

May 13, 2013

A meeting of the Allendale Planning Board was held in the Municipal Building on May 13, 2013. The meeting was called to order at 8:15 PM 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 to roll call: Mr. Quinn, Mr. Sirico, Mr. Sasso, Mr. Walters, Ms. Sheehan, Mr. Zambrotta, Mr. Scherb, and Ms. Checki.

Absent: Mr. Barra, Mr. Strauch, and Mr. O'Connell

Mr. Quinn opened the work session meeting and announced that the site plan of Trinity Episcopal Church at 55 George Street, Block 1604, Lot 15 was to be heard that evening. Mr. Whitaker who is the attorney for Trinity Episcopal Church told the Board that the purpose of this meeting was to make sure his client was ready for the public hearing on Thursday. The Church had a delay in the plans as they were trying to get the architectural plans finalized and made compatible to the engineering plans. In making the plan compatible the height variance was eliminated. Mr. Whitaker said he believed the application was now complete as the engineer for Trinity Episcopal Church worked with Mr. Yakimik to make sure the plans were ready. Mr. Dunn asked about the height variance and Mr. Whitaker explained that the variance was eliminated due to the topographical changes in the plans. He continued to state that the variances which are being requested are pre-existing nonconforming conditions. Mr. Dunn asked whether notices went out to the public about the variances and Mr. Whitaker replied that they had but not about the height variance. Mr. Whitaker said that he did not think a parking variance was needed due to the fact that nothing was being changed but Mr. Yakimik had made a suggestion in his report that a parking variance might be needed. If the Board determines that a parking variance is necessary the Church had made a request for it just in case.

Mr. Quinn asked how many witnesses would testify on Thursday night. Mr. Whitaker replied that there were three which included Father Michael Allen, the architect, and the engineer. Mr. Quinn asked Mr. Yakimik if he had a report but Mr. Yakimik didn't have one ready for that evening. Mr. Yakimik suggested that they refer back to the January 14th memo on completeness. Mr. Whitaker submitted an amendment to the application in response to the memo. Mr. Yakimik said that the applicant felt that no variances were needed so no additional forms needed to be filled out. The affidavit of ownership had been submitted and Mr. Dunn will review that part for Thursday evening. Mr. Yakimik questioned whether the applicant received a letter from the DEP verifying delineation of the boundaries of freshwater wetlands and riparian zones and their associated buffers. Mr. Whitaker told him that the engineer would speak to that on Thursday. Mr. Yakimik said that Mr. Whitaker had listed the architect as an architect/planner. He recommended having the Borough Planner come to the meeting. Mr. Whitaker said the architect is also a planner but since there were no variances being requested he expected the architect to

focus mainly on the architectural plans. Mr. Yakimik continued by saying that no waivers were submitted. The applicant did provide dimensions of the rear and side yard setbacks on the new site plans. There was a question as to whether the Board had received photographs of the premises and the Board said they would check with the secretary who has been out sick. The location of the trees that are to be removed and the location of utility services on the property have been provided. No existing wells or septic systems have been located on the site. The applicant provided the drainage calculations and the engineering firm of Dewberry has sent a two page memo in response and Mr. Yakimik is reviewing the memo for Thursday's meeting. An application has been made to both the Bergen County Department of Planning and Economic Development and to the Bergen County Soil Conservation District. Mr. Yakimik felt that the applicant had complied with the items of completeness subject to the testimony from Trinity Episcopal Church's engineer on Thursday. Mr. Yakimik discussed drainage with the engineer a few weeks ago and he appeared to be going in the right direction. Mr. Yakimik mentioned that the applicant will be restriping the parking lot. Even though there is adequate parking on site the parking space size is 9x18 and not 10x20 and the applicant may need a variance. He questioned whether the parking should be based on the space in the hall and the sanctuary but due to testimony from the applicant knew that both won't be used at the same time. The applicant is not doing catering. Mr. Whitaker responded that his witnesses would testify to those answers and that Father Michael Allen will explain that the addition is needed to meet the goals of Trinity Episcopal Church. Mr. Walters asked about the square footage. Mr. Yakimik said that it was about 3200 square feet and the existing structure is about 7400 square feet.

Mr. Whitaker said that he had a second matter on the agenda that evening as it was in regards to the Poskanzer property at 40 and 42 Carteret Road or Block 1503.01, Lots 14 and 15. Mr. Quinn responded that he didn't know about this applicant as it wasn't on the agenda but that the Board would hear it. Mr. Whitaker said he was concerned about dropping items off and sending letters to members as the items don't always seem to get to the Board. Mr. Dunn told the Board that the letter sent involved a minor subdivision to the Poskanzer property. Back in January 21, 1999 Mr. & Mrs. Poskanzer were granted approval of their minor subdivision. There was a resolution passed by the Board granting the subdivision into two lots. The Borough has treated it as two lots as it is on the tax map correctly. The plat or deed was never filed appropriately in accordance with the MLUL by the engineer/surveyor who did the original map. It was supposed to be filed or perfected within 190 days but this was not done. Mr. Whitaker said that the Mr. & Mrs. Poskanzer need to clean up the title by re-filing the map. They need a resolution to reapprove the subdivision and signatures from the Board members on the map.

Mr. Dunn had some concern and asked if there was a variance when it was first approved and Mr. Whitaker replied that there was not. Mr. Dunn asked whether public notice was required and Mr. Whitaker said no. The Borough put it on their zoning map but it is not on the county map. Mr. Dunn commented that it shouldn't have been done without the deed and Mr. Whitaker agreed. Mr. Dunn wanted to make sure they were proceeding correctly. He was concerned

about whether this application needed a variance or not and that this applicant was not officially on the agenda for this evening.

Mr. Poskanzer told the Board that he owned both pieces of property back in 1999 and still owns both pieces of land. He wanted to change the boundaries of the lots and therefore he didn't create a new lot. It was already two lots when he asked for the subdivision. The parcel that has his home on it is four and a half acres and the other lot is one acre. The purpose of the subdivision was to make the four and a half acre lot smaller to three and a half acres and make the one acre bigger by making it two acres. He basically took the line and extended it back a bit. He hasn't been receiving tax bills on the re-subdivision as he still gets one for the 4 ½ acres and another for the one acre because the tax office didn't get a deed and therefore couldn't change the tax bills to match up. The tax map is the only thing that shows it. Mr. Poskanzer said that about fourteen years ago he and his wife thought that they might want to sell the smaller lot and use the money for retirement or sell the house they currently live in on the larger lot and build a home on the smaller lot. Mr. Sasso asked if the structure was changed and Mr. Poskanzer replied no. There has always been one house on the four acre lot and nothing on the one acre lot.

Mr. Dunn mentioned that escrow needed to be posted and that notice needs to be given to the papers and posted on the Borough bulletin board. Mr. Yakimik inquired whether a land surveyor was going to create a new map. Mr. Whitaker told him no as the map is still the same as there have been no changes to the properties and all he needs are the Resolution and the signatures. Mr. Dunn asked if Mr. Whitaker wanted both the Resolution and Memorialization for Thursday and Mr. Whitaker said he did. Mr. Sirico asked if it would hurt to push it off to next month's meeting but Mr. Whitaker responded that his client wanted to do this as soon as possible. Mr. Yakimik explained to the Board about the signature process and said that he will review the map before the Chairman and Secretary sign it.

On a motion from Mr. Sirico, seconded by Mr. Walters, the meeting was adjourned at 8:55PM.

Respectfully submitted,

Diane Knispel