

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 January 19, 2016, commencing at 7:00 PM in the Middle School Cafetorium, South River, NJ.

Present were: Mr. Clancy, Mr. Davis, Ms. Wilk, Mr. Evanovich, Ms. Farren, Mayor Krenzel, Mr. Santos, Councilman Trenga and Ms. Urbanik.

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

Absent were: Mr. Beck, Mr. Frost

Note: Mr. Butewicz resigned from the Planning Board January 11, 2016.

ORGANIZATION:

Ms. Farren nominated Mr. Beck as Chairperson of the Board with a second by Mr. Trenga, all present approved.

Mr. Clancy nominated Ms. Urbanik as Vice Chairperson with a second by Mr. Trenga, all present approved.

Note: Mr. Beck was not present at meeting due to illness; Ms. Urbanik as Vice Chairperson conducted the meeting.

RESOLUTIONS

RES: 2016-1

JANUARY 19, 2016

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Planning Board of the Borough of South River do hereby appoint Thomas Barlow, of the firm of Lombardi & Lombardi, as the Planning Board attorney for the year 2016, and that said appointment shall be in compliance with the Professional Service Requirements of the Local Public Contracts Law of New Jersey and the execution of an Agreement as the same is required by Law.

DATED: JANUARY 19, 2016

/s/ Michael Beck
Michael Beck, Chairperson

Motion was made by Mr. Clancy, seconded by Ms. Farren, all present approved.

RES: 2016-2

JANUARY 19, 2016

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Planning Board of the Borough of South River do hereby appoint Mr. Bruce Koch of the firm CME Associates as the Engineer for the year 2016, and that said appointment shall be in compliance with the Professional Service Requirements of the Local Public Contracts Law of New Jersey and the execution of an Agreement as the same is required by Law.

DATED: JANUARY 19, 2016

/s/ Michael Beck
Michael Beck, Chairperson

Motion was made by Mr. Krenzel, seconded by Mr. Trenga, all present approved.

RES: 2016-3

JANUARY 19, 2016

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Planning Board, of the Borough of South River do hereby appoint Bignell Consulting Group, Mr. Todd Bletcher, as the Planner for the year 2016, and that said appointment shall be in compliance with the Professional Service Requirements of the Local Public Contracts Law of New Jersey and the execution of an Agreement as the same is required by Law.

DATED: JANUARY 19, 2016

/s/ Michael Beck
Michael Beck, Chairperson

Motion was made by Mr. Krenzel, seconded by Mr. Trenga, all present approved.

RES:2016-4 Appointing Secretary to the Planning Board - TABLED

RES: 2016-5

JANUARY 19, 2016

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Planning Board of the Borough of South River, in the County of Middlesex, the State of New Jersey, that pursuant to Chapter 231, Public Law 1975, the Home News Tribune, a news publication published in Neptune, NJ; and with circulation within the Borough of South River is designated as the Official Newspaper for all Official Notices of the Planning Board for the year 2016.

BE IT FURTHER RESOLVED that the SENTINEL PUBLICATION, a weekly newspaper be used for display advertisement not of a legal nature.

DATED: JANUARY 19, 2016

/s/ Michael Beck
Michael Beck, Chairperson

Motion was made by Ms. Farren, seconded by Mayor Krenzel, all present approved.

RES: 2016-6

JANUARY 19, 2016

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Planning Board of the Borough of South River in the County of Middlesex, the State of New Jersey, that the following schedule of meetings for the year 2016 shall be adopted.

PLACE Criminal Justice Building
 61 Main St.

TIME: 7:00 pm

DATE:	<u>MONTH</u>	<u>DAY</u>	<u>PLANS DUE ON OR BEFORE</u>	
	January	19 th	January	5 th
	February	16 th	February	2 nd
	March	15 th	March	1 st
	April	19 th	April	5 th
	May	17 th	May	3 rd
	June	21 st	June	7 th
	July	19 th	July	5 th
	August	16 th	August	2 nd
	September	20 th	September	6 th
	October	18 th	October	4 th
	November	15 th	November	1 st
	December	20 th	December	6 th
	January (2017)	17 th	January	3 rd

DATED: JANUARY 19, 2016

/s/ Michael Beck
Michael Beck, Chairperson

Motion was made by Ms. Farren, seconded by Mr. Clancy, all present approved.

The Minutes of Meeting No. 9 held on December 15, 2015 were submitted to the Board for acceptance and/or amendment.

Ms. Clancy moved that the Minutes be approved as presented. Mr. Farren seconded the motion. All present approved; Mayor Krenzel abstained.

BOARD BUSINESS & CORRESPONDENCE

2016 Planning Board/Professional Staff Roster was given to Board Members and Professionals for review and updates if needed. Received and filed on a motion made by Ms. Farren, seconded by Mr. Davis.

Letter from Mr. Sachs requesting Public Hearing be moved to February 16, 2016 for PB2015-09 St. Mary's Coptic, 80 David Street. Received and filed on a motion made by Ms. Farren, seconded by Mr. Clancy.

New Jersey League of Municipalities Conference November 15-17, 2016

RESOLUTION

**File # 15-8 Konstaninos Mezes
Block 363.03, Lot 3, Soil Addition and Grade Alteration Application Plan**

RESOLUTION

BOROUGH OF SOUTH RIVER PLANNING BOARD

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

WHEREAS, Konstantinos Mezes, has applied to the Borough of 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 meetings held on October 12, 2015, and December 15, 2015, the Borough of South River Planning Board has made the following findings:

1. The Applicant, Konstantinos Mezes, is the residential property owner of the property located at 14 Grand Avenue, known as Block No. 363.03, Lot No. 3, on the Borough of South River Tax Map.

2. The following Borough agencies reviewed the application and commented:

A. CME Associates, October 12, 2015, and December 15, 2015, Memorandum

3. Konstantinos Mezes, was sworn in. Mr. Mezes reviewed the scope of the work that is proposed on the property. The Applicant is installing a modular block retaining wall on portions of three (3) sides of the property. The Applicant presented plans that had been prepared by Michael P. Kipp, P.L.S. and Gregory Potkulski, P.E. The Applicant testified that he would be bringing in approximately 15 cu. yards of fill in order to construct the retaining walls. The Applicant agreed to all of the recommendations of the Borough Engineer as set forth in CME's report.

4. The applicant acknowledged that the underground roof leader drains will be daylighted through the wall and that Certification is required that any fill imported onto the property is clean and meets all applicable State and Federal standards.

5. The Applicant testified there are no plans to widen the existing driveway.

6. The Applicant acknowledged that any concrete curb, sidewalk or driveway apron along the roadway frontage of the property that is damaged, cracked or settled shall be replaced by the Applicant. The Applicant acknowledged that prior approval was not obtained by him for the paver blocks installed between the curb and sidewalk along the road frontage. He indicated that the condition existed already and the home was purchased like that.

8. 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 demonstrated that the soil addition and grade alteration could be approved without substantial detriment to the intent and 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 South River Planning Board pursuant to its statutory powers and on December 15, 2015, on a Motion made by Mr. Clancy and seconded by Mr. Davis, 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 subject to the following conditions:

1. The Applicant shall take all measures necessary mitigate any negative drainage impacts to the adjacent properties.
2. The Applicant shall pay any outstanding taxes, application or escrow fees.
3. Copies of any easements, exceptions, deviations, or liens on the property shall be presented to the Board.
4. The underground roof leader drains shall be day lighted thru the wall or connected to the proposed retaining wall. The area between the paver patio and the proposed wall will be grass and not an impervious surface.
5. Any concrete curb, sidewalk shall apron along the roadway frontage of the property that is damaged, cracked, or settled or driveway apron be replaced by the Applicant.

This Motion was passed with a vote of 6 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 January 19, 2016.

Borough of South River Planning Board

Sheryl Nevin
Sheryl Nevin, Secretary

This Resolution was voted on as follows:

ROLL CALL

IN FAVOR OF APPROVAL: Michael Clancy, Glenn Davis, George P. Evanovich, Donna Farren, Daniel Santos and Cynthia Urbanik.

OPPOSED TO APPROVAL: NONE

ABSTAINING: NONE

PUBLIC HEARINGS

Main Street Redevelopment District Study Area

Ms. Urbanik opened the Public Hearing with the following statement:

I see many of our local merchants here for tonight's presentation of the Main Street Rehabilitation District Study Area. It is encouraging to know you braved these temperatures because of your interest in this project and what effect it may have on your business. We all care deeply about South River and its future. Before turning this over to our Planner, I want to explain this study at its basics because that is what works best for me. I hope you find this helpful.

This hearing is taking place as a result of the following events:

The Borough Council directed the Planning Board to study whether certain properties in the Borough may be designated as a Non-Condensation Redevelopment Area.

The Planning Board authorized the Planner to perform this study and present its findings to the Board.

The Planner is here tonight to present the findings of the study.

If the hearing is completed tonight, the Planning Board can make a recommendation to adopt the study, not adopt the study or adopt the study with modifications.

The Planning Board's recommendation is presented to the Borough Council.

The Borough Council has the power to accept or not accept the Planning Board's recommendation and the power to adopt or not adopt a redevelopment area.

If the Borough Council moves to adopt the area identified for redevelopment, a plan is prepared.

As part of the plan preparation, a community workshop will be held.

Once the plan is finalized it goes through the ordinance and legislative process.

This is not the only opportunity that the public will be invited to comment on this study. At every step of this process, public input will be solicited.

We want to hear from everyone tonight. After tonight's presentation, the floor will be opened to the public first for questions and comments. All questions and comments will be answered by our planner, attorney or engineer as applicable.

Mr. Todd Bletcher, Senior Planner with Bignell Planning Consultants Inc.,
Presented a Power Point overview of the Lower Main Street Redevelopment Area

PUBLIC COMMENTS (ON THE PROCESS)

Upon completion of the "process" review of the presentation, Ms. Urbanik opened the meeting up to the public for questions.

Magdi McKail, owns 5 properties in the Borough

- Questioned "the study", he did not see anything in the plan about workshops.

Mr. Barlow stated that this pause in the presentation was for questions regarding the process Mr. Bletcher had just explained. There will be time for more questions later.

Ed Trygar, Ferry Street, business is in Redevelopment zone

- Questioned if it is true that this plan can be objected within 45 days; when does that time frame start. Mr. Bletcher explained that the time frame would be after the Council designates the Redevelopment area. Mr. Trygar did not see anything about the 45 days in the study and questioned the area being “blighted”.

Amin Moawad, Main Street

- Property owners who pay taxes should be part of the plan; polled the audience of how many people were asked to go to the Master Plan meetings (about 2 out of 165). Questioned noticing the papers about the meeting. Mr. Barlow reiterated that this is just the study. Mr. Bletcher suggested attending the Planning Board and Council meetings. Mr. Bletcher stated that as per the Mayor and Vice Chairperson, there will be workshops Mr. Moawa asked if the public was free to hire legal representation to for the meeting which Mr. Bletcher replied yes. Mr. Barlow explained the 8 criteria that need to be met for a Redevelopment area and at each step there will be opportunity for public comments.

Tom Roselli, 22 Samuel Drive

- Notice was sent out to those property owners in the zone – he does not see in the public notice that “any interested party can express their comments” not just those in the zone.

Kathy Appleby, 43 Main Street

- Questioned ordinance affecting the businesses and eminent domain. Mr. Barlow stated that the “Non Condemnation” area cannot then be eminent domain or condemnation.

Janet Chmura, lifelong resident of SR

- Questioned what the benefits and costs to the people in the Redevelopment area are; what is the advantage of restricting the area. Mr. Bletcher stated that this will allow the Borough to work with businesses in the area.

Mr. Bletcher continued on with his presentation.

Vice Chairperson Urbanik stated that the study can be modified (the lots cannot change) and all comments can be brought up to Council.

Councilman Trenga, Board Member asked where the money for the study came from; Mr. Bletcher advised that 100% was covered by a grant from the Department of Community Affairs.

Ms. Urbanik opened up the meeting to questions on the study.

Mr. Bletcher stated no one can be forced to do anything they don't want to; anything can be proposed and noted that 2 properties were to be excluded on Whitehead Avenue which are Block 321 Lot 11 and block 161, Lot 21.01

PUBLIC COMMENTS (ON THE STUDY)

Joe Fucci, Villagios Restaurant on Main Street

- Questioned the impact on his business listed as “obsolete” property. Mr. Bletcher stated that it is just a criteria; some suggestions for him to redevelop would be delivery access, employee parking...just as an example

- Mr. Barlow added that redevelopment is a tool to get better. You can't have a plan until you have an area. Brings possibility of interest free grants.

Janet Chmura

- Stated that having a Redevelopment plan gives the developer benefits. Towns biggest tax expense goes to the school, town needs ratables for tax revenue.

Ed Trygar

- Questioned the accuracy of the information in the plan. Reference 2 to 3 story buildings are in the criteria, the use of the term "Redevelopment" verses the Master Plan's referring to "Rehabilitation" zone and questioned Criteria F stating there is a loss in the tax revenue. Mr. Barlow made note of information on file regarding Mr. Tyrgar's comment about purchasing the parking lot

Amin Moawad

- Requesting for plan to be frozen at this point; there is a lot of information to digest and no answers.

Magdi Makhail

- Nothing against the Redevelopment but our questions are not being answered. Too many regulations in town – businesses end up closing. Residents want to work with the Planning Board but Professionals are not answering our questions. Asking Board to stop the study.

Bonnie Trygar

- Questioned who decides who is in the study; everyone involved doesn't necessarily want the best for the businesses. Questioned how much the grant cost, Mr. Bletcher stated \$49,000.00. She has been through Redevelopment 4 times.

Tom Roselli

- What are the objectives for existing property owners, questioned if there are any grants out there for property owners, any guarantee for grants. With the status of the economy of the State it's a "ghost objective". The study went out on 1/4/2016, a lot of information to digest, requesting to move to another meeting. Commented on Sunshine Law since five members of Council are there. Mr. Barlow stated that it is a public meeting.

John Costello

- Requested public comments be moved to the next meeting.

Tele Kourkoudelis

- Commented that the Planning Board members did not have any answers, only two weeks to digest. Request to table to next meeting

Motion was made to close the public portion by Mr. Trenga, seconded by Mr. Clancy. All present in favor.

Board members agreed to allow more time to review.

PROFESSIONAL/BOARD COMMENTS

Mayor Krenzel recommended to carry over to next meeting (February 16, 2016, Cafetorium), seconded by Ms. Farren. All members present approved. Mr. Barlow stated that the meeting did not have to be advertised; Ms. Urbanik and the Board agreed to advertise again.

Ms. Urbanik welcomed Ms. Wilk to the Planning Board.

AJOURNMENT

Mayor Krenzel moved that this meeting be adjourned. Ms. Farren second the motion. All present in favor. Meeting adjourned at 10:20 PM.

Respectfully submitted on
February 10, 2016

Sheryl L. Nevin

Sheryl L. Nevin
Planning Board Secretary

Approved at Planning Board Meeting
held on February 16, 2016.