

## **MINUTES - PLANNING BOARD**

### **Workshop meeting of December 20, 2017**

**WORKSHOP PORTION.** Ms. Murray called workshop portion of the meeting to order at 7:35 P.M.

#### **1. COMMUNICATIONS**

Correspondence was received from CME Associates regarding a permit from Union County Department of Engineering for 130 Kenilworth Blvd. Will be forwarded to the Township Engineer for his review.

#### **2. MINUTES**

Motion to adopt the minutes of the Workshop meeting of December 6, 2017 was made by Mayor Hannen seconded by Mr. Taylor and passed on unanimous voice vote.

#### **3. OLD BUSINESS/NEW BUSINESS**

Discussion held regarding the North Avenue East Redevelopment Study. Board decided it will be presented at the Reorganization Meeting on January 10<sup>th</sup>. There will not be any formal action taken. The draft plans are broad but detailed and the appendices are on line for review only until December 22<sup>nd</sup>. Author of report Harbor Consultants, will be at the meeting. Ron Johnson, Zoning Officer discussed some of the applications coming to the Planning Board in 2018.

### **PUBLIC HEARING - ROOM 107**

#### **1. STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT**

Ms. Murray called a public meeting of the Cranford Planning Board to order on December 20, 2017 at 8:00 P.M. in Room 107 of the Municipal Building, 8 Springfield Avenue, Cranford, New Jersey. Ms. Lenahan announced this meeting is in compliance with the "Open Public Meetings Act" as adequate notice of this meeting has been provided by publishing of the Board's annual schedule of meetings in the Westfield Leader and the Star Ledger with the agenda specifying the time, place and matters to be heard having been posted on a bulletin Board in the Town Hall reserved for such announcements and the filing of said agenda with the Township Clerk of Cranford. Formal action may be taken at this meeting.

#### **2. FLAG SALUTE**

**3. ROLL CALL**

**Members Present:**

Ms. Murray  
Ms. Anderson  
Dr. Chapman  
Ms. Feder  
Mayor Hannen  
Mr. Taylor

**Members Absent:**

Commissioner Dooley  
Ms. Pedde  
Ms. Steinbach

**Alternates Present:**

Mr. Aschenbach  
Ms. Didzbalis

**Alternates Absent:**

None

**Also present:**

Mark Rothman, Esquire; Ron Johnson, Zoning Officer; Kathy Lenahan, Administrator/Scribe, Bill Masol, Engineer

- 4. Application # PBA-17-00010  
322 Walnut, LLC, Applicant  
322 Walnut Avenue  
Block: 488, Lot: 15, R-2 Zone**

**Subdivision application by right without any variances requested**

John DeMassi, Esquire, appeared on behalf of the applicant. He explained the application.

This is a subdivision by right. Not requesting any variances. Existing house on lot is a two family and not in good condition. Applicant wants to subdivide the property and convert the two family into a one family and build a new single-family house on the other lot.

Anthony Gallerano, appeared and was sworn in. His credentials were presented to the Board and he was accepted as an expert witness in the field of engineering and planning.

He testified to the following through questions posed by Mr. DeMassi:  
Property identified as 322 Walnut Avenue, Block 488 Lot 15. Presented a colorized version of site layout dated December 20, 2017 prepared by Harbor Consultants marked Exhibit A-1.

Property is .67 acres. The two proposed lots will be lot 15.02 - .41 acres and lot 15.01 .26 acres. Width of each will be - lot 15.02 - 75.04 feet and lot 15.01 - 70.00 feet. There is no depth requirement, lot is irregular in shape and meets all bulk requirements in the R-2 zone. Applicant is not requesting any variances. Proposed lots will have driveways on Denman Place. Proposal is to convert the existing dwelling to a one family, and place a structure on the additional lot.

Reason driveways will be on Denman Place is that the street is not as busy. Will be safer. New lot without structure will need to have an extension onto Denman Place. Placement of driveway eliminates removal of three existing trees. There will be four trees removed. Three shade trees will be added on Denman Place plus additional evergreens and on-site landscaping. Tree Management Schedule is marked Exhibit A-2.

Mr. DeMassi stated that Township Engineer had a comment about height of a retaining wall. Proposed wall is to be two feet, Township ordinance height is maximum of 18 inches. Applicant will bring wall down to the height limitation. Will result in extra grading.

Discussed Township storm water ordinance. States that if impervious coverage is increased by more than 1000 feet applicant must comply with all requirements of a *major project* defined by the NJ DEP.

Did soil testing and permeability testing. Will be using permeable pavers for driveways. Discussed comments by Township Engineer and his concerns about drainage. Engineer is requesting placement of two inlets at end of road with perforated pipe and an overflow pipe out into existing sewer system. Applicant will comply.

Questions posed by the Board ascertained the following:  
18 trees will be installed. Four trees will be removed. Each individual property owner will be responsible for maintaining the storm water system on their lot. Extending Denman Place to rear of properties means the municipality will be responsible for the extension unless they vacate the road. Extension of road is 75 to 80 feet in length.

County discourages backing out onto a County road. Would increase impervious surface. Plans have been submitted to the County. County approval is needed. Shifting driveway would mean having to take down more trees if road not extended. Existing house has paved driveway onto Walnut Avenue. Trees coming down are large shade trees. Applicant will add another shade tree in addition to what is being proposed.

Lot has an easement. Requesting pipe be identified before structure is built. By law applicant must place a "one call" to utilities so that all utilities companies are notified and will come out to inspect the property.

Engineer shows there is a fence encroaching on property. Applicant will remove or relocate fence for adjoining owner. Clarifying that homes are on Walnut Avenue, but driveways are on Denman Place. Installation of perforated pipe meets current requirements. To exceed, would need to extend the pipe underground. Existing house will remain and be fully renovated. Was a historic home and will maintain the historical look of house. Existing house will be restored with a front and back porch. Garage has been demo'd, but will be adding a new garage. Applicant will be complying with all items requested by Engineer, (one thru eight) on drainage report. Homes will not be owner occupied.

Ms. Murray opened the application to the public for questions of the witness the following appeared:

Susan Caruso Green – 8 Denman Place

Asked if the underground water system will impact the water flow on Denman Place. Discussed flooding in area.

Mr. Gallerano stated water will be collected on site and into unground recharging system.

Kevin Killen – 4 Denman Place

Asked who owns the area applicant wants to pave. Also are trees being taking down on roadway that is to be paved.

Mr. Gallerano stated paved area owned by municipality and no trees are being removed from roadway.

Terry Bradford – 2 Denman Place

Asked if curb improvements proposed.

Mr. Gallerano - No curb improvements.

Mr. Bradford – Asked if there will be a sidewalk. And will he be required to add a sidewalk.

Mr. Gallerano - Would be up to Governing Body.

Mr. Bradford -Will there be sump pumps and where will they be pumping? Stated there is no storm sewer on Denman Place.

Mr. Gallerano - Not sure if basements are being proposed for properties. If they are, sump pumps would most likely pump out to Walnut Avenue.

Mr. Bradford - Will the topography be changed?

Mr. Gallerano - There will be minor regrading so that water flows to drainage system.

Margo Gray – 321 Walnut Avenue

Stated she lives on opposite side of the street. Asked if possible to split property evenly and make it 2/3 proportion and less of property for new dwelling. Proposal seems property not balanced. Seems too big.

Mr. Gallerano - Keeping existing house. Proposal meets zoning standards. Not larger than permitted.

Rudolf Bacich – 5 Denman Road

Has applicant driven by Walnut Avenue. Asked how many parked cars can you fit on one side of the street.

Mr. Gallerano – Three cars.

Stuart Green – 8 Denman Place

Asked how many cars are parked on an average on Denman Place. Asked if there is any data about the safety issues of cars pulling out onto Walnut Avenue.

Mr. Gallerano – Stated it is a safer situation because less traffic on street. County encourages using alternate access. DOT would deny access if you have an alternate with less traffic on a street.

Mr. Green- Asked if there is any data to show pulling out onto a very narrow street is safer then pulling out onto a wide street like Walnut Avenue.

Mr. Gallerano -Governing Body can set up any restrictions or ordinance for parking. Applicant would need to comply.

No one else appeared and this portion of the hearing was closed with the matter referred back to the Board.

Bill Masol, Township Engineer appeared and was sworn in in. His credentials were presented to the Board.

Mr. Masol asked Mr. Gallerano the following:

- Does applicant intend to work with Township Committee to obtain any easements needed;
- Volume calculation for lot 15.02 is undersized are you willing to increase size;
- Storm water drainage site calculation spilt one for each site;
- Maintenance agreement will be attached to the deed on both properties;
- Subdivision will be done by deed;
- Possibility of removing retaining wall entirely;
- Fence will be relocated or removed;

Mr. Gallerano stated the applicant will comply with all the above requests from Mr. Masol.

Board asked the following:

Is applicant aware that anything related to the Denman Place right away must be approved by the Township Committee. Engineer recommends that applicant increase underground infiltration system.

Mr. Gallerano stated that the applicant will increase storm water storage by an additional 20%.

Mr. DeMassi stated that whatever town requires will be used to pave the street. Applicant will not put in permeable pavers on street extension.

Ms. Murray opened the application to the public for questions of the witness the following appeared:

Mr. Green – 8 Denman Place

Asked Township Engineer what is the viability as to traffic on Denman Place.

Mr. Masol stated an average for a single-family home would generate 9 to 10 trips per day. Stated that applicant has complied with off street parking requirements. Average of three cars per household on Denman Place.

Mr. Gallerano stated that they are providing 4 parking spots – 2 in garage and 2 in driveway for each lot.

Ms. Gray – 321 Walnut Avenue

Asked if there is another design proposal for parking.

Mr. Gallerano stated not at this time.

Mr. Bradford – 2 Denman Place

Asked what happens if storm sewer overflows.

Mr. Masol stated that there could be a conditional approval of a backflow preventer.

Mr. Bradford - Could applicant bring corrugated pipe down full length of street

Mr. Masol – Have to consider what is fair and reasonable to applicant.

Susan Caruso-Green - 8 Denman Place

Asked if Mr. Masol is aware of soil conditions.

Mr. Masol stated that the applicant was required to verify that the seasonal water table does not come within 2 feet of bottom of any of the drainage structures.

Ms. Gray – 321 Walnut Avenue

Stated that 5 years ago a renovation was done and increased the size of a pipe at 319 Walnut Avenue and the ground sunk.

Mr. Masol - Stated that the storm sewer pipe did not cause that issue.

Questions posed by the Board ascertained the following:

Applicant to install storm inlets on either side of roadway. Overflow will hook up to a municipal storm water system and will flow into current storm water system which is a 42-inch storm sewer. Water to flow toward Walnut Avenue not Denman Place.

There were no further questions by the Board.

Comments on this application from the public were as follows:

Nicole Quinn – 316 Walnut Avenue appeared and was sworn in.

She is the homeowner with the fence to adjacent property. Has spoken with the applicant and will consent to do whatever is necessary to fix fence issue.

Sara Thode – 325 Walnut Avenue appeared and was sworn in.

She is concerned because in the last 10 years she has lost 3 feet of her backyard to flooding. She is concerned as to the size of the proposed structure. Feels it will add more water to area.

Kevin Killen – 4 Denman Avenue appeared and was sworn in.

Expressed objection to proposed structure having access to Denman Place. Discussed the drainage, street extension, stated street very narrow. Is concerned about safety and convenience. Requesting access only on Walnut Avenue not Denman Place.

Stated that with cars parked on both sides of Denman Place a fire truck could not get down Denman Place.

Mr. DeMassi read comments from Fire Department - no negative impact is stated.

Donna Bacich - 5 Denman Place appeared and was sworn in.

She has lived on block a long time. Sometimes does not even park in front of her house. Questioning the extension of the road. Street is narrow. Her water problem has gotten worse in the last 8 years. Has lived there 21 years. Hope this does not worsen her situation. Hope her opinion matters.

Stuart Green - 8 Denman Place appeared and was sworn in.

Residents are trying to help Board understand their concerns. Not opposed to subdivision but have a problem with adding potentially 8 cars and visitors onto Denman Place. Discussed safety and traffic on Walnut Avenue vs. Denman Place. Plus the flooding concerns.

Margo Gray – 321 Walnut Avenue appeared and was sworn in.

Feels current proposal is overwhelming. Second dwelling is larger and other residences are smaller houses. Is disappointing. Garage was an original and looked like a carriage house. Feels dividing the lot is detrimental to community.

Terry Bradford – 2 Denman Place appeared and was sworn in.

Stated that the Right of Way is in the wrong spot. Rahway Valley Sewage Line is in wrong spot. Engineer said line would be identified. Questioning the statement that safety of pulling out onto Walnut Avenue is not safe. Has never seen an accident. Feels applicant is only going to mitigate what they are adding. Water is on the side of his house. In a regular rain he has 2 to 3 inches of water. He does not feel adding two storm grates is going to help. Denman Place does not have a sewer system. His property has eroded.

Mr. DeMassi stated that based on all the comments from the public that the applicant has decided to put both driveways on Walnut Avenue not on Denman Place.

Questions posed by the Board ascertained the following:

Comments from residents are mostly about the street not necessarily the proposed structure. Seems they are not opposed to subdivision but most concerned about not extending Denman Place. Denman Place has been newly paved. Engineer may have to look at allowing parking only on one side of Denman Place. Fire truck might not be able to get down street if cars are parked on both sides. May have to prohibit parking on one side of the street. Drainage issue might be mitigated if trees were planted on side of house of lot 30 (2 Denman Place).

Mr. DeMassi summarized:

This is a subdivision as of right. If they do anything with impervious coverage they would need to come back to the Board, but right now just requesting approval of subdivision. Applicant will do driveways in pervious material. Will need to resubmit plans with driveways on Walnut Avenue to the County. Will maintain existing historic residence but will be adding front and back porch.

Mr. Rothman stated application is still subject to all approvals. Amended plan will still be in accordance with ordinance and subject to review of Township Engineer. Deed will still have a maintenance plan and be reviewed by Township Engineer.

Mr. Johnson stated that with new changes there is a question with regard to the trees on the existing lot.

Mr. DeMassi stated applicant will still need to comply with tree replacement plan. And they will still do the additional 20% storage and driveway with pervious pavers.

Ms. Gray – 321 Walnut Avenue

Feels design of properties affects neighborhood and both driveways on Walnut Avenue will contribute to traffic and accidents. Does not feel both driveways should be on Walnut Avenue. Questioned the possibility of a shared driveway.

Mr. Gallerano stated he does not recommend a shared driveway.

Mr. DeMassi stated that they are here for subdivision of right. Suggested Board make a motion with condition that one driveway is on Walnut Avenue and driveway is on Denman Place.



Comments on this application from the public were as follows:

Mr. Green – 8 Denman Place  
Requesting to have driveways stay on Walnut Avenue.

Mr. DeMassi stated that either they will put both driveways on Walnut Avenue or one driveway on Walnut Avenue and one driveway on Denman Place. The County must approve where the driveways go since Walnut Avenue is a County road.

Mr. Killen – 4 Denman Place  
Stated that with the existing home the driveway goes to Walnut Avenue.

Diana Paul – 326 Walnut Avenue  
The existing house does have a driveway going to Walnut Avenue. Asked about seeing what the plans would look like with changes.

Mr. DeMassi stated they must submit two sets of plans to the County. Public would be able to view the plans at the County.

Ms. Quinn – 316 Walnut Avenue  
Discussed fence mitigation either by moving or coming up with alternative solution.

Mr. Bradford – 2 Denman Place  
Has an issue with lot 15.02 being on Denman Place. Has been there for 27 years and feels driveway will be underwater. Feels both driveways should be on Walnut Avenue.

Mr. Masol – Stated that if grading stays as shown for lot 15.02 some elements would be affected. There should be some type of mitigation. Ordinance states cannot adversely affect neighboring properties. Recommendation for grading revisions if not providing drainage on Denman Place.

No one else appeared and this portion of the hearing was closed with the matter referred back to the Board.

**Deliberation of Application # PBA-17-00010**  
**322 Walnut, LLC, Applicant**  
**322 Walnut Avenue**  
**Block: 488, Lot: 15, R-2 Zone**

**Subdivision application by right without any variances requested**

Ms. Murray reviewed the testimony.

Board comments consisted of the following:  
Possibly lost opportunity to address flooding issues on Denman Place along with possible parking.

Motion to approve Application #PBA-17-00010 was made by Mayor Hannen (with the following conditions: two driveways in the front on Walnut Avenue, driveways will be pervious brick pavers, 20% more water storage for the two lots and subject to all governmental approvals), seconded by Ms. Feder with the following voting in favor of the motion: Ms. Murray, Ms. Anderson, Dr. Chapman, Ms. Feder, Mayor Hannen, Mr. Taylor, Mr. Aschenbach and Ms. Didzbalis

## **5. PUBLIC PORTION**

There being no further business, a motion to adjourn the meeting was regularly made, seconded and passed. The meeting concluded at 10:58 P.M.

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Linda Feder, Alternate Secretary