

CHESTERFIELD TOWNSHIP PLANNING BOARD

May 17, 2016

The meeting of the Chesterfield Township Planning Board was called to order by Chairman Panfili at 7:00PM. The Open Public Meetings Act statement was read and compliance noted.

Roll call was taken showing present: Joseph Malison; John Nunziato; Gerard Hlubik; Jay Shah (7:20); Alex Robotin (8:10); Glenn McMahon; Sam Davis (7:40); Michael Russo; Chairman Panfili. Absent: F. Gerry Spence and Mary Acevedo. Professional staff present: Douglas Heinold, Solicitor; Joseph Hirsh, Engineer; Lisa Specca, Planner.

AGENDA MATTER(S) REQUIRING RECUSAL(S)

None

MINUTES

April 19, 2016 Regular Minutes

A motion was made by Mr. Hlubik seconded by Mr. McMahon to approve the April 19, 2016 Regular minutes. All were in favor. Motion carried.

RESOLUTIONS

2016-15 RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF CHESTERFIELD DENYING USE VARIANCE TO RICHARD SCHMIDT (MOTOVATION INC) 182 BORDENTOWN-CROSSWICKS ROAD, BLOCK 2.01, LOT 108.

A motion was made by Mr. McMahon, seconded by Mr. Hlubik to approve Resolution 2016-15. All were in favor, motion carried.

APPLICATION FOR ACTION

Traditions at Chesterfield LLC Block 206, Lot 700 (formerly 24.01, 25.01 & 25.02), Old York Road, Final Major Subdivision, Final Major Site Plan, Bulk Variance (Phase 5 & 6)

Mr. Hirsch stated that all the waivers that have been previously provided have been approved, in regard to soil report/study he is requiring on future testing with basements on a lot by lot basis,

A motion was made by Mr. Hlubik second by Mr. Malison to deem the application complete.

A roll call was taken:

Mr. Malison-yes; Mr. Nunziato-yes; Mr. Hlubik-yes; Mr. McMahon-yes; Chairman Panfili-yes; Mr. Russo-yes. Motion carried.

Mr. Jeffrey Chang, Attorney representing Traditions at Chesterfield LLC, They are seeking approval for Phase 5 & 6 which consist of 79 single family units, 4 duplex units, two 10-unit condominium buildings and 3 open space lots, also a bulk variance for the height of the duplex units where 35 feet is permitted, the applicant proposes 38.5 feet. In addition the applicant is asking for relief for 3.5 stores where 2.5 is permitted.

James Higgins, Planner; Andrew Banff, Project Engineer and Barry Edelman were sworn.

Mr. Banff introduced Exhibit A-1, Cover sheet that appears in the subdivision plan set. Exhibit A-2, Phase Plan; page 89 of 89 of the plan set. Phases 5 & 6 are approx. 33 acres and consist of 54 single families units in Phase 5 and 35 units in Phase 6, 4 townhouses located on Chaplan Lane and 2 multi family units located in Phase 5. Park A is located in Phase 6 and Park B in Phase 5. Storm water management will be constructed in Phase 7 and therefore is temporarily being re-routed. The utility easement along the property frontage is being worked out to incorporate landscaping. The utilities will be stubbed out between phases. The sub pump will be located on Davis Lane. Mulching the playground will be worked out with the Engineer and Planner. As part of the resolution compliance keep Olivia Way the name of the whole road and spell out Antion Brown Way. The applicant is seeking a bulk variance for the height of the 2 townhouse units they are proposed 38.49' where 35' is the maximum height, there are built on slabs with no basements. The applicant is seeking relief from the 2' to 4' feet finished floor grade to side walk grade, on a case by case basis they would like to exceed the 4' requirement. This would be a condition of approval by the Twp. Engineer.

Regarding the cantilevers (fireplaces and bay windows) Mr. Edelman will make sure that they are never side by side going forward. Mr. Hirsch recommended that a condition of approval be that no two encroachments can be side by side.

Mr. Hirsh recommended modifying the utility easement, the board suggested moving the sidewalk closer to the curve, plant street trees between the sidewalk and house, check with PSEG regarding going under the sidewalk. As part of the resolution compliance Mr. Hirsch will work it out with Traditions Engineer.

Due to the street tree issue, he would like to see no trees planted in the park strip.

Mr. Hirsh stated that the Township will reserve the right to modify the landscaping in the parks.

Mr. Edelman stated that Saddle Way should be complete by the time school opens. Chairman Panfili recommended that no building permits be issued for Phase 5 & 6 until Saddle Way is operational to which Mr. Edelman agreed.

Mr. Edelman will resubmit a plan removing the dock and walking path also a revise landscaping plan around the townhouses in Phase 1 once a formalized resolution is approved.

Mr. Heinold will put in the resolution that any landscape approvals agreed upon in the past will carry through to Phases 5 & 6. Mr. Edelman stated that on Mountie Lane there may be an issue with planting beds because they are owned by the homeowner. He has submitted a plan to Ms. Specca for review.

Mr. Malison brought up the drainage and grading issue with homes that back up on Bentley Lane. As a condition of approval when there are more than 2 lots of swale the issue be resolved between the Engineers.

Mr. Malison brought up that the original plan had condos in with commercial in Phase 7 and the plans recently submitted only have commercial. Mr. Edelman stated that in the developer's agreement the phasing plan was for general purposes. He stated that there is an ongoing discussion between the Township Attorney and Rob Andinolfi regarding the retail and the timing of such.

Regarding COAH Mr. Edelman stated that there are 2 in one of the multifamily units and 1 in the other. It was stated that Renaissance controls the retail, the issues is the schedule of compliance with the COAH units. There was a discussion with Rob Andinofi and the Township Attorney and the board was very clear that a portion of the commercial be in the process of being constructed before the residential was complete. Mr. Edelman stated that the approval he has is to be able to go back and put COAH in any unit in Phase 1. Ms. Specca suggested we look at the developer's agreement to find out exactly what is stated. Mr. Heinold suggested restoring Phase 5 to its original plan and have the multifamily unit remain in Phase 7. The board agreed as well as the applicant.

Chairman Panfili called for a 5 minute break at 8:25pm. 8:30pm the meeting resumed.

Mr. Higgins, Planner testified that in regard to the last 2 duplex buildings that are left they are seeking a bulk variance to allow 38.49 feet in height where 35' is the maximum. 93 units have already been approved and there is no substantial negative impact it would be inconsistent to have the remaining 4 units be different. The board suggested changing from 2 duplex buildings to 4 single family homes. The applicant agreed to make the change to 4 single family homes with the agreement that it could be revisited if there was an issue.

Ms. Specca went over her review letter dated May 17, 2016. Regarding the Townhomes in Phase 1 and the appearance. As a condition of approval in Phases 3 & 4 it was required that the appearance be softened also the decks in the rear be stained and or have finished material. As of this date no progress has been made on either issue. Ms. Specca would like to work in a more formal way with Mr. Edelman regarding the landscaping to which the board agreed. As a condition of Phase 5 & 6 approval they will work together in June and July, Ms. Specca will bring the fall planting design back to the board for approval in September. Ms. Specca stated that to avoid the look alike one more elevation needs to be submitted for Phase 4. Building permits are held until the elevations are approved by the board. No single family home elevations have been approved for Phases 5 & 6.

In the preliminary approval it states that the applicant agreed to stub out sewer lines and offered to contribute up to \$2,000 per household. This is a private agreement that was to be completed prior to the final approval; however the homeowner has the option to waive their rights. This will be a condition of final approval.

The fishing dock was approved in Phase 1 and it was suggested it remain, subject to Governing Body review. If they choose an alternate plan it will need to be referred back to the board.

The 10' strip between the commercial parking lot and the single family units needs an adequate buffer; the board deferred the review to Ms. Specca.

Mr. Banff displayed Exhibit A-3, Cover sheet final plat Phase 5. He testified that the lot lines have already been created for the commercial area. He asked that we approve the creation of the lots for the remaining phases for the subdivision and leave it unapproved for the site plan to which the board agreed.

Mr. Edelman stated that in regard to the 6 homes that could purchase the 30' strip, three do and the three that do not it will remain open space. Chairman Panfili asked Mr.

Edelman to send a certified letter to the homeowners that do not want it, and state that once the plot is final the offer is off the table. Mr. Edelman stated that the County required them to put a sidewalk in front of the homes.

Chairman Panfili opened the meeting for public comment.

Raymond Russell – 57 Old York Rd. expressed his concern that 10 feet of his new driveway will be taken to connect the sewer. He was informed that it's a country controlled right of way and the Township has no jurisdiction. The board asked ERI to look into it to see if it's a safe situation.

Nancy Schukraft – 63 Old York Rd. she is one of the three that would like the property in the back be deeded to her. She has some engineer issue dues to the fact that her property slopes down in the back and she is concerned with the drainage issue once the sewer line is put in. She also had pipes installed years ago and these could be disrupted when the construction begins. She asked if the Township Engineer could look into this. Mr. Hirsch stated that an inspector will be there while it's being installed. Mr. Edelman stated that the applicant will hook a stub to the property line but it's up to the homeowner to complete the construction.

Hearing no further public comment, the public portion was closed.

Mr. Heinold went through all the conditions associated with the application.

A motion was made by Mr. Hlubik second by Mr. Nunziato to approve the application with condition noted. A roll call was taken:

Mr. Malison-yes; Mr. Nunziato-yes; Mr. Hlubik-yes; Mr. McMahon-yes; Chairman Panfili-yes; Mr. Russo-yes.

All in favor, motion carried.

DISCUSSION

Traditions Single Family Elevations

Ms. Specca went through her review letter dated May 17, 2016. Regarding shutters the applicant agreed to have 60% of the units with shutters and no less that 15" in width. The applicant will put shutter dogs on both the townhouses and singles.

In regard to porches, not enough units are selling so in order to meet the 60% requirement the applicant agreed to put porches on the homes regardless.

All elevation approvals on single family homes in Phase 3 & 4 will also be approved for Phases 5 & 6. Ms. Specca will approve the look alikes.

There is a need for additional elevations to avoid the look alike issue. There were a few colors palettes that were agreed are to similar and will not be next to each other.

Going forward the applicant agreed to put 4" trim between double windows.

Regarding dimensions the applicant stated that the plot plan shows specific homes on specific lots for the Engineers review. Mr. Edelman asked if he could sell an Alexandria model on a smaller lot in Phase 3 or 4 but not going forward. Mr. Hirsch stated that

provided that no separation is less than 8' to an adjacent house. Mr. Heinold asked that confirmation of the ones already sold be sent to the board.

Ms. Specca asked Mr. Edelman to submit 2 sets of all the names, date and model numbers for all the approved models.

Proposals – (Richmond) Traditional have a bay window and brick and Traditional II have shutters, brow window and remove dormer. Mr. Edelman is willing to have them separated by one home because the roof lines are the same.

(Shenandoah) Classic will add dormers to the roof, Classic II has partial hip roof, and Classic III will have dormers and a railed portico. The Classic and Classic II are look alike also the Classic and Classic III are look alike, Classic II and Classic III are not look alike. These elevations are also approved for Phase 5 & 6.

Historic Preservation Ordinance

The board had a short discussion and it was recommended that this be a 5 person advisory board with no required escrow fees should be posted. It should be a Township resident committee only. It should be designated to the historical districts; outside the historic village district someone could voluntarily put their house in review. Mr. Heinold the board could phrase that we don't recommend stand alones and move forward with the Villages. If in the future the committee would like us to review the stand alones we could then create a committee to do the review. Mr. Heinold will let Mr. Gillespie know the changes to give to the Township Committee for consideration. It will then come back to this board for consistency review.

CORRESPONDENCE

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. McMahon seconded by Mr. Shah to adjourn. All were in favor, meeting adjourned at 10:39 PM.

Respectfully submitted,

Aggie Napoleon, Secretary