

INDEPENDENCE TOWNSHIP LAND USE BOARD

Minutes – June 17, 2019

The Independence Township Land Use Board met for a regular meeting on Monday, June 17, 2019 in the Municipal Building on Rt. 46 in Great Meadows, NJ. Board Attorney Bernstein called the meeting to order at 7:32 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 and Express Times.

ROLL CALL:

Present:	Carmen Feula	Michael Pennington
	Lucy Carvino	Robert Best
	James Kelsey	Mark Rafalko
	Glen Cogle	Robert Neumann

Absent:	Melissa Milano	Donald Engels
	Carmen Feula	George Ulmer
	Ricardo Fernandez	Geoffrey Cullen

Also Present:	Eric Bernstein, Esq.	Michael Finelli, P.E.
	David Banisch, P.P.	

Board Attorney Bernstein stated that the Board will have to appoint a Chairman pro-tem, as both the Chairman and Vice-Chairman are absent this evening.

Mr. Cogle made the motion to appoint Carmen Feula as Chairman pro-tem. Motion seconded by Ms. Carvino. Roll call vote:

Ayes: Mr. Best, Ms. Carvino, Mr. Kelsey, Mr. Rafalko, Mr. Neumann, Mr. Pennington, and Mr. Cogle.

Nays: None recorded

Abstain: Mr. Feula

MINUTES:

The minutes from the May 20, 2019 meeting were distributed prior to the meeting. Mr. Cogle made the motion to adopt the minutes. Motion seconded by Ms. Carvino. Roll call vote:

Ayes: Mr. Best, Ms. Carvino, Mr. Kelsey, Mr. Rafalko, Mr. Neumann, and Mr. Cogle.

Nays: None recorded

Abstain: Mr. Pennington and Mr. Feula

OPEN TO THE PUBLIC:

The meeting was opened to the public. With there being no public comment, the meeting was closed to the public.

NEW BUSINESS:

#19-001 Joe Coladarci Jr., Block 17, Lot 3

Board Attorney Bernstein stated that the application is for a use variance and Mr. Cogle and Mr. Pennington will need to recuse themselves. Mr. Cogle and Mr. Pennington removed themselves from the Board and sat in the audience. Board Attorney Bernstein stated that at this time there are only six eligible Board Members present and the Applicant will need 5 affirmative votes to get an approval. The Applicant stated that they would like to begin their hearing this

evening and then have missing Board Members listen to the audio of tonight's hearing.

Erik Hassing, Esq. was present on behalf of the applicant. Joseph S. Coladarci Jr. was sworn in and he provided a brief summary of his application.

Board Attorney Bernstein stated that at the May meeting the application was deemed conditionally complete. Attorney Hassing noted the incompleteness items that have been addressed. Board Engineer Finelli went on to review his June 14, 2019 report, which was discussed with the Board. He reviewed the possible waivers, along with the issue of fees and escrow. Board Secretary Schemm stated that she believes that the required fee has been submitted; however, there is a disagreement on the amount of the escrow, which was then discussed. The Applicants stated that they reviewed the Ordinance and have come up with a different escrow calculation, which was discussed. The Board was polled and they agreed to move forward this evening, with the understanding that the escrow calculation needs to be resolved. Board Planner Banisch noted that there are several variances being requested and Board Attorney Bernstein asked if he could please evaluate the calculations. Board Engineer Finelli reviewed the completeness waivers. Board Attorney Bernstein suggested that the Board make a motion to grant the checklist waivers, other than checklist item #65, which may be required.

Ms. Carvino made the motion to grant the waivers, outlined and discussed by Board Engineer Finelli, other than checklist item #65. Motion seconded by Mr. Neumann. Roll call vote:

Ayes: Mr. Best, Ms. Carvino, Mr. Kelsey, Mr. Rafalko, Mr. Neumann, and
Mr. Feula.

Nays: None recorded

Abstain: None recorded

Board Attorney Bernstein then reviewed the EIS testimony that will be required in lieu of a formal EIS.

Joseph Coladarci displayed the architectural drawings. Board Attorney Bernstein asked if the Architect will be present to address the submission. Mr. Coladarci stated that he is not planning to have the Architect present. The following was marked as an Exhibit:

A-1 Sheet A-01, dated 5-29-19, Wellington Architectural Design

Mr. Coladarci went on to describe the overall building design. The following was submitted and marked as an Exhibit:

A-2 Sheet A-02, dated 5-29-19, Wellington Architectural Design

Mr. Coladarci went on to review a proposed floor plan for a Professional/Medical office. He stated that the floor plan is conceptual as he does not have a tenant. The possible days and hours of operation along with possible office uses were discussed along with the necessary proofs that will need to be addressed. The following was submitted and marked as an Exhibit:

A-3 Sheet A-03, dated 5-29-19, Wellington Architectural Design

Mr. Coladarci then went on to review the proposed floor plan for the two apartments. The possible impact to the neighbors was discussed with the Board.

In a motion made by Ms. Carvino and seconded by Mr. Best, the hearing was opened to the public for questions of Mr. Coladarci. Roll call vote:

Ayes: Mr. Best, Ms. Carvino, Mr. Kelsey, Mr. Rafalko, Mr. Neumann, and
Mr. Feula.

Nays: None recorded

Abstain: None recorded

Angela Zukoski stated her concerns with the proposed development and the impacts to her home, her well, and her privacy. Board Attorney Bernstein suggested that the Applicant and the Ms. Zukoski discuss buffering and he also questioned whether there will be testimony on the proposed well and water capacity. The Board continued to question any proposed buffering.

Emilo Dizefalo questioned the impact of the proposal and how it may benefit the community.

Pat Garriques stated her concern with traffic. The Board discussed the jurisdiction of Route 46 and Board Attorney Bernstein asked if there was going to be any traffic study testimony provided. Mr. Coladarci stated that he would have to review the matter before making a decision on providing traffic testimony.

With there being no further questions, the hearing was closed to the public.

Fred Stewart was sworn in and he provided his qualifications and education as a Surveyor and Engineer. The following was submitted and marked as an Exhibit:

A-4 Seven page plan submission, dated 6-3-19

Mr. Stewart went on to describe each page of the submission, which was discussed and reviewed with the Board. The Board requested lot area calculation within the setback and details on a reserve septic area. Board Planner Banisch questioned what efforts have been made to conform to the ordinance standards, which was addressed by the Applicant. The Applicant and the Board continued to discuss the proposal and Board Engineer Finelli reviewed the possible outside agency approvals. The Board continued to question storm water.

It was suggested that the hearing conclude, at this time, due to the lateness in the evening. Mr. Stewart will continue his testimony at the next meeting. The Applicant stated that at this time they do not plan on offering any other additional experts.

The hearing was opened to the public.

Angela Zukoski questioned the location of the dumpster, the building, and the fence.

With there being no further public questions, the hearing was closed to the public.

Board Attorney Bernstein suggested that the two property owners review the issues, prior to the next meeting. Board Engineer Finelli confirmed that revised plans will be submitted prior to the next meeting. Board Attorney Bernstein stated that this matter will be carried to the Board's July 15th meeting, without further public notice. The Board Secretary will confirm attendance for the next meeting. It was also agreed that revised materials will need to be submitted to the Board by July 1st for the July 15th meeting.

Ms. Carvino made the motion to carry the hearing to the Board's July 15th meeting, without further public notice. Motion seconded by Mr. Best. Roll call vote:

Ayes: Mr. Best, Ms. Carvino, Mr. Kelsey, Mr. Rafalko, Mr. Neumann, and Mr. Feula.

Nays: None recorded

Abstain: None recorded

Mr. Cogle and Mr. Pennington resumed their positions on the Board.

OTHER BUSINESS:

Land Use Committee-Affordable Housing

No update

DISCUSSION:

Site Plan Subcommittee

None

Ordinance Subcommittee

None

Redevelopment Subcommittee

None

Master Plan Subcommittee Update

None

BILLS:

Banisch Associates

Re: General 1953.60

Re: Coladarci 888.00

Eric Bernstein

Re: General 60.00

Re: Coladarci 180.00

Finelli Consulting

Re: Coladarci 1417.50

Re: General 65.00

Gebhardt & Kiefer

Re: Woodmont 34.55

Mr. Best made the motion to approve the vouchers. Motion seconded by Mr. Cogle. Roll call

vote: Ayes: Mr. Best, Ms. Carvino, Mr. Kelsey, Mr. Rafalko, Mr. Neumann, Mr. Pennington, Mr. Feula, and Mr. Cogle.

Nays: None recorded

Abstain: None recorded

ADJOURNMENT

In a motion made and seconded the Board adjourned the meeting at 10:14 p.m. Voice vote:

Ayes: Mr. Best, Ms. Carvino, Mr. Kelsey, Mr. Rafalko, Mr. Neumann, Mr. Pennington, Mr. Feula, and Mr. Cogle.

Nays: None recorded

Abstain: None recorded

Respectfully submitted,

Alfia Schemm
Board Secretary

9/12/19