

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 September 20., 2011, commencing at 7:00 PM in the Human Resource Building 55 Reid St., South River, NJ.

Present were: Mr. Anthony, Mr. Beck, Mr. Clancy, Mr. Evanovich, Ms. Farren, Mr. Frost, Councilman Guindi, and Ms. Urbanik.

Absent were: Ms. Buffalino and Mr. Smith.

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

The Minutes from August 16, 2011 were approved on a motion by Ms. Farren with a second by Councilman Guindi, all present approved.

RESOLUTION(S)

2011-4, South River Business Park, LLC, Brick Plant Road, Block 67, 77.2 & 83, Lots 1, to construct a one story warehouse, 12,773 square feet. The full reading of the Resolution was waived on a motion by Ms. Urbanik with a second by Councilman Guindi, all present approved. The Resolution was moved on a motion by Ms. Urbanik with a second by Councilman Guindi, roll call to follow.

**File # 11-4 South River Business Park, LLC
Block 68, Lot 1, Block 77.01, Lot 1 and 83 Lot 1**

RESOLUTION

BOROUGH OF SOUTH RIVER PLANNING BOARD

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

WHEREAS, South River Business Park, LLC., the Applicant, has applied to the Borough of South River Planning Board for site plan approval and certain waivers in order to construct a 12,773 SF warehouse building on the northernmost portion of this property on the Brick Plant Road frontage. A main two-way driveway is proposed and will provide access to the warehouse and the abutting parking lot for 41 vehicles. A second, two-way driveway is proposed and will provide access to a small 3-space parking lot on the north side of the building; 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, witnesses and at a meeting held on August 16, 2011, the Borough of South River Planning Board has made the following findings:

1. The Applicant is represented by James F. Clarkin, Esq., of the Law Offices of Clarkin and Vignuolo, P.C.
2. The property is known as Block 68, Lot 1, Block 77.01, Lot 1 and Block 83, Lot 1 on the Borough of South River Tax Map, which is irregular in shape with

frontages on Brick Plant Road to the north, Petit Avenue to the south and Rubin Street (Paper Street) to the west. The site is irregular in shape and the three (3) separate lots have a total area of approximately 15.03 acres and it is in the L-1 Research and Limited Manufacturing Zone.

3. The following Borough Agencies reviewed the application and commented:

- A. CME Associates, Report dated August 15, 2011.
- B. Bignell Planning Consultants, Inc., Report dated June 20, 2011.

4. The following exhibits were introduced into evidence:

- A-1 NJDEP Letter of Interpretation;
- A-2 Colored Rendering of Landscape Plan;
- A-3 Circulation Plan;

5. The Applicant is proposing to construct a 12,773 SF building within a portion of the upland areas near the Brick Plant Road frontage of the site. Additional improvements include the associated drainage system, parking lot, landscaping and lighting. Applicant requests variances for the location of parking spaces too close to property and pavement lines, and removal of trees in areas with a grade of 10% or more.

6. William Lund, P.P., of 3 Homestead Road, Edison, New Jersey was sworn on behalf of the Applicant. His credentials as a Professional Planner were recognized by the Board. Mr. Lund testified as to the proposed plans with the Board.

7. Mr. Lund advised that Mr. Andre the owner had originally purchased the approximately 15 acre site and the vast majority of the property is wetlands and there is approximately 1 acre of buildable land left. Mr. Lund went over the Letter of Interpretation which delineated the wetlands. Mr. Lund testified that the rest of the property is wooded. He went over the landscaping proposal with the Board.

8. Mr. Lund testified that the land is an irregular shape and that the wetlands dictate how the parking will be accessed from Brick Plant Road.

9. Mr. Lund testified that the Applicant will address the drainage to the satisfaction of the Borough Engineer. He further testified that the property and structure conforms to all the bulks standards. He went over with the Board the waivers that the Applicant was seeking with regards to the signage, vehicle schedule of deliveries, trees and street improvements to the Rubin Street and Petit Avenue frontages of the property.

10. Mr. Lund went over with the Board the revised architectural drawings indicating that the Applicant will use roll up doors which will make it easier to unload. The Applicant requested that the Board not restrict the hours of operation because the Applicant does not yet have any tenants.

11. Mr. Lund went over the waiver for the planting of trees on the lot in light of the heavily wooded nature of the property. The waiver for parking was discussed because of the 10% slope on the property which dictates how the property can be utilized. Mr. Lund testified that there will be no negative effect to the Borough because of the isolated industrial nature of the property.

12. Mr. Andre, the primary owner of the Applicant, was sworn on behalf of the Applicant. He went over the nature of the building that are proposed and that there will be three (3) separate units with roll up doors. He testified that the building will be a split faced or smooth block with stucco.

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

14. The Board made the following conclusions:

CONCLUSIONS

1. 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, Master Plan and the public good.

2. 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.

3. The variances and waivers can be granted due to hardship or under flexible (c) (2) analysis.

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 August 16, 2011, on a Motion made by Mr. Clancy and seconded by Mr. Frost, the application for the variances, waivers, preliminary and final site plan approval to construct a 12,773 SF warehouse building for Block 68, Lot 1, Block 77.01, Lot 1 and Block 83, Lot 1, be approved subject to the following conditions:

1. The Applicant has designed a storm water management system which includes an underground detention basin, two water quality treatment structures and several drainage structures and associated piping. The system will be designed to the satisfaction of the Borough Engineer.

2. The Applicant shall construct the runoff from the roof to both the single 10" PVC at the southeast corner of the building along with a second roof leader drain to provide a factor of safety for same.

3. An Operation and Maintenance Manual shall be provided for the proposed storm water management system.

4. The Applicant shall design the proposed underground detention system with the appropriate number of inspection ports/ cleanouts to the satisfaction of the Borough Engineer.

5. The Applicant shall review and revise Inlet 1 to provide the appropriate minimum coverage required for the 15" RCP to the satisfaction of the Borough Engineer.

6. The Applicant will comply with all NJDEP requirements and the Letter of Interpretation that was entered into evidence and shall provide documentation of compliance with same by submitting copies of any approvals and or permits to the Borough's professionals.

7. The Applicant is granted a waiver from the improvements to Rubin Street and Petit Avenue frontages.

8. The Applicant shall provide structural design calculations prepared, signed and sealed by a New Jersey Licensed Professional Engineer for the proposed 23' retaining walls along both loading docks on the easterly side of the proposed building.

9. The Applicant shall provide additional design information for the off-site ADA curb ramps to ensure they can and will meet the requirements of the current ADA regulations to

the satisfaction of the Borough Engineer. The Applicant shall also provide a note on the plans indicating that all on-site and off-site curb ramps must be constructed to current ADA guidelines.

10. The Applicant shall revise the following details accordingly:
 - a. Standard Detail Type 'B' Inlet – The curb piece must be Type N-eco and the grates shall be Bicycle Safe Grates.
 - b. Standard Detail Type 'A' Inlet – The grates shall be Bicycle Safe Grates for inlets within paved areas.
 - c. The Applicant will install geo-grid for the Underground Detention Basin.

11. The Applicant shall provide typical construction details for the following:
 - a. Concrete pad detail for the dock areas.
 - b. Manhole 1A.
 - c. Trench Grates.

12. All regulatory traffic control signs, devices and/or striping shall be subject to review and approval by the South River Police Department.

13. The Applicant shall seek input from and abide by all recommendations of the Borough Fire Official regarding the requirement for sprinklers, fire department connections, emergency access driveways, adequate emergency vehicle maneuvering areas, fire zones and fire hydrant locations. The Applicant will comply with the requirements set forth by the Borough Fire Official.

14. The Applicant shall obtain approval from the Freehold Soil Conservation District.

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

16. The Applicant's escrow and application fees shall be submitted if not previously paid.

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

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

19. The Applicant's 41 vehicle parking lot will conform to all the setback requirements and the Applicant is granted waiver/variances for the setback requirements for the small 3-space parking area on the north side of the building based on the hardship involving the shape and the environmental limitation to the property. The Applicant was also granted waivers for removal of trees and tree replacement.

The Motion was passed by a vote of 7-0.

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 September 20, 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:

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

OPPOSED TO WAIVER:

None

ABSTAINING:

None

COMPLETENESS:

2010-5 Chukwvuni, Rosetta, regarding 570 Old Bridge Turnpike, Block 73.1, Lot 6 to open a restaurant/bar on said premise did not come to the meeting, with approval from the Attorney the application was moved to the October 18th meeting on a motion by Councilman Guindi with a second by Mr. Evanovich., all present approved.

PUBLIC HEARING(s):

2011-2 Lourenco, Mario & Judy, 31 William St., Block 36, Lots 6 & 33, minor subdivision. Mr. Ploskonka spoke on behalf of the applicants. He gave his credentials and informed the Board that his office is located in Manalapan, NJ. He informed the Board that they had a set of drawings that will be marked as A1, which is an aerial drawing of the property, which is two lots that are 13,271 sq. ft., they would like to make two lots one at 7,187.00 and the other at 6,084. they need a variane for both lots. He stated that most of the lots in the area are small, he did a pattern of 300' in diameter, with 72 lots are non- conforming in area and 71 in width, 10 lots that are conforming, and gave copies to the Board. He stated that the new house is in character with the neighborhood, and is a permitted use in the 75 zone. They will be applying to Freehold Soil and Middlesex County. Regarding the Report from CME they agree with all items on the report and numbers 7 through 12 they will give all the information to CME. The reports were made a part of the meeting on a motion by Ms. Urbanik with a second by Councilman Guindi, all in favor. Mr. Koch informed the Board that Mr. Ploskonka would comply with everything. Mr. Bletcher spoke to the Board about the fees and that Mr. Plaskonka addressed all of them. Mr. Beck questioned the proposed structure, and Mr. Clancy questioned the water runoff. Ms. Farren asked about the existing building and what side the driveway will be? And was told it would be on the right side of the house, she then asked would that not cause more runoff. Ms. Lourenco was sworn in by the Attorney and said that they would be moving into the new home. Mr. Beck opened the meeting to the Public.

Mr. Hornyak of 35 Chestnut St., was not in favor of the Application and spoke about the parking in the area, also saying that the Application did not meet with the variances. Mr. Ploskonka said that they were providing enough parking for the home. Mr. Clancy addressed the parking issue saying that we had no authority about where people park. Mr. Frost made a motion to approve the Application with a second by Ms. Urbanik, all present approved..

BOARD BUSINESS & CORRESPONDENCE:

Bills:

The bill from the Home News was ordered paid on a motion by Councilman Guindi with a second by Ms. Urbanik, all present approved.

OPEN TO THE PUBLIC:

Councilman Guindi spoke to Mr. Hornyak stating that no matter what happens you need to speak to the Police or to a Councilperson regarding the parking. Mr. Hornak said that we would. There being no other business this section of the meeting was closed on a motion by Mr. Clancy with a second by Ms. Urbanik, all present approved.

COMMENTS:

The comments of the Board were all addressed to the passing of Marilyn Meloni, Ms. Urbanink said that she was an interregal part of the Board and that her name plate should be given to Ms. Farren so as to give to her daughter. Councilman Guindi said she would be sorely missed . Mr. Clancy said that she made valid points, which made us think. Ms. Farren said she will definitely be missed, and that she became a member because of her and that she was someone to be admired. Mr. Bletcher echoed everyone saying that he will miss her and he also told the Board that he will have information next month on the Ordinances that they were working on.

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

Respectfully submitted,

M. Anita Hermstedt, Secretary