

CHESTERFIELD TOWNSHIP PLANNING BOARD

March 12, 2013

The meeting of the Chesterfield Township Planning Board was called to order by Chairman Panfili at 7:38 PM. The Open Public Meetings Act statement was read and compliance noted.

Roll call was taken showing present: Glenn McMahon; John Nunziato; Mary Acevedo; Gerard Hlubik; Chairman Panfili. Absent: Donald Coover; Jeremy Liedtka; Richard LoCascio; Joseph Malison; Gerry Spence; Brian Wilson. Professional staff present: Chuck Patron, Solicitor; Rakesh R. Darji, Engineer.

AGENDA MATTER(S) REQUIRING RECUSAL(S)

None

MINUTES

February 12, 2013 Regular Minutes

A motion was made by Mr. McMahon seconded by Mr. Nunziato to approve the February 12, 2013 Regular minutes. All were in favor. Motion carried.

RESOLUTIONS

2013-06 RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF CHESTERFIELD GRANTING VARIANCE AND MINOR SITE PLAN APPROVAL TO TERRAPIN GROUP, LLC 460 MAIN STREET, BLOCK 201, LOT 6.02.

The Historical Society request that the store front window be retained and this comment will be passed on to the Township Engineer.

A motion was made by Mr. Nunziato seconded by Mr. McMahon to approve Resolution 2013-06. The vote was in the affirmative, motion carried.

APPLICATION FOR ACTION

Judith Morgenstern Block 301, Lot 19.01; 431 Ellisdale Road, Minor Subdivision; Bulk Variance

A motion was made by Mr. McMahon second by Ms. Acevedo to deem the application complete from the Engineer’s review letter and to hear the application with Mr. Darji as the Township Engineer.

Mr. Costa the attorney for the applicant testified that the property is 34.096 acres and they are proposing to subdivide into 3 lots. The existing dwelling on 31.59 acres and

proposed 2 additional dwellings on 1.073 acre parcels which will be located on Ellisdale Road. They are requesting one variance from Township Ordinance 130-15A which requires minimum 10 acre zoning for lots. They are requesting variance approval under Ordinance 130-15B(2)(a) which allows the first 10% of the acreage to be subdivided into building lots, minimum of one acre in size, the remainder subject to 10 acre minimum zoning.

Exhibit A1 – Site Plan. Mr. Wayne Ingram, Engineer and Mrs. Judith Morgenstern, Owner were sworn. Mr. Ingram testified that this application proposes to leave the existing residence and driveway intact and create the two new lots close to Ellisdale Road to have as little disturbance as possible and to have as little tree removal as possible. Regarding the wet lands Mr. Ingram stated that the closest property line is 400 ft away and therefore no DEP reports are needed. He is requesting from the board that they not have to prepare an LOI at this time they would prefer to do a presence absence determination prior to building permits being issued. They would also prefer to use the existing soil logs. All tests show no water table issues. Regarding landscaping, the applicant agrees to the species suggested by the Environmental Committee. The only trees that will be removed are for the driveway and drainage issues.

Mr. Darji, Township Engineer requested that the applicant submit soil information to the Engineers office as a condition of approval. If the application is approved he suggests that a soil boring in the area of the dry wall be submitted. Regarding the LOI he has no objection of an absence presence determination as a condition of getting a building permit.

The board stated that there would be a deed restriction that the applicant would be banning any further subdivision on the 31 acres. As a condition of approval the applicant will comply with the affordable housing Township fees, they also will be forfeiting TDR credits. The applicant agreed to put in on site turn a rounds for the driveways.

Chairman Panfili asked if there were any more public comment. There being none the public portion was closed

Mr. Heinold reviewed that the board would be voting on a Minor Subdivision with Bulk Variance to create 3 lots, with agreement to the Engineers letter, agreeing to address the drainage on the frontage, a deed restriction against no further subdivision on the mother lot, reference the forfeiture of the TDR's, condition of an on site turn around being provided and the soil plans be provided at the time of the plot plan being submitted. The presence absence for the two lots will be separately provided.

A motion was made by Mr. Hlubik seconded by Mr. Nunziato to approve the application.

A roll call was taken:

Mr. McMahon- yes
Mr. Nunziato – yes
Ms. Acevedo – yes
Mr. Hlubik – yes
Chairman Panfili - yes

All were in favor, motion carried.

CORRESPONDENCE

None

DISCUSSION

The board had a discussion regarding the memo sent from Caryn Hoyer, Twp. Clerk regarding Ordinance 2013-2 to allow the installation/construction of fences within certain municipal easements subject to permission granted by the Township Committee of the Township of Chesterfield. The board suggested the Township adopt the Ordinance but would recommend that it state if the inspection fails that a re-inspection fee will be charged.

INVITATION FOR PUBLIC COMMENT

Chairman Panfili opened the meeting for public comment. There being none the public portion was closed.

ITEMS NOT ON AGENDA

Mr. Heinold stated that Mr. Gillespie will be amending the Ordinance to rename it Technical Review Committee. It will consist of no more than 3 board members, Administration Officer, the Township Attorney and Planner; the Chairman may sit in if necessary along with the 3 members. Also if needed the Zoning Officer, Construction Official and Township Engineer. It was decided that after the applicant meets with the TRC they will then have to appear before the board to get the approval without public notice. The TRC will meet on the 3rd Thursday of the month when needed.

The board discussed two issues one being a tax map escrow fee be included on the fee table and a final plot be submitted in CAD form on a major subdivision. Mr. Heinold will contact Mr. Gillespie on both issues.

Mr. Heinold talked about the Township Subdivision. Ms. Acevedo recused herself at 8:42 pm because she is within 200 feet. The Township has appointed Bob Stout as acting Engineer to prepare the subdivision. Mr. Heinold recommended the Planning Board appoint Dan Guzzi.

A motion was made by Mr. Nunziato second by Mr. McMahon to appoint Dan Guzzi as conflicting Planning Board Engineer. All were in favor, motion carried.

ADJOURNMENT

A motion was made by Mr. McMahon seconded by Mr. Nunziato to adjourn. All were in favor, meeting adjourned at 8:50 PM.

Respectfully submitted,

Aggie Napoleon, Secretary