

WARREN TOWNSHIP PLANNING BOARD
MEETING MINUTES
7:30 p.m. – Susie B. Boyce Meeting Room – 44 Mountain Boulevard
February 22, 2021
APPROVED

CALL TO ORDER

FLAG SALUTE AND MOMENT OF SILENCE FOR OUR TROOPS

ROLL CALL

Mayor Lazo (excused)	Mr. Scuderi (excused)
Committeeman DiNardo	Mr. Esposito
Mr. Toth (excused)	Mr. Pasi (excused)
Mr. Lindner	Mr. Villani (excused)
Mr. DiBianca (excused)	Mr. Gallic
Mr. Argiro	

Statement by Presiding Officer: Adequate notice of this meeting was posted on January 14, 2021 on the Township bulletin board and sent to the Township Clerk, and The Echo-Sentinel 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.

■ **APPROVAL OF MINUTES:**

November 23, 2020 and January 11, 2021

Motion was made by Mr. Lindner, seconded by Mr. Esposito to approve the minutes

ROLL CALL

For: Committeeman DiNardo, Mr. Lindner, Mr. Argiro, Mr. Esposito, and Mr. Gallic

Against: None.

Reports:

Alan Siegel, Esq.

John T. Chadwick, IV, P.P., Professional Planner

Christian Kastrud, P.E., Professional Engineer

Maryellen Vautin, Clerk

No reports

■ **CORRESPONDENCE**

The New Jersey Planner, September/October 2020

The New Jersey Planner, November/December 2020

**WARREN TOWNSHIP
PLANNING BOARD MEETING MINUTES
February 22, 2021
PAGE 2**

■ **CITIZENS HEARING non-agenda items**

Mr. Gallic opened the meeting up to non-agenda items. No one came forward and this portion of the meeting was closed.

■ **RESOLUTIONS** None

Public Hearing:

Ordinance No. 2021-031, Stormwater Management

Planning Board to review for consistency with the Master Plan

Mr. Kastrud went over the ordinance and that it is required by new NJDEP storm water regulations.

Mr. Gallic asked if anyone would motion that the ordinance is not inconsistent with the Master Plan. Mr. Lindner made a motion, and Mr. Argiro seconded that it is not inconsistent with the Master Plan.
All were in favor.

PB20-09 Warren Construction Co., Inc.

Minor Subdivision Block 60, lot 44.02

Mr. Donald Whitelaw came forward as attorney for the applicant. The application is a two-lot conforming subdivision with no variances. He said they will comply with all comments of the board reports they have received.

Ms. Catherine Mueller, engineer for the applicant, Mr. Pallela as the applicant, Mr. John T. Chadwick, Warren Township Planner, and Mr. Christian Kastrud, Warren Township Engineer were all sworn in by the Planning Board Attorney, Mr. Alan Siegel.

Ms. Mueller was accepted by the board. She went over the plans for block 60, lot 44.02. There is frontage along Brookside Drive. There are environmental constraints, Flood Hazard Areas that were delineated and modified as part of the application to the DEP. There are wetlands, buffers, and riparian buffers. There is an existing bridge that provides access to lot 44.02 and also lot 44.03, which was subdivided a couple of years ago. The bridge will remain. The bridge was inspected with an earlier subdivision and a report was issued from a structural engineering firm as to what is needed to be updated. They will do the improvements required.

**WARREN TOWNSHIP
PLANNING BOARD MEETING MINUTES
February 22, 2021
PAGE 3**

The existing lot is 4.6 acres. Proposed lot 44.07 (westerly side) will be 2.417 acres and the lot 44.08 will be 2.187 acres. They are conforming in frontage, lot width, coverage, building coverage. Proposed driveways will be what was requested (by township fire marshall) 14 ft wide with clear shoulders of two foot on both sides.

They will confirm the Flood Hazard, riparian buffer, any wetlands that they are in compliance with any permits that were issued. If there are any permit by rules they will be identified on the plans. Mr. Kastrud will need those confirmations and there is room to move houses if necessary.

Mr. John Chadwick mentioned the prior subdivision and upgrade to the bridge and that condition would be carried forward if the subdivision is approved. All previous conditions would be carried forward.

Mr. Gallic asked if any board members had questions. No one had questions and the meeting was opened up to the public. No one came forward.

Mr. Gallic asked if there was a motion to approve with all prior conditions included.

Motion was made by Mr. Esposito, seconded by Mr. Argiro.

ROLL CALL

For: Committeeman DiNardo, Mr. Lindner, Mr. Argiro, Mr. Esposito, and Mr. Gallic
Against: None.

PB20-08 Kevin Thomasey Block 55 lots 6.01 and 10.05

Minor Subdivision w/ variance

Mr. Kevin Thomasey came forward; he lives at 12 Gentry Drive with his family. He was sworn in. They joined Round Top Swim Club in 2015 and they enjoy it very much. In 2017. Lisa Young, approached Mr. Thomasey stating Round Top had some financial issues and if he was interested in buying some property and that it would alleviate some of their debt. They decided to go forward with this and a subdivision to build a buildable lot and build a house for their family.

He asked that the variance be granted. The fence will be out of the sight of any neighbors and the house to be built will be far enough away. He believes this will be beneficial to Round Top Swim Club. Mr. Gallic asked about the land from the swim club and if the swim club needed to be represented. The swim club did consent and the board clerk did have a copy of it. Ms. Vautin gave it to Mr.

**WARREN TOWNSHIP
PLANNING BOARD MEETING MINUTES
February 22, 2021
PAGE 4**

Siegel, the board attorney. It was marked as Exhibit A-1 dated February 22, 2021.

Ms. Catherine Mueller, engineer for the applicant, went over the plans. The subdivision includes Mr. Thomasey's lot on Gentry Drive and the Round Top Swim club lot. The existing lots are 16.306 for the swim club and 1.56 lot size for the Gentry Drive lot. The swim club lot is rectangular in shape and has two staffs, one south to Ferguson Road and one to Mount Horeb Road. That will not change. The existing home and the new proposed lot will be on Gentry Drive. The lots are all R-65. The swim club has a pool and some tennis courts.

Ms. Mueller went over the subdivision plan. The swim club was interested in selling some property and Mr. Thomasey thought he could do a subdivision. Gentry Drive fronts onto the swim club and there is a temporary cul-de-sac easement. It was intended possibly to be a through road. The proposed lots are to the north of Gentry Drive. They worked to get a uniform lot. There are 70 foot staffs to the rear of the lots, each 70 foot wide. There is plenty of building envelope. The existing lot will remain on private septic and well.

The tennis courts near the proposed lot would only be 2.3 ft. off of the property line vs. 25 ft. per ordinance. They do not see a negative impact, it is in the lawn area and they don't want to overly impact the swim club.

Ms. Mueller went over the township reports. The township planner and the engineer requested an LOI prior to filing the deed. Ms. Mueller asked that would not be a condition of approval.

Mr. Gallic asked if wetlands are on the DEP map site. Mr. Kastrud did not know but did mention that the applicant did have a wetlands expert go out and flag the wetlands. Mr. Krueger is well respected but an issue may be getting permits said Mr. Chadwick. Mr. Gallic said that as a rule the board does not let a subdivision go forward without an LOI and does not recall that ever being waived.

There was further discussion on the requirements. Mr. Krueger defined the area as having a 50 ft. wetland buffer. Ms. Mueller had spoken to him that day and about what if it was to be redesignated to a 150 ft. buffer. She was told there were no endangered species in the area. They will need a general permit to cross the buffer and disturbance can't exceed a quarter acre. Mr. Gallic still had concerns.

Mr. Gallic questioned the lot size and the shape with the thinner area of both lots to the north portion of the lot. Ms. Mueller said they left space for a pool, etc. The area is serviced by septic so they did soil testing. Mr. Gallic felt it was not a good shape and it would be better for more regular shaped lots. There was discussion on changing the shape and sizes of the lots. Mr. Gallic pointed out that the change may eliminate a variance.

**WARREN TOWNSHIP
PLANNING BOARD MEETING MINUTES
February 22, 2021
PAGE 5**

Ms. Mueller felt that what is left for the swim club is a very regular shaped lot. Mr. Gallic suggested speaking with the client and seeing if they could work towards a non-variance subdivision.

Mr. Gallic reminded all that a non-variance subdivision does not require the same amount of proofs. Mr. Siegel said they are entitled to a subdivision with no variances. There was a three minute break called for the client to discuss with the engineer.

Mr. DiNardo asked about the square feet of the lots, there is more than enough. Ms. Mueller came back and the area that is to be bought has been negotiated with the swim club. They may be able to go back to the swim club and renegotiate. Ms. Mueller felt it could be worked by notching out the area by the tennis court to eliminate the variance. The plans can be revised. Ms. Mueller marked the plan and marked the page as Exhibit A-2. Working with a non-variance subdivision, Mr. Gallic asked the board and if the professionals had any questions. Mr. Kastrud said that Mr. Krueger has a good reputation but typically they have made a subdivision subject to a LOI before giving approval.

Mr. Chadwick said they made it a priority to maintain these types of facilities in town. The Swim Club needs this purchase. Mr. Gallic said he has not heard that there are wetlands on the GIS/DEP website.

Mr. Gallic does not care for the flag shapes at the end of the lots and it does not make sense from a planner's viewpoint. Mr. Gallic suggested that if the board might approve and the final configuration could be worked on with consolidated land from one to another and make more regular lots. There was discussion on how to achieve that. A condition of approval will be to remove the variance to the fence and reconfigure the rear of the lots to maintain conforming lot area.

Mr. Kastrud discussed his memo #5 concerning a sanitary sewer on the westerly site. Ms. Mueller went over the easement and possible development on Ferguson Road that might use that easement in the past. There is not a full description of the easement and it is for private sewer force main from a house on Ferguson that made a deal with the swim club. It is for a force main for one home. There has been discussion on the sewer authority bringing sewers to the area.

Ms. Mueller discussed a storm easement which goes from back of lot 7 on Mount Horeb and runs along the common property line between swim club and Mr. Thomasey's lot. It is shown on the tax map but they don't have the title work on it. She understands there is no pipe in it. A driveway is the only thing proposed over it is a driveway.

Mr. Kastrud asked about the temporary turn around. The applicant does not have the title work. It could be described on the deed and Mr. Kastrud felt it should be

**WARREN TOWNSHIP
PLANNING BOARD MEETING MINUTES
February 22, 2021
PAGE 6**

and that would give DPW continued ability to plow, etc. Deeds will need metes and bounds submitted for approval before deeds are done, tax lots would be assigned by tax assessor and engineering dept. A soil movement will be required for the proposed lot before building permits are submitted.

Mr. Siegel stated that the condition would be subject to the township planner approval to reduce irregularities. They have already agreed to eliminate the variance.

Mr. Gallic opened the meeting to the public, seeing no one come forward that portion of the meeting was closed. Mr. Gallic asked for any board member input. There were no comments.

Motion was made by Mr. Lindner, seconded by Mr. Argiro to approve the application.

ROLL CALL

For: Committeeman DiNardo, Mr. Lindner, Mr. Argiro, Mr. Esposito, and Mr. Gallic

Against: None.

■ **SCHEDULE OF NEXT MEETING:**

March 8, 2021

■ **ADJOURNMENT**