

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 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 July 16, 2013, commencing at 7:00 PM in the South River High School, 15 Montgomery St., South River, NJ.

Present were: Mr. Anthony, Mr. Beck, Mr. Butewicz, Mr. Evanovich, and Ms. Urbanik.

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

Absent were Mr. Clancy, Mr. Davis, Mr. Eppinger, Mr. Frost and Councilman Guindi.

The minutes from June 18, 2013 were approved on a motion by Mr. Butewicz, with a second by Ms. Urbanik, all present approved..

BOARD BUSINESS & CORRESPONDENCE:

Letters from the County and Freehold Soil were received and filed on a motion by Ms. Urbanik with a second by Mr. Anthony all present approved.

RESOLUTION(S)

2013-7 Karanewski, Edward 5 Sheinfine Ave., Block 363.2, Lot 11, soil addition and grade alteration, Mr. Urbanik waived the reading of the Resolution with a second by Mr. Butewicz, the Resolution was moved on a motion by Mr. Urbanik with a second by Mr. Butewicz, roll call to follow.

**File # 13-7 Edward Karanewski**

**Block 363.02, Lot 11, Soil Addition and Grade Alteration Application Plan**

**RESOLUTION**

**BOROUGH OF SOUTH RIVER PLANNING BOARD**

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

**WHEREAS**, Edward Karanewski, has applied to the Borough of South River Planning Board for a permit in accordance with Chapter 282; Soil Addition and Grade Alteration of the Municipal Code of the Borough of South River to remove soil; 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 at a meeting held on June 18, 2013, the Borough of South River Planning Board has made the following findings:

**1.** The Applicant, Edward Karanewski, is the residential property owner of the property located at 5 Sheinfine Avenue, known as Block No. 363.02, Lot No. 11, on the Borough of South River Tax Map.

2. The following Borough agencies reviewed the application and commented:

- A. Bignell Planning Consultants, Inc., May 16, 2013, Memorandum
- B. CME Associates, May 17, 2013, Memorandum

3. Edward Karanewski and his engineering expert Joseph C. May, P.E., of East Point Engineering, were sworn in. Mr. May reviewed the scope of the work that is proposed on Mr. Karanewski's property. The Applicant is putting a swimming pool in his backyard which will require the removal of soil along with the addition of retaining walls. The retaining walls will be no greater than 3 feet in height. Approximately 120 yards of dirt will need to be removed for the placement of the 16' x 32' pool. In addition, a new staircase, new modular concrete brick paver patio and drainage system is proposed.

4. At the meeting on June 18, 2013, the Applicant's expert, Mr. May presented to the Board the following pieces of evidence that were marked and identified as follows:

A-1: Copy of the plan with a date of revision of June 12, 2013.

5. Joseph C. May, P. E., East Point Engineering, LLC., with offices located at 22 Meridian Road, Suite 3, Eatontown, New Jersey 07724, went over A-1, which he had prepared and answered the Board's questions about the project. The most recent revision was delineating a spot elevation between the lawn inlets in the northerly side of the existing dwelling of which the Grate Elevations were 145.33. The Applicant will also put an 8 x 8 foot concrete pad to support the pool equipment.

6. Mr. May testified that the project proposed by the Applicant will not affect the surrounding properties in a negative manner

7. The Board waived the requirements of Section 282-3 not addressed by Mr. May.

8. The public was invited to comment, pose questions and testify. No members of the public did so.

The Board made the following conclusions:

### **CONCLUSION**

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

2. The Applicant and his expert demonstrated that the soil removal and grade alteration could be approved without substantial detriment to the intent and purposes of the Zoning Ordinances, Zoning Plan or public good.

3. The Board concluded that the granting of the soil addition/removal permit can be granted without substantial detriment to the Borough and that in fact determined that the benefits clearly outweighed any detriments in granting the permit. In doing so, the Board adopted the testimony of the Applicant on these issues.

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 June 18, 2013, on a Motion made by Mr. Eppinger

and seconded by Mr. Clancy, that the application for the soil addition/removal and grade alteration permit be granted pursuant to Chapter 282 of the Municipal Code of the Borough of South River subject to the following conditions:

1. The Applicant shall take all measures necessary to prevent storm water runoff from negatively impacting the adjacent properties. This shall include ensuring the overland flow of storm water from adjacent lots will not be blocked by the construction of the pool or the grading on the subject property.

2. The Applicant shall pay any outstanding taxes, application or escrow fees.

3. Copies of any easements, exceptions, deviations, or liens on the property shall be presented to the Board.

This Motion was passed with a vote of 7 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 July 16, 2013.

---

M. Anita Hermstedt, Secretary

This Resolution was voted on as follows:

#### **ROLL CALL**

**IN FAVOR OF APPROVAL:** Michael Beck, Michael Clancy, Glenn Davis, Raymond Eppinger, George P. Evanovich, Cynthia A. Urbanik and Joseph Butewicz

**OPPOSED TO APPROVAL:** NONE

**ABSTAINING:** NONE

#### **COMPLETENESS:**

2013-8, Level Club of South River, 120 Old Bridge Turnpike, Block 212, Lot 1.1, building of a pavilion on the property, waiver of site plan. Mr. Bodak spoke on this application and was sworn in by the Board Attorney. He explained to the Board that the Level Club has a lot of events in the picnic grounds and that every year they need to rent a tent. Mr. Dane left the Level Club an amount of money to build a pavilion so as not to have to rent the tent. and to help with not having to move inside when it rains or gets to hot. Mr. Barlow explained to the Board that if they waived the site plan that the Applicant did not have to have a public hearing and that they could approve the application at this meeting. Mr. Bletcher said to the Board that the application was sent to the Planner and we felt that they seek a waiver of the site plan and make this application a one stop shopping and that they only had to vote on the completeness. Ms. Urbanik questioned if they are looking for a site plan waiver why do we need to have completeness?

Mr. Koch explained that is why the reports is short that they felt there is enough information for you to approve what they want to do.

Mr. Bletcher went over his report stating that the first three items were information and that he has all the information needed, stating that the property is located in a R-100 zone with a conditional use and the the impervious coverage is 44% with the pavilion and that there is no change in the parking.

Mr. Butewicz asked how the pavilion will be used will the music interrupt the public? Ms. Urbanik said that 8C specifies the time of day and what are the operating hours? The activities end at 10PM.

Mr. Anthony questioned whether or not there have been any complaints from the public? Mr. Bodak said as far as he knew there have never been any.

Also asked if whether or not the hamburg stand will by staying and Mr. Bodak said yes it will, and when the picnic area is rented there is always a member there. Mr. Anthony asked if the pavilion is 20' from the property line and Mr. Bodak said it is being moved forward as to have the distance.

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

Mr. Butewicz moved the application by granting the waiver with a second by Ms. Urbanik, all present approved.

PUBLIC HEARING:

2013-6 Machinery Center USA, Inc. for 91 Browns' Lane, soil addition and grade alteration, Mr. Barlow informed the applicant that he needed to have his attorney speak on his behalf. The applicant said that his attorney was out of state and that he would make sure that he will be at the next meeting.

BILLS:

The Bill from Lombardi and Lombardi and the Home News were ordered paid on a motion by Mr. Butewicz with a second by Ms. Urbanik, all present approved.

OPEN TO THE PUBLIC:

Mr. Beck opened the meeting to the public having none Ms. Urbanik moved to close public portion with a second by Mr. Evanovich, all present approved.

COMMENTS:

Ms. Hermstedt informed the Board that she would not be at the next meeting and that Ms. Nevin the Deputy Borough Clerk will sit in for her.

ADJOURNMENT:

Ms. Urbanik moved for adjournment with a second by Mr. Evanovich, all present approved.

Respectfully submitted,

M. Anita Hermstedt, Secretary