

ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED AS IS REQUIRED BY CHAPTER 231, PUBLIC LAW 1975 AND BY RESOLUTION 2004-7, WITH THE REQUEST OF THE HOME NEWS AND TRIBUNE AND THE SENTINEL NEWSPAPERS TO PUBLISH SAME, AND THIS ANNOUNCEMENT MUST BE ENTERED INTO THE MINUTES OF THIS MEETING.

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A meeting of the Planning Board was held on October 19, 2010, commencing at 7:00 PM in the Criminal Justice Building, 61 Main St., South River, NJ.

Present were: Mr. Beck, Ms. Buffalino, Mr. Evanovich Ms. Farren, Mr. Frost, Councilman Guindi, Ms. Meloni and Ms. Urbanik.

Also present were Mr. Barlow Attorney, Mr. Lee, Engineer and Mr. Bletcher the Planner.

Absent were Mr. Anthony, Mr. Clancy and Mr. Rachael.

The minutes of September 21, 2010, were moved on a motion by Ms. Meloni with a second by Councilman Guindi, all present approved.

RESOLUTION(S):

2010-7 Greek, Frank A., Jr., to be able to increase parking on Block 73.1, Lot 1, as to Resolution 1994-12 the full reading of the Resolution was moved on a motion by Mr. Beck with a second by Councilman Guindi, the Resolution was moved on a motion by Ms. Urbanik with a second by Councilman Guindi.

**File # 10-7/94-8 F. Greek Developments Amended Preliminary  
and Final Site Plan Block 73.1, Lot 1**

**RESOLUTION**

**BOROUGH OF SOUTH RIVER PLANNING BOARD**

Be it resolved by the Borough of South River Planning Board that:

**WHEREAS**, F. Greek Development, the Applicant, has applied to the Borough of South River Planning Board for amended preliminary and final site plan approval for the property at 2 Brick Plant Road, Block 73.01, Lot 1; and

**WHEREAS**, the Borough of South River Planning Board previously approved the preliminary and final site plan approval and bulk variances on September 20, 1994; and

**WHEREAS**, the Applicant has complied with the jurisdictional requirements necessary to prosecute the application; and

**WHEREAS**, after reviewing the application and the representations of the Applicant's witnesses at a meeting held on September 21, 2010, the Borough of South River Planning Board has made the following findings:

1. The Applicant is represented by Steven J. Tripp, Esq., of the Law Firm of Wilentz, Goldman & Spitzer;
2. The property is known as Block 73.01, Lot 1 on the Borough of South River Tax Map located at 2 Brick Plant Road, South River, New Jersey. The Applicant had previously sought and been granted preliminary and final site plan approval and

bulk variances for the premises known as Block 73.01, Lot 1 by the Borough of South River Planning Board on September 20, 1994. The Applicant intends to increase and change the parking layout that had previously been approved by the Planning Board for the Borough of South River;

3. The following Borough Agencies reviewed the application and commented:
  - A. CME Associates, August 31, 2010, Memorandum;
  - B. Bignell Planning Consultants, Inc., September 15, 2010, Memorandum;
  
4. The following exhibits were introduced into evidence:
  - A-1 Aerial Plan 2;
  - A-2 August 6, 1994, Site Plan Drawing;
  - A-3 Aerial Photograph of Site;
  - A-4 Site Plan with proposed parking;
  - A-5 Landscaping Plan;
  
5. Richard Burrow, P.E., of Langan Engineering and Environmental Services of River Drive Center 1, Elmwood Park, New Jersey 07407, was sworn in and his credentials as a professional engineer were recognized by the Board.
  
6. Mr. Burrow reviewed the plan with the Board. Mr. Burrow discussed with the Board exhibits A-1 through A-5.
  
7. Mr. Burrow discussed the general plan layout and setup of the parking lot and the changes the Applicant was proposing since the prior approval. The Applicant was proposing to construct an approximately 65,000 sf. paved parking area on the west side of the building for tractor trailer parking.
  
8. Mr. Burrow indicated the parking area will provide for a total of 46 individual stalls. The stalls located against the building will be approximately 60' deep and 11' wide. A 50' wide central access aisle is proposed and will connect the stalls to the site's existing parking lot and Brick Plant Road. The stalls on the opposite side of the aisle will be approximately 50' and 11' wide.
  
9. Mr. Burrow testified as to the grading plan and the trees that were proposed on the site.
  
10. Mr. Burrow outlined that the elevation was different and would be lower with excavation that was proposed. Mr. Burrow advised the Board that the parking lot was just for parking the trailers and not for loading. Therefore, the eastern row of trailer parking space will not be connected to the loading docks at the present time. If the Applicant proposes to put in loading docks at a later date, the Applicant will reconfigure the parking lot to conform with the Board's prior approvals and in compliance with the standards in the Borough Ordinance.
  
11. Mr. Burrow testified the fire lane will be continued around the structure. He described and discussed with the Board that on the southwest corner of the property there will be a retaining wall approximately 14' height and went over the landscaping plan with the Board.
  
12. Mr. Burrow testified that no new signs were proposed for the site.
  
13. Matthew G. Schlindwein, P.E., an employee of the Applicant, F. Greek Development, was sworn in and testified before the Board. He answered the

Board's questions with regards to the proposed changes and any other questions the Board posed.

14. Members of the public were invited to comment, and pose questions and testify. No members of the public did so.

The Board made the following conclusions:

### CONCLUSIONS

1. The Board concluded that the application for an amendment to the site plan based on the testimony of the Borough's professionals and the testimony of the Applicant's expert and the Applicant's representative would be beneficial to the site and the Borough of South River in general.
2. The Applicant has demonstrated that the requested amended approval could be granted without substantial detriment to the intent and purposes of the Zoning Plan, Zoning Ordinance and the public good.

For such other 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 September 21, 2010, on a motion made by Mr. Clancy, seconded by Ms. Meloni, that the amended preliminary and final site plan approval for Block 73.01, Lot 1, be approved subject to the following conditions:

1. The Applicant is subject to the prior conditions and approvals as set forth in resolution 1994-12 approved by the Zoning Board of the Borough of South River on September 20, 1994, subject to the changes made in the within resolution.
2. The Applicant will secure all approvals that may be required from the Middlesex County Planning Board, Freehold Soil Conservation District and all other agencies having jurisdiction.
3. The Applicant shall provide a mix of shade and evergreen trees on the south side and southwest corner of the proposed trailer parking area. The trees shall be located to increase screening from the Old Bridge Turnpike.
4. The Applicant will plant at least nine (9) trees to comply with the Borough's tree ordinance including three (3) trees relocated to the southeast corner of the high point and will provide a revised plan to the satisfaction of the Borough Planner.
5. The Applicant shall comply with comments and recommendations of the Police Chief and Fire Marshall.
6. Any outstanding taxes, escrow and application fees shall be submitted if not previously paid.
7. The Applicant shall revise the grading plans so as to indicate the appropriate datum and the applicant shall provide the elevation for the building footings to verify that the excavation for the dock area will not expose same.
8. The Applicant received Planning Board Approval on September 20, 1994, therefore, the application is grandfathered and is not required to meet the requirements of the new Stormwater Management Regulations (N.J.A.C. 7:8) which exempts applications approved prior to February 2, 2004.

9. The Applicant shall provide structural design calculations prepared, signed and sealed by a New Jersey Licensed Professional Engineer for the proposed retaining wall.
10. The Applicant shall provide a report prepared, signed and sealed by a Geotechnical Engineer regarding the condition of the existing soils between the existing building and the Old Bridge Turnpike and North End Drive and the effect that construction of the proposed retaining wall and excavation for the loading area will have on same. Soil types and properties used in the retaining wall design calculation shall be confirmed by the Geotechnical Engineer.
11. The Applicant shall revise the plans to include a chain link fence along the top of all portions of the retaining wall that exceed 4' in height.
12. The Applicant shall indicate on the plans the location of the water main that connects to the fire hydrant in the vicinity of the southwest corner of the existing warehouse. The depth of the water main shall be provided. If revisions to the water main are required, same should be indicated on the plans with appropriate typical construction details. The applicant must maintain a minimum of 4' of cover over the existing water main.
13. The revised casting elevation for the southerly most inlet and the revised pavement elevations do not provide the minimum amount of cover required for a portion of the existing 15" R.C.P. storm sewer pipe. The applicant will revise the plans to provide a concrete support, or similar device, to reduce pressure over the pipe, subject to the approval of the Borough's engineer.
14. The applicant shall revise the following details of the plans accordingly:
  - a. Deciduous Tree Planting – Relocate the stakes outside of the planting pit.
  - b. Concrete Pavement Joints – Concrete strength should be 4,500 psi.
  - c. Concrete Pavement Section – Concrete strength should be 4,500 psi.
15. The applicant shall provide a typical construction detail for a Type "E" Inlet with bicycle safe grates. All regulatory traffic control signs, devices and/or striping and their details shall be shown on the plans and subject to the review and approval by the South River Police Department Traffic Division and the South River Fire Marshall.
16. The applicant will comply with the recommendations of the Borough Fire Official regarding the emergency access driveway, adequate emergency vehicle maneuvering area, fire zones and fire hydrant locations.
17. Copies of any easements, exceptions, deviations or liens on the property shall be presented to the Board. The applicant has represented that there are no such easements, exceptions, deviations or liens on the property at the time of the hearing.

The motion was passed by a vote of 8 to 0.

### **Certification**

I hereby certify that the foregoing is a true copy of a resolution adopted by the Planning Board of the Borough of South River at its regular meeting on October 19, 2010.

**Borough of South River Planning Board**

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**M. Anita Hermstedt, Secretary**  
**Borough of South River Planning Board**

This Resolution was voted on as follows:

**ROLL CALL**

**IN FAVOR OF APPROVAL:**

**Michael Beck, Michael Clancy, Donna Farren, John Frost, Peter Guindi, Marilyn Meloni, George P. Evanovich and Gordon Anthony.**

**OPPOSED TO APPROVAL:**

**None**

**ABSTAINING:**

**None**

**COMPLETENESS:**

2010-5 Chukwani, Rosella, 3 Liska Lane, Sayreville, NJ, for 570 Old Bridge Turnpike, Block 73.1, Lot 6, site plan to open a bar restaurant on said premise, They will address the issues in the letter from CME at the Public Hearing, and Mr. Bletcher stated that they could be deemed complete. Mr. Frost questioned the Applicant and whether or not they were going to demolish the whole site and was told yes they were. Ms. Urbanik questioned the Professionals on whether or not all items have been submitted and was told yes for completeness. Ms. Meloni moved the Application for a public hearing to be held on November 16, 2010 commencing at 7:00 or soon thereafter as called with a second by Mr. Frost so moved.

**PUBLIC HEARING:**

2010-2 Santos, Daniel, minor subdivision to build a new home at 20 Rose St., Block 29, Lot 7. Mr. Santos attorney Anthony Vignier told the Board that all three engineers were present at the last meeting and are also present now in case there are questions that need answering. He introduced the Planner that was needed for this meeting. Mr. Robert Ferrante, 31 Jones Lane, Hardwick, NJ 07825 spoke about his qualifications and was approved by the Board. He did a synopsis of the lot stating there are two tax lots maintained as a two family and a garage. Mr. Santos wants to build a one story home on the other lot. He stated that there are three lots and that lots 8 & 9 will be consolidated into one lot. They are looking for a bulk variance for minimum lot area, and width, and both side setbacks. He visited the site and informed the Board that there are forty-six (46) developed lots forth-one (41) single, two (2) double and two (2) more then 4280 square feet. Ten (10) lots are smaller or equal to Mr. Santos/s lot. Regarding the side yard setback eight (8) lots have the same as what the Applicant needs. They are also requesting a C2 Variance The benefits of the style and shape and size of lot seven (7) is that it is flat with a maple tree on the premise, it will take parking off the Street, it will revitalize the neighborhood. Mr. Barlow requested that he give a brief testimony on the density of the project. The required density is 3 per acre, Lot seven (7) density is ten dwellings per acre which is higher. The neighborhood already has the same. Ms. Urbanik questioned whether he stated three dwelling per all lots? Mr. Beck said your report says single family but you have a two family? Ms. Meloni stated because this is an older area a lot of them were built before the Ordinance came into law, and were does this fit into? Things are changing with the environment it is a smaller lot. Mr. Lee stated that the Applicant has agreed to comply with all except ten J, which they did not agree to. Mr. Barlow stated that the Applicant has complied with all the requirements. The Application was opened to the public, hearing none it was closed on a motion by Councilman Guindi with a second by Mr. Beck all agreed, the Application was approved on a motion by Mr. Frost with all the conditions to be met with a second by Councilman Guindi. Roll Call:

Ayes: Mr. Beck, Ms. Farren, Mr. Frost, Councilman Guindi and Mr. Evanovich.

Nos. Ms. Meloni

Abstained: Ms. Buffalino and Ms. Urbanik

Absent: Mr. Clancy and Mr. Rachael.

2010-3 Lima, Paulo & Jaira, 28 Virginia St., Block 112, Lot 3 & 10, minor subdivision with variance for lot area and lot width, their Attorney Mr. Roselli requested an extension until the November 16, 2010 meeting allowing for the extension. A motion was made by Mr. Beck with a second by Mr. Frost stating that this would be the last extension, all in favor.

BOARD BUSINESS & CORRESPONDENCE:

The letter from Lombardi & Lombardi regarding the Lima application, letter from the Freshwater Wetlands regarding unlimited self storage and the letter from CME regarding Metro PCSNJLLC were received and filed on a motion by Councilman Guindi with a second by Mr. Beck all present approved.

BILLS:

The Bills were ordered paid on a motion by Councilman Guindi with a second by Ms. Meloni all present approved.

**COMMENTS:**

Ms. Farren stated that we were receiving a lot of applications for sub divisions, and it seems like they are affecting our infrastructure. I feel like I do not know enough about this and what can we do regarding these?

Ms. Buffalino said that each one that comes before us we have to look at separately, and weigh the positives and the negatives. We are not allowed to bring up the school system and you have to look at the neighborhood.

Mr. Bletcher spoke about the Master Plan saying you have to look at the lot size do you want 40' lots where it calls for 75' lots, and that is why they come to you.

Ms. Meloni asked when the Master Plan came into being and was told in 1970's.

Mr. Frost the way he looked at it, he looks at the neighborhood, and then decides whether to keep an empty lot or to make it a vital part of the neighborhood.

Ms. Buffalino said that the Committee will meet briefly to go over the Master Plan.

Mr. Bletcher let the Board know that the Master Plan is ready except for one item the housing element. He can print out twenty-five (25) copies and set up a Public Hearing, which will be held at the December 21<sup>st</sup> meeting.

The meeting was adjourned on a motion by Councilman Guindi with a second by Ms. Farren, all present approved.

Respectfully submitted,

M. Anita Hermstedt, Secretary