

Mount Laurel Township Planning Board  
Regular Meeting Minutes  
June 9, 2022

**Opening**

Chairman Bathke called the Sixth Regular Meeting of the Mount Laurel Planning Board on June 9, 2022 to order at 7:00 p.m.

Open Public Meeting Notice was read by Chairman Bathke noting that all the postings, filings & emailing have taken place on January 22, 2022.

Pledge of Allegiance/Moment of Silence were observed

**Board Members in Attendance**

Roll Call taken by Board Secretary Ms. Hochreiter – Members in attendance: Chairman Bathke, Vice-Chairman Dewey, Mayor Pritchett, Township Manager Tomczyk, Councilwoman Cohen, Mr.

Venkatakrisnan, Mr. Pizzo, Mr. Pfeiffer, & Ms. Van Sant. **Absent:** Ms. Lewis & Mr. Lieberman

**Professionals in Attendance**

Mr. Joseph Petrongolo – PB Planner; Mr. William Long – PB Engineer, Dr. Michael Angelastro – PB Traffic Engineer, Mr. Brian McVey – Fire Marshal; Mr. Ronald Cucchiaro - PB Solicitor.

**Adopting the Minutes**

Chairman Bathke asked for a motion to adopt the fifth regular meeting minutes of May 12, 2022, Township Manager Tomczyk made the motion to approve the meeting minutes, and Councilwoman Cohen seconded the motion. All present were in favor except Mr. Pizzo & Mr. Pfeiffer who both abstained and the motion was carried.

The Planning Board Solicitor Mr. Ron Cucchiaro swore in the professionals.

**Discussion Items**

Chairman Bathke read the Ordinance #2022-11, Amending Chapter 154 Entitled Zoning, Article XVI Entitled Low-Moderate Income Housing and Article XXVII Entitled Affordable Housing. The Planning Board Solicitor Ron Cucchiaro deferred this to the Planner for consistency to the Master Plan but asked if this should be read after the Public Hearing that is on this evening. Planning Board Planner Mr. Petrongolo asked for this to be addressed by the Affordable Housing Solicitor Linda Galella from Parker McCay. Ms. Galella explained that the Township has an affordable housing ordinance in place already and feels it is appropriate to consider this now for Master Plan Consistency. Mr. Cucchiaro indicated that the purpose of the Ordinance is to not approve or approve this ordinance; it is to find that it is consistent with the Master Plan or not consistent with the Master Plan. This was then turned over to the Affordable Housing Planner Katherine Sarmad from Harbor Consultants to present at this time Ms. Sarmad indicated that the first reading has taken place by Council at their meeting held on May 23, 2022 and then it is presented to the Planning Board for Consistency and final reading back to Council for approval.

Ms. Sarmad gave a brief background on the already in place existing provisions in the Ordinance. However, the Township was asked by the Special Master to update several sections, outdated laws, improve the clarity, and reformat the Ordinance. The Ordinance does exist and what it does is create standards for all affordable units and standards for development fees captured in commercial, non-commercial, and a set aside anytime there is a residential project over a certain number of units or density.

The Township has long-standing goals and commitment to providing affordable housing, which has shown with the Master Plan and is evident with the number of affordable units provided over time and I find that the ordinances are consistent with the master plan goals.

Mr. Cucchiaro indicated that this Ordinance would go back to council for a Public Hearing. This Board can ask any questions on what they have heard and is asked to make a motion that this Ordinance is substantially consistent with the Master Plan.

Chairman Bathke asked if there were any questions and for a motion. Township Manager Tomczyk made a motion that the ordinance is consistent with the Master Plan for Mount Laurel Township and Councilwoman Cohen seconded. All present were in favor.

### **Temporary Use Permit**

1. The Gables- Sterling Properties - 3233, 3253 & 3257 Marne Highway, The Planning Board Planner Mr. Petrongolo indicated that previously this was presented to the board. The Applicant was looking for excessive signage, which included a 200 ft. long sign that had four panels to be attached to the fence, a banner attached to the façade of one building and another affixed to the roof facing the Turnpike. After speaking with the Applicant, they have eliminated the façade sign and roof signage and have decreased the sign from 200 ft. with 4 panels to 63 ft. with 1 panel.

The Chairman asked if the Board had any questions, seeing no questions he asked for a motion to approve. Mr. Pfeiffer made the motion to approve the sign as presented for 1 year from the date of this meeting and Township Manager Tomczyk seconded. All present were in favor and the motion was carried.

2. Fair Share Housing requested a temporary construction trailer for their senior project located on Hovtech Blvd. Laura D'Alessandro from Del Duca Lewis Law Firm represented the Applicant for this temporary use approval. They have requested this approval for 3 years. Mr. Angelestro advised that the temporary construction entrance would be a county approval and Ms. D'Alessandro acknowledged this. This approval is for the construction trailer only also acknowledge by the Applicants counsel. Township Manager made the motion to approve this for 1 year from the date of this meeting, and advising they would need to come back to the board for an extension. The Township Ordinance 154-73 entitled "Temporary Use Permit" Such permit shall be issued for a specific period not exceeding one year and may be renewed annually, for an aggregate period of not more than three years, including original authorization and Mr. Pfeiffer seconded. All present were in favor and the motion was carried.

### **Public Hearings before the Board**

1. The Amended Housing Element & Fair Share Plan – Presentation was given by Katherine Sarmad of Harbor Consultations who represents the Township as the Affordable Housing Planner. Ms. Sarmad explained that the last time this was before the board was in 2017 in conjunction with the 3<sup>rd</sup> round housing obligation for the Township. Provisions had been given to conduct a mid-point review with explanations and remedies made to replace or move things around. This is resulted with new programs added like the market to affordable program. Council then approved the settlement agreement back in December of 2021.

That settlement is in place right now with all reflected in the Housing Element to meet the Township obligation, published May 26, 2022, and noticed May 27, 2022. After the date of

publication there were minor change made and Ms. Sarmad wanted to go on the record with these changes that included pages 31, 32, 33, 34, 36 & 42, these changed resulted because one project The Gables (Marne Highway) had a change to the bed and income distribution which as a result changed these pages. There were certain requirements that were being fulfilled which affected these other pages. This is a codification of its master plan element it sets forth the mechanisms that the Township is responsible for with meeting their obligation for 3<sup>rd</sup> round. The Township has substantially fulfilled their obligation with the approved housing developments and substantial compliance with the Fair Share Housing act. This update reflects the settlement agreement. After Town Council endorses, we can continue to be in compliance with the settlement agreement and 3<sup>rd</sup> round obligation.

After the presentation by Katherine Sarmad, Township Manager Tomczyk thanked Linda and Katherine for their hard work getting this all-together. It was opened to the public and seeing no public comment closed the public portion. Planning Board Solicitor explained that the motion would be to adopt the Housing Element of the Master Plan.

Chairman Bathke asked for a motion, Township Manager Tomczyk made the motion to adopt the Housing Element as part of the Master Plan, and Mayor Pritchett seconded. Township Manager Tomczyk-agree; Mayor Pritchett-agree; Ms. Van Sant-agree; Mr. Pfeiffer-agree; Mr. Pizzo-agree; Mr. Venkatakrishnan-agree; Councilwoman Cohen-agree; & Chairman Bathke-agree. Motion carried.

2. Church of Grace PB 2016 – 4290 Church Road, Block 1100, Lots 8, 9 & 10 R-3 zone. This applicant is seeking Preliminary & Final Site Plan with Conditional Use to use the larger of the two existing dwellings as a church with modifications to parking lots. Their attorney Melanie Levan who represented the applicant indicated a few members of the church along with their professionals who would be testifying this evening. Those in attendance on behalf of this application were sworn in by the Planning Board Solicitor and would provide credentials prior to testimony. Ms. Levan provided an overview of the church, location and the application being presented this evening, she asked her first witness who is a board trustee for the Church, Mr. Tung. Mr. Tung was asked several questions about the parish and those in attendance during Sunday services and any additional times. This church only provides Mandarin/Chinese services, which limits their attendance. At this time no English sermons are given so the number of parishioner's in attendance currently is about 32-40 people and parking allows for 100. The church attendance comes from about nine families to include grandparents, parents and teenage children. At this time, no schools are proposed on site, no residents living in home on site and no temporary use being requested. The Applicants professionals provided their credentials and all were accepted by the board.

Planning Board Planner, Jay Petrongolo went to his report dated April 14, 2022. Mr. Petrongolo recommended the lots be consolidated, the applicant had no objections to the consolidation of the lots, the applicant has agreed to all the comments as stated in his letter. The applicant's attorney indicated that at this time, this property will not be used as a residence for anyone, and if that is something that is needed later, they will address that with the Board.

Planning Board Engineer, Bill Long, reviewed his report dated April 29, 2022 and indicated that he has been working with the Applicant and their Professionals for 2 years on this project and most of his questions have been addressed or will be addressed. There was clarification made that the architectural plans still show 100 seats and the site plan shows 97, this needs to be

addressed because the additional 3 would require a variance. The Architectural Plan and Site Plans must match. Prior to the approval of this application, Ms. Levan clarified this number as 97.

Planning Board Traffic Engineer, Mike Angelestro reviewed his report dated March 7, 2022; they have satisfied all comments on letter.

Planning Board Fire Marshal, Brian McVey reviewed his letter dated April 22, 2022; they have satisfied most of the comments in the letter. Mr. McVey has asked if they agree to a Knox box installation, mark fire zones on plans and no combustible landscape material within 3 ft. from any exterior wall of the building applicant was agreeable to all.

There were no comments from the board. Chairman Bathke asked Planning Board Solicitor to review the conditions of this application. The applicant's attorney was agreeable to all conditions as stated by Mr. Cucchiaro.

Chairman Bathke opened up the public portion on this application at 8:22 pm, seeing no comments the public portion was closed.

Chairman Bathke asked for a motion to approve, and Township Manager Tomczyk made the motion to approve Church of Grace and Mr. Pizzo seconded. Township Manager Tomczyk-agree; Mr. Pizzo-agree; Mr. Venkatakrisnan-agree; Ms. Van Sant-agree; Mr. Pfeiffer-agree;; Councilwoman Cohen-agree; Mayor Pritchett-agree; & Chairman Bathke-agree. Motion carried.

#### **Memorialization of Resolutions**

1. **R-2022-18 – Chick Fil A, PB 2124**– Township Manager Tomczyk made a motion to approve R-2022-18, Councilwoman Cohen seconded, all present were in favor except for Mr. Pfeiffer & Mr. Pizzo who abstained and the motion was carried.
2. **R-2022-19** – Amended Housing Element & Fair Share Plan- Township Manager Tomczyk made a motion to approve R-2022-19, Mayor Pritchett seconded, all present were in favor and the motion was carried.

Chairman Bathke called for a motion to adjourn the regular meeting of June 9, 2022 and Mr. Pfeiffer made a motion to adjourn at 8:45 p.m. and Mr. Pizzo seconded the motion, all present were in favor and the motion was carried.

Respectfully Submitted,

*Trish Hochreiter*

Planning Board Administrator

Adopted On: August 11, 2022