

Borough of Roosevelt
33 North Rochdale Avenue
Roosevelt, NJ 08555
Planning Board Meeting Minutes
March 3, 2020

CALL TO ORDER: Ms. Carpenter called the meeting to order on March 3, 2020 at 7:04 p.m.

ROLL CALL:

Present (8): Malkin, Carpenter, Ord, Petrilla, Connors, Newrath, Katz, Bondonis

Absent (4): Vroman, Hartley, Hamilton, Taylor

Michele Donato, Board Attorney, and Carmela Roberts, PE, CME, Board Engineer, were also in attendance.

OATHS OF OFFICE:

The Board Attorney, Michele Donato, administered the Oath of Office to Jay Bondonis for his position as Alternate III on the Borough of Roosevelt Planning Board. Due to the absence of other Board Members needing to take Oaths of Office, there were no other oaths administered.

OPEN PUBLIC ACT MEETING STATEMENT: Ms. Carpenter read the Adequate Notice.

APPOINTMENT OF PROFESSIONAL STAFF:

Ms. Carpenter asked for a motion to approve Thomas Thomas as the Planning Board Professional Planner, so moved by Ms. Petrilla, and seconded by Mayor Malkin. All members present were in favor.

AYES (8): Malkin, Carpenter, Ord, Petrilla, Connors, Newrath, Katz, Bondonis

NAYS (0):

ABSTAIN (0):

APPROVAL OF MINUTES:

Ms. Malkin moved on a motion to approve the Minutes of the Meeting for the Planning Board for September 3, 2019. Mr. Connors seconded the motion. All members were in favor.

AYES (8): Malkin, Carpenter, Ord, Petrilla, Connors, Newrath, Katz, Bondonis

NAYS (0):

ABSTAIN (0):

Ms. Malkin moved on a motion to approve the January 7, 2020 Minutes of the Meeting for the Planning Board. Ms. Ord seconded the motion. A vote was taken; and Ms. Katz asked that the minutes be amended. Ms. Donato redirected the vote be changed to Amend the January 7, 2020 Meeting Minutes.

AYES (8): Malkin, Carpenter, Ord, Petrilla, Connors, Newrath, Katz

NAYS (0):

ABSTAIN (1): Bondonis

CORRESPONDENCE:

- The New Jersey Planner November/December 2019
- 1-29-20 Millstone Township Planning Board Public Hearing for Amended Housing and Fair Share Plan

- Letters Regarding 4 Pine Drive Variance Applicant
- 2-20-20 Letter of Interest Re: Hilltop Swim Club Property
- 1-30-20 NJDEP Freshwater Wetlands General Mosquito Control Permits
- Upper Freehold Adoption of Solar Energy Systems Ordinance 255-12
- Millstone Ordinance 20-02 Amending Zoning District Regulations
- Millstone Ordinance 20-04 Amending Land Use & Development Regulations (Multi-Family Zone & Schedule of Area, Yard & Building)
- Millstone Ordinance 20-05 Amending Land Use & Development Regulations & Schedule of Area, Yard & Building Requirements)
- Millstone Ordinance 20-06 Amending Land Use & Development Regulations & Escrow Fees, Etc.
- Millstone Ordinance 20-07 Amending Land Use & Development Regulations, Etc.
- 2-6-20 Soil Erosion & Sediment Plan Certification Letter from NJNRC Program

REPORT OF MAYOR AND COUNCIL REPRESENTATIVE:

Mayor Malkin talked about the Council's recent discussion of Homestead, Cedar & Elm streets and roads project, which are slated to be paved this spring. In addition, Carmela Roberts has made it possible through a sizeable amount of grant monies to pave the streets on School, Farm and Nurko. Hoping to put the tree ordinance in place, the Borough would like to hire an arborist to determine whether residents who want to cut down a healthy tree or clear-cut the trees on their land that pose no safety issues, within a certain diameter, height, etc., would consult with the arborist before removing the trees. They also talked about receiving emergency aid so that the Roosevelt School would not have to totally close. When the school initially received triple cuts in aid they anticipated, they had to immediately disband the Sixth Grade. Assemblyman Dancer has introduced a bill in the assembly to keep the school open for 5 more years, which would give them time to decide what further steps they have to take to keep it open.

REPORT OF ENVIRONMENTAL COMMISSION REPRESENTATIVE: None.

SITE PLANS/SUBDIVISIONS/VARIANCES/INFORMAL REVIEWS, ETC.:

- Review of request for 24' X 24' addition onto existing structure on their property from Youri & Lilia Nazarov, 4 Pine Drive after recommended additional requirements by Planning Board Engineer

Ms. Roberts asked Ms. Nazarov to post additional escrow money of \$750, which she did immediately. Marvin Toweler, Architect Richard Vellano, LLC, having worked in the firm for 35 years, who was representing the Nazarovs, as their Project Manager, and having drawn up site plans for the addition, was sworn in by Board Attorney, Ms. Donato. She also instructed the Planning Board to accept his position as a respected professional. In brief, Mr. Toweler described the space as:

- Being for the care of Mrs. Nazarov's parents
- Provided calculations of the roof area as being more than 24' X 24' (576 sq. ft. of roof) due to an additional area due to the ridge to the existing home (actual physical calculation of roof area 1,088 sq. ft.) and proposed installing a 900 gallon dry well to carry 120 cu. ft. of water.
- To prepare for a 10-year storm, as recommended by the Engineer, Ms. Roberts, to find out the water table and condition of the soil, he described the digging of a hole until they hit water, which they dug to 6 ft., 6 in. without hitting water. It was then requested they add 1 foot of water and time it to see how long it would take to percolate, which took 45 minutes.

- Mr. Toweler observed the soil as being sandy with a small amount of clay in it. He said that based on Ms. Robert's letter in preparation for the 10-year storm requires 1,810 gallons of water to be stored in a tank. This would require Mr. Toweler to plan for more than two 900 gallon dry wells.
- He asked if the Board knew of other projects in Roosevelt needing to meet a 10-year storm requirement, or if it is part of an ordinance for new residential or commercial construction; and whether the recharge requirements of how much water is being collected in a 10-year storm is something that needs to be met.

Ms. Roberts responded that the direction they gave Mrs. Nazarov was to help her provide the best condition and best way for herself and her neighbors to live. When new, impervious cover has been added, which will generate new storm water onto surrounding property, we ask for a test hole and soil sample to go to a lab for evaluation, which is very time consuming and expensive. In this case, she asked that a hole be dug in the back yard. The photo of the hole does not give any perspective where on the Nazarov's property it had been dug; although the outcome after putting 1 foot of water in the hole is that there was really good absorption. So the new water that is generated is going to percolate very well in that area.

The next thing asked for was to account for the new, impervious surface, and although a larger roof is appreciated due to that being where the downspouts drain, we are only concerned about the ground. We are not trying to ask the applicant to deal with any of the water happening today--only the difference. It is typical to ask for a 10-year storm to be analyzed to manage storm water in a community like this with surrounding neighbors. After running through the calculations in the report addressing just the 24' X 24' space, it is 1,800 gallons of water to be captured in one or more dry well because this is a very big addition. In the report, it is shown that the way a dry well works is the water comes down the gutters, downspout and into the dry well. From the point that pipe discharges into the dry well, and below is where the storage needs to be. The dry well may need to be lighter, and as deep as they have it; but you can't evaluate a dry well from surface level to the bottom because the pipe is below surface level. You can't add water on top of that pipe opening because it's going to back up to the gutter and spill over the ground. There were a couple of things that were off in elevation and how the system worked.

Ms. Carpenter asked why the addition needs to be 24' X 24'. Ms. Donato explained the basis of granting a variance, and that personal conditions would not be a basis for a variance. Variances are granted on one of two factors one of which would be a hardship of the land, which is not the case in this situation. The other is a flexible C Variance, which is that it meets the purposes of a Land Use Law, and benefits of the variance outweigh any detriment. With all variances, there are negative criteria that state the applicant must show no substantial detriment to the public good or to the zone plan.

Ms. Nazarov came to the microphone to explain why the room needs to be 24' X 24'. She said her parents will require a lot of medical equipment which needs to be in her house that is very bulky. There also needs to be space for someone else to watch her parents and be in that room with them because she needs to work full time.

Mayor Malkin asked Ms. Roberts to reiterate what the next step for Mrs. Nazarov would be. Ms. Roberts stated:

1. There needs to be some fine tuning to enlarge the size of the dry well;
2. They may want to disconnect 1, 2 or 3 downspouts off the roof area of 576 sq. ft. which is to be determined based on calculations;

3. There has to be some design over the ground elevation of the dry well. When it fills up, does it come out of the dry well lid or the downspout; and depending on the elevation of those two, figure out where it comes from;
4. The dry well has to be refined and graded due to water runoff into the area between the existing house and the new addition.

There was further discussion by Mr. Towler and Ms. Roberts to fine tune what is necessary for going forward with the addition to the Nazarov's property. Mr. Towler said his engineer told him he would be able to work out a solution using the larger pit to capture the water as well as work out the details of the grading, and asked that the Board take into consideration making conditional approval based on them meeting the requirements submitted under the licensed professional planner.

Ms. Carpenter asked if the public had any comment at 8:54 p.m. No one from the public came forward. Members of the Board asked a few more questions, and the Board Engineer referred to the information she provided in her letter. In a discussion between Ms. Roberts and Ms. Donato, it was concluded that an engineer would probably need to be consulted to design water drainage solutions not located close to the house. Ms. Donato explained that the town was a leading, planning model throughout the nation for the greenbelt—the big back yard leading to the forested area and the entire Borough of Roosevelt is a historic district. Ms. Donato confirmed that the Nazarov's lot was under-sized and would take up 27% of the total of the building coverage.

At the conclusion of all discussion, Mayor Malkin made a Motion to Carry to the Next Meeting, the Revised Plans as Directed by Carmela Roberts in Her Most Recent Report of February 27, 2020. Mr. Connors seconded the motion. Ms. Petrilla and Mr. Newrath were directed not to vote on the motion due to their being within 200 feet of the property. Mr. Bondonis was instructed not to vote as he was not a member of the Board at the previous meeting. The ayes prevailed.

AYES (3): Malkin, Carpenter, Connors

NAYS (2): Ord, Katz

ABSTAIN (3): Petrilla, Newrath, Bondonis

It was determined that the date the application was deemed complete was December 9, 2019. Ms. Nazarov brought up a concern she had about not meeting again for another month. She asked if it would be possible for her to supply the revised plans to Ms. Roberts, who would then make sure the Board members received copies of same. Then Ms. Roberts could review and decide whether or not to accept the revised plans. Ms. Donato said that would negate the previous vote of the Board on the Motion to Carry the Revised Plans as Directed by Carmela Roberts. Ms. Donato asked if the Board wanted to reconsider the decision already made, which no one indicated they were willing to do.

There was discussion as to the date of the next meeting, as a few people could not make the scheduled April 7, 2020 Planning Board meeting. Mayor Malkin made a Motion to Extend the April 7, 2020 Planning Board Meeting until April 14, 2020, with no further notice given.

Regarding the Zoning Application review for David Lopez, 7 Homestead Lane to blacktop and widen his driveway 9 feet, Ms. Donato stated the Planning Board does not have the authority to review zoning applications on an advisory basis. This application should just be sent to the Zoning Officer. The Planning Board can hear an appeal or provide an interpretation on the application being submitted. If the owner of the property doesn't agree with the decision, he can then appeal to the Planning Board. Because of the way the statute is set up, the Board is one of limited power. If the Zoning Officer is not comfortable making a decision, he can ask the applicant to come before the Planning Board for an interpretation.

OLD BUSINESS:

Ms. Carpenter asked if there was any discussion about the Roosevelt Draft Ordinance Amending Use of Portable Storage Containers. Mr. Connors was unsure whether the ordinance included licensed utility or enclosed trailers. The key is that it is designed and used for storage. If you are moving the trailer and it is not just sitting there, and nothing is being stored in it, this would be allowed. If it is being used for storage, a zoning permit needs to be applied for. It does not apply to dumpsters as they are temporary.

Ron Schibetti, 2 Pine Drive, commented on the POD ordinance and that he has an enclosed, licensed, registered trailer, with tools and motorcycles, which he will be moving from time to time. Ms. Donato advised him that the ordinance has not yet been submitted to the Council for approval so the Planning Board cannot advise him at this point. Ms. Carpenter recommended that Mr. Schibetti attend the Council meeting for the POD ordinance when there is an introduction and first reading at which time the public will get a chance to comment.

Mayor Malkin moved on Ms. Carpenter's Motion to Send the POD Ordinance to the Council. It was seconded by Ms. Petrilla. All were in favor.

AYES (8): Malkin, Carpenter, Ord, Petrilla, Connors, Newrath, Katz, Bondonis

NAYS (0):

ABSTAIN (0):

NEW/OTHER BUSINESS:

Justin Goodman, 301 Fieldcrest, New Egypt, came to the microphone to express interest his clients have regarding information and building on the Hillside Swim School property. Ms. Donato advised him to go to the Zoning Officer, look at a zoning map and zoning ordinance as this Board does not have the authority to render advisory information. She recommended he apply for a zoning permit for approval. The Zoning Officer may consult with the Board Attorney to ask what the next step would be. Ms. Donato explained that if they did want to appeal the Zoning Officer's decision, the Planning Board has the powers of a Zoning Board of Adjustment and the applicant could apply for an "A" Appeal or Interpretation in addition to the Variance.

PUBLIC COMMENT:

Ms. Carpenter opened the meeting to public comment at 8:50 p.m. No one present came forward, and it was immediately closed.

ADJOURNMENT:

Ms. Carpenter asked for a motion to adjourn the meeting. Mayor Malkin made a motion to adjourn the meeting, and Ms. Ord seconded the motion. The meeting was adjourned at 8:51 p.m. The next meeting will be held on April 14, 2020 at 7:00 p.m.

Respectfully submitted,

Kim Cuiffo
Administrative Assistant

Approved: 4/21/20