

## **CHESTERFIELD TOWNSHIP PLANNING BOARD**

February 20, 2024

The secretary called to order the Reorganization Meeting of the Chesterfield Township Planning Board at 7:00PM. The Open Public Meetings Statement was read and compliance noted Mr. Dhopte, Ms. Koetas-Dale, Mr. Kolakowski, Mr. Nei and Mr. Ulshafer declared their Oaths of Allegiance. Mr. Dhopte was appointed as a Class III member for a one-year term; Ms. Koetas-Dale was appointed as a Class I member for a one-year term; Mr. Kolakowski was appointed as a 1<sup>st</sup> Alternate member for a two-year term, Mr. Nei was appointed as a Class IV member for a four-year term; Mr. Ulshafer was appointed as a Class II member for a one-year term.

Roll call was taken showing present: Suruchi Batra, Gerard Hlubik, Denise Koetas-Dale, Shreekant Dhopte, Gary Pollack; Troy Ulshafer, Aparna Shah, Michael Nei, Jeffrey Kolakowski. Absent: Raymond Lumio and Roman Horoszewski. Professional staff present: Douglas Heinold, Attorney, Joseph Hirsh, Engineer and Leah Furey-Bruder, Planner.

The Secretary asked for nominations for Chair. Mr. Pollack nominated Mr. Nei, seconded by Ms. Koetas-Dale. There being no other nominations, nominations were closed. All were in favor of Mr. Nei for Chair.

The Secretary asked for nominations for Vice-Chair Mr Nei nominated Ms. Shah, seconded by Mr. Hlubik. There being no other nominations, nominations were closed. All were in favor of Ms. Shah for Vice Chair.

### **AGENDA MATTER(S) REQUIRING RECUSAL(S)**

Ms. Shah recused herself from the minutes of December.

### **MINUTES**

#### December 12, 2023 Regular Meeting

A motion was made by Mr. Pollack seconded by Mr. Hlubik to approve the December 12, 2023 Regular Meeting Minutes. All were in favor, with the exception of Ms. Shah, Mr. Shreekant and Mr. Ulshafer who abstained, motion carried.

### **RESOLUTIONS**

2023-13            RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF CHESTERFIELD GRANTING USE VARIANCE, BULK VARIANCE AND MINOR SUBDIVISION APPROVAL TO MICHAEL AND BARBARA GALATI AT BLOCK 203, LOT 9.01 & 9.03 BORDENTOWN-CROSSWICKS ROAD AND FENTON LANE.

A motion was made by Ms. Koetas-Dale, seconded by Mr. Pollack to approve Resolution 2023-13. A roll call vote was taken:  
Ms. Batra-yes; Mr. Hlubik-yes; Ms. Koetas-Dale-yes; Mr. Dhopte-abstain; Mr. Pollack-yes; Mr. Ulshafer-abstain; Ms. Shah-abstain; Mr. Nei-yes; Mr. Kolakowski-yes;. Motion

carried.

2023-14 RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF CHESTERFIELD GRANTING AMENDED MAJOR SITE PLAN APPROVAL TO DOUBLE O PROPERTIES, LLC AT BLOCK 105, LOT 1, 404 WARD AVENUE

A motion was made by Mr. Pollack, seconded by Mr. Hlubik to approve Resolution 2023-14. A roll call vote was taken:

Ms. Batra-yes; Mr. Hlubik-yes; Ms. Koetas-Dale-yes; Mr. Dhopte-abstain; Mr. Pollack-yes; Mr. Ulshafer-abstain; Ms. Shah-abstain; Mr. Nei-yes; Mr. Kolakowski-yes;. Motion carried.

2024-01 RESOLUTION DESIGNATING REGULAR MEETING TIME AND PLACE.

A motion was made by Mr. Pollack, seconded by Ms. Shah to approve Resolution 2024-01. A roll call vote was taken:

Ms. Batra-yes; Mr. Hlubik-yes; Ms. Koetas-Dale-yes; Mr. Dhopte-yes; Mr. Pollack-yes; Mr. Ulshafer-yes; Ms. Shah-yes; Mr. Nei-yes; Mr. Kolakowski-yes;. Motion carried.

2024-05 RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF CHESTERFIELD GRANTING EXTENSION TO MAJOR SUBDIVISION APPROVAL WITH VARIANCES TO 118BC, LLC, BLOCK 107.04 LOT 8.02 (118 BORDENTOWN-CROSSWICKS RD).

Mr. Heinold informed the board that a letter was received requesting an extension from Resolution 2019-05 which granted a Preliminary and Final Subdivision. The applicant is requesting an additional 1 year extension. The Resolution can be approved and adopted.

A motion was made by Ms. Koetas Dale, seconded by Mr. Pollack to approve and adopt Resolution 2024-05. A roll call vote was taken:

Ms. Batra-yes; Mr. Hlubik-yes; Ms. Koetas-Dale-yes; Mr. Dhopte-yes; Mr. Pollack-yes; Mr. Ulshafer-yes; Ms. Shah-yes; Mr. Nei-yes; Mr. Kolakowski-yes;. Motion carried.

## **HPC APPLICATIONS FOR ACTON**

Eaton 528 Ward Ave. Revised application for pool fencing

The current application proposes to revise the previously submitted proposal that was approved by the HPC and Planning Board at their respective December 2023 meetings. The approved proposal was for the construction of fencing to enclose an area surrounding a planned pool. The planned location for the pool will be behind the house in the left side (west) yard. The planned fencing will include side-yard fencing visible to the general public and rear-yard fencing not visible from the street. In this application, the applicant is proposing the following changes to the approved plan:

- (1) Changing the color of the PVC fencing from Green to White, matching the white trim of the house.
- (2) Adding an additional support post to the center of each fence panel.
- (3) Changing the style of the drive gate (aka Fence #3, positioned at the far end of the

driveway, 190 feet from the street) from PVC to Black Aluminum, it will be a Double Swing 10' wide gate (two 5' panels that open in the middle) Gate will be pool compliant 54" tall including self-close and latch requirements.

- (4) Changing the location and style for a short section of fencing off of the Carriage House to wire fencing.

Summary of HPC discussion points and recommendations:

- 1) As to the first proposed change of the color of the fence from green to white, the HPC indicated to the applicant that it preferred the originally proposed green colored fence, however, the HPC's responsibility do not include color selection, so the HPC cannot offer an official position.
- 2) The HPC has no issues with the second proposed change of adding a center support post to each fence panel.
- 3) As to the third proposed change regarding the replacement of the previously approved PVC fencing with black aluminum fencing, there were some concerns, surrounding the addition of another fencing type to the property but the practicality of using the heavy PVC versus the lighter aluminum fencing for the gates swayed the discussion in favor of allowing the change.
- 4) The fourth proposed change was recommending for approved by the HPC. The change in location and replacement of the previously approved PVC fence with a wire mesh fence allows the newly proposed wire fence to be located behind an existing line of evergreens to screen its view from the road.

Therefore, the HPC unanimously recommends the Planning Board approve the application as submitted.

A motion was made by Ms. Koetas-Dale second by Mr. Pollack to approve Eaton HPC application. A roll call vote was taken:

Ms. Batra-yes; Mr. Hlubik-yes; Ms. Koetas-Dale-yes; Mr. Dhopte-yes; Mr. Pollack-yes; Mr. Ulshafer-yes; Ms. Shah-yes; Mr. Nei-yes; Mr. Kolakowski-yes;. Motion carried.

## **APPLICATIONS FOR ACTION**

New Jersey Nut Farms, LLC 42 Chesterfield-Georgetown Rd., Block 600, Lot 26. Minor Site Plan/Waivers

Mr. Jonas Singer, Attorney for the applicant stated that the applicant is here to ask for approval for a parking area for a you pick blueberries. The blueberries have been there for the past ten years, however the previous owner never received approval. Mr. Luke Tarvin, owner was sworn. He stated that he has been the owner of the property since December 2021 and is converting the farm into a chestnut tree farm. The farm is 69 acres and there are 2 acers of blueberries. The parking area measures 925 sq. ft. Exhibit A-1, Areal View was marked, which shows the farms layout, driveway and where the blueberries are. They will rent a port a john with a wash station. Mr. Singer stated that the ERI report supports the waivers requested. The hours of operation will be Wednesday, Saturday and Sunday from 9am – 4pm. There are no employees on site.

Mr. Hirsh went through his review letter dated 2/17/24. He requested that the applicant add signs for public parking, the applicant agreed. Ms. Furey-Bruder suggested having a sign at the front of the property, she will follow-up with the applicant with what the standards are. The you pick season will be from June till mid-July. Mr. Kolakowski asked about the Chestnut tree farm to which Mr. Tarvin stated that his wife's family has a tree farm and he is looking to expand that. The Chestnuts do not have full production for 15 years and his plan in the future is to sell to the public via the website. If he plans on having people come to the farm to pick Chestnuts he was informed that he will have to come back to the board for further approvals.

A motion was made by Ms. Shah second by Mr. Hlubik to open for public comment. Hearing none a motion was made by Ms. Koetas-Dale second by Mr. Pollack to close public comment.

A motion was made by Ms. Koetas-Dale second by Mr. Hlubik to approve the application. A roll call vote was taken:

Ms. Batra-yes; Mr. Hlubik-yes; Ms. Koetas-Dale-yes; Mr. Dhopte-yes; Mr. Pollack-yes; Mr. Ulshafer-yes; Ms. Shah-yes; Mr. Nei-yes; Mr. Kolakowski-yes;. Motion carried.

## **CORRESPONDENCE**

### Administrative Dismissal – Crosspoint Church

Mr. Heinold gave the board an update. An agreement has been made by the Governing Body and the Church which allows for an 8 month window that applies to all legal measures relative to the history structure. On top of that there is an 18 month window for the potential relocation of the structure. Mr. Kolakowski questioned why we do an administrative dismissal as opposed to the applicant withdrawing. Mr. Heinold stated that it is basically the same thing. Mr. Kolakowski stated that he would rather deny the application or ask the applicant to withdraw.

A motion was made by Mr. Hlubik second by Mr. Pollack to administratively dismiss the application. A roll call vote was taken:

Ms. Batra-yes; Mr. Hlubik-yes; Ms. Koetas-Dale-yes; Mr. Dhopte-yes; Mr. Pollack-yes; Mr. Ulshafer-yes; Ms. Shah-yes; Mr. Nei-yes; Mr. Kolakowski-no;. Motion carried.

### New Jersey State Plan

Ms. Furey-Bruder informed the board that the NJ State Plan was last adopted in 2021. In 2011 there was an effort to update and should be updated in intervals however the plan stalled. There is currently a renewed effort to update the State Plan. In January a letter was sent to all Mayors advising them of the process. In April a draft will be released, and in June there will be public meetings for feedback. The Counties are the liaison to the State and she has been in contact with Tom Stanuikynas, County Planner and will stay in communication with him so that Chesterfield Township stays on top of what happens.

## **CORRESPONDENCE**

End of year overview from Glenn McMahan, Zoning Officer

## **ITEMS NOT ON THE AGENDA**

None

## **EXECUTIVE SESSION**

A motion was made by Ms. Shah second by Mr. Pollack to go into Executive Session to discuss appointments of professionals at 7:48PM. All in favor, motion carried.

A motion was made by Mr. Pollack second by Ms. Koetas-Dale to go back into regular meeting at 7:55PM. All were in favor, motion carried.

## **PUBLIC COMMENT**

A motion was made by Ms. Koetas-Dale second by Mr. Kolakowski to open to public comment. Hearing none a motion was made by Ms. Koetas-Dale second by Mr. Kolakowski to close public comment.

## **ADJOURNMENT**

There being no further business, a motion was made by Ms. Koetas-Dale seconded by Mr. Kolakowski to adjourn. All were in favor, meeting adjourned at 7:56 PM.

Respectfully submitted,

Aggie Napoleon, Secretary