

PLANNING BOARD  
CITY OF LAMBERTVILLE  
REGULAR MEETING MINUTES

Wednesday, March 4, 2015

The meeting was called to order by Bill Shurts, at 7:00 p.m. with a statement of compliance with the Open Public Meetings Act.

Roll Call

Mrs. Lawton called the roll as follows:

Present: Tim Korzun, Paul Kuhl, Mayor DelVecchio, Steve Stegman, John Miller, Derek Roseman, Ken Rogers, Gina Fischetti and Glen Davis.

Absent: Dave Morgan and Michael Biase.

Also Present: Attorney William Shurts, Engineer Pete McCabe and Planner Emily Goldman.

Derek Roseman was not present at the February 4, 2015 meeting. He has listened to the recording of the meeting so that he is eligible to vote at this meeting.

**APPROVAL OF MINUTES**

Paul Kuhl made a motion to approve the February 4, 2015 meeting minutes, as submitted. Steve Stegman seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. John Miller and Gina Fischetti abstained from voting.  
MOTION CARRIED.

**PUBLIC HEARING – Preliminary & Final Site Plan and Bulk Variance**

Route 12-1 Properties, LLC  
24 Arnett Avenue  
Block 1006 Lot 1

The applicant noticed the newspapers and the residents listed on the property owner list provided by the City Clerk. However, notices were not provided for any of the utility company's on the list.

Therefore, the Planning Board cannot proceed with the scheduled public hearing for this application.

It was recommended to the applicant that he provide another notice to the newspapers for a public hearing to be held on April 1, 2015.

Although the residents had be noticed properly, the Board suggested that that the applicant provide another notice to them as well as all of the Utility Companys that were missing from the original notices.

The applicant agreed to send out notices with the new public hearing date.

Tim Korzun stated that the applicant and the residents may benefit if Mr. DeSapio was willing to hold a neighborhood meeting with residents to discuss his application before

the Board. Mr. DeSapio agreed to hold a meeting prior to the next Planning Board meeting on April 1, 2015.

No action was taken by the Board on this application.

**PUBLIC HEARING – Final Subdivision**

JMG Builders  
Church and North Franklin Streets  
Block 1076 Lot 14

Mr. Clerico's letter dated February 27, 2015, list several items that are still incomplete regarding the preliminary approval.

The applicant has reapplied to United Water in hopes of obtaining a will serve letter.

The Board agreed to carry this application until all outstanding items have been satisfied. The applicant will notify the Board Secretary once all documentation has been received. Once the information is provided, a new Public Hearing date will be scheduled.

Emily Goldman advised the Board and the Applicant that she has yet to receive any updated plans for the Lighting and Landscaping for this project.

No further notices will be required for the next Public Hearing.

**PUBLIC HEARING – Major Subdivision**

ReAlliance  
3 Clinton Street  
Block 1029 Lots 3 & 3.01

Public Notices were sent to all residents listed on the property list provided by the City Clerk's Office, with the exception of one property owner. The applicant was able to obtain a waiver from that owner that would have satisfied any outstanding issues with the notices.

However, the applicant only obtained a property list for one of the two lot numbers associated with this project.

The applicant is required to send new notices to the all residents on the property list for both lots 3 and 3.01.

No action was taken by the Board on this application.

**DISCUSSION – Zone Changes**

Public Notices were sent to all property owners on the list provided by the City Clerk's Office for 57 Bridge Street, The Lambertville Hall Foundation.

The City Council has introduced the Ordinance, however, Mayor DeVecchio stated that the ordinance was to include all properties on Ferry Street.

Ms. Goldman stated that the proposal that she submitted was only for the Zone Change at 57 Bridge Street.

Since there was confusion on the actual areas to be included in the Ordinance, the Board agreed to carry this item.

No action was taken by the Board for this application.

### **PAYMENT OF BILLS**

Derek Roseman made a motion to pay bills, so long as funding was available. Ken Rogers seconded the motion. A unanimous voice vote in favor of the motion was taken by all members present.

**MOTION CARRIED.**

### **ADJOURNMENT**

Derek Roseman made a motion to adjourn the meeting at 8:19 pm. Paul Kuhl seconded the motion. A unanimous voice vote of ayes was taken in favor of the motion by all members present. **MOTION CARRIED.**

Respectfully submitted,

\_\_\_\_\_  
Tim Korzun  
Chairman

\_\_\_\_\_  
Crystal Lawton  
Administrative Officer



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Daniel A. Nagy, L.S. & P.P.  
Samuel D. Costanzo, P.E. & P.P.

February 27, 2015

City of Lambertville  
18 York Street  
Lambertville, New Jersey 08530

Attention: Crystal Lawton, Planning Board Secretary (construction@lambertvillenj.org)

Reference: Jason Greenwald (previously Genadi Zatuzhni) - Subdivision/Site Plan  
Block 1076, Lot 14  
City of Lambertville, Hunterdon County, New Jersey  
Preliminary Site Plan - Resolution Conformance #2

Dear Crystal:

On January 7, 2015, we received revised documentation on the above referenced application. The submission from the project engineer accompanied by a cover letter dated January 5, 2015 consisted of the following:

- A revised plan set titled "Major Subdivision and Site Plan for Jason Greenwald", prepared by Goldenbaum Baill Associates dated and revised as follows:

<u>Sheet</u>	<u>Dated</u>	<u>Last Revised</u>
1	8/14/09	12/31/14
2	8/14/09	12/31/14
3	8/14/09	12/31/14
4	9/15/10	12/31/14
5	8/14/09	12/31/14
6	8/14/09	12/31/14
7	2/05/10	12/31/14
8	9/15/10	12/31/14

- An Operations and Maintenance Manual for Porous Pavement prepared by Eric Rupnarain, dated January 1, 2015
- A "Drainage Design" prepared for the subject property by Eric Rupnarain, revised through December 31, 2014.
- A copy of a jurisdiction determination from the DRCC dated December 3, 2014.

The Major Subdivision and Site Plan has been revised to reflect the new ownership and applicant's information. It is our understanding that the applicant is seeking to obtain Board signatures on the Preliminary Plans and that they have not yet submitted a Final Site Plan application. We address the Final Subdivision application in a separate letter report.

Please Reply To:

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Jason Greenwald – Preliminary Major Subdivision and Site Plan  
Block 1076, Lot 14  
City of Lambertville, Hunterdon County, New Jersey  
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We have reissued the following comments from my September 29, 2010 report and comments from my October 28, 2014 in *italics* with updated comments in **bold**.

This application received approval of Preliminary Major Subdivision and Site Plan in 2010. We have reviewed the plans listed above for conformance with the resolution of approval dated December 1, 2010. The resolution specifically indicates that the approval is conditioned (condition #7) upon addressing the following comments from my September 29, 2010 report. The comments from that report are repeated and updated here where necessary:

## **B. Grading**

- B.1. Grading information has been provided on plan sheet 4. The plans also depict proposed layout for curb and sidewalk improvements on Church Street (sheet 4) along with a profile of the existing curb conditions (sheet 6). However, the applicant has not provided any information on the proposed grade elevation for these proposed improvements. In addition, cross sections depicted on sheet 6 do not include any specific existing or proposed curb elevation at the various road cross sections depicted. In order to better evaluate the road cross section conditions, the cross sections should be redrawn using a horizontal scale of 1"=5' while maintaining the depicted vertical scale of 1"=2'. In designing the proposed curb improvements, the proposed curb grades should create a uniform street cross sections which requires consideration of the existing curb on both the north side of Church Street and the east side of North Franklin Street.

*The applicant has provided redrawn roadway cross sections with a horizontal scale of 1"= 5' as requested. However, the proposed improvement information is not complete and in some cases not clearly labeled. Also reconstruction of a portion of Church Street is recommended as described in paragraph D.2 below. These improvements will need to be reflected in these cross sections. An effort should be made to construct a crown in the existing Church Street where possible. Also the proposed improvement (ie: curb, etc.) are not shown on the profile on Sheet 6. This should be updated.*

*The plan view on Sheet 6 is drawn at a small scale and does not clearly show proposed grades. The handicap ramp plan detail on Sheet 4 is drawn at a clear scale but with the exception of one location, this plan also does not show actual proposed grades and slopes (it only provides maximum slopes). Specific grading information must be indicated on this detail plan on Sheet 4. These items remain open.*

**The cross-sections on Sheet 6 have been clarified and incorporate the reconstruction of a portion of Church Street as directed. The handicap ramp plan addresses the specific proposed grade for the curb and sidewalk along**

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**Church Street frontage. However the proposed improvements are not shown on the profile on Sheet 6.**

**This one item (profile) remains open.**

## C. Stormwater Management

- C.2. Comments relating to previous stormwater management assessment are as follows:

C2a. Soil permeability data and BMP drain time calculations must be provided. *The soil K rating has been provided on the plan and in the drainage report however no specific permeability rate has been demonstrated through on site soil permeability testing. Also, no indication of which soil horizon is being utilized for infiltration of Porous Pavement BMP is indicated (K values range from K0 to K-5). Also no BMP drain time calculations have been provided. These items remain open. Applicant should address each of the issues specifically.*

**The plans and design report reflect that soil permeability testing was performed and the where the samples were taken and demonstrate that the permeability rate will allow the BMP to drain within an acceptable timeframe.**

- C2b. A maximum void ratio of 0.35 is to be used in stone storage volume calculations.

*The applicant has indicated that the void ratio has been revised however no updated drainage report was provided. Therefore the revision cannot be confirmed. This item remains open.*

**The 0.35 void ratio is confirmed.**

- C2c. Greater detail of the Porous Pavement BMP's must be provided, showing driveway slope, minimum effective depth required and sufficient depth to groundwater.

*Driveway slopes, depth to bottom of stone and seasonal water table are shown on driveway profiles on sheet 4, however the vertical scale is unclear and appears to be inconsistent. Also the garage elevations and other proposed grades should be indicated on the profiles. This item remains open.*

**The scale has been clarified and the appropriate labeling provided.**

- C2d. Balancing of the recharge deficit has not been demonstrated. Applicant shall attempt to increase recharge volume by directing roof runoff to infiltration bed beneath porous pavement.

*The applicant has indicated that it is their intent to connect the roof of the front half of each dwelling to the porous pavement; however I see no*

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*indication of where this is detailed or noted on the plan. Also the applicant has not provided a revised recharge calculation demonstrating that there is a surplus of recharge on the site. This item remains open.*

**There is now a note on the plan indicating the connection of roof leaders to the stone layer. Also the recharge calculations now indicate a proposed surplus of recharge on the site.**

**The items in C.2 have been addressed.**

- C.3. A Stormwater Management BMP Operation and Maintenance Manual must be prepared and submitted for review and approval. Additionally, an approved version of same must be incorporated into the property deeds and Homeowner's Association covenants and restrictions. A Homeowner's Association would need to be formed since the applicant proposes a common storm drainage collection system that would be constructed across the rear yards of the three (3) proposed lots.

*The BMP Operations and Maintenance Manual has been submitted. This must be made a part of the deed. Also, there is a requirement that the area of the porous pavement be dedicated as a BMP maintenance easement and be incorporated into the deed. The Board determined cross easements would be sufficient for the common stormwater collection system and the rear of the properties and did not require the creation of a homeowners association. The cross easements should be prepared by the applicant and reviewed and approved by the Boards professionals prior to issuance of a building permit.*

*The BMP O&M Manual should be modified to reflect the current owner of the property/responsible party for maintenance. Also, the applicant should address how the ultimate property owners will facilitate the quarterly vacuuming of the porous driveway as required by the O&M Manual.*

**The BMP O&M Manual reflects the current owner and provides a model number for a vacuum sweeper. The applicant also needs to provide a map showing the pervious pavement BMP location for each lot as an attachment to the manual. In addition the applicant should show a BMP easement on the Subdivision Plan and the Site Plan set.**

**This item remains open.**

- C.4. Storm drainage profiles will be evaluated once the grade information referenced in Item B1 has been provided.  
*See comments at B1 above and C6 below.*
- C.5. The applicant has denoted existing soil log data (sheet 5) for test pits dug within the vicinity of the three (3) proposed driveways. In all three (3) cases, the soil

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logs depict some form of groundwater seepage at varying depths, however, a seasonal high ground water table elevation has not been established. In addition, the plan notes that various “soil samples were taken” from the three (3) locations. However, permeability data for the underlying soil has not been provided with the current submission. If subsurface infiltration for BMP’s are being considered for installation under these driveways, then this supplemental data would need to be provided and documented.

*A seasonal high water table has been established and indicated on the driveway profiles on Sheet 4 and in the soil log data on Sheet 5, however the date of the soil logs is not noted on the plans and as noted above no on site soil testing was performed and no calculation of BMP drain time has been provided. These items are still open.*

**These items have been addressed.**

- C.6. The proposed stormwater collection system along the rear of the three (3) lots in addition with the proposed construction of storm drainage along the west side of North Franklin Street will ultimately tie into a proposed inlet on the west side of North Franklin Street with a proposed cross drain connection to the existing NJDOT inlet located at the northeast corner intersection of North Franklin Street with Route 179. The applicant’s proposal to connect to the existing NJDOT inlet will require the issuance of a permit by NJDOT to cover this proposed construction.

*The applicant has indicated that the NJDOT would not approve a direct connection to their system. The current proposal by the applicant is to connect into an existing City inlet by means of a 10 inch ductile iron pipe. It is our opinion that this is not an appropriate solution. The pipe is undersized and still may present cover issues and conflicts with other improvements. It may be feasible to construct a new inlet directly across from the proposed inlet over the existing City operated 18 inch DIP. I defer to the City Engineer for the specifics of this connection to the City system. Regardless of where the connection is made, the Drainage report should be updated to include calculations demonstrating the adequate capacity of the proposed pipe. No calculations for the proposed pipe were provided. These items remain open.*

**The pipe connection, inlet location and calculation have been addressed to my satisfaction. The applicant should demonstrate that coordination with the City Engineer was accomplished.**

**D. Utilities**

- D.1. Plan notes that the existing overhead telephone and communication wires that cross the southwest corner of the subject property and connect with existing dwellings on adjoining Lots 10, 12 and 13 will be relocated by the respective



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utility companies. While this can be a condition of any Board action on the application, some testimony must be offered by the applicant's engineer as to whether the respective utility companies have been connected to determine the feasibility of the depicted proposal.

*The applicant has indicated that the referenced overhead wires have been removed/relocated by the utility companies. The applicant should address where they were moved to underground/overhead and whether the new location has any impact on the subject property (ie: utility easement, etc.) This item remains open.*

**The new locations of the overhead electric services have been shown, but the wires that have been removed should be removed from the plan set, or at a minimum the note changed to indicate such.**

**This item remains open.**

- D.2. The proposed gas, water and sewer connections for the three (3) proposed units will result in significant disturbance of the applicant's frontage along Church Street. Once the Board and City have decided on the limits of allowable disturbance, those portions of the City streets (Church Street and North Franklin Street as applicable) must be resurfaced as part of frontage improvements for this project. Appropriate details of the street resurfacing/reconstruction would ultimately need to be incorporated in the applicant's plans.

*The bump out at the intersection has been eliminated based on the decision of the fire official and the extent of required reconstruction has been reduced, however there is still need for reconstruction of Church Street due the installation of the multiple utility connections within the street. Therefore it is my recommendation that the applicant be responsible to reconstruct the full width of Church Street from the westerly property line to the present extent of the previously reconstructed intersection. The applicant shall provide the additional detail for this in the plan set including further development of the proposed cross sections and profile on Sheet 6. This work should also be coordinated with the City Engineer and a note added to the plan set to that effect. This issue remains open.*

**The plans now reflect a mill and pave of this area. I defer to the City Engineer whether a full reconstruction may be necessary in lieu of mill and pave. The note has not been added to the plan requiring "coordination with the City Engineer" regarding repair of Church Street by the applicant. Also the Profile on Sheet 6 was to be further developed with the proposed improvements (i.e. curblane, depressed curb, sidewalk, etc.**

**For these two reasons this item remains open.**

- D.3. The proposed development will be serviced by the Lambertville Municipal Utilities Authority (LMUA), who issued a letter dated February 1, 2010, stating that sewer capacity was available for the proposed development. Any Board

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action on this application should be conditioned upon approval of the sewer connection details by the LMUA.

*The applicant indicated that the LMUA connection permits will be obtained at the time of construction. Approval by LMUA of sewer connection details remains a condition of this approval. This item remains open.*

**The applicant has indicated they will apply to the LMUA for new sewer connections. This item remains open.**

- D.4. The proposed development is within the service area of United Water of Lambertville. To date, requests by the applicant for a “will-serve” letter have gone unanswered. Any Board action on this application should be conditioned upon adequate water service being available and United Water signoff on the connection details. In addition, if the City allows for the relocation of the existing hydrant (Reference Item A7), then those details would be subject to review and approval by United Water.

*The applicant has provided a conditional ‘will serve’ letter from United Water. The approval by United Water (provision of hydraulic data, approval by fire officials of hydrant locations, detail approval) remains a condition of the approval for the subject application. It should also be noted that the willingness to serve letter was only valid for one year. This item remains open.*

**The applicant has indicated that they will reapply to United Water for new water service. Also they indicated that no additional hydrants are required. This should be confirmed by the Fire Official.**

**This item remains open.**

- D.5. The utility plan (sheet 5) denotes that three (3) separate underground electric utility lines will be installed from the existing pole located on Church Street in the northwest corner of the proposed Lot 14. The three (3) services will extend under the sidewalk along Church Street to the closest front corners of the three (3) proposed dwelling units. The applicant should offer testimony as to the viability of this proposal and likelihood of acceptance by the power company. Any action taken by the Board would be subject to the applicant’s ability to have this specific proposal for underground utility services approved and installed as part of this project.

*No response was provided by the applicant. I don’t see anything in the resolution indicating that this was addressed at the public hearing or on the revised plans.*

**The applicant has indicated that they will apply to the electric company for new service for the individual units. This item remains open.**

- E. **Landscaping and Lighting** - These matters were deferred to the Board Planner.

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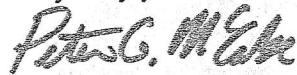
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**F. Outside Agency Approvals**

- F.2. The Hunterdon County Soil Conservation District has issued a Soil Erosion and Sediment Control Plan certification for the project. Recertification will likely be necessary after the stormwater facilities have been relocated.  
**The applicant will still need an updated certification once the extent of the drainage improvements is confirmed. This item remains open.**
- F.3. As previously mentioned, the New Jersey Department of Transportation (NJDOT) likely owns the drainage inlet that the applicant is proposing to connect to. As such, approval by NJDOT or a letter of no interest from them will be required of the applicant.  
**NJDOT approval no longer required. This item is addressed.**
- F.4. The applicant must obtain the approval of the LMUA as well as United Water of Lambertville.  
**This remains an open item.**
- F.5. An application has been submitted to the Delaware and Raritan Canal Commission (DRCC) but we have yet to see an approval letter from them. DRCC approval should be made a condition of any Board action on this application.  
**The applicant has provided a copy of a jurisdiction determination from the DRCC dated December 3, 2014, indicating that the project is exempt from DRCC review. This item is addressed.**

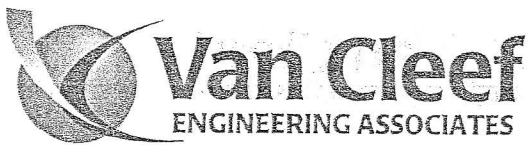
The above represents my comments to date on the revised submission. The applicant will need to address these comments (and all other conditions of the resolution of approval) prior to signing of the Preliminary Site Plan and as a condition of any action by the Board on the Final Subdivision Application unless Board waives that requirement.

Very truly yours,



Peter G. McCabe, P.E. for  
Robert J. Clerico, P.E., Board Engineer

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cc: William Shurts, Esq. (via e-mail fcslegal@netcarrier.com)  
Emily Goldman, P.P. email (egoldman@vannoteharvey.com)  
Eric Rupnarain, P.E. (via e-mail ebr@gbamail.com)



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February 27, 2015

City of Lambertville  
18 York Street  
Lambertville, New Jersey 08530

Attention: Crystal Lawton, Planning Board Secretary (construction@lambertvillenj.org)

Reference: Jason Greenwald (previously Genadi Zatuzhni) - Subdivision/Site Plan  
Block 1076, Lot 14  
City of Lambertville, Hunterdon County, New Jersey  
**Completeness/Technical Review**

Dear Crystal:

As you recall at their meeting on October 1, 2014 the Board took the following action regarding the Final Subdivision application for the above address:

1. Granted the requested temporary waivers for checklist item 17.
2. Deemed the application to be complete subject to submission of the descriptions of the proposed easements (Item 11).
3. Deferred action on the application until VCEA had the opportunity to review the design changes and the Goldenbaum-Baill Engineering resolution compliance letter.

#### Completeness-Final Major Subdivision

Subsequent to the action taken by the Board regarding conditional completeness, we received descriptions of a Drainage Easement and a Sight Easement prepared by Goldenbaum Baill Engineering, Inc each dated November 19, 2014. Therefore **Item 11** of Checklist is satisfied.

#### Technical Review-Final Major Subdivision

We had previously received the following documents in reference to this application:

- A completed Application Form for a Final Major Subdivision Approval.
- A completed City Checklist #3 for Final Major Subdivision Approval.
- A Final Subdivision Plan prepared by Goldenbaum Baill Engineering, Inc. dated August 11, 2014.

These documents together with the drainage and sight easement referenced above make up the documents we reviewed in connection with this application. My comments are as follows:

1. The first course of the drainage easement description should read Southwest, not Southeast.
2. The third course, both on the plan and in the description should be revised. As depicted it is not parallel with the property line (first course) and therefore should not be of the same bearing.

Please Reply To:

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3. The applicant should also provide descriptions of the individual lots for review.
4. The reference to the Site plans should be updated in Note #2 to the most current plan dates.
5. The pervious pavement BMP's will be required to have a BMP Maintenance easement for each lot. These easements should be shown on the Final Major Subdivision Plan and easement descriptions also provided for review.
6. The applicant will also be required to provide cross-acc
7. During our initial completeness review, reference was made to the need for an updated Soil Conservation District Certification. The applicant needs to obtain an updated certification and submit.

We issued a report on October 28<sup>th</sup> indicating several changes required to the Preliminary Major Site Plans and subsequent to that review received a revised set of plans. Please refer to our report dated February 27, 2015 outlining the remaining open items from our October 28<sup>th</sup> review as it relates to conformance to the resolution of approval. At a minimum these outstanding items should be made a condition of any action taken by the Board on this application. It is my understanding that the applicant has not submitted a Final Site Plan application at this time.

The above represents my comments to date on the above submission. I will attend the Planning Board Meeting on Wednesday March 4, 2015.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Peter G. McCabe", is written over the typed name.

Peter G. McCabe, P.E. for  
Robert J. Clerico, P.E., Board Engineer

R 5040.191 FinalSubdivision 150227.doc

cc: Board Members (via e-mail)  
William Shurts, Esq. (via e-mail fcslegal@netcarrier.com)  
Emily Goldman, P.P. email (egoldman@vannoteharvey.com)  
Eric Rupnarain, P.E. (via e-mail ebr@gbamail.com)

