

**BOROUGH OF ROOSEVELT
PLANNING BOARD
AUGUST 15, 2023**

Present: Mayor Peggy Malkin, Fred Septak, Tim Hartley, Robert Atwood, Margaret Katz, Tina Kaufman-Marut and Esther Psarakis

Absent: Allison Petrilla, June Ord, Michael Hamilton, and

Also, Present: Board Attorney Michele Donato, Board Secretary April Claudio, Board Planner Andy Thomas and Board Engineer Carmela Roberts

Pursuant to the Sunshine Law, adequate notice in accordance with the Open Public Meeting Act was provided to this meeting's date, time, place and agenda was mailed to the news media, posted on the Borough bulletin board, mailed to those requesting personal notice, and filed with the Municipal Clerk.

Mayor Malkin made a motion to approve the minutes of the July 18, 2023 meeting, which was seconded by Mr. Atwood and approved by the following vote:

AYES: Malkin, Septak, Hartley, Atwood, Katz, Psarakis

Mayor & Council Update: Budget was passed. Listening to applications for possible wineries. Discussing use of Borough hall by the public.

Environmental Commission Update: Checking water levels and bacteria count in the creek. Attendance at July 4th event went very well.

29 PINE DRIVE: Appearing for this application was Julia and James McArdle and their contractor Jennifer Melkowits of Pool City. Ms. McArdle explained they filed permits to install a pool. The pool was moved further back from the house which created a need for a walkway. There was miscommunication between her, the pool company and the construction office. The Zoning Officer determined the property was over on impervious coverage. The walkway is needed for safety reasons. There was discussion about two small sheds shown on the survey that shouldn't be included in the impervious coverage because they are removable.

Ms. Roberts prepared her own impervious coverage calculations based on the survey submitted and determined the impervious coverage is 24.5% where 20% is allowed. The property slopes to the rear towards the woods. It would be a large task on the applicant to request a drywell or other storm water management. It is not necessary given the water slopes to the rear to the woods and will naturally recharge.

Mr. Hartley asked how much the overage is in square feet. Ms. Roberts stated 220 square feet.

Ms. Roberts added that the pool is 2% of over that overage, so a lot more would need to be removed to bring it into compliance.

Mr. Septak asked if the runoff would affect neighboring properties. Ms. Roberts felt it would not.

Public Comments: None

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Mr. Hartley was concerned about two sheds and a fence along the rear that are outside the property lines and on Borough property. Ms. McArdle stated they were there when she purchased the property. Ms. Donato suggested she contact the Zoning Officer to review and make adjustments if needed but added this will not affect the approval of the pool.

Ms. Donato stated there would be two conditions of the approval: the escrow would be replenished and the two small sheds on the side of the property would be removed.

Mr. Atwood made a motion to approve the application, which was seconded by Mr. Septak.

Mr. Hartley made a motion to amend the motion, and add a third condition, that the fence and sheds at the rear that are outside the property line be a condition of the resolution, which was seconded by Ms. Malkin.

During discussion prior to the vote, it was determined that Ms. Psarakis is relative of the applicant and therefore is not eligible to participate in the application.

The vote to amend the motion to include the third condition was denied due to a tie vote:

AYES: Septak, Malkin and Hartley

NAYS: Kaufman-Marut, Atwood and Katz

A roll call vote was then taken to approve the application based on the original motion with the two conditions. The application was approved with the following vote:

AYES: Malkin, Katz, Septak, Atwood, and Kaufman-Marut

NAYS: Hartley

ORDINANCE 2023-07: The ordinance is to permit wineries and vineyards in the R-AG/400 zone. Mr. Thomas addressed his memo to the Board regarding his review of the ordinance. He will prepare a cost estimate to submit to the Council for this review of the ordinance and master plan. He felt the ordinance required further investigation. There are a number of statutes relating to farm land that need to be reviewed. The ordinance does not list any setbacks, coverages or signage. It needs to be determined if a master plan amendment is needed as well.

Mr. Hartley felt the vineyards wouldn't be an issue but there may be concerns about wineries and how their operation would affect the residents.

Mr. Thomas felt he could not say if the ordinance as is, is consistent with the master plan or not.

Ms. Malkin made a motion to authorize Ms. Donato to prepare a letter stating that vineyards are consistent with the master plan but wineries and accessory uses require a more thorough investigation and review of the master plan, which was seconded by Mr. Septak and approved unanimously.

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Mr. Septak made a motion to authorize funding Ms. Donato and Mr. Thomas's work on the ordinance, which was seconded by Ms. Malkin and approved unanimously.

Public: Ms. McArdle questioned why she has to remove the two sheds. Ms. Donato and Ms. Roberts explained the impervious coverage calculation was based off of them being removed.

Mr. Septak made a motion to adjourn the meeting, which was seconded by Mr. Hartley and approved unanimously.