

**WARREN TOWNSHIP PLANNING BOARD
MEETING MINUTES
7:30 P.M. – Susie B. Boyce Meeting Room – 44 Mountain Boulevard
September 12, 2016
APPROVED**

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 12, 2016 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 Lazo	Mr. Pasi (excused)
Committeeman DiNardo	Mr. DiBianca
Mr. Toth	Mr. Scuderi
Mr. Kaufmann	Mr. Gallic (arrived at 7:50)
Mr. Lindner (excused)	Mr. Villani
Mr. Argiro	

- **Announcements:**
None

- **APPROVAL OF MINUTES:**

August 22, 2016

Motion was made by Mr. Toth, seconded by Committeeman DiNardo to approve the minutes.

Roll Call

For: Committeeman DiNardo, Mr. Kaufmann, Mr. Argiro, Mr. Toth, Mr. Scuderi, and Mr. Villani.

Against: None.

- **CORRESPONDENCE**

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- **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
No Reports

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

■ **AGENDA Items:**

CASE # 1 **Case #: PB-15-13** **Block: 207 lot: 5**
Road: Hillcrest/Northridge
APPLICANT: John & Lisa Walters
LOCATION: Hillcrest /Northridge
PROPOSED: Minor Subdivision

Mr. Jay Bohn came forward to represent the applicant, John and Lisa Walters. He introduced the case. Cathy Mueller, the engineer, would go over the two lot minor subdivision for property off of Hillcrest Road and Northridge Way. One lot would have an access of Northridge Way. The existing lot has a nonconforming condition; it is on the proposed lot with an existing structure. Mr. Siegel swore in the witnesses, Mr. Christian Kastrud, Engineer for Warren Township, Mr. John Chadwick, Planner for Warren Township, Ms. Cathy Mueller from Page-Mueller Engineering Consultants (for the applicant).

Ms. Mueller gave an overview and she was accepted by the board. Ms. Mueller went over the plans that were submitted for Minor Subdivision for lock 207 lot 5 dated August 3, 2016.

There is frontage on Hillcrest Road on the west and where the terminus of Northridge Way that comes in near the rear of the property on the south side. There are single family homes to the north and to the south, single family homes to the right and the eastern boundary is also the Township line with Berkeley Heights. There are two principal buildings that exist on the property now, two single family homes both with access off of Hillcrest Road. There is a shed in the northwest corner. That is pre-existing variance for accessory structure. The applicant would like to retain the structure. It has been resided and re-roofed and is used for storage.

There are areas of wetlands in the middle northern boundary. There is an LOI from the state for the property. The wetlands have a 50ft buffer. There is maintained lawn currently in that buffer. Additional disturbance is not proposed.

A conversion of the rear building is proposed for the rear dwelling to a garage. The eastern portion of the lot is where one more single family home is proposed. It contains some steep slopes and some flatter slopes. There will be wetland buffers near the home. There will be access for this lot from Northridge Way from the existing roadway.

Ms. Mueller went over the fact that converting the garage brings the lot into conformity with one dwelling on one lot. The existing lot (lot 5) is 111,260 SF and is zoned R-20V which requires a minimum of 20,000SF. They propose a 54,440Sf lot adjacent to Hillcrest and 56,820SF lot to the rear of the property. Both are in exceedance of required SF.

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There was discussion on why it is not going to be a 3 lot major subdivision and the private street requirement. Mr. Chadwick discussed the wetlands as an issue with a three lot subdivision that would cause very little yards for the lots. Mr. Kastrud noted the building area on the rear lot is much larger now.

Ms. Mueller stated they propose all of the wetlands and buffers in a conservation easement on proposed lot 5.02. This proposal is better for storm-water management also.

There was discussion on where the conservation easement line would be. There would be some lawn area and the garage would not be in the easement. It might follow a ditch that is present. Mr. Kastrud wants to make sure if they maintain the ditch currently for storm water runoff that it continues to be maintained (the township conservation easements permit that).

Chairman Villani asked that Mr. Siegel ensure what is required is in the resolution. Mr. Gallic excused himself because he is within the 200 ft. list.

Ms. Mueller stated they would like to keep the pre-existing shed up by Hillcrest.

All other proposals are compliant with zoning other than lot 5.02 frontage, 66.67 ft. They propose 50 ft. which is the width of the existing Northridge Way right-of-way.

Mr. Bohn proposed that they are providing a better situation with the two lots than the three lots. And it benefits by getting into a compliant use with the two dwellings going to one.

Committeeman DiNardo stated the existing front yard setback variance for the shed is substantial. Mr. Chadwick stated it is somewhat unusual to have a lot perpendicular to the street. Mr. Kastrud reminded that the three lot would be compliant with the extension of the cul-de-sac. There was further discussion.

Ms. Mueller went over the proposed lots with the houses shown. She went over the storm-water and the testing leading to pipe system (high water table level). The water will be directed to the wetlands.

Mr. Kastrud asked about the driveway width and length. The Fire Marshall is asking for 16 feet wide driveways plus two feet of cleared area. Mr. Kastrud does not want over pavement of driveways. He will work with the Fire Marshall. Mr. Kastrud feels the fire trucks will not go down the driveways, they will pull hoses from the cul-de-sac.

Ms. Mueller discussed the rear dwelling to be used for a garage. Mr. Chadwick stated it would have to be done before the subdivision is completed, and the kitchen will need to be removed. The applicant would like the water and sewer to stay in place. The second dwelling is currently rented.

The proposed dwelling is approximately 4000SF home with a footprint of 2300SF, with a walkout to work with the natural terrain. They went over the site plan further, 17 trees will be removed. The Environmental Report asked for additional plantings. There will be a wooded buffer on all three sides of the home.

Mr. Kastrud spoke about the home situation and possibility of facing Northridge Way. Ms. Mueller stated that the proposed house location provides for a walk out basement

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and if twisted it gets into the wetland buffer. There was further discussion on pros and cons of turning the house.

Mr. Villani went to the reports. Mr. Chadwick went over his report. The variances had been discussed. There is an approved LOI for the wetlands and conservation easement lines. The cottage to become a garage will have no kitchen, including cabinets removed.

Ms. Mueller asked who will inspect that condition; one of the zoning inspectors will inspect.

Mr. Kastrud went over his report, dated September 9, 2016. Prior applications have discussed extensions of Northridge Way. This application creates a property line that creates one new lot, one on Hillcrest, one on Northridge Way. Mr. Kastrud believes the house on Northridge Way would look better facing Northridge. There was further discussion on the three lot plan previously presented.

Mr. Villani agreed that there should be consideration for the overall neighborhood. Ms. Mueller will look at the possibilities and work with Mr. Kastrud and there will be plot plans submitted for the soil movement application.

Committeeman DiNardo also discussed that the second dwelling will not be used for living space, only a garage. There are tenants in the building.

Mr. Kastrud reminded the applicant that regardless of the house location, storm-water run off will not impact adjacent properties.

Mr. Chadwick suggested that there be an agreement in the resolution to explore alternative locations of the house.

Ms. Mueller wanted to clarify that she did not want to go to DEP for buffer averaging due to time it might take, she would prefer to meet in the middle with slightly rotating the house.

Mr. Kastrud felt they should shift the house and if needed do buffer averaging. Ms. Mueller said they had withdrawn the buffer averaging request with the DEP when they went to the two lots.

Mr. Villani asked for anyone in the audience to come forward on the application. Jill Kupelman from 12 Northridge Way came forward and discussed a similar plan that was brought before the planning board years ago that was denied. She wanted to know why it would be brought up again. Mr. Chadwick stated that the previous application split the end Northridge to service two proposed lots at the end of Northridge. The variance was two driveways, two lots off the end of Northridge so this application is different. Ms. Kupelman would prefer the driveways would come off of Hillcrest for both homes.

Mr. Chadwick went over that one of the alternatives would be to extend the road which would create two cul-de-sacs close together which is not desirable. Or the original proposal would have two lots off the new cul-de-sacs which would have more impact. The application was reduced from a three lot proposal to a two lot proposal. To have the driveways come off of Hillcrest they would have to go through wetlands for the new house. Ms. Kupelman asked who owns the section of Northridge that is being considered for the entrance of the driveway. The Township owns the right of way. The

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cul-de-sac is in an easement. Ms. Kupelman is concerned with trees coming down. The woods will stay at the end of the street. There will be a buffer from neighbors. Clearing limits will require that trees will not be cut. The distance between the proposed house and Ms. Kupelman's house is about 106 ft.

Ms. Kupelman is also concerned about runoff. There is a lot of water coming off the properties. Ms. Mueller discussed the collection from the pavement and roof into a pipe which is stored and retained and releases at a slower rate. Everything else coming towards the home is routed around the home and continues to the wetlands.

Mr. Kastrud asked if rotating the house there would be more trees taken or less. Ms. Mueller thought it may come out relatively even.

Mr. Villani asked if the Planning Board members had any questions. Mr. DiBianca wants to ensure they do look at the rotating possibilities for the dwelling. Mr. Toth wants the new and existing driveway on the plan.

Ms. Mueller went over what the rotation. That usually a house faces the road it is on, but they placed the house a little to the east of the driveway entrance and facing Hillcrest. It helped with the wetlands and backyard possibilities. Mr. Kaufmann also recommends turning the house towards Northridge Way. Mr. Kastrud will handle the review. Mr. Kaufmann asked if trees can be marked before construction in order to keep them.

Ms. Mueller and Mr. Kastrud will work together for options of rotating the house and the best plan for tree preservation. Mr. Kaufmann stated that Northridge Way was recently paved. Can equipment come in from Hillcrest? There is no access to the new lot from Hillcrest. There are wetlands. Mr. Kastrud brought up that DPW knows the conditions of the road and if during construction there are impacts to the road, the developer/contractor would be responsible for repairing the road. Mr. Kaufmann thought DPW might take a video of the road conditions.

Mr. Siegel went over the conditions. The owner shall be entitled to maintain the existing drainage ditch shown on the plan. The Township Engineer, the Applicant's Engineer, and the Fire Marshall will review the Fire Marshall's memo of August 9, 2016 to reach an agreement on the width of the driveway, the second dwelling shall be converted into non-residential use per paragraph 4 of Mr. Chadwick's memo. All cooking facilities including cabinets must be removed. Mr. Kastrud's memo (#6) concerning drainage, and #5 or Mr. Kastrud's memo on the location of the house, preservation of the maximum number of trees as well as the visual impact shall be considered. The conservation easement on proposed lot 5.01 will coincide with the existing drainage ditch shown on Subdivision Plan (drawing No. 2) and thereafter follow the lot line and transition boundary lines.

Mr. Villani asked if the board had any further questions. Mr. Kaufmann asked if they need to explain why they are asking for a C2. It was in the summary.

Mr. Toth prefers the house to be angled away from Northridge Way so you don't get the lights coming down the court into the house, and see more open space from the house. Mr. Villani asked for a motion with the conditions.

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Mr. DiBianca made a motion, seconded by Committeeman DiNardo with the conditions to approve.

Roll Call

For: Mayor Lazo, Committeeman DiNardo, Mr. Kaufmann, Mr. Argiro, Mr. Toth, Mr. DiBianca, Mr. Scuderi, and Mr. Villani.

Against: None.

Mr. Villani called for a 5 minute break at 8:45.

The meeting was called back to order at 8:55.

**Case # 2 Courtesy Site Plan Review Block 97 lot 4
Middle School Generator Replacement
100 Old Stirling Road**

Mr. Villani introduced the Courtesy Review for the generator for the Middle School. Ms. Cathy Mueller discussed the site. There is currently a small generator in the building and they are proposing to remove the inside generator and do the electrical and utility upgrade and put a generator out in the rear adjacent to the ball fields and the parking. It will have a 4.33 x 12.17 ft concrete generator pad and the generator is smaller than that. It is near the baseball field in an area that does not anything to be relocated. There are two trailers near and a transformer to the north of the trenches. Mr. Villani asked for any questions from the board. Mr. DiBianca asked how far the pad and generator from any area of people meeting, noise. It will only be on during emergency situations. It will cycle on and off. It is far enough away from residential properties. It is natural gas.

Mr. Kastrud asked if there is a better alternative location. It was not explored extensively but it is all lawn.

The Planning Board felt the plan is appropriate.

ORDINANCES REFERED BY THE TOWNSHIP COMMITTEE FOR REVIEW BY THE PLANNING BOARD.

Mr. Chadwick had a chart with the proposed areas highlighted that were discussed in the original Master Plan Re-Examination. And the Planning Board went over them again with the Amended and Re-Stated Re-Examination Report. The basic zone changes are shown in 16-15 through 16-28. It is what has been discussed. The other ordinances talk about land use adjustments to the zones that are not permitted in the Industrial zones now. The areas are struggling so the town would like a wider envelope for uses.

The other change is in the OR/Hotel District area opposite of City Group, those properties would be allowed to have under conditional use Hotel facilities and associated uses.

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This group of ordinance does now establish an R-10 zone, there is one area across the street, Rolling Hills, now it will include the Plainfield Gardens area and Wichser and Wilshire. They are all 10,000SF and they have had to come before the Board of Adjustment previously. The lots in Plainfield Garden that are undersized will now have an FAR of .225 vs. .20. The R-20V will be .25 FAR. Mr. Chadwick asked if anyone had any questions. If not then someone could make a motion that the ordinances are not inconsistent with the Master Plan.

Mr. Toth made a motion, Mr. Villani seconded it.

Roll Call

For: Mayor Lazo, Committeeman DiNardo, Mr. Kaufmann, Mr. Argiro, Mr. Toth, Mr. Pasi, Mr. DiBianca, Mr. Scuderi, and Mr. Villani.

Against: None.

■ **SCHEDULE OF NEXT MEETING:**

September 26, 2016 (will cancel)

October 24, 2016

■ **ADJOURNMENT**

Motion to adjourn was made by Mr. Toth, seconded by Mr. Villani, all in favor. Meeting adjourned at 9:20.