

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 May 20, 2014, commencing at 7:00 PM at St. Mary's Coptic Community Center, 9 David St., South River, NJ.

Present were Mr. Beck, Mr. Butewicz, Mr. Davis, Mr. Eppinger, Mr. Evanovich, Ms. Farren and Mr. Frost .

Also present was Mr. Barlow, Attorney

Absent were Mr. Anthony, Mr. Clancy, Ms. Urbanik, Mr. Koch and Mr. Bletcher the Planner.

The minutes from April 15, 2014 were approved on a motion by Mr. Frost with a second by Ms. Farren all present approved.

RESOLUTION(S):

2014-1 Big Apple Academy, Inc., 14 Old Bridge Turnpike, Block 219, Lot 1.8 to run a day care center, full reading of the Resolution was waived on a motion by Mr. Eppinger with a second by Ms. Farren all present approved.

Fire # 14-1 Big Apple Academy, Inc.

block 219, Lot 1.8, Minor Subdivision and Site Plan Approval

RESOLUTION

BOROUGH OF SOUTH RIVER PLANNING BOARD

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

WHEREAS, Big Apple Academy, Inc., the Applicant has applied to the Borough of south River Planning Board for conditional use and site plan approval and Variances for Block 219, Lots 1.8; and

WHEREAS, the Applicant has complied with the jurisdictional requirements necessary to prosecute the application; and

WHEREAS, after reviewing the application and the representations of the Applicant and its experts at a meeting held on April 15, 2014, the Borough of South River Planning Board has made the following findings;

1. The Applicant is represented by David B. Himelinan, Esq., and was represented by Walter Toto, Esq., at the hearing.

2. The property is known as Block 219, Lot 1.8, on the Borough of South River Tax Map and is located on the corner of Old Bridge Turnpike and Gladstone Drive, in the Borough of South River, State of New Jersey;

3. The property is located in the R-100 Single-Family Zone and child-care centers are a conditional use permitted in this Zone contingent on the Applicant's ability to comply with the five (5) conditional use requirements set forth in the Borough of South River Municipal Code Section 350-25.C.

4. The following agencies reviewed the application and commented:

A. Bignell Planning Consultants-March 13, 2014 Memorandum;

B. CME Associates-April 11, 2014, Memorandum;

5. The following exhibits were introduced into evidence:

A-1 A Diagram of the Property;

A-2 Traffic Report dated February 28, 2014, prepared by Thomas W. Skrable, P.E.;

A 3, The February 28, 2014, report of Sean Moronski, P.P.;

6. Judy Thaw, the proposed director of the child care center and preschool to be known as the Big Apple Academy was sworn in on behalf of the Applicant. Ms. Thaw testified she has over twenty (20) years of experience as a preschool teacher and has been certified by the State as a director of childcare centers. She indicated that Big Apple will provide affordable and good quality childcare and preschool services. There are currently thirty-eight (38) students at the Big Apple site in East Brunswick and the plan is to move to the facility on Old Bridge Turnpike as it is larger. A maximum of fifty-five (55) students are proposed at the Old Bridge Turnpike site. The proposed facility at Old Bridge Turnpike is not yet licensed because it first requires the Borough of South River approval before the Applicant can apply to the State.

7. Ms. Thaw, testified that there will be nine (9) to ten (10) staff member present and the ages of the children are from infants to thirteen (13) years old. The facility will operate from Monday through Friday from 6:30 a.m. until 6:30 p.m. and it will close on weekends.

8. Ms. Thaw, testified as to the usual operation of the proposed facility. Approximately two or three parents are present in dropping off or/and pickup procedure usually takes no more than five (5) minutes. Once a year, there is a graduation ceremony for kids who are going into Kindergarten. There are security cameras present on the site with third party monitoring. Ms. Thaw testified there will be a recreation area that will comply with all of the State requirements. There will be locks so that the recreation area cannot be used during the hours the facility is closed. In addition, she indicated only the first (1) floor on the property at 14 Old Bridge Turnpike is being utilized.

9. Thomas Skrable, a Professional Engineer, whose office is located at 65 Ramapo Valley Road, Suite 13, Mahwah, New Jersey, was sworn in on behalf of the Applicant. His credentials as a Professional Engineer were recognized by the Board.

10. Mr. Skrable testified that no construction is proposed and the building and proposed area for use is already existing. There is a proposed recreation area of 800 sf. They will have a 6 foot stockade or board to board fence. It will only be accessed by employees. The recreation area will be a grass lawn area with no impervious coverage proposed and it will not block the water runoff in any way.

11. Mr. Skrable went over his traffic report and indicated that any traffic produced by the facility is spread out and will have a negligible impact on traffic on Old Bridge Turnpike. All traffic will be on site and not on the roadway.

12. Mr. Skrable testified that the air-conditioning condensers will be outside the fenced recreation area and that the Applicant will meet with the planner and will agree to any seasonal and/or ornamental street tree and landscaping design. The Applicant agreed to restripe the parking lot of 14 Old Bridge Turnpike to fix the fading lines in the parking lot. There will be signage and paint demarcations for the drop-off area in front of the proposed facility and they will restripe the whole lot. The Applicant is going to use half of the existing sign and the recreation area door will utilize a push bar with lock.

13. Mr. Skrable testified and the Applicant agreed that the dumpster area will be screened with landscaping.

14. Mr. Skrable also testified and the Applicant agreed to solicit and satisfy all comments of the Borough of South River Police and Fire departments.

15. Brooke Campbell of 12 Maple Street, East Brunswick, New Jersey, the owner of Big Apple Daycare, was sworn in and testified on behalf of the Applicant. She indicated that the facility will comply with all State requirements including ingress and egress and the recreation area and the gating. The fenced area will only be padlocked at night and other times when the facility is closed.

16. Ms. Campbell testified that only one class at a time is in the playground, approximately twelve (12) children and three (3) teachers and are monitored as required by the State's requirements. Accessing the recreation area does not require the children to cross the parking lot in any way and can be accommodated by a walkway.

17. Sean Moronski, P.P., AJCP, whose office is located at 25 Westwood Avenue, Westwood, New Jersey 07675, was sworn in on behalf of the Applicant. His credentials as Professional Planner were recognized by the Board.

18. Mr. Moronski went over the five (5) requirements in order to utilize the property as a conditional use in the R-100 Zone.

19. Mr. Moronski testified that there is no change to the lot coverage proposed. There is existing parking of sixty-five (65) on site with the requirement of eight-one (81) spaces, therefore, a variance was sought for the parking and lot coverage. Mr. Moronski testified as to the reasons for same.

20. As more fully set forth in the record Mr. Moronski went over all five (5) requirements of the Borough Zoning Ordinance in order to meet the conditional use. He testified all of the requirements were appropriately met.

21. Both Mr. Skrable and Mr. Moronski verified that the existing lighting on the site, pavement and overall circulation would be sufficient for the facility. They also testified that the cellar space will not be utilized for the child care center and has no intended use.

22. Members of the public were invited to comment and pose questions and testify. None did so.

23. The Board made the following conclusions:

CONCLUSIONS

1. The Board concluded that the application would be beneficial to the site, as well as to the surrounding properties and the Borough in general.
2. The Applicant demonstrated that the requested approval could be approved without substantial detriment to the intent and purposes of the Zoning Plan, Zoning Ordinance and the public good.
3. The Board concluded that the Applicant had met the conditional use requirements for the R-100 Zone in order to operate a childcare center.
4. The Board concluded that requested variances, waivers and continuation of existing non-conforming conditions the Applicant sought were appropriate for the site and in determining same the Board accepted the testimony of the Applicant's experts as well the recommendations of the Borough's professional staff that same could be granted without substantial detriment to the surrounding properties and Borough.

For other such 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 April 15, 2014, on a Motion by Mr. Butewicz and seconded by Mr. Guindi, that the site plan approval and variances, waivers and existing non-conforming conditions to allow Big Apple Academy, Inc., to operate a childcare center at Block 219, Lot 1.8, is approved subject to the following conditions:

1. The Applicant must document approvals or exemption from the Middlesex County Planning Board and all other agencies having jurisdiction.
2. The Applicant will restripe the parking lot and provide the necessary signage and demarcation for the drop-off area.
3. The Applicant must document the appropriate Certifications from the State in order to operate the childcare center.
4. The Applicant shall provide additional dumpster screening/enclosure to the satisfaction of the Borough Planner for the property.
5. The Applicant shall solicit the comments of the South River Police Department and Fire Department relative to police and fire services at this site and shall comply with the recommendations of same.
6. Variances are granted for minimum required parking with eighty-one (81) spaces required and sixty-five (65) provided.
7. A variance is granted for the preexisting impervious lot coverage.
8. The Applicant will have a 6 foot fence that is either stockade or board on board surrounding the 300 sf. recreation area.
9. The facility will operate Monday through Friday from 6:30 a.m. to 6:30 p.m. and it will be closed on weekends.

10. The recreation area will be locked during non-business hours so it cannot be used while the facility is closed.

11. The recreation area will remain grass and there will be no changes to the impervious coverage. The Applicant agreed not to block or disrupt water runoff in any manner.

12. The Applicant would utilize half of the existing sign.

13. Applicant's escrow and application fees shall be submitted, if not previously paid.

The Motion was carried unanimously by a vote of (8) eight to (0) zero.

CERTIFICATION

I herby 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 May 20, 2014.

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 APPROVAL:

Gordon Anthony, Michael Beck, Michael Clancy, George P. Evanovich, Donna Farren, John Frost, Peter Guindi and Joseph Butewicz.

OPPOSED TO APPROVAL:

None.

ABSTAINING:

None.

COMPLETENESS:

There were no applications to be completed.

PUBLIC HEARING(S):

There was nothing on the agenda for public hearing,

BOARD BUSINESS AND CORRESPONDENCE:

There were two letters on the agenda the first was from Tetra Tech regarding Wastewater Pipeline Installation.

The second was a Resolution from the Mayor and Council allowing Andre Realty to erect a free standing sign at 223 William St.

Both letters were received and filed on a motion by Mr. Butewicz with a second by Ms. Farren, all present approved.

OPEN TO THE PUBLIC:

Mr. Beck opened the meeting to the public having none on a motion by Mr. Eppinger and a second by Ms. Farren it was closed, and all present approved.

BILLS:

The Bills from Lombardi and Lombardi were ordered paid on a motion by Mr. Eppinger with a second by Ms. Farren, all present approved.

A letter was received from the Attorney for Mr. Andre requesting that his application be moved to the June 17, 2014, so moved on a motion by Ms. Farren with a second from Mr. Eppinger, all present approved.

COMMENTS::

Mr. Beck asked if anyone had any comments and Mr. Barlow said that we would be having a meeting soon on the rezoning of Lincoln School and the Strategic Recovery Planning Report.

ADJOURNMENT:

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

Respectfully submitted,

M. Anita Hermstedt, Secretary