

TOWNSHIP OF SADDLE BROOK PLANNING BOARD

Following are the minutes of the Saddle Brook Planning Board's Regular Meeting, held on Tuesday, October 16, 2018.

1. FLAG SALUTE

2. ROLL CALL: Mr. Ambrogio, Mr. Browne, Mr. Compitello, Mr. LaGuardia, Mr. Verile, Mr. Maniscalco, Mayor White, Mr. Cook and Mr. Camporeale - PRESENT Mr. Hickey, Councilwoman D'Arminio and Mr. Mazzone – ABSENT

Also present were Stephen Pellino, Board attorney and Chris Briglia, board engineer.

3. CHAIRMAN ANNOUNCES – OPEN PUBLIC MEETINGS ACT

4. MAJOR SUBDIVISION APPLICATION

Michael Guttuso

55 Coger Street, Block 520, Lot 4

Mr. Browne recused himself. Mr. Cook sat in for Mr. Browne.

Mr. Pellino – Are we okay with notice? Do we have an Affidavit of Service?

Ms. Kapner – I don't think it's part of the packet for this type of application, but I have all of the receipts for the notice to neighbors and for the newspaper.

Mr. Pellino – Statue requires you give notice by way of Affidavit of Service, which I don't see here.

Mr. Guttuso – It was not part of the application package.

Michael Guttuso was sworn in.

Mr. Pellino marked the list of property owners Exhibit A. Is that the list that you received from the Township?

Mr. Guttuso – Yes.

Mr. Pellino – There was a form of notice attached to your application. Can you certify to the Board that the notice was mailed to everyone on that list at least 10 days prior to the meeting?

Mr. Guttuso – I certify that I mailed notice to all on the list 10 days before today and the newspaper notice was published 10 days ago.

Mr. Pellino – Since we have done this verbally, I think we are okay to proceed.

Mr. Guttuso - This application is for a major subdivision. The property currently contains an older single family dwelling, a detached garage and shed. I propose two equal sized lots of 60' x 100'. It would require the removal of all existing structures. Most properties on Coger Street and the adjoining streets (Westminster & Woodward) are 50' x 100' single family lots. I am requesting two variances for each lot: one for the lot width of 60 feet, where 65 is required, the other for minimum lot size of 5988.8 square feet, where 6,500 square feet are required. The street is paved and it has curbs. There are sporadic sidewalks. We have not shown any improvements on this plan. Any structure we will build will have separate site plan submitted. The building envelopes easily conform to all requirements of the town. We're thinking about typical single family houses with 3 bedrooms, 2.5 baths and a 1 car garage and one space outside. If we need a little more parking, I think we can accommodate that. I will provide details at a later time. We also don't show storm drainage because at this point, we don't know exact what we will develop there, impervious vs. pervious. The property is pretty flat so it will be easy

to develop.

Robert Weissman, engineer for the applicant was sworn in.

Mr. Weissman – This is a straightforward subdivision of one lot into two. The reason the lots are not 6,000 square feet is because the lot lines are not perpendicular, making the lot size 5,988.8 square feet each. We are proposing to construct two single family homes, both of which would be completely conforming with the zoning ordinance in town. We will put in seepage pits for roof drains to accommodate the increase in impervious coverage. We have requested a couple of waivers for street, streams, etc. The Board engineer agreed with that waiver. Most of the lots in the area are 5,000 square feet. A couple are over that. I don't think it is a detriment to the town. Two new homes are a benefit. It is a major (not minor) subdivision due to the variances needed.

Mr. Briglia – I took this as an application for a sketch plat to see where the proposal should go. Should it be classified as a minor subdivision or a major subdivision? It looks like all that's taken place already. I would like to go through a technical review for things that may be missing.

Mr. Pellino – I see it as an application for a subdivision, which requires two variances because they're undersized lots. That doesn't give you variances to build the houses. I think when you go to build, you will need to go to the Zoning Board of Adjustment for variances for the undersized lots.

Mr. Guttuso – If the town wants further review when I bring in the plans, so be it.

Mr. Briglia – Application documents weren't submitted, such as the checklist on a major subdivision.

Mr. Pellino – The applicant would need waivers from the technical requirements.

Mr. Weissman – Most major subdivision checklist items refer to installation of roadways and public improvements that are not present in this application. All of those would be waiver requests.

Mr. Briglia – Would you consider making one lot compliant; one 6,500 square feet and the other 5,500 square feet?

Mr. Guttuso – I'd prefer two symmetrical looking lots.

Mr. Pellino – I don't see the owner's consent to do the application.

Mr. Guttuso – I have a contract and a letter (handed letter to Mr. Pellino).

Mr. Pellino read the letter into the record and marked it Exhibit B.

Mr. Guttuso – In response to the Board engineer, I originally thought this would be a minor subdivision. When I submit plans, I will address all the other items. The positive criteria the Board should consider is that we are removing a nonconformity, as the existing structure has a front yard setback of 19'6". Two new structures replacing older construction would improve the aesthetic in the neighbor and improve the property values in the neighborhood. We will more than double the tax revenue for the town. These lots will be larger than most on the block.

Mr. Pellino – If the Board grants the subdivision, will the existing home straddle both lots? If so, how would you feel if the Board attached a condition to the subdivision that you demolish that home within a stated period of time?

Mr. Guttuso – I have no problem with that because that is my intention.

Mr. Compitello – Is there a basement in the current house?

Mr. Guttuso – Yes, a partial basement. It will be demolished.

Mr. Compitello made a motion; seconded by Mr. Verile to open the meeting to the public. All in Favor – YES

No public participation.

Mr. Compitello made a motion; seconded by Mr. Verile to close the meeting to the public. All in Favor – YES

Mr. Pellino – This is a subdivision application that requires two variances for lot width and lot area. The Board is not approving the homes at this time. In my opinion, when the applicant goes to build those homes, because he's building them on undersized lots, I think he would be required to go in front of the Zoning Board for an approval, even if they don't require any bulk variances. In my opinion, I don't think you need all the requirements on a major subdivision checklist. I think you have sufficient information. I think, if the Board is inclined to grant the subdivision, the applicant should be required to demolish the existing home because the home would straddle the lot line. The variances are considered soft C or C2 variance, where the burden on the applicant is to show that this is a minor deviation from the zoning requirement and that the benefits of the deviation outweigh the detriments. At the same time, the applicant has to satisfy the negative criteria that this will not do substantial harm to the Master Plan, zoning ordinance or surrounding neighborhood.

Mr. Compitello – Is the landscaping shown on the plan what is currently there?

Mr. Guttuso – It shows the trees that are there now and a shrub row that is impeding on a neighboring property that will probably have to come down.

Mr. Compitello made a motion; seconded by Mr. Verile to approve the application, subject to the following conditions: demolition of all existing structures to be completed within 90 days, grade and landscape the property and maintain what is there.

VOTE: Mr. Ambrogio, Mr. Compitello, Mr. LaGuardia, Mr. Verile, Mr. Maniscalco, Mayor White and Mr. Cook – YES

APPLICATION APPROVED

5. MINUTES

Mr. Compitello made a motion; seconded by Mr. Browne to adopt the minutes of the September 18, 2018 meeting. All in Favor – YES

6. COMMUNICATIONS

Mr. Compitello made a motion; seconded by Mr. Cook to accept and file communications. All in Favor –YES

7. VOUCHERS

Mr. Compitello made a motion; seconded by Mr. Verile to pay the following vouchers provided funds are available:

Carroll Engineering, 08/31/18, Unilux, \$1,825

Stephen F. Pellino, 09/04/18, Unilux, \$562.50

Stephen F. Pellino, 09/04/18, Saddle Brook Mayhill Associates, \$375

All in Favor - YES

8. OPEN AND CLOSE MEETING TO THE PUBLIC

Mr. Compitello made a motion to open the meeting to the public. All in Favor - YES

No public participation.

Mr. Compitello made a motion; seconded by Mr. Browne to close the meeting to the public.
All in Favor - YES

9. MISCELLANEOUS

Mayor White – The town is negotiating with the owner of the old Home Depot building to purchase it and build a municipal center. It would be all the municipal offices, a rec center, the ambulance corp. and the hook and ladder fire company. We're still negotiating, but we're leaning toward having the owner, who is a builder, build to suit. It's all open (about 60,000 square feet). The town would come before this Board with plans when we get to that point. We would probably sell this building.

10. ADJOURN

Mr. Compitello made a motion; seconded by Mr. Verile to adjourn. All in Favor - YES

Meeting adjourned 8:28 p.m.

Respectfully Submitted,

Jayne Kapner
Planning Board Secretary