

October 5, 2011 MINUTES

A regular meeting of the Township of Roxbury Planning Board was held on October 5, 2011, at 7:30 p.m. in the Municipal Building at 1715 Rt. 46, Ledgewood, N.J. After a Salute to the Flag Charles Bautz read the Open Public Meetings Act.

ROLL CALL:

PRESENT: Mr. Shadiack, Mr. Bautz, Mr. Verge, Councilman Zoschak, Mr. DeFillippo, Mr. Carey and Matt Meyers.
ABSENT: Mrs. Lutz, Mayor Rilee and Chairman Scott Meyer.
STAFF: Mr. Ferriero, Mr. Germinario, Mr. Stern and Mrs. Wiss

NOMINATION OF VICE CHAIRMAN

Motioned by Councilman Zoschak and seconded by Mr. Shadiack to nominate Charles Bautz.

Ayes: Mr. Shadiack, Mr. Bautz, Mr. Verge, Councilman Zoschak, Mr. DeFillippo, Mr. Carey and Mr. Meyers

Noes: None

MOTION APPROVED.

MINUTES: September 6, 2011

Motioned by Mr. DeFillippo and seconded by Mr. Carey to approve.

Ayes: Mr. Shadiack, Mr. Bautz, Mr. Verge, Mr. DeFillippo, Mr. Carey and Mr. Meyers

Abstain: Mr. Zoschak

Noes: None

MOTION APPROVED.

COMPLETENESS: nothing

RESOLUTIONS: none

APPLICATIONS:

PBA-09-018 THE PLAZA AT ROXBURY (St. Theresa's R.C. Church) Block 5103, Lot 1 Main Street and Commerce Boulevard

Minor Subdivision and Preliminary Site Plan for Medical Office Building and Bank.

This matter was carried from the August 3, 2011 meeting. This matter was carried to the December 7, 2011 meeting with no further notice.

PBA-11-12 SENECA HILLS CORP. Block 1901, Lot 18 17 Eyland Place

Minor Subdivision, three lots.

Ron Heyman, Esq. represented the applicant. There is an existing home on this property and they want to subdivide two lots on each side of the home. They need several variances, a bulk variance for lot size, they are short 98 sf, 133 sf and 63 sf and need variances for the existing home for front and side yard setbacks. Nick Wunner was

qualified as an engineer and planner and sworn in. Exhibit A-1 was Sheet 2 of the minor subdivision plan that showed the existing and proposed conditions. The existing lot is 150' x 100', 23,281 sf, improved with a two story house tied into sewer and water. The property abuts the historic district. Seneca Hills Corp. recently built two houses to the east of this property. The property is relatively flat with a one foot raise in topography. In their original plan the front of the property had a right of way easement as opposed to a dedication. The original deed was from the 1880 and Mr. Wunner provided a history of the right of way discrepancy that resulted in de minimis lot width, each lot has a width shortage of .1 ft. per lot. The properties are in the R-4 zone, requiring 7500 sf minimum lot size. Exhibit A-2 is the new lot grading plan that shows the dedication of the right of way and the readjustment of the zoning chart with a dedication instead of an easement.

Exhibit A-3 was a photo board of the house that was torn down on lot 17 and the new homes that replaced them that were built by Seneca Hills Corp.

The existing house that is centered on the lot will need variances, the existing front yard setback now that there is a dedication; and a side yard variance of 6.2' because of a jag in the house on the west side which they would like to keep, 10' is required. They will remove the part of the porch on the east side so a vehicle can get to the back of the property for a future garage. They need a design waiver for a 5' setback for the driveway off the sideline. Each lot needs a variance for lot size but it is de minimis.

Dave Seneca, the President of Seneca Hills Corp., was sworn in. Regarding the point well in the basement of the existing house, the device was taken away so the well was not operable and the tank had been removed. It will have to be sealed. They now have public water and the Health Department will inspect the well closure. The porch has no foundation so it was not original to the house. They plan on building the same size homes as they built on the lot 17 subdivision on Eyland Place.

Mr. Stern's report of September 16, 2011, was addressed. They agreed that the homes will have façade and design details to make them look different from each other. Because the lots are narrow, the home design is 29 feet wide. They will do right of way dedications to the municipality. With regard to the driveway on the existing house, Mr. Wunner handed out Exhibits A-4 and A-5, two different driveway designs, option A & B, or they could keep it the way it is on the plan. The existing driveway is tight, up against the house and on the property line. They will have to provide an easement for the property for fencing and to stockpile snow or it could be a deed restriction. Curbs and sidewalks are currently not in the area. The street trees are not 40 feet on center because of the driveway and Norway maples will be used. They agreed with everything else on the report.

Mr. Ferriero's report of September 27, 2011 was next addressed. They agreed to all items except they did not want to do soil logs because the water table was consistent in this area. Mr. Ferriero felt it was necessary. Mr. Seneca said they have no water problems with the existing house. They agreed to soil logs. The utility line was taken

out. They have soil erosion approval. They agreed to comply with all the other items in Township Engineer's report of September 26, 2011.

The Historic Advisory Committee's report of September 29, 2011 was addressed. Although the committee did not want part of the porch removed, the applicant disagreed; it was not part of the original home. They could not put a detached garage in the back of the house in the future without the removal of the porch. They are not putting in a garage at this time but someone else could do that in the future. They disagreed that the lots are too small as there are similar lots in the neighborhood. They felt the home design fit the neighborhood.

The meeting was open to public.

Carol Peterson, 24 Main Street, said this area will look like North Bergen. Basements are flooding. There was swamp land where he built these houses and filled in. Where is water going to go? The catch basins overflow. She said she had water flooding before the recent rains after these homes were built

Mr. Wunner said this area has very sandy soil and we had historic rainfall this year.

Dave Rogers, 20 Main Street, has lived there 50 years and never had water problems before the homes were built. The drywells for the new homes have put a funnel into the water table. He has never seen pooling like this in 50 years. A hole filled with cobbles doesn't solve the problem.

Mr. Wunner said the roof area of the new homes goes into drywells, before it went onto grass. Everyone was flooded out in Roxbury Township because of the unusual rainfall.

Dave Rogers watched the construction of the new homes, they have funneled water onto seepage pits and then goes to other properties, Mr. Cruz's property and his property; there was a lake there now. His well was 25' deep.

The professionals have determined that this is the best way to regulate the runoff. Mr. Ferriero said the point of drywells is to make the impact of the runoff as close to the preexisting conditions as possible. He agreed the rainfall is unusual this year and the water table is very high. This started the day after Christmas with heavy snowfall. It will take months for the water table to drain down.

Pat Rogers heard the variances especially regarding the driveway but the road is full of parked cars from the pizza place so it is difficult to get in or out of driveways.

Miriam Morris from Flanders for the Historic Advisory Committee wanted to make sure the Board has taken account of the report. No one else from the public commented. The meeting was closed to the public.

Motioned by Mr. DeFillippo and seconded by Councilman Zoschak to approve.

Ayes: Mr. Shadiack, Mr. Bautz, Councilman Zoschak, Mr. DeFillippo, Mr. Carey and Mr. Meyers

Abstain: Mr. Verge

Noes: None

MOTION APPROVED.

OLD BUSINESS:

NEW BUSINESS:

A motion to adjourn was made at 8:33 p.m.

FOR THE PLANNING BOARD
TOWNSHIP OF ROXBURY

Eugenia Wiss, Board Secretary