

**PLANNING BOARD
REGULAR MEETING MINUTES**

JULY 31, 2018

**CALL TO
ORDER**

The Regular meeting shall be called to order at 7:01 p.m.

FLAG SALUTE

The Board then saluted the flag.

ROLL CALL

On a call of the roll, the following Board Members and Officials should be present:

BOARD

Mr. William Hering
Mr. Raymond Giacobbe, Mayor
Ms. Danielle Newbury, Mayor's Designee
Ms. Lisa M. DaSilva, Commissioner
Mr. Jeremy Mojica, Commissioner
Mr. Richard Watkins, Commissioner
Mr. Robert Simon, Commissioner
Mr. Alexander Shipley, 1st Alternate Commissioner
Mr. Thomas O'Reilly, 2nd Alternate Commissioner
Mr. Mary Pidgeon, Esq, Board Attorney
Ms. Jacqueline Dirmann, City Engineer
Mr. Paul A. Phillips, City Planner
Mr. Jeffrey Robinson

*Absent from this Meeting was Mayor Raymond Giacobbe; Commissioner Watkins, Commissioner Newbury.

MINUTES: Any necessary changes to the Planning Board minutes of June 26th, 2018 shall be made at this time and approved by action of the Commissioners.

Motion: Commissioner Simon; Second: Commissioner DaSilva

Yes: Commissioners DaSilva, Mojica, Simon, Shipley and Robinson

No: none

Abstain: Commissioners Herring and O'Rielly

Absent: Commissioners Watkins and Newbury

Chairman Robinson opened the meeting with the regulations and reading of the agenda into the record. The following action took place:

SWEARING IN OF BOARD PROFESSIONALS

The Chairman called upon the following application: **#05/18 Diverse Development, LLC 888 W Inman Ave Rahway, NJ 07065 Block 43 / Lot 6 Applicant seeking preliminary and final major subdivision approval.**

Stephen Hehl of Hehl & Hehl, the attorney, stated his name and affiliation and was sworn in. Mr Hehl reiterated what the Board was to hear and what the applicant was seeking. He also introduced his witnesses, Thomas Quinn the Engineer, James Watson the Planner and Gregory Randazza the property owner. Mr. Quinn stated his name and affiliation and was then sworn in. Mr. Quinn provided a description for the layout of the existing conditions using a set of drawings that the board already had. Specific to the topography he spoke to what is currently there. Site contains 8 mature trees which is the only vegetation to speak of. He spoke to the proposal to erect 5 lots; 2 front on Bramhall; 2 on W Inman and the last has frontage on both streets with access on Bramhall. The applicants ask is only for two deviations that speaks to the lot depth deficiency. Mr. Quinn explained that the driveways follow the rules regarding the county requirements for the driveways on a county road which is Inman. The homes fit 1 car in the garage and up to 3 in the driveway. He covered the drainage concerned for the existing homes by advising that each new home has a drywell in the driveway and a grate that covers soil infiltration. 8 trees are going to be taken down.

Floor was opened to questions by Board. Commissioner DaSilva asked if the 8 removed trees will be replaced. Mr. Quinn said there is no detail on the plan but they are willing to address. He then began to address the professional's letters with the Planners being first. Specific to parking, the RSIS doesn't address a one car garage and a double lot driveway they feel complies. Mr. Quinn advised he has no issue with any of the items covered on the planners note. He is planning to plant at least 5 trees and there was sufficient greenery, but they cannot dictate what that would look like. Planner Paul Phillips confirmed everything else was covered and as long as they get 2 driveways the applicant has complied. Engineer Dirmann's letter was addressed next. Mr. Quinn's only issue was regarding sidewalk. Based off his explanation, it doesn't make sense to create a sidewalk that connects to nothing. The second item addressed relates to the ordinance covering parking in the front yard, but it is no longer an issue. Engineer Dirmann confirmed we would support the waiver on that. Landscaping was also addressed, and Mr. Quinn advised that the trees will satisfy the ask. Mr. Quinn confirmed that for the adjacent property, the grass will touch the adjacent properties asphalt. Mr. Quinn has no issue respecting the ordinance as it relates to location of ac's or compressors. Engineer Dirmann asked about the soil testing and drainage advising that the City would require reports before the final. Mr. Quinn advised he is happy to work with the engineer on anything the board wishes to have regarding the drainage. Engineer Dirmann also asked if the plans were submitted to the county to which the attorney confirmed they had not but would.

Floor was opened to questions by Board. Commissioner Mojica asked why there is not a basement. Mr. Quinn advised it was the applicant's choice. Commissioner Robinson questioned the trees that will be taken off, is there a plan for a fence and or shrubbery to increase the buffer? Mr. Quinn said yes there would be no issue. Second witness Gregory Randazza stated his name, affiliation and was sworn in. He presented Exhibit A1 which is a color version of the homes.

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Mr. Randazza went over facade, driveways, style and how each house will be landscaped. Hehl asked Randazza whether there was an issue with complying to which he said no. Commissioner Herring had a question regarding price. Randazza will be asking in the low 400's. The last witness, James Watson was called stated his name and affiliation and was then sworn in. Attorney Hehl asked Mr. Watson to cover the planner's perspective regarding the lot depth. Mr. Watson gave a detailed description about the land and advised that he is taking a non-allowed use to make it an allowed use. They met all the set back and area requirements.

Floor was opened to questions by Board. Commissioner Shipley asked a question regarding the yield. Mr. Watson advised that it complies. Commissioner Simon asked a question regarding the variances requested of the lot depth. Mr. Watson advised the variance covers two specific homes and the ask is just the relief specific to the side measurement.

Floor was opened to questions by the public. Heather Dube of 60 John Place spoke with a question regarding drainage permeability. Engineer advised it has not be finalized. HD's concern about increasing water intake for John Place homes taking in water and who would be accountable. Hehl answered that the redesign speaks to the drywell and covers the swale. HD's next question was again, who is responsible if John Place begins to flood after the following year. Hehl confirmed that the oversight is done during the design by the county/municipality. Engineer Dirmann said anything built should not affect the neighboring property. Applicant said he would address anything. HD's next question asked about the grating plan and how it would match. Applicant explained that it would match, and the entire street would be addressed. Engineer Dirmann added that the state storm water regulations is managed by the state and the reports are done.

Carin Freed of 78 John Place questioned the swale. Mr. Quinn explained how a swale works. CF's next question was on the trees coming down and whether the building will affect their trees. Mr. Quinn said he cannot answer to the trees that are not on their property. **Board took a 16 minutes break.** CF's next question was will there be parking on Bramhall and Inman. Applicant already addressed this. CF's next question was on pools and sheds. Applicant advised that accessory structures follow ordinance. CF's next question was regarding the bus stop. Applicant won't affect. CF's next question related to cemetery driveway and applicant confirmed there is no affect. CF's next question related to the sidewalk and the applicant said there is no affect. CF's next question was whether there was a traffic study regarding traffic on the point on the Bramhall intersection. Mr. Quinn said there is no warrant for a traffic study and the commercial space would have brought more of a concern. CF's next question was on fencing, the 6 ft fence has a concern because of the alleyway and who will maintain that alley in between the fence and the property because of the rat problem. Applicant said they would agree to shrubbery vs a fence. CF's next question on whether the new owners can put a fence up later and whether a swale would be taken into consideration and the response was yes, the new property owner can add a fence as long as they get proper permitting from the City and the applicant has no control over that. Chairman said to contact the City regarding a future rat problem. CF's next question on floodlights on the John Place properties. Engineer said if it meets code it is an enforcement issue. CF's next question on 2 and a half story homes being built and now they are losing property value because they are losing the expansive view of their backyard. Chairman advised this is a statement and not a question. CF's last question was on what an RSIS was and Mr. Quinn explained.

Ed Suder of 77 John Place questioned the existing property and whether the house currently there would remain. Mr. Quinn explained it is a different owner, so it isn't part of this application.

Carin Freed 78 John Place returned with another question on double driveway. Applicant confirmed it is 18 feet.

Floor opened to questions from individuals outside of 200 ft. Sherry Vivierito who resides on the corner of John Place and Bramhall questioned drainage. Applicant is containing all the run off on their lot and Mr. Quinn confirmed they aren't introducing more water into the street. Attorney Hehl summarized their application.

Commissioner Shipley questioned the maintenance of the drainage to which Commissioner Herring advised it would be the responsibility of the new property owner. City needs to consider how we regulate how we manage drainage/storm water runoff. Engineer advised that the State is required to make sure that the water is clean and controlled. Commissioner Herring confirmed that the attorney will write a resolution and said resolution will include the storm water drainage review as a reference.

Commissioner Robinson asked whether the board was prepared to vote on the application tonight

Motion: Commissioner Herring; Second: Commissioner Simon
Yes: Commissioners Herring, DaSilva, Mojica, Simon, Shipley, O'Reilly and Robinson
No: none
Absent: Commissioners Watkins and Newbury

ADJOURN: There being no further business; the meeting shall adjourn.

Motion: Commissioner Simon; Second: Commissioner Dasilva
Yes: Commissioners Herring, DaSilva, Mojica, Simon, Shipley, O'Reilly and Robinson
No: none
Absent: Commissioners Watkins and Newbury

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