

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
JULY 11, 2017**

Roll Call:

Present:

Mayor Matthew Anesh
Council President Derryck White
Stephanie Bartfalvi; Alt. 1
Brian Bythell; Alt. 2
Paul Grzenda
Rich Houghton
Peter Smith

Absent:

John Mocharski
Michael Pellegrino
Jack Pedersen; Vice Chairman
Bob Ackerman; Chairman

Also Present: Alex Fisher, Esq., Bob Bucco, PE, CME, CPWM; Stan Slachetka, PP, AICP

Mr. Grzenda opened the meeting at 7:00 pm saying that this meeting is being held in accordance with the Open Public Meetings Act, by posting a notice to The Observer and The Courier News and providing the same to the Borough Clerk.

It is the policy of the Borough of South Plainfield's Planning Board not to hear any new cases after 10:00 pm and no new witnesses after 10:30 pm.

Minutes: None

Resolutions:

- A. Case #17-05 - Ampericon Energy Solutions**
Block 528.01; Lot 245.01; M-2 Zone
50 Cragwood Road

Council President White made motion, seconded by Mayor Anesh to accept the above stated Resolution. Those in Favor: Mayor Anesh, Council President White; Mr. Grzenda; and Mr. Houghton. Those Oppose: None

Current Files: None

Informal Hearings: None

Public Hearings: (1)

- B. Case #17-01 - Grasso Brothers Construction, LLC**
Block 362; Lot 8; R-10 Zone
1007 Lorraine Avenue

The applicant is requesting subdivision with preliminary and final site plan approval.

James F. Clarkin, III, Esq – Clarkin & Vignuolo, PC, 1100 Centennial Avenue, Suite 203, Piscataway, New Jersey – attorney for applicant addressed the Board. This is an application to subdivide an oversized lot into two (2) lots that will require lot area and lot width variances. The existing lot is twelve thousand five hundred (12,500) square feet located in the R-10 zone. One of the proposed lots will be sixty-five hundred (6,500) square feet and the second would be six thousand (6,000) square feet. Other than lot area and lot width, both of the proposed lots will meet all other bulk standards in the R-10 zone. He admitted this is not an easy application. Most of the surrounding lots are 100 X 100 and conforming. However, when the planner shows the tax map of the area, there are actually fourteen (14) undersized lots in the area. Normally, we would not take one (1) conforming lot to create two (2) non-conforming lots. However, there are a number of good planning reasons why this case should be the

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
JULY 11, 2017**

exception. These variances can be granted by flexible C-2 analysis. This involves the benefits that would accrue to the Borough if the variance is granted and identify any detriments. Then engage in a weighing process and balancing benefits of the detriments. Existing home on the lot is proposed to be demolished. Testimony will be heard that the home is almost one hundred (100) years old and in poor condition. Due to its advanced age and in the near future, it is going to be cost prohibited to maintain the structure in decent shape. There are pictures that were included in the application that proposed two (2) new homes which will create an esthetic improvement to the neighborhood. This case boils down to a value judgement. Update the Borough's housing stock and take advantage of the benefits or is it more important for the Borough to keep strict uniformity in its' lots sizes. Keep in mind this lot is unique. It is oversized and there are no other residential lots in the neighborhood that are similar in size. Therefore, there is no concern for a domino effect. There are two (2) witnesses. The first is Tony Grasso, one (1) of the partners of the applicant and the second is the planner, Angelo Valettuto.

Antonio Grasso – 6 Spring Road, Neshanic Station, New Jersey – one (1) of the partners in Grasso Brothers Construction LLC is sworn in. Mr. Clarkin questions Mr. Grasso:

- Grasso Brothers Construction LLC owner of property.
- Purchased on September 30, 2016.
- Purchased from Lisa and Joe Glowacki.
- The Glowacki's lot next door is not conforming – seven thousand five hundred (7,500) square feed.
- House is one hundred (100) years old. Deteriorated. Needs new heating, electrical, plumbing, siding, windows, front porch crumbling and front masonry steps deteriorated.
- Two (2) sketches of the proposed homes in application and before the Board.
 - Both houses will conform to the setbacks, height and lot coverage.
 - Corner lot will have three (3) bedrooms and interior lot will have four (4) bedrooms.
 - Two (2) bathrooms in each home.
 - Corner lot will have a single car garage. Interior lot will have a two (2) car garage.
- Currently, no curbs and sidewalk. Proposing to add curbing and sidewalk.
- Existing home has a front setback of twelve feet (12').
 - With front porch, eight feet (8') from Lorraine. Zoning requirement is thirty feet (30').

Mr. Smith asked Mr. Grasso what was the sole purpose of purchasing the lot. Mr. Grasso stated to rent the home, which it is rented currently. Realized lots of work needed to the home. Then decided to subdivide the lot.

Council President White stated that all that has been cited about the home is the age, deterioration, repairs and being in disarray. No mention of demolishing the existing home and building another home. How did you go from replacing a home that is existing to divided it into severely non-conforming lots and building two (2) homes? Mr. Grasso stated that the amount of money it would cost to demolish, repair and do a large addition with two hundred twenty-five feet (225') of curbing not feasible as an investment. The amount of masonry work, street repair, curb and sidewalk that needs to be done is way past what would be a worthwhile investment.

Mr. Smith stated the purchase was for an investment.

Mr. Slachetka asked Mr. Grasso if he offered to sale a portion of the existing lot to the owner of Lot 6.01 to make it a conforming lot. Mr. Grasso stated no. Mr. Slachetka continued... Are you able to obtain any adjoining property, when subdivide, it will be two (2) conforming lots? Mr. Grasso stated they are the only two (2) lots on that side. Did not offer to sell part of the lot to Mr. Glowacki. There is nowhere to purchase additional adjoining land.

Mr. Clarkin stated that the Glowacki lot is undersize. Therefore, Mr. Glowacki cannot sell any land without making himself more non-conforming. The home adjacent on Spicer is exactly 100X100. So, it could not sell any land to the applicant without making themselves non-conforming. Mr. Slachetka stated, again you did not make an offer or were unable to enter into an agreement to sell a portion of your property to make Lot 6.01 to make a conforming lot. Mr. Grasso stated no.

Mr. Grzenda asked Mr. Grasso if he had a home inspection done during the purchasing process. Mr. Grasso stated yes. Mr. Grzenda continued... Therefore, you were aware of what you were buying. Mr. Grasso stated, yes.

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
JULY 11, 2017**

Angelo J. Valetutto – 424 Amboy Avenue, Woodbridge, New Jersey – is accepted as a Professional Planner and a Professional Engineer is sworn in. Mr. Clarkin questioned Mr. Valetutto:

- Has visited the subject property.
- Is familiar with the Borough's Zoning Plan and Master Plan.
- Using Exhibit A-1 – Borough Tax Map – page 40:
 - Area predominately 100X100; ten thousand (10,000) square feet.
 - Fourteen (14) lots ranging in size from five thousand (5,000) to eight thousand seven-hundred (8,750) square feet.
 - Subject property is highlighted in yellow. Approximately, left of center on Exhibit A-1. Corner of Loraine and Spicer Avenues.
 - All undersize lots on Exhibit A-1 are outlined in green.
 - Adjoining property is seventy-five hundred (7,500) square feet. Next four properties are undersized with houses.
 - Subject property has one hundred feet (100') along Spicer Avenue and one hundred twenty-five feet (125') along Loraine for twelve thousand five hundred (12,500) square feet.
 - Oversized for R-10 zone which is 100X100.
 - There are no other residential properties with the same size as the subject property except at the end of Spicer near Wooden where the house is centered on the property.
 - All homes in the area are in great shape.
 - Most of the houses have attached garages.
 - Subject property has no garage.
- Justify lot width and lot size variance with flexible 2-C analysis which is a balancing act.
- The ultimate standard is that the benefits out way the detriments substantially for the Board to consider the variances seeking.
- Benefits of granting variance:
 - Eliminating front yard setback non-conformity. Required thirty feet (30') Existing twelve feet (12'). If include the porch then eight feet (8') setback.
 - There are no curbs or sidewalks along the frontage of the property. If application is approved, that would be one of the improvements proposed.
 - Replacing an extremely old structure that is deteriorated with two (2) new homes that will have attached garages which will allow it to blend into the area and be ecstasically pleasing.
 - Updating the Boroughs housing stock. Replacing a home close to one hundred (100) years of age with two (2) brand new houses that would meet the current standards of construction.
- No detriment by granting application. Even though undersized, the homes will meet all the setbacks for the zone: front, side, back, height, impervious coverage.
 - Lot coverage for proposed interior lot would be 17.7% less than the 25%.
 - Lot coverage for proposed corner lot would be 13.5%. This is less because it has two (2) frontages and want to meet the setbacks.
 - Corner lot will have sight triangle.
- Benefits substantially out way the detriments.
- Granting of the variance will promote the general welfare by updating the Borough's housing stock by two (2) new houses.
- Completing the improvements by adding curbing and sidewalks which will also improve the drainage.
- Will provide safe walking area for pedestrians by the sidewalk
- Providing adequate light, air and open space.
 - The houses that are being proposed meet all the setbacks for R-10 zone including the height.
 - Improving the visual of the environment by removing the old structure and adding two (2) new structures.
- Negative Criteria
 - No detriment to the public good. As previously discussed. Proposed lots may be undersized, but do not create any setback variances.
 - Providing sufficient parking.
- No detriment to the Zone Plan. Will not create a domino affect.
- Has reviewed Najarian Associates review letter dated March 30, 2017.
 - Will file subdivision by deed not plat.

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
JULY 11, 2017**

- G. Off-Site and Off-Track Improvement:
 - Will comply.
 - Installation of curb will help with drainage issue.
 - Will provide safe walk way and handicap ramp.
 - Sidewalk will connect to Spicer and Loraine. Will complete the loop.
- I. Grading / Drainage:
 - Will not grade lots towards neighbors.
 - If approve, will provide grading plan.
- L. Landscape / Lighting:
 - Will comply.
 - Will plant street trees.
 - Will not plant in sight triangle.
- M. Sanitary Sewer and Water:
 - Will comply.
 - Currently home produces three hundred (300) gallons a day. The proposed homes will produce twice as much – 2 homes.
- N. Miscellaneous:
 - Will comply.

Mr. Clarkin stated that through testimony, the T&M Associated review letter dated July 10, 2017 has been addressed. Mr. Grzenda asked Mr. Clarkin to go over a few items. Mr. Clarkin stated:

- Page 1 – Describes the project and lot areas being proposed.
- Page 2 – Zoning table indicating there is one (1) non-conforming setback for the existing structure. Confirms the variances that are being requested: Lot Area and Lot Width. Basis for relief is C-2 criteria. Request to provide testimony for the positive and negative criteria. Done so by Mr. Valetutto.
- Page 3 – No objection to the Environmental Impact Statement from the Environmental Commission.
 - Testimony of lots area and width given by Mr. Valetutto. Also for the RSIS parking standard.
 - Will revise plans to address street name.
 - Given testimony with the number of bedrooms.
 - Will obtain all other necessary governmental approvals.

Mr. Grzenda stated that the Fire Prevention Bureau has reviewed the plans and have no objections. Environmental Commission reviewed the plans and have no concerns. Middlesex County Health Services has a concern about rodent baiting. Mr. Clarkin stated they will comply. Mr. Grzenda continued... Traffic Safety has no comments.

Mr. Smith stated that by building two (2) homes, you will meet setbacks. If you level the home and build a new one, will it meet the setback. Mr. Valetutto stated they will. Mr. Smith continued... Therefore, one (1) home will meet the setbacks and no variance required. Mr. Valetutto stated there would be a substantially larger house in the neighborhood. Mr. Smith asked... What is the square footage of the existing house? Mr. Grasso stated approximately 1,800 square feet. Mr. Smith asked... What would be the square footage of each of the home? Mr. Grasso stated approximately 2,300 square feet. Mr. Smith continued... if you built a four thousand (4,000) square foot or smaller it would be a nice house and it will not require going against the 100X100 standard in the R-10. Curbs, setbacks, the appearance will fit into the model of South Plainfield. Mr. Valetutto stated there will be no need for any variances in the scenario that was just indicated.

Council President White asked what would be the size of the new homes. Mr. Grasso stated that the corner home would be approximately two thousand (2,000) square foot and the center home would be approximately two thousand three hundred to two thousand four hundred (2,300 – 2,400) square feet. Council President White continued... the two (2) homes would be larger than the existing home. Mr. Grasso stated yes.

Mr. Bythell asked to go over the landscaping again. Are trees being removed that are on the property currently? Mr. Valetutto stated he would have to look at the plans. However, Mr. Bucco indicated in his report that there may be one (1) or two (2) trees to be removed. Will comply with adding street trees and any replacement trees per ordinance.

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
JULY 11, 2017**

Mr. Bucco stated there are two (2) existing maple trees that would have to be removed. One (1) is eighteen inches (18") in diameter and the other thirty-six inches (36") in diameter. Mr. Bythell continued... Are you only replacing

those two (2) or adding additional trees? Mr. Bucco stated they will have to replace the existing trees according to Borough's policy.

Mr. Grzenda opens the meeting to the public.

Joseph Glowacki – 1021 Lorraine Avenue, South Plainfield, New Jersey – lives next door. There were several letters dropped in his mailbox which he gave to the Board Secretary, Joanne. Mr. Fisher stated without the people being present the letters cannot be considered. Mr. Glowacki continued... it is a R-10 zone. They already have a conforming lot 125X100. They can put one (1) house there. There is no need to subdivide and build two (2) houses. One (1) house will match the neighborhood. There are no hardships involved. Mr. Grzenda asked which lot is Mr. Glowacki. He is the corner lot on Kenneth and Loraine adjacent to the subject property.

Mr. Smith asked Mr. Glowacki if Mr. Grasso purchased the property from him. Mr. Glowacki stated no... it was purchased from his father.

Mr. Grzenda asked why is he receiving the letters of objections. Mr. Glowacki stated neighbors talk. Some are on vacation.

Mr. Fisher stated that the Board has not received the letters and are not going to be considered.

Mr. Glowacki stated that they do not plan to live in the homes. They do not live in the neighborhood. They do not live in town.

Mayor Anesh asked Mr. Glowacki if he is willing to buy a portion of the property. Mr. Glowacki stated at this time, he does not know if he can afford it. Mr. Grzenda asked Mr. Glowacki if anyone had approached him about purchasing the property. Mr. Glowacki stated no one has approached him.

Mr. Smith asked if you are approached and the numbers are affordable, would you consider purchasing some of the property so you would be 100X100 and the other lot 100X100. Mr. Glowacki stated he would consider but doubts it.

Mamunur Rashid – 432 Spicer Avenue, South Plainfield, New Jersey – is sworn in and addressed the Board. He believes this is not fair. The development has been built up with a similar structure. The property should look like the neighborhood. Mr. Grzenda asked how long he has lived there. Mr. Rashid stated nine (9) years. Lives with family – wife and three (3) kids. Choose to live here because of the neighbors, lot size, homes, streets and the quietness. The neighborhood will change.

Amit Shah – 437 Spicer Avenue, South Plainfield, New Jersey – is sworn in and addressed the Board. Lives with his parents who are in the audience. Lives in one (1) of the newer homes on the block. Went through similar questions when they were looking to subdivide their lot. At that time, had several discussions with the builder regarding applying for a variance to build larger. Was told that this Board was very adamant following the 100X100 rules. Never proceeded with the variance and trusted the builder / developer. Followed the rules... couldn't go with a bigger home or bigger driveway. Is hoping that Mr. Grasso is held to the same standard. He feels it would be awkward to have two (2) houses on the side of their house. Lived there two and a half (2.5) years. Mr. Smith asked when the house was built. Mr. Shah stated they received their CO May of 2015 but the house was under construction the year prior.

Djant Singh – 426 Spicer Avenue, South Plainfield, New Jersey – is sworn in and addressed the Board. Living there since 2007 – 10+ years. Seen the older house. The two (2) houses that were built on 100X100 lots were good. Opposing the subdivision. His house is 2,600 square feet.

No further comments or questions from the public.

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
JULY 11, 2017**

Mr. Clarkin stated will not be able to sell land to Mr. Glowacki. There is only twenty-six feet (26') between the edge of the existing house and the common property line. This is case about what the Board would like... uniformity of the lots or increase housing stock.

Mr. Clarkin stated the variances are lot width and lot area. Zone requirement is ten thousand (10,000) square feet where six thousand five hundred (6,500) square feet with sixty-five feet (65') width and six thousand (6,000) square feet with a sixty foot (60') width is being requested.

Mr. Fisher stated this is an application for a minor subdivision with four bulk variances – lot width and lot area per lot – and waivers – Environmental Impact Statement and Traffic Impact Statement.

Mr. Grzenda asked for a motion to approve. No motion given.

Mr. Grzenda asked any other motion. No motion given.

Mr. Grzenda asked for a motion to deny. Mr. Smith made motion to deny the subdivision, seconded by Mr. Houghton. Those in Favor: Mayor Anesh; Council President White; Ms. Bartfalvi; Mr. Bythell; Mr. Grzenda; Mr. Houghton; and Mr. Smith. Those Oppose: None.

Old Business: None

Committee Reports:

- A. **Street Naming Committee** – Bob Ackerman – absent.
- B. **Environmental Committee** – Rich Houghton & Bryan Bythell - report progress.
- C. **Council Reports** - Council President White -
 - MVC is still moving forward in the process of finding a location in South Plainfield. The Treasury is now involved and negotiations have begun.
 - Mr. Grzenda asked what is going in next to Kape Insurance. Per Joanne, there will be two (2) offices on the bottom – one (1) occupied by Mastrocola Partners. Four (4) apartments upstairs. One (1) apartment designated as an affordable housing unit.
- D. **Mayoral Updates** - Mayor Anesh – report progress.

Minor Site Plan: None

New Business: None

Correspondence: None

Audience Comments: None

Executive Session: None

Adjournment: 8:00 pm.

Respectfully Submitted,
Joanne Broderick
Planning Board Secretary