

Springfield Township Planning Board Meeting Minutes
April 2, 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	Absent
Theresa Nicholson	Present
William Bauma	Present
Stephen Makuka	Present
Richard Toone, 1 st Alternate	Present
Alexandra Corwin Johnson 2 nd Alternate	Present

Also in attendance was the Board Planner, Beth McManus, PP of Kyle And McManus Associates

Minutes:

February 19, 2019

Chair Jacques indicated said minutes will be tabled for the April 16th meeting in order to review.

Discussion:

- Master Plan re-examination

Planner Ms. McManus distributed information including a 2005 plan excerpt to the Board regarding the non-contiguous cluster program being considered for Springfield Township. Based on the last Planning Board meeting, Ms. McManus started the process of the analysis to aid the Board in making decision whether to proceed with the non-contiguous cluster program and if yes, this mapping will serve as the basis for making decisions on how it will work.

Ms. McManus started out by looking at the most important foundational information which includes zoning, environmental constraints, existing farmland preserved properties, septic suitability and wastewater management areas. These are some of the key components to be used for establishing a framework if the Board chooses to proceed in this direction. Knowing where the existing zoning is located and what it already permits; what are the environmental constraints (sending & receiving zones) to better ensure if the receiving zones are capable of receiving the density and not full of wetlands as well as ensuring the sending areas are developable. Also the Board wants to make sure the targeting of sending and receiving areas are already preserved.

In the information, Ms. McManus gave information on what occurred back in the Township in the 2005 earlier attempt for those who were not around at that time. Also, an excerpt of the 2005 plan was provided because it's worth considering because it can be reviewed as a basis to move forward or a place to learn lessons. Ultimately, the memo gives that background information and starts to ask the question is this non-contiguous program a good fit for Springfield.

Ms. Manus reviewed each map with the Board.

- 1st Map entails existing zoning and environmental constraints. All the Township's zoning is provided with AR-10 (Agricultural Residential) being the most predominant zoning district. AR-10 has a 10-acre minimum lot size. When thinking of the sending areas, it would be places to facilitate permanent preservation and move development and density out so the AR-10 would be most likely for all the obvious reasons. This mapping also shows the variety of Hamlets throughout the town and they're generally distinguished by zoning. Looking at NC or the CC districts, these really outline the town's existing clusters of development and often there are mix of uses in the Township; not just residential but the smaller commercial areas. This mapping shows all of the preserved properties including preserved farms and the State, Local and non-profit open space properties. This provides a visual of which properties are out of play for this type of program. Lastly, it shows the environmental constraints. The most significant constraints being the Category 1 and the wetland buffer. These areas are either overlapping or adjacent to one another; it's obviously all related to water resources. This particular map does a good job of showing the very complicated by a web of waterways that are Category 1 which means it's a 300' buffer. Also there's an existing web of preserved properties to shape the discussion of where sending and receiving areas will be located. Chair Jacques indicated there may be 1 or 2 preserved properties that are missing on this map. Ms. McManus agreed and asked if anyone is aware of a farm that was just preserved or has been sold fee simple to a preservation program or has an easement placed on it to eliminate future development to let her know.
- 2nd Map entails the farm soils. Springfield is a predominately agricultural community with a ton of preserved farms which also means the majority of the town consists of really good quality soils; prime soils and soils of statewide importance. Once the preserved farms and other open space are eliminated, there is not a whole lot leftover.
- 3rd Map entails septic limitation and soil ratings basically indicates the entire map has land in the township that is already preserved or very limited for septic disposal. However, that does not mean that septic systems cannot be developed on the property. It means there are 1 or more environmental factors on the site that limits its ability to put in a septic. It's not as specific quantification that the DEP feels you should have 1 septic system per 5.2 acres or anything like that; the GIS does not give that ability to measure. However, it does give a broad indication that the soils are not great for hosting septic systems on small lots. Looking at this map from a septic suitability perspective, it's not that we can't, it just means that we need to plan carefully. It also means for better or worse there is not 1 area better than the other at least from this particular perspective.
- 4th Map entails existing waste water management areas (sewer service areas). Basically this aerial picture of the Township shows some sort of wastewater management areas. In some areas outside of Springfield, these are sewer service areas providing public sewers provided by, for example, the Mt. Holly MUA and other places. There are a couple locations in Springfield such as the elementary school as an example which is not a public sewer but a package plant or community waste water treatment system. This map is important because when we talk about sending and receiving areas, there are some pros and cons associated with it but being able to tap into an existing sewer service area, being able to tap into or create zoning or a program that would facilitate an additional package plant can be useful because it gives us the ability to cluster development in existing developed areas which can be beneficial. There are significant pros and cons to bringing sewers into Springfield. The most significant pro is that it can give the Board the ability to transfer a lot of density to the area to allow for small lots. The con is bringing sewer to Springfield Township and perhaps that type of density is inconsistent with the vision for the community. Ms. McManus included the information so the Board can include within its assessment.

Ms. McManus asked the Board of their thoughts for a non-contiguous cluster program given the information she has provided. What does it say to the Board regarding the capacity and the appropriateness of this non-contiguous cluster program? If the Board has thoughts to move forward with this program, Ms. McManus asked about the type of framework to use. By framework, Ms. McManus indicated trying to narrow down how to structure the program. For example, should we be looking more towards areas adjacent to sewer service areas for transfer development. Should we be looking at areas adjacent to preserved farms as a transfer development or alternatively, would the Board want to expand certain areas of preserved properties to include additional farms in that area? Lastly would the Board be inclined to clustering development into the existing Hamlets because those are different than sewer service areas. So what type of structure makes sense to the Board and what area? If the Board wishes to explore all of them, Ms. McManus would do more work on each of those. What do these maps say to the Board about Springfield and what type of structure should we be thinking about as we continue the analysis? Ms. McManus indicated that the 2005 structure was expanding upon the existing Hamlets.

Mr. Hlubik indicated he was under the impression that with this non-contiguous clustering, if an individual had a property and he wanted to transfer 50 acres to supposedly get 5 10-acre lots so instead of sectioning of that property into 5 10-acre parcels, the individual could transfer those 5 parcels onto 10 acres and the individual wouldn't have to so if anyone wanted to develop their own property, they would have this option. Ms. McManus replied that is simply clustering where we don't have to have the non-contiguous part of that. For example, if someone has a 50-acre lot, he would only want to use a 10-acre corner of it. The Board can discuss that also but for that program, we don't need to identify sending and receiving. Mr. Hlubik asked to have this part of the analysis and feels we should focus on the Hamlets.

Mr. Toone mentioned the main target is preserve agricultural land. If we can develop some places to put some houses that's fine but primarily, it's preserving agricultural land. Mr. Toone indicated that even though some of the agricultural land may use for septic, Mr. Toone is unable to comprehend how sometimes several houses can be put close together in an area that he wouldn't have thought to be really good for agriculture but it is obviously passing the County inspections so there is a lot to be determined from that particularly in Jobstown where there are going to be 5 homes upon completion. Mr. Toone is not sure if that is 2 or 2.5 acres where this affordable housing is being placed. Even 1 acre for a house for a low-income family is a huge estate. Mr. Toone feels there could be a force from the State to go off the septic systems in a close proximity to the Hamlets. Mr. Toone gave a brief history of the 1-acre zoning to 3-acre zoning due to the percolation of septic systems. Mr. Toone mentioned Haddonfield where he had a 1/5 of an acre but sewer was installed there. People are living closer together and not spread out on a 1-acre lot. Chair indicated that we need to talk about what we can do in terms of providing and the expense of having a development with a package plant and the maintenance, homeowners' association, etc. which is a completely type of environment than anything we ever envisioned for Springfield. So if that's a decision, there will be a lot of discussion to take place. Ms. Johnson indicated that Haddonfield is good example of how they have it all situated where houses are a lot closer together and still has a character about it that still makes it look nice to drive by. Ms. McManus indicated it would take more care and architect in the site design but that's a very particular character if the Board wishes to go that route, it can be discussed further. There are multiple ways to create something nice and new in Springfield.

Mr. Hlubik referenced the 3rd map, septic soil suitability (septic limitation soil ratings). When people would apply for farmland preservation before the County Ag Board, they found these maps are not that accurate when they go out to do borings. A lot of the properties had severe septic suitability are bumped up. Ms. McManus indicated that is great news but unfortunately not surprising. The wetlands shown on the environmental constraints map, they're great for ballpark estimates of where the wetlands are located but when out in the field, it can be very different sometimes. Chair indicated in terms of looking at constraints, the existing zoning and environmental constraints shows all the preserved properties and the category stream buffers is pretty accurate; the 100-year flood plan is pretty accurate. If you look at that map for the sense of what is already preserved and where could build and where could you transfer is probably more meaningful than the septic limitation soil rating map. However the conditions on the ground always have to be verified. Mayor pointed out regarding Mr. Hlubik's mention of a single property; half of our land that is not either preserved or developed is one place being Helis

Farm. It makes sense to get some feedback from this property owner as to how they may want to participate, if at all or not at all because that may affect what we do with the remainder of the town. Ms. McManus agreed.

Chair indicated that when comparing the intent of 2005 to try to direct development towards the Hamlets but when we look at the Hamlets today, 13 years later, there's been additional preservation so land that may have been available for that expansion in 2005, isn't available anymore. That is one thing that will influence what we want to do. Ms. McManus will send the digital 2005 documentation to the Town Clerk so she can forward to each Board member.

Mr. Hlubik indicated another item for discussion is how involved the municipality wants to be. For example, Chesterfield used to have auctions for the TDR. Ms. McManus replied there is a whole range of possibilities where the Township can engage in a Transfer Development Rights program which was done in Chesterfield which has a very high involvement level and the planning effort is also high but it's been a very successful program for Chesterfield. There are additional options for municipalities now because that was a herculean effort for Chesterfield with a lot of costs associated with it. Back in 2013, the MLUL created this non-contiguous cluster program which some of the Planners call it "TDR like". So instead of having the TDR program, all planning documents, financial and real estate analysis and infrastructure analysis is to let the private market loose. The benefit in letting the private market loose and if a developer wants to build houses in a location here and preserve property over there, then you can do more houses over here. It also gives the town to set locations where properties come from here to go there as opposed to over there to here. It allows for better regulation. For the non-contiguous cluster program, the Township's control is at the Ordinance level and then the Planning Board would adopt the policy documents. Then after that, it's up to the private market. You're creating tools to give to the private market to then utilize or not. It's a voluntary program. This would not give the town the "thou shalt not" develop its property unless you're moving the development density. It's a plus or negative depending on how you look at it.

Ms. McManus indicated that it starts at the Planning Board because all the members are land use experts setting forth land use policy but ultimately after the Board is done with analysis, it goes before the Governing Body to then determine. So the Board's analysis is ultimately a recommendation of yes or no to pursue. If it's yes, the Governing Body will take the reins and work on the policy work and translate it into an Ordinance. The Governing Body is not free of this program but the Board does the "heavy lifting".

Mr. Hlubik asked if the TDR accelerates development in a municipality whereas this might be a little bit slower. Ms. McManus responded she may not be able to say that but, in a sense, it may accelerate it because you have get a critical mass to get things going in TDR. Mr. Hlubik mentioned the TDR in Chesterfield and in Lumberton created a vacuum and nature hates a vacuum; it just sucked everything in. There was 20 years' worth of development in 5 years. Ms. McManus feels that Chesterfield had large developers come in and lock up certain pieces of their village. So, once they had those pieces and those developers in play, that is when they got moving. They got their site plan approvals and had to go through this process all at once in order to proceed with development. Here, it allows for developers to move at their own pace. Mr. Hlubik mentioned it allows for the municipality to also move at their own pace. Ms. McManus agreed. Chair indicated in the TDR program, the municipality has to be involved and it's expensive for the municipality. Where this type of program, non-contiguous transfer, other than the planning efforts and the ordinances, it doesn't cost the municipality anything really. Ms. McManus agreed and added that if a new sewer service area needs to be created then it becomes more complicated but shy of that, it's just a Master Plan and Ordinance and we sit back and see what happens. Maybe the market will love the program and it will move quickly and a developer will be successful and then do it again or maybe we'll have just 1 or 2 developers who will try it or fewer but part of that is going to be dependent on how much the program is incentivized. Mr. Hlubik mentioned if an individual has a property and if he wants to develop it, he will have to go through the whole expensive process of determining how many actual lots he has, etc. From Mr. Hlubik's own perspective, he is hoping it will make people look more at farmland preservation and accept that. When they make application for that program, it's pretty much all done for. Chair indicated depending on how we set up the sending and receiving areas, if you're in the sending area and if we incentivize them, you do get some bonus when you go for farmland preservation. Ms. McManus indicated we can make the process as easy as you like. She

doesn't recommend requiring someone a fully engineered subdivision plan for land that will be transferred out. But there are different iterations to get to that point or determining its developmental capacity. This is more like Phase II once we're at the point where it's a go for this program, at least for trying to sketch out how it might work in the details. So, how easy does the Board want to make it for people to send the property; to send the development density. What steps will be necessary to demonstrate the developability?

Mayor asked how does one determine build-out potential? For example, if were to have residential based on 3-acre zoning, how do we determine what the build-out is? Ms. McManus asked sending or receiving? Mayor responded for the total for the Township. Chair mentioned it would have to be determined the locations of the sending and receiving areas first. Ms. Manus agreed and indicated identifying the areas and she would run a GIS analysis to generate lot yields on every property and it would be based on certain assumptions about what properties might be combined. Rules would be created for the program for what properties could be combined and those that could not be combined. For example, the properties that are under the minimum lot size would be combined with an adjacent and we would set a variety of assumptions in order to get that number. Alternatively, Ms. McManus could do a build-out for how all the properties would be developed but she doesn't recommend it. Mayor indicated that he is just looking for a ballpark figure. Ms. McManus indicated the areas would be identified, she would apply the minimum lot area to it; account for environmental constraints and run a GIS analysis and it would be roughly 85% accurate. It will not account for odd sized lots that maybe couldn't actually yield property but it would get pretty close. It would be most accurate on the biggest properties. Chair mentioned it was a similar process the Board went through in 2005. Ms. McManus found interesting but maybe not very accurate was that in the Burlington County waste water management plan that was done for Springfield; they estimated that there were about 300 units of capacity in the Township. Ms. McManus hasn't done her own analysis if the town is to pursue this program. Mayor added that a unit could be 1 or 2 bedrooms or 5 bedrooms. Ms. McManus agreed. Chair referred back to the 2005 numbers which didn't include the entire town but it did include a fairly large amount and without transfer units they were estimating 360 units. Some land has been preserved since then that 2005 number was not completely accurate and it didn't include the town AR-10 district and about 1 from one of the Hamlet zones.

Chair summed up the first topic of discussion should be looking at the mapping of what is preserved and constraints but not the 3rd (red) map but other constraints. Do we really have areas that we think can receive higher density development? Whether it be on septic or package plant but first, are there areas we would like to see more dense development. Ms. McManus agreed and further stated to look at existing Hamlets; looking at the sewer management areas that are outside of the Township and discuss limitations of tapping in outside of town sewers. Otherwise, concentrating efforts on certain properties for preservation as opposed to certain places to concentrate development efforts.

Mr. Bauma asked if we can keep sewers out of the Township? Chair replied that we certainly can. Mr. Makuka asked about tapping in adjacent Township's sewers. Ms. McManus replied as no, that would bring it to the Township. Ms. McManus gave further explanation package treatment plants. Mr. Bauma indicated the sewers are surrounding the town and talked about Smithville having their housing on the edge of the Township.

Ms. McManus indicated she feels there is tentative support to look at the Hamlets. Mr. Toone agreed to revisit the Hamlets. Chair added it's to some degree to revitalize the existing Hamlets by making them a focus of some additional development. Ms. Manus indicated for next step purposes, she can create a map showing the extent of the existing Hamlets with identifying the zoning and do analysis of which properties may be well suited for development intensity. Furthermore, Ms. McManus will look at the preserved properties and look at the environmental constraints in addition to zoning to find a place that makes sense from an environmental perspective and one that will be more situated to create a community in these little Hamlets.

Mayor asked about affordable housing in meeting the obligation within the plan. Ms. McManus replied once areas are identified for development intensity, those are the natural places for affordable housing because of smaller lots and any incentive that is given for the transfer should be accounted for when doing the affordable housing.

Let's get to the next step and know that where ever we're transferring density to; that will be the natural location for it.

Public Comment:

Being there were no other comments or questions from the Board, Chair opened the floor for public comment.

- Woody Hancock approached the dais. Mr. Hancock commented it may be very tough to get the kind of density the Board discussed without the need of sewers. Mr. Hancock asked if there is a perimeter like 68 and come so far and not any further in the Township. Ms. McManus replied the Township will be able to identify the sewer service areas and put limitations on that location. There are always concern if a developer would extend that sewer if the Township is in default of its affordable housing obligation. Ms. McManus gave further explanation. Mr. Hancock reiterated it will be tough to have the density without sewers. Chair indicated the Board is in no rush to make decisions and it will take its time to carefully review.
- Greg Flynn of 1219 Horsham Road, Ambler, PA approached the dais. Mr. Flynn reiterated the total build-out to be approximately 300 units. Mr. Flynn asked how many preserved acres are in the Township. Ms. McManus did not know the answer. Mr. Flynn commented the Hamlets may be more difficult than thought referring to the soils not being great. Mr. Flynn further commented there will most likely only be a small number of builders to come forth and mentioned the preservation in the Hamlets was extensive and close so it will be difficult to expand. Mr. Flynn commented on sewers. He feels there will be an onus put on the landowner and builder to do a deal and it would be more expensive on a smaller scale and it's more of a hindrance and offered more comments regarding the 2005 plan for the Hamlets.
- Linda Lovendusky of Jacksonville approached the dais. Ms. Lovendusky asked for if this plan will be the same as the 2005 Master Plan. Chair replied the 2005 Master Plan which included a non-contiguous density transfer component. The Governing Body requested the Planning Board to revisit if it would make sense or not since the court has approved the non-contiguous density transfer program. The Land Use Element was done to allow for renewable energy. This is essentially the same as the 2005 plan. We have been looking at what was done in 2005 just for comparison but just to see what was done then per Chair Jacques. Ms. Lovendusky asked if the program is volunteer. Ms. McManus replied as yes; the non-contiguous cluster program is volunteer. Ms. Lovendusky asked what the non-contiguous plan consists of so Ms. McManus gave explanation of the program. Chair reiterated that the Board may do the same or different than 2005 or they may do nothing. The Board has just started and need to do further review. Ms. Lovendusky commented about the County's take on wetlands. She asked about TDR. Chair replied that TDR is not something this town is interested in. Mayor asked about sending and receiving on the same property. Ms. McManus said it is possible to do.
- Woody Hancock returned to speak before the Board. Mr. Hancock asked about returning to 3-acre zoning. Chair replied as no. Mr. Hancock further commented about preservation and zoning from 2005. Discussion ensued.
- Greg Flynn returned to speak before the Board. Mr. Flynn asked how many towns do this? When was laws formulated for non-contiguous clusters? Ms. McManus replied in 2013 the law changed to allow for non-contiguous clustering and indicated it's a small number of towns participating in the program. Lakewood and another town in South Jersey who adopted an Ordinance for it. Chair indicated it's only been 5 years that the program is allowed. Mr. Flynn asked if it is successful. Mr. Toone replied that in 2013, the economy wasn't good for builders. Mr. Flynn asked about bonus incentives. Ms. McManus replied the bonus is preserved land. Further discussion took place.

Chair called for motion to close public comment. Mr. Toone motioned to close public comment, seconded by Mr. Makuka. All in favor. Motion carried unanimously.

Mayor asked if the Ag Advisory Board should meet and discuss. Mr. Toone replied they should meet with Ms. McManus and given an overview. Chair agreed as well as Ms. McManus. Chair recommended the SADC representative should come to a Board meeting after thinking through the plan more.

Adjournment:

Chair called for motion to adjourn. Mr. Toone motioned to adjourn, seconded by Mr. Makuka. Motion carried unanimously. Meeting adjourned at 8:49 pm.

Respectfully submitted, .


Susan A. Minock
Planning Board Secretary