

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
July 23, 2019**

Roll Call:

Present:

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

Absent:

Peter Smith

Also Present: Larry Lavender, Esq.; Bob Bucco, PE, CME, CPWM, Stanley Slachetka, PP, AICP, Jeff Cuccinato, PP

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 Star Ledger 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: May 14, 2019 & May 28, 2019

Chairman Ackerman calls for a motion for **approval** of 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; Vice Chairman Pedersen and Chairman Ackerman. Opposed: None.

Resolutions: None

Current Files: None

Informal Hearings: None

Public Hearings: (2)

A. Case #19-02 - Michael Pedersen
Block 404.05; Lot 8; R-10 Zone
305 Hillside Avenue

The applicant is requesting a *Minor Subdivision* approval.

Vice Chairman Jack Pedersen recused himself.

Steve Goldberg - 917 Washington Ave, Green Brook Township, New Jersey - attorney for Applicant addressed the Board. Provided an updated drawing earlier today to the Board Secretary with revisions per the Professionals review. Application does not need any variances. Are requesting waivers. Requested to waive sidewalk requirement. Sidewalk would connect to nothing. No sidewalks on each side of property. Conforming application.

BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
July 23, 2019

Michael Pedersen - 44 Union Road, Frenchtown, New Jersey - Applicant, is sworn in.

Chairman Ackerman asked Mr. Bucco if he has any concerns. Mr. Bucco stated that this is a minor subdivision. Letter that was prepared are all technical issues that the Board has to act on.... waivers. Mr. Bucco confirmed with Mr. Goldberg that the subdivision will be recorded by deed not map. Must comply with the map filing law. Has no objection to waiving the sidewalk requirement. It would be a sidewalk to 'nowhere'. There is curbing on both sides of the property - it is a corner lot. Recommends to complete the curbing on Hillside Avenue and Perth Place.

Chairman Ackerman asked Mr. Slachetka if he has any concerns. Mr. Slachetka stated that in his letter dated June 3, 2019 requested that the survey to scale. Believed an updated copy was delivered today. Mr. Goldberg stated he did. Did recommend that sidewalks be put in but does defer to the Board Members. Does concur with Mr. Bucco regarding the curbing. Mr. Slachetka asked Mr. Pedersen how many bedrooms are on the existing lot labeled A. Per Mr. Pedersen, four (4) bedrooms. Mr. Slachetka asked regarding the fencing, what is the status. Mr. Pedersen stated that depending what happens with the vacant lot will determine the fencing. Mr. Slachetka asked if the existing trees are being removed or to remain. Mr. Pedersen stated there are no plans to remove any trees. Mr. Slachetka stated that on the plans, he would like the status of the fencing added... what is to remain or removed.

Mr. Bucco stated to add the curbing. Mr. Pedersen stated will do the curbing on the existing lot. However, would like a condition on the new lot that when the house is completed, a new curb will go in place. Doesn't want to place the curbs and then have to cut them. Mr. Bucco stated he has no objections. When the Applicant or whomever will build will return with a site plan on the new lot. At that time, can show the curb cut for the driveway. As long as the existing property is curbed.

Mr. Slachetka stated he did have one (1) more item. Regarding the shed with the wording 'removable?', assuming the shed will be removed from the front yard. Mr. Pedersen stated had no plans but will move if it's a sight line issue. Mr. Slachetka stated it is not a sight line issue... it is an accessory structure in the front yard which is not permitted. Suggested to move to the back of the existing home out of the front yard setback. Mr. Pedersen agreed. Mr. Slachetka asked that this item be a condition of approval.

Mr. Grzenda stated that the attorney had mentioned 'sidewalks to nowhere'. Wouldn't you have to start a sidewalk. Mr. Goldberg stated there is no rational... a pedestrian can walk on our sidewalk and then the street because they do not want to walk on a neighbor's grass. Mr. Pedersen stated he would understand putting in sidewalks if there were sidewalks in the area. However, there are no sidewalks in the area. The area is developed and there is no room to put in a new house other than this parcel. Mr. Slachetka asked if there are any sidewalks on the other side of the street. Mr. Pedersen stated correct. There are no sidewalks.

Chairman Ackerman stated that this is a developed street. This creates one (1) empty lot. There are no sidewalks now. Chairman Ackerman agreed that if there were sidewalks, he would like a sidewalk but since there are none in the neighborhood, sidewalks would be in front of that one (1) lot.

Chairman Ackerman opened the discussion to the Audience. No questions or comments.

Chairman Ackerman stated this subdivision has two (2) conforming lots. There are six (6) waivers... Traffic Impact Statement, Environmental Impact Statement, Stormwater Management, Recycling Plan, sidewalk and plans for a new dwelling which is not known at this time.

Chairman Ackerman called for a motion for **approval** of the above listed Waivers. 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 and Chairman Ackerman. Opposed: None.

Chairman Ackerman stated that the Applicant has agreed to move the shed on the current existing lot, will file by deed and when a new structure is built, will put in curbs with curb cuts.

Chairman Ackerman called for a motion for **approval** of the subdivision. Mr. Mocharski made motion, seconded by Miss Bartfalvi. Those in favor: Mayor Anesh; Councilman White; Miss Bartfalvi; Mr. Bythell; Mr. Grzenda; Mr. Houghton; Mr. Mocharski; Mr. Pellegrino and Chairman Ackerman. Opposed: None.

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
July 23, 2019**

B. 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, January 8, 2019, February 26, 2019, April 23, 2019, May 14, 2019 and May 28, 2019.

Vice Chairman Pedersen returned to the Dias.

Chairman Ackerman stated that there will be no new testimony today. Will review the Planners report, Engineers report and what the Applicant is presenting tonight.

Kevin Boris, Esq - Weingarten Law Firm, 1260 Stelton Road, Piscataway, New Jersey - attorney for the Applicant addressed the Board. Thanked the Board Members for all their work including Board Professionals. This has been a long process and the Board has vetted this application thoroughly. Will review Mr. Bucco's and Mr. Slachetka's reports. Will only call upon Mr. Taikina to review the reports.

John Taikina - 1260 Stelton Road, Piscataway, New Jersey – addressed the Board. Had submitted revised plans. Presented Exhibit A11 (architectural plans) and A12 (engineering plans) - smaller sized sets of the revised plans. Have spoken to the Board of Education.... Bus stops have been accommodated.

Chairman Ackerman asked Mr. Bucco if there are comments that need to be addressed tonight. Mr. Bucco stated all Engineering concerns have been addressed. Will work with the Applicant and manufacturer of the mechanical parts of the detention facility. All other items... calculations of stormwater management are acceptable including the pump station. It is adequately sized. Waiting for 'shop drawings'. The 'flow metering' has been completed as of Wednesday. The calculations should be completed by the end of the week. Final report should be out soon. Chairman Ackerman stated that the Applicant agreed to their monetary proportional shares of the improvements into the sanitary sewer lines. That monetary contribution will be determined at a later date once the survey is complete. Mr. Boris stated that is correct... their pro-rata share. Mr. Bucco asked for all outside agency approvals once received and to forward him the location of the bus stops.

Chairman Ackerman reiterated that items on Mr. Bucco's report are addressed... or being addressed.

Chairman Ackerman asked Mr. Slachetka to review his letter. Mr. Slachetka stated that his report is dated July 17, 2019. Through testimony, exhibits and revised plans the Applicant has addressed majority of the items on the report. There are a few technical items remaining. Landscaping is remaining. However, have submitted an enhanced plan with the revised packet. Several continuing comments under the Borough's Affordable Housing Ordinance compliance with affirmative marketing including the selection of the Agent. Believes had submitted their certification. Mr. Taikina stated correct. Mr. Slachetka continued.... The Applicant is responsible for all outside agency requirements. Just like Mr. Bucco, also would like to be aware of where the bus stops will be located. Wants to make sure there is no conflicts with circulation. Mr. Boris stated will provide.

Chairman Ackerman stated there was a discussion regarding putting a gate between Edison and the development that will only give access to those in the development. Mr. Taikina stated correct... and agree.

Mr. Lavender asked Mr. Boris if that item is listed on the list given to the Applicant. Mr. Boris stated no... but agree to have that as a condition of approval.

Chairman Ackerman confirmed with Mr. Boris that he has received the list of conditions (Exhibit 13). Mr. Boris stated that the testimony given and Settlement Agreement stated that the sidewalks are four foot (4'). Mr. Taikina stated that many of the sidewalks are five feet (5') given their location, however, the Ordinance and Settlement Agreement state four feet (4'). Mr. Boris stated not a big issue. Mr. Lavender asked Mr. Slachetka if he agreed. Mr. Slachetka stated there was testimony to that fact and is agreeable.

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
July 23, 2019**

Mr. Boris stated under 'Miscellaneous Items'... homeowner by-laws. Mr. Taikina stated the by-laws will prohibit bedrooms in the basements. It will not prohibit finished basements. Chairman Ackerman agreed. Mr. Taikina stated it will not have a door or egress window.... But will not prohibit a finished basement. Chairman Ackerman confirmed with Mr. Taikina that the proposed doors will be windows.

Mr. Boris reads off an item on the list under 'Miscellaneous Items' that drainage inlet will be removed from the Edison side. The Applicant has not applied to Edison. Once apply to Edison will removed the inlet. Mr. Bucco stated that during construction it will be a mess it will drain to that inlet. Once the developments drainage system is in place, that is to be removed from the Edison side. Mr. Taikina agreed. Councilman White stated that is temporary drainage. Mr. Bucco stated correct. Once stormwater management facility is constructed that is to be removed.

Mr. Mocharski asked if there was any feedback from the Police Department. Mr. Taikina stated no. Mr. Bucco asked if Mr. Taikina has spoken to the Police Department. Mr. Taikina stated he has for Durham Avenue but not for the development. Mr. Bucco stated they are working with the Traffic Safety Officer.

Chairman Ackerman opened the discussion to the Audience. No comments or concerns.

Chairman Ackerman called for a motion of **approval** for preliminary and final site plan. Mr. Mocharski made motion, seconded by Councilman White. Those in favor: Mayor Anesh; Councilman White; Mr. Bythell; Mr. Grzenda; Mr. Houghton; Mr. Mocharski; Vice Chairman Pedersen and Chairman Ackerman. Opposed: None.

Mr. Boris thanked the Board Members. Mr. Tiakina asked when the next Planning Board Meeting. Mr. Lavender stated that the resolution may not be completed by then due to the amount of information and complexity of the project. Board Secretary stated August 13, 2019.

Old Business:

Committee Reports:

- A. Street Naming Committee** – Bob Ackerman - Has two (2) names. Needs a few more names. Is aware of one (1) more coming forth of a decorated Vietnam Veteran
- B. Environmental Committee** – Rich Houghton & Bryan Bythell – report progress.
- C. Council Reports** – Councilman White stated that Angelina's sign is up. Looking to open second week in August. Chick-Fil-A is almost complete with their issues with the surrounding area. No updates on the old Acme. Skyzone has incorporated hatchet throwing which is opening up soon. Gun range was approved. Mr. Grzenda asked about the application for the pylon sign at Dollar General. Board Secretary advised that the Applicant withdrew the application. Mr. Mocharski asked about KinderCare. Board Secretary advised that they withdrew as well.
- D. Mayoral Updates** - Mayor Anesh – report progress.

Minor Site Plan: None

New Business: None

Correspondence: None

Audience Comments:

Mallory Whiting - 115 New Brooklyn Road, Edison, New Jersey - was sworn in. Mr. Whiting stated that the Board did the best they can regarding the M&M Real Estate application with what they were dealt with... even from the Supreme Court. Hopes that the Board can follow-up with the project. Runyons Lane is a rough road. Chairman Ackerman stated that the Board will be out there watching the progress of the Applicant. 'That is what we do.' Have caught things in the past that were not done accordingly and made them pull it out and do it over. Mr. Whiting

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
July 23, 2019**

stated he appreciated all the work that was done by the Board. Councilman White thanked Mr. Whiting for attending the meetings and having insightful questions. Part of the reason the Board wanted a gated community is because of Runyons Lane... there is control of who goes through and not used as a 'cut through'. Mr. Whiting mentioned when the little road was put in and Tallmadge was a mess, people would use the little road. Chairman Ackerman stated that the little road was never to be there. When that particular applicant was before the Board, the garage was never approved to be built that way.

Executive Session: None

Chairman Ackerman thanked the Board Members and Board Professionals for all their help with the application.

Adjournment: 7: 52 pm.

Respectfully Submitted,
Joanne Broderick
Planning Board Secretary