

WARREN TOWNSHIP PLANNING BOARD MINUTES
7:30 P.M. – Susie B. Boyce Meeting Room – 44 Mountain Boulevard
July 11, 2022
APPROVED

CALL TO ORDER

FLAG SALUTE AND MOMENT OF SILENCE FOR OUR TROOPS

ROLL CALL

Mayor Sordillo
Committeeman DiNardo
Mr. Gallic
Mr. Toth
Mr. Lindner
Mr. DiBianca
Mr. Argiro

Mr. Pasi
Mr. Scuderi
Mr. Esposito
Mr. Lippitt (excused)

Statement by Presiding Officer: Adequate notice of this meeting was posted on January 20, 2022, the Township bulletin board and sent to the Township Clerk, Echo Sentinel, and Star Ledger 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:**

May 23, 2022

Mr. Toth made a motion to approve, Mr. DiBianca seconded. All in favor

■ **Reports:**

Steve Warner, Esq.
John T. Chadwick, IV, P.P., Professional Planner
Christian Kastrud, P.E., Professional Engineer
Maryellen Vautin, Clerk

■ **CITIZENS HEARING non-agenda items**

■ **CORRESPONDENCE**

■ **RESOLUTIONS:**

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PB 21-01 58 Mount Bethel Inc. (87 Mt. Bethel Rd.)
Block 71 Lot 37.01
87 Mount Bethel Rd

Preliminary & Final Site Plan heard and approved 5/9

Motion was made by Mr. Lindner, seconded by Mr. Scuderi
Roll Call

For: Mr. Toth, Mr. Argiro, Mr. DiBianca, Mr. Pasi, Mr. Scuderi, Mr. Esposito, Mayor Sordillo, and Mr. Gallic.

PB 22-03 Kathleen Macor & Kathleen Winter

Block 87 Lots 5 & 6
16 & 18 Hillcrest Blvd.

Minor Subdivision – moving lot line heard and approved 5/23

Motion was made by Mr. Lindner, seconded by Mr. Toth to adopt.

Roll Call

For: Mr. Toth, Mr. Argiro, Mr. Scuderi, Committeeman DiNardo, and Mr. Lindner.
Against: None.

■ **PUBLIC HEARING agenda items**

Ordinance No. 22-18 An Ordinance Supplementing and Amending Chapter XVI Entitled “Zoning” of The General Ordinances of the Township of Warren by Revising Section 16-6 to include regulations and restrictions for existing affordable housing approved and developed prior to the 3rd Round of Affordable Housing Obligations.

The review is to determine if the ordinance is consistent with the master plan and give the board clerk permission to write letter for board

Mr. Chadwick explained that this ordinance was in place but was inadvertently removed. This puts it back in the ordinance and it is not inconsistent with the Master Plan.

A motion was made that it is not inconsistent with the Master Plan by Mr. DiBianca, seconded by Mr, Toth.

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Roll Call

For: Mr. Toth, Mr. Argiro, Mr. DiBianca, Mr. Pasi, Mr. Scuderi, Mr. Esposito, Mayor Sordillo, Committeeman DiNardo, Mr. Lindner and Mr. Gallic.

Against: None.

PB 21-04 Hillcrest Crossing, LLC

Block 205 lots 58, 59, 60 and 61

Preliminary and Final Site Plan

Mr. Gallic announced that the application will be carried to July 25, 2022 with no further notice. All were in favor.

PB 22-01 Vasa Properties, LLC

Block 12 lot 21.01, 7 Oak Avenue

Minor Subdivision, no variances

Ms. Nicole Magdziak came forward as attorney for the applicant. They are seeking a two lot subdivision out of one lot. There are no variances. This lot was a product of a subdivision from 2013 with a condition that this lot could only be subdivided further into two lots. One lot is 3.03 acres and one is 11.36 acres. The larger lot has a large conservation easement that cannot be built upon. They propose that each lot have their own septic system and well.

There are two witnesses for the applicant, an engineer, Brent Papi, and a planner, Veena Sawant.. They were sworn in as well as Mr. Chadwick, the Township Planner.

Mr. Papi gave his qualifications to the board and was accepted. He went over the subdivision using the Exhibit A-1 (Minor Subdivision dated 11/14/21 with revision date of June 20, 2022, color rendering and superimposed with truck turning diagram). The total lot area is 14.39 acres. It was created by PB13-01 resolution and the conservation easement was established with that subdivision. The lot is presently vacant with wetlands along the eastern portion of the property and shown in light green. There is a tributary on the northern property line. The applicant is waiting on the Health Department approval.

They have applied to DEP for a new LOI and Flood Hazard determination. He went over the elevations and there is a drop in grade. The property is in the CR130/65 zone and it is 3 acre zoning. There are two residential properties across from the lot. They have filed for a general permit to fill in the isolated wetlands. There was discussion on surrounding properties. Surrounding lots have septic systems and wells also.

A resident asked if there would be a third house. They cannot build another house.

The lots are fully conforming with zoning. Each house proposed will have five bedrooms.

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The septic engineer has already submitted to the health department. There was discussion about the distance of public sewer. There was discussion on the area getting sewers possibly in the future.

Mr. Papi went over the entrance driveways and grading. The Fire Marshall requested a wider driveway of 16 ft with two ft clearing on either side of the driveway.

The driveway has a 30 ft turning radius at the entrance. The maximum allowable grade would be 12%. The applicant had agreed to sprinkler the dwellings. There was discussion on testing annually and it was decided the board of health would need to require that.

Mr. Gallic felt that the houses would not be required to have sprinkler systems. Mr. Toth asked why they would put septic systems on higher ground than the wells. There was specific soil testing by the septic engineer and he felt that area was most suitable.

They felt the wells would be 300 to 500 ft deep. Mr. Gallic feels a well can be anywhere on the property, but septic needs to be specific.

Mr. Papi brought in Exhibit A-2, the wetlands map and showed the isolated pockets of wetlands and to fill those a permit is required. They have filed all the documents to DEP that will be necessary. None of these areas are within the conservation easement.

There will be a retaining wall and Mr. Papi said it would be 8.5 ft maximum. Mr. Chadwick stated they will have to terrace at 3 feet maximum. More than that will require a variance. The applicant agreed to terrace. That would be part of the soil movement application and design. There was further discussion on the detention and storm water requirements. Mr. Gallic feels that a swale along the driveway will work better than underground detention. Mr. Papi and Mr. Gallic discussed further.

The applicant requests a few waivers on the checklist. They ask for waiver from drainage calculations, delineated natural features within 200 ft. (the previous subdivision included that), and the environmental assessment report. They had a firm, Envirotactics, provide a report that covers the items and show no impact. None of the board members had an issue with the waivers..

Mr. Chadwick asked if they planned on any rehabilitation of the roadway. It is a municipal township road. The applicant would need to pay a share for any improvements required. The developer does not plan on paving the road. Mr. Chadwick suggests it could be improved without a major undertaking. Garbage trucks and delivery trucks use the road for the two houses that exist. There was discussion on the roadway and width. It varies in width and there was mention of making it 20 ft. wide. Some improvement would help. Filling pot holes would help. The township does plow it. The area in front of the property will be torn up with trucks during construction. Mr. Chadwick suggests rehabilitating that area in front of the dwellings.

Ms. Madgziak stated that if an improvement is required the expense would be shared. At a minimum they would repair any damage. It is advantageous for the applicant to

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improve the road for marketing the dwellings. Mr. Papi stated that some of the drainage inlets don't seem to be operating. There was more discussion on what will be required and smoothing it out was mentioned.

Ms. Madgziak went over the letters/memos from the township professionals to ensure they were covered.

The board did not feel the applicant's planner testimony was necessary without any variances.

Mr. Gallic opened the meeting up for public questions and comments. Ms. Janice Shroeder from 10 Oak Avenue and Klaudia Kalenda from 1 Oak Avenue came forward. They had some questions about the application. It is a no variance application because it complies to all the requirement of the zoning ordinance. There will only be these two houses. The conservation easement was established around 2015 with the previous subdivision and they are recorded. The NJDEP LOI was approved in 2017 and was updated/extended to 2028. Ms. Shroeder spoke about the roadway of Oak. There was vacation of some ROW with the earlier subdivision.

The big concern for the residents is stormwater runoff and there are no drains just a ditch. Mr. Papi went over the proposed stormwater and they have to calculate and design a system to ensure there is less runoff than before development.

Mr. Papi went over general and specific stormwater to the site proposals.

Committeeman DiNardo mentioned the new stormwater regulations that will be more strict and will be helpful in design to protect properties. Ms. Shroeder spoke about a house on Liberty Corner where there is a large foundation and it was covered over and now more water comes to her property.

Ms. Shroeder has spoken with Doug Buro, DWP, and there is a pipe that is blocked up near her. Mr. Gallic feels it is beneficial for the applicant to fix this problem. Ms. Shroeder said their road turns into a river.

Mr. Lindner asked about the driveways and swales with drainage. There will be culvert pipes over the ditch. There will be piping along the driveway. There was discussion on the Fire Marshall request for 14 ft wide driveway and increased impervious coverage. They may need it that wide for the large fire truck. Mayor Sordillo said the driveway could flare out at the entrance. Mr. Lindner suggests that the driveway and drainage may make it better for the neighbors.

Ms. Shroeder said that Elm is in poor condition as well as Third Street and how long will the project last with big trucks coming down for the construction. It was discussed that the construction could be six months to two years. The residents feel the size of the house is concerning with more runoff. There is no disturbance in the conservation area.

Mr. Chadwick spoke about the process and soil movement application before construction would start. These plans show the clearing limits and engineering does check that the trees are not removed outside of the clearing limits.

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Mr. Papi said there could also be new plantings outside the conservation area and sometimes when grading some areas the trees might need to be removed.

The applicant was not required to notice the hearing but they did.

They may get gas lines in, but they did not know yet. The neighboring properties could also hook into gas.

Ms. Shroeder asked what happens if someone blocks the road with construction vehicles. She feels it will be difficult. They cannot block access and they can notify the police. There was discussion on creating a pad for vehicles off the road.

Ms. Kalenda said they recently had an issue with her driveway. She said they will turn in her driveway and the garbage truck turned and damaged the drive. The applicant will not be able to back into her driveway and it will be included in the resolution. Mayor Sordillo suggests to take pictures before construction.

There is not a time line for construction. This subdivision is the first step and it is a subdivision with no variances.

Ms. Shroeder said it is all rock in the area. There was extensive testing for the well and the septic. They had to blast for White Buck Run construction.

No other members of the public had comments. The board had no questions or comments.

The attorney went over the conditions. He had a list, septic approval, work with engineer for well location, terracing retaining walls, stormwater reviewed by township engineer, repair to any damage to roadway on Oak Avenue and hopefully improve, no parking of construction vehicles on Oak Avenue, and no construction vehicles can use private driveways. Mr. Chadwick added that there shall be limited clearing in the front area.

Mr. Gallic felt the construction vehicle pad could be up by the house where it might be cleared for construction anyway. Mr. DiBianca also mentioned if any damage to mailboxes are done, it must be repaired.

A motion was made by Mr. Toth, seconded by Mr. DiBianca.

Roll Call

For: Mr. Toth, Mr. Argiro, Mr. DiBlanca, Mr. Pasi, Mr. Scuderi, Mr. Esposito, Mayor Sordillo, Committeeman DiNardo, Mr. Lindner, and Mr. Gallic.

Mr. Gallic mentioned they must meet soon for the Downtown Center plan meeting. He will try to find a day to meet.

SCHEDULE OF NEXT MEETING July 25, 2022

■ **ADJOURNMENT**

A motion was made to adjourn, seconded, all in favor. The meeting adjourned approximately at 8:50