

FRANKFORD TOWNSHIP LAND USE BOARD
MARCH 28, 2007 – 7:00 P.M.
MINUTES OF THE REGULAR MEETING

CALL TO ORDER

The meeting was called to order by the board Chairman, Mr. Romania, by announcing that notice appeared in the New Jersey Herald and the New Jersey Sunday Herald in accordance with the requirements of The Open Public Meetings Act.

Flag Salute

ATTENDANCE

Those Present were: Mr. Ayers, Mrs. Kristensen, Mr. Risdon, Mr. Zappile, Mr. McDowell, Mr. Martin, Mr. Larson, Mr. Romania, Mr. Smolen and Mr. Dolan. Also present were Mr. Clark, the board attorney, Mrs. Leo, Mr. Clark's assistant, and Mr. Pellow, the board engineer.

Those absent: Mr. Gstattenbauer (excused).

MINUTES

The Minutes of the January 24, 2007 Regular Meeting of the Land Use Board were reviewed. A Motion was made by Mr. Martin and seconded by Mr. Dolan to approve the Minutes of the January 24, 2007 Regular Meeting of the Land Use Board. All were in favor. The Motion was carried.

It was noted that the February 21, 2007 and February 28, 2007 Regular Meeting Minutes were not yet completed.

RESOLUTIONS

Tri-Co Federal Credit Union – LUB 07-05 – Block 18, Lot 24.03 – 47 U.S. Route 206 Final Site Plan:

The Resolution was reviewed. A Motion was made by Mr. Larson and seconded by Mr. Dolan to approve the Resolution for Tri-Co Federal Credit Union for an approval of a Final Site Plan. All were in favor. The Motion was carried.

Raymond Mastoloni - LUB 07-01 – Block 112, Lots 1, 2 & 2.01 – Culver View Lane & Lower North Shore Road – Minor Subdivision & “C” Variance:

The Resolution was reviewed. A Motion was made by Mr. Ayers and seconded by Mr. Zappile to approve the Resolution for Raymond Mastoloni for a Minor Subdivision & “C” Variance. Roll Call:

YES: 6 Ayers, Zappile, McDowell, Larson, Smolen, Dolan

NO: 0

ABSTAIN: 0

The Motion was carried.

EXTENSIONS

Richard & Barbara Cardinal – LUB 06-10 – Block 265, Lots 1.01 & 1.02 – West Shore Lake Owassa Road – Minor Subdivision & “C” Variance:

A Letter was received from the applicant’s engineer requesting a 4 month extension of time to file the deeds in connection with this application.

A Motion was made by Mr. Ayers and seconded by Mr. Martin to approve a 6 month extension from February 1, 2007 to file the deeds. All were in favor. The Motion was carried.

APPLICATIONS CARRIED FROM PREVIOUS MEETING

Clifridge Greenville, LLC – LUB 07-04 – Block 2, Lot 3 – Davis Road, Plains Road & County Route 565 – Preliminary Major Subdivision:

Appearing before the board was the applicant’s attorney, Debra Nicholson, and the applicant’s engineer, Kenneth Dykstra.

Mr. Pellow indicated that on the on site inspection by the board, they walked from Davis Road to the proposed center line of the cul-de-sac. They saw where the houses were going to be located, the detention basin which he indicated that he spoke to the applicant’s engineer, Kenneth Dykstra, and they would like to move the detention basin onto Lot 1.

Mr. Dykstra submitted to the board Exhibit “A-2” a 200’ scale of the subdivision showing the proposed house locations as revised from the last meeting. Mr. Dykstra indicated that the changes were: 1) The extension of the proposed right-of-way to Mr. Howe’s property which resulted in an additional right-of-way dedication. He indicated that this was a request of the board. Mr. Romania indicated that this was a paper right-of-way if there was any future development on the adjoining property, the road can be extended. Mr. Dykstra indicated that this resulted in an adjustment of proposed Lot 3.10 and 3.09 as to their lot sizes, but they are still fully conforming lots. Mr. Dykstra further indicated that when the right-of-way went through, it went through the test pits they performed. They did 4 test pits yesterday and they have 4 conforming holes on this lot for septic outside of the right-of-way. Also, the house was moved closer to the cul-de-sac as requested by the board on the site visit. 2) They added a right of way dedication at the Plains Road/Davis Road intersection so the applicant has a conforming right-of-way and site triangle easements at this intersection. 3) On proposed Lot 3, there is a proposed adjustment to the stormwater management system. They are proposing that the basins be maintained by the township. He further stated if the township does not want the maintenance of this basin, the State will not allow a homeowner to maintain them, therefore, they will have to form an association for this development to maintain the basin. Ms. Nicholson indicated that this usually does not work. It would be better if the township took it over and the developer pays a fee. Mr. Clark indicated that the problem is if the governing body accepts the maintenance, it is difficult to determine a fee for this service and the manpower to maintain this. In the alternative, it is expensive to set up a homeowner’s association for the developer. Mr. Clark indicated that this issue needs to be brought up with the governing body, not the Land Use Board.

Mr. Pellow reviewed his revised report dated March 26, 2007:

Item “4b”: Test pit number 16 on proposed Lot 3.05 revealed a depth to the average seasonal high water table of 20 inches, less than the allowable 24 inches. Additional test pits must be conducted on a 50 foot grid to confirm the 20,000 square feet of contiguous developable land on Lot 3.05. He indicated that these test pits were done on March 27, 2007 and they are satisfactory.

APPLICATIONS CARRIED FROM PREVIOUS MEETING CONT.

Clifridge Greenville, LLC – LUB 07-04 – Block 2, Lot 3 – Davis Road, Plains Road & County Route 565 – Preliminary Major Subdivision cont.:

Item “4c”: On Sheet 11 of 32, Environmental Plan ‘B’, the proposed dwelling on proposed Lot 3.08 is shown partially constructed outside of the contiguous developable Land. The proposed footprint of the building to be moved to line up with the adjacent dwelling on proposed Lot 3.07 but is still being built on a slope constraint. Mr. Pellow indicated that this is acceptable because it meets the intent of a good developable lot.

Item “5a”: The proposed road name to be provided prior to the final map being submitted. This has to be approved by the Township Committee.

Item “5b”: Snow plow easements are required along the cul-de-sac. This is still not shown on revised map. Mr. Dykstra indicated that the reason they did not put this on the map is because the basin runs all the way around the cul-de-sac which would be an easement to the township already. Mr. Pellow agreed.

Item “5c”: Sight triangle easements to be dedicated as shown at the intersection of the proposed road and Davis Road. They are now shown on the revised plan.

Item “5d”: The roadway will be 28 feet (R.S.I.S. requirements), and granite block curb will be used. Curb to be jumbo blocks as per the Ordinance. Jumbo blocks are now shown on the detail on Sheet 21 of 32.

Item “5e”: Mr. Pellow indicated that the applicants still need the L.O.I. which has been applied for.

Item “5f”: Guiderail type to be determined by the Land Use Board. This was discussed last meeting, which will be a timber rail.

Item “5g”: Special slope treatment will be needed from 16+50 to 20+50 and from 25+00 to 32+00 due to the deep cuts and mottling. Water will bleed from the slopes and cause drainage problems. Need to intercept this runoff and tie it into the storm drains. Mr. Pellow indicated that the applicant has agreed to do it, but he will need a detail.

Item “6”: Vertical curves are acceptable.

Item “7”: Water. Individual wells are proposed, and well testing needs to be completed as per Section 616, Aquifer and Wellhead Protection.

Item “9”: Stormwater Management. Mr. Pellow indicated that he will have to review this whole section for the new basin to see if it conforms to the new stormwater management.

Item “10”: Environmental Impact Statement. Conservation easements will be shown on the final map.

Item “11a”: An area of deed overlap is shown on proposed Lots 3.09 and 3.10. How does the applicant proposed to address this area. The applicant is trying to resolve this overlap.

Item “11b”: The proposed subdivision is in traffic development district #1 and a contribution of \$2,500 per new lot or \$32,500 (\$2,500 x 13) to the Township Road Trust Fund is required.

APPLICATIONS CARRIED FROM PREVIOUS MEETING CONT.

Clifridge Greenville, LLC – LUB 07-04 – Block 2, Lot 3 – Davis Road, Plains Road & County Route 565 – Preliminary Major Subdivision cont.:

Item “11c”: COAH requirements to be met. One COAH unit to be constructed and \$17,750 contributed for each of the other six units. This COAH unit to be built in the last third of the roadway. Ms. Nicholson indicated that she would like to have this requirement removed from this letter, because the applicant may elect to do something off site also. She would not like this to be put in the Resolution as a condition that it be on site. She feels it is a realistic possibility that they may do something else within the community. This will be more formalized in the Developer’s Agreement. However, they are agreeing to comply with the COAH requirements required in the township ordinance.

Mr. Pellow indicated that on the site walk there was discussion for an alternate entrance plan. Mr. Dykstra submitted to the board Exhibit “A-3” which was a plan of an alternate drainage and entrance plan dated March 23, 2007. He indicated that the exhibit shows the basin on proposed Lot 3. He noted that there are 2 homes across the street from the proposed entrance. The home to the left is approximately 170’ from the Davis Road Line and the home to the right is approximately 370’ from the Davis Road Line. What the applicant is proposing is between the 2 existing driveways of the neighbors, just behind their site line, to build a six foot wall, fill it in and create a landscaped planting area, screening area. Mr. Romania indicated that he does not feel this will stop any headlights on the neighbors. Mr. Dykstra indicated that this will have an affect of buffering the lights. Ms. Nicholson indicated that on the on site inspection she did speak to the owners of these 2 lots and they are willing to work with the developer to either put pine trees or some buffering.

Mr. Larson questioned the applicant if there will be street lights in this development. The applicant indicated that there are no street lights proposed.

A Motion was made by Mr. Martin and seconded by Mr. McDowell to open this matter to the public. All were in favor. The Motion was carried.

Appearing before the board was Tom Spring. Mr. Spring indicated that he was still under oath from last meeting. He was concerned about the damage to Davis Road with the heavy equipment from this development.

Appearing before the board was Andrew Coccio. Mr. Coccio indicated that he was still under oath from the last meeting. He is one of the neighbors across the street from the entrance. He agrees with the proposal submitted by the applicant for the landscape buffer. He would prefer that the developer take care of this buffering instead of making a payment to him. Mr. Clark indicated that that the applicant should submit to the boards engineer a design of this buffering which will be approved by him and signed off by the 2 homeowners who are involved. Ms. Nicholson indicated that the applicant will agree to submit this.

A Motion was made by Mr. Martin and seconded by Mr. Zappile to close this matter to the public. All were in favor. The Motion was carried.

Mr. Clark summarized this application. He indicated that this was a 14 lot Preliminary Major Subdivision with a variance for Lot 3.08 for not meeting the unconstrained land and conditions and representations that the applicant has made including but not limited to the road trust fund, COAH requirement, developer’s agreement, and the applicant to approach the governing body for the acceptance of the maintenance of the detention basin. If the governing body does not accept this maintenance, then the applicant will have to form a homeowner’s association. Further conditions include: LOI, pump tests, and settling the over-lap of the property on Lot 3.10, satisfaction of a landscaping plan to

