

**WARREN TOWNSHIP PLANNING BOARD  
MEETING MINUTES  
7:30 P.M. – Susie B. Boyce Meeting Room – 44 Mountain Boulevard  
July 13, 2015**

**CALL TO ORDER**

**FLAG SALUTE AND MOMENT OF SILENCE FOR OUR TROOPS**

*Statement by Presiding Officer: Adequate notice of this meeting was posted on January 14, 2015 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 Marion  
Committeeman DiNardo  
Mr. Toth  
Mr. Kaufmann  
Mr. Lindner (excused)  
Mr. Malanga (excused)

Mr. Freijomil (excused)  
Mr. DiBianca  
Mr. Scuderi  
Mr. Gallic  
Mr. Villani

■ **Announcements:**  
None

■ **APPROVAL OF MINUTES:**  
April 27, 2015

Motion was made by Mayor Marion, seconded by Mr. Toth to approve the minutes.

Roll Call

For: Mayor Marion, Committeeman DiNardo, Mr. Kaufmann, Mr. Toth, Mr. Scuderi, and 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**

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■ **CORRESPONDENCE**

None.

■ **CITIZEN'S HEARING:** (Non-Agenda Items Only)

Seeing none, this portion of the meeting was closed.

**AGENDA Items:**

**Case #: PB-15-03**

**Block: 113 Lot 7**  
**Road: 91 Stirling Rd**

**APPLICANT: Joanne Harrison**

**LOCATION: 91 Stirling Rd.**

**PROPOSED: 2 lot major subdivision**

Mr. Sasso came forward as the lawyer for the applicant and introduced the case for Joanne Harrison for a two lot subdivision with a house on it. It was originally filed as a minor subdivision, but in reviewing the plan, the extension of the sewer main from Stirling Road made it a major subdivision. There are no variances involved. The R-65 requires 65,340 SF and proposed lot 7.01 will be 244,807 SF and lot 7.02 will be 76,887 SF, and all other zoning requirements are met. Mr. Sasso asked Ms. Harrison to come forward. Mr. Siegel swore in all that would testify, Mr. Christian Kastrud, the Township Engineer; Mr. John Chadwick, the Township Planner, Ms. Joanne Harrison, and Mr. Steve Parker, the applicant's engineer.

Mr. Sasso spoke and referred to the plans that were submitted, plans dated February 19, 2015, sheet 4. Mr. Sasso stated that the plans do state Minor Subdivision but they will be changed to Major Subdivision. Mr. Sasso asked Ms. Harrison where she lived. Ms. Harrison lives at 91 Stirling Road and has lived there 11 years, she works at Somerset Farms on Rt 22, it is retail produce business. She lives with her 3 children; Michael, 13; Jacqueline, 11; and Nicholas, 10. There was further discussion on Ms. Harrison's personal life. She wants to stay in the Warren school and wants to stay in town, her son has special needs. The property is large and she thought of subdividing earlier but sewer was not available at the time. Sewer is now available. Her thought is to build a new house for herself, but it is unsure.

There were no questions from the board for Ms. Harrison. Mr. Sasso asked Mr. Parker to come forward and he gave his credentials and was accepted by the board. Mr. Parker went over the subdivision with an existing home. The lot is an oversized lot, it is long and narrow and has frontage on Stirling Road. The front part is developed and there is a driveway that extends from the house to Stirling

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Road and there is a septic system now in the front of the property, that will be abandoned as a sewer connection should be obtained. Mr. Villani suggested going over the reports from the professionals.

Mr. Chadwick went over his report from May 14, 2015 and it confirms there are no variances. This is the first application that has been heard with the private street right-of-way ordinance and the plan conforms to those regulations. The plans from February 19, 2015 shows the private road as an area and it will be part of lot 7.01. It will be an easement either described in deed or map filed. It is not to be a public right-of-way. It is an easement crossing a lot but meets all the requirements for street frontage under Warren's ordinance. Mr. Sasso agreed to that. Mr. Chadwick continued—public water and sewer will be a condition—applicant agreed. The wetlands on the property will be restricted as conservation easements.

The driveway will need a wetlands crossing. The right-of-way width wasn't called out on the plan, but the driveway needs to be 18 feet wide. Mr. Parker stated it exceeds that, the driveway is already there.

There was discussion if there was area enough for another lot (more than the two in this application) and with the conservation easement filed there would not be enough area.

Mr. Gallic brought up the GP crossing the driveway and asked for flexibility from the board to move the driveway a little depending on the LOI. The board agreed. Mr. Chadwick reminded all that the private road is part of the lot and will be an easement to the other lot. Mr. Villani asked if there were any questions on Mr. Chadwick's report, hearing none he went on to Mr. Kastrud's report.

Mr. Kastrud went through his July 10, 2015 report. Item 1 is the subdivision with a paper street that provides the frontage for two lots. The existing driveway is at least 18 feet and meets the residential standards from a safety standpoint and would like to hear about the access to the second lot as there is no cul-de-sac or turnaround for emergency vehicles. Mr. Parker stated there is a turnaround in the cul-de-sac to provide for emergency vehicles, it will be gravel near the now septic system. Mr. Kastrud asked if it had been approved by the Fire Marshall. It was not determined if it had been approved. It is asked that a detail be submitted and Mr. Kastrud will discuss with the Fire Marshall. Mr. Gallic asked if there is any other material that isn't so obviously grey like gravel. Grass paver, checkerboard paver perhaps, because you can see it from Stirling Road.

Mr. Kastrud spoke about the wetlands and crossing permit, the Engineering department will need to see the actual permit number on the plans and the metes and bounds of the conservation easement (and lots, rights of way, etc). It is a major subdivision. The Sewerage Authority has the application currently. Mr. Kastrud asked about the surrounding area and if they are on sewer and if they had reached out to them if they wanted to be connected. They have not reached out to others. Mr. Kastrud said that the sewer authority requires to connect if

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within 200 ft. of the sewer line. Mr. Sasso stated that under the ordinance no one else would be compelled to connect.

Mr. Kastrud brought up the limit of disturbance and that it is just under one acre. One acre is the threshold that pushes an applicant into major stormwater rules. It should be adhered to for any future development on the property, driveway, grading plan, etc. Mr. Kastrud asked for a note on the plan to ensure this. It was agreed upon.

Mr. Kastrud spoke about the drywells on the property and they appear to be in a wetland buffer area. That may create issues with the DEP. Mr. Parker stated there was an LOI when the Harrison's bought their house that expired in 2001. The wetlands on these plans have been recently done by a wetlands certifier and they have changed. Mr. Parker believes at the time of construction it was compliant. Mr. Kastrud asked if there are any tree replacement requirements, he recommends towards the easterly end of the lot in the septic area to be abandoned. There was runoff issues years ago. Mr. Villani asked if there were any questions, the board had none.

The board went over the Somerset County memo and the applicant will agree with the 33 feet road width request from the county.

The Health Department report asked about eliminating the existing septic system when sewer service is connected and is there is a well. There is not a well on the property. There are no outstanding DEP violations on the property.

Mr. Villani went over the Fire Marshall report and a 18 foot driveway requirement, it is 20 feet.

Mr. Villani asked for any questions. Mayor Marian asked if anything further needs to be discussed on the Somerset County memo. Mr. Kastrud stated that the applicant will dedicate the required half width for the right of way. If they exceed over 1 acre of disturbance then they need to comply with the major stormwater rules. It is important to put the note on the plan that they are under. If someone else comes in to build something that will put it over the 1 acre of disturbance, they will need to comply with those rules.

Mr. Villani asked anyone from the public to come forward with questions. Mrs. Fellen came forward, she is adjacent to the property and is concerned about the driveway, and if there was going to be another driveway. She and her neighbor have had a terrible amount of water run off since they clear cut that property and she is still dealing with it. She agrees with replanting and growth in the center of the property. She felt it was a flag lot, but was told it is not because have the road frontage. She wants no more effects from the property and development.

Mr. Gallic asked about grading the front area so it flows more to the wetlands instead of north into properties or a swale. Mr. Kastrud remembered the septic system and a large curtain drain was installed along the Farrel's property line. Mr. Parker wants to keep the limit of disturbance under the acre.

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Mr. John Farrell from 95 Stirling Road came forward and asked how the area that is considered wetlands got designated as wetlands and when. Mr. Parker discussed the wetlands on the plan that were delineated in December 2014. The certifier uses the DEP criteria to determine. The procedure is that it is then shown on a plan and the DEP come out and verify the location and accuracy.

Mr. Farrell stated he has lived in Warren 88 years and can't figure out why these have been designated as wetlands. Mr. Parker stated it is determined by types of vegetation, and the soil colors and that they do borings (shallow). It doesn't mean that there is water on the ground all the time.

There was further discussion about wetlands and changes and issues with drainage. Mr. DiNardo thanked Mr. Farrell, a long time resident, for his service in World War II and that he has won many medals.

Mr. Villani asked if anyone else wanted to come forward and Danielle Riccardi from 17 Tina Lane and asked about the subdivision and it being a major subdivision. Mr. Sasso clarified that whenever the extension of the sewer line in the street occurs, it becomes a major subdivision. She asked how it affects her property.

Mr. Parker went over where the new home is relative to the properties on Tina Lane. Mr. Chadwick stated that this plan takes one lot that could probably be divided into more lots, and this one is adding one lot and restricting the rest of it by a conservation easement.

Mr. Villani asked for anyone else to come forward and seeing none he closed the public portion of the hearing. The board had no questions.

Mr. Siegel went over the conditions, changing the title to Major Subdivision, and subject to Items 2, 3, 4, 5, 6 and 7 of Mr. Chadwick's report, and subject to Items 1, 2, 3, 4, 5, 6, 7, and 10 of Mr. Kastrud's report. It is always subject to the County approval.

Mr. Gallic moved to approve with conditions the major subdivision, seconded by Mr. Toth.

For: Mayor Marion, Committeeman DiNardo, Mr. Kaufmann, Mr. Toth, Mr. DiBianca, Mr. Scuderi, Mr. Gallic, and Mr. Villani.

Against: None.

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■ **SCHEDULE OF NEXT MEETING:**

July 27, 2015

August 10, 2015

■ **ADJOURNMENT**

Motion was made by Mr. Gallic, seconded by Mr. Toth, all in favor to adjourn.

7-13-15 minutes