

In compliance with the Open Public Meetings Act of the State of New Jersey adequate notice of this meeting has been mailed to The Daily Record and posted at the municipal building.

ROLL CALL:

Members Present: Joe Fleischner, Brian Schaechter, Nelson Russell, Steve Bedell, Jim Staszak, Paul Ottavinia, Pat Walsh, David Koptyra

Members Excused: Howie Weiss

Member Absent: Dan Nelsen

Professionals Attending: Chuck McGroarty, Planning Consultant, Gene Buczynski, P.E., Edward Buzak, Esq., Catherine Natafalusy, Planning Administrator

Professionals Excused: Tiena Cofoni, Esq.

APPROVAL OF MINUTES

June 21, 2012 Public Meeting

Motion: Joe Fleischner
Second: Nelson Russell

Roll Call:

Joe Fleischner - yes
Nelson Russell - yes
Steve Bedell - yes
David Koptyra - yes

APPROVAL OF RESOLUTIONS

Resolution #PB 12-12 – Joseph Balku – (Block 5002, Lot 40)

Motion: Steve Bedell
Second: Joe Fleischner

Roll Call:

Joe Fleischner - yes
Nelson Russell - yes
Steve Bedell - yes
Jim Staszak - yes
Pat Walsh - yes

Resolution #PB 12-05 – The Land Conservancy of NJ (Vreeland) – (Block 7000, Lot 63)

Motion: Steve Bedell
Second: Nelson Russell

Roll Call:

Joe Fleischner - yes
Nelson Russell - yes
Steve Bedell - yes
Jim Staszak - yes
Pat Walsh - yes

Resolution #PB 12-09 – The Land Conservancy of NJ (Mesch) – (Block 7000, Lots 53)

Motion: Nelson Russell
Second: Steve Bedell

Roll Call:

Joe Fleischner - yes
Nelson Russell - yes
Steve Bedell - yes
Jim Staszak - yes
Pat Walsh - yes

Resolution #PB 12-06 – David Pera – (Block 910, Lot 19)

Motion: Brian Schaechter
 Second: Steve Bedell

Roll Call:

Joe Fleischner - yes
 Brian Schaechter - yes
 Nelson Russell - yes
 Steve Bedell - yes
 Pat Walsh - yes
 David Koptyra - yes

Resolution #PB 12-13 – ITT Mt. Olive DC LLC – (Block 103, Lot 2)

Motion: Brian Schaechter
 Second: Joe Fleischner

Roll Call:

Joe Fleischner - yes
 Brian Schaechter - yes
 Nelson Russell - yes
 Steve Bedell - yes
 Pat Walsh - yes
 David Koptyra - yes

COMMITTEE REPORTS

MR. STASZAK: Committee Reports Mr. Schaechter anything from the Mayor?

MR. SCHAECHTER: The Mayor has no comments this week for the Planning Board.

MR. STASZAK: Thank you. Council, Mr. Walsh?

MR. WALSH: No comments this week.

MR. STASZAK: Environmental Commission.

MR. RUSSELL: Nothing to report.

MR. FLEISCHNER: If I may Mr. Chairman?

MR. STASZAK: Yes.

MR. FLEISCHNER: Although this is . . . there has been an approval from the standpoint of the environmental commission at the last meeting we did discuss, what is it West Lake Catherine?

MRS. NATAFALUSY: West King Estates a property that the township purchased.

MR. FLEISCHNER: Where the gardens are going to be.

MRS. NATAFALUSY: Yeah that's the West King Estates property.

MR. FLEISCHNER: Right the West King Estates property on the corner of Route 46 and Wolfe Road and my understanding is they want to put a community garden there. The first thought which came, it wasn't my thought but another individual approached me and they said if you're going to put a community garden there has the soil been tested. Gene do you know if the soil was ever tested there?

MR. BUCZYNSKI: We're talking about an application that's over 20 years old I think I don't remember.

MR. FLEISCHNER: Well my concern though from an environmental standpoint is I don't want to have the same issue we had at Turkey Brook Park. That land was farmed by Mr. Wolfe for I don't know what 80 years, 100 years?

MR. BUCZYNSKI: Catherine do you have . . . will you be able to find those files?

MRS. NATAFALUSY: West King, yeah we probably have them.

MR. BUCZYNSKI: If you find the files you can see if anything was done.

MR. FLEISCHNER: Because if there wasn't before there should be a community garden someone needs to test that soil with all of the pesticides.

MRS. NATAFALUSY: The Land Conservancy didn't do anything before they . . .

MR. FLEISCHNER: I don't believe they did.

MRS. NATAFALUSY: Okay we'll look for the file.

MR. FLEISCHNER: Okay thank you.

MR. FLEISCHNER: Okay ordinance committee nothing at this time. Street naming committee I think is Howie he's excused tonight. Open Space?

MR. WALSH: Nothing this week.

MR. FLEISCHNER: Thank you.

DEVELOPMENT MATTERS

APPLICATION PB 12-15 – TOLL BROTHERS INC.

MR. STASZAK: Okay developmental matters, the one and only PB 12-15 Toll Brothers Inc. amended preliminary and final site plan Block 4400, Lot 79.

APPLICATION #PB 12-17 – WATERLOO ROAD DEVELOPMENT CO LLC

MR. BUZAK: Mr. Chairman do you mind before you call this one or before we start could you announce the second one that's on the agenda PB 12-17?

MR. STASZAK: Certainly I forgot thank you. If there's anybody here for Waterloo Road Development Co. LLC it's being adjourned to October 11, 2012 all notices are carried.

APPLICATION PB 12-15 – TOLL BROTHERS INC. (Continued)

MR. SELVAGGI: Good evening Mr. Chairman Michael Selvaggi from Courter, Kobert and Cohen on behalf of Toll Brothers. We're here this evening on an application to amend the site plan approval for the Morris Chase carriages project. It's kind of an unusual circumstance, when the original approvals were obtained at that point the applicant had shown two possible models, model townhomes that would be offered for sale that was many years ago in the intervening years other models have now been made available. And specifically here what's happened is a two-car garage model is being offered which was not presented or available at the time of the original approvals. Although the two-car garage model fits within the approved footprint it is something that's different than what was shown. So what we're going to do is there's potentially 17 lots where this model could be purchased and built. We're going to kind of take a more prophylactic move and ask for an amendment for all 17 lots. We have no idea it may very well be that we're here and it's a nice pay day for me and none of these lots are sold as two-car garages. But in the event they are we don't have to come back to you. We understand it's very important we're going to comply with all of the other conditions that are imposed. I mean these aren't bigger; they're not going to create other variance scenarios. So what I'd like to do is have a representative from Toll Brothers kind of walk you through it. You can see to my left and perhaps at the appropriate time we'll just mark that the unit all the way to the left of that exhibit is really what we're focused on. But I'll have Toll Brothers go into a little more detail. We'll have the witness identify it after we're sworn.

(JOHN PECK SWORN IN FOR THE RECORD)

MR. BUZAK: Would you please state your name spelling your last name and giving your business address for the record please.

MR. PECK: John Peck (P-E-C-K) 2 Sovereign Drive, Flanders, NJ.

MR. SELVAGGI: And Mr. Peck your position with Toll Brothers?

MR. PECK: Assistant Vice President.

MR. SELVAGGI: And your connection with the Morris Chase carriages project?

MR. PECK: Oversee the Morris Case project.

MR. SELVAGGI: Okay and how long have you been in that role?

MR. PECK: I've been with Toll Brothers for 15 years, been involved with Morris Chase since 2010.

MR. SELVAGGI: Let's mark this since it's here as an exhibit we'll mark it A-1. While I'm doing that can you just describe what A-1 is.

MR. PECK: Sure, A-1 is a rendering of several of the home styles that we already offer and have been building and constructing and settling within the community. Additionally this shows the two-car garage model that we wish to introduce it is called the Alcott Model it has recently become available to us at Toll Brothers. As Mike said it fits within the same lot line these are fee simple lots that the rest of the home sites all do. Architecturally you can see it's extremely similar the exterior features are the same there really is no other difference from an exterior point of view other than this home has a two-car garage in the front.

MR. SELVAGGI: Now the two just for a point of reference what would, back when the original approvals were obtained what were the only two models that were available at that time?

MR. PECK: Actually there were three.

MR. SELVAGGI: Excuse me three yes.

MR. PECK: Yeah the Ashbourne unit, the Bainbridge unit and the Carlyle unit are single-car garage townhomes that fit within the 24 foot wide lot.

MR. SELVAGGI: Okay in all other respects in terms of the size of this overall unit taking into account all four it's the same correct?

MR. PECK: Yes views from the side are significantly the same as all of the other models.

MR. SELVAGGI: Let's mark that. That's A-2 and what is A-2?

MR. PECK: A-2 is a side view of one of the models that's already offered at the community the Carlyle and A-3 is a side view of the proposed new unit the Alcott as you can see they're comprised of the same exterior materials cultured stone, siding, shutters and so forth.

MR. SELVAGGI: And I believe we had submitted photographs of these exhibits just as a point of illustration. Now one of the comments that Mr. McGroarty had raised and I think it's probably a good one was talking about, and if you look at A-1 you'll see the . . . now you essentially have three driveways together. In response to Mr. McGroarty what are you guys thinking about doing as a way of breaking up all of that blacktop?

MR. PECK: There's a similar community built in the area not within this township but we kind of like the way they dealt with that. And point of fact they actually have two two-car garages side by side next to each other and they've used a stamped concrete or paver delineator to break up that asphalt into kind of show the difference between the single-car garage and the two-car driveways. So we had proposed that as a low maintenance unobstructed good from a safety standpoint way to address the aesthetic issue of having the asphalt contiguous.

MR. SELVAGGI: And we should mark, let's mark A-4.

MR. PECK: So that strip would essentially go here down to the street and would break that up.

MR. BUCZYNSKI: What would the proposed width be 2 feet, 3 feet?

MR. PECK: I'm going to guess that's about 18 inches to 2 feet.

MR. BUCZYNSKI: That's what I figured 2 feet.

MR. SELVAGGI: And that project is the Bowers Glenn project in Panther Valley?

MR. PECK: That is the Mountain Ridge project in Panther Valley.

MR. STASZAK: What would that be, what would the material be?

MR. PECK: It looks like they've used an EP Henry type paver stone. We had envisioned either stamped concrete or this exact product.

MR. STASZAK: Okay.

MR. SELVAGGI: Now what's one of the reasons why you guys hypothesize why there's been a request for these two-car garage units there.

MR. PECK: Well one of the requests I guess you can say is that a neighboring community in the area offers two-car garages in their townhouse product so we had been questioned early on about that. At the time this product wasn't available to us and at some point in time it became available and as I said fit all of the other criteria for this community. When we have a buyer requesting something we try to accommodate where we can. The other thing that became apparent as we were building the community and starting to sell homes is as in probably any townhouse community you can never have enough parking so the introduction of a two-car garage essentially doubles the amount of parking available to that unit owner and essentially would then preclude that unit owner from needing to park on the street. Because now he would have two garage bays available and also two spots in front of the unit available to park. Whereas all of the other units or most of the other units have one. Now there are of course offshoot parking area space throughout the community but we have found that all it takes is one townhouse unit over to have a get together or something and there's a shortage of parking. So an indirect offshoot benefit we felt was potential alleviation of parking issues.

MR. SELVAGGI: Now John what would you do I mean if somebody asked for the two-car unit and you found that given some of the other constraints associated with this approval in other words wetlands or other setbacks. What are you guys prepared to tell the unit owner?

MR. PECK: Not available. It's as simple as that, if we can't comply with all of the other criteria that it takes to get a building permit and approve this in a manner that all of the other townhouses are being constructed we would simply restrict that home site so that you could not have an Alcott unit and you would have to select the other end unit which is the Carlyle.

MR. SELVAGGI: And the 17 lots that we made these requests for, those are the only 17 lots in Morris Chase carriages that could potentially accommodate.

MR. PECK: Right those are the only lots that could potentially accommodate this particular unit. And just as a point of clarification three have been constructed as of this date.

MR. SELVAGGI: And yeah just explain what's happened and what's really triggered this.

MR. PECK: When the unit became available we wanted to offer it we submitted for a permit, were granted a permit and we never contemplated that we would need an approval higher to offer. So we have three of them at this point under construction.

MR. SELVAGGI: And the three units that were constructed met all of the other setbacks and . . .

MR. PECK: Yes.

MR. FLEISCHNER: Mr. Chairman?

MR. STASZAK: Yes go ahead.

MR. FLEISCHNER: Actually Brian raised the question you should ask the question it's your thought.

MR. STASZAK: Go ahead.

MR. SCHAECHTER: It's actually two questions. Where's the water runoff on the Alcott unit going from the roof? Because they're fee simple if you look at the corner of the middle unit to the garage in the corner you have a roof line there, you have a roof over the double garage doors you're going to have to put that water somewhere.

MR. PECK: Right. Yeah this rendering isn't showing drainage. If there wasn't driveway there it would be hitting in some of these points also and running out. So there wouldn't be a difference here other than it would be running on a driveway rather than in a lawn surface. This rendering does not show the down spouting systems. And I'm sorry was there a second?

MR. SCHAECHTER: Second question was if they fall within the envelope of one of the other units and why would there be a question about wetlands? Either they're going to be able to build on that site or not.

MR. SELVAGGI: Well the reason it was raised is intuitively people think because you're putting in that second . . . the thing becomes bigger.

MR. PECK: That it gets wider.

MR. SELVAGGI: Yeah we just want to emphasize that that we're still respectful of the original approval in terms of the building envelope.

MR. SCHAECHTER: You're also going to consider single garage doors as opposed to double which is in A-5?

MR. PECK: They will only appear as you see them here there would never be a contiguous two together.

MR. STASZAK: Question of coverage on the lot if you're increasing the driveway size by one car length what's that going to do to your lot coverage?

MR. PECK: Maximum impervious coverage in this area I believe is 60 percent and the addition of this driveway area increases us from approximately 30 percent on all of the units to 35 and change. So we're still significantly under the maximum allowed yes.

MR. WALSH: Mr. Chairman?

MR. STASZAK: Yes go ahead.

MR. WALSH: If I may just make a comment just it's something that's hit me I think it's important for everybody to also understand. Just that I'm a town resident and I've been in the real estate business for 20 years and what I like about this is if I were selling this what I would see happening is people buying in here and they're jockeying their cars around. You know they're going to have two cars I really don't think the second garage is going to add that many extra cars. In other words if you built 17 of them you're going to get people who have two cars and who would have bought the one anyway, now instead of it being outside it's going to be in a garage. So as a town resident I think of that as more aesthetically pleasing. I also like the fact that it will add value to the home and be a better ratable, I realize that's not what we're necessarily doing here but I also am a Councilman and that's important to me. So those are a couple of things that as a real estate professional I wanted to point out I do like this.

MR. MCGROARTY: Mr. Chairman?

MR. STASZAK: Chuck go ahead.

MR. MCGROARTY: A couple of things just for the record there are 18 lots affected are there not? There are two on Julia Place.

MR. PECK: Okay there were 18 as part of the original application, they're in the process of getting everything else set up we withdrew 2.

MR. SELVAGGI: Yeah there's actually 16.

MRS. NATAFALUSY: So what are you withdrawing which ones?

MR. PECK: The two that are being withdrawn, would you like township lot and block?

MR. MCGROARTY: Well let me, that seg ways into another comment if I may. I think the plans need to be changed because we have plans that don't have the current street names and we understand the project has gone through some history and the names have changed we understand that. It is a revised site plan so it should have the current street names. It should also have the current block and lot designations which it does not. So that information ought to be all consolidated on the plan and while I'm at it we did raise the question about the impervious because it's not just the garage it's the driveway that changes (inaudible). That's really the change that triggers the need for the site plan modification. So I haven't seen the revised plans but

MRS. NATAFALUSY: They came in today.

MR. MCGROARTY: They came in today so the impervious coverage change is noted on these plans?

MR. PECK: Yes.

MR. MCGROARTY: It is.

MR. PECK: Yes as well as the lot and blocks as you had specified in your review letter.

MR. MCGROARTY: Thank you. So if you would then please what are the two that you've changed?

MR. PECK: The two that have been removed from consideration are Block 4413, Lot 64 and Block 4411, Lot 88.

MR. MCGROARTY: And just help us out what street is that on?

MR. PECK: Both are on Lamerson one is address 14 Lamerson which is 64 and Lot 88 is 39 Lamerson.

MR. MCGROARTY: Okay. So 16 is your total.

MR. PECK: Yes I apologize for the confusion.

MR. MCGROARTY: No problem. That's all I have Mr. Chairman thank you.

MR. STASZAK: Gene?

MR. BUCZYNSKI: The only item regarding the surface treatment I think if the Board decides to approve the project that we should decide as a condition which way you want to go stamped concrete or pavers. Don't leave that open.

MR. STASZAK: Okay.

MR. BUCZYNSKI: Are you done?

MR. SELVAGGI: Yeah I think this is totally needs to be said substantively about it I mean obviously people may have questions and I think that may be more fruitful.

MR. BUCZYNSKI: I got one more item then. I had a concern I did speak to Mr. Peck today regarding my concern on the plans that were submitted there are three lots of the I guess the 17, 16, 18 or whatever lots we had originally. Three lots had grading that I was concerned about, we had two driveways one might be 5 percent and the other one was like 10 percent so I was concerned how that grade would work now there's contiguous. They had their engineer take a look at it this afternoon they're changing the slopes maybe you want to just address that?

MR. PECK: I'd like to hit on it if I could because it was an excellent point that was raised. Essentially what we're looking at in this rendering is a streetscape that's flat. There's no pitch to the

road and as we know over there in most places of the township the roads are going to have some topography to them. So whereas this particular unit which is the one in question right now both slopes on the driveway would be whatever they might be. If the road is actually going like this there's going to be say a 5 percent slope on this side and a 10 percent slope on this side because of the configuration of the road. I spoke with our engineering department and what we can do is simply adjust the garage floor elevation slightly it doesn't affect anything else but it would tend to take out of the mix the slope of the road so that the driveway slopes would stay more consistent. And given the relatively small nature of distance between the public sidewalk and the unit it's rather easy to do and will become an insignificant amount.

MR. BUCZYNSKI: And you'll show that on the revised plans then those grades?

MR. PECK: Yes we will. And again I'd just like to stress that each of these will come in for a permit with grading plans for Gene to review on a case by case basis.

MR. SELVAGGI: Yeah we're not . . . I don't think we're going to change the overall site plan when we say we'll amend it. It's because right now as 16 of them we could be just looking at Carlyle's which would otherwise be compliant with the original approval.

MR. PECK: Correct.

MR. STASZAK: I'm sorry Steve?

MR. BEDELL: I guess the question between I guess the pavers or the stamped concrete I mean this is what you guys do for a living, like what lasts better?

MR. PECK: I quickly arrived at the conclusion that we would be best served and the residents would be best served by using a paver, EP Henry paver block it's essentially what they've used at the other community and the beauty of it is if there's a cracked one or two you simply replace it you don't have a major repair that could potentially affect the asphalt.

MR. BUCZYNSKI: Plus it has the more natural color than if you use stamped concrete.

MR. STASZAK: How wide is that?

MR. BUCZYNSKI: It's 18 to 24 inches.

MR. BEDELL: Do we need to memorialize like a distance like you know like 18 inches or 24 inches?

MR. PECK: If we did 24 inches it would be a 1 foot on each property line which would kind of make sense.

MR. BUCZYNSKI: So it would be easier.

MR. PECK: Yeah we'll do 24 inch wide spanning the property line.

MR. MCGROARTY: Just one thing I'm just counting Mr. Chairman I'm sorry if I may?

MRS. NATAFALUSY: There's 15.

MR. MCGROARTY: Yeah there's 15 . . . your plans you gave us today the grading exhibit per lot I was just counting them I may have missed one but I count 15 not 16.

MR. PECK: Okay there might have been an error in the copying I have a chart which shows the 16 that should be in play.

MR. MCGROARTY: Okay.

MR. BUCZYNSKI: We just need a revised plan.

MR. MCGROARTY: You know I think . . .

MR. PECK: We can certainly do that subject to Gene's review of the 16 that are presented.

MR. MCGROARTY: Well here's why I want to be extra careful about it. I have no idea in the future a homeowner would want to do a deck or a patio or anything of that nature but the impervious coverage on each of these lots is certainly well below the 60 maximum there's no question. But it's not uniform in some cases it's 40 in some cases its 35 percent which is fine but . . . and I would imagine for the resolution it would be helpful if we had a specific listing of the properties by block and lot. So I listed what I thought they were in the report based on the current tax map I ask that you correct me if I was wrong. You've dropped 2 so we have 16 but we need 16 on the plans.

MR. PECK: Okay I'll see that it's done and I do have a chart that I can give you this evening if you'd like for . . . that represents the 16.

MR. MCGROARTY: Well that would probably be good as an exhibit I think.

MR. SCHAECHTER: John one of the plans has two Alcotts on it (inaudible).

MR. PECK: Oh great.

MR. MCGROARTY: Which one would that be?

MRS. NATAFALUSY: Which one I was looking for . . .

MR. PECK: 4411, Lots 125 and 30 are depicted on the same plan.

MR. SELVAGGI: Is that Julia Place?

MR. PECK: Yeah.

MR. SELVAGGI: Chuck you know on your report it's the one where you had noted on Julia Place.

MR. MCGROARTY: Thank you all right we found it.

MR. PECK: Might I also give you the chart because it will make it easier than going through all . . .

MR. MCGROARTY: Can we mark that?

MR. BUZAK: Yeah I think we should mark that A-5.

MRS. NATAFALUSY: A-6.

MR. BUZAK: I'm sorry what was A-5?

MRS. NATAFALUSY: A-5 was the second rendering of the home with the pavement strip.

MR. PECK: We had A-4 and A-5.

MR. BUZAK: Oh two different ones that's right okay.

MR. MCGROARTY: A-6 is the chart by block and lot of what is going to be . . . of the lots that you're seeking to change and you've identified the two that your removing.

MR. PECK: That's correct.

MR. STASZAK: A total of 16 lots.

MR. SELVAGGI: Yes. And what we did was we gave the lot and block as Mr. McGroarty pointed out we moved away from the TBI designations we gave you a conversion table so it complies.

MR. MCGROARTY: And you, Mr. Selvaggi you want to just put these on the record also since you're giving them to us tonight?

MR. SELVAGGI: Okay.

- MR. MCGROARTY: So we have that on the record with the date.
- MR. SELVAGGI: Yeah this will be A-7 and what is just for the benefit of the Board members A-7 is?
- MR. PECK: A-7 is the overall plan which shows the locations that the Alcott can be constructed.
- MR. MCGROARTY: So this would be the amended site plan for the 16 lots in question.
- MR. PECK: Yes.
- MR. MCGROARTY: And the date is?
- MR. PECK: The date is 8/2.
- MR. MCGROARTY: 8/2.
- MR. PECK: I'm sorry revision date 8/7 we revised it yesterday in accordance with comments.
- MRS. NATAFALUSY: Dated 8/2 revised through 8/7?
- MR. PECK: Yes.
- MR. SELVAGGI: Just a point I'm curious obviously like we said we've taken a prophylactic approach, and this may be more of a legal question or engineering/planning, at the end of the day when this project is built out it's conceivable that the approved site plan that you guys have could differ from what's actually on the ground. Because right now we've shown . . . the site plan your working off of shows 16 Alcotts I don't know if it makes a difference I'm just saying later on I mean would you want like an as-built when we leave so that . . .
- MR. STASZAK: So conceivably it could go back to the one-car garage.
- MR. SELVAGGI: It could be, these could be one-car garages or . . . I think Mr. McGroarty's point is well taken if an individual homeowner comes in ten years from now and on the final site plan the town has it showing an Alcott and he's only got a Carlyle it doesn't matter to us.
- MR. BUCZYNSKI: We would get an as-built drawing at the end.
- MR. PECK: Just a point of clarification on that. Individual townhomes before we get a Certificate of Occupancy we have to prepare a final survey which shows all impervious coverage and all of the improvements on that lot. The township gets a copy; the buyer gets a copy so it's controlled that way and its there for future reference on both the part of the township Building Department and our own buyers.
- MR. SELVAGGI: But that plan could be different.
- MR. PECK: Correct.
- MR. MCGROARTY: And I would say this is . . . I don't want to characterize this as worst case scenario because I don't mean it in that way but so if they build a different unit that's a one-car then it's certainly less impervious there should be no reason to come back here.
- MR. SELVAGGI: Okay.
- MR. MCGROARTY: If the Board is okay with that. And your testimony is except for these 16 no others will have the two-car.
- MR. PECK: That's correct.
- MR. STASZAK: So there's no plans to revise both end units it's just one or the other?

MR. PECK: There's one building that has an Alcott on each end that's it. That's why we had 15 plans and 16 lots.

MR. STASZAK: Okay.

MR. SELVAGGI: And that's the one that Mr. McGroarty noted as Julia.

MR. PECK: And it was a good reference actually. What we're presenting is the worst case scenario because we would not try to construct any more of this particular unit than the 16 that we're seeking approval for potentially. And as Mike said earlier we might end up with 4 or 5, we might end up with 8 or 16.

MR. BEDELL: Okay so saying there's a chance that you know you may have it . . . you're going to build the Alcott here but someone comes in and says you know I don't want the two-car garage I want the one just build the Carlyle instead of.

MR. PECK: That's right yes.

MR. BEDELL: Okay.

MR. STASZAK: A quick question just to educate me a little bit. You built these unit by unit or . . .

MR. PECK: By the building.

MR. SCHAECHTER: So you build the whole building out.

MR. PECK: Yeah we build the whole building the foundations are contiguous.

MR. SCHAECHTER: Right so the one unit now that's being built that has two Alcotts how many center units, how many middle units are one or two?

MR. PECK: The Alcotts that are constructed right now how many units are constructed in those buildings?

MR. ?

MR. SELVAGGI: Just for the record Mr. Buzak if we could have David sworn?

MR. BUZAK: Yes.

(DAVID FULTZ SWORN IN FOR THE RECORD)

MR. BUZAK: Please state your name and business address for the record spelling your last name.

MR. FULTZ: David Fultz (F-U-L-T-Z) my business address is 2 Heaton Street and that's Budd Lake 07828.

MR. BUZAK: Thank you sir.

MR. SELVAGGI: Dave just for a reminder for some of the Board members but the newer ones your position with Toll?

MR. FULTZ: Senior Project Manager of Morris Chase.

MR. SELVAGGI: Okay and how long have you been there?

MR. FULTZ: I've been with Toll about 9-1/2 years Morris Chase since 2010.

MR. SELVAGGI: Okay. You've heard some of the questioning, if you can answer those questions.

MR. FULTZ: Sure where the Alcott has been built those buildings the first building is a six unit building with one Alcott on the right hand side. The second building where it's constructed is a two

unit building with one Alcott, and the third building is also a six unit building with an Alcott on one end. So those are the three that have been constructed to date.

MR. BUZAK: What's the maximum size of the building that would have an Alcott?

MR. FULTZ: A six unit building.

MR. BUZAK: And is there only one Alcott in any building or could there be two?

MR. FULTZ: All of them except for one building where we propose on Julia which could potentially have an Alcott on either end.

MR. BUZAK: Okay sorry I missed that thank you.

MR. SCHAECHTER: And how many on that one building on Julia how many center units are there?

MR. FULTZ: Four.

MR. STASZAK: So six units total.

MR. PECK: Six units total.

MR. STASZAK: Gene or Chuck do you have anything else?

MR. BUCZYNSKI: I have nothing else.

MR. MCGROARTY: I have nothing else thank you.

MR. STASZAK: Any questions or comments from the Board?

MR. SELVAGGI: Mr. Chairman I mean we're certainly available for questions, other than that I think you've gotten the gist of what we want and we're just asking for some . . . to amend the site plan again to allow this to be offered whether it's purchased or not we don't know but at least we don't create problems here at the township. So there's consistency with the approved site plan and the individual permits that are sought.

MR. STASZAK: Just for procedural, is there anybody from the public that would like to ask questions of the witnesses at this time? Seeing none.

MR. BUZAK: Did I understand it correctly that the maximum building size will be six units?

MR. FULTZ: Correct.

MR. BUZAK: Okay.

MR. STASZAK: And all within the same footprint that was with prior approvals?

MR. SELVAGGI: Yes. There's no enlargement of the approved building footprint from 2003.

MRS. NATAFALUSY: Mr. Selvaggi I'm going to need more copies of the plans that were submitted today.

MR. SELVAGGI: Okay.

MRS. NATAFALUSY: I think you only brought in six?

MR. PECK: Yes.

MRS. NATAFALUSY: There's one on the table there, I have one, the Board has one there so . . .

MR. SELVAGGI: How many more would you like Catherine?

MRS. NATAFALUSY: Bring in five more okay?

MR. BUCZYNSKI: When you submit the new ones you're going to also revise the grading so do you need more than five or still just five?

MR. SELVAGGI: Do you want ten then with the revised grading?

MRS. NATAFALUSY: I want to give them to the Construction Code Official, the Engineering you know so

MR. BUZAK: And we can discard these.

MRS. NATAFALUSY: And we can discard these when they come in right.

MR. BUZAK: So ten is probably

MRS. NATAFALUSY: Okay?

MR. SELVAGGI: So we'll give you ten next week.

MRS. NATAFALUSY: Revised thank you.

MR. SELVAGGI: You're welcome.

MR. STASZAK: Counselor anything else?

MR. SELVAGGI: No that's it Mr. Chairman.

MR. STASZAK: Again any comments, questions from the Board? Seeing none motion?

MR. BEDELL: I'll make a motion we accept application PB 12-15 Toll Brothers but just add to it I guess Ed has all the side notes between the pavers in between and

MR. BUZAK: Yes I have. The conditions that I have are revising the plans to show, and if these are already shown then it's superfluous but to show correct street names, lot and block, proper number of lots, and grading provisions to provide an EP Henry paver block separator strip 24 inches wide where the Alcott units are constructed between driveways. As-builts for each of the units when they are completed and then of course we'll incorporate all of the original terms and conditions.

MR. SELVAGGI: Mr. Buzak I think it was 24 inches?

MR. BEDELL: 24 inch.

MR. SELVAGGI: Yeah a foot on each side.

MR. BUZAK: I thought I said 24 if I didn't that's what I wrote down.

MR. STASZAK: I thought I heard 24.

MR. RUSSELL: I'll second the motion.

MR. BEDELL: I have a question before you second, you specify EP Henry do we need to specify EP Henry for a paver? I guess that's a brand right?

MR. BUZAK: You happen to mention it.

MR. BEDELL: I don't know if we need to specify the brand.

MR. BUZAK: We don't have to.

MR. BEDELL: Okay.

MR. SELVAGGI: Brick paver.

MRS. NATAFALUSY: Mr. Chairman I just realized there was a typo on the agenda its PB 12-16.

MR. STASZAK: Okay.

MRS. NATAFALUSY: Okay sorry.

MR. STASZAK: Mr. Bedell did you get that? Do you want to restate your motion now for the record Mr. Bedell?

MR. BEDELL: I will restate the motion for PB 12-16.

MR. STASZAK: With Mr. Buzak's amendments.

MR. BEDELL: With Mr. Buzak's amendments.

MR. STASZAK: And Nelson did the second?

MR. RUSSELL: I'll second.

MR. STASZAK: Any comments? Catherine vote?

MRS. NATAFALUSY: Joe Fleischner - yes
 Brian Schaechter - yes
 Nelson Russell - yes
 Steve Bedell - yes
 Jim Staszak - yes
 Paul Ottavinia - yes
 Pat Walsh - yes
 David Koptyra - yes

MR. SELVAGGI: Thank you very much. Good night guys.

MRS. NATAFALUSY: For the record we're canceling next Thursday's meeting we had no applications on it so the next meeting is September 13th.

MR. FLEISCHNER: I'd like to bring up and it goes back to the West King Estates and Brian maybe you can take this back to the Mayor. It's my understanding that we . . . the town was currently pursuing a grant to drill a well on that property and then should the grant be approved the town would then give the money to the Land Conservancy to drill the well. Now Chuck that's in the Highlands Preservation Area and I believe maybe you can clarify how that would affect the township. As well as they also want to put in a gravel parking lot.

MRS. NATAFALUSY: I've told them they need Highlands.

MR. MCGROARTY: Yeah they're going to need to go to Highlands Council and any well . . . and the only thing I can say is that . . . two things, one is that they will certainly have to go to the Highlands Council and/or DEP for both of those improvements. And the other thing is every single well that is drilled from this point forward actually from the time the town adopted the Highland checklist ordinance has to be recorded because there's a finite number. There's a limit on the number of wells per sub-watershed. And so these as they're called Hub 14 so whatever that sub-watershed is that encompasses West King Estates there's like I said there's a certain number of wells I don't know what they are off the top of my head and this well will count towards that. Presumably I mean typically those are for potable water I don't know if they're using it for this purpose or not I don't know what they're using it for.

MR. FLEISCHNER: My understanding was going to be so people could water whatever they planted there.

MR. MCGROARTY: Yeah.

MR. FLEISCHNER: I'm also concerned would be, and that would come before I would think the Planning Board, if they put in a parking lot that's a heavily traveled road as it is and if you're going to farm individual lots for 40 acres, because it's 40 acres with small plots for individual whoever plants community garden there that's going to be a lot of cars on Wolfe Road.

MR. SCHAECHTER: Which side of the road are they planting?

- MR. FLEISCHNER: Where Mr. Wolfe had all . . . had at one time the cows used to graze there.
- MR. SCHAECHTER: Is that the left side going towards Route 46?
- MR. FLEISCHNER: Yes.
- MR. SCHAECHTER: Where they put in the big high fence?
- MR. FLEISCHNER: Yes.
- MR. SCHAECHTER: So it's the high fenced area.
- MR. FLEISCHNER: Yeah and the portion closest to the highway is where the parking lot would be and you have I mean there's a lot of traffic, school buses
- MR. BUCZYNSKI: Joe you know more about this than we all do I think.
- MR. FLEISCHNER: No I'm just raising it because shouldn't . . .
- MR. BUCZYNSKI: They can't even put a paved parking lot there I don't believe on the Highlands.
- MRS. NATAFALUSY: They came in I can tell you back in April and they wanted to put the fence and a parking lot of gravel. It says the area will be lightly graded and 4 inch depth of gravel in the lot the lot would be 100 by 150 it will incorporate the three areas where there already concrete foundations. We told them that they needed Highlands you know either need to demonstrate they're exempt. They got a permit for a fence not anything else.
- MR. BUCZYNSKI: Not for a parking lot.
- MRS. NATAFALUSY: No just for a fence.
- MR. FLEISCHNER: I just wanted to bring it to everyone's attention because potentially
- MR. MCGROARTY: I don't know were they planning on bringing it to the Planning Board?
- MR. FLEISCHNER: I don't know.
- MR. MCGROARTY: And I don't know, who is they is it the Environmental Commission?
- MR. FLEISCHNER: No, no.
- MRS. NATAFALUSY: The Land Conservancy.
- MR. FLEISCHNER: The Conservancy.
- MRS. NATAFALUSY: I have told Kathy Murphy that you know it would have to come to the Planning Board. If it would township owned at least a courtesy review with the Planning Board.
- MR. MCGROARTY: Is it township owned?
- MRS. NATAFALUSY: No I think the Land Conservancy owns it.
- MR. FLEISCHNER: Not any more now the Land Conservancy owns it.
- MR. MCGROARTY: Well I mean they're putting improvements down though and it's . . . I would think they need approvals.
- MRS. NATAFALUSY: Right.
- MR. FLEISCHNER: I would hope so.
- MR. SCHAECHTER: I'll also talk to Rob about soil testing and see if anything was done. Maybe the Health Department needs to get involved.

MRS. NATAFALUSY: Okay.

MR. STASZAK: Motion to adjourn please.

MR. WALSH: So moved.

MR. SCHAECHTER: Second.

MR. STASZAK: All in favor?

EVERYONE: Aye.

(MEETING ADJOURNED AT 7:50 P.M.)

Transcribed by:
Lauren Perkins, Secretary
Planning Department