

City of Northfield

Planning & Zoning Board

1600 Shore Road

Northfield, New Jersey 08225

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Minutes: August 17, 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, August 17, 2006 in Council Chambers, City Hall, Northfield, was opened by Chairman Richard Levitt at 7:31 p.m. with the following members present:

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

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

After a reading of Sunshine Laws, the roll call was taken. Absent members are noted above. There is one application on the agenda this evening. The applicant is PTA Holdings, LLC for a Major Subdivision including variances and waivers. Charles Endicott, Professional Engineer with Polistina Assoc., LLC, was sworn in as well as Jeff Mindish of Linwood, a Builder and member of PTA Holdings, LLC and also the Buyer under an agreement of sale. The attorney representing the applicant is Kristopher J. Facenda, an attorney with Perskie, Nehmad & Perillo. The owners of the property located at 730 Mill Road, Block 34, Lot 16 are Melvin C. and Doris Dougherty. The applicant is proposing to subdivide the property into 5 lots. The intent is to build 4 single family homes on 4 of the lots and to use the 5th lot for storm water management. The site is in the R-1 residential zone and is situated on 1.367 acres. PTA Holdings intends to demolish the existing one story brick dwelling, pool, 2 concrete pads, a deck, a gazebo and a concrete driveway. The subdivision will be on a proposed cul-de-sac opening at Mill Road.

The proposed lots will be Lot 16, 16.01, 16.02, 16.03 and 16.04. The required lot size is 10,000 sq. ft. The building lots are between 248 and 934 sq. ft. in excess of the requirement. Variances for lot width and lot depth for two of the lots will be required.

Mr. Facenda questioned Mr. Endicott about the project. Mr. Endicott testified that the site is 250 ft. from Burton Avenue. Lot width was not conforming in the preliminary plans. The lot lines were moved to make the lots more conforming. Lot widths on a cul-de-sac can be reduced 50% to 50 ft. at the street line. By moving the lines, the new frontages are as follows: Lot 16.01 has 100 ft. frontage, Lot 16.02 has 103 ft., Lot 16.03 has 50.52 ft. and Lot 16.04 has 62.4 ft. Mr. Facenda explained that Lot 16 is not a building lot and will be used to store storm water. Dr. Levitt asked about three large trees on the adjacent lot 17. He expressed concern about root destruction. Mr. Endicott said they are more than 10 ft. away and he believes they will not be affected.

Mr. Endicott proceeded to describe the on site water collection. A swale will be developed on the east side of the development which will be 4 to 6 ft. wide and 12 in. deep. The swale will be higher on the neighbor's side. Water will be contained because the far side will be 6 in. higher. Water will be collected in a series of inlets that will be located in the street and along the rear of the property and diverted to the collection area for the entire site through an underground pipe. The inlets exist and since the land has a natural roll to it, additional inlets won't be necessary. The site is lower than Mill Road especially in the front areas. Mr. Endicott believes that storm water management will be an improvement over current conditions. As required, their plan meets the 100% water storage requirement for a 2-year storm. For 5, 10 and 100 year storms, the required amount of on site water storage amounts is reduced.

Mr. Endicott explained that they will require 2 variances for lot width and depth for two of the lots. They are proposing to put 4 buildings on 1.367 acres. To meet open space regulations, they could put 4.5 buildings on only one acre. This is a benefit to lot area where there is a lack in width. Mr. Endicott feels that benefits far outweigh any detriments. They are providing residential development in the proper zone, they are providing for proper setbacks, they will produce a desirable visual environment that will be compatible with neighboring homes. Mr. Mindish commented that the homes will be comparable to the homes in the Burton Estates development and he is not trying to buy any adjacent land. Mr. Mindish intends to build the homes and not contract them out to another developer.

Dr. Levitt questioned the applicant concerning lot 17 which is located to the west. He stated that the lot could possibly be subdivided in the future and asked if frontage could be provided on the cul-de-sac to prevent any possible flag lot. Mr. Endicott believes that the owners of Lot 17 should have to come before the Board themselves if they desired to seek approval for a subdivision. Mr. Droboniku commented that they would have to come before the Board anyway since they only have about 90 ft. in frontage.

Mr. Doran addressed his Engineer's report. He noted that there will be parking on only one side of the cul-de-sac (the drainage side). There will be required curbing on both sides and a sidewalk on one side (the residential side). A sidewalk will be added on Mill Road with handicap access. The applicants agree to this. The applicants will provide the necessary street trees at 30 ft. as well as landscaping. A more detailed plan for the plantings should be provided. The required 2 street lights are proposed as well as a stop sign at the intersection of the new road and Mill Road and street name sign will be provided. Visual addresses will be displayed on the homes before any CO is issued. Mr. Doran noted that the street grade meets the minimum required. A waiver will be necessary for 68 ft. instead of the required 150 ft. separation for street intersections on opposite sides of the street. Final approval will be deferred to the County for the curb radius line and sight triangles. The applicant's are proposing a 6 inch water extension line to provide service to the lots. Approval from New Jersey Water Company will be needed prior to beginning work. Fire hydrant locations will need to be approved by the Fire Department. If they do not require a hydrant at the end of the cul-de-sac, a blow off water valve will need to be installed at the street. The applicants agree. Sewer laterals will tie in to a main. The soil borings report looks good and

this report has been submitted and is on file. The applicants are reducing the amount of water leaving the sight.

Dr. Levitt commented that he has concerns the tree removal may be excessive. Mr. Endicott stated that they will only clear trees after 30 ft. from the buildings. Mr. Mindish will only remove the minimum trees necessary. Dr. Levitt commented that the plans do not show which trees are to be removed. Mr. Doran stated that a definite envelope to measure by needs to be determined. Mr. Endicott commented that they intend to limit clearing to fit the houses comfortably. Mr. Doran said that an envelope of at least 25 ft. is needed for construction purposes. Dr. Levitt said that no healthy trees of 5 inch caliber or greater will be removed beyond the 25 ft. envelope. This only affects 2 of the lots (16.03 & 16.04) from the back of the proposed houses. The Mayor asked about the drainage easement area. Mr. Endicott said that the swale area doesn't have trees. Mr. Doran commented that a Homeowner's Association will need to be formed and should own and maintain the drainage systems. The Engineer also noted that a waiver will be needed for the drainage pipe which will be stored in an easement of 10 ft. where 20 ft. is required. This will be located on common property lines. Dr. Levitt commented that should any other property connect to the cul-de-sac, they would financially be obligated to contribute to the maintenance of the drainage system. Also, the Association documents need to contain language concerning trees, fences, pools, and accessory structures which may impede drainage. Each homeowner will maintain their own swales.

Mr. Doran continued with the remainder of his report. Other approvals, including County and State approvals, will be necessary. Performance Guarantees and Inspection Fees will need to be posted with the City. Also, a \$2,500.00 recreation fee per lot will need to be paid to the City prior to commencing work or filing of the plans. Dr. Levitt noted that the applicants will need to apply for City Council for an ordinance limiting the parking to one side of the street.

Dr. Levitt opened the public session. Jean and Charles Lawless of 720 Mill Road (Block 34, Lot 15) were sworn in before the Board. Mr. Lawless stated that they have a basement and are concerned with storm water runoff getting into their basement. It was noted that the new houses will be raised 4 feet. Mr. Endicott discussed the grade of the property. Mr. Endicott stated that the finished floor is 2 ft. above the grade surrounding the houses and the elevation surrounding the homes will be 2 ft. The Lawless' want assurance that their basement will not flood. Dr. Levitt stated that the law requires that the applicants cannot increase the amount of water that leaves the property. The applicants are improving on the amount of water leaving the property. Mr. Endicott explained how the water will drain. Mr. Endicott explained that water will drain from the center of the houses back and from the center of the houses forward toward the street. Mr. Lawless asked how the addition of swimming pools or auxiliary buildings would affect the swale. Mr. Doran explained that the easement will be part of the swale. Mr. Endicott explained that the swale will not be able to be built upon and that any buyers would be made aware of this. Mrs. Lawless asked about the length of the easement and if it would run the length of her property. Mr. Endicott said that the easement and the swale would run the entire length of the new lots and that this would include the length of her lot. The Lawless' had no further questions. Seeing no other residents or members of the public who wished to speak, Chairman Levitt closed the public session.

Dr. Levitt led the discussion of the waivers and variances. A waiver is necessary because the cul-de-sac does not line up with an existing street or is not separated by 100 ft. It was stated that Birch Grove Road is a one way street leading to Birch Grove Park and a waiver would be justified because of this. No name has yet been chosen for the cul-de-sac. The variances were summarized as Lot width for lots 16.03 & 16.04 and Lot depth for lot 16.02. A variance for the drainage lot (lot 16) is not really necessary since it is not a building lot, but the applicants would like the non-conformities to be memorialized. The lot will be utilized for drainage purposes only

and will be maintained by the Association. The non-conformities involve lot depth, lot width for 75 ft. width at the setback, lot size and area, and the 10 ft. easement.

Mr. Schlachter asked who will manage and police the Homeowner's Association. Mr. Facenda stated that the homeowners will automatically become a member upon purchase and this will be attached through the deed and the homeowners will manage themselves. Mr. Schlachter commented that an outside company should manage them and bill the homeowners. Dr. Levitt commented that the homeowners are collectively liable if the drainage doesn't work. Mr. Doran noted that there will be a bond associated with the project. It will not be released until the Engineer is satisfied that the drainage is working properly. Mr. Facenda said that the Association will develop a budget and responsibilities. Mr. Subranni will review all paperwork concerning the Homeowner's Association. The Solicitor stated that the developer is responsible for each lot until sold. Dr. Levitt agreed. Mr. Droboniku described a situation that could exist should a developer chose to purchase one of the lots and live there. He would become part of the Association like the other owners. Mr. Droboniku stated that typically once majority of ownership is lost by the developer due to sales, the Association takes over general maintenance such as grass cutting and the developer is still responsible for the drainage system until the Engineer is satisfied that the drainage system works properly and the bond is released by the City. Mayor Perri asked who owns the drainage lot. Mr. Droboniku commented that the Association would own it. Dr. Levitt added that they also are responsible for paying the taxes on the lot, grass cutting and maintaining any common areas when asked by Mayor Perri who would be responsible. The Mayor also asked about the design of the curbing. Mr. Doran stated that the curbing would be standard 6 inch curbing with regular sidewalks.

A motion was made by Mr. Schlachter and seconded by Mr. DaPrato to vote on the variances and waivers. All members present voted yes. A motion was made to vote on the major subdivision by Mr. Milone. Mr. Schlachter seconded. All present voted in favor of approval.

There was one resolution to memorialize for Dr. Ali Daneshavar's project which received site plan and "C" variances approval at the last meeting. There were two abstentions from Dr. Levitt and Mr. Droboniku due to absences at the last meeting. Mayor Perri made the motion and Mr. DaPrato seconded. The resolution was memorialized with approval votes from all other members present.

Chairman Levitt commented that the Master Plan project is getting close to completion.

The Chairman closed the meeting at 9:20 p.m. with a motion from Mr. Droboniku and a second from Mr. DaPrato.

Respectfully submitted,

Robin Atlas-Clinton
Planning Board Secretary