

ADEQUATE NOTICE OF THIS MEETING HAS BEEN
PROVIDED AS IS REQUIRED BY CHAPTER 231, PUBLIC
LAW 1975 AND BY RESOLUTION 2015-6, WITH THE
REQUEST OF THE HOME NEWS AND 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 21, 2015, 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. Evanovich, Ms. Farren, Mr. Santos, Councilman Trenga and Ms. Urbanik.

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

Absent were: Mr. Davis, Mr. Frost, Mr. Eppinger and Mayor Krenzel

MINUTES

The Minutes of Meeting No. 5 held on June 16, 2015 were submitted to the Board for acceptance and/or amendment.

Mr. Clancy moved that the Minutes be approved as presented. Ms. Farren seconded the motion. All in favor approved.

BOARD BUSINESS & CORRESPONDENCE

The Board received and filed Resolution 2015-201 from the Mayor and Council authorizing the Planning Board to undertake an investigation of the Main Street Rehabilitation District as a possible area in need of redevelopment, pursuant to N.J.S.A. 40A:12A-6.

COMPLETENESS

PB2015-06 Minor Site Plan Approval

Hector Compres 56 Main St. Blk.161 Lot 12

Converting single retail space to two smaller retail spaces for two separate users

Mr. Lauritsen spoke with applicant; he will be withdrawing his application

Motion was made by Mr. Clancy to carryover to August 15, 2015 meeting to dismiss application;
Seconded by Ms. Farren.

PB2015-03 Sub Division & Bulk Variances (3)/Single Family Dwelling

Neidi Lockmann 8 Ferris Street Blk.114 Lot 9
Over 50% impervious coverage, less than 25' front yard setback; Less than 100'
required width of lot

Deemed incomplete as per the report of June 10, 2015 no additional information submitted.
Motion was made by Mr. Clancy to carryover to August 15, 2015 meeting for completeness;
Seconded by Ms. Farren.

RESOLUTIONS

File # 15-02 WAWA INC.
Block 73, Lot 10.02, Minor Site Plan Approval and Bulk Variances

RESOLUTION

BOROUGH OF SOUTH RIVER PLANNING BOARD

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

WHEREAS, WAWA, INC., the Applicant, has applied to the Borough of South River Planning Board for minor site plan approval and bulk variances for Block 73, Lot 10.02; 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 expert at a meeting held on June 16, 2015, the Borough of South River Planning Board has made the following findings:

1. The Applicant is represented by Duncan M. Prime, Esq., of Prime Law, Attorneys at Law.
2. The property is known as Block 73, Lot 10.02, on the Borough of South River Tax Map and is located on the corner of Old Bridge Turnpike and North End Drive, in the Borough of South River, State of New Jersey;
3. The property is located in the B-2 (business District) Zone and the use is permitted in this zone.

4. The following agencies reviewed the application and commented:

- A. CME Associates – May 13, 2015, Memorandum;
- B. Bignell Planning Consultants – June 9, 2015, Memorandum;
- C. South River Bureau of Fire Prevention – June 5, 2015, letter.

5. The following exhibits were introduced into evidence:

- A-1 Site Plan Rendering dated June 16, 2015, prepared by Dynamic Engineering.

6. Douglas Grysko, P.E., a Licensed Professional Engineer with Dynamic Engineering, whose office is located at 8 Robbins Street, Suite 102, Toms River, New Jersey 08753, was sworn in on behalf of the Applicant. His credentials as a Professional Engineer were recognized by the Board.

7. Mr. Grysko testified as to the nature of the application. The Applicant was proposing to eliminate three (3) parking spaces to allow for the construction of a new refuse/recycling area. The proposed changes were to the rear (northeast) corner of the site. The existing row of sixteen (16) parking spaces will be reduced to thirteen (13) spaces and a 14'x 20' trash enclosure is proposed in the easternmost corner of the parking row. The enclosure will be constructed of an 8' high PVC fence and will have a swinging gate on the southern wall of the structure. A human door/gate is on the western corner of the enclosure. The enclosure will be serviced by electric power and water utilities and will include a cardboard dumpster and a trash compactor and dumpster. Site-wide parking will be reduced from fifty-nine (59) to fifty-six (56) spaces.

8. Mr. Grysko testified that the proposed commercial compactor will be a MPT 6 unit of the which is a sealed unit to prevent any leaking from it.

9. Mr. Grysko testified that this would replace the existing use by the Applicant of trash containers that needed to be stored and unloaded by hand into the garbage truck servicing the property.

10. Mr. Grysko testified that the area will be landscaped with all season plantings of shrubs and landscaping to provide screening.

11. Mr. Grysko also testified and Mr. Prime addressed the variances that were needed for the fence height and impervious coverage, even though it would actually be a decrease in the amount of impervious coverage.

12. Mr. Prime also provided the Board with a letter from Mr. Andre, the property owner authorizing the Applicant to file the application and that he had no objection to same. A notarized copy of the letter was requested and Mr. Prime indicated it would be provided to the Board.

13. Mr. Grysko provided testimony to address how the dumpster would operate and when it would be serviced. He further testified as to the need for electric power and water utilities as proposed in the application. He further testified that the layout was such that an SU-30 trash vehicle would be able to service the dumpster.

14. Members of the public were invited to comment and pose questions and testify. No one from the public did.

15. 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 to 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 requested variances, waivers and continuation of existing non-conforming conditions the Applicant sought were appropriate for the site and in determining same the Board accept the testimony of the Applicant's expert 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 June 16, 2015, on a Motion by Ms. Frost and seconded by Mr. Trenga that the minor site plan approval and bulk variances, to allow the Applicant, WAWA

Inc., to build a new refuse/recycling area at Block 73, Lot 10.02, is approved subject to the following conditions:

1. The Applicant must document approvals or exemption from the Middlesex County Planning Board, and the Freehold Soil Conservation District and all other agencies having jurisdiction.

2. The Applicant will adjust the stripping of the affected parking bank until all spots are 9' feet wide.

3. The proposed water service shall have a backflow preventer installed on it.

4. The Applicant shall restore any signage, landscaping or other features, required by the prior approvals that may be missing or removed.

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

6. A Certification from the Tax Collector that the Applicant is current on payment of taxes and assessments on the property shall be presented to the Board.

7. A variance is granted for impervious coverage which shall be reduced from 80.2% to 80.1% with impervious coverage of 80% being the maximum.

8. A variances is granted for maximum fence height with 6 feet being the maximum and 8' feet being provided.

9. The Applicant shall provide a notarized document from the property owner consenting to the Application.

10. The Applicant shall provide informational signage on the inside and outside of the dumpster enclosure requiring that the gate/doors be kept closed at all times except when being serviced by a trash vehicle.

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

The Motion was carried unanimously by a vote of (9) nine to (0) zero.

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 21, 2015.

Borough of South River Planning Board

Sheryl L. Nevin, Secretary
Borough of South River Planning Board

This Resolution was voted on as follows:

ROLL CALL

IN FAVOR OF APPROVAL:

Michael Beck, Joseph Butewicz, Michael Clancy, George P. Evanovich, Ms. Farren, Daniel Santos, Michael Trenga and Cynthia Urbanik.

OPPOSED TO APPROVAL:

None

ABSTAINING:

None

RESOLUTION

AUTHORIZING BIGNELL PLANNING CONSULTANTS TO PREPARE AND SUBMIT A REPORT TO DETERMINE IF THE MAIN STREET REHABILITATION DISTRICT STUDY AREA IS AN AREA IN NEED OF REDEVELOPMENT.

BOROUGH OF SOUTH RIVER PLANNING BOARD

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

WHEREAS, the Borough Council of the Borough of South River passed Resolution 2015-201 authorizing the Planning Board of the Borough of South River to undertake an investigation pursuant to N.J.S.A. 40A:12A-6 to determine if the Main Street Rehabilitation District Study Area, a study area that contains the entirety of the Main Street Rehabilitation District, a Zoning District shown on the Official Zoning Map of the Borough of South River, is an area in need of redevelopment in which the municipality may use powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain or condemnation; and

WHEREAS, Bignell Planning Consultants, Inc., is the appointed professional planner for the Borough of South River Planning Board; and

WHEREAS, the Planning Board of the Borough of South River at its normal scheduled public hearing on July 21, 2015, discussed the appointment of Bignell Planning Consultants, Inc., to be authorized and directed to prepare and submit a report of its findings to the Planning Board in accordance with N.J.S.A. 40A:12A-6 and 40A:12A-5; and

WHEREAS, the public was given an opportunity of being heard and comment;

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of South River that Bignell Planning Consultants, Inc., shall be authorized and directed to undertake an investigation pursuant to N.J.S.A. 40A:12A-6 to determine if the Main Street Rehabilitation District Study Area is an area in need of redevelopment in which the municipality may use its powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain or condemnation and shall prepare and submit a map and report of its findings to the Planning Board of the Borough of South River; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Clerk of the Borough of South River for distribution to the Mayor and Council within five (5) days of the adoption of this Resolution.

July 21, 2015

The above is a memorialization of a motion duly made and seconded on July 21, 2015, and passed with unanimous vote.

Borough of South River Planning Board



Sheryl L. Nevin, Secretary

Borough of South River Planning Board

This Resolution was voted on as follows:

ROLL CALL

IN FAVOR OF APPROVAL:

Michael Beck, Joseph Butewicz, Michael Clancy, George Evanovich, Donna Farren, Daniel Santos, Michael Trenga and Cynthia Urbanik.

OPPOSED TO APPROVAL:

None

ABSTAINING:

None

EXEMPTION WAIVER HEARING

PB2015-04

Site Plan Waiver (Verizon Wireless)

Exemption Approval of New York SMSA Limited Partnership

Proposed installation to be located on the existing municipal tree pole

Ivan Way Blk.380 Lot 1.3

- Mr. Mitchell, Attorney for the applicant stated that the 6 conditions for exemption were met to “co locate” the structure there
- Mr. Masters, Planner for the applicant discussed the structure (Mono Pole) at Ivan Way also known as the DPW facility. The height would not increase by more than 10% nor would the width increase. A variance was not required.
- Mr. Bletcher, Borough Planner stated that the 2012 Master Plans Wireless Communication Element was adopted it into an ordinance.
- Mr. Koch, Borough Engineer stated that it is in compliance with exemption compliance
- Ms. Urbanik questioned the weight of the antennas on the tree. Mr. Koch responded that building permits would need to be applied for and inspected.
- Ms. Farren questioned the generator’s decibels. Mr. Colasurdo, Architect for applicant, stated that the generator was 30KW, 57-68 decibels 23 feet away. Mr. Bletcher commented that it is approximately 1000 feet away from residence.
- Ms. Farren questioned the size of the concrete pad for the generator and the maintaining of the tree pole
- Councilman Trenga will address the maintenance of the tree pole with the administrator; maintenance is done by the owner of the tree pole

Mr. Beck opened to the public. Hearing none Ms. Urbanik made a motion to close the public portion, seconded by Mr. Clancy.

Mr. Clancy made a motion to grant the waiver, seconded by Mr. Trenga. All in favor.

PB2015-05

Site Plan Waiver (Verizon Wireless)

Exemption Approval of New York SMSA Limited Partnership

Proposed installation to be located on the existing municipal water tank

Appleby Avenue Blk.225 Lot 1

- Mr. Mitchell, Attorney for the applicant stated that they are in compliance with New Jersey Land Use Laws and meet all conditions for the “co-location” The unit would be monitored 24/7 and a maintenance schedule includes it being tested once a week for 45 minutes. Equipment behind 12 ft. gates and in an emergency locks could be cut. Cell phone reception should improve.
- Mr. Barlow, Borough Attorney, stated that the waiver can be granted as long as the criteria is met

- Ms. Farren questioned maintenance, painting, and hurricane straps. Mr. Bletcher added that they will comply under the lease agreement; some items can be negotiated.

Mr. Beck opened to the public.

Tony Ciulla, Sussex Ct.

- Questions regarding parking and the gates for the volunteer firefighters from the firehouse across the street.
- Questioned the decibels of generator since it is in a residential area. Mr. Masters stated it would 50/60 decibels and would not diminish any quality of life; they comply with the noise ordinance.

Ms. Urbanik made a motion to close the public portion, seconded by Mr. Clancy.

Mr. Butewicz made a motion to grant the waiver, seconded by Mr. Trenga. All in favor.

PUBLIC COMMENTS

Mr. Beck opened to the Public. Hearing none Mr. Trenga closed the public portion, Mr. Clancy seconded.

PROFESSIONAL/BOARD COMMENT

- Mr. Bletcher clarified to the board that the Wireless Communication Industry takes power away from the board. February 22, 2012 signed into law.

AJOURNMENT

Ms. Urbanik moved that this meeting be adjourned. Ms. Farren seconded the motion. All present in favor. Meeting adjourned at 8:30PM.

Respectfully submitted on
August 10, 2015
Sheryl L. Nevin
Sheryl L. Nevin, Planning Board Secretary