past a large open space and three total homes. We are requesting a waiver from that requirement. I believe the Board is entitled to grant under the ordinance based upon the section 16:306220 sidewalk curbs and gutters. The Board has the discretion where it is not necessary to have sidewalks on both sides that a waiver is appropriate. The proposed plan advances the purpose of the redevelopment plan and your master plan. It provides redevelopment of a blighted or underutilized property. It results in improvements to an area that are a benefit to the community including clean up of past uses, providing housing and helping with the borough's affordable housing obligation. The benefits of this application, as it relates to your master plan and your redevelopment plan, I believe this application advances those purposes and meets the intent of the plan that is before this board. The waiver is appropriate given the fact that there are additional sidewalks in the area.

Mr. Mintz asked Ms. Morrissey specifically to address the pump offsite and environmental issues on site. Mr. Morrissey stated the improvements that will may potentially be necessary will provide benefit to the community and anyone else that utilized part of that upgrade in the capacity in the area. Additionally, the

improvements to the clean up of the property by fulfilling the removal of a storage tank and cleaning the soil bringing it back into a better condition.

We are an overlay zone for redevelopment. The underlying zone is commercial. The redevelopment plan does apply. Mr. Mintz asked Ms. Morrisey if the use is permitted. Ms. Morrisey stated the use is permitted and density and sight layout and designs are permitted. Mr. Mintz asked Mr. Morrisey about building elevations. Ms. Morrisey stated the architectural styles of the building must have at least three different building façade materials, interesting variation to the roof lines and decorative elements and building trim as well as being compatible with surrounding uses. Those conditions are satisfied with this application. Mr. Morello asked Ms. Morrisey to explain the exact waiver for sidewalk requirements. Mr. Morrisey stated it is between Arlington and Hunt. There is a little bit of sidewalk that wraps around from the daycare and ends around right of way of Arlington, there is a gap and then our property. At end of our property you have Hunt Avenue and basically all the way to Stratford Avenue before there is any sidewalks on our side of the street. There is sidewalk across the street on Coolidge Avenue providing connections to the park and for the residential uses in that area.

Mr. Morello stated sidewalk will be provide from Arlington Avenue (labeled incorrectly on plans as Coolidge) on Berlin Road to your property entrance.

Mr. Morello asked where waiver is being requested. Mr. Peterman stated in the back on Coolidge along the back line where the basin is and then on Berlin Road, the small area between end of our property and Bryant Avenue.

Mr. Santora asked from the stop sign at Arlington Avenue and Berlin Road, how do you access property on foot in front of day care? Mr. Peterman stated it is off site of our project. Mr. Santora stated people are going to have to walk in the street to get to bus stop. Is it possible that we ask that you to approach the owner of the daycare and ask them to install sidewalk to daycare or you approach the bus stop and ask them to move it down to the end of your property? Mr. Mintz stated we would reach out to the daycare and ask them to provide sidewalk. Mr. Santora stated reach out and see in you can install sidewalk for them. Mr. Mintz asked that the board provide that the project is not mandated to do that but do "best effort" to coordinate putting installation of sidewalk. Mr. Weisberg stated he would use best effort to contact the owner to create an improvement for the bus stop. Mr. Peterson stated that there would be trees that would have to be removed. Mr. Mintz stated it is difficult to commit to something that we do not know the impact or the control.

Mr. Wieliczko stated as I understand it one of the comments from the Board members, they would like to see the applicant make best effort to coordinate with the adjoining property owner for the potential installation of sidewalk on their property either at your expense or their expense. They are asking for you to do your best efforts to do that. Mr. Santora and Mr. Morello agreed with that statement. Mr. Wieliczko stated Mr. Mintz is correct in that his client does not own that property and does not have the ability to install sidewalks on that property even at their own expense; however, he has indicated that they would agree to a condition of approval to use best effort to coordinate and reach out to adjoining land owner to attempt to coordinate the installation of sidewalks to address the concerns that have been articulated by the Board members as it relates to the bus stop. Mr. Weisberg that he is comfortable with best effort. Mr. Santora wanted to put safety first. Mr. Wieliczko stated that it is not a condition of approval that they actually secure the approval to put the sidewalk in, but that they will execute and utilize best efforts and will report to Mr. Bach on those best efforts concerning what actions they have taken to coordinate that with regard to incurring the expense, footing the expense, that would be up to the private owner.

Mr. Bach reviewed his letter from July 10, 2020. He stated that in our review letter that no variances and no waivers except for the waiver by testimony. Mr. Peterman and Mr. Mintz have already stated on the record that all of our review comments will be address as part of a resubmissions. Mr. Bach asked the board if they had any comments or questions specifically on review letter?

Mr. Morello stated the review details the waiver aspect of the sidewalk from Berlin Road to Bryant Avenue. Mr. Bach stated I believe it just call out that there need sidewalks on all frontages, but stipulated on the record is what they are asking for a waiver on frontage on Bryant as well as on Coolidge. Mr. Mintz stated it is small piece on Berlin Road next to Bryant Avenue. Mr. Peterman stated we are looking to take sidewalk up to Bryant, then they will be able to cross over Bryant parallel with Berlin Road to get into sidewalk network.

Motion by Mr. McGovern, seconded by Mr. Hall to open to the public. All members voting aye.

Mr. Wieliczko addressed the public. You will be sworn in and will be asked to give your name and address. This Land Use Board is governed by a separate set of rules and procedures. In addition, we are following the Department of Community Affairs guidelines with regards to remote meetings.

Mr. John Gentless, 111 Union Avenue. Mr. Gentless was sworn in by Mr. Wieliczko. He questioned Mr. Bach. With the NJ DEP permit, being that we are moving that wetland buffer over from the open space area, does that have to go back to NJDEP for additional permitting? Mr. Peterman stated that is not the case in order to fit that basin in. It is primarily to be able to provide basically a parallel line to allow for the unit to go where we are proposing about middle of the site. So, the buffer gets slightly reduced there and averaged out in other areas. Mr. Gentless asked Mr. Bach about the sewer reconstruction. What would be the plan b if you cannot do anything with pumping station? Mr. Bach asked if this was the sanitary sewer pump station that is referred to in the redevelopment agreement? Mr. Gentless right by the gas station. Mr. Bach stated he was not the engineer at that time that was done in 1995, when it was upgraded. He stated authorization has not been issue yet so he cannot speak to that.

Mr. Gentless asked the applicant how come there were only 8 affordable houses and not 10? Mr. Mintz stated there was a discussion with fair share housing. They are satisfied with that because of the size of the project and the ability of the project to underwrite the affordable housing that this is the appropriate number.

Mr. Gentless asked how wide is the alleyway? Is there any type of a tax abatement? Who is building them? Name of street? How many cuts will have to be made in this project? This was not advertised in the retrospect newspaper.

Ms. McCart stated all our meetings are advertised for the year in the Courier and Retrospect. This advertisement for this specific was in the Courier Post. Mr. Gentless stated in the beginning of the meeting it was stated that meeting was advertised in the Courier Post and the Retrospect. Ms. McCart stated all of our meetings are advertised in those two papers. It is a regularly scheduled meeting. Mr. Mintz stated the area in the back of the buildings but there is no new roadway being constructed. There is an HOA drive aisle proposed. Mr. Peterman stated the proposed private road is 25 feet. Mr. Mintz stated there is a redevelopment agreement in place. Builders is a private contract negotiation. The name for the street has not been determined but it is not a public street. Mr. Bach stated he did not understand the questions about cuts. Mr. Gentless asked how wide the units were. Mr. Mintz stated they are different for each unit. The units that face Berlin Road are 16' and consistent with redevelopment plan.

No other members of public spoke.

Motion was made by Mr. McGovern and seconded by Mr. Hall to close the public portion. All members voting aye.

Mr. Mintz stated we are excited to be coming to the Borough. We think we have a wonderful project. It provides assistance with respect to the environmental condition and utilization of an under-utilized location.

Mr. Wieliczko stated the applicant is here for a preliminary and final major subdivision and major site plan for the construction of 49 residential townhouse units, one open space, and two basin lots. There is no request for variances. In that regard the application meets all standards of the redevelopment plan. They have agreed to conditions of Bach review letter of July 10, 2020 and conditions of approval that we have articulated in this evening. The applicant has requested waivers with regard to expansion of the zoning map. The applicant has agreed to applicable form of title report, and other deferrals with regard to topographical information on the Hunt Ave Parcel and the grading items. The applicant has requested with regard to sidewalk submission, the waiver of sidewalks on Bryant Avenue angled section, frontage on Coolidge, as identified close to Lot 61. There is also a request for the 200-foot separation driveways. Home Owners Association Documents would be submitted and approved and they would include the point of sale disclosure. The applicant as part of condition of approval has negotiated and executed a formal redevelopment agreement which is acceptable to the borough.

Motion by Mr. McGovern and seconded by Mr. Morello to approve preliminary and final major subdivision and final major site plan with requested waivers as articulated. Roll Call vote: Mr. Mancini,

yes, Mayor Keenan, yes, Mr. Kozeniewski, yes, Mr. Morello, yes Mr. McGovern, yes Mr. Hall, yes, Mr. Santora, yes.

CORRESPONDENCE: None

PUBLIC PORTION: Motion was made by Mr. Mancini and seconded by Mr. McGovern to open for public comments. All ayes. The record will reflect that there were no comments from the public. Motion was made by Mr. Hall and seconded by Mr. Mancini to close public session. All ayes.

ADJOURNMENT: Motion was made by Mr. Hall and seconded by Mr. Mancini to adjourn the meeting at 10:00 pm. All members voting aye.