

The meeting was called to order by Chairman Huszar and the opening statement was read by the Administrative Officer.

Prior to any business the Board Attorney gave the oath of office to the newly appointed members, Robert Spanvill as Alternate I and Megan Talente as Alternate II.

ROLL CALL: Showed the following members were present: Paul Boisvert, Joseph Cristiano, Brian Greenfield, Councilwoman Evelyn O'Donnell, Robert Seaman and Nicholas Huszar. Robert Nicaastro was excused and Paul Dorato and Brian Tannenhaus were absent.

Also in attendance were Ron Cucchiaro, Board Attorney, Laura Neumann, Board Engineer, Jennifer Beahm, Board Planner and the Board Secretary, Eileen Rubano

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: Mr. Boisvert made a motion to approve the minutes from the October 21, 2021 meeting. Motion was seconded by Mr. Seaman and carried with Mr. Boisvert, Mr. Cristiano and Mr. Seaman approving.

Mr. Seaman made a motion to approve the November 4, 2021 meeting minutes. Motion was seconded by Mr. Boisvert and carried with Mr. Boisvert, Mr. Cristiano, Mr. Seaman and Chairman Huszar voting for approval.

Mr. Cristiano made a motion to approve the minutes from December 16, 2021. Motion was seconded by Mr. Seaman and carried with Mr. Cristiano, Mr. Seaman and Chairman Huszar voting to approve.

Councilwoman O'Donnell made a motion to approve the minutes from the January 6, 2022 Reorganization and Regular Meeting. Motion was seconded by Mr. Boisvert and carried with Mr. Boisvert, Mr. Cristiano, Mr. Greenfield, Councilwoman O'Donnell, Mr. Seaman and Chairman Huszar voting for approval.

Mr. Seaman made a motion to approve the minutes from January 20, 2022. Motion was seconded by Mr. Boisvert and carried with Mr. Boisvert, Mr. Cristiano, Mr. Greenfield, Councilwoman O'Donnell, Mr. Seaman and Chairman Huszar voting for approval.

VOUCHERS: None

CORRESPONDENCE: The Board Secretary said she has an email from Michael Herbert asking the Board to carry the application for Case No. SD-2998 Wadsworth Development to February 17, 2022 to give them time to have all the engineering issues resolved. He also granted the Board an extension of time to act on the application to March 17, 2022. Board Attorney Cucchiaro made an announcement for members of the public that the application would be carried with no further notice and it would be a zoom meeting.

**HOWELL TOWNSHIP PLANNING BOARD
REGULAR MEETING
RESOLUTIONS:**

**2
FEBRUARY 3, 2022**

a. Case No. SP-1009A-3 / Par Golf, LLC

Mr. Boisvert made a motion to memorialize the resolution granting Amended Preliminary and Final Major Site Plan with Ancillary Variance Relief to Par Golf, LLC, Case No. SP-1009A-3. Motion was seconded by Councilwoman O'Donnell and carried with Mr. Boisvert, Mr. Cristiano, Mr. Greenfield, Councilwoman O'Donnell, Mr. Seaman and Chairman Huszar voting to memorialize.

SUBMISSION WAIVERS BEFORE THE BOARD: There were no submission waivers.

APPLICATIONS BEFORE THE BOARD:

a. Case No. SD-3000 / John Kelly

Mr. Pape, Attorney for the Applicant, appeared and said he had one witness, Bruce Jacobs, who is both an Engineer and Planner. They are seeking approval for a three lot minor subdivision with 2 bulk variances. They also agree to a dedication for future road widening and the existing commercial kennel and the improvements associated with the kennel will be removed.

Bruce Jacob, PE, PP, was duly sworn, gave his credentials to the Board and was accepted as an expert. He testified on the property location, size, current improvements and surrounding uses. He said that the DEP has certified that there are no freshwater wetlands on the site or within 200 feet of the site. They are proposing to subdivide the current 9.93 acres into 3 lots, one for the existing residence, and 2 new single family residential lots, one of which will be a flag lot. Both homes that will be built in the future will conform to all bulk standards. He also testified that they will demolish the dog kennel and dog runs and the fences will either be removed or relocated. The homes on the new lots will have dry wells which will be reviewed and approved at the time building permits are applied for and the driveways will be compliant with township requirements.

Mr. Jacobs said this property was granted approval in 2004 for a preliminary major subdivision designed as five lots with a new cul-de-sac and drainage basin. This approval was never perfected and they are now seeking approval for a 3 lot minor subdivision. They require two bulk variances, one for the lot area of the flag lot where 6 acres is required and 5.23 acres are proposed after the right-of-way dedication and one for lot width as proposed lot 3.02 is irregular in shape and narrows in the rear of the lot. The ordinance calls for 200' lot width for lots in the ARE-2 zone and although it has more than 200 feet in the front of the lot, the rear is considerably narrower. Mr. Jacobs said they would increase the setback on the flag lot so no variance relief is required for that and when the single family homes are built on lots 3.01 and 3.03 they would not require any additional variances.

Mr. Jacobs also testified that they are requesting a waiver for curbs and sidewalks along West Farms Road as there are none in the area and they would prohibit runoff from the roadway draining into the grass area along the roadway as it does currently.

Mr. Pape said he defers to the Board with regard to the waiver relief.

Mr. Jacobs further testified on the positive and negative criteria required for the granting of the variances. He cited that the lot is irregular in shape where most of the surrounding properties are rectangle in shape with some ranging in size from 1.1 acres to 4 acres. He also felt that this was a better planning initiative than the prior approval as they don't have to create a road and in block 149

there are no interior roadways or cul-de-sacs presently. He also said that this project will not significantly alter the character of the area or the Township.

Ms. Beahm asked how many flag lots are in the area and asked how it promotes the general welfare when they could subdivide the property into two conforming lots without the flag lot and no variances. Mr. Jacobs said there are no other flag lots in the area but houses on three of the lots in the area are set back 400 to 500 feet so the new house on lot 3.01 would be consistent. Ms. Beahm argued that with two conforming lots the new home could still be set back that far as well. Mr. Jacobs concluded his testimony by saying that he believes this proposal would not impair the intent of the zone plan.

Ms. Neumann, Board Engineer, asked if Mr. Jacobs could comply with all the technical comments in her review letter and he agreed that he could.

Mr. Cucchiaro, Board Attorney, said that the vested rights on the 2004 approval have expired as far as the Township goes, but he asked Mr. Jacobs if he would be able to develop the site based on the 2004 approval and meet the new stormwater regulations currently in place and Mr. Jacobs said yes if you were creative. He said they could use porous pavement to assist and Ms. Neumann opined that she wasn't sure you could use that on a public street.

Chairman Huszar opened the hearing up for members of the public and the following appeared:

Robert Ortenzi, 180 Georgia Tavern Road, who was concerned about a paved driveway causing run off onto his property.

Linda Price, 397 West Farms Road, who asked if the driveway meets the regulations for emergency vehicles.

Mr. Pape responded that the driveway would be fully compliant so a fire truck could travel to the rear of the property and turn around. He also said it would be 18 feet wide and meet the requirement for a paved apron.

Seeing no other members wishing to speak or ask questions on this application, Chairman Huszar closed the public portion of the hearing.

Ms. Neumann clarified that the regulations require driveways that exceed 150 feet in length be paved and able to handle 28,000 pounds and Mr. Pape agreed.

The Board took a short recess from 8:02 to 8:10 so Mr. Pape could confer with his clients.

After the recess Mr. Pape said he spoke to his clients and he requested that the application be adjourned so they could explore the option of creating a two lot subdivision with Mr. Jacobs. Mr. Pape also granted the Board an extension of time through March 31, 2022.

Board Attorney Cucchiaro made an announcement for members of the public that the application would be carried to March 17, 2022 with no further notice and it would be a zoom meeting.

MASTER PLAN STATUS REPORT: Mr. Boisvert asked Ms. Beahm to give the update. She said a draft Land Use Element was sent out to the committee members for review. Counters have also be placed on the roadways either yesterday or today and they would be doing counts 24 hours a day for 7 days. She should have something ready for a public hearing by the end of March. She also updated the members on the selection of the roads. She said they had over 700 responses and they did not consider any state or county roadway as we don't have jurisdiction. In the end they chose 11 roadways.

Since there was no other business, Councilwoman O'Donnell made a motion to adjourn. Motion was seconded by Mr. Seaman and carried. Meeting adjourned at 8:15 p.m.

Respectfully submitted,



Eileen Rubano
Recording Secretary

NOTE: A CD or DVD of this meeting is available on request.