

City of Northfield Planning & Zoning Board
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Minutes: August 21, 2008

Notice of this meeting had been given in accordance with Chapter 231 Public Law 1975, otherwise known as the Open Public Meetings Act. Notice of this meeting had been given to The Press, posted on the bulletin board in City Hall, and filed with the City Clerk, stating the date, time and place of the meeting and the agenda to the extent known.

The regular meeting of the Northfield Planning & Zoning Board, held on Thursday, August 21, 2008 in Council Chambers, City Hall, Northfield, was opened by Chairman Richard Levitt at 7:27 p.m. and the following members were present:

Dr. Richard Levitt-Chairman
Clem Scharff-Vice Chairman-absent
Mayor Vincent Mazzeo
Jason O'Grady, Councilman-absent
Chief Robert James
Lou Milone
John Clifford
Ron Roegiers
Henry Notaro
Jim Shippen-absent
Linda Dyrek

Norman Zlotnick, Solicitor
Matt Doran, PE-Engineer

After the reading of the Sunshine Law and the roll call, Chairman Levitt began the meeting with the memorialization of three resolutions. They were for Jay & Mary Jane Hurley, Block 16.01, Lot 36.11 for a "C" Variance, Melvin & Doris Dougherty, Block 34, Lot 16, for a Major Subdivision time extension, and Olaf E. Olson, Block 161, Lots 10 & 11 for various "C" Variances. A voice vote of all present members, with Chief James abstaining, was all in favor of adoption.

There was one application on the agenda this evening for Roger B. Hansen, Block 175, Lot 38, the property at 1300 Argo Lane, for a Preliminary Major Subdivision with a "C" variance for lots fronting on a non-conforming public street. The property is located in the R-1 Zone. The Attorney representing the Hansen's is Sal Perillo of Nehmad, Perillo & Davis. The Attorney began with some background and stated that the issue is simple. It is not whether the property is to be subdivided; it is really how the property is to be subdivided. The Hansen's previously came before the Board for an informal conceptual discussion and presented two options. Concept #1 needed no variances or waivers and completely conforms to Northfield's Land Use Ordinance. This concept involved creating a municipal road which would be maintained by the City. The lots created with this concept would not be of a desirable configuration. Concept #2 would require a variance and involves private lands. Tonight's proposal is a refinement of the original proposal.

All professionals were sworn in by Chairman Levitt. The professionals were Fred Ingram, Engineer, Dan Galetta, Planner, Jerry Canter, Traffic Engineer, and Roger B. Hansen, the owner and applicant. The first to testify was Dan Galetta, a Land Surveyor, Professional Planner & Appraiser who has been employed by Ole Hansen & Sons, Inc. for 35 to 40 years and has been licensed in New Jersey since 1978. He described the property location as being in the R-1 Zone and is surrounded by the CC (Country Club) Zone. The surroundings consist of bay area and meadows, the Country Club and a residence. Mr. Galetta said this 4.6 acre parcel is all R-1 and the minimum lot size in this zone is 10,000 square feet and allows 3-4 dwellings per acre. The Country Club zone permits single family dwellings with a minimum lot size of 15,000 square feet. Mr. Galetta passed around to the Board members the Northfield Zoning Map, labeled Exhibit A-6, which he highlighted, for comparison and familiarity of the zones.

Mr. Galetta referred to Concept #1 which is labeled Exhibit A-4 and is consistent with RSIS(Residential Site Improvement Standards), but never made it to final design. It would have consisted of 4 new lots and the parent lot (containing the original dwelling) and would use municipal streets. Mr. Galetta discussed Concept #2, labeled Exhibit A-5, which would create private lanes. The lots would be larger with more open space and there would be less disturbance and tree removal. There would be private access ways and an easement would be created. Mr. Galetta mentioned that the Board had concerns previously with this and noted that deed restrictions would be necessary to restrict the parent lot so there would be no further sub-division. If, under Concept #1, they considered demolishing the existing dwelling, they could possibly have achieved 8 to 10 lots, but that was not their intention. They want to keep the single family dwelling. Mr. Perillo interjected by stating that if they had demolished the existing house they *could have* yielded 10 lots and Mr. Galetta added that they would have needed to extend the street with a cul-de-sac to provide the necessary frontage.

Mr. Galetta then further discussed the Board's previous concerns. The Board wanted to know who would be responsible for the private lane. He said they would have a small five-home association who would be responsible for the lane. The Board also had concerns with emergency vehicle access which will be addressed later. He then described the current driveway access and said the current turn around on Argo Lane has been in use by both fire and trash removal trucks. The new easement they want to create will bear the same access for turnaround. The two lots fronting on the extension of Argo Lane will have a joint driveway and hard surface emergency access lane. He noted the surface will be paver blocks and said the existing road works now with trash trucks. The utilities for the existing dwelling is septic and potable waterways and they plan to provide sanitary sewer to the four new houses and the existing house using a force main down Argo Lane to tie into the Argo Lane sewer and potable wells will be used for water supply.

A CAFRA permit is not required according to the DEP and Mr. Galetta provided the Board with a Letter of Interpretation (described as an LOI) of the wetlands. The wetlands, which are adjacent to the site, consist of primarily meadows with a 50 ft. buffer and a man-made lake. The buffer needs to be increased to 150 ft. and will impact Lot 38.03, but does not prohibit development of that lot. The backyard will be a sloped buffer area which is not uncommon in lots close to wetlands. Dr. Levitt noted that it did not appear that a pool could be added to that lot. Mr. Galetta agreed.

Mr. Perillo said that Mr. Doran recommended increasing the size of the private drive. He quoted RSIS (5:21-1.5F) and Mr. Galetta discussed the easement. The private lane would serve Lots 38.02 & 38.03 and the existing dwelling and an easement would be created for access for service vehicles. They would agree to increase the cart way to 18 ft. as per Mr. Doran's recommendations and RSIS would not apply.

Mr. Galetta said an advantage of the new plan would be the maintenance of the vegetation and they will locate the drive so as to cut down the least amount of trees to accommodate the new houses and the driveway.

Mr. Galetta referred to Exhibit A-8 which shows aerial photographs of the rows of trees creating buffers on the SW, NW, and SE sides. By preserving the tree buffer and vegetation and the placement of the driveway and the easement in this area at 50 ft., they are preserving the existing buffer to the nearest neighbor.

Mr. Perillo asked Mr. Galetta to describe the Lots proposed. They range in size from 15,500 sf to 22,500 sf and are well above the required 10,000 sf. The existing mother lot and dwelling sits on 2.6 acres. He described the variances needed. The first is for frontage on a public street. They would be creating private lanes instead of public streets. The lots meet the lot width requirement physically, but since lot width is measured at the street line, and they are creating private rights of way, the lot widths are not in accordance with the ordinance. Mr. Galetta added that adequate safety access would exist and said the lots do not need to front on a public street and that the private lanes would serve the same purpose. The two homes that would not front on a public street will not be a detriment to the Zoning Ordinance. The private lanes would be surfaced with pavers, which they feel are not detrimental and alternative types of paving are allowed by ordinance if the surface can support the road traffic.

The lot width variances were discussed. The lots that require the variance are Lot 38, which is existing, and is proposed at 50 ft. lot width at the Argo Lane interface, but in reality, it is over 130 ft. wide where the dwelling is situated. Lots 38.02 and 38.03 are proposed at 0 ft. because they do not front on a public street, but in reality each are 140 ft. wide with access by the private easement. Lot 38.04 fronts on a paper street.

Mr. Galetta went on to describe benefits of the design and storm water management which he feels present no detrimental impact. He said light, air, and open space will not be negatively impacted. The residential compound is unique to the area in question, but is consistent with neighborhoods along the coastline and he used the City of Linwood Gold Coast area as an example. They believe there is no detrimental impact due to the variances.

Mr. Perillo addressed the purposes of the R-1 Zone and Mr. Galetta described a physical impact study done which briefly analyzed the number of lots and the affect on population even though the number of bedrooms was not known. He took an average of possibly 17 new residents in all five dwellings with possibly five school-age children in total. He analyzed the educational costs at approximately \$10,200 per student per year and feels that the project would generate revenue with a typical assessment at \$375,000. The project would have a positive fiscal impact to the City.

The next professional to testify was Fred Ingram, of Hammonton, who is a Licensed Engineer in New Jersey. He described the site plan and noted there are no curbs and sidewalks proposed. The drainage runs from Shore Road out to the marshlands and the change in elevation is about 13 to 16 ft. A drop off occurs. The driveway will be permeable brick pavers. He said the road itself is in good shape and storm water runoff will be collected in a storm water sewer pipe. He described the proposed open swales as grass channeled swales, two to three feet below grade, which will help funnel water to the pond. No water will sit in the swales for any long period of time. He also noted that this will help alleviate problems with bugs and mosquitoes in the swale areas. Water will be in the swales less than one hour depending on the storm. He noted the pavers that make up the private lane will decrease impervious coverage since they are permeable and encourage onsite infiltration of water and they are the preferable method for coverage. The pavers are also more aesthetically pleasing and will be designed to carry the weight of vehicles. Mr. Ingram discussed Argo Lane and said it exists from Shore Road to the marshlands and the paved portion ends at the subject property. It ranges from 20 ft. at Shore Road to a 12 ft. paved cart way with a 15 ft. wide right-of-way. They want to extend Argo Lane to service the two new lots bordering on Argo Lane and remain consistent with the right-of-way and existing cart way. Mr. Ingram noted that there is no advantage to make the road wider and that the easement will allow for trash and emergency vehicles. Mr. Perillo said that in Mr. Doran's report, there was reference to signage. Mr. Ingram said there would be the addition of a stop sign at the intersection of Argo Lane and the private drive and there would be signs for street designation.

Mr. Perillo noted that Mr. Doran noted in his report that obtaining water for use by fire apparatus needs to be addressed. Mr. Ingram said that service of water will be by individual wells, and in an emergency, the pond could be used to obtain water.

Chairman Levitt noted that in their Environmental Impact Study, two of the easterly lots were located in FEMA flood zones. Mr. Ingram said only the lower ends of the properties are located in Flood Zone A, below 9 ft., and all other areas are above 9 ft.

Mayor Mazzeo asked about the artificial pond. Mr. Ingram answered that the pond is man-made and fed from underneath. The Mayor then asked about parking for a fire truck in an emergency and the safety issues involved. Chief James added by asking how close a fire truck would have to be to draft from the pond. Mr. Ingram answered that accessibility would exist between dwellings in the area of the existing tennis court, which is to be demolished. He added that provisions could be made for better access to the pond and noted that the distance to the pond is not great in relation to drawing water from the pond.

Assistant Chief Lauren Crooks was sworn in at this time. He stated that the City Fire equipment does not have the capability to draw from a water source and the fire trucks cannot be taken off the roadway due to their weight and size per policy. Mr. Perillo asked if a stand pipe was installed in the pond, would that make a difference. Asst. Chief Crooks answered that it is unknown how much of a water supply is located in the pond and also what type of water it is (salt or freshwater). Also, to draft water from a stand pipe, would require specific equipment, and this the City Fire Department does not have. Mr. Perillo addressed the Board and noted that they are only seeking preliminary approval this evening and this issue can be addressed as part of final approval.

Mr. Perillo introduced Jerry A. Canter of Horner & Canter Associates of Medford, a Traffic Engineer for 40 years. He was sworn in. Mr. Canter prepared a Traffic Engineering Assessment for the proposed Argo Lane Subdivision dated May 7, 2008. He measured the traffic on Argo Lane and its intersection with Shore Road as it exists now to determine typical traffic. He also reported on how much traffic will be added with the addition of four new lots and studied similar developments. He determined that the new lots will generate four peak hour trips, one per house, one in the A.M. and one in the P.M. The peak hours are 7 to 9 A.M. and 4 to 6 P.M. He noted that Argo Lane, at the intersection with Shore Road, is 20 ft. wide. The level of service for traffic is and will remain a good situation. He performed the analysis for this wider portion. The cart way is narrow at 12 ft. wide and by every standard, is substandard and cannot be studied as a road. It is better suited for golf carts. The City is able to maintain it at 12 ft wide and being so narrow, it actually makes the road safer since cars using the cart way are at a crawl speed. The standard road is 28 ft. with two lanes and a parking lane. The cart way is only one lane. Mr. Canter believes from his study that the addition of four houses will not make a significant or discernable difference. Mr. Perillo questioned Mr. Canter about golf carts. He said that golf carts are allowed to cross a road, but are not permitted to travel along a public street. Mr. Canter added that the City could improve the street with signs and the golf cart crossings need to be aligned. Dr. Levitt asked if two vehicles can pass without traveling onto Country Club land. Mr. Canter answered no. Dr. Levitt said he feels this is a safety issue for emergency vehicles. Mr. Canter said it is a safety issue as it exists today, and he does not feel the addition of four homes will change the safety issues. In an emergency situation, a police officer would be directing traffic and he feels fire and police personnel are very adept at handling emergency situations. In a typical emergency situation, emergency vehicles will all be going "in" and not passing each other. Mr. Perillo said that the Board cannot deny the application due to a preexisting road system. He discussed municipal obligations by stating that the City should do something about it if it feels a problem exists. Under the law, the City might be able to charge the applicant for a portion of road improvements, but it is questionable. It would have to be proven that Argo Lane off-track improvements are a necessity as a result of this application. He also noted that if improvements to the road were done, land would have to be acquired from the Golf Course, the cost of the

capital improvement would affect the City, and there may be environmental issues if a road was installed.

Mr. Perillo asked Mr. Canter if he was familiar with RSIS and he said he was. Mr. Perillo asked if RSIS applies to private lanes in this case. He said no, since there will be only 3 residents using the private lane. The other 2 residents will be using the extension of Argo Lane which is a public road making this case exempt from RSIS. Mr. Perillo noted that the applicant is willing to accept Mr. Doran's recommendation for widening the private lane to 18 ft. and asked Mr. Canter if 18 ft. is sufficient for public safety vehicles to use. He said most emergency vehicles, large single vehicle trucks, delivery trucks, and trash trucks could use the lane without encroaching on the grass, but added maybe not large fire apparatus.

Dr. Levitt commented about the socioeconomic conditions of the owners of the new homes and asked if deliveries, servants, and lawn care vehicles would increase the number of trips per day. Mr. Canter said that the standards he used for his report are based on averages.

Roger B. Hansen, the owner of the existing dwelling and applicant was sworn in next. He stated that he has lived at the property for 30 years since about 1978. The previous driveway, which stopped at the garage, forced trash trucks to turn around by K-turn and he now has a circular driveway which was installed 7 years ago during renovations to the home. There are no problems now with trash trucks maneuvering. He also noted that there was an electrical fire at 3 A.M. and all emergency vehicles were able to get there to put the fire out.

Referring to Exhibit A-2, which is an aerial view of Argo Lane to the intersection of Shore Road, Mr. Hansen described how Argo Lane is used by the Golf Course. The course was rebuilt about 7 years ago and the 2nd green used to be where the fifth green is now located. Golfers used to have to hit the ball over Argo Lane and his building. The lane has been used by the Golf Course for many years. In past times, caddies were mostly used and there was no need for cart paths. Today, the course uses cart paths. The 2nd hole cart path goes out to Argo Lane at the second hole and carts go down the lane to the 12th tee. Carts can be parked along Argo Lane at the 12th tee, and at times, cars have to wait for golfers to hit the ball before the cars can proceed. This is what is nice about living where they do. The two crossings that will still exist at Argo Lane is the crossing at the 2nd hole and from 5 to 6. These cart crossings will go directly across Argo Lane. There were no further questions for Mr. Hansen at this time.

At this time, Chairman Levitt opened the public session starting with any Attorneys representing clients and to cross examine any witnesses. Jack Plackter, of Fox Rothschild in Atlantic City, stated he is representing Atlantic City Country Club and Dr. & Mrs. Gove. He asked to cross examine Fred Ingram, the Hansen's Engineer first. He asked if Mr. Ingram prepared Concept #1 and he answered no. Mr. Plackter asked if he was familiar with the plan and he said yes, but not the certifications submitted. Mr. Plackter asked if Concept #1 was filed with the application and he said no and that it was developed, but not engineered.

Mr. Plackter further questioned Mr. Ingram, citing areas of the ordinance. Section 8.48 deals with water mains in major subdivisions that must be connected to NJ Water Co. Mr. Plackter asked if any of the five lots connected to public water. Mr. Ingram answered no. Mr. Plackter said this would need 5 variances or waivers. He then referred to Section 8.39 (Street designs of Construction). Mr. Ingram and Mr. Plackter discussed minimum widths allowed and the reasons for them (safety issues, etc.) and why a variance may be needed to widen Argo Lane. Referring again to Exhibit A-1 and the emergency access area, Mr. Plackter asked if the roadway system does in fact connect and serve all five lots, not four as previously stated. The Attorney said there is no area where they are not connected. Previously the reference was made that RSIS would not apply in that only 4 or less lots were connected by the road, but Mr. Plackter pointed out that because there is an emergency access area connecting the roadway, RSIS would apply. Mr. Ingram said the emergency access area is not part of the driveway and is for emergency access. Mr. Plackter noted that if RSIS applies, the cart way requirement will have to be 28 ft. for

compliance. He added the cart way is not a rural lane and will prove that later. He said the applicant is proposing a 12 ft. cart way which is less than half the standard. Mr. Ingram said that widening the cart way will increase traffic speed and volume. Mr. Plackter said if a variance is required for the cart way, the applicant would have to apply to DCA for a waiver.

Mr. Plackter discussed Section 8:11 which deals with curbs and sidewalks, and discussed the variances he feels are needed. He said there are at least 10 waiver and variances necessary- no water main connections, insufficient lot widths and frontage on a public street, and street width less than half required. Mr. Plackter referred to the safety of Argo Lane and if it is adequate for emergency vehicles. Mr. Ingram said they couldn't widen the street more that 15 ft. without affecting the golf course. Mr. Perillo asked Mr. Ingram if any purpose would be served by widening Argo Lane more than in other areas along the road and he said no. Dr. Levitt asked about the emergency access area and what the pavers were made of. Mr. Ingram said they will be decorative block concrete web pavers and top soil and could withstand the weight of a fire truck. Mr. Ingram said the emergency access area is an easement, but Mr. Plackter added that it is part of the road way system. Mr. Plackter had no other questions for Mr. Ingram at this time.

Mr. Plackter questioned Dan Galetta next. Mr. Plackter spoke about obtaining a Coastal Wetlands Permit and Mr. Galetta said, if needed, they will obtain one. Again, Concept #1 was referred to and it was noted that no hard engineering was done and it is not part of the application. Mr. Galetta said they discussed Concept #1 for reference to the previous informal meeting with the applicant. Chairman Levitt agreed it was only an informal hearing. Mr. Galetta said he was trying to refresh the Board's memory and to inform any new members of what was initially discussed. Mr. Galetta commented that at the emergency access road, it would be possible to install bend over barriers and that this area is not part of the road system. Dr. Levitt asked how a trash truck would make a k-turn. Mr. Galetta said only two of the homes would be affected by this and the simplest solution would be to have the homeowners put their trash on the corners.

At this time, Chairman Levitt called for a brief 5 minute recess. The time was 9:25 p.m.

The meeting reconvened at 9:41 p.m. and Dr. Levitt read the letter from the Fire Department submitted by Asst. Chief Lauren Crooks. The Fire Department objected as the plan is designed. Mr. Perillo and Dr. Levitt questioned Assistant Chief Crooks to clarify what roadways are being referred to in report. It was decided that Argo Lane, as it exists now, is being referred to in the Fire Department report. Asst. Chief Crooks said the private roads within the development are not acceptable and Dr. Levitt pointed out that the design of the roads within the development are not referred to specifically in the report. Asst. Chief Crooks said the existing road should be widened to 20 ft. with a 2 ft. shoulder of gravel or shoulder. Mr. Perillo added that 15 ft. of road is proposed on the plan and they agree with Mr. Doran's recommendation of 18 ft. Asst. Chief Crooks said he cannot comment now on the difference between an 18 ft. road widening and a 20 ft. road widening since the plans initially referred to 15 ft.

Chairman Levitt asked Mr. Plackter to present his experts and he preferred to allow other members of the public to speak tonight since the hearing will likely be continued. He is prepared to present his experts if time permits or he will bring them back before the Board at a later date.

Mr. Doran read his Engineer's report into the record. Some highlights included: Variances are needed for private drive street width and a waiver will be needed unless there is an interpretation that there is a private drive (to be determined later), there has been testimony as to positive and negative criteria to support granting the variances, the development is low intensity by RSIS standards which allows for 50.5 average trips daily which is consistent with Mr. Canter's report, a waiver is needed for road width as Argo Lane is undersized pavement at 20 ft. above and 11 ft. below, the Board should consider requiring additional right of way along the property owned by the developer for parking and utilization of Argo Lane, the ordinance requires the road to be widened and it may be justified, the Board should consider some kind of turnaround for cars to leave Argo Lane, a large portion of Argo lane is 11 ft. paved cart way where two cars cannot

pass, there exists many large trees that block any expansion of road width, Section 7.5 requires the developer to pay some kind of fair share for off track improvements, the width of the road varies and the majority does not comply with a 21 ft. paved travel lane, a grading plan has been provided and complies with RSIS, drainage and easements need to be discussed and can be finalized at final approval, three decorative lights are shown throughout the site and pole heights and footprints will need to be shown on the plans, utilities will be underground, the Board will need to grant a waiver for paver blocks, the stop sign and street sign have been agreed to, parking on site needs to be shown as a schedule on the plan, curbs and sidewalks have not been proposed and the Board can decide if they are required at this site which is rural in nature.

At this time, water mains, wells and fire hydrants were discussed. It has been proposed to install individual potable wells to service each new house. Mr. Doran recommended analyzing the location of an existing water main in the area and the possibility of hooking into an existing water main. Dr. Levitt asked if the developer is willing to provide for the fire hydrant and water main extension. Mr. Perillo said he will look into this. Mr. Perillo referred to page 8-107 dealing with water mains in major subdivisions which states water mains must be connected with an approved water company, but it does not say water service is required for a major subdivision. Mr. Doran felt the intent was to tie in and that most of Northfield has domestic water. Mr. Zlotnick said this will be an issue for the Board and he will provide input later. Dr. Levitt said there have been issues in other towns where wells have been contaminated and this may be a public liability.

Mr. Doran continued reading his report referring to these points: a Fire Department letter has been submitted, sewer pump station design and details are required, maintenance of the pump station is recommended to be the homeowner's association, a DEP permit is required for a treatment works permit to extend sewer lines, a design waiver is needed for open swales, maintenance of the drainage system needs to be shown, a traffic report has been submitted, it is needed to be determined whether this is a CAFRA project which may require a larger buffer area, easements need to be shown on the final plan and who they are in favor of.

Dr. Levitt asked about three trees between Lots 38.04 and 38.05 which are two 16-inch cherry trees and an 8-inch oak tree and are designated for removal. He asked why they are to be removed. Mr. Galetta said for provisions for the emergency access area (grass paver blocks). Mr. Doran concluded by mentioning the required \$2,500.00 recreation fee per each new lot and that there is a list of other approvals needed to be obtained prior to final approval. Dr. Levitt added that the applicant would need to repair Argo Lane if damaged, and Mr. Doran said they have provided for that in the plans.

Dr. Levitt opened the public session to other members of the public who wished to speak. Joe Rodgers of 11 Argo Lane, Block 175, Lot 37.02 spoke first. He agreed that this is a nice plan and it looks great. But he is troubled by the sewer terminus in front of his house. He has experienced flooding in his basement and sees problems currently on Argo Lane and the property across the street. Mr. Doran commented that this could have been caused by a clog or collapse and five additional homes should not affect the line. Mr. Rodgers continued by saying that he likes Argo Lane the way it is. He lives in the wider area and feels that new buyers may want a wider street, water and sewer. He is afraid land will be taken at his property line and said the Gove's may lose their front yard. New people may not appreciate a 12 ft. wide street. The project may cause the City to condemn land and create a cost to the taxpayers. He is not sure how this may affect the golf course. He feels the traffic engineer did not stay in the area long enough to get a correct count. He believes landscapers, housekeepers, painters, etc. were not included in his figures. He feels it is hard to make a left turn onto Shore Road from Argo Lane and feels the impact on traffic will be worse on Northfield Circle. New people will want city water and sewer and he envisions a big change costing a lot of money.

Mr. Steven Downey of 5 Golfview Drive, Block 175, Lot 14, commented that Harrah's has spent a lot of money re-doing the golf course and clubhouse and if Harrah's decides to lop off pieces of its property, this would not be a good thing.

Dr. Levitt closed the public session seeing that no one else wished to speak at this time.

Mr. Plackter gave an introduction before his witnesses were sworn in. He feels substantial relief is needed for over 10 variances and waivers. He feels RSIS does apply, that roadways need to be 28 ft. in width which will double the density and intensity. With four new homes at the end of Argo Lane, a 12 ft. wide street is not safe and the Fire Department agrees. The lots do not front on a public street as required and this allows for safety concerns and is a detriment to the public. There is no justification for variances for lot widths for three of five lots which constitutes 60%. Argo Lane is seriously undersized and is not meant to be a major thoroughfare. Buffers should be 150 ft. all around due to endangered species in the area. Traffic circulation will be affected and 60 trees will need to be destroyed if Argo Lane is widened and many of the trees are specimen trees. Six golf course holes would have to be modified. There is no public water and a fire hose would have to be 1800 ft. and the pond cannot be utilized to fight a fire. There would be a large impact on the surrounding neighborhood and the largest impact would be on the Atlantic City County Club. The Master Plan of the City of Northfield says this area is historic in aspect and should be preserved. The property is beautiful and the variances should not be granted since there is no hardship here.

At the request of Mr. Plackter, Matt Doran, Engineer was sworn by Chairman Levitt. Mr. Plackter's witnesses were then sworn in together. They are: Charles Fahy, Director of Golf for Atlantic City Country Club, Sean Delany of P S & S (Paulus, Sokolowski & Sartor), a Licensed Engineer and Planner, Dave Mclerney, a Licensed Planner, and Al Litworne of Litworne & Assoc., a Traffic Engineer, Licensed Engineer and Planner.

Mr. Plackter called Mr. Fahy to testify first. The Attorney asked Mr. Fahy for his background. He stated that he is a PGA Golf Pro and Director of Golf for Atlantic City Country Club. He grew up in Linwood, works at the Club and is employed by Harrah's (Caesar's Entertainment). Mr. Fahy is familiar with ACCC and it has been at this location since 1897 and was private until the Frasier's sold it. The new owners have spent 12 million renovating the course and clubhouse and have obtained a liquor license and have since made more improvements. The course is award winning. Harrah's goals and objectives are to create a unique golf experience for their casino customers, general public and private members. They hold charity events and have a new restaurant. Harrah's feels it is important to attract customers. The course is a top-ranking course and the company needs non-gaming amenities. He commented that the Atlantic City Country Club is one of the largest taxpayers in Northfield and they do not require municipal or school services. Mr. Perillo said this information does not apply to the application and is irrelevant and Dr. Levitt asked Mr. Fahy to condense his testimony. Mr. Plackter asked Mr. Fahy if he saw the plans. Mr. Fahy said yes and he is familiar with the Hansen's property. He gave the opinion that if the road was widened, large, historical trees would have to be removed and this would make the course less challenging and an easier course to play. This would also hurt the course rankings. It may also make some of the holes unsafe and the aesthetics of the golf course would be affected. This would be evident even with tree removal on the Hansen's property. If the road was widened, the tree removal would redefine the golf course. Mr. Fahy testified that the Golf course holes which border on the property and the road are: #2,#4,#5,#11,#12,#13 and the affects would cost millions of dollars in damages. He added that Argo Lane is unsafe and is not wide enough for two cars to pass in some areas.

Mr. Perillo questioned Mr. Fahy and asked how long he has been with the golf course. Mr. Fahy answered that he has been with the Atlantic City Golf Course since April of last year (2007) and has been with Harrah's since 2001. Mr. Perillo asked if he was familiar with the golf course's acquisition of private homes and properties surrounding the course to protect various areas. Mr. Fahy said he is familiar with this. Mr. Perillo asked if Mr. Hansen was ever contacted about property acquisition and he said he did not know. Mr. Perillo commented that Mr. Fahy is assuming Argo Lane needs to be widened to accommodate four new homes and also is assuming, due to Mr. Plackter's comments, that the widening would have to be from 12 ft. to 28 ft.

Mr. Perillo asked if any analysis was done for widening at 18 ft. Mr. Fahy said it is only his opinion. Dr. Levitt suggested presenting these questions to a Traffic Engineer and Mr. Perillo agreed. Mr. Perillo asked about the golf cart pathways in that they invite golfers to drive down Argo Lane and does he think it is a good thing for golf carts to travel down a public right of way. Mr. Fahy said in his 1 and 1/2 years at the course, he has not seen any problems with this. Mr. Plackter asked Mr. Fahy if the doubling of homes would create any problems or have an adverse impact. Mr. Fahy said yes.

Dr. Levitt asked if Argo Lane was not widened and approval was given, would that affect the golf course. Mr. Fahy answered that there would be a visual impact, trees would be affected, there would be more traffic and more people. Mr. Perillo commented that there are currently houses closer to the golf course fairways than is proposed with the subdivision. Mr. Fahy said he would have to check on that. Mr. Perillo said that one of the homes is the Gove's property. Mr. Fahy said the distance is similar. Mr. Perillo noted that the Gove's house is west of the subdivision. Dr. Levitt commented that guessing which is closer is not valuable at this time. There were no further questions for Mr. Fahy.

Sean Delany, a Licensed Engineer since 1999, was called next. He is also a Professional Planner since this year. He has visited the site and reviewed materials and professional reports and the Ordinance. He gave his review of the exhibits and presented his own Exhibit O-1 which is an aerial map of existing conditions. There are other Exhibits attached to O-1. Mr. Plackter distributed copies of these plans to the Board members. He described Argo Lane as being undersized and the concern is with access to the house now and how four new houses will impact this access. He referred to Argo Lane as a local street and read areas of the Ordinance. Mr. Delany said the applicant is proposing a dead end street with private driveways onto the site through easements whereas the ordinance requires a cul-de-sac or loop street and they are violating the ordinance requirements for a local street. Minimum street widths are set by ordinance for safety considerations of a Police and Fire nature and this design does not consider the existing conditions or take into account the effect of four additional new homes. Pedestrians and bicycles may be using the street at the same time a trash truck or other vehicles are coming down Argo Lane. The road is not a sufficient width for sidewalks or bike paths and people would have to step onto private property and lawns. Mr. Delany discussed the situation of fighting a fire with multiple emergency vehicles coming down Argo Lane and other vehicles trying to leave the scene at the same time. Dr. Levitt commented that in an emergency situation cars can pull onto the grass. Mr. Delany commented that the grass area is private property and trees butt up to the existing roadway.

Mr. Delany continued by saying that at least 65 trees would need to be removed in order to widen the road. These trees are located on Country Club land and three existing resident's properties. These are mature trees over 24 inches in diameter. Mr. Delany referred to Exhibit O-3, a photo exhibit showing views of Argo Lane and the trees. Mr. Delany believes the driveway system is linked and serves five lots not 4 or less and should be brought up to RSIS standards and that the Board cannot grant relief.

Mr. Delany described Exhibit O-4A which is an exhibit showing the path of a fire truck circling the proposed driveway. He used the Fire Department report for this exhibit. He said the driveway does not allow for safe vehicle movement. On the exhibit, areas circled in red are areas which take the vehicle off the pavement or to the edge of the pavement based on 5 mph. Dr. Levitt noted that the exhibit was based on a 12 ft. drive and Mr. Doran recommended 18 ft. Mr. Delany will look into this.

Mr. Delany discussed water service and read areas of the Ordinance. He said for a major subdivision, the homes have to connect to public water if available. He discussed the fire hydrant and salt water intrusion due to the closeness to saltwater marshes.

Mr. Delany contacted New Jersey American Water Company and was told a 6 inch main is located at Lot 14, 1100 sf from the subject property and that public water is available. He said it is noted on the plans that the subject area lies in flood zone A-5 at an elevation of 9. He recommends that the top berm of the basin be located above the flood plain to prevent flooding in the basin. He discussed review by the DEP and possibly a flood hazard permit may be necessary. He concluded by summarizing his testimony and stating that he does not feel the variances are justified since there is no hardship and they have not presented a plan that meets all ordinance and RSIS requirements.

Due to the lateness of the evening, Dr. Levitt announced that the hearing will be continued. The next available date is November 6, 2008, but some of the professionals were not available. The hearing will be continued to November 20, 2008 and any time limitations will be waived. Mr. Plackter asked about any new filings. Dr. Levitt said any new filings submitted concerning this application will be on file with the Board Secretary.

Mayor Mazzeo mentioned the amendment to the Land Use Ordinance concerning the section about Historical homes. Dr. Levitt said the Board will vote on endorsing the amendment at the next meeting.

The meeting was close by Chairman Levitt at 11:03 p.m. with a motion from Mr. Clifford and a second from Chief James.

Respectfully submitted,

Robin Atlas, Secretary to the Board