

Meeting called to order by Chairman Martinelly @ 7:30 pm

All saluted the flag & the Presiding Officers Statement was read

Roll Call:

President: Martinelly, Collins, Burden, Moran, Carroll, Forrest
Attorney: Donato
Engineer: Cranmer
Planner: Thomas
Absent: Betesh, Reger

Oaths of Office: Collins – IV- 4 years
Carroll - IV- 4 years
Forrest - IV- 4 years

Minutes:

A motion was made by Mr. Collins, seconded by Mr. Carroll to adopt the November 12, 2015 meeting minutes as amended. All approved.

Correspondence: none

Planning Board Business:

A motion was made by Ms. Martinelly, seconded by Mr. Burden nominating Mr. Carroll as the Secretary for the remainder of 2015.

Roll Call:

Affirmative: Martinelly, Collins, Burden, Moran, Forrest
Negative: none
Abstain: Carroll

A motion was made by Mr. Burden, seconded by Mr. Carroll to open the meeting to the public for items not on tonight's agenda. All approved.

No comments/questions

A motion was made by Mr. Burden, seconded by Mr. Collins, to close the meeting to the public. All approved.

Unfinished Business:

Ms. Martinelly stepped down as Chairman
Mr. Collins stepped in as Chairman

M/M F Moore:

30 Corn Lane
Bl: 62, Lot: 5

Adoption of Resolution

A motion was made by Mr. Carroll, seconded by Mr. Moran to adopt & memorialize the resolution of approval for M/M F Moore as submitted for 2 lot subdivision @ 30 Corn Lane Bl: 62, Lot: 5.

Roll Call:

Affirmative: Collins, Moran, Carroll

Negative: None

Ms. Martinelly stepped back as Chairman

Certificate of Appropriateness

Ms Evelyn Bonanno:

446 Sycamore Ave
Bl: 28 Lot: 45

Certificate of Appropriateness

solar panels in Historic District

Mr. Michael Tierney, 139 White St., Shrewsbury NJ, Vivint Solar was sworn
Ms. Evelyn Bonanno, 446 Sycamore Ave was sworn

Mr. Tierney explained that the solar panel barn design was discussed last month, the panels are all shown on the rear of the barn, and the main solar panels have been removed from the original proposal and moved to the west side of the house and the east side which will be blocked from view from Sycamore Ave by trees. The roof is dark and the panels are dark and they will not be seen. Mr. Tierney explained that this house has been assessed and is structurally sound and they will have enough sun exposure for the proposed locations of the panels. The A/C disconnect will be located on the side of the house by the meter which will shut the systems down and a separate disconnect for the barn. Mr. Cranmer explained that the photovoltaic panels are always live, there is a disconnect on the house to remove the feed, and there isn't anything you can do. If there is a fire they will not go on the roof.

All board members agreed that the panels in the panels will not detract from the home or historic district and have met the requirements for appropriateness.

A motion was made by Mr. Moran, seconded by Mr. Collins to open the meeting to the public. All approved.

No comments/questions

A motion was made by Mr. Burden, seconded by Mr. Collins to close the meeting to the public. All approved.

A motion was made by Mr. Burden, seconded by Mr. Collins to approve the Certificate of Appropriateness for solar panels on the main house & barn to Ms. Evelyn Bonanno, 440 Sycamore Ave Bl: 28, lot; 45

Roll Call:

Affirmative: Martinelly, Collins, Burden, Moran, Carroll, Forrest

Negative: none

Resolution 1/20/2016.....

A motion was made by Mr. Collins, seconded by Mr. Moran authorizing the board secretary to advise Construction Dept. of the approval. All approved.

Cathleen O Bell:

47 Shadowbrook Rd
Bl; 23, Lot: 2

Minor 2 lot subdivision

Ms. Donato announced that service is in order and the board has jurisdiction to hear this application.

Mr. Philip San Filippo, Esq. Red Bank NJ represented the applicant.

Completeness Hearing:

Review of Cranmer Engineering letter dated 12/10/2015.

D.3: Freshwater Wetlands of Interpretation – waiver being requested

Mr. James Goddard, Surveyor PLS, Highlands NJ was sworn accepted as an expert witness. He feels that the waiver is appropriate since the nearest wetlands scales 225' from the edge of pavement along the southerly side of Meadow Drive, which is north of this project.

Mr. Cranmer asked what was the source he scaled from? Mr. Goddard stated the NJDEP Wetlands Map.

Mr. Cranmer explained that this is a division of property only not a request for development, there will not be any building permits as a result of tonight's hearing. He believes that this matter can proceed without a Freshwater Wetlands LOI, if it appears that there are wetlands on site prior to the issuance of a building permit, we can defer the issue until that point.

Mr. San Filippo explained that the house which is currently on site will be demolished in order to build 2 homes on this through property. The applicant has already engaged an exterminator to exterminate the vacant house in advance of demolishing the house. If they do not demolish the house there would be variance relief for the house for the rear yard setback. He explained that this subdivision complies with all of the bulk criteria for the R-2 Zone, there is no variance relief, except for the 1 variance where the new proposed lot 3.01 does not front a public street (Meadow Drive is a private road). They have secured access easement from the property owner (Shadowbrook) to utilize Meadow Drive, a recorded copy will be provided.

A motion was made by Mr. Moran, seconded by Mr. Burden granting the request of a submission waiver for Freshwater Wetlands LOI – Checklist item #D3 for Cathleen O Bell, 47 Shadowbrook Rd Bl: 23, Lot:3 and to **deem the application Complete.**

Roll Call:

Affirmative: Martinelly, Collins, Burden, Moran, Carroll, Forrest

Negative: None

Public Hearing:

Mr. San Filippo asked Mr. Goddard that every principal building must front on a public street, he said that is correct. Mr. Goddard testified that Meadow Drive is improved to permit the construction of a single family dwelling on proposed lot: 3.01. There is pavement in front of the lot, accessibility for emergency vehicles i.e.: fire, ambulance & police. Other houses have been built in the past 10 years that have met the same criteria. This street is no different in appearance, it is no different than Shadowbrook Road, it looks and acts like a public street. The street is owned by the owners of the Shadowbrook property doesn't distinguish it other than the fact that it is a private road. All emergency & department of public work trucks are able to use the road. Mr. Goddard noted that Mr. Cranmer's review letter indicates that Meadow Drive has been improved since 2004. He feels that there would be a hardship on the applicant if access to Meadow Drive for lot: 3.01.

Mr. San Filippo presented the Deed of Easement dated 11/25/2015 as **A-1**, 12/16/2015 between KGSC Realty Holdings LLC and Cathleen O Bell granting the right to access and the right of way of Meadow Drive to go in, on or over or under Meadow Drive to Lot: 3 which will become 3.01 & 3.02, which will give them access to the utilities.

Cranmer Engineer Review letter dated: 12/10/2015

1.5: complied and submitted plot plans

2.1: contacted Tax Assessor for approval of lot numbers

2.2: testimony given that there are underground utilities that will service the new lot
Water, sanitary sewer & gas, telephone cable, electric on the south side of Meadow Drive

2.4: will comply and revise plan to include Bl: 21, lot: 7.01

2.7: waiver requested on Freshwater wetlands

- 2.5: Service has been accepted and notice adequate
- 1.7: Ms. Donato reviewed the Easement and she advised that it is acceptable
- 2.6: No additional street light are proposed
- 2.8: will comply will all agency submissions

Mr. Cranmer asked when the house will be demolished, will it be prior to the recording of the subdivision? Mr. San Filippo said yes, and an exterminator has been secured, for the construction of 2 new single family homes.

Ms. Cathleen Bell, 75 Gooseneck Point Rd. was sworn, she advised that the exterminator has been to the house, and they are ready to tear the house down as soon as they apply for the demolition permit.

There was a brief discussion on what procedure would be on the streets being dedicated to the Borough. Mr. Cranmer explained that one of the actions was that the Shadowbrook offer Meadow Drive and Maple Rd which are privately held to the Borough as public roadways. A previous subdivision approval in 2003/2004 for 2 minor subdivisions 1 on Lot: 5 and 1 on Lot: 7 on Block 21 to build 4 homes on Meadow Drive, as part of the approval it was required that Meadow Drive be paved to the of a municipal street. It was paved to the municipal standards. If the governing accepts Meadow & Maple as public streets then a necessity of the variance for this application of not fronting a public road vanishes.

Mr. San Filippo stated that if the Borough says “no thank you” it can stay as a private road, they would need the variance and the access easement. Mr. Cranmer pointed out that the Borough is already plowing, lighting and picking up trash, so there isn't a downside to the Borough accepting the dedication. Mr. Cranmer explained that Meadow & Maple count toward the density of the Shadowbrook lot. Mr. San Filippo asked if that would require a subdivision. Mr. Cranmer said that if it is dedicated, they would make it available to the governing body.

Ms. Donato asked if this will be recorded by Deed? Mr. San Filippo said yes.

A motion was made by Mr. Burden, seconded by Mr. Collins to open the meeting to the public. All approved.

No comments/questions

A motion was made by Mr. Burden, seconded by Mr. Collins to close the meeting to the public. All approved.

A motion was made by Mr. Moran, seconded by Ms. Martinelly to approve the minor subdivision with a planning variance for a street not fronting a public street Section 94-5.4A to Ms. Cathleen O Bell, Bl: 23, Lot; 3 as requested.

Roll Call:

Affirmative: Martinelly, Collins, Burden, Moran, Carroll, Forrest

Negative: None

Resolution 1/20/2016.....

Mr. Cranmer left: 8:25 pm

Mr. Thomas took seat as Conflict Zoning Officer

Winn Jam LLC

d/b/a Comfort Keepers

697 Broad St

Bl: 40, Lot: 23

Change of occupancy

Mr. Doug Freiberg, Esq represented the applicant, Comfort Keepers, a home health aide service. Due to the change in use this is a permitted use, but a lesser intense use and they need a waiver of site plan detail approval. This is an existing building with no changes what so ever to the site.

Mr. James Winn, Cranford NJ was sworn, he is owner of Comfort Keepers he explained what his business consists of, aids who go into the home and take care of older people and people with disabilities. Currently the site is used as an administrative office, with 5 employees on site who schedule and do other administrative tasks. He currently has 120 aids but they rarely come into the office, even the paychecks are direct deposit. During the last 3 years he has only had 3 customers visit his office. There are 14 parking spaces on site which are more than adequate. His hours are 8:30 am to 5:30 pm closed during the weekend. He explained that the sign has been refaced from the previous tenants, and they will comply with the Borough Ordinance on signs. Mr. Winn testified that there will be no construction on the interior, exterior or driveway.

Mr. Collins asked if the current office configuration is big enough for training sessions? Mr. Winn said that it is big enough, and he is utilizing the first floor and the pay roll billing specialist is upstairs. Mr. Collins asked if he would be have continuing education on site or certifications? Mr. Winn said that they he only does 1 or 2 at a time, he doesn't do group sessions.

Ms. Martinelly asked if the public comes in looking for services? Mr. Winn said people find them through advertisements or referral services i.e. doctors or hospitals, and they go to the home. He has another facility in Edison.

Mr. Forrest asked if the 14 parking spaces are dedicated to 697 Broad St or are they shared? Mr. Thomas said that there are 17 spaces are shared with the business to the north, and there is a free standing garage that is not used by the tenant.

There was a brief discussion on the exempt site plan section of the Ordinance. Ms. Donato suggested that the board revisit this portion of the Ordinance and Mr. Thomas agreed.

Mr. Freiberg reminded the board that they are here for waiver of site plan only. Mr. Thomas has no concerns with the use of the property as it is being used.

A motion was made by Mr. Collins, seconded by Ms. Martinelly for the change of use to allow the premises to be used by Comfort Keepers, which is a home health care business and a waiver of submission of site plan details.

Roll Call:

Affirmative: Martinelly, Collins, Burden, Moran, Carroll, Forrest

Negative: None

Resolution: 1/20/2016.....

A motion was made by Mr. Moran, seconded by Ms. Martinelly to adjourn the meeting at 8:45 pm. All approved.

Reminder January 20, 2016 meeting reorganization starts at 7:00 pm