

**EAST WINDSOR TOWNSHIP PLANNING BOARD
MINUTES OF May 2, 2016**

The meeting of the East Windsor Township Planning Board was held on Monday, May 2, 2016, in the East Windsor Township Municipal Building, 16 Lanning Boulevard, East Windsor, New Jersey, 08520. Planning Board Chairperson Edward Kelley called the meeting to order at 7:36 p.m.

STATEMENT OF ADEQUATE NOTICE

Pursuant to the Sunshine Law, a notice of this meeting's date, time, place, and agenda was mailed to the news media, posted on the Township bulletin board, and filed with the Municipal Clerk.

ROLL CALL

Members Present: Mr. Berman, Mr. Brady, Mr. Catana, Mr. Clark, Mayor Mironov, Ms. Patel, Mr. Schmidlin, Mr. Shapiro, Mr. Theokas, Mr. Kelley

Members Absent: None

Professionals and Staff Present: Allison Quigley, Planning Board Secretary
Steve Goodell, Board Attorney
Richard Preiss, Township Planner
A. Maxwell Peters, Township Engineer
Daniel Dobromilsky, Township Landscape Architect

REPORTS/CORRESPONDENCE/ANNOUNCEMENTS

Chairperson Kelley announced that the Environmental Commission will be giving away tree saplings to celebrate Arbor Day on Saturday, May 7th from 10 AM to 12 PM at the PAL fields on Airport Road.

PUBLIC FORUM

Chairperson Kelley opened the meeting to the public. There being no public comment, the public forum was closed.

MINUTES

March 21, 2016

MOTION TO APPROVE MARCH 21, 2016 MINUTES MADE BY: Mr. Theokas

MOTION SECONDED BY: Mr. Catana

ROLL CALL

AYES: Mr. Berman, Mr. Brady, Mr. Catana, Mr. Clark, Mayor Mironov, Mr. Shapiro, Mr. Theokas, Mr. Kelley

NAYES: None
ABSTAINS: Ms. Patel, Mr. Schmidlin

RESOLUTIONS

RESOLUTION 2016-12 **Nijjar Realty**
Route 130 South
Block 15, Lot 14.02
Waiver of Site Plan

Chairperson Kelley stated that a revised copy of the resolution, as well as a red line version indicating the revisions made, were provided in the members' folders this evening.

Mayor Mironov stated that she had some points regarding the resolution that were raised previously that required further clarification. On page six, end of paragraph three, she suggested that the resolution read, "...*that the action taken by the Planning Board on March 21, 2016 approving the application for a waiver of site plan review and the modifications approved to the design of the approved shopping center shall be the same as hereby memorialized.*" Mayor Mironov also stated that page six, paragraph four, should read, "*Be it further resolved that the Board finds cause to grant the waiver of review of site plan approval for the specific modifications and amendments to Application Number PB03-024.*"

Mayor Mironov stated that on page seven, paragraph four seems discombobulated as it states that the application was approved by the Planning Board on August 18, 2008 and memorialized by resolution on June 2, 2008, so the dates have been mistakenly reversed. Mr. Goodell suggested having the resolution read "*the applicant shall comply with all requirements and conditions of Resolution 2008-17, which shall remain in effect except as specifically modified herein.*" Mayor Mironov stated that language was good, and suggested that the sentence read "*all requirements and conditions of Resolution 2008-17 shall remain in full force and effect as adopted on August 18, 2008, except as specifically modified herein.*" She added that the paragraph should include the proper resolution number and date of memorialization. Mr. Goodell agreed with Mayor Mironov and stated that the resolution would be revised as discussed.

MOTION TO APPROVE RESOLUTION 2016-12 WITH CHANGES MADE BY: Mr. Berman

MOTION SECONDED BY: Mr. Catana

ROLL CALL

AYES: Mr. Berman, Mr. Brady, Mr. Catana, Mr. Clark, Mayor Mironov, Mr. Shapiro, Mr. Theokas, Mr. Kelley

NAYES: None

ABSTAINS: Ms. Patel, Mr. Schmidlin

APPLICATIONS

EWT File #PB16-001 **C&D Corporation**
19 Evan Avenue

Block 48, Lot 32
Minor Subdivision

Mr. Theokas announced that per his correspondence with Chairperson Kelley, he would be recusing himself from the public hearing on tonight's application. Mr. Theokas then left for the remainder of the meeting.

Chairperson Kelley asked Steve Goodell, Board Attorney, to swear in the Board's professionals: Richard Preiss, Township Planner; A. Maxwell Peters, Township Engineer; and Daniel Dobromilsky, Township Landscape Architect. Mr. Goodell swore in the professionals.

Gus T. Siggelakis, Esq. is representing the applicant, C&D Corporation this evening. Mr. Siggelakis stated that the application is for a minor subdivision and the applicant is proposing to subdivide a larger lot into two smaller conforming lots in order to build two single-family homes. The subject property is located at 19 Evan Avenue and is known as Block 32, Lot 48 on the East Windsor Township tax maps. The subject property is located in the SL Residential Small Lot zoning district, where the minimum lot size is 5,000 square feet. Mr. Siggelakis stated that the existing lot measures 15,838 square feet and the applicant is proposing to subdivide the lot into two smaller lots, with one measuring 8,338 square feet and the other measuring 7,500 square feet. He added that both lots would conform to all the zoning requirements and would not require any waivers. Mr. Siggelakis also added that water and sewer connections are available for the site from the abutting street.

Chairperson Kelley stated for the record the following reports have been received from East Windsor Professionals and Supervisors: Philips Preiss Grygiel, dated April 22, 2016, Exhibit B-1; T&M Associates, dated April 15, 2016, Exhibit B-2; and the East Windsor Township Environmental Commission, dated April 21, 2016, Exhibit B-3. Mr. Siggelakis stated that the applicant was in receipt of these reports.

Mr. Siggelakis introduced his witness, Christos Katsifis, principal of C&D Corporation, and stated that he would be available to answer any questions regarding the application. Mr. Goodell swore in Mr. Katsifis.

Chairperson Kelley asked Mr. Katsifis if the existing container on the subject property would be removed or if it would remain on site. Mr. Katsifis stated that they would remove it. Mr. Siggelakis clarified that the applicant has not closed on the purchase of the property yet, but they will remove the container as part of the project.

Mr. Catana asked Mr. Katsifis where the driveways for the single-family homes would be located. Mr. Katsifis stated that they first have to locate the sewer and water connections before they can determine how the houses will be situated on each lot. Mr. Siggelakis stated that the smaller lot would have a driveway coming onto the property from Evan Avenue. The driveway for the corner lot would depend on how the house is ultimately situated on site. Mr. Catana asked if those determinations would ultimately alter the side and rear yard setbacks for each home. Mr. Katsifis stated that they would not affect the setbacks on site.

Mr. Peters asked Mr. Katsifis which direction the home would be facing on the corner lot. Mr. Katsifis stated that the home on the corner lot would face Eli Terrace, and the home on the smaller lot would face Evan Avenue. Mr. Catana asked if the corner lot's driveway would come from Eli Terrace then. Mr. Katsifis stated that it would.

Mayor Mironov asked Mr. Siggelakis if he had any exhibits to present to the Board. Mr. Siggelakis stated that while he did not have any renderings available this evening, he had submitted a narrative to the Board explaining that they would eventually build two single-family, colonial style homes, each approximately 2,200 square feet. Mayor Mironov asked Mr. Preiss what would follow subsequent to the subdivision regarding the construction of the two homes. Mr. Preiss stated that they application submitted was only proposing the subdivision. However, once the applicant files for a building permit to construct the homes, if any variances are requested they will have to return to the Board to request relief. Mayor Mironov asked if there would be any affordable housing fee requirement in regards to the application. Mr. Goodell stated that he did not believe so as they are looking to construct single-family homes, but added that he would look into the matter.

Chairperson Kelley stated that the Township does have a look alike ordinance regarding single-family homes. He asked if the driveways and setbacks would be in conformance with this and all other Township ordinances. Mr. Peters stated that they would be. He added that when the applicant files the construction plans, they would have to delineate all of those details and they would not have to come back before the Board unless there is a variance request.

Mr. Preiss stated that the submitted plans show a sidewalk on Evan Avenue but none on Eli Terrace. Mr. Siggelakis stated that there was no existing sidewalk on Eli Terrace and they applicant was not proposing any additional sidewalk as a part of this application.

Ms. Patel asked if the applicant would be offering extensions to the homes such as decks or patios. Mr. Katsifis stated that would not be offering any extensions to the homes.

Mr. Peters asked Mr. Siggelakis if they intended to file the subdivision by deed or by plat. Mr. Siggelakis indicated that they would file by deed. Mr. Peters stated that copies of the deed would have to be provided to the Township Solicitor for review. Mr. Siggelakis agreed.

Chairperson Kelley opened the meeting to the public. There being no public comment, the public forum was closed.

MOTION TO APPROVE THE APPLICATION MADE BY: Mr. Berman

MOTION SECONDED BY: Mr. Catana

ROLL CALL

AYES: Mr. Berman, Mr. Brady, Mr. Catana, Mr. Clark, Ms. Patel, Mr. Schmidlin, Mr. Shapiro, Mr. Theokas, Mr. Kelley

NAYES: None

ABSTAINS: Mayor Mironov

ADJOURNMENT OF MEETING

There being no further business, the meeting was adjourned.

CERTIFICATION OF SECRETARY

I, undersigned, do hereby certify;

That I am the Planning Board Secretary of the Township of East Windsor Planning Board and that the foregoing minutes of the Planning Board, held on May 2, 2016, constitute a true and correct copy of the minutes of the said meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my name of said Planning Board this 6th day of June, 2016.

Allison Quigley, Board Administrative Secretary
East Windsor Township