

City of Northfield Planning Board
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Minutes: June 6, 2013

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, filed with the City Clerk, and posted on the City website, stating the date, time and place of the meeting and the agenda to the extent known.

The regular meeting of the Northfield Planning Board, held on Thursday, June 6, 2013 in Council Chambers, City Hall, Northfield, was opened by Chairman Richard Levitt at 7:00 p.m. and the following members were present or absent as noted:

Linda Dyrek
Denise Kintish
Dr. Richard Levitt
Mayor Vincent Mazzeo
Lou Milone-absent
Sgt. Paul Newman
Henry Notaro
Councilman Frank Perri-absent
Ron Roegiers
Derek Rowe
Clem Scharff-absent
Jim Shippen

Matthew Doran, Professional Engineer
Norman Zlotnick, Solicitor

There was one application on the agenda for Michael and Kelianne Care who are tenants at a residence located at 30 Henry Drive, Block 16.01, Lot 21 in the R-1 Zone. The attorney for the Care's, Nicolette Tropiano, is also the property owner's daughter. The property owner is Tropiano Development Corporation of North Wales, PA. Ms. Tropiano stated that the Care's are seeking a "C" variance to allow for a 6 ft. fence to be constructed in the front yard setbacks along Henry Drive and Mill Road. Ms. Tropiano said the applicants have four small children ages 6,5,3, and 2 and they need the fence to keep the children safe. Mr. Care said there have been one too many close calls. The home is located on Mill Road which is a heavily traveled road.

Dr. Levitt referred to the submitted plan which is an enlarged portion of a plan drawn by Schaeffer Nassar & Scheiddegg with the proposed fence line drawn in pink. Dr. Levitt said that it is an unusual and unique property which fronts on Henry Drive and the back of the house fronts on Mill Road. A similar variance was granted for the Hurley family who reside on Henry Drive which is a block away. Dr. Levitt said he has a

question relating to the setback. The Ordinance permits 25 ft. to the setback line but in looking at the plan from the corner of the house to the location marked 'pin found', the Ordinance does not permit a 6 ft. fence in that section. Mr. Doran agreed and said 25 ft. back from the property line is permitted and that is why they are applying for a variance. Since the Ordinance would permit 4 ft., Dr. Levitt suggested a few ft. of fence at 6 ft. next to the house and then drop it down to 4 ft. Mr. Doran said they could run the fence for 10 to 12 ft. at a 6 ft. height. Dr. Levitt asked the Care's if a four ft. height on Henry Drive would be appropriate. Mr. Care said that this would create a privacy issue for them. Mrs. Care said that it would also be a safety issue for the kids.

Mr. Roegiers commented that there is a swing set in the side yard and Mrs. Kintish asked about ownership. Ms. Tropicano said they are renting the property from her parents but there is a discussion between the Care's and her parents about purchasing the property. Dr. Levitt commented that the file would need a Certification of Ownership signed by the owners and Ms. Tropicano commented that they have already signed it. Mr. Roegiers asked what type of fence they are planning to build. Mr. Care said it is a spruce wooden fence. Mrs. Care asked the Board to please consider approving the application as they would like to purchase the house and want the fence for the safety of their children.

Mr. Doran discussed the sight triangle issue at the corner of Henry Drive with Mr. Care. He commented that half the length of the fence should be set back somewhat so that cars coming out of Henry Drive can see oncoming traffic. Mr. Care commented that the property next to their house sets 6 to 8 ft. further out than their home. Mr. Care said he could cut the corner off the edge of the fence at the Mill Road corner. Mr. Doran suggested straightening out the lines of the fence to create more of a 90 degree angle. The Board members agreed with this. Mr. Care noted that when turning onto Mill Road, there is no problem making a right hand turn but cars need to creep out to turn left. His fence would not affect this issue.

Mr. Doran and Mr. Care reviewed the plan and notations were made on the plan as to the location of the fence. Mr. Doran stated that the County right of way is noted on the plan and if they ever decided to widen the road the fence would be in the right of way and would have to be moved. Dr. Levitt suggested that since the fence will be in 8 ft. sections, they could have the corner section on a diagonal. Mr. Doran said the plan is showing the fence 5 ft. off the property line. Dr. Levitt asked Mr. Doran to scale the distance from the curb line to the property line. Mr. Doran said the distance is 12 ft. Mr. Care said they will not have a lot of space and he wants to maximize the space available for the yard. Dr. Levitt said there is no problem putting the fence on the property line but they will need to cut the corner. Mr. Care said there is a sidewalk and a landscape strip to consider as well. Mr. Doran said they need to establish the property line and stay there. Dr. Levitt agreed and added that they need to stay out of the sight triangle and suggested following the parallel sight triangle and coming inside from the corner 8 ft. Mr. Doran instructed them to find the pin and get a good stake out which will be needed for the fence and that is where the sight triangle starts to hit the property line, and when they find the pin, go back along the street 30 ft. Mr. Doran and Mr. Care discussed this while viewing the plan so that Mr. Care understood exactly what he was talking about. The Board viewed the plan as well. Dr. Levitt said they will simply follow the property line to the sight triangle then parallel the sight triangle. Mr. Zlotnick needed numbers for the resolution to be understood and Dr. Levitt asked how

many feet inside the sight triangle they would need to be. Mr. Doran said the will have to be 30 ft. from the pin and then parallel the sight triangle inside the property line. Dr. Levitt and Mr. Doran continued to discuss this. It was determined that the lines should be at 10 ft. and 40 ft. and this won't take much space out of the property because the angle is so slight. Dr. Levitt asked Mr. Doran to email Mr. Zlotnick a description of this for the resolution. He added that cars travel fast on Mill Road and cars entering this road need to be able to view the road in a safe manner.

Mr. Shippen commented that there is an additional fence located between the Care's home and the Hurley's property. Dr. Levitt said that fence is toward the shore and his concern is toward the Township. Mr. Shippen said that cars need to go well past the sight triangle to see sufficiently and Dr. Levitt said the Board can't regulate that, but by moving the fence slightly, they will be opening up space and sight for drivers. Mr. Care said he agreed with Dr. Levitt's numbers and his concern is losing space in the yard. Dr. Levitt asked for Board questions and noted that there was no one present from the public for comments.

Mr. Shippen made the motion grant the 'C' Variance with modification designed by the Board Engineer. Mrs. Dyrek seconded the motion.

The roll call vote was as follows:

Mrs. Dyrek-yes, Mrs. Kintish-yes, Mayor Mazzeo-yes, Mr. Milone-absent, Sgt. Newman-yes, Mr. Notaro-yes, Councilman Perri-absent, Mr. Roegiers-yes, Mr. Rowe-yes, Mr. Scharff-absent, Mr. Shippen-yes, Chairman Levitt-yes. The motion to approve the "C" Variance carries.

There were two resolutions to memorialize. The first was for Guiying Su/Stress Relief Center of Northfield, Block 59, Lots 1 & 2.02 at 801 Tilton Road, Unit #10 for a "D" Use Variance and Site Plan Waiver and the second was for Siganos Realty, LLC, Block 41, Lots 4,5,12,13,14,22 & 23 between Route 9 and Tilton Road for a 'D' Use Variance and Minor Site Plan. The voice vote was all in favor of memorialization with Mayor Mazzeo and Ron Roegiers abstaining.

The July meeting has been rescheduled and will be held Thursday, July 18, 2013 at 7:00 p.m. This change in the schedule will be advertised in The Press as required by the Open Public Meetings Act of NJ.

The meeting was closed by Chairman Levitt by a motion from Mr. Shippen and a second from Mrs. Dyrek.

Respectfully submitted,

Robin Atlas, Secretary to the Board