

**WARREN TOWNSHIP PLANNING BOARD  
MEETING MINUTES  
7:30 P.M. – Susie B. Boyce Meeting Room – 44 Mountain Boulevard  
JANUARY 28, 2019  
APPROVED**

**CALL TO ORDER**

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

**ROLL CALL**

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

**Statement by Presiding Officer:** *Adequate notice of this meeting was posted on January 24, 2019 on the Township bulletin board and sent to the Township Clerk, Echoes Sentinel 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 14, 2019**

**ROLL CALL**

Motion was made by Mr. Mayor DiNardo, seconded by Mr. Argiro to approve the minutes.

All in favor

**Reports:**

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

Mr. Siegel swore in Mr. John Lindner and Mr. Michael Scuderi to the Planning Board because they were re-appointed at the Township committee reorganization meeting.

**ADOPTION OF RESOLUTION:**

None.

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■ **CORRESPONDENCE**

■ **CITIZENS HEARING non-agenda items**

No public came forward and this portion of the meeting was closed.

■ **PUBLIC HEARING**

- **PB 18-05-** Warren Construction Block 60 lot 44.04 9 Brookside Drive Minor Subdivision

Mr. John Belardo, Esq. came forward for the applicant. He explained the application with the creation of two lots and no variances are required. Mr. Siegel swore in Mr. Robert Gazzale, engineer for the applicant, Mr. Anthony Paoletta, the applicant, Mr. John T. Chadwick, the Township Planner, and Mr. Christian Kastrud, the Township Engineer.

Mr. Gazzale was accepted by the board as an engineer. The minor subdivision plan consists of three sheets with the latest revision date of January 3, 2019. It is a minor subdivision of 9 Brookside Drive, block 60, lot 44.04 in the R-65 zone. It is on the north side of Brookside Drive and consists of 6.8 acres, and is vacant. It is constrained by wetlands and riparian zones and portions of this property have previously been subdivided and conservation easements have been filed that include all the wetlands and buffer areas and they are on the plan. The east branch of the Middlebrook runs parallel to Brookside Drive and a tributary of the brook runs from Sneider Road north to south. Two lots are proposed, one with 3.05 acres and would have access from Brookside Drive over a bridge and would share a driveway. Lot 44.05 will have a well and it will connect using an ejector pump to an existing sanitary sewer located on the adjoining lot 44.14.

Proposed lot 44.06 will be located to the east of the Middlebrook tributary and will contain 3.70 acres and will have access to Sneider road via a right of way dedication from 1994 across lot 4.16. It will be a private roadway; 18 feet wide. There will be some landscape buffering along the common property line. There is an existing public sanitary sewer in the right of way and the lot would connect by gravity. It will be on public water.

Improvements to the bridge were required as an approval condition for an earlier subdivision. Mr. Chadwick's memo stated that should also be for lot 44.05. Although they didn't think it would apply for lot 44.06.

Mr. Villani, Vice Chair asked that they go to the professional reports. Mr. Chadwick stated his report is dated January 14, 2019. The lot that accesses Sneider would not be dependent on the bridge (Item 4). Mr. Chadwick felt that when the lot 44.05 framing permit issuance is dependent on the bridge improvements being done.

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Mr. Kastrud went through his report dated January 18, 2019. A prior subdivision required conservation easements but they are not in the engineering files. The house to the west will be on well, and the other on public water, both will be on public sewer. Lot numbers and addresses will be reviewed by the engineering and tax assessor departments.

The subdivision will be done by deeds and are subject to the review of the engineering department.

Mr. Villani asked if the board members had any questions or comments. There were none. Mr. Villani went over the sewer department report that stated there are two connections permitted, one for each of the new lots.

The Fire Marshall report had no comments. The police report recommended the properties be marked well during construction to aid in the case of an emergency, and the applicant agreed.

Mr. Villani brought up the Environmental Commission report and felt there was no one able to present the report for the Commission. The wetlands and buffer are marked on the plans.

Mr. Belardo stated there are three waivers requested. A partial waiver is requested for contours and steep slopes not being shown. Location and species of existing trees were not labeled as the land is basically forested. They also asked for a waiver from the environmental assessment report.

Mr. Anthony Paolella stated that with the prior approval there was a condition that the proposed decking of the bridge shall be completed prior to the issuance of any c/o for proposed dwelling on lots 44.04 and 44.05, and he would like it to be the same for this subdivision, instead of at the time of the framing permit.

Mr. Toth asked about a generator for the sewer pump, the new owner would have to ensure they were prepared for any outages.

Mr. Villani asked if there was any comment from the public. Mr. Mark McCarthy from 109 Stirling Road and he asked to hear the comment on the environmental commission. There was no environmental assessment report done for the application. Mr. Chadwick stated an environmental assessment report is not required for a minor subdivision application, although it is in the checklist, it is not required by ordinance.

The public portion was closed and Mr. Villani asked the board for comments. A motion was made by Mr. Toth, seconded by Mr. Lindner to approve the minor subdivision with conditions. Mr. Chadwick's memo #4 will be a condition (for a c/o not a framing permit), #6 and 8 of Mr. Kastrud's report and the police department recommendations will also be conditions.

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Roll Call

For: Mayor DiNardo, Committeeman Marion, Mr. Toth, Mr. Lindner, Mr. Argiro, Mr. Scuderi, Mr. Esposito, Mr. Pasi, and Mr. Villani

Against: None.

- Amendment to Master Plan- Warren Township Housing Element and Fair Share Plan

Mr. Chadwick went over the Warren Township Fair Share Plan and some history. The Township reached a settlement with property owners, who sued the Township, as well as Fair Share Housing Organization to meet affordable housing requirements. The Township obligation for the affordable housing was set at 865 units plus 25 special needs units. The plan proposed meets the obligation. There are twelve locations for affordable housing; either solely on the tract, or as an inclusionary development (some affordable and some market rate). All are different in ratio of affordable to market. The plan will proceed to ordinance form next. The settlement agreement is what the town must comply with or it would be opened again to the courts, which is not desirable.

An alternative number prior to the settlement was 1490 units approximately. It was a long process with a lot of time spent by the Township. This Amendment meets the MLUL Housing Element guidelines and meets the Fair Share requirements.

The Township has 150 days from December 6, 2018 to adopt the ordinances. This plan is for 865 units plus 25 special needs units. The second round ended in 1992 although Warren continued to add affordable housing. Mr. Chadwick felt the numbers would be twice what they are in this plan if the town had taken no action. There are 42 units in Promenade, more than 50 units in Mt. Bethel Village, units in Chelsea, and the purchase of extended affordability controls for the 60 apartments across from Town Hall and this all helped to be able to negotiate the new numbers.

The plan is dependent on utility services. Some sites have no constraints. The ones on Mountain Blvd and American Properties have no constraints. The other sites are in the process of working out utility services.

The Township obligation is to zone the property to provide for affordable housing.

The timeline for building is through 2025. The rules may change.

Mr. Villani asked if there were any questions from the public. Mr. Mark McCarthy came forward from 111 Stirling Road. He asked about the timing for building. The timing for building is dependent on the utility services. American Properties Block 78, lots 15.01 and 15.02 do have utilities available, and Mountain Blvd, and the Mount Bethel and Mount Horeb corner have no constraints.

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Mr. George Vetter came forward and asked about the Wagner Farm project. He said it was zoned R-65 and now it is CR130/65. Mr. Chadwick said it is now affordable housing. Mr. Vetter wanted to know what the goal was for the previous change.

Mr. Chadwick said that when the township made the decision to buy the Wagner Farm, zoning was not a consideration. Partial reasons for changing the zone would be utilities and topography, or flood plain. The Wagner Farm is not in flood plain. Mr. Vetter's understanding is that the change was because it was environmentally sensitive. Mr. Chadwick said the land on the north side is environmentally sensitive.

Part of the tract is open space. The Township retained parts of the property to not be in Green Acres, but for the public use. Mr. Vetter feels the intention of the citizens support for Wagner Farms purchase is for open space.

Mr. Chadwick said the Wagner Farm site is for special needs housing. There will be individual house with individuals living there. There may be 5 persons per household. Two to three houses. Mr. Vetter is concerned with this project being on a septic system. There will be 32 residents, plus employees, plus visitors. He feels it could contaminate his well, and water table.

There was further discussion on the possibilities of residents anywhere using septic incorrectly. There are regulations. Mr. Vetter brought up changing the character of the neighborhood.

The Township residents within 200 ft. of the properties affected by ordinance zone changes will be noticed, and when developers come in for site plan approval residents within 200 ft. will be noticed for those public hearings also.

Mr. Mark McCarthy asked about the next step with ordinances. Mr. Chadwick said that the Element would be adopted, and then the ordinances introduced and then the Planning Board would be asked to check that the ordinances are consistent with the Master Plan. Then the Township will notice for a public hearing on the ordinances.

All the ordinances need to be done within 150 days of December 6, 2018.

No one else came forward and Mr. Villani closed the public portion.

**RESOLUTION PB 19-04A** Amendment to the Master Plan Housing Element and Fair Share Plan.

B

Motion was made by Mr. Toth to approve the Plan and adopt the resolution, Mr. Argiro seconded it.

Roll Call

For: Mayor DiNardo, Committeeman Marion, Mr. Toth, Mr. Lindner, Mr. Argiro, Mr. Scuderi, Mr. Esposito, Mr. Pasi, and Mr. Villani

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Against: None.

Mr. McCarthy stated that he was surprised that the board would adopt a resolution that wasn't on the agenda. He was told it was not available to the public. Mr. Chadwick stated that the board can adopt a resolution at the same time it adopts an Amendment to the Master Plan.

■ **SCHEDULE OF NEXT MEETING: February 11, 2019**

■ **ADJOURNMENT**

Motion was made by Mr. Toth, seconded by Mr. Villani to adjourn.

All in favor

Meeting adjourned 8:30 p.m.