

May 10,2017

**Planning Board  
Meeting Minutes**

**May 10 ,2017**

The Planning Board of the Township of Denville held its regular scheduled meeting on May 10,2017. The meeting was held in the Municipal Building,1 St Mary's Place and commenced at 7:30pm. Chairperson Buie presided.

**Secretary Unrath read NOTICE OF PUBLIC MEETING**

**ROLL CALL:**

**Present:** John Ciardi, Sue Filauro, Louis Maffei, Marilyn Kuntz, Kurt Schmitt, Mark Venis, Doug Gabel, Chairperson Glenn Buie,

**Absent-** Mayor Andes

**Prf. Present:** Scott Eveland Esq., Jason Kasler, AICP, PP, Rob O'Brian, PE  
Mr. Eveland swore in Rob O'Brian to be the boards professional engineer.

**MINUTES**

A motion to approve the minutes from April 12, 2017 was made by Mbr. Kuntz, seconded by Mbr. Filauro and approved by all members able to vote.

**PURCHASING**

A motion to pay vouchers submitted by The **Buzak Law Group** was made by Mbr. Kuntz, seconded by Mbr Filauro and unanimously approved by all members able to vote.

A motion to pay vouchers submitted by **Mott MacDonald** was made by Mbr Kuntz, seconded by Mbr Filauro and unanimously approved by all members able to vote

**RESOLUTIONS**

NONE

**PUBLIC HEARINGS**

**MS/SS 17-02 Tim Fisher  
17 Spring Rd  
Block 61401, Lot 549**

**Jason Rittie (165 East Main St)-** Sworn and testified. He will be representing the applicant. Stated the application is very different from the last application that was previously submitted back in August. This application is no longer proposing septic ,but working with sewer lines. There are also changes in the square footage of the house and lot line configurations. The steep slope disturbance and impervious coverage percentages have also been reduced.

**Scott Eveland, Esq-** Stated the board can make the decision to move forward with this application if they feel it is different from the last application previously submitted.

**Timothy Fisher- (65 Hillcrest Dr.)-** Sworn in and testified. Mr. Fisher is one of the co- owners of this property and purchased this property in January of 2016. The current existing property is a single-family home getting completely renovated. The current improvements are a new kitchen, master bdr, floors and stone work on the outside. The landscaping has also been re done to take out the deteriorating cesspool. If the subdivision gets approved there is consideration of building a new single-family house less than 1500 Sq. ft.

**Ken Dykstra (Dykstra Walker Design Group)-** Sworn in and testified as a professional planner/ engineer. Stated that there is significant amount of lot space to fit 2 single family homes less than 1500sq ft. Mr. Dykstra stated that with the cesspool being eliminated the steep slope disturbance was reduced and the proposed house can be built closer to the setback. The proposed house will have a driveway with one car garage and a 2-level grade. The sewer line is for a single- family home that starts from the proposed house and continues up to the last man hole on Florence Ave. Running this sewer line also calculates from most of the steep slope. The impervious coverage for this application has also be reduced

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by eliminating existing asphalt. The different variances being requested are for SYS- 17ft required- 5ft proposed for the existing house. The minimum rear yard setback is 50ft, the applicant is proposing 35.1ft for the existing house. The existing lot width has a minimal lot width of 100ft, the proposed lot width is 88.5ft for the new proposed lot. The existing lot depth is 150ft, the proposed lot depth for the existing dwelling is 138ft, and the proposed dwelling is 137ft. The rest of the of the variances are for steep slope disturbance. The total steep slope disturbance for the two lots is 5,024 Sq. Ft. The first Exhibit A-1 shows the existing house and the work being done. Mr. Dykstra also explains with the photo of where the proposed house would be built. It is stated that if it is necessary the applicant will get a treatment works approval for the sewer lines. The applicant also agreed to the drainage easement. Exhibit A-2 shows the drainage easement calculations and impervious coverage. Mr. Dykstra stated that he does believe this lot property has a hardship because of its unique property dimensions. There is no detrimental impact to the surrounding houses or Master Plan.

Open to the board professionals

**Jason Kasler, PP-** Stated the setback calculations might have to be adjusted to calculate for the eaves. There is discussion about the pump grinder for the sewer and if there should be a power outage. Mr. Dykstra states that the pump is good for approximately 24hrs.

**Rob O'Brian, PE-** Clarified with the applicant that they will be running the sewer line up to the last manhole on Florence Ave. The line will run approximately 300ft offsite.

Open to the public

**Eileen Whitmore (140 Florence Ave)-** Gave the board members a power point presentation expressing concern for steep slopes and the removal of trees that will impact the current water runoff problems. Stated that in the past the residents on Fisher Rd have been denied for sewer hookups. It was also stated that a study was done in 1980 stating the culverts on Spring Rd were inadequate. It was stated that Spring Rd just got completely repaved and the residents would hate to see it torn up again for one resident's sewer hookup.

**Stan VanWinkle (69 West Glen Rd)-** Discussed the steep slope calculations and the disturbance numbers did change that much only because the backyard is no longer calculated. Mr. VanWinkle also questions the board of how a conforming lot now can be a non- conforming and be granted variances. He also expressed concern for the water run off problems that have already been explained.

**Mary Foley (73 West Glen Rd)-** Stated she hopes the board will do the right thing and think of the residents being affected by this proposal.

**Paul Pieper (75 West Glen Rd)-** Stated that he is concerned for the water flow that comes down Spring Rd and goes right onto his property and down to Rock Ridge.

**Diane VanWinkle (69 West Glen Rd)-** Expressed concern for the water runoff and everything that enters into the river. Stated that getting rid of the driveway will have no effect on the impervious coverage and still effect the surrounding neighbors.

**Kathy Taggart (4 Mulberry)-** Questioned if the applicants decided to sell the lot, would the new buyers be aware of the water runoff problems and the proposed sewer lines.

**Shannon Harris (145 Florence Ave)-** Stated that with the elimination of trees the water runoff has become more visible. Expressed concern for the potential sewer hook ups and tearing up the newly paved Rd. Also, stated that only one car can get through this road and if its torn up how will people get to their homes.

Close the public portion

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Break from 8:50-8:59

**Jason Kasler, PP-** The variances being requested are for sys, rys lot width, lot depth and fys for the proposed structure. States that the encroachment of the stairs does greatly affect the calculations of setbacks and the eaves. Mr. Kasler does express concern for FYS and how close the house is to the property line. Also states these two lots are hard to subdivide.

#### **Open to board members**

**Mbr. Gabel-** Questioned who is responsible for water run offs, and Mr. Kasler explains it depends on the situation. Mr. Gabel questions the engineer of what steps have been made to help some of the water problems. Mr. Dykstra stated that the applicant proposed a new infiltration system from the roof and water runoff will not increase from the proposed dwelling. Mr. Gabel questioned if there will be any blasting that occurs on the property and any new landscaping plans. Mr. Dykstra states that boulders would have to be removed and the applicant would comply with any landscaping regulations.

**Mbr. Schmitt-** Discussed the water runoff with the asphalt and impervious coverage. States that he has no problem with the location of the house or the stair location. It was also clarified that there were no changes in the square footage of the proposed or existing house.

**Mbr. Filauro-** Clarified with Mr. Fisher that he purchased this home for investment purposes. Also Mr. Fisher explains that he has always wanted to purchase a house by the lake. It is stated that the trees removed from the property were because it was detrimental to the existing house, and for soil testing. Mr. Fisher states there will be no blasting on this application.

**Mbr. Maffei-** Questioned the applicant of why there are no architectural plans submitted. Mr. Rittie states that no plans were submitted because it has not been decided what the exact plan is for this property would be. States that he does feel the steep slope disturbance it still too high for lakes communities.

Mbr. Ciardi- No comments

Mbr. Venis- No comments

**Chr. Buie-** Stated that this application is different than the last one, but the problems that existed in the last are still present in this application. There were also discussions about water runoff and the sewage collected on the property.

**Mbr. Filauro-** Expressed concern for any sediments that enter the lakes. Mr. Fisher states that during construction there will be a sediment control put into place. Also, new greenery would be put around the new property.

A motion to deny this application was made by Mbr. Ciardi, seconded by Mbr. Filauro and denied by the following members.

AYES- Ciardi, Filauro, Gabel, Maffei, Venis, Buie

NAYES- Schmitt

#### **Old Business**

#### **NEW BUSINESS**

Meeting adjourned 9:52

Board Secretary, Melissa Unrath

**Minutes Approved:** June 14,2017