

CHESTERFIELD TOWNSHIP PLANNING BOARD

June 8, 2010

The meeting of the Chesterfield Township Planning Board was called to order by Chairman De Felippis at 7:35PM. The Open Public Meetings Act statement was read and compliance noted.

Roll call was taken showing present: Donald Coover, Lawrence Durr, Brian Kelly, Glenn McMahon, Joseph Malison, John Nunziato, Lido Panfili, F. Gerry Spence, Brian Wilson, Matthew Weismantel, John Nunziato and Chairman DeFelippis. Professional staff present: Frederick Hardt, Solicitor; Nancy Jamanow, Engineer; Phil Caton, Township Planner. Absent: Deborah Kelly.

MINUTES

May 11, 2010 Meeting

A motion was made by Mr. Spence, seconded by Mr. Wilson, to approve the May 11, 2010 Regular Minutes. The vote was in the affirmative, with the exceptions of Mr. Kelly and Mr. Panfili, who abstained, motion carried.

INVITATION FOR PUBLIC TO SPEAK – Matters not on the Agenda

Chairman DeFelippis opened the meeting for public comments.

Sherry Dudas – 258 Ellisdale Road. She purchased the farm on Ellisdale Road with her husband. The previous farmer, Nick Russo, left a block of Strawberries. They opened this are up to their members for them to pick their own off of Harker Road. They needed a parking area and decided the Harker Road side off an existing farm lane would be best. Ms. Dudas stated the strawberry season is short. There are about 150 families in Chesterfield that are members to their organic farm. It will take the farm on Ellisdale Road 2 years to be completely organic. They will have no members coming to Harker Road on a regular bases. Their distribution center is located at 42 Chesterfield-Georgetown Road. Ms. Dudas indicated that the strawberry pick our own will not be open every day. Mr. McMahon stated that the minor site plan would be required for less than 10 parking spaces and a driveway apron. Ms. Jamanow stated that certain activities do not require a site plan. She suggested she discuss this with Glenn McMahon, Zoning Officer and get back to the applicant.

Ed Shanks – 44 Harness Way and Bill DeSantis – 46 Harness Way. Mr. Shanks stated they are here regarding the fence along Harness Way. He read a letter sent to Mayor Kelly. They want to eliminate the fence. Mr. DeFelippis stated there is a steep incline and his concern is that without the fence a toddler could end up in the pond. Mr. DeSantis stated the fence is not going to deter kids. Phil Caton state that Judy Buster inspects the installation of the fences and saw an issue and has requested the fence be

moved further down the slope. This will eliminate half of the fence from the residents view. The fence runs along a 10' bike path. Mr. Malison is not in favor of eliminating the fence. Mr. Weismantel concerns are if the fence is not there then there would be sledding in the winter. Mr. DeSantis would like the fence lowered or be able to see through it.

Alice Thompson – 46 Harness Way. She does not want the fence; she stated that plans could be changed. If the fence goes in, there will be no view of the pond. Ms. Jamanow stated it could be moved closer to the water. Mr. Caton will look into moving the fence toward the pond and how high it will be vertically. Mr. Durr stated that safety is the issue.

Mr. Wilson stated that the County is working on regulations for farm markets. They are trying to be proactive and hope to have it to the township in the next few months.

RESOLUTIONS

18-2010 Heritage @ Chesterfield S.F. LLC: Block 107.06, Lot 1; 82 Bordentown-Crosswicks Road; Minor Site Plan Amendment for Sales Office in the Planned Village Development District.

Solicitor Hardt stated that he would like the resolution amended to say the escrow fees be settled before

A motion was made by Mr. Spence, second by Mr. Coover, to approve Resolution 18-2010. All were in favor, with the exception of Mr. Malison, Mr. Wilson and Mr. Kelly, who abstained, motion carried.

19-2010 New Cingular Wireless PCS, LLC: Block 103, Lot 21; 101 Hogback Road; Minor Site Plan and Conditional Use for the Installation of a Transport Dish Antenna in the Agricultural District. Approved waivers and deemed complete.

A motion was made by Mr. Coover and Seconded by Mr. Spence to approve Resolution 19-2010. All were in favor, with the exception of Mr. Durr, Mr. Malison, Mr. Kelly, Mr. Panfili and Mr. Wilson, who abstained, motion carried.

APPLICATIONS FOR ACTION

New Cingular Wireless PCS, LLC: Block 103, Lot 21; 101 Hogback Road; Minor Site Plan and Conditional Use for the Installation of a Transport Dish Antenna in the Agricultural District on an existing tower.

Mr. Durr and Mr. Malison excused themselves from the board as they both have cell towers on their property. Mr. Weismantel and Chairman De Felippis excused themselves

from the board as they both use ATT as their carrier. Mr. Durr, Mr. Malison, Mr. Weismantel and Chairman DeFelippis sat with the public.

Solicitor Hardt asked for a nomination from the board to appoint a Chairman. A motion was made by Mr. Wilson, seconded by Mr. Spence to appoint Mr. Coover as Chairman for the hearing of New Cingular Wireless application. All were in favor Motion carried.

Mr. Michael Lavigne the attorney for New Cingular Wireless, Mr. Mark Damiano a Professional Engineer and Mr. Chris Cathart, Radio Frequency Specialist were sworn and all were recognized for their profession and are qualified to testify.

Mr. Damiano displayed a board showing the equipment and elevation of the tower. He stated they agree with Ms. Jamanow letter of May 10, 2010. There will be on cabinet to be placed on the existing slab and a 25" square by 30" dish with is an inconsequential addition. Mr. Cathart stated that the microwave transport dish will enable the customer to use more services. It will be at the same placement as the existing dish just increasing the capacity.

Chairman Coover opened the meeting for public comment.

Mr. Malison - 15 Chesterfield-Georgetown Road – asked who is maintaining the landscape. It has been dead for a few years now and who is going to replace the trees. Mr. Lavigne stated that American Tower Company operates the tower. The carrier is responsible for the vertical lease site. Mr. Malison state that the dead trees were 10-12 ft white pines when they were put in. Mr. Hardt asked the applicant if they are wiling to add white pines to supplement the dead trees on the tower in question. Mr. Lavinge agreed to it for the tower they are using.

Mr. Lawrence Durr of 137 Old York Road wanted to know if adding the dish would create additional revenue to the land owner or carrier. Mr. Lavigne stated that he did not know, that depends on the lease agreement.

A motion was made by Mr. Coover and seconded by Mr. Wilson to approve the application New Cingular Wireless. A roll call was taken, Mr. Coover–yes, Mr. Kelly–yes, Mr. McMahon–yes, Mr. Spence–yes, Mr. Wilson–yes, Mr. Panfili–yes, Mr. Nunziato–yes; motion carried.

Mr. Durr, Mr. Malison, Mr. Weismantel and Chairman DeFelippis returned to their seats on the Planning Board.

DISCUSSION

Extension of Solicitor Contract – a motion was made by Mr. Coover, seconded by Mr. Malison to appoint Mr. Frederick Hardt as Planning Board Solicitor for the remainder of the year. A roll call vote was taken, Mr. Coover–yes, Mr. Durr–yes, Mr. Kelly–yes, Mr. McMahon–yes, Mr. Malison–yes, Mr. Spence–yes, Mr. Wilson–yes, Mr. Panfili–yes; Chairman DeFelippis–yes; motion carried.

Solar panels - Mr. McMahon stated that he has issued five permits and there are two pending, one for 10 Barryland Street which would be roof array and the other for 28 Chesterfield-Crosswicks Road which would be a ground array. Zoning requirements for roof tops in the village are they must be flat on the roof and cannot be visible from the street. The owner must get a building permit and an electric permit to install. The concern is the location and the maintenance. It was decided that Solicitor Hardt would revise the ordinance to state that anyone in any district will need a zoning permit for either type of mount, if it is a ground mount they must come before the board for approval.

Ordinance 2010-10 Conformance to Master Plan – A motion was made by Mr. Spence and seconded by Mr. Durr to table the discussion for next meeting. All in favor, motion carried.

CORRESPONDENCE

Letter from ERI regarding Jantorno Minor Subdivision

Ms. Jamanow stated that the application has not been re-affirmed or denied by the board. The Secretary will confirm with Mr. Hardt.

Letter from ERI regarding Cross Creek Phase 2 Tot Lot

The last thing to be completed for Cross Creek Phase 2. Cross Creek Phase 2 is a 20 lot subdivision off of Harness Way

Letter from ERI regarding Re-Construction of Saddle Way

Ms. Jamanow stated that the board had asked her to present some alternatives for the re-construction of Saddle Way. She presented six different options to the board. Ms. Jamanow stated that not only should the roads in front of the school be looked into but also the houses in the area as well. One is just as important as the other. Ms. Jamanow breaks it down into three groups, Single family, school section and the triplexes. Ms. Jamanow also mentioned that before Renaissance is complete she would make a suggestion to revise the road width. Mr. Caton made comment that he likes the idea of the cobble stones in the medium and this would make it available for conversion if needed, also that it looks better visually.

Mr. Wilson said he would meet with District 1 Fire and they will come up with some sort of solution for the next meeting.

June 8, 2010 Planning Board Meeting

INVITATION FOR PUBLIC TO SPEAK

Chairman DeFelippis opened the meeting for public comment. As there were no comments, the public portion of the meeting was closed.

ADJOURNMENT

There being no further business, a motion was made by Mr. Spence, seconded by Mr. Panfili, to adjourn. All were in favor, meeting adjourned @ 10:00.

Respectfully submitted,

Aggie Napoleon, Secretary