In the absence of the Chair, the Vice Chairman called the regular meeting to order at 7:41 p.m. The meeting was video-streamed and broadcast.

**OPEN MEETING STATEMENT**

“In accordance with the requirements of the Open Public Meetings Law of 1975, notice of this special hearing of the Planning Board of the Township of Bernards was posted on the bulletin board in the reception hall of the Municipal Building, Collyer Lane, Basking Ridge, NJ, was mailed to the Bernardsville News, Bernardsville, NJ, and to the Courier News, Bridgewater, NJ all on January 11, 2016, and was electronically mailed to all those people who have requested individual notice.

“The following procedure has been adopted by the Bernards Township Planning Board. There will be no new cases heard after 10:00 p.m., and no new witnesses or new testimony heard after 10:30 p.m.”

**ROLL CALL:**

Members present: Axt, Harris, Kleinert, Piedici, Santoro, Alper
Members late: none
Members absent: Baldassare; Malay; Plaza; Moschello, Ross; on motion by Piedici and seconded by Kleinert, the absences of Mr. Baldassare, Mr. Malay, Mr. Plaza, Mr. Moschello and Mr. Ross were excused.

Board Attorney Jay Bohn, Esq. (substituting for Mr. Drill), Board Engineer Tom Quinn, Board Planner David Banisch, and Township Planner David Schley were also present.

**APPROVAL OF MINUTES**

The motion was made by Mr. Santoro and seconded by Ms. Piedici to approve the minutes of December 8, 2015 as drafted.

Roll call:

Aye: Kleinert, Piedici, Santoro, Alper
Abstain: Harris
(Ms. Axt was ineligible to vote)
Motion carried

**REVIEW OF CHARGES AGAINST ESCROW ACCOUNTS**

The charges submitted by EKA Associates for March 1-15, 2016 and by David Schley for March 2016 were reviewed.

**Appointment of Landscape Committee – Syncarpha EFG1, Inc. (Pill Hill Road)**

Ms. Alper, Ms. Axt, and Mr. Harris volunteered to be on this committee.
CONTINUED PUBLIC HEARING – Bell, Christopher and CC Edwards Developers, LLC (PB11-011) – Block 7702, Lots 10 & 11 – 3526 & 3536 Valley Road - Preliminary Major Subdivision (5 lots)
The applicant was represented by John Gallina, Esq. He said the applicant had submitted revised plans in advance of this meeting using the Concept C plan as presented on January 19, 2016.

Mr. Kevin Smith, PE, Finelli Consulting Engineers, Washington Township, NJ, previously sworn, presented his credentials and was accepted as an expert in engineering. He presented Exhibit A-7, Grading Plan Exhibit. He described existing drainage on the two lots, and the proposed collection system. The applicant agreed to comply with the comments in Mr. Quinn’s April 4, 2016 review memo; Mr. Smith said the current plan places a swale on Lots 4 and 5 and the berm on Lot 2 will help to buffer that house from Ms. Taormina’s lot. There will be a 25-ft wide tree preservation easement and additional plantings around the perimeter of all lots. There was discussion on the status of the berm.

Public hearing was opened for questions of Mr. Smith:
- Marisa Taormina, 1276 Mt. Airy Road, submitted Exhibits OT-5 through OT-12, photographs of her lot showing the conditions in her rear and side yards during heavy rain. Mr. Smith said the amount of runoff will be reduced.
- Gerard Elson, 26 Wedgewood Drive, asked about downspouts and sump pumps in the new houses. Mr. Smith agreed to add a note on the plans that all water from the roofs and sump pumps will be directed into the stormwater management system.
- James Pruskowski, 10 Everson Place, asked if there was a test for the effectiveness of berms. He asked if the houses shown on these plans will be the ones that are built; Mr. Smith said this reflected a conceptual house with a 1,700 sq ft footprint and a 700 sq ft garage and 15% total lot coverage. Mr. Pruskowski asked about soil testing and a traffic circulation plan.

Hearing no further questions, the public portion of this hearing for questions of this witness was closed.

Mr. James Kyle, PP, Kyle Planning & Design, Hopewell, NJ, previously sworn, presented his credentials and was accepted as an expert in planning. He described the qualifying plan and said it puts the proposed road closer to the neighbors’ property line. He listed the variances required for the current plan including minimum lot frontage and lot width (Lots 10.02 and 10.03), minimum lot width for Lot 10.05, and front yard setback variances for all five lots. He said this plan was preferable because the development was away from Valley Road, each lot will have a deeper back yard, and the tree preservation easement will provide a buffer. He said they have discussed with the neighbors the existing runoff problems.

Mr. Kyle said this plan was a better alternative because it uses one detention basin, not two, reduces density on Valley Road, provides separation from the noise of the ball fields
on the other side of Valley Road, and will make a more natural appearance on Valley Road. He said the qualifying plan put houses closer to existing houses.

After discussion on fences in the tree preservation easement, the applicant agreed to a condition prohibiting fences in this easement. There was discussion on whether the neighbors will be involved in the inspection by the Board’s landscape committee, the timing of plantings, and the responsibilities of the homeowners’ association for the detention basin. Board members asked for additional testimony and a landscape plan showing proposed plantings in the detention basin.

Public hearing was opened for questions of Mr. Kyle.
- Gerard Elson, 26 Wedgewood Drive, asked if the houses on the lots behind his lot could be spaced so he doesn’t have a ‘wall’ behind him. He said he preferred Plan B and did not see how this plan improves the neighborhood.
- James Pruskowski, 10 Everson Place, asked for clarification concerning the lots that will have two front yards (Lots 10.01 & 10.05). He asked about the impact to the wildlife in this area.
- Marisa Taormina, 1276 Mt. Airy Road, asked why this plan was better than Plan B. Mr. Kyle said the stormwater management design was better. She asked how the development of these lots benefited the neighbors and why the applicant did not use Plan B.

Hearing no further testimony, the public portion of this hearing for questions of this witness was closed.

Mr. Gallina said he had no more testimony to present. Ms. Alper said public comment on this application would begin at the May 17, 2016 meeting.

There being no further business, the meeting was adjourned at 10:25 p.m.

Respectfully submitted,

Frances Florio
Secretary to the Board