

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
October 24, 2017**

Roll Call:

Present:

Mayor Matthew Anesh
Stephanie Bartfalvi; Alt. 1
Brian Bythell; Alt. 2
Paul Grzenda
Rich Houghton
John Mocharski
Michael Pellegrino
Jack Pedersen; Vice Chairman

Absent:

Council President Derryck White
Peter Smith
Bob Ackerman; Chairman

Also Present: Alex Fisher, Esq.; Bob Bucco, PE, CME, CPWM; Martin Truscott, PP, AICP, LEED-GA

Vice Chairman Pedersen 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: (1) October 10, 2017 Meeting

Vice Chairman Pedersen calls for a motion to *approve* the above listed Minutes. John Mocharski made motion, seconded by Mr. Bythell. Those in favor: Mr. Bythell; Mr. Grzenda; Mr. Houghton; Mr. Mocharski and Vice Chairman Pedersen. Opposed: None

Resolutions:

A. Case #775 - JSM at Tingley (Celebrations)
Block 517; Lot 1; SC-2 Zone
200 South Avenue

Mr. Fisher stated this resolution is the correct resolution. Previous meeting it was voted not to accept the resolutions until the corrections were made.

Vice Chairman Pedersen calls for a motion to *approve* the above listed Resolution. John Mocharski made motion, seconded by Mr. Bythell. Those in favor: Miss Bartfalvi; Mr. Bythell; Mr. Grzenda; Mr. Houghton; Mr. Mocharski; Mr. Pellegrino and Vice Chairman Pedersen. Opposed: None

(Mayor Anesh is in attendance.)

B. Case #07-06 - Estate of Harry Popik
Block 347; Lot 8.01, 5, 6; R-10 Zone
415 & 425 Harvard Avenue

Vice Chairman Pedersen calls for a motion to *approve* the above listed Resolution. John Mocharski made motion, seconded by Mayor Anesh. Those in favor: Mayor Anesh; Mr. Bythell; Mr. Grzenda; Mr. Houghton; Mr. Mocharski; and Vice Chairman Pedersen. Opposed: None

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Current Files: None

Informal Hearings: None

Public Hearings: (1)

A. Case #17-04 - Filomeno & Ivana Palma

Block 364; Lot 8.01, 5, 6; R-10 Zone
805 Lorraine Avenue

The applicant is requesting a subdivision approval.

Robert R. Levinson, Esq. – Levinson Law, LLC, 2035 Lincoln Highway, Edison, New Jersey 08817 – Attorney for the applicant addressed the Board. Mr. Levinson introduced Edward S. Dec, Engineer for the applicant. The applicant is requesting a subdivision. Mr. Levinson thanked Joanne Broderick, Board Secretary for her assistance. He had a situation where his office was closed down by the Edison Fire Department. Mr. Levinson asked to have Mr. Dec sworn in.

Edward S. Dec – Guarriello & Dec Associates, LLC, 131 North Michigan Avenue, Kenilworth, NJ 07033 – is sworn in and accepted as a Professional Engineer. The Proposed Subdivision Plan Sheet 1 of 1 dated October 15, 2016 is before the Board Members. Mr. Fisher asked if the Plan Mr. Dec has mounted on the board is the same as the one before the Board Members. Mr. Dec stated yes... nothing has changed. Mr. Dec continued.... Proposing to take three (3) lots - lots 8.01, 5 and 6 - all in block 364... subdivide into three (3) equally sized lots within the same boundary... proposed lot 8.0101, 6.01 and 5.01. There is an existing structure on lot 8.01. By creating these lots there will be three (3) conforming lots. There are no variances. The existing structure is still within the envelope. There is no variances created by the new lot configuration. Lot 5.01 is an empty lot. Lot 6.01 partially has some accessory uses associated with lot 8.01. When the lots are subdivided those accessory uses will be eliminated. Again, there will be three (3) conforming lots that do not need any variances.

Mr. Mocharski asked what are the accessory items. Mr. Dec stated a pool and shed.

Mr. Bythell asked what kind of structure would be placed on these lots. Mr. Dec stated two story, single family structure.

Mr. Mocharski asked if there are any renderings. Mr. Dec stated no... the applicant hasn't taken it any further.

Mr. Bythell asked if the existing structure to be knocked down. Mr. Dec stated no not on 8.01... that is staying.

Mr. Dec stated there are some off-site items on Mr. Bucco's review letter which the applicant will address at the time of the plot plan.

Mr. Bucco stated the Engineers report indicates what the applicant will have to do if this subdivision is approved. It outlines everything Mr. Bucco will be looking for on the plot plans.

Mr. Fisher addressed the variance of a side yard setback of the structure being listed as 7.95'. Mr. Dec stated it is 8'. The front yard setback is listed at 29.78'. Mr. Dec stated it is 30'. Mr. Fisher continued... will the accessory shed will be moved. Mr. Dec stated once the lot is under different ownership. The lots will be created and all three (3) lots will have the same ownership. Once the lots are sold, those accessory structures would be removed.

Mr. Mocharski confirms with Mr. Fisher that the accessory structures can remain as long as the ownership remains. Mr. Fisher stated it is up to the Board, however, it is not uncommon.

Vice Chairman Pedersen confirms with Mr. Bucco that the Engineer's report that has been referenced is the report of June 23, 2017. Mr. Bucco stated yes.

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Mr. Truscott asked if the applicant will comply with items in the Planner's report. Mr. Dec stated yes.

Mr. Bucco asked if the accessory structures will remain as long as the applicant owns the property. Mr. Dec stated once the property is sold, those accessory structures will be removed. Mr. Bucco stated the accessory structure will require a setback once the lot lines are moved.

Mr. Fisher stated that when the subdivision is perfected the shed will be in the five feet (5') setback. Mr. Bucco stated exactly. Therefore, a variance is needed. Mr. Bucco stated that according to the survey, there is a need for a side yard setback and front. Mr. Dec stated we did our own survey and the house is beyond the setbacks. Mr. Dec continued... it depends on where the surveyor takes the projection. We always take it from the foundation. Some surveyors take it from the siding which projects beyond the foundation.

Mr. Fisher asked if the above ground pool is within the setback. Mr. Bucco stated the pool is ok.

Vice Chairman Pedersen confirms with Mr. Dec that the applicant will comply with the Engineers and Planners reports. Vice Chairman Pedersen stated that the Health Department and Bureau of Fire Prevention have no objections... Traffic Safety have no comment or concerns... Environmental Commission have no concerns.

Mr. Fisher stated there are four (4) waivers being sought: Traffic Impact Study, Recycling Plan, Storm Water Management Plan and Environmental Impact Study. Both the Engineer and Planner have no objection to the Traffic Impact, Recycling Plan and Environmental Impact. However, a Storm Water Management would have to be addressed during the plot plan review. Therefore, four (4) waivers for this application.

Mr. Bythell asked about landscaping and assumes that there will be some trees removed. Mr. Dec stated that there are some trees on Delmore that would be cleaned up but does not know to what extent. Mr. Bythell continued... is there anything planned? Mr. Dec stated that has not been looked at. Mr. Bucco stated that would be addressed during the plot plan review... individual grading plans. When the lots are developed, the grading will be reviewed so that there are no adverse effects to the adjacent property owners. There are tree requirements for the individual lots. The letter is designed this way in order to put on record what will be required when the applicant comes in with the individual lots.

Vice Chairman Pedersen opens the discussion to the public. No comments or concerns from the public.

Mr. Fisher reiterates... the Board will vote on an approval for a subdivision with submission waivers and a variance for the side yard setback of the accessory structures. At which time the properties are sold or developed the shed would have to be moved or removed.

Vice Chairman Pedersen calls for a motion to *approve* the subdivision. Miss Bartfalvi made motion, seconded by Mr. Mocharski. Those in favor: Mayor Anesh; Miss Bartfalvi; Mr. Bythell; Mr. Grzenda; Mr. Houghton; Mr. Mocharski; Mr. Pellegrino; and Vice Chairman Pedersen. Opposed: 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 – report progress by Mayor Anesh.
- D. **Mayoral Updates** - Mayor Anesh – report progress.

Minor Site Plan: None

New Business: None

Correspondence: None

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Audience Comments: None

Executive Session: None

Adjournment: 7:25 pm.

Respectfully Submitted,
Joanne Broderick
Planning Board Secretary