



seven lots; five building lots, a detention basin lot to be owned by a HOA and an open space lot to be dedicated to the Township. The building lots range in size from 1.04 acres to 1.42 acres. The detention basin lot is 0.78 acres and the open space lot is 21.97 acres. Additional right-of-way will be dedicated to the County along Route 601 consisting of 0.35 acres. Orr Court, the proposed cul-de-sac, is about 500 feet long with a 50 foot right-of-way and a 24 foot cartway. Street lights, street trees, storm sewer, public water and gas are all proposed. There will be no curb and no sidewalk along the new road. Extensive landscaping is proposed on the building lots. A walking path through the open space is shown on the plan which will connect the two Township owned properties.

Mr. Schatzman said the applicant agrees to construct a gravel or woodchip path whichever NJDEP will allow.

Mr. Katz said the path will run through the floodplain, the wetlands and the riparian zone. A Letter of Interpretation was issued in 2016. The total area of disturbance for the development is 6.5 acres and is almost entirely in the farm field with very few trees are being removed. Twenty-five thousand cubic yards of fill needs to be imported. There is a fairly high water table in the farm field so the basements will be set on grade and will be filled around them. There will be approximately 5 feet of fill around each of the dwellings. The site is fairly flat with a 1% to 2% grade and fill will be needed to help with drainage. All of the environmentally sensitive areas have been preserved.

Mr. Katz testified the applicant also has a calculated conventional plan which conforms to the ordinance and requires no variances. The plan has five building lots that are much larger but there is no open space. The conventional plan was marked as Exhibit A-1. The Site Plan/Subdivision Committee suggested to the applicant they try to develop a plan that preserves the open space.

Mr. Brown testified the subdivision proposes roadside swales that will discharge into the proposed basin. Detention is not needed to control the peak rates of runoff since they will actually decrease but the basin is needed for water quality. The basin will be dedicated to and maintained by a Homeowners Association and will be on a separate lot. The basin meets both Township and State stormwater regulations.

Mr. Kyle gave the Board his qualifications and was accepted as an expert. Mr. Kyle testified all the variances can be classified as C2 variances. They are all interrelated in that the lot sizes are reduced to the benefit of preserving additional open space that can be linked with Township owned properties to the north and south. There can be more efficient use of land with the proposed layout which is consistent with the existing neighborhood. The benefits of granting the variances outweigh the detriments and there are purposes of zoning that are promoted. The variances represent a better development option. The proposed plan creates more of a neighborhood. The proposal is more compatible with the scenic corridor requirements along Route 601. The development will be hidden behind the tree line and not visible from Route 601. All the sensitive lands are within the lot to be dedicated to the Township. With regard to the negative criteria all the variances will create lots that are similar to the lots already in this area of the Township. The reductions in the yard spaces will not result in any dwellings being any closer to the neighboring lots if developed in accordance with the conventional plan.

Mr. Schatzman and Mr. Katz discussed Mr. Sullivan's memo dated June 4, 2018 revised July 10, 2018. The lots as proposed will support a house, its related accessory buildings and septic system. The builder will comply with the lot coverage, building coverage, accessory building coverage and maximum building height standards. RSIS requires three parking spaces on the lot for a 5-bedroom dwelling. The conceptual plan shows a 3-car garage and parking for another 3 cars in the driveway. Access to the detention basin will be from Orr Court and there should be no issue with maintenance vehicles getting access. The stormwater pipe could be moved a little if needed. The applicant will work with the Board Engineer.

Mr. Katz will meet with the Township to stake out the route of the proposed path through the open space lot. The applicant does not want to pave the pathway or provide boardwalks. Installing a boardwalk across the wetlands is very expensive. The applicant agreed to work with the Open Space Coordinator and the NJDEP. Mr. Sullivan noted the path does not have to be elevated but it has to be durable so that pedestrians are comfortable using it. Mr. Katz said it may have to be demarcated with posts because the NJDEP will not allow a paved path. NJDEP may not even allow a gravel path. The applicant agrees to install the most durable path the NJDEP will allow.

The applicant will install a 4 foot post and rail fence to delineate between private property and restricted lands to prevent unauthorized use. The wetland notes on the plans will be updated.

Mr. Schatzman and Mr. Katz discussed Jason Cline's memo dated July 13, 2018. The subdivision plan shows wetlands around the site but they did not delineate them. They were taken off NJ Maps to satisfy the application checklist. The offsite area is developed lawn areas. Orr Court will be a public road. All improvements within the areas to be conveyed to the Township will comply with Township standards. The road and cul-de-sac complies with RSIS. The Township Engineering Department will review and approve the final subdivision plan. The plans will be revised to list the maximum permitted coverages. HOA documents will be submitted to the Township for review and approval. A Major Stormwater Development Summary shall be submitted. The HOA documents will have everything regarding the maintenance of the basin. Mr. Cline recommended the Township perform its own due diligence before accepting the open space lot since the applicant has not done a Phase I or Phase II environmental study. The applicant will prepare the NJDEP permit paperwork and pay the fees for the construction of the pathway but the Township will be the applicant. In the unlikely event that the Township does not accept the open space lot it will be conveyed to the Homeowners Association with a conservation easement.

Mr. Schatzman discussed Ms. Wasilauski's memo dated May 24, 2018 revised July 3, 2018. The plans will be revised so the acreage charts and zoning charts match. A waiver from planting trees on the open space lot has been requested.

Mr. Schatzman noted Mr. Bartolone has signed off on the landscaping in his memo dated July 10, 2018.

Mr. Schatzman discussed the Environmental Commission's memo dated July 13, 2018. The applicant is not seeking a waiver from planting trees on the building lots. Mr. Bartolone has signed off on the landscaping plan.

Mr. Schatzman discussed the Shade Tree Commission's memo dated May 31, 2018. The applicant will plant the species of trees the Township Landscape Architect recommends.

Mr. Schatzman discussed the Public Safety memo dated May 29, 2018. A No Outlet sign will be attached to the top of the proposed street sign instead of using a separate stand alone sign.

Mr. Schatzman discussed Ms. Carey's memo dated July 23, 2018. The current Board of Health approvals expire on January 7, 2019. The applicant will go back to the Board of Health for the new lot configuration if needed.

Mr. Sullivan testified that the proposed plan reflects the character of the corridor along Route 601 and preserves a large tract of agriculture. It also creates a more compact residential neighborhood extension of the existing neighborhood is. The project advances several purposes of the Land Use Law and the Master Plan. The Planning Board and Township Committee may want to consider amending the ordinance to allow clustering in the R-2 zone.

Mr. Schatzman confirmed they are requesting a waiver from providing sidewalks along Route 601. The Board discussed requiring sidewalks on Orr Court. The balance of the community has sidewalks on the cul-de-sacs. Mr. Katz said they are not proposing to curb the road and will have roadside swales. It was agreed that sidewalks will be installed on both sides of Orr Court within an easement on the lots but not on the cul-de-sac due to wetlands and/or buffers they do not want to disturb.

Mr. Cline requested the plans be revised to add a column in the zoning chart to explicitly call out what kind of square footages, coverage and dwelling are for the lot.

Vice Chairman Wilson asked if the neighbors will be impacted by the amount of fill being brought in and potential runoff. Mr. Cline said he would not see it as likely because the dominant slope is to the brook in the center of the property. Vice Chairman Wilson noted that the new dwellings will be elevated 5 feet over street. Mr. Katz responded that it will look fine because it slopes down.

Vice Chairman Wilson opened the meeting to the public.

Mike Pisaro, Policy Director for the Watershed Institute, was sworn in. He acknowledged and appreciates the applicant's clustering and not impacting the environmental resources. He asked if any wetlands, transition areas or riparian corridors will be impacted. Mr. Katz confirmed they will not be impacted. Mr. Pisaro said Mr. Brown had testified that the stormwater was for water quality and infiltration and runoff would improve over existing conditions. He asked if the compaction of the 5 feet of fill changes those numbers. Mr. Brown's reply was inaudible.

There being no further public comment, a motion to close the public hearing was made by Mr. DeRochi and seconded by Mr. Trzaska. The motion carried unanimously.

Mr. Linnus summarized the application.

Mr. Trzaska and Mr. DeRochi discussed how the plan presented for approval is much better than the plan the Site Plan/Subdivision Committee reviewed.

A motion to approve the application subject to the conditions was made by Mr. DeRochi and seconded by Mr. Trzaska. The motion carried on the following roll call vote:

Ayes: Campeas, Glockler, Madrid, DeRochi, Mani, Matthews, Sarle, Trzaska and Wilson

Nays: None

## **V. MINUTES**

### **August 6, 2018 – Regular Meeting**

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

Ayes: Wilson, Campeas, Madrid, Trzaska, Mani, Matthews, Sarle and Glockler

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 8:45 p.m.