

CHESTERFIELD TOWNSHIP PLANNING BOARD

December 18, 2014

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

Roll call was taken showing present: Gerard Hlubik; Jeremy Liedtka; Alex Robotin; Jignesh Shah; Mary Acevedo(7:36); F. Gerry Spence; Michael Russo. Absent: Gregory Lebak; Joseph Malison; John Nunziao and Chairman Panfili. Professional staff present: Douglas Heinold, Solicitor; Joe Hirsh, Engineer.

AGENDA MATTER(S) REQUIRING RECUSAL(S)

Alex Robotin will recuse himself for the E & E Landscaping Application.

MINUTES

November 20, 2014 Regular Minutes

A motion was made by Mr. Robotin seconded by Mr. Hlubik to approve the November 20, 2014 Regular minutes. All were in favor with the exception of Mr. Liedtka; Mr. Spence and Mr. Russo who abstained. Motion carried.

RESOLUTIONS

2014-17 RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF CHESTERFIELD GRANTING CONDITIONAL USE APPROVAL WITH MINOR SITE PLAN WAIVER TO JOHN CATALFALMO, 391 ELLISDALE ROAD, BLOCK 301 LOT 24.01.

A motion was made by Mr. Hlubik second by Mr. Robotin to approve Resolution 2014-17. The vote was in the affirmative, with the exceptions of Mr. Liedtka; Mr. Spence and Mr. Russo who abstained, motion carried.

2014-18 RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF CHESTERFIELD GRANTING CONDITIONAL USE APPROVAL WITH MINOR SITE PLAN WAIVER TO LAWRENCE KUSER, 144 BORDENTOWN-CHESTERFIELD ROAD, BLOCK 800, LOT 1.01.

A motion was made by Mr. Hlubik second by Mr. Robotin to approve Resolution 2014-18. The vote was in the affirmative, with the exceptions of Mr. Liedtka, Mr. Spence and Mr. Russo who abstained, motion carried.

APPLICATION FOR ACTION

David Szkubiel – Block 107.15, lot 4, Bulk Variance

Mr. Hirsh stated that the property is in the PVD Zone and the applicant proposes to construct a fence along the front, side and rear of his property with a bulk variance required for the setback along Atsion Way. The front, side and rear yard setback requires the fence to be 4ft in height, the applicant proposes a 5ft fence. A variance is needed where 15 feet is required from a front yard setback to any structure, including a fence and the applicant proposes a 3 foot setback from the sidewalk, or 2 feet from the property line.

Mr. Skubiel was sworn, he testified that the fence is black. Mr. Liedtka had a concern regarding the utility line and Mr. Hirsh will verify the location, he also stated that it should be shown on the survey, he will check the approved plans of the development. He recommended that it should be made a condition of approval. Mr. Hirsh recommends the setback be at 5 feet to which the applicant agreed.

Mayor Liedtka opened the meeting for public comment. There being none the public portion was closed.

Mr. Heinold stated that the conditions are the fence will be 5 ft in height and the setback will be at 5 feet, the fence will be black and the utility easement will be verified.

A motion was made by Mr. Hlubik second by Mr. Spence to approve the application.

A roll call was taken: Mr. Hlubik-yes; Mr. Liedtka-yes; Mr. Robotin-yes; Mr. Shah –yes; Mr. Spence-yes; Ms. Acevedo-yes; Mr. Russo-yes. Motion carried.

E & E Landscaping Co.,-Block 700, Lot 21.05, Use Variance and Revised Site Plan

Mr. Heinold stated that the attorney for E & E asked for an extension to address the noise issue and also the lack quorum in December. Due to the attendance of residents the meeting was scheduled to be held at the Elementary School; however as of today the results of the noise text were not produced therefore the attorney asked to be carried till the January 15, 2015 meeting without notice. The Elementary School is not available so the meeting will be held at the Chesterfield Hose Company. Mr. Heinold stated that if the application is not heard in January the applicant will have to re notice.

A motion was made Mr. Hlubik second by Ms. Acevedo to carry the application until January 15, 2015 without notice. All in favor, with the exception of Mr. Robotin and Mr. Liedtka who abstained, motion carried.

Mayor Liedtka opened the meeting for public comment.

Mr. Coover expressed his concern with the location changing and the confusion it causes.

CORRESPONDENCE

None

DISCUSSION

None

INVITATION FOR PUBLIC COMMENT

Mayor Liedtka opened the meeting for public comment.

Mr. Coover asked for the definition of recusal. He was informed that as a board member you would have to leave the room, Mr. Heinold stated that there is no statute, his best advice is not only step down but also leave the room this way there is no issue. Mr. Coover suggested the Township make a rule specific to recusal.

Mr. Coover suggested that the Planning Board open their meetings with the Pledge of Allegiance. Mr. Coover asked for the rule regarding the amount of times an application can be carried without re noticing. Mr. Heinold stated that there is no statute in the MLUL however in his opinion after 3 months he recommends to the applicant to re notice. The Township has no ability to draft our own restrictions. Mr. Coover asked about the sound test results for E & E application, he was informed that the results will go to the Engineer and the board members and at that point they become public record.

A motion was made by Mr. Spence second by Mr. Hlubik to close the public portion. All in favor, motion carried.

ITEMS NOT ON THE AGENDA

None

ADJOURNMENT

A motion was made by Mr. Robotin seconded by Mr. Spence to adjourn. All were in favor, meeting adjourned at 8:10 PM.

Respectfully submitted,

Aggie Napoleon, Secretary