

MINUTES - PLANNING BOARD

Meeting of April 27, 2022

A public meeting of the Cranford Planning Board was called to order by Ms. Kellett on April 27, 2022 at 7:31 p.m. Ms. Kellett announced in accordance with the terms and conditions of the Open Public Meetings Act, the Westfield Leader and the Star Ledger have been notified and the agenda posted in the municipal building as required.

1. ROLL CALL

Members Present:

Ms. Kellett
Mr. Nordelo
Ms. Didzbalis
Deputy Mayor Gareis
Mayor Prunty
Ms. Rappa
Ms. Sen
Mr. Taylor

Members Absent:

Ms. Pedde

Alternates Present:

Mr. Leber
Mr. Pistol

Alternates Absent:

None

Also present:

Jonathan Drill, Esq. Board Attorney, Kathy Lenahan, Board Administrator, Jacqueline Dirmann, Board Engineer, Nick Dickerson, Board Planner

2. RESOLUTIONS

Resolution of Memorialization PB-.2022-05 – Resolution adopting the Historic Preservation Plan Element of the Master Plan

After discussion, a motion to adopt Resolution PB-2022-05 was made by Mr. Nordelo, seconded by Ms. Didzbalis, and passed on roll call vote:

Affirmative: Ms. Kellett, Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis,
Mayor Prunty, Ms. Rappa, Ms. Sen, Mr. Leber

Opposed: None

3 MINUTES

Motion to approve the minutes of the March 16th meeting, was made by Ms. Didzbalis, seconded by Mr. Leber and passed by roll call vote:

Affirmative: Ms. Kellett, Mr. Nordelo, Ms. Didzbalis, Mayor Prunty, Ms. Rappa, Mr. Taylor, Mr. Leber, Mr. Pistol

Opposed: None

Motion to approve the minutes of the April 6th meeting, was made by Mr. Nordelo, seconded by Ms. Rappa and passed by roll call vote:

Affirmative: Ms. Kellett, Mr. Nordelo, Ms. Didzbalis, Deputy Mayor Gareis, Mayor Prunty, Ms. Rappa, Ms. Sen, Mr. Leber

Opposed: None

4. COMMUNICATIONS

None

5. OLD BUSINESS/NEW BUSINESS

Mr. Drill introduced Joseph Tauriello, Esq. Stated Mr. Tauriello is a sole practitioner and has known him for many years. Mr. Tauriello reviewed his background and stated he has represented various municipalities in the past. Mr. Drill stated he has asked Mr. Tauriello to provide coverage to the Planning Board in case of his absence.

The Board discussed revising the 2022 Board Schedule to state that the official meeting will begin immediately following the workshop portion of the meeting.

A motion to publish the revised Board Schedule for 2022, was made by Ms. Sen, seconded by Mr. Nordelo and passed on voice vote.

PUBLIC MEETING - 8:00 p.m. – Council Chambers

1. STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Ms. Kellett called a public meeting of the Cranford Planning Board to order on April 27, 2022, at 8:01 p.m. Ms. Kellett announced this meeting is in compliance with the “Open Public Meetings Act” as adequate notice of this meeting has been provided to 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. ROLL CALL:

Members Present:

Ms. Kellett
Mr. Nordelo
Ms. Didzbalis

Deputy Mayor Gareis
Mayor Prunty
Ms. Rappa
Ms. Sen
Mr. Taylor

Members Absent:

Ms. Pedde

Alternates Present:

Mr. Leber
Mr. Pistol

Alternates Absent:

None

Also present:

Jonathan Drill, Esq., Board Attorney, Kathy Lenahan, Board Administrator, Jacqueline Dirmann, Board Engineering, Nick Dickerson, Board Planner

3. Application #PB-21-004 – Continued from March 16, 2022
Applicant: Serginho & Sandra Martins
116 Garden Street
Block: 285 Lot: 5 R-4 Zone

The applicant in this matter is seeking minor subdivision approval, along with a c(1) hardship variance and several c(2) variances and design waivers. Applicant is proposing to subdivide the existing Lot 5 into two new lots; proposed Lot 5.01 (7,500 SF) and proposed Lot 5.02 (6,100 SF). The existing single-family dwelling will remain on Lot 5.02 and a new single-family dwelling will be constructed on Lot 5.01.

Michael Bonner, Esq. appeared. Stated this is a continuation of a previous hearing. Revisions have been made due to comments from the Board and the Public. Stated one variance has been eliminated.

Tom Quinn appeared and was reminded he is still under oath. Reviewed drawings dated 4-14-22. Stated they eliminated the basement for the new dwelling on Lot 5.01. Attic will be used only as storage space. Reviewed Sheet 3 and changes included reducing the 18-foot driveway to a 12-foot driveway and adding a drywell on Lot 5.02. Lot 5.01 has remained unchanged. By making the driveway 12 feet, they have eliminated the front yard impervious coverage variance. However, they will need a variance for parking, due to the driveway now being 12 feet instead of 18 feet.

Questions from the Board for this witness ascertained the following:

There is a fire hydrant just off of the sideline. One car can fit between the two driveways. Swells will be on both sides of the each of the houses. Applicant is not seeking a variance for impervious coverage.

Nicholas Dickerson, Board Planner, discussed his report dated 4-19-22. Asked about driveway grade exceptions on Page 7 of his report.

Mr. Quinn stated they can comply with the 2%. Would apply to both driveways.

Ms. Dirmann stated the grades are minimal, it makes sense to have one slope.

Mr. Quinn stated they can also accommodate two street trees.

Ms. Kellett asked if anyone from the Public had questions for this witness, the following appeared:

Betty Crawley – 229 Cranford Avenue appeared. Asked about the driveways being paved and where will the water go. Asked about water in the back of the lot, where the drywells are located and how much water will the drywell hold.

Mr. Quinn stated the driveways would be paved. All runoff will go into the street or into the drywells. Runs down toward Garden Street. Two drywells on the property. No drywell on back of the lot.

Jeffrey Marsden – 438 North Union Avenue appeared. Asked about the additional drywell pre and post measurements. Asked about runoff to the street and where does it go. Asked about runoff going into a 24-inch pipe. Asked about permeability tests on the test pits.

Mr. Quinn stated that is not something they need to quantify. Does not know where the runoff goes once it gets to the street. Is not aware of the 24-inch pipe. They took a sample and sent it to Rutgers Lab.

Nicholas Graviano appeared and was reminded he was still under oath.

Mr. Graviano stated the architectural rendering does have an inconsistency. The rendering was based on the 18-foot driveway previously proposed. The applicant's engineer went with the Board's recommendation to reduce the driveway to 12 feet. The driveway will be reduced from the front steps to proposed Lot 5.01 by 6 feet.

Mr. Graviano reviewed the plans dated 4-12-22. Stated the applicant removed the basement and it will be built on a slab. Attic will be used for storage only. Considers the house to be two stories.

Questions from the Board for this witness ascertained the following:

The applicant will have 6 additional feet of grass. Existing dwelling has a basement. Only change is removal of the garage.

Mr. Dickerson had a question about the building height.

Mr. Graviano stated the discrepancy in the height had to do with the grading. Everything will be below the township's height requirement. Removed the variance for the driveway, but creates a need for a parking variance. Feels variance can be granted under the c(2) criteria and promotes Purpose A and Purpose G of the MLUL.

Ms. Kellett asked if anyone from the Public had questions for this witness, the following appeared:

Jeffrey Marsden – 438 North Union Avenue appeared. (Mic was not turned on, question was not able to be heard).

Mr. Graviano stated that the attic has a low height due to the pitch of the roof.

Ms. Kellett asked if anyone from the Public would like to make a comment for or against the application. The following appeared:

Betty Crawley – 229 Cranford Avenue appeared and was sworn in. Ms. Crawley has 16 exhibits marked C1 – C16. Ms. Crawley stated she is opposing the application for 116 Garden Street. She is concerned about the accumulation of water, property values and neighborhood character. Stated on a map, the neighborhood was labeled as marsh land. Presented exhibits C-1, C-2 & C-3 (maps). Feels over development is a cause for the flooding. Reviewed exhibits C-4, C-5, C-6 as the rear of Garden Street. Stated if the proposed dwelling is approved, there will be new water and runoff to her and her neighbors. The detention basin on the applicants' property is no match for the heavy rains like Ida and Irene, etc. The water problem is in the rear of the lot, not in the front. Applicant bought in 6 to 7 truckloads of fill. Loves her neighborhood and her home. If variances are granting, what precedent does that set.

Discussion was held regarding the exhibits C-4 through C-6.

Board member asked about markings on the exhibits C-1, C-2, C-3.

Ms. Crawley stated she used a marker to depict the tributaries, the streets and area where she lives.

Mr. Bonner stated he has no objection to admitting exhibits C-1 – C-16.

Mr. Bonner asked Ms. Crawley about steps she has taken to reduce the stormwater on her property.

Ms. Crawley stated she never got water on her property until Ida.

No members of the Board had questions for Ms. Crawley.

James Verrilli – 130 Garden Street appeared and was sworn in. Discussed his concerns regarding the application. Asked why zoning rules and regulations would be broken to build this house. Stated this will establish a precedent. What the Board does now will have implications all over town. Garden Street is not well designed. He has also built swells and a drywell. Does not believe they are sufficient. Believes flooding will increase. Noticing a lot of development happening rapidly.

Jaime Mantilla - 232 Cranford Avenue appeared and was sworn in. Stated he has had water in his basement since Ida. Stated a variance is provided when you have a hardship. Discussed the 2009 Master Plan and the Residential Goals for Cranford.

Cynthia Fields – 228 Cranford Avenue appeared and was sworn in. Stated she is 3rd generation in her home. There were woods on both sides of her home. In 2000, a house was built on the left and the next year, three houses were built on the other side. In 2011 her basement flooded.

William Michael Tyree – 236 Cranford Avenue appeared and was sworn in. Stated he has lived in Cranford for about 25 years. His family has lived here since 1907. They are one of the oldest families in the Township. Feels like they were treated like the forgotten block. Deals with water in basement, not only during heavy storms but with any rain. If this house is built on this small lot, the surrounding homes on Garden Street and Cranford Avenue, will have more water and more flooding, leading to depreciated property values and financial burdens. Feels Cranford has disregarded his home, his block and his family. Things has gotten better due to voices being heard; the building of this house would be a major setback. Requested not to be forgotten or disregarded.

Jeffrey Marsden – 438 North Union Avenue appeared and was sworn in. Stated he is a licensed professional planner and engineer as well as a certified municipal engineer. Has a number of concerns. Discussed the protocol the applicant's engineer used. Asked about a DEP determination. Stated you should not approve a subdivision if you do not have some idea of the environmental or downstream impacts. Stated Board needs to protect the people downstream. Holding to the rule of the ordinance, then it will not happen. Board has authority to ask for conditions. He recommends to ask applicant's engineer to provide how much additional runoff is coming down from his property. Discussed the fill placed on the applicant's property. Asking Board to restrict the living height inside the attic to 5 feet. Stated no increase in site runoff should be tolerated due to effect of downstream conditions.

Questions from Mr. Bonner to Mr. Marsden ascertained the following:

He did not perform any evaluations or calculations on this property. He does not dispute the ordinance or township standards testified to by Mr. Quinn. Does not believe they are sufficient due to potential impact of the downstream to properties or residents. He does not have information that the fill was illegal on the property other than hearsay.

Questions from Mr. Drill to Mr. Marsden ascertained the following:

He is asking for the Board to require the applicant's engineer to provide documentation showing what is the increased runoff from the site, not the volume in the 55-gallon drums, being put underground. Asked to provide the offsite flow increase and address where it goes.

Ms. Dirmann asked what type of storm Mr. Marsden is requesting information for.

Mr. Marsden stated the 100-year storm.

Mr. Bonner stated that the applicant is willing to provide the information as a condition of approval.

Ms. Kellett said it would be subject to Ms. Dirmann, the Board engineer's approval.

Board member asked about the requirements for a larger development.

Ms. Dirmann stated a larger development needs a 2-, 10-, and 100-year storm.

Mr. Quinn stated they will provide calculations that will quantify the discharge rate on the property in the existing condition and the discharge rate for the property for the proposed condition for the 100-year storm event. They will agree to maintain the existing discharge rate. Mr. Bonner recalled Mr. Quinn.

Questions from Mr. Bonner to Mr. Quinn ascertained the following:
They will be using drywells that provide 409 cubic feet, over 3000 gallons of water storage. Six dump trucks of fill would equal approximately 72 cubic yards, which equals about 3 to 4 inches spread over about 6000 square feet of the garden area.

Discussion was held regarding the survey from 2016. Mr. Quinn stated the latest topographical survey was completed on 2-25-21.

Mr. Drill reviewed for the Board the variances that the applicant is requesting.

Mr. Bonner summarized the application. Stated the application is very much in character with the neighborhood. Two houses nearby are similar in size and design to the proposed new house. The applicant has worked with the Board to address stormwater management along with additional measures as a condition of approval.

4. DELIBERATION of Application PB-21-004 – Continued from March 16, 2022
Applicant: Serginho & Sandra Martins
116 Garden Street
Block: 285 Lot: 5 R-4 Zone

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Board comments consist of the following:

Mr. Marsden's comments were insightful. Appreciate that the applicant took a comment from a member of the public and agreed to it. Stormwater will be no greater than what the existing conditions are now. Not in favor of a height restriction for access in the attic. Applicant made significant concessions by removing the basement as well as the condition of doing the calculations for runoff. Comfortable with the calculations to be provided by the applicant's engineer. Applicant agreeable to changes and recognizing the concerns of the community.

A motion to approve the application, subject to all the conditions, except for the five-foot height limitation in the attic, was made by Mr. Taylor, seconded by Mr. Nordelo and passed on roll call vote:

Affirmative: Ms. Kellett, Mr. Nordelo, Ms. Rappa, Mr. Taylor, Mr. Leber

Opposed: Ms. Didzbalis, Deputy Mayor Gareis, Mayor Prunty, Ms. Sen

Board adjourned official meeting to go into closed session at 11:25 p.m.

Molly Hurley Kellett, Chair