

**BOROUGH OF MAGNOLIA
PLANNING BOARD MINUTES
JANUARY 23, 2008**

The meeting was called to order by Chairman Lawrence Barrar at 7:35 PM. The public statement was read by the Chairman, followed by the flag salute.

ROLL CALL - CH-Chairman, VC-Vice Chairman, C-Council, MD-Mayors Designee, A-Alternate

Lawrence Barrar	CH	Present	Mary Martz	C	Present
Joyce Albrecht		Present	John Wolf, Jr.		Present
Robert Brown		Absent	Joseph Conway	A1	Absent
John DiBartolomeo	VC	Present	Joseph Dymond	A2	Present
Jim Hannold		Present	Ronald Buchanan	A3	Present
Richard Krause	MD	Present	R. Brian Carson	A4	Present
Arthur Loder		Present			

Chairman stated in the absent of Alternate 1; Joseph Dymond, Alternate 2 will vote if needed.

ALSO

David Kreck	Engineer	Present	Michael Ward	Solicitor	Present
John Szczerbinski	Zoning Off.	Present	Denise O'Kane	Secretary	Present
Richard Fini	BACH Eng.	Present			

APPROVAL OF MINUTES

Motions were made to approve the November 28, 2007 minutes. AIF-motion approved.
Motions were made to approve the December 19, 2007 minutes with corrections. AIF-motion approved.

REORGANIZATION OF THE BOARD

Mr. Ward swore in the following Planning Board members:

Richard Krause, Jr.	Mayors Designee	Class I	Term Expires:	December 2008
John E. Wolf, Jr.	Fire Company Rep.	Class II	Term Expires:	December 2008
Mary Martz	Councilwoman	Class III	Term Expires:	December 2008
John DiBartolomeo	Vice Chairman	Class IV	Term Expires:	December 2011
Joseph Dymond		Alternate 2	Term Expires:	December 2009
Ronald Buchanan		Alternate 3	Term Expires:	December 2008
R. Brian Carson		Alternate 4	Term Expires:	December 2009

Motions were made to approve the following Resolutions. AIF-motion approved.

Resolution #2008-01: 2008 Planning Board Meeting Schedule
Resolution #2008-02 2008 Planning Board Solicitor, Michael J. Ward
Resolution #2008-03 2008 Planning Board Engineer, Dave Kreck *

*Dave Kreck started a new corporation; Kreck, Wood and Hallowell Associates, Inc.

Motions were made to approve the following nominations. AIF-motion approved.

Resolution #2008-04 2008 Planning Board Chairman, Lawrence Barrar
Resolution #2008-05 2008 Planning Board Vice Chairman, John DiBartolomeo
Resolution #2008-06 2008 Planning Board Secretary, Denise O'Kane

OLD BUSINESS

Motions were made to approve Resolution #07-24. Motion approved by roll call vote.

NEW BUSINESS

Final Site Plan

SPL-2006 / SAR Equipment – 216 Davis Road

Applicant Samuel A. Ross, Jr. requested Final Site Plan approval and was granted Preliminary Site Plan approval subject to conditions on June 27, 2007. Mr. Kreck reviewed his letter dated December 19, 2007. The applicant revised the plans to reflect a decrease in the intensity of the previously approved development; removed the underground storage and proposed an above ground surface basin. The

applicant has complied with most of the comments except for the following: Basin Fence Details; Signage Details for loading and restricted parking area; Concerns regarding the retaining wall and the proximity to the infiltration basin, would like a signed and sealed statement from the Engineer that the retaining wall is stable; Soil testing for the stone paving is complete and the results will be submitted; a small grading issue in the handicap parking space to reduce the slope down to 2%; Drainage & storm water management, the neighbor has agreed to the installation of a 4 inch pipe from his roof to the street and BACH Engineers suggested that the 4 inch pipe would be sufficient. Mr. Ward asked for that agreement to be in writing. Chairman noticed some issues on the site plan that needed to be addressed. If the applicant agrees to comply, Mr. Kreck will issue a second letter and sign the plans for Final approval.

Motions were made to open the meeting to the public; being no further discussion, motions were made to close the meeting to the public. Mr. Ward reviewed with Mr. Kreck the conditions for the Final approval. Motions were made to approve the Final Site Plan approval with conditions. AIF-Motion approved.

Chairman stated for the public; Board policy is, No new testimony taken after 10:30 pm and No testimony will be taken after 11:00 pm. Testimony will continue to the next scheduled meeting.

Major Subdivision / Preliminary & Final

SDV08-1 / D'Anastasio Corporation – Block: 7 Lot: 2.04

The applicant was represented by attorney Frank Tedesco. The property is a vacant 12.56 acre site, located on Davis Road within the Atlantic Avenue Redevelopment area; which allows the proposed use of age restricted residential housing. The initial proposal was for 59 townhouse lots, an open space lot and a drainage basin lot. The applicant has worked with the borough professionals for over two years; as a result an alternate plan is proposed to meet the boroughs obligations under the Council of Affordable Housing Regulations (COAH) which would indicate 56 townhouses and one 6 unit multi-family building/age restricted apartments. The applicant is seeking Preliminary & Final Subdivision and or Site Plan approval depending on which plan is deemed appropriate for the borough.

John D'Anastasio, President of D'Anastasio Corporation:

His company specializes in age restricted projects within redevelopment zones and presented a power point presentation for the board and the public showing other projects his corporation has developed over the past several years. In November 2007 his corporation received the "South Jersey Choice Commitment to Excellence Award"; the award is a result of a survey from home buyers in the past year.

The applicant summarized how the plans changed from 2002 to today:

- 2002: The project was to develop this parcel of land under "Age Restricted Regulations" within the Atlantic Avenue Redevelopment area.
- 2006: The original plan called for 63 units; 12 single family, 44 townhouses, a (7) unit multi-family apartment building and a water feature.
- 2007: Storm water management regulations require the basin to increase in size. As a result they had to eliminate the single family units and develop the townhouses as age restricted for a total of 61 lots; 16-3 & 4 unit buildings, an open space lot and a wet pond / retention basin.
- 2007-2008 COAH requirements for Magnolia: Required the elimination of 3 lots, creating 56 townhouse units and the need to develop a (6) unit rental apartment building to satisfy the COAH requirements.

Paul Cray, P.E., P.P. of Kernan Consulting Engineers:

He presented a colorized site plan and a site plan with an aerial photo from 2002, prior to the FedEx building. He showed the location of the property lines for the project and the location of the "Magnolia Way" access road. Magnolia Public Works will have an access road from Otterbranch Drive for emergency vehicles only. All Drainage/Runoff is handled on site via the Storm water Management pond.

Richard Orth, P.E. of Kernan Consulting Engineers/Transportation & Traffic Engineer:

He prepared the Traffic Impact Study dated May 2006 and provided an overview of the study. The

analysis followed the following basic steps; 1st – Determine and establish the existing roadway and traffic conditions through observation, field inventory and traffic counts and evaluate for traffic volume; 2nd – Estimate future traffic with the existing conditions and evaluate for traffic volume; 3rd – Report what the impact will be and recommend a solution.

In April 2006 peak traffic hours were 7-9 am and 4-6pm (weekdays); Traffic count along Davis Road, 2,400 (light volume); Result Grade A & B- good and short delays, traffic volumes minimal with Stop sign controlled intersections; Future traffic to include FedEx will be 25 trips morning and night and will not generate any major additional traffic volume for Davis Road. A secondary access road from Otterbranch Drive is not required from a traffic volume view point.

Magnolia Way to Davis Road will be a one way lane in and out, no stacking lanes are required. Due to the current speeds on Davis Road, it is suggested that the developer cooperate with the Borough of Magnolia, Barrington and Runnemede to possibly install speed humps on either side of Williams Avenue.

The proposed development will not have any significant traffic impact along Davis Road or nearby intersections from either traffic volume or a traffic safety view point and the location and design of the Magnolia Way access is appropriate.

Opened to the professionals:

Dave Kreck, P.B. Engineer: Reviewed his letter dated January 11, 2008 and the applicants engineer provided a response letter dated January 18, 2008. The applicant has complied with most of the items, but the following items still needed to be addressed:

Redevelopment Plan Compliance-item #2B; General Zoning Related Comments-item #1A; Parking issue not in the letter, in the event the owner should use the garage for storage and not for parking, a deed restriction should be provided to prevent storage in the garage; Site Layout & Grading, item-#3C, #3D & #3E; Drainage & Storm water Management-item #2, #4A & #4C; Utilities-item #B1; Lighting and Landscaping-item #1B; Traffic-item #4; Miscellaneous-item #6.

The applicant agreed to supply the necessary information, comply with or discuss said items with the borough under the redevelopment agreement.

Rich Fini of BACH Associates: Mr. Fini is sitting in for Leah Furey. He reviewed her letter dated January 14, 2008. The applicant will comply with all clarifications requested and the applicant will comply with most of the items listed in the letter or will discuss with the borough under the redevelopment agreement.

John Szczerbinski, Zoning Official Borough of Magnolia: He had some concerns regarding; age requirements to live in the development; Home Owner Association versus Borough of Magnolia responsibilities for property maintenance & services; will rental units be apartments or condos?

Michael Ward, P.B. Solicitor: Requested a Deed Restriction for the COAH units.

Opened to the board:

The Board members had many concerns including; the size and condition of the access road from Public Works; the use of the access road is for emergency vehicles only and not a direct access road; Pond maintenance, & safety issue responsibilities; Fencing for perimeter of the development and the pond; the ability of Magnolia Way & the size of cul-de-sac to handle service & emergency vehicles; Traffic flow report; Age requirements; Ownership of the rental/COAH units; Home Owner Association will handle all property maintenance and rental units?

John Wolf, also an Officer with the Borough of Magnolia Fire Company read a letter prepared by Fire Chief Riebel dated January 21, 2008; regarding concerns they have with the development mainly; the width of the access road and the ability to support emergency vehicles; road maintenance responsibility;

gate installation in & out of development; the ability to maneuver emergency vehicles on the access roads and in the cul-de-sac for more than one vehicle at a time; the fire company has no means to do water or ice rescue at this time.

Opened to the public:

A motion was made to open the meeting to the public.

Kenneth Wilson, Barrington Planning Board Chairman – The traffic from the development to Davis Rd. is heavy and the speed is 35 mph or more; the age of the person driving out of the development could cause an accident; the location of the development could be confusing for emergency services and 911 calls. He also invited the applicant and the engineers to discuss the application with the Barrington Officials.

Jennifer Stuart, Barrington Resident – Can the access road to the development be located in another section of Davis Rd. or can the access road be from Magnolia; What happens to the Wildlife living on the property and the wetlands; The traffic study was done in 2006 before FedEx; Vehicles turning on Davis Rd. can increase accidents; The Borough of Magnolia gets the taxes and Barrington gets the traffic problems.

Dale Brooks, Barrington Resident – When Owens Corning owned the land, he thought it was turned into green acres and trees were planted, someone should look into. What happens to the wildlife now?

Michael Menz, Runnemede Resident – His does not agree with the proposed development; the traffic issue is with Shreve/Clements Bridge Rd. and Commerce/Atlantic Ave.; was a hazard substance study done?; wants the open space & wildlife to stay; runoff is a problem now & will be if the wetlands are developed; he feels this land should be open space and not dedicated redevelopment and this project does not have the best interest of the community.

The Chairman stated; the application will continue to be heard at the February 27th meeting. Being no further discussion, motions were made to close the meeting to the public. Motions were made to continue the application to the February 27th meeting. AIF-motion approved.

COORESPONDENCE

Camden County letter dated December 26, 2007 regarding appeal for Center 48 L.P. et al; Board of Chosen Freeholders upheld the original decision for approval.

Mr. Kreck; did the borough send a letter to D.O.T. regarding improvements to the intersection at Evesham and White Horse Pike? Mary Martz will look into.

Mr. Barrar, status of the FedEx project traffic light? The light is handled through BACH site inspections.

OPEN PUBLIC

Motions were made to open the meeting to the general public. AIF-motion approved.

John Schmidt, Runnemede Resident – A request was made for Magnolia, Lawnside and Barrington to enter into a joint venture to study the traffic issue surrounding the proposed project; are there any maximum occupancy level controls for the units?

Ron Oppermann, Barrington Resident – He is a new home buyer and is concerned with the traffic issue; the traffic study report is two years old; the emergency services will be handled by Barrington and this needs to be addressed.

Mr. Ward stated; these questions should be addressed at the next meeting on February 27, 2008. Mr. Ward also stated; this concept was brought before the board many years ago as a redevelopment plan and many issues were raised if this site was suitable, but the board does not make the policy for the borough. Policy, ordinances and redevelopment is handled by the governing body/borough council and the

planning board can only review applications for compliance with the existing ordinances.

Motions were made to close the meeting to the general public. AIF-motion approved.

COMMENTS & DISCUSSION

John Wolf; can we buy a new tape recorder? Yes and the board secretary will order one.

John Wolf: can we increase the count for copies of plans, so emergency personnel and other professionals can review for comments? Yes and the ordinance will need to be changed to reflect the new count.

Mary Martz; a second reading for the ordinance on Parking Space size will be at the next council meeting.

Motions were made to adjourn the meeting at 11:35 pm. AIF-motion approved.

*AIF – All in Favor

*COAH – Council on Affordable Housing Regulations

Respectfully Submitted by: Denise O’Kane, Planning Board Secretary



Unofficial Copy

Official copies should be requested through the Borough Clerks Office by completing an Open Public Record Act Request Form. Contact us at (856)783-1520 for additional information.