

SOUTH BOUND BROOK PLANNING/ZONING BOARD
12 MAIN STREET
SO. BOUND BROOK, NJ 08880
June 17, 2008

The Planning/Zoning Board met on Tuesday, June 17, 2008 in Fellowship Hall, 113 Clinton Street, South Bound Brook, NJ. The meeting was opened at 7:35 PM by Chairman Rockwell with a reading of the Open Public Meeting Law Statement of 1975, Chapter 231.

ATTENDANCE: P=Present A=Absent L/P=Late N/R=Not Req.

| | | | |
|------------------------|---|--------------------------------|---|
| Mayor Terry Warrelmann | P | John Rockwell | P |
| Robert Allenovitch | P | | |
| Dennis Allenovitch | P | Carol Rice/Secretary/Alternate | P |
| Barbara Bazzone | A | | |
| Bruce Blumenthal | P | Albert Cruz, Board Attorney | P |
| Jerome Bowers | P | Joe Cunnah, Board Engineer | P |
| Paul Kaminsky | A | Dennis Hudacsko, Planner | P |

Swearing in of two new alternates

- John Elter - 1 year term to expire 12/31/2008 (#1)
- Harold Kildow - 1 year term to expire 12/31/2008 (#2)

Application 330

Due to improper notice this application will not be heard tonight, new notice will be given

Application 331

Landmark SBB - Major Site Plan/Bulk & Use Variances
153 Main Street
Block 71, Lot 1

Ron Shimanowitz, Esq. - Representing the applicant
Hutt & Shimanowitz, Woodbridge, NJ

Mr. Shimanowitz testified to the following:

- Reviewed past history
- Previous site plan and bulk approvals given in 2002
- They have changed the site due to market demands
- They are presenting an amended application
- Previous approval
 - Allowed for 34 garden apartments
 - 3 stories
 - Common lobby
 - Parking garage

It is his feeling that they are presenting a better plan.

- This plan will reduce the number of units to 22 which will be effectively town houses
- Smaller foot print

- Features of site are the same.
- No increase in impervious coverage
- Improved elevation
- Parking will be under building
- Previous variances have not changed except for one that has been reduced.

Paul Fiske - engineer had an emergency and could not make it tonight.

Albert has reviewed the notice and proof of service and has given jurisdiction to the board to hear this matter

Richard Arzberger, Architect - Sonnenfeld & Trocchia, Homedale, NJ - sworn in
Presented his credentials and was accepted as a professional

A-1 Architectural Drawing - 1st/2nd Floor plan

Mr. Arzberger testified to the following:

- He was not the architect on past application
- Site Plan - Sheet 1 - overall site plan
 - Explained the geographics of the site
 - Entrance for garage would be from Johnson Street
- Differences from 2002
 - Previous - Building central corridor with elevator
 - Providing two story units above parking garage - will all have separate entrances
 - There will be front stoops on Johnson and Main containing entrances
 - They suppressed the level of parking garages (Architectural A1 1st/2nd Floor Plan)
 - Doors from the garages to the units
 - There is a common aisle to access to the garages - each garage has pull down doors
 - Access to parking is only on one end and is ample for two way traffic
- Lighting will be governed by building code.
 - In garages
 - In aisle
- Corner units will have first floor garage level
- Units consist of two bedrooms, 2.5 baths, living room/dining area and kitchen
- Four end units will have also a den - 4 units of 22 unit are 2 bedroom w/den
 - Top levels - two bedrooms, bathroom/washer dryer
 - Down stairs is living room/dining area/kitchen/bathroom and den in 4 units
- Building is lower in height then previously approved in 2002 - it remains three story
- Individual entrances/doorways for each of the units
- They are trying to obtain a residential feel
- Using Brick on the fronts
- Intent was to make it have a single family house feel

Variances

Applicant was previously granted D Variance (USE)

- Beyond 12 units per building as described in ordinance

- Maximum density - prior approval allowed for 34 units per acre where maximum was 14 by ordinance. This is reduced to 22.8 units per acre
- Maximum height by ordinance is 2 stories - This will remain the same 3 stories even though the height has decreased

Setbacks

(Using Engineering sheet #1)

- 10 foot setback fronting on Johnson
- Stoops are encroaching into the setbacks
- Southern setback required is 25 feet, previously approved 17 feet - 28 feet from face of building toward Town Oaks

Using old plan presented by D. Hudaskco

- Discussed the encroachment of stoops and differences
- Building is substantially different then what was originally approved
- There is no room to park car in front of the garages
- Enforcement of this rule must be done by the association
- Will put signage so as to not allow unwanted people painting and stripping of area
- Johnson Street is currently one way - prior application allotted a section of the lot will be dedicated to town to allow widening of Johnson Street (20 feet) this is exclusive of parking
- Building the way it is is exempt from the barrier free rules
- Non-elevator service building
- If they dedicated a handicap space they would loose one of the 7 parking spaces due the size of the space.
- Parking required is 51 according to RSIS. They will be providing 51 on site and 15 on street for a total of 66
- All venting is provided based on the laws
- Building contains sprinkler systems throughout
- Street tree planting - are in same location of original application
- They are seeking further relief for bedroom count - original exceeded number of two bedroom Previously there were 24 two bedroom apartments and 10 one bedroom apartment which calculated to 82% two bedroom - now 100% two bedroom
- Expected number of children 0.1 -0.5 per unit - approximately 4 expected
- Intensity use of this building is going to be reduced

Negative criteria

This does not conflict with master plan

Variances granted are the same or diminished as previously approved

Bedroom count result is more in keeping with the intent of the master plan.

Housing type is in keeping with the single-family design

Mr. Shimonowitz stated the following:

- Previous approval 2002 - for rental product
- These units will be for sale
- These are not age restricted
- These units are not child friendly

Area originally for recycling and trash - they have an alternative which will be introduced later this evening

Applicants have read the reports of Dennis Hudacsko, Board Planner /Toms Herits, Board Engineer reports.

Will comply with all engineers as previously

Board Planners Report (Dennis Hudacsko)

Application

#6 - Mr. Fiske not here to further address this issue

Variance

Parargarph 2 & 3

Issues have been addressed

Paragraph 7

Prior findings and conclusions addressed in prior resolution regarding sections 21-27, 37, 45 are all acceptable to applicant and may be effect

Affordable Housing

COHA - will be exempt (see paragraph 1)

Mr. Shimanowitz does not foresee any changes in COHA regulations that will affect them

Board Engineer Report (Tom Herits)

The following issues were reviewed:

Layout

#1 This has been stricken from the report per Joe Cohun

#2 Curbing - not required on first application - applicant does not want to be responsible for curbing. They stated that if curbing was added parking would be reduced by approximately 7 feet

Grading

Engineers will work together

Drainage

Same as previous

Details

#1 - agreed prior - would like to do vinyl - easier to maintain

Landscaping

#1 Sentence 2 will be at the rear of lot from single families

Jerome Bowers expressed concerns concerning access to parking area - ceiling height 8'2 - no fire trucks will fit and fire fighting would be from outside

Building sprinkler in each garage/middle of aisle and will meet all building code requirements

Meeting opened to the public for architect

Leonard Smith - 32 Johnson Street

- Is it enough to make Johnson Street a two way?
- There is enough land - however the county will not let them do it

Applicant will go to the county for determination about the two way of Johnson

William Rusnak - 133 Main Street

Expressed concern about overnight parking on Main Street

Street parking provides for 11 spaces on Johnson and 4 Main, there will be 44 spaces in the building with an additional 7 on site - Majority of street parking is on Johnson Street

Jeffrey Kaladis, MD - Main & Johnson Streets

Dr. Kaladis stated that this is a welcome addition - change to townhouse

He is concerned with the safety of Johnson Street - It is a one way to Franklin Street - Franklin Street is an active area with no sidewalks. These units will produce a detriment to the community with the traffic it will produce. He believes that in 1998 Johnson Street was approved for two way street

Dennis stated that we should obtain any available information with regard to the previous approval prior to up this application.

Joseph Cunah stated that DOT might have jurisdiction on this determination

Mike Castro - 28 Johnson Street

How far from his yard is the building

Approximately 55 feet

Joe Castro - 28 Johnson Street

Concerned about property taxes - we cannot discuss taxes.

These units will be sold at market rate - they will be taxed by units.

Closed to public

Allen Phil - Project Manager, Sworn in (In house architect)

Mr. Phil testified to the following:

- He will be in charge of construction start to finish
- Contact person 973-945-4812 cell

Trash and recycling are as previously approved

A-2 - Revision to landscape plan - relocation of recycling

Recycling area # 2

Sign on Main Street

- Trash is currently at entrance way
- They would have units store their trash and recycling and place it in the designated area located at the end of the entrance way weekly. Trash and recycling containers will not be kept outside.
- It would be in Association document that the trash cans only be out at designated times
- Trash cans will be labeled and have a time constraint for being put out and put away
- Applicant will provide passive recreation where previous trash container was located
- Extending fence - would like vinyl - 6 foot

- Would construct a recycling trash area - Borough and recycling does curbside pick up

Meeting opened to public

Dr. Kaladis

Public sewer they are okay with sewer - connect on Johnson Street

Meeting closed to public

Michael Gottlieb - Owner

Mr. Gottlieb testified as follows:

This is the first time they have ever reduced a project

Benefit

- Rental to owner
- He feels that it is the right thing to do for the town and the project
- Each unit is 21-2200 square feet
- Sale price would be \$300K - 350K per unit
- Attractive in/out elevation
- Believes this is an improvement from the previous project
- This configuration will generate less traffic

He does not see the benefit to installing a gate at entrance as he feels it can be handled with signage and stripping

Time frame as to start - immediately once all approvals are reached targeting for the fall

Albert suggested that we carry over this application so the applicant can submit for approvals and check with the county on the Johnson Street two way problems.

Mr. Gottlieb stated they worked strenuously and previously the county would not allow Johnson to become a two way roadway.

Albert suggested the because of the time passage and the recent work done in the town they approach the county again and obtain information and return to the board with this information.

Mr. Shimanowitz stated that should they take this approach they would like to memorialize the resolution the same night of approval. Albert stated he would write the resolution for approval.

We will need reports from the following upon return:

Fire Department

Jerome Bowers will present at their next meeting and return with report

County comments

Board will hold hearing open for Johnson Street issue.

Meeting opened for comments

Joyce Smith - Franklin Street

Stated that there were no sidewalks on Franklin Street and everyone walks in the streets and plays in the streets - Johnson used to go out to Main Street - She is concerned regarding the increased traffic on Franklin Street.

Meeting closed to public

Conditions:

Signage at entrance for residents only

Gate into the parking garage - no necessity the board agreed - signage should work

Regulations regarding in/out will be included in Association documents

Lines in parking garage

Will add Handicap space

Handicap space - all agreed - at street with curb cut

Curb issues

At the Dr.s office - Engineer does not seem to think it is necessary to put curb

After a vote was taken it was decided by a 3 to 4 vote to leave curbing as is.

Vinyl Privacy Fence is okay

Will get correspondence from county regarding Johnson Street, they will submit an application stating that we are requesting this issue be resolved.

Fire Department Report - Wednesday - Being presented by Jerome Bowers to Fire Department

Trash/Recycling Area - will present at next meeting

Association documents will be reviewed and approved by Board Attorney

A dedication of land to expand right of way to Johnson Street

No closets in dens

Agreed to Dennis Hudacsko's report and comments

The applicant will provide clarification on two way of Johnson Street

A motion was made to hold meeting over until July 15, 2008 to allow applicant to obtain further information that we requested by Mayor Warrelman, seconded by Robert Allenovitch and approved by all.

| | | | |
|-----------------------|-----|---------------|---|
| Mayor Terry Warrelman | Y | Jerome Bowers | Y |
| Robert Allenovitch | Y | Paul Kaminsky | A |
| Dennis Allenovitch | Y | John Rockwell | Y |
| Barbara Bozzone | A | John Elters | |
| Bruce Blumenthal | N/V | Harold Kildow | Y |

An announcement was made that this meeting will be held over to July 15, 2008 at 7:30 pm at Fellowship Hall. No notice is required

Approval of Minutes

A motion was made to approve minutes of February 19, 2008 by, Mayor Warrelman, seconded by, Jerome Bowers, and approved by all.

A motion was made to approve minutes of April 15, 2008 by, Mayor Warrelman seconded by, Dennis Allenovitch, and approved by all.,

A motion was made to approve minutes of May 20, 2008 by, Jerome Bowers, seconded by, Mayor Warrelman, and approved by all.

Approval of Resolutions

Application 329 - Certificate of Non-Conforming Use

Robert Lynn

114 Lincoln Street

Block 21, Lot 18

A motion was made to approve resolution 08-329 as written by Robert Allenovitch, seconded by Jerome Bowers and approved by all.

| | | | |
|-----------------------|-----|--------------------------------|---|
| Mayor Terry Warrelman | Y | Jerome Bowers | Y |
| Robert Allenovitch | Y | Paul Kaminsky | A |
| Dennis Allenovitch | Y | John Rockwell | Y |
| Barbara Bozzone | A | | |
| Bruce Blumenthal | N/V | Carol Rice/Secretary/Alternate | Y |

Committee Reports

Mayor Warrelman

Fanaro out - locks changed moving along

Councilperson Allenovitch - nothing to report

Board Engineer - nothing to report

Board Attorney

Route 517 is requesting two one year extensions regarding their previous application.

Albert will draft these resolutions however because of new laws this may not be necessary

Adjournment

A motion was made to adjourn by Robert Allenovitch, seconded by Jerome Bowers, and approved by all.

Meeting closed at 11:30 PM

Submitted by:

Carol Rice

Secretary