

**Borough of Watchung  
Planning Board Meeting  
November 20<sup>th</sup>, 2007  
Minutes**

Chairman Speeney called the meeting to order at 7:33 p.m. and stated that notice of this meeting had been posted at 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 at the call of the roll were: Speeney, Boyd, Havas, Haveson, Addario, Pennett, Ellis and Pote. Also present were Borough Engineer Tom Herits and Board Attorney Frank Linnus. Chairman Speeney indicated that there was a quorum to conduct business.

A motion was made to waive the reading of and to approve the minutes of the meetings of October 16th, 2007 and November 13<sup>th</sup>, 2007 by Mr. Haveson, seconded by Mr. Havas and approved by voice vote.

Havas called: PB07-R17 Cingular Wireless  
PB06-06 Cingular Wireless  
799 Mountain Blvd. Block 2.02 Lot 7.01  
Amended Site Plan Approval

The Chair accepted the reading of the resolution as a motion to accept, seconded by Mr. Haveson. Chairman Speeney opened up discussion from the Board. Mr. Boyd said that he went on a site visit to the Cingular site, and when looking at the area, he thought that if evergreens were planted in lieu of leather-leaf viburnum, they would provide more screening than deciduous flora. Mr. Linnus said that the Board already had agreed upon the leather-leaf viburnum and could not change their minds now. There was no more discussion and the Chair had the Clerk do a roll call. The vote was as follows:

**Speeney [yes] Boyd [yes] Havas [yes] Haveson [yes] Addario [yes]**

**Pennett [yes] Ellis [yes] Pote [yes]**

The motion carried.

Havas read: PB07-05 Map Investment Co.  
40 Stirling Road  
Block 40.01 Lot 1  
Amended Site Plan Approval

Wendy Berger, Esq. of Cole Schotz, attorney for the applicant was present. Ms. Berger said that she proactively met with the Borough Engineer Tom Herits to discuss whether raising the height of the fence would create a variance. Mr. Herits stated that he had gone on a site visit with the Engineer for the Applicant. He said that the original plan called

for a retaining wall. He said that this wall meets the existing grade. Mr. Herits said that he saw three options:

The first option was to install a new fence in the same location as the existing fence, and install landscaping with additional evergreens on the Kaminski property.

Option two would be to install an 8' fence on the first 3 properties up to the McDonald property, closer to Kaminski, then it would drop off and leave the Kaminski fence where it is.

The third option was instead of a 6' fence along the retaining wall, install an 8' fence instead on the property line, with additional plantings.

The Chair asked Mr. Herits which option he would prefer, and Mr. Herits said option 3. He said that option three would be the plantings as originally proposed, with additional plantings on the Kaminski property. The Chair responded that the problem he saw was that the plantings that Mr. Herits is discussing would be on private property, and the applicant would need approval from the property owners. Mr. Boyd asked if an 8' fence on top of the wall, would it be equivalent to the elevation of the existing fence. Mr. Herits said no, that it would be several feet lower. Mayor Ellis said that would need to be an agreement between the applicant and the property owner. Mrs. Pennett asked if any of the options would destroy plant or tree growth. Mr. Herits said that it didn't appear that way.

Chairman Speeney brought up the lighting on the applicant's property, and asked if the lights would be on a timer, and could they go off by 9PM. Ms. Berger said fine, other than security and emergency lighting.

Chairman Speeney said that the issues were the fence, the lighting, and an offering of a planting plan on private property.

A revised landscape plan was presented dated 11/19/07 and marked 24.01.

Mr. Addario asked if the Board could impose a time constraint to have this all done. Mr. Linnus said that a time limit has not been discussed. Mr. Speeney said that any time limits should be those allowed/required by MLUL based on an approval of the application. He said that the applicant needs permission from neighbors for any work done on their property. Mr. Linnus said that the applicant has two years with 3, 1 year extensions to finish the work. Mr. Linnus said that there should be a time frame for the posting performance bonds.

The Chair sought a motion to have the attorney draft a resolution in the affirmative. Mr. Havas, seconded by Mr. Haveson, made that motion. The Chair said that the application would remain open, and carried until the special meeting of December 11<sup>th</sup>, 2007 with no further notification necessary.

Havas read: PB07-05 Amerigo Checchio  
909 Johnston Drive  
Block 69.06 Lot 3

David Checchio Esq., attorney for the applicant of 107 Mt. Horeb Road was present. Mr. Checchio explained that the subject property was located in the R-R zone. Mr. Checchio said that this application was a minor subdivision of 2 residential building lots. Mr. Checchio introduced Mr. W. Leland Titus of 618 Somerset Street, North Plainfield, engineer for the applicant. Mr. Titus was sworn in and recognized as an expert in the field

of engineering. Mr. Titus did a brief summary saying that the property is in a 60,000 sq. ft. zone, and that the square footage of the property was 143,226 sq. ft. Mr. Titus said that this parcel was previously the Kaplan property and that lot 3.01 was 72,480 sq. ft. and lot 3.02 was to the east and was 70,746 sq. ft. Mr. Titus said that last year this same subdivision was approved in resolution PB06-R8, and that this application was identical to the previous one. Both lots are conforming.

The Chair asked Mr. Checchio to review the prior conditions of the last approval.

Mr. Checchio said that no further subdivision was a condition that would run with the land. Another condition was that the house must be razed. Mr. Checchio said that the house has already been razed. Another condition was that the board recognized the passing of a resolution authorizing a contract with Lee T. Purcell Assoc. for the design and implementation of sanitary sewage facilities Extensions Johnston Drive and Skyline Drive, dated May 11, 2006.

Mr. Herits said that the sewer project was advertised to go out to bid. Ms. Pennett asked what happens if for some reason the sewers don't go in. Mr. Herits said that in that case, the applicant could go to the Board of Health and get a septic permit.

Mr. Herits said that he would like to see a sanitary sewer easement along the northeasterly property line within the setback. A 20' easement was discussed. The applicant agreed to this condition. Chairman opened to the public and no one came forward. The public portion was closed and the Chair sought a motion to have the attorney draft a resolution in the affirmative. Mr. Havas made the motion which was seconded by Mr. Haveson. The Chair said that the application would remain open, and carried until the special meeting of December 11<sup>th</sup>, 2007 with no further notification necessary.

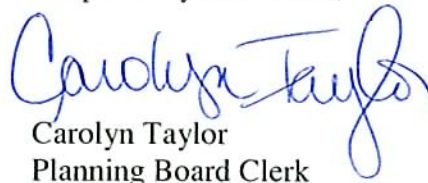
Chairman Speeney asked for a motion to approve the vouchers as submitted. Mayor Ellis made the motion, seconded by Mr. Addario and the Clerk called the roll:

**Speeney [yes] Boyd [yes] Havas [yes] Haveson [yes] Addario [yes]**

**Pennett [yes] Ellis [yes] Pote [yes]**

The vouchers were approved. The Chair asked for a motion to adjourn the meeting until the next special meeting of December 11<sup>th</sup>, 2007. All were in favor, all voted yes. The meeting was adjourned at 9:45PM

Respectfully Submitted,

  
Carolyn Taylor  
Planning Board Clerk