

**BOROUGH OF OLD TAPPAN
PLANNING BOARD
REGULAR MEETING
WEDNESDAY, DECEMBER 12, 2012- 7:30 p.m.
MINUTES**

In compliance with the Open Public Meetings Law, notification of this meeting has been sent to our official newspapers and other publications circulated in the Borough of Old Tappan, and notice posted on the bulletin board at Borough Hall as well as on the (www.oldtappan.net) web site.

Please note the fire exits at the entrance to the Council Chambers and at the rear of the Council Chambers.

MEETING CALLED TO ORDER:

ROLL CALL:

Present:	William Weidmann	Chairperson
	Nick Mamary	Vice Chair
	Anna Haverilla	Mayor Rep.
	Charles Maggio	
	Karen Nilsson	
	David Keil	
	Gary Mascolo	
	Michael Alessi	Alt. #1
	Thomas Gallagher	Alt. #3
	Dan Eller	Alt. #4 (8:07)
Also Present:	Robert Regan, Esq.	Board Attorney
	Sean Moronski	Board Planner
	Thomas Skrable	Board Engineer
Absent:	Police Chief Shine	
	Victor Cioce	Council Liaison
	Julie Katz	Alt. #2

PLEDGE OF ALLEGIANCE:

OPEN TO PUBLIC: None

COMMUNICATIONS:

CONSTRUCTION OFFICIAL'S REPORT: None

BOARD ENGINEER REPORT: Mr. Skrable explained that they are shutting down power to firehouse and borough hall on Saturday morning to make the final connections for the solar, emergency generator and Orange & Rockland system. It will be down for a couple of hours.

(OTPB-12/12/12)

ENVIRONMENTAL COMMISSION REPORT: Mr. Keil stated that the last meeting of the year was on 11/20/12 which was reported at the Planning Board meeting on 11/21/12. Next meeting is scheduled for 1/15/13.

COUNCIL LIAISON'S REPORT: Councilwoman Haverilla stated that the Mayor and Council's reorganization meeting is scheduled for 1/7/13. She also announced the return of Corp. Jarrod Stursberg, USMC from a tour in Afghanistan.

FINANCIAL SECRETARY'S REPORT: Ms. Nilsson stated that the bills are as follows: \$175 from budget and \$825 from escrow for a total of \$1,000. Councilwoman Haverilla seconded by Mr. Alessi made a motion to approve the bills as stated. On roll call vote, all in favor, none opposed.

MINUTES TO BE APPROVED: None

RESOLUTIONS: A resolution for the meeting dates for the 2013 year was read for the record. A motion to approve was made by Mr. Maggio and seconded by Councilwoman Haverilla. On roll call vote the vote was as follows:

Roll call:

Ayes: Mr. Maggio, Mr. Mascolo, Ms. Nilsson, Mr. Keil, Councilwoman Haverilla, Mr. Alessi, Mr. Gallagher and Mr. Weidmann
Nays: Mr. Mamary
Abstain: None

Gilliam - Mr. Regan reads and reviews the resolution for the board. A motion was made by Mr. Gallagher and seconded by Mr. Alessi. On roll call vote the vote was as follows:

Roll call:

Ayes: Mr. Mascolo, Mr. Gallagher and Mr. Alessi,
Nays: None
Abstain: None

OLD BUSINESS: None

NEW BUSINESS:

APPLICATIONS: Crasto - Block 2703, Lot 5

Notice is in order. Anthony Crasto is sworn by Mr. Regan. Mr. Skrable and Mr. Moronski are sworn by Mr. Regan. The property address is 23 Leoson Parkway. The applicant is seeking a 5ft setback on the side and rear yard. This is a corner lot of 10,000 sq. ft. A-1 is marked as the Landscape layout prepared by the Forcellotti Brothers. A-2 is marked as an Artistic rendering. A-3 is marked as the site plan. Mr. Steven V. Lazarus is sworn by Mr. Regan and deemed qualified by the board as an expert in architecture. The statute states 10 feet for the side and rear yard setbacks. There was no alternative location in the rear yard. The application does not have any other variances. Mr. Skrable's report is marked as B-1. Mr. Skrable stated that if this is approved by the Planning Board they will need a soil moving permit and a significant stormwater

(OTPB-12/12/12)

management system. Mr. Crasto says there will be a 6 foot vinyl solid fence. The board asks for the description of the plants that the landscaper proposed. There is no building for the storage of the filter and pool equipment. Mr. Crasto stated that he has received no objections from the neighbors. The yard is flat. The rear neighbor in lot 5 is at least 40 ft. away. The home is approximately 25ft from the home on Jay Street. Ms. Nilsson, seconded by Mr. Alessi, makes a motion to open to the public. Mr. Keil, seconded by Mr. Alessi, makes a motion to close to the public. Mr. Weidman, seconded by Mr. Maggio, makes a motion to approve the application. On roll call vote the vote was as follows:

Roll call:

Ayes:	Mr. Maggio, Mr. Mascolo, Ms. Nilsson, Mr. Keil, Councilwoman Haverilla, Mr. Alessi, Mr. Gallagher, Mr. Mamary and Mr. Weidmann
Nays:	None
Abstain:	None

Pearson - Block 1606, Lot 7

Notice is in order. Reginald Jenkins, Esq. from the law firm of Price, Meese, Shulman & D'Arminio, P.C. on behalf of the applicant Pearson Education. Pearson Education is the largest education publisher in the world. The application is for a ground mounted, Solar Panel Facility. No variances are sought or are necessary. Pearson has met with Mr. Lepore of the fire department and believes that they have addressed his concerns. Joseph Cabrera is sworn by Mr. Regan. Mr. Cabrera is the Director of Facilities for Pearson Education. Mr. Skrable, Mr. Moronski and Mr. Lepore are sworn by Mr. Regan. Mr. Cabrera describes the Pearson Education business. They are seeking ways for sustainable and renewable energy. There is 24 hour physical security at the building. The police patrol the property regularly. Mr. Evan Hill is sworn by Mr. Regan. Is deemed qualified as an engineer by the board. A-1 is marked Site plan dated 8/27/12 revised 12/6/12 and consists of 10 sheets prepared by Innovative Engineering. There are no residential homes directly behind the property. S-1 is the existing conditions plan. S-3 is overall site plan. S-4 is site plan. There is a Knox box for emergency responders. There is a proposed 16ft wide access gate for small vehicles to enter. A mulch product will be put under the solar panels. There is a proposed 10ft wide walkway in the center of the array and separated by a 6ft tall chain link fence. There is also a 3ft wide gravel trench. Mr. Hill describes how solar panels work for the board. All the wiring is on the panels or underground. All wiring is concealed and protected. S-5 and S-6 are soil erosion plans. CD-1 construction details for the site. CD-2 additional construction details regarding the solar components. Mr. Skrable requests feedback from the board regarding the mulch. There are no footings but they must demonstrate that they meeting the building code and wind codes and snow load. Footings are not necessary. There is no storage on this facility, all the energy is used as it comes in. There is a system on the roof already. The buffering and screening is explained for the board. Solar panels are not included in the impervious coverage calculations for stormwater management or density. 717 panels are proposed and they are 65 inches by 38 inches. The installation will take 2 months to 3 months. Mr. Lepore stated that his prior issues have been satisfied. Councilwoman Haverilla commends Pearson for going green. Councilwoman Haverilla, seconded by Mr. Mascolo, makes a motion to open the meeting to the public. Mr. Alessi, seconded by Mr. Mascolo, makes a motion to close the meeting to the public. Mr. Weidmann, seconded by Councilwoman Haverilla, makes a motion to approve the application. On roll call vote, the vote was as follows:

(OTPB-12/12/12)

Roll call:

Ayes: Mr. Maggio, Mr. Mascolo, Ms. Nilsson, Mr. Keil, Councilwoman Haverilla, Mr. Alessi, Mr. Gallagher, Mr. Eller, Mr. Mamary and Mr. Weidmann
Nays: None
Abstain: None

Motion approved. Prior to the resolution the applicant may approach the construction official at their own risk.

Sokolich - Block 1504, Lot 9

Mr. Regan explains that this application is before the board because of the Whispering Woods litigation. J-1 is marked as a Joint Exhibit of the Consent order signed by Judge Toskos. Mark Sokolich, Esq. on behalf of the applicant Bert Sokolich. The proposal before the board is for 8 units. This is still a D-1 variance. Mr. Mark Martins, Mr. Moronski, Mr. Skrable and Mr. Lepore are sworn by Mr. Regan. Mr. Martins was previously sworn at the prior hearings. A-1 is marked as the site plan. Mr. Skrable stated that there are still lighting concerns. This needs to be a condition of any approval. A yard hydrant will be added to the rear of the property. Mr. Lepore's report dated today is marked as B-1. The applicant agrees to the requirements stated in the report. Ms. Noll reads the DPW report into the record. Mr. Keil, seconded by Mr. Eller, makes a motion to open the meeting to the public. Mr. Keil, seconded by Mr. Eller, makes a motion to close the meeting to the public. Mr. Mark Virgona is sworn by Mr. Regan. Mr. Virgona was previously sworn at the prior hearings. A-2 is the architectural rendering dated 11/14/12. Mr. Virgona stated that the building would be stone and wood shake siding. They are the same materials as before. A-3 are marked as the Elevations dated 11/14/12. Mr. Virgona stated that they reduced to 8, 2bedroom units. A-4 is marked as the First floor plan. There will be 4 units per floor. The building will also have a common vestibule and lobby and 2 stairwells. Each unit consists of 2 bedrooms and 2 bathrooms. Each unit will have laundry and utilities and an outdoor terrace. A-5 is marked as the Second floor plan 11/14/12. The plan is the same as first floor. Total livable 11,465sq.ft. A-6 is marked as the Cellar Plan dated 11/14/12. This will consist of the Meter and utilities, storage areas (2) and gym and common area space. There is no way this could be an apartment. This area can only be used by the residents of the building. Mr. Maggio stated that a cellar is considered a basement and is livable space and needs to be changed. The 1st floor net unit areas are as follows: Two (2) unit A's that are 1,377sq.ft., one (1) unit B that is 1,335sq.ft. and one (1) unit C that is 1,262sq.ft. That totals 5,728 sq. ft. of livable sq.ft. per floor. Gross square footage was 14,800sq.ft.with the old plan and 14,200sq.ft. with the new plan. Livable square footage was 12,952sq.ft. with the old plan and 11,465sq.ft with the new plan. The 11,940 was not on the old plans. It is close to 11% reduction. Mr. Sokolich asks for a carry. Mr. Weidmann says they are ready to vote tonight. Mr. Mamary, seconded by Mr. Maggio, makes a motion to approve the application. On roll call vote, the vote was as follows:

Roll call:

Ayes: Mr. Maggio, Mr. Mascolo, Ms. Nilsson, Mr. Keil, Mr. Alessi, Mr. Mamary and Mr. Weidmann.
Nays: None
Abstain: None.

(OTPB-12/12/12)

Motion approved.

OPEN TO PUBLIC: None

ADJOURNMENT:

Upon motion of Mr. Eller, seconded by Mr. Maggio, all in favor, the meeting was adjourned at 10.41 pm.

Respectfully submitted,

By: _____
Siobhain Auer, Recording Secretary

/sa

Date Approved _____

cc: Mayor and Council
Robert Regan, Esq.
Thomas W. Skrable, P.E.
Construction Official
Fire Official
Board of Health
Burgis Associates