

**Springfield Township Planning Board Meeting Minutes**  
**June 21, 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	Present
John Hlubik	Absent
Bernard Dunn	Absent
Theresa Nicholson	Absent
William Bauma	Present
Stephen Makuka	Present
William Pettit, 1 <sup>st</sup> Alternate	Present
Vacant, 2 <sup>nd</sup> Alternate	

Also present were Board Solicitor Denis C. Germano, Esq.

**Minutes:**

May 21, 2016

Chair called for motion for minutes. Mr. Bauma motioned to approve said minutes, seconded by Chair Jacques. Motion carried. Abstain: Marinello, Makuka and Pettit

**Application:**

#5-15 - Sherjung Benipal, Block 701, Lots 1&2 (1786 Jacksonville-Jobstown Road)  
 Amended Preliminary Site Plan

- Review Letter from Jeff Richter

**Chair Jacques announced postponement of application to be carried to the July meeting without re-notice.**

**Other Business:**

- Farm Labor Housing Discussion

Chair indicated that the Board is very close to finalizing the Farm Labor Housing Ordinance. Mr. Germano explained the changes (*italicized in red*) to the current draft as follows:

- Page 1 Section 3.3: *A farm management unit that is a beekeeping operation producing honey or other agricultural or horticultural apiary-related products, or providing crop pollination services, worth \$10,000 or more annually.*
- Page 3 Section 6.G: (1) *Certify that the unit had not been leased to the employee/occupant or any other resident of the unit and that no resident of the unit*

enjoys the rights of a "tenant" under the Landlord/Tenant laws of the State of New Jersey and

- Page 5 Section 7.D: *The commercial farmer must maintain and produce upon the request of the Zoning Officer a list of all the occupants of the seasonal unit together with identification documentation for each occupant. The failure and/or refusal to maintain and/or provide a copy of the list upon request by the Zoning Officer shall be a violation of this ordinance.*
- Page 5 Section 7.F: *The failure or refusal of a commercial farmer or his representative to provide the payroll records requested by the Zoning Officer shall be a violation of this ordinance. The submission of false information by the commercial farmer or his representative shall be a violation of this ordinance.*
- Page 5 Section 7.G: The construction, use and occupancy of seasonal farm labor housing units must comply with all applicable federal and state statutes respecting health, safety, construction and housing and all state and federal regulations governing same. The designated "responsible person" described in subsection H of this section shall demonstrate that the seasonal unit has passed *all* inspections required by the State of New Jersey.
- Page 5 Section 7.H: The commercial farmer who employs the seasonal workers living in the seasonal unit must provide the name and contact information of a "responsible person" *to the Zoning Officer and must post the name and contact information of that "responsible person"* in a highly visible, easily accessible area of the seasonal unit. Contact information includes but is not necessarily limited to the individual's physical and email addresses, as well as home, work, cell and fax numbers. The individual must live and work within one hour's drive of the seasonal unit and must be available twenty-four (24) hours a day, seven (7) days a week to produce records, respond to emergencies, official inquires and the like during the months that the seasonal unit is occupied. The failure or refusal of the designated "responsible person" to provide information and/or respond when summoned will be deemed a violation of this ordinance by the commercial farmer.
- Page 6 Section 8.A Site plan review and approval shall be required for seasonal farm labor housing units but not for farm labor housing units. *Seasonal Farm Labor Housing units that meet the definition of "major development" as that term is defined in §179, "Stormwater Control," of the Township Code require preliminary and final site plan approval as provided by §164-1 et. seq. of the Township Code. Seasonal Farm Labor Housing units that do not meet the definition of "major development" as the term is defined in §179 "Stormwater Control" shall require minor site plan approval as provided herein.*
- Page 6 Section 8.B **STANDARDS AND CONDITIONS FOR MINOR SITE PLAN APPROVAL OF SEASONAL FARM LABOR HOUSING UNITS**

*The reviewing board shall grant minor site plan approval if the plan conforms to the following standards:*

- 1) *The proposal meets all use and bulk standards applicable to seasonal farm labor housing units.*
- 2) *The proposed development does not negatively impact existing drainage facilities, wetlands, wetland buffers or other environmentally sensitive areas.*
- 3) *To the maximum extent practicable the plan preserves existing natural resources.*
- 4) *The plan provides for safe and efficient pedestrian and vehicular circulation.*
- 5) *The plan satisfies all applicable requirements of the Barrier Free Access Code and provides \_\_\_ parking spaces per every \_\_\_ beds for the unit's maximum number of beds.*
- 6) *One 12' x 25' loading zone per every 20 beds for the unit's maximum number of beds. At least one (1) loading zone must be provided.*
- 7) *Drive aisles and parking areas must be paved or stoned. Parking spaces must be demarcated with bumper blocks. Paving or depth of stone, drive aisle widths, and parking space dimensions shall conform to the applicable Township design standards.*
- 8) *A grading plan that complies with the standards set forth in §185-22.*
- 9) *The plan complies with the requirements of all outside agencies having jurisdiction of the proposed development.*
- 10) *A lighting plan that provides safety and security for vehicles and pedestrians without causing off-site glare or light pollution.*

• **Page 6 Section C: PLAN REQUIREMENTS – MINOR SITE PLANS FOR SEASONAL FARM LABOUR HOUSING UNITS**

- 1) *The site plan shall be a true and accurate map drawn to a scale of not less than one inch equals 50 feet, minimum sheet size 24 inches by 36 inches, showing the proposed seasonal farm labor housing unit and the surrounding area 200 feet in all directions.*
- 2) *A key map, at a scale of not less than one inch equals 2,000 feet, showing where, within the Township, the seasonal farm labor housing unit will be located and its relation to major streets, water bodies and political boundaries within the area.*
- 3) *Certification and signature lines for the Chairman, Secretary and Engineer of the appropriate reviewing board and any other reviewing agency that has jurisdiction of the proposed development.*
- 4) *Reference meridian.*
- 5) *Applicable zoning, covenants running with the land, existing deed restrictions and the proposed use of the property shall be clearly shown or exhibited in separate documentation. If additional right-of-way is to be dedicated to the Township, a note stating: "Additional right-of-way dedicated to Springfield Township for road widening purposes" shall appear on the plan, or to the county, if a road is under its jurisdiction.*
- 6) *Setback dimensions shall be shown on the plan.*
- 7) *Existing and proposed contours with intervals of one foot where slopes are more than 3% but less than 15% and five feet when they are 15% or more and spot elevations where needed to show the situation properly (indicate datum).*

- 8) *All buildings, structures, wooded areas, easements, rights-of-way, signs, lights and paving.*
- 9) *Tax Map sheet, block and lot number for the farm where the seasonal farm labor housing unit will be located, and names of owners and block and lot numbers of lands within 200 feet of the farm.*
- 10) *Names and addresses of the record owner and the person who prepared the plan.*
- 11) *The site plan shall show proposed buildings or structures, including dimensions, distances from property lines, corner elevations, first floor elevation, floor areas, front, rear, and side elevations and preliminary architectural plans.*
- 12) *The location and arrangement of vehicular accessways including the accessway that the facility will use to access the public streets. The location, size and capacity of all parking and loading areas shall also be included.*
- 13) *Walkways and all other areas devoted to pedestrian use shall be clearly delineated.*
- 14) *A complete landscape plan, including size and type of all plants, shall be included.*
- 15) *Location of all utilities shall be shown, including water supply, septic systems, gas and electric services, lighting, illumination and refuse storage area.*
- 16) *The storm drainage system shall be shown, and the applicant shall supply drainage calculations to substantiate the size and location of any proposed drainage structure/improvements.*
- 17) *Parking schedule.*
- 18) *Pavement or other hard surface (stone) construction detail.*
- 19) *Locations and details of all signs.*
- 20) *Designs and details of any structures such as retaining walls, headwalls and detention basins. The locations, dimensions, capacity and depth of underground storage tanks along with a detail showing the proposed method of anchoring.*
- 21) *Provisions for soil erosion and sediment control.*
- 22) *Where work is to be done in the municipal right-of-way, a detailed plan at a scale of not less than one inch equals 30 feet, showing the layout of any intersection, including driveways to a municipal road. This plan shall show the following:*
  - a. *Existing elevations of the center line of the municipal road every 25 feet to extend 100 feet beyond the property line or intersection pavement transition.*
  - b. *Proposed elevations of the curb, gutter and top of curb every 25 feet along the municipal road.*
  - c. *Half cross sections every 50 feet and at critical points along the municipal road, and spot elevations of the center line, edge of pavement and proposed curbline along the municipal road.*
  - d. *Pavement markings, signs and traffic control islands and devices.*
  - e. *Proposed structures.*

• **Page 8 Section D DOCUMENTATION REQUIREMENTS**

- 1) *Names and addresses of record owners of tracts within 200 feet of the farm.*
- 2) *Copies of any protective covenants, easements or deed restrictions applying to the land.*

- 3) *Certification from the applicant stating that no record exists of a previous site plan approval which would affect the proposed application.*
  - 4) *Certification that the applicant is the owner of the property or the agent of the owner. If the applicant is not the owner of the property, the consent of the owner is required.*
  - 5) *Detailed cost estimates for the proposed construction of site improvement for bond calculation purposes.*
  - 6) *Written approval of local, county, state or federal organizations, as required.*
  - 7) *Certification from the Tax Collector that all taxes are paid to date.*
- Page 9 Section 9.B The Construction Code Official shall notify the Zoning Officer of the issuance of all Certificates of Occupancy and Certificates of Continued Occupancy for farm labor housing units *and seasonal farm labor housing units.*
  - Page 9 Section C The failure or refusal of a commercial farmer to provide employment records as required herein shall create a rebuttable presumption that
    - the employee/occupant of the farm labor housing unit has not been employed for the requisite number of weeks on the commercial farm, or
    - *an occupant or occupants of the seasonal unit for whom employment records have not been produced are not employed on the commercial farm where the seasonal unit is located.*
  - Page 9 Section 9.D.d If the employee/occupant and *all other residents* have not vacated the farm labor housing unit within forty-five (45) days of receipt of the notice to vacate the Zoning Officer shall file charges against the commercial farmer in the Springfield Township Municipal Court for the violation of this ordinance.
  - Page 10 Section 9.E.b Upon the failure or refusal of a commercial farmer to provide employment records *and/or identification documentation* upon request the Zoning Officer shall issue a notice of violation affording the commercial farmer an opportunity to produce the required records within ten (10) days.
  - Page 10 Section 9.E.f Each non-employee occupant of a seasonal unit that is not removed or fails or refuses to vacate the seasonal unit shall be deemed a separate violation. *Each day that a non-employee occupant of a seasonal unit is not removed or fails or refuses to vacate the seasonal unit shall be deemed a separate violation.*

Mr. Germano asked the Board about including the need for a Performance bond in the ordinance. For example, if a retention basin is in proximity to a neighbor. A waiver can be granted for a performance bond. The Board agrees to having this included in the ordinance.

Mr. Bauma asked about the property owners with farm labor housing who live out of the country and their responsibilities. Mr. Germano responded that there will be a responsible party's contact information will be posted within the unit.

Mr. Marinello asked about enforcement and penalties. Mr. Germano responded that Superior Court could close the unit. It's not a landlord-tenant issue so eviction is not possible. The courts will need to be involved if needed. More discussion ensued on penalties. Mr. Germano will check further into property owners who live outside the United States.

Chair Jacques asked if the ordinance is ready to move onto the Council review. Mr. Germano will check into the enforcement and then forward to the Governing Body. Chair requested motion to send to the Council. Mr. Bauma motioned, seconded by Mr. Pettit. Motion carried unanimously.

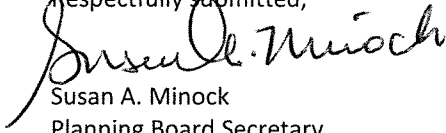
**Public Comment:**

No public for comment

**Adjournment:**

Mr. Marinello motioned to adjourn, seconded by Mr. Pettit. Motion carried unanimously. Meeting adjourned at 8:10 pm.

Respectfully submitted,

  
Susan A. Minock  
Planning Board Secretary