

**PLANNING BOARD
MEETING MINUTES
DECEMBER 17, 2019**

**CALL TO
ORDER**

The meeting was called to order at 7:05 p.m.

FLAG SALUTE

The Board saluted the flag.

ROLL CALL

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

BOARD

Mr. William Hering, Vice Chair
Mr. Raymond Giacobbe, Mayor
Mr. Jeff Brooks, Mayor's Designee
Mr. Michael Pakay, Commissioner
Mr. Jeremy Mojica, Commissioner
Mr. Richard Watkins, Commissioner
Mr. Robert Simon, Commissioner
Mr. Alexander Shipley, Commissioner
Mr. Thomas O'Reilly, Commissioner
Mr. William Cladek, 1st Alternate Commissioner
Mr. Christopher Brown, 2nd Alternate Commissioner
Mr. Jeffrey Robinson, Commissioner Chairman
Mr. James Polles, Esq, Board Attorney
Ms. Jacqueline Dirmann, City Engineer
Mr. Paul Phillips, City Planner
Ms. Ann Marie Williams, Board Secretary

*Absent from this meeting were Commissioners Watkins, O'Reilly, Pakay, Mojica and Simon. Mayor's designee represented the Mayor. Representing Paul Phillips was Kate Keller

MINUTES:

Any necessary changes to the Planning Board minutes of November 26, 2019 shall be carried over and approved by action of the Commissioners during the January 28, 2020 meeting.

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:

Chairman called up attorney Bruce Bergen representing 1988 Price Street LLC for their application request seeking a minor subdivision and bulk C variance approval for 1988 Price Street Block 225 Lot 20.

City attorney confirmed that the applicant was ready to be heard. Bergen advised that this was is a large flag lot with room for two confirming lots. The driveways are the only exception for the frontage requirements. This property was subject to a prior approval in 2010 but the development never happened. Bergen called the applicant Jim Masarwa who confirmed he was the sole owner purchasing the property in 2016. What was on the property was demolished in anticipation of the new application the now board has for consideration.

Commissioner Cladek questioned the how the proposed units might affect the brook situated behind the property. In later testimony the Engineer Adnan Kahn confirmed that a swale will be installed in the backyard to keep runoff on site. They will also install drywells for each proposed structure and roof drains will connect to the drywells and based on his calculations, this site is not in a regulated floodplain.

Bergen called Martha Brazoban the architect was sworn in and accepted as a witness by the City Attorney. She introduced Exhibit A1 and went through the details of the site plan. Bergen went through the points raised on the City Engineers report and then confirmed that the subdivisions will be filed by map. Bergen also hit on the following points: professionals will receive new site drawings with title sheets; amended cover sheet; a grading plan; modified site triangles, movement of a utility pole; applicant will comply with the work in the Right of Way; lighting and fencing was covered along with clear responsibility regarding care of the fence. Also lighting and landscaping. Bergen covered the points addressed on the City Planners report.

Bergen called Adnan Kahn, the engineer who was sworn in and accepted as a witness by the City Attorney. He introduced Exhibit A2 and went through the details of his portion of the plan. Engineer Kelly addressed the masonry shed left on the site plan that interferes with the fencing. Bergen confirmed it would be removed and a signed letter would be provided.

Floor opened to questions from the commissioners.

Commissioners Hering and Brooks questions were satisfied regarding the number of bedrooms and whether comparables were done for this area.

Floor opened to questions from the public – none.

Bergen wrapped up the application by saying that it fulfils all the standards with positive benefits and no negative impact on the neighbors.

Resolution will include all the motions and contingencies prior to memorialization.

Motion: Commissioner Brooks Second: Commissioner Shipley
Yes: Commissioners Hering, Brooks, Shipley, Cladek, Brown and Robinson
Absent: Commissioners Watkins, O'Reilly, Pakay, Mojica and Simon
Abstain: none
Application was approved

Chairman called up attorney Peter Wagner representing applicant MZ Homes LLC who is seeking minor subdivision and site plan approval for 1143 Elm Terrace Block 121 Lot 34.

City attorney confirmed that the applicant was ready to be heard. Wagner advised it was two single family homes with attached one car garages and it does not require any variances. Wagner called the owner Zbigniew Rusin who was sworn in and accepted as a witness by the City Attorney. He confirmed he was fine with moving the current location of the stairs based on the submitted plans to make the driveway larger; Only two trees are being cut down one of which is dead. Previous home was demolished because it required too much repair and there was an oil tank that was removed.

At 8:53 a five-minute recess was called while we waited for the applicants engineer to arrive. Meeting called back at 9:02

Wagner called the engineer Edward S Dec who was sworn in and accepted as a witness by the City Attorney. Dec covered all the points on the review letter from the City Engineer. Plans will be modified and resubmitted; applicant will be filing by Deed.

Floor opened to questions by the commissioners.

Shipley who was in favor of the project expressed concern regarding changing the esthetic of the front of the home if the parking requirements were met. City Planner explained the option of getting a de minimis exception which everyone was in favor of and will be part of the decision if approved.

Wagner submitted exhibit A1 which was an architect plan of the space.

Floor opened to questions from the public.

Paul Schmalz of 1146 Elm Terrace posed concern he wanted on the record about how the size of the home would affect his property value and asked if the proposed structure fits with the theme of the neighborhood. Owner Rusin confirmed the proposed homes were smaller than what is already on this street and the set back is in line with the rest of the block. New construction brings property values up.

James Peins of 1125 Elm Terrace advised that his property borders the new driveway and wanted clarity on whether the driveways would touch. He also said he was in favor of the project. Rusin explained the driveway layout. Peins had concerns regarding water and the engineer was brought back to explain run offs.

Wagner closed advising that all of the concerns were addressed, and he hoped the board will look favorably on both the application and the request for the de minimus exception.

Resolution will include all the motions and contingencies prior to memorialization.

Motion: Commissioner Hering Second: Commissioner Cladek
Yes: Commissioners Hering, Brooks, Shipley, Cladek, Brown and Robinson
Absent: Commissioners Watkins, O'Reilly, Pakay, Mojica and Simon
Abstain: none
Application was approved

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

Motion: Commissioner Shipley; Second: Commissioner Cladek
Yes: Commissioners Hering, Brooks, Pakay, Mojica, Simon, Shipley, Brown and Robinson
Absent: Commissioners Watkins, O'Reilly and Cladek
Abstain: none
Motion was approved

Meeting ending at 9:54pm

