

**BOROUGH OF OLD TAPPAN
PLANNING BOARD
REGULAR MEETING
WEDNESDAY, SEPTEMBER 14, 2011- 7:30 p.m.
MINUTES**

In compliance with the Open Public Meetings Law, notification of this meeting has been sent to our official newspapers and other publications circulated in the Borough of Old Tappan, and notice posted on the bulletin board at Borough Hall as well as on the (www.oldtappan.net) web site. Please note the fire exits at the entrance to the Council Chambers and at the rear of the Council Chambers.

MEETING CALLED TO ORDER:

ROLL CALL:

Present:	William Weidman	Chairperson
	Anna Haverilla	Mayor Rep.
	Gary Mascolo	
	Police Chief Shine	(8:30)
	David Keil	
	Karen Nilsson	Alt. #1 (8:30)
	Michael Alessi	Alt. #2
	Thomas Gallagher	Alt. #4
Also Present:	Robert Regan, Esq.	Board Attorney
	Sean Moronski	Board Planner
	Thomas Skrable	Board Engineer
Absent:	Nick Mamary	Vice Chair
	Victor Cioce	Council Liaison
	Charles Maggio	
	Richard Sunden	
	Julie Katz	Alt. #3

PLEDGE OF ALLEGIANCE:

OPEN TO PUBLIC: Councilwoman Haverilla seconded by Mr. Alessi made a motion to open the meeting to the public. Pat Segidan, 7 Lawrence Court, stated that the sidewalk and hike and bike system is a great amenity to the town and thanked the Planning Board for all their hard work. Mr. Alessi seconded by Mr. Keil made a motion to close the meeting to the public.

APPLICATIONS:

Morandi – Block 1901, Lot 10

Brian Morandi remains sworn by Mr. Regan from the July 13, 2011 meeting. Robert Zacccone, is sworn by Mr. Regan and is deemed qualified by the board. A-2 is marked as the architect's plan revised the 8/19/11. The application is seeking 2 variances. It is a two car garage with an (OTPB – 9/14/11)

attached cabana. The variance is for height of 18ft when 14 ft is required. The required area is 25 sq. ft. and the applicant is proposing 652 sq.ft. garage with a storage loft of 421sq. ft. The cabana area is calculated to be 183sq. ft. The intention of the loft space is for storage only. The site plan should be revised to be 835 sq. ft. Mr. Skrable stated that the covered portico should be included. Mr. Skrable and Mr. Moronski are sworn by Mr. Regan. This changes the plan to 1,000 sq. ft. on the first floor and 421 sq. ft. on the second floor. There are no plans nor utilities for heating. There will be plumbing for water and hot water. The sewer will be tied into the kitchen plumbing. Mr. Skrable stated that if the variances are approved a soil moving permit would be necessary. The cabana will have a refrigerator. Mr. Alessi, seconded by Councilwoman Haverilla, made a motion to open the meeting to the public. Councilwoman Haverilla seconded by Mr. Keil made a motion to close the meeting to the public. Mr. Zaccone stated that the existing garage is structurally unsound. Councilwoman Haverilla seconded by Mr. Alessi made a motion to approve the application. On roll call vote, the vote was as follows:

Roll call:

Ayes:	Mr. Mascolo, Councilwoman Haverilla, Mr. Keil, Mr. Alessi, Mr. Gallagher and Mr. Weidmann
Nays:	None
Abstain:	None

Old Tappan Manor – Block 803, Lot 8

Councilwoman Haverilla steps down from the dais. Mark Madaio, Esq. represents Colonial Manor. Notice documents are in order. The application is for a small addition to the front of the left hand corner for the building. It is an addition to the bridal room to the second floor. Axis Architectural Plans, proposed floor plans and elevations is marked as A-1 dated 2/22/11. Mr. Steven Lazarus is sworn by Mr. Regan and deemed qualified by the board as an architect. Mr. Sean Moronski, Board Planner and Mr. Tom Skrable, Board Engineer are also sworn by Mr. Regan. Ms. Noll stated that the board only received a receipt for the publication and not the actual affidavit of publication. Mr. Regan stated that Mr. Madaio will continue with the application and will provide the affidavit of publication as soon as possible. The addition of the first floor will square off the front of the building. 27ft. 5in X 35ft. 6in. 940-945 sq. ft. added to the first floor. The second floor is about 1000 sq. ft. The interior use of the first floor is an expansion of the cocktail room and the second floor is an expansion of the bridal room to make it more modern. None of this will change any of the prior resolutions regarding additional people or seating. It will look like the rest of the building. The ramp will be covered by the second floor. A bathroom will be added to the bridal suite. There will be lighting under the second floor extension for the ramp area. Mr. Keil, seconded by Ms. Nilsson, made a motion to open the meeting to the public. Rich Rausa, 26 Deerborn, asks to see the plans. Heidi Burke, 12 Moser Place, asks if there is any intention to break the room into two. Mr. Lazarus stated no there is no intention to have two parties a one time. There will not be any additional people allowed at the parties. Mr. Keil, seconded by Mr. Gallagher, made a motion to close the meeting to the public.

Harry Tuvell, is sworn by Mr. Regan and deemed qualified by the board as an engineer and planner. The Site Plan dated 6/13/11 is marked as A-2. All of the existing non conformities remain. There are no new variances with this application. Mr. Tuvell stated a 44.33% to 44.78% increase in impervious coverage. This requires a variance but it already exists. The applicant is (OTPB – 9/14/11)

proposing brick piers and aluminum iron fence. This is to deter deer from entering the property. The entire site will be fenced in. The height of the fence in the front would be 6ft with piers at 6 1/2 feet. 3 feet is allowed in the front yard. Mr. Tuval stated that approximately 1/3 of the building drains to the southern side and the existing drainage is sufficient and with the addition they would still be approximately 1000 sq. ft. under the requirement. Mr. Tuval believes it is de minimus in nature. Mr. Skrable's report is marked as Board-1. Mr. Skrable stated that the 30inches at the bottom of the piers is too much. Mr. Medaio provided the board with revised plans dated 9/13/11 is marked as A-3. These plans address all of Mr. Skrable's concerns in his report. If Mr. Skrable finds that a seepage pit is needed the applicant agrees to have one installed. Mr. Lazarus will redesign the fence and resubmit with smaller piers. The applicant agrees that there will be no additional lighting on the driveway side of the building. Mr. Mascolo, seconded by Mr. Alessi, makes a motion to open the meeting to the public. Mrs. Martinetti, 10 Deerborn Drive, concerned about the two windows in the bridal room face and line up with her bedroom. Heidi Burke, 12 Moser Place, questions the fence and the deer trail. Mr. Tuval stated that the fence to the north towards the west will connect. Ms. Burke states that the deer will get stuck in her backyard. Ms. Burke stated that they already put lighting in without board approval. Ms. Burke asks that the plans state that there will no additional runoff. Ms. Burke questions the two structures and if they are permanent. Asks for the exact measurements of the containers for the next meeting. Ken, 16 Moser Place, also questions the fence and likes the fact that his property is open land and this fence will affect the pattern of the deer. Katie Rausa, 26 DeBerg Dr., the owner will testify to what is in the storage container. Mr. Gallagher seconded by Ms. Nilsson, made a motion to close the meeting to the public. Mr. Skrable stated that the last site plan approval had an approved lighting plan and anything other than what was approved should be brought to his attention. Mr. Skrable also stated that there should be no runoff concerns regarding the prior plans. The hearing is carried to the next meeting.

Sokolich – Block 1504, Lot 9

Mr. Sokolich agrees to the memorialization of the resolution on November 9th. Mr. Moronski remains under oath. Mr. Moronski references a case called Wawa v. Old Bridge. Mr. Moronski stated that there is single family development on Russell Avenue and does not feel that that is a special reason. The 3rd round rules of the housing plan referenced 12 unit on this property for 100% affordable units not what is proposed in this application. Mr. Moronski also stated that the 3rd round rules were thrown out. Mr. Moronski does not believe that design alone should justify a D variance. This is a greater density than anything else in the neighborhood. Mr. Sokolich expressed his concern regarding the planning conclusions of Mr. Moronski. Mr. Regan disagrees

and stated that Mr. Moronski's testimony is in direct response to Mr. Ochab's testimony at the last meeting. Mr. Regan also stated that the board has the right to hear from it's experts. Mr. Moronski is questioned by Mark Sokolich. Mr. Moronski stated that the borough's housing plan was never approved by COAH. Mr. Mononski's main issue is the intensity of the use. Mr. Alessi, seconded by Mr. Gallagher, made a motion to open the meeting to the public. Chief Shine, seconded by Ms. Nilsson, made a motion to close the meeting to the public. Mr. Keil, seconded by Mr. Gallagher, made a motion to open the meeting for any questions or comment on this application. Chief Shine, seconded by Mr. Gallagher, made a motion to close the meeting to

the public. Mark Sokolich makes his summation. Mr. Weidmann expressed his concerns with (OTPB – 9/14/11)

this application. Mr. Sokolich has never requested the rezoning of this property. A motion to approve was made by Mr. Gallagher seconded by Mr. Alessi, on roll call vote, the vote was as follows:

Roll call:

Ayes:	Mr. Mascolo, Mr. Keil, Mr. Alessi, and Mr. Gallagher
Nays:	Chief Shine, Ms. Nilsson and Chair Weidmann
Abstain:	None

5 affirmative votes are required for approval of a D variance, only 4 were given, motion is denied.

COMMUNICATIONS: Ms. Noll discussed the sustainable land use resolution through the green team. This resolution has not been passed.

CONSTRUCTION OFFICIAL'S REPORT: Ms. Noll read Mr. Lepore's July and August reports. In July – 42 construction permits were issued, 20 CCO's were issued, 4 soil movement permits were issued, and 13 zoning permits were issued. In August – 42 construction permits were issued, 8 CCO's were issued, 2 soil movement permits were issued, 5 road opening permits were issued and 10 zoning permits were issued.

BOARD ENGINEER REPORT: Mr. Skrable stated that the sidewalk program on the punchlist phase now. The sidewalk construction is done for the most part. The town is going for funding for Phase 4. The application will be done within the next month and they will find out in the spring if it is approve.

COUNCIL LIAISON'S REPORT: Councilwoman Haverilla stated that Town Day was fantastic. The day included Bonabel Park grand opening, 3K walk/run, and fireworks. Councilwoman Haverilla also stated that the borough had a nice 9/11 memorial service. Solar is in and done. Phase 1 is operating in the borough hall and firehouse. Phase 2 is almost done, it just needs inspection. Mr. Mascolo thanked all the people involved in making Town Day a success.

ENVIRONMENTAL COMMISSION REPORT: Mr. Keil stated that the Environmental Commission's next meeting is scheduled for September 21, 2011. One of the items up for discussion is a walk to school day.

FINANCIAL SECRETARY'S REPORT: Mr. Mascolo stated that the bills are as follows: \$1,350.00 from the budget and \$4,245.75 from escrow for a total of \$5,595.75. On roll call vote, all in favor, none opposed. Mr. Mascolo stated that the Planning Board is in safe financial standing.

MINUTES TO BE APPROVED: Mr. Alessi, seconded by Mr. Keil made a motion to approve

the minutes from May 11, 2011. All in favor, none opposed, motion carried.
(OTPB- 9/14/11)

Councilwoman Haverilla, seconded by Mr. Keil made a motion to approve the minutes from June 8, 2011. All in favor, none opposed, motion carried.

RESOLUTIONS: Sigismondi - Mr. Regan reads and reviews the resolution for the board. On roll call vote the vote was as follows:

Roll call:

Ayes:	Mr. Mascolo, Mr. Gallagher, Mr. Alessi
Nays:	None
Abstain:	None

Bank of America - Mr. Regan reads and reviews the resolution for the board. A motion was made by Councilwoman Haverilla and seconded by Mr. Keil. On roll call vote the vote was as follows:

Roll call:

Ayes:	Mr. Mascolo, Mr. Keil, Mr. Alessi, Mr. Gallagher
Nays:	None
Abstain:	None

OLD BUSINESS: Councilwoman Haverilla revisited the FAR definitions and cabana size. Mr. Weidmann agrees that it needs to be revisited.

NEW BUSINESS:

OPEN TO PUBLIC: None.

ADJOURNMENT:

Upon motion of Mr. Gallagher, seconded by Ms. Nilsson, all in favor, the meeting was adjourned at 10:55 pm.

Respectfully submitted,

By: _____

Siobhain Auer
Recording Secretary

/sa

Date Approved _____

cc: Mayor and Council
Robert Regan, Esq.
Thomas W. Skrable, P.E.
Construction Official
Fire Official
Board of Health

Burgis Associates