

## PLANNING BOARD

**MINUTES**

**REGULAR MEETING**

**March 2, 2022 7:30 PM**

Mr. Keane opened the meeting at 7:30 pm with the following Public Announcement of Meeting: The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this public hearing meeting in the annual schedule and notice of regular meetings of this Board. Such annual schedule and notice of regular meetings is posted at the Borough Hall, was mailed to The Newark Star-Ledger and The Record and was filed with the Borough Clerk of Demarest on December 8, 2021.

### **Roll Call**

Mayor Iannuzzi-present  
Mrs. Fox-present  
Howard Rifkind-present  
Mrs. Paster-present  
Ms. Hayden-present  
Mr. Parlamis-present

Mr. Alevrontas-present  
Mayor Schooler-present  
Chairman Keane-present  
Mr. Verp-present  
Mr. Tabacchi-absent

### **Salute to the Flag**

### **Report of the Nominating Committee**

Appointment of Chair, Vice Chair

Mrs. Fox reported that the Nominating Committee nominated Ms. Hayden for Chair and Mr. Keane for Vice Chair. She moved the nominations, second Mr. Alevrontas. Mr. Keane voiced his respect for everyone on the board and his especially close working relationship with both Chairperson Hayden and Mr. Tabacchi. He stated his wish that people who had served would be recognized and that he had suggested Mr. Tabacchi as chair.

Mayor Iannuzzi-yes  
Mrs. Fox-yes  
Howard Rifkind-abstain  
Mrs. Paster-yes  
Ms. Hayden-yes

Mr. Alevrontas-yes  
Mayor Schooler-yes  
Mr. Keane-abstain  
Mr. Verp-yes

Carried.

Mr. Keane turned to the chair over to Chairperson Hayden and was thanked for his service.

Mrs. Fox moved to appoint Colliers as the Board Engineer, second Mayor Iannuzzi.

Mayor Iannuzzi-yes

Mr. Alevrontas-yes

Mrs. Fox-yes

Mayor Schooler-yes

Howard Rifkind-yes

Mr. Keane-yes

Mrs. Paster-yes

Mr. Verp-yes

Chairperson Hayden-yes

Carried. Mr. Parlamis joined the meeting at 7:40 PM.

Mrs. Fox moved to appoint Doug Bern Board Attorney, second Chairperson Hayden. Mr. Keane stated that it is important to consider professionals carefully. He stated that Mr. Fede has served the board for over 10 years and that the Board has been satisfied. He stated that he has also worked with Mr. Bern. He reported his experience with Mr. Fede has been more responsive and felt that the Board should stay with Mr. Fede. Both Chairperson Hayden and Mrs. Fox spoke in favor of Mr. Bern. Mr. Fede thanked that Board for the last 10 years and stated that either attorney would serve the Board well.

Mayor Iannuzzi-yes

Mr. Alevrontas-yes

Mrs. Fox-yes

Mayor Schooler-yes

Howard Rifkind-no

Mr. Keane-no

Mrs. Paster-yes

Mr. Verp-yes

Chairperson Hayden-yes

Mr. Parlamis-yes

Carried.

Mr. Bern took his pace with the Board.

**New business:**

Subdivision of 48 Meadow, BL 55 Lot 1.02

Chairperson Hayden asked the applicant's attorney Mr. Capizzi to confirm that the application was noticed properly. He did.

She asked Board engineer Nick Chelius to confirm that the application is complete and compliant with the tree ordinance. He did.

Chairperson Hayden explained that the applicant sought a subdivision and a variance due to frontage deficiency for each of the two lots that would result from the subdivision. (75 feet in the Residential D zone that requires 100).

Matt Capizzi, applicant's attorney, introduced himself and explained the application. An architect, landscaping architect, engineer, and planner are on hand to testify. The homes will not need variances. The pools are included in the plans to show that the lots can accommodate typical homes and accessory structures.

Michael Hubschman (263 South Washington Avenue, Bergenfield) was sworn in and accepted as engineer for the applicant. He described a colorized version of the plan the board has, it was marked A-1. He stated that no variances for coverage or FAR were required. He described that a drainage plan with 3 seepage pits was designed. The garages are side loading. The pool complies with setback requirements.

Chairperson Hayden asked for an explanation of the 2-foot rise in the yard and the retaining wall. Mr. Hubschman explained that it was to keep as much soil as possible on the property. She also asked why 3 seepage pits and asked whether there was a drainage problem. He said that there was not but that everyone was complaining about drainage after the hurricane so three 1000 gallon seepage pits were planned for.

Mr. Keane asked about the houses on the plans. Mr. Capizzi explained that the hope was that the subdivision, house footprint, and landscaping plan could be approved as a suite. Discussion of the height of the neighboring houses. The Mayor confirmed that there did not have to be a pool and that the space could be used for other recreation or accessory structures

Mrs. Fox moved to open to the public, second Mayor Iannuzzi. All in Favor. Carried.

Steve Galli (44 Meadow Street) asked about the value of this subdivision to the town. He was told he would have an opportunity to ask that at the end.

Jean Nonenmacher (49 Meadow) said that the property has two four-foot drops. She asked what the seepage pits would catch and was told roof runoff and rain on the driveway. She asked whether the intent was to level the property. The engineer said the plan was to somewhat level it. She asked about the two-foot walls that were proposed.

Mr. Capizzi asked if there were any drainage pits or other drainage plan on the property now and was told by the engineer there was not. He also said that the drainage plan would remain the same and that there would be no negative impact on the drainage. He stated that the proposed landscaping was beautiful.

John Nonenmacher stated that the pervious surface was being dramatically reduced. He asked where the water would go. The engineer stated that the water would be contained on site. Discussion about the seepage pits (3 per proposed property). He asked about water table studies. The engineer said that the studies were usually done in the soil-movement process. The Board engineer stated that

it appeared that the drainage situation would be improved through the addition of large seepage tanks and that the soil would be tested by the Borough engineers during the construction-approval process. The capacity of the tanks is twice the standard (1000 gallon vs 500).

Mrs. Wilkins (23 Brook Way) asked where the overflow goes and commented that the seepage pits seem far back. The engineer stated that the overflows are at the house and would go to the back. Chairperson Hayden asked where the majority of the water issues would be and was told on the roof. Chairperson Hayden asked if the seepage pit placement could be reviewed. Discussion. The pits can be moved closer to the house. The resident asked whether new landscaping is as absorbent as old and was told that Mr. Keyes will address that.

Mr. Krishnamurthy (24 Evergreen) asked more about seepage pit placement. He asked that the engineer be mindful of his and the neighbor's property. He also asked about trees and was told that Mr. Keyes will describe them.

Mr. Capizzi asked the engineer to confirm that the back yard will also absorb water. He did.

Mrs. Fox moved to close the meeting to the public, second Mayor Iannuzzi, All in favor. Carried.

Robert Zampolin, architect for the applicant, was sworn in. He gave a verbal accounting of his credentials. Mrs. Fox moved to accept his credentials. Second Mrs. Iannuzzi. All in favor. Carried.

The architectural design rendering was marked A-2. The set of plans was marked A-3. He explained that the two houses are designed symmetrically and have the same size footprints. He gave a walkthrough of the design.

Chairperson Hayden asked whether anything distinguished the two homes and was told that colors and materials could be altered to give differentiation.

Mrs. Paster moved to open to the public, second Mrs. Fox. All in favor. Carried.

Mr. Nonenmacher (49 Meadow) asked for the roof pitch of the righthand side drawing and was told probably 7 or 7.5 on 12. He asked about the footprint (going from about 1,000 square foot existing to 6,000 for the two proposed houses). He felt that the drainage issue was twice the problem. Mr. Capizzi asked whether the drainage and impervious issues changed. Mr. Hubschman stated that the calculations were based on Mr. Zampolin's design. The Board engineer explained that now there is no water storage and the design puts in twice the required storage. Mr. Capizzi stated that the design exceeds the requirements. Discussion. Mr. Hubschman explained that there is no increase in runoff. Mr. Capizzi restated that both the Board and applicant engineers felt that there would be less water

leaving the property after the proposed changes than there is now. The Board engineer suggested a drainage study as part of the approval.

Rebecca LaPira (41 Meadow Street) asked how many cars can park in the driveway in addition to the garage. Mr. Zampolin felt 3 cars could park in the driveway. Chairperson LaPira noted that the street is narrow and that street parking was problematic for emergency vehicle passage.

Noel Pugh (64 Prospect) asked why the two homes were on the same plane, which gives an appearance of connection. The architect stated that the design intended to maintain the 25-foot setback. Discussion

Mrs. Fox moved to close the meeting to the public, second Mr. Keane. All in favor. Carried.

Paul Keyes, landscape designer for the applicant, gave a verbal accounting of his credentials and was accepted. He was sworn in. His plan was marked A-4. He stated that most of the trees were in poor or hazardous condition. He stated that 16 trees would be removed from one site and 17 from the other. He spoke about the lack of care and pruning, as well as current insect issues and crowding. He stated that most of the trees that were being taken down were being removed for maintenance. He said that there is currently a tree on the house. He said that there was very little ground cover and not much to soak up water. He suggested that during a heavy rain storm the water was likely to pool and go to the houses next door. The plans include red oaks (Chairperson Hayden wondered about interaction with overhead wires), as well as flowering trees, pachysandra, deer-resistant ground covers; many existing trees will remain. Plantings are designed to provide protection from neighbors, as well as maximize absorption and minimize watering. Mature trees will be planted. The landscape plan was marked A-5. Mrs. Fox asked for clarification of notes on the plans. Chairperson Hayden confirmed that planned trees would provide definition between the two properties. Mr. Keane asked whether the root system would interfere with the seepage pits. Mr. Keyes did not feel so. Mayor Schooler asked about arborvitae relating to deer. Mr. Keyes explained that he was using a type that was less desirable to deer. Mayor Iannuzzi asked about the service lines. Mr. Keyes stated that these trees would be planted on the property, not the right of way.

Mrs. Fox moved to open to the public, second Mayor Iannuzzi. All in favor. Carried.

Jean Nonenmacher asked about the two-foot wall between the two properties and the possibility of a fence on top of the wall. The applicant's engineer explained that the fence would be adjacent to the wall not on top of it. Discussion of fences and the necessity of following local ordinances. Discussion of pros and cons of adding additional landscaping to hide fences and other elements. Mayor Iannuzzi reminded the public that eCode is available on the website.

Mrs. Fox moved to close to the public, second Mayor Iannuzzi. All in favor. Carried.

Mr. Rifkind asked if the utilities are above or under ground. It is unknown at this time where the electrical will run.

Joe Burgis (planner for the applicant) was sworn in and accepted as an expert. Mr. Burgis displayed a map of the area showing the percentage of the lots less than what the subdivided lots would be. The street has characterized lots similar to the lots they are proposing. Chairperson Hayden pointed out that there is no precedent setting in land use. She also wondered what the reason was that there were so many lots with non-conformity. The planner pointed out that the existing lot is three times the required size. He spoke about the desire to have lot sizes consistent with those in the neighborhood and about the desire to minimize drainage runoff, both of which he felt the proposed subdividing and development would achieve. He recommended that the board approve the application. He also spoke, in response to Mr. Capizzi's question, about the ways this proposal assists with work of providing for higher density of population, providing light and open spaces, and other components of the master plan. Mr. Capizzi asked what he thought the likelihood is that lots combine. Mr. Burgis stated that he knew of a couple of lots that merged, but that it would not happen that much. Chairperson Hayden challenged Mr. Burgis regarding this remark.

Mr. Verp asked whether the footprints of these houses matched the footprints in the neighborhood. The planner stated that there was no consistency in the neighborhood. Some are larger, some smaller.

Mrs. Fox asked how the proposal helped light and air. The planner spoke about the way the proposal meets the setback requirements. Mrs. Fox asked what the use of the zoning ordinance is if people are going to follow past practice instead. Discussion. Case law was stated and found that an undersized lot was more in conformity with the format of the specific neighborhood and furthered the purposes of zoning. Mr. Keane furthered the discussion of lot size.

Mrs. Fox moved to open to the public, second Mayor Iannuzzi. All in favor. Carried.

Mr. Galli (44 Meadow) stated that he felt that the applicant had failed to prove that the subdivision would be an improvement.

Bill Lewis (32 Brook Way) asked the planner to define what a neighborhood is. The planner answered the street on which the property is located. Chairperson Hayden stated that Meadow is older than some of the other streets and that some of the newer streets have a different feel. Debate.

John Nonenmacher asked about master plan. The planner gave an explanation. He also reiterated that the master plan recommended reinforcing the character of the neighborhood. Debate.

Mr. Krishnamurthy, 24 Evergreen, asked for the dimensions of the property to the side of the subdivision. He said that people tried to buy property from him to subdivide a property. He said no. He suggested building a beautiful home without subdividing.

Mrs. Fox moved to close to the public, second Mrs. Paster. All in favor. Carried.

The borough engineer spoke about items from the letter that were not brought up, such as the method of perfecting the subdivision. He also asked about soil-moving plans. Mr. Hubschman said that it would net out.

Mr. Capizzi asked for permission to come back next month and possibly fine tune the plans. Time constraints were waived. The Mayor asked the planner to share his exhibit. Any new plans will be submitted at least 10 days in advance.

Mrs. Fox moved to open to the public, second Mayor Iannuzzi. All in favor. Carried.

John Nonenmacher thanked the Board for its time. He spoke about making sure that the outcome is the best for everyone.

Lauren Wilkens (23 Brook Way) spoke about the integrity that the master plan is meant to uphold. She felt that going in this direction could set a precedent for people to come forward with more subdivisions.

Jean Nonenmacher expressed the concern that the immediate neighborhood is represented and that thought has to be put into the direction in which the town is going.

The matter will be carried until the first Wednesday in April.

Adjournment Mayor Schooler moved to close to the meeting, second Mr. Keane. All in favor. Meeting adjourned at 10:35 pm.

(Note: Footprint of each house is approximately 2500 sq. ft.)

Respectfully submitted

Susan Crosman,  
Planning Board Secretary



# LOT GZ:23 1st FLOOR PLAN

SCALE: 3/16" = 1'-0" (2.0')

1st FLOOR AREA CVI Area =

$$1_{6} \text{ TFL AREA} + 2\text{ND FL AREA} = 4,112 \text{ SQFT. (ALLOWABLE)}$$
$$2,125 \text{ SQFT.} + 1,988 \text{ SQFT.} = 4,113 \text{ SQFT. (PROPOSED)}$$



