

**WARREN TOWNSHIP PLANNING BOARD
MEETING MINUTES
7:30 P.M. – Susie B. Boyce Meeting Room – 44 Mountain Boulevard
December 19, 2016**

APPROVED

CALL TO ORDER Mr. Villani called the meeting to order at 7:30

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

Committeeman DiNardo (excused)

Mr. Toth

Mr. Kaufmann

Mr. Lindner

Mr. Argiro

Mr. Pasi

Mr. DiBianca

Mr. Scuderi

Mr. Gallic (arrived 8:02)

Mr. Villani

■ **Announcements:**

None

■ **APPROVAL OF MINUTES:**

November 28, 2016

Motion was made by Mr. Kaufmann, and seconded by Mr. Villani to approve the November 28, 2016 minutes.

Roll Call

For: Mayor Lazo, Mr. Kaufmann, Mr. Lindner, Mr. Argiro, Mr. Toth, Mr. Pasi, Mr. Scuderi, and Mr. Villani.

Against: None.

■ **MEMORIALIZE RESOLUTIONS:**

- Memorialization of Resolution PB 15-10 Ext Rica Properties Extension approved November 28, 2016 to December 31, 2017.

Motion was made by Mr. Lindner, seconded by Mr. Kaufmann to approve memorialization.

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Roll Call

For: Mayor Lazo, Mr. Kaufmann, Mr. Lindner, Mr. Argiro, Mr. Toth, Mr. Pasi, Mr. Scuderi, and Mr. Villani.

Against: None.

- Memorialization of Preliminary and Final Major Site Plan PB 16-05 and PB16-06 Minor Subdivision, WCC Investors, LLC Block 37, lots 13.02, 13.03, 13.04, 13.05 and 13.07, approved November 28, 2016.

Motion was made by Mr. Villani, and seconded by Mr. Argiro to memorialize the resolution.

Roll Call

For: Mayor Lazo, Mr. Kaufmann, Mr. Lindner, Mr. Argiro, Mr. Toth, Mr. Pasi, Mr. Scuderi, and Mr. Villani.

Against: None.

- Memorialization of Planning Board recommendation to the Township Committee to designate Block 88.04, lot 15 (Flag Plaza) on the northeast corner of Mountain Boulevard and Mt. Bethel Road, Township of Warren, County of Somerset, NJ. The Planning Board conducted a public hearing in accordance with Law on November 28, 2016 for purposes of hearing and deciding upon a designation of Block 88.04 Lot 15. As a result, the Planning Board, by unanimous roll call vote recommended the Township Committee designate the above named property as in need of redevelopment. I

Motion was made by Mr. Toth, seconded by Mr. Lindner to memorialize the resolution.

Roll Call

For: Mayor Lazo, Mr. Kaufmann, Mr. Lindner, Mr. Argiro, Mr. Toth, Mr. Pasi, Mr. Scuderi, and Mr. Villani.

Against: None.

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- Memorialization of Planning Board recommendation to the Township Committee to designate Block 78, lots 15.01 and 15.02 on the west side of Mt. Bethel Road, Township of Warren, County of Somerset, NJ. The Planning Board conducted a public hearing in accordance with Law on November 28, 2016 for purposes of hearing and deciding upon a designation of Block 78 Lots 15.01 and 15.02. As a result, the Planning Board, by unanimous roll call vote recommended the Township Committee designate the above named property as in need of redevelopment.

Motion was made by Mr. Argiro, seconded by Mr. Toth to memorialize resolution.

Roll Call

For: Mayor Lazo, Mr. Kaufmann, Mr. Lindner, Mr. Argiro, Mr. Toth, Mr. Pasi, Mr. Scuderi, and Mr. Villani.

Against: None.

- Memorialization of Planning Board recommendation to the Township Committee to designate Block 114, lot 22.03 and the conservation area of 22.04 in the northeast quadrant of Township of Warren, County of Somerset, NJ. The Planning Board conducted a public hearing in accordance with Law on November 28, 2016 for purposes of hearing and deciding upon a designation of Block 114, Lots 22.03 and the conservation area of 22.04. As a result, the Planning Board, by unanimous roll call vote recommended the Township Committee designate the above named property as in need of redevelopment.

Motion was made by Mr. Kaufmann, seconded by Mr. Lindner to memorialize the resolution.

Roll Call

For: Mayor Lazo, Mr. Kaufmann, Mr. Lindner, Mr. Argiro, Mr. Toth, Mr. Pasi, Mr. Scuderi, and Mr. Villani.

Against: None.

■ **CORRESPONDENCE**

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

Mr. John Chadwick, the Township Planner, told the board that the Township Committee has asked the Planning Board to investigate another area as in need of redevelopment. It will be noticed and there will be a public hearing on January 23, 2017. A report will be sent out to the board members.

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

Seeing no one this portion of the meeting was closed.

■ **AGENDA Items:**

PB 15-06F 88 Round Top LLC, block 38 lot 1,

Final subdivision for 88 Round Top. Preliminary approval was granted on September 14, 2015 with conditions.

Mr. Lee Titus, the applicant's engineer, gave out copies of the final Plat that was also included in the packets sent to the board.

Mr. Donald Whitelaw from Grazaiano, Piasecki & Whitelaw came forward to represent the applicant. Mr. Titus was accepted by the board and sworn in by Mr. Siegel along with Mr. Christian Kastrud, the Warren Township Engineer, and Mr. Chadwick.

Mr. Titus prepared the plans for the final subdivision, along with the preliminary subdivision. Mr. Titus stated the conditions that were set forth in the preliminary resolution have been met. Mr. Whitelaw asked Mr. Titus to go through the professional reports. Mr. Titus went through the plans with 3 lots, one that fronts on Round Top Road and the other two on Mountain View Road. The Round Top lot has an existing house on it, and is historic in nature and is going to stay the way it is. The two additional lots also comply with the ordinances of the Township. The dedication along Round Top Road is shown on the plans. There is an area of wetlands through the center of the property. They do have an LOI from DEP and they created a transition area averaging plan and it has been approved by DEP. DEP required a conservation easement and it has been filed at the county.

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The sewers have been approved by the DEP. The county has accepted everything. Soil conservation is approved.

Mr. Titus went over Chris Kastrud's report from October 14, 2016. The memo states they have not obtained approval from Somerset County, although they have now paid for the recycling bins.

Mr. Kastrud wanted to get on the record that the preliminary conditions were not satisfied. The applicant has come into the Township and asked to begin construction and they have not been permitted.

Mr. Chadwick asked if the applicant will agree to satisfy the Preliminary approval conditions as a function of Final subdivision action.

The Somerset County final approval is dated December 9, 2016.

Mr. Titus went over the Planner's memo of June 18, 2016. Mr. Chadwick mentioned a September report. There have been many questions concerning the marketing of the property and the condition of the resolution to keep the property (existing home) as it is. Mr. Chadwick believes that the presence to the roadway was to remain substantially the same. Additions would be allowed.

Mr. DiBianca asked if Mr. Giavannuci is part of the project. Mr. Titus did not know. Mr. DiBianca would have to recuse himself if he is in the project because he is a relative. Mr. DiBianca recused himself.

Mr. Lindner remembered the preliminary approval and the conditions to stay historic in nature. Mr. Chadwick had a question on if they could renovate and enlarge a bathroom and he said they could. All outbuildings have been required to remain.

Mr. Toth asked if the existing house is attached to sewer. It is on a septic and will be on a sewer as a result of this approval. There is an easement across lot 1.01 to the existing house. There is a permit to cross the wetlands. The conservation easement was filed with the county because the DEP has a strict time constraint. The same easement will be filed with the town. Both the DEP and the Township will have deed restrictions and the Township will overlap with the requirement of the ordinance and also has language of what can and can't be done in these areas.

The applicant's engineer will submit the metes and bounds and the Township attorney will create the easement. The engineering department will approve.

Mr. Kastrud went over that the applicant came in for preliminary earlier and now is in for final approval. The map submitted for final is the final /filed map that describes the lots, and where the home can go or not go. The Preliminary map describes how the construction will proceed, location and depth the sewer is, describe any road improvements, the conservation easements, and permits. There is no sewer on Round Top Road, it will come from Mountain View.

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Mr. Chadwick and Mr. Kastrud felt they could go forward with this application. Mr. Chadwick felt they could carry the preliminary conditions forward.

Mr. Chadwick's report Item 1 will be a condition of approval. Mr. Kastrud's entire letter will be conditions, some of which have been addressed.

It was clarified that the changes would be made on the Preliminary Plan and the Final Plat will be basically what was submitted. Mr. Chadwick reminded the board that a preliminary plan must be signed before a final plan can be signed. Changes need to be made on the Preliminary Plans. Mr. Titus asked if he could make the last page of the Preliminary the Final Plan. Mr. Chadwick said no.

Mr. Whitelaw stated they would comply with the report of October 14, 2016 the compliance review for PB 15-06. Mr. Siegel stated they would specify the conditions in the resolution.

Mr. Kastrud wanted to clarify that there has not been a delay to the applicant, the applicant must comply with conditions.

Mr. Villani closed out that portion and asked if there were any questions or comments from the board members. He asked for a motion

Mr. Toth made a motion with conditions, seconded by Mr. Kaufmann to approve the applications.

Roll Call

For: Mayor Lazo, Mr. Kaufmann, Mr. Lindner, Mr. Argiro, Mr. Toth, Mr. Pasi, Mr. Scuderi, and Mr. Villani.

Against: None.

Abstained: Mr. DiBianca

■ **SCHEDULE OF NEXT MEETING:**

January 9, 2017 Reorganization Meeting

January 23, 2017 Probable public hearing for Block 78, lot 12 investigating the area as in need of redevelopment

■ **ADJOURNMENT**

Motion was made by Mr. Gallic to adjourn. All in favor. Meeting adjourned at 8:10.