

**BOROUGH OF SPOTSWOOD PLANNING BOARD**  
**MINUTES - JANUARY 19, 2016**

**CALL TO ORDER**

John Meyer called this meeting to order.

**NOTICE REQUIREMENT**

Mr. Meyer read the notice requirement for the Open Public Meetings Act.

**ROLL CALL**

**present:** John Meyer, Dawn McDonald, Curtis Stollen, Jose Rivera, Robert McNutt, Larry Kraemer, James Farley, James Kinneally, Esq., Bruce M. Koch, P.P., P.E.

**absent:** Mayor Nicholas Polisenio, Mark Koppel, Charles McCook<sup>1</sup>, Robert Drako<sup>2</sup>, Kellen Decker, Daniel Auciello, Todd Bletcher, P.P.<sup>3</sup>

**REORGANIZATION**

**Chairman:** Upon motion by Mr. Stollen and second by Mr. Kraemer, John Meyer was unanimously reappointed as Board Chairman. Mr. Meyer accepted the position; however, before being nominated, he advised the Board that his home is currently for sale, and that he will be moving to Delaware once his home there is completed and the school term ends, hopefully in June.

**Vice-Chairman:** Upon motion by Mr. Stollen and second by Mr. Rivera, Charles McCook was unanimously appointed as Vice-Chairman.

**Board Attorney:** Upon motion by Mr. Meyer and second by Ms. McDonald, James Kinneally was unanimously appointed as Board Attorney.

**Board Engineer:** Upon motion by Mr. Stollen and second by Mr. Rivera, CME Associates was unanimously reappointed as Board Engineer.

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<sup>1</sup> Mr. McCook attended just after roll call.

<sup>2</sup> Mr. Drako has tendered his resignation from the Board.

<sup>3</sup> The Planning Board did not appoint a Planner for the upcoming year.

**Board Secretary:** Upon motion by John Meyer and second by Mr. Kraemer, Susan Milko was unanimously reappointed as Board Secretary.

**APPLICATION**

**Safwat Youssef  
17 Adirondack Avenue  
Block 65 Lots 13 & 14**

The above applicant is represented by Lawrence Sachs, Esq. The purpose of this application is to obtain a minor subdivision for the construction of two single family homes on this property that is in a flood hazard zone. An existing home is to be demolished. Mr. Sachs clarified that Mr. Youssef is the applicant; however, Real Estate for Trading and Contracting, LLC is the owner. Mr. Youssef is also a principal in that company.

Mr. Marc Leber, P.E. (sworn in and accepted as an expert) gave testimony. An aerial view and photographs were marked as A-1. A colored rendering of Sheet No. 2 was marked A-2. Mr. Leber gave a description of the property and described the photographs. The property is in the R-10 Zone. Presently, water runoff enters a series of catch basins and pipes into an open channel across the street. Eventually, that water discharges into the Cedar Brook.

Mr. Leber indicated that the existing lot line between lots 13 and 14 would be removed and lot 13.01 would be created at 100' x 125'. The remaining property would be known as lot 14.01, would be "L" shaped and would contain 12,000' of square footage.

The applicant proposes each home to have four bedrooms with a three-walled detached garage at both locations. Two variances are required. One is for an accessory structure in the front yard of the "L" shaped property on Adirondack Avenue, and the other for the actual size of the garages. The limit is 20' x 20' and proposed is 20' 4" x 21' 8". No basements are permitted. They will contain crawl spaces and which will not contain any utilities.

Mr. Meyer questioned ownership of Lot 15. The property is owned by the Borough. To date, no attempt has been made by the applicant to purchase Lot 15. If the applicant were to purchase the lot, it would negate the need for the front yard variance.

Mr. Sachs advised that the applicant will inquire as to the possible purchase of Lot 15.

George Toma, Architect for the applicant (sworn in) gave testimony. The number of rooms was discussed. The applicant proposes four bedrooms with an office and/or den on the first floor. Mr. Koch feels that the homes should be categorized as five bedroom homes. Mr. Toma advised that the oversized garages will permit water flow vents to be added and will also allow for additional room inside the garage.

Mr. Koch's January 14, 2016 report was discussed. The applicant has requested a waiver of the condition to show all features within 100' of the boundary lines.

Regarding the requirement for a landscape/tree removal plan, Mr. Leber indicated that if the application receives approval, they would request that this requirement be submitted at the construction phase. Mr. Koch felt that if the matter concludes this evening, that would be acceptable; however, if this matter continues for another hearing, the landscape plan should be submitted.

The applicant is no longer requesting a waiver for the requirement of "will serve" letters or for the site triangle easement.

Regarding the approvals required of outside agencies, Mr. Koch feels that DEP approval should be received before the Board acts on this application. Mr. Leber stated that per public record information, no wetlands exist.

Mr. Sachs advised that he did not intend to present planning testimony with respect to the two variances requested.

The architect will submit architectural elevations for the two homes and the garages. The garages are limited to a height of 10'. Mr. Koch would also like to review the garage door openings. Mr. Toma gave the dimension of the opening but it was not audible.

The applicant agreed to the submission of the landscape plan, and agreed to resolve the remaining item nos. 8 through 33. The driveways are proposed to be paved.

Mr. Sachs then requested that Mr. Leber offer planning testimony for the variances as he is a licensed Planner. Regarding the variance requested for the additional garage space, Mr. Leber stated that the increase in size would be imperceptible. Regarding the front yard setback variance, Mr. Leber confirmed that if the applicant were to purchase Lot 15, this variance would not be necessary. However, if applicant was not successful in obtaining the property, there would be no detriment to the zoning plan. The lot would only be 6' deficient on the setback. Turning the garage to enter on Snowhill Street would not eliminate the need for the front yard variance.

The Board discussed the installation of sidewalks, and determined they would require them. The applicant will provide the sidewalks, an easement, and the sidewalk handicapped ramp on the corner.

There was no public comment.

The applicant will approach the Borough regarding the purchase of Lot 15. They will also seek information from the DEP. This matter will continue on March 1, 2016 with no further public notice.

#### **MINUTES - December 1, 2015**

These minutes were approved with a motion from Mr. Stollen, seconded by Mrs. McDonald, and all eligible members agreed.

#### **MEMORIALIZATION**

**Dart Seasonal Products  
4 American Way  
Block 91.03 Lot 6**

The above resolution was circulated. A motion to approve the resolution as made by Mr. Meyer, seconded by Mr. McCook, and all eligible members agreed.

#### **VOUCHERS**

Bills were paid with a motion from Mr. Stollen, seconded by Rivera, and all agreed.

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**ADJOURNMENT**

There was no other business before the Board, and this meeting was adjourned.

Respectfully submitted,

Susan Milko  
Board Secretary