

**Mantua Township Planning Board
September 18, 2007**

Call to Order

Mr. Kenneth Green, chair, called the regular meeting of the Mantua Township Planning Board to order on Tuesday, September 18, 2007 in the Main Meeting Room, Mantua Township Municipal Building, Main Street, Mantua, New Jersey. Mr. Green made statement that the notice of the meeting was published in accordance with the Open Public Meetings Act.

Roll Call

Present: Mr. Michael Datz, Mr. Joseph Giumarello, Mr. Robert Harris, Mrs. Sharon Lawrence, Mr. John Legge, Mr. Walter Lenkowski, Ms. Stephanie Salvatore, Mr. Kevin Howarth and Mr. Kenneth Green. **Also present:** Ms. Pamela Pellegrini, planner; Mr. Jon Bryson, engineer; Samuel Ragonese, Esquire; and Ms. Peggy Veacock, corresponding/recording secretary. **Absent:** Mr. Graham Land and Mr. Lou Coppelino.

Approval of Minutes

On motion by Mrs. Lawrence, seconded by Mr. Harris, the Board approved the August meeting minutes. All members were in favor of the motion.

Swearing in of Professionals

Board Professionals, Mr. Bryson and Mr. Bell were sworn for testimony.

New Business

01—010, COUNTRY GARDENS, PAPANONE HOUSING

Robert Washburn, Esquire, was present on behalf of the applicant. The applicant is requesting a five-year extension on all standing approvals to expire on December 19, 2007. The applicant has not received approvals for the traffic signal and off track improvements. Mr. Washburn indicated that the real estate market is soft right now. Mr. Michael Robinson was sworn testimony. He provided the Board on the build out status of the project.

Public Hearing:

Mr. Tony Battista, 47 Cottage Gate Circle, was sworn and questioned the completion date of the clubhouse and amenities. Mr. Robinson responded that the applicant is going to make every effort to have the clubhouse finished during Phase II. There being no further comments the public hearing was closed.

Discussion: Mr. Ragonese informed the Board that the members must consider the efforts and causes put before them during their consideration of action. The Board discussed the build out phasing and extension limits. Mr. Washburn noted that the applicant is confident they will be able to complete the project within five years.

Board Action: Mr. Giumarello, seconded by Mr. Datz, the Board made a motion to approve the five-year extension on all approvals with the condition that the Clubhouse be completed during Phase II.

Roll Call Vote: Yes – Mr. Datz, Mr. Giumarello, Mr. Harris, Mrs. Lawrence, Ms. Salvatore, Mr. Howarth and Mr. Green. No – Mr. Legge. Abstentions – None.

06—015, CHESTNUT VALLEY, MINOR SUBDIVISION, BLOCK 37, LOT 5, 6, 7

Donald Ryan, Esquire, and Mr. Ed Brady, engineer, were present on behalf of the application. Mr. Ryan provided a brief overview noting that the applicant is looking to resubdivide the amended site plan approval received in 2006. Mr. Brady was sworn for testimony. He noted that the three-lot subdivision is being requested due to financing purposes. No variances are requested and there is no change in the site plan proposed. The applicant is requesting a lot line change only.

Planner's Comments: September 14, 2007 Review Letter

Mr. Bell noted that the request is due to a unique circumstance that was not the cause of the applicant.

Engineer's Comments: September 13, 2007 Review Letter

Mr. Bryson reviewed his September 13 letter noting one waiver being requested by the applicant.

Discussion: Ms. Salvatore has questions concerning the wetlands and vegetation. Mr. Brady noted that the original approval is not being changed and the applicant will not be permitted to build on wetlands.

Public Comments: There were no comments forthcoming from the public.

Board Action: Mr. Harris, seconded by Mr. Datz, the Board approved the application with conditions noted in the professionals' review letters.

Roll Call Vote: Yes – Mr. Datz, Mr. Giumarello, Mr. Harris, Mrs. Lawrence, Mr. Legge, Ms. Salvatore, Mr. Howarth and Mr. Green. No – None. Abstentions – None.

Mr. Ragonese presented and read the resolution memorializing the Board's action. **On motion by Mr. Howarth, seconded by Mr. Harris, the resolution was approved.**

Roll Call Vote: Yes – Mr. Datz, Mr. Giumarello, Mr. Harris, Mrs. Lawrence, Mr. Legge, Ms. Salvatore, Mr. Howarth and Mr. Green. No – None. Abstentions – None.

07—008, PAPANONE HOUSING, MINOR SUBDIVISION, BLOCK 259, LOT 3.01, 4

Bob Washburn, Esquire, was representing the applicant. He informed the Board that the driveway for lot 3.01 encroaches onto lot 4. Therefore the applicant is seeking a lot line adjustment. Two variances are being requested for lot 4.01, which only has a basin. Mr. Robinson and Mr. James Hummel were sworn for testimony.

Planner's Comments: June 29, 2007 Review Letter

Mr. Bell reviewed the planner's letter. He also noted that the street trees are required to be install within the minor site plan approval.

Engineer's Comments: June 26, 2007 Review Letter

Mr. Bryson gave his report. He noted that number two has been completed. The applicant will have to file an amendment to the Homeowners Association document that the Board attorney will need to approve.

Public Comments: There were no comments forthcoming from the public.

Board Action: On motion by Mrs. Lawrence, seconded by Mr. Legge, the application was approved with conditions.

Roll Call Vote: Yes – Mr. Datz, Mr. Giumarello, Mr. Harris, Mrs. Lawrence, Mr. Legge, Ms. Salvatore, Mr. Howarth and Mr. Green. No – None. Abstentions – None.

01—010, COUNTRY GARDENS, PAPARONE HOUSING, FINAL MAJOR SUBDIVISION, PHASE 3B, 4A BLOCK 242.01, LOTS 1, 3 AND BLOCK 243, LOT 1, 2.

Bob Washburn, Esquire, was representing the applicant. Mr. Tom Paparone, applicant, and Mr. Richard Neusser, engineer, were sworn in. Mr. Paparone provided a brief overview and noted that there are no changes from the preliminary approval. There were no comments forthcoming from the planner and engineer.

Public Comment: All individuals were sworn for testimony.

Mr. Bill Uricher, 46 Cottage Gate Court, questioned whether the applicant will stop work in the phases with the extension prior to starting construction in Phase 3B and 4B. He also asked if the Association fee will be maintained. He was informed that the budget is reviewed annually and the Association hopes to maintain the current fee. The applicant will continue Phase I construction until 110 to 120 homes are complete. The applicant still has to get bonding and other approvals prior to construction.

Board Action: On motion by Mr. Harris, seconded by Mr. Legge, the application was approved with conditions.

Roll Call Vote: Yes – Mr. Datz, Mr. Harris, Mr. Land, Mrs. Lawrence, Mr. Legge, Ms. Salvatore, Mr. Howarth and Mr. Green. No – None. Abstentions – None.

04-015, MAIN STREET INVESTMENTS, SITE PLAN WAIVER, BLOCK 220, LOT 2

Barry Lozuke, Esquire, was representing the applicant. The applicant is requesting a site plan waiver to rehabilitate an existing office and storage space on the second floor. The first floor is fully occupied. The new area would require a waiver of the approved parking requirements. Mr. Salerno, applicant, was sworn. He reviewed the tenants on the first floor. Given the operating times and level of walk-in customers for the current businesses, Mr. Salerno does not feel there will be parking complications.

Engineer's Comments: September 13, 2007 Review Letter

Mr. Bryson reported on his review. He had no major concerns.

Board Discussion: Ms. Salvatore questioned whether additional handicapped parking spaces would be required. Mr. Salerno noted that there is adequate handicapped already in place. Mrs. Lawrence asked if there were ADA requirements necessary for the second floor. Mr. Salerno replied that the requirements were met on the first floor.

Board Action: On motion by Mr. Giumarello, seconded by Mr. Harris, the site plan waiver was approved.

Roll Call Vote: Yes – Mr. Datz, Mr. Harris, Mrs. Lawrence, Mr. Legge, Ms. Salvatore, Mr. Howarth and Mr. Green. No – None. Abstentions: None.

Mr. Lenkowski arrived prior to the hearing on the Maple Ridge application.

06-009, MAPLE RIDGE GIBG LLC, PRELIMINARY MAJOR SUBDIVISION, BLOCK 173, LOT 4

Barry Lozuke, Esquire, was representing the applicant. Mr. Green reviewed the history of the process to the application before the Board. He stated that the Township recently rezoned the area but was sued. The plan before the Board is a result of the outcome of the litigation. Mr. Lozuke indicated that the applicant has tried to keep as much open space as possible. Mr. Kevin Kammerer, engineer/planner; Mr. David Domen, engineer; Ms. Deanna Drumn, traffic engineer; and Mr. James Brinson, project manager were present on behalf of the application.

Mr. Kammerer provided a description of the project. The majority of the lots are .75 acres. There are four lots above one acre. The applicant has agreed to a \$1,000 contribution per unit to the recreation fund. Mr. Domen provided the results of the traffic study prepared for the application.

Planner's Comments: July 24, 2007 Review Letter

Mr. Bell reviewed the letter. He noted that the applicant is working with the Environmental Commission regarding compliance with the tree ordinance. The applicant also agrees to comply with COAH requirements.

Engineer's Comments: August 3, 2007 Review Letter

Mr. Bryson reported on his review. He noted that he had a meeting with the applicant in August to discuss the conditions of the application.

Board Discussion: The Board has some questions regarding the traffic study.

Public Hearing: All individuals were sworn for testimony.

Mr. William Schlieman, 25 Bergen Avenue, expressed concern for the traffic and current conditions of Bergen Avenue.

Mr. Pat Tursi, 90 Bergen Avenue, noted he feels the count from the survey was low. He noted that there are already policing issues in the area.

Mr. Bob Kinch, 56 Cape May Avenue, stated that the intersection at Cape May, Mantua Boulevard and Bergen is dangerous and this development will only add to the problem. Mr. Datz noted that Mantua Boulevard is a County Road and approval must be received by the County Planning Board.

Mr. George Daminger, 67 Cape May Avenue, reiterated the traffic concerns of other residents.

Ms. LuAnn Leach, 57 Somerset Avenue, expressed concern in an evacuation situation.

Mr. Harold Glass, 38 Somerset Avenue, agreed with other residents concerns. He asked about possible improvements to Bergen Avenue.

Ms. Sandra Stevenson, 70 Bergen Avenue, added to the traffic concerns and fire/ambulance emergencies.

Ms. Kathleen Mahmoud, 20 Bergen Avenue, questioned whether another access was considered. She was informed that the applicant did seek alternatives, but was not successful in securing the necessary property.

Mr. Lenkowski informed the public that the Board has sought advice from the Board and Township engineers and chief of police regarding the condition of the site and surrounding areas.

Mr. Lou Spicer, 13 Somerset Avenue, indicated that a deceleration lane is needed along Mantua Boulevard. He also stated that there are Red Tail Hawk in the area.

Ms. Teri Graber, 80 Bergan Avenue, questioned the timeline of the project. The applicant will need to receive other outside approvals that could take up to one year. She also expressed concern for safety in the area.

Mr. George Demaris, 50 Bergen Avenue, stated he did not feel the number of cars noted from the survey was correct. He was informed the water pumping station would be under MUA ownership.

There being no further comments the public hearing was closed.

Board Discussion: Mrs. Lawrence asked if there was anything the applicant could do to eliminate further effecting the conditions on Bergen Avenue. Mr. Lozuke stated that they applicant will not know until they get to that point. Mr. Datz informed the public of Township road improvements scheduled for that area. Mr. Howarth said he feels the applicant could have done better addressing the tree replacement. Mr. Lozuke noted that the applicant is working with the Environmental Commission regarding the tree ordinance requirements.

Mr. Ragonese stated for the record that the proposal before the Board is what the members need to consider under a court order. He noted that a preliminary approval will be good for three years. It is the Board's responsibility to ensure the plan is within the law. Under preliminary approval the applicant can only move dirt.

Board Action: On motion by Mr. Giumarello, seconded by Mr. Lenkowski, the Board, made a motion for preliminary approval. Prior to the roll call vote, Mr. Lenkowski reviewed the steps taken by the Board to get to the formal submission of this application. He stated that the Board has made every effort to develop the best plan possible under the conditions set by the Court.

Roll Call Vote: Yes – Mr. Datz, Mr. Harris, Mrs. Lawrence, Ms. Salvatore and Mr. Green. No – Mr. Legge and Mr. Howarth. Abstentions: None.

Resolutions

Mr. Ragonese presented resolution 07-30 for application 07—011, SJ Technology Park at Rowan University, Minor Subdivision, Block 261, Lot 9. **On motion by Mr. Legge, seconded by Mr. Datz, the resolution was approved. Roll Call Vote: Yes – Mr. Datz, Mr. Harris, Mrs. Lawrence, Mr. Legge, Ms. Salvatore, Mr. Howarth and Mr. Green. No – None. Abstentions – None.**

Mr. Ragonese presented resolution 07-31 for application 07—010, William Hoffman, Minor Subdivision, Block 162, Lot 1. **On motion by Mr. Harris, seconded by Mr. Howarth, the resolution was approved. Roll Call Vote: Yes –Mr. Harris, Mrs. Lawrence, Mr. Legge, Ms. Salvatore, Mr. Howarth and Mr. Green. No – None. Abstentions – None.**

Resolution 07-32 for application 05-013, Fox Plaza (Lawrence Gardner), Final Major Site Plan, Block 20, Lots 21 and 22 was presented to the Board. **On motion by Mr. Datz, seconded by Mrs. Lawrence, the resolution was approved. Roll Call Vote: Yes – Mr. Datz, Mr. Harris, Mrs. Lawrence, Mr. Legge, Ms. Salvatore, Mr. Howarth and Mr. Green. No – None. Abstentions – None.**

Mr. Ragonese presented resolution 07-33 for application 07—009, Lisa Pinizzotto, Minor Subdivision, Block 69, Lot 4. **On motion by Mrs. Lawrence, seconded by Mr. Legge the resolution was approved. Roll Call Vote: Yes – Mr. Datz, Mr. Harris, Mrs. Lawrence, Mr. Legge, Ms. Salvatore, Mr. Howarth and Mr. Green. No – None. Abstentions – None.**

Adjournment

There being no further business, the meeting was adjourned.

Respectfully submitted,

Peggy Veacock
Corresponding/Recording Secretary