MINUTES OF THE REGULAR MEETING OF THE PLANNING BOARD
HELD ON THURSDAY, DECEMBER 4, 2014

Meeting called to order at 7:30 P.M.

Present: Chairman William Brown, Councilman Ryan, Jim Kirby, Jennifer Critchley, Lawrence Lonergan, Melissa Collins, Jim Helb, Township Engineer, Greg Mascera, Planning Board Attorney

Recuse: Tom Freeman

Absent: Paul Mathewson, Victor Lugo, Michael Foley

Also Present: Jason Kasler, Land Use Consultant, Noreen Jones, Assistant Township Engineer

Pledge of Allegiance:

Public Participation:

Chairman Brown asked if any members of the public had any questions regarding any non-agenda items. Seeing none, chair closes public participation.

Chairman Brown stated he wanted to have an educational moment and mentioned an interesting fact regarding solar power.

Chairman Brown said that they have horizontal elevators incorporated in London at Heathrow Airport which reduces cost and congestion and now at a train station in Secaucus, New Jersey they are incorporating the system which will go to the Met Life Stadium.

Chairman Brown stated this will create jobs and cut cost to operate. The system is called the PRT System.

Approval of Minutes:

Approval of Minutes of the Regular Planning Board Meeting held on Thursday, October 23, 2014

Chairman Brown asked for a motion to approve.

Motioned by Ms. Critchley. S/Mr. Kirby. All in favor with Ms. Collins and Mr. Lonergan abstaining.

Approval of Minutes of the Special Planning Board Meeting held on Wednesday, November 12, 2014.

Chairman Brown asked for a motion to approve.

Motioned by Ms. Collins. S/Ms. Critchley. All in favor with Mr. Kirby abstaining.
Chairman Brown stated that the hearing of the DMH2, LLC which entails the proposal of a 3 story building for residential and commercial use would begin.

Councilman Ryan stated he went back and listened to the recording from the previous meeting of October 2, 2014 and wanted to clarify something from that meeting regarding the question on the Planning Board application about the deed restriction.

Councilman Ryan stated he thinks the applicant needs to amend the answer to that question as one lot does show a deed restriction and that they should agree that a deed restriction applies.

Mr. Trembulak acknowledged that there is a deed restriction but stated that at any time anyone can go to Superior Court and take that up with the court as that is not in this Board’s jurisdiction.

Chairman Brown stated at the last meeting they left off with Mr. Dusinberre.

Mr. Dusinberre stated there are some loose ends and housekeeping he would like to start off with.

Mr. Dusinberre stated that the Addendum to the Site Plan application has been submitted by the applicant to the Board.

Mr. Dusinberre stated with regard to Mr. Helb’s Memorandum, question #41, will the applicant have a seismologist on site.

Mr. Petry stated that if required by code or law they will.

Mr. Jemas stated they will discuss this with the applicant and get back to Mr. Dusinberre.

Mr. Dusinberre stated that since the report from Mr. Dening of Hatch Mott MacDonald just came in he understands that they will not be discussing the Stormwater Management this evening and asked if Mr. Dening will be present at the next meeting to testify.

Mr. Jemas stated that he would.

Mr. Mascera stated they will not be marking the letter and report from Mr. Dening into the record this evening but will hold to mark into evidence at the next meeting.

Mr. Dusinberre stated that the Environmental Commission wants a landscaping expert.

Mr. Petry stated he is not a landscaping expert but a design and architect planner and has been for 30 years.
Mr. Dusinberre stated at the last meeting they left off at discussing the dumpster being placed right under Mary Purcell’s house and asked if they had any plans for odor retention.

Mr. Petry stated the only way of reducing odor is by keeping the area clean.

Mr. Dusinberre asked if the location of the loading zone which is in the back left corner will make it difficult getting in and out of that space.

Mr. Petry stated no.

Mr. Dusinberre asked regarding page 69, section 7 of the ordinance would the applicant be willing to provide that slats be put in between the fences.

Mr. Petry stated yes.

Mr. Dusinberre stated that the language was confusing regarding the height and the setback in the ordinance.

Mr. Petry stated all fences are 4 feet in height, side yard and rear yard.

Mr. Dusinberre asked about the safety of the fence and if the applicant had considered fencing at the top of the highest wall.

Mr. Petry stated it would not be necessary.

Mr. Dusinberre stated he was concerned about the wall on the east side of the driveway and asked what the distance was.

Mr. Petry stated it is 7 feet.

Mr. Dusinberre asked about the buffer proposal at the rear of the site.

Mr. Petry described in great detail and referred to the SP-2 plan.

Mr. Dusinberre asked about the rear parking lot and how many spaces would there be.

Mr. Petry stated there would be 18 spots for the tenants and 10 for the retail.

Mr. Dusinberre asked how the shrubs would be maintained.

Mr. Petry stated they would be maintained by experienced landscapers.

Mr. Dusinberre asked about calculations for earth work.
Mr. Petry stated he did not have those calculations with him this evening but will bring them for the next meeting.

Mr. Dusinberre and Mr. Petry further discussed the removal of material and soil from the site.

Councilman Ryan asked about construction access on Bloomfield Avenue and what time of day would the construction work stop.

Mr. Petry stated that during heavy construction work that part of Bloomfield Avenue would have to be blocked off and the construction would stop before rush hour which would be approximately 3:30 – 4:00 PM.

Mr. Helb noted that the County will set the hours of operation as that is a County Road.

Mr. Helb asked if the sidewalk would be closed off.

Mr. Petry stated that would be up to the contractor.

Chairman Brown asked if any members of the public had any questions for Mr. Petry regarding his testimony.

Sara O’Farrell, 27 Westview Road asked about snow removal, plantings, soil being left when finished, landscaping along the walkway of Bloomfield Avenue and the idling of trucks.

Mary Purcell, 15 Westview Road asked if the dumpster could be moved if possible so as not to be right under her kitchen window.

Jeff Hurs, 25 Montclair Avenue asked about the time frame of the construction and the impact it would have on Bloomfield Avenue.

Barbara Mijovi stated she has lived through blasting before and asked what if there is a default or a water main break.

Chairman Brown stated that Mr. Petry is not an expert in those areas and cannot answer but there are State Regulations that must be followed.

Jessica Pearson, 20 Montclair Avenue asked if the applicant plans on conducting a pre-blast survey as mentioned in Jim Helb’s memo.

Jessica Pearson also asked what the plan of action would be to protect the adjoining properties and what would they do about dust control.

Vincent Capozzi, 23 Montclair Avenue asked when will the public be able to ask questions about blasting.

Mr. Mascera stated that the Planning Board is not charged with the methods of construction or blasting and the Planning Board’s responsibility is for site plan approval or denial.
Mr. Helb stated blasting has to be regulated by the State of New Jersey and there has to be sufficient insurance and a natural protocol to follow.

Mr. Helb stated also that a multiple of permits must be obtained and well as construction bonds and insurance certificates.

Mr. Helb stated that seismologists are experts based on past projects and the contractor has a lot of liability.

Jack McEvoy, 20 Montclair Avenue asked about steep slope and percentages.

Mr. Jemas stated that presently there is no steep slope ordinance.

Mr. McEvoy asked about the dimensions of the fire truck.

Mr. Jemas stated that Mr. Hayes would have submitted a report if he had any concerns about the size of the fire truck.

Alex Roman, 2 Amy Court asked about provisions from OSHA regarding the safety rail.

Mr. Petry stated that will be provided by the contractor.

Chairman Brown marked into the record Exhibit B-11, Memorandum from Glen Houthuysen, Landmarks Preservation Commission dated 11/14/14.

Mr. Jemas requested to have a Special Planning Board Meeting in January 2015 to continue the hearing.

Chairman Brown polled the Board and it was decided that there would be a Special Planning Board Meeting on Wednesday, January 7, 2015.

Mr. Mascera stated the hearing will be continued to that time with no further notice.

Chairman Brown asked for a motion to adjourn.

Motioned by Mr. Kirby. S/Councilman Ryan.

Respectfully Submitted,

Noreen Dapuzzo,
Planning Board Clerk