

Borough of Rocky Hill
Planning Board
Minutes of the Regular Meeting
August 12, 2014

Planning Board Chair Michael Goldman called the Regular Meeting of the Planning Board to order at 7:30 pm.

NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Chair Goldman read the following statement into the record: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 9, 2014. Notice remains continuously posted as required under the Statute. A copy of this notice is available to the public and is on file in the Borough Hall.

ROLL CALL

Present: Robert Ayrey, Mark Blasch, Cathy Cann, Tim Corlis, Martin Engelbrecht, Linda Goldman, Michael Goldman, Brian Nolan, Raymond Whitlock, Mayor Ed Zimmerman

Absent: Connie Hallman

APPROVAL OF MINUTES

Regular Meeting Minutes July 8, 2014 - Motion made by L. Goldman to approve the minutes as corrected. Motion seconded by Cann. Motion carried on roll call vote.

For: Blasch, Cann, L. Goldman, M. Goldman, Nolan, Zimmerman

Against: None

Abstain: Ayrey, Corlis, Engelbrecht, Whitlock

CERTIFICATIONS

Raymond Whitlock certified that he listened to the recording of the July 8, 2014 hearing of the Application for Development: 25 Washington Road, LLC, 25 Washington St., Block 5, Lots 6 & & on August 6, 2014.

Martin Engelbrecht certified that he listened to the recordings of the June 10, 2014 and July 8, 2014 hearings of the Application for Development: 25 Washington Road, LLC, 25 Washington St., Block 5, Lots 6 & & on August 6, 2014.

APPLICATIONS

Application for Development: 25 Washington Road, LLC, 25 Washington St., Block 5 Lots 6 & 7. Hearing continued from the May, June and July meetings, all witnesses previously sworn in. Nolan recused himself from the hearing.

Chair Goldman noted that the applicant had filed a revised subdivision plan which resolved the issues raised by the Board and its professionals at the prior hearings, but that two new

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issues were raised by the revised plan: (1) The Board's Planner noted that the revised plan called for the removal of a number of trees along Washington Street, changing the aesthetics of the streetscape; and (2) The Board Engineer raised a number of engineering issues with respect to the proposed drainage plan and expressed concern that the grass between the new sidewalk and the curb would be difficult to mow.

The applicant's engineer, stated that the removal of those trees was necessitated by the lowering of the sidewalk as required by the County. The Board Planner stated that she had contacted the County Engineer and Planner, who had indicated the County would be willing to be lenient on its 2% grading standards to allow the trees to be saved, if it was important to the Borough. The Applicant, after speaking with the County professionals, proposed to use the sidewalk proposal contained in an earlier plan, filed June 23rd, which called for 4' sidewalks rather than 5' sidewalks, with wider areas interspersed to meet ADA standards, and for a lesser reduction in elevation. In addition, the applicant agreed to construct supporting walls in front of the trees made of materials similar to the retaining walls seen across the street next to the sidewalk. Finally, the applicant agreed to have the trees evaluated and trimmed as necessary for their health.

With respect to the Engineer's concerns about the drainage system proposed to handle water run-off from the roofs of the new houses through a system of dry wells, noting that the on-site soil testing showed that the soil has low permeability rates making other drainage solutions, such as a rain garden, impractical on the property. Ultimately, the Board conditioned the Preliminary Approval on the applicant amending its proposal to the satisfaction of the Board's engineer. The Board also required the inclusion of a cross drainage easement on the rear property in the VO zone so that, if a development plan for the rear commercial property is approved prior to the residential properties obtaining a Certificate of Occupancy, the residential drainage plan could be changed to allow run-off to drain on to the back property, where such drainage would be handled by the storm water management system filed in connection with the VO commercial application.

Chair Goldman opened the floor to questions from the public. Susan Bristol, 104 Washington St., asked several questions, including: is there a landscape plan? How will the applicant reconstruct the streetscape? Why are the garages attached rather than detached to be in keeping with other residential properties? Will the drainage flow to neighbor's property? What is the square footage of the houses? Has the applicant considered other drainage strategies? Each of these questions was discussed by the applicant's professionals. Hearing no other questions from the public, the floor was then closed to the public.

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Chair Goldman noted that the Borough Council approved Ordinance 2014-03 allowing the VO zone line adjustment requested by the applicant.

Chair Goldman then polled the eligible members of the Planning Board. All eligible members said they were ready to vote on the application.

Planning Board Attorney Maziarz outlined the conditions of approval that had been discussed, the list including but not limited to complying with the Board Engineer's requirements for drainage including size in piping, installation of storm water management system unless there is an easement with the adjacent lot, sidewalks to specification of the June 23rd plans, addressing grass between the sidewalk and street, and complying with the Board Planner's recommendations for trees.

Whitlock moved to grant preliminary approval of the application with the conditions articulated by the Board Attorney. Cann seconded the motion. Motion carried on roll call vote. The approval and the conditions are being memorialized by the Board attorney in a resolution which will be read and approved at the Board's next meeting.

For: Blasch, Cann, Engelbrecht L. Goldman, M. Goldman, Whitlock, Zimmerman
Against: None
Abstain: None

Not eligible to vote: Ayrey, Corlis

*Nolan rejoined the Board.

OPEN PUBLIC COMMENT

The floor was open to public comment. Hearing none, the floor was immediately closed.

CHAIRMAN'S COMMENTS

Chair Goldman announced that the codification of the DRO by General Code is proceeding.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

CORRESPONDENCE

None

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FINAL OPEN PUBLIC COMMENT

The floor was open to public comment. Hearing none, the floor was immediately closed.

ADJOURNMENT

Whitlock moved to adjourn at 9:09 PM. Motion seconded by Zimmerman. Motion carried on voice vote.

Respectfully Submitted:
Christine Witt
Recording Secretary