

CHESTERFIELD TOWNSHIP PLANNING BOARD

April 21, 2015

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: Gerard Hlubik; Jeremy Liedtka (7:05); Joseph Malison; Glenn McMahon; Alex Robotin; F. Gerry Spence; Mary Acevedo (7:05); Michael Russo; Chairman Panfili. Absent: John Nunziato and Jignesh Shah. Professional staff present: Douglas Heinold, Solicitor; Joseph Hirsh, Engineer; Barbara Fegley, Planner

MINUTES

March 17, 2015 Regular Minutes

A motion was made by Mr. Spence seconded by Mr. McMahon to approve the March 17, 2015 Regular minutes. All were in favor with the exception of Mr. Malison who abstained. Motion carried.

RESOLUTIONS

None

APPLICATION FOR ACTION

Richard Schmidt Informal/Concept

Mr. Richard Schmidt is a contract purchaser, he would like to obtain a use variance for an off road rider education center at a future meeting. He met with the Township Engineer to get feed back. The center will rent trail bikes; ATV's and side by sides to teach students how to ride off road safely. The training center would utilized cones to outline the course it will be approximately 6 acres of entry level track and 6 acres of wooded area with trails. It will have a small office attached to a storage building, a paved driveway apron leading to a stoned driveway and parking lot which could hold about 20 vehicles. The proposed location is on Bordentown-Crosswicks Road it will back up to the Turnpike. The classes would be mainly on Saturday and Sunday and maybe one day during the week. The classes are seasonal and run from March till December depending on weather. The board suggested he talk to the surrounding neighborhood not just the immediate neighbors, also he should talk to the County regarding the drainage. Mr. Heinold suggested he get the 200 foot list to know what neighbors he should talk to.

Steve & Tricia Ligato Block 301 Lot 24.02, 383 Ellisdale Road, Bulk Variance

Steve and Tricia Ligato were sworn. Mr. Ligato testified that they are before the board to seek a bulk variance to construct a 26' by 27' addition on the rear of the existing one-

story dwelling, the required setback is 75 feet, he is seeking a 52.17 foot setback. In response to the Engineers letter dated March 25, 2015 the dimension of the eastern side of the property line will be 36 feet. They are not raising the height of the structure it will remain 17 feet high. The total square footage of pavement between the crushed stone and the pavement is approximately 7% which is under the maximum 15%. In the rear yard by adding 26 sq feet to the existing structure it is still within the required safety buffer. The board suggested he change the dimensions to 55 sq feet for the side yard setback.

Chairman Panfili opened the meeting up for public comment, hearing none the public portion was closed.

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

A roll call was taken:

Mr. Hlubik-yes; Mr. Liedtka-yes; Mr. Malison-yes; Mr. McMahon-yes; Mr. Robotin-yes; Mr. Spence-yes; Chairman Panfili-yes

All were in favor, motion carried.

Mr. Ligato was informed that if he would like to start the process before the resolution is approved he could do so as an at risk permit.

Chairman Panfili called for a 5 minute break @ 7:56

The meeting resumed at 8:00. Mr. Liedtka and Mr. Lido recused themselves for the Traditions application Mr. Liedtka left the meeting @ 8:00.

Richard Jones Block 202.03 Lot 4, 11 Thorn Lane, Bulk and Use Variance

Mr. Heinold stated that a letter from the Township was circulated to the board members regarding a situation between the Township and the applicant, some of the residents asked if this application would be heard at tonight's meeting and board members informed them that it would not. This then becomes a notice issue and therefore the board has extended the application without further notice to the May meeting. Mr. George Mardinly the attorney representing Mr. Jones introduced himself to the board.

Chairman Panfili left the meeting @ 8:05. Vice Chair Malison took over the meeting

Traditions at Chesterfield LLC Phase 3 & 4 Block 206 Lot 500, Old York Road, Final and Major Subdivision, Final and Major Site Plan, Bulk Variance

Mr. Jonathan Heilbrunn, Esq. representing Traditions stated Phase 3 & 4 are part of a 96.9 acre tract of land which was approved in October 2008 and memorialized in 2009. The property is being developed from East to West; this application will conclude the portion connecting Saddle Way. The bulk variance being requested is for the height of the buildings. In tonight's testimony the applicants professionals will address ERI's letter dated April 15, 201

Mr. Adinolfi, Mr. Edelman, Mr. Biegen and Mr. Higgins were sworn.

Mr. Biegen, Professional Engineer introduced Exhibit A-1, Phasing Plan page 89 of 89.. He stated that the construction is being done from East to West due to the sanitation flow. They are seeking approval on Phase 3 & 4 which will be filed by separate plats. Phase 3 will consist of 43 residential units which include 12 village houses; 21 triplex/duplex units and 10 condominium units. It also includes retention basin C and the construction of Saddle Way from Old York Road to the existing Saddle Way at Bridle and Polo Lane. There are also open spaces and bike baths that will be created. Phase 4 will be on the other side of Saddle Way and will consist of 25 residential units which is 2 preliminary village houses; 5 village houses and 18 triplex/duplex units. Also created will be retention basin B and will also have some open spaces. Phase 4 will also be connected to Saddle Way. The commercial pad will also be established as part of Phase 8 it will be left open and will be padded for future development. They are seeking a height variance for the triplex and duplex units where as 35 feet is allowed they are proposing a 3 story building with a height of 38.49 feet. The units will not have basements, the first floor will be the garage, and 2nd and 3rd floors will be living areas. It will be a more compact building with a larger set back.

Exhibit A-2 Phase 3 house cross section was marked. This shows the town house at a height of 38.49 feet, the condominium building at an approved height of 46.2 feet and the future retail building have been approved at a height of 49.5 feet. The slope is off of Old York towards the stream, the closest town home is 200 ft from Old York Rd approx 5 ft lower in elevation. In the rear the closest unit to the existing homes on Saddle Way are 300 ft. and approx the same elevation.

In response to ERI's letter regarding the design waive; for the distance between the sidewalk and finished floor to be between 2 ft and 4t. Mr. Beigen stated that because due to the elevation between the alley way and the road he is requesting that in preparing plot plans that they be able to address this on a case by case basis as construction permits are being applied for. Mr. Malison question the reasoning for the height variance, Mr. Beigen stated that they are seeking the same height that was previously approved for Phase 1.

The board required the applicant to put a temporary curb connecting Phase 2 to the circle on Saddle Way so that a sidewalk is functional. Mr. Hirsh asked if the applicant could grade and seed in the area of Phase 8 and a portion in the area of Phase 7. The width of the pavement on Saddle Way to accommodate emergency vehicles upon the Engineers approval.

Mr. Higgins, Planner testified it is a hardship due to the water tables therefore the applicant is seeking the 38.49 feet height variance. Regarding the use variance he stated 4 objectives, the mixed use, he zoning approach the reduction in automobiles and the architectural designs and theme to enhance traditional Chesterfield. He believes the units are marketable and will have a positive impact on the community. Mr. Malison suggested more landscaping will soften the fronts of the 3 story buildings. There is a scale issue due to the substantial height difference and the trim and shutters need improving.

Mr. Edelman stated that if approved they could redo the street scape. He will look into the width of the shutters. He asked for approval subject to the elevations going before the TRC and further review of fronts and rears. They will put white stain on the decks and also on all the decks that have previously been sold.

Vice Chair Malison opened the meeting for public comment.

Don Coover stated that he doesn't mind the 3 story and they must have a lot of stairs but they must be selling.

Ken Buckholz stated that the water level is 4 to 5 feet in Phase 1 so he has a concern with that in Phases 3 & 4.

Hearing no further public comment Vice Chair Malison closed the public portion.

A motion was made by Mr. Spence seconded by Mr. McMahon to approve the variance subject to coming back before the TRC for an architectural review. Mr. Heinold went through the conditions as already stated. Mr. Spence stated that the Environmental Commission suggested putting something around the basins to control the geese issue, In regard to the shortage of trees, Mr. Edelman stated that over the years they have taken trees out of the alley ways due to site issues. As far as replanting shrubbery he will work with the Engineer to create a barrier around the basins.

A roll call was taken:

Hlubik-No; Mr. Malison-yes; Mr. McMahon-yes; Mr. McMahon-yes; Mr. Robotin-yes; Mr. Spence-yes; Ms. Acevedo-yes; Mr. Russo-yes.

The vote was one no and seven yes, motion carried.

Mr. Edelman stated that he met with the TRC regarding the elevations for Traditions there are no new models, they took all previously approved models and made modifications. Adding shutters eliminated hip roofs and made them into gapers. He asked for approval of a brick waynes coat to be an option. This would be on the front and wrap around the side.

A motion was made by Mr. Spence second by Ms. Acevedo to approve the elevations.

A roll call was taken:

Hlubik-yes; Mr. Malison-yes; Mr. McMahon-yes; Mr. McMahon-yes; Mr. Robotin-yes; Mr. Spence-yes; Ms. Acevedo-yes; Mr. Russo-yes.

DISCUSSION

Historic Preservation Ordinance

Tabled till May meeting

CORRESPONDENCE

None

INVITATION FOR PUBLIC COMMENT

Vice Chair Malison opened the meeting for public comment.

Mr. Little on behalf of Ms. Heptinstal. His client was before the board and was approved for a four lot subdivision, one lot has two dwellings and his client would like to rent one of the dwellings as a separate unit. Mr. Heinold stated that they didn't need to come back before the board because when it was approved for turning it from commercial to residential it therefore created 2 dwellings on the one lot. Mr. Little will have to verify that the unit has its own sewer in order for Mr. McMahon to give a CO.

Mr. Coover expressed his concern that at tonight's meeting the Resolution was not memorialized for the E & E application. Mr. Heinold informed him and the board that the escrow account needs to be addressed before any more work is done.

ADJOURNMENT

A motion was made by Mr. McMahon seconded by Mr. Spence to adjourn. All were in favor, meeting adjourned at 9:56 PM.

Respectfully submitted,

Aggie Napoleon, Secretary