

James Jaworski Esq, representing Robert and Mary Wortmann, advised the applicants are proposing a major subdivision of the property located on the south side of Pleasant Avenue into (5) single family lots. Mr. Jaworski advised the subdivision could have been designed creating (6) lots without variances, but the Wortmann's wanted to preserve the character of the site, saving the Hennion House and the historic barn.

The following exhibits were submitted and identified: **A-1:** *Bergen County Planning Board Exemption dated October 2, 2019*; **A-2:** *Bergen County Soil Conservation District Approval dated October 17, 2019*.

Tibor Latincscics PE, PP duly sworn by Mr. Madaio testified to preparing the Plan "*Major Preliminary Subdivision Plan– Block 1305 – Lot 3 last revised October 1, 2019*" submitted and identified **A-3**. Mr. Latincscics reviewed the existing conditions and topography of the property which is bordered to the south by the Pleasant Brook and within the 150 ft. Riparian Buffer. The following documents were submitted and identified: **A-4:** *NJDEP Flood Hazard Area Verification Approval dated May 1, 2019*; **A-5:** *NJDEP Letter of Interpretation/ Presence/Absence Determination dated May 1, 2019* confirming no wetlands are on the property; **A-6:** *USR Board of Health Soil Test Holes Approval dated September 6, 2019*; **A-7:** *USR Tax Assessor's Approval of lot and street numbers as per Plan dated September 27, 2019*; **A-8:** *Concept Plan (6) lots with cul-de-sac prepared by Conklin Associates dated September 13, 2019*; **A-9:** *Photo Board depicting Existing Hennion House and Existing Historic Barn*; **A-10:** *Photos of existing stone walls*; **PB -1:** *Boswell Engineering letter dated September 12, 2019*; **PB-2:** *Boswell Engineering letter dated October 17, 2019*; **PB – 3:** *USR Police Chief Memo dated September 3, 2019*.

Mr. Latincscics, described each of the proposed Lots as being conforming in lot area. Proposed Lot 3.01 retains the existing home, pool, cabana and portion of the driveway. The existing detached garage will be removed. Proposed Lot 3.02 retains the existing historic barn, an expansion of the driveway and a portion of the driveway and a portion of the shared access road off of Pleasant Avenue. Mr. Latincscics reviewed the conceptual layout for the new homes, pools septic and drainage improvements driveways, piers, driveway access and utilities for proposed Lots 3.03, 3.04 and 3.05.

Mr. Latincscics testified to the proposed variances and waivers required for the subdivision. The frontage of proposed Lots 3.01 and 3.02 is 25 ft vs. the 150 required; the circle tangent is not compliant to the public right-of-way and the existing and proposed to remain (2) tiered stone wall exceeds 3 ft. height requirements in the newly created non-disturbance buffers.

Mr. Latincscics reviewed the conceptual (6) Lot Subdivision as depicted on Exhibit **A-8**, featuring a cul-de-sac through the middle of the property. Mr. Latincscics as a Professional Planner, testified the proposed (5) lot subdivision advances the purposes of Municipal Land Use Law by preserving the historic site, a home that is on the national register, just not an old house.

Mr. Jaworski clarified the applicant is not making the historic home part of the application but is trying to save it. Mr. Latincscics further testified the proposed (5) Lot Subdivision provides an opportunity to save the historic home and barn with overall less impact on the site.

In response to comments from the Board, Mr. Latincscics testified the existing detached garage is proposed to be removed; the current septic serving the historic house would have to be removed and a new septic system installed. The proposed driveway to access the (2) rear lots as shown on the plan, would need to provide stormwater management to address the additional runoff. The advantage for sharing the driveway rather than construction of a new driveway is a 20 ft. side driveway with a mountable curb allowing access for large emergency vehicles.

In response to additional comments from the Board, Mr. Latincsics testified if the barn and historic home were to be demolished, nothing can be built without approval from the NJDEP.

Discussion followed regarding the shared driveways and the potential for the barn becoming an accessory structure when or if someone builds a house on the proposed lot. Mr. Madaio clarified the shared driveway is only related to the (2) rear lots.

Ms. Tiberi advised at this time the barn is considered an accessory structure to the historic home, and being pre-existing non-conforming as to height, would remain non-conforming if not renovated.

The Board recessed at 8:48 p.m. and reconvened at 9:00 p.m.

A motion by Mr. Polizzi to open the Hearing to Members of the public regarding the testimony provided by Mr. Latincsics seconded by Mr. Preusch.

David Mitchell – 56 Pleasant Avenue, questioned the location of the proposed driveway in proximity to his property should the (5) lot plan be approved. In response, Mr. Latincsics testified the proposed driveway is 30 ft. from the property line.

Gary Boyajian, 80 Pleasant Avenue, questioned if the proposed subdivision will have city water and underground utilities; requested clarification of the proposed variances and the historic status of the house and barn. In response, Mr. Latincsics testified a water main extension with a fire hydrant is proposed from Pleasant Avenue, initiated with Suez Water with regard to fire protection. Mr. Latincsics advised the historic home and barn are privately owned, and can be torn down. Mr. Latincsics explained the subdivision does not provide protection unless it is located in a Historic District. The barn itself, has some utilities and can be converted to living quarters. However, if it were converted, only an accessory structure to the barn could be built on the lot.

Mr. Boyajian questioned if the property will be developed by a builder or an individual. In response, Mr. Madaio advised ownership of homes are not a consideration of this Board.

In response to comments from the Board, Mr. Latincsics testified emergency vehicles would back out; vehicles reaching the end of the driveway would maneuver a K-turn.

With no further questions from the Board or public, Mr. Virgona closed that portion of the Hearing.

A motion to open the Hearing to Members of the public regarding the application by Mr. Bakal seconded by Mr. Polizzi.

Gloria Christopher, 59 Pleasant Avenue stated it is a sad day such a treasure can't be saved.

With no further comments from the Board or public Mr. Virgona closed that portion of the Hearing.

Mr. Jaworski stated the proposed (5) Lot subdivision with variances has been designed to accomplish something worth trying. The applicant would be willing to accept that there would be no further subdivision or easements applicable to all Lots.

A motion by Mr. Polizzi to approve the application for a (5) lot subdivision conditioned upon there is no further subdivision or easements applying to all Lots and the water main be extended down the driveway seconded by Mr. Donato.

Roll Call

Ayes: 6 Mr. Polizzi, Mr. Donato, Mr. Preusch, Mr. Bakal, Ms. DeFuccio, Ms. Schaum

Nays: 1 Mr. Virgona

ADJOURNMENT

A motion to adjourn by Mr. Polizzi seconded by Mr. Preusch was unanimously approved by all Members present. Meeting adjourned at 9:32 p.m.

Respectfully submitted,

Linda Marmora,
Clerk