

HILLSBOROUGH TOWNSHIP PLANNING BOARD
PUBLIC MEETING MINUTES
March 07, 2019

Chairman Carl Suraci called the Planning Board Public Meeting of March 07, 2019 to order at 7:36 p.m. All stood for the Pledge of Allegiance. The meeting took place in the Courtroom of the Hillsborough Township Municipal Complex.

Chairman Suraci announced the meeting had been duly advertised according to Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975 ("Sunshine Law").

ROLL CALL

Mayor Frank DelCore - Present
Robert Wagner, Jr. - Present
Committeeman Shawn Lipani - Present
Robert Peason - Present
Carl Suraci, Chairman - Present
Neil Julian, Vice Chairman - Present

Sam Weinstein - Absent
Ron Skobo - Present
Kenneth Hesthag, Secretary - Present
Surajit Deb (Alt. #1) - Present
Vacant (Alt. #2)

Also present: David K. Maski, PP, AICP, Planning Director; Eric M. Bernstein, Esq., Board Attorney (Eric M. Bernstein & Associates); Robert Yuro, PE, CME, Board Engineer (T&M Associates); Michael Lombardozzi, CSR, CRR, Covering Court Reporter; and Caz Bielen, Board Videographer (Premier Media, LLC).

CONSIDERATION OF MEETING MINUTES

None

CONSIDERATION OF RESOLUTIONS

None

PLANNING BOARD BUSINESS

None

BUSINESS FROM THE FLOOR

None

CONSIDERATION OF ORDINANCES

None

APPLICATIONS

- **Signature Detailing** - 18-PB-08-SPCU - Block 142, Lot 34 - 216 Route 206. Applicant seeking minor site plan (waivers from certain checklist items) and conditional use approval, to permit a specialized auto detailing service as a "vehicle service facility" in an existing facility, without exterior improvements, in the I-1 Zoning District (Highway approaches required to follow I-2 Zoning standards). **Request to ADJOURN to March 28, 2019 without further notice. Extension of time provided.**

Planning Director, David K. Maski, PP, AICP, informed the Board a question arose regarding one of the conditions and whether or not that condition can be satisfied. This is a conditional use application. He said he had spoken with the applicant's attorney and agreed it would be best to request an adjournment to March 28 as a place holder, without re-notice to allow additional time to research and decide the proper course for this application to go forward. An extension on the time of decision was provided through May 31.

A motion to grant the extension and adjournment was made by Mr. Peason, seconded by Mr. Skobo.

Roll Call: Mr. Skobo - yes; Mr. Peason - yes; Mr. Wagner - yes; Secretary Hesthag - yes; Mr. Deb - yes; Committeeman Lipani - yes; Mayor DelCore - yes; Vice Chairman Julian - yes; Chairman Suraci - yes. Motion carries.

Upon announcement of the next application, Eric Bernstein, Esq., Board Attorney, informed the Board a request has been made to take the Pierson Properties application since they believe the presentation will be brief.

- **Pierson Properties, LLC** - File 18-PB-13-SP - Block 151.09, Lot 220 - 340 Valley Road. Applicant seeking amended minor site plan approval to demolish an existing (dwelling /office) structure, and

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expansion of the on-site materials stockpile storage area, on property located in the GI, General Industrial District (EC Review: 02-25-19).

Michael O'Grodnick of Savo, Schalk, Gillespie, O'Grodnick, Aquilio & Fisher, representing the applicant, said the application involves demolition of the house which had been approved by the Board to operate as an office. The applicants feel they do not need an office at this site. The other request is to expand three 50 ft. x 50 ft. storage bins for general aggregate, generally for stone. The property is just over 12 acres. The site was historically a concrete manufacturing facility and was improved as an asphalt facility by this Board, with associated equipment and outdoor storage for different grades of stone aggregate, and the existing structure on Valley Road.

Mr. O'Grodnick said the demolition of the residential structure would increase the front yard setback from 38.5 ft. to 215.5 ft. There would be a net increase in impervious coverage from 45.3% to 46.1%, which is permitted in the GI Zoning District.

Exhibit A-1 - Amended Site Plan, as submitted, with color highlights.

Michael Ford, PE, of Van Cleef Engineering, was sworn in, accepted by the Board, and gave the following testimony:

Mr. Ford said the colorized elements are the subject of the application. The existing residential structure is a noncompliant structure within the GI Zone. As was stated in the introduction, part of the approval was to convert that structure into an office. The Operator of the Plant determined the office is not necessary since orders and deliveries can be done from other office locations that the Operator has. Once removed, the driveway would be filled in and landscaped with supplemental plantings to continue the row of plantings along Valley Road.

Mr. Ford explained that behind the sound wall, which would not be visible from Valley Road, would be a minor expansion of the on-site material storage area. The materials would be aggregate products as part of the raw materials used for asphalt production.

Mr. Ford said the original Pierson application was a minor site plan since it was a conversion of the Phillips Concrete Plant. The applicant was back before the Board with an amended site plan in 2017 for the sound wall.

Mr. Ford stated the Environmental Commission memorandum dated March 06, 2019 highlights what was discussed at the February meeting. The applicant would agree to comply with the comments in the Planning memorandum, dated February 21, 2019, and the T&M Associates memorandum, dated February 22, 2019, as a condition of approval.

Mr. Maski asked Mr. Ford if they would comply with the comments for outdoor storage.

Mr. Ford Agreed.

Mr. Maski asked Mr. Ford to elaborate on the questions raised in his report.

Mr. Ford said the Operators of the asphalt plant have other facilities, and take orders through the regional office. The door in the wall will remain. The pathway will not be needed so it will be taken out. No new lighting is proposed as part of this application. The area where the existing residence is will be restored to grass and left in a natural state. That runoff flows toward Valley Road. The storage bin runoff runs into the site and would have no adverse impact on any neighbors.

Mr. Maski asked Mr. Ford to provide some details on the storage bins, such as heights, materials, etc.

Mr. Ford said they can provide additional details on the revised plans but they intend to continue as the concrete plant had, with use of large concrete blocks for left over materials.

Mr. Yuro had no additional questions.

Vice Chairman Julian, Environmental Commission liaison to the Board, noted the last time the applicant was before the Environmental Commission there was discussion about the noise testing. Because there has been no operation of the facility, there has been no noise testing. The Commission wants to be sure that when operations commence, there will be noise testing done at that time.

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Mr. Ford agreed. He said all of the other prior conditions of approval apply, including the testing of noise conditions at night. Once the plant is up and running, the noise testing will be done at night, since there are different standards used for nighttime verses daytime.

Chairman Suraci asked the time frame for the plant to be operational.

Mr. Ford said the equipment is all in and ready to run. The current facility Operator is using other facilities to deliver asphalt, but they expect to start operations at this facility within the next few months, when the weather gets better during the day, and then proceed with the nighttime noise test. The plant has a temporary CO. The permanent CO would be issued after the nighttime noise test has been done.

Mayor DelCore asked if there were areas for the employees.

Mr. Ford said there are parking areas for the employees and office facilities from the concrete plant that have been rehabilitated.

Open to the public.

Susan Gulliford - Hunt Club Road

- Ms. Gulliford said Mr. Ford mentioned at the Environmental Commission that the well and septic was associated with the house.

Mr. Ford concurred.

- Ms. Gulliford asked if it would be advantageous to keep the well as a water source.

Mr. Ford said there is public water on Valley Road. As part of decommissioning the house, they are required to close the septic and well, in accordance with the Heath Department standards.

Mr. O'Grodnick said they had nothing further.

A motion to approve amended site plan application #18-PB-13-SP, with the applicant agreeing to all conditions and comments made, as well as continuing the conditions from the prior approval, was made by Mr. Skobo, seconded by Mr. Wagner.

Roll Call: Mr. Skobo - yes; Mr. Peason - yes; Mr. Wagner - yes; Secretary Hesthag - yes; Mr. Deb - yes; Committeeman Lipani - yes; Mayor DelCore - yes; Vice Chairman Julian - yes; Chairman Suraci - yes. Motion carries.

- **MAAC Development Group, Inc. (Shelburne Place)** - File 18-PB-12-MS - Block 204.04, Lot 25 (formerly Block 204, Lot 51) - 519 Hillsborough Road. Applicant seeking preliminary and final major subdivision approval to create nine lots; seven new building lots, one stormwater management lot, and one remainder lot for existing dwelling, subdivide a 14.157 acre lot into nine lots, consisting of a 3.2 acre remainder lot for existing dwelling, and associated roadway, on property in the R, Residential Zoning District (EC Review: 11-26-18). *Revised Plans last revised 01/18/19. **Adjourned from January 10, 2019 with re-notice.***

David Singer, Esq. of Vella Singer and Associates, representing the applicant, said the property currently has one residential structure on 14.15 acres. The proposal is to subdivide the property into nine lots, seven of which would be used for construction of new residential homes on approximately one-acre lots. The existing residential structure would remain on approximately 3.2 acres. The ninth lot would be used solely as a detention basin. There would also be an extension of Shelburne Place, which currently dead ends at this lot.

Exhibit A-1 - Major Subdivision Plan (Sheet 1 of 11)

A-2 - Existing Conditions and Removal Plan (Sheet 2 of 11)

A-3 - Lot Layout Plan (Sheet 3 of 11)

A-4 - Grading Plan (Sheet 4 of 11)

A-5 - Utility Plan (Sheet 5 of 11)

A-6 - Plan in Profile (Sheet 6 of 11)

A-7 - Landscape Plan (Sheet 7 of 11)

Deborah D'Amico, PE of D'Amico Engineering, was sworn in, accepted by the Board and gave the following testimony:

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Ms. D'Amico said the lot is 14.157 acres and is mostly wooded, with one single-family home on the south-west portion of the site, which fronts on Hillsborough Road. The proposal is to subdivide the property into nine lots, all of which will be conforming. The houses will conform with the building height requirements when they are built. The lots will be serviced by an extension of Shelburne Place, which will end in a cul-de-sac. The detention basin is shown to be on proposed lot 25.J, at the north-western portion of the property.

The Grading Plan, Exhibit A-4 shows the existing and proposed topography. The lot is fairly flat. The lots that front on the cul-de-sac drain to the north-west towards the basin. The water on proposed Lot 25.B flows toward Hillsborough Road. The runoff for proposed Lot 25.A, which fronts on Woods Road, flows towards Woods Road. The layout of the site was designed to mimic existing conditions as much as possible, and keep the same drainage pattern. There will be a high point in the road that will split the flow. Most will go towards the cul-de-sac, and flow into the infiltration basin. As discussed with Mr. Yuro, two catch basins will be added to pick up any runoff from the high point and take that to the detention basin as well. A drywell will be placed on proposed Lot 25.A which is significantly lower and will not allow water to drain to the basin.

The Utility Plan, Exhibit A-5 shows an extension of the sanitary sewer, which will flow towards existing Shelburne Place. There will be several manholes and stormwater inlets installed. The property will be serviced by public water. There is an existing fire hydrant on Shelburne Place. The water line will be extended from Shelburne. Another hydrant is proposed at the end of the cul-de-sac.

The Plan in Profile Exhibit A-6 shows the location of the inlets. Additional inlets will be introduced at the property line.

The Landscaping Plan, Exhibit A-7 shows the lot is significantly treed. The subdivision was designed to preserve as many of the trees as possible. The development is concentrated by the extension of Shelburne Place. She said they located all of the trees by survey within 200 ft. of the center line, and all the trees in the detention basin. To continue to survey all of the trees within the area not being disturbed would cost tens of thousands of dollars, so the tree survey was limited to only the areas of disturbance. To give an approximate, if you assume the entire lot is treed, then 34% of the trees will be taken down. A variance for tree removal will be required. Trees will be introduced where the canopy is missing and along the edge of the area of disturbance. Street trees will also be introduced. As per the Board Engineer's comments, the plan schedule will be revised to add some variety. Ms. D'Amico finished her presentation.

Mr. Bernstein noted that the applicant's engineer indicated a variance for tree removal would be required.

Mr. Bernstein discussed the legal notice provided by Mr. Singer, which did not identify a variance.

Mr. Singer distinguished the notice stated a variance was not anticipated, not that there were none.

Mr. Bernstein asked when it became known that a variance would be needed for tree removal.

Mr. Singer said it was after the revised plans were reviewed, as per Mr. Maski's memo. Ms. D'Amico reviewed the plan last week and determined a variance would be required.

Mr. Singer acknowledged that prior to Mr. Maski's memo, they were not aware a variance would be required.

Mr. Maski said the tree ordinance is clear. The township cannot confirm if a variance is needed; that responsibility is on the applicant's professionals. There are both waivers and variances named in the tree mitigation ordinance. The ordinance says you should not disturb more than 20% of the trees outside of the area of disturbance. Doing so would require a variance, not a waiver. A hardship waiver pertains to the cost of tree replacement. Should the cost exceed 1 ½% of the total project, a waiver could be requested. Mr. Maski read from the ordinance. He then said he believed the testimony provided indicates both a variance and a waiver are required.

Mayor DelCore asked Mr. Bernstein what the options were.

Mr. Bernstein advised the Board could consider allowing for the testimony of the various professionals to be made. The application would need to be re-noticed for that variance prior to the Board taking any official action one way or another on this application. He said that would be a reasonable compromise. The alternative is to adjourn this hearing to another date with re-notice provided prior to. Re-notice would need to include all variances, including any that may come up during testimony. Doing so would allow anyone objecting to the application to have the appropriate opportunity to know exactly what they are objecting to.

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Chairman Suraci said he would like to go forward with the hearing, with the understanding that the Board will not be making a decision tonight.

Mr. Bernstein stated the applicant would have to re-notice for all appropriate variances and waivers so that a final decision for this application will be done appropriately and consistent with the MLUL.

Vice Chairman Julian asked if the wetlands concerns raised by the Environmental Commission would be addressed by an Environmental expert, or if Ms. D'Amico would address that.

Ms. D'Amico said she regraded the basin and reran all of the counts. The bottom of the basin is significantly higher than it was a few months ago, so it is now above the wetlands. There would not be any opportunity for the wetlands to drain back into the basin. In doing so, everything was raised up, including the road, in order to get the water to flow that way. The other issue raised by the Environmental Commission, even though there is an LOI that states there is no wetland or transition area on the site, there is a wetland on the adjacent site. Ms. D'Amico said the transition area should come around, but DEP says there is no transition area on the subject site. The basin was regraded to allow for that transition area to go undisturbed. She said she needed to tweak the basin a little more to the satisfaction of Mr. Yuro, but that the buffer transition area for the wetlands on the adjacent property would be provided. Therefore, both issues have been addressed.

Vice Chairman Julian said so the applicant did not apply for a new LOI, but informally took care of the Commission's concerns.

Ms. D'Amico agreed. She reiterated the NJDEP LOI stating there is no transition area or wetland on site can be relied on, but that they are mitigating that as best they can.

Vice Chairman Julian asked Mr. Yuro to comment.

Mr. Yuro said even though the LOI states there is no wetland or transition area on site, you are still required to take into account the 50 foot buffer to the adjacent area. He confirmed the basin was regraded so the matter was addressed. However, additional testimony should be provided as to the revised drainage conditions. The original application called for an infiltration basin which was a major concern to the Environmental Commission and other professionals. It has since been regraded to be more of a detention basin. Additional testimony is needed to help the Board understand the changes that have been made.

Vice Chairman Julian asked Mr. Yuro if he is satisfied.

Mr. Yuro said he is okay with the concept. There is some work that still needs to be done regarding the grading around the perimeter of the basin, but in general the calculations are acceptable. Everything just needs to be pulled together so that a complete review can be done.

Ms. D'Amico said she revised the plan enough to address the concerns raised, but not too much that it would not leave flexibility should adjustments need to be made.

Committeeman Lipani said he is familiar with the infiltration basins but not a fan, even though they are what DEP is approving. He said they have a history of clogging even before construction has been completed. Committeeman Lipani asked for more information on the maintenance of the basin.

Ms. D'Amico stated the basin will be excavated and more than 6 inches of sand will be put in so that they can get down to permeable layer. The excavation will be significant. Typical infiltration basins have 6 inches of sand; this one should have a couple of feet or more of sand. The sand itself will hold more water. The basin is only 1 ½ to 2 feet deep, so it will be very shallow. It basically mimics a wetland without planting, if you would. The water quality storm is what infiltrates. Ms. D'Amico gave some more details, and said there is no hardware to maintain, only the weir and debris, such as branches, and that the sand continues to function. This basin will be an at-grade basin, unlike the basin at the Shelburne Place extension that has a sub-surface basin. If that one ever failed, you would not know it. With this one, you would be able to see if something went wrong, and the HOA would be able to act.

Committeeman Lipani said so an HOA maintenance fee would be paid by the residents of the development, and inspections required.

Mr. Maski said he believed there is an ordinance for annual inspection of all basins in town.

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Committeeman Lipani asked if there will be any type of filter fabric placed between the sand and the topsoil to avoid any filling of the perc, and the engineering of the basin.

Ms. D'Amico said the sand is encapsulated underneath by a filter fabric.

Mr. Bernstein asked for clarification that there would be a Homeowners Association, with all of the associated legal documents.

Mr. Singer said there would.

Secretary Hesthag asked if there was a reason why the design extends out beyond the existing cul-de-sac, as opposed to a road that goes straight in from Hillsborough Road.

Ms. D'Amico said there were previous concepts for this property, prepared by another firm. She said they chose to preserve a large swath of trees. By coming in from Hillsborough Road, that would all have had to be disturbed. Also, the existing property owner is going to maintain the existing home and lot, and wanted to keep a sizable lot. Coming in off of Hillsborough Road would have cut that in half.

Mr. Maski asked for information on the existing cul-de-sac bulb on Shelburne Place and if the sidewalks will be continued. He said he and Mr. Yuro would prefer to have the cul-de-sac straightened out.

Mr. Singer said the cul-de-sac is part of the right-of-way so that would be up to the Township Committee. He stated Shelburne Place is a public street.

Mr. Maski said he would follow up on that. He went on to reference his November report regarding density.

Ms. D'Amico said there are no critical areas, steep slopes, flood plains or wetlands on site.

Mr. Yuro said the applicant would need to submit a request to the Township Committee to vacate the cul-de-sac bulb of Shelburne Place.

Mr. Singer said that was correct.

Mr. Maski said all the streets and utilities within the subdivision will be privately owned.

Mr. Singer agreed, but then asked for clarification of "utilities".

Mr. Maski said that would include the hydrants, roads, sidewalks, etc. He said the Township has a policy of not accepting any more streets, fire hydrants, and things of that nature. The Township does not take back anything anymore; it would all be privately owned. A Homeowners Association would have to be in place to maintain everything.

Mr. Singer said if it is a requirement of the Township Committee; that is not a problem. He noted that if a snowplow needed to turn around though, it would need to go into the private roadway.

Mr. Maski said the Fire Safety memo notes the placement of the fire hydrant must be approved by the Fire Marshal.

Mr. Singer agreed.

Mayor DelCore asked if these homes will have basements and if so, has perc testing been done.

Ms. D'Amico confirmed they will have basements. She said the perc tests are done for the plot plan when ready to build the homes.

Mr. Yuro explained his February review memo was drafted with consideration to the initial November Maser review. The current set of plans was revised to address that review. He said he addressed whether or not the Maser comments were addressed, and then he added his own comments to the end of the report. Mr. Yuro asked the applicant's engineer to put something on the record as to whether or not they will comply with all of the comments, including those from Maser.

Mr. Singer said they would go through each comment.

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Mr. Bernstein said unless the applicant is willing to concur with all of the recommendations, they will need to be addressed separately, for purposes of the record, either those they will comply with, or those they will not.

Mr. Singer looked to review the T&M Associates memorandum dated February 26, 2019, specifically item #7.

Ms. D'Amico said the request from Mr. White (Maser) was that the sheet flow and time of concentration be reduced in the wooded areas to no more than 25 feet. She said she could not find that reference in the Soil Erosion Control. She said she did not object, just wanted some guidance as to where it is referenced.

After some discussion amongst the Board, Mr. Maski suggested each comment be addressed.

Mr. Maski said some of the comments have been addressed as per Mr. Yuro's February 27 report. Under the General Comments on page 3, Item #7 regarding the HOA will be addressed, as per the testimony. Under Section C, Grading, Item #2 calls for additional spot grades; Item #4 regarding maximum slopes; Item #5 regarding the contour around the infiltration basin.

Ms. D'Amico said they will comply. She noted most of the comments are due to the raising of the inlet.

Mr. Maski said Item #6 has been discussed. All the items listed under Section D will need to be addressed for the final plat. He asked Ms. D'Amico if the comments in Section E, Items #5, #7, #11, and #13 will be addressed.

Ms. D'Amico confirmed they will comply.

Mr. Maski continued with Item #14.

Ms. D'Amico said she will provide sample calculations, and it will be sized to the house at plot plan.

Mr. Maski went on to Item #15, #18, #19, #20, #22, #23, #25, #26, #27, #29, #30, #32 and #33.

Ms. D'Amico said they will address all of those comments.

Mr. Maski continued with Section F.

Ms. D'Amico said they will comply with all of the lighting comments.

Mr. Maski asked if all comments under Section G, Plantings will be addressed.

Ms. D'Amico said Mr. Yuro will be providing her with information on the form specification for the proposed trees. She said once she has that information, she will comply.

Mr. Maski said that appears to address all of the original Maser comments.

Mr. Yuro said his comments in Section I, pulled together all of the stormwater comments.

Open to the public.

Mr. James - 282 Shelburne Place

- Mr. James said he owns the property north of the detention basin. He asked how high the property will be in between his property and the basin.

Ms. D'Amico pointed out the lot on the display. She said the detention basin will be behind his home. She said his property was at elevation 120', whereas the basin property is at 115', which is 5' below the grading of his house. The water from his house will flow towards the wetland.

- Mr. James asked about the possibility of overflow.

Ms. D'Amico said if the basin were to overflow, it would flow towards the wetland, which is the way it goes now. The detention basin is a little higher than the current condition, and will hold the water and for most small storms, infiltrate into the ground, but for the larger storms, it will flow as it currently does, which is into the wetlands.

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Vice Chairman Julian said the Commission had some concerns because you need to maintain the permeability of the wetland itself. Before it was draining out, which could potentially be a problem.

- Mr. James said he had discussed the cul-de-sac, and agreed they also wanted to see it straightened out.

Mayor DelCore asked Mr. James to confirm he and his neighbors want to see the bubble like portion removed.

- Mr. James said they would, and that he could provide confirmation in writing if needed.

John Levinski - 523 Hillsborough Road

- Mr. Levinski said his property is on the corner of Hillsborough and Woods. He asked where the sewer system would be coming to the new lots.

Ms. D'Amico showed his property on the display. She said there is a sewer manhole at the intersection of Woods Road and Vliet. The extension will be going up, not down Woods Road, but if the MUA wants an extension down Woods to pick up the one (Levinski) single-family home, they would do that.

Diane Stanton - 10 Grafton Court

- Ms. Stanton asked Ms. D'Amico where the berm she referenced was located. She said she and her husband are the original owners and that her property sits lower and gets lots of water from where the lots are going to be.

Ms. D'Amico pointed out Ms. Stanton's lot on the display. She said the aerial topography shows her lot, Lot 9, at elevation 120'. The elevation of the subject property is at 117', which is 3' lower.

- Ms. Stanton said she disagreed with the information and questioned when the survey was done. She offered to have the Board walk her lot.

Ms. D'Amico said she would need to pull the map but that it was a recent survey.

- Ms. Stanton was adamant that her lot was much lower than where the lots are.
- Ms. Stanton asked for more information about the tree removal. She said she had seen trees tagged with different colored flags. She asked based on the testimony, the deciduous trees near her property line will remain.

Ms. D'Amico said the tags on the trees were locations for the tree surveyors so that they were not locating the same tree from one day to the next. They are not tags to be removed. The grading plan shows the limit of disturbance. All of the trees to the outside are going to remain. The basin needs to be regraded a bit so the lines may shift a little, but the intent is to leave the triangle of trees intact.

- Ms. Stanton said since the time of the tagging, a lot of trees have come down. She asked if they would be removed.

Ms. D'Amico said the trees that have come down within the limit of disturbance will be removed. Unless a hazard, the trees outside of that area will remain fall. That is within an environmental area which would allow critters to hide, grow and play. The fallen trees should remain as long as they are not a hazard.

- Ms. Stanton asked if Evergreens will be added to the property lines.

Ms. D'Amico said the canopy trees are predominantly Cedar trees, so the intent was to add some variety. One of the comments was to add Evergreens into the mix.

Susan Gulliford - Hunt Club Road

- Ms. Gulliford said as a follow up to the previous speaker, is there going to be a conservation easement in that "triangle of trees area" to prevent the new owners from cutting the trees down.

Ms. D'Amico said they are not proposing any at this time. She said this section of the lot is so heavily wooded that a person who wants a cleared lot is not going to be interested in a lot that is so heavily treed.

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She said they certainly do not want to introduce conservation easements all over, but could entertain that if it were the pleasure of the Board.

- Ms. Gulliford said so the answer given is that there is nothing to stop a new owner from cutting down all the trees behind the Stanton's residence.

Ms. D'Amico said that is correct.

Mr. Singer informed the Board the Engineers who prepared the EIS, CIS and TIS are also available for testimony.

Chairman Suraci called for testimony on the traffic study.

Douglas Polyniak, PE of Dolan & Dean Consulting Engineers, was sworn in, reviewed his credentials, was accepted by the Board, and provided the following testimony:

Mr. Polyniak said his firm prepared a limited traffic impact study. He said from a traffic perspective, seven new homes generally does not generate that much traffic where it would cause negative impacts to any of the surrounding roadway networks. He said they looked at the ITE to project the volumes associated with the homes. The traffic associated with the homes is approximately 10 peak hour trips in the morning and approximately 8 peak hour trips in the evening; predominantly leaving in the morning and returning in the evening. That represents one vehicle entering the cul-de-sac every 6 minutes. It is unlikely these homes would have any perceptible impact on the roadway network.

Mr. Polyniak said they also reviewed the roadway with respect to the RSIS. The roadway meets the qualifications as far as cartway widths, sidewalk, and dimensions.

No questions for the witness.

Christopher Nusser, PE of Engineering & Land Planning Associates (E&LP) was sworn in, reviewed his credentials, was accepted by the Board, and gave the following testimony:

Mr. Singer noted for the Board E&LP prepared both the Environmental Impact Statement and the Community Impact Statement. He asked if the Board had any specific questions for the witness.

No question from the Board or professional.

Thuy Ahn Le - 4 Ivy Lane

Ms. Le asked if the sidewalks will be continuing through the development.

- Mr. Yuro said the plan shows a sidewalk along the northerly portion of the new cul-de-sac, and it terminates at the bulb of the cul-de-sac. If the existing cul-de-sac is removed, the applicant will continue the roadway with new sidewalk. Mr. Yuro said it appears from his site investigation that there is no sidewalk along the opposite side of the street, so there is no need to continue that sidewalk.

No questions for the witness.

Mr. Singer asked if there were any more questions.

Chairman Suraci called for any questions or comments from the public.

No comments or questions.

Mr. Bernstein reviewed that the applicant is seeking a hardship waiver and a tree mitigation variance. Therefore, the recommendation is that this matter be continued with re-notice.

Mr. Bernstein advised Mr. Singer that the 34% calculation offered for the tree removal was not based on an actual tree count and therefore may require further investigation.

Mr. Maski concurred that the tree calculation has to be redone.

Mr. Singer said that information would be provided.

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Committeeman Lipani suggested that all of the open engineering issues be cleared up by the next meeting as well.

Mr. Singer agreed.

Rescheduling dates were discussed.

Application 18-PB-12-MS was agreed to be carried to April 25, 2019 with re-notice of variances and waivers.

A motion was made by Committeeman Lipani, seconded by Secretary Hesthag.

Roll Call: Mr. Skobo - yes; Mr. Peason - yes; Mr. Wagner - yes; Secretary Hesthag - yes; Mr. Deb - yes; Committeeman Lipani - yes; Mayor DelCore - yes; Vice Chairman Julian - yes; Chairman Suraci - yes. Motion carries.

Mr. Maski advised the Board the next meeting would be March 14, with two applications and an ordinance review scheduled. The March 28 business meeting is also full, with business and with applications scheduled.

ADJOURNMENT

A motion to adjourn was made by Committeeman Lipani, seconded by Mr. Skobo. All were in favor.

The meeting was adjourned at 9:10 p.m.

*Submitted by:
Debora Padgett
Planning Board Clerk*