MINUTES

Chairman DeRochi called the meeting to order at 7:34 p.m. and read the opening statement which affirmed that adequate notice of the meeting had been posted and sent to the officially designated newspapers.

BOARD MEMBERS PRESENT: Chairman DeRochi; Vice Chairman Smith; Mr. Fedun; Mr. Kabis; Mr. Woitach (arrived 7:38 p.m.); Mr. Wu (arrived 7:36 p.m.); Mr. Sudol, Alternate #2; Mr. Patel, Alternate #3

ALSO PRESENT: Mark R. Peck, Esquire; Emily Goldman, Board Planner; Jason Cline, Board Engineer; Joseph Palmer, Zoning Officer

I. SALUTE TO THE FLAG

II. RESOLUTIONS

Case BA-05-14 Applicant: New York SMSA Limited Partnership d/b/a Verizon Wireless
Block 8001 Lot 1 – 694 River Road
Use Variance and Site Plan Application (on Remand from the Superior Court)

A motion to memorialize the resolution was made by Mr. Kabis and seconded by Mr. Fedun. The motion carried on the following roll call vote:

Ayes: DeRochi, Fedun, Kabis, Smith, Sudol and Patel
Nays: None

III. APPLICATION

Case BA-01-18 Applicant: Paulina Dabek
Block 15015 Lot 8 (Formerly Lots 8-11 and 25-28) – 159 Dutchtown-Harlingen Road
Bulk Variances
Expiration Date – 10/25/18
Affidavit of Notification and Publication Required

Notice was in order. Paulina Dabek was sworn in. Wayne Ingram, the applicant’s engineer and planner, was sworn in.

Mr. Ingram testified that the application is for variances for essentially existing conditions. The proposal is to remove the small existing home on the northern end of the property which is about 4’ off the existing property line. The driveway will be reconfigured and a house will be reconstructed in the center of the lot in conformance with all the setbacks of the zone. Variances for the existing conditions include lot acreage, lot frontage, lot depth and the setback of the existing garage which are existing conditions that can’t be changed. The new structure being proposed and the impervious coverage will be in conformance with the zoning. Approval for the septic system and reserve area has been received from the Board of Health and the deed restriction has been filed. The lot consolidation deed has been filed. There are wetlands that are off the property to the east with an associated 50’ buffer that is on the subject property. The disturbance is taking place outside of the limits. The applicant agrees to provide a conservation deed restricted area over the area. There was an issue raised regarding a possible drainage easement in a 1970 Deed which does not appear to be plottable which may be along the eastern property line so there may be difficulty creating the conservation deed restricted area. The applicant will work with the Township. The applicant is requesting a waiver from planting street trees due to the existing tree cover along the frontage of the property. The applicant is requesting a waiver for the number of trees to be planted based on the area of disturbance and will install 8 shade trees. They will most likely be placed in the open area on the lot and possibly in the wetland transition area to give it more of a vegetative buffer. The variances are hardship conditions. There is no way to acquire additional land to make the lot more conforming. The lot is bounded by two streets, one on the north end and a paper street to the south. If the Township were to vacate the street to the south it would add some additional acreage but not enough to eliminate any of the variances which make this a unique condition on the property. There are no detriments because a home currently exists on the lot. If the variances are approved the house will be in a conforming location. The monitoring well which was never abandoned as part of a former tank clean up would be closed as well as the existing well to accommodate the new well to be drilled. No generator is proposed at this time. The AC unit could be installed along the eastern side of the house since there is no neighbor to the east. The
applicant has no objection complying with any of the review comments subject to the decision on the street trees.

Mr. Ingram testified that the required front yard setback is 125 feet, the existing house is 4.3 feet and the proposed house will be 131.5 feet. The side yard requirements are 40 feet. Currently the setback is 49.6 and will go up to 55.2 feet. The rear yard is 75 feet. They don’t really have a rear yard because of the paper street in the rear but the setback to the paper street is 182 feet. Each of the setback situations is being improved with the proposal.

Ms. Goldman said a front yard setback variance is also needed for the garage. A variance is also needed from the requirement to provide 1 acre of contiguous non-critical acreage since the entire lot has critical soils. Ms. Goldman asked about the right-of-way along Dutchtown-Harlingen and the additional 13.5 foot strip along the frontage. The Board may want to recommend to the Township Committee the vacation of the paper street at the rear of the lot.

Mr. Ingram said the prior deeds and surveys show the additional 13.5 feet. The existing driveway entrance is not being modified so they will not need a County permit. The fence located in the right-of-way will be removed.

Mr. Cline testified that the applicant agreed with the comments in his review. The applicant should take care not to crush anything underground and don’t compact the septic.

Chairman DeRochi asked about the critical soils and if there are any special cautions associated with them. Mr. Cline said the ordinance defines the soil types that are considered critical and they are to remain undisturbed if at all possible. Mr. Ingram testified the septic will be a bit of a mounded system and there is some elevated water but it is all compliant with State code. The plan for the Somerset County Soil Conservation District has been prepared. They are the only agency that they need a permit from. There will be imported soil for the septic system. It may be possible they may need to export soil but it is likely the property will balance. The maximum amount of export would be 100 cubic yards.

Mr. Ingram said there is discussion about a drainage easement. Based on the language it will be difficult to plot. There is a bit of a difficulty if it is in the area where the conservation deed restriction is to be. The deed restricted conservation area will be determined to the satisfaction of the Board professionals and the applicant’s professionals.

Chairman DeRochi opened the meeting to the public. There being no public comment the public hearing was unanimously closed.

A motion to approve the application subject to the conditions was made by Vice Chairman Smith and seconded by Mr. Kabis. The motion carried on the following roll call vote:

Ayes: DeRochi, Fedun, Kabis, Smith, Wu, Sudol and Patel
Nays: None

IV. BOARD DISCUSSION

The Board discussed the vacation of Roosevelt Avenue. They requested Mr. Palmer send correspondence to the Township Engineering staff to look into the issue of vacating paper streets.

V. MINUTES

May 22, 2018 – Closed Session

A motion to approve the minutes was made by Mr. Fedun and seconded by Mr. Wu. The motion carried on the following roll call vote:

Ayes: DeRochi, Smith, Fedun, Kabis, Wu, Sudol and Patel
Nays: None

June 19, 2018 – Closed Session

A motion to approve the minutes was made by Mr. Kabis and seconded by Mr. Fedun. The motion carried on the following roll call vote:

Ayes: DeRochi, Smith, Fedun, Kabis, Woitach, Wu and Sudol
Nays: None
July 17, 2018 – Regular Meeting

A motion to approve the minutes was made by Mr. Fedun and seconded by Mr. Kabis. The motion carried on the following roll call vote:
Ayes: DeRochi, Fedun, Kabis, Woitach, Wu and Sudol
Nays: None

There being no further business to come before the Board, the meeting was adjourned at 8:05 p.m.