

**Springfield Township Planning Board Meeting Minutes
January 15, 2019**

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 4, 2019;

- 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 the Trenton Times.
- 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
Denis McDaniel	Present
John Hlubik	Present
Bernard Dunn	Present
Theresa Nicholson	Present
William Bauma	Present
Stephen Makuka	Present
Richard Toone, 1 st Alternate	Absent
Alexandra Corwin Johnson 2 nd Alternate	Present

Also present were Board Solicitor Douglas Heinold, Esq. of Raymond Coleman Heinold, LLP; Board Engineer Jeffrey Richter, PE PP of Banc3 and Board Planner Elizabeth McManus, PP of Kyle & McManus Associates

Minutes:

December 18, 2018

Chair called for motion for the minutes. Mr. Bauma motioned to approve said minutes, seconded by Mr. Makuka. All in favor. Abstain: McDaniel, Corwin-Johnson. Motion passed.

January 3, 2019 Reorganization

Mayor McDaniel indicated on page 2, the resolution for the Township's Official Newspapers needed to change from the Bordentown Register to the Trenton Times. Chair called for motion for the corrected minutes. Mayor McDaniel motioned to approve said minutes with corrections; seconded by Mr. Bauma. All in favor. Motion passed.

Application(s):

#4-18- Earl H. Rue – Block 1401, Lots 19.02 and 19.05

- Minor Subdivision

Applicant Attorney – Patrick McAndrew, Esq.

Mr. Heinold swore in Donna Rue, applicant. Mr. McAndrew gave overview of the application and held up a marked-up plan to the Board. Basically, the larger lot, 5+ acres, owned by Earl Rue will move 1.1 acres to the smaller lot of currently 1-acre, owned by Mr. Rue's daughter and son. There are no new developments proposed. Currently, there is a house on each lot and will stay the same. It's an Heir of Family Transfer so the daughter and son will get a bigger lot and the father's lot will get a little smaller. Mr. McAndrew indicated the application was submitted to the County so it's pending.

Mr. McAndrew referred to Mr. Richter's January 11, 2019 review letter that the surveyor was fine with it and corrections will be made to their plan. Once the County approves it, Mr. McAndrew will circulate the deeds of subdivision for signature. A copy will be sent to Mr. Richter and Mr. Heinold for approval.

Chair asked Mr. Richter about the variance that may be required. Mr. Richter replied that Mr. Heinold will address it. Mr. Richter proceeded to address his review letter.

COMPLETENESS:

1. The applicant has requested a waiver of the requirement to accurately delineate flood-plains, federal flood hazard zones, wetlands, conservation easements and any other environmentally sensitive areas. (Minor Subdivision Checklist Item 18). The applicant is not proposing any improvements as part of this application therefore the wetlands and flood-plains will not have any further impact on the use of the proposed properties.
2. The applicant has requested a waiver of the requirements to show all existing buildings and structures and their uses, wooded areas rock outcrops and isolated trees with a diameter of 6" or more; all streams, lakes, drainage right-of-ways and streets within 500' of the tract to be subdivided, contours at 2' intervals and general drainage system. (Minor Subdivision Checklist Item 19) The applicant is not proposing any additional site improvements therefore this waiver is recommended.
3. The applicant is requesting a waiver of the requirement to provide percolation or permeability rates and soil logs for each proposed lot. (Minor Subdivision Checklist Item 20) Each of the proposed lots contains an existing dwelling which are served by separate wells and septic systems therefore this waiver is recommended.

Being the applicant is only moving a lot line, Mr. Richter recommends the above checklist items to be waived.

ZONING:

1. Section 215-16.A.(1)(g) of the Township Ordinance requires a minimum lot area of 10 acres. Lots 19.02 and 19.05 are existing non-conforming lots. The relocation of the lot line between the two lots will decrease the amount of non-conformance of Lot 1902 but will increase the amount of non-conformance of Lot 19.05. Lot area variances will be required as each lot will have a new area which is not in the conformance with the minimum required lot area.
2. There are several pre-existing non-conformances with respect to bulk requirements which are not changing as a result of this application. Variances are not required for these pre-existing conditions.

Mr. Richter indicated that the Zoning bulk requirements are either pre-existing or non-conformances are not going to be any worse.

GENERAL COMMENTS:

1. The Zoning Table provided on the plan should be revised as follows:
 - a. Lot area variances should be noted for each lot.
 - b. The minimum lot depth should be calculated as the average lot depth per the Ordinance definition. It would appear that both lots would exceed the required minimum depth.
 - c. The maximum required building height should be noted as 30'/2.5 stories.
 - d. The minimum required side yard for accessory building should be noted as 20'.
 - e. The existing and proposed minimum distance to other buildings for accessory structures should be noted as an existing non-conforming condition.
2. The applicant has indicated that the minor subdivision will be filed by deed. The appropriate deeds shall be submitted for review by our office and the Board Attorney. **Deeds will be provided for review.**
3. The legal description for Enlarged Lot 19.02 should be revised as follows:

- a. The first paragraph of the description should be revised to reference the correct plan title. The description references a Subdivision Plan whereas the plan is titled Re-Division Plan.
 - b. The right-of-way width in the beginning paragraph should be 86' to match up with the noted half width.
 - c. The block number in course number 3 should be 1401.
4. The legal description for Reduced Lot 19.05 should be revised as follows:
 - a. The first paragraph of the description should be revised to reference the correct plan title. The description references a Subdivision Plan whereas the plan is titled Re-Division Plan.
 - b. The legal description is written to the centerline of Arney's Mount Road. The description should not include the roadway right-of-way area.
 5. Closure calculations shall be provided for the overall tract and each proposed lot. **Applicant will provide.**
 6. It is recommended that any approval granted by the Board be conditioned upon the iron pins around the perimeter of the tract be set prior to the filing of this subdivision. The applicant's surveyor shall provide a certification that the iron pins have been set. **Applicant has agreed to do.**
 7. The applicant shall obtain all outside agency approvals.

Chair requested if proper notice has been done by applicant. Mr. Heinold indicated the variance issue was raised when Mr. Germano was still the Board Attorney as the application came in. The initial discussion with Mr. McAndrew was based upon the intent of the Ordinance that Mr. Germano was not to require the Ordinance. There are 2 lots and the result will be 2 lots because of shifting of the lot lines and in some ways it's a pre-existing condition. Mr. Heinold feels to move forward in only requiring a minor subdivision not requiring the variances to be noticed. Mr. Heinold further indicated that the language will be addressed in the resolution of approval assuming it is approved. It's not creating any new non-conformity. Chair indicated that Mr. McAndrew has been before this Board previously so if there were any question of his qualifications it would have been addressed so it's not an issue.

Chair asked for any other questions or concerns from the Board. This is a straight forward application. Being no further Board questions or concerns, Chair opened the floor for public comment. Being no public comments, Mr. Hlubik motioned to close public comment on this application; seconded by Ms. Johnson.

Chair asked the Board how they would like to proceed with this application. Mr. Richter's recommendations for the waivers in completeness seemed perfectly reasonable. Chair called for motion. Mr. Hlubik motioned to approve the said application with the variance: seconded by Mr. Dunn. All in favor. Motion passed.

Other Business:

Chair introduced Beth McManus the new Planner. Beth has represented the Board ably in the past with Affordable Housing and stepped in for Carl as the principal Planner when he was not able to represent the Board. Beth has a good history with us and we're happy to have her back with us. Ms. McManus is happy also and thanked the Board.

Mayor McDaniel indicated he had spoken about the Master Plan Reexamination and the Density Transfers with Ms. McManus. Mayor asked Ms. McManus for a timeline to get the process moving forward. Chair interjected asking if the Council will fund the Board's efforts. Mayor responded that he is good with the budgeting to fund the Reexamination. Mayor further indicated a budget request has been placed. Council has also requested to look at the zoning. Mayor indicated that Ms. Manus is a Master on Affordable Housing. Ms. McManus indicated she is very well versed in Affordable Housing as a Special Master and she remembers Springfield from the last re-exam that she did with the Board. Some of the same principals may still apply to carry on for the future. Ms. McManus further indicated there are some components such as the Re-Exam, the Density Transfer and/or Affordable Housing. Ms. McManus gave some suggestions as work sessions under the Planning Board or sub-committees. Ms. McManus feels the issues should be explored as a minimum and then drill down what the order should be and how to accomplish. Chair responded that some of the history from the past, it's important for transparency for the Board to have the initial general discussions in a very open forum with the full Board and the public available and

set a path from there to do more detailed exploration and discovery perhaps in smaller groups and brought back to the full Board and public for review. Mayor indicated to get the word out and get in as much input as possible and have the Ag Advisory Board weighing in. The more conveyed to the public, the less rumors to go around. Ms. McManus suggested to put flyers together or notice on the website or invite the public to a public meeting to get input. Sometimes it is coupled with a survey asking questions. All should be part of this discussion. Chair indicated the Board has a work session on February 5th but Ms. McManus is unable to make that meeting. The Board will decide if they want to meet amongst themselves to get out issues and thoughts. The Board can review the Master Plan to get ideas. Possibly the application for the February regular meeting won't be a long one so the Board can begin discussion. Mr. Richter indicated that he is not available for the regular session in February.

Public Comment:

Chair opened the floor for public comment. Being there was no public comment, Mr. Hlubik motioned to close, seconded by Mr. Bauma. All in favor. Motion passed.

Adjournment:

Chair called for motion to adjourn. Mr. Bauma motioned to adjourn, seconded by Mrs. Nicholson. Motion carried unanimously. Meeting adjourned at 7:48 pm.

Respectfully submitted,


Susan A. Minock
Planning Board Secretary