

March 17, 2011

A regular meeting of the Allendale Planning Board was held in the Municipal Building on March 17, 2011. The meeting was called to order at 8:15 p.m. by Mr. Quinn, Chairman, who announced that the requirements of the Open Public Meetings Act were met by the required posting and notice to publications.

The following members answered roll call: Mr. Quinn, Mr. Barra, Ms. Sheehan, Mr. Sirico, Mr. Walters, Mr. Strauch, and Ms. McSwiggan. Mr. Zambrotta arrived at 8:35 p.m. Also present was Mr. Dunn, Board Attorney and Nicole Shapiro, Board Engineer in Mr. Yakimik's absence.

On a motion by Mr. Sirico, seconded by Mr. Walters, the minutes of the February 17<sup>th</sup> meeting were approved as submitted. All Board members present voted in favor.

Major Subdivision – Calvary Lutheran Church, Block 910, Lots 2, 17.01 and 17.02

Bruce Whitaker appeared as attorney for applicant. He said he presented an overview of the site on Monday evening. He has received the Borough Engineer's letter of March 16 and has made some responses to it. His position is that he believes the Board has received sufficient information at this point to deem the application complete. He may request certain waivers of a few items in the letter that are not pertinent. Mr. Whitaker said there was one issue with regard to taxes being paid; however, the property is tax exempt. Mr. Whitaker said he went to the Borough today and received a statement to that effect. One item concerns naming the roadway and that is generally done later. He is aware there is a list of Allendale military veterans. He made inquiry to the town for the list but he has not received an answer. The other items are things that can be accomplished during the course of the hearings or can be subject to some type of condition.

Mr. Dunn asked about the fees. Mr. Whitaker said he presented two separate checks to the Board Secretary. One check for the escrow payment in the amount of \$5,000 and the other check in the amount of \$600 representing subdivision fees.

Nicole Shapiro was present from the Borough Engineer's office. Mr. Quinn asked if she would comment on the items listed in Mr. Yakimik's letter of March 16.

Mr. Dunn said one of the items to be taken care of is the hardship claim regarding the request for omission of sidewalks. Mr. Whitaker said there is an item regarding a metes and bounds description of the proposed lots which he will have prepared and submitted. He will prepare a list of waiver requests and the other items in the engineer's letter will be taken care of.

Letter was received from Mr. Latincsics dated March 16 regarding waiver requests for items 14 and 24 from Schedule A Checklist for submissions of development applications. This letter was provided to Ms. Shapiro for her information. Mr. Whitaker said additional information as required will be provided to the Board as the hearings continue.

Mr. Dunn said his only question on the Latincsics letter is his request for waivers since we are never sure what ought to be presented as far as off site conditions are concerned until the hearing proceeds.

With regard to the waiver request in Mr. Latincsics letter of March 16, Ms. Shapiro said the plan has a little bit of an overlap beyond the property limits. Now with GIS information it is possible to get a pretty good idea of what is going on in the surrounding area. She believes the waiver can be granted unless there is something specific that the Board requires while they are hearing the application. Mr. Yakimik did ask for the location of the existing wells and septic systems on the property within 100 ft. of the site. He asked that they coordinate with the Water and Sewer Dept. and that the applicant provide that information on the plan.

Mr. Latincsics said the neighborhood is served by public sewer and public water so he would be extremely surprised if there are any wells or septic. There may be some abandoned or isolated wells but on the property there are none.

Mr. Quinn noted for the record that Mr. Zambrotta arrived at this point in the meeting.

Ms. Shapiro said that Mr. Yakimik has requested the list of proposed street names so the Board will have an opportunity to review them.

Ms. Shapiro said most of the items in Mr. Yakimik's letter are minor in nature. As far as the landscaping plan is concerned they are going to be adding shade trees. There does not have to be a separate plan. They can show tree removal and placement of new trees on the construction plan or the soil erosion control plan.

Mr. Whitaker indicated that the items noted in the Borough Engineer's letter of March 16 will be completed. Mr. Quinn asked if the application is essentially complete from Ms. Shapiro's perspective. She replied affirmatively.

Mr. Dunn asked for clarification of the three variances. He said he is aware of the lot area and the minimum front yard setback for proposed lot 17.03. He asked what the third variance is. Mr. Whitaker said it is the rear yard setback from that structure back to the rear lot of the church property. There was an issue whether that was a rear lot line or a side lot line. Mr. Quinn said he believes the determination that was received from the Construction Official is that there are two rear yards. Mr. Dunn requested that at some point on the applicant's next site submission to please note these on the schedule.

Ms. Sheehan asked if Ms. Shapiro considers the sidewalk issue a minor administrative issue. Ms. Shapiro said if they are seeking an exception from the RSIS the Board can ask for a reason why they are requesting it. Mr. Whitaker said they will include a statement with regard to that issue and there will be testimony as well. Mr. Whitaker said they are asking for other exceptions from the RSIS to upgrade. For instance they are looking to put in an 8 inch pipe versus a 6 inch pipe and curbing where no curbing is required. They are asking for an exception to do something more than what is required.

Mr. Quinn said the drainage situation will be an issue with this application. He asked if there will be testimony on that subject. Mr. Whitaker said their expert will report on that issue.

Mr. Barra said the Borough Engineer expressed his concern about drainage and he is also very concerned about drainage. He would ask applicant's engineer not only to look at the impact on this property but also the impact on the houses downstream. He does not know what impact this development with its impervious surfaces will have on the street and homes. He feels sure the Borough Engineer will focus on this and he will as well. He added that it is important to render an opinion as to what if anything is going to be the impact on the homes across the street and downstream. There are probably three homes across the street and another two or three downstream that have been flooded and the water from the storm sewer on the street goes right back there. He said that to a lay person it appears that this will exacerbate an already pretty bad situation. He said if you walk back there now it is very bad. He asked that they look at not only the property itself but what is going on downstream. Mr. Latincsics said they have done that and will continue to do so. Mr. Whitaker said they are prepared to address that situation. Mr. Barra said the situation is going to have to be better. Mr. Latincsics said there are opportunities here to improve the situation.

Mr. Quinn announced that this matter is not open to the public for comment this evening since it is for a completeness review. If the application is deemed complete a public meeting will be scheduled most likely in April at which time the applicant will present his case. At that point the public will have an opportunity to question the experts on their testimony and the Board will at some point take general public comment. This could possibly take a series of meetings or it could be done in one meeting.

Mr. Dunn said there should be a motion to deem this application complete accompanied with an authorization to proceed to public hearing at the next meeting and to authorize the applicant to make the necessary public notice.

Mr. Barra moved, seconded by Mr. Walters to deem the application complete. On roll call, all Board members present voted in favor.

Mr. Quinn announced that the next session of the Board to hear this matter is scheduled for April 21 at 8 p.m. Mr. Whitaker noted that this matter will not be listed on the work session agenda.

Ms. McSwiggan commented that in going through Board minutes she found there was discussion concerning follow up on the master plan. She asked how this will be handled. Mr. Quinn said Mr. Snieckus has delivered copies of the revised master plan for review by the Board members. At Monday's work session there was discussion about commissioning Mr. Snieckus to do a review between the master plan and the borough ordinances so they are in sync. He will contact him about this. The Board also talked about potentially having him present a proposal for funding of a circulation plan for the Borough.

On a motion by Mr. Strauch, seconded by Mr. Walters, the meeting adjourned at 8:40 p.m.

Respectfully submitted,

Barbara Knapp