

**TOWNSHIP OF MAHWAH PLANNING BOARD
REGULAR/WORK SESSION MEETING MINUTES
MUNICIPAL BUILDING, 475 CORPORATE DRIVE, MAHWAH, N.J.
MONDAY, JULY 13, 2015 AT 7:30 P.M.**

I. CHAIRMAN’S OPENING STATEMENT AND FLAG SALUTE

The combined public/work session meeting of the Planning Board of the Township of Mahwah held at the Municipal Building, 475 Corporate Dr., Mahwah, N.J. was called to order at 7:33 p.m. by Mr. Sherer. The Opening Statement was read according to the Sunshine Law followed by the flag salute.

These minutes are a synopsis of the meeting. A verbatim audio recording is on file at the Planning Board Office, 475 Corporate Dr., Mahwah, N. J. Copies may be purchased for a fee.

II. APPOINTMENT: Mayor Laforet announced the new appointment to the Planning Board

Stephen Lo Iacono, Alternate II Member July 13, 2015 – December 31, 2015

III. OATH OF OFFICE: Administered by Peter Scandariato, Esq., Board Attorney

IV. ROLL CALL:

The following individuals were present:

- Mayor Laforet
- Ms. Ariemma
- Mr. Bagatelle
- Mr. Crean
- Mr. Donigian
- Mr. Sherer
- Mr. Weixeldorfer
- Mr. Marcus
- Mr. Jandris
- Mr. Lo Iacono

Professionals: Peter J. Scandariato, Esq., Michael Kelly, P.E., David Roberts, P.P.

The following individuals were absent:

- Mr. Van Duren

V. APPROVAL OF BILLS:

Peter Scandariato, Esq.	6/8/15	Meeting Attendance	\$250.00
Phillips Nizer	May 2015	General	\$315.00
Maser Consulting	5/18/15	Meeting Attendance	\$200.00
Maser Consulting	6/8/15	Meeting Attendance	\$200.00

Motion to approve the bills was made by Mr. Bagatelle and seconded by Mr. Crean. A roll call of members present revealed 9 aye votes by Mayor Laforet, Ms. Ariemma, Mr. Bagatelle, Mr. Crean, Mr. Donigian, Mr. Marcus, Mr. Sherer, Mr. Weixeldorfer, and Mr. Jandris.

VI. APPROVAL OF MINUTES: June 8, 2015

Motion to approve the minutes was made by Mr. Crean and seconded by Mr. Marcus. A roll call of members present revealed 6 aye votes by Ms. Ariemma, Mr. Crean, Mr. Donigian, Mr. Marcus, Mr. Sherer, and Mr. Weixeldorfer.

VII. RESOLUTION FOR MEMORIALIZATION:

1. **Docket #564PF & #564PF(S) - Coremark Mahwah 17, LLC** Block 137, Lot 4, 380 NJ State Highway Route 17, Resolution of Approval

Motion to approve the resolution was made by Mr. Crean and seconded by Mr. Marcus. A roll call of members present revealed 5 aye votes by Mr. Crean, Mr. Donigian, Mr. Marcus, Mr. Sherer, and Mr. Weixeldorfer.

VIII. OPEN TO THE PUBLIC – 15 MINUTES

Motion to open the meeting to the public was made by Mr. Bagatelle, seconded by Mr. Weixeldorfer and declared unanimously carried by Mr. Sherer.

Motion to close the meeting to the public was made by Mr. Weixeldorfer, seconded by Mr. Bagatelle and declared unanimously carried by Mr. Sherer.

IX. PUBLIC HEARING:

1. **Docket #559PF & 559PF-S – APPLE RIDGE MAHWAH, LLC** 269 East Crescent Avenue, Block 127, Lots 1, 3-7 Preliminary & Final Major Subdivision and Soil Movement Permit Applications to subdivide the existing seven (7) lots to create 34 new, single-family lots

Kevin Moore, Esq., of Sills, Cummis & Gross, appeared before the Board on behalf of the applicant and gave a brief description of the application.

Stanley Omland, P.E., of Omland Engineering Associates/Bowman Consulting, appeared on behalf of the applicant. He informed the application included 58 acres in Mahwah and 58 acres in Upper Saddle River. He identified exhibits and described the existing conditions; Mr. Omland explained the stream would be restored.

Mr. Omland explained the application would be shaped by the approvals from the NJDEP for wetlands, flood hazard, water treatment, soil conservation as well as approvals by the County and Township. The project will result in single family homes to the north and west of the property as well as multiple unit residential dwellings. According to the State planning guide, the location is designated for growth; and is in the Highlands Planning area. The existing golf course does not have any steep slopes and is exceptionally suited for development. There are no

natural stream corridors at the site. The applicant submitted flood hazard verification to the NJDEP and the approval was received this past spring. Water does not flow through the stream on the property in the summer; and the only sensitive habitats on site are in the ponds. The wetlands were delineated and the freshwater wetlands Letter of Interpretation was received 7/1/15. The buffers for those wetlands in Mahwah and Upper Saddle River will range from 50-300ft.

Currently, there are higher than accepted levels of arsenic and lead on the site, a direct result of pesticide application to the property, as it was an apple orchard through the 1950's. Mr. Omland informed the applicant's environmentalist, a licensed site remediation professional (LSRP), will speak at the following meeting. The depth range of the contamination is six inches up to four feet. There are 2.5 acres of impervious coverage at the site currently. The applicant intends to disturb 100% of the site regarding soil movement in order to alter the site and blend the soils to dilute contaminants. This would require the removal of all trees in order to mix at an appropriate non-regulated level making the soil safe, which is required across the entire property. The stream channel and the ponds are all clean, but all other locations need to be blended. In response to Mr. Weixeldorfer, Mr. Omland explained the applicant did not plan on importing or exporting; they are only going deep enough into the existing soil to blend and meet the requirements. In response to Mr. Donigian, Mr. Omland explained the applicant's LSRP would be better able to answer questions and concerns regarding contaminants. Mr. Donigian stated it was very common for a historic farmland to have contaminants in the streams and pond beds due to runoff.

Mr. Omland explained the Highlands Council has authority over the project and is very concerned and cautious about the future of the site. The NJDEP regulates wetlands and everything will be disturbed on site for the soil blending. All organizations will weigh in on the project and the plan before the Board is very close to the final plan. The NJDEP has endorsed the concept of blending the soils, including the area in the wetlands. In response to Mr. Marcus, Mr. Omland informed there should be a balanced site for soil numbers when the basements of the dwellings are excavated; an additional 31,000 cubic yards will be used from those excavations in other locations for fill.

Regarding the tree removal, total tree removal numbers cross into Upper Saddle River. They will better isolate those tree numbers; the current plan removes 556 trees in Mahwah as a result of the soil blending. In response to Mr. Weixeldorfer, Mr. Omland explained the soil will be blended at the site. They will not bring soil contaminated from one town to another; crossing between Mahwah and Upper Saddle River does provide for some flexibility. However, they do not plan on moving soil on public roads and will only move the soil internally on site. In response to Mr. Jandris, Mr. Omland agreed the applicant wished to keep all soil on site; he clarified the soil cannot be moved for grading until it has tested clean for contaminants after blending. Dust monitors will be installed at the four corners of the property as well as possibly within the site. In response to Mr. Kelly, the applicant will provide the Township with a health and safety plan. In response to Mr. Bagatelle, Mr. Omland noted lead and arsenic have similar characteristics and will be blended into the existing soil.

In regards to the proposed stream restoration: the Highlands Council and NJDEP wanted the applicant to retain a specialized geomorphologist who studies the transport of soils, stabilization of stream channels, etc... The individual participated in creating the design to open the stream to a 10ft. bottom width. They will dam the stream and then revegetate the corridor 150 ft. in both directions. Mr. Omland marked a site rendering showing the density of the proposed vegetation along the stream corridor. He explained it would create a natural stream in

the area with native vegetation. The specifics will be detailed in the subdivision application. The existing ponds will be manipulated and redesigned to become wetlands; the Department of Fish and Wildlife and the NJDEP are working on retaining one pond for aquatic activities. Again, Mr. Omland reiterated the required fill shortfall will be comprised of soil from the 34 home basement excavations with the ultimate goal of no import or export of soils.

In response to Mr. Kelly, Mr. Omland explained the details of construction. In response to the question regarding future pool installation posed by Mr. Weixeldorfer, Mr. Omland explained the NJDEP has set forth the blending and testing requirements. Therefore, if the soils are tested clean prior to home construction, they remain clean prior to the excavation for a pool. Mr. Omland reiterated that there will be no concerns after the remediation is complete. He explained that by widening the stream at the site, the obligation to have no impact upstream or downstream will be met by the applicant. Mr. Omland informed that the applicant took 8-12 borings to evaluate soil compositions; during those borings, they did not hit any rock, so blasting for the site is not anticipated. He noted the applicant planned to use the existing parking lots for transportation/staging to avoid construction activity on public roads.

Regarding tree replacements, there will be 556 trees removed; the Township requires 25% of the trees be replaced. The applicant is proposing a total of 667 trees to be replaced in addition to the trees along the stream corridor, resulting in a minimum of 1000 new trees with a minimum of 2.5" width. In response to Ms. Ariemma, these trees could range from 10-14ft in height. The calculations include shade tree replacements, but not the trees typically planted in residential landscaping. Replacement is being made only on the calculations of trees 12" and above. The plan is required to show 8" and greater and the applicant included trees less than 12" in the calculation. They will not provide fewer trees than shown on the plan. The Highlands Council and the NJDEP forced the applicant to use the tree calculations as is shown in this application; the amount replaced will not be less than the required replacement obligation. The applicant expressed a desire to make the site attractive to future homebuyers.

In response to Ms. Ariemma, Mr. Omland explained that it was not possible to isolate an area specifically due to the contamination across the site; they cannot spot blend areas for the arsenic contamination. In response to Mr. Bagatelle, Mr. Omland explained historical photos of the stream on the site were found and used by the NJDEP; the effort is to provide a natural meandering stream. The stream will transition at the existing property lines without creating an effect up or down stream. In response to Mr. Crean, Mr. Omland noted he was unsure if the stream dries up elsewhere during the summer months beyond the property.

In response to Ms. Ariemma, he explained the timeline for blending and construction is weather dependent and will also depend upon the contractor chosen. The plan is to blend 1-5 acres per day and it should take up to 6 months for the blending of the entire site to be complete due to testing protocols. After the blending, the soil movement will commence, followed by site improvements; it should take 1-2 years for completion of the construction of the site prior to new home construction commencing. In response to Mr. Lo Iacono, Mr. Omland explained the soil cannot stand for more than 30 days at a time as per the County. Dust accumulation is weather dependent and there will be dust monitors installed. Tree removal should take approximately one month to complete, but all activities on site are dependent upon the conditions and contractor. In response to Mr. Weixeldorfer, Mr. Omland explained that the blending is a tilling operation. All soils should be clean once blended; therefore, the runoff from the site would be clean after tilling. All the features for mitigation of runoff will aide in runoff upon completion of the project. Tilling the soil in place creates some dust, but the alternative of bulldozing and carrying soil off the premises is greater. Mr. Omland stated this was the most environmentally

sensitive manner to address this contamination and is the ideal method for contamination of lead and arsenic.

Mr. Jandris expressed his anticipation for the environmental testimony. He noted the site would be a barren property for two years and the applicant would be clear cutting the site. He expressed concern that the smaller plantings would take 10-15 years to grow so the development would not resemble a neighborhood until after that timeframe. In response to Mr. Kelly, the applicant will address the soil movement comments in Boswell's letter; the applicant requested to meet with the Township Engineer to further discuss. Mr. Omland explained once blending occurs and the soils are tested clean, the area would be cut to fill for that subdivision. If there was no blending, the soil would still be moved to have a blended site. Mr. Kelly requested soil and escrow fees be posted prior to the next meeting for the soil movement; he added they will meet before the next meeting and requested revised plans addressing the Engineer's comments be submitted prior to the meeting as well. Mr. Omland noted revised plans would be submitted once the applicant received adequate input from the Board and public. In response to Mayor Laforet, Mr. Kelly noted the blending could only take place between 8am-5pm Monday through Saturday with no work permitted on Sundays or holidays.

In response to Mr. Weixeldorfer, Mr. Scandariato explained the Township's liability should a homeowner move in and have the soil tested only to find arsenic and lead. He advised it was the NJDEP's jurisdiction to approve the land as clean and suitable for residential dwellings and the Township should not be liable. In response to Mr. Donigian, Mr. Moore explained that the information for the remedial action plan was held by the LSRP. He added the application was under NJDEP review for the transition area waivers. The NJDEP has verified the location of the wetlands and the existing floodplain, and the process of blending has been discussed with the NJDEP. The LSRP for the site is Kenneth Paul with EcoSciences; the report will not be prepared by the next meeting; however, whatever information is available will be made available to the Board. In response to Mr. Donigian, Mr. Moore noted there are currently no plans for a homeowner's association for the development.

In response to Mr. Roberts, Mr. Omland confirmed the Highlands and NJDEP pushed for the existing tree plan. He added the NJDEP and the Highlands required an amount of trees for replacements, which will far exceed the Township requirements for replacement trees. Mr. Roberts noted the tree removal is linked to the remediation and the tree replacement as it stands has more of an impact with many significant trees being taken down.

Motion to open the meeting to the public was made by Mr. Weixeldorfer, seconded by Mr. Donigian and declared unanimously carried by Mr. Sherer.

Joan Boyle, Squire Court, appeared before the Board, noting she lived next to the brook and wished to know details of the stream plan. Mr. Omland explained that the improvements on the stream will be tapered back to the narrow channel that exists on her property so she should see no change in flow and there will be no change in the floodplain. The proposed replacement trees should approximate 10-14 ft. in height. The plantings will also include small saplings, shrubs, etc... Ms. Boyle expressed concerns regarding dust regulations. Mr. Moore explained there are very strict dust controls that the LSRP is responsible for regulating on site during construction.

Marianne Masi, Squire Court, expressed concerns regarding arsenic and lead contamination and questioned the tree removal process. Mr. Omland explained the tree removal will involve truck

usage of the Township's roads. A small portion of the trees will be used to naturalize the channel.

Eileen Barber, 120 Tam O'Shanter Dr., questioned if the arsenic was on the trees or in the roots. Mr. Omland explained arsenic and lead sticks to the area where applied and would not travel into the roots. In response to Mr. Weixeldorfer, Mr. Omland explained arsenic found in wells is more naturally occurring as opposed to presence due to topical pesticide application on farmland. Ms. Barber explained there has been flooding along East Crescent Ave. prior to the golf course from the stream mentioned in the application; she expressed concern regarding the impact of the site on her property. Mr. Kelly explained the stream behind her property is a different stream than the stream on the property. Mr. Omland explained the proposed will not cause issues up or down stream as they are not permitted to as per state regulations.

Joan Boyle, Squire Court, questioned if the site would impact their wells and water. Mr. Omland explained the LSRP would be better able to testify regarding her environmental concerns. In response to Mr. Marcus, Mr. Omland informed the stream ends at the Saddle River. Mr. Kelly explained it begins in New York and runs along the backyards on E. Crescent Ave. and into the golf course. In response to Mr. Marcus, Mr. Omland stated the stream has a 200 acre drainage area to the southern boundary.

Motion to close the meeting to the public was made by Mr. Crean, seconded by Mr. Donigian and declared unanimously carried by Mr. Sherer.

Mr. Sherer recessed the meeting at 9:11p.m.

Mr. Sherer called the meeting back to order at 9:20 p.m.

Mr. Kelly clarified earlier testimony that the stream between the lots of Tom O'Shanter is a completely separate stream from the one that is on the proposed site.

Mr. Omland explained the subdivision design showed representative homes expecting to be built that were approximately 3500 sq.ft allowing for a maximum of 8000 sq.ft. of lot improvement area to include up to a three-car garage, patio, driveway, and pool. The stormwater management of the lots includes these improvements so a homeowner would not require additional stormwater management for individual improvements. A loop roadway is designed to come off of E. Crescent Ave., intersecting at locations with excellent sight distance affording safe ingress and egress. Seven of the proposed lots are fronting on E. Crescent Ave. One lot was suggested to be facing road A and will be changed. Residential Site Improvement Standards allows profile grades up to 12%; Road A will not exceed 5% and will afford good lot design and access. The proposed cul-de-sac (Road B) is 550ft. long with 2.5% profile grade. The roadways are proposed at 28 ft. wide with curbs and sidewalks on both sides. The sidewalk will be wrapped along the frontage of E. Crescent Ave. The proposed roadways will be public and, therefore, maintained by the Township. Each lot is required to be a minimum of 40,000 sq. ft.; and the smallest is 41,000 sq.ft. The impervious coverage maximum is 30% and the total impervious on the smallest lot if is no greater than 20% as currently proposed. All notations made by the Township professionals will be addressed by the applicant.

Mr. Omland noted the application requests no variances and no design waivers. He marked an exhibit of the typical lot plan showing a “worst case scenario,” which included a 3500 sq. ft. home with swimming pool, patio, driveway, and three-car garage. The stormwater management plan, as previously mentioned, provides for this type of improvement capacity. Homeowners are not permitted to remove trees. In response to Mr. Weixeldorfer and Mr. Jandris, Mr. Omland explained the homes in Upper Saddle River will resemble those in Mahwah, but there will be 44 homes in Upper Saddle River. In response to Mr. Crean, Mr. Omland explained that the line on Lot 4 encompasses the NJDEP regulatory zones; this is where the original 150 ft. buffer line was established. However, the NJDEP will permit a reduction to 100 ft. buffer, making the rear yard 50ft. larger than shown on the exhibit; the change will be made with the next set of plans. The larger lots may have large masking and not a large development envelope.

Mr. Roberts suggested a natural park be established in the area. He noted a suggestion for conservation was made in Maser’s professional report and would like to establish feasibility for public access to the area along Lots 3 and 4, as there is a lack of public parks in the area. Mr. Omland explained the pump station will be eliminated near Lot 1. In response to Mr. Jandris, he explained the wetlands delineation will be conducted in accordance with the Township’s suggestions. Mr. Kelly noted concrete and iron rods were standard for delineation; he questioned if the Township would retain responsibility for maintenance of the conservation easement. Mr. Omland stated they are in discussions still with NJDEP; however, they are not anticipating any maintenance obligated on the homeowners. Mr. Kelly advised that if the application is approved, a condition for approval should state that the conservation easement shall not be the responsibility of the Township. Mr. Omland stated they would agree to this so long as there is no conflict with the requirements set forth by the NJDEP. Mr. Kelly noted that inclusion of any public access may change this responsibility.

Mr. Omland explained that the grading would involve grading to depths of up to 20 ft. The soil on site is hydrologic, ranging from poorly drained soils to soils that do not absorb. Road A was designed to follow the existing topography, with a flat gradual pitch to the roadway from the home, which are situated the minimum of 2 ft. above the roadway as required. The 4:1 (25%) slope requirement called for the construction of nine retaining walls, which will all be 6 ft. and below so no waivers will be required. Those slopes will be flattened further once the approval is received by the NJDEP and some walls will be able to be removed upon their approval as well. Seven acres will drain to E. Crescent Ave. rather than nine acres that drain to that location currently. This will open up capacity on E. Crescent Ave. Mr. Sherer expressed concern that there would be more impervious surfaces created as compared to the current site conditions. Mr. Omland explained the homes will drain to storm drain systems behind their private lots. There are two detention basins remaining on the site; those basins will be graded into the site without retaining walls.

All utilities and hydrants will be installed as per RSIS as well as additional fire protection requirements as set forth by the Township. Regarding the sanitary sewers: the applicant has funded escrow for Boswell to conduct a regional capacity study to determine if the potential impact of the project in both townships would allow sewer service to a single pump station in Upper Saddle River alone, removing the proposed additional pump station in Mahwah. Upper Saddle River has agreed to maintain the pump station. Mr. Kelly noted the report would be available for the next meeting.

Mr. Sherer expressed concerns regarding the Master Plan goals and the potential increase in potable water usage for irrigation. Mr. Marcus explained the Environmental Commission

would like to reduce the use of outside water; the concern here was that 34 new homes would be added and it could tax the existing water system with the current wells. Mr. Sherer read from the Commission's letter their recommendation for "the applicant [to] install sensors and a rainwater/recatch and reuse system for the gray water for use on site for irrigation." Mr. Omland stated that the NJDEP has "x gallons" in the firm capacity to facilitate the project; he also noted that the Highlands Council expresses concerns about these types of situations and the issue has oversight from many groups. Mr. Kelly explained it would be easier to request rain sensors if the application was for a condo association application; it is more difficult to request the collection of rainwater with individual homeowners.

The applicant expressed commitment to provide sewer lines to create gravity flow to the Janice Court pump station in Upper Saddle River. Mr. Omland advised approval from Northwest Bergen Utilities Authority, the NJDEP, and the Township are required for the sanitary sewer connections. He explained that in the Highlands planning area, a predeveloped site where the soils do not recharge would require compliance with detention and water quality standards. He informed the proposed detention basins will reduce the water from the site under the 2, 25, and 100 year storms as required (25%, 25%, and 20% respectively) for the developed portions of the site. For water quality, the applicant will implement Filterra Stormwater Biofiltration units, which will provide 80% total suspended solids removal, satisfying regulations. In response to Mr. Weixeldorfer, Mr. Omland explained the unit will require maintenance and uses plant life to filter; he noted ornamental grasses would be planted and are expected to be maintained by the Township unless an HOA is proposed. Mr. Omland explained the application is subject to the requirements of the Bergen County Soil Conservation district to minimize soil erosion. The applicant agreed to implement all the features in the current proposed plans as well as others that evolve through work with the NJDEP to reduce erosion. Temporary sediment basins will be installed during construction to avoid soils being released to the stream; the applicant expressed there was no concern for soil erosion once plantings are complete.

The applicant proposed to remove 556 trees with 364 planned for replacement along the Township's border. A large majority of the tree replacement will be in Mahwah. Over 2000 shrubs will be planted with 1300 planned for Mahwah. The species location, size and total number are evolving with the stream restoration discussions with the NJDEP. In response to Mr. Jandris, Mr. Omland informed manicured lawns would be typical up to the buffer of the stream, which will consist of shrubs, trees, whips, etc... The shade trees that are proposed would be native species. Proposed street trees total 148 total replacements with the species types in accordance with the Ordinance and Township's professionals. In response to Mr. Crean, Mr. Omland noted the elevation was 496 ft. at the highest point on site and the lowest was 467 ft.

Mr. Omland explained the depth of the of test pits each have different characteristics for soil ratings. In response to Ms. Ariemma, the proposal is being discussed with the NJDEP and the Highlands; should they wish to expand the plantings further into the individual lots, that could be accomplished, but the applicant preferred to not alter the plan until the tree plantings proposed are approved.

Mr. Omland explained in order to widen the streambed, the applicant will remove the existing concrete sides and stabilize the edge of the stream. The entire length of the stream will be naturalized and the details will be given to the Township; the applicant agreed to provide the stream corridor cross section as requested in the next set of revised plans. In response to Ms. Ariemma, Mr. Omland informed the detention basins will be used for the sediment basins during construction, after which, they will be converted to conventional detention basins. The existing

basins are 7-9 ft. and will become larger and shallower once approved by the NJDEP. These are naturally dry basins and will not hold water on a day-to-day basis. The basins will be fenced. In response to Mr. Jandris, Mr. Omland concurred the soil is rated by the USDA at an absorption of C and D levels, but he advised to hold the question regarding effects on blending for the environmentalist.

In response to Mr. Weixeldorfer, the soil testing upon completion of the project will be done as per NJDEP requirements. In response to Mr. Crean, Mr. Omland explained the stream corridor moving outward towards the lots will create a “hybrid” area, where the maintained lawn of the lots will abut the stream-side meadow and transition grasses, whips and trees. He noted the meadow grass will not be maintained. Ms. Ariemma commented that it could benefit the area to allow homeowners to plant trees. Mr. Omland advised the street lighting desired by the Township will be installed and the Township would be responsible for the maintenance and service of those lights. Lighting will be installed at the intersections as well as significant bends and the end of the cul-de-sac.

The applicant explained the project will be completed in two phases: the first would include the construction of Road A to Road B off of East Crescent with the completion of those 13 lots first (18-22, 12-17, 34, 33). The second phase would include the additional 21 lots. The remediation would be completed through the whole project and phasing the project would allow flexibility and protection in times of economic stagnancy. The applicant would post the restoration bond, which would provide revegetation of the site if unable to complete the construction of homes. All remediation and grading would be completed prior to moving onto Phase 1 of construction (roadways and 13 homes), which would then be followed by Phase 2 (remaining 21 homes).

Motion to open the meeting to the public was made by Mr. Donigian, seconded by Mr. Marcus and declared unanimously carried by Mr. Sherer.

Eileen Barber of Tam O Shanter Dr., requested clarification on the pump station impacts. Mr. Omland explained they are currently looking at the capacity, logistics, and equipment. Mr. Kelly noted they are only studying the 34 houses and 44 houses between Mahwah and Upper Saddle River, not the inclusion of any additional homes in the area being connected in the future. Ms. Barber expressed concerns regarding not considering the desire of the neighbors to connect as well. Mayor Laforet explained Upper Saddle River’s considerations are not Mahwah’s concerns. Mr. Kelly noted there is currently no agreement with Upper Saddle River to tie into the Mahwah sewer system. Ms. Barber stated there is a proposal for a 15-bedroom home to tie into the system. Mr. Kelly explained the residents and homeowner she was mentioning would need to meet with Upper Saddle River; an agreement between the two towns has not been requested nor made. Mr. Weixeldorfer noted the Board is concerned about maintenance costs for the development and suggested the necessity of a homeowner’s association.

Motion to close the meeting to the public was made by Mr. Bagatelle, seconded by Mr. Crean and declared unanimously carried by Mr. Sherer.

Mr. Sherer noted the application would be carried to 7/27/15. No further notice was required.

Mr. Moore informed the revised plans would be submitted 8/10/15 for the meeting of 8/24/15.

X. WORK SESSION:

A) NEW BUSINESS

- 1) Review of Proposed Ordinance #1767** - the Township of Mahwah proposes to amend and supplement the provisions of Chapter XXIV, entitled “Zoning” of the Township of Mahwah Code, which was introduced at the Township’s Council meeting on June 25, 2015, to amend the Township’s Affordable Housing Plan to restrict the rental of affordable housing units

Mr. Kelly explained that the Council forwarded this to the Board for review. The only change is there is a state requirement that now mandates owners must occupy affordable housing units. The change here will make the Township consistent with state requirements.

B) OLD BUSINESS

C) COMMITTEE REPORTS

XI. ADJOURNMENT

Motion to adjourn the meeting at 10:46 p.m. was made by Mr. Bagatelle, seconded by Mr. Donigian and declared unanimously carried by Mr. Sherer.

Provided to the Planning Board
on September 11, 2015 for
approval at the Regular Meeting
to be held September 14, 2015



Donelle DeCouto
Planning Board Recording Secretary