I. SALUTE TO THE FLAG

II. PUBLIC PARTICIPATION

There was no public participation.

III. APPLICATION

Case PB-08-11  Applicant:  W. Bryce Thompson, IV
Block 15001 Lot 5
Preliminary and Final Major Subdivision with Variances
Expiration Date – 3/22/16
Affidavit of Notification and Publication Required and Previously Found to be In Order

Richard Schatzman, Esquire, Martin Katz, PE and D. Geoffrey Brown, PE represented the applicant. The application was before the Board on January 11, 2016. The Board had requested Mr. Fishinger review the application and requested Mr. Katz look into the construction of a boardwalk through the open space lands, provide profiles of the homes due to the cut and fill and provide the percentage of fill needed for the Route 601 lots and the Brandywine Road lots. The development consists of five buildable lots with an open space lot to be dedicated to the Township. Variances are needed for lot frontage and lot width for lots 5.02 and 5.03 where 25’ is proposed and the requirement is 200’. A variance is needed for lot frontage along Route 601, a scenic collector road, where the requirement is 275’ and lots 5.05 and 5.06 will have 212.89’. A variance for lot width is needed for lot 5.06 where the requirement is 275’ and the proposal is 263.4’. A waiver is requested to reduce the number of trees to be planted for the area of disturbance and for the minimum caliper of trees to be planted. A waiver is also requested since a sidewalk is not proposed along Route 601.

Mr. Katz and Mr. Brown remain under oath.

Mr. Katz discussed the Open Space Committee’s (OSC) request for a boardwalk on the open space lot. The pathway staked in the field by the OSC has more wet areas than dry areas. He referenced the landscaping plan that is on file with the Board and showed the pathway alignment. He looked into constructing a boardwalk but found it is cost prohibitive with the cost being between $500 and $700 a linear foot. Because it is located in the wetlands, the DEP has certain criteria on how to construct the boardwalk. The path is approximately 1,000 feet long and to construct a boardwalk the entire length of the path would be about $500,000.00. The applicant originally proposed a woodchip path which is allowed by the DEP.

There was discussion about installing boardwalk only in certain locations and not the whole length. Mr. Katz said it would be needed for the whole length since it is wet.

Mr. Katz discussed the site cross sections that were submitted to the Board. There was concern at the last meeting about the amount of fill being brought in and that the houses would look like they were sitting on anthills. Even though the fill is only going to be around the houses and septic it is graded out enough where it won’t look like it is on an anthill. Mr. Katz described each of the cross sections.

Mayor Graham asked if the houses will meet the height requirement. Mr. Katz replied that they do not know what type of house is going to be constructed at this time but anyone bringing in a building permit will have to get zoning approval. If they can’t they will need to request a variance.

Mr. Katz discussed the proposed fill to be brought in. There was testimony at the last meeting that they will be bringing in 72,000 cubic yards of fill. However, with the reduction of lots since the application was originally submitted the amount of fill actually needed is less. They will need approximately 17,000-20,000 cubic yards on the Route 601 side and approximately the same amount on the Brandywine side.

Mr. Smith noted there has been discussion about how wet this site is and asked where the water will go when the fill is brought in. Mr. Katz replied that it drains toward Back Brook and it will still drain in the same direction. Since it is
being converted from farmland to lawn there will not be as much runoff coming off the site. More will percolate into the ground and areas on the site will be reforested which will soak up a lot of the water.

Mr. Smith asked about the septic systems. Mr. Katz said they have received Health Department approval. The soil and site approval is valid through January 7, 2019 subject to extending the Letter of Interpretation which expires June 30, 2016.

Joseph Fishinger was sworn in. Mr. Fishinger said he looked at the site distance along Route 601. Somerset County requires ten times the speed limit for stopping site distance which in this instance is 500’. Based on his measurements in the field, there is approximately 350’ of available site distance looking north which is limited by the crest in the road due to the railroad crossing. The site access as proposed does not meet the County sight distance requirements.

Mr. Schatzman read sections from Chapter IV of the County Land Development Improvements Access Requirements. There will be one access to serve two lots on Route 601. The other three lots will have access from Brandywine Road. The driveway on Route 601 has been located as far south as possible to maximize sight distance.

Mr. Schatzman then read from 2.16 of the County Public Works Handbook. Mr. Fishinger testified that he used that criterion by taking a measurement of the approximate height of the road. Mr. Katz said the height of the eye from the car pulling out is 3.5’ but the height of the vehicle coming towards you is 4.25’ so it gives you a little more distance. When using that criterion the sight distance is 400’. AASHTO has a stopping distance of 360’ at 50 miles per hour. Mr. Schatzman noted that without the subdivision, access to the lot will still be the same. This proposal adds one additional house to that driveway. The County review letter does not mention anything about sight distance.

Mr. Fishinger said it is his understanding the County hasn’t approved the project. Mr. Schatzman said they conditionally approved it by letter dated June 11, 2015 and the conditions are administrative in nature.

Mr. DeRochi asked how far the driveway would have to be raised to get the sight distance, understanding that the whole road would have to be raised.

Chairman Cheskis said he is concerned with the safety of the lots accessing Route 601. Mr. Brown said the 500’ dimension is set up to allow a car approaching from the north to see a car pulling out of a driveway and continue without having to brake at all. 400’ is still adequate and safe for a car coming from the north but they may have to slow down.

Mayor Graham asked if there was a difference in stopping distance between a truck and a car. Mr. Brown said trucks take longer to stop but there would be plenty of distance for a truck to slow down for a car coming out of the driveway.

The Board members discussed their concerns with the safety of the driveway out to Route 601. The question was raised as to whether the applicant would come back to the Board with just the 3 lots on Brandywine Road.

Mr. Linnus opined that every developer has a right to reasonably develop their property. In this case there is 1 lot that could yield 3 building lots on Brandywine. In light of what appears to be a traffic safety issue on Route 601 that portion of the property would not be developable for a lot or lots. Mr. Schatzman opined it is a taking. Mr. Linnus disagreed with Mr. Schatzman. Denial of the application would not be a taking because the applicant is still left with a reasonable use of his property.

Mr. Katz asked how the Board would feel about a concession on lot size and moving the two houses that access Route 601 houses to the Brandywine side and leaving the Route 601 side as part of the open space.

The applicant agreed to come back to the Site Plan/Subdivision Committee to review Mr. Katz’s proposal with the Committee.

The applicant granted an extension to May 31, 2016. The applicant will provide new notice when they are scheduled to come back to the Planning Board.

IV. OLD/NEW BUSINESS

A. Appointment of Professional Services under the “Local Unit Pay-to-Play Law”

Chairman Cheski read the resolution to appoint Joseph Fishinger, Jr. of RBA Group as the Board traffic engineer.

A motion to appoint RBA Group was made by Mr. DeRochi and seconded by Mayor Graham. The motion carried on the following:

Ayes: Cheski, DeRochi, Graham, Mani, Matthews, Smith, Wilson, Glockler and Chang
Nays: None
VI. MINUTES

January 11, 2016 – Reorganization and Regular Meeting

A motion to approve the minutes was made by Mr. Wilson and seconded by Mr. Glockler. The motion carried on the following:
Ayes: Cheskis, DeRochi, Graham, Mani, Matthews, Smith, Wilson and Chang
Nays: None

February 1, 2016 – Regular Meeting

A motion to approve the minutes was made by Mr. Wilson and seconded by Mr. Mani. The motion carried on the following:
Ayes: DeRochi, Graham, Mani, Matthews, Wilson and Chang
Nays: None

There being no further business to come before the Board, the meeting was adjourned at 8:40 p.m.