

**PLANNING BOARD MINUTES
REGULAR MEETING
JANUARY 23, 2017**

The North Caldwell Planning Board Regular Meeting of January 23, 2017 was called to order by Chairman Joseph Brower at 8:00 p.m.

1. Chairman Joseph Brower read the Open Public Meeting Notice
2. Pledge of Allegiance
3. Roll Call was taken by Planning Board Secretary, Mel Levine

| NAME | PRESENT | ABSENT |
|--|---------|--------|
| Chairman Joseph Brower | X | |
| Vice Chairman James Campbell | X | |
| Mayor Joseph Alessi | | X |
| Councilman Art Rees | X | |
| Member Dr. Carl Spinelli | X | |
| Member Scott Fishbone | X | |
| Member Mel Levine | X | |
| 1 st Alt. Member Joseph Barba | X | |
| 2 nd Alt. Member Sandra Nathans | X | |
| Borough Engineer Frank Zichelli | X | |
| Attorney John Dusinberre | X | |

Mayor Joseph Alessi was recused from the meeting.

4. A motion was made to approve the minutes from the November 21, 2016 Regular meeting by Member Dr. Carl Spinelli.

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| Moved by: | Member Dr. Carl Spinelli |
| Seconded by : | Member Scott Fishbone |

Roll Call Vote:

| MEMBER | YES | NO | ABSTAIN | ABSENT |
|---|-----|----|---------|--------|
| Chairman Joseph Brower | X | | | |
| Vice Chairman James Campbell | X | | | |
| Mayor Joseph Alessi | | | | X |
| Councilman Art Rees | X | | | |
| Member Dr. Carl Spinelli | X | | | |
| Member Scott Fishbone | X | | | |
| Member Mel Levine | X | | | |
| Member Joseph Barba, 1 st Alt. | X | | | |
| Member Sandra Nathans, 2 nd Alt. | X | | | |

5. A motion was made to approve the minutes from the December 5, 2016 Conference Meeting by Member Scott Fishbone.

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| Moved by: | Member Scott Fishbone |
| Seconded by : | Member Vice Chairman James Campbell |

Roll Call Vote:

| MEMBER | YES | NO | ABSTAIN | ABSENT |
|---|-----|----|---------|--------|
| Chairman Joseph Brower | X | | | |
| Vice Chairman James Campbell | X | | | |
| Mayor Joseph Alessi | | | | X |
| Councilman Art Rees | X | | | |
| Member Dr. Carl Spinelli | X | | | |
| Member Scott Fishbone | X | | | |
| Member Mel Levine | X | | | |
| Member Joseph Barba, 1 st Alt. | | | | X |
| Member Sandra Nathans, 2 nd Alt. | X | | | |

6. A motion was made to approve the minutes from the January 3, 2017 Re-Organization Meeting by Member Sandra Nathans

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| Moved by: | Member Sandra Nathans |
| Seconded by : | Member Joseph Barba |

Roll Call Vote:

| MEMBER | YES | NO | ABSTAIN | ABSENT |
|---|-----|----|---------|--------|
| Chairman Joseph Brower | X | | | |
| Vice Chairman James Campbell | X | | | |
| Mayor Joseph Alessi | | | | X |
| Councilman Art Rees | X | | | |
| Member Dr. Carl Spinelli | X | | | |
| Member Scott Fishbone | X | | | |
| Member Mel Levine | X | | | |
| Member Joseph Barba, 1 st Alt. | X | | | |
| Member Sandra Nathans, 2 nd Alt. | X | | | |

- Chairman Brower introduced the applicant: K. Hovnanian at North Caldwell IV, LLC and explained to the public that the applicant has applied to the Planning Board in the Borough of North Caldwell to amend the preliminary and final site plan on Hilltop Drive or Parcel 3, Block 101, Lot 3. The applicant is proposing to change the grading of 20 lots.

Attendees for the applicant;

James P. Mullen, Director of Land Entitlements for Pulte Homes
Peter Ciliberto, PE of Najarian Associates, Civil Engineering
William Feinberg, AIA (Architect)
Michael Tobia, PP

- Robert Gaccione, Esq. represented Pulte Homes who is the contingent contract purchaser from K. Hovnanian at North Caldwell IV, LLC. Pulte Homes is submitting an application to revise certain aspects of the previous approval which was granted and memorialized on June 20, 2016 by the North Caldwell Planning Board. The revised proposal reflects the regrading of lots 26 to 45 to allow for homes with garages under the first floor of living area. The grading changes will result in the reduction of height variances, not an increase. The grading changes will also require additional variances for new retaining walls along driveways in front yards with maximum height of retaining walls perpendicular to the street of nine feet. No proposed changes are being requested except for these 20 lots.

John Dusingberre, Esq. asked Robert Gaccione, Esq. if he wished to include the Pulte sales trailer in the submission. Mr. Gaccione requested that the application be so amended.

First witness called by Robert Gaccione, Esq. was James P. Mullen, Director of Land Entitlements for Pulte Homes. Mr. Mullen explained the background of Pulte Home Builders and how they have grown to be one of the largest builders.

Second witness was Peter Ciliberto, PE, Civil Engineering testimony. Mr. Ciliberto described the property as being age targeted. EXHIBIT A-1, overall rendering, Parcel 3 is zoned R8 for age targeted housing. Mr. Ciliberto described the original plan that was submitted by K. Hovnanian. EXHIBIT A-2 shows a garage under product, area of revised grading are lots 26 – 45. These lots are the only changes in the amended application. No changes to roadways, storm water management, only change may be the placement of some street trees. Three different grading plans have been submitted to the Board. EXHIBIT A-3, lot 38, EXHIBIT A-4, lot 43, EXHIBIT A-5 lot 27. These exhibits demonstrate that there is an average reduction of 7 feet in height in all 20 lots.

Mr. Gaccione, Esq. asked Mr. Ciliberto, PE to discuss the front yard retaining walls.

Mr. Ciliberto used EXHIBIT A-5 to show the elevation from the front door to the street which is about 9 feet in height. The height of the wall was designed to accommodate the garage under the product. As illustrated in EXHIBIT A-5, and EXHIBITS A-3, & A-4, the wall starts at 9 feet and slopes down to almost grade level. An additional variance is required from section 107-32 which states the maximum height of a wall is 6 feet in height. The applicant is not proposing a fence on the retaining walls as there will be railings on the stairwells leading to the driveway, and behind the wall will be landscaping to keep people out of that area.

Mr. Gaccione, Esq. asked Mr. Ciliberto, PE if there would be any change to the existing gas line.

Mr. Ciliberto, PE stated that with the new plan 145 feet of the 16 in. gas distribution line would not have to be changed. Relocation of gas line from East Hilltop Drive to go between lots 15 & 16. This will be a reduction of gas line relocation.

Vice Chairman Campbell wanted to know the environmental impact of this change.

Mr. Ciliberto, PE testified that there would be more shade trees and vegetation that would not be disturbed.

Councilman Art Rees asked Mr. Ciliberto, PE the setbacks of the proposed homes

Mr. Ciliberto, PE testified that the front yard setback would be 30 feet and the side yard would be 11 feet.

Chairman Brower asked Mr. Ciliberto, PE if the lowering of walls would eliminate any of the variances that were originally granted.

Mr. Ciliberto, PE testified that lowering the walls one tier would allow more trees to be saved. All previous granted variances were still needed.

Chairman Brower asked if there were any more questions from the Board, being none, the Chairman opened the meeting to the public to ask Mr. Ciliberto any questions pertaining to this application.

Brandt Braue , 62 Mountain Avenue, North Caldwell NJ asked Mr. Ciliberto, PE with the grading changes, would the height of the houses change.

Mr. Ciliberto, PE testified they would be 32 feet high as required.

Dan Gallagher, 36 Ferndale Road, North Caldwell NJ questioned the height of the new homes since the proposed plan is raising the level of the property 6 feet. He also questioned how the new homes on the west side, and the Fernadale side would be affected.

Mr. Ciliberto, PE testified that the change in elevation would not be noticeable, and there will be more trees and vegetation that will not be disturbed.

John Zurlo, 19 Glenview Road questioned the height of the new houses, and whether they would be visible from the corner of Ferndale Road and Glenview Road.

Mr. Ciliberto, PE testified that the new houses would be 32 feet in height, and would not be visible from the corner of Ferndale Road and Glenview Road because of the

line of sight of the tall trees.

Member Fishbone asked Mr. Ciliberto, PE to review the rough grading, and where you are at Ferndale Road, and Hilltop Drive.

Mr. Ciliberto testified that Ferndale is at an elevation of 566 plus or minus and Hilltop Drive has an elevation of 609. Across the street would be 653, there are no other changes that would affect visibility.

Donald Theobald, 54 Ferndale Road, North Caldwell, NJ questioned height of garage floor to ceiling, and why the raising the grade is necessary.

Mr. Ciliberto, PE testified that the garage height, floor to ceiling is 10 feet. Grading changed for better drainage and having flat driveways instead of steep driveways.

Mr. Dusinberre, Esq. swore in William Feinberg, AIA of Feinberg Design Associates who will present Architectural details.

Mr. Feinberg testified that there are 3 models that are proposed for these 20 lots. The 3 models are; Hilltop, Willwood, and Melrose. The rendering (EXHIBIT A-7) is rendering A, that represents the 3 models types. (EXHIBIT A-8) represents the downhill version, rendering B.

Mr. Gaccione, Esq. asked Mr. Feinberg to describe the exterior of the proposed models.

Mr. Feinberg testified that the Hilltop is EXHIBIT A-9, 2,875 square feet. There are four elevations for this model. EXHIBIT A-9 is comprised of 4 sheets. EXHIBIT A-10 is the Willwood model, 3,169 square feet, comprised of 3 sheets. There are 4 elevations. The Melrose model is EXHIBIT A-11, 3,539 square feet, comprised of 3 sheets.

Mr. Feinberg described the interior layouts and the different options available.

Mr. Gaccione, Esq. asked Mr. Feinberg to explain the exterior differences of the models.

Mr. Feinberg testified that there are 4 elevations for each model.

Councilman Rees felt the houses were too similar in style.

Mr. Gaccione, Esq. said his client has many different elevations that were not brought this evening and they are a significant variety based upon what his client has indicated to him. Based upon Mr. Rees's comments it may be that we have to come back with those elevations. for your review. I would like to finish with the architectural testimony and answer any other questions of the Board or public.

Dr. Spinelli asked what age group is considered to be age targeted.[]

Mr. Feinberg testified that in this part of the state, age targeted is 55 – 62 years old.

Chairman Brower opened the meeting up to the public for questions specifically for the architect.

Mr. Dusinberre, Esq. clarified that all the K. Hovnanian Plans are not part of the plan. What was shown tonight was the proposed houses for the 20 lots, and the remaining lots would have variations of the other 5 types of models.

Bernard Albanse, 4 Seasons Drive, North Caldwell, NJ. asked if Pulete Homes would have to come back to the Planning Board if they were not changing garages, but just styles of the houses.

Mr. Dusinberre, Esq, stated that they would have to come back to the Board because changes were made to what was previously granted, and is not what is being proposed.

Dan Gallagher, 36 Ferndale Road, North Caldwell, NJ questioned the look-a-like ordinance, or is that in terms of what is being offered guaranteeing variation at the time of construction.

Mr. Dusinberre, Esq. stated that the ordinance specifically says buildings on the same street shall not look alike.

Brandt Braue, 64 Mountain Avenue, North Caldwell, NJ. Concerned about elevations shown between houses, would like to see a rendering of what these walls would look like showing the variations of height.

Mr. Cililerto, PE testified that there will be no walls between houses on the 20 lots.

Chairman Brower closed this part of the meeting for questions because it was now 10:30 p.m. , and noticed that our next public meeting will be February 13, 2017, at 8:00 p.m.

9. Chairman Brower opened the meeting for citizens to be heard, there were none.

10. Motion to adjourn meeting.

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| Moved by: | Member Sandra Nathans |
| Seconded by : | Member Joseph Barba |

Roll Call Vote:

| MEMBER | YES | NO | ABSTAIN | ABSENT |
|---|-----|----|---------|--------|
| Chairman Joseph Brower | X | | | |
| Vice Chairman James Campbell | X | | | |
| Mayor Joseph Alessi | | | | X |
| Councilman Art Rees | X | | | |
| Member Dr. Carl Spinelli | X | | | |
| Member Scott Fishbone | | | | X |
| Member Mel Levine | X | | | |
| Member Joseph Barba, 1 st Alt. | X | | | |
| Member Sandra Nathans, 2 nd Alt. | X | | | |

Respectfully submitted,

Mel Levine

Planning Board Secretary

ML