

DRAFT BOROUGH OF HAWORTH
PLANNING BOARD
REGULAR MEETING MINUTES
Wednesday, May 15, 2024, at 8 PM

OPEN PUBLIC MEETING ACT ANNOUNCEMENT

Chair Anderson opened the meeting at 8:00 with the following announcement: Open Public Meeting Act Announcement: In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It has been posted on the Bulletin Board in the Municipal Center. Copies have been mailed to THE RECORD or THE SUBURBANITE. A copy has been filed with the Borough Clerk and copies have been mailed to individuals requesting the same.

ROLL CALL

A roll call established that the following were present: Mr. Chval, Mr. Ezra, Mr. Contillo, Dr. Pavell, Mr. Hirschorn, Mayor Wasser, Councilman Rosenberg, Mr. Anderson
And the following were absent: Ms. Albalah, Mr. Adler
John Manilio appeared for Joe Vince, Board Engineer.

Mr. Anderson said that the Board would deviate from the Agenda to address a resident.

John Alex, a longtime resident of Haworth, who owns several properties in town, has a ballpark behind his house. He said that there was confusion whether it was an actual ballpark. Mr. Anderson said that properties were protected if they were filed with the state on a ROSI when Green Acres funds were sought. Mr. Alex gave his number, and Mr. Anderson will contact him. The Board attorney stated that preserved land is not an absolute concept.

Both Dr. Pavell and Mr. Hirschorn certified that they listened to the recording of April 17, 2024.

MINUTES FOR APPROVAL

April 17, 2024, Two corrections noted by Mr. Adler in his email dated May 14, 2024, and listed below will be made in the minutes.

- On page 4, one of the members of the public who spoke is listed as 'Tina Conseta'. Her name is actually Gina Cosseta.
- At the middle of page 4, the line that reads "Mr. Adler pointed out that the sidewalk ends at this spot and asked whether the addition can be required" should be rephrased to read "Mr. Adler pointed out the existing sidewalk ends at the south property line of the subject lot and recommended that the extension of the existing sidewalk along the length of Schraalenburgh Road in front of the subject lot be made a condition of approval."

Mr. Chval moved to approve the minutes, second Mr. Ezra. All in favor. Carried.

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INVOICES

Schwanewede Hals	70 Haworth Dr. (Escrow-professional services)	March 2024	\$340.00
Martha Francis	Attendance, minutes & administration	April 2024	\$350.00
		Total	\$590.00

Mr. Ezra moved to approve, second Mayor Wasser, All in favor. Carried.

APPLICATIONS

302 Pine Street – Fernway Builders (Subdivision) Mr. Capizzi stated that he had met with neighbors of the applicant (Mr. Geiger and Mr. Dickstein) about some of the objections. Changes were made to the plans as a result, and it is Mr. Capizzi’s opinion that those neighbors no longer have those objections. Mr. Capizzi summarized the changes made as a result of the April 17 hearing. They will be described by the engineer.

A list of conditions the applicant is willing to commit to as a baseline was marked A-8. Mr. Capizzi distributed the list.

Mr. McLellan, who had been sworn in on April 17 as engineer for the applicant, continued his testimony.

The site plan for the Schraalenburgh lot (5/24/23; last revised 5/1/2024) was marked A-9. Mr. McLellan explained that the house has been made smaller; the pool has been removed; the garage is now side loading. The footprint has been reduced by 278 square feet; the paving coverage has been reduced by 143 square feet. The impervious coverage has been reduced by 164 square feet. The sidewalk will be extended in front of the house. The seepage pits will be split over the two sides of the property. The capacity will be 500 gallons more than required. The drainage plan has also been retooled to improve the drainage for the Pine Street side.

The site plan for the Pine Street lot (5/24/23; last revised 5/1/2024) was marked A-10. The change on this site concerned the disturbed areas.

The drainage exhibit for lot 4.01 (5/13/2024) was marked A-11. The exhibit includes inlets with a swale that will be tied in with the inlets on Pine Street. Mr. McLellan said that Mr. Vince reviewed the plan and did take exception to it. Test holes at 10 feet did not reveal water or rock. He said they are confident in their design. The height of the houses decreased slightly. The engineer is agreeable to all conditions set forth in the Board engineer’s letter. Mr. Rupp asked about the seepage pit on the Schraalenburgh lot. The applicant’s engineer stated that the seepage pits will be separated. Mr. Anderson said that the ordinance concerns structures on steep slopes, not just disturbing steep slopes. He asked whether the drawings needed to be changed. Mr. Rupp stated that the part of the building being on the steep slope could be made a condition of the final approval but did not need to be added to the drawing.

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The meeting was opened to the public for questions of the engineer. Vanessa Read (314 Schraalenburgh) asked whether the lots complied with zoning for individual houses. The engineer stated that they were short on lot area. She also asked whether Schraalenburgh would be widened. She was told that the applicant did give a widening easement to the County. Mr. McLellan described where it would widen, if that were to happen, and said that it would not widen past the property in question if it happened. Ms. Read asked whether utility poles would be moved and was told that they would not be moved across the street. She asked about the size of the homes and whether that would change. She was told that the footprints were 2969 for Schraalenburgh and 2708 for Pine Street. The applicant has agreed to limitations for the dwellings. She asked about the drainage on Schraalenburgh.

Andrew Lazarus (302 Schraalenburgh) asked whether the sidewalk would only be built in front of the property in question. The answer was that it would meet the sidewalk that was next door and continue it in front of the house. He asked why. Discussion about the possible route of the sidewalk. Mr. Lazarus said that a sign would need to be moved. He asked whether the County was requiring the sidewalk. It is not; the applicant is willing to put it in. He asked how far from the house the sidewalk would be and was told that it would be 25 feet from the sidewalk.

Uri Rapaport (PO Box 361, Tenafly) was sworn in and accepted as the architect for the applicant. He explained that the garage on lot 4.02 was reduced from a 3-car to a 2-car garage now with a side entrance. Mr. Anderson asked whether the plans were part of the application. They are. The plans were revised 4/30/2024. The 5 pages of plans for the Schraalenburgh lot were marked A-12. The 5 pages for the Pine Street lot were marked A-13. Mr. Rapaport described the layouts of the two houses and stated that the finish for the houses will be Hardie Plank and stone. They will be similar to each other but will be different colors.

The Board attorney asked whether there were 6 bedrooms planned for each house and just 2 parking spaces for parking. The architect said that there was a 2-car garage. Mr. Capizzi said that the parking was in compliance with RSIS guidelines. Discussion about the safety of backing onto Schraalenburgh and the need to shuffle cars around in the driveway if there was a possibility of 6 drivers, especially when there is no parking on Schraalenburgh. There was discussion about whether a circular driveway or hammerhead should be planned for near the garage. The Board and applicant engineers will work together to create a turnaround. Mr. Capizzi stated that the applicant was agreeable to reducing the Schraalenburgh house by a bedroom (making it a 5-bedroom house) and to modifying the driveway to make it acceptable to the Board engineer.

Mr. Rupp asked how far below ground the basement was (7 feet below ground level) and whether it meets fire regulations. Mr. Rapaport explained that it does that there would be a ladder up from the window.

The meeting was opened to the public for questions of the architect. David Read recalled last meeting's discussion about traffic and asked how much traffic there was on Schraalenburgh. Mr. Capizzi stated that the applicant had not retained a traffic engineer.

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Mr. Keyes (landscape architect for the applicant) came forward and was still under oath from the last testimony. The landscape plan dated 5/14/2024 was marked A-14. Mr. Keyes described the plan and explained that slender trees were to be planted along Schraalenburgh to help with visibility.

The Board had no questions for Mr. Keyes. The meeting was opened to the public.

Vanessa Read (314 Schraalenburgh) asked whether there would be a fence. She was told that a fence was required because of the pool and that it could be either around the pool or around the yard.

Andrew Lazarus (302 Schraalenburgh) asked whether the new trees would be farther from the road, disguising the house. He said he wanted to make sure that there would be trees put in before the sidewalks were put in.

Mr. Spatz (60 Friend Terrace, Harrington Park) came forward as planner for the applicant. He was still under oath. He said that the previous plan had seemed acceptable and that the reduction in house size and lot coverage made the plans more acceptable.

Mr. Anderson said that the planner needed to address the variance for structure on a steep slope. Mr. Spatz said that the pool had been removed and that a small portion of the dwelling now was planned to be on a steep slope. He said that Mr. McLellan has provided testimony about drainage improvements and that the steep slopes were manmade. He said that this was a C2 variance.

The meeting was opened to the public for testimony.

David Read (314 Schraalenburgh) was sworn in and stated that he was concerned about safety in the neighborhood as it was a busy road and was concerned about adding another driveway. Councilman Rosenberg spoke to an earlier question of Mr. Read's about the speed limit on Schraalenburgh. Mayor Wasser stated that the County has the ultimate authority about traffic lights, etc., on County Roads.

Vanessa Read (314 Schraalenburgh) was sworn in and said that it sounded like a beautiful home but that the property was too small for it and wondered why the zoning laws would not be followed to a T.

Mr. Capizzi summarized, saying that the application was trying to return the property to its original state of the 1950s and eliminating the through lot. He said that the concerns had been addressed in ways that he hoped alleviated those concerns. He stated that he felt the proposed application was a better planning alternative to the current situation and to the possibility of one large home on the current property.

Mr. Contillo asked Mr. Rupp to give standards for decision making to the Board. Mr. Rupp explained that a C variance was sought, which had the two aspects of hardship (which could include aspects of the property) and the potential of an application to advance the purposes of zoning, the benefits of which would outweigh any detriment. Variances for size requirement and building on a steep slope are sought.

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Mayor Wasser moved to approve the application, seconded by Mr. Chval. Mr. Anderson said that the conditions discussed would have to be added to the approval. Mayor Wasser stated that she had paid close attention to the residents' concerns and that she would rather see two homes than one very large home. Mr. Contillo stated that the zoning laws allowed for deviation under certain conditions, that the Board is required to consider the specific attributes of each piece of property. He said that the applicant had met the burden of proof that this application is better than the alternative. Mr. Ezra said that it looked like a beautiful home but that he did not like the idea of another driveway on Schraalenburgh. Mr. Anderson said that the reason for the steep slope limit was the desire not to disturb naturally occurring slopes and that because this steep slope is manmade and small and because a small portion of the development was on the slope the Board did not need to be prejudiced by the condition.

Discussion of the approval process with the County concerning the driveway. The applicant believes that they will receive permission to add the driveway. Mr. Rupp mentioned the removal of the shed and the change to a side-loading garage, the modification to the driveway. All restrictions will be included in the resolution.

Vote: Ayes: Wasser, Chval, Contillo, Pavell, Hirschorn, Rosenberg, Anderson
Nays: none
Abstain: Ezra
Absent: Adler, Albalah

Carried.

RESOLUTIONS none

OLD BUSINESS

NEW BUSINESS The tree protection ordinance has had its first reading and will have its second reading soon.

MEETING OPEN TO PUBLIC

ADJOURNMENT Mr. Contillo moved to adjourn, second Mayor Wasser. All in favor. Meeting adjourned at 10:00 pm.

Next scheduled Regular Planning Board Meeting
June 19, 2024, at 8:00pm