

# Town of Dover Planning Board

- Robert Hooper - Chairman
- Paul McGrath - Vice Chairman
- William B. Gilbert
- Jose Yamoza
- William Shauer
- John R. Frister
- Joan Bocchino
- Harry Ruiz

COUNTY OF MORRIS  
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- Javier Marin - Mayor
- William Shuler - Alderman
- Lewis Fico - Alternate I
- Kay Walker - Alternate II
- Lee Greb - Board Attorney
- Michael Hantson - Town Engineer
- Regina Nee - Clerk/Secretary
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## PLANNING BOARD REGULAR MEETING MINUTES FOR MARCH 24, 2004

**CALL TO ORDER** Chairman Hooper called the meeting to order at 8:02PM

**ROLL CALL: PRESENT:** Commissioner Gilbert, Yamoza, Shauer, Frister, Bocchino, Ruiz, Alternate I Fico, Alternate II Walker, Alderman Shuler, Vice-Chairman McGrath, and Chairman Hooper

**ABSENT:**

**ALSO PRESENT:** Present this evening is Board Attorney Lee Greb and Town Engineer Michael Hantson

**PLEDGE OF ALLEGIANCE** was recited by all.

**ADEQUATE NOTICE OF MEETING** was read by Clerk/Secretary Nee.

**MINUTES:** A motion to approve the minutes for the February 25, 2004 meeting was made by Vice-Chairman McGrath, seconded by Commissioner Fico and followed with a Roll Call vote.

**ROLL CALL:** Ayes: Commissioner Gilbert, Bocchino, Shauer, Ruiz, Fico, Alderman Shuler, Vice-Chairman McGrath, and Chairman Hooper

Noes:

**CORRESPONDENCE:** Anyone wishing to view correspondence since the last meeting can do so after the meeting. Please see Secretary Nee.

### PUBLIC PORTION

Chairman Hooper opened the meeting to the Public. Anyone from the public wishing to discuss any business with this Board, other than the applications to be heard this evening, was asked to please come forward at this time. Seeing no hands, this portion of the meeting was closed to the public.

Joseph Burbridge, 8 Harvard Street, Dover, NJ, came forward. Mr. Burbridge questioned the proposal to update or revise the Master Plan. He stated that he was part of the review several years back. He inquired as to what is the normal process that the Planning Board takes to undertake this? He was advised that a committee, made up of several members of the Planning Board was formed. The committee will decide what elements of the Master Plan will be

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addressed at this time. The Planning Board is the primary entity to guide the Master Plan for the benefit of the residents of Dover. Mr. Burbridge read about a firm that would come in and do the Master Plan and was curious how this came about. He was advised that the firm approached the Mayor and the Board and they in turn invited them in. Mr. Burbridge asked Mr. Hantson for his input for the plan. Mr. Hantson stated that he has previously recommended that there be a new Land Use element written, a new Housing element, a new Recreation – Open Space element, and the Board expressed interest in pursuing a Historic Preservation element. In his opinion, Mr. Hantson stated that the critical named elements in the Master Plan that should be reviewed as part of this would be the Land Use Element, the Housing Element, the Recreation-Open Space Element and the Historic Preservation Element, dollars permitting. The Municipal Land Use Law empowers the Planning Board, not the Governing Body to prepare a Master Plan and its elements. The Board must work within the budget that is funded by the governing body. A subsequent zoning ordinance that is changed as a result of any master plan changes is a function of the governing body.

This portion of the meeting was closed to the general public.

### REPORTS

Chairman's Report: No Report

Treasurer's Report: Commissioner Frister stated that they have adequate funds to continue their operations.

Budget & Finance: There is nothing to report; the budget was submitted as recommended, presented to the Budget Committee; the entire town budget has not yet been adopted. The issue of the Master Plan money has not been finalized yet.

Master Plan: Chairman Hooper advised that he will give an update later during the New Business discussion.

### CASES

**SP-01-04** –Edward Murray, **Block 1903, Lot 4** also known as 111 East Blackwell Street, located in the C-1 zone. The application is a Preliminary and Final Major Site Plan to add a 288 square foot kitchen and a 6'x 8' walk-in refrigerator to an existing tavern, and any other variances and waivers that may be required.

Chairman Hooper stated that the applicant has had no conversation with anyone in the office. He suggested that this case be dismissed without prejudice. The board decided that they would carry his fees over should he submit a new application in time for the May 26, 2004 meeting.

This portion of the meeting was opened to the general public.

Joann Pauloucci, 121 E. Blackwell Street came forward and asked if the applicant would have to re-notice. She was advised that the applicant would re-notify.

This portion of the meeting was closed to the general public.

Commissioner Shauer made a motion to dismiss the application without prejudice, and apply the fees to a new application should it be submitted in time for the May 26<sup>th</sup> meeting, seconded by

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Commissioner Gilbert. Mr. Hantson stated that because the ordinance requires that an application must be submitted twenty-eight days prior to the scheduled hearing date, if the application is not received by this time, the case is void.

**ROLL CALL:** Ayes: Commissioner Gilbert, Yamoza, Shauer, Frister, Bocchino, Ruiz, Alderman Shuler, Vice-Chairman McGrath, and Chairman Hooper  
Noes: None

The meeting was turned over to Commissioner Frister.

**SD-01-04** –Levitt Development Co., LLC, **Block 831, Lot 5** also known as 25 Hillside Avenue, located in the R-2 zone. The application is a two (2) lot Minor Subdivision to create one (1) new building lot with variances for pre-existing front yard setback on existing house, pre-existing side and rear yard setback for garage and maximum lot coverage for existing lot, and any other variances and waivers that may be required.

All notices and taxes are in order.

This portion of the meeting was opened to the Public. Seeing no hands, hearing no voices, this portion of the meeting was closed to the Public.

Commissioner Frister asked for comments from the Board. Commissioner Bocchino asked if the application was properly signed by both owners and she was advised in the affirmative. Members have received the Resolution in their packet. Attorney Greb advised that the property address should be 25 Hillside Avenue.

A motion to accept for Resolution was made by Commissioner Fico, seconded by Commissioner Ruiz, and followed with a Roll Call vote.

**ROLL CALL:** Ayes: Commissioner Gilbert, Shauer, Ruiz, Fico, Alderman Shuler, and Chairman Hooper  
Noes: Commissioner Bocchino and Vice Chairman McGrath

The motion carries.

**SD-02-04** –Doyle Brothers Construction, Inc., **Block 1813, Lot 9** also known as 41 Kensington Avenue, located in the R-2 zone. The application is a two (2) lot Minor Subdivision to create one (1) new building lot and the remaining single family dwelling, and any other variances and waivers that may be required.

All notices and taxes are in order.

William J. Lovas, Attorney, was present representing the applicant. The two applicants were present. This is a two lot minor subdivision; there is an existing house and they wish to subdivide to create two lots, one with the existing house and one with the proposed new lot. There are no variances required.

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The applicants, David M. Doyle, 37 St. Mary's Street, Wharton, and Joseph Doyle, 18 Tebo Road, Rockaway, were sworn in.

The Engineer's overview was read into the record. Both maximum building coverage and lot coverage values should be provided on a subdivision or grading plan drawing. The applicant stated that this will be done.

The applicant needs to advise as to the number of bedrooms per dwelling. The existing house is a three bedroom house, and the proposed dwelling is a four bedroom home. Parking required for these sites are as follows: the existing house requires two parking spaces and the proposed dwelling would require three parking spaces. For this tract of land, four spaces are required. The applicant is providing five spaces. With regard to the width of the driveway, the applicant thought it would be beneficial and convenience. Enforcement issues come in to play and it was suggested that the driveway be altered to lessen the width to prevent double parking in the front of the dwelling. Mr. Hantson stated that the issue of tandem parking and the inability to maneuver on a property only comes into play when you subdivide a lot down to the minimum standard. The applicant agreed to reduce the curb cut. The thirty inch tree in the front yard will be saved according to the standards of the Morris County Soil Conservation. The applicant agreed. The existing driveway on the right hand side will keep the same slope that he has in his driveway which would reduce the size of the wall to about a foot. It would result in a maximum height equivalent to the maximum permitted step height in the Uniform Construction Code. The applicant agreed. Based on recent discussions, it is recommended that any approval be conditioned on a full property maintenance inspection and a Certificate of Compliance being applied for and received from the Housing Department prior to the filing of any deed of subdivision. The applicant agreed. Seepage pits are proposed to be installed for the roof run-off of the new dwelling on the proposed lot and the driveway runoff for the proposed new driveway to the left of the existing dwelling. Both the driveway and seepage pit on the existing lot should be installed prior to the filing of any deeds of subdivision. A test pit must be dug on both lots in the vicinity of the seepage pits to confirm the ability of the soil to percolate the water prior to the filing of any deeds of subdivision. All damaged sidewalk and curb should be replaced; the sidewalk should be continued to the end of the property at the northwest end, and the lot should be numbered in accordance with the Tax Assessor's requirements. The applicant agreed.

This portion of the meeting was opened to the Public. As no one came forward, this portion of the meeting was closed to the Public.

A map will have to be supplied for construction. That map will have to comply with the requirements. Any issue pertaining to the proposed dwelling will have to be submitted at time of construction. A revised grading plan should be submitted prior to the filing of the subdivision deed, but the amendment to the subdivision map should be done before the next meeting.

Commissioner Ruiz made a motion to approve, with conditions as discussed, seconded by Vice-Chairman McGrath and followed by a Roll Call vote.

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**ROLL CALL:** Ayes: Commissioner Gilbert, Yamoza, Shauer, Frister, Bocchino, Ruiz  
Alderman Shuler, Vice-Chairman McGrath, and Chairman  
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- Noes: None

### **EWSP Committee Report None**

**OLD BUSINESS** Mr. Hantson stated that the County, who made a presentation last month, was looking for a representative from this Board to be a liaison on their "Build-Out Project and they are anxious to set up a meeting involving that liaison. There also needs to be a representative of the Board on the Cross Acceptance Committee for the State Plan. The State Plan is prepared by the State Planning Commission which falls under the Department of Community Affairs is reviewed every so many years. The review of that State Plan involves a regulatory process known as cross acceptance. Cross acceptance is a process where the state communicates their plan with the county and the county communicates with each municipality. Morris County asks each Planning Board from each municipality to appoint a representative along with the Town Planner to attend the Cross Acceptance meetings that they hold. They are normally held in the evenings. To cross accept the state plan recommendations as to how they pertain to that municipality with the county and the county in turn puts a package together to the State. The process starts in April and would go through the year.

Alderman Shuler will be the representative for the Cross Acceptance Committee for the State Plan. Commissioner Lewis Fico will be the representative for the Build-Out Project.

### **NEW BUSINESS:** Master Plan Committee Meeting

The committee met and agreed to go out and obtain proposals from other outfits. If anyone knows a firm who would be able to help with the review of the Master Plan, we welcome your input. The committee will meet with the companies, interview them, and then submit our proposals. The specific elements can be given to specific companies. You can ask for a RFQ – a request for qualifications prior to requesting a RFP. Chairman Hooper stated the committee would first meet individually with each firm. A good RFP will take at least a month. Statutorily, the Re-examination is due in October of 2005.

Commissioner Bocchino addressed Mr. Burbridge and stated that the public's input is very important to the committee. Alderman Shuler re-iterated the importance of the public's input.

The next committee meeting will be held on Wednesday, April 14, 2004 at 6:30PM.

Commissioner Bocchino inquired as to whether the correspondence could be listed. Secretary Nee has all correspondence available at each meeting. Any information pertaining to training or seminars would be included in the monthly packet. Any important information is directed to the Chairman.

***REGULAR MEETING TO BE HELD APRIL 28, 2004.  
AT 8:00PM. WORKSHOP SAME NIGHT AT 7:00PM***

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**ADJOURNMENT:** A motion to adjourn was made by Commissioner Ruiz, seconded by Commissioner Fico, with all present in agreement. The meeting adjourned at 9:24PM.

**IF ANY MEMBER CANNOT ATTEND, PLEASE CALL CLERK AT 366-2200-ext.115**

Respectfully submitted,

A handwritten signature in black ink that reads "Regina Nee". The signature is written in a cursive style with a large, looped initial 'R'.

Regina Nee  
Clerk/Secretary  
Planning Board