



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 Cheskis 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: Cheskis, 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.