

MINUTES

PLANNING BOARD

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Regular Meeting

May 4, 2016

The Regular Meeting of the Planning Board was called to order at 7:30 PM by Michael Einbinder in the Public Meeting Room.

Mr. Einbinder confirmed that the meeting was being held in conformance with all regulations of the SUNSHINE LAW and proper notice had been given to the Courier News; also, the Agenda had been posted in Town Hall, Board Office, and supplied to the Township Clerk at least forty-eight hours prior to the meeting. The Agenda items will not necessarily be heard in the order listed and the meeting will not continue significantly past 10:30 PM.

Roll Call:

Members present were Mr. Einbinder, Mr. Johnson, Mr. Woodruff, Mr. Niceforo, Mr. Hall, Mr. Beal, Mr. Bocchino, Mr. Cunningham and Mr. Mangold. Mr. Robertson, Board Attorney, and Thomas Solfaro, Board Engineer, were also present.

Adoption of Minutes:

April 20, 2016

A motion was made by Mr. Einbinder, seconded by Mr. Niceforo, to adopt the Minutes of the Regular Meeting of April 20, 2016 as presented. The voice vote was unanimous.

Adoption of Resolution:

App.P&F#1-15: Westminster Presbyterian Church, 725 Mountain Ave., Bl. 2006, L. 32

The property currently has a two-story church building and parking lot located on the Mountain Avenue frontage and a single family residence with a detached garage on the Plainfield Avenue frontage. The applicant is proposing to remove the existing residential dwelling and subdivide the property into five (5) lots: a 2.96 acre lot for church use and four (4) residential lots ranging in size from 0.45 to 0.97 acre. A short cul-de-sac, Westminster Court, approximately 380 feet long, will be constructed off of Plainfield Avenue to provide the required lot frontage for the four (4) new lots. (R-15 Zone)

A motion was made by Mr. Einbinder, seconded by Mr. Bocchino, to adopt the above Resolution. The voice vote was unanimous with Mr. Einbinder, Mr. Beal and Mr. Bocchino voting in favor. There were none opposed.

Referral:

Township Council Resolution No. 103-2016 authorizing the Planning Board to undertake a preliminary investigation, utilizing Harbor Consultants, Inc., in order to recommend to the Township Council whether the property identified as Block 1901, Lot 35, located at 100 Locust Avenue, in the Township of Berkeley Heights, or any portion thereof, is an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.

Discussion took place with regard to the resolution authorizing the Planning Board to undertake this preliminary investigation. Mr. Woodruff advised that if the property is determined to be an area in need of redevelopment it will involve an age restricted rental development.

Consideration of Resolution:

Resolution memorializing the action taken by the Board on May 4, 2016, with regard to the proposed preliminary investigation referenced above.

A motion was made by Mr. Einbinder, seconded by Mr. Woodruff, to adopt the above Resolution. The voice vote was unanimous with Mr. Einbinder, Mr. Johnson, Mr. Woodruff, Mr. Niceforo, Mr. Hall, Mr. Beal, Mr. Bocchino, Mr. Cunningham and Mr. Mangold voting in favor. There were none opposed.

Application for Review:

App.#M-1-16: Berkeley Development Company, L.P., 390-400 Springfield Avenue, Block 701, Lots 2 & 3 (DD-Zone)

Request for preliminary and final minor subdivision approval. Applicant is seeking to change the size of the existing Lots 2 and 3 by the proposed subdivision. Applicant is not proposing any new construction as part of this application. (Existing Lot 2: 2.902 acres; existing Lot 3: 9.088 acres; Total: 11.990 acres. Proposed Lot 2.01: 2.456 acres; Proposed Lot 3.01: 9.534 acres; Total: 11.990 acres.)

Wendy Berger, attorney for the applicant, stated that this is an application for a subdivision but the applicant is not asking to build anything. The applicant is just seeking to change the lot line since the new CVS building was built over the lot line. The applicant received a letter from the tax assessor stating that the lots were going to be combined. Due to the mortgage and leases on the property the applicant decided to file for the subdivision.

Kevin Page, engineer, was sworn and accepted as an expert witness. Mr. Page presented the minor subdivision plan dated 2/19/16 showing that the lot line goes through the CVS building. What is being proposed is a minor subdivision/lot line adjustment. The plan shows the location of the CVS building with a dashed line showing the lot line to be moved. It will be moved about 100' to the east. The existing Lot 2 consists of approximately 2.902 acres and the proposed Lot 2.01 will consist of 2.456 acres. The existing Lot 3 consists of 9.088 acres and the proposed Lot 3.01 will be 9.534 acres. The total acreage of the two lots is unchanged.

In response to questions from the Board, Mr. Page stated that the original lot line did not go through the Pizza Hut building and the new lot line will run along the CVS and will not affect the parking. There will be no new development and no variances are required.

A motion was made by Mr. Einbinder, seconded by Mr. Niceforo, to approve Application #M-1-16: Berkeley Development Company, L.P., 390-400 Springfield Avenue, Block 701, Lots 2 & 3 (DD-Zone) for preliminary and final minor subdivision approval, subject to the conditions discussed and further subject to the requirements, restrictions and limitations that shall be set forth in a Resolution of Memorialization to be adopted by the Board at a future meeting.

The Motion was carried 9-0 with Mr. Einbinder, Mr. Johnson, Mr. Woodruff, Mr. Niceforo, Mr. Hall, Mr. Beal, Mr. Bocchino, Mr. Cunningham and Mr. Mangold voting in favor. There were none opposed.

Adjournment:

A motion was made by Mr. Einbinder, seconded by Mr. Bocchinol, to adjourn the meeting. The voice vote was unanimous and the meeting adjourned at 8:00 p.m.

Regina Giardina, Secretary Pro-Tem