

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.

A meeting of the Planning Board was held on January 18, 2011, commencing at 7:00 PM in the Community Center 55 Reid St., South River, NJ.

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

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

Absent were Mr. Anthony, Councilman Guindi and Mr. Rachael.

The minutes of December 21, 2010 were moved on a motion by Mr. Frost with a second by Ms. Meloni.

RE-ORGANIZATION:

Ms. Urbanik nominated Ms. Buffalino for Chairperson with a second by Mr. Frost. Ms. Meloni nominated Mr. Beck, who declined the nomination.

Ms. Urbanik moved the nomination with a second by Mr. Frost, all present approved.

Ms. Urbanik nominated and moved the motion to nominate Mr. Beck as vice-chairperson with a second by Mr. Frost, all present approved.

RESOLUTIONS:

RES: 2011-1

JANUARY 18, 2011

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Planning Board of the Borough of South River do hereby appoint **Thomas Barlow**, as the Planning Board attorney for the year 2011, and that said appointment shall be in compliance with the Professional Service Requirements of the Local Public Contracts Law of New Jersey and the execution of an Agreement as the same is required by Law.

DATED: JANUARY 18, 2011

/s/ _____
Suzanne Buffalino

RES: 2011-2

JANUARY 18, 2011

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Planning Board of the Borough of South River do hereby appoint Bruce Koch of the Firm of CME Associates as the Engineer for the year 2011, effective as of this date, and that said appointment shall be in compliance with the Professional Service Requirements of the Local Public Contracts Law of New Jersey and the execution of an Agreement as the same is required by Law.

DATED: JANUARY 18, 201

JANUARY 18, 2011

/S/ _____
Suzanne Buffalino

RES: 2011-3

JANUARY 18, 2011

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Planning Board, of the Borough of South River do hereby appoint **BIGNELL CONSULTING GROUP**, as the Planner for the year 2011, and that said appointment shall be in compliance with the Professional Service Requirements of the Local Public Contracts Law of New Jersey and the execution of an Agreement as the same is required by Law.

DATED: JANUARY 18/, 2011

/s/ _____
Suzanne Buffalino

RES: 2011-4

JANUARY 18, 2011

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED that M. Anita Hermstedt is hereby appointed to the position of Secretary (Clerk) to the South River Planning Board as of January 1, 2011.

DATED: JANUARY 18, 2011

/s. _____
Suzanne Buffalino, Chairperson

RES: 2011-5

JANUARY 18, 2011

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Planning Board of the Borough of South River in the County of Middlesex, the State of New Jersey, that the following schedule of meetings for the year 2011 shall be adopted.

PLACE	Community Center 55 Reid St.	
TIME:	7:00 pm	
DATE:	<u>MONTH</u>	<u>DAY</u>
	January	18 th
	February	15 th
	March	15 th
	April	19 th
	May	17 th
	June	21 st
	July	19 th
	August	16 th
	September	20 th
	October	18 th

November	15 th
December	20 th
January (2012)	17 th

DATED: JANUARY 18, 2011

Suzanne Buffalino, Chairperson

RES: 2011-6

JANUARY 18, 2011

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Planning Board of the Borough of South River, in the County of Middlesex, the State of New Jersey, that pursuant to Chapter 231, Public Law 1975, the HOME NEWS TRIBUNE, a news publication published in Neptune, NJ; and with circulation within the Borough of South River is designated as the Official Newspaper for all Official Notices of the Planning Board for the year 2011.

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

DATED: JANUARY 18, 2011

/s/ _____
Suzanne Buffalino

The resolutions were moved on a motion by Ms. Urbanik with a second by Ms. Meloni, all present approved.

RESOLUTIONS:

2010-8 Conforti Specialized Heavy Hauling Inc. 20 Gates Ave., Block 70, Lot 1, Site Plan was moved on a motion by Ms. Meloni with a second by Mr. Beck, all present approved.

**File # 10-08 Conforti Specialized and Heavy Hauling, Inc.
Block 70 Lot 1 and Block 69 Lot 1
Site Plan**

RESOLUTION

BOROUGH OF SOUTH RIVER PLANNING BOARD

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

WHEREAS, Conforti Specialized and Heavy Hauling, Inc., the Applicant, has applied to the Borough of South River Planning Board for site plan approval for Block 70, Lot 1 and Block 69, Lot 1; and

WHEREAS, the Applicant has complied with all of the jurisdictional requirements necessary to prosecute this application; and

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

1. The Applicant is represented by Jennifer Burgess, Esq., of the Law Offices of Kelso & Bradshaw.
2. The property is known as Block 70, Lot 1 and Block 69, Lot 1 on the Borough of South River Tax Map also known as 20 Gates Avenue, South River, New Jersey.
3. The property is situated in the L-1 (Research and Limited Manufacturing) Zone.
4. The following Borough Agencies reviewed the application and commented:
 - A. Bignell Planning Consultants, Inc., Memorandum dated December 16, 2010.
 - B. CME Associates, Memorandum dated December 10, 2010.
5. The following exhibits were introduced into evidence:
 - A-1 Photograph depicting the condition of the site;
 - A-2 Pictures depicting the proposed cosmetic upgrades to the site;
 - A-3 Pictures depicting the proposed cosmetic upgrades to the site;
 - A-4 Satellite Google map of the property;
 - A-5 Site Plan drawing;
 - A-6 Site Plan drawing with parking spots.
6. Mitch Broder, the managing partner and owner of the company that currently owns the property, was sworn in on behalf of the Applicant. He testified that his company has owned the property for approximately 3 ½ years. He indicated that in 2009 a new sanitary sewer line was put in.
7. On May 5, 2009, wetlands delineation was obtained from the NJDEP. Mr. Broder indicated that the building on site now has a new roof, and the property has been cleaned up. Furthermore, he indicated that the Royal Place Right of Way was vacated by the Borough of South River to the property owner on October 15, 2010. Finally, he indicated that Frank Conforti on behalf of Conforti Specialized and Heavy Hauling, Inc., is willing to lease the property with an option to buy in order to store heavy equipment. There are no changes proposed to the building structure on the site. It is a four and a half acre site.
8. Frank Conforti of Conforti Specialized and Heavy Hauling, Inc., was sworn on behalf of the Applicant. Mr. Conforti testified that he is the sole shareholder of Conforti Specialized and Heavy Hauling, Inc., and that he has been in business for approximately sixteen (16) years. The business consists of the moving and storing of heavy equipment, such as bulldozers and cranes.
9. Mr. Conforti testified there is one employee other than himself. He indicated the hours of operation will be 9 a.m. to 5 p.m. and no ongoing mechanical repairs are contemplated or will be done on the site.
10. Mr. Conforti discussed the proposed renovations, fence and landscaping with the Board. He advised that the equipment is stored on a stone base and because of the type of equipment normal pavement would be destroyed by the equipment.
11. Mr. Conforti testified there is no fueling of the equipment on site, and that the equipment is stored outside. No boats would be stored on the property. He indicated that different trailers are needed because of different State's requirements and different types of equipment.
12. Edward Bogan, P.E., P.P., C.M.E., was sworn on behalf of the Applicant. His credentials as a Professional Engineer were recognized by the Board.

13. Mr. Bogan utilized A-4 to discuss the property and proposal with the Board. He indicated because of the contours and condition of the property that the wooded area cannot be used. He testified that approximately 700 ft. of sanitary sewer line had been run to the property and the water service was upgraded.

14. Mr. Bogan utilized A-5, and he went over the site plan drawing, the parking areas, driveway and access to Brick Plant Road.

15. Mr. Bogan utilized A-6 to advise the Board as to where the parking spots were proposed and the railroad ties would be used. Approximately 33,000 sq. ft. of the existing graveled area will not be occupied and will return to its natural state. That area cannot be used without obtaining wetlands permits from the New Jersey DEP. He also testified it is very unlikely that Ruben Street, an unimproved paper street would ever be extended because of the contours in the property and the presence of environmentally sensitive areas.

16. Mr. Bogan discussed the tree plantings that were proposed, the security lighting and that there were twelve (12) parking spots even though only two (2) employees are on site. He testified that there will be an asphalt or concrete apron at the entrance of the property and that stone would be used where appropriate.

17. Mr. Bogan testified that SU-30 emergency vehicles would be able to enter and exit the site from Brick Plant Road.

18. Thomas Bogdan, P.P., was sworn on behalf of the Applicant. His credentials as a Professional Planner were recognized by the Board.

19. Mr. Bogdan discussed the waivers that were requested by the Applicant and testified that there is no substantial detriment or impairment if the Board would grant the waivers and the benefits outweigh the detriments.

20. Mr. Bogdan indicated in order to comply with the Ordinance requirements there would be a large amount of asphalt on the property which will increase the runoff and drainage problems which would be detrimental to the site and the surrounding area. He testified that the substantial improvements proposed would have a benefit to the site and the surrounding areas and that the adaptive re-use of vacated industrial land was a significant benefit. He testified that the proposed use was a permitted use.

21. Mr. Bogdan reviewed the plan with the Board and reviewed the various waiver requests with the Board. He testified that the waivers could be granted with no detrimental effect to the surrounding neighborhood. He went onto opine that the granting the variances would, in fact, be a benefit to the surrounding neighborhood and to the Borough in general.

22. The public was invited to comment, pose questions and testify. No one from the public chose to do so.

23. The Board made the following conclusions:

CONCLUSIONS

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

2. The Applicant has demonstrated that the requested approval can be granted without substantial detriment to the intent and purposes of the Zoning Ordinances, Zoning Plan and the public good.

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

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

NOW, THEREFORE, BE IT RESOLVED by the Borough of the South River Planning Board pursuant to its statutory powers and on December 20, 2010, on a Motion made by Ms. Meloni and seconded by Mr. Clancy, that the site plan application and waivers to allow Conforti Specialized and Heavy Hauling, Inc., at Block 70, Lot 1, Block 69, Lot 1 and also known as 20 Gates Avenue, is approved subject to the following conditions:

1. The Applicant must secure all approvals or exemptions that may be required from the Middlesex County Planning Board, Freehold Soil Conservation District, NJDEP and all other agencies having jurisdiction.

2. The Applicant has agreed as a condition of approval that no materials will be store outside.

3. The Applicant agreed that comments from the Borough Police and Fire Department would be solicited and complied with. The Applicant also agreed to enter into a Title 39 Agreement with the Borough of South River and the Borough of South River Police Department.

4. The Applicant shall submit a revised survey of tract certified by a licensed Land Surveyor, reflecting the ordinance that was prepared by the Borough for vacating portions of Royal Place Right of Way.

5. The Applicant shall provide bumper blocks for the parking spaces in the vicinity of the existing building.

6. The Applicant shall delineate a 50' wetlands buffer conservation easement and transition area at the southeast side of the site.

7. The Applicant shall submit a Water System Report demonstrating the Borough's Water System is adequate to provide fire protection as per ISO standard, Fire Suppression Rating Schedule, or per AWWA M31, Manual of Water Supply Practices-Distribution System Requirements for Fire Protection, ISO method.

8. The Applicant shall indicate on the plans any existing or proposed water mains, water service and hydrants.

9. The Applicant shall indicate on the plans the location of the existing sanitary service. If the Applicant paves any area of the property, the Applicant shall provide a signed and sealed engineer's report by a Professional Engineer for storm water run-off.

10. The Applicant shall delineate the material used for the railroad tie or guardrail.

11. The Applicant shall provide copies of any easements, exceptions, deviations or liens on the property to the Board.

12. The Applicant shall provide a Certification from the Tax Collector on current payment of taxes and assessments on the property.

13. The Applicant shall obtain the necessary approvals from the Borough of South River of Health Department with regards to the septic system and that it was removed properly.

14. The Applicant is granted waivers with regards to paving, curbing, grading, utility and roadway profiles and cross sections for the improvement of Rubin Street (Paper Street).

15. The Applicant has agreed that there will be no fueling or onsite storage of fuel on the site.

16. The Applicant will comply with the recommendations of the Borough Zoning Officer as to the need for a lockbox and gate to the property.

The Motion was passed by a vote of 9-0.

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 January 18, 2011.

Borough of South River Planning Board

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

This Resolution was voted on as follows:

ROLL CALL

IN FAVOR OF WAIVER:

MEETING OF THE
PLANNING BOARD
MEETING NO. 1
PAGE NO. 10

JANUARY 18, 2011

Michael Beck, Suzanne Buffalino, Michael Clancy, Donna Farren, John Frost, Peter Guindi, Cynthia Urbanik, Marilyn Meloni and George Evanovich.

OPPOSED TO WAIVER:

None

ABSTAINING:

None

PUBLIC HEARING:

2010-3 Lima, Paulo & Jaira, 28 Virginia St., Block 112, Lot 3 & 10, Minor subdivision with variance for lot area and lot width. Mr. Thomas Roselli attorney for the Applicant wished everyone a Happy New Year. The reports from our professionals were moved into the record of the meeting on a motion by Mr. Frost with a second by Ms. Meloni, everyone approved. Mr. Lee the engineer talked about his report dated January 5, 2011, the referenced application dated April 28, 2010 were deemed complete from an engineering perspective. Mr. Michael Carr, 460 North Brunswick Ave., Perth Amboy the engineer for the Applicant spoke to the Board stating that Lot 4 the adjacent lot is higher then the property, and there will not be any runoff from the Applicants property and that he has no problem with the report. Mr. Frost questioned whether the two car driveway is pitched toward Virginia St., which does flood.

Mr. Carr said that the runoff will go right to the ground, and that if they decide to put in a basement they will do soil borings. They will file by deed.

Mr. Bletcher the Planner spoke about his report from 1-12-11, stating that the home will be built in a R-100 which is a permitted use. He talked about the Landscaping Street Trees are being required.

Ms. Jaira Lima, 9 Apple tree Lane said they have a contract to purchaser and will build a single family residence with three bedrooms with two baths. She said she also wanted to buy Lot 10 from the seller, but he would not sell it. Construction of the premises probably will start at the end of the year. The homes are built on lots the size of 50 by 100.

Mr. Michael Carr gave out drawings to the Board. A-1 sets the property, description of the proposal. The property is located on Virginia & Daily, Lot 3 is empty Lot 10 has a home on it. They are asking for a minor subdivision of the lot, two 50 x 100 lots, with single family homes 5,000 sq. Ft. the frontage will be 50'. Existing lot area width for both lots minimum side yard is 10'. Waiver request for the Street tress there is a aerial of the site and shows the many trees in the area, there will be four trees which will be removed, with fifteen remaining. Lots 3 & 10 will be 50 x100. Directly across the Street are four home with the same lot size. Three trees are where the driveway is going and one where the sidewalks are going. Mr. Clancy asked for a clarification, is there a contract on this property and was told yes. The existing building on lot 10 is a 1 ½ story home. Mr. Beck stated that the new home will be 2 ½ stories, what does this mean. Mr. Carr stated that it will have a two car garage and a two car driveway. Mr. Beck asked the Applicant if they get approval and decide to build a garage or shed would they gave to come back to the Board. Mr. Barlow stated they would have to go the Zoning Board to get permission. Ms. Urbanik asked why this subdivision is needed, and was told because the owner would not sell the entire 100x100.

Ms. Buffalino opened the meeting to the public hearing none was closed on a motion by Ms. Urbanik with a second by Mr. Beck all present approved.

Mr. Frost approved the Application with a second by Ms. Urbanik, roll call: Yes: Mr. Beck, Ms. Buffalino, Mr. Frost, Ms. Urbanik, Mr. Evanovich.

No: Mr. Clancy, Ms. Farren, Ms. Meloni
So moved.

2010-5 Chukwuani Site Plan, Block 6, Lot 73.1, 570 Old Bridge Turnpike, requesting an adjournment to the February 15, 2011 meeting was approved by Ms. Urbanik with a second by Ms. Farren all present approved.

BOARD BUSINESS AND CORRESPONDENCE:

Letter from Freehold Soil Conservation District on 526 Old Bridge Turnpike, Latosh and 66 Prentice Ave, were received and filed on a motion by Ms. Urbanik seconded by Ms. Farren all present approved.

BILLS:

The bills were ordered paid on a motion by Ms. Meloni with a second by Mr. Frost all present approved.

OPEN TO THE PUBLIC:

Ms. Buffalino opened the meeting to the public hearing none the meeting was closed on a motion by Mr. Beck with a second by Ms. Urbanik.

MASTER PLAN:

Mr. Frost questioned changing the Zoning and was told that only the Mayor and Council could do that.

COMMENTS:

Ms. Farren said that the Master Plan was executed with great ideas and is very excited, and told Todd that he did a good job.

ADJOURNMENT:

MEETING OF THE
PLANNING BOARD
MEETING NO. 1
PAGE NO. 9

JANUARY 18, 2011

The meeting was adjourned on a motion by Ms. Meloni with a second by Ms. Farren all approved.

Respectfully submitted,

M. Anita Hermstedt