

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
November 12, 2019**

Roll Call:

Present:

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

Absent:

Stephanie Bartfalvi; Alt. 1

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

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: October 8, 2019

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

Resolutions:

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

The applicant had requested a *Preliminary and Final Site Plan* approval for a 410 unit – 31 buildings – condominium, townhouse and apartment complex. November 27, 2018, December 11, 2018, January 8, 2019, February 26, 2019, April 23, 2019, May 14, 2019, May 28, 2019 and July 23, 2019.

Chairman Ackerman stated that everyone should have received a copy of the resolution with Mr. Slachetka's and Mr. Bucco's comments to review.

Chairman Ackerman asked Mr. Slachetka if he has anything additional. Mr. Slachetka stated has reviewed the resolution and all of him comments were added to the resolution. No further comments regarding the resolution.

Chairman Ackerman asked Mr. Bucco if he has anything additional. Mr. Bucco stated has reviewed the resolution and like Mr. Slachetka, all of his comments were added to the resolution. No further comments regarding the resolution.

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Chairman Ackerman asked Mr. Bucco if the traffic issues are resolved. Mr. Bucco stated that the traffic issues are resolved. Added a 'catch all' to the resolution that they will comply with the Borough's Traffic Engineer Consultant and the Borough's Police Department recommendations relating to Durham.

Mr. Jahr stated that he had a meeting Lieutenant Delair just prior to this meeting. Went over the striping of Durham Avenue. Both are in agreement. The plans are acceptable and meet all the requirement put forth by the Board and themselves.

With no further comments or questions, Chairman Ackerman called for a motion of **approval**. Mr. Mocharski made motion, seconded by Vice Chairman Pedersen. Those in favor: Mayor Anesh; Councilman White; Mr. Bythell; Mr. Grzenda; Mr. Houghton; Mr. Mocharski; Mr. Pellegrino; Mr. Smith; Vice Chairman Pedersen and Chairman Ackerman. Opposed: None

Mr. Boris thanked the Board.

Chairman Ackerman thanked the Board Members and the Board Professionals for their efforts in vetting the application.

Mr. Mocharski thanked Chairman Ackerman for his effort in keeping a 'tight ship'.

Current Files: None

Informal Hearings: None

Public Hearings: (1)

A. Case #797 – JRB Properties, LLC

Block 409; Lot 15: M-3 Zone
111 Snyder Road

The Applicant is requesting a *Preliminary and Final Site Plan* approval to construct a 4,507 warehouse addition that requires bulk variances.

Chairman Ackerman stated that a letter was received from Mr. Abrams, the attorney for the Applicant. The letter is requesting to have the hearing adjourned to the next available hearing date. The basis for the adjournment is to obtain and submit additional information that they believe is important in advance of the hearing. The next available dates are November 26, 2019 and December 10, 2019. Chairman Ackerman confirmed with the Board Members their availability for the November 26, 2019. The hearing was scheduled for the November 26, 2019. Chairman Ackerman announced the new hearing date and that there will be no new notices required.

An audience member questioned the date. Received a letter for release of escrow. It was determined it was for a Mayor and Council meeting for regarding the release of Engineering Escrow from a prior application for this applicant.

Audience member questioned why the homeowners were noticed for this addition and not noticed for the most recent addition which is 'in their backyard'. Chairman Ackerman stated should have been notified. Chairman Ackerman explained that an Applicant must notify the Board whom the letters were sent by Certified Mail. Mr. Lavender stated the previous application file will have a list of those owners who were sent a notification. Again, the audience member stated that he does not understand how he was not noticed of the previous addition nor were any neighbors. Mr. Lavender stated that those who were notified would have to be within two hundred feet (200') of the property. Board Secretary located the previous application file. Mr. Lavender reviewed the mailing list and confirmed with the audience members their names and address. It is determined that the notices were sent on April 30, 2008... eleven (11) years ago. The audience member does not understand how he could have been noticed eleven (11) years ago, and they did not begin work until one (1) year ago. Chairman Ackerman stated that they came originally eleven (11) years ago and could have requested up to three (3) extensions which they do not have to re-notice.

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Audience member questioned buffers. Tractor trailers against their properties. Mr. Lavender asked if they have called the Borough to complain. The audience member stated that he has come to the Borough... showed pictures to anyone who would look at them. Would like trees so does not have to look at it.

Councilman White asked the audience member if he is referring to the 2008 case. The audience member stated yes... they did put up a nice white fence so the neighbors do not have to see what goes on. The other businesses have not done so and able to see all the trucks. Chairman Ackerman stated this is the reason why the Boards like the residents to come to public meetings... To tell the Board their feelings and complaints.

Mr. Lavender advised the audience members to come to the November 26, 2019.

The audience member stated that its great they have security lights.... But it shines on all the neighbor's properties. The neighbors call it 'Yankee Stadium'. Chairman Ackerman stated that if there is a lighting issue, to advise the Property Maintenance Officer... Bring it to the Board's attention. Can pull the plans. This is one of the items that the Board reviews. If they did something not according to what was approved, will have it corrected. Mayor Anesh stated that that should have been inspected. The Engineers go out. Mr. Bucco stated that the inspectors go out and look at the sites.

The audience member stated came to see the plans when he got the notification and the original addition is only thirty-three feet (33') from the street. Does not know how that got approved.

Old Business: None

Committee Reports:

- A. Street Naming Committee** – Bob Ackerman – will give a map to M&M Realty Partners with the names of the streets. Mr. Mocharski confirmed with Chairman Ackerman that he had received the last two (2) names. Chairman Ackerman stated that he received names from a small group of Veterans in town.
- B. Environmental Committee** – Rich Houghton & Bryan Bythell – report progress.
- C. Council Reports** – Councilman White – Saturday will have a ribbon cutting ceremony for BB Tea which took over the space formerly occupied by Kenny Empanada. A cheesesteak place, Charlie Cheesesteak, moving into Hadley Center. Working with Chick-Fil-A for a ground breaking ceremony.
- D. Mayoral Updates** - Mayor Anesh – report progress.

Minor Site Plan: None

New Business: None

Correspondence: None

Audience Comments: None

Executive Session: None

Adjournment: 7:25 pm.

Respectfully Submitted,
Joanne Broderick
Planning Board Secretary