

CHESTERFIELD TOWNSHIP PLANNING BOARD

December 11, 2012

The meeting of the Chesterfield Township Planning Board was called to order by Chairman Panfili at 7:30PM. The Open Public Meetings Act statement was read and compliance noted.

Roll call was taken showing present: Donald Coover; Jeremy Liedtka; Richard LoCascio; Glenn McMahon; Joseph Malison; John Nunziato; Brian Wilson; Gerard Hlubik; Chairman Panfili. Absent: F. Gerry Spence; Mary Acevedo. Professional staff present: Doug Heinold, Solicitor; Joseph Hirsh, Engineer, Barbara Fegley, Planner.

AGENDA MATTER(S) REQUIRING RECUSAL(S)

Tarrapin Application – Mr. Liedtka and Mr. LoCascio recused themselves on the Use Variance.

Traditions at Chesterfield – Mr. Liedtka and Mr. Malison recused themselves for conflict with Applicant.

MINUTES

November 20, 2012 Regular Minutes

A motion was made by Mr. Coover seconded by Mr. Wilson to approve the November 20, 2012 Regular minutes. All were in favor with the exception of Mr. Liedtka; Mr. LoCascio; Mr. McMahon and Mr. Malison, who abstained. Motion carried.

RESOLUTIONS

2012-09 Resolution of the Planning Board of the Township of Chesterfield granting amended site plan approval to E & E Landscaping, 139 Bordentown-Chesterfield Road, Block 700, Lot 21.05.

A motion was made by Mr. Wilson, seconded by Mr. Nunziato, to approve Resolution 2012-00. The vote was in the affirmative, with the exceptions of Mr. Coover; Mr. Liedtka; Mr. LoCascio; Mr. McMahon and Mr. Malison who abstained, motion carried.

APPLICATION FOR ACTION

James and Kathy Heptinstall Block 202, Lot 63; 34-36 Front Street-Preliminary Major Subdivision.

A motion was made by Mr. Malison seconded by Mr. Nunziato to carry the application until the January 8, 2013 meeting without re notice.

Terrapin Group, LLC Block 201, Lot 6.02; 460 Main Street, Minor Site Plan; Use Variance

Mr. Liedtka left the meeting due to conflicts with both applications. Mr. LoCascio recused himself.

Mr. Tim Little, Attorney; Mr. David Sunico, Owner; Mr. Wayne Ingram, Planner and Mr. Daniel Caruso, Engineer were sworn.

Mr. Sunico testified that he would like to change the use to eliminate the restaurant and turn the first floor into two apartments. He stated that he has had some issues with the neighbors complaining of noise, garbage and parking. He also received a complaint from the Township regarding the garbage not being picked up. The building already has two two bedroom apartments on the second floor and he would like to have a one bedroom and a two bedroom on the first floor. He would like to keep the appearance historical.

Mr. Ingram testified that the building is on the historical registry, it is a single family residential zone. They would like to give small families an option of a smaller size home. Changing from commercial to residential will be conforming and compatible with the surrounding residential properties. He is proposing 5 parking spaces, if parked properly there is sufficient space.

Chairman Panfili asked if the applicant would consider affordable housing and Mr. Little had discussed this with the applicant for consideration and would need to time to think about it.

Mr. Caruso introduced Exhibit A-1, Site Plan. He gave an overview of the plan and addressed the comments from the Township Engineer letter dated December 3, 2012. He used an Architect Graphic Standards chart to design the parking spaces which is a 45 degree angel parking for a standard size car. The site is gravel and they are asking for a waiver for landscape plans. Exhibit A-2, Parking Chart. The board asked the applicant to consider using his parking on Brick Alley to make up the difference for the shortage of parking spaces. There was a brief discussion regarding the boards concern with the parking situation. Mr. Caruso stated that by removing the dumpster and having one parking space pull straight in the back then another space will be able to be added.

Mr. George Fett, Architect introduced Exhibit A-3, Architectural Plan. He explained that the deck on the front will be 14'' high, the back and side will have the same porch. The exterior will have minimal changes. A metal roof is proposed the applicant will try to clean the siding if it doesn't work they will replace it. The addition will be put in the back of the building. The plans will be subject to the Historical Society approval with the knowledge that they are only an advisory committee.

Chairman Panfili opened the meeting for public comment.

Lauren Czehut – 468 Main Street, expressed the concern with parking in Crosswicks. She is happy to have the commercial business out. She also suggested that by removing the fence in the alley would allow more parking spaces for everyone. She commends the applicant for keeping the building historical.

Jim Wojtowicz – 30 Front St. is concerned with the parking and asked that any discussion regarding removing the fence that the owners of that property be involved.

Hearing no further public comment Chairman Panfili closed the public portion.

Mr. Little asked the board to defer the vote until next month to give the applicant time to explore the possibility of affordable housing. The board asked that they also reconfigure the site plan to include a 6th parking spot.

A motion was made by Mr. Wilson seconded by Mr. Malison to carry the application till next month to address the parking and affordable housing issues. It was noted that the professionals would not be needed. All were in favor, motion carried.

Chairman Panfili called for a 5 minute break @ 8:40. The board returned to open session @ 8:47.

Traditions at Chesterfield Block 206, Lots 24.01, 25.01 and 25.02; Old York Road; Final Major Subdivision; Bulk Variance; Other and Waivers.

Mr. LoCascio returned to the board.

Mr. Liedtka and Mr. Malison recused themselves.

Mr. John Heilbrunn, Attorney for Traditions at Chesterfield was sworn. He testified that the board approved the preliminary approval in Oct 2008, the approval was for 284 residential unit project with 44,970 sq ft commercial space located in the PVD2 and PVD3 zone. He is requesting approval for an amended and final of section 1 with variances for Duplex and Triplex dwellings. The request is the units be at a height of 38.4 feet where 35 ft is permitted by ordinance and that the units be 3 ½ stories in height as apposed to 2 ½ stories.

Mr. James Biegen, Professional Engineer and Planner; Mr. James Higgins, Professional Planner; Mr. Barry Edelman and Mr. Robert Adinaolfi as fact witnesses were sworn.

Mr. Biegen introduced Exhibit A-1, Building Phasing Plan which shows the layout as previously approved. The layout remains the same; the difference is the phasing going from east to west. Phase one consists of 57 residential lots and will connect to both Recklesstown Way and Harness Way. They wish to start at phase one because of the utilities and the hook up to the sanitation sewer which is gravity fed. There is an elevation difference of 30 to 40 feet from east to west. Phase one will have 54 duplex and triplex units and 3 single family dwellings. They are seeking a variance from the original approval of 2 ½ story max or 35 feet. Exhibit A-2, House Cross Section, 38.4 feet is proposed. The water table is higher in the section of phase 1 therefore basements can not be built. The proposal is to build a 1st floor basement and 2 living levels above that. The exhibit shows an existing home on Recklesstown Way at a height of approx. 32 feet and due to a lower elevation the proposed units of 38.4 do not appear higher from the view point of the existing homes. Shrubs will be placed between phase 1 and the existing homes for buffering. Exhibit A-3, Expansion of Cross House Section which shows a difference of 120 feet between the two buildings and a 6 feet lower grade difference. Exhibit A-4, Architectural Rendering is an elevation view.

The board had a short discussion on the application, it is strictly regarding phase 1 and it was agreed that the limit of disturbance is only going to be in phase 1.

Mr. Hirsh suggested the shade trees in the alley ways be illuminated. The board asked if an agreement regarding the fence ordinance could be in the sales contract, Mr. Edelman agreed.

Mr. Higgins testified that the applicant is requesting C Variances for height and the number of stories for duplex and triplex units. He stated that the applicant has a hardship due to the ground water height. The only difference to the preliminary approval is that the footprints of the units are smaller with the amended site plan. He believes there is no substantial negative impact.

Chairman Panfili opened the meeting for public comment

Molly Hazen – 447 Main Street asked if they would have an HOA and she was informed that based on the preliminary approval they will not. She stated that it would be beneficial to the Township to build the commercial section first for the ratable. She expressed her concern with the ground maintenance and how the Township would be able to keep up, also with the cost of lighting.

Joe Picarello – 243 Recklesstown Way passed out a document signed by a few residents and it was decided by Mr. Heinold that it would not be entered as an exhibit because the residents did not attend the meeting, however Mr. Picarello could express the concerns. He stated that the increase in the height of the units is not what the residents had expected and would like to see the variances denied. He would like the board to adhere to the 30 foot buffer. He asked if the trees being removed for the site triangle could be planted on Recklesstown Way. Mr. Hirsh stated that it is private property and if the residents wanted them they would have no problem giving them the trees. He would like to see the bike path repositioned to avoid removing the natural buffer already there. He introduced Exhibit P-1, pictures of the bike path. Mr. Heilbrunn stated that the applicant will submit revised landscape plans subject to approval of the Townships Professionals.

Matt Lynch – 15 Old York Road expressed his concern with the storm water run off and the pond in his back yard. He was informed by the applicant that the design would not have an impact on his property. Mr. Lynch wanted clarification that Mr. Hirsh is aware of the agreement between the applicant and himself regarding the fence and buffer between his property and phase 1. This will be done as a field change upon approval of the Township Engineer. The changes will be approved on the final plan.

Cynthia Genovese – 245 Recklesstown Way agreed with Mr. Picarello's comments. She expressed her concern regarding Wilson Alley and would like to see a buffer. She asked the board to consider denying the height variances.

Chairman Panfili called for a 5 minute break @ 10:40pm. The board returned to open session @ 10:45pm

Daniel Brown – 18 Old York Road expressed his concern with the water table and whether it is correct to which he was informed that it was done by a Professional Engineer. He stated that we should stick to code and not approve more than 35 feet.

Linda Brown – 18 Old York Road requested the board to adhere to their request and keep the height requirement as is.

Jim Wojtowicz – 30 Front St expressed concern on the phasing of the project.

Matt Weismantal – 80 Harness Way stated he supports the project overall. He has concerns with the height, width and the architect design. He asked that the fish pond and pier be added to the plan which was approved in the preliminary approval.

Mr. Heilbrunn stated that it was noted in the developer's agreement with the Township that there shall be no fishing in the ponds. Because this was in the preliminary approval it will be looked into at the Township Committee level. Mr. Weismantal expressed concern with the irrigation system and suggested not having it. He requested that the applicant should avoid the wet lands when building the bike path. He would like to see phase 7 and 8 be first not only for commercial use but so that Saddle Way can be a completed road for school access.

Scot Stickle – 226 Recklesstown Way has concerns with the height and look and that it is not consistence with the rest of the village. Chairman Panfili stated that the TRC will approve the architectural features. He also has concern with the lighting and asked if the developer would consider LED lighting considering the technology we have now.

Chairman Panfili wanted on record that Mr. Lynch's pond will be untouched by the project.

Hearing no further public comment Chairman Panfili closed the public portion.

Mr. LoCascio asked the applicant that out of the 54 units how many would be increased to the 38.4 feet. Mr. Edelman stated that the average unit will be 19,000 to 20,000 sq ft will be 34 to 36 feet in height, a 22,000 to 24,000 sq ft unit will be at the 38.4 feet in height and a 16,000 to 17,000 sq ft unit will be less than 35 feet limit. The number of units will be 1/3 at each size but will be driven by market demand.

Mr. Heinold stated that the board will be voting on the approval of the variances in phase 1 and the proposed phase plan. Chairman Panfili stated that he is comfortable with phase 1 however when the applicant comes back, the board would like to discuss the starting point of the next phase. Starting with Saddle Way is one of the boards concerns. Mr. Heinold stated that the vote will be on the phase concept and phase 1 can receive final however phases 2 through 8 will have further discussions.

A motion was made by Mr. McMahon seconded by Mr. Coover to approve the variance on Phase 1 and grant final approval on Phase 1.

A roll call was taken:

Mr. Coover – yes

Mr. McMahon - yes

Mr. Nunziato – yes

Mr. Wilson - yes

Mr. Hlubik – no

Chairman Panfili - yes

All were in favor, motion carried.

CORRESPONDENCE

None

DISCUSSION

Chairman Panfili suggested that we talk about the old elementary school next year as a board to see if we can come up with some ideas.

2013 Budget

The Board had a short discussion and decided to ask the Township Committee to add \$4,000.00 to special planning projects and lower the amount to \$16,000.00 for legal services. Overall the budget will remain the same as 2012 total expense.

ADJOURNMENT

A motion was made by Mr. Hlubik seconded by Ms. LoCascio to adjourn. All were in favor, meeting adjourned at 11:25PM.

Respectfully submitted,

Aggie Napoleon, Secretary