

July 29, 2010 Planning Bd

PLANNING BOARD MINUTES - BOROUGH OF BERNARDSVILLE

July 29, 2010

7:30 PM - Public Meeting, In Meeting Hall (may begin as pre-meeting review in conference room.)

1. Statement of Adequate Notice read into the record by Chairman Lawrence. Roll Call: Members: Mr. Knudsen, Ms. Totten, Mr. Simoff, Ms. Paluck, Ms. Foster, Ms. Thompson and Chairman Lawrence.

Members Absent: Vice Chairman Graham and Ms. Rochat

Professionals Present: Attorney Mr. Hoffman, Substitute Engineer Ronald Lai and Planner P. David Zimmerman.

Professionals Absent: Administrative Officer Michael Mondok

2. At Board's option: Communications not Related to Agenda/Business of Visitors not Related to Agenda - None

3. Pending Applications/Public Hearings:

A. H & J McWilliams Property Trust, 155 Claremont Road; Block 32, Lot 18; R-4 & R-5 zones; Minor Subdivision Appl. #635.

Mr. Bisogno, attorney for the applicant recapped application summary from the June 24 hearing and noted that per the Board's request the house has been relocated and more landscaping has been added. As a result of these changes the front set back variance has been eliminated but creates two new variances to addresses slope increase from 30% - 35.7% and driveway. Mr. Bisogno called again architect Dan Lincoln to continue with his testimony.

Exhibit A5 – Sheet S2 - Revised Site Plan and Landscape Plan was presented showing the site with the recent changes. No changes were made to the house design. This concluded Mr. Lincoln's testimony. There were no questions from the Board or public.

Mr. Knudsen questioned Mr. Bisogno is there was any objection to the July 23, 2010 letter from the Shade Tree Commission? Mr. Bisogno stated there were no objections. They will work with Shade Tree to add more trees to the plan and comply with the ordinance.

Public Questions:

Mr. Walter Dryer, 6 Orchard Hill Road – Questioned options for shared driveways. Exhibit A6 – Sheet 1 a drawing showing the earlier proposed driveway connecting to the house. Mr. Lincoln answered that other options would have caused a greater slope disturbance.

John Stem, 145 Claremont Road – Questioned why can't the proposed driveway on Exhibit A6 be brought closer to Claremont and create only a 15 length of a shared driveway? Mr. Lincoln noted that this would create a greater slope disturbance.

This concluded public questions.

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Next witness is Dave Smith, PE from the firm Yannaccone, Villa & Aldrich, Chester, New Jersey. Mr. Smith was sworn and accepted as a witness. Exhibit A7 – Environmental Constraints Plan was presented to the Board.

Questions for Mr. Smith.

Mr. Victor Guglietta, 4-1 Orchard Hill Road questioned the location of a tulip tree that is 50% in the ROW. Mr. Guglietta requested that the location of this tree be considered and attempted to be preserved.

The time is 9:05 PM. Five minutes recess was granted.

Mr. John Stem, 145 Claremont Road was given an opportunity to present a 42 slide power point program showing various photos of the site taken June 17, 2010 and noting his concerns at select locations. This program was marked as Exhibit O1.

Mr. Bisogno's closing statements noted that the plan meets ordinances for erosion, drainage and zoning with the exception of the slope. Mr. Bisogno's client does not intend to do site work, for now but will record Deed with conditions.

After discussion the Board agreed to grant the minor subdivision w/ conditions

Motion to approve Minor Subdivision with conditions: Ms. Thompson

Second: Ms. Paluck

Roll Call:

Aye: Mr. Knudsen, Ms. Totten, Mr. Simoff, Ms. Paluck, Ms. Foster and Ms. Thompson

Nay: Mr. Lawrence

4. Old Business - None
5. Adjourn to Executive Session, if necessary, to discuss pending litigation or personnel matters.-
None
6. Reconvene; perform any relevant action as needed.
7. Adjournment of public meeting. The time is 10:28PM

Motion to adjourn: Ms. Paluck

Second: Mr. Knudsen

Voice Vote: All members present voted in the affirmative

Respectfully submitted,

Teresa Lyons, Recording Secretary

Minutes approved: October 28, 2010

Keywords:minutes-planning-board-h-j-mcwilliams-property-truct-155-claremont-road-m-635

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CC: Barry Hoffman, Esq.- agenda only by fax, full package mailed.
Robert Brightly, PE.- agenda only by fax, full package mailed.
P. David Zimmerman, PP. - agenda only by fax, full package mailed.
Vincent Bisogno, Esq., agenda only, by fax, 766-7809
Historic Committee, agenda only, by fax.
Anthony Suriano, agenda only, by e-mail
Theresa Lyons

Distributed with the July 29, 2010 Agenda:

1. July 12, 2010 letter/report from P. David Zimmerman, PP. - McWilliams Subdivision.
2. July 21, 2010 letter/report from P. David Zimmerman, PP - McWilliams Subdivision
3. July 20, 2010 handwritten amendments to Zoning report based on alternate plan - McWilliams subdivision.
4. March 27, 2009 letter/report of the Somerset County Planning Board - McWilliams Subdivision.
5. March 24, 2009 letter/report of the Somerset-Union Soil Conservation District - McWilliams Subdivision.
6. Architectural plan by Daniel Lincoln, RA., PC., Sheet S-2 only, revised thru 7/19/10 - McWilliams sub.
7. Notice of application to NJDEP rec'd 7/19/10 for investigation/soil remediation - 59 Page Hill Rd.
8. Notice of NJDEP application dated 7/16/10, Flood Hazard Area/Riparian Buffer determination-Shop Rite

The following items were previously distributed and are **not attached - Please advise if you need copies:**

1. June 14, 2010 letter from Mr./Mrs. Guglietta requesting adjournment or to carry McWilliams Sub.
2. Zoning report revised June 1, 2010 - McWilliams Subdivision.
3. June 15, 2010 Shade Tree Comm report - McWilliams Subdivision.
4. June 23, 2010 letter/report from P. David Zimmerman, PP - McWilliams Subdivision.
5. June 24, 2010 letter/report from Robert Brightly. PE. - McWilliams Subdivision.
6. Aug. 19, 2008 letter report by Environmental Technology, Inc.- McWilliams Subdivision.