

# **TOWNSHIP OF BERNARDS** **PLANNING BOARD**

## **REGULAR MEETING AGENDA**

Warren Craft Meeting Room  
April 5, 2022  
7:30 PM

This meeting will be held in person in the Warren Craft Meeting Room. In addition, the public will be able to view the meeting live on Optimum/Cablevision TV – Channel 15 and Verizon FIOS TV – Channel 35 and the meeting will also be streamed live for those interested in watching on their computers. The link will be available at 7:30 PM by clicking on the “Watch the Meeting Live” icon on the Bernards Township homepage. Questions/comments from the public will be accepted in person and **only** during the public questions/comments periods of the meeting.

- 1. CALL TO ORDER**
- 2. FLAG SALUTE**
- 3. OPEN PUBLIC MEETING STATEMENT**
- 4. ROLL CALL**
- 5. APPROVAL OF MINUTES**
  - A.** February 22, 2022 – Regular Session
- 6. APPROVAL OF RESOLUTION**
  - A.** Fellowship Senior Living Inc.; Block 9301, Lot 33; 8000 Fellowship Road; PB20-005A (approved)
- 7. APPOINTMENT OF LANDSCAPE COMMITTEE**
  - A.** Christopher Bell & CC Edwards Developers LLC; Block 7702 Lots 10 & 11; 3526 & 3536 Valley Road; PB11-011
  - B.** Martin, J./Berman, L.; Block 2001, Lot 4; 35 Spruce Street; PB19-006
- 8. PUBLIC HEARING**
  - A.** [Ahmed, F./Faizan, A./Kirkwood, Kevin & Nathalie](#); ZB21-030; Block 2301 Lot 5; 62 Wisteria Way; Amended Preliminary/Final Subdivision; PB21-005
- 9. MASTER PLAN DISCUSSION** – Circulation Plan Element & Review of Prior Elements (as needed)
- 10. COMMENTS FROM MEMBERS** (5-minute limit per member)
- 11. COMMENTS FROM STAFF**
- 12. ADJOURN**

03/24/2022dskpjd

# TOWNSHIP OF BERNARDS

## 2021 PLANNING BOARD APPLICATION

☐ Minor Subdivision  
☒ Major Subdivision - Preliminary  
☒ Major Subdivision - Final  
☐ Conditional Use

☐ Site Plan - Preliminary  
☐ Site Plan - Final  
☐ Informal Review  
☐ Other (specify): \_\_\_\_\_

**1. APPLICANT:** Anila Faizan & Faizan Ahmed (62 Wisteria way) - Kevin & Nathalie Kirkwood (48 Wisteria way)

**Address:** 11 Ridge Road, Green Brook, NJ 08812 && 48 Wisteria Way, Basking Ridge, NJ 07920

**Phone:** (home) \_\_\_\_\_ (work) \_\_\_\_\_ (mobile) 732-579-7443

**Email (will be used for official notifications):** faizan.chairman@gmail.com & kkirkwood@optonline.net

**2. OWNER (if different from applicant):** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Email (will be used for official notifications):** \_\_\_\_\_

**3. ATTORNEY:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Email (will be used for official notifications):** \_\_\_\_\_

**4. OTHER PROFESSIONALS (Engineer, Architect, etc. Attach additional sheet if necessary):**

**Name:** ANDREW WU **Profession:** Engineer

**Address:** 168 U.S. ROUTE 1, EDISON, NJ 08817

**Phone:** 732-632-8087 **Email (will be used for official notifications):** awformosaeng@aol.com

**5. PROPERTY INFORMATION:** Block(s): 2301 Lot(s): 4 & 5 Zone: R1

**Street Address:** 48 & 62 Wisteria way, Basking Ridge **Total Area (square feet/acres):** 4.008 & 3.173 acres

**6. ARE THERE ANY PENDING OR PRIOR PLANNING BOARD OR BOARD OF ADJUSTMENT APPLICATIONS INVOLVING THE PROPERTY?** ☐ No ☒ Yes (if yes, explain or attach Board resolution) Prilimnary and final planning board resolutions attached as well board of adjustment res. is attached

**7. ARE THERE CURRENTLY ANY VIOLATIONS OF THE ZONING ORDINANCE INVOLVING THE PROPERTY?** ☒ No ☐ Yes (if yes, explain) \_\_\_\_\_

**8. ARE THERE ANY DEED RESTRICTIONS OR EASEMENTS AFFECTING THE PROPERTY?**

☐ No ☒ Yes (if yes, explain and attach copy) EMERGENCY ACCESS EASEMENT



**9. DESCRIPTION OF THE EXISTING PROPERTY AND THE PROPOSAL/REQUEST:** Lot 4 & 5 are two of 11 single-family residential lots, including two lots in Bernardsville, that are accessed from Wisteria Way and developed in accordance with subdivision approvals granted by Planning Board on Jan 30, 2001(pre), July 11, 2001(amended pre), and March 5 2002(final). The emergency access easement (pathway) pass through lot 5 and adjoining lot 4. We are requesting the vacation of this emergency access easement.

**10. DESCRIPTION OF REQUESTED VARIANCES OR EXCEPTIONS (include Ordinance section no.):**  
The Emergency Access Easement was enforced as a condition of approval for subdivision dated June 25, 2002. We are applying to the Board for amended preliminary and final subdivision approval to eliminate the conditions set forth in the underlying approval resolutions regarding emergency access easement.

**11. THE FOLLOWING ARGUMENTS ARE MADE IN SUPPORT OF THE APPLICATION:**  
The New Jersey Department of Community Affairs (the "DCA") issued RSIS Clarification #4 which explained that the maximum average daily traffic ("ADT") for a cul-de-sac is 250 trips, which is a better measure of a function of the cul-de-sac. The RSIS Clarification #4 constitutes a change in law which is a change in circumstances that warrants elimination of condition # 18, 20, set forth in the preliminary application and Condition 8, 9 set forth on June 25, 2002

**12. NOTARIZED SIGNATURES (ALL APPLICANTS AND OWNERS MUST SIGN):**

**APPLICANT(S) SIGN HERE:**

I/we, Anila Faizan & Faizan Ahmed and Kevin Kirkwood & Nathalie Kirkwood hereby depose and say that all of the above statements and the statements contained in the materials submitted herewith are true and correct.

Signature of Applicant(s): [Signature] and [Signature]

Sworn and subscribed before me, this 20 day of December, 2021

[Signature]  
Notary B. Manjures on Dec 21st 2021

ANTHONY FRANCHINI  
Notary Public - State of New Jersey  
My Commission Expires Jan 13, 2026

MANJUSREE R. REVURI  
NOTARY PUBLIC OF NEW JERSEY  
ID # 50001769  
My Commission Expires 8/13/2024

**OWNER(S) SIGN HERE (IF APPLICANT IS NOT THE OWNER):**

If the application is made by a person or entity other than the property owner, or by less than all of the property owners, then the property owner or the additional owners must complete the following:

I/we, \_\_\_\_\_ the owner(s) of the property described in this application, hereby authorize \_\_\_\_\_ to act as my/our agent for purposes of making and prosecuting this application and I/we hereby consent to the variance relief (if any) granted and all conditions of approval thereof.

Signature of owner(s): \_\_\_\_\_

Sworn and subscribed before me, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary \_\_\_\_\_