

**BOROUGH OF OLD TAPPAN  
PLANNING BOARD  
REGULAR MEETING  
WEDNESDAY, JUNE 2, 2010- 7:30 p.m.  
MINUTES**

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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](http://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:** 7:30pm

**ROLL CALL:**

Present:	Rea Epstein	Chairperson
	William Weidmann	Vice-Chairperson
	Anna Haverilla	Mayor Rep. (8:30)
	Matthew Nalbandian	Council Liaison (7:50)
	Nick Mamary	
	Gary Mascolo	
	Karen Nilsson	Alt. #2
	Julie Katz	Alt. #3
	Michael Alessi	Alt. #4
Also Present:	Robert Regan, Esq.	Board Attorney
	Thomas Skrable	Board Engineer
	Sean Moronski	Board Planner
Absent:	Peter Abballe	
	Charles Maggio	
	Richard Sunden	
	John Rinaldi	Alt. #1

**PLEDGE OF ALLEGIANCE:**

**OPEN TO PUBLIC:** None

**APPLICATIONS:**

**Brennan – Block 701, Lot 1**

Mr. Russell Huntington represents the applicant, John and Lucinda Brennan. Ms. Noll confirms that the notice documents are in order. A-1 is marked as a set of plans prepared by McNally Engineering (9 pages) dated 4/7/10 and revised to 5/4/10. A-2 is marked as a Google aerial and distributed to the board. This is an application for preliminary and major subdivision. If approved it will create 3 new home sites as well as a 4<sup>th</sup> site that is currently the home of the applicant. Mr. Doug Doolittle is sworn by Mr. Regan and deemed qualified by the board as an engineer. Mr.

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Regan also swears in Mr. Moronski, Board Planner and Mr. Skrable, Board Engineer. The property is located at 39 O'Connors Lane. There is a tennis court and swimming pool in the back of Mr. Brennan's property. There is a proposed cul-de-sac. The current home is over in FAR. The home is currently about 13,000 sq.ft. when 8,400 sq.ft. is required. The current home also has 4 accessory structures (cabana, gazebo, and 2 storage sheds) when only 1 is required. None of these nonconformities are being changed by this application, except the property is getting smaller. The water runoff will be cleaned and reduced. The applicant is proposing a 30 ft. wide roadway approximately 550 ft long with a cul-de-sac at the end with 3 homes situated around the cul-de-sac. There will be sanitary sewer, municipal water, gas and electric. The applicant must live up to the RSIS standards. This new development will enhance the drainage in the area. They will be using a camel back system for surface runoff. Each individual lot will need to provide their own drainage calculations. The borough engineer will review each individual site plan as it come in to be approved and built. At that time each lot will provide landscaping. Mr. Doolittle states that there are no traffic concerns, ie. site distances. B-1 is marked as Mr. Skrable's report of June 1, 2010. B-2 is marked as Mr. Skrable's report of June 2, 2010. Mr. Doolittle goes over the reports. A-3 marked as a resolution of the board dated December 19, 2001 for subdivision for a land exchange which Mr. Doolittle believes it was intended to provide a 50 ft. right-of-way. This subdivision will create a variance for both lot 2 and lot 3. The applicant agrees to have any approval conditioned upon the approval of the DEP which has jurisdiction regarding the buffer of Lake Tappan and the wetlands. The wetlands are located directly behind Mr. Spagnuolo's property. A-4 is marked as documents regarding the wetlands. The electric easement on the east side of the Brennan home is for Rockland Utilities and Mr. Doolittle stated that there are no improvements proposed within that easement. Mr. Doolittle reviews the soil erosion and settlement control plan during construction for the board. Mr. Doolittle discussed the locations of the catch basins and drainage pipes. The applicant is requesting a waiver on the sidewalk requirement and the landscaping plan requirement. Mr. Skrable stated that this application is creating a variance to the neighbor and he believes that the neighbor would need to become a party in the application. Mr. Skrable also stated that the additional drainage calculation will change the storage. Mr. Lake will need to comment on the drainage because he is the one that will be cleaning these out. All the water from the new road will go towards Stokes Farm Road. If the waiver is granted the applicant will pay the necessary fee into the sidewalk fund. The applicant agrees to locate the fire hydrant wherever the the fire department decides. All the homes will have a 4inch pipe from the house, to 6inch and then 8inch. Mr. Mascolo questioned the tree replacement plan. Mr. Skrable stated that this should be a condition of approval that each developer for each lot come in with a site plan and tree replacement plan. Mr. Regan stated that this will be put in the developer's agreement so all prospective buyers will be aware. Mr. Huntington stated that this road exceeds the RSIS standards. This application forms a side street side variance for lot 3 which requires 50 feet from yard setback (side street side). Richard Rielly, 23 O'Connor's Lane, has concern with the drainage plan. Mr. Reilly stated that about 7 years ago part of the wetlands were filled in and since then he gets water in his basement and now he is worried that his property will be even more affected with this proposal. Mr. Ahn, 27 O'Connor's Lane, also has concern with drainage. Mr. Ahn stated that when Mr. Spagnuolo developed in the area his property was affected by water. Mr. Skrable will look into the water issue that Mr. Ahn is having.

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Mr. John (Jack) Brennan, is sworn by Mr. Regan. Photos marked A-5 through A-13 taken by Mrs. Brennan. Mr. Brennan reviews the photos for the board which are of the property and surrounding homes. Mr. Brennan does not see any reason to demolish the accessory structures. Mr. Brennan agrees to the conditions and stipulations already mentioned. Councilwoman Haverilla seconded by Mr. Mascolo made a motion to open the meeting to the public. No public. Councilwoman Haverilla seconded by Mr. Mascolo made a motion to close the meeting to the public. Mrs. Epstein expressed concern that the board had not received feedback from the DPW or the Fire Official. Ms. Noll stated that Mr. Lake of the DPW has been out on sick leave. Mr. Brennan spoke with Mr. Spagnuolo but not to Mr. Reilly or Mr. Ahn. Councilwoman Haverilla seconded by Ms. Katz made a motion to open the meeting to the public. Mr. Ahn is sworn by Mr. Regan. Mr. Ahn asked who will be responsible for drainage. Mr. Huntington explains that the developer will pay for the town engineer to inspect the site to make sure that development is proceeding according to what was approved. Mr. Huntington further explained that if there is already a water problem on Mr. Ahn's property it will not be any worse. Mr. Peter Spagnuolo, 31 O'Connor's Lane, is sworn by Mr. Regan. Mr. Spagnuolo stated that he would like to see the road over a little and would like to have no parking on the street. He also stated that he spoke to Mr. Brennan about 10 years ago about this. Mr. Spagnuolo believes it is the obligation of the applicant to avoid creating a variance. Mr. Skrable does not object to moving the road over 5 feet. Mr. Brennan agrees to this as well. The board cannot grant a variance for Mr. Spagnuolo because there is no application before the board but the reason for the formation of these nonconforming lots will be stated in the resolution. Mr. Mamary seconded by Mr. Mascolo made a motion to close the meeting to the public. The application is carried to the July 21, 2010 meeting.

**COMMUNICATIONS:** Maccaro is changing the conditions of their resolution and needs to renotice and come back before the board. Mr. Regan will confirm that the applicant will be ready for the July 21, 2010 meeting.

**CONSTRUCTION OFFICIAL'S REPORT:** None

**BOARD ENGINEER REPORT:** Mr. Skrable spoke of bids for road improvements on Maple Street and will be done at the end of the summer or the beginning of the fall. Mr. Skrable also provided the board with an update on the solar project and sidewalks.

**COUNCIL LIAISON'S REPORT:** No report

**ENVIRONMENTAL COMMISSION REPORT:**

**FINANCIAL SECRETARY'S REPORT:** The bills are as follows: \$500.00 from escrow. A motion was made by Mr. Mascolo and seconded by Ms. Nilsson, to approve the bill as stated. On roll call vote, all in favor, none opposed. Motion carried.

**MINUTES TO BE APPROVED:**

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**RESOLUTIONS:**

**OLD BUSINESS:** Age restricted housing was tabled to the July 21, 2010 meeting. Mr. Weidmann and Ms. Katz are on that subcommittee.

**OPEN TO PUBLIC:**

**NEW BUSINESS:**

**ADJOURNMENT:**

Upon motion of Councilwoman Haverilla, seconded by Mr. Mascolo, all in favor, the meeting was adjourned at 10:11 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