

CHESTERFIELD TOWNSHIP PLANNING BOARD

April 17, 2014

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; Gerard Hlubik; Gregory Lebak; Joseph Malison; Alex Robotin; F. Gerry Spence; Michael Russo; Chairman Panfili. Absent: Mary Acevedo; Jeremy Liedtka and John Nunziato. Professional staff present: Douglas Heinold, Solicitor; Denis Germano, Solicitor; Joseph Hirsh, Engineer and Barbara Fegley, Planner

AGENDA MATTER(S) REQUIRING RECUSAL(S)

Mr. Heinold will be stepping down due to a conflict with the PSEG application, Mr. Denis Germano will be taking his place. Mr. Malison will be stepping down for Traditions Application due to a conflict

MINUTES

March 20, 2014 Regular Minutes

Mr. Spence stated that his name was missing from being present. A motion was made by Mr. Spence seconded by Mr. Coover to approve the March 20, 2014 Regular minutes with the correction. All were in favor with the exception of Mr. Lebak who abstained. Motion carried.

RESOLUTIONS

2014-08 RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF CHESTERFIELD GRANTING BULK VARIANCE APPROVAL TO EMILY PICARELLO, 243 RECKLESSTOWN WAY, BLOCK 202.112, LOT 2.

A motion was made by Mr. Spence, seconded by Mr. Malison to approve Resolution 2014-08. The vote was in the affirmative, with the exceptions of Mr. Lebak who abstained, motion carried.

APPLICATION FOR ACTION

Joseph and Margaret Rizzo Block 202.24, Lot 5, 10 Susannah Drive, Bulk Variance.

Mr. Amanjit S. Heir the attorney stepping in for Mr. Sexton representing the applicant and Mr. Rizzo were sworn. Mr. Heir recapped that the grading was to steep when the property was purchased and there was a drainage issue. Exhibit A-1, a letter from Mr.

Rizzo's neighbor stating that there is no drainage issue. They are asking for a bulk variance to move the wall back 5 feet from the property line. The wall is currently on the Township right of way and will be removed immediately. Mr. Rizzo testified that he had met with Mr. McMahon and Mr. Hirsh and was informed that neither have a vote however Mr. McMahon wrote a letter to the board in support of Mr. Rizzo. The applicant agreed to remove the three trees atop the wall due to a site issue. The wall is currently at 2 ft, the maximum height by code is 4 feet. The applicant agreed that the Township would not be responsible for any damage to the wall during plowing.

Chairman Panfili opened the meeting for public comment.

Hearing no public comment Chairman Panfili closed the public portion.

A motion was made by Mr. Coover seconded by Mr. Spence to approve the application.

A roll call was taken:

Mr. Coover-yes; Mr. Hlubik-no; Mr. Lebak-no; Mr. Malison-yes; Mr. Robotin-no; Mr. Spence-yes; Chairman Panfili-yes; Mr. Russo-yes.

Motion carried.

Chairman Panfili called a 5 minute break @7:59. The meeting resumed @8:05pm. Mr. Germano will be sitting in for the PSEG application.

PSEG – Block 107, Lot 10.101, 10.02, 10.04, 10.05, 11, Minor Subdivision; Preliminary and Final Major Site Plan; Bulk Variance and Waivers.

Mr. John Alice representing PSEG testified the applicant is seeking variances and waivers for a 75 foot A frame tower, a 97 foot temporary pole structure, side and rear yard setbacks, transformer and switchgear for a second switch unit, an infiltration basin on the eastern side of the property, security fence at 7 foot with 1 foot barbwire, emergency backup generator, paved entrance drive to station, a temporary guardhouse, and six temporary construction trailers.

Mr. Joseph W. Barton, Outreach Manager Project Overview; Mr. Barry Sutherland, Engineer of Record; Mr. Brian Hartel, Vegetation Management; Mr. Roy Dunn, Landscape Architect; Mr. Kyle King, K, Electrical Engineer and Mr. Joseph Augustryn, Professional Planner were sworn.

Mr. Burton testified that the need for this application is to install another circuit breaker into Ward Avenue substation to reduce the number of customers affected by service interruptions. This is possible due to the purchase of the additional 5 acres from Lot 10.01.

Mr. Sutherland introduced Exhibits as follows: A-1 Site Plan; A-2 PJM Transmission Plan; A-3 Electrical Plan and Profile; A-4 Electrical Layout; A-5 Foundation Layout and Detail including Fence Detail; A-6 Stormwater Management and Drainage Plan; A-7 Grading Plan; A-8 Lighting Plan; A-9 Noise Report and A-10 Landscape Plan. Mr. Sutherland testified that since the approval in February 2012 the improvements consist of a 500 sq foot control house; an emergency generator; 2 switch racks; an 800 ft paved

access road with the existing being stoned, an infiltration basin; existing fence being pushed out. The 97 foot temporary pole will come down the end of 2014.

The applicant agreed that the 1 credit that was remaining on Lot 10.01 which was purchased will be extinguished. A requirement of the deed of easement stated that 5 acres of the 19 acres would have to be subdivided if used commercially the remaining would be preserved. It was agreed that there would be a designated stone path way to the Colonial valve pit and will be put in the corner between the utility pole and fence.

Mr. Hartel testified that this site has a high voltage transmission line and in the state of New Jersey anything over 100KV is federally regulated. Within the entire width of right of way no vegetation can exceed 15 ft in height, along Ward Avenue there will be a slight buffer. In lieu of providing a buffer between the project and Preservation Blvd. the applicant has agreed to give the Township \$60,000.00 to use for landscaping anywhere in the Township.

Mr. Dunn testified that he worked with Ms. Fegley and worked out an estimate of all the landscaping and tree cost associated with this project and came up with a figure of \$60,000.00 to donate to the Township.

Mr. King testified that the 2 towers are 138,000 volt lines which are dropping into the sub station.

Mr. Augustyn passed out to the board a project overview outline with pictures attached. He briefly went over the overview which was reviewed by Ms. Fegley prior to the meeting. The height of the towers and the height of the fence are regulated and is consistent with what is already there.

Mr. Malison questioned the security at the site. Mr. Burton responded that there are no cameras at this time however there are security alarms built in the system. At this time a security systems is not mandatory by FERC.

Chairman Panfili opened the meeting for public comment

Mr. Barry Edelman on behalf of Arcacia Capital Corporation and also for Heritage at Chesterfield LLC requested that the planting set for the fall be moved up to the Spring.

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

The applicant stated that they will comply with all recommendations to the review letter from ERI dated April 16, 2014.

Mr. Germano stated that at a staff meeting in April between PSEG and the Township Professionals PSEG had asked that a resolution be presented at the meeting for approval so that they may proceed with permits to start construction. The resolution states that any changes can be revised upon the board's request. Some members were not comfortable with approving the resolution therefore Mr. Hirsh went threw the conditions of ERI's review letter to make sure everything had been addressed. The Resolution should be amended to add the stone path to Colonial, to add that landscape donation be made to the Township also to state the exact dollar amount.

A motion was made by Mr. Lebak second by Mr. Hlubik to approve the application and Resolution 2014-09 with the amendments.

A roll call was taken. Mr. Coover-yes; Mr. Hlubik-yes; Mr. Lebak-yes; Mr. Malison-yes; Mr. Spence-yes; Chairman Panfili-yes; Mr. Russo-yes; Mr. Roboton-recused himself.

Motion carried.

Chairman Panfili called for a 5 minute break @ 9:55PM. Mr. Spence and Mr. Malison left the meeting @ 9:55PM. The meeting resumed @10:02 PM.

Traditions – Block 206, Lot 40 (Formerly 24.01, 25.01 & 25.02), Amended Final Major Subdivision (Phase 2)

Ms. Linda Osman representing the applicant turned the meeting over to Mr. James Biegen, Engineer and Mr. Barry Edelman who were both sworn. Mr. Beigen testified that Phase 2 consist of 20 single family units which will connect to Phase 1 with 1 open space park. This will continue on from Cantor Lane and will connect into Old York Road. Borden Lane will be complete and residents will be able to enter and leave through this Lane. All drainage will continue to flow to Phase 1 into the existing basin. Mr. Edelman stated that the applicant moved the phase line in an agreement with the Township to move Saddle Way into Phase 3 as part of the Developers Agreement.

Chairman Panfili opened the meeting for public comment.
Hearing no public comment Chairman Panfili closed the public portion.

Mr. Hirsh stated that the applicant has agreed to all conditions on his review letter dated April 17, 2014 with the exception of item 9, utility plan. It was agreed that the blow off valves be permitted to remain as opposed to fire hydrants, the Fire District has already approved. The applicant should submit a revised plan to show Lot D as open space with a couple of shad trees. The architectural review already approved shall applied to Phase 2 as long as the single family homes remain consistent.

A motion was made by Mr. Coover second by Mr. Lebak to approve the application.

Roll call was taken: Mr. Coover-yes; Mr. Hlubik-yes; Mr. Lebak-yes; Mr. Robotin-yes; Chairman Panfili-yes; Mr. Russo-yes.

Motion carried.

CORRESPONDENCE

None

DISCUSSION

None

INVITATION FOR PUBLIC COMMENT

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

ADJOURNMENT

A motion was made by Mr. Hlubik seconded by Mr. Robotin to adjourn. All were in favor, meeting adjourned at 10:50 PM.

Respectfully submitted,

Aggie Napoleon, Secretary