

**HARRISON TOWNSHIP PLANNING BOARD  
REGULAR MEETING  
MAY 19, 2011  
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Vice Chairman Jack McElwee called the meeting to order at 7:34 p.m. The meeting was held at the Municipal Building with the following Planning Board members present: Vice Chairman Jack McElwee; Nancy Kowalik; Santo Maccherone; Steve Dickson; Matthew Diggon; and Mark Reidenauer, Alternate #1. Absent: Chairman Joseph Pacera; Niki Trunk; Louis Manzo; and Bill Madara, Alternate #2.

Others present: Joan Adams, Esq., Planning Board Solicitor; Justin Gibson, Planning Board Engineer from Pennoni Associates, Inc.; and Susanne H. Rhudy, Planning Board Secretary.

***OPEN PUBLIC MEETINGS ACT:***

Ms. Rhudy read the following statement into the record: "In compliance with Chapter 231 of the Public Laws of 1975 notice of this meeting was given by way of notice filed with the Gloucester County Times and posted on the bulletin board in the municipal building on January 7, 2011."

***FLAG SALUTE:***

Vice Chairman McElwee led in the salute to the flag.

***APPROVAL OF MINUTES:***

***Regular Meeting – May 5, 2011***

Nancy Kowalik made a motion to approve the minutes. Steve Dickson seconded the motion and the motion was approved unanimously.

***COMMENTS FROM THE PUBLIC:***

Vice Chairman McElwee opened the meeting to public comment. He said comments on agenda items should be held until the matter was opened but that other comments could be made now. Hearing no comments from the public, Vice Chairman McElwee closed the meeting to public comment.

***PUBLIC HEARINGS:***

***Diocesan Housing Services – Minor Subdivision***

Frank Monari, Esq. appeared on behalf of the applicant. Ms. Adams swore in Curtis Johnson, Executive Director of the Housing Services Corporation; and Pam Pelligrini, applicant's planner and engineer. Mr. Gibson discussed the waivers which he supports and said it was his opinion the application could be deemed complete. Mr. Monari confirmed that the easements shown on the plans are the only easements the applicant is aware of. Ms.

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Adams noted that without full knowledge of all restrictions, it is not known if the lot has sufficient area to be developed but it would fall back on the applicant if there is insufficient area. Santo Maccherone made a motion to deem the application complete. Mark Reidenauer seconded the motion. A Roll Call Vote was taken: Vice Chairman McElwee – Aye; Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Matt Diggons – Aye; Mark Reidenauer - Aye.

Mr. Johnson said the Housing Services operates senior housing facilities in South Jersey. He said a 76 unit senior housing project is planned for the 6 acre parcel.

Ms. Pelligrini gave an overview of the minor subdivision. She said there are no variances with the subdivision.

Nancy Kowalik made a motion to open the meeting to public comment. Matt Diggons seconded the motion and Vice Chairman McElwee opened the meeting to public comment. Hearing no further comments, Nancy Kowalik made a motion to close the meeting to public comment. Matt Diggons seconded the motion and Vice Chairman McElwee closed the meeting to public comment.

Mr. Johnson said the proposed structure will be three stories and all of the units will be one bedroom with the exception of the manager's unit which will be two bedrooms.

Nancy Kowalik made a motion to grant the minor subdivision. Santo Maccherone seconded the motion. A Roll Call Vote was taken: Vice Chairman McElwee – Aye; Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Matt Diggons – Aye; Mark Reidenauer - Aye.

***ADMINISTRATIVE CHANGE REQUESTS:***

***Vertex Properties LLC – Ellis Mill Estates***

Robert Wiltsee, Esq. appeared on behalf of the applicant. He said the applicant is requesting an administrative change to the major subdivision approval. He said a condition was placed on the subdivision approval limiting the number of certificates of occupancy that could be issued prior to receipt of the No Further Action (NFA) letter on the open space lot to eight. All of the residential lots have received NFA letters. Mr. Wiltsee said in the fall of 2010 the applicant was before the Board to amend the final grade of the open space lot. The lot was originally intended to be used as active recreation and is now to be used as passive recreation. The Board granted the amended grading. The current developer now has a contract offer to sell ten lots to a nationwide home builder subject to all conditions of approval and they wish to start building the new homes right away. Mr. Wiltsee said the builder is coming up to the maximum of eight C.O.s., and is requesting that they be permitted to obtain a total of 18 C.O.s before the NFA letter is issued. Thirteen lots would remain after that.

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Mr. Wiltsee said Vertex's environmental consultant issued a letter confirming that the remediation is done. Ms. Adams swore in Robert K. Foster, Vertex. Mr. Foster confirmed that the capping and topsoil has been placed on the open space lot. The submission to the Department of Environmental Protection requesting the final NFA letter is underway. Mr. Wiltsee said the last on site meeting with the DEP was in January 2010. He said it is anticipated that it can take 60 to 90 days to receive the NFA. Ms. Adams swore in Robert K. Foster, Sr. Mr. Foster confirmed that he is still a member of Genco, the original developer, and the remediation is being done under the Genco permit.

Mr. Wiltsee said William Marmo, division president of D.R. Horton New Jersey was available to speak. Ms. Adams swore in Mr. Marmo. Mr. Marmo confirmed that his firm is negotiating to be the contract purchaser and the potential purchase is broken down into 10 lots, and then the final 13 lots. He said his firm has not begun their due diligence. Mr. Marmo confirmed that once the 10 lots are sold to D.R. Horton, Vertex would be under a contractual obligation to sell the remaining 13 lots to them within a specified period of time. This would be an additional safeguard for the Township that every effort will be made to obtain the NFA letter.

The Board agreed that the change can be considered administrative. Santo Maccherone made a motion to grant the administrative change request to modify condition number 6 of Resolution 61-2007. Mark Reidenauer seconded the motion. A Roll Call Vote was taken: Vice Chairman McElwee – Aye; Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Matt Diggons – Aye; Mark Reidenauer - Aye.

Mr. Wiltsee agreed to send the Planning Board a copy of the submission to the DEP.

***MEMORIALIZING RESOLUTIONS:***

***Resolution No. 24-2011 - Resolution To Memorialize The Approval Of An Administrative Amendment To The General Development Plan For Development Project Currently Known As The Richwood Town Center***

Vice Chairman McElwee read Resolution 24-2011 by title. Nancy Kowalik made a motion to adopt the resolution. Steve Dickson seconded the motion. A Roll Call Vote was taken: Vice Chairman McElwee – Aye; Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Matt Diggons – Aye.

***Resolution No. 25-2011 - Resolution To Memorialize The Approval Of Final Major Site Plan For The Development Of Block 29 Lot 17 Commonly Known As 507 Mullica Hill Road As A Medical Dermatology Office***

Vice Chairman McElwee read Resolution 25-2011 by title. Santo Maccherone made a motion to adopt the resolution. Nancy Kowalik seconded the motion. A Roll Call Vote

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was taken: Vice Chairman McElwee – Aye; Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Matt Diggons – Aye.

***Resolution No. 26-2011 - Resolution To Memorialize The Approval Of Minor Subdivision Plan With Bulk Variances Related To Block 73, Lot 5 Commonly Known As 39 South Main Street***

Vice Chairman McElwee read Resolution 26-2011 by title. Nancy Kowalik made a motion to adopt the resolution. Steve Dickson seconded the motion. A Roll Call Vote was taken: Vice Chairman McElwee – Aye; Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye.

***REPORT FROM TOWNSHIP COMMITTEE:***

Mr. Diggons said the traffic light at Tomlin Station Road is progressing. The intersection improvements at the Harrison House are behind schedule due to weather but should be complete within two or three weeks. The budget public hearing is scheduled for June 21<sup>st</sup>.

***REPORT FROM EDC:***

There was no report.

***REPORT FROM ZONING BOARD:***

There was no report.

***REPORT FROM ENVIRONMENTAL COMMISSION:***

There was no report.

***REPORT FROM PLANNING BOARD ENGINEER:***

There was no report.

***REPORT FROM PLANNING BOARD PLANNER:***

There was no report.

***COMMENTS FROM THE PUBLIC:***

**David Schulze, 132 Salvatore Drive:** Mr. Schulze said he wanted to comment on the solar panel ordinance which requires all of the framing parts to be black. He said he did all of the research for his home solar array before the ordinances were adopted but did not order the panels until after that. When he came in to pick up his permits he was told everything had to be black and he can't get permits now. Ms. Adams advised Mr. Schulze

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that he would either have to get a bulk variance from the Zoning Board or ask Township Committee to amend the ordinance.

***COMMENTS FROM THE BOARD:***

There were no comments.

As there was no further business to be addressed, Santo Maccherone made a motion to adjourn the meeting. Nancy Kowalik seconded the motion and the motion was carried by a unanimous vote. Vice Chairman McElwee adjourned the meeting at 8:36 p.m.

Respectfully submitted,

Susanne H. Rhudy  
Planning Board Secretary