

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 April 16, 2013, commencing at 7:00 PM in the Criminal Justice Building 61 Main St., South River, NJ.

Present were: Mr. Beck, Mr. Butewicz, Mr. Clancy, Mr. Davis, Mr. Eppinger, Mr. Evanovich, Councilman Guindi, Mr. Frost and Ms. Urbanik.

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

Absent was Mr. Anthony.

The minutes from March 19, 2013 were approved on a motion by Mr. Eppinger with a second by Councilman Guindi, all in attendance approved.

A letter was received from the DCA Commissioner informing the Board that they would be holding a meeting on Disaster Recovery Workshop on Saturday April 20, 2013. Ms. Urbanik informed the Board that the Mayor and Council would also be holding a meeting for the public on the same date at South River Middle School. Ms. Urbanik received and filed the Correspondence with a second by Councilman Guindi.

RESOLUTION(S):

2013-1 Polish Army Veterans Association of America, 209 William St., Block 82.1, Lot 1.4, 1.5, 1.7 and 1.8, application for soil addition and grade alteration. was moved by Ms. Urbanik with a second by Councilman Guindi, Roll call to follow.

File #13-1, Polish Army Veterans Association of America, Block No. 82.01, Lot No. 1.05, 1.07, 1.08

RESOLUTION

BOROUGH OF SOUTH RIVER PLANNING BOARD

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

WHEREAS, The Polish Army Veterans Association of America, represented by Walter Szuba, a member and the manager of the Association has applied to the Borough of the 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 import 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 March 19, 2013, the Borough of South River Planning Board has made the following findings:

1. The Applicant, The Polish Army Veterans Association of America is the owner of the property located at 209 William Street, known as Block No. 82.01, Lot Nos. 1.04, 1.05, 1.07 and 1.08 on the Borough of South River Tax Map.

2. The following Borough agencies reviewed the application and commented:
- A. Bignell Planning Consultants, February 11, 2013, Memorandum
 - B. CME Associates, February 12, 2013, Memorandum

3. Walter Szuba, a member and a manager of the property was sworn in on behalf of the Applicant and reviewed the soil addition with the Board. Mr. Szuba indicated that approximately 9 truckloads of soil approximately 20 cubic yards each were imported onto the property and placed in the approximate center of the property in order to reconstruct a volleyball court. Mr. Szuba testified that he did not believe the soil addition would create any substantial detriment to the surrounding properties. Mr. Szuba testified that the property in general and the volleyball court specifically, would be beneficial to the municipality and other non-profit organizations.

4. The Board waived the requirements of Section 282-3 with regards to a map of the premises with contour lines and requirements of any land surveyor or professional engineer.

5. The Applicant presented to the Board the following pieces of evidence that were marked and identified as follows:

- A-1: Sketch map created in approximately 1993.
- A-2: Topographical survey prepared in approximately 1993.
- A-3: Photograph taken in October 2012, after the flooding associated with Super Storm Sandy.
- A-4: A photograph taken of the volleyball court prior to the flooding associated with Super Storm Sandy.
- A-5: Photograph of the site approximately a day after Super Storm Sandy showing the area of the property where the buildings are.
- A-6: Photograph of the site approximately a day after Super Storm Sandy showing the area of the property where the buildings are.
- A-7: Photograph of the site approximately a day after Super Storm Sandy showing the area of the property where the buildings are
- A-8: Photograph of the site approximately a day after Super Storm Sandy showing the area of the property where the buildings are.
- A-9: Photograph of the site approximately a day after Super Storm Sandy showing the area of the property where the buildings are.
- A-10: 3 x 5 photograph taken of the area of the volleyball court shortly after Super Storm Sandy.

6. 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 has demonstrated that the soil addition and grade alteration can be approved without substantial detriment to the intent purposes of the Zoning Ordinances, Zoning Plan or public good.

3. The Board concluded that the granting of the soil addition 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 the South River Planning Board pursuant to its statutory powers and on March 19, 2013, on a Motion made by Mr. Clancy and seconded by Mr. Urbanik, that the application for the soil addition and grade alteration permit be granted pursuant to Chapter 282 of the Municipal Code of the Borough of South River be granted subject to the following conditions:

1. The Applicant shall take all measures necessary to prevent storm water runoff from negatively impacting the adjacent properties to the satisfaction of the Borough Engineer.
2. Copies of any easements, exceptions, deviations, or liens on the property shall be presented to the Board.
3. A Certification from the Tax Collector on the current payment of taxes and assessments on the property should be presented to the Board.
4. The Board strongly suggested that the Applicant retain a licensed surveyor and/or professional engineer in order to properly survey the premises and its existing topography.

This Motion was passed with a vote of 8 to 1.

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 April 16, 2013.

Borough of South River Planning Board

MEETING OF THE
PLANNING BOARD
MEETING NO. 4
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APRIL 16, 2013

This Resolution was voted on as follows:

ROLL CALL

IN FAVOR OF APPROVAL: John Frost, Councilman Peter Guindi, Cynthia A. Urbanik, Michael Beck, George P. Evanovich, Gordon Anthony, Michael Clancy, Glen Davis

OPPOSED TO APPROVAL: Raymond Eppinger

ABSTAINING: NONE

PUBLIC HEARING(S)

2013-4, Andre, Eddie, 203 William St., Block 82.1, Lot 1.1 application for soil addition and grade alteration. Mr. James Clarkin spoke on behalf of the Applicant, stating that the applicant had seven truck loads of stone distributed on the property to fill potholes and the depressions that were left from the last tenant. He stated that Mr. Andre had a certificate of continuing occupancy and that he has an Exhibit, which he would like to give to the Board, and what this exhibit is as a zoning classification, which is 82.2, which states that the property falls into the exemptions stating that no permit is needed. Mr. Clarkin stated that Mr. Andre purchased the property on July 9, 2012 and that in September or October of last year is when he filled in the pot holes, and that he removed some trees. He also said that Mr. Andre has done no paving and that he will have his office on site. Mr. Clarkin called on Mr. Andre to answer some questions regarding his property. Mr. Andre stated that there is no runoff from the property. Mr. Eppinger asked where the stone came from, Mr. Andre answered that it was extra stone from a job that he did. Mr. Eppinger also asked if Mr. Koch did an on site inspection which Mr. Clarkin said that he believes that the Board does not need an expert. On the Blue Print it says gravel stone dirt, Mr. Eppinger quoted, and wanted to know where the soil came from? Mr. Beck opened the application to the public, hearing none it was closed on a motion by Mr. Clancy with a second by Mr. Guindi, all present approved..

Mr. Barlow told the Board they had to decide as to whether or not Mr. Andre is exempt. Mr. Barlow read Ordinance 82-2 to the Board..

Mr. Eppinger moved for approval of the Application stating that there was no exemption, second by Mr. Clancy all present approved.

2013-5 Simoes, Jose, A., 11 Roosevelt St., Block 165.2, Lot 25, application for soil addition and grade alteration. At the last meeting the Board assumed that Mr. Hyland was going to be here, Mr. Simoes stated that he got from Mr. Hyland the calculation of impervious coverage which is 46%. The letter was received by the Board at marked as Exhibit A1. Mr. Simoes stated that he would like to raise the backyard and to build a retaining wall. There were questions for the applicant. It was asked if any of the work has been started and was told yes. and that he did not know that he had to receive permission. He had called Glenn to check on the wall that he built and was told at that time that he was not allowed to add dirt without a variance. He is putting down 100 yards of dirt which is 6 truck loads. He received the

dirt from Sayreville, and he will get the certification for the Board before the next meeting. The Board questioned whether he had permits for all the work that was done and the Applicant answered yes he does but they are home, the Board also asked that he bring them with him at the next meeting. The Applicant stated that the soil is gravel with sand and that the water soaks in. Mr. Eppinger asked if we could get to the Applicant a letter stating what was needed for the next meeting so as he will not leave anything home? Mr. Barlow said that he would get in touch with the Applicant and tell him exactly what the Board wanted. Mr. Beck opened the meeting to the public hearing none it was closed on a motion by Mr. Eppinger with a second by Mr. Guindi, all present approved.

The applicant was moved to the May 21, 2013 meeting on a motion by Mr. Eppinger with a second by Councilman Guindi, all present approved.

BILLS:

The bills were ordered paid on a motion by Mr. Clancy with a second by Councilman. Guindi, all present approved.

Mr. Beck opened the meeting to the public hearing none it was closed on a motion by Councilman Guindi with a second by Mr. Eppinger, all present approved.

COMMENTS:

Mr Butewicz talked about the TV program that will be on 05-13 regarding New Jersey.

The meeting was adjourned on a motion by Mr. Eppinger with a second by Councilman Guindi, all present approved.

Respectfully submitted,

M. Anita Hermstedt, Secretary