

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
January 8, 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

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 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: June 26, 2018; July 10, 2018; December 11, 2018.

Chairman Ackerman calls for a motion to *approve* the above listed Minutes. Councilman White made motion, seconded by Vice Chairman Pedersen. 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 and December 11, 2018.

Chairman Ackerman stated that it was previously announced that the South Plainfield school system will be presenting a report. The witness had a conflict. Therefore, they are rescheduled for February 26, 2019.

Kevin Boris, Esq - Weingarten Law Firm, 1260 Stelton Road, Piscataway, New Jersey - attorney for the Applicant addressed the Board. Submitted new plans with some of the changes requested – one (1) sheet. Mr. Taikina will speak on the changes. Mr. Boris calls upon Mr. Taikina.

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John Taikina - 1260 Stelton Road, Piscataway, New Jersey – distributed (Exhibit A3 and A4) to the Board members and Board Professionals.

- Exhibit A3 – Overall Proposed Site Plan – sheet 5 of 60 with a revision date of December 27, 2018.
- Exhibit A4 – Colored elevations rendering.

Mr. Taikina is still sworn in and addressed the Board. Mr. Taikina referred to Exhibit A3, that is before Board Members and displayed on the smart board:

- Revised site plan.
- Horizontal design.
- Gate shown on plans.
- Revised entrance with gate house and turn around area.
 - Decorative gate house – unmanned.
 - Mechanical system.
 - Out of one hundred foot (100') buffer.
 - Key fab or remote mounted.
 - Has call box.
 - Will provide 'code' for UPS / Amazon etc. deliveries.
- Modifications to landscape.

Chairman Ackerman asked how many vehicles can be lined up and wait for the gate. Mr. Taikina stated that the gate is one hundred twenty-five feet (125') from the road.... Five (5) to six (6) cars. Residents can stream in. Pull-off can accommodate two (2) to three (3) vehicles.

Mr. Taikina continued with Exhibit A3:

- Gate at northern entrance.
 - Will be beyond the buffer.
 - Signed as 'Resident Access'.
 - Will work with Board Professionals – possible a 'bump' if someone makes a mistake and needs to turn around.
- Main north-south drive by stacked townhouses had perpendicular parking removed to provide full twenty-eight foot (28') street width.
- Parallel parking one (1) side.
- Added parallel parking to other side.
- Additional crossing.
 - Possible crossing in the center.
- Future connection to Edison.
 - Will develop site plans to submit to Edison.
- Requested street names.

Mr. Mocharski asked if the residents will have access to the second gate. Per Mr. Taikina, yes.

Mr. Smith confirmed with Mr. Taikina that the discussion was regard 'Road F'. Mr. Smith stated that at the last meeting, there was a discussion regarding a crosswalk between Buildings #31 and #32. Mr. Taikina stated correct and pointed to Buildings #30 and #31. Mr. Smith stated that he believed the discussion at the last meeting, the crosswalk will be between Buildings #31 and #32. Mr. Taikina stated that the crosswalk will be added onto the plans.

Chairman Ackerman advised Mr. Taikina that he will provide street names from the 'Street Names List'. Mr. Taikina stated 'great'. Chairman Ackerman explained the process.

Mr. Taikina referred to Exhibit A4, that is before Board Members and displayed on smart board:

- Color architectural drawings of stacked townhouse units.
- Front on 'Road F'.
- Concern by Board and Professionals that the appearance was 'monolithic'.
 - Mr. Taikina agreed.
 - Enhanced entrance.

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- Brick base with column.
- Roof.
- Will project from the façade.
- Gave garage a projection.
 - Above garage – building ‘steps’ back.
 - Footprint does not change.
- Several ‘steps’ back going up the building.

Mr. Boris stated that the architectural plans that are on the easel are the architectural plans from Exhibit A1 – stacked housing.

Mr. Taikina stated the base of the façade treatment was in one (1) elevation. The rendition shows the elevation in brick. Provide a roof projection... gutter... eave... brick up to partial second floor... third floor siding an hardy board.

Councilman White asked if the garage is increased in size. Mr. Taikina stated no... the elevation stays the same – ground floor staying the same. Second floor is ‘stepping back’.

Mr. Bucco confirmed with Mr. Taikina that the footprint remains the same. Mr. Taikina stated that the footprint of the entry way may have changed very minimally due to the columns.

Mr. Slachetka asked if there are any new elevations of the rear of the townhouses along the entrance way. Mr. Taikina stated not yet... but will have within the next few weeks.

Mr. Boris stated that is the end of his direct testimony.

Chairman Ackerman stated that the discussion is open to the public for questions or comments.

Al LaMonda – 208 Hillside Avenue, South Plainfield, New Jersey – is sworn in. A resident for over fifty (50) years... Police Officer for twenty-five (25) years. Mr. Lamonda refers back to the fire at Traditions. Due to the parking on the street in Traditions, the Fire Department had issues getting in and out. Asked if that will be the same situation. Chairman Ackerman stated that tonight the Bureau of Fire Prevention had provided a report and will give testimony tonight. After Mr. Abbruzzese speaks then may ask. Mr. Lamonda stated that when the fire did breakout in Traditions, there were no fire walls in the attic.... Went from one (1) apartment to another. Asked if it will be built the same way. Mr. Taikina stated no... codes have changed dramatically. Mr. Lamonda stated back with Mr. English, it was a antiquated sewer system. How will it handle the new units? Chairman Ackerman stated that will be addressed at a future meeting. Mr. Lamonda stated that he heard that it will be one (1) child per apartment. Mr. Taikina answered no... that was not said. Mr. Taikina stated they did not say that... the School Board did not state that... not even in their report. Mr. Taikina stated that he will have the School Board speak for themselves at the next meeting. Chairman Ackerman stated that the School Board will be at the next meeting to review their report with witnesses.

Marvin Braunstein – 1504 New Durham Road, South Plainfield, New Jersey – is sworn in. Mr. Braunstein stated that last month during the meeting he brought up the point that a left turn lane must be provided in the south bound direction on Durham Avenue. Those trying to make the left hand turn will back up the traffic. Chairman Ackerman interrupted Mr. Braunstein by stating that he does remember him bringing up that point. It is under consideration at this time... being looked at by our Engineers and by the Developer. That will be discussed at another meeting. Only can discuss what has been presented at this meeting... must do this in some type of order. Mr. Braunstein continued... he received the Traffic Report at the previous meeting and had the opportunity to review it. Has some comments. Mayor Anesh suggested after today’s testimonies, the Traffic report can be discussed. Chairman Ackerman asked Mr. Taikina if the Applicants Traffic Engineer is present. Per Mr. Taikina, yes. Chairman Ackerman addressed Mr. Braunstein if it was acceptable to him to return to the questions regarding the Traffic Report after the testimony of the witness’s present. Mr. Braunstein agreed. Mr. Braunstein stated that there are four hundred ten (410) units to be built. That is an instantaneous increase of thousand (1,000) or more people using the sanitary sewer system. Understands that the sanitary sewer organization is responsible to maintain and provide facilities. Wants to know the cost impact on the residences. Residences pay a monthly fee. Concerned with the increase cost of the sanitary system and would like the developer to be responsible with the majority of the

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increase in cost. Does not believe it should be the current residences responsibility. Chairman Ackerman stated that anything involving the sewer system is being worked on. Surveys are being conducted. Will be reviewed and addressed at a future meeting once information is received. Mr. Braunstein interrupted Chairman Ackerman by stating that the burden should be placed on the Developer... not the residents. Chairman Ackerman stated at this time, does not know what the impact will be or any corrections to be made until the study is complete. There have been and will continue to be meetings with PARSA, the Applicant and the Borough. Not able to discuss at this moment since there is a lot more work to be done but will at a future meeting once all information if available.

Mr. Taikina stated this is not instantaneously... this is a three (3) to four (4) year build out from the time the first unit is occupied until the last unit is occupied. Mr. Braunstein stated that a new single family house is developed at a slower rate and lower volume then the project will have a more rapid increase in users. Mr. Taikina stated that they have agreed to provide for the cost of the study. Expects to come up with a good solution.

Chairman Ackerman stated he was asked to explain why the next meeting is not scheduled until February 26, 2019. Chairman Ackerman explained that the Planning Board normally meets twice a month. January 22, 2019, the room is not available to the Board which would be the second meeting of the month. The Borough is closed on Monday, January 21, 2019 for Martin Luther King's Birthday. Therefore, Borough Council will be meeting on January 22, 2019. The first meeting in February would be February 12, 2019. However, the Borough is closed on that day for Lincoln's Birthday. Therefore, the next official meeting is February 26, 2019. Had a discussion with the Superintendent of Schools and the preparer of the report had a conflict with today's meeting. Came to an agreement that they would be heard on February 26, 2019.

Joseph Abbruzzese – 1535 Fray Street, South Plainfield, New Jersey – is sworn in. Mr. Abbruzzese stated his position in the Borough - Fire Official - Fire Subcode Official for the Borough of South Plainfield. Chairman Ackerman confirmed with Mr. Abbruzzese that he prepared a report. Chairman Ackerman confirmed with the Board Members that they have a copy of the report. Mr. Abbruzzese began by stating that his report is dated July 27, 2018. He read... *'The Office of the Fire Marshal/Fire Prevention Bureau has reviewed the plans and provides the following comments:*

1. *Confirm that all utilities shall be placed underground.*
2. *Install Knox boxes on all multi-family buildings and the recreation centers.*
3. *Install Knox box elevator recall key boxes on all buildings that have elevators inside the mechanical rooms.*
4. *Install roadway reflectors leading up to all fire hydrants on the property.*
5. *Install exterior building number identifiers on all buildings similar to those approved for the Celebrations complex.*
6. *Roadways shall be established to the point of construction to allow fire apparatus access.*
7. *Fire mains and hydrants shall be installed and fully operational up to the point of construction.*
8. *Truck turning radius has been provided and approved by this office.*
9. *Please provide a complete fire hydrant location layout. The drawing provided is very difficult to locate the hydrants. We thus reserve the right to request additional hydrants as well as relocation any purposed on the drawings.*
10. *Install two new hydrants on the main entrance way into the complex off Durham Avenue. See sheet 13 of 60 from our prints and install on side closest to main.*
11. *Provide access to the existing building prior to demolition for Fire Department training.*
12. *The Fire Department requests that both the Applicant and the Board consider allowing the construction of a 'gate' at the Runyons Avenue connection so as to allow the Fire Department flexibility in access and operations at this complex. The gat can be simple in its construction as we are not requesting any type of electronic gate system. It is our understanding that the Board is concerned with the flow and increase of traffic that may result in the event if an open pass through were allowed. We would concur with this assessment but once again request the installation of a 'gate' so as to benefit emergency services.*
13. *The construction of this complex will add greatly to the work load of the Fire Department. It is critical to remember that the overall demographics of the town have changed rapidly over the past twenty years as well. The Borough had a southside firehouse located at Hamilton Boulevard and Evona Avenue that was originally constructed in 1949. That building was utilized exclusively the Fire Department up until it was razed sometime in 1995. It was planned to replace that building but as of today we are still waiting. It is clearly evident that the majority of the Fire Departments responses are on the Southside of town. With this in mind, it is highly recommended that the applicant constructs or at the very least contribute to the*

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construction of a new firehouse on the Southside of town. It is also suggested that further testimony be solicited from Chief Thomas Scalera in regard to this request.

Chairman Ackerman questioned Mr. Abbruzzese:

- *What is the normal response time to Revere Avenue which is across from the complex? Depends on the time of day. Rush hour is a challenge... average is six (6) to eight (8) minutes depending where the firefighters are at that particular time. Night time... 2 am – 3 am... approximately five (5) to seven (7) minutes. The problem with rush hour is the unknown of how heavy the traffic is. There are times between Hadley Avenue and Hamilton Boulevard that all a four (4) lanes are at a standstill... no way to circumvent through the traffic which extends the response time.*
- *Has the turning radius templet have been applied to these plans? Yes and no. The first set of plans that were provided the applicant used the old templet. Provided a new templet. The Aerial was replaced approximately a year and half ago. Has not seen the set of plans that is provided tonight with the new access in the front. Cannot speak to that. Will be able to get in... but will be tight. Will be driving up curbs and onto landscaping. With snow loads will make it more difficult.*
- *What would help? Would like the streets to be as wide as possible... turning radius increased. Can back out. Problem is getting into the complex and getting set up to operate. Has not seen the parking.*
 - *Mr. Taikina stated the only on street parking is along Street F – twenty-eight feet (28'). All others are perpendicular like a parking lot. Adjacent streets are twenty-four feet (24'). Board Secretary did provide the new templet and will apply the turning templet.*
 - *Mr. Abbruzzese stated with the time it will take them to get there... then confirmed with Mr. Taikina that the three (3) and four (4) story buildings are sprinklered and the townhouses are not. Mr. Abbruzzese continued... the majority of fire fatalities occur in one (1) and two (2) family and multi-family homes. Have to get from where they are now to the location and get in while people are trying to get out. 'Access is critical. If can't get 1.2 million dollar aerial piece to the location to operate is worthless. We are limited to what we can do... if we cannot get in we cannot even drag ladders'. Parking laws are not strictly enforced. Have many challenges at the other complexes. Many people are trying to get out when we are trying to get in.*

Chairman Ackerman stated that he had spoken to Chief Parker regarding 'Title 39' – giving the Police Department access to the complex to enforce traffic laws. Need to review with the new templet... Board Engineer and with the Applicants Engineer to make sure there is adequate turning. Mr. Lavender asked Mr. Taikina what the applicant's position is on the Title-39. Per Mr. Taikina... yes. Mr. Taikina continued... no objection to the turning radius... a balance between, speed, pedestrian friendliness and friendliness for the Fire Department. Open up corners, depressing curbs at corners to provide ADA accessibility and to get a better turning radius.

Chairman Ackerman asked Mr. Taikina regarding the Bureau of Fire Prevention's report. Mr. Taikina responded that they can agree to #1 - #5. Asked Mr. Abbruzzese if four inches (4") of base pave is acceptable. Mr. Abbruzzese stated that is fine. Mr. Taikina continued... #7 - #12 are fine. Mr. Boris asked to address #13. Understands that Fire Departments would like Developers to make these kind of 'gifts'. Courts have addressed this. There is a court case sighted in New Jersey... A developer came in.. town asked for a fire truck... Marlboro vs Township of Holmdel 279-NJ-Super638. Reviewed by the Courts and cannot be done... 'Illegal Exaction'. Would like to agree to something like that, the Courts stated no. Mr. Mocharski stated not a gift but to help provide a service for a large burden given to us. Mr. Boris stated he understands. Mr. Lavender explained that a 'gift' to the town can be given but the town cannot deny an application or force an applicant to build something... example Fire House. Councilman White stated that the Board would not do so. Mr. Abbruzzese stated that they would not want to do anything illegal. There is a problem which will be increased by the development. Per Mr. Abbruzzese... *'will have that front page story - one day... where we did not get there... get there on time... unable to get in because of the traffic.'* Mr. Abbruzzese added that this is not only for this development but the area surrounding it... Revere Road, Yurgel Drive, New Durham Road etc. The main access point is Hamilton Boulevard to Durham Avenue. An accident complicates the area... Has happened many times where did not get to where they needed to in time. Thankfully, has not resulted in harm, injury or fatality.

Chairman Ackerman reiterated that there is a problem already and this development will make it worse. Chairman Ackerman asked Mr. Abbruzzese if there was a firehouse on the south side – other side of Route 287 – how would

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that be staffed. Mr. Abbruzzese stated that is a question for Chief Scalera. However, believes has reached a critical point.

Chairman Ackerman asked if Chief Scalera is present. It is determined he is not present. Chairman Ackerman stated that possibly have Chief Scalera attend a meeting for his opinion.

Mr. Slachetka asked Mr. Abbruzzese if Runyons Lane access is critical regarding the Fire Department. Mr. Abbruzzese believes it is. Fire response would use the north driveway. People will be exiting. Will be important to have people leave using Runyons Lane during an emergency.

Mr. Abbruzzese stated that the Fire Department would require access similar to a resident... key fobs... codes. Will pull up... someone has to jump out. Mr. Taikina stated with the systems they use, when a fire alarm goes off the gates open. Mr. Abbruzzese asked if they remain open. Mr. Taikina answered that they stay open until they are reset. Mr. Abbruzzese stated that would be helpful. Chairman Ackerman asked if there is a glitch. Mr. Abbruzzese stated they will drive through it. Mr. Taikina stated that he has not met a gate arm that a fire truck has not been able to defeat.

Vice Chairman Pedersen stated that he mentioned at the last meeting and will mention again... recently moved to that area of town. Glad didn't move over to the area when children were younger. Area feels separated from town.... Route 287. At times will go Talmadge to get home. 'feels like going from South Plainfield to South Plainfield by way of Manhattan.' Would like to have fire apparatus on that side of town.

Chairman Ackerman opened the discussion to the audience.

Marvin Braunstein – sworn in the last meeting. Agreed that it is difficult to go through the area during rush hour. Suggested that lights from Helen Street to Route 287 ramp have an electrical device to setting them to green for the traffic to progress. Lights are staggered and not timed. Has seen in other communities. Traffic moves to allow Fire Trucks through. Mr. Abbruzzese stated had looked into it many years ago. Wanted something for the light in front of the current fire house. At that point, expensive. Has not done any recent research. Does require a device to be installed in every apparatus and every light. Believes DOT needs to be involved. Does not know who is to maintain them. All lights in the direction of the apparatus will turn green... device would be good for police and EMS. There have been some accidents... has some flaws. Chairman Ackerman asked Mr. Abbruzzese to research the device and work with Mr. Bucco and Mr. Slachetka. Mr. Abbruzzese agreed.

Manuel Pedoya – 1332 Yurgel Drive, South Plainfield, New Jersey – is sworn in. Was late to the meeting. Lives on Yurgel had to take son to practice.... Traffic. Board and Borough aware there is a traffic problem all ready. Did not hear Traffic Engineer... points of comparison. In the morning, making left turn from Yurgel onto Durham takes as long as five (5) minutes with existing traffic. In an uncomfortable position after hearing Fire Marshall testimony regarding the time response and the developer consideration. Would like to be able to understand the specific points of reference... everyone has stated there are traffic issue. Heard from a neighbor that was present when the Traffic Engineer testified that there will only be a thirty (30) second increased delay. Doesn't believe that is realistic. Chairman Ackerman gave Mr. Pedoya a copy of the Traffic Study for him to review and to return to a following meeting to ask any questions regarding the report. Mr. Pedoya agreed. Mr. Pedoya asked the Board Members not to dismiss the 'real testimony' from the residents and not go by estimates and reports. Chairman Ackerman assured Mr. Pedoya that no resident testimony will be dismissed. Mr. Pedoya asked about the possibly turn lane and queuing that may affect Yurgel Drive. Mr. Taikina stated approximately two hundred (200) feet. Possibility of making a 'left turn slot'. Mr. Pedoya asked Mr. Taikina to make the impact as less as possible for the families living in the area. Mr. Pedoya asked for a clarification regarding the gate... that it will be under their management. It is his understanding that it was to be handed over to management. Mr. Taikina stated there will be a Home Owners Association that will be responsible for maintenance of the development. The Developer will be the dominant member of the Home Owners Association by the ownership of the Affordable Housing units. Will have a continued voice. Home Owners Association usually hire them because are cheaper and located close by. Maintenance facility on Hamilton Boulevard. Mr. Pedoya asked the location of the Eastern Pipeline... if it is on this property. Per Mr. Taikina and Chairman Ackerman... no, not near this property. Chairman Ackerman stated it is on the other side of Route 287.

Chairman Ackerman reminded the audience to keep questions to the current witness.

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Steven Danyo – 323 Wadsworth Avenue, South Plainfield, New Jersey – stated that the Fire Marshal is concerned of the response time. It is difficult get around cars along Hamilton Boulevard, it must be extremely difficult with the truck traffic. Mr. Abbruzzese stated that the truck traffic is not as bad as it used to be but when there is a truck it does complicate things... Specifically, on Durham Avenue. Mr. Danyo stated that the traffic adds three (3) to four (4) minutes to response time and most fatalities are caused by smoke inhalation. Mr. Abbruzzese stated that is correct. Mr. Danyo continued... *'adding to the response time is the difference between life or death.'* Mr. Abbruzzese agreed. Mr. Danyo used the Clinton Avenue fire that had fatalities even at 3 am without traffic as an example of the importance of response time... Mr. Abbruzzese stated three (3) minutes. Mr. Danyo stated cannot imagine what the fatalities would be with the extra response time... traffic, parking in the development etc. Chairman Ackerman stated that he had spoken to Chief Parker regarding Title 39 and the Applicant has agreed. Mr. Danyo stated that he would like the Developer to add to the fund for a new fire house on the southside... residents should not have to take on the entire burden through taxes. Mr. Danyo stated that the Board is not deciding if the development will be built... the Courts decided. The Developer went to the Courts regarding the Affordable Housing. Chairman Ackerman stated that is up to the Affordable Housing. It is up to the Board to make sure this meets all the requirements, Ordinances etc. Chairman Ackerman stated that nothing is being done illegally by the Borough or Board. Mr. Danyo agreed... but continued to state that the Court had decided and the Mayor to confirm. Mayor Anesh stated that the Governing Body would not have rezoned the area.

Chairman Ackerman closed the public discussion.

Chairman Ackerman confirmed with Mr. Abbruzzese that he will work with the Board Professionals regarding the lighting device, with the Applicant regarding turning radius and to advise Chief Scalera that he will be in contact with him.

Mayor Anesh stated that according to today's codes, sprinklers are not required in the townhouses but in the multi-family units but nothing states that they cannot exceed the code especially with the concern of the response time. Prudent thing to do is to sprinkler all units. Chairman Ackerman agreed. Has a condominium in another stated and all units are sprinklered. Has been in other complexes, all units are sprinklered. Chairman Ackerman asked Mr. Taikina to speak with the developer regarding sprinkling all units.

Chairman Ackerman called a recess.

Chairman Ackerman called the meeting back in session.

Alice Tempel – Borough of South Plainfield – Environmental Specialist for the Borough, is sworn in. Dr. Tempel addressed the Board. The Environmental Commission reviewed the plans and application. She writes the summary of what was discussed. If there are revisions submitted, Dr. Tempel will review and append the comments. Referring to the Environmental Commission letter dated November 21, 2018:

- Reviewed submitted Recycling Plan, Solid Waste Plan, Environmental Impact Statement including the revised statement, architectural and revised plans.
- Recycling Plan and Solid Waste:
 - Received copy of Borough code from Applicant.
 - Plans do not conform to the Ordinance.
 - Borough code - One (1) drop recycling/solid waste off per seventy-five (75) units.
 - Should be two (2) drop offs.
 - Townhouses should have curbside collection.
 - Per Mr. Taikina, yes.
 - Mr. Taikina stated if a second drop-off is required, will do so.
 - Furthest building will be nine hundred (900) feet away.
 - Driving to drop-off.
 - Adding to emissions.
 - Parking area at solid waste area.
 - Not an environmentally friendly arrangement.

Chairman Ackerman confirmed with Mr. Taikina that a second drop-off will be added.

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Dr. Tempel read... *'Residents in multifamily developments must be notified of the program requirements at least twice a year. The Plan lists instructions in PowerPoint format, for using the recycling containers. The plan must specify how these instructions will be provided to the residents. The property manager must provide copies of the notifications to the municipal recycling coordinator.'* Chairman Ackerman stated that is something that Home Owners Association would address. Chairman Ackerman confirmed with Mr. Taikina that this will be added to the plans.

Dr. Tempel read... *'The Plan shows an unlabeled recycling dumpster and provides a sample single stream recycling label that lists some of the recyclables in South Plainfield residential single stream program. The label must include all mandatory recycles.'* There is no mention of newspaper or cardboard. *'EP Design Services response letter states that the dumpster pad enclosure detail has been revised and that revisions include the labeling of all containers but these labels are only 'compactor contain' and 'roll out container' and no mention is made of recycling.'* Chairman Ackerman asked Mr. Taikina if the dumpsters are enclosed. Per Mr. Taikina, yes. Chairman Ackerman asked if there can be a permanent sign on the wall. Dr. Tempel stated that it should be on the wall and the containers. Mr. Taikina stated no objection. Dr. Tempel stated there are three (3) containers. Asked if the containers have to be 'rolled out'. Mr. Taikina stated that is correct. The recycling industry has changed. The carter would allow co-mingled recyclables. Now it is to be separated... back to the three (3) - plastic, glass and paper. Dr. Tempel asked if the carter is doing so. Mr. Taikina stated that the carter will not take the items unless they are in 'prestige condition'. Will have the other dumpster on the other side. Remote from development. West of Road F will have curbside pick-up.

Dr. Tempel read... *'The ordinance requires at least twelve (12) cubic feet in each unit for storing recyclables, to be marked as such on floor plan.'* Dr. Tempel stated this has not been indicated on the plans.

Dr. Tempel stated that the Commission has an issue with the compactor. Dr. Tempel read... *'The manufacturer's specifications state it is ideal for supermarkets, malls, hospitals, restaurants, office buildings and retail establishments but residential developments are not included. Instructions and safety warnings for operating the compactor seem to be directed at residents. Environmental Commission members questioned whether it would be safe for residents to be responsible for operating the compactor.'* The Engineer letter stated that it was revised to a different model. Different model was not described. Wondering if the residents will be operating the compactor and if it is safe. Per Mr. Taikina, yes. It is a residential compactor. Accessed by key fob. Only operated when closed. Same for recyclables. Mr. Mocharski asked if the unit is self-contained. Mr. Taikina responded, yes. Likes having one compactor... gets picked up every day. Having two (2) it will be picked up every other day. Has set-up at another community. Will do a 'video' and show to Board at next meeting.

Dr. Tempel asked how bulky waste will be handled. Mr. Taikina stated once a month... once every other month. HOA will have a weekend when a dumpster will be brought in. Dr. Tempel advised Mr. Taikina that the Borough's bulk pick up does not include multi-families... townhouses.

Dr. Tempel stated that a tree removal plan was not included. Dr. Tempel read... *'Any trees of greater than 16" dbh require replacement one tree per 3" dbh.'* Dr. Tempel stated that reviewing the landscape plans, there are hundreds of shade trees being proposed. Has no concern.

Dr. Tempel stated that the EIS uses data out of date. Dr. Tempel read... *'The discussion of total water supply demand cites a reference from 1996, which predicted overall water demand in 2010. Is there no more recent data available than an estimate made 22 years ago? In discussion of surface runoff, no mention is made of the current Best Management Practice of using green infrastructure to retain water on site, which is currently the Department of Environmental Protection's preferred objective. Green infrastructure will soon be required by the State's stormwater management regulations. The Borough's issues with flooding suggest that it would be beneficial to retain, rather than merely detain, surface water on site. The factors to consider should be evaluated and the failure to include these features in the project design should be justified in the Environmental Statement. Regarding air quality, the discussion of ozone cites references from 2004 and 2005. The discussion of sulfur dioxide, lead and carbon monoxide uses data from 1995. Given the increase in population and the substantial increase in the number of vehicles since then, more recent data should be provided. The EIS relies on an NJDEP report in 2003 that increasingly effective vehicle emissions controls were counterbalancing the increase in the amount of traffic to conclude that air quality has not degraded in the last 15 years. More recent data should be provided to support this conclusion. The EIS relies on the traffic impact study by Landan Engineering, which found that this residential*

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development would have a letter effect on local traffic than the industrial use it would replace. The traffic study looked only at traffic during peak hours on a week day. It did not measured traffic on the weekend, when the roads are often clogged not for throw hours per day, but all day. Industrial uses may be empty at least one day per weekend, but residential developments generate traffic 7 days per week' Dr. Tempel stated that in addition to the above statement, there was a question regarding the seasonal high water table. The EIS mentions the soil along Durham Avenue has a seasonal high water table of one foot (1') below the surface. There are units with basements. Mr. Taikina stated that any basement would have sump pumps. Has site specific ground water data. Will provide and update EIS data. Mr. Penyke testified in length regarding traffic. Biggest reduction in emissions is cleaner cars. Dr. Tempel agreed but stated that it is a general statement. Mr. Taikina continued... the dates that are referenced is when the Federal Government decreased funding to Environmental programs and research. Air quality monitors have been reduced to two (2) in New Jersey. Dr. Tempel was unaware of the reduction. Conclusion cannot be adequately drawn.

Chairman Ackerman asked Dr. Tempel if her questions have been answered. Dr. Tempel replied, yes.

Chairman Ackerman confirmed with Mr. Taikina that he will provide additional information to Dr. Tempel.

Chairman Ackerman opened the discussion to the public.

Marvin Braunstein stated he appreciates the opportunity to address the publics concerns. Reviewed the Traffic Impact Study and believes it is flawed. Chairman Ackerman advised Mr. Braunstein that at this moment, only questions for Dr. Tempel. Mr. Braunstein understood.

Chairman Ackerman reiterated that the open public discussion is for any questions or concerns for Dr. Tempel.

No public questions or concerns for Dr. Tempel.

Chairman Ackerman advised Mr. Braunstein that he may ask his questions regarding the Traffic Study. Mr. Braunstein reiterated that the Traffic Study is flawed. Study was conducted on March 22, 2017... Motorola was not active. Unrealistic and not what the traffic was. Morning hours indicated was 7:45 am to 8:45 am when the morning traffic is actually 6 am to 9 am. Lives in the area... knows the traffic. Evening hours traffic was monitored between 4:45 pm to 5:45 pm. Realistically, it is 3:30 pm to 6:00 pm. Judged by the time it takes him to get home. All other information is projected by a State Standard of 1.5% growth in Middlesex County. Questioned if the growth is based on a month, a year, two (2) years. Believes the growth in South Plainfield is 30%. Mr. Lavender asked Mr. Braunstein how he arrived to that number. Mr. Braunstein stated based on observation... on the time it takes him to get home. Mr. Lavender stated that 30% is 'a big number'. Mr. Braunstein stated he can spend as much at fifteen (15) minutes on New Durham Road. Mr. Lavender asked Mr. Braunstein how long was the wait five (5) years ago. Mr. Braunstein replied 'much, much less'. No trouble. Mr. Braunstein stated that the study was conducted when Motorola was not active. Recommends and insists a new current day study should be completed. Mr. Braunstein stated that at the last hearing, he recommended a turning lane but was unaware there are two (2) entrances. The lane would have to be extended the entire length. The width of Durham Avenue is insufficient to create a 'third lane'. Developer will have to move the curb to create a third lane. Many will be making the left turn at the northern entrance not the main entrance. Does not believe the facts in the study are appropriate. Mr. Braunstein thanked the Board for the time and consideration.

Mr. Penyke addressed Mr. Braunstein's comments. Stated he testified in length at the last meeting. Comments are correct that Motorola was vacant at the time of the study and is indicated in the study. Times of monitoring were 7 am to 9 am and 4 pm to 6 pm. In that period, identified the highest one (1) hour peak. Growth is updated yearly by the Department of Transportation. It is a representative growth and used per year on a compound basis. Believes the study provides an accurate 'snapshot' review. Mr. Lavender clarified and confirmed with Mr. Penyke that the study identified the peak hour over a time span. Mr. Lavender asked Mr. Penyke if he can state statistically the accuracy of the report. Mr. Penyke stated 90% to 95%.... a 'snapshot.' The driveways can operate safely and efficiently. Agreed with the left turn lane suggestion and will work with Borough Professionals.

Mr. Mocharski asked if most residents will use the north gate. Mr. Taikina stated if the resident lives on that side of the complex. Mr. Mocharski asked if it would be used just as much as the main gate. Mr. Taikina stated probably less. Mr. Penyke will look at both driveways for striping of a turn lane. Mr. Jehr reminded Mr. Penyke to look at the

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queue to not block the other streets. Mr. Penkye stated maybe a center turn lane which will help residents on both sides of the street. Mr. Jehr will speak with the Chief of Police and all Professionals involved.

Chairman Ackerman asked the public if anyone else had any questions or concerns. No further questions or concerns.

Chairman Ackerman announced the next meeting will be February 26, 2019. Board of Education and Superintendent of Schools will be present.

Mr. Boris stated that the time period for the Board has passed. Will consent to an adjournment to February 26, 2019 with no additional notices. Chairman Ackerman announced that there is no further notice required for the next hearing.

Mr. Taikina reiterated that will work with Borough Professionals for: revised landscaping, revised architecture on townhomes along main entrance, answer regarding left turn lane on Durham, possible an overall revised plan this month or beginning of February, apologized to Mr. Slachetka for not submitting the rendering that was shown today.

Chairman Ackerman asked that Chief Parker is consulted as well. Has spoken to him regarding the left turn.

Mr. Mocharski asked regarding Title 39. Chairman Ackerman stated he had spoken to Chief Parker regarding the Title 39 and will continue to speak with him.

Mr. Boris stated that the applicant will look into sprinkling all the buildings. Mr. Taikina stated that the current code states that the rental and condo buildings will be sprinklered. The stack townhouses will be sprinklered. The current code does not require for the townhouses to be sprinklered today. Will look into options of doing so given where the code may be going. There are insurance benefits.

Old Business: None

Committee Reports:

- A. **Street Naming Committee** – Bob Ackerman – will have list of names at next hearing.
- B. **Environmental Committee** – Rich Houghton & Bryan Bythell – Chairman Ackerman confirmed with Mr. Houghton and Mr. Bythell they will continue to be on the Environmental Committee.
- C. **Council Reports** – Councilman White – report progress.
- D. **Mayoral Updates** - Mayor Anesh – report progress.

Minor Site Plan: None

New Business: None

Correspondence: None

Audience Comments: None

Executive Session: None

Adjournment: 9:15 pm.

Respectfully Submitted,
Joanne Broderick
Planning Board Secretary