

CHESTERFIELD TOWNSHIP PLANNING BOARD

January 14, 2014

The secretary called to order the Reorganization Meeting of the Chesterfield Township Planning Board at 7:40PM. The Open Public Meetings Statement was read and compliance noted. Ms. Acevedo, Mr. Hlubik, Mr. Liedtka, Mr. Lebak, Mr. Robotin and Mr. Russo declared their Oaths of Allegiance. Ms. Acevedo was appointed as a 1st Alternate member for a two-year term; Mr. Hlubik was appointed as a Class IV member for a four-year term; Mr. Liedtka was appointed as a Class I member for a one-year term; Mr. Lebak was appointed as a Class II member for a one-year term, Mr. Robotin was appointed as a Class III member for a one-year term, Mr. Russo was appointed as a 2nd Alternate member for an expired term.

Roll call was taken showing present: Donald Coover, Gerard Hlubik, Gregory Lebak, Jeremy Liedtka; Joseph Malison; John Nunziato; Alex Robotin; F. Gerry Spence; Mary Acevedo; Michael Russo and Lido Panfili. Professional staff present: Joseph Hirsh, Engineer.

The Secretary asked for nominations for Chairman. Mr. Spence nominated Mr. Panfili, seconded by Mr. Liedtka. There being no other nominations, nominations were closed. All were in favor of Mr. Panfili for Chairman.

Chairman Panfili asked for nominations for Vice Chair. Mr. Spence nominated Mr. Malison, seconded by Mr. Liedtka. There being no other nominations, nominations were closed. All were in favor of Mr. Malison for Vice Chairman.

MINUTES

November 12, 2013 Regular Meeting

A motion was made by Mr. Coover seconded by Mr. Malison, to approve the November 12, 2013 Regular Meeting Minutes. The vote was in the affirmative, with the exceptions of Ms. Acevedo; Mr. Lebak; Mr. Liedtka; Mr. Robotin; Mr. Spence and Mr. Russo who abstained, motion carried.

AGENDA MATTER(S) REQUIRING RECUSAL(S)

Mr. Liedtka recused himself for the discussion regarding Traditions. Mr. Malison recused himself for his own application.

RESOLUTIONS

2014-01 Resolution Designating Regular Meeting Time and Place.

A motion was made by Mr. Spence, seconded by Mr. Coover, to approve Resolution 2014-01. The vote was in the affirmative, motion carried.

2014-02 Resolution Appointing Raymond, Coleman and Heinold with Douglas Heinold as Planning Board Attorney.

A motion was made by Mr. Spence, seconded by Mr. Nunziato to approve Resolution 2014-02. The vote was in the affirmative, motion carried.

2014-03 Resolution Appointing Environmental Resolutions with Barbara Fegley as Planning Board Planner.

A motion was made by Mr. Spence, seconded by Mr. Malison to approve Resolution 2014-03. The vote was in the affirmative, motion carried.

2014-04 A Resolution Appointing Environmental Resolutions with Joseph Hirsh as Planning Board Engineer

A motion was made by Mr. Spence, seconded by Nunziato to approve Resolution 2014-04. The vote was in the affirmative, motion carried.

2013-10 Resolution granting minor subdivision approval to Robert H. Bruch for property at Block 502, Lots 16.01 & 16.02 at 193 & 197 Chesterfield-Crosswicks Rd.

A motion was made by Mr. Malison second by Mr. Coover to approve Resolution 2013-10. All were in favor with the exception of Mr. Lebak; Mr. Liedtka; Mr. Robotin; Mr. Spence and Mr. Russo who abstained. Motion carried.

2013-11 Resolution granting bulk variance approval to Chad and Carolyn Plotkin for property at Block 107.06, Lot 2 at 102 Adelpia Drive.

Mr. Nunziato asked that on page 2 third paragraph from the bottom should read “regrading”. The board agreed to change the wording.

A motion was made by Mr. Hlubik second by Mr. Malison to approved Resolution 2013-11 with the change. All were in favor with the exception of Mr. Lebak; Mr. Liedtka; Mr. Robotin; Mr. Spence and Mr. Russo who abstained. Motion carried

2013-12 Resolution granting minor subdivision approval to Jantorno, Inc. for property at Block 1105, Lot 2 at Sykesville and Monmouth Roads.

A motion was made by Ms. Acevedo second by Mr. Hlubik to approve Resolution 2013-12. All were in favor with the exception of Mr. Lebak; Mr. Liedtka; Mr. Robotin; Mr. Spence and Mr. Russo who abstained. Motion carried.

Due to not having a Township Attorney, Chairman Panfili moved the applications to the end of the agenda.

DISCUSSION

Architectural Review for Traditions at Chesterfield, LLC

Mr. Liedtka left the room due to a conflict with Traditions.

Mr. Barry Edelman represented Traditions at Chesterfield, LLC and also Heritage at Chesterfield Single Family Homes, stated that he had been before the TRC to discuss the proposal of side entry garage elevation change. They would like to switch the garages from a rear entry to a side entry on the perimeter lots, the TRC had no objections. He stated that the lots and grading will remain the same.

A motion was made by Mr. Spence second by Mr. Nunziato to approve the elevation changes. All were in favor, motion carried.

Mr. Edelman also stated that at the TRC meeting they discussed the open space behind the rear lots. He would like to create a berm and put in some landscaping at their cost. This would help the sell of the homes. He is requesting the board give the Township Engineer the authority to review and approve the grading. Mr. Hirsh suggested submitting a conceptual design and he would review and also consult with Public Works. If there are grading changes they would have to then come back before the board.

In regard to Traditions at LLC, Mr. Edelman is requesting the approval of moving the front door from the side entry to the front facing the street.

A motion was made by Mr. Spence second by Ms. Acevedo to approve moving the front door. All in favor, motion carried.

Mr. Edelman asked the board if the Town Houses are to adhere to the same look alike standards as the Single Family Homes. Chairman Panfili suggested he contact the Township Planner for the answer.

Mr. Liedtka returned to the board.

Officially Appoint TRC

Mr. Malison, Mr. Coover and Ms. Acevedo volunteered along with Glen Riccardi, Township Construction Official. The meetings will be on Wednesday mornings at 8:30am when needed. Chairman Panfili made a motion, all in favor, motion carried.

CORRESPONDECE

Letter from Dr. and Mrs. Matthew Lynch regarding Traditions.

Mr. Lynch stated that the letter was actually from his attorney. He has an issue with the pond and wanted to get everyone's attention to this issue. Since the letter was written the situation has gotten better. Mr. Hirsh believes this issue was caused by dewatering, Mr. Hirsh and Mr. Heinold spoke and they will give the attorney a response/report. Mr. Edelman would like to get a copy of the response.

Chairman Panfili suggested a five minute recess at 8:20pm. At 8:25 the board resumed open session. After a discussion with Mr. John Gillespie, Township Attorney it was decided to appoint a temporary attorney to hear the applications. The applicants had no objection.

A motion was made by Mr. Coover second by Mr. Liedtka to appoint Mr. Little as a temporary attorney. All in favor, motion carried.

APPLICATIONS FOR ACTION

Joseph and Cynthia Malison Block 900, Lot 14.02; 15 Chesterfield-Georgetown Rd, Minor Subdivision; Use Variance

Ms. Linda Osman, and Mrs. Malison were sworn. Ms. Osman deferred to Mr. Malison to present to the board his application Mr. Malison marked the plan as Exhibit A-1. In regard to completeness, Mr. Malison will comply with all items requested from ERI letter dated December 3, 2013.

A motion was made by Mr. Spence second by Mr. Nunziato to deem the application complete. All in favor, motion carried.

Mr. Malison testified that he is seeking to subdivide his property into 3 lots. The property is 8.182 acres and is in the Village Zone. He is seeking to create 2 new lots and keeping the remainder as the third. The existing lot consists of a single family home, an accessory building and an existing horse barn which has been restored with an indoor riding area. New Lot A will consist of a new residential dwelling and will contain the existing frame, metal barns and the accessory shed, New Lot B will contain the existing 2.5 story residential dwelling, Lot C to be unimproved at this time. Lot C is proposed to be approximately ½ acre with 162 foot frontage, Lot B to be approximately 1 ¼ acres and have 159 foot frontage and Lot A to be approximately 6 ½ acres and have a 50 foot lot width. Lot depths range from 140 to 159 up to 788 feet. Soil boring evaluations were performed on the 2 new lots and were approved by the Burlington County Health Department. The color rendering of the lot was marked as Exhibit A-2. Mr. Malison is seeking a variance for front line minimum accessory building setback on Lot A to permit 11.6 feet where 20 feet is required. Mr. Malison is also seeking a variance to increase the lot coverage minimum from 3 % to 5%.

Mr. Malison went through all the items of concern from the Environmental Resolutions Engineer letter dated December 3, 2013. Mr. Malison testified that he will comply with all issues. In regard to the Environmental Commission memo dated November 26, 2013. Item 1, grading plans will tie into the driveway opening permit. Items 2 and 3, Mr. Malison will comply, item 4, no trees are proposed to be removed unless necessary due to them not being healthy; item 5 Mr. Malison stated that there was a concrete block building that had 4 ft of dirt on top, he removed this around 8 or 9 years ago .

Chairman Panfili opened the meeting for Public Comment

Mayra and John Wille – 9 Chesterfield-Georgetown Rd. were sworn. Mrs. Wille stated that she lives adjacent to Lot C and adjacent to the back of Lot A. She expressed her concern with environmental issues, lighting, traffic, egress and ingress, septic and water systems. Chairman Panfili informed Mrs. Will that a minor subdivision does not require lighting or an egress/ingress plan be submitted. Mr. Will stated that he would like to see a plan that shows where the driveway access will be for Lot C because of car headlights. She is concerned with the removal of trees; Mr. Hirsch will confirm the reforestation ordinance. Regarding the concern the water issue, Mr. Malison has agreed to all septic setback requirements.

David Snyder – 12 Chesterfield-Georgetown Rd. was sworn. He asked the board if the driveway access will it be on the plan and will it be labeled. Chairman Panfili stated that it will be on the plot plan and will be approved by the Township Engineer. He also expressed his concern with the water issues.

Mr. Little stated that the board will be voting on a minor subdivision with a variance for lot coverage, no need for a temporary variance for accessory use and a variance for front line setback for proposed Lot a.

A motion was made by Mr. Spence second by Mr. Liedtka. Roll call was taken

Mr. Coover-yes; Mr. Hlubik-yes; Mr. Lebak-yes; Mr. Liedtka-yes; Mr. Nunziato-yes; Mr. Robotin-yes; Mr. Spence-yes; Chairman Panfili-yes.

All in favor, motion carried.

At 9:20pm Mr. Heinold attended the meeting.

Mr. Malison left the meeting @ 9:25

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

Mr. Hirsch stated that this is a revised application based on County Approval.

Mr. Tim Little representing Mr. Davis Sunico, Terrapin Group LLC testified that they had been before the board approximately one year ago. The board granted 6 spaces for the site plan however the County did not approve. The County asked the applicant to remove 2 spaces and change traffic flow to enter on Brick Alley turn left into the parking lot have the parking spots angular facing Main Street and exit face forward. To accommodate the traffic flow the revised site plan shows a portion of the back of the building has been removed to give more room for parking.

Mr. Dan Carruso, Engineer was sworn. Mr. Carruso testified that they are seeking a variance to allow 4 parking spaces where 6 spaces were previously approved. They are also seeking a variance to allow the width of the access driveway in the rear of the building to 11.50 feet where 13 feet for parking spaces at a 45 degree angle is required. In response to the Engineers letter dated January 2, 2014 the trash storage will be placed on a sidewalk pad as previously proposed. Do not enter and one way signs will be installed. On the south side of the building the side walk will wrap around and they propose to enclose the manhole. Mr. Sunico stated that he will only pave to where is required everywhere else will remain gravel except in the County rite of way which will be a lawn area. Mr. Little proposed writing in the lease that only one space is allotted per apartment. The board asked that the trash and recycling containers be enclosed; Mr. Sunico agreed.

Chairman Panfili opened the meeting for Public Comment

Mr. Mark Roselli representing June Riley owner of property located at 462 Main St who is unable to attend, Mr. Vincent Riley power of attorney for Ms. Riley was sworn. Mr. Roselli marked the proposed site plan as Exhibit A-1. He expressed the concern of the ingress and egress on Brick Alley could be an issue. He believes there is a survey issue

and a problem with the property lines. He would like to request the board hold off on the approval until he can locate the survey. Mr. Roselli asked the board to make a condition of approval that there be no parking on Brick Alley and that it be maintained as ingress and egress only and also to require the applicant to set property corners

Ms. Monty Caldwell – 459 Main Street was sworn. She expressed her concern regarding parking where the extra cars will park. Chairman Panfili stated that by approving this application there will be a significant decrease in the number of cars as opposed to the commercial use as is now. She asked if Brick Alley could be opened back up as a street again.

Mr. Spence left the meeting at 10:10pm

Mrs. Lynch stated that she has lived here for 30 years and she would like to see the Township open Brick Alley up as a road as it once was. She expressed concern with the speed on Main St. and asked if signs could be put up to slow vehicles down. She was informed that it's a County Road.

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

Mr. Heinold stated that he had received a letter for Don Czhus according to MLUL without the person being present at the meeting the letter can be kept with the application; however cannot be read to the board. Mr. Czhus concerns have been addressed during the hearing. Mr. Heinold stated the board will vote on the applications with the same conditions as first application with the addition of adding language to the lease permitting one car per unit, to indicate on the plans no parking on Brick Alley by the applicant or his tenants; will have an enclosure for the trash/recycle bins and pins will be set on the corners of the property

A motion was made by Mr. Coover second by Ms. Acevedo to approve the application
A roll call was taken:

Mr. Coover-yes; Mr. Hlubik-yes; Mr. Lebak-yes; Mr. Liedtka-yes; Mr. Nunziato-no; Mr. Robotin-yes; Chairman Panfili-yes. All were in favor with the exception of Mr. Nunziato. Motion carried.

ADJOURNMENT

There being no further business, a motion was made by Mr. Liedtka seconded by Mr. Nunziato to adjourn. All were in favor, meeting adjourned @10:30 PM.

Respectfully submitted,

Aggie Napoleon, Secretary