

*City of Northfield*  
*Planning & Zoning Board*  
*1600 Shore Road*  
*Northfield, New Jersey 08225*  
(609) 641-2832 Ext. 127 Fax (609) 646-7175

Minutes: May 4, 2006

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 has 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, May 4, 2006 in Council Chambers, City Hall, Northfield, was opened by Vice Chairman Clem Scharff at 7:30 p.m. with the following members present:

Dr. Richard Levitt-Chairman  
Clem Scharff-Vice Chairman-absent  
Mayor Frank Perri  
Guy Schlachter, Councilman  
Jerry Nuzzolo, Construction Official & Inspector  
Art Barrera-resigned  
Lou Milone-absent  
Ron Roegiers-absent  
Nick Droboniku  
Pete DaPrato  
Henry Notaro-absent

Thomas Subranni, Esq.- Solicitor-absent  
Matt Doran, PE-Engineer

The meeting was opened at 7:32 p.m. by Chairman Richard Levitt. A reading of Sunshine Laws was followed by roll call. The following members were absent: Mr. Scharff, Mr. Milone, Mr. Roegiers and Mr. Notaro. Mr. Subranni was also absent. His substitution was Scott Zauber, Esq.

The first application was from Smart Cookies, LLC which is a child care center located in the Mainland Professional Center owned by Jack Trocki Development Company, LLC. The address is 515 Tilton Road, Block 16.01, Lot 47 on the tax map and is located in the C-B commercial Business Zone. The unit is located 6<sup>th</sup> from the back. They are seeking a minor Site Plan approval (Preliminary and Final) to develop a 540 square foot playground in a presently landscaped area. The attorney for the applicants is Carl N. Tripician, Esq. of Northfield and the plans were drawn by Thomas Sidrane, a registered architect with The Sidrane Group, also of Northfield. Ms. Loredana C. McFadden, the owner of Smart Cookies, LLC was also present as a witness. All were sworn in by Dr. Levitt.

There were three sets of plans submitted and the final set of plans displays the agreed upon location of the play area by the owner and the landlord and also has approval of the Fire Department (per a second letter) since the Dept. will have access to the existing fire hydrant. Mr.

Tripician described the project and questioned Mr. Sidrane. The proposed playground will be enclosed with a 4 ft. open metal fence. The fire hydrant will be at the rear with a 6 ft. wide access from the concrete walkway. There will be a no parking fire lane with striping per the Fire Department. The fire hydrant belongs to the landlord. Three photos of the location were submitted and labeled Exhibits A-1 to A-3. Mr. Tripician asked Mr. Sidrane to address Mr. Doran's report and he stated that the applicants agree to "Watch Children" signs. Ms. McFadden added that the play equipment would be 3 ft. and under and the children would not be at the playground after dark. No additional security lighting will be necessary. Mr. Sidrane noted that Land Use Law permits a Child Care Center in this Zone.

Ms. McFadden further clarified staff, number of children and procedures. The center can serve a maximum of 55 children and is currently 12 short of capacity. There will be no more than 10 children at the playground at one time and they will play for 20 minute intervals. Two staff members (1 teacher and 1 aide) will be outdoors with the children at all times and they will have cell phones. There are 12 staff members in total. The day care center utilizes a sign in and out procedure. Children must be picked up inside the class unit and there will be no releasing of children outside. The playground will be used year round except when it is too cold or inclement weather. The facility has cameras inside but will not have them at the playground. The hours of operation are Monday to Friday year round from 7:30 a.m. to 5:30 p.m.

Dr. Levitt opened the public session and seeing that no one wished to be heard, closed the public session

Mr. Doran stated that the applicants covered the points in his report item by item. These included "Watch for Children" signs, drop off and pick up procedures, hours of operation, security lighting and any new signage (there is to be none other than the "Watch" signs). Mr. Doran stated that at least two "Watch" signs will be needed at the front door and play area. Ms. McFadden said that they already have designated parking drop off areas. Mayor Perri asked for more information about the fence. Mr. Sidrane said that the landlord has requested an open style mesh fence that will resemble a metal picket style fence. The fence has been cleared by DYFS.

Dr. Levitt asked for a motion for Site Plan Approval with the conditions of "Watch" sign approvals by our Engineer as well as fencing approval. Mr. DaPrato made the motion and Mr. Droboniku seconded. A roll call vote of the present members was unanimous in favor.

The second application of the evening was from Jon J. Barnhart, a Northfield resident and licensed Professional Engineer. He resides with his wife Amy and their three children at 5 Jack Sloan Court in the newly developed Burton Estates known as Block 40, Lot 18.24. Mr. Barnhart presented his own application. The plans were prepared by Arthur W. Ponzio Co. & the architect is Daniel Scott Mascione. The zone is R-4.

Mr. Barnhart moved to Burton Estates 6 months ago. The family loves Northfield and wants to enhance their dream home. The application involves the construction of three projects- a new covered porch in front of the home, a new rear deck, and a new in-ground pool. The porch requires a side yard variance as it is proposed that it will wrap around the existing structure from front to side at 6 and ½ feet. 10 ft. side yard setbacks are required in the R-4 zone. Building and site coverage variances are also required. 25% is required and 29.5% is proposed. The roof for the porch is aesthetic and will not block air and space since it is intended that it will be wide open and will never be enclosed to make it a room. This is also true of the proposed open frame deck at the back of the house. The rear structure will have no roof. The pool will require side and rear setback variances. The required setbacks are 10 ft. and the applicants are requesting 8 ft.

The pool project was discussed. The pool equipment area will be at 10 ft. and they will build a 6 ft. fence around the property to enclose the pool area. The pool needs to be setback 10 ft. side and rear according to Ordinance. The equipment conforms at 10 ft. and the distance from the house is 8 ft. which also conforms. The applicant is willing to comply with the 10 ft. side yard setback if the Board requires but will continue to request the rear yard variance so as to not make the pool too narrow.

Dr. Levitt questioned Mr. Barnhart about the front porch. Mr. Barnhart stated that it would be constructed with synthetic wood and underneath would be dirt with slats of wood. Water would be able to drain through. Lot coverage, which deals with drainage, was discussed. 40% lot coverage is required as maximum and Mr. Barnhart is requesting 55%. He is confident that as an Engineer he will adequately provide for drainage. He does not believe that his projects will increase runoff. Runoff water will be directed to the front yard and street and he will add an extra properly placed downspout. Dr. Levitt stressed that he must not add to street runoff. Matt commented that there are drainage issues in the development currently due to failure of the drainage basin. Mr. Nuzzolo, Mr. Barnhart, and Dr. Levitt discussed the impervious coverage calculation. There is no drainage easement between the Barnhart's property and the rear neighbor. Mr. Nuzzolo commented that the pool is considered impervious coverage and Dr. Levitt stated that runoff stays in the pool. Mr. Barnhart added that he calculated the pool as impervious. He also noted that he has received approval for his project from Burton Estates Homeowner's Association.

Dr. Levitt opened the public session. There was no one who wished to speak on behalf of this application. The public session was closed.

Matt Doran continued with his report and added that he agrees with Mr. Barnhart that there is ambiguity in the Ordinance regarding pool setbacks. He noted that the City has made interpretations through time that a 10 ft. setback is required. He said that the property is part of the Burton Estates subdivision and does not need to address street trees, curbs and sidewalks. The applicant will need to submit a grading plan when applying for a building permit which will describe a drainage system that will carry water away in case of a breakage in the pool.

Chairman Levitt summarized the non-conformities. The pool will conform on the side yard. A variance will be needed for the rear. Concerning Lot coverage, it was addressed that the pool portion is at 4.5% and the covered porch (slated on the bottom for drainage) is approximately 3%. The deck in back near the pool cannot be shortened due to safety reasons. The applicant will deal with a number of drainage issues and does not want in anyway to cause issues with any neighbors. He agreed to use stone and piping at the rear. A fence at the basement exit will also be installed for his children's safety and to keep them from the pool without supervision.

Chairman Levitt asked for a motion for four variances. These include a 2 ft. rear setback for the pool, 4.5% for Building coverage, a variance for Lot coverage, and a side yard variance of 3.5 ft. The side yard variance for the pool has been eliminated. Conditions of approval include that the porch must never be enclosed, and the underground stone drainage system will adequately guarantee no increased runoff. Mr. DaPrato made the motion and it was seconded by Councilman Schlachter. The vote was unanimous for approval from all of the members present this evening.

At this time, Mr. Nuzzolo requested a discussion on impervious coverage. It was clarified that pavers are considered to be a concrete sidewalk and would indeed be included in impervious coverage calculations. Mr. Nuzzolo brought up questions about easement encroachment- specifically fences on drainage easements. Mr. Doran stated that you must look at individual deeds to see what is allowed. Mayor Perri stated that there is not allowed to be any

encroachment on City property lines. Dr. Levitt commented that if a fence is on the owner's property and does not interfere with the operation of the easement, the fence would be constructed at the owner's risk of possibly having to remove it should the easement area need to be cleared out. A discussion of deck additions determined that front and rear deck additions can be 10 x 10 per ordinance in the front and rear of properties.

There were no resolutions to memorialize.

Chairman Levitt spoke about Mr. Doran's proposal to work with Lance Landgraf on the senior housing issues facing the City. An escrow fund needs to be established. Each Developer would need to put up money for the fund. The Developers do not seem to have a problem with this. The Developers will be limited to the Gurwitz Family and Arthur Henry at this time. Each developer is to fund the escrow with \$2500.00. Mr. Doran will work with their Planners and will ask the Developers for the voluntary contributions.

Chairman Levitt discussed the course requirement for Board Members as mandated by the State. Board members have 18 months from appointment or re-appointment date to complete a course in basic Planning.

The Chairman announced that Arturo Barrera has resigned from the Board per a hand delivered letter received by the Secretary on this date. He is relocating to another City. Mayor Perri is working on appointing a replacement.

The meeting closed at 8:38 p.m. with a motion from Mayor Perri and seconded by Jerry Nuzzolo.

Respectfully submitted,

Robin Atlas-Clinton,  
Planning Board Secretary