

**MINUTES  
PLANNING BOARD OF THE BOROUGH OF MADISON  
REGULAR MEETING APRIL 16, 2019**

A regular meeting of the Planning Board of the Borough of Madison was held on the 16th day of April 2019 at 7:30 P.M., in the Court Room, Hartley Dodge Memorial, 50 Kings Road, Madison, NJ.

The meeting was called to order by Planning Board Chairman, Steve Tombalakian.

Mr. Tombalakian requested the reading of the Public Meeting Notice.

Ms. Boardman read the following statement in accordance with the Open Public Meetings Act.

“Let the minutes reflect that adequate notice of this meeting has been provided in the following manner: At the reorganization meeting of the Board held on January 15, 2019, the Board by Resolution adopted a schedule of meetings.

On January 16, 2019, a copy of the schedule of meetings will be posted at the bulletin board at the entrance to the Hartley Dodge Memorial, sent to the Madison Eagle and the Daily Record, and filed with the Borough Clerk all in accordance with the “Open Public Meetings Act”.

The following roll call was recorded:

Present: George Limbach, Peter Flemming, Tom Lewis, Steve Tombalakian, Ann Huber, Mayor Conley, Rachel Ehrlich, and John Forte

Excused: Astri Baillie

Absent: None

Also Present: Vince Loughlin, Planning Board Attorney  
Susan Blickstein, Board Planner  
Frank Russo, Assistant Borough Engineer  
Frances Boardman, Board Secretary

**Approval of Minutes:**

Copies of the minutes of the April 2, 2019 regular meeting were distributed to all Board members for their review prior to this meeting. A motion to approve the regular minutes as presented was made by Mr. Lewis, seconded by Ms. Huber. A voice vote of “Aye” was heard by all eligible voting members and recorded.

**Comments by the Public:**

Mr. Tombalakian opened the floor to the public for anyone that wished to be heard on any matter not on this evening’s agenda. Seeing none that portion of the meeting was closed.

**RESOLUTIONS FOR MEMORIALIZATION –**

**CASE NO. P 18-003 A** Resolution granting the Preliminary and Final Site Plan with Variance to Fairleigh Dickinson University on property located at 285 Madison Avenue commonly known on the Borough of Madison Tax Map as Block: 101, Lot: 6 for adoption.

The adoption of this resolution will be carried and will be adopted at the next meeting of the Planning Board to be held on Tuesday, May 7, 2019.

**NEW BUSINESS** –

**CASE NO. P 18-009**  
**Minor Subdivision**  
**The Trademark Company, LLC**  
**36 Lathrop Avenue**  
**Block: 4309, Lot: 2**

Mr. DeAngelis, Esq. gave a brief description of the application before the Board this evening. He stated that the applicant proposes to subdivide the existing 15,000 square foot property at 36 Lathrop Avenue into two lots for two new single-family homes. The existing home and detached garage are proposed to be demolished. Mr. DeAngelis has three witnesses to testify this evening, Mr. Michael Savercool, Owner and Applicant, Ms. Cathy Mueller, Engineer and Mr. Jonathan Booth, Architect.

Ms. Cathy Mueller, Page-Mueller Engineering, P.O. Box 4619, Warren, New Jersey was sworn in and accepted as an expert witness. Ms. Mueller began her testimony explaining the existing conditions of the home as shown on the overview map provided in the application package along with the subdivision plan, both showing a date of 12/12/2018 with a revision date of 1/23/2019. Ms. Mueller stated that this application is a proposed two lot subdivision which will conform with all dimensional requirements of the Borough Ordinance. Each lot created will have a single family home built upon it. The current home and garage will be demolished. The proposed homes will have a front yard setback of 25.5 feet, along with front loading garages and drywells in the rear of the properties. Eight trees will be removed however; eight new trees will be planted which will include three street trees and five trees in the rear of the properties.

Mr. Russo asked Ms. Mueller if she had an opportunity to review his memorandum dated December 21, 2019. Ms. Mueller replied that she had and that she had no issue with any items in the memorandum. Mr. Russo asked Ms. Mueller to comment briefly on comments # 4 and # 5.

Comment # 4 states that the applicant be aware that Lathrop Avenue was reconstructed in 2017 and that there is a five-year moratorium on road openings. Ms. Mueller stated that the applicant is aware and will ask the Governing Body for a waiver for this road opening and repave the affected area.

Comment # 5 asks if the applicant considered keeping the current home and detached garage on the proposed subdivided lot. Ms. Mueller stated that if the current home and detached garage are kept a variance would be necessary and the goal of this subdivision application was to build two new homes and be a variance free submission.

Dr. Blickstein asked if any consideration had been given to varying the front yard setback, perhaps moving one of the homes back to 27.5 feet.

Mr. Michael Savercool, 10 South Road, Chester was sworn in. A discussion regarding the prevailing setbacks along Lathrop Avenue continued at length. Mr. Savercool would like to keep the front yard setbacks of both homes at 25.5 feet.

Mr. DeAngelis again stressed to the Board that the application before them for this subdivision is variance free and the applicant does not want to create any variances.

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Mr. Tombalakian asked the Board and its Professionals if they had any further questions for Ms. Mueller or Mr. Savercool, seeing none he opened the floor to the public for questions.

Mr. Michael Piano, 40 Lathrop Avenue questioned the privacy he would have at the rear of his property adjacent to the right hand lot. Ms. Mueller stated that one shade tree by Mr. Piano's gazebo is being recommended. Mr. Limbach stated that perhaps some Schip Laurel can be planted.

Mrs. Mara Piano, 40 Lathrop Avenue questioned the prevailing setback of 25.5 feet. Ms. Mueller stated that the application is in compliance with the Borough Ordinance.

Mr. Tombalakian asked if there were any other questions for either Mr. Savercool or Ms. Mueller, seeing none that portion of the hearing was closed.

Mr. Jonathon Booth, 33 Bullion Road, Basking Ridge was sworn in. Mr. Booth provided his credentials to the Board and was accepted as an expert witness.

Exhibit A-1: Black and White Photo Board of Proposed Single-Family Homes at 36 Lathrop Avenue, dated March 6, 2019

Mr. Booth began his testimony stating that the homes proposed are traditional homes and will be varied in style. Both will have front porches and front loading garages, but the roofs and windows will differ as shown in the exhibit.

Mr. Tombalakian asked the Board and its Professionals if they had any questions for Mr. Booth, seeing none he opened the floor to the public for questions, seeing none he closed that portion of the hearing.

Mr. Tombalakian opened the floor to the public for comments at this time.

Mr. Piano, 40 Lathrop Avenue is concerned with the landscaping and would like to have the best benefits provided for screening.

Seeing no further comments from the public this portion of the hearing was closed and the Board began its deliberation.

A summary of conditions for the resolution was provided by Mr. Vince Loughlin, Board Attorney. A motion to approve with all conditions as listed by Mr. Loughlin was made by Mayor Conley, seconded by Mr. Flemming and the following roll call was recorded:

"Ayes" – Mayor Conley, Ms. Huber, Ms. Ehrlich, Mr. Lewis, Mr. Limbach, Mr. Forte, Mr. Flemming. and Mr. Tombalakian.

"Nays" – None

Excused – Ms. Baillie

**OLD BUSINESS** – None

**PLANNING DISCUSSION** – None

**CORRESPONDENCE** – None

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Since there was no further business to come before the Board, Mr. Tombalakian asked for a motion to adjourn the Regular meeting at 8:25pm.; seconded by Mayor Conley. A voice vote of “aye” was heard by all members present and carried.

Respectfully submitted,

Frances Boardman  
Board Secretary