

CHESTERFIELD TOWNSHIP PLANNING BOARD

June 19, 2018

The meeting of the Chesterfield Township Planning Board was called to order by Chairman Panfili at 7:00PM. The Open Public Meetings Act statement was read and compliance noted.

Roll call was taken showing present: F. Gerry Spence; Mr. Hlubik; Chris Markley; Rita Romeu; Glenn McMahon; Chairman Panfili; Michael Russo. Absent: Brian Kelly and Denise Koetas-Dale. Professional staff present: Doug Heinold Solicitor; Joseph Hirsh, Engineer; Lisa Specca, Planner.

AGENDA MATTER(S) REQUIRING RECUSAL(S)

Ms. Romeu for Use Variance applications - The English Group

MINUTES

May 15, 2018 Regular Minutes

A motion was made by Mr. Spence seconded by Mr. Hlubik to approve the May 15, 2018 Regular minutes. All were in favor with the exception of Ms. Romeu who abstained. Motion carried.

RESOLUTIONS

2018-09 RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF CHESTERFIELD GRANTING APPROVAL TO DOUGLAS & ERIN PINELLI FOR A CONDITIONAL USE VARIANCE AND SITE PLAN FOR A SOLAR ARRAY AT 225 BORDENTOWN-GEORGETOWN ROAD, BLOCK 801, LOT 14.01.

A motion was made by Mr. Spence, seconded by Mr. Markley to approve Resolution 2018-09. All were in favor with the exception of Ms. Romeu who abstained, motion carried.

APPLICATION FOR ACTION

Chad Plotkin Block 107.06, Lot 2. 102, Adelphia Drive, Bulk Variance

Chad Plotkin was sworn. He is asking for a bulk variance to expand the driveway to be able to park an extra car. There will be on a regular basis three cars parked there. The expansion will be towards his home so the drainage will run down into the street. He has no plans on putting anything up to prevent vehicles from running into the house, there

will be adequate space from the end of the driveway to the house. Parking will be parallel to the house. He agrees with everything in Mr. Hirsh's letter dated June 7, 2018.

Chairman Panfili opened the meeting for public comment, hearing none the public portion was closed.

A motion was made by Mr. Spence second by Mr. Markley to approve the application. A roll call vote was taken.

Mr. Spence-yes; Mr. Hlubik-yes; Mr. Markley-yes; Ms. Romeu-yes; Mr. McMahon-yes; Chairman Panfili-yes; Mr. Russo-yes;. All were in favor, motion carried.

Brett VanSciver Block 204, Lot 18.02, 88 Bordentown-Chesterfield Rd, Bulk Variance. Mr. VanSciver testified that he is seeking a bulk variance due to the side yard setback to construct a 30 x 40 foot pole barn. He will be storing his daily driven vehicle and a small RV along with 2 tractors and a lawn mower. Mr. Hirsh stated that the principle structure should be equivalent to the height of the proposed structure but not less than 10 feet. The proposed structure is 23 feet in height and therefore a bulk variance is needed for an 11 foot setback where 23 feet is required. He has no plans at this time for an asphalt driveway. The property adjacent is residential and there are a couple of trees diving the property. The barn will be a shade of tan, a small construction company will be building it. The peek will be perpendicular to his neighbor's property and will have no impact on water drainage.

Chairman Panfili opened the meeting for public comment, hearing none the public portion was closed.

A condition of approval is there will be no commercial use, and the applicant will work with the Engineer regarding the water drainage. Mr. VanSciver agreed.

A motion was made by Mr. Spence second by Mr. Hlubik to approve the application with conditions. A roll call was taken:

Mr. Spence-yes; Mr. Hlubik-yes; Mr. Markley-yes; Ms. Romeu-yes; Mr. McMahon-yes; Chairman Panfili-yes; Mr. Russo-yes;. All were in favor, motion carried.

The English Group Block 108, Lot 2.01, 54 Shanahan Lane, Use Variance/Minor Subdivision.

This application has been carried from last meeting. Peter and Quinn English are still under oath. Kevin Donovan, of All Vision is the owner and operator of the sign, James Goddard, Engineer and licensed Planner were sworn.

Peter English stated that from the comments from the board and professionals at the last meeting they have submitted additional documents and are prepared to answer the boards concerns. Ms. Specca went through her amended review letter dated June 11, 2018. The applicant submitted Exhibit C - Photos of Site Plan with plan details and notes dated 6/16/18. Exhibit D- Photos of 500' looking north and 500' looking south. Exhibit E- Foot Candle Lighting Exhibit F- Tree Trimming Line were marked.

The applicant is the contract purchaser contingent on the approval of the application. The applicant needs 2 bulk variances, one associated with the subdivision and the other for the location of the billboard; 4 use variances, billboards are not permitted in Chesterfield Twp., billboards are not permitted in the AG Zone, the proposed billboard will create a

second principle use and the height will exceed the maximum. They propose to subdivide 1.78 acres to Lot 2.06 which is 14% where 10% is the maximum in doing this it makes the lot conforming. The billboard will be a second principle use. A bulk variance is needed for the side yard setback, they proposed to place the structure 75 feet back where 50 feet is required. Three of the use variances are D1, and one is a D2 for the height. The structure is proposed at 55ft where the maximum height is 35ft. As requested from the last meeting a balloon test was done which was inclusive due to the wind and the balloon popping.

Mr. Zapponi will give testimony as a Planner. In regard to the subdivision/bulk variance, Mr. English stated that a positive criteria is that both lots will be conforming. Mr. Zapponi stated that the intent is to keep the lots from further subdivision and to keep both pieces farmed. Ms. Specca stated that as a condition of approval no further subdivision is permitted, the applicant agreed.

Mr. English testified that the DOT dictates the location and the height of billboards along the Turnpike, they have no alternative as to where it can be placed based on the distance between signs. The intent is to make the sign as hidden as possible, the trees will block the view from the residents. Mr. Zapponi testified that there are benefits for advertising for the community, he believes it does not interfere with farming, the base will be located in the wooded area. The sign could also be used for emergency or disaster purposes. Through the State Police the local Police can put amber alerts, emergencies etc.

Mr. Donavan testified that in case of emergencies or alerts the State Police contacts out door companies through a secured server. Mr. Zapponi stated that the second principal use has little impact to the Agriculture use. Mr. Donavan stated that the foot print is no more that 5ft in diameter, its adjacent to the turnpike and the sign will not be able to be seen from any road in Chesterfield, the trees will be maintained behind the sign. All Vision will be the owner and The English Group will own the property. Mr. Zapponi believes there is no impact to the Master Plan, the sign will only be seen from the Turnpike. Mr. Donavan stated there is a monitor with an alarm at a separate location and will be operated from there, if there is an issue the sign can be shut down electronically. Once or twice a year they will clear an access point to do maintenance and when complete they will restore the access with evergreens or some sort of shrubs. A mid-size crane and drill would be the equipment used to do maintenance. The electric would be come off of either the County Road or Shanahan, the board will require it to be underground. Mr. English will get a letter from of interpretation from the DEP regarding the wetlands. Some conditions will be, the applicant would notify the Zoning Officer with a re-planting plan when they reopen the access. The trees that are being replaced will be maintained. If the structure is no longer being used the Leasing Co will remove the structure and restore the location to its original look. In regard to the bulk variance for the setback, Mr. English stated that they want it as close to the turnpike as possible to give the most forestry behind it for buffering and for viewing from the turnpike. The base of the pole will be 25 ft. off the right of way and the front of the sign will be on the edge of the right of way, the back will be 50 ft. off the property line. Mr. Heinold stated that a site plan submission is recommended. The proposed structure is 55 ft. where 35 ft is the maximum. Mr. English testified that after a field study 55 ft. would be particle and non-visible to the residents. Mr. Zapponi stated that 55 ft. is a safe height for drivers on the turnpike. Mr. Donavan stated that the turnpike is elevated at that point and therefore 55 ft. makes up for the grade level. He conducted a driving test and that was the best height for viewing. Due to the balloon popping while doing the test the board would like another test done. Mr. Donavan suggested using a haggie pole with a flag on the top. Mr. McMahon will set the date and time up with the applicant.

A use variance is needed to permit a commercial use in the Ag Zone. Mr. Zepponi testified that he believes the sign will have no negative impact the Ag zone and will not be seen by residents. Mr. Donovan stated that the sign could be used to promote local advertisements for one week a quarter and when space is available both North and South bound at no cost to the Township. There is an 8 second rotation between advertisements. Mr. Markley asked why the Turnpike doesn't use their own property to put up the billboard. Mr. Donovan stated that they do have areas that are theirs however they don't own enough property to have the proper set back in this area. Mr. English testified that there are multiple requirements distance, setbacks etc. and therefore this was the perfect spot.

Chairman Panfili opened the meeting for public comment.

Mr. Matt Weismantel – 80 Harness Way stated that he does not agree that the applicant has provided testimony that the billboard has no impact. The preservation of agricultural land is the reason he moved here and he believes the billboard will be an eye sore.

Frank Herdt – 54 Shanahan Lane stated that he can speak for the owners and this is the third time the property has been up for sale within the past 6 years. As a direct neighbor he likes that the applicant will keep the property agricultural, he believes this a great solution.

Hearing no further public comment, the public portion was closed.

Mr. Heinold stated that the understanding is there will be another field test which will be conducted through Mr. McMahon. The board is asking for another site plan from the applicants Engineer. The key points to be addressed are the access to the property, the temporary construction access, any information from PSEG if available regarding easement and the wetlands indications. The application will be carried till July 17th at 7:00pm, no further notice is needed. Mr. Heinold asked the applicant to consent to more time to act on the application. Mr. English gave his consent.

A motion was made by Mr. Spence second by Mr. Markley to carry the application to the July 17, 2018 meeting without re notice. A roll call vote was taken:

Mr. Spence-yes; Mr. Hlubik-yes; Mr. Markley-yes; Ms. Romeu-yes; Mr. McMahon-yes; Chairman Panfili-yes; Mr. Russo-yes. All were in favor, motion carried.

Mr. Spence left the meeting 9:52pm

DISCUSSION

None

CORRESPONDENCE

Letter from Mr. Matthew Weismantel

Mr. Weismantel expressed his concern with the roundabout/circle at the intersection of Harness Way and Cantor Place. After speaking with the Township Clerk he was told that nothing is planned to be done. He is concerned is that it is confusing on who has the right

of way, coming down both streets it looks like a straightaway and no signage to state to slow down also landscaping would be good because it's a large area of asphalt. Having it completed would be aesthetically pleasing to the residents that live in the area. Mr. Hirsh will look into this and will take his recommendations to the Township Committee.

ITEMS NOT ON THE AGENDA

Mr. Heinold passed out a memo regarding Architectural Review Fees and Contractor Registration which was briefly talked about at the last meeting. Also attached is a draft ordinance regarding the fee for architectural review for zoning permits and to correct the language that a Chapter governs the fee no an annual resolution. Mr. Heinold will reach out to the Mr. Gillespie, Township Attorney to say we recommend the Township Committee approve the ordinance.

Mr. Weismantel stated that he is on the Historical Commission and they too are working on coming up the architectural standards for the Historical Village.

Ms. Specca received an email from Parker and McCay proposing an ordinance to change the bulk standards in a commercial zone to identify and define such establishments as convenience stores, gas stations etc. The board had discussed this and finds the ordinance not only consistent with the Master Plan but has been recommended by the Planning Board in prior discussions.

A motion was made by Mr. McMahon second by Mr. Markley to find the ordinance in conformance with the Master Plan. All were in favor, motion carried.

INVITATION FOR PUBLIC COMMENT

Mr. Weismantel stated that the dock on the fishing pond has railings being removed by kids in the neighborhood, this is a safety issue.

ADJOURNMENT

A motion was made by Mr. Russo seconded by Mr. Markley to adjourn. All were in favor, meeting adjourned at 10:15 PM.

Respectfully submitted,

Aggie Napoleon, Secretary