

May 19, 2016

A Regular Session Meeting of the Allendale Planning Board was held in the Municipal Building, 500 West Crescent Avenue, Allendale, NJ on May 19, 2016. Chairman Quinn announced that the Open Public Meetings Act requirements were met by the required posting and notice to publications and called the meeting to order at 8:07 p.m.

PRESENT: Ms. Checki, Mr. Daloisio, Mr. O'Connell, Mr. Quinn, Mr. Sasso, Mr. Scherb, Mr. Sirico, Ms. White, and Mr. Zambrotta

ABSENT: Mr. Bonifacic

ALSO PRESENT: Mr. Botta and Mr. Vreeland

Mr. Quinn requested a vote to approve the minutes from both the March 14, 2016 Work Session and the March 17, 2016 Regular Session. A motion was made by Mr. Daloisio, and it was seconded by Mr. Sirico. Abstaining from the March 14 minutes were Ms. Checki, Mr. O'Connell, Mr. Scherb, and Mr. Zambrotta. Abstaining from the March 17 minutes were Ms. Checki and Ms. White. The minutes were approved for both meetings.

Ms. Checki recused herself from the meeting.

The continuation was conducted on application PB-2016-01 for Chamberlain Developers, Inc. regarding the Preliminary/Final Major Subdivision property location 221 East Crescent Avenue, Allendale, NJ, Block: 506 Lot: 4. Since the last meeting on May 16, Mr. Whitaker stated for the record that it was agreed that sidewalks be placed on East Crescent Avenue at the builder's expense; thus, amending the waiver for no sidewalks to include only Harding Avenue. The borough engineer and the DPW agreed to discuss the drainage plan changes. For the record, the new drainage will take away the sheeting, improve the road, and bring it to RSIS requirements. The submission of the storm water manual must be approved by the board engineer, which will be reviewed after the plan is approved.

While still under oath, Daniel Lamothe commented that there was agreement after meeting with the DPW and the borough engineer that the detention facility storm trap access would be moved to the side of the road for maintenance to avoid blocking the roadway. A new sketch with these further changes and a sanitary system to be extended to Harding Avenue to improve access was presented. The storm trap and jellyfish filter was reviewed and the storm water management and maintenance in this development was proposed. Maintenance obligation proposed minor modifications to the location of the outlet control and storm water structure with treatment device or contract with a vacuum to see one year of actual performance (also shared with the Northwest Bergen Sewer Authority). Ms. White was concerned with the size of the holding chamber, which was noted will be compliant for someone to enter the space to clean/clear the structure. Mr. Quinn inquired about another inlet on the right side of Harding Avenue, depending on the borough engineer to make a decision on site for the best placement.

Mr. Vreeland mention there are two drainage areas and the calculation of the anticipated flow there will be 45% reduction in the amount of water seen in the surrounding properties. The net effect is an improved environment.

Mr. Quinn opened the meeting for questions only to this witness and what was said at this meeting.

Alan Jacobson, 19 Overlook Court, Ramsey: Mr. Jacobson had concerns about who will be responsible for the water diversion and damages if flooding occurs during construction. Mr. Lamothe stated it will be constructed of concrete structures and minimal maintenance will be needed. Mr. Whitaker remarked that storm water regulations and facilities are for approval by the DEP due to the integrity and longevity needed for such application. The developer of the site has to have a site performance bond for infrastructure. Based on years of experience, no adverse impact occurred while construction is happening. After the development is two years after developer completes the project. As there were no public comments, Mr. Quinn returned the meeting to the Board.

A sketch of Exhibit A-13, with all the new drainage, was submitted. Mr. Ernie Cassidy, the Fire Official of the Borough of Allendale, was asked to comment on the application. He only had full access this afternoon to the drawings. He said he would like to have a fire hydrant at each end of the cul-de-sac, another at the entrance at the development, and an additional fire hydrant between the two homes on East Crescent Avenue to improve access to water. In addition, he said have either one side parking only or have yellow curbing on one side of Harding Avenue into the development to allow access for the fire department. Mr. Whitaker stated that they are improving the market standard and safety. The Allendale Fire Department will be submitting a formal development review letter. Ms. White asked about the fire trucks turning around on the road, which Mr. Cassidy confirmed that the trucks are able to drive anywhere as needed in town.

Mr. Whitaker continued with the presentation regarding the soil. They will be conducting it in accordance with the guidelines of two other agencies: the Bergen County Planning Board and the Bergen County Soil Conservation with standards they need to meet for approval of this development. This property was historically a farm and apple orchard. It is only with due diligence soil analysis to be done to treat the soil under NJDEP standards with testing and mediating the property. Mr. Morris was sworn in as an expert witness as a licensed site remediation specialist. He is also a resident living one block from the development. Under the DEP latest guidance from September 2015 that supersedes the 1999 test site manual with licensed site remediation specialists working as the independent consultant with both the NJDEP and the property owner. The site is identified from historical photographs as operating as an apple orchard from 1931–1965. Exhibit A-14 photograph of historical aerial and Exhibit A-15 photograph of site samples with the green dots showing approved and red dots showing HAP condition where contaminants were found were presented. Six historic pesticides were found with samples tested 1 foot below grade at 6-inch intervals until clean sample. A plan will be made before any construction will begin with whether removing or blending the soil with clean mix up to 2-feet deep mix to retest then use on site or removal of contaminated soil. Also, soil erosion, sediment control, and dust mitigation will be planned, managed, and reviewed by NJDEP methodologies. Mr. Whitaker reiterated that they are RSIS standards better than required with this remediation plan and managing this soil. The DEP requires two samples per acre and here there are nine samples or more per acre to ensure the safety of the land. The licensed site remediation specialist is beholden to no one and an independent agent to the DEP will have to be hired by the contract purchaser. Pesticides do not

move, so there is no need to test deeper. Several members of the Board inquired about the testing, management, and process further in depth to understand about the site and licensed site remediation specialists. Mr. Quinn opened the meeting for public questions for Mr. Morris.

Zack Main, 23 Overlook Court, Ramsey. Mr. Main wanted to know further about the contaminants that were found on the property. Mr. Morris confirmed that arsenic was present. The testing was done for multiple chemicals but only arsenic, lead, and another chemical were found, which were used on the property as pesticides. The contaminants have not moved from their location on the top of the soil since the last application to the trees on the site of the old orchard. Mr. Main asked if there would be testing to where the pesticides were stored, which Mr. Morris confirmed would be test. Mr. Main asked about notice during the clean up, will there be a sign or letters? Mr. Morris confirmed it is up to the developer as to his preferred method and everything is filed on record with the NJDEP. Mr. Main asked further about the methods for cleaning up the site which Mr. Morris reiterated the different methods as earlier testified in the meeting.

Mr. Quinn seeing and hearing no more public comment returned the meeting to the Board. Mr. Daloisio asked about the notification. Mr. Morris stated that it would be at the discretion of the property owner to send letters or post a sign. Mr. Quinn recommended that letters be sent. Certification is needed from the DEP stating that it is a clean site before construction occurs.

Mr. Whitaker stated that his presentation has been concluded and all evidence has been submitted.

Mr. Quinn opened the meeting for the final public comment regarding the application.

James Thomas, 30 Arlton Avenue, Allendale: Mr. Thomas read a statement into the public record.

Chris Kehoe, 73 Harding Avenue, Allendale: Affirmed the letter read by Mr. Thomas.

Rita Morowitz, 70 Harding Avenue, Allendale: She is concerned and very unhappy about the water issue due to the negative impact to her quality of living with the new roadway.

After no other public comments, Mr. Quinn returned the meeting to the Board for final discussion hearing.

Mr. Whitaker, final summation that this applicant's proposal meets all of the requirements as required by ML-7 ordinance and laid out in the MLUL. Provided that it is approved, and they have met and exceed RSIS standards laid forth. The one sidewalk on East Crescent Avenue and now only requesting a waiver for cul-de-sac only. It was laid out in the ordinance that does not have any restrictions on Harding Avenue and in developing this

property or any roads. In the master plan of the borough there are no ordinance limiting roadways. The road is an added benefit to the borough by meeting state code requirements. The municipality would want with exceed state requirements for emergency access. In closing, he advised the Planning Board to respectfully grant approval.

Mr. Quinn asked the Board for any comments. Mayor White is glad of having the two lots in compliance with COAH and looks forward to additional homes for veterans. Duly noted the eight homes on Harding Avenue, and the traffic will be minimal to the already busy Arlton Avenue. Mr. Zambrotta reiterated the mayor's comments and the pragmatic design of the development. Mr. Quinn thanks them for the design of two single-family homes for veteran single-family residences, in addition to an application with no variances which is appreciated in the presentation.

The condition is subject to other government entities: the Bergen County Planning Board and the Bergen County Soil Conservation District, subject to the execution of developer's agreement with the borough. It would also include a waiver under the RSIS for sidewalks on Harding Avenue. The applicant also agreed on the plans and stipulated on the record, the sidewalk on the East Crescent Avenue, the adjustment of the detention chamber, a field engineering issue with consultation and approval of the borough engineer. The fire hydrant on East Crescent Avenue and the two on Harding Avenue dependent on the approval by the fire official. Condition and approval of borough engineer are needed for the drainage. Any additions and amendments of Mr. Vreeland's report will be adjusted based on the borough engineer approval. The licensed site remediation specialist's plan would be a component of this development in compliance with NJDEP. Mr. Frasco agreed to name the cross street "Weimer Street" as per the mayor and council.

A motion to approve the application by Mr. Scherb, and it was seconded by Mr. Zambrotta. A roll call vote was taken, and all present voted in favor of this application. Both Mr. O'Connell and Mr. Zambrotta listed and certified their vote from the Monday, May 16 meeting to be able to participate.

The correspondence was listed on the agenda and no action was taken.

There being no additional business to come before the Planning Board, on a motion from Mr. Daloisio, seconded by Mayor White, the meeting was adjourned at 10:03 p.m.

Respectfully submitted,

Christina Montanye