

MINUTES  
September 12, 2012

PRE-MEETING CONFERENCE

A pre-meeting conference of the Planning Board was called to order by Chairman Mr. David Manders at 6:45 PM in the Fourth Floor Conference Room of City Hall. Present were:

Victor Terenik  
James Kubiak  
Maria Perez  
Michael Pantalone  
Susanne Morello  
John Casadia  
David Pickett  
Douglas Albrecht  
David Manders

Members not present:  
Mayor Robert Romano

Also present were:

Frank DiDomenico, Planning Board Solicitor  
Yasmin Ricketts, Planning Board Secretary  
Brian Myers, City Engineer  
Kathleen Hicks, Supervising Planner  
Stephen Hawk, Senior Planner

Public notice pursuant to the Open Public Meetings Act was given on December 31, 2011 by posting written notice on the Official Bulletin Board in City Hall, and mailing written notices to the Daily Journal, the Press, the City Clerk and the Board members.

Michael Brosh- Located at the southerly side of Sherman Avenue and northerly side of Butler Avenue between Main Road and Lincoln Avenue, Block 7401, Lots 14 and 40, Project #12-1294, resubdivision approval to convey a portion of one lot to another lot.

Mr. Hawk explained that at the previous meeting the board told Mr. Brosh that he needed a statement from the Zoning Officer and a revised plan with more information. The buildings have been identified but the wording has to be narrowed down. There were two sheds and there is only one shed remaining. Both the buildings have been identified as single family dwellings. The smaller lot with a single family dwelling has two sheds. The plan is in better shape except for the description. THE lot in the rear will become bigger and qualify for farmland assessment.

Mr. Manders has an issue with Mr. Brosh testifying that he used the equipment for farming and other uses.

Ms. Hicks explained that the letter does not state that he uses the equipment exclusively for the farm. The zoning permit is restricted.

Ms. Morello wanted to know if it is normal to have specific uses on the plan.

Mr. Hawk explained that it was.

Mr. DiDomenico explained that the board is looking at the redivision and use.

SJH Regional Medical Center- Located at the southwesterly corner of Sherman Avenue and College Drive, Block 6002, Lot 1, Project #12-1295, major site plan to construct a 239 space asphalt parking lot for an existing hospital building.

Mr. Hawk displayed an aerial photo of the hospital campus. They are going to take away from the drainage basin and create more parking.

Mr. Manders stated that he has never seen water in the basin.

Mr. Hawk explained that there are two basins. There is no access by the public in the back.

Ms. Morello was concerned about signage.

Mr. Myers explained that there are revised plans that show more sidewalks.

Mr. Hawk explained that the revised plans show 239 spaces instead of 251 spaces. They have a completely conforming site plan.

Mr. Pantalone wanted to know if the basin was going to be smaller.

Mr. Myers explained that the calculations for the smaller basin still meet the standards. The original basins were oversized for future building of the site.

Mr. Casadia had concerns with all the asphalt and they should build a garage.

Mr. DiDomenico explained that they are making the site better.

Mr. Hawk listened to the minutes from the original meeting and the board wanted the applicant to return when they needed more parking. They have done so with this application. They have less basin, more impervious coverage, and still meet the drainage standards.

Mr. Hawk showed pictures of the parking lot.

Mr. Casadia expressed concern with the trees going down and the birds being pushed out.

Mr. DiDomenico explained that they cannot use that as a basis to deny the application. They are constrained by the law.

Map Recordation Act- Ms. Hicks explained that the title recordation act. The state repealed the map filing law, but it dictates plats that get recorded have certifications on them. It certification refers to the map filing law. There has been confusion over it because even minor subdivisions have to be recorded by a plat. They have reversed that position because it was so poorly written. She has taken the provisions of the new law, provisions in our existing law, and tried to blend them. There is a new draft including the requirements of what is posted on the plat. Mr. Myers still wants the provisions to be followed.

Mr. Myers explained that it would be best if every subdivision looked the same.

Mr. DiDomenico explained that minors are rarely recorded by plat. The statute has pieces from the map filing act and they all interchange.

Ms. Hicks explained that there is going to be a standardized sheet of all the things the county clerks want to facilitate recording and retrieval of documents. Of someone does not use it, there is a \$20.00 penalty fee and it is all related to recording and retrieval of documents.

#### REGULAR MEETING

The regular meeting of the Planning Board was called to order by Chairman David Manders, at 7:30 PM in City Council Chambers in City Hall.

Present were:

Maria Perez  
Stephen Plevins  
Michael Pantalone  
Susanne Morello  
John Casadia  
David Pickett  
Victor Terenik  
James Kubiak  
Douglas Albrecht  
David Manders

Absent were: Mayor Robert Romano

Also present were:

Frank DiDomenico, Planning Board Solicitor  
Yasmin Ricketts, Planning Board Secretary  
Brian Myers, City Engineer  
Kathleen M. Hicks, Supervising Planner  
Stephen Hawk, Senior Planner

#### FLAG SALUTE

Public notice pursuant to the Open Public Meetings Act was given on December 31, 2011 by posting written notice on the Official Bulletin Board in City Hall, and mailing written notices to the Daily Journal, City Clerk, and the Board members.

MINUTES – Approval of minutes from the August 8, 2012 board meeting.

The Chairman Mr. Manders made a motion to approve the minutes. Roll call:

Mr. Plevins: Yes  
Mr. Pantalone: Yes  
Ms. Morello: Yes

Mr. Casadia: Abstain  
 Mr. Pickett: Yes  
 Mr. Terenik: Yes  
 Mr. Kubiak: Abstain  
 Ms. Perez: Yes  
 Mr. Albrecht: Abstain  
 Mr. Manders: Yes

RESOLUTIONS – Approval of resolutions from the August 8, 2012 board meeting.  
 The Chairman Mr. Manders entertained a motion to approve the resolutions. Roll call:

#6013-

Mr. Pantalione: Yes  
 Ms. Morello: Yes  
 Mr. Casadia: Abstain  
 Mr. Pickett: Yes  
 Mr. Terenik: Yes  
 Mr. Kubiak: Abstain  
 Ms. Perez: Yes  
 Mr. Plevins: Yes  
 Mr. Albrecht: Abstain  
 Mr. Manders: Yes

#6014-

Ms. Morello: Yes  
 Mr. Casadia: Abstain  
 Mr. Pickett: Yes  
 Mr. Terenik: Yes  
 Mr. Kubiak: Abstain  
 Ms. Perez: Yes  
 Mr. Plevins: Yes  
 Mr. Pantalione: Yes  
 Mr. Albrecht: Abstain  
 Mr. Manders: Yes

The Board’s professional staff, Kathleen M. Hicks-Supervising Planner, Stephen Hawk-Senior Planner, and Brian Myers- City Engineer were sworn in.

DEVELOPMENT

1. SJH Regional Medical Center- Located at the southwesterly corner of Sherman Avenue and College Drive, Block 6002, Lot 1, Project #12-1295, major site plan to construct a 239 space asphalt parking lot for an existing hospital building.

The applicant was represented by Rocco Tedesco, Esq, for the proposed 239 parking space parking lot to be added to the medical facility. This matter was reviewed by the planners in the pre-meeting session. The hospital had acquired a deviation from the city’s parking standards. That variance relief was granted and that board recognized that the standards are a general statement of what could possibly be and can vary from business to business. The business operator knows best what their parking needs are. When the hospital was first constructed, there was a constant request by the board, and a promise by the hospital administration to continually review the parking situation to make sure there was not a parking shortage developing. In the spring of 2011, the residency program was added and 16 parking spaces were added. The hospital determined that they are now at capacity with parking, and this proposed 239 parking spaces is appropriate for them with the anticipated growth within the next five to ten years. The report indicates that the additional parking reduces the overall deviation for the ordinance standard. The application is fully compliant. The Planning report item #1, that item has changed to 239 parking spaces. The Engineering report item #3, request to extend sidewalk. That has already been addressed.

Mr. Pantalione wanted to know if this parking was for employees.

Mr. Tedesco explained that it was primarily for employees but it is not restricted.

Mr. Casadia expressed his concern about the wildlife in that area.

Mr. DiDomenico explained that the board members can have that concern, but it is not a basis to deny the application.

Mr. Tedesco also explained that it is not a basis to request or require a redesign.

The Chairman entertained to close the public hearing. Ms. Perez so moved, Ms. Morello seconded. Roll Call:

Mr. Terenik: Yes  
Mr. Kubiak: Yes  
Ms. Perez: Yes  
Mr. Plevins: Yes  
Mr. Pantalione: Yes  
Ms. Morello: Yes  
Mr. Casadia: Yes  
Mr. Pickett: Yes  
Mr. Albrecht: Yes  
Mr. Manders: Yes

The Chairman entertained to approve the application. Ms. Perez so moved, Ms. Morello seconded. Roll Call:

Mr. Kubiak: Yes  
Ms. Perez: Yes  
Mr. Plevins: Yes  
Mr. Pantalione: Yes  
Ms. Morello: Yes  
Mr. Casadia: Yes  
Mr. Pickett: Yes  
Mr. Terenik: Yes  
Mr. Albrecht: Yes  
Mr. Manders: Yes

2. Michael Brosh- Located at the southerly side of Sherman Avenue and northerly side of Butler Avenue between Main Road and Lincoln Avenue, Block 7401, Lots 14 and 40, Project #12-1294, resubdivision approval to convey a portion of one lot to another lot.

Mr. Michael Brosh testified on his own behalf, and requested a redivision to convey a portion of his property on 1119 Sherman Avenue to another property on 1120 E. Butler Avenue.

Mr. DiDomenico explained that that this application was heard on August 8, 2012, and the board directed the applicant to remove the equipment or obtain a letter from the Zoning Officer that the use is permissible.

Mr. Brosh explained that he obtained a zoning permit to allow the use of the property for agricultural and the use of the motorized heavy equipment listed on the application to be stored.

Mr. Manders stated that it also says equipment stored at the site is not to be utilized for any commercial purposes.

Mr. DiDomenico stated that if that equipment is needed for any other use, it would have to be removed or obtain permission from the Zoning Board.

Mr. Manders wanted to know if the equipment was for farming uses only.

Mr. Brosh explained that he would comply with what the board wants.

Mr. DiDomenico explained that he received a zoning permit with conditions so he will be in compliance.

Mr. Hawk explained went over the changes in the revised plans. The front building was identified as framed building "storage."

Mr. Brosh explained that initially it was for farm storage.

Mr. Hawk wanted to know what the use would be for that building.

Mr. Brosh explained that he stores motorcycles. It will be for personal use.

Mr. Hawk suggested it's changed to framed building storage as accessory to residential on the plan.

Ms. Hicks explained that those changes could be listed in the resolution.

Mr. Hawk explained that the item #11, the correct side yard requirements for all properties have to be put on the corrected plan.

Ms. Hicks explained that Mr. Brosh would have to get an approval to have a farm stand.

Mr. Brosh explained that he would comply with the Planning and Engineering reports.

The Chairman entertained to approve the application. Ms. Perez so moved, Ms. Morello seconded. Roll Call:

Ms. Perez: Yes

Mr. Plevins: Yes  
Mr. Pantalone: Yes  
Ms. Morello: Yes  
Mr. Casadia: Yes  
Mr. Pickett: Yes  
Mr. Terenik: Yes  
Mr. Kubiak: Yes  
Mr. Albrecht: Yes  
Mr. Manders: Yes

3. Title Recordation Act- Ms. Hicks explained that the map files on the new title recordation act have been changed. Mr. Myers wanted it written for minor and majors to be filed the same.

Mr. Hawk explained that the first page under #B1 should say minor subdivision or resubdivision of land. On page 5, it says printed name. It should say printed name of municipal clerk. Second to the last page #5, has an (a), and b, c, d should be added.

Mr. Myers explained that there should be an insertion third to the last page. It starts with #23 on the top. There are several storm water notes that need to be added. Another note that should read as built. We are getting certifications but a couple basins overflowed and they should not have. Since then, we are requiring additional information up front. The certification that we use is locked and sent to the applicants.

Mr. Myers explained the process of submitting an as built.

The Chairman entertained to send a recommendation to city council. Ms. Perez so moved, Ms. Morello seconded. Roll Call:

Mr. Plevins: Yes  
Mr. Pantalone: Yes  
Ms. Morello: Yes  
Mr. Casadia: Yes  
Mr. Pickett: Yes  
Mr. Terenik: Yes  
Mr. Kubiak: Yes  
Ms. Perez: Yes  
Mr. Albrecht: Yes  
Mr. Manders: Yes

#### ADJOURNMENT

The Chairman entertained a motion to adjourn. Mr. Pantalone so moved. Ms. Perez seconded. Roll call:

Mr. Pantalone: Yes  
Ms. Morello: Yes  
Mr. Casadia: Yes  
Mr. Pickett: Yes  
Mr. Terenik: Yes  
Mr. Kubiak: Yes  
Ms. Perez: Yes  
Mr. Plevins: Yes  
Mr. Albrecht: Yes  
Mr. Manders: Yes

TIME: 8:45 PM

Respectfully submitted,

Yasmin Ricketts  
Planning Board Secretary