

Planning Board Meeting

Borough of Watchung

April 18th, 2006

Chairman Speeney called the meeting to order at 7:48 p.m. and stated that notice of this meeting had been posted in the Borough Hall, filed with the Borough Clerk and given in the way of notice to the Courier News, Echoes Sentinel, the Reporter and Star Ledger in conformance with the N.J.S.A. 10:4-6 et seq.

Present on call of the roll were: Speeney, Boyd, Havas, Pennett, Page, and Schaefer. Mayor Ellis arrived at 7:55 p.m. and Councilman Mobus arrived at 8:22 p.m. Also present were Board Engineer Tom Herits and Board Attorney Bob Rusignola.

A motion was made to waive the reading and to approve the minutes of the March 21, 2006 meeting by Mr. Boyd, seconded by Mr. Havas and approved on voice vote.

Chairman Speeney stated that **PB 06-04** application for 47 Cedar Road will not be heard. He stated that the applicant asked for the application for it to be carried, because of a new drawing submitted, and they will be carried to the May 16th meeting, and there will be no further notice. A motion was made to carry this application to the May 16 meeting. A motion was made by Mr. Boyd to carry, seconded by Ms. Pennett, and approved by voice vote for the purposes of giving the Board sufficient time to review the amended plans.

Chairman Speeney stated that on the application **PB06-05** for K & R Valley, LLC there is a question of notice so the application is not complete. Mr. Rusignola stated that anyone who is within 200' will be given notice.

Havas called:

**PB06-02 Prestige Mountain Homes, LLC
909 Johnston Drive
Block 69.06, Lot 3
Minor Subdivision**

Applicants were not present. Mr. Rusignola indicated that August Santore, attorney for the applicant was at the March 21st meeting, and it was agreed that it would be adjourned until this meeting April 18th, to allow the applicant to develop a sewerage plan. Board received no calls with notice for a request a postponement that they would not be present, so Board has the ability to call it null and void, or to carry it to next month. Chairman Speeney asked for a motion to carry this application to the meeting of May 16th, 2006. Ms. Pennett, seconded by Mr. Boyd, made a motion and a discussion ensued as to whether there should be some admonishment to the applicant. Chairman Speeney asked for an amendment to the motion stating that if the applicant is not present to attend the next meeting of May 16th, that the motion will be termed denied. Ms. Pennett made the motion, with a second by Mr. Boyd, and the amended motion was carried by a voice vote. Ms. Schaefer did not vote.

Havas called:

PB06-03 Pasquale Grande
92 Stirling Road
Block 40.01 Lot 5
Minor Subdivision

Mr. Mark Briteman, attorney for the applicant was present. He stated that they are seeking a two-lot subdivision of 92 Stirling Road, Watchung Block 40.01 Lot 5, owned by Pasquale Grande. He stated that they are seeking to subdivide the property into two conforming lots. He said that the lot conforms to the bulk requirements of zoning ordinance, however they are seeking a variance for a common driveway to be accessed from Natale's Way, which is part of the Senior Citizen project. He had worked out an agreement with the board, that he would provide access from his client's property through Natale's Way, so that no further curb cuts would be made on Stirling Road, which the County had requested. Mr. Speeney asked if there was a revised plan, and Mr. Briteman stated that they have a revised plan which showed a reorienting of the two homes, instead of facing Stirling Road, facing them to each other. He stated that they do not think this plan enhances the property, and it is not aesthetically pleasing. His client would like to remain with the original plan that was submitted with the original application.

Mr. Briteman called Mr. Paul Fisk, design Engineer for the applicant. Paul Fisk, from Fisk Associates, 631 Union Ave., Middlesex, New Jersey licensed Engineer in good standing in New Jersey. Mr. Rusignola swore him in and recommended him as an expert in his field.

Mr. Fisk explained that this lot is located in the RA residential zone district, and consists of approximately 43,600 sq. ft. Property is 200' wide by 210' deep. What is being proposed are two single family residential lots measuring 100 by 210' feet in depth, for a total of 21,000 square feet. The lots meet all zoning requirements except the effect of chapter 138 for a driveway in a side yard. As shown on the drawings, you have a common access drive coming across Natale's Way, with no access to Stirling Road. No access is permitted down to Stirling Road. Sewer water and gas are available which would serve both lots. There is an existing house on the property at present, which would come down. The property slopes from North to South, and is approximately 1 acre. He stated that Minor Subdivision sheets known as sheet 1, being the plan, and sheet 2, which indicates the existing survey of the property. Sheet 3 is a soil erosion sediment control plan.

Mr. Fisk was asked by the board about the discussion at the last meeting about the proposed driveway, and the curve. He was asked if that was redesigned. Mr. Fisk submitted evidence marked A-1 which were plans and A-2 was a driveway modification. Referring to A-2, it showed that the severe bends in the first drawing of the driveway, would be smoothed out with the new proposed alignment of the new driveway. He was asked if the proposed homes would be similar to the existing homes in the area, and Mr. Fisk said that the proposed bi-level homes would be similar. Chairman Speeney said that it wasn't necessary to go into the design of the new homes, that the issue at hand was the subdivision of the property. Mr. Fisk addressed the comments from the letter from Maser Consultants dated March 6th. Item number 1, referring to planning and zoning issues defer to the Planning Board's planner. Item number two refers to the variance of the driveway, being located in the side yards, and section 138-67B.1 does not permit that. Item number 3, is in regard to an updated checklist, and will be supplied to the Engineer. Item number four, regarding density computations in accordance with 118:8.C-1 and impervious coverage issues will be met. Density calculations for limitations of impervious coverage on the property have been met, and they are not requesting any further variance from those requirements. Other items as far as density calculations, below 20,000 sq. ft. requirement as far as zoning requirements. Item 5 applies to obtaining appropriate lot numbers from the assessor. That will be done. Item 6 plan being revised for appropriate walkways, shade trees, street lighting. 7 proposed shade trees are proposed. Monuments are shown on proposed plans. Item 7 regards to spot elevations, will be provided at all property corners and building corners. Item number 8 accordance with the private drive, we will provide all appropriate metes and bounds. Item number 9, roadway dedication, will be provided to the County, not the Borough. Item number 10 with regard to the drawings, will have basements, there is an entrance is through garage

level, so the first floor is located above the basement. Mr. Fisk said they have complied with the Storm water Management regulations. They will submit drainage calculations. Item number 13, they will comply with all Storm water Management regulations. Item number 14, they will comply with recommendations as far as clogging, might use a 4 inch pipe instead of a 2 inch pipe. Item number 15 as far as soil analysis, will be provided with the land disturbance application. Item number 16, with regards to water lines and sanitary sewer lines, no sanitary sewer lines or water lines are proposed for this property, because they are already existing. Item number 17, with regards to supplying additional construction details that will be done with the land disturbance application as well. With regards to the other 3 agencies reports, will comply with those 3 recommendations. Somerset County has already responded. They want to see metes & bounds descriptions, and \$20.00 for recycling fees.

Questions were asked about the locations of the dwellings. Mr. Boyd said that the new plan turned the homes 90 degrees, but that the exhibit plans did not show the orientation of the homes and the asphalt. Mr. Briteman said the applicant decided to go with the original plans, due to the aesthetics. He said the driveways were connected for several reasons, one being the elevation compared to Natale's Way. A discussion ensued about the common drive, about parking sufficiency, and blind spots in the driveway. Mr. Herits said that he felt that a 20' common width was satisfactory with him. The Board voiced concerns about the fact that 2 driveways were much safer for all concerned, and strongly suggested that 2 driveways would be considered with a common apron. Mr. Fisk said that he felt the impervious coverage with two driveways was the biggest concern. Mr. Briteman said he has no problem with 2 driveways, if they were given a waiver to address the impervious coverage issue. He said if the Engineer or Board recommended where they wanted the two driveways, and how wide they should be; they would apply for the waiver for impervious coverage. Mr. Herits mentioned a 16' width for the driveway.

Questions were raised about water flow during storms, but Mr. Fisk stated that the driveway would be built to grade, and that the water would "sheet flow" across the driveway, and there would be no net increase in water flow.

Ms. Schaefer stated that she strongly supported two driveways. Mr. Briteman was asked how landscaping would be addressed, due to the extra impervious coverage. He answered that additional landscaping could be put in between the two driveways, and on the sides of the homes. The Board agreed that landscaping should be put in.

Councilman Mobus voiced a concern about how fire trucks could navigate the driveways. Mr. Fisk stated that with two driveways, fire trucks would have an easier time negotiating the driveways.

Mr. Rusignola asked if a waiver for walkways was given by the Board, would the applicant be willing to contribute to the sidewalk fund. Mr. Briteman said yes.

A question was raised as to what easements the applicants are looking for, and Mr. Briteman stated that the easement from Natale's Way to the driveway have already been filed. There will be another easement for the common driveway.

The application was opened to the Public for questions. Mr. Phil Whitting came forward, from 63 Fawn Lane, Watchung NJ. Mr. Whitting asked about the issue of steep slopes on this property, and Chairman Speeney told him, that the issue at hand was questions for Mr. Fisk. That portion was closed.

Mr. Briteman discussed the past difference of opinion on the easement on this property on his and Natale's Way. Certain benchmarks have to be met, and when they are met, there will be a full abandonment of Mr. Whitting's easement. Mr. Briteman stated that in his opinion, portions of the easement have already been abandoned and hopefully, they can work out the other benchmarks, and go from there.

Mr. Whitting came forward and was sworn in by Mr. Rusignola, and read his letter of April 18th, 2006 into the record. Letter was addressed to Chairman Speeney and Mr. Briteman did not object to the reading of his letter. Mr. Whitting objected to the proceeding of this project, until all his issues have been met. He stated that he had an agreement with Mr. Natale, not Mr. Grande. He said his easement was exactly the same as the one Mr. Grande gave to Mr. Natale.

Mr. Rusignola said that the issue before the Board was the subdivision. He said if there was indeed a deed restriction that the applicant and Mr. Whitting, would have to deal with this between themselves. He said that the approval of this subdivision would be conditioned upon relinquishment of the easement between Mr. Whitting and the applicant. He stated that the Board was dealing with access and right of access to something that is off Natale's Way. Mr. Briteman agreed that it would be worked on between them.

Mr. Boyd asked if the proposed houses would be considered bi-levels. He wanted to know if the proposed homes would be considered one or two story homes. Mr.

Briteman stated that the existing home is now a one-story home. He said that the proposed homes would be similar structures.

Mr. Briteman stated that he would like to continue until the meeting of May 16th, 2006, and they would submit all info and revised plans for that meeting.

Chairman Speeney stated that if all info needed was supplied in a short amount of time, that it could be possible to let this application be heard first at the next meeting if the Board was willing to take this application out of order. The Board asked if it was possible to get a sketch of the proposed homes for the next meeting. Mr. Briteman said he would try and get something drawn up and submitted for the Board.

Chair indicated that a continuation of PB06-03 to the May 16th Meeting, and the application was carried.

VOUCHERS

Vouchers listed on the Agenda were approved for payment on motion of Mr. Havas, and seconded by Ms. Pennett, and unanimously approved on roll call.

ADJOURNMENT

The meeting was called at 9:28 P.M. at the call of the Chair, until the next meeting of May 16th, 2006

Respectfully submitted

Carolyn Taylor
Planning Board Clerk