

**WARREN TOWNSHIP PLANNING BOARD
MEETING MINUTES
7:30 P.M. – Susie B. Boyce Meeting Room – 44 Mountain Boulevard
February 12, 2018
APPROVED**

CALL TO ORDER

FLAG SALUTE AND MOMENT OF SILENCE FOR OUR TROOPS

ROLL CALL

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

***Statement by Presiding Officer:** Adequate notice of this meeting was posted on January 15, 2018 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.*

■ **APPROVAL OF MINUTES:
January 22, 2018**

Motion was made by Mr. DiBianca, seconded by Mr. Scuderi to approve the minutes.

For: Mr. Argiro, Mr. Toth, Mr. DiBianca, Mr. Scuderi, Mr. Esposito, Mr. Gallic, and Mr. Villani.

Against: None.

■ **REPORTS**

Alan Siegel, Esq.
John T. Chadwick, IV, P.P., Professional Planner
Christian Kastrud, P.E., Professional Engineer
Maryellen Vautin, Land Use Coordinator

No reports

■ **CORRESPONDENCE**

None.

■ **CITIZENS HEARING non-agenda items**

Seeing no one come forward, this portion of the meeting was closed.

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■ **RESOLUTIONS:**

PB 17-07 Anthony Paoella
Block 60 Lot 44.01, 7 Brookside Drive
Minor Subdivision

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

Roll Call

For: Mr. Lindner, Mr. Argiro, Mr. Toth, Mr. DiBianca, Mr. Scuderi, Mr. Esposito, and Mr. Villani.

Against: None.

PB 16-04 Dios
Block 199 lot 24.03
Minor Subdivision

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

Roll Call

For: Mr. Argiro, Mr. Toth, Mr. DiBianca, Mr. Scuderi, Mr. Esposito, Mr. Gallic, and Mr. Villani.

Case No 1 **PB 17-09** **Yankee Clipper Properties LLC**
118 Liberty Corner Road Block 12 Lot 4 & 5.01
Prelim/Final Major Subdivision

Mr. Jerome Petti came forward as Attorney for the applicant and a managing member of Yankee Clipper Properties, LLC. The application involves two properties, lot 4 and 5.01 in Block 12. Lot 4 is approximately 4 acres, and lot 5.01 is adjacent and has a home on the property and has .5 acres. If the subdivision is approved there would be 3 conforming 1.5 acre lots. The remaining home would be on 1.75 acres. There are no variances sought regarding the three new lots, although the remaining home has a front yard variance that will change due to the county requiring about 7 feet of Right of Way dedication. So, the 96-foot frontage will become 89 feet. The other zoning requirements are met. Mr. Petti went over the Township's professional's reports. Engineering had some requirements. The county planning board had some items which can be addressed. The township planner had some concerns, one is a deed restriction requiring access for the properties to be only one access point on Liberty Corner Road.

There will be a Homeowners Association and there will be a private road and by-laws will be submitted for review before any sales of property. Mr. Petti called forward Mr. Thomas Quinn from EKA Associates as the applicant's engineer. Mr. Siegel swore in the witnesses, Mr. Thomas Quinn, Mr. Jerome Petti, Mr. Christian Kastrud

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(Township Engineer), and Mr. John Chadwick (Township Planner). Mr. Quinn gave his credentials and was accepted by the board.

Chairman Gallic asked about the one variance being requested. Mr. Chadwick stated that the application still complies and there is no variance.

Mr. Quinn went over the application with Block 12, lots 4 and 5.0,1 in the R-65 zone. They comprise of about 6.32 acres in total on a county road surrounded by residential zones.

He showed an overview of the existing property. Lot 5.01 is currently developed with a 2800SF home with a pool and patio and is currently occupied; lot 4 had a dwelling and a garage with a long gravel driveway but has been torn down. Lot 4 has a lot of wooded area, and a small area is cleared. Lot 5.01 is predominantly cleared with a small portion of wooded area. The site drops from about 404 ft. elevations and as it goes north it goes to 382 ft., about 7%. There are no steep slopes (in excess of 15%). Mr. Quinn went to the subdivision plan, page 2 of the plans. He described the 4 conforming lots. The road will be a private road, and there will be a utility easement. Sewer easements for all the lots are in place for the gravity system in Liberty Corner Road. The conceptual dwellings shown are about 4000SF. The driveways shown are 12-foot-wide to the proposed access. Existing lot 4.04 has access to Liberty Corner Road. The Township Planner and the County both suggested one driveway entrance/road entrance onto Liberty Corner. The storm water infrastructure is shown on the plans. The project is a major development for storm water purposes because it does disturb more than one acre of land. This project meets the requirements of a major development. There will be underground detention systems. There is no recharge now. Runoff calculations are conservative. Most everything runs off at the current condition. Mr. Lindner asked about the underground system being under the road. It has been allowed with private roads.

Mr. Kastrud went through his memo of February 12, 2018. The road will be maintained by the homeowner's association. The driveway for the existing home will be pushed towards the new road. Will that lot become part of the homeowner's association? New Jersey American typically requires their own exclusive easement. Lot 4.01 is a corner lot so some thought should go into the side of the house and the view from the road. Mr. Quinn showed the landscape plan and asks that they don't require them to replant all the trees that will be taken down. There are plantings shown on the lots. Mr. Gallic felt it provides screening. Mr. Kastrud spoke about the filling of the lots to keep the houses in location for proper draining and that it must be managed very well, especially during construction and guarantee that ground covering will secure the soil after construction.

Mr. Kastrud went over the storm-water systems and they meet the requirements. A note is marked on the plans to alert future homeowners. There will be final plats for the major subdivision. Descriptions of all lots, dedications, and easements shall be submitted to the engineering department for review and approval. Lot numbers shall be verified by the Township Engineer and Township Tax Assessor. Addresses will be assigned by the Engineering Department after the Final Plat has been submitted with a Street Name. A construction cost estimate shall be submitted to the engineering department for review

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and approval. This estimate will be used in the developer's agreement as well as establish the bond amounts and inspection fees. The applicant agreed to all of this.

Mr. Chadwick's report from December 26, 2017 has been addressed. Mr. Gallic opened the hearing to the public. Seeing no one come forward, he closed that portion.

Mr. Chadwick requires Title 39, policing ability for parking, etc. They agreed.

Mr. Lindner has concern that there may be too many cul-de-sacs along Liberty Corner Road. Mr. Chadwick feels there are not many of these parcels left.

There were no further questions and Mr. Siegel went over the conditions; Mr. Chadwick's memo, items 2 and 3 and add Title 39 coverage; and Mr. Kastrud's memo, items, 2, 4, 8, 9, 11, 12, 13, 14 and 15.

Motion was made by Mr. Toth to approve the subdivision, seconded by Mr. DiBianca.

Roll Call

For: Mr. Lindner, Mr. Argiro, Mr. Toth, Mr. DiBianca, Mr. Scuderi, Mr. Esposito, Mr. Gallic, and Mr. Villani.

Against: None.

Case No. 2 **PB17-11** **Chris & Evangelia Kmosko**
Block 36 L 1.17, 24 Dead River Road
Minor Subdivision

Mr. Gallic excused himself due to a family illness and Mr. Villani took over as chair. Ms. Tara St. Angelo came forward as attorney for the applicant. Mr. John Hansen, Engineer for the applicant, Christo Kmosko the applicant's son, Mr. Christian Kastrud (Township Engineer), and Mr. John Chadwick (Township Planner) were all sworn in by Mr. Siegel.

Ms. St. Angelo went over the subdivision with two conforming lots with no variances. A single-family home would be built in the future on the proposed vacant lot. They have asked for two completeness waivers, Item 22 (drainage calculations) and Item 40 (Submission of an Environmental Assessment Report).

Mr. John Hansen came forward and was accepted by the board. Because this is a minor development they asked for the checklist waiver from Item 22 for a single new lot. There are drywells to show storm-water management. Item 40 is an Environmental Assessment Report and the lot has been developed previously with a single-family home and the area proposed for new development is maintained and mowed currently.

Mr. Chadwick commented that the checklist and the ordinance are not consistent, the ordinance is a guideline, and this application does not require it. It is a variance free application but they must agree that the side of the home that faces Route 78 either has

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no windows or triple pane windows as the ordinance requires if a building is closer than 200 ft. The applicant agrees to comply. The applicant does not have Sewer Authority approval or Board of Health and it will be required. Mr. Chadwick asked about the driveway proposed and he suggested to keep grading down using knee walls or something else.

Mr. Hansen stated they wanted to move the driveway away from Route 78 a bit, and it could be bent a bit and save some trees.

Mr. Kastrud went over his report. Dead River Road was paved this summer and wants the survey checked to ensure it shows the current conditions. The survey shows wetlands limit line. It needs some clarification on the submitted plans. The 50 ft transition area needs to be marked on the plans. If there are flood hazard areas they will show it on the plans. Mr. Hansen showed on the plan where it just clips the area near Route 78. These plans show a limit of disturbance which encompasses .98 acres, which is just below the requirement of 1 acre to be classified as a major development with respect to storm-water. The resolution should state this in the resolution and the applicant shall be required to state the same in the deed.

The storm-water control gets designed with the building permit application and soil movement application. The applicant shall provide a soil test to prove the design will work. Depending on the ultimate design, it may be necessary to collect runoff from the driveway and it may be required that the driveway be curbed and paved. The roof leader from the future dwelling shall be connected to the proposed future drainage facility.

If the subdivision is to be perfected by deed, the metes and bounds descriptions of the proposed lots and any easements shall be submitted to the engineering department for review and approval. New lot numbers will be approved by the Township Engineering Department.

Mr. DiBianca asked about the overhead electric and asked if it could go underground. The new house could have underground. Mr. Chadwick thought it would be required.

The Fire Marshall memo asked for a 16-foot driveway and Mr. Hansen felt it was excessive width for a driveway and would require more coverage. He suggested a mountable block curb for a truck to get over and keep the driveway at 12 feet. Mr. Kastrud reminded the board that the Fire Marshall makes a recommendation and the board decides what they will require.

Mr. Chadwick asked that the applicant work out with the Fire Marshall what will be required.

The Fire Marshall also asked for a hydrant to be placed at the entrance of the property. That would be a line from Broken Arrow. It is not required to be sprinklered if it isn't too large.

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Mr. Villani would like the Fire Marshall come to the meeting. Mr. Chadwick suggests they talk with the Fire Marshall and carry this application. Mr. Chadwick will speak with him also.

Mr. Toth asked about trees to be removed and he felt they weren't necessary to remove. Mr. Hansen showed that the limits of grading and that since the driveway is going to move some trees could be saved.

The existing home will retain their private well and septic, the proposed home will have a private well and connect to sewer with a pump to an easement on Dead River Road.

Mr. Hansen agreed to try to retain trees while planning the easements. Mr. Hansen asked if the board would make a decision with conditions.

Mr. Villani was not sure they wanted to do that and leave it to the Fire Marshall. Mr. DiBianca made a motion to carry to the next meeting, February 26, 2018, seconded by Mr. Linder.

Roll Call

For: Mr. Lindner, Mr. Argiro, Mr. Toth, Mr. DiBianca, Mr. Scuderi, Mr. Esposito, Mr. Gallic, and Mr. Villani.

■ **Township Engineer, Chris Kastrud**
Somerset County Hazard Mitigation Plan.

Mr. Kastrud went over the Hazard Mitigation Plan and that revisions/updates are required every five years. He works with Jane Asch, the Township OEM Coordinator. We need to participate in order to accept any grants from FEMA after disasters, and studies show that for every dollar spent in mitigation planning there is about four dollars in cost savings.

A public meeting is required to satisfy requirements. An email blast and a notice in the paper was placed. Somerset County presents the plan after it is updated and that could be shared here. Most if not all the towns in Somerset County participate in the plan.

There was further discussion on the memos submitted by the township departments and Mr. Chadwick suggested that he check the reports and if there is a possible issue with making a decision, he would investigate and/or work with the department for alternate solutions. Mr. Villani stated they would write a letter to the Fire Marshall.

■ **SCHEDULE OF NEXT MEETING: February 26, 2018**

■ **ADJOURNMENT**

Mr. Toth made a motion to adjourn, seconded by Mr. Lindner. All in favor. Meeting adjourned at 9:10 p.m.