

**ORADELL PLANNING BOARD
REGULAR MEETING
JUNE 3, 2019**

Notice of this meeting was published in official newspapers, prominently posted in Town Hall, and filed with the Clerk in accordance with the Open Public Meetings Act.

ROLL CALL

Mr. Larson	Present
Mr. Derian	Present
Mr. Scalcione	Absent
Mr. Carnevale	Present
Mrs. Didio	Present
Mr. Pastore	Present
Mr. Dressel	Absent
Mr. Plucinski	Present
Mr. Lombardo	Absent
Mr. Tankard	Absent

Also Present:

Mr. King, Esq., Board Attorney
Mr. Depken, Construction Official
Mr. Atkinson, Board Engineer

Approval of the minutes of April 7, 2018 & May 1, 2018 & May 7, 2019

Minutes for April 7, 2018:

Mr. Larson stated that these minutes were distributed in advance of the last meeting. He explained that the minutes were postponed in order to give more time for review. He asked if any members had any comments or edits for the minutes. He stated that he had a few minor edits and would provide them to the Building Department.

Mr. Larson made a motion to approve the minutes as amended, and Mr. Derian seconded the motion.

ROLL CALL:
All in Favor

Minutes for May 7, 2019:

Mr. Larson stated that Mrs. Didio had a few edits for the minutes which she had provided to Mr. Depken. He asked if there were any additional comments or edits. Mr. King stated that he had made a correction with Mr. Depken that he was not in attendance at this meeting.

Mr. Larson made a motion to approve the minutes as amended, and Mrs. Didio seconded the

motion.

ROLL CALL:

All in Favor

Minutes for May 1, 2018:

Mr. Larson stated that these minutes were circulated today and he would defer them to the next meeting in July in order to give the members additional time for review.

Correspondence:

NEW JERSEY PLANNER - March/April 2019 - VOL. 80, No.2

5-20-2019 - Letter to Stephen A. Depken, Construction Official/Zoning Officer, from David Atkinson, P.E., P.P. C.M.E., for the Borough Engineer, re Soil Movement Review, Proposed New Single Family Residence.

Committee Reports

Subdivisions, Site Drainage & Soil Moving

New Application:

**CAL. #S-113-19
Block 1402, Lot 18**

**Gabriel Akbulut
230 Merritt Drive**

Soil Moving

Mr. Carnevale introduced the applications to the board and asked the applicant to come forward. The engineer for the project, William Page and the property owner, Gabriel Akbulut were sworn in by Mr. King. Mr. Carnevale accepts the engineer's qualifications as an expert witness and asked them to present a general overview of the project. Mr. Page stated that he had submitted large sized plans with the application but has reduced sized plans with him tonight to distribute to the board. He detailed the drawings submitted to the board. Mr. Depken asked for them to confirm that the reduced plans distributed tonight are the revised plans. Mr. Page stated yes and that the revisions were due to concerns with the proposed retention system. He explained that initially they proposed seepage pits but with the concern of the high water table in this area, they changed the seepage pits to chambers. He stated the chambers are 30 inches deep with 12 inches of stone underneath. He explained that the chambers are longer and retain more storage than a seepage pit. He stated that based on calculations they would have enough retention for a 100-year storm or more. He detailed the plans for the existing conditions of the site. He stated that they have proposed a stormwater chamber in the front of the house. He explained that the garage is underneath the house and they want to ensure that any stormwater going down the driveway is collected. He stated that there is also a french drain along with a pump system that would discharge into the front chamber. He explained that if by chance there is a 200- or 300-year storm and the chamber was full, there are flap gates on the downspout of the house. He detailed the grading of the property for the board. He stated that they have a retaining wall on the right side because of the driveway sloping down towards the house. He explained that their soil movement plan was

approved by Bergen County Soil. He stated that they are proposing gravel river stone at the rear property line with sand underneath so that any water going towards the rear neighbors would be collected by the river rocks. He explained that this would ensure no storm water flows into the adjacent properties. He stated that there is a roadway moratorium for Merritt Drive because of the paving so they would be using the existing utilities if it all possible to ensure that they would not dig into the road. He explained that they were originally moving a total of 690 yd.³ of soil but the chambers have increase this by 78 yd.³ to a new total of 775 yd.³ of soil movement. Mr. King stated that he would like to mark into evidence the updated site plan as A1 through A6. Mr. Carnevale asked if the board professionals had any questions. Mr. Atkinson stated that the site survey does not show if there are any existing trees and asked if there are trees on the property. Mr. Page explained that the trees are in the back of the property and majority of them are on the adjacent property. Mr. Atkinson asked if any trees needed to be removed for construction. Mr. Page stated that there were a few small trees which are along the fence line and they would mark these so they are not to be destroyed. Mr. Atkinson asked if there are any plans for the landscaping yet. Mr. Page stated that the applicant would do some landscaping at the completion of the project. Mr. Atkinson asked if there is any lighting on the house. Mr. Page stated that most of the lighting would be on the front of the house and would be more of a landscaping lighting. Mr. Atkinson stated that any lighting installed would conform with the Borough's codes. Mr. Page stated yes. Mr. Atkinson thanked them for addressing the drainage for a better system suited to the water issues of this area and for addressing the drainage along the rear of the property with the river stones. He asked about the grading in the rear of the property. Mr. Page detailed the grading elevations around the house and for the back of the property. Mr. Atkinson stated that they are basically returning the property back to its existing grading in the rear. He explained that they would not be increasing the water on to the neighboring properties since they are not changing the grading. Mr. Depken stated that the plans show the garage underneath the house and asked if they are aware of the water conditions in this area. He asked if they have any concerns with the garage and possible flooding. Mr. Page stated that his only concern is why the garage was proposed to be underground. He explained that he has issues with this type of design but feels they have adequately addressed all the water issue concerns. He stated that they have a proposed trench in the front of the garage doors and have sloped the driveway away from the house towards the catch basin. He explained that he also mentioned to the applicant to install a sump pump in the garage as well. Mr. King asked if there was any consideration to adding a generator for the sump pump in the event if there were any power outages. Mr. Akbulut stated yes that they would be installing a generator. Mr. Pastore explained that with the installation of the chambers and the sump pumps for the added draw on the water to the property, asked if they had an assessment done with the local utilities on if they can absorb the amount of discharge. Mr. Page stated that the chambers are designed that most of the water would percolate into the ground. He explained that if the application was approved, they would perform a perc test to find where the high water table is and to see how the soil percolates. Mr. Pastore asked about Neglia's engineering review letter comment indicating the sewer line needed to be encased in concrete. Mr. Page stated that anytime you have a sewer line crossing a water line, you would need to encase this in concrete. He explained that they are using the existing utilities and would not need to encase the line concrete. Mr. Derian stated that he wanted to make sure that there are no variances for this application and this is only for soil movement. Mr. Atkinson confirmed that there are no variances needed for this application and it is only for soil movement. Mr. Derian stated that he would like to note on the record the bulk requirements for the lot. He explained that the height requirement is 34 feet and

the proposed is 32 feet; the building coverage maximum is 25% and the proposed is 24.94%; the impervious coverage maximum is 40% and the proposed is 35% and the FAR maximum is 27.9% and the proposed is 27.8%. He stated that this project is just under the maximum allowed. Mr. Larson asked if any of these calculations have changed with the revised plan submitted to the board tonight. Mr. Page stated no that these are the bulk requirements for the project. Mrs. Didio asked if the board engineer is familiar with the process the applicant proposed with the curb cut and would this not disturb the roadway on Merritt. Mr. Atkinson stated that as long as they saw cut the curb and excavate behind it, this process would not disturb the blacktop. He explained that this is an approved methodology. Mr. Depken stated that as long as they have a good contractor, they could do this with no roadway damage. Mr. Carnevale asked if the board were to approve the application, would there be any outstanding items with engineering that the applicant would need to address subject to their approval. Mr. Atkinson stated no that the applicant had testified that they would comply and they have addressed all the items they could up until this point. Mrs. Didio asked if there was an existing house still on the site that would be demolished. Mr. Page stated yes. Mrs. Didio asked if they have reached out to the Oradell Fire Department to see if they would like to do any drills on the house before it is demolished. Mr. Depken stated that this is part of the demolition permit process and that the Building Department asks if the applicant would reach out to both the Fire and Police Departments. Mr. King stated, for the record, that he would want to point out a correction on the Engineer's item 1 comment and details the correction made.

Mr. Carnevale made a motion to approve the application, and Mr. Derian seconded the motion.

ROLL CALL:

Plucinski, Pastore, Carnevale, Didio, Derian, Larson

- Mr. Larson stated that the utility of the small sized plans is fantastic and asked if it is possible that as applications are filed for the board, if the members could get these small sized plans to review rather than the large prints. Mr. Atkinson stated that the applicants would prefer making the small copies. Mr. Depken explained that they could ask this of the applicants. Mr. King stated that this would be acceptable as long as the board has one full-size set of plans for the main file which would be available for the night of the meeting. Mr. Larson explained that certainly for the departments official record, they are to have the large set of prints.

Resolutions:

None

Business, Buildings & Signage

New Application:

None

Resolutions:

None

Signs:

None

Regional Planning Coordination

Mrs. Didio stated that at the last meeting she had indicated that there was an article in the paper in which it stated that the construction in Emerson were to begin in the end of June but she does not have any further updates on this matter. She explained that the Borough Engineer would try to get some further information for the board. She stated that she does not think this construction would begin in the end of June and would like to get the board more updated information on the Emerson project.

Zoning

Nothing to report.

Historical Preservation

Mr. Plucinski stated that there was no Historical Committee meeting in May so there was nothing yet to report. Mr. Larson asked Mr. Plucinski to please keep the board posted at their July meeting.

Master Plan, Open Space, Environmental & Circulation Systems

Mr. Derian stated that the board had completed the Master Plan in December and has a question regarding the roles and responsibilities of the Master Plan Subcommittee moving forward. He explained that it has been six months since the Master Plan had been approved and asked what is the roles and responsibilities of the Master Plan Subcommittee in terms of oversight into what the Municipality is doing with ordinances. Mr. King stated that there is no set of standards for this and it is up to the Planning Board and the Subcommittee as to what they would like to designate the Subcommittees role to be. He explained that as far as following up with the Master Plan, there is no set guideline to be adhered to. Mr. Derian asked if they should look into the board's bylaws for this. He explained that the reason he is bringing up this matter is that in looking at the recent ordinance 19-04 that was passed for the Central Business District, there were changes to bulk and area requirements. He stated that most of this was specifically for the Borough's Fair Share Housing obligation. He explained that there was one section which was overlooked and would like to discuss this matter. Mr. King stated that before going further, he would make a recommendation that the board go into closed session to discuss this matter in connection with litigation that specifically deals with this ordinance as well as another one. He explained that he would prefer the board to discuss this matter in closed session. Mr. Derian stated that there are other general items like wayfinding and traffic calming. He explained that he would like the Subcommittee to meet in order to keep track of everything they had recommended and what was implemented. Mr. Carnevale stated that it was discussed at the last Mayor and Council meeting that now that they completed the work on the Fair Share Housing component and the Master Plan, they should now begin work on some of the suggestions that have come out of the Plan especially in regards to Design Standards and Wayfinding Signage. He explained that he believed that ideas coming from anywhere are positives so if the Planning Board would have ideas that they would like the Mayor and Council to focus on to please share this information. Mr. Larson stated that he would recommend that the Subcommittee should meet to review what has been done to date from an ordinance perspective, review what they would like to see done and figure a way to coordinate

this. Mr. Derian explained that he would send out a calendar invite to the Subcommittee members. Mr. King asked if the Mayor and Council had an Ordinance Subcommittee. Mrs. Didio stated that they do. Mr. King suggested that it might make sense to have the two Subcommittees meet jointly.

By-laws

Nothing to report.

New Business

Mr. Larson stated that the board had tentatively kept the July 2nd meeting on the schedule. He explained that they recognize that this date is in the middle of a significant holiday week and asked Mr. Depken if he was aware of any upcoming applications that might be heard on this day. Mr. Depken stated that nothing has been submitted so far. Mr. Larson explained that he was going to propose that they give this matter another week to see if any applications are submitted. He asked that board members keep a lookout on their emails because there is a possibility that they may cancel this meeting if there is nothing of substance on the agenda. Mrs. Didio stated that she does encourage everyone to stick around during this week because the Borough would be having the fireworks display on July 3rd and the parade on July 4th which is dedicated to the 125th anniversary of the community.

Old Business

None

Mr. Larson opened the meeting to the public for comments, not seeing a show of hands, closed to the public.

Mr. Larson stated that on the advice of counsel, he would like the board to enter into closed session to discuss litigation matters. Mr. King detailed the resolution for closed session from the Open Public Meetings Act. He stated that the Planning Board would meet in private session at 8:26 PM to discuss pending litigation brought by a member of the public challenging recently enacted land-use ordinances.

Motion to go into closed session was made by Mr. Larson and second by Mr. Derian.

ROLL CALL

All in Favor

Motion to close closed session was made by Mr. Larson second by Mrs. Didio.

ROLL CALL

All in Favor

Motion to reopen regular Planning Board meeting was made by Mr. Larson second by Mrs. Didio.

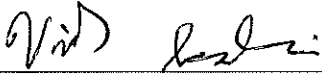
ROLL CALL

All in Favor

Motion to adjourn was made by Mr. Larson and seconded by Mrs. Didio.

ROLL CALL

All in Favor

A handwritten signature in cursive script, appearing to read "Mrs. Didio", is written above a horizontal line.

Secretary