

# Planning/Zoning Board

2012 MEETING MINUTES

SBBNJ

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**January 11, 2012**

DUE TO THE LACK OF APPLICATIONS TO PROCESS THE PLANNING/ZONING BOARD MEETING SCHEDULED ON JANUARY 11, 2012 AT 7:30 PM HAS BEEN CANCELLED.

WE WILL CONDUCT REGULAR BUSINESS ON FEBRUARY 08, 2012 AT 7:30 PM.

THANK YOU  
CAROL A. RICE  
SECRETARY

**SOUTH BOUND BROOK PLANNING/ZONING BOARD  
12 MAIN STREET**

**SO. BOUND BROOK, NJ 08880**

**February 08, 2012**

The Planning/Zoning Board met on Wednesday, February 08, 2012 in the new Chambers, 12 Main Street, South Bound Brook, NJ. The meeting was opened at 7:30 PM by Chairman Rockwell with a reading of the Open Public Meeting Law Statement of 1975, Chapter 231.

Mayor Ormosi	P	John Rockwell	P
Councilman Blumenthal	P	Alt 1	TBD
Dennis Allenovitch	P	Alt 2	TBD
John Elter	P		
Harold Kildow	P	Carol Rice, Secretary	P
Paul Kaminsky	P	Albert Cruz, Board, Attorney	P
Greg Mastersero	P	Tom Herits, Board Engineer	P

**Swearing in of New/Reappointed Members:**

Paul Kaminsky, John Elter, Harold Kildow - 4 year terms ending 12/31/2015

**Mayor takes chair and asks for nominations for chairman**

John Rockwell was appointed Chairperson

**Chair takes his seat**

**Chair asks for appointment of vice chair**

Paul Kaminsky was appointed Vice-chair

**Appointments were made as follows:**

- **Board Attorney** - DiFrancisco, Bateman, Coley, Yospin, Kunzman, Davis, & Leher
- **Board Engineer** - Mazar Consulting
- **Board Secretary**- Carol Rice
- **Official Newspaper** - Courier News, as primary newspaper and Star Ledger as alternate

**Meeting opened to public**

No one in public

**Meeting closed to public**

**Approval of Minutes**

A motion was made to approve minutes of October 12, 2011 by Dennis Allenovitch, seconded by Paul Kaminsky and approved by all.

A motion was made to approve minutes of November 09, 2011 by Paul Kaminsky, seconded by Dennis Allenovitch and approved by all.

**Committee Reports**

- **MAYOR ORMOSI**  
Nothing to report
- **COUNCILMAN BLUMENTHAL**  
Nothing to report
- **ENGINEER**
  - Saunders is halfway done - work with DOT Grant
  - Beginning work on parking lot across street
  - Explained NJ Water Authority and Drainfalls. Trees will be planted in areas of collection to filter water. Will act as a catch basin.
  - Outfall pipe at Staats House to clean contaminants before it reaches the canal. This is a State Grant.
  - Riverbrook - Working on building #3. Building #1 is full and sold
  - Rain Barrel Program
  - GAF is recapping asbestos on mound on tote path
  - We are installing oversize protectors on Main Street to prevent oversized trucks from going under overpass.
- **BOARD ATTORNEY**  
Nothing to report

**ADJOURNMENT**

A motion was made to adjourn by Bruce Blumenthal seconded by Dennis Allenovitch, and approved by all.

Meeting Closed at 7:54 PM

Submitted by:

Carol A. Rice

Secretary

**SOUTH BOUND BROOK PLANNING/ZONING BOARD  
12 MAIN STREET**

**SO. BOUND BROOK, NJ 08880**

**March 14, 2012**

The Planning/Zoning Board met on Wednesday, March 14, 2012 in the new Chambers, 12 Main Street, South Bound Brook, NJ. The meeting was opened at 7:30 PM by Chairman Rockwell with a reading of the Open Public Meeting Law Statement of 1975, Chapter 231.

Mayor Ormosi	P	John Rockwell	P
Councilman Blumenthal	A	Alt 1	TBD
Dennis Allenovitch	P	Alt 2	TBD
John Elter	P		
Harold Kildow	P	Carol Rice, Secretary	P
Paul Kaminsky	P	Albert Cruz, Board, Attorney	P
Greg Mastersero	P	Tom Herits, Board Engineer	P

**Application 323-2-SD - Minor Subdivision**

**Lopa**

**Remsen Street**

**Block 38, Lot 25.04**

Albert Cruz, Board attorney has reviewed notifications and publications and stated that the board has jurisdiction to hear this application.

Edward Johnson, Esq. - representing the applicant

Presented the following witness

James Mantz, PE - presented his credentials and was accepted as a professional.

Mr. Mantz testified to the following:

- He has prepared the plans
- This application is from a former application
- They has submitted the following
  - Stream Encroachment permit to construct two dwellings on lots 25.03 and 25.04
  - Letter of interpretation (DEP)
  - Buffer average - application for conservation easement - this area can be used for passive activities and vegetation cannot be trimmed or removed.
  - DNR approval - 4 lots

Presented Plans

A-1 Block 38 Lot 25.04 - Final Sub-division map dated 02/15/2012

- Created a subdivision line Remsen Street east
  - Proposed lot 25.05 is 6,900 square feet in size
  - Dwelling will be 2,700 square foot with basements
  - They will be two story - 1,200 square feet floor 1, and 1,500 square feet floor 2
  - Two driveways leading from Remsen Street to garages.
  - Exiting there will be area for K-turns so they do not have to back out.
  - Rear yard is the only variance they are applying for.
- They have agreed to Tom Herits Engineer's report (03/07/2012)
- They will get all utility permits and approvals.

**Meeting opened to public**

Anthony Pasek - 79 Catherine Street

Questioned the size of each dwelling

Each house will be 2,700 square feet with basement

Ratnesh Shrinket - 240 Lawrence Street

Questioned the possibility of water in the basements and feels it may cause more water on his property



Water table is acceptable for basements. Should there be a problem with water in the basements it is their feeling that a sump pump will handle. The basement floor has to be two feet above the water tab. Elevation is lower than his property. It is in a conservation area and this has been approved by the DEP.

Mr. Shrinket was concerned about the clearing of the land

The land will be cleared and new trees will be planted

Mr. Shrinket questioned where the water from the property will go with regard to the creek.

There will be a swale to channel the water to the stream. The lots will be graded to run in an easterly direction into the swale or to the street draining away from Lawrence Street.

They will make it a condition that the grading plans will be submitted for the Borough Engineers approval.

Nora Lyons - 239 Lawrence Street

Ms. Lyons stated that there is a sinkhole that has old sewer pipes exposed. She wants to be certain that this will be repaired.

The applicant agreed to remove and replace

**Meeting closed to public**

Herb Lauterwald, Architect/Planner

Mr. Lauterwald presented his credentials and was accepted as a professional.

Mr. Lauterwald testified to the following:

- He has worked with Mr. Lopa developing these plans
- The two proposed lots are conforming except for the rear yard setback
- For better orientation they propose to turn the houses slightly a k-turn for aesthetic appearance and lessen the visual impact in regard to the neighborhood.
- They can eliminate the variances by placing the houses within the building envelope.

Mr. Lauterwald testified to the negative and positive criteria of this application

Negative - None except the rear yard setback

Positive - No land acquisition available to eliminate the rear yard setback variance.

Harold Kildow questioned lots 25.02/25.03

Mr. Lopa still owns and will build. Each lot is 5,000 square feet and are a part of maps that were previously filed.

Tom Herits, Board Engineer stated that we may want him to reconfigure the houses so as to eliminate the rear yard setback variance.

Mr. Philip Lopa - Owner/Applicant Sworn in

32 Grant Avenue, Middlesex, NJ

Mr. Lopa testified as follows:

- Regarding water issues he walk the property during Irene and there was no excess water that he could find.
- Presented pictures dated 08/28/2011 2:00 PM showing stream and not water on the property. (A-2)
- He stated he would not have a problem with reconfiguring the houses
- Presented Architectural Renderings (A-3) prepared by Roger C. Winkle dated November 14, 2006.
- Presented pictures of property (A-4) standing on Lot25.04 showing the Southeast corner of Lot 29

**Meeting opened to public - for comments**

Nora Lyons

The property has a lot of trees that are down.

Ratnesh Shrinet

He does not feel there is enough room for four houses. He would like to see no variances.

Anthony Paseck

Stated that his property has survived all floods and is concerned that the water will be going into the stream and will have a negative effect on the surrounding area.

### **Meeting closed to public**

The applicant stated that they were placed this way to be aesthetically pleasing and accessibility. They could position them so they would not need a variance. The houses would have to be smaller.

Mr. Cruz stated that the board does not approve the building, we only have jurisdiction to approve the setbacks.

Mr. Johnson stated that the applicant would straighten the houses and make them conform.

Mr. Cruz stated they are asking for a variance and they can withdraw that request.

Mr. Johnson summarized.

He stated that after speaking with the applicant he would like to withdraw the variance request. They will position the houses to be a better fit.

Mr. Lopa agreed

Mr. Cruz stated that this application is now only a Minor Sub-division application.

There were concerns by the board. Tom Herits addressed the concerns as follows:

- In his report #7 - Storm Water Management - No retention basin is required as it is too small.
- We could require a seepage pit and would put run-off from the roof to go into ground and would be absorbed in the water table.
- Applicant has submitted all required applications and has received his approvals.
  - DNR Commission - Exempt
  - Somerset County Soil Conservation - Soil Erosion
  - County Planning Board - Map filing
  - Conservation and Restoration - Long area to be preserved as a buffer

- Transition Area Waiver - to make lots buildable
- Stream Encroachment Permit
- Wetlands ownership - Lopa will be a part of lot 25.04

Mr. Herits questioned if there were any concerns when permits were issued.

Mr. Lauderwald stated that there were surface water concerns.

There was a wetlands study conducted. Stream encroachment is set by the state and ground water is not a part of the study. It would be difficult to determine. If they go below the water table they will waterproof.

This is an application for a sub-division only.

Conditions are as follows:

- They will submit a grading report to the borough engineer
- They will comply with Tom Herits report dated March 07, 2012.
- Season High Water Table will be determined prior to construction and will build above the water table.
- Water Table will determine if a seepage pit is required.
- They will comply with conditions of Resolution 07-323 of October 16, 2007 and 11-323-FSP dated May 11, 2011.

A motion was made to approve application 323-2-SD with conditions by Harold Kildow, seconded by Paul Kaminsky and approved by all.

Mayor Ormosi	Y	Harold Kildow	Y
Councilman Blumenthal	A	Paul Kaminsky	Y
Dennis Allenovitch	Y	Greg Mastersero	Y
John Elter	Y	John Rockwell	y

### **Approval of minutes**

A motion was made to approve the minutes of February 08, 2012 by Bruce Blumenthal, seconded by Harold Kildow and approved by all.

### **Committee Reports**

- **MAYOR ORMOSI**  
Nothing to report
- **COUNCILMAN BLUMENTHAL**  
Nothing to report
- **ENGINEER**  
New parking lot and salt dome are complete  
  
They are going to recap GAF and plant trees  
  
On oversized vehicle sign will be installed on Main Street
- **BOARD ATTORNEY**  
Nothing to report

### **ADJOURNMENT**

A motion was made to adjourn by Paul Kaminsky seconded by Dennis Allenovitch, and approved by all.

Meeting Closed at 9:00 PM

Submitted by:

Carol A. Rice

Secretary

**April 11, 2012**

DUE TO THE LACK OF APPLICATIONS TO PROCESS THE PLANNING/ZONING BOARD MEETING SCHEDULED ON APRIL 11, 2012 AT 7:30 PM HAS BEEN CANCELLED.

WE WILL CONDUCT REGULAR BUSINESS ON MAY 09, 2012 AT 7:30 PM.

THANK YOU  
CAROL A. RICE  
SECRETARY

**May 09, 2012**

DUE TO THE LACK OF A QUORUM THE PLANNING/ZONING BOARD MEETING SCHEDULED ON May 09, 2012 AT 7:30 PM HAS BEEN CANCELLED.

WE WILL CONDUCT REGULAR BUSINESS ON JUNE 13, 2012 AT 7:30 PM.

THANK YOU  
CAROL A. RICE  
SECRETARY

**SOUTH BOUND BROOK PLANNING/ZONING BOARD  
12 MAIN STREET**

**SO. BOUND BROOK, NJ 08880**

**June 13, 2012**

The Planning/Zoning Board met on Wednesday, June 13, 2012 in the new Chambers, 12 Main Street, South Bound Brook, NJ. The meeting was opened at 7:30 PM by Chairman Rockwell with a reading of the Open Public Meeting Law Statement of 1975, Chapter 231.

Mayor Ormosi	P	John Rockwell	P
Councilman Blumenthal	P	Alt 1	TBD
Dennis Allenovitch	P	Alt 2	TBD
John Elter	P		
Harold Kildow	P	Carol Rice, Secretary	P
Paul Kaminsky	P	Albert Cruz, Board, Attorney	P
Greg Mastroserio	A	Tom Herits, Board Engineer	P

**Approval of Resolution**

**12-323-2-SD - Minor Subdivision**

**Lopa**

**Remsen Street**

**Block 38, Lot 25.04**

Bruce could not vote on this resolution as he was not present for the application hearing.

A motion was made to approve resolution 12-323-2-SD by Paul Kaminsky, seconded by John Elter and approved by all.



Mayor Ormosi	Y	Harold Kildow	Y
Councilman Blumenthal	N/V	Paul Kaminsky	Y
Dennis Allenovitch	Y	Greg Mastroserio	A
John Elter	Y	John Rockwell	Y

### **Committee Reports**

- **MAYOR ORMOSI**  
Nothing to report
- **COUNCILMAN BLUMENTHAL**  
Nothing to report
- **ENGINEER**  
Nothing to report
- **BOARD ATTORNEY**  
Nothing to report

### **Approval of minutes**

A motion to approve minutes of March 14, 2012 was made by Paul Kaminsky, seconded by Mayor Ormosi and approved by all.

### **ADJOURNMENT**

A motion was made to adjourn by Paul Kaminsky seconded by Dennis Allenovitch, and approved by all.

Meeting Closed at 7:50 PM

Submitted by:

Carol A. Rice

Secretary

**July 11, 2012**

DUE TO THE LACK OF A QUORUM THE PLANNING/ZONING BOARD MEETING SCHEDULED ON July 11, 2012 AT 7:30 PM HAS BEEN CANCELLED.

WE WILL CONDUCT REGULAR BUSINESS ON September 12, 2012 AT 7:30 PM.

THANK YOU  
CAROL A. RICE  
SECRETARY

**September 12, 2012**

DUE TO THE LACK OF A QUORUM THE PLANNING/ZONING BOARD MEETING SCHEDULED ON SEPTEMBER 12, 2012 AT 7:30 PM HAS BEEN CANCELLED.

WE WILL CONDUCT REGULAR BUSINESS ON OCTOBER 10, 2012 AT 7:30 PM.

THANK YOU  
CAROL A. RICE  
SECRETARY

**October 10, 2012**

DUE TO THE LACK OF A QUORUM THE PLANNING/ZONING BOARD MEETING SCHEDULED ON OCTOBER 10, 2012 AT 7:30 PM HAS BEEN CANCELLED.

WE WILL CONDUCT REGULAR BUSINESS ON NOVEMBER 14, 2012 AT 7:30 PM.

THANK YOU  
CAROL A. RICE  
SECRETARY

**SOUTH BOUND BROOK PLANNING/ZONING BOARD  
12 MAIN STREET**

**SO. BOUND BROOK, NJ 08880**

**November 14, 2012**

The Planning/Zoning Board met on Wednesday, November 14, 2012 in the new Chambers, 12 Main 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.

Mayor Ormosi	p	John Rockwell	p
Councilman Blumenthal	p	Jeffrey Williams (Alt 1)	
Dennis Allenovitch	p	Alt 2	
John Elter	p		
Harold Kildow	a	Carol Rice, Secretary	p
Paul Kaminsky	p	William Willard, Board, Attorney	p
Greg Mastersero	p	Tom Herits, Board Engineer	p

**Swearing in of Alternate members**

**Jeffrey Williams - 1 year term ends 12/31/2012**

**Terry Warrelman will be sworn in next month**

**Application 348 - Conditional Use - Outdoor Dining**

**Queensbridge LLC aka Southside Grille**

**2 Main Street**

**Block 56, Lot 1.01**

**Jitendra Shah - Owner**

Due to the lack of an attorney the meeting will be carried over to December 12, 2012. No further notice is required.

**Meeting opened to public**

**Meeting closed to public**

### **Committee Reports**

- **MAYOR ORMOSI**  
Has been dealing with hurricane. We had minimum damage in town.
- **COUNCILMAN BLUMENTHAL**  
Nothing to report
- **ENGINEER Herits**  
Awarded a contract to redo West Warren and Jefferson Street  
  
Getting a bid for a generator for the municipal building  
  
Replacing sewer on Madison and Van Syckle due to problems
- 
- **BOARD ATTORNEY**  
Nothing to report

### **ADJOURNMENT**

A motion was made to adjourn by Bruce Blumenthal seconded by Paul Kaminsky, and approved by all.

Meeting Closed at 8:00 PM

Submitted by:

Carol A. Rice

Secretary

**SOUTH BOUND BROOK PLANNING/ZONING BOARD  
12 MAIN STREET**

**South Bound Brook, NJ 08880**

**December 12, 2012**

The Planning/Zoning Board met on Wednesday, December 12, 2012 in the new Chambers, 12 Main Street, South Bound Brook, NJ. The meeting was opened at 7:30 PM by Chairman Rockwell with a reading of the Open Public Meeting Law Statement of 1975, Chapter 231.

**Attendance**

Mayor Tomas Ormosi	P	John Rockwell	p
Bruce Blumental	p	Jeffrey Williams (Alt)	p
Dennis Allenovitch	P	(Alt 2)	
John Elter	A		
Harold Kildow	P	Carol Rice, Secretary	P
Paul Kaminsky	P	Albert Cruz, Board Attorney	P
Greg Masterserio	p	Tom Herits, Board Engineer	P

Terry Warrelman was sworn in as an alternate member.

**Application 348 - Conditional Use - Outdoor Dining**

**Queens Bridge LLC adk Southside Grille**

**2 Main Street**

**Block 56, Lot 1.01**

Jeffrey Green, Esq. representing applicant

Mr. Green testified as follows:

- Applicant has submitted an application for a conditional Use for Outdoor Dining
- Applicant received Tom Herits Report and they have changed plans
- Application was submitted to the Somerset County Planning Board
- Clerk will forward application to ABC
- They are ready to comply to all the conditions.

Jitendra Shah, applicant sworn in

Owner of Southside Grille

In reviewing the plans

Mr. Shah testified as follows:

- They are going to provide wheel stops to prevent cars from going to the seating area.
- They will be anchored into the ground.
- They will make the 28 feet if the board requires.

Tom Ormosi - Questioned why is the area past the planter area. It currently looks like it is sticking out into the entrance way.

Tom Herits

- They should push the fence back to be even with the planter. And place bollards in front of the fence. These can be removed at the end of the season with the fence. Bollards should be the same height of fence post.
- If they shorten the length they will lose 4 tables. If he makes the planter the length of the fence it will take care of safety issues.
- Fences should be 5.5 feet with bollards in front of it
- Extend planter to the end of the fence and provide plantings to create a good buffer.
- He will have to move his handicap spots to the other side of the door.
- Hours of operations must be closed by 10:00 PM
- Lighting - will be low wattage lighting will be along the fence. Mood lighting. No lighting on the building.

Meeting opened to public



No one in public to speak

Meeting closed to

Albert Cruz, Board Attorney summarized

Application is for a conditional use. It is a permitted use in the zone provided that the conditions of the ordinance are met. Mr. Herits has stated that the conditions have been met.

Conditions of approval:

- New plans showing changes should be submitted to the board prior to signing of resolution.
- County Planning Board Approval
- ABC Approval - by council (waiting for this to be approved before they can do the expansion of the licensed area)
- The distance between the ballards should be no more than 4 feet

A motion was made to approve with the condition that they submit amended plans prior to approval of resolutions by Howard Kildow, seconded by Paul Kaminsky, and approved by all.

Mayor Tomas Ormosi	P	Paul Kaminsky	Y
Bruce Blumenthal	Y	Greg Masterserio	Y
Dennis Allenovitch	Y	John Rockwell	Y
John Elter	A	Jeffrey Williams (Alt 1)	Y
Harold Kildow	Y	Terry Warrelmann	Y

**Application 349 - Major Site Plan Prelim/Final - Bulk Variance**

**Tri-Tech Took and Design**

**30 Cherry Street**

**Block 47, Lot 15**

Larry Vastola Esq. representing the applicant

Mr. Arthur Weber, owner

28 Chamberline Road, Flemington, NJ

Mr. Weber testified as follows:

- He is the owner
- Has been at location for 30 years
- 5 day business - molders for plastic parts, and product development in the molding industry
- Manufacture inside the building - Finished product currently has to be staged outside
- They truck to Bridgewater

A-1 Picture of the parking lot - he took a couple weeks ago

The area they will be using is only to be used as a staging area. It will make it neater cleaner and quieter.

A-2 Rendering

- They are knocking down the pole building. There will be nothing staged outside.
- Layout (Tom Herits Report)
  - Parking - 4 spots - all for employees - They angled the parking so everyone can do a K-turn toward the back of the building.
  - They have demonstrated. They have tested this
  - Truck would back into the loading area and pull forward on to Cherry Street.
  - Fence - Replaced a 5.5-6 foot wood fence - Board on Board #3
  - This is not a retail business. Move in move out

Mr. David A. Sites - Engineer

Presented his credentials and was accepted as a professional

He is the Board engineer in Watchung as is Mr. Herits and Mr. Cruz

A-3 - Color rendering of site plan (sheet 2)

He described the site

Mr. Sites testified as follows:

- Parking will have 8 spaces - 5 with a 50 degree angle and the remaining will have less of an angle

- Parking is for employees
- Plantings buffer and fencing along property lines.

As a planner

- Currently 2.2 feet new 4.7 this is the same as the pole barn on the other side
- Relieve so the product can be staged indoors vs outdoors. Enhances neighborhood
- Southerly side currently 7 feet proposed is at 12.4 feet
- They will place bollards at the corners of the additions.
- They will comply with handicap issue
- Fence - Looks new good condition - excellent buffer
- Refuge - two dumpster in rear - they manually wheel them out.
- Lighting - wall packs 14 feet high low level lights

Meeting opened to public

No one in public

Meeting closed to public

Mr. Weber stated that this is not for more manufacturing - it is not to add to the bottom line, it is just to improve efficiency and esthetics for the neighborhood.

A motion was made to approve subject to the engineers report by Paul Kaminsky, seconded by Bruce Blumenthal, and approved by all.

Mayor Tomas Ormosi	Y	Paul Kaminsky	Y
Bruce Blumenthal	Y	Greg Masterserio	Y
Dennis Allenovitch	Y	John Rockwell	Y
John Elter	A	Jeffrey Williams (Alt 1)	Y
Harold Kildow	Y	Terry Warrelmann	y

## Committee Reports

**Mayor Ormosi**

- All with hurricane is completed

**Councilman Bruce Bluemthal**

- Compliment forces on good job

**Tom Herits, Board Engineer**

- Improvements - West Warren and Jefferson
- Generator for Municipal and this building is going to bid

**Albert Cruz, Board Attorney**

- Noting to report

## **ADJOURNMENT**

A motion was made to adjourn by Dennis Allenovitch , seconded by Terry Warrelmann, and approved by all.

Meeting Closed at 8:45 PM

Submitted by:

Carol A. Rice

Secretary