

PLANNING BOARD OF THE BOROUGH OF FANWOOD
Regular Meeting Minutes
February 28, 2018

The Regular Meeting of the Planning Board, scheduled by the time, place and date of the meeting, prominently posted on the bulletin board at Borough Hall, mailed to the Times and the Courier, filed with the Borough Clerk, and mailed to any person requesting same in accordance with the requirements of the Open Public Meetings Act is called to order at 7:30 PM.

Present: Kevin Boris, Jack Molenaar, David Blechinger, Matthew Juckes, Michael Lysicatos, Dennis Sherry, John Steigerwald, Adam Matty, Michele Moore, Amy Lumpkin, Catherine DeAppolonio, Ray Sullivan, Antonios Panagopoulos

Absent: Mayor Mahr, Teresa Seefeldt

Administer Oath

At the outset of the meeting, Mr. Molenaar and Ms. Lumpkin completed their oaths of office for 2018.

Ms. Lumpkin was welcomed as a new member of the board.

Approval of January 24, 2018 Minutes

Ms. Moore moved and Mr. Lysicatos seconded approval of the January 24, 2018 minutes as submit. Motion carried with Aye votes from Mr. Sherry and Mr. Boris.

New Business

Block 54, Lot 11, 145 North Avenue, Whitney (bulk)

Ms. DeAppolonio administered the oath to property owners Charlie and Megan Whitney.

Mr. Michael DeBiasse was accepted as an expert witness in architecture

Chairman Juckes read the following reports into the record:

Police Department: no objection
Fire Department: no objection
DPW: no objection
Bd. Of Health: no objection
Construction: no objection

Environmental Commission: Objects to the variance as the increase in impervious cover would cause increased runoff to neighboring properties. Also, there are potential for soil erosion issues due to the steep slopes in the rear of the property. Consider a pervious driveway, Also, comply with stormwater management requirements.

Mr. Whitney opened his testimony stating that they will do what is required to address stormwater. Mr. Panagopoulos indicated the need for a current survey and suggested that if this project were to move forward he would work closely with the applicant's engineer.

Mr. Whitney outlined the methodical approach they have taken to restore this previously neglected property, beginning with the interior, moving to an upgrade of the exterior, the addition of a porch and their progress toward improving the rear of the property.

Mr. & Mrs. Whitney apologized for beginning the rear-yard work without seeking Borough approvals, asserting ignorance of the law. They testified that the growth in the yard was unhealthy, bramble-ridden and full of dead and dying trees. They testified that they clear-cut this growth, scraped the top layer of soil to be rid of a vine infestation and restored the soil to its prior elevation.

These actions drew the attention of Borough officials who intervened. The Whitney's cooperated with the installation of stormwater retention measures approved by Borough engineers.

The Whitney's explained the size of the proposed garage as being necessary for their 3 cars and feel strongly that the 24-foot expanse of driveway is a safety measure so they can turn the car to drive straight out onto North Avenue, rather than backing out onto this curved stretch of North Avenue. They went on to explain that although their circa 1920's home is large, there is very little storage as the basement is always wet. Rafter space in the garage will be dedicated to storage. Mr. Whitney was very direct in saying that the space will not be used for living space and pointed to the installation of the attic scuttle, rather than a standard stairway, as evidence of their intent.

The retaining wall surrounding the proposed 3-bay garage was discussed in some detail, and it was agreed that the applicant will provide a grading plan so that the anticipated flow of stormwater can be analyzed and addressed.

As to the size of the garage, the board agreed that the design was attractive and in keeping with the size of the home and the property. A large, but smaller property across the street has a similar size garage, also designed by Mr. DeBiasse.

The meeting was opened to the public, with Mr. Sheldon Ross of Russell Road stating that he had no problem with the aesthetics of the garage but was deeply concerned that the size would exacerbate the water problem on his property, which he claims was initially created by the clear-cutting of trees on the applicant's property. Mr. Ross provided 6 pictures, four from his

property depicting a work area and heavy machinery and 2 from the McLindin property showing standing water.

Mr. Alan Campbell of Watson Road testified to the flood of water that rushes downhill from the subject property during rainstorms and suggests the installation of plants and shrubs to replace the natural growth that had absorbed the water prior to clearcutting. He also mentioned that he had experienced a similar problem and a pervious paver driveway went a long way to solving his problem. He recommended this for consideration.

Mr. Nick Galakis of North Avenue supports the application and recognized that this area has consistently been known to be flood prone.

Mr. Paul Madeiros of Watson Road testified that he believes the garage is too big and will cause flooding, has little faith in mechanical means of stormwater mitigation and suggests that natural vegetation is the solution to flooding.

The meeting was closed to the public and the applicant returned to the podium asking Mr. DeBiasse, his architect who resides at the property to the rear of the applicant, to share his experience with flooding. Mr. DeBiasse testified that during his 20-year residence there has always been flooding and he has not witnessed a change for good or bad.

Mr. Panagopoulos expressed some frustration that the grading plan is not available for review. The board discussed making this a requirement before moving forward, but it was agreed that should the application be approved, Mr. Panagopolous would work closely with the applicant's professionals and nothing would move forward unless he were satisfied that any increase in stormwater flow would be addressed to his satisfaction or permits would not be issued for construction.

There was some discussion of carrying the application until a grading plan was available for review. This idea was rejected due to the boards faith in Mr. Panagopolous to ensure a satisfactory stormwater plan. The applicant agreed to submit a copy of the grading plan to the Planning Board Secretary as soon as it is available so the Planning Board may review prior to the issuance of permits.

Mr. Sherry supported the Whitney's testimony regarding the hardship of backing out of a driveway onto that stretch of North Avenue. He is a regular city commuter and has witnessed the difficulty of this maneuver.

Mr. Boris moved to approve the application with conditions that the stormwater be addressed in a variety of ways, including detention basin, rain-garden plantings and the exploration of a pervious driveway. The applicant was amenable and willing to work with the Borough.

Mr. Molenaar seconded this motion.

Ayes: Boris, Molenaar, Juckes, Sherry, Blechinger, Lysicatos, Steigerwald, Matty.

Motion carried.

Block 29, Lot 3, 200 Midway, CNJOS Properties (minor subdivision)

Attorney James Foerst outlined the applicant's intent to subdivide this large property into two conforming lots facing on Russell Road, and then offered Mr. Jim Watson of EKA Associates as an expert witness in surveying and planning. Mr. Watson was accepted as an expert in these areas.

Mr. Jukes shared the following reports:

Fire Department: no objection
DPW: no objection
Police: no objection
Board of Health: No objection
Environmental: no objection
Construction: no objection

Mr. Watson testified that because this application is for subdivision only, grading plans will be submit after the lots are sold and houses are proposed.

He explained that the existing lot can be subdivided into two conforming lots and that the plan is for both homes to face onto Russell Road. The board took exception with that plan, suggesting that the corner home should face Midway. The applicant explained that due to County requirements for a turnaround driveway, this orientation would be impractical and unappealing. The board queried as to the possibility of facing the home onto Midway to comport with the existing standard, with a driveway onto Russell. The applicant rejected this idea suggesting that the resulting lot would have no rear yard and two front yards, making construction a challenge.

The Borough Engineer advised the applicant to keep paving schedules/moratoriums in mind with curb cuts, utility connections and driveway installation.

Mr. Sullivan expressed the hope that significant architectural features of this charming but degraded property be saved for inclusion into a future home, for the sake of history. It was agreed to consider this once it was determined what, if anything, would be worth salvaging from the existing home.

The meeting was open to the public and heard from Mr. Daniel Kalch of 210 Midway who advised that he did not like the idea of the corner lot facing his side yard and was also concerned about how the construction of these homes would affect the commuter parking on Russell.

Ms. Kalch also testified as to her concern about the state of the properties during demolition, particularly concerned with asbestos and other contaminants. Ms. Kalch was assured that asbestos mitigation is a tightly regulated process but that if she should experience any dust she should call the Borough Construction Department immediately. She was similarly concerned about the state of the anticipated construction site, worried that large machinery would be housed

in the street for long periods of time. She was assured this should not be an undue concern and if unauthorized vehicles were parked in the street she should contact the local police.

Discussion turned to the requirement for a sidewalk. Because Russell does not have consistent sidewalk the applicant rejected the need for a sidewalk at the corner. This was disputed by the board because Midway/Russell is a heavily trafficked corner for both pedestrian and vehicles. Students walk here to get to both Park Middle School and School One. Commuters use it for access to the bus line.

It was determined to add a condition of approval that a sidewalk be constructed on the corner property. The sidewalk shall extend to the property driveway in order to allow pedestrians to get off of Midway before needing to enter the street to walk.

Resolutions

Block 59, Lot 9, 55 Fourth Street, Cornell (bulk)

Mr. Lysicatos moved to approve with a second from Ms. Moore.

Ayes: Lysicatos, Moore, Sherry, Boris

Motion carried.

Good of the Order

Each member received the NJPO Class listing. Only new members are required to attend. Other members who wish to attend a class may do so at Borough expense.

Motion made and seconded to adjourn at 9:50 PM.

Respectfully submitted:

Pat Hoynes, Planning Board Secretary