

BOROUGH OF NORTH CALDWELL
Mayor and Council/Planning Board/Zoning Board

Special Meeting Minutes
Wednesday, March 6, 2019 - 7:00PM

A Special meeting of the Mayor and Council of the Borough of North Caldwell, the North Caldwell Planning Board and the North Caldwell Zoning Board of Adjustment was held on Wednesday, March 6, 2019 at Borough Hall, Gould Avenue, North Caldwell, New Jersey and began at 7:04pm.

Mayor Alessi called the meeting to order announcing that notice was provided in accordance with the requirements of Chapter 231, P.L. 1975.

Roll Call indicated the following present:

Borough Council

Present: Mayor Alessi, Council President Santomauro, Councilman Chiaia, Councilman Kessler, Councilman Raymond, Councilman Rees
Absent: Councilman Astorino

Planning Board

Present: Chairman Brower, Mayor Alessi, Mr. Barba, Mr. Campbell, Mr. Rees, Mr. Spinelli, Mr. Zichelli.
Mr. Fishbone joined the meeting at 7:12pm.
Absent: Ms. Nathans

Zoning Board of Adjustment

Present: Chairman Wangner, Mr. Floria-Callori, Mrs. Jenkins, Mr. Michelotti, Mr. Roth, Mr. Curcio
Absent: Mr. Augustitus, Mr. Salan

Also present were: David M. Paris, Esq., Borough Attorney; Jack Dusinger, Esq., Planning Board Attorney; Lisa Thompson, Esq., Zoning Board Attorney; Frank Zichelli, Borough Administrator/Engineer; Mark Deuer, Police Chief; and Tami Michelotti, Borough Clerk.

Mayor Alessi asked Chairman Brower and Chairman Wangner to lead the Pledge of Allegiance.

Citizens to be Heard

No one from the public came forward.

Mayor Alessi thanked all board members for their participation in the meeting and for their volunteerism to the Borough. He welcomed the chairmen and members of each board to share their thoughts regarding trends in applications and suggestions for ordinance changes that may be needed.

Items for Discussion

Zoning and Planning Board Trends

Chairman Brower stated that he would defer to the Chairman of the Board of Adjustment regarding patterns in requests from homeowners and areas of relief sought.

Chairman Wangner noted the trend in 2018 for impervious coverage variances. He did not recommend increasing the limits but rather mandating alternatives for stormwater drainage. Mr. Dusinger credited the Zoning Board with being gatekeepers on impervious coverage limits. Chairman Wangner noted that the majority of recent applications requested for setback variances.

Mr. Zichelli noted that the State sets standards for stormwater. The parties all agreed that the past year had brought an unprecedented amount of rainfall. Mr. Wangner suggested that Essex County be consulted regarding drainage issues on and near County Roads such as Mountain Avenue.

Mr. Wangner noted some recent inconsistencies from the Zoning Officer that have been easily corrected during applicants' hearings.

Mr. Campbell raised the issue of steep slopes for which the Planning Board felt the ordinance was sufficient.

Mr. Roth noted the need for Essex County to maintain its property such as the swale behind Wind Ridge Drive. Mr. Chiaia offered to remind the County representatives of the need for maintenance.

Mr. Zichelli explained the regulations regarding on-site detention. He noted that any new structure or addition in excess of 500 square feet requires on-site detention.

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Ms. Jenkins stated concern for tree removal from lots that are being rebuilt. It was noted that rebuilds of single-family homes are not encouraged to keep existing trees. Mr. Campbell noted the potential effect on neighbors when a property owner clears a lot from all trees. Council President Santomauro suggested further discussion to find an alternative.

Mr. Dusinberre noted some points of view from the Planning Board including:

1. Subdivisions that could impact the Zoning Board and are dealt with by the Planning Board when possible.
2. Small subdivisions with solid plans that require minor variances are handled at the Planning Board level when possible.
3. Ordinances infer the philosophy of the town. The Borough relies on State standards for stormwater management and soil conservation.
4. The most vulnerable time of development is during the construction phase.

Pulte Homes "The Reserve"

Mr. Paris provided an overview of the history behind the construction by Pulte Homes on the Hilltop. He noted that a settlement agreement was near but that mediation was ongoing. Council President Santomauro noted the difference in impervious coverage and setback limits in this R-8 zone which was County land. Mr. Paris explained that land was donated to the Borough by K. Hovnanian on which the Borough could meet its affordable housing obligation.

Green Brook Country Club

Mr. Paris provided an overview of a settlement agreement with Green Brook Country Club which includes affordable housing as mandated by Fair Share Housing whenever more vacant land becomes available within a municipality. Council President Santomauro noted that the property owner desires to continue as a golf course. Mr. Paris explained that should the property owner no longer be able to operate as a golf course, they would not be able to make applications for construction before November 1, 2019 with no permits issued prior to February 1, 2021.

Mr. Barba asked if the golf club property owners would contribute to the Borough's infrastructure as a condition of development. Mr. Paris stated that recent research shows that placing conditions on the granting of development applications, permits and/or variances cannot be based on the developer's willingness to donate to the community. He added that the developers cannot make a donation for off-site use; the donation of the 12 acres is on-site.

Council President Santomauro noted that the acreage could have brought as many as 800 units on the property. Mr. Roth encouraged communication of this information to the public. Council President Santomauro stated that a Borough newsletter was being developed for regular distribution.

Elm Road

Mayor Alessi explained a concept for redeveloping Elm Road. He noted that the Borough Planner was evaluating the potential for the area. Mr. Zichelli confirmed that part of the property is in Caldwell.

Chairman Wangner asked about the Walker Property on Mountain Avenue. Mayor Alessi noted the environmental issues of pond contamination and required dredging and the associated costs. Mayor Alessi explained the option of selling five one-acre lots that were approved for subdivision.

In closing, Mayor Alessi asked each committee to consider preparing a 5-year plan.

There being no other matters to be considered, a motion was made by Council President Santomauro, seconded by the Council to adjourn the meeting. The motion was carried unanimously. The meeting was adjourned at 9:12pm.

Respectfully submitted,



Tami Michelotti
Borough Clerk
Zoning Board Secretary