

PLANNING BOARD
REGULAR MEETING
February 28, 2023

MR. O'CONNOR: In accordance with Section V of the Open Public Meetings Act, Chapter 231, Public Law 1975, notice of this meeting was posted on the Township Website and by advertising this Regular Meeting in the Burlington County Times on January 15, 2023 and in the Courier Post on January 15, 2023. In addition, notice was filed with the Municipal Clerk.

This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision, and decorum appropriate to a judicial hearing must be maintained at all times.

Members Present: Mr. Gallagher, Ms. Lamon, Mr. Minton, Mr. O'Connor, Mr. Segrest, Mr. Snyder, Ms. Woodington. Mr. Shallow and Mr. Roadside.

Also Present: Douglas Heinold, Board Attorney, Joseph Barbadoro, Board Engineer and Mrs. Rucci, Board Secretary.

MR. O'CONNOR: It is the policy of the Board that no application will be opened after 10:00 p.m. It is the policy of the Board that no new testimony will be taken after 10:30 p.m.

MR. O'CONNOR: Oath of Allegiance - Kevin Shallow.

MR. HEINOLD: He swears in Kevin Shallow.

MR. O'CONNOR: Case #2207 – MT Construction Company, LLC – Minor Subdivision – 1613 Jefferson Street, Block 1916, Lot 3.01.

MR. O'CONNOR: He thanked the Professionals for their efforts regarding the MT Construction Company Application.

MR. BARBADORO: He gave an overview of the Pennoni Associates findings. He referred to the Existing Conditions Plan prepared by Pennoni Associates. He spoke about the storm sewer piping. He gave a summary of the proposed improvements we have in the area.

MR. MINTON: The Pennoni Plan took a larger subject area than what the Applicant is considering tonight.

MR. BARBADORO: Correct.

MR. MINTON: The Applicant's piece is in the middle, but they dealt with a larger area to capture the water. The plan is to relocate existing lines on their property (inaudible) so the Pennoni Plan will work.

MR. BARBADORO: Correct.

MR. MINTON: He asked if this was subject to DEP and DOT approval.

MR. BARBADORO: DEP approval.

MR. ROY: Attorney for the Applicant. This is our Application for Minor Subdivision approval for property known as 1613 Jefferson Street. The proposal is to create two lots from one. Both of lots will be fully conforming with what the Ordinance requires.

MR. BARBADORO: He deemed the application complete. They are requesting a couple of waivers. They agreed to supply some of the items as part of their compliance.

MR. HEINOLD: He referred to completeness. If anything comes up during the Hearing, we have the right to revisit.

A MOTION IS MADE BY MS. LAMON seconded by Mr. Minton to deem this application complete. ROLL CALL VOTE: AYE, Mr. Gallagher, Ms. Lamon, Mr. Minton, Mr. Segrest, Mr. Snyder, Ms. Woodington, Mr. Shallow, Mr. Roadside and Mr. O'Connor, no opposed, motion passes.

MR. ROY: This is our proposal to create two lots from one existing lot, both conforming with the requirements of your Ordinance. Jefferson Street is a 40 foot wide street. The Ordinance technically calls for a 50 foot Street. If necessary, we could give you a 5 foot roadway widening easement. If the street ever did get widened 5' on each side, you would have that.

MR. HEINOLD: He swears in Michael Tippin, Applicant and Brian Peterman, Applicant's Engineer.

MR. PETERMAN: He gave an overview of his qualifications.

MR. ROY: He referred to the RSIS Standards (inaudible).

MR. PETERMAN: That is correct.

MR. ROY: The driveway on existing Lot 3.04 will be removed.

MR. PETERMAN: Yes.

MR. PETERMAN: He identified Jefferson and Adam Streets. He identified Lots 3.04 and 3.05. We are here for a Minor Subdivision for two conforming lots and with no development at this time.

MR. TIPPIN: When we subdivide the first lot that does exist, we will develop that within the next few months and the other lot will be put on hold until we get the pipe situation (inaudible).

MR. O'CONNOR: Lot 3.04 is ready for development and Lot 3.05 is future development.

MR. TIPPIN: Yes.

MR. ROY: He referred to the Remington and Vernick letter Items 8 through 13. We are going to comply with.

MR. PETERMAN: Yes.

MR. ROY: He referred to Item #7 – The concrete storm vault that is not located on our property.

MR. PETERMAN: That is correct.

MR. ROY: He referred to the existing pipe. That is presumably part of the Pennoni plan that we dealt with.

MR. PETERMAN: That is correct. He spoke about the location of the pipe.

MR. O'CONNOR: He asked about the waiver of the vault. Is it everyone's understanding that the vault will be installed as part of the Township work?

MR. BARBADORO: At the time of the letter, they were not aware of these improvements. The overall drainage improvements project and that this vault is proposed to be improved. We have no objection to waiving this requirement as part of this Application.

MR. ROY: We are agreeable to the 50 foot easement for the relocated (inaudible) that will allow the Township access to the area.

MR. HEINOLD: He spoke about the easement.

MR. PETERMAN: He referred to the Pennoni Plan. He spoke to Mike Fitzgerald from Pennoni. Mr. Fitzgerald advised that they have an open permit with DEP. They already saw this and started their review. They already know the intent of the Application.

MR. O'CONNOR: He opened the public portion of the meeting.

MS. SHEPPARD: She asked if this would affect the residents on Washington Street.

The Board advised that this Application is not near Washington Street.

MS. SHEPPARD: She asked if the residents on Jefferson Street were notified.

(Inaudible) Residents within 200 feet of the property were notified.

MR. O'CONNOR: This Application was not heard two weeks ago. By way of process of the cancellation, they were notified that it was being held this evening.

MS. SHEPPARD: Lot 3.04 will be ready to have a home built there.

MR. O'CONNOR: Yes.

MR. HEINOLD: As a condition, the Applicant has agreed to compliance with the Board Engineer's review letter except where verified on the record tonight. As a condition of approval, one of the requirements is going to be outside agency approval that will include the wetlands delineation, which still needs to be done with respect to both properties. They are also agreeable long term to providing an easement over the new location for Lot 3.05 with a stormwater line. In the interim, they agree that there will be a period of time where the Township will pursue that relocation. If in eighteen months that hasn't been achieved, (which is twice as long as Pennoni anticipates it can take) they will have the opportunity to come back before this Board with respect to that condition. Lot 3.04 is ready to proceed, first in time. Lot 3.05 is going to proceed once this issue relative to the relocated line is worked out. As a condition, the Applicant has agreed to provide a five foot road widening easement on the property. As noted, there is not going to be an easement filed on the existing pipe. We are going to wait for eighteen months for this process to go through.

MR. O'CONNOR: There will be an easement for the proposed line that Pennoni is pursuing with all of the necessary DEP approvals and the necessary Township funding. As the current situation exists, will exist as is until further notice.

A MOTION IS MADE BY MR. ROADSIDE SECONDED BY Mr. Gallagher to grant the Minor Subdivision and including the above comments explained by Douglas Heinold. ROLL CALL VOTE: AYE, Mr. Gallagher, Ms. Lamon, Mr. Minton, Mr. Segrest, Mr. Snyder, Ms. Woodington, Mr. Shallow, Mr. Roadside and Mr. O'Connor, no opposed, motion passes.

A MOTION IS MADE BY MR. MINTON seconded by Ms. Lamon to grant the Resolution for Case #1408 - Resolution of the Planning Board of the Township of Cinnaminson granting a 180 day Extension of Minor Subdivision Approval to Paul Rubin and Gina Hoffman, 2716 Branch Pike, Block 3211, Lot 5. ROLL CALL VOTE: AYE, Mr. Gallagher, Ms. Lamon, Mr. Minton, Mr. Segrest, Mr. Snyder, Ms. Woodington, Mr. Shallow Mr. Roadside and Mr. O'Connor, no opposed, motion passes.

A MOTION IS MADE BY MS. LAMON seconded by Ms. Woodington to approve the February 14, 2023 Regular Meeting Minutes. ROLL CALL VOTE: AYE, Mr. Gallagher, Ms. Lamon, Mr. Minton, Mr. Segrest, Mr. Snyder, Ms. Woodington and Mr. O'Connor, Abstain, Mr. Shallow and Mr. Roadside, no opposed, motion passes.

MR. O'CONNOR: He opened the public portion of the meeting.

MR. O'CONNOR: He closed the public portion of the meeting.

A MOTION IS MADE BY MS. Lamon seconded by Mr. O'Connor to adjourn the meeting.
VOICE VOTE: ALL AYE, no opposed, motion passes. The meeting is adjourned.

Duly passed and Adopted

April 11, 2023

Respectfully submitted

Patricia Rucci
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