Chairman Some called the meeting to order at 7:30 p.m. and read the opening statement that adequate notice of the meeting had been posted and sent to the officially designated newspapers.

**BOARD MEMBERS PRESENT:** Chairman Some; Vice Chairman Matthews; Mr. Conforti; Ms. Davis; Ms. Dyer; Mayor Trzaska; Mr. E. Willson; Mr. T. Wilson; Mr. Glockler, Alternate No. 1; Mr. DeRochi, Alternate No. 2

**ALSO PRESENT:** Francis P. Linnus, Esq., Board Attorney; Kathy Elliott, Board Engineer; Cindy Coppola, Board Planner; Richard Bartolone, Board Landscape Architect; Ms. Savron, Secretary

I. PUBLIC COMMENT – 5 MINUTES PER PERSON

Chairman Some read the public comment statement. There was no public comment.

II. RESOLUTIONS

**Case PB-10-12**  
**Applicant:** Carrier Clinic  
Block 1001 New Lot 14.02  
Submission Waivers Associated with a Preliminary and Final Site Plan Application

A motion to memorialize the resolution was made by Mayor Trzaska, which was seconded by Mr. E. Willson. This was carried on the following roll call vote:

**Ayes:** Conforti, Davis, Glockler, Matthews, Trzaska and E. Willson

**Nays:** None

**Case PB-15-07**  
**Applicant:** Mark Hornung and Lauren Jones  
Block 11001 Lot 34  
Extension of Final Major Site Plan

A motion to memorialize the resolution was made by Mr. Conforti, which was seconded by Ms. Davis. This was carried on the following roll call vote:

**Ayes:** Conforti, Davis, Glockler, Matthews, Trzaska and E. Willson

**Nays:** None

**Case PB-05-08**  
**Applicant:** East Country Development  
Block 16002 Lot 9  
Amended Final Major Subdivision

A motion to memorialize the resolution was made by Ms. Davis, which was seconded by Mayor Trzaska. This was carried on the following roll call vote:

**Ayes:** Conforti, Davis, Glockler, Matthews, Trzaska and E. Willson

**Nays:** None

III. ADMINISTRATIVE BUSINESS

A. EXTENSION REQUEST

**Case PB-07-04**  
**Applicant:** Marc Brahaney  
Block 11003 Lots 6 & 7  
Extension of Preliminary and Final Major Site Plan and Variance

Richard Schatzman, Esquire represented the applicant. The subject lots have been merged and are now known as Lot 6. The property is in the MR zone and is within Planning Area 5. Board approval was needed because the entire lot is within the stream corridor. Since the property is within Planning Area 5 the Permit Extension Act does not apply. Due to the economic times the applicant is requesting a one year extension of the approval until October 11, 2013. The conditions of the Board’s approval have been complied with.

Ms. Coppola confirmed that there have been no changes to the zoning regulations since approval was granted.

Chairman Some opened the meeting to the public. The Board voted unanimously to close the public hearing.

A motion to approve the extension was made by Mr. Wilson, which was seconded by Mayor Trzaska. This was carried on the following roll call vote:

**Ayes:** Conforti, Davis, Dyer, Glockler, Matthews, Trzaska, T. Wilson and Some

**Nays:** E. Willson

IV. APPLICATIONS
A. Case PB-08-12  Applicant: Richard M. Grosso, Jr. and Mary Grosso
Block 1001 Lot 35.01
Minor Subdivision with Variance
Expiration Date – 11/21/12
Affidavit of Notification and Publication Required

Richard Schatzman, Esquire and David Schmidt represented the applicant. Notice was found to be in order.

The subject property is 19.5737 acres and is within the R-5 zone. The proposal is to create two lots. Proposed Lot 35.03 will be 9.0583 acres and proposed Lot 35.04 will be 10.5154 acres. Lot 35.03 contains an existing house and Lot 35.04 will have a new house constructed on it. A variance is needed for the driveway that will serve the new house since it will be closer to the property line than the required 10' in some areas. A design waiver is being requested from the requirement to plant 14 shade trees per gross acre. The proposal is to plant 28 trees on 35.04 and none on 35.03.

Mr. David Schmidt, Cairns Place, was sworn in. Mr. Schmidt referenced a display map of 35.01 dated September 28, 2012 which was marked as Exhibit A-1. Lot 35.03 has an existing house, garage, maintenance building, aluminum barn/garage, pool, shed and two miniature race tracks. The race track in the front will be removed and the one in the rear will remain.

Mr. Schmidt referenced Sheet 2 of the plan set. There is access through the subject property to the properties in the rear (Lot 35.02 and 41). There is a covenant in the Deed that the applicant has to give access to Somerset County Parks Commission. Right-of-way dedication was granted to the County as part of a prior application. Mr. Schmidt described the new driveway access, the existing driveway access and the portions of the driveway to be removed. The new driveway access on Lot 35.03 will also serve Lots 34 and 35.02. A new 2.5 story 4,500 square foot dwelling will be constructed on Lot 35.04. The height will not exceed 35'. Lot 35.04 will contain the existing aluminum barn, the race track in the rear which is to remain and an existing horse shelter. Some of the existing fencing will have to be relocated. The property will be serviced by septic, well, underground propane, electric, cable and phone.

Mr. Schmidt described the driveway variance. A portion of the existing stone driveway will be 1' from the proposed property line. The driveway is not proposed to be relocated so as to preserve the existing trees on either side. The County prefers the driveway alignment as shown. The applicant will maintain the driveway and there will be an easement to the County that gives access.

Mr. Schmidt discussed the design waiver from providing 14 trees per gross acres. The proposed lots are large and the cost to install trees in accordance with the ordinance is very high. There may have to be 6-8 trees removed for the construction of the new driveway.

Mr. Schmidt said there is no net increase in impervious coverage because of the removal of gravel areas and the race track. The area of disturbance is 2.5 acres so stormwater management is required. Water quality is not required but quantity needs to be addressed. The Delaware and Raritan Canal Commission may request the applicant to install two drywells at the downspouts of the house. If required, the calculations and details will be provided to the Board Engineer for review and approval. Mr. Schmidt described the critical areas on the site. The applicant has submitted to NJDEP for a new Letter of Interpretation. All critical areas will be placed within a conservation deed restricted area.

Mr. Schatzman discussed Kathy Elliott’s memo dated September 26, 2012.

Richard Grosso, Jr., 406 Blawenburg Road, was sworn in. Mr. Grosso explained that the race track is used by his children as a hobby. The home occupation has been abandoned. The notes on the plans regarding the home occupation have been removed.

Mr. Schatzman discussed Cindy Coppola’s memo dated September 25, 2012. As a condition of approval the applicant agrees that the new driveway for proposed Lot 35.03 is constructed and the portions of existing driveway shown to be demolished are removed, both prior to the issuance of a Certificate of Occupancy for the new dwelling on Lot 35.04 to ensure that there is continued access to the County lands. There will be no livestock housed in the livestock shelter because it does not meet the required setback. The subdivision is being filed by map so the applicant will file a separate restriction.

Mr. Schatzman and Mr. Schmidt discussed the proposed encroachment easement. If the encroachments burn down or are substantially destroyed by casualty the easement will cease to exist. Mr. Linnus opined that if they stay there permanently it will create some side yard issues since they are accessory structures on the applicant’s property. The structures are being used and maintained by the owner of Lot 41. The easement will be given to the owner of Lot 41. The Board suggested that when the house on Lot 41 is sold, the easement will terminate. If the house is sold or if the lot comes before the Board for approval, the relocation of the driveway can be addressed.

Mr. Schatzman read the Board of Health memo into the record. He discussed Mr. Bartolone’s memos dated August 8, 2012 and August 12, 2012. Mr. Bartolone suggested that the applicant be required to plant 35 trees since the area of disturbance has been increased. Mr. Schatzman read the August 7, 2012 Environmental Commission memo into the record. He read the Shade Tree Committee memo. In the August 12, 2012 memo, Mr.
Bartolone gave calculations based on the Shade Tree Committee’s recommendation. Mr. Schatzman opined that the 14 trees per gross area for lots of this size doesn’t work given the amount of money that would have to be posted. The applicant has agreed to the comments in the Open Space Committee memo dated August 6, 2012. The subdivision will not be perfected until the LOI is issued and reviewed by Township staff.

Ms. Coppola asked that the applicant provide a sales disclosure notice that the maintenance/garage building cannot be utilized for anything other than residential storage or other typical ancillary uses permitted by the ordinance for residential use unless approval is granted by either the Planning Board or Zoning Board of Adjustment. Mr. Schatzman agreed.

Chairman Some opened the meeting to the public. The Board voted unanimously to close the public hearing.

Mr. Glockler asked that the applicant post the house number clearly on the mailboxes so emergency services can find the house.

A motion to approve the application subject to the conditions was made by Mr. Conforti, which was seconded by Mayor Trzaska. This was carried on the following roll call vote:

Ayes: Conforti, Davis, Dyer, Glockler, Matthews, Trzaska, E. Willson, T. Wilson and Some
Nays: None

V. MINUTES

August 20, 2012 – Regular Meeting

A motion to approve the minutes was made by Mayor Trzaska, which was seconded by Mr. Conforti. This was carried on the following roll call vote:

Ayes: Conforti, Davis, Glockler, Matthews, Trzaska and E. Willson
Nays: None

There being no further business to come before the Board, the meeting was adjourned at 8:30 p.m.