

# PLANNING BOARD MINUTES

May 13, 2019

On the above date at the Port Republic City Hall, 143 Main Street, Port Republic, New Jersey, Planning Board Chairman Barry Horas called the meeting to order at 7:00 PM and made a statement in compliance with Sunshine Law.

## **Flag Salute**

## **New Appointments**

John McGroarty, Attorney, filling in for Mike Fitzgerald, swore in Joe Martin as an alternate.

## **Roll Call**

Members Present: Mayor Gary Giberson, Kevin Cain, Kathy Brady, Bill Montag, Barry Horas, Robert Haviland, Nick Lampe, Donna Reigel, Paul Smisek, and Joe Martin

Acting Board Secretary: Gail Haviland

Attorney: John McGroarty

Absent: Attorney Mike Fitzgerald and Vicki Cantell

**Minutes** – On the motion of Mayor Giberson, second of Mayor Giberson and carried unanimously to accept the minutes of January 7, 2019.

**City Council Report** – Mrs. Reigel reported water tests for Nacote Creek were well below what is acceptable.

City Council has received a letter from Mike Turner, Jr requesting a reduction in the escrow account claiming only the final top coat is needed on the street. This matter will be discussed at the next meeting.

Mayor Giberson stated that he had noted that Port Republic ranked #2 on the list of best places to live in New Jersey and thanked the Board for helping keep the City great.

## **OLD BUSINESS**

**Zoning Maps** – There was a brief discussion of making a recommendation to City Council to have the zoning maps be updated to ensure clarification. Mr. Doran assured the Board that zoning is not the issue - nothing would be changed. It is a matter of the maps being from 1977 and the availability of newer technologies that can make them easier to read which should eliminate some of the discrepancies appearing with the County maps. On the motion of Mr. Haviland, second of Mayor Giberson and carried unanimously to make the recommendation.

## NEW BUSINESS

**Stankus, Block 6, Lot 30** – This a 4-lot major subdivision – there is a house that will be on one of the lots with three undeveloped. Tom Darcy appeared with Chris Stankus and presented the application. Notices have been done. This property is located on a County road so the plans were submitted for their review. The county considers this a minor subdivision and their only requirement was that a K-turn be added for each lot so no car would need to back out onto the road. Preliminary and final approval are requested at this time.

The property is located in the Rural Residential zone and meets all requirements except one. The Tax Assessor has deemed the lots 34.01 which has 2.4 acres, the original Lot 34 is assigned to the lot having the existing home and is 2.1 acres. Lot 34.02 is 2.1 acres and 34.03 is 2.17 acres. All have twice the required one acre and all have 150 feet of road frontage meeting that requirement. The setbacks in this area are 20 feet on the sides. Three of the lots meet this requirement. The lot containing the existing home would would require a variance to allow for 15 feet. It is being proposed that the lot on that adjoining side setback be set at 30 feet thereby mitigating the shortage. This would be enforced by the subdivision map and deed restriction. All other requirements are met.

There are no waivers requested, however some deferrals are. The deferrals requested pertain to the placement of the homes, driveways, utilities, wells, septic, and landscaping, along with the grading and drainage for all of the previous named. This is being requested to allow flexibility in house design and placement. Mr. Stankus ensured the Board that he intends to build in homes in keeping with the neighborhood as he lives directly across the street. All deferred requirements would be addressed at the time a building permit is applied for and escrow would have to be submitted by the applicant to ensure compliance.

There are some low lying areas that do not appear to be wetlands. Mrs. Reigel asked how these areas would be addressed. To limit expenses, DEP allows for an application showing a “footprint of disturbance” wherein the applicants stake out the area for DEP to inspect. If they concur, a *Letter of Interpretation* is issued. This letter would be required to be submitted before a building permit could be issued.

Mr. Smisek asked why four lots instead of three were planned. Mr. Darcy explained that our ordinance allows for variances to allow owners to make full use of their properties. This property could meet all requirements without the variance but it would result in an oddly shaped lot. As both a planner and surveyor Mr. Darcy felt that 90 angles and straight lines result in fewer issues down the line therefore, he tried to mitigate any negative impact of a variance by adding more spacing between the homes than is required.

Mayor Giberson asked about the foundation of the existing home and was informed that this house has a basement. He further inquired about the septic system. The old septic is being “abandoned in place” and a new County approved one would be located on the opposite side of the home. The field would require minimum fill and not expected to be more than approximately five feet in height. The location of both will appear on the plans and any purchaser would be notified of its location.

An EIS was submitted and Mr. Darcy stated that with all the open land there would not be a substantial impact and therefore no negative effect.

Mrs. Brady stated her position to recuse herself as she knows the applicant professionally.

**OPEN TO THE PUBLIC** – There was no comment

Mrs. Reigel made a motion, which was seconded by Mayor Giberson to approve the subdivision and variance. It was carried unanimously with Mrs. Brady abstaining.

**CORRESPONDENCE** – none

**BILLS** – On the motion of Mrs. Reigel, second of Mayor Giberson and carried by unanimous roll call vote to pay Matt Doran’s bill as submitted.

**ADJOURNMENT** – On the motion of Mrs. Reigel, second of Mr. Lamps and carried unanimously to adjourn the meeting at 7:59.

Respectively submitted,

Gail Haviland  
Acting Board Secretary

GH/vlc