

BOROUGH OF SOUTH RIVER PLANNING BOARD

AGENDA

REORGANIZATION & REGULAR MEETING

TUESDAY – JANUARY 19, 2021 – 7:00PM

Location: via online video conference provided by Zoom

MEETING CALLED TO ORDER -Welcome to the Borough of South River's 2021 Planning Board Reorganization and Regular Meeting of January 21, 2020. In compliance with Chapter 231 of Public Laws of 1975, notice of this meeting was given by way of Annual Notice filed with the Borough Clerk, the Home News Tribune, The Sentinel and posted and posted in the window of Borough of South River Municipal Building.

Be Further Advised **ADVISED** that the Planning Board of the Borough of South River will hold its regular meeting on **(3rd Tuesday of every month)**, at 7:00 p.m. via online video conference provided by Zoom. Pursuant to the provisions of the New Jersey Open Public Meetings Act, *N.J.S.A. 10:4-8(b)*, this meeting will be held by means of the use of electronic communications equipment. Due to the COVID-19 pandemic, no members of the public shall be permitted to physically attend the meeting. The public, however, is invited to attend the meeting electronically. The Planning Board may take formal action at this meeting. The Borough is using this format in an effort to mitigate the chance of exposure to COVID-19, as a part of the Borough's ongoing effort to slow the rate of transmission and avoid overwhelming our treatment centers. This action will be in force for all existing regular meetings until otherwise notified by public notice.

Arthur Londensky is inviting you to a scheduled Zoom meeting.

Time: Jan 19, 2021 07:00 PM Eastern Time (US and Canada)

Every month on the Third Tue, until Dec 21, 2021, 12 occurrence(s)

Jan 19, 2021 07:00 PM

Feb 16, 2021 07:00 PM

Mar 16, 2021 07:00 PM

Apr 20, 2021 07:00 PM

May 18, 2021 07:00 PM

Jun 15, 2021 07:00 PM

Jul 20, 2021 07:00 PM

Aug 17, 2021 07:00 PM

Sep 21, 2021 07:00 PM

Oct 19, 2021 07:00 PM

Nov 16, 2021 07:00 PM

Dec 21, 2021 07:00 PM

Please download and import the following iCalendar (.ics) files to your calendar system.

Monthly: https://us02web.zoom.us/meeting/tZUtdO-grD4iEtMH1lzDxP2vyX_VmLr2lnii/ics?icsToken=98tyKuGprjgsEtaQuBGARpwcAojCM_zzpiVHj7dwtE7pGQRLUIHgI9p9BL9TAorc

Join Zoom Meeting

<https://us02web.zoom.us/j/81036825887?pwd=YW8rUjZkbEF4RkdPdmxla3gzaitNdz09>

Meeting ID: 810 3682 5887

Passcode: 000000

One tap mobile

+13126266799,,81036825887#,,,,*000000# US (Chicago)

+19292056099,,81036825887#,,,,*000000# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington D.C.)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 810 3682 5887

Passcode: 000000

Find your local number: <https://us02web.zoom.us/j/81036825887>

FLAG SALUTE

ROLL CALL

Ms. Donna Farren ()	Mr. James Jones ()	Thomas Barlow, Attorney ()
Mr. Richard Byrne ()	Mr. Kevin Render ()	Bruce Koch, Engineer ()
Mr. Michael Clancy ()	Mayor John Krenzel ()	Todd Bletcher, Planner ()
Ms. Cynthia Urbanik ()	Clm. Peter Guindi ()	Class 1 Alt. (vacant)()
Ms. Cynthia Wilk ()		Class 4 Alt. 2 (vacant) ()
Ms. Shirley Dockery Class 4 Alt. 1 ()		

REORGANIZATION BUSINESS:

OATHS

Richard Byrne, Peter Guindi, Michael Clancy, Kevin Render, James Jones and Shirley Dockery

ELECTION OF THE BOARD CHAIRMAN & VICE CHAIRMAN:

Nomination(s) for Chairperson

Election of Chairperson

Nomination(s) for Vice Chairperson

Election of Vice Chairperson

APPOINTMENT OF PROFESSIONALS, BOARD SECRETARY, OFFICIAL NEWSPAPER AND ANNUAL MEETING

NOTICE BY RESOLUTION:

01-2021 Appointment of Board Attorney
02-2021 Appointment of Board Engineer
03-2021 Appointment of Board Planner
04-2021 Appointment of Board Secretary
05-2021 Designation of Official Newspaper
06-2021 Approval of Meeting Dates

SWEARING IN OF PROFESSIONALS

1. APPROVAL OF MINUTES: 12/2020

2. RESOLUTION(S): 2020-13 Preliminary & Final Major Site Plan PB-2020-03 Unique Building Ideas, Inc. 10 Eastern Street Block 42 Lot 3 & 4.01

3. REGULAR MEETING BUSINESS:

Master Plan Reexamination

4. PUBLIC HEARING(S):

Ordinance Referral from Council

Motion to: ☐ Approve ☐ Denied ☐ Carry : 1 st _____ 2 nd _____
Roll Call: ___Farren ___Byrne ___Clancy ___Dockery ___Guindi ___Jones ___Krenzel ___Render ___Urbanik ___Wilk ___

5. COMPLETENESS: None

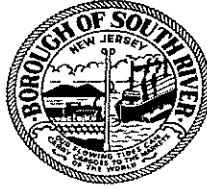
6. HEARINGS ON APPLICATIONS: None

7. PUBLIC SESSION

8. BOARD COMMENTS:

ADJOURNMENT Motion to _____: 1st _____ 2nd _____

NEXT MEETING FEBRUARY 16, 2021 @ 7:00
via online video conference provided by Zoom



MEETING NO: 11

December 15, 2020

**BOROUGH OF SOUTH RIVER
PLANNING BOARD MEETING
MINUTES**

ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED AS IS REQUIRED BY CHAPTER 231, PUBLIC LAW 1975 AND BY RESOLUTION 2020-5, WITH THE REQUEST OF THE HOME NEWS AND TRIBUNE OR THE SENTINEL NEWSPAPERS TO PUBLISH SAME.

Chairwoman Farren opened the Regular Meeting of the South River Planning Board held on December 15, 2020 commencing at 7:00 pm originally scheduled at the Criminal Justice Building, located at 61 Main Street, South River, NJ 08882. Due to the Covid-19 Pandemic this meeting was held by means of the use of electronic communications equipment via online video conference provided by Zoom.us. This meeting was held in compliance with the Open Public Meetings Act N.J.S.A.10:4-6. Chairwoman Farren led the flag salute.

ROLL CALL

Present: Mr. Richard Byrne; Councilman Guindi (joined at 7:10); Mr. James Jones; Mrs. Cynthia Urbanik; Ms. Cynthia Wilk; Chairwoman Donna Farren

Absent: Mr. Michael Clancy; Shirley Dockery – Alt. 2; Mayor John Krenzel; Mr. Kevin Render
Mr. Victor Gil, Alt 1

Attorney Thomas Barlow, Engineer Bruce Koch, Planner Todd Bletcher, Administrator Londensky and Secretary Mimi Marlor were also in attendance.

Attorney Barlow, for the record, stated that this meeting is being held remotely by electronic means due to the Covid-19 pandemic in accordance with the Department of Community Affairs guidelines special notice. Notice of this meeting has been provided by way of a special notice in the official newspaper and posted on the Borough website and at the Criminal Justice Building and stated he was comfortable that this meeting should take place.

APPROVAL OF THE MINUTES

The minutes of November 17, 2020 were considered for approval as one motion.
Mr. Jones motioned, and Mr. Byrne seconded the adoption of the minutes for November 17, 2020.

All in favor vote
Motioned carried

RESOLUTIONS

Resolution 12-2020 Application 2020-05

Danny Andre Pondview Village

Mr. Jones motioned, and Mr. Byrne seconded to memorialize Resolution 12-2020 regarding the approval of Application 2020-05.

Roll Call Vote:

Ayes: Byrne, Jones, Guindi, Farren

Nays:

Abstain:

Absent:

Motion carries

COMPLETENESS

Chairwoman Farren stated for the record there were no applications for completeness review on the agenda this evening. She noted for the records that the Ordinance Review for Ordinance 2020-33 has been removed from the agenda at the request of Mayor and Council. She proceeded to the public hearing for Unique Building Ideas.

PUBLIC HEARINGS

1. Application PB2020-03

Unique Building Ideas – 10 Eastern Street Block 42, Lots 3 and 4.01

The applicant is proposing the construction of a single-family home and is before the board for a sanitary sewer extension. The application was deemed complete on October 20, 2020 and schedule for a Public hearing on December 15, 2020 to accommodate Attorney Pape's schedule.

Attorney Kenneth Pape identifies himself as the representative for the applicant, Adam Zawistowski, and his Engineer Paul Fletcher. Mr. Pape identifies the project as a preliminary and final site plan in an R75 zone for a sanitary sewer extension. All the appropriate notices were filed and presented to the Board Secretary. Attorney Barlow stated the notices were in order.

Paul Fletcher was sworn in by Attorney Barlow. His credentials were stipulated by the board. Mr. Fletcher stated the development plan was for a single-family home and no bulk variances are needed. Lot area is compliant. Lot width is compliant. All setbacks are compliant. We are seeking 234-foot extension of the sanitary sewer line connecting at Eastern and William Streets. The applicant will put in an 8 in line with laterals for the one adjacent neighbor and one for the public park area owned by the municipality.

Mr. Fletcher further commented that all the plans are RISI compliant. The DEP requirements will be addressed, and the applicant is willing to comply with all the technical recommendations from Mr. Koch of CME. We are also prepared to provide a site plan waiver from the County.

Mr. Zawistowski was sworn in by Attorney Barlow. He lives at 668 St George Ave., Woodbridge, NJ. Mr. Zawistowski, a builder himself, explained the flood venting system. He noted that he will comply with all flood venting requirements and the building permits will show

the flow vents installed. The landscaping plan will be supplemental to the satisfaction of the Planner. He notes they will provide a developer's agreement. Adam confirms that the project is two story with a crawl space to create the levels for the flood flow vent. He confirms that it is his intention to build a home requiring no bulk variances.

Attorney Pape concludes the testimony of his client and Engineer.

Mr. Koch stated he did provide an updated report and Mr. Pape conferred he had no objection to full compliance with his letter dated 12/13/2020.

Mr. Bletcher stated he had hoped there was testimony for the strategic planning and flood risk report. He shared that the property is still classified as imminent and severe impact area.

Attorney Pape stated that the applicant has no requirement to comply with the Master Plan but rather the ordinance and Zoning laws of South River.

Attorney Barlow asks if the Planner, Mr. Fletcher plans to comment on the flood issue.

Mr. Fletcher comments that the only testimony is that the laterals are a benefit to the community.

The Chairwoman opened the floor to Board members comments.

Ms. Wilk asked for clarification on the first-floor elevation. Mr. Zawistowski stated it is 17.01(3 feet above the requirement)

Richard Byrne asked what "discourages building in a flood zone" means in this context"

Mrs. Urbanik asked if Todd's report was correct stating it needed variances. Mr. Bletcher corrected it to read no variances are required.

Todd reiterated the history of the strategic plan and reminded them it identifies the area as imminent and dangerous flood zone.

Mr. Jones stated that many people did not take the buyout and rather elevated their homes instead remaining in the area.

Attorney Barlow stated they need to look at the project globally at all the issues. Its not black and white. One must consider all the gray issues as well.

PUBLIC SESSION FOR UNIQUE BUILDING IDEAS ONLY

A motion was made by Mr. Byrne and seconded by Mr. Jones to open the public session to the public.

Seeing no one wishing to speak a motion was made by Mr. Byrne and seconded by Mr. Jones to close the public session to the public.

Vote: All in favor

Motion carried

BOARD ACTION

Mrs. Urbanik motioned to deny the application. There was no second.

Mr. Jones motioned, and Mr. Byrne seconded to approve the application 2020-03

ROLL CALL

Ayes: Mr. Richard Byrne; Councilman Guindi; Mr. James Jones; Ms. Cynthia Wilk; Chairwoman Donna Farren

Nays: Mrs. Cynthia Urbanik

Absent: Mr. Michael Clancy; Mayor John Krenzel; Mr. Kevin Render; Shirley Dockery – Alt. 2; Mr. Victor Gil, Alt 1

Motioned carried

ORDINANCE REVIEW

The Planning Board was asked by Mayor and Council to review Ordinance 2020-31 and send recommendations back to the Council.

Discussion ensued regarding the change to section 350-27 (17). Attorney Barlow stated that no motion was necessary, and he would write a letter to the Clerk sharing the comments and recommendations to the Board. Councilman Guindi stated he would share their thought and concerns as well.

PENDING APPLICATIONS – FYI ONLY

1. Application PB2020-04

SRED Property LLC, Yasser Helal, 205 Main Street, Block 122 Lots 1, 10 and 10.01

1. Application PB2020-01

Paul Santos, Port Plaza, 7 Main Street, Block 150, Lots 1,1.01,2.01,4.01,4.03,5,6 & 6.02

The pending applications were identified for the record.

PUBLIC SESSION

A motion was made by Mr. Byrne and seconded by Mr. Jones to open the public session to the public.

Seeing no one wishing to speak a motion was made by Mr. Byrne and seconded by Mr. Jones to close the public session to the public.

ORDINANCE NO. 2021 -1

**AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER,
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,
AMENDING CHAPTER 350 OF THE BOROUGH CODE OF
THE BOROUGH OF SOUTH RIVER ENTITLED "ZONING"**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex, and State of New Jersey, as follows:

SECTION 1. Chapter 350 of the Borough Code of the Borough of South River, entitled "Zoning" is hereby amended so as to amend Section 350-7 entitled "Definitions and Word Usage" so as to amend subsection C to add the definition of RETAIL as set forth as follows:

§350-7 B-2 Definition and Word Usage.

C. Unless otherwise expressly stated the following words and phrases are defined as follows:

...

RETAIL

Any use or establishment, generally open to the public, primarily engaged in the sale, resale, or rental of merchandise, or provision of personal services, most often to individuals or households. The term **RETAIL** shall be broadly defined to contain all types of retail stores serving a widely distributed clientele and shall include, but shall not be limited to the following: sale of any type of merchandise, convenience stores, supermarkets, discount stores, warehouse clubs, food stores, drug stores, liquor stores, hardware stores, bakeries, jewelry stores, clothing stores, department stores, automotive sales, lumber and building materials, office supplies or furniture; OR provision of personal services involving the care of a person or of his/her property, including, but not limited to: laundry services, dry cleaning, tailors, household item repair shops, beauty salons, barber shops, auto washing and detailing, drive-through auto care, urgent-care facilities, veterinary care, pet grooming salons, pet boarding, hotel/motels, extended-stay facilities, self-storage facilities, rental of vehicles, rental of clothing, rental of equipment, home improvement product showrooms, museums, theatres, amusement and recreation, spas, health clubs, gyms, personal training, dance/karate/yoga/art/music studios, professional training schools, bank branches, real estate sales, and sales of personal financial/insurance/investment products and services.

Retail sales shall include by definition and permit incidental assembly, repair, service, or provision of similar services which are generally accessory to the sale of goods, and which are necessary to provide a finished good for sale, or to maintain personal property.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. After introduction of this ordinance, the Borough Clerk shall send a copy of this ordinance to the Borough Planning Board for its review and comment pursuant to N.J.S.A. 40:55D-64. The Borough shall send a copy of the ordinance to the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

JOHN M. KRENZEL, Mayor, Borough of South River
Dated: _____

ATTEST:

WILLIAM BRAY, RMC
Borough Clerk, Borough of South River

RESOLUTION: PB 2021-01

JANUARY 19, 2021

RESOLUTION

BOROUGH OF SOUTH RIVER

PLANNING BOARD

2021

APPOINTMENT OF LEGAL COUNSEL

WHEREAS, the Local Public Contract Law (NJSA 40A:11-1 et seq.) requires that a resolution be adopted and publically advertised to authorize the award of contracts for "Professional Services"; and

WHEREAS, the Borough of South River Planning Board has determined it necessary to solicit proposal of qualifications for professional services for a Planning Board Attorney under the "Fair and Open Process" which has been implemented under the "New Jersey Local Unit Pay-to Play" Law, pursuant to the provisions of N.J.S.A. 19:44-20.4 et. seq.; and

WHEREAS, the Board has considered the professional services proposal submitted by practicing attorney, Thomas W. Barlow; and

WHEREAS, the anticipated term of contract is for a period of one year and shall run from January 1, 2021 through December 31, 2021;

THEREFORE, BE IT RESOLVED, that Thomas Barlow, of the firm, Lombardi and Lombardi, located at 1862 Oak Tree Road, Edison, NJ 08818 is hereby appointed Legal Counsel for the Borough of South River Planning Board for the calendar year of 2021; and

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Borough of South River has certified the availability of funds for the monthly retainer of the contracted term.

DATED: JANUARY 19, 2021

Donna Farren, Chairperson

Resolution: PB 2021-02

JANUARY 19, 2021

RESOLUTION

BOROUGH OF SOUTH RIVER

PLANNING BOARD

2021

APPOINTMENT OF CONSULTING ENGINEER

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq.) requires that a resolution be adopted and publically advertised to authorize the award of contracts for "Professional Services"; and

WHEREAS, the Borough of South River Planning Board has determined it necessary to solicit proposal of qualifications for professional services for a professional Engineer under the "Fair and Open Process" which has been implemented under the "New Jersey Local Unit Pay-to Play" Law, pursuant to the provisions of N.J.S.A. 19:44-20.4 et. seq.; and

WHEREAS, the Board has considered the professional services proposal submitted by practicing engineer, Bruce Koch;

WHEREAS, the anticipated term of contract is for a period of one year and shall run from January 1, 2021 through December 31, 2021; and

THEREFORE, BE IT RESOLVED that Bruce Koch, of the firm, CME Associates, located at 3141 Bordentown Avenue, Parlin, NJ 08859 is hereby appointed as the Consulting Engineer to the Borough of South River Planning Board for the year 2021; and

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Borough of South River has certified the availability of funds for the monthly retainer of the contracted term.

DATED: JANUARY 19, 2021

Donna Farren, Chairperson

RESOLUTION: PB 2021-03

JANUARY 19, 2021

RESOLUTION

BOROUGH OF SOUTH RIVER

PLANNING BOARD

2021

APPOINTMENT OF CONSULTING PLANNER

WHEREAS, the Local Public Contract law (NJSA 40A:11-1 et seq.) requires that a resolution be adopted and publically advertised to authorize the award of contracts for "Professional Services"; and

WHEREAS, the Borough of South River Planning Board has determined it necessary to solicit proposal of qualifications for professional services for a professional Planner under the "Fair and Open Process" which has been implemented under the "New Jersey Local Unit Pay-to-Play" Law, pursuant to the provisions of N.J.S.A. 19:44-20.4 et. seq.; and

WHEREAS, the Board has considered the professional services proposal submitted by practicing Planner, Todd Bletcher;

WHEREAS, the anticipated term of said contract is for a period of one year and shall run from January 1, 2021 through December 31, 2021; and

THEREFORE, BE IT RESOLVED that Todd Bletcher, of the firm, Bignell Planning Consultants, Inc. located at 424 Amboy Avenue, Suite 202, Woodbridge, NJ 07095 is hereby appointed as the Consulting Planner to the Borough of South River Planning Board for the year 2021.

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Borough of South River has certified the availability of funds for the monthly retainer of the contracted term.

DATED: JANUARY 19, 2021

Donna Farren, Chairperson

RESOLUTION: PB 2021-04

JANUARY 19, 2021

RESOLUTION

BOROUGH OF SOUTH RIVER

PLANNING BOARD

2021

APPOINTMENT OF BOARD'S SECRETARY

BE IT RESOLVED that _____, is hereby appointed to the position of Secretary to the South River Planning Board for the year 2021 in accordance with the current borough salary ordinance/resolution.

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Borough of South River has certified the availability of funds for the services of the contracted term.

DATED: JANUARY 19, 2021

Donna Farren, Chairperson

RESOLUTION: PB 2021-05

JANUARY 19, 2021

RESOLUTION

BOROUGH OF SOUTH RIVER

PLANNING BOARD

2021

**OFFICIAL NEWSPAPER DESIGNATION
AND MINUTES**

WHEREAS, the New Jersey Municipal Land Use law, N.J.S.A. 40:55D, provides that certain notices required by its terms are to be published in the official newspaper of the municipality; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-6 et. seq., requires that notification be given of meetings of public bodies as therein defined and in the manner therein set forth;

WHEREAS, the Borough of South River selects a newspaper, which circulates within the Borough of South River, to be designated as the Official Newspaper for all Official Notices of the Board for the year 2021.

NOW THEREFORE, IT IS HEREBY RESOLVED that all notices in connection with Planning Board matters that are required to be published in the official newspaper of the Borough of South River, pursuant to Chapter 231, Public Law 1975, be published in the designated Official Newspaper, the Home News Tribune, a news publication published in Neptune, NJ.

BE IT FURTHER RESOLVED that the SENTINEL PUBLICATION, a weekly newspaper, be used for display of advertisement, not of a legal nature.

BE IT FURTHER RESOLVED that minutes of the meetings of the Planning Board will be made available for public viewing in the Borough Offices, in accordance with N.J.S.A. 10:4-14, and copies of the Minutes will be provided to individuals upon request.

DATED: JANUARY 19, 2021

Donna Farren, Chairperson

RESOLUTION: 2021-06

JANUARY 19, 2021

RESOLUTION
BOROUGH OF SOUTH RIVER

PLANNING BOARD
2021
ANNUAL MEETING SCHEDULE

WHEREAS, the Open Public Meeting Act, N.J.S.A. 10:4-6 et. seq., requires that public bodies provide adequate notice of meetings.

BE IT RESOLVED, by the Borough of South River Planning Board, in the County of Middlesex, State of New Jersey, during the year 2019, regular meetings of business will be held on the third Tuesday of each month, unless indicated otherwise.

LOCATION: Criminal Justice Building 61 Main St., South River, NJ
Or via video conference provided by Zoom

TIME: 7:00 pm

<u>MONTH</u>	<u>DAY</u>	<u>PLANS DUE ON OR BEFORE</u>
February	16 th	February 2 nd
March	16 th	March 2 nd
April	20 th	April 6 th
May	18 th	April 4 th
June	15 th	June 1 st
July	20 th	July 6 th
August	17 th	August 3 rd
September	21 st	September 7 th
October	19 th	October 5 th
November	16 th	November 2 nd
December	21 st	December 7 th
January (2022)	18 th	January 4 th (Re-

Organizational)

DATED: JANUARY 19, 2021

Donna Farren, Chairperson

**UNIQUE BUILDING IDEAS, INC.
10 EASTERN STREET
SOUTH RIVER, NEW JERSEY 08882**

**RESOLUTION: 13-2020
APPLICATION: PB-2020-03**

**BOROUGH OF SOUTH RIVER PLANNING BOARD
RESOLUTION
PRELIMINARY & FINAL MAJOR SITE PLAN APPROVAL**

WHEREAS, Unique Building Ideas, Inc., of 10 Eastern Street, South River, New Jersey 08882, has requested the Borough of South River Planning Board approve its preliminary and final major site plan to clear the lot and construct a new residential dwelling at the premises known on the Tax Map as Block 42, Lot 3 and 4.01.

IN ACCORDANCE WITH PLANS AND MAPS PREPARED BY:

1. Plans prepared Fletcher Engineering, Inc., dated October 2, 2019, revised through September 1, 2020;
2. Property Survey prepared by Fletcher Engineering, Inc, dated October 2, 2019;
3. A Plot and Grading Plan prepared by Fletcher Engineering, LLC., revised through September 1, 2020;
4. Architectural Plans prepared by Dugasz & Brower Architects revised on September 15, 2020;
5. A Certification Letter from Freehold Soil Conservation District, dated December 5, 2019;
6. Storm Water Calculation Report prepared by Paul J. Fletcher; dated November 13, 2019;

WHEREAS, a hearing was held before the Planning Board on December 15, 2020, at which time testimony was received; and

WHEREAS, the Board has concluded, after carefully considering the evidence presented at the above-mentioned public hearing the following factual findings:

1. The Applicant Unique Building Ideas, Inc., is represented by Kenneth Pape, Esq. of Heilbrunn Pape located at 516 Highway 33, Millstone Township, New Jersey 08535.
2. The subject property contains two (2) abutting rectangular interior lots fronting on the south side of Eastern Street located across from the Pacers Field parking lot on Eastern Street. Lot 3 is located on the eastern side of the site and is vacant. Lot 4.01 is located on the western side of the site and contains an existing 1-story building on the southwest rear corner of the lot. The combined lots form a 75' wide by 100' tract. A macadam driveway and curb cut connect the building to the street.
3. The property is located in the R-75 Single-Family Residential Zone and Single-Family homes are permitted uses in the Zone.
4. The Applicant proposes to clear the lots and construct a new residential dwelling on the combined lots. A 4-bedroom dwelling is proposed along with a 2-car garage. A 20' wide driveway will connect the building to the street. Since there are no sewer services on Eastern Street in this portion of the Borough, the Applicant proposes approval to extend a new 8" sanitary sewer line under Eastern Street for 234 LF eastward from a manhole in William Street to reach the frontage of this lot. New sewer, water and gas connections are needed to service the dwelling. The proposed building will be a two-story dwelling with a ground floor garage and living area and an upper floor with 4 bedrooms.
5. The Lots are located within the FEMA floodplain area and within the Borough's Repetitive Loss Area and abuts properties on both the Borough's Historical Flood Damage list and Blue Acres Buyout Status Map.
6. No variance relief or waivers were required or sought.
7. Paul J. Fletcher, P.E., P.P., a license professional engineer and planner, whose office is located 357 Crows Mill Road, Fords, New Jersey 08863, was sworn in

on behalf of the Applicant. His credentials as a professional engineer and planner were recognized by the Board.

8. Mr. Fletcher testified that the proposed development is across the street from the Municipal Recreation Field. He testified that the application meets all of the bulk requirements of the zone and no variances or waivers were needed or being sought.

9. Mr. Fletcher indicated that 234 ft. of sewer line needed to be installed from the existing manhole on William Street to the property. He testified that a 8" sewer pipe sanitary sewer service was proposed. He testified that any residents currently on septic could tie into the system and the system would be able to handle the flow. Furthermore, Mr. Fletcher testified that if the Borough wishes to tie in from the recreational fields that the sewer line could handle the flow from any development by the Borough. In addition, Mr. Fletcher testified that the Applicant will put in laterals for the homeowner on the other side of the Eastern Street. The Applicant will install the laterals for the other residents and municipality at his sole cost.

10. Adam Zawistowski, whose address is 668 St. George Avenue, Woodbridge, New Jersey, was sworn in on behalf of the Applicant. Mr. Zawistowski is the sole owner of Unique Building Ideas, LLC.

11. Mr. Zawistowski testified that he has been 22 years in the construction business and that he was the building and fire inspector in Woodbridge Township.

12. Mr. Zawistiowski testified that he is familiar with flood hazard construction methods.

13. Mr. Zawistiowski further testified he intends to build a single-family house. The house will have a first-floor elevation of 17.1 ft. and the flood zone elevation is 14 ft.

14. Mr. Zawistiowski testified that all of the mechanical elements of the proposed single-family residence will be in the attic.

15. Mr. Zawistiowski confirmed that the Applicant will enter into a developer's agreement with the Borough and shall be responsible for 100% of the cost of the

installation and maintenance of all of the offsite improvements proposed with its development.

16. The Applicant agreed to comply with all of the recommendations set forth in Mr. Koch's December 10, 2020, report and the October 13, 2020, report of Mr. Bignell.

17. The Applicant also agreed that that he will need to obtain Middlesex County Planning Board Approval or exemption and comply with any recommendations with the Middlesex County Planning Board.

18. The Applicant agreed to the entry of a developer's agreement upon approval of the application to govern construction and oversight of the properties.

19. Members of the public were invited to comment and pose questions and testify. No members of the public chose to do so.

CONCLUSIONS

1. The Board concluded that the preliminary and final major site plan would be beneficial to the site, as well as to the surrounding properties and to the Borough in general.

2. The Applicant demonstrated that the requested approval could be approved without substantial detriment to the intent and purposes of the Zoning Plan, Zoning Ordinance and the public good.

3. The Board concluded that the requested site plan sought was appropriate for the site and in determining same the Board accepted the testimony of the Applicant's experts and the recommendations of the Borough's professional staff as well that same could be granted without substantial detriment to the surrounding properties and Borough.

4. The Board concluded as to the proposed onsite and offsite improvements, which are subject to the review and approval of the Board's professional staff, that without the agreement of the Applicant to continuously maintain the improvements, the

Board would not have otherwise approved the proposed site plan. The Board further finds that all onsite and offsite improvements must be continually maintained by the Applicant and that the maintenance of all onsite and offsite improvements are required in order that the Applicant's project will not be a substantial detriment to the public good and that the site plan will not only be beneficial to the subject property, but also to the surrounding properties.

For other such reasons as stated in the minutes and recorded at the hearing.

NOW, THEREFORE, be it resolved by the Borough of South River Planning Board pursuant to its statutory powers and on December 15, 2020, on a Motion by Mr. Jones and seconded Mr. Byrne, that the Preliminary and Final Major Site Plan Approval requested by Unique Building Ideas, LLC., for Block 42, Lots 3 and 4.01 is approved subject to the following conditions:

1. The Applicant must document approvals or exemption from the Middlesex County Planning Board, Freehold Soil Conservation District, NJDEP and all other outside agencies having jurisdiction;
2. The Applicant will submit all appropriate documentation if required to address all wetland, wetland transition areas, waterfront development and riparian zone development issues with the NJDEP before proceeding with any construction associated with this Application;
3. Applicant to post bonds and certified checks in amounts satisfactory to the Borough Engineer for all improvements required herein by reason of this approval;
4. All onsite improvements must be continually maintained by the Applicant and its successors. Maintenance of all onsite improvements is necessary in order that the proposed development mitigate any detriment to the public good and be beneficial to the subject and surrounding properties;
5. Submission of revised plans in a form acceptable to the Borough Engineer and Planner evidencing compliance with the recommendations of the Borough Engineer and Borough Planner in their Memorandums to the Planning Board dated December 10, 2020 and October 13, 2020, respectively;

6. Compliance with the representations set forth in the findings of facts set forth above and any representations agreed to at the hearing.

7. The Applicant has to bring in fill to the site. The plans shall demonstrate the proposed grading plan will not have a negative impact on any of the adjacent properties as well as the flow of run-off from those properties. The plans shall indicate how much fill will be imported to the site. All imported fill shall meet the NJDEP criteria and regulations for fill utilized on residential properties. The Applicant will be required to obtain all required NJDEP permits, including but not limited to, filling in the flood zone and for the construction of the proposed dwelling.

8. The plans should show the limits of all excavations in the roadway for the utility installations, including the proposed sanitary sewer main, and the appropriate pavement trench and pavement repair details. The plans should also provide a detail for the proposed connection of the new sewer main into the manhole in William Street. A NJDEP Sewer Extension Permit or waiver shall be obtained from the NJDEP.

9. Applicant shall install sidewalks along the property frontage.

10. The Applicant shall provide a landscaping plan that shall include a landscape plan including foundation plantings, two (2) rear yard specimen trees and (2) street trees.

11. The Applicant shall enter into a developer's agreement with the Borough and shall be responsible for 100% of the cost of the installation of all offsite improvements proposed with this development and their subsequent maintenance.

12. The Applicant shall create a deed notice to notify all future buyers of the repetitive flood damage expected at this property, the Borough's land use policies in the FEMA Repetitive Loss Area, and the necessity for flood insurance. The recording of this deed notice is a condition of approval.

13. The plan should be identified as a "Preliminary and Final Major Site Plan.

14. A lot consolidation deed shall be recorded and provided as a conditional of approval. The Borough Engineer is to approve the description of same prior to recording.

15. Within twenty (20) days of the memorialization of this Resolution, the Applicant shall publish notice of the Planning Board decision in the Borough's paper of record.

BE IT FURTHER RESOLVED THAT, copies of this Resolution shall be forwarded to the Tax Assessor, Borough Engineer, Zoning Officer and the Applicant.

The above is a memorialization of a motion which was duly seconded and passed on December 15, 2020, on the following vote:

THOSE IN FAVOR: James Jones, Richard Byrne, Councilman Peter Guindi, Cynthia Wilk, Donna Farren.

OPPOSED: Cynthia Urbanik.

The undersigned, Secretary to the Borough of South River Planning Board, hereby certifies that the above is a true copy of a Resolution memorialized by said Board on the _____, day of _____ 2021, on the following vote:

THOSE IN FAVOR:

OPPOSED:

_____, SECRETARY
BOROUGH OF SOUTH RIVER PLANNING BOARD