

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
MAY 24, 2016**

Roll Call:

Present:

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

Absent:

Michael Pellegrino - Absent
Peter Smith - Absent

Also Present: Alex Fisher, Esq.

Chairman Ackerman opened the meeting at 7:00 pm saying that this meeting is being held in accordance with the Open Public Meetings Act, by posting a notice to The Observer & 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: None

Resolutions: (1)

**A. Case #731 -- JSM at Tingley, LLC (Celebrations)
Block: 517 Lot: 1
200 South Avenue**

The applicant is requesting to withdraw the application without prejudice.

Motion to approve the Resolution made by Mr. Pederson, seconded by Mr. Mocharski. Those in favor:
Mayor Anesh, Councilman White, Ms. Bartfalvi, Mr. Bythell, Mr. Grzenda, Mr. Houghton,
Mr. Mocharski, Vice Chairman Pederson, Chairman Ackerman.

Current Files: None

Informal Hearings: None

Public Hearings: None

Old Business:

Mr. Mocharski discusses the Lakeview Avenue home. He and others on the board were under the impression that the garage and/or breezeway were to remain. Mr. Ackerman and Joanne went through the files and spoke with Dominic Demico, Jr. in the building department. No indication that they were to be left.

Shoprite was to leave the back wall. During demolition Shoprite discovered the back wall was unsafe. Therefore, they removed the walls and will rebuild them. Mr. Ackerman had spoken to Mr. Demico and both agreed to the same. Mayor Anesh states the front wall was to be demolished.

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Councilman White states that the target date to open is November 2016. Mr. Fisher states that Shoprite is waiting for outside approval – parking lot, rights-of-way etc.

Committee Reports:

- A. **Street Naming Committee** - Chairman Ackerman report progress.
- B. **Environmental Committee** – Mr. Houghton and Mr. Bythell report progress.
- C. **Council Reports** - Councilman White report progress.
- D. **Mayoral Updates** – Mayor Anesh report progress.

Minor Site Plan: None

New Business: None

Possible application from the owners of the property behind the Mercedes repair shop (Hamilton Boulevard) by the old fire house. Possibly demolish the existing buildings then build retail space on the bottom with apartments on top.

Correspondence: Invitation from Najarian.

Audience Comments:

Anthony Risoli addresses the board. He owns property on block 539 on the South Side of town. He is asking the Board if there are any plans to change the zoning in the area from OPA-1. The area is surrounded by industry, warehousing, retail, trucking companies, car wash and a bank. Mr. Ackerman states that nothing has come before the Board to make the change nor can the Board make the change. However, Mayor and Council can send it to the Board in which the Board can make a recommendation to the Mayor and Council.

Mr. Risoli has previously spoken to two (2) inspectors - Mr. Abbruzzese and Mr. Demico and has addressed the Zoning Board of Adjustments. Upon the recommendation of the Zoning Board attorney, which at that time was Mr. Jones, he spoke to the Zoning Officer after sending a Certified Letter. Mr. Risoli questions the board if they have seen the Certified Letter... the board has not.

The property in question is 100 Main Street. It is an asphalt company which is a violation in the zone. The garage has a blue tarp on it for number of years. There is a person living in a trailer. There was a denial of a zoning permit for running an asphalt company out of the garage. The copy of the zoning permit denial is being reviewed by the board. Since there has been no application submitted or action/enforcement taken by the Borough, Mr. Risoli is wondering if the zone is being changed. He does not understand why nothing is being enforced.

Mr. Fisher advises Mr. Risoli to approach the Mayor and Council in this matter. The Planning Board has no jurisdiction. Councilman White asks Mr. Risoli what date was the denial.... December 2015.

Mr. Risoli states that the Zoning Officer could not find any information of how the garage was able to operate as a trucking company then later as a towing company. Many years ago, Mr. Risoli's father challenged why a towing company was able to operate from the location when the zone designation got changed. His father was told it was 'grandfathered in'. When Mr. Risoli asked the Zoning Officer is there such a thing as 'grandfathering in'... he was told there is no such thing.

He has concerns about the wells in the area. When HK came to the area, they were forced to put impervious coverage under their trucks with a retention basin for run-off because of the wells and the people living in the area. If they were forced to do so, why isn't the property in question being forced to do the same.

Again, Mr. Ackerman advises him go to the Mayor or Council. If it comes to the Planning Board, they are now aware of the situation.

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Upon Mr. Risoli exiting the meeting, the board discusses the area. There is a house and behind the house is a building. Only access is Main Street. Gemini Towing once operated from the location.

Executive Session: None

Adjournment: 7:26 pm.

Respectfully Submitted
Joanne Broderick
Planning Board Secretary