

**WARREN TOWSHIP PLANNING BOARD
MEETING MINUTES
7:30 P.M. – Susie B. Boyce Meeting Room – 44 Mountain Boulevard
October 28, 2013**

CALL TO ORDER Meeting was called to order at 7:35

FLAG SALUTE AND MOMENT OF SILENCE FOR OUR TROOPS

***Statement by Presiding Officer:** Adequate notice of this meeting was posted on January 10, 2013 on the Township bulletin board and sent to the Township Clerk, Echoes Sentinel and Courier News per the Open Public Meetings Act. All Board members are duly appointed volunteers working for the good and welfare of Warren Township. We plan to adjourn no later than 10:00 p.m.*

ROLL CALL

Mayor Sordillo (excused)	Mrs. Smith (excused)
Committeeman DiNardo (excused)	
Mr. Toth	Mr. DiBianca– Alternate #1
Mr. Kaufmann (excused)	Mr. Freijomil – Alternate #2
Mr. Lindner	Mr. Gallic
Mr. Mr. Malanga	Mr. Villani

■ **Announcements:**

None

■ **APPROVAL OF MINUTES:**

September 9, 2013

Roll Call

Motion was made by Mr. Gallic, seconded by Mr. DiBianca.

For: Mr. Malanga, Mr. Toth, Mr. DiBianca, Mr. Freijomil, Mr. Gallic, Mr. Villani

Against: None.

■ **PROFESSIONAL STAFF REPORTS:**

**Alan Siegel, Esq., Planning Board Attorney
John T. Chadwick, IV, P.P., Professional Planner
Christian Kastrud, P.E., Professional Engineer
Maryellen Vautin, Clerk**

■ **CORRESPONDENCE**

The New Jersey Planner, vol. 74, No. 4, July / August 2013

Warren Township Ordinance Book Supplement #33 for volume I and II

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■ **ADOPTION OF RESOLUTIONS:**

PB13-04 –Application was heard and considered at a public hearing held on August 26, 2013 at which time the Board rendered its decision, and this resolution is intended to memorialize the same in accordance with N.J.S.A 40:55D-10(g) (2).

Roll Call

Motion by Mr. Malanga, Second by Mr. DiBianca to memorialize resolution.

For: Mr. Lindner, Mr. Malanga, Mr. Toth, and Mr. Villani

Against: None.

PB13-05—Application was heard and considered at a public hearing held on August 26, 2013 at which time the Board rendered its decision, and this resolution is intended to memorialize the same in accordance with N.J.S.A 40:55D-10(g) (2).

Roll Call

Motion by Mr. Toth, second by Mr. DiBianca to memorialize resolution.

For: Mr. Lindner, Mr. Malanga, Mr. Toth, and Mr. Villani

Against: None.

■ **ORDINANCE REFFERALS – TOWNSHIP COMMITTEE**

ORDINANCE No. 13-20 An Ordinance Amending Chapter XVI Entitled “Zoning” of the revised general ordinances of the Township of Waren by Amending the Maximum Height in Stories Requirements in all Residential Zones.

ORDINANCES No.13-21 An Ordinance amending Chapter XV Entitled “Land Use Procedures and Development” of the revised general ordinances of the Township of Warren by Amending the Non-Residential Development Fees Provided Under Section 15-5.4c2.

Roll Call

Mr. Gallic made a motion, Mr. Lindner seconded that these Ordinances are not inconsistent with the Master Plan.

For: Mr. Lindner, Mr. Malanga, Mr. toth, Mr. DiBianca, Mr. Freijomil, Mr. Gallic, and Mr. Villani.

Against: None.

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Public Hearing

**CASE 1 - Case #: PB-12-08
Block: 53 Lots 1.06 and 2
Road: Mount Horeb and Dock Watch Hollow
Minor subdivision with variances**

**APPLICANT: Paulo J. Varino and Rafal Imiolek
OWNER: same as above**

LOCATION: 68 Mount Horeb and 98 Dock Watch Hollow

PROPOSED: Lot reconfiguration. A portion of Lot 1.06 to be added to Lot 2

Actionable

Mr. Villani began to introduce the case and Mr. Murray stated they were here to request an adjournment due to concern of the Warren Township professional reports and the late submission. The applicant would like time to respond to the items brought up. The case was carried to November 25, 2013 if it is available. Mr. Villani stated it was already filled, but agreed that we could tentatively put the case on and hear it time permits.

Mr. Siegel reminded the applicant that they should sign an extension going out to January 31, 2014 and they complied. They will also renote.

Motion by Mr. Gallic to carry, second by Mr. Toth to carry the case.
For: Mr. Lindner, Mr. Malanga, Mr. Toth, Mr. DiBianca, Mr. Freijomil, Mr. Gallic, and Mr. Villani
Against: None

Mr. Villani explained to the residents present about the situation and the importance of Mr. Kastrud's and Mr. Chadwick's reports and that the applicant wants to bring in supporting witnesses and has asked to be carried to November 25, 2013. The applicant will notice.

**CASE 2 - Case PB 04-08C K. Hovnanian
Block: 70.02 Lots 47-51
Road: Avon Rd.
Amended Final Subdivision**

Actionable

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Mr. Villani recused himself from this case as he is a resident of the K. Hovnanian development. Mr. Gallic took over as chair for the case. Mr. John Hague introduced himself as the lawyer for the applicant. He explained the application is an amendment to the final subdivision and it is driven by an error that was made while staking the foundations. The lots involved are in block 70.02 and are lots 47 through 51. The error is a building code issue. The building code requires that buildings be a minimum of 5 feet from the property line. The physical separation is sufficient but the lot line boundaries are not. So the lot lines will be shifted two feet to comply with code. Mr. Hague also requested that the subdivision maps be filed in phases, probably two phases. Some of the lots have been sold and they have received consent to move the lot lines.

Mr. Gallic asked that they move on to the Engineering Report. Mr. Harry Widdis gave his qualifications and was accepted by the board. Mr. Siegel swore in Mr. Widdis. Exhibit A-1 was brought in as Existing and proposed Measurements. Mr. Widdis spoke about the Homeowners Association and their consent to the amendment. A-2 was brought in as Re-subdivision Plan of the 5 lots. It is the plan that was submitted to the board for review. Mr. Widdis discussed Christian Kastrud's report and a question of a drain pipe; it was found. Mr. Kastrud had some questions on filing in two phases. There will be overlap. Mr. Kastrud asked if the monuments had already been set. They have not been set. The applicant is not certain which lots will be in each phase. They will work with the Township Engineer, and be subject to his approval. There may be three phases. Mr. Kastrud does want it to be filed as a map and not as deeds. There will be deeds also. The maps will be revised to show the signature blocks and once new deeds are filed they will reference the correct map.

Mr. Chadwick stated it is not a zoning issue, it is a fire code issue. Mr. Chadwick always understood that it was 10 feet wall to wall, and now it is 5 foot to the property line. Mr. Chadwick wanted to ensure that the conditions of the prior approvals be attached to this resolution if applicable.

There was minimal discussion by the board.

Mr. Siegel went over what the approval would be, to approve to re-subdivide these lots and the only two conditions were the maps to be updated to reflect the Township Engineer's comments and the revised maps may be filed in two or more phases.

Roll Call

Motion made by Mr. Toth, second by Mr. Malanga to approve the application with the conditions stated.

For: Mr. Lindner, Mr. Malanga, Mr. Toth, Mr. DiBianca, Mr. Freijomil, Mr. Gallic.
Against: None.

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■ **CITIZENS HEARING (Agenda Items)**

■ **ADJOURNMENT**

Motion by Mr. Gallic, second by Mr. Toth to adjourn. All in favor. Meeting adjourned approximately 8:10.