

**Springfield Township Planning Board Meeting
February 16, 2016**

Chair Jacques called the meeting to order at 7:30 p.m. and led the salute to the Flag.

The Chair read the Open Public Meetings Statement. "Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Springfield Township Planning Board in the following manner on January 10, 2016;

- a. Posting written notice on the official bulletin board at the Municipal Building, Jobstown, N.J.
- b. Mailing written notice to the Burlington County Times and Register-News.
- c. Filing written notice with the Clerk of Springfield Township.
- d. Mailing written notice to each person who has requested copies of the regular meeting schedule and who has prepaid any charges fixed for such service.

Roll Call:

Jo Jacques, Chairperson	Present
Anthony Marinello	Absent
John Hlubik	Arrived 7:40pm
Bernard Dunn	Present
Theresa Nicholson	Present
William Bauma	Absent
Stephen Makuka	Present
William Pettit, 1 st Alternate	Present
Vacant, 2 nd Alternate	

Minutes:

January 19, 2016

Chair Jacques indicated a typo on page 2; 2nd sentence as "...Board didn't grade the waiver" but should be "...Board didn't grant the waiver". Chair called for motion for said corrected minutes. Mr. Dunn motioned to approve the corrected minutes, seconded by Mrs. Nicholson. Motion unanimously carried.

Informal Review:

Block 1601, Lot 5.04, 2200 Saylor's Pond Road Concept Plan

- Joseph Mancini, PE, PP of TSE Engineer
- Frank Taylor, Business Owner

Mr. Mancini of (TSE) Tri State Engineering introduced himself as representation of Mr. Taylor to the Board. Mr. Taylor is under contract to purchase the property and he also owns the property next door recognized as the Post Office, Mr. Taylor's office and the pizza shop. Proposal is basically identical to a 2004 plan proposal, the "All About You" hair salon which did not move forward. Mr. Mancini indicated they have that plan and their intention is to keep it substantially similar while recognizing they need to go forward with Preliminary and Final Site Plan approvals.

The difference of this plan compared to the 2004 plan is to the rear of the site, the south east corner, where they propose to connect Mr. Taylor's existing fenced yard area where he has some tables for his business. They want a connection from one site to the other to be able to have a connection and an additional fenced in area in the new site. The site received NJDEP approval for the wetlands location along with a number of fill and transitional labor permits and for the time being, it's extended through the Permit Extension Act until this June. They are looking how to execute the permits before they expire in June.

Mr. Germano indicated the timeline of the Act and the former application and he indicated that the zoning has not changed and the Township Ordinance doesn't provide that Site Plan approvals do not expire so it's ok. Mr. Mancini indicated that they would come in with an amended Preliminary and Final Site Plan due to minor changes of the layout. Mr. Mancini continued that they want to come in as if a new project coming before the Board. They also received an approval for the septic design which needs to be verified with the Health Department. The size of the building is not changing so the septic design is not changing.

Mr. Mancini stated that they wanted to come as an informal to receive general feedback about the layout of the site and anything they should keep in mind being it's been 12 years since the last application. Mr. Germano inquired of the use. Mr. Mancini referred to Mr. Taylor. Mr. Taylor replied that it would be a contractor's office building as they have now. Mr. Germano referred to Mr. Dunn who indicated it's a permitted use. Mr. Taylor gave brief description of the proposal of changes. The business is Environmental Construction. Mr. Richter gave briefing of what to expect from his review. Mr. Germano brought up easements and impervious cover. Mr. Germano indicated that both the amended Preliminary and Final Site Plan can be done at the same meeting.

Chair Jacques asked if the Board has any questions or comments. Mr. Dunn asked if the 10' wide landscaping buffer is still there on the side of the house. Mr. Mancini replied as yes. Mr. Mancini thanked the Board.

Other Business:

- Farm Labor Housing Discussion

Chair indicated that the draft ordinance was distributed for review. Mr. Germano gave the overview of changes to the Model Ordinance with input from the Board Members:

- a. Will the Board going to allow for apartments in agricultural buildings to be used as apartments year round? The consensus was no and further indicated that no housing will occur in agricultural buildings seasonal or year round.
- b. The "Revised Definition" section as seasonal farm labor housing means employed 100% of the growing season on a commercial farm while living in permanent structure housing. No temporary structures are allowed for farm labor housing whether seasonal or year round housing.
- c. The "Model Ordinance Requirements" section for seasonal housing. Reference to numbers 5 & 6 for temporary housing need to be removed under the "These are my suggested requirements". Additionally, under the "These are my suggested requirements" section; "Each seasonal farm labor housing unit must have its own well and its own septic system" incurred discussion that it's good having its own septic system but no need for its own well. Furthermore, in the same "Suggested requirements" section, the bulk requirements listed in items 3,4 & 7 of the model ordinance were revised. Item 3 speaks of a 150' setback from both sides and rear property lines. However, if a 25' deep landscaped buffer screens the seasonal unit from the view of adjacent non-agricultural uses, the setback may be reduced to 75'. The current setback for other farm buildings is 100' in the Township Ordinance. Item 7 indicates seasonal farm labor housing units shall observe a front yard setback of 150' with foundation plantings to soften the visual impact of the building will be required. Item 4 indicates the seasonal units will comply with the height restrictions of principal buildings; the impermeable cover limit and building coverage limit are applicable as in the AR-10 zone.
- d. Year Round under "Performance Standards Applicable to Farm Labor Housing Units" has new items for B & C. Item B indicates a farm labor housing unit that fails to meet the standards for use & occupancy established herein must be vacated and must remain so until re-qualified as hereafter provided. C indicates that it's the farmer's responsibility (not the tenant) to ensure the ordinance is obeyed. Item F indicates that when employees change, a new certificate of occupancy needs to be obtained. Item G is new and opinion was taken from Mt. Holly Construction Official who inspects the farm labor housing units every 3 years regardless of changes in occupancy. The Board feels this is not necessary in Springfield being the change of

occupancy will need a C.O. anyway. Item H has been discussed previously in regards to obtaining the payroll records to ensure the occupant of the housing unit has been employed for at least 27 weeks of the previous 12 months. If bartering is used to pay the employee, the farmer provides the housing in lieu of monetary payment. Item H should indicate "payroll records or other means as appropriate". Money is not being made from the unit. Farmer's records will verify the employee's work on the farm. Item H. will have added that the farmer is required to notify the Zoning Officer when a new employee enters and a C.O. is to be obtained.

- e. Section 7 "Performance Standards Applicable to Seasonal Farm Labor Housing Units" is all new. Item A indicates the use and occupancy of seasonal farm labor housing units is limited and restricted to the individuals described in section 3 Definitions of this ordinance. The seasonal housing use/occupancy cannot be used for anything other than what is allowed for seasonal farm labor housing. Item B indicates that any violation is the farmer's violation. Item C indicates that a "responsible person" which is the name and contact information of a designated person who lives no more than 1 hour from the farm and can be reached 24/7 (as indicated in item E), shall demonstrate the seasonal farm labor housing unit has passed the annual pre-occupancy inspection required by the State of N.J. respecting health, safety, construction and housing and comply with all federal and state statutes and regulations. Item E must have the designated "responsible person" name and contact information provided to the Township and visibly posted within the farm labor housing unit. Item D asks should a seasonal unit occupancy employ the same vacation premise as the year round units when the ordinance is violated or impose heavier fines. Discussion incurred of difficulty of removing a tenant.
- f. The last section refers to Enforcement which is geared towards the year round farm labor housing units. The Zoning Officer shall be responsible for the enforcement of this ordinance. The Construction Official shall notify the Zoning Officer of all C.O. and C.C.O. issuances. The failure or refusal of a commercial farmer to provide the employment records as required shall create a rebuttable presumption that the employee/occupant has not been employed for the required number of weeks. As result of this failure/refusal, the Zoning Officer shall issue a notice of violation affording the farmer an opportunity to produce the required records within 30 days. If the farmer still refuses/fails to produce the employee records, the occupant of the farm labor housing shall vacate the unit. Such notices shall be sent via certified mail to the farmer and the occupant at the commercial farm address. If the employee/occupant and/or his/her family members have not vacated the farm labor housing unit within 45 days of receipt of the notice, the Zoning Officer shall file charges against the farmer in the township court for violating this ordinance. Penalties of up to \$100 per day for each day of failing/refusing to provide employment records and \$100 per day for each the occupant and/or his/her family have not vacated the farm labor housing unit.

Seasonal unit enforcement provisions will be addressed at the next meeting and tonight's revisions provided by the Board will be incorporated.

- Correspondence regarding Probasco Farm application to CADB

Mr. Germano indicated a local farmer wants to open a distillery on Route 206 across from the Wawa. The ABC laws allow for Craft or Designer Distilleries where less than 20,000 gallons are distilled in a year. On top of that, the farmer wants to distill from things that he will grow on his farm. Therefore, it's a farm market and covered by the SADC's AMP under Direct Farm Marketing. If they choose to invoke it, they have jurisdiction over the Township. The farmer has been in conversation with Brian Wilson and will make application. Mr. Hlubik indicated they will have a hearing on the 2nd Thursday of March to make sure they have the Right to Farm protection. Mr. Germano indicated assuming they get over that hurdle; the next step is going to the CADB for site plan. Their Engineer has to certify that their site plan has to follow the Township Ordinances and specify where they're requesting waivers or variances. Then the Engineer will need to submit it to the Planning Board Engineer to review and do a letter. Mr. Germano indicated that a \$2,500 escrow should suffice.