



BOROUGH OF SOUTH RIVER PLANNING BOARD REGULAR MEETING MINUTES

February 21, 2023 – 7:00PM

Location: Criminal Justice Center, 61 Main Street, 2nd Level, South River

The Regular Meeting of the Borough of South River Planning Board was called to order by Chair Wilk at 7:00 pm followed by the Pledge of Allegiance. She read the following announcement in compliance with the Open Public Meetings Act: *In compliance with Chapter 231 of Public Laws of 1975, adequate notice of this meeting was given by way of Annual Notice filed with the Borough Clerk, the Home News Tribune, The Sentinel and posted in the window of Borough of South River Municipal Building on January 18, 2023.*

The Planning Board may take formal action at this meeting.

Roll Call

Present: Richard Byrne, Michael Clancy, Shirley Dockery, Councilman Anthony Ciulla, Cynthia Urbanik, Donna Zammit, Eric Acs (Alt. 1), Danielle Ciulla (Alt. 2), Cynthia Wilk

Absent: Hartman Walker, Jr., Mayor John Krenzel

Also Present: Art Londensky, Administrator, Thomas Barlow, Attorney, Bruce Koch, Engineer, Todd Bletcher, Planner

Approval of Minutes: January 17, 2023

The motion to approve the regular meeting minutes dated January 17, 2023 as presented was first moved by Councilman Ciulla, seconded by Mr. Clancy, all in favor by voice vote.

Abstained: Acs

Resolution(s)

PB-2022-06, D. Andre
411 Whitehead Avenue

Block: 369 Lot: 1.01

The motion to approve PB-2022-06, D. Andre resolution as amended was first moved by Ms. Zammit, seconded by Mr. Clancy

Roll call in favor: A. Ciulla, Byrne, Clancy, Dockery, Urbanik, Zammit, D. Ciulla, Wilk

Abstained: Acs

Absent: Krenzel, Walker

Completeness

PB-2023-02, Hamilton St. Development LLC
55 Main Street

Block: 151 Lot: 1

Mr. Bletcher spoke with the applicant's attorney, Peter Landfrit; he requested the application to be carried indefinitely at this time.

The motion to carry File PB#2023 – 02, Hamilton Street Development LLC indefinitely was first moved by Ms. Zammit, seconded by Mr. Clancy, all in favor by voice vote.

**New Business*****South River High School Addition***

A representative was not available from the school to discuss. This item will be discussed at the March meeting.

Ordinance #2023-7 Tree Removal

Mr. Byrne, Chair for the Environment Commission, explained the changes they requested be made to the ordinance regarding the tree fund contributions. Councilman Ciulla reported that there is \$30,000 in a trust fund and \$20,000 from this year's budget, totaling \$50,000 to assist with tree replacement on Borough property. There was continued discussions regarding the proposed recommendations to the ordinance. Mr. Barlow will draft correspondence to the Mayor and Council with the Board's recommendations.

The motion to make the recommendation to the Mayor and Council to reword the ordinance as discussed, was first moved by Mr. Byrne, seconded by Ms. Zammit, all in favor by voice vote.

Public Hearing:***PB-2022-07, Ria Mar, LLC***

60 Hillside Avenue

Block: 171

Lot: 4

James Clarkin, Esq. represented the applicant. Mr. Clarkin summed the application for a minor subdivision. Applicant is proposing to create two lots from the one existing lot. The existing house will be maintained one of the lots. The applicant will construct a new home on the rear lot. Mr. Clarkin explained the variances requested. Applicant is seeking variance for lot width; property is in the R75 zone and is required to have 75' wide lot. The proposed lot with existing home will be 50' wide, proposed lot with new home will be 30' wide. The lot is 236' deep. The lots in the area have an average range from 40'-44' wide. Mr. Clarkin provided additional details of the application.

Rui Baptista, 24 Claremont Avenue, South River, applicant, was introduced and sworn in. Per Mr. Baptista, the actual owner of the site is Ria Mar, LLC. He is the principal of Ria Mar, LLC. Mr. Baptista explained the project. Mr. Baptista marked in photos and explained the following photo exhibits recently taken:

- Exhibit A-1 Photo of Front of Property
- Exhibit A-2 Photo of Existing Driveway
- Exhibit A-3 Photo taken of the Rear of Property

Mr. Baptista described the site; there is a 14" water main on the edge of the property with an 8' easement. Mr. Baptista's proposed plan will include a 12' easement for access to the water main. The applicant went over the professionals' reports. The floor was open to the Board for questions. Ms. Urbanik asked about item C from the Planner's report; it does not request the splitting of the lot, but to divide the lot as close as possible to maintain R75 standards. It is Ms. Urbanik's opinion that the existing lot will be too small and the 8' easement is sufficient. Ms. Urbanik provided her suggestions to move the lot lines and ask the applicant to re-review the lot lines. Per Mr. Baptista, the existing home's proposed width is 50', the proposed home's width is for the drive way to access the rear of the property. He explained how they determined the property lines for both the homes. There was continued discussion regarding the widths of the property line. The proposed property line is based on providing the 12' easement for the water main; the drive way will go along the easement. If the existing dwelling is provided with a wider lot, the easement would be reduced back to 8'. Mr. Clarkin explained the need for the additional room for the water main in the event maintenance is required; Mr. Koch agreed. Per Mr. Clarkin, the applicant can explore adding 3' to the width and 5' depth to the rear for the existing house.



Brent Papi, Engineer was introduced and sworn in. Mr. Papi provided his credentials and was accepted by this Board. Mr. Papi marked in Exhibits A-4, Colorized Survey and A-5, Subdivision Map, Sheet 5 of 6 and described the proposed site and surrounding land use. Mr. Papi provided lot numbers for reference; existing lot is 4, new lot would be 4.01. Mr. Papi explained the lot sizes and shape once divided. The proposed new lot will have a frontage of 29.5', widening in the rear to 79'. Mr. Papi marked in *Exhibit A-6, Colorized Rendering of the Site Plan* shows the proposed division of the lot. He described the proposed layout of the new dwelling and rear. The applicant is willing to add an additional 5' to the rear of the existing dwelling's proposed lot line. Mr. Papi addressed the CME report dated December 21, 2023. There were questions from the Board. There was discussion on the grading issues brought up by Mr. Koch. Mr. Bletcher had some questions regarding a concrete walkway in the rear; Mr. Baptista will remove the rear walkway. He asked for the number of bedrooms in the existing dwelling; 2 bedrooms. For the existing dwelling, Mr. Papi explained the parking and turn radius to access the drive way; there were discussions on potentially expanding the drive way to provide K-turn. Mr. Bletcher asked about the water main on the east side of the site. The water main is 70+ years old and has not been inspected due to the delicacy and age of the material. Mr. Koch's concern is the width of the easement to keep trucks from driving over the water main. Mr. Papi explained how the easement area will be protected from the construction vehicles. Per Mr. Baptista, this is the purpose of expanding the easement to 12', to protect the water main, thus giving the existing dwelling a narrower lot. If the Board insists on wider lot for the existing dwelling, the water main easement will remain at 8'. Mr. Baptista's team felt it was safer for the water main to have a 12' wide easement, allowing trucks to access the water main if need.

James Clarkin, Planner was introduced and sworn in. Mr. Clarkin provided his credentials and was accepted by this Board. Mr. Clarkin summed the application and described the site. This site is the only property in the area that meets the R75 frontage requirements. With the division of the lot, the proposed division of the lots blends in with the existing properties on the street. Mr. Clarkin addressed the variances requested; two are existing. He provided the positive and negative criteria for the project. Mr. Clarkin is not aware when this area was zoned R75. Chair Wilk opened for questions from the Board. Ms. Urbanik would like to see the lines to be created as close as possible to meet the R75 zone. Per Mr. Koch, the Tax Assessor will determine the new lot numbers.

The motion to open to the public was first moved by Councilman Ciulla, seconded by Mr. Clancy, all in favor by voice vote.

Joseph Young, 64 Hillside Avenue

Mr. Young was sworn in. His wife, Carrie Langfeld is the owner of 62 and 64 Hillside Ave. Mr. Young stated that when the applicant initially purchased the property, the construction vehicles that came on site went onto their property line and damaged some of their grass. He stated that when the existing dwelling's drive way was replaced, their foundation shook and there was a lot of noise. His wife works from home; he expressed his concerns for the noise that will be generated and length of time for construction. Mr. Young expressed concerns for water run off to their properties. Mr. Young does not have a fence to delineate their yard and has a 7 year old son who plays in the yard and dog residing in his home. Parking is a concern; it is limited in the area. He expressed his concerns for the noise, traffic, foundations, his wife's wellbeing and overall peace. Mr. Clarkin stated any damages they may have done on his property will be repaired. There has already been a discussion with Mr. Koch on location of the construction fence during this period. He addressed the water run off; it must meet stormwater management plans. When construction is completed, applicant will have a fence installed which will delineate the property lines between the two properties. There was discussion regarding the fence; Mr. Papi explained the location of the proposed fence



on Mr. Baptista's property when completed. Mr. Baptista explained how the construction fence will be installed.

Orlanda Azevedo, 56 Hillside Avenue

Ms. Azevedo was sworn in. She stated that there are a number of dead bushes between her and Mr. Baptista's lot. Applicant testified that approximately four to five trees will be removed; she stated there are a larger number of dead trees that needs to removed or replaced. She expressed her concerns for construction traffic; when will it be done and will it interfere with school traffic. Ms. Azevedo is concerned that she will have to change her routine to let her dogs out during construction. Mr. Baptista explained how the tree removal was determined; his intent is to maintain the natural tree line in the rear. Dead trees will be replaced. The acceptable building hours will be followed. She commented that there are a lot of accidents on this area of the street; the construction vehicles take parking on street. Mr. Koch suggested that the applicant agrees to not allow any construction vehicles to park overnight on the street; Mr. Clarkin agreed. Ms. Azevedo addressed the school traffic times occurring at the same time as construction. Mr. Barlow stated that traffic is not in the jurisdiction of this Board; it would be a Police matter.

The motion to close to the public was first moved by Councilman Ciulla, seconded by Mr. Clancy, all in favor by voice vote.

Mr. Clarkin summed the application.

The motion to approve *PB-2022-07, Ria Mar, LLC* for 60 Hillside Avenue, was first made by Councilman Ciulla, seconded by Ms. Zammit

There was discussion regarding the width for the existing dwelling; if 12' easement is granted, the dwelling lot width cannot be larger. If the Board decides the dwelling lot should be wider, the easement will remain at 8'. Mr. Koch prefers the 12' easement for the water main, therefore proposed width of lot lines will remain. For the existing dwelling, the dept of the lot line will be increased by 5'.

Roll call in favor: Byrne, A. Ciulla, Clancy, Dockery, Urbanik, Zammit, Acs, D. Ciulla, Wilk

Opposed: None

Absent: Krenzel, Walker

Motion carries

Board Comments

Master Plan – Waterfront – Discussion was tabled to the next meeting.

Adjournment

The motion to adjourn at 9:15 pm was first moved by Mr. Clancy, seconded by Councilman Ciulla, all in favor by voice vote.

Respectfully submitted by:


Julie M. Moy
Recording Secretary

Adopted: March 21, 2023