

**BOROUGH OF OLD TAPPAN
PLANNING BOARD
REGULAR MEETING
WEDNESDAY, June 11, 2014 - 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.
David Keil	(7:44)
Police Chief Shine	(7:34)
Victor Cioce	Council Liaison
Charles Maggio	
Michael Alessi	
Julie Katz	Alt. # 1
Dan Eller	Alt. #3

Also Present:

Robert Regan, Esq	Board Attorney
Thomas Skrable	Board Engineer
Sean Moronski	Board Planner
Robike Noll	Land Use Administrator

Absent:

Karen Nilsson	
Thomas Gallagher	Alt. # 2

PLEDGE OF ALLEGIANCE

OPEN TO THE PUBLIC: No one comes forward.

CLOSE TO THE PUBLIC: All were in favor.

COMMUNICATIONS: None

CONSTRUCTION OFFICIAL'S REPORT: In the month of May there were 48 permits, 12 CCO's, 11 zoning permits and 2 soil movement permits issued.

BOARD ENGINEER REPORT: None

COUNCIL LIAISON'S REPORT: Ms. Haverilla reports that the Memorial Day Parade was nicely attended. The new Senior Center is now open.

ENVIRONMENTAL COMMISSION REPORT: None.

FINANCIAL SECRETARY'S REPORT: Ms. Noll reported that the bills are as follows: \$300.00 from the budget and \$2227.00 from escrow, for a total of \$2527.00. All in favor.

MINUTES TO BE APPROVED: A motion to approve the minutes of May 14, 2014, was made by Ms. Haverilla, seconded by Mr. Maggio. On roll call vote, all in favor, none opposed. Motion carried.

OLD BUSINESS: None

NEW BUSINESS: Councilwoman Haverilla states that the issue of the ordinance for allowing banners will be discussed at the next Mayor and Council meeting and briefly discusses the issue with Mr. Lepore the construction official.

APPLICATIONS:

Shanahan, Block 205 Lots 3 & 4, Major Subdivision with Variance(s)

Mr. Regan noted that this is a D (5) Density Variance. Mrs. Haverilla, Mr. Ciocce and step down. There are only 7 members eligible to vote.

Ms. Noll states the notices are in order.

There is no objection from the attorney Mr. Daniel Steinhagen who is representing Paul and Anna Siracusa of 75 Ogle Road. Mr. Regan states the board has jurisdiction to

proceed.

Mr. Richard Hubschman, Esq. introduces himself on behalf of the applicant John Shanahan. He will have two professionals testify, Mr. Michael Hubschman P.E. and Mr. Roger DeNiscia, Professional Planner. Mr. Richard Hubschman gives the address of the application as 59 Ogle Road and describes it as Block 205 Lots 3 & 4, two (2) existing lots with one residential structure. This property previously applied for was approved for a three (3) lot subdivision in 2005.

Mr. Michael Hubschman P.E. is sworn by Mr. Regan and approved by the Board. Exhibit A-1 is a Google aerial view of the property which is 488 ft. deep on the west side and 505 ft. deep on the east side, Ogle Road is shown to the right. The site is 3.84 wooded acres with a frontage of 342 ft. There is an existing house and shed type structure. There is a 100 ft. easement on the southerly side of the property containing a Tennessee gas line and a high tension line and electrical tower approx. 80 ft. high. The Old Tappan Golf Course is to the south and single family homes on either side.

Exhibit A-2 is a topographical map (sheet 6) of the existing conditions. Lot 3 is fairly flat and lot 4 slopes upward toward the back of the property. The 100 ft. easement traverses the rear of both properties. Discussion ensues regarding the usability of the easement.

Exhibit A-3 is a plan prepared in 2005 by Azzolina, Feury and Ramondi, which shows a three (3) lot subdivision previously approved by the board. The property is in the R-40 zone which is a minimum lot size of 40,000 sq. ft. All lots in this plan conform. In the four lot application all lots require one or more variances. There is an extensive discussion regarding the pros and cons of the current four lot application versus the previously approved three lot plan, including new lot descriptions and an approx. maximum footprint size of 28,000 sq. per dwelling (Sheet 2).

Mr. Michael Hubschman addresses the issue of drainage, (sheet 3) stating that presently there is nothing existing and the proposed drainage is in accordance with the RSIS standards which require a reduction in runoff from the site. They propose four 24" pipes for storm water runoff, a detention system and a storm water filter and seepage pits for runoff from the roof leaders. A discussion ensues regarding the drainage and the lining up of the new street with Churchill Road. There is discussion of the road details (sheet 4) and soil erosion details (sheet 5).

Exhibit B-1 is the Engineers report. Mr. Hubschman states he is in compliance with the engineers report and briefly discusses by item.

Exhibit B-2 is the report by Mr. Lake, superintendent of the DPW and Shade Tree Commission. Item# 1 was addressed regarding road width Mr. Lake is requesting street width of 30 ft. with 28 proposed, right of way of 50 ft. and a cul du sac of 40 ft. There is discussion of the drainage systems, catch basins and shade trees.

Mr. Steinhagen, Esq. comes forward and questions whether from an engineering stand point the proposed lot sizes, variances and setbacks required are substandard. Mr. Hubschman states nothing is detrimental. A breakdown of the variances is requested. Lot 3.01 requires variances for area and width, Lot 3.02 requires a variance for width, Lot

4.01 requires variances for area and width and Lot 4.02 requires a variance for depth.

No bulk or FAR variances are needed. The 2005 proposal was a variance free approval.

Chairman Weidmann opens to the Board Members for questions.

Mr. Regan swears in Tom Skrable and Sean Moronski simultaneously.

Mr. Skrable addresses the issues in his report. Regarding the road and right of way, he feels that it is critical for a 30 ft. paved roadway and a full 50 ft. right of way and recommends the board request it. Item #4 regarding RSIS standards, the applicants should put in writing the waivers they are requesting and where they are exceeding the standard. He touches on the drainage plan and changes. Item #6 on the two corner lots with the homes facing Ogle Road must be solidified so orientation cannot be changed at a later date. Item #7 regarding the 10 ft. high retaining wall needs work. The last item is addressing the tree removal and replacement plan must be done for the subdivision as a whole prior to the issuance of permits.

Sean Moransky refers to Exhibit A-3 where Mr. Hubschman previously stated the the home at the back of the cul du sac did not have a sufficient rear yard, and asks if there is any engineering constraint that would prevent moving the structure to gain a larger rear yard and the response from Mr. Hubschman was that the home would either then face the tower or have a steep yard. More discussion ensues.

Mr. Keil recuses himself having previously worked with Mr. Hubschman.

Mr. Maggio questions a conflicting lot area numbers between drawing #2 and drawing #5. It is noted that drawing #2 is correct. He questions going from a 3 lot subdivision in 2005 with a no variances to a 4 lot subdivision needing 6 variances. A discussion regarding the use of easement, the drainage filter and the alignment and width of the street ensued.

Mr. Mamary requests a list regarding the RSIS Standards and the waivers being requested. There is a discussion regarding the parking and the need for the recommendations of the construction, fire and other officials.

Mr. Alessi questions the placement of fire hydrants.

Mr. Eller states that a fire hydrant is needed on the same side of the street.

Mr. Alessi questions the filtration system proposed and Mr. Skrable requests a vortex system that is currently in use throughout the borough.

Chief Shine talks about the need for a 30 ft. with regard to emergency vehicles and the narrowing of the road due to snow.

Mr. Weidmann states there is no reason to from a 3 lot to a 4 lot subdivision. He states the town is crisscrossed with easements and high tension wires and disputes the fact that it is unusable land.

OPEN TO THE

PUBLIC: Mr. Maggio motions to open to the public, second by Mr. Alessi. All in

favor.

Lynn Su of 7 Churchill Road comes forward and questions safety issues now that there are 4 dwelling proposed. Mr. Hubschman harkens back to the RSIS standards. She also has questions about the proposed drainage system, and it is explained by Mr. Hubschman and Mr. Skrable.

Tim Gilliam of 49 Ogle Road comes forward and wants to know whether there are presently any undersized lots in the R-40 Zone. The smallest existing is about 35,000 sq.ft. and the smallest proposed is 31,800 sq.ft.

Mr. Steinhagen comes forward and questions the RSIS standards and the fact that Mr. Hubschman is calling the street a rural road which needs only a 40 ft. width. A definition of a rural road is read and a discussion ensues regarding said definition, standards and compliance. Earlier testimony stated that with the prior plan the owner couldn't sell rear lot because of the non-functional back yard. Questions are asked about placement of mechanical equipment and orientation of lots and conditions of approval. There is also discussion regarding the water table, test pits and studies. Lastly there is discussion about drainage impact on the adjoining properties and also whether there will screening for adjacent lots.

Mr. Roger DeNiscia Professional Planner is sworn in and states his credentials. Mr. DeNiscia gives an overview of the application and states he has prepared a photo exhibit. Exhibit A-4 are 5 photographs of the site and he give a description of each photo. Photo #1 shows the eastern portion of the site, photo #2 shows the western portion, photo #3 shows the house at a distance and photo# 5 shows the house from the rear. He gives a topographical definition of the property. He describes why the site, in its current state doesn't reflect the existing neighborhood. He then goes on to give a detailed description of the current 4 lot proposal and why it is beneficial and how it is in keeping with the Borough's Master Plan.

Tom Skrable asks if there were any independent 3 lot layouts done. The answer is no.

Sean Moranski asks Mr. DeNiscia to describe the character of the surrounding neighborhood and he states they are larger home on conforming lots of about 1 acre and does not know if any are undersized. Mr. Moranski states that if this application were approved, two of the lots would be the smallest in the neighborhood. A discussion ensues about why the 4 lot subdivision would be more beneficial than the previously approved 3 lot subdivision. There was a discussion about the master plan versus the land use plan and the benefits out weighing the detriments.

Mr. Maggio feels there is a need to study the possibility of a 3 lot subdivision.

Mr. Weidmann states the subdivision approved in 2005 with no variances will work and that neither the town nor the neighbors want to decrease the size of the lots in the RA-40 Zone.

Mr. Mamary remembers the board not being happy with the 3 lot subdivision, which they

were forced

to approve.

Dan Eller asks about what the intent to exceed standards. A discussion follows.

OPEN TO THE PUBLIC: Mr. Alessi motions to open, confirmed by Mr. Eller. All in favor.

Lynn Su of 7 Churchill comes forward to ask how a 4 way intersection will positively impact the public. Mr. DeNiscia states that it is safer to have 1 intersection than 4 driveways.

.

CLOSE TO THE PUBLIC: All in favor.

ADJOURNMENT: The application will continue on July 9th.

Upon motion of Mr. Mamary, seconded by Ms. Katz, all in favor, the meeting was adjourned at 10:19 pm.

Respectfully submitted,

By: _____
Alyson Lazarus
Recording Secretary
/al

Date Approved: _____

cc:
Mayor and Council

Robert Regan, Esq.
Thomas W. Skrable, P.E.
Construction Official
Fire Official
Board of Health
Burgis Associate

(OTPB-1/9/1 3)