

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
February 26, 2019**

Roll Call:

Present:

Mayor Matthew Anesh
Councilman Derryck White
Stephanie Bartfalvi; Alt. 1
Brian Bythell; Alt. 2
Paul Grzenda
Rich Houghton
John Mocharski
Michael Pellegrino
Peter Smith
Jack Pedersen; Vice Chairman
Bob Ackerman; Chairman

Absent:

Also Present: Larry Lavender, Esq.; Stanley Slachetka, PP, AICP; Bob Bucco, PE, CME, CPWM; John J. Jahr

Chairman Ackerman opened the meeting at 7:00 pm stating that this meeting is being held in accordance with the Open Public Meetings Act, by posting a notice to The Observer, The Courier News and The Star Ledger 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: July 24, 2018, August 14, 2018, September 25, 2018, October 23, 2018 and January 8, 2019 (2).

Chairman Ackerman calls for a motion to *approve* the above listed Minutes. Mr. Mocharski made motion, seconded by Councilman White. Those in favor: Mayor Anesh; Councilman White; Miss Bartfalvi; Mr. Bythell; Mr. Grzenda; Mr. Houghton; Mr. Mocharski; Mr. Pellegrino; Mr. Smith; Vice Chairman Pedersen and Chairman Ackerman.
Opposed: None

Resolutions: None

Current Files: None

Informal Hearings: None

Public Hearings: (1)

A. Case #784 - M&M Realty Partners at South Plainfield, LLC
Block 550; Lot 3; AH-4 Zone
1111 Durham Road

The applicant is requesting a *Preliminary and Final Site Plan* approval for a 410 unit – 31 buildings – condominium, townhouse and apartment complex. Carried from November 27, 2018, December 11, 2018 and January 8, 2019.

Kevin Boris, Esq - Weingarten Law Firm, 1260 Stelton Road, Piscataway, New Jersey - attorney for the Applicant addressed the Board. Called upon Mr. Taikina to address a few items and requests.

Chairman Ackerman advised Mr. Taikina that he is still under oath from the previous meeting.

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
February 26, 2019**

John Taikina - 1260 Stelton Road, Piscataway, New Jersey – distributed Exhibit A-5 to the Board Members and Board Professionals. Exhibit A-5 is an updated version of the previously submitted plans consisting of eleven (11) sheets. These revisions are from the requests of the Board Members, Fire Department, T&M Associates and Najarian Associates:

- E-1 - cover page – revision date of February 26, 2019.
- E-2 - overall demolition plan – revision date of February 26, 2019.
- E-3 - overall geometric exhibit – revision date of February 26, 2019.
- E-4 - overall utility exhibit – revision date of February 26, 2019.
- E-5 - overall grading exhibit – revision date of February 26, 2019.
- E-6 - overall drainage exhibit – revision date of February 26, 2019.
- E-7 - overall landscape plan – revision date of February 26, 2019.
- E-8 - landscape entrances and clubhouse enlargements – revision date of February 26, 2019.
- E-9 - landscape common area enlargements – revision date of February 26, 2019.
- E-10 – building typical landscape plans – revision date of February 26, 2019
- E-11 – overall lighting exhibit – revision date of February 26, 2019.

Mr. Taikina continued... the revisions consist of grading, items underground, depressed curbs etc. More of a formality.

Mr. Boris noted his letter dated December 18, 2018 that was sent to the Board regarding the testimony of the Board of Education and the Demographer Study. The comments in his letter is the only comments he has pertaining to the Board of Education and Demographer.

Chairman Ackerman asked Mr. Slachetka if he had any comments regarding the revised plans. Mr. Slachetka stated he received the plans week. There is an extensive list of revisions. Wants to be able to go through the plans thoroughly. Noted elevations were not submitted. Does not have a review for today. Is aware that the Applicant will be returning to address comments.

Chairman Ackerman asked Mr. Bucco if he had any comments regarding the revised plans. Mr. Bucco stated he did receive the revised plans and reviewed them. Did have a review letter submitted this afternoon with comments regarding the revisions that were made to the plans.

Chairman Ackerman stated has not been able to review the revised plans or updated review letter... nor other Board Members. Will need additional time to review.

Mr. Taikina stated can forward Mr. Slachetka architecturals. Have presented an architectural update for the stack homes. However, upon his review realized those plans were not actually submitted formally. Will do so. Also, will submit architectural embellishments for the townhouses along the entry road. Some 'clean up' remains. Mr. Taikina and Mr. Slachetka agreed that if Mr. Slachetka is in need of something, he will inform Mr. Taikina. Mr. Taikina apologized to Mr. Slachetka for not directly submitting the revised plans and documentation to him like they did for Mr. Bucco. Mr. Slachetka accepted.

Mr. Bucco asked what the status is for the Freehold Soil Certification for the site. Mr. Taikina stated had submitted previously. Has received a violation for work that is currently being done. Has submitted a subsequent submission addressing their concerns. If revisions to their plans are needed, will do so. Have not received Certification from Freehold Soil. Once weather 'breaks', will stabilize the site. Mr. Bucco confirmed with Mr. Taikina that there is a 'Stop Work Order' issued by Freehold Soil. Mr. Bucco's suggestion is to seed it and stabilize the site prior to receiving a Certification and to notify Freehold Soil that they are on site.

Mr. Bucco stated that the ION Study was sent to Mr. Taikina for review. Getting into the season to start. Mr. Taikina stated that at the start it was to be \$20,000. Would like to stick to it. The study is \$46,000. Would like to pay half. The other developer that is bringing in eight hundred (800) affordable units pay the other half. Believes that is fair and will proceed on that bases. Chairman Ackerman stated that he does not agree. Does not know of another Affordable Housing development that is coming to the area where this development is or to another part of town. Had a conversation with PARSA. The survey has to be done. Does not believe the Borough should have to

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
February 26, 2019**

pay for the survey. Would like the Applicant to bear the cost of the survey. Mr. Taikina stated as long as this is it, will be willing to pay for the study and that would be their contribution for whatever that needs to be done by the Borough in the future. Whatever findings are. The \$46,000 is their only contribution and the Borough will 'execute TWA's' etc. when presented to the Borough. Then they can agree to the \$46,000. Chairman Ackerman asked Mr. Taikina to repeat the number. Mr. Taikina replied \$46,000. Chairman Ackerman stated that he cannot agree to anything. That is a discussion with the Mayor and Council. Mr. Taikina stated that the ION issue is a Borough wide issue. Not an issue by the Applicant. Understands part of the solution on the Affordable Housing obligation. Concern is the \$46,000 now... the fix will be another amount and be responsible for that too.

Councilman White stated not going back and forth with responsibility - which we disagree. Does not know what the other cost will be. That is not all the applicant will be responsible for. Does not make sense to agree that the that is all the Applicant is going to pay. Mr. Taikina stated he understands. Also understands it is a system wide issue. Councilman White stated not agreeing that it is the Borough's responsibility... not agreeing it is the Applicant's responsibility. Addressing the cost going forward. Mr. Taikina believes offer is fair... half. There is another development zoned for the Borough's housing plan. Thought that was reasonable. Would like to limit their liability. Not have an 'endless blank check. Councilman White stated that is not the suggestion. There is some copiability that is not being agreed to or admitted to... not an 'endless bucket of money'. Mr. Taikina stated he understood.

Chairman Ackerman stated does not know what the survey will show. Will take some time to do. Cannot be done until the rainy season starts. Was advised once the study starts, it is a forty-five (45) day period process before any results. PARSA acknowledges this is a site with no activity for over ten (10) years... that is what they are basing their comments on.

Mr. Boris stated that Mr. Slachetka requested architectural plans which will be submitted. Mr. Bucco had submitted his report. If it is the Board's request, would like to set up a return date. Will consent to return. Chairman Ackerman stated with the sewer survey and the issue with Freehold Soil, does not want to schedule any further hearings until these issues are 'cleaned up'. Mr. Taikina stated 'unacceptable'. Mr. Boris stated that they have finished their direct testimony two (2) hearings ago. Understands that the Board needs to fully vet the application. The Applicant has been reasonable with granting extensions... through tomorrow from the last extension. Would like to get onto the schedule... has finished direct testimony two (2) months ago. Wants to keep this moving. Chairman Ackerman stated there are other professionals that are due to testify... Fire Chief, Traffic Engineer, Police Department. They are not ready. Too big of a project not to 'cross all the T's and dot all the I's'. Mr. Boris stated he understands. Thanked the Board... but believes have gone above and beyond. Would like to schedule a hearing date to answer any questions Mr. Slachetka or Mr. Bucco may have. Hopes getting close to 'wrapping this up'. This is the fourth hearing. Was done after second hearing. Chairman Ackerman stated will schedule another hearing date to discuss the plans that are currently before the Board. Until all the issues are cleared up... something from Freehold Soil stating the Applicant has a release. Also, would like to know the results of the sewer survey. It may not affect this application, but may affect other projects. Not just looking at tomorrow... the Board has to look at the future. Mr. Taikina stated there is a difference between the Borough doing its Capital Planning... which is separate from this application. This application is funded, put in the Master Plan, it was zoned for it, it is in the Housing Plan and are present for a site plan approval. Agreed there are items that can be done as resolution compliance or planning compliance to move project forward. It cannot be done for a site plan approval for a conforming application. Understands other Professionals are to be heard. Have presented their objection to the Board of Education.

Chairman Ackerman explained to Mr. Taikina that there was an incident where Texas Eastern came to the Borough and complained that they could not get to their shut off valves on their major pipeline because of what happened on the site. That needs to be cleared up. Mr. Taikina stated it is and was cleared up. Disagreed that the flooding on Texas Eastern started from their site. Will move forward and will fix it. It is an existing condition on the site. Being addressed with Freehold Soil. Nothing to do with the existing application. Chairman Ackerman disagreed. Dirt is being moved around. Brought up the question before and were told there were permits. To find out there were no permits. A major gas line cannot get to their shut off valves. Mr. Taikina repeated that this is an existing site issue that does need to be addressed but not as a site plan approval. Chairman Ackerman stated it does and needs to be cleaned up before can go forward. It does affect the site plan... Dirt was moved and flooded the gas line. Texas Eastern came in stating they couldn't even get a response from their complaints. That affects the site plan... it is on that property.

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
February 26, 2019**

Mr. Boris stated understands and would like to move forward. Would like to schedule another hearing and will consent through that hearing. Will go forward from there. Have heard the issues. Mr. Mocharski suggested to wait upon the other Professionals for their availability... timetable.

Chairman Ackerman stated will schedule a meeting for April 23, 2019 to review the plans that were submitted. Mr. Taikina asked why not March. Chairman Ackerman stated there are other hearings scheduled and there will be a number of Board Members missing in March. Prefers to have all Board Members present, therefore April. Mr. Taikina stated he understood. Mr. Boris stated will consent to the Board for a decision to April 24, 2019. Requested no further notice. Chairman Ackerman stated no further notice and will post in the Borough and by announcing it.... April 23, 2019.

Mr. James Damato – 144 Myersville Road, Chatham New Jersey - attorney for South Plainfield Board of Education is sworn in.

Ross Haber – 24 Garden Terrace, East Brunswick, New Jersey – Demographer, is sworn in.

Mr. Damato confirmed with the Board that all members have a copy of Mr. Haber's report before them.

Mr. Damato questioned Mr. Haber:

- Demographer Consultant primarily for school districts.
 - Enrollment Projection studies.
 - Facility Utilization studies.
 - Attendance Zone and Redistricting studies.
 - Transportation Analysis.
- Degrees:
 - Bachelor's in Political Science.
 - Master Degree in Curriculum Teaching – Columbia University.
 - Doctorial in Education Administration – Columbia University.
- Demographer for twenty-four (24) years.
 - Prior: teacher, college professor, high school principal.
- Membership:
 - National Association of Secondary School Principals
 - National School Demographers
- Has presented data to other Planning Boards... never has been a sworn expert.
 - Informal meetings.

Chairman Ackerman stated that Mr. Haber's credentials are accepted.

Mr. Damato questioned Mr. Haber regarding his Demographic Study that is before the Board Members:

- Several issues that pertain to a school Demographic Study.
 - Required by the State – Cohort Survival Projection
 - Follow groups of students through the years – six (6) years.
 - Apply this to current year enrollment – becomes projected growth.
 - 2013-2014 – South Plainfield had approximately 3,476 students
 - 2018-2019 – South Plainfield opened up with approximately 3,359 students.
 - General decline over six (6) years.
 - One (1) spike year – 2015-2016.
 - Factors:
 - Potential new housing.
 - Average housing yield.
 - Average of turnover of single family homes.
 - Housing Yield.
 - Develop assumptions and opinions.
 - Impact on various schools:
 - Was hired September 2018 – Presented to Board of Education October 2018.

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
February 26, 2019**

- Any changes after that time are not in study.
- Studied Celebrations and former Motorola property.
 - Major impact to Roosevelt School district.
 - When study conducted – Celebrations has only nine (9) buildings completed out of nineteen (19).
 - Projected sixty-four (64) students.
 - Forty-five (45) student – K-4 – Roosevelt
 - Motorola property:
 - Projected – one hundred fifty-six (156) students.
 - One hundred nine (109) students – K-4 – Roosevelt.
 - Middle School and High School are one (1) individual school.

Mr. Damato clarified that these developments are on a particular side of town that Roosevelt will be the neighborhood school. Does not require school busing. If re-districting needed, may impact buses and other schools.

Mr. Haber continued:

- Did not go into Roosevelt nor calculated space.
- Purpose of study – future planning.
 - Possible expansion of schools.
 - Re-districting.
 - Transportation.
- General Community Demographics – Table 3 and Table 4:
 - Impact of future enrollment.
 - Information from American Community Survey – US Department of the Census.
 - Years 2010 – 2017.
 - Small population growth in the community – five percent (5%).
 - Increase in housing – less than one percent (1%).
 - Increase of median age grew.
 - Lowers amount of school age children.
 - Increase in mean of income.
 - Years 2013 – 2018.
 - Data from NJ Board of Community Affairs.
 - CO's reported monthly.

Mr. Damato stated that Mr. Haber was not instructed to review other construction... single family homes, multi-family etc. Only Celebrations and the proposed project.

Mr. Damato asked Mr. Haber to outline the Conclusion of the study regarding Grant, Middle School, High School and Roosevelt. Per Mr. Haber:

- Grant:
 - 2013-2014 – Five hundred one (501) students.
 - Projected for 2023-2024 – Five hundred (500) students.
 - Largest population – 2014-2015 – Five hundred fifty-three (553) students.
 - 2018-2019 – Five hundred thirteen (513) students.
 - No new construction, will decline.
 - Given construction, will increase.
- Cohort Projection:
 - Under three hundred (300) students.
 - Without construction – projection of three thousand two hundred eight-five (3,285) students.
 - With construction – projection of three thousand five hundred eight (3,508) students.
 - Mr. Smith stated a two hundred twenty-three (223) students.

Mr. Damato asked Mr. Haber how does the district handle the projected one hundred fifty (150) students to Roosevelt School within the next five (5) years. Mr. Haber read his conclusion to the Board:

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
February 26, 2019**

“The enrollment in the South Plainfield Public Schools will see an increase based upon the completion of the Celebrations Development and the construction of residential units on the former Motorola Properties. The three stand-alone schools (Grant, the middle school and the high school) will be impacted by this enrollment. It appears that Grant will see the greatest impact from these developments with an increase in enrollment from the current 514 to 542 in 2023-24. The enrollment at the middle school will continue to decline for the next five years but even when it begins to increase as students from Grant enter it will not increase to a level higher than it was in 2013-14. The high school will also not get back to the numbers it had in 2012-14.

The most significant impact will be on Roosevelt Elementary which could increase in enrollment by as many as 154 students. This may mean re-distribution of student to other elementary schools depending upon facility needs (classroom availability and program locations). For long range planning the Board should consider a facility analysis and a possible rezoning or realignment of the K-4 schools.”

Mayor Anesh asked Mr. Damato when the previous study was done and what was the outcome. Mr. Damato stated that it was five (5) to eight (8) years ago. Mayor Anesh asked if this is normal for the Board of Education. Mr. Damato replied that it is five (5) to eight (8) to ten (10) years so the Board can plan accordingly. Mayor Anesh asked if it is safe to say that the recommendation would be no change in schools since there were no changes over those years. Mr. Damato stated that the schools were in a downward trend. Mayor Anesh continued... safe to say these numbers are from previous studies. Mr. Damato stated it could have been... cannot say as a fact. Mayor Anesh asked it is safe to say that the State should address how they advise the Council of Affordable Housing. They tell the towns how Affordable Housing should be built but no tools or access for Board of Education to request from the Developers how much to contribute for the changes the school districts may have to do. Mr. Damato stated that the State Funding for the South Plainfield Public Schools have been flat for the last seven (7) to ten (10) years. The Schools Districts do not have the money to do what needs to be done. Mayor Anesh stated that his point is that the Courts have stepped in since the Council of Affordable Housing has failed to meet under Christie's term of government and no action under Murphy, the Courts have demanded and made these agreements. This was a commercial property. Believes a viable commercial property. Borough thoughts were to continue as so. The State came in and allowed a Developer to bring 400 plus units to the site. No mechanism for the schools to ask the Developer to make a contribution. Mr. Damato stated that is his understanding. It is entirely up to the Developer to make a contribution if the Developer wishes to do so. The State has mandated hundreds of things onto the School Districts - have never offer to pay or increase State Funding. Towns have to grasp it.

Mr. Grzenda asked Mr. Haber if the study indicates the current status of Roosevelt School.... If it is at capacity. Mr. Damato stated it is at capacity.... Approximately one hundred fifty (150) students. More than the other elementary schools. Some of the other elementary schools have room where students can be redistricted from Roosevelt. In order to do so, school buses would have to be provided. These students will be beyond the mileage limit for the district of their neighborhood. That is an option. Another option is to re-activate the 'old Roosevelt School' which is currently an administration building. It would need to be renovated. Would need eight (8) to nine (9) classrooms. Most of the classrooms are there, gymnasium, cafeteria, auditorium. Kitchen is there but not fully functional. Plenty bathroom facilities. It is a possibility. These are two (2) of the most viable options for the district.

Mayor Anesh stated that the schools would get some revenue from this development. Mr. Damato stated that is true. Does not know the amount. Depends on ratables. When the time comes when this development will be on the tax roll there will be a better understanding.

Mr. Smith asked Mr. Haber on Table 9 if the numbers from 2019 – 2024 include the projected one hundred fifty-four (154) additional students. Mr. Haber stated no and that is indicated in the footnote. That is one hundred fifty-four (154) students in addition to what is listed. Mr. Smith asked if that is one hundred fifty-four (154) additional students per year. Mr. Haber stated one hundred fifty-four (154) additional students over five (5) years.

Mr. Slachetka questioned Mr. Haber:

- How were the numbers calculated? *Did a historical enrollment and a Cohort Projection for each school. Some adjustments were made between the Cohort Projection to equalize with the district enrollment.*
- Table 1 – would like a clarification of '9 of 19 units. *Should be buildings not units.*

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
February 26, 2019**

- Where did the multipliers (.35 and .75) with bedroom counts derive from? *Numbers from other districts that are similar... 'based on comps'*
 - Use own multipliers? *Yes... does not use Rutgers Studies due to its age. Written in 2006 based on data gathered in 2003. Out of experience, over the six (6) to seven (7) years under projects.*
- New demographic numbers have just been released. Was not able to use since this study was previous to the release. *Has reviewed them. Not significantly different from the old study.*
 - Mayor Anesh asked how different are the multipliers. Per Mr. Slachetka, a little higher than Rutgers. More detail on different grades. Mr. Slachetka confirmed with Mr. Haber that he concentrated on the lower grade levels. Mr. Haber stated K-12. Has to take average of all homes in the district, not just developments. Rutgers studies are not done with school demographics.
 - Mayor Anesh asked if Mr. Haber studied Traditions and the Highlands and what is the enrollment. Mr. Haber does not remember the actual numbers but his numbers are a little higher.
- Did some of the developments receive their CO's during the decline in enrollments. *The projection takes in consideration many different reasons why the change in enrollment... single family homes sold, children through the course of the year. The count is based upon the official school enrollment date of October 15... between October 15 and October 15 of the next year.*
- Distribution through the various grades. *Elementary is 70% - Middle School is 20% - High School 10%. Historically, families move more often when children are younger – K-4 – then in High School. Not an exact science but works for the projections. Did projection for kindergarten on live births. Does not always work but works for this school district.*
- Table 4 – listing Certificate of Occupancy. A large increase in 2018 but compared to the enrollment, not a significant increase. Where are the multifamily coming from? Why not a larger increase? *Cannot answer those questions. Got the numbers from Department of Community Affairs. This is strictly informationally. Does not know where geographically. Age restricted communities can impact the numbers. Got these numbers from the State. Planning Board may know where these CO's were issued. CO means a house or part of a house like an addition can be occupied. Mr. Slachetka stated his assumption would be Celebrations but was not reflected on the enrollment counts.*
- If development gets approved, any absorption rate. *Table 6 on page 7. Made assumption that some of these units were occupied... loaded 2023-24. Could have put it earlier but put it in the later years. Broke up the numbers within five (5) years.*
 - There are four hundred ten (410) units are projected in Crossroads at Durham. Are all units projected to be occupied? *Yes.*
 - Is the anticipation that 2022 -2024 the units will be occupied? *Yes. If it happens later, the distribution will be spread out.*

Mr. Mocharski stated that some of the CO's can be additions to a house... not moving in or out. Mr. Haber stated that is correct. Reported to the State as new construction. Only in for informational purposes.

Chairman Ackerman asked from the previous developments is there a number from those developments. Mr. Damato stated if they attend our schools. Otherwise, would be asking families for information that they do not have to give.

Chairman Ackerman reiterated that the open public discussion is for any questions or concerns for Mr. Damato or Mr. Haber. No public questions or concerns.

Mr. Boris reiterated his objection to the testimony and referred to his letter dated December 18, 2018.

Chairman Ackerman announced the next meeting will be April 23, 2019 at 7:00 PM in the Court Room.

Old Business: None

Committee Reports:

- A. **Street Naming Committee** – Bob Ackerman – report progress.
- B. **Environmental Committee** – Rich Houghton & Bryan Bythell – report progress.

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
February 26, 2019**

- C. **Council Reports** – Councilman White – report progress.
- D. **Mayoral Updates** - Mayor Anesh – report progress.

Minor Site Plan: None

New Business: None

Correspondence:

- PSE&G – letter dated January 10, 2019 – informing an application to New Jersey for Flood Hazard Area Individual Permit to permit Selective Herbicide application within Riparian Zones has been submitted.
- Eastern Stated Environmental Associates Inc. – letter dated January 16, 2019 – 3145 Park Avenue – informing an application for permit or approval to NJDEP under Freshwater Wetlands Protection Act.
 - Mr. Mocharski asked if this pertains to Longwood Drive. Chairman Ackerman stated it refers to 3145 Park Avenue.
- Middlesex County Mosquito Extermination Commission – letter dated January 25, 2019 – review of proposed stormwater management systems for mosquito issues.
 - Mr. Bucco explained this is an additional outside agency approval that will be needed on site plans. A letter of no interest or comments similar to Freehold Soil, Middlesex County Planning Board etc. Mr. Bucco states does not tell you how or when it takes effect... just that the developers must apply. Mr. Slachetka asked if it references a statute. Mr. Bucco stated no... Mr. Mocharski asked if this is required for M&M Realty Partners. Per Mr. Bucco and Chairman Ackerman, that assumption is now... this applicant.

Chairman Ackerman asked if there is any new develops regarding traffic. Per Mr. Jahr... On Durham, has reviewed the striping plan with the Fire Marshall and he is very pleased. It creates a center lane that the emergency vehicles can use. Also, has been able to obtain pricing and information for the Fire Marshall regarding Opticom. Would like to speak with the Mayor regarding grants. Has not been able to discuss the items with the Chief of Police. Hoping to meet with Chief of Police prior to the next meeting regarding the proposed stripping.

Audience Comments:

An audience member asked if M&M Realty dumped dirt on the Texas Eastern Pipeline shut off valve. Mr. Lavender stated that there was the opportunity to ask questions regarding that during the hearing. However, this is only regarding non-agenda items. The audience member continued with his concern regarding the pipeline. Chairman Ackerman stated cannot make a comment since not discussing M&M Realty at this time. The audience member thanked Mayor Anesh for clarifying how the Borough got to this point with M&M Realty.

Steve Saintangelo – 3157 Clark Lane, South Plainfield, New Jersey – addressed the Board. Behind home is a swale approximately 20 yards by 80 and behind several homes. Believes town property. Far side of the swale, a new home is being developed. Putting drainage of 6" pipes. Last year have had ice dams at the end of driveways. If it is town land, what is he process to have drainage installed. One of the residents from Eastern Stated Environmental Associates. However, a tremendous amount of water from the swale. Mr. Bucco suggested to contact Borough Engineer to determine if it is on Borough property. If it is, he can take it from there. Mr. Saintangelo asked who the Borough Engineer is. Mr. Saintangelo was advised Len Miller.

Regarding letter from Eastern Stated Environmental - St Stevens Church believes had a 99-year addendum that cannot build on. Asked if this letter has anything to do with the church. Per Chairman and Board Secretary, nothing has been submitted. Mr. Saintangelo explained when traveling up Clark Lane, there is the church, parking lot of the church, empty land and then his home. Mr. Bucco stated that they submitted to the Department of Environmental Protection for a wetlands permit. This is a legal notice stated that they have applied for it. This is

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
February 26, 2019**

done prior to doing anything before this Board. Either they will have a permit or documentation stating they have applied for a permit.

Executive Session: None

Adjournment: 8:45 pm.

Respectfully Submitted,
Joanne Broderick
Planning Board Secretary