

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 August 20, 2013, commencing at 7:00 PM in the South River High School, 15 Montgomery St., South River, NJ.

Present were: Mr. Anthony arrived at 7:09, Mr. Beck, Mr. Butewicz, Mr. Clancy, Mr. Davis, Mr. Evanovich, and Ms. Urbanik.

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

Absent were, Mr. Eppinger, Mr. Frost, Councilman Guindi and Mr. Koch

The minutes from July 16, 2013 were held over until the September 17, 2013, because some members said they did not receive them.

BOARD BUSINESS & CORRESPONDENCE:

A letter from Freehold Soil on South River High School 2013 Sidewalk Improvement was moved to be approved and filed on a motion by Mr. Butewicz with a second by Ms. Urbanik, all present approved.

RESOLUTION (S):

2013-8 Level Club of South River, 120 Old Bridge Turnpike, Block 212, Lot 1.1 building of a pavilion on the property, and waiver of site plan. Full reading of the Resolution was waived on a motion by Ms. Urbanik second by Mr. Clancy all present approved. Roll call to follow.

File # 13-8 The Level Club of South River

Block 212, Lot 1.1, Application for Waiver of Site Plan Review

RESOLUTION

BOROUGH OF SOUTH RIVER PLANNING BOARD

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

WHEREAS, The Level Club of South River, has applied to the Borough of South River Planning Board for a waiver of site plan review pursuant to Chapter 295-27(A) of the Municipal Code of the Borough of South River; and

WHEREAS, the Applicant was deemed to have provided the Board with enough information to rule on the site plan waiver application; and

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

WHEREAS, after reviewing the application and the testimony of the Applicant's representative, Robert Bodak, at a meeting held on July 16, 2013, the Borough of South River Planning Board has made the following conclusions:

CONCLUSION

1. The Board concluded that the request for a waiver of site plan review could be waived pursuant to the applicable Borough Ordinances.

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 July 16, 2013, on a Motion made by Mr. Butewicz and seconded by Ms. Urbanik, that the applicant's request for a waiver of site plan review is granted pursuant to Chapter 295-27(A) of the Municipal Code of the Borough of South River.

This Motion was passed with a vote of 5 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 08-20-2013.

Borough of South River Planning Board

M. Anita Hermstedt, Secretary

This Resolution was voted on as follows:

ROLL CALL

IN FAVOR OF APPROVAL: Gordon Anthony, Michael Beck, George P. Evanovich Cynthia A. Urbanik and Joseph Butewicz

OPPOSED TO APPROVAL: NONE

ABSTAINING: NONE

COMPLETENESS:

2013-9 E. Andre Realty, LLC., 223 William St. Block 82.1, Lot 1.1 and 1.2, construction, storage yard and office after delaying the hearing because the Applicant was not present Mr. Clancy made a motion to move this application to the September 17, 2013 meeting with a second by Mr. Butewicz, all present approved.

PUBLIC HEARING:

2013-6 Machinery Center USA, Inc., for 91 Browns Lane, soil addition and grade alteration. Ms. Esthefani E. Zighami of Gergis Law Firm, located at 197 Route 18 S, East Brunswick, NJ

was present on behalf of the applicant. The Attorney spoke on behalf of the owner said that the owner did not know when the soil was placed there and that the property was used as a construction and company yard, and that they dumped on the property anything that was leftover from the jobs that they did, including stone and rock. He does know that toward the rear that they raised the property approximately three feet as not to have the water encroach on the property. Right now he informed the Board that he is doing business on the Causeway that he buys, stores and sells air generators excavators, etc, and resells them. Right now he is leasing the property and would like to purchase the Browns Lane property because it will allow him to have more room. Mr. Clancy explained to the Board where he has his business on the Causeway stating that it is next to the park. Mr. Barlow explained to the Board why the Applicant was sent to the Planning Board, the soil was put there by the previous owner and that now that he wants to buy the property he has to make sure all the permits are in order. Mr. Elhaddap explained that he will be going for phase one of EDP permit as soon as he receives permission from the Board to allow the soil to remain then he has to make sure that there are no contaminants. He will have the soil tested before he closes on the property. Ms. Urbanik read the Engineers report to the Board which will also become a part of the Minutes on a motion by Mr. Clancy with a second by Ms. Urbanik. Ms. Urbanik questioned the Attorney asking if approved will this Resolution become part of the property so this does not have to come in front of the Board again and was told yes it would. Mr. Beck opened this Application to the public hearing none it was closed on a motion by Mr. Clancy with a second by Ms. Urbanik.

Mr. Butewicz moved this application for approval with a second by Mr. Clancy all present approved.

BILLS:

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

OPEN TO THE PUBLIC:

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

COMMENTS:

Mr. Butewicz questioned whether or not the Code Enforcement Officer could go to this gentlemen and tell him that he has to remove the soil in the rear because it is too high and Mr. Barlow let him know that he cannot that when he has Phase one done and into the DEP and that it does not comply and that it is contaminated, he has to make up his mind whether or not he purchases it. No one can tell him that the soil is too high because we have just given him permission to allow the soil.

The meeting was adjourned on a motion by Mr. Clancy and a second by Ms. Urbanik all present approved.

Respectfully submitted,

M. Anita Hermstedt, Secretary