

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 November 19, 2013, commencing at 7:00 PM in the South River High School, 15 Montgomery St., South River, NJ.

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

Also present were Mr. Barlow, Attorney,

Absent were Mr. Anthony, Mr. Clancy, Mr. Eppinger, Councilman Guindi and Mr. Frost, excused were Mr. Bletcher and Mr. Koch.

The minutes from October 15, 2013 were approved on a motion by Mr. Butewicz with a second by Ms. Urbanik, all present approved.

COMPLETENESS:

2013-10 Andre, Edward minor subdivision, Block 143, Lot 3.1, 4, 5, 6, 7, Virginia St, put on hold, the applicant informed the Attorney that he had a lot of work to do and he feels that he should talk to the Mayor and Council first, about vacating the Street.

RESOLUTION:

2013-9, E. Andre Realty, LLC, 223 William St., Block 82.1, Lot 1.1 & 1.2 construction and storage yard and office, the Attorney informed the Board that they could pass the Resolution even though the Applicant owed funds to the Borough, that in the Resolution it states that he has to pay all fees due. Full reading of the Resolution was waived on a motion by Ms. Urbanik with a second by Mr. Butewicz. The Application was moved for approval on a motion by Ms. Urbanik with a second by Mr. Butewicz, all present approved.

FILE NO. 13-9, E. ANDRE REALTY, LLC., Block 82.01, Lots 1.01 & 1.06

RESOLUTION

BOROUGH OF SOUTH RIVER PLANNING BOARD

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

WHEREAS, E. Andre Realty, LLC, the Applicant, has applied to the Borough of South River Planning Board for site plan approval for Block 82.01, Lots 1.01 & 1.06; 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 its expert at a meeting held on October 15, 2013, the Borough of South River Planning Board has made the following findings:

1. The Applicant is represented by James F. Clarkin, III, Esq., of the Law Offices of Clarkin & Vignuolo, P.C.

2. The property is known as Block 82.01, Lots 1.01 and 1.06 on the Borough of South River Tax Map also known as 223 William Street, South River, New Jersey.
3. The property is situated in the L-I (Light-Industrial) Zone.
4. The following Borough Agencies reviewed the application and commented:
 - A. Bignell Planning Consultants, Inc., Memorandums dated September 12, 2013 & October 9, 2013.
 - B. CME Associates, Memorandum dated October 11, 2013.
5. The following exhibits were introduced into evidence:
 - A-1 Diagram of the interior floor planning done by J. Hyland, architect;
 - A-2 Combination of Sheet 4 of the plans with the parking lot striping from Sheet 2 of the plans.
6. Edward Andre, the principal of E. Andre Realty LLC., was sworn in on behalf of the Applicant. Mr. Andre testified as to the overall concept for the premises. He testified that E. Andre Realty LLC, owns the property and he is also the owner of the E. Andre Construction.
7. Mr. Andre testified that they will remove all the trailers off the property and their intention is to gut the building. They intend on creating office space with three offices, bathroom, closet, reception area and a conference room. In addition, there will be a garage with approximately 1,254 sq. ft. with two bays wall. There also will be a storage/open space to store equipment. The storage area is approximately 1,560 sq. ft.
8. Mr. Andre testified consistent with the floor plan created by Mr. Hyland which was marked as Exhibit A-1 with the revision date of July 1, 2013. Mr. Andre testified that there will be a split face block finished with neutral color and a stucco finish with neutral color.
9. Mr. Andre testified as to the nature of the business. It is a concrete and masonry company. No clients are present on the property which is open from approximately 7:00 am to 5:00 p.m. Monday through Friday. During the summer, the business is also open on Saturdays. The business is closed on Sundays.
10. Mr. Andre testified that there are approximately fifteen (15) employees during busy times and a minimum of two (2) employees in the slow times which usually consist of himself and his sister. Only two employees traditional will go to the business site. There will be deliveries of sand and stone and the materials for concrete approximately once a month.
11. Mr. Andre testified that it is his intention to pave the front portion of the property within the next three (3) years. The storage yard is to remain unpaved. Everything between the streets and the buildings will be paved. There will be gates to the back portion of the property and he agreed to provide emergency access to the storage area.
12. John Buletza, P.E., P.P., a Professional Engineer with Nelson Engineering Associates, Inc., with offices located at 1750 Bloomsbury Avenue, Wanamassa, New Jersey 07712 was sworn on behalf of the Applicant. His credentials as a Professional Engineer and Planner were recognized by the Board.

13. Mr. Buletza testified utilizing Exhibit A-2. He testified that the property did not require any bulk variances. He further testified that the building is approximately 4,430 sq. ft. and it will be a one-story building. The Applicant intends to remove approximately 3,200 sq. ft. of concrete in the rear and replace it with two loading ramps. The building will be approximately 32 ft. in height. He testified that there will be striping for fifteen (15) spaces in the western portion of the property by William Street. There will be one (1) handicap van accessible and A.D.A compliant parking spot. There will be a concrete sidewalk entering into the building that will be A.D.A compliance.

14. Mr. Buletza testified that there will be nine (9) spaces in the back on the gravel area with concrete wheel stops and striping. The material is hard packed and well graded material that can be striped. He testified there will be three (3) street trees on William Street which will be paper barley and maples along with twenty one (21) dwarf plantings in the front of the building.

15. Mr. Buletza testified that there will be five (5) lights approximately twenty feet up mounted on the building to limited the glare and would cover the front area of the property. This will keep glare to a minimum and not require poles.

16. The Applicant would like to construct a 12 ft. high 3.5 ft. wide sign with a masonry finish and internally lit sign in the William Street right way. Testimony indicated that there is a 44 ft. right of way because of the irregular shape of William Street where the sign would go. Mr. Clarkin indicated the Applicant is aware he will need to make a request to place the sign in a right way to the South River Borough Council who ultimately will decide the placement of the sign. Mr. Buletza went over the drainage study that was prepared dated August 21, 2013. Mr. Buletza testified that the proposed plan would have no negative impact on the drainage. The Applicant agreed as a condition of approval that the drainage and storm water management must meet with the approval of the Borough Engineer, CME.

17. Mr. Buletza testified that there will be no mezzanine level on the property and that the building was being raised to accommodate the heights of the Applicant's equipment.

18. Mr. Buletza testified that there will be no negative impact from allowing the gravel parking lot in the back area. He testified any negative impact was out weighted by the improvements to the property. The parking lot area will end at the back corner of the building by the gate and it will be located in the front of the property in line with the front corner of the building and tied into the apron into Williams Street.

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

20. 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 any requested variances and 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 October 15, 2013, on a Motion made by Mr. Butewicz and seconded by Mr. Guindi, that the site plan application and waivers to allow E. Andre Realty LLC., at Block 82.01 Lots 1.01 and 1.06, and also known as 223 Williams Street, 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 will put in appropriate handicap parking signage and abide by all A.D.A requirements.

3. The Applicant's drainage and storm study plan must meet with the approval of the Borough Engineer, CME Associates.

4. The Applicant shall show where the sanitary sewer lateral is and shall verify the sanitary sewer clean-out and the water curb-stop are both accessible and working properly.

5. The Applicant agrees that at any time at must that there will only be one (1) other tenant in the office building and they will be in the construction field.

6. The Planning Board has no objection to the Applicant's proposal to locate the stand alone sign in the Williams Street Public Right-of- way but same is subject to an investigation of the placement of all utilities and the approval and consent of the Mayor and Borough Council of the Borough of South River.

7. The Applicant is hereby granted three (3) years from the date of the approval of the within Resolution to pave the parking lot in conformance with the Borough Ordinances. The Applicant agrees if ownership of the property changes at any time prior to the paving of the parking lot or three year time limit, before title can be transferred, the parking lot must be paved. The Applicant will provide a plan note prohibiting trailers, shipping containers on the site.

8. The Applicant must remove all trailers and containers from the property.

9. The parking lot will be striped with sixteen (16) ft. wide parking spaces and A.D.A compliant as to the parking spots, sidewalk and handicap accessible ramp.

10. The Applicant will comply with all regulatory signage as required including any stop signs that are required.

11. The Applicant is responsible to obtain any required NJDEP permits

12. The Applicant shall provide a Certification from the Tax Collector on current payment of taxes and assessments on the property.
13. Applicant's escrow and application fees should be submitted, if not previously paid.
14. All of the parking spaces in the back gravel area will have concrete wheel stops in keeping with the presentation of the Applicant and its witnesses.
15. Applicant's shall provide all necessary trees and plantings in keeping with the Applicant's witness's testimony.
16. The Applicant will provide lighting in keeping with its expert testimony with regards to five lights approximately 20 ft. up mounted on the building.
17. The Applicant agrees to be bound by the recommendations of the Borough Police, Fire and EMS Departments relative to emergency access beyond the fence line when the facility is closed.
18. The Applicant agreed to place a 6 ft. chain link fence around the property. There are two gates proposed on either side of the building.

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 November 19, 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, Joseph Butewicz, George P. Evanovich, Raymond Eppinger and Councilman Peter Guindi.

OPPOSED TO APPROVAL: NONE

ABSTAINING: NONE

There were no bills to be approved.

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

There were no comments.

MEETING OF THE
PLANNING BOARD
MEETING NO. 10
PAGE NO. 6

NOVEMBER 19, 2013

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

Respectfully submitted,

M. Anita Hermstedt, Secretary