

INDEPENDENCE TOWNSHIP LAND USE BOARD

Minutes – June 19, 2017

The Independence Township Land Use Board met for a regular meeting on Monday, June 19, 2017 in the Municipal Building on Rt. 46 in Great Meadows, NJ. Ricardo Fernandez called the meeting to order at 7:35 p.m. and he stated that the meeting is being held in accordance to the Open Public Meetings Act by posting said notice of this meeting on the bulletin board in the Municipal Building and notifying the Municipal Clerk. Advertisement of notice was placed in the Star Gazette of Hackettstown, NJ and sent to the Express Times of Easton, PA. Stephen Toth provided his qualifications and was sworn in as a Sign Language Interpreter. Chairman Fernandez then provided the procedure for this evening.

ROLL CALL:

Present:	Muriel Walter	Carmen Feula
	George Ulmer	Donald Engels
	Glen Cogle	Ricardo Fernandez
	Robert Best	Mark Rafalko

Absent:	Geoffrey Cullen	Tim Norton
	Melissa Milano	Lucy Carvino
	James Kelsey	

Also Present:	Elizabeth Marshall, Esq.	Kevin Smith, P.E.
	David Banisch, P.P.	

MINUTES:

The Regular Minutes of the May 15, 2017 meeting were distributed prior to the meeting.

Ms. Walter made the motion to adopt the minutes. Motion seconded by Mr. Ulmer. Roll call vote: Ayes: Mrs. Walter, Mr. Feula, Mr. Cogle, Mr. Rafalko, Mr. Fernandez, Mr. Engels, and Mr. Ulmer.

Nays: None recorded

Abstain: Mr. Best who was not present at the May meeting and is not eligible to vote on the minutes.

OLD BUSINESS:

#17-002 Woodmont Independence Urban Renewal, LLC, Block 6.02, Lot 3

Glen Kienz, Esq. was present on behalf of the Applicant. Both Attorney Kienz and Chairman Fernandez reviewed where they left off at the last meeting and the hearing process for this evening.

Charles Thomas acknowledged that he was still under oath. The following were submitted and marked as Exhibits:

- A-4 Revised Pipe Alignment Exhibit
- A-5 Colored Rendering of the Site

Mr. Thomas went on to review the revised pipe alignment, which will hopefully save the root systems of existing Oak Hill trees. He also reviewed the vegetation and what can be seen from the existing townhomes. He stated that they are in compliance with RSIS and a boulevard entrance will not be required. He reviewed that they are now proposing a 24 by 28 foot tot lot. He went on to review the revised proposed signage, where the sign size is compliant with the Ordinance; however, a setback variance is required. The Board Members questioned the existing

buffer and the proposed additional vegetation, emergency access, the visibility and possibility of lowering the profile of the closest proposed building by changing the roof design, the retaining wall, the species of trees/landscaping being proposed, setting up a landscape subcommittee of Board Members to review the landscaping, and the access to the site for fire trucks. Board Engineer Smith reviewed the RSIS and he believes that a boulevard entrances is required. Attorney Kienz stated that they will address that issue with their Traffic Expert. Board Planner Banisch recommended that the Board get a comment letter from Emergency Services in regards to access.

The hearing was opened to the public for questions of Mr. Thomas

Flis Larkin questioned the drainage. Mr. Thomas addressed the new drainage system. .

Jacqueline Geisheimer questioned the size of the proposed trees to be planted. Mr. Thomas described saving the existing mature trees and the additional landscaping. Ms. Geisheimer asked about blasting and damage to foundations. Mr. Thomas stated that test pits have been done and they do not anticipate blasting. He then reviewed the blasting procedure on the State level.

John Considine questioned the traffic entering the proposed site. Mr. Thomas stated that the question can be answered by their Traffic Expert.

Marilyn Ryan questioned the drainage and flooding. Mr. Thomas described the proposed drainage system. He concluded by stating that the Oak Hill development will be better off with the proposed drainage system.

Frank Plut questioned the water quality and drainage. Mr. Thomas went on to address the backup system.

Leslie Wolfe asked about the setbacks, soil logs/storm drain alignment/blasting, detention basin, the construction phasing of the project, and the elevation of the proposed buildings and what will be seen, which were all addressed by Mr. Thomas.

Henry Shotwell asked about the high water table, detention basin, and artesian wells. Mr. Thomas addressed the drainage system.

Debra Lucas asked about the wetlands and the DEP, endangered species, and the buffer. Mr. Thomas stated that they have an LOI and he addressed the NJ Heritage Wildlife and Data Base Search and the buffer. Chairman Fernandez addressed the hearing process. Attorney Kienz stated that it was agreed that a subcommittee will be formed to review and discuss the buffer that is appropriate and what the Ordinance contemplates.

Patrick Addison asked about the emergency access and hydrant locations, which was addressed.

Scott Buchanan questioned snow removal. Mr. Santola, acknowledging that he is still under oath, addressed the snow removal process and he stated that it will be trucked off sight when needed.

John King questioned the tiering of the retention walls, failure of the drainage system, trespassing into the OakHill Community, the low income units, the volume of the detention basin, snow plowing and snow storage, which were addressed by both the Board and the Applicants.

At 9:00 p.m. the Board took a brief recess. The meeting resumed at 9:13 p.m. A roll call was taken of the Board Members present: Mrs. Walter, Mr. Feula, Mr. Cogle, Mr. Fernandez, Mr. Engels, Mr. Rafalko, Mr. Ulmer, and Mr. Best.

Joan Beddow asked about the submission of an EIS, which was addressed by the Applicant and Board Engineer Smith. Ms. Beddow continued to question the buffer. Mr. Thomas addressed the buffer locations.

Dennis Peterson questioned the access road. Chairman Fernandez addressed the access road and the buffering. Attorney Kienz stated that they their Traffic Expert will be providing testimony. .

Jocelyn Lukac questioned the blasting, snow removal, and the buffer. Mr. Santola stated that they will not plow the snow to the property line and the Board and the Applicants addressed the buffer and landscaping.

Michael Egan questioned the detention basin, the retention walls, fencing for safety, and the drainage system, which was addressed by Mr. Thomas. The Board also questioned the snow and drainage and water quality.

Joshua Deney questioned the emergency access and the low income units, which was addressed by the Applicants and Chairman Fernandez.

Christina Knapp asked if the detention basin can freeze and she questioned the time frame for construction. Mr. Thomas stated that it is a low flow basin and will not freeze. Mr. Santola stated that it should take 18-19 months from start to finish.

Richard Harris questioned the access, which Mr. Thomas addressed.

Board Engineer Smith questioned the quality of the snow melt and runoff, which was addressed by Mr. Thomas. Chairman Fernandez asked about flood insurance. Mr. Santola stated that he does not know if they would have an insurable interest.

Elizabeth Caruso questioned the amount of daylight hours because the sun sets on the property. Chairman Fernandez stated that the architect should address that.

Mike Drury was told that there would be no development of the property and why was the site chosen. Chairman Fernandez stated that there has always been development permissible on this site.

Santina Marqart commented on the site and what they were told by the builder.

The hearing was then closed to the public for questions of Mr. Thomas.

Richard Arzberger, was present and he was sworn in as an Architect and he provided his experience and qualifications. The following was submitted and marked as an Exhibit:

A-6 Colored Rendering

Mr. Arzberger went on to describe the proposal, the affordable housing units, the 1-2 bedroom market rate units, the club house, and the amenities. He described Exhibit A-6 and he stated that the proposal complies with the Re-Development plan. The Board discussed the proposal and Mr. Ulmer asked about handicap accessible units. He also commented on the blasting/drilling. The color scheme and building materials were discussed along with the backup generator for the clubhouse. The conservation easement and constraints was also reviewed along with other details of the proposal.

Chairman Fernandez stated that they will conclude the hearing for this evening and the hearing will be opened to the public at the July meeting.

Mr. Cogle made the motion to carry this matter to the July 11, 2017 meeting. Motion seconded by Mr. Ulmer. In a roll call vote, all were in favor.

Ayes: Mrs. Walter, Mr. Feula, Mr. Cogle, Mr. Rafalko, Mr. Fernandez, Mr. Engels, Mr. Best, and Mr. Ulmer.

Nays: None recorded

Abstain: None recorded

The Board took a brief recess. The meeting resumed. A roll call was taken of the Board Members present: Mrs. Walter, Mr. Feula, Mr. Cogle, Mr. Fernandez, Mr. Engels, Mr. Rafalko, Mr. Ulmer, and Mr. Best.

OPEN TO THE PUBLIC:

Chairman Fernandez opened the meeting to the public, for non-agenda items. With there being no public comment, the meeting was closed to the public.

OTHER BUSINESS:

Kittatinny Valley State Park, Kenco/Wetlands Mitigation, Block 29, Lot 28-Status

No update

Land Use Committee-Highlands/Affordable Housing

The Board discussed the status of the Affordable Housing settlement.

DISCUSSION:

Site Plan Committee Report

None

Ordinance Subcommittee-Recommendation

None

Master Plan Subcommittee Update

None

BILLS:

Finelli Consultants

Re: Woodmont	4821.25
Re: Top of the Hill	645.00

Mrs. Walter made the motion to approve the bills. Motion seconded by Mr. Ulmer. Roll call vote: Ayes: Mrs. Walter, Mr. Feula, Mr. Cogle, Mr. Rafalko, Mr. Best, Mr. Fernandez, Mr. Engels, and Mr. Ulmer.
Nays: None recorded
Abstain: None recorded.

ADJOURNMENT

In a motion made and seconded the Board adjourned the meeting at 10:32 p.m. Voice vote: Ayes: Mrs. Walter, Mr. Feula, Mr. Cogle, Mr. Rafalko, Mr. Fernandez, Mr. Best, Mr. Engels, and Mr. Ulmer.
Nays: None recorded
Abstain: None recorded

Respectfully submitted,

Alfia Schemm
Board Secretary
7/13/17