

CA - Old Bridge

9/10/81

Old Bridge Twp zoning board of
adjustment minutes re: preliminary
+ final site plan w/ waivers + variances

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OLD BRIDGE TOWNSHIP
ZONING BOARD OF ADJUSTMENT

MINUTES

SEPTEMBER 10, 1987

The Agenda/Special Meeting of the Old Bridge Township Zoning Board of Adjustment was called to order at 8 P.M. by Chairwoman Terri Settlecowski in the Municipal Building. Roll call showed the following members present:

Elinor Holden
Robert Hasanoeddin
Dina Miller
Judi Fuchs
Gay Gaughan
Michael Reinbold
Terri Settlecowski

Also present were:

Board Attorney Bernard Shihar
Township Engineer H. Goldie
Township Planner H. Bignell
Zoning Officer S. Griffith

Absent: Barry Nathanson
Douglas Reed

Prel. & Final Site Plan
w/waivers & variances.

ED RONDINELLI
Block 2150, Lot 4.13
App. No. 40-85Z

Alan Karcher, Esq. appearing on behalf of the applicant.
Mark Breitman, Esq. appearing
Mr. Ed Rondinelli
Mr. Donald Guarriello, P.E.&L.S.

Dina Miller stated she listened to the tapes and read the transcript of the prior hearing.

Application was recertified complete as of April 19, 1985; new expiration date Dec. 17, 1987. It was determined that the Board could consider the testimony of May 28th and June 25, 1987.

Correspondence:

Letter from Henry Bignell dated September 9, 1987, to the Board:

The applicant is proposing to construct 272 townhouse units on a 35.6 acre parcel of property. In essence, the proposal before the Board is to develop this property as a Planned Development.

This Department has reviewed the request and has the following comments:

1. The Zone Plan designates this area for Planned Development. The site is located in the PD zone.
2. The submitted plans are adequate for review as they comply with the Ordinance requirements within our realm of expertise. The application was certified complete on 8-19-87.

3. The applicant is seeking waivers of the following checklist items:

- A. Preliminary profiles of all roads showing low and high points as well as changes in grade. (Prel. checklist)
- B. Preliminary draft of open space organization documents. (Prel. checklist)
- C. Proof of payment of taxes. (Prel. checklist)
- D. Parking, loading and unloading areas indicated with dimensions, traffic patterns, access aisles, curb radii, acceleration/deceleration lanes, etc. (Prel. checklist)
- E. Proof of payment of taxes. (Final checklist)
- F. All data required on the Preliminary Plan as previously cited and as approved by the Board. (Final checklist)
- G. Slopes of the banks of all water courses (if defined) and boundaries of the related flood plains (if defined). (Final checklist)
- H. Location, size, length, easement and slopes of all storm drain pipes, ditches and channels.
- I. Final road profiles including grades in per cent, proposed grades every 50', all vertical curve data and all utilities. (Final checklist)
- J. Parking, loading and unloading areas indicated with dimensions, traffic patterns, access aisles, curb radii, acceleration/deceleration lanes, etc. (Final Checklist.)
- K. Final copy of Homeowners Association Documents. (Final checklist)
- L. Microfilming. (Final checklist)

4. The applicant is seeking to use the subject property as a Planned Development. In order for this to occur, the applicant will need to comply with the qualifying criteria of the PD zone. (9-4:1.1). The Board granted the applicant a variance for the mix of housing densities. However, the other items in this section will need to be addressed by the applicant at the public hearing.

5. The required open space will have to be designed according to Ordinance requirements in order to meet the qualifying criteria of the PD-1 zone.

6. The applicant is seeking to reduce the required buffer areas at several locations throughout the site. The applicant through testimony given at a public hearing should provide the Board with reasons why a reduced buffer should be allowed.

7. The applicant is seeking variances for the location and building design of the proposed dwelling units. These variances are listed in the submitted application and violate the standards established in Section 9-7:2 of the ordinance. The Ordinance does state, however, that the approving board may waive these standards "in order to facilitate the innovation, flexibility, economy and environmental soundness or accommodate site specific conditions." The applicant will need to provide testimony at the public hearing on the reasons why this project should not be constructed according to standards established in the Ordinance.

8. The applicant is seeking a variance to provide reduced parking sizes. The Ordinance requires 10' x 20' spaces with the proposal being 9' x 20'. The Board will need to determine if additional spaces are a benefit over larger spaces.

9. The landscape plan should be expanded to include larger and additional plantings throughout the site. A revised landscape plan and planting schedule which includes a new typical foundation planting should be submitted to this department.

10. The lighting plan should be redesigned according to municipal standards.

11. The applicant will have to comply with the requirements of the Township's Affordable Housing Ordinance.

This Department reserves the right to make additional comments upon review of the testimony given at the public hearing.

Henry D. Bignell, P.P.
Township Planner

Letter from Harvey P. Goldie, Township Engineer dated September 10, 1987:

In the review of this application, the first phase that should be addressed by the Board are the requests for waivers and variances. I am sure that the Township Planner will address most of these; however, some of the items are of an engineering nature and should be addressed by this department. We will follow the numbering system that Mr. Rondinelli has submitted as an amendment to the application listing the waivers and variances requested:

1. Regarding the request for waiver and/or variance for street width, it should be noted that it has been the policy of the Township Council and the Planning Board over the past year or more to require that all through streets meet Township specifications. This has also been requested by various fire districts.

The amendment refers to "Requirements of Other Government Agencies"; it should be noted that most other agencies set minimum standards and municipalities may be more restrictive in establishing their own standards.

2. Intersection spacing - The Ordinance requires 150 feet spacing at intersections. This spacing is recommended by the "Design of Urban Streets", (U.S. Department of Transportation). The applicant must demonstrate a hardship and also prove that the requested waivers and/or variances would not be detrimental to the health, safety of the residents.

3. Driveway locations - It is our opinion that the required 50 ft. from intersections is not excessive and is in the best interest of public safety.

4. Storm Drainage - The applicant seeks a waiver of the slope requirement of the retention facility from 1:10 required to 1:5 proposed. The 1:10 requirement for all detention basins is required mainly for aesthetics so that the pond will seem more natural. We have allowed slopes of 1:5 in the past with certain provisions for landscaping and protective guardrailing along any roadways or walkways.

5. The applicant has submitted revised plans which were received in this office on Sept. 4, 1987, which appear to indicate that he has achieved a 2% grade in the swale areas. He should have no problem achieving 2% around all buildings for a distance of at least 10 feet. The applicant again makes reference to other "Governmental Agencies", including CAFRA. This office has no guidelines from CAFRA which indicate flatter slopes as a requirement.

The policy of 2% grades as stated above, has been in effect for many years in the Township and is in the best interest of public health and safety.

6. Recommendations on Item #6 should come from the Township Planner as there are no engineering items involved in this item.

7. Alexandria Parkway is a Major Collector and therefore requires sidewalks on both sides. This requirement is in the best interest of health and safety for the residents.

8. With pedestrian traffic on the road, curbing is also necessary. The applicant's reference to CAFRA has not been substantiated and this office must consider what is in the best interest for the health and safety of the residents.

9. Aquifer Recharge - I would tend to agree with the applicant regarding the aquifer recharge feasibility; however, I believe it is incumbent upon the applicant to submit substantiating evidence as to the feasibility of recharge.

10. This item is primarily a planning item; however, the applicant refers to a phase 4 and it is our opinion that each phase must comply with the requirements of the Ordinance within of itself.

11. Recommendations regarding this item are more of a planning nature and should come from the Township Planner.

12. This item should be referred to the Township Planner and also the Department of Code Enforcement for items pertaining to building codes.

13. Parking Stalls - While both the Zoning Board and Planning Board have granted waivers in the past regarding parking stall dimensions, it has been primarily for long-term parking. It is our opinion that residential parking such as in the application, would not be long-term parking and therefore should require stall size as provided for in the Ordinance.

An overall review of the requests for the numerous waivers and variances has not revealed any statements which would constitute a hardship due to the topography, irregularly shaped lot or other natural or existing constraints.

The final revisions on drainage were received in this office on Friday, September 4, 1987, and we are still in the process of reviewing the detailed hydraulic calculations. To date, we have found numerous discrepancies between profiles, grades and inverts. While none of these discrepancies, so far, appear to be of a nature that would affect the layout, I cannot at this time, state for a certainty that upon completion of this review, there would be no affect on layouts. The applicant appears to have made every effort to comply with our requirements regarding grading and it appears that this was the intent of the revisions. Until these discrepancies are resolved, I cannot come to a final conclusions.

To the best of my knowledge, there are many unresolved questions which affect outside agencies, such as Middlesex County (Matawan Road a/k/a Laurence Harbor Parkway), water, sewer, CAFRA and of course, the wetlands issue. Under the Land Use Law, approvals cannot be held up because of outside agencies; however, some of these issues are substantial enough that it may affect the layout of this development.

TRAFFIC

The traffic impact study which was submitted requires clarification regarding existing and projected traffic flows. The report states that existing traffic volumes (turning movement counts) were conducted in Sept. of 1985, and do not find existing counts as of this date. A record of the actual counts (time interval) is not included in the report. I would recommend that further analysis be conducted of existing counts and how projected counts will affect the traffic flow.

This office reserves the right to make additional comments after a review of the testimony of the public hearing.

Respectfully submitted,
Harvey P. Goldie, P.E.&L.S.
Township Engineer

Motion was made by Dina Miller, seconded by Terri Settleowski, and supported ALL IN FAVOR to grant the following checklist items: (waiver of)

slope calculations & per cent of grade change
Homeowner Association documents
Microfilming.

It was determined that easements must be delineated on the final plans.

Mr. Karcher stated the applicant no longer seeks a variance from Section 15-1 of the Ordinance entitled Storm Drainage. The applicant will comply with requirement of Mr. Goldie to provide the 2% minimum grade throughout the site.

With regard to roads motion was made by Mr. Hasanoeddin to classify the unknown street (Metro Park South) as a Minor Arterial and Alexandria Drive classified as a collector street. All other streets within the development to be private roads or drives. Motion was seconded by Mrs. Fuchs and so ordered by the following roll call vote:

AYES: Messrs. Hasanoeddin, Reinbold; Mrs. Holden, Miller, Fuchs, Gaughan, Settlekowski.

NAYS: None.

On the collector street, the Board agreed Alexandria Drive would have two (2) 15 ft. paved lanes and a 10 ft. island. The 36 ft. of pavement was waived. Motion made by Mr. Hasanoeddin, seconded by Mrs. Holden, and so ordered by the following roll call vote:

AYES: Messrs. Hasanoeddin, Reinbold; Mrs. Holden, Miller, Fuchs, Gaughan, Settlekowski.

NAYS: None.

Applicant must comply with the 60 ft. right of way.

Sideyard variances were requested for the following units due to the new classification of Alexandria Drive:

- # 272 reduced to 10 ft.
- # 264 - 10 ft.
- # 256 - 10 ft.
- # 121 - 10 ft.
- # 107 - 10 ft.
- # 91 - 10 ft.
- # 63 - 15 ft.
- # 7 - 10 ft.
- # 1 - 10 ft.
- # 15 - 15 ft.
- Clubhouse - 10 ft.

In the public portion, Mr. William J. Boswell, Engineer for the Garden State Parkway discussed the traffic situation on Laurence Harbor Road and stated his concern that the GDP was within 200 feet of the Parkway. Mr. Kevin McDunne, traffic expert from Abington Ney discussed improvements to Laurence Harbor Rd. with regard to the widening in front of the project to accommodate turning movements.

Mr. Peter Durso, Mr. Robert Lewicki and Mrs. A. Miller voiced their concerns as to the traffic and that the roads should meet Township specifications.

Application was continued to September 30, 1987, no further notice being required. Motion was heard and seconded and supported ALL IN FAVOR.

Meeting adjourned 12 a.m.

Respectfully submitted,

Dina Miller
Dina Miller
Secretary

M. Landau