

Joint Land Use Board
1200 Mountain Ave., Middlesex, NJ 08846
Minutes
July 13,2022

1. Call to Order

Vice-Chairperson Sherr called the meeting to order at 7:01 pm.

2. Open Public Meeting Act Statement

Vice-Chairperson Sherr read the Open Public Meeting Act Statement.

3. Roll Call

The following members were present:

CLASS IV MEMBERS:

FRANK RYAN DEC/2024 [PRESENT]	MARK KRANZ DEC/2023 [ABSENT]
JOSEPH DESCENZA DEC/2024 [ABSENT]	
ROBERT SHERR DEC/2022 [PRESENT]	PAUL WOSKA DEC/2023 [PRESENT]
JOSEPH CARUSO DEC/2023 [PRESENT] ALTERNATE 1	
TODD NICOLAY DEC/2022 [PRESENT] ALTERNATE 2	

ROBERT DESSINO DEC/2023 [PRESENT CLASS I MEMBER
STEPHEN GRECO DEC/2022 [PRESENT] CLASS II MEMBER
JEREMIAH CARNES DEC/2022 [PRESENT 7:20] CLASS III MEMBER

ALSO PRESENT: BOARD ATTORNEY-MR. BILL ROBERTSON
BOARD ENGINEER-MR. ROBERT MANNIX, COLLIERS ENGINEERING
BOARD PLANNER-MR. PAUL RICCI
ZONING OFFICER-MR. JOE COSTA

4. Correspondence

Vice-Chairperson Sherr read the email from Michael Conahan resigning from the Board due to his new position on the Council.

Mayor Madden, 39 Ramsey Rd. thanked Mr. Conahan for his dedication to the Borough.

Mr. Costa stated that the Board is very well run, and he also thanked Mr. Conahan and the Board Members for volunteering their time.

5. Appointment of Chairperson

Vice-Chairperson Sherr opened the floor for nominations for Chairperson.

Member Descenza made a motion to appoint Bob Sherr as Chairperson, seconded by Member Greco.

Vice-Chairperson Sherr asked if there were any further nominations for Chairperson. There being none he closed nominations. Vote: Member Ryan-yes, Member Woska-yes, Member Descenza-yes, Member Carnes-yes, Member Dessino-yes, Member Greco-yes, Member Caruso-yes, Member Nicolay-yes, Member Sherr-yes. Motion passed.

Member Sherr was voted as the new Chairperson for Joint Land Use Board for 2022.

6. Appointment of Vice-Chairperson

Chairperson Sherr opened the floor for nominations for Vice-Chairperson.

Member Greco made a motion to appoint Paul Woska as Vice-Chairperson, seconded by Member Ryan.

Chairperson Sherr asked if there were any further nominations for Vice-Chairperson. There being none he closed nominations. Vote: Chairperson Sherr-yes, Member Ryan-yes, Member Woska-yes, Member Descenza-yes, Member Carnes-yes, Member Dessino-yes, Member Greco-yes, Member Caruso-yes, Member Nicolay-yes. Motion passed.

Member Woska was voted as the new Vice-Chairperson for Joint Land Use Board for 2022.

5. Minutes

Member Woska made a motion to approve the June 8, 2022 minutes, seconded by Member Caruso. Vote: Chairperson Sherr-yes, Member Ryan-yes, Member Woska-yes, Member Descenza-abstain, Member Carnes-yes, Member Dessino-yes, Member Greco-yes, Member Caruso-yes, Member Nicolay-yes. Motion passed.

6. New Business

JLUB 2022-004
400 Market St. Middlesex LLC
400 Market St.
Block 35 Lot 19

Minor Subdivision

Mr. Sullivan stated he is representing the applicant for the subdivision, there are no variances and is conforming subdivision.

The property is located on the corner of Market St. and High St.

The lot size is 100 x 200 and located in the R60A zone.

The current single-family house will remain, and two new lots will be created, each having a single-family dwelling.

Mr. Robertson duly swore in the applicant's Engineer, Mr. James B Mastronardy.

Mr. Mastronardy stated his education and credentials. The Board accepted as an expert witness.

Mr. Mastronardy stated that the current lot is 100 x 200 ft, containing a single-family house, and the lot is flat.

The subject property will be subdivided into three conforming lots, the house will remain the lot size will be 80x 100.

The other two lots will be 60 x100.

The Board reviewed Mr. Ricci's letter dated June 24,2022.

The applicant will comply and fix error on the zoning chart for accessory buildings on the plan.

Sheet 1 of the site plan was used to show 8 trees to be removed, 5 evergreen and 3 deciduous trees.

The applicant is seeking waivers for sidewalks, there are no sidewalks in the area.

The applicant is seeking a waiver for shade trees.

The Board reviewed the Colliers Engineering letter dated May 4, 2022.

The applicant submitted a plot plan and will need to submit a plot and grading plan to be approved.

The subdivision will submit deeds to be reviewed.

The applicant is proposing the water main extension to connect later on the Market St. and have an easement for the two properties rather than install a main on High St.

The applicant will comply with pavement restoration details and provide on the site plan.

The applicant will plant trees.

The applicant will obtain Block and Lots from the Tax Assessor.

Applicant will provide plot and grading plan for test pits in order to obtain a Building permit.

Applicant will obtain any necessary outside approvals such as Freehold Soil.

The applicant will comply with the Shade Tree Commission comments for tree protection zone.

Mr. Costa explained the importance of complying with the tree protection zone.

Mr. Robertson duly swore in Mr. Kevin Sempervive, 9 Willow Woods Trail, Warren, NJ.

Mr. Sempervive stated that he is in the landscape business so he understands the root structure of a tree.

Mr. Sempervive stated that he will contact the Shade Tree Commission to make sure that the trees stay protected.

Member Ryan asked if the applicant would not have an easement for the water line and continue the main up the street.

Mr. Mastronardy stated that he had a conversation with Georgia Marino from Najarian Engineering due to the NJDEP Flood Regulations.

The applicant will need a determination letter from NJDEP.

Mr. Costa stated that NJDEP is raising the flood level requirements by 2 feet and becoming more restrictive, that the applicant will need to get the NJDEP letter.

Mayor Madden, 39 Ramsey Rd asked a flood question.

Mr. Sullivan stated that more than 95% of the property is not in the flood zone.

Mayor Madden asked a question about the water laterals and connecting to Main St.

Chairperson Sherr opened to the public for questions.

Christina Levenson, 420 High St, had a comment not a question.

The public will have an opportunity to comment on the application.

Mr. Mannix recommended that the applicant eliminate the easement and extend the water main on High St.

The elimination of the easement would save more trees and have more room for street trees.

Mr. Mannix stated that NJDEP paperwork will be needed to determine if permit is required.

Mr. Mannix stated that grading plans will need to be submitted.

Member Ryan stated that they can't control the lot size but can control other items.

Chairperson Sherr opened the meeting to the public.

Christina Levensen, 420 High St. (next door) and Nancy Ianiero, 413 High St (across the street) stated they wanted to give a presentation of opposition to the subdivision.

Mr. Robertson duly swore in Christina Levensen, 420 High St., verbally read comments: She opposed the division of property into three different property lines. She stated her current lot is 100 x 125. She couldn't put fence on outside due to roots of the pine trees. The two new houses will have 60x 100 lots and these lots will be narrow and not a lot of land. She stated her concerns about possible damage to trees. She stated currently not in a flood zone – what will happen when houses are built. She stated her concerns with not having mature trees. She stated her concerns about more traffic in neighborhood and more noise. She stated her concerns about narrow street and emergency vehicles. She had concerns about house driveways not that big and taking away street parking. She stated her concerns about the changing aesthetics of the block. She stated that houses in neighborhood are ranches or capes and new houses will be two stories so won't look right. She stated her concerns with property values. She stated her concerns about flooding, storm drainage and water runoff. She stated that the new houses should have a water main continued down the street.

Mr Robertson duly swore in Nancy Ianiero, 413 High St., she stated that the two new houses should not have an easement. She had been denied an easement from NJ American Water in the past.

Mr. Sullivan stated that the water supply is adequate, applicant is not opposed to water main but not aware of Borough Ordinance about contribution. Applicant will provide shade trees or make a contribution to the Shade Tree Commission. He stated that the application is a conforming subdivision and complies with the RSIS standards. The height of the houses are conforming. The applicant will address drainage by installing drywells. He stated he could not comment on property values. He stated that the houses would enhance the neighborhood and the applicant is seeking approval from the Board.

Elizabeth Comune, 316 John St.. She stated that she has lived in Middlesex since 1960 and the property is not in a flood zone. She questioned the setback of the house and the width of the driveway.

Mr. Mastronardy answered the setback question and stated that there is a two car driveway and two car garage so that will give four parking spaces. He stated that only 2.5 spaces are required.

Bruce De Roma, 428 First St. asked for the water main to be continued down the street and no easement granted. He stated that the street has no storm sewers. He asked a question about rear yard setback, and the remaining house and garage

Mr. Mastronardy answered the set back question, the detached garage is an accessory structure and complies with the ordinance.

Shannon O'Brien, 312 John St., She stated her reasons that she was opposed to the subdivision. She stated that currently there is other construction ongoing and had her concerns about the noise level. She stated her concerns with emergency vehicles on a narrow street. She stated that the lot has wild life and would be displaced. She had concerns with flooding especially after the last flooding event. She had concerns about the schools and overcrowding. She stated that if possible only one house to be built not two.

Betty Ann O'Brien, 312 John St. She stated that Middlesex is getting more and more built up and the builder is looking to make money.

Elizabeth Comune, 316 John St. stated that in the past Middlesex has allowed home to be built where they shouldn't have been built in the flood zones.

Mr. Sullivan stated that the application is compliant for parking and height, the applicant will install drywell, will comply with Shade Tree Commission request about tree protection. He stated his position about the water main previously. The applicant will plant trees.

Member Ryan asked a question about State revising the floodmap.

Mr. Costa stated that the Borough is in the process of working with Najarian Engineering on the Flood Plain Ordinance. The State is looking to change boundaries and requirements.

Member Carnes stated his concerns about the flood plain being increased, public safety and what happens to the town during a major weather event.

The Board continued to discuss the application.

Member Greco made a motion to approve the subdivision with conditions that applicant comply with the Engineering memo, comply with planning memo, comply with comment and conditions with the Shade Tree Commission, receive NJDEP letter of no applicability or permit, driveway must remain as noted on plans, six Evergreen trees to be planted as street trees, water main to continue down the street, seepage pit to be

maintained, seconded by Member Nicolay. Vote: Chairperson Sherr- yes, Member Ryan-yes, Member Woska-yes, Member Descenza-yes, Member Carnes-yes, Member Greco-yes, Member Caruso-yes, Member Nicolay-yes. Motion passed.

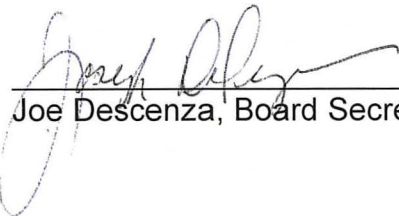
7. Board Comments

The Board requested a letter and recommendations for ordinance changes to be sent to the Council.

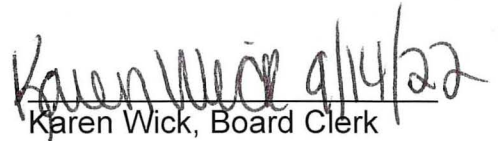
Due to changes on the Board Member Caruso would be moving up from Alt. 1 to Class IV. Member Nicolay would be moving up from Alt. 2 to Alt. 1 and the Board would have a new Alt. 2 member.

The next meeting is August 10, 2022 at 7pm in Borough Hall.

There being no further business Member Greco made a motion to adjourn the meeting at 8:50pm, seconded by Member Dessino. Vote: All in favor. Motion passed.



Joe Descenza, Board Secretary



Karen Wick, Board Clerk