



MEETING NO.: 1

January 19, 2021

BOROUGH OF SOUTH RIVER
PLANNING BOARD MEETING

MINUTES

Regular Meeting of January 19, 2021

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.

Acting Planning Board Secretary Arthur Londensky opened the Reorganization and Regular Meeting of the South River Planning Board held on January 19, 2021 commencing at 7:00 pm by zoom virtual meeting. . This meeting was held in compliance with the Open Public Meetings Act N.J.S.A.10:4-6.

Donna Farren led the flag salute.

ROLL CALL

Present: Ms. Donna Farren, Mr. Michael Beck; Mr. Richard Byrne; Mr. Michael Clancy; Ms. Cynthia Urbanik, Ms. Shirley Dockery; Councilman Guindi; Mr. James Jones; Mayor John Krenzle; Mr. Kevin Render; Ms. Cynthia Wilk

Absent: None

Attorney Thomas Barlow, Engineer Bruce Koch, Planner Todd Bletcher, and Acting Secretary Arthur Londensky were also in attendance.

OATHS

Attorney Barlow offered the oaths of office to Mr. Richard Byrne, Councilman Peter Guindi, Ms. Cynthia Urbanik, Mr. James Jones, Mr. Michael Clancy, Mr. Kevin Render, & Ms. Shirley Dockery

ELECTION OF BOARD CHAIRMAN AND VICE CHAIRMAN

Nominations were opened to the floor for Chairman of the Planning Board for 2021.

Councilman Guindi nominated Donna Farren seconded by Ms. Urbanik. There were no other nominations and the nominations were closed on a motion by Ms. Urbanik seconded by Councilman Guindi.

Roll Call Vote:

Ayes: Ms. Donna Farren, Mr. Michael Beck; Mr. Richard Byrne; Mr. Michael Clancy; Ms. Cynthia Urbanik, Councilman Guindi; Mr. James Jones; Mayor John Krenzel; Mr. Kevin Render; Ms. Cynthia Wilk

Nays: None

Abstain: None

Motion carries

Nominations were opened to the floor for Vice Chairman of the Planning Board for 2021.

Councilman Guindi nominated Cynthia Urbanik. seconded by Ms. Farren There were no other nominations and the nominations were closed on a motion by Mr. Jones seconded by Ms. Farren.

Roll Call Vote:

Ayes: Ms. Donna Farren, Mr. Michael Beck; Mr. Richard Byrne; Mr. Michael Clancy; Ms. Cynthia Urbanik, Councilman Guindi; Mr. James Jones; Mayor John Krenzel; Mr. Kevin Render; Ms. Cynthia Wilk

Nays: None

Abstain: None

Motion carries

RESOLUTIONS

Attorney Barlow reviewed the procedure for a consent agenda to adopt Resolutions 01-2021 through 04-2021 and 06-2021. He stated that all matters listed on the consent agenda are necessary and considered to be routine in nature and will be enacted by one motion. First the Board will motion to vote by consent agenda and then motion to adopt by consent agenda.

Resolution 04-2021 Appointment of Planning Board Secretary has been pulled.

Mr. Jones motioned and Councilman Guindi seconded to vote by consent agenda Resolutions 01-2021 through 03-2021 and 05-2021

Mr. Jones motioned to seconded by Councilman Guindi to approve Resolutions 01-2021 through 03-2021 and 05-2021.

Roll call vote

Ayes: Ms. Donna Farren, Mr. Michael Beck; Mr. Richard Byrne; Mr. Michael Clancy; Ms. Cynthia Urbanik, Councilman Guindi; Mr. James Jones; Mayor John Krenzel; Mr. Kevin Render; Ms. Cynthia Wilk

Nays: None

Abstain: None

Motion carries

Mr. Jones motioned seconded by Councilman Guindi to amend 006-2021 meeting dates by changing 12/21/21 to 12/14/21.

Roll Call Vote:

Ayes: Ms. Donna Farren, Mr. Michael Beck; Mr. Richard Byrne; Mr. Michael Clancy; Ms. Cynthia Urbanik, Councilman Guindi; Mr. James Jones; Mayor John Krenzel; Mr. Kevin Render; Ms. Cynthia Wilk

Nays: None

Abstain: None

Motion carries

On a motion by Ms. Wilk seconded by Mr. Jones resolution 06-2021 is approved as amended,

Roll call vote

Ayes: Ms. Donna Farren, Mr. Michael Beck; Mr. Richard Byrne; Mr. Michael Clancy; Ms. Cynthia Urbanik, Councilman Guindi; Mr. James Jones; Mayor John Krenzel; Mr. Kevin Render; Ms. Cynthia Wilk

Nays: None

Abstain: None

Motion carries

At this time Attorney Barlow offered the oath of Office to Planning Board Engineer Bruce Koch and Planning Board Planner Todd Bletcher

APPROVAL OF THE MINUTES

The following minutes were considered for approval.

Mr. Jones motioned and Councilman Guindi seconded the adoption of the minutes for December 15, 2020.

Roll Call Vote:

Ayes: Ms. Donna Farren, Mr. Michael Beck; Mr. Richard Byrne; Mr. Michael Clancy; Ms. Cynthia Urbanik, Councilman Guindi; Mr. James Jones; Mayor John Krenzel; Ms. Cynthia Wilk

Nays: None

Abstain: Mr. Render

Motion carries

BOARD CORRESPONDENCE/ BUSINESS

Chairman Farren stated that the members were given an updated Roster of contact information. She asked that they please check the emails and phone numbers and notify the secretary of any changes or corrections.

RESOLUTIONS

RESOLUTION: 13-2020

UNIQUE BUILDING IDEAS, INC. 10 EASTERN STREET, SOUTH RIVER, NJ 08882

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. Zawistiwski testified that he is familiar with flood hazard construction methods.

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

15. Mr. Zawistiwski 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: None

ABSTAIN: None

ABSENT: None

Regular Meeting Business:

Master Plan Reexamination

Planner Bletcher explained the process for the Reexamination, asked members to review documents that will be sent so that comments can be made at the next meeting.

PUBLIC SESSION

Ordinance referral from the Borough Council

Planner Bletcher explained the clarification to the definition of “retail” on the Borough’s Zoning Ordinance. Discussion followed: Members of the Board offered their views on the referral.

A motion was made by Mr. Jones to open the floor to the public.

Mr. Ed Trygar from the public asked questions on hotel / motel definition and does Professional Services include wholesale. Discussion followed.

Seeing no other comments from the public a motion was made by Mr. Jones seconded by Mr. Byrne to close the public session. Voice vote passed.

On a motion by Mr. Jones seconded by Mr. Clancy the Planning Board agrees that the proposed Ordinance change is consistent with the Master Plan and the Borough Zoning Ordinance.

Vote:

Those in favor: Ms. Donna Farren, Mr. Michael Beck; Mr. Richard Byrne; Mr. Michael Clancy; Ms. Cynthia Urbanik, Mr. James Jones; Ms. Dockery

Opposed: Wilk

Abstain: Guindi

Motion carries. Attorney Barlow will correspond with the Mayor and Council the Board’s decision.

Completeness : None

Hearings on Applications : None

Public Comment:

On a motion by Mr. Jones seconded by Ms. Wilk the meeting was open to the public for comment. Seeing no public comment, on a motion by Mr. Clancy seconded by Councilman Guindi the public portion of the meeting was closed.

Board Comments:

Mr. Jones discussed the waterfront area, Blue Acres, the Causeway, and appointment of the Board Secretary.

Ms. Urbanik discussed the Vehicle weight Ordinance proposed by the Council, emails for the Board members and various properties in the Borough.

ADJOURNMENT:

With no further business to conduct before the Board, a motion was made by Mr. Clancy and seconded by Mr. Jones to adjourn this meeting at 9:15pm.

Vote: All in favor: Voice Vote passed

Motion carries

Minutes respectfully submitted by:

Arthur Londensky

Acting Planning & Zoning Board Secretary