

Chairman Nanson called the meeting to order and the Administrative Officer read the opening statement.

ROLL CALL: The roll call showed the following members present: Matthew Hughes, Richard Mertens, James Moretti, Jose Orozco, Thomas O'Donnell, Matthew Gonzalez and Wendell Nanson. Glenn Cantor and Paul Sayah were excused.

Also in attendance were Board Attorney, Ronald Troppoli, Charles Cunliffe, Board Engineer, Jennifer Beahm, Board Planner, Matthew Howard, Director of Land Use and Eileen Rubano, Board Secretary

PLEDGE OF ALLEGIANCE:

SWEARING IN OF BOARD PROFESSIONALS: Charles Cunliffe, Jennifer Beahm, and Matthew Howard were sworn in by Board Attorney Troppoli.

APPROVAL OF MINUTES:

Mr. Mertens made a motion to approve the minutes of the February 10, 2020 meeting. Motion was seconded by Mr. Moretti and carried with Messrs. Hughes, Mertens, Moretti, O'Donnell, Orozco and Gonzalez voting to approve.

Mr. O'Donnell made a motion to approve the zoning board minutes from February 24, 2020. Motion was seconded by Mr. Hughes and carried with Messrs. Hughes, Moretti, O'Donnell, Gonzalez and Nanson voting for the motion.

VOUCHERS: There were no vouchers to approve.

CORRESPONDENCE: The Board Secretary announced that she had correspondence from Salvatore Alfieri, Attorney for Bennett Road Associates, asking the Board to carry the application from tonight's agenda to April 13, 2020 and he granted the Board an extension of time to act on the application through April 30, 2020. The Chairman carried the application for members of the public.

The Board Secretary also informed the members about the upcoming training session for Board Members and said she would be sending an email reminder. She asked all members to check their calendars and let her know as soon as possible if they would be attending so she can register them.

RESOLUTIONS:

a. **BA19-18 / Mary Ellen Evans**

Mr. O'Donnell made a motion to memorialize the resolution granting Bulk Variance approval to construct a single family dwelling on an unimproved street to Mary Ellen Evans. Motion was seconded by Mr. Moretti and carried with Messrs. Hughes, Moretti, O'Donnell, Gonzalez and Nanson voting to memorialize.

APPLICATIONS BEFORE THE BOARD:

a. Case No. BA18-31 / Sakoutis Realty LLC

Michael Vitiello, Attorney for the Applicant, appeared along with Walter Hopkins, PE, John Sakoutis, Owner/Operator and Rick Cifelli who were sworn in by the Board Attorney.

Prior to any testimony the Chairman said he believed the Board Engineer had some questions or concerns about the application and turned the meeting over to Charles Cunliffe, Board Engineer.

Mr. Cunliffe said he noted in his March 5, 2020 review letter that he had significant stormwater management concerns and they were items that were previously noted in his February 4, 2019 review as well. There has been other historic clearing and millings installed on lots 116.01 and 116.02 with no site plans or stormwater management.

Ms. Beahm, Board Planner, also pointed out that if you are using an area for compensation you can't use that area and then disturb it. She pointed out that we have one set of plans and they sent a different set of plans to DEP and she asked why the plans weren't consistent. She said they repeatedly told the applicant's engineer about these things and they still are not on the plans. She also said that Mr. Cunliffe had two meetings with the engineer and he asked for the DEP application. Ms. Beahm believes they are not even close to where the board professionals need them to be and said the plans need to be fixed. She also pointed out that there are containers along Route 34 that need to be moved and there is an outfall that goes through the buffer.

Mr. Hopkin said he wants to be transparent and he knows there will be modifications by the time they get to Board approval or resolution compliance. He also said that their environmental professional said it was permitted.

Ms. Beahm said she was recommending to the Board that Mr. Cunliffe draft a letter outlining our concerns and the application before the DEP is inconsistent with the plans that we have. The applicant is going to have to figure out another way and she can't imagine that this professional would make this level of mistake as it is permitting 101.

Ms. Beahm also said that if the DEP accepts this it will become a conservation easement and the town can't waive that issue. She said that everyone sat in her office and she informed them that everything not on a foundation needs to be moved and the stuff is still there.

Mr. Cunliffe said there is a lot of information lacking in the stormwater report and the ground cover and flow paths need clarification. They also need additional soil logs. Mr. Cunliffe also said that according to his calculations the seasonal high water table is right at the bottom and he has significant concerns putting the basin in that location. He hasn't seen anything that shows it will work in that location. He also said that the majority of the flow from lot 116.01 in the southeast corner and lot 11602 in the northeast corner will flow undeterred through the wetlands that will be restored but there is no water quality. Mr. Cunliffe said he does not have enough information to move forward

Mr. Cunliffe also said the applicant is asking for a waiver to install asphalt millings and that should be part of the application to DEP. The Board should require something from DEP that shows they have no problem with the applicant using the millings.

Ms. Beahm agreed with Mr. Cunliffe by saying that she thinks there is too much work needed before testimony and she can't say there are no negative impacts until Mr. Cunliffe is okay with the stormwater management.

Mr. Vitiello said he has spoken to the Board's professionals by phone over the last few days and they do want to go through the process and earn the Board's approval. He wants to make sure that his team has the information they need and the Engineer has addressed certain items using methods he does not agree with. It is not their intent to leave out and ignore comments from the Board.

Mr. Cunliffe said that the Township keeps pretty good records of site plans and prior approvals and he should look into lots 116.01 and 116.02 to see what was approved as far as impervious coverage.

Everyone agreed that the applicant had some work to do and they would like to have one comprehensive hearing on this matter so Chairman Nanson carried the application to April 27, 2020 with no further notice.

Mr. Moretti made a motion to adjourn the meeting. Motion was seconded by Mr. Orozco and carried. Meeting adjourned at 8:05 p.m.

**Respectfully submitted,
Eileen Rubano, Recording Secretary**

NOTE: A CD or DVD of this meeting is available on request.