

**BOROUGH OF OLD TAPPAN  
PLANNING BOARD  
REGULAR MEETING  
WEDNESDAY, MARCH 9, 2011- 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:**

**ROLL CALL:**

Present:	William Weidmann	Chairperson
	Victor Cioce	Council Liaison
	Gary Mascolo	
	David Keil	
	Charles Maggio	
	Karen Nilsson	Alt. #1
	Julie Katz	Alt. #3 (left 8:17)
	Thomas Gallagher	Alt. #4
Also Present:	Robert Regan, Esq.	Board Attorney
	Sean Moronski	Board Planner
	Thomas Skrable	Board Engineer
Absent:	Anna Haverilla	Mayor Rep.
	Police Chief Shine	
	Nick Mamary	
	Richard Sunden	
	Michael Alessi	Alt. #2

**PLEDGE OF ALLEGIANCE:**

**OPEN TO PUBLIC:**

**APPLICATIONS:**

**Sokolich – Block 1504 Lot 9** - The matter is carried to 4/13/11 and will be given one hour because there are 2 other matters on that night.

**Walsh – Block 1204 Lot 4** - William Matthew Walsh, 9 Orangeburg Road, is sworn in by Mr. Regan. A-1 is marked as a survey dated 1/4/11 by First Sight Surveying LLC. Mr. Walsh stated that in 2005 he came before the board with an application for an addition and a pool in the side yard. The pool was not started within a year so time lapsed. The applicant is asking for a pool in (OTPB – 3/9/11)

the side yard, a rear setback and side yard setback variance. The lot coverage is 53.9% when 55% is permitted. The applicant is requesting a 3ft. setback in the rear and 3ft setback on the side. The prior application was approved with a 10 ft. in the rear and 8 ft on the side. Mr. Walsh would like to move the fence because he found out that his property line is 3ft beyond the fence. Tom Skrable asked about the soil permit. Mr. Walsh stated that they put the seepage permit and they will continue to conform with the prior soil permit. Mr. Moronski questioned the adverse impact. Mr. Walsh stated that there is no adverse impact because his property is mainly surrounded by the gas station and that this is an improvement for the property. Mr. Mascolo asked about the pavers. Mr. Walsh stated that the surveyor did not discount the pavers 50% for impervious coverage as it is stated in the code. A-2 is a photo of the gas station installing a new tank and Mr. Walsh's house is in the background. The pergola will be 4 posts and roof with a BBQ. There will be no walls and therefore it will not be an accessory structure. Ms. Nilsson asked about the seepage pit. It is located to the right of the garage wall and walkway. Councilman Cioce asked about notice. All notice documents are in order. Mr. Walsh stated that the pond will be removed and will become lawn. The fence will also be put in the resolution. Ms. Katz leaves the dais. Mr. Moronski read 255-73(a) regarding the height of the fence. The fence cannot be put on the retaining wall because the ordinance states a fence on grade not on a retaining wall. Mr. Walsh asked for a 3ft retaining wall with a 6ft fence on top of it, be added to the variances. This height will be on the south side of the property only. Mr. Weidmann requested that the plan be changed to state 6ft fence on grade. A-3 is marked as a photo of side yard fence and shrubbery. Councilman Cioce has concerns about the 9ft high fence and suggested using plantings to buffer the sight and sounds of the gas station. Brett Unger is the contractor of the pool, is sworn by Mr. Regan. Mr. Unger confirmed that the wall is retaining Mr. Walsh's property from the gas station. Mr. Walsh stated once the plantings go in he will not see the majority of the fence. Mr. Weidmann suggests keeping the 20inches or retaining wall and then 6ft. fence. Mr. Walsh agrees. The wall and fence will not exceed 7ft8in. on the Citgo side. Christopher L. Karach, landscape architect, is sworn by Mr. Regan and is deemed qualified by the board. There will be 15 to 16 foot trees installed. They will reuse what is already there and replace what needed to be removed. A-4 is marked as a landscape plan prepared by Christopher Karach. Mr. Maggio, seconded by Ms. Nilsson, makes a motion to open the meeting to the public. Mr. Maggio, seconded by Councilman Cioce, makes a motion to close the meeting to the public. Mr. Regan restates the conditions for the resolution. Mr. Maggio, seconded by Mr. Mascolo, makes a motion to approve the application with the stated conditions. On roll call vote, the vote was as follows:

**Roll call:**

Ayes:	Mr. Maggio, Mr. Mascolo, Councilman Cioce, Mr. Keil, Ms. Nilsson, Mr. Gallagher and Mr. Weidmann.
Nays:	None
Abstain	None

Approved.

**COMMUNICATIONS:**

**CONSTRUCTION OFFICIAL'S REPORT:** None.

(OTPB – 3/9/11)

**BOARD ENGINEER REPORT:** Mr. Skrable stated that the solar project is moving along slowly. They are waiting to hear from NJ Clean Energy for an extension. Mr. Skrable had a phone conference regarding the extension. Mr. Skrable is meeting with the contractor next week on the sidewalks. This Phase of the project will complete sidewalks on Central Avenue to the town line. It will also finish up Orangeburg to the Dorotockey's Run Bridge and DeWolf Road to the state line on the Golf Course side.

**COUNCIL LIAISON'S REPORT:** Councilman Cioce stated that there was a resolution passed on 3/7/11 regarding sustainable land use. Copy of the resolution is attached. The last meeting to review the budget was held and will be put up for discussion at the mid April meeting. There will be a tax increase.

**ENVIRONMENTAL COMMISSION REPORT:** Mr. Keil stated that the Environmental Commission visited Westwood DPW regarding cooking oil for fuel. The next meeting is March 15, 2011.

**FINANCIAL SECRETARY'S REPORT:** Mr. Mascolo stated that the bills are as follows: \$475.00 from the budget and \$812.00 from escrow for a total of \$1,287.00. A motion was made by Councilman Cioce and seconded by Ms. Nilsson, to approve the bills as stated. On roll call vote, all in favor, none opposed. Motion carried.

**MINUTES TO BE APPROVED:** A motion to approve the minutes of February 9, 2011, was made by Ms. Katz, seconded by Mr. Gallagher. On roll call vote, 6 in favor, 2 abstain, none opposed. Motion carried.

**RESOLUTIONS:** None

**OLD BUSINESS:** The next meeting will have two applications.

**NEW BUSINESS:** Master plan is due to be revised 2012. Mr. Skrable asks that 50% credit with pavers ordinance be looked at again. It is under improved lot coverage definition. Mr. Skrable and Mr. Moronski will come up with a revised definition for the board's review.

**OPEN TO PUBLIC:** None.

**ADJOURNMENT:**

Upon motion of Mr. Maggio, seconded by Mr. Gallagher, all in favor, the meeting was adjourned at 9:00 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

**FROM THE BOROUGH CLERK'S OFFICE  
SUSTAINABLE LAND USE PLEDGE RESOLUTION**

(For Councilman J. Kramer)

**R E S O L U T I O N**

**WHEREAS**, land use is an essential component of overall sustainability for a municipality; and

**WHEREAS**, poor land-use decisions can lead to and increase in societal ills such as decreased mobility, high housing costs, increased greenhouse gas emissions, loss of open space and the degradation of natural resources; and

**WHEREAS**, well planned land use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space, provide for adequate recreation, and allow for the continued protection and use of vital natural resources; and

**WHEREAS**, given New Jersey's strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead;

**NOW THEREFORE**, we the Borough of Old Tappan, resolve to take the following steps with regard to our municipal land-use decisions with the intent of making Old Tappan a truly sustainable community. It is our intent to include these principles in the next master plan revision and reexamination report and to update our land-use zoning, natural resource protection, and other ordinances accordingly.

- Regional Cooperation - We pledge to reach out to administrations of our neighboring municipalities concerning land-use decisions, and to take into consideration regional impacts when making land-use decisions.
- Transportation Choices - We pledge to create transportation choices with a Complete Streets approach by considering all modes of transportation, including walking, biking, transit and automobiles through, when planning transportation projects and reviewing development applications. We will reevaluate our parking with the goal of limiting the amount of required parking spaces, promoting shared parking and other innovative parking alternatives, and encouraging structured parking alternatives where appropriate.
- Natural Resource Protection - We pledge to take action to protect the natural resources of the State for environmental, recreational and agricultural value, avoiding or mitigating negative impacts to these resources. Further, we pledge to complete a Natural Resources Inventory when feasible to identify and assess the extent of our natural resources and to link natural resource management and protection to carrying capacity analysis, land-use and open space planning.
- Mix of Land Uses - We pledge to use our zoning power to allow for a mix of residential, retail, commercial, recreational and other land use types in areas that make the most

sense for our municipality and the region, particularly in downtown and town center areas.

- Housing Options - We pledge, through the use of our zoning and revenue generating powers, to foster a diverse mix of housing types and locations, including single- and multi-family, for-sale and rental options, to meet the needs of all people at a range of income levels.
- Green Design - We pledge to incorporate the principles of green design and renewable energy generation into municipal buildings to the extent feasible and when updating our site plan and subdivision requirements for residential and commercial buildings.
- Municipal Facilities Siting - We pledge, to the extent feasible, to take into consideration factors such as walkability, bikability, greater access to public transit, proximity to other land-use types, and open space when locating new or relocated municipal facilities.

**INTRODUCED BY :** Councilman John Kramer

**SECONDED BY :** Councilman Matthew Nalbandian

**ROLL CALL:** Councilman Binaghi - Aye                      Councilwoman Haverilla - Aye  
                    Councilman Carnazza - Absent              Councilman Kramer - Aye  
                    Councilman Cioce - Aye                      Councilman Nalbandian - Aye

**APPROVED :** \_\_\_\_\_  
Victor M. Polce, Mayor

**ATTEST :** \_\_\_\_\_  
Jean M. Quinn, Borough Clerk

**DATED :** March 7, 2011