

**JOINT LAND USE BOARD of
Woolwich Township
REGULAR BUSINESS MEETING
March 3, 2016**

“MINUTES”

Chairman Maugeri called the meeting to order at 7:00 pm.

Adequate notice of this meeting had been provided in accordance with the Open Public Meetings Act.

Chairman Maugeri led all present in the Pledge of Allegiance.

The Oath of Public Office was issued to Deputy Mayor Frank Rizzi, Class III Member by Terry Dennen, Esq.

Roll call of the Members Present:

Matt Blake – Present, John Casella – Present, Dave Glanfield – Present, Mike Iskander – Present, John Juliano – Present, Chairman Maugeri – Present, Sue O’Donnell – Present, Deputy Mayor Rizzi – Present, Randy Rossi – Present, Bob Rushton – Present, Mayor Schwager – Present.

Also Present Terry Dennen – Solicitor, Tim Kernan – Planner and Steve Nardelli – Engineer.

Next are the Minutes from the Re-organization and Regular meeting of January 21, 2016. B. Rushton made a motion to approve the Minutes as written and was seconded by R. Rossi. All were in favor except for J. Juliano and Deputy Mayor Rizzi who both abstained.

Continuing on to New Business with Kingsway Regional School District, high and middle school athletic facility and transportation improvements ~ Block 18, Lots 1 and 3 at 201 Kings Highway.

Mr. Rich Angowski, the Attorney for the Board of Education from the Law Firm, Schwartz Simon Edelstein & Celso, was present to represent the applicant. Mr. Angowski pointed out that this is just a courtesy review pursuant to statute and involves the March 8th Bond Referendum for the improvement of the athletic field facilities.

Mr. Dennen continued swearing in the applicants professionals.

Before proceeding, Chairman Maugeri commented so that anyone in the public can understand that what is occurring here is a courtesy presentation therefore, we have no power over the project or the funding source or the Site Plan. This all rests with the School Board and the State Department of Education. We will make comments but nothing this Board says or does is binding. All comments are advisory only.

Mr. Brooks Garrison from Garrison Architects stated he was before this Board about five years ago. The Board accepted Mr. Garrison as an expert.

Mr. Garrison continued with the proposed improvements to the schools. He was here 5 years ago with the expansion of the High School and the Middle School and about 5 years before that with the construction of the Middle School. Mr. Garrison stated that the Bond Referendum is being held next Tuesday night and it proposes 2 questions. Both are related in that they are both basically track and field enhancements and bus facility enhancement.

Mr. Garrison continued with the proposed enhancements.

Next to speak is Mr. Jessie Dougherty a licensed Professional Engineer in the State of NJ and has been practicing for 10 years. The Board accepted Mr. Dougherty as an expert in his field.

Mr. Dougherty continued answering the comments in Tim Kernan's Review letter dated February 23, 2016.

Extensive conversation took place over the parking issues and proposed parking lots.

Mayor Schwager stated that he was having a hard time understanding an unapproved field with "no parking" signs that are ignored or not ignored, the same as paving and striping 2 parking lots with dedicated access and curb cuts as the same as what is currently there.

J. Casella stated that when they have big events at the school there are cars parked on the side of the road and these guys are trying to put parking lots to get them cars off the road. He thinks this is a smart idea.

R. Rossi asked if after an event will the exit be right hand turn only. Mr. Schimpf said they are reviewing that.

Mayor Schwager asked what traffic counts they have done on the intersection to determine if that intersection is operating at a fail or no fail. The concern is that 70 cars and 11 busses are being dumped out on the Garwin Road, 350' from Route 322. Mr. Dougherty reiterated that this is an existing condition now. Mayor Schwager reiterated that he does not see it improved.

Mr. Dougherty stated that the driveway entrance right now is set to DOT standards.

Chairman Maugeri asked where the cars enter from right now. Mr. Dougherty stated they enter from Garwin off of Route 322.

S. O'Donnell asked why there is such reservation to have a traffic study done.

Mr. Schimpf stated that he does not believe that the MLUL requires them to do a Traffic Study if the Department of Education and DOT requirements are met.

Mayor Schwager stated at the bear minimum he believes they have to show a traffic circulation plan.

Mr. Garrison stated that the presentation boards are what was submitted to the Department of Education and were approved for this referendum.

Conversation continued on to storm water, landscaping and lighting.

Traffic out on to Garwin Road was again discussed. R. Rossi suggested that the Garwin Road entrance be closed after the first quarter so cars would have to go the other way to exit.

It was suggested that they applicant look in to involving the other towns around for police security and not just Woolwich Township.

T. Kernan made a few comments from his review of this project.

Deputy Mayor Rizzi asked if the school has every looked in to their own part time security instead of using Woolwich Township Police for the large events that go on there.

Mr. Schimpf stated that they currently do that, at their large events they have staff controlling traffic at various points throughout the campus.

With nothing further to discuss, Chairman Maugeri stated that on behalf of the Board he would like the school to listen to the comments made because this project affects the people in the surrounding towns.

Mr. Angowski stated that he has an obligation to report back to his clients and this will not fall on deaf ears.

B. Rushton made a motion that the Board writes a resolution conveying the concerns and comments of the Board so they can be heard. J. Casella seconded the motion. Roll was as follows:

M. Blake – yes, J. Casella – yes, J. Juliano – yes, S. O'Donnell – yes, Deputy Mayor Rizzi – yes, R. Rossi – yes, B. Rushton – yes, Mayor Schwager – yes, Chairman Maugeri – yes.

Next on the Agenda is A. C. Electric Company, preliminary and major final site plan and use variance, Block 49 ~ Lot 2.

Mayor Schwager and Deputy Mayor Rizzi recused themselves from this application because it is a Use Variance.

Ms. Enid Hyberg an Attorney with Montgomery, McCracken, Walker and Rhoads was present to represent the applicant Atlantic City Electric Company.

Ms. Hyberg continued with a brief description of the proposed project.

Mr. Dennen swore in the witnesses for this project.

Mr. Daniel Woods of 401 Eagle Run Road in Newark Delaware stated his qualifications to the board. He is a Senior Engineer in the Project Management Department at A.C. Electric, and is the project manager for this project.

Mr. Woods continued stating how it was determined that Woolwich would be the location for this new substation. After looking at other locations it was decided that High Street was the best location.

There will be a 36 ½ foot easement where the distribution lines will run from the substation to Russell Mill Road. There will be “3” distribution lines coming out of the substation, one to Russell Mill Road, one to High Street and one will be underneath the transmission lines going down Franklinville Road. A brief discussion ensued on distribution lines vs. transmission lines.

The Mullica Hill Substation will be retired and this substation will partly pick up that load along with other area substations.

M. Blake asked if the remaining land that they stated would be for agricultural use will be in perpetuity or that in some future time they will need to expand the footprint of the substation. Mr. Woods stated that they have no current plans to expand the substation footprint. Ms. Hyberg stated that if they did plan to expand they know they would need to come back before the board.

Mr. Eric Cassidy stated his educational background and is employed by Atlantic City Electric since 2013.

Mr. Cassidy continued with his explanation of the substation and the final design. This will be an unmanned substation with periodic maintenance on the equipment, usually twice a year and a monthly routine inspection. There will be no outdoor storage of any equipment.

The transformers will have reduced sound levels and all noise levels will comply with local and state ordinances.

Lighting at the site is usually “off” and the only time it is on is in an emergency or maintenance activities at night or as directed by corporate security or law enforcement.

There will be no vibrations, smoke, fumes, dust, dirt, noxious gas or waste water produced at this site.

The company complies with all OSHA standards for employee safety.

The only signage will be high voltage hazard warnings on the perimeter fence which are required by State Law. On the gates they usually put the Substation Name, address and emergency contact information.

They are proposing a 7' chain-link fence which is designed for physical security of the station and mandated by the National Electric Safety Code.

There will be no increased traffic after the construction period.

Chairman Maugeri asked what the construction schedule would be. Mr. Cassidy stated that they are planning on starting late August or September of this year and plan to be in service 5/31 of 2017.

Chairman Maugeri asked if he foresees any interruption in power. Mr. Cassidy stated no.

The substation and the transmission lines will be installed at the same time.

Next is Mr. Jason Tucker stated his qualifications to the Board.

Mr. Tucker continued explaining why they need the variance for the height of the poles. He stated that the height is governed by the National Electric Safety Code, Atlantic City Electric Safety standards for clearances and also design requirements. Due to the various distribution transmission attachments on the pole, the pole must be between 70 and 80 feet to maintain those clearances.

There will be lane closures on a daily basis as the crews set the poles and traffic control will be set up with flaggers and working with local police. They do not anticipated full road closures.

M. Iskander asked if the 80' poles will be going down the road. Mr. Tucker stated that the 80' poles will be in the field the poles going down the road are not part of the proposal today. The majority of the poles on the Substation property are steel poles and the majority of the poles along the roadways are wood.

Mr. Ronald Curcio from Adams Rahman and Hagan Associates and has been has been a licensed professional engineer since 1988. The Board accepted Mr. Curcio's qualifications.

Mr. Curcio continued explaining the proposed use, the surrounding uses and the improvements that are planned for the proposed substation. He explained the access points and the drainage for the site.

Mr. Curcio stated that they will comply with all comments in the Board Engineers report.

There will be a 50' lightening mast above the substation to protect the equipment.

Mr. Terrance Combs a licensed professional planner with the firm of ARA for over 30 years stated his qualifications to the Board.

Mr. Combs continued with the details that the company is seeking under the Conditional Use standards that are not met by this application, along with landscaping for the site. Chairman Maugeri asked if the applicant has spoken with the property owners adjacent to the site.

Ms. Kim Brodbeck, Real Estate Representative for Atlantic City electric was sworn in by Mr. Dennen. Ms. Brodbeck stated that she had spoken to one of them.

Mr. Combs discussed the landscape screening for these properties. He also commented on the special reasons and the positive and negative criteria and stated that this site was suited for this use.

Chairman Maugeri called for a 5 minute recess at 8:50 pm.

The meeting reconvened at 8:58 pm.

Tim Kernan continued with his review letter dated 2/15/16. The variance for the height of the poles was discussed and if it needs to be a specific height. Mr. Kernan stated that it was up to the Board but suggested that it be specific. He continued with landscaping and the caliper of the trees. Mr. Combs stated that they will comply with the caliper.

The COAH requirements were discussed. Ms. Hyberg stated that they will work with the Tax Assessor to determine this amount.

Steve Nardelli continued with his review letter dated 2/15/16. All his technical comments are addressing the storm water management and clarification of some of the construction details that need to be on the plans.

J. Juliano made a motion to open to the public which was seconded by R. Rossi. All were in favor.

Mr. John Farls of 1 Joseph Court was sworn in by Mr. Dennan. Mr. Farls just wanted to know who owns the property. Ms. Hyberg stated Atlantic City Electric.

Ms. Karen Okulski of 199 Russell Mill Road was sworn in by Mr. Dennan. Ms. Okulski was concerned about the storm water and wanted to make sure there was not going to be additional water. She was also under the impression that this property was preserved.

M. Blake stated that this was targeted for preservation and it never happened.

Ms. Sue Douglas of 487 Franklinville Road was sworn in by Mr. Dennan. Ms. Douglas is concerned about re-sale of the homes in the area. She stated that there is a serious water problem in the area. She is also concerned about EMF (electromagnetic field levels)

Ms. Hyberg stated that EMF is governed by the State of New Jersey by the DEP, so it is not within the governance of this Board.

Chairman Maugeri stated to Ms. Douglas that this is out of the Boards jurisdiction.

Ms. Douglas stated that they still live here and believes the Township should look in to it.

With no further public comment, J. Casella made a motion to close the public portion and was seconded by B. Rushton. All were in favor.

M. Blake made a comment about there being no sidewalks in the area but he travels that road and sees many people walking along the roadway.

B. Rushton asked if the applicant would agree to possibly in the future, if the area is ever developed would they provide sidewalks.

Ms. Hyberg stated that they would agree.

With nothing further to discuss, B. Rushton made a motion to approve the project with the following variances; landscaping, street trees, screening around loading and unloading zones, screening around the storm water basins, partial buffering within 75', partial buffering along roads dividing the 2 districts, activity within the buffers, and 50% of the required plantings. The applicant agrees to work with the Planner concerning all landscaping, buffering and trees and they also agree to clean up existing tree lines. A variance for the pole heights from 55' and not to exceed 80' in accordance with the State Safety Regulations to include aircraft warning lights if required by the FAA. A Variance for the 50' lightening mast to protect the equipment underneath; A Variance in keeping with the architectural character of the surrounding area. A waiver for the underground utilities; the sidewalks and curbs have been agree to be looked at in the future if there is any kind of development on either side of them that they can tie it to them; any representation or agreement made tonight is also included in the approval.

J. Casella seconded the motion. Roll was as follows:

M. Blake – yes, J. Casella – yes, J. Juliano – yes, S. O'Donnell – yes, R. Rossi – yes, B. Rushton – yes, Chairman Maugeri – yes.

Next on the Agenda is a TDR Credit Review Application Request – David King and Caroline King, Block 43, Lot 3.

Chairman Maugeri recused himself from this portion of the meeting. Vice Chairman Rushton took over as Chair.

Mr. Rushton stated that the applicant has a disabled child and was unable to attend the meeting, but all the required information was submitted.

For the record, M. Blake read his letter dated February 5, 2016 about this credit review requesting that the allocated credits be adjusted from 1 to 6 credits.

Mr. Blake stated that this has happened a few times and it was handled internally. There is always a need for an adjustment because this is a complex program. He stated that it is the TDR Bank Board's recommendation to grant the 6 credits.

J. Casella made a motion to open the meeting to the public and was seconded by Randy. All were in favor.

Ms. Jennifer Fitzgerald of 355 Woodstown Road asked about a different TDR Credit Appeal.

Ms. Fitzgerald was informed that the application was withdrawn at the last minute.

Mr. Stephen Fitzgerald was sworn in and asked about increasing the credits and what that means.

M. Blake stated that generally the credits are based on the amount of units that they could have built under the pre-TDR zoning. These owners are now under TDR Zoning which is 1 unit per 15 acres.

With no further public comment J. Casella made a motion to close the public portion and was seconded by R. Rossi. All were in favor.

Vice Chairman Rushton asked for a motion for a Resolution to approve the increase in credits from 1 to 6.

M. Iskander first asked if this is routine for a member of the Board to present this to their own Board. He just wants everything to be on the up and up.

Mr. Blake stated that she was in the audience but had to leave to get home to her family. He stated that this is not for development or an appeal process it is just about the credits and felt that this Board needed to discuss it.

A brief conversation continued over the process of this application.

R. Rossi made a motion to accept the TDR increase which was explained to the Board by M. Blake. M. Iskander seconded the motion. Roll was as follows:

M. Blake – yes, J. Casella – no, M. Iskander – yes, J. Juliano – yes, S. O’Donnell – yes, R. Rossi – yes, B. Rushton – yes, Dave Glanfield – yes.

Chairman Maugeri rejoined the meeting.

Correspondence was discussed.

With nothing further to discuss J. Casella made motion to adjourn which was seconded by S. O’Donnell. All were in favor.

The JLUB meeting adjourned at 9:50 pm.

Respectfully submitted,

Christina M. Marquis
Joint Land Use Secretary

***Minutes not verbatim
Audio recording on file***