

**BOROUGH OF SOUTH PLAINFIELD  
PLANNING BOARD MINUTES  
January 12, 2021**

**Roll Call:**

**Present:**

Mayor Matthew Anesh  
Council President Derryck White  
Gerry Butrico, Alt. 1  
Brian Bythel  
Susan Lepore, Alt. 2  
Jack Pedersen  
Michael Pellegrino  
Vice Chairman Rich Houghton  
Chairman Bob Ackerman

**Absent:**

John Mocharski

**Also Present:** Matt Flynn, Esq.; Bob Bucco, PE, CME, CPWM; Janki Patel, PP

**Chairman Ackerman** opened the meeting at 7:05 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:** August 25, 2020 & October 27, 2020

Chairman Ackerman called for a motion to approve the above-mentioned minutes. Council President White made motion, seconded by Mr. Pedersen. Those in favor: Mayor Anesh; Council President White; Mr. Butrico; Mr. Bythel; Ms. Lepore; Mr. Pedersen; Mr. Pellegrino; Vice Chairman Houghton and Chairman Ackerman.

**Resolutions:**

**Case #797 - JRB Properties, LLC**

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

Chairman Ackerman called for a motion to approve the above-mentioned resolution. Mr. Pedersen made motion, seconded by Mr. Houghton. Those in favor: Mayor Anesh; Council President White; Mr. Butrico; Mr. Bythel; Ms. Lepore; Mr. Pedersen; Mr. Pellegrino; Vice Chairman Houghton and Chairman Ackerman. Abstain: Ms. Lepore.

**B. Case #798 - JRB Properties, LLC**

Block ; Lot ; M-3 Zone  
330 Shevchenko

Chairman Ackerman called for a motion to approve the above-mentioned resolution. Mr. Pedersen made motion, seconded by Mr. Houghton. Those in favor: Mayor Anesh; Council President White; Mr. Butrico; Mr. Bythel; Mr. Pedersen; Mr. Pellegrino; Vice Chairman Houghton and Chairman Ackerman. Abstain: Ms. Lepore.

**C. Case #19-04 - Glopak 132 Case Drive, LLC**

Block 254; Lot 2.01; M-3 Zone  
132 Case Drive

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Chairman Ackerman called for a motion to approve the above-mentioned resolution. Council President White made motion, seconded by Mr. Bythel. Those in favor: Mayor Anesh; Council President White; Mr. Butrico; Mr. Bythel; Ms. Lepore; Mr. Pedersen; Mr. Pellegrino; Vice Chairman Houghton and Chairman Ackerman.

**Current Files:** None

**Informal Hearings:** None

**Public Hearings:** (1)

**Case #20-02 - Hawkeye Development Company**

Block 95; Lot 2.01; R-15 Zone  
3105 Park Avenue / Whispering Hills Road

The applicant is requesting a *Major Subdivision – four (4) lots*.  
Carried from October 27, 2020.

Chairman Ackerman announced that he had listened to the tapes and read the minutes. All Board Members have a copy of the previous minutes. Chairman Ackerman asked the Board Members to identify themselves if they have listened to the tapes and read the Minutes. Mr. Pedersen and Mr. Butrico announced that they have to abstain from the hearing.

James F. Clarkin, III – Clarkin & Vignuola, PC, 86 Washington Avenue, Milltown, New Jersey – Attorney for Applicant addressed the Board Members. At the previous hearing, there were several items to be addressed. The two (2) largest items are - tree replacement and Stormwater Management. Mr. Bucco agreed in his November 6, 2020 letter that he agreed with the increase of runoff is de minimis and no adverse impact to neighboring properties. Have prepared revised Engineering plans. Believes revisions improved the project and address Mr. Bucco's concerns. Provided a hydrology report. No adverse effect to the site or downstream. Environmental Impact Statement provided. No permanent impact to the Environment. Engineer has spoken with Dr. Tempel. Environmental Commission report has been updated to reflect conversations. Received Mr. Bucco's revised letter dated December 8, 2020 and believes have addressed all items. Received request from property owner of block 95. Lot 4.01... east side of property, for fifteen feet (15') underground easement to the property that fronts Woodland for water and sanitary sewer. Will not impact site plan. Will accept the granting easement as a condition.

Chairman Ackerman asked if the easement is in the location where a street was previously vacated. Mr. Clarkin stated yes.

Mr. Clarkin continued. Mr. Gazale has since retired. Mr. Les Walker drew the revised plans and is present.

Leslie Walker, III, PE - Meridian Engineering Group, Inc. - 199 Amboy Avenue, Suite 1B, Edison, New Jersey - is sworn in and accepted as a Professional Engineer. Mr. Clarkin questioned Mr. Walker:

- Took over for retired Mr. Gazale.
- Drew updated plans.
- Prepared Environmental Impact Statement and Hydrology Report.
- Reviewed Najarian Review letter dated December 8, 2020.
- Reviewed updated Environmental Commission Report dated December 14, 2020.
- Presented Exhibit A1 - Coloring Rendering of elevations of the new homes and landscaping.
  - Whispering Hills on bottom of plans.
  - Property at the bend.
  - Three (3) subdivided lots.
  - Mr. Reid's property - 'mother lot'.
- Added Stormwater Management onto plans.
- Adding drywells to each lot.
  - Will collect roof runoff including twenty-five (25) year storm.

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- Retaining walls - around property. One (1) to two (2) feet through seven (7) to eight (8) feet.
  - Retaining walls not to end of property line.
  - For Stormwater Management not to trigger additional stormwater management - under an acre.
  - Stormwater inlet towards the west - one hundred eighty feet (180')
  - Have not checked if inlet can be extended.
  - Drywells will work.
  - Mr. Bucco suggested to extend the inlet or add overflow pipe to inlet.
  - Road slopes in that direction.
  - Mr. Clarkin stated will agree to overflow pipe.
  - Mr. Bucco asked if stairs can be added to the retaining wall so homeowners can have access to the property beyond the wall. Mr. Clarkin stated yes.
- Trees:
  - Site is sixty percent (60%) wooded. Mostly pine trees.
  - Total of one hundred seven (107) trees on site.
    - Keeping five (5).
    - Removing one hundred two (102) trees.
  - Cannot change grading around trees. Will die.
  - Proposing one hundred sixty-nine (169) trees.
  - Per Ordinance, sixteen (16) inches in diameter requires replacement.
    - Three hundred eighty (380) trees for replacement.
    - Evergreen going around the property.
    - Has been discussing tree species and tree placement with Dr. Tempel.
  - Will make payment for twenty-two (22) trees.
  - Asking for relief for one hundred eighty-nine (189).
- Environmental Impact Statement:
  - Trees previous discussed.
  - No air pollution.
  - No slope ordinance.
  - Must go to Freehold Soil for soil erosion.
  - Drainage and runoff.
  - No wetlands - not conducive due to the slope.
  - Indiana Bats are endangered species.
    - Nesting in the North.
    - Only in the area to forage.

Council President White asked if there has been dialogue regarding the slope and environmental items with Dr. Tempel and if she is satisfied. Mr. Walker stated has had many discussions with Dr. Tempel. Believes she is satisfied.

Dawn Corbin - 47 West Elm Place, Red Bank, New Jersey - is sworn in and accepted as a Professional Planner. Mr. Clarkin questioned Ms. Corbin:

- Familiar with Master Plan.
- Has visited site.
- Has visited surrounding area.
- Described site:
  - Block 95 - Lot 2.01.
  - Ninety-seven thousand four hundred twenty-nine (97,429) square foot lot.
  - Frontage on Whispering Hills Road.
  - Existing dwelling - one (1) story.
  - Access to Park Avenue.
  - R-15 zone.
  - Surrounding area - single family homes.
- Proposing:
  - Subdivision into four (4) lots.
  - Single home to be built on each lot facing Whispering Hills Road.
  - Existing home to remain on fourth lot.
  - All homes will comply with all setbacks.

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- Comply with all building codes.
- Sidewalks to be provided along Whispering Hills Road.
- Underground utilities.
- Variances:
  - Lot depth for proposed lot 14. Existing home.
    - Required one hundred fifty feet (150') - proposing one hundred twenty-seven feet (127').
  - Lot frontage.
    - Existing home will continue to have access to Park Avenue.
  - Irregular shape lot with slope.
  - Existing lot is larger by 6.5 times of the Ordinance.
  - Three (3) conforming lots.
  - Slope causes hardship.
  - Existing home has been and will continue using access to Park Avenue. Has not requested to use Whispering Hills Road due to the slope
  - Retaining wall require at the rear of each proposed home due to the slope.
  - Flexible C:
    - Proposing to take an underdeveloped and under-utilized land to a productive use.
    - Permitted use.
    - Maintaining existing dwelling.
    - No detriments to Zoning Plan, Master Plan or Ordinance. Nor to neighboring property owners.
    - No detriment to light, air and open space.
    - Benefits out way detriments. No detriments.

Chairman Ackerman questioned the second variance. Mr. Clarkin stated that one (1) lot will not have frontage on a street.

Mr. Flynn requested to hear testimony regarding the access to Park Avenue with firefighting equipment. Mr. Clarkin asked Mr. Abbruzzese to meet at the site. Mr. Abbruzzese was satisfied regarding the access for fire equipment.

Chairman Ackerman opened the discussion to the Public.

Public - Steve Szeszlowski - 110 Whispering Hill Road, South Plainfield, New Jersey - is sworn in. Is concerned regarding the runoff during construction and afterwards. What happens if all the items discussed do not work. Mr. Clarkin stated never have known Mr. Bucco not on the side of caution and is conservative. Would have recourse against the Applicant for any damages.

No further questions or concerns from the Public.

Mr. Clarkin stated the project now is substantially different from the original application. Has worked with Board Professionals to make modifications.

Chairman Ackerman stated there are two (2) variances. Chairman Ackerman called for a motion to grant the variances. Council President White made motion, seconded by Mr. Houghton. Those in favor: Mayor Anesh; Council President White; Mr. Bythel; Ms. Lepore; Mr. Pellegrino; Vice Chairman Houghton and Chairman Ackerman. Opposed: None. Recused: Mr. Butrico and Mr. Pedersen.

Chairman Ackerman called for a motion to approve the subdivision with the conditions previously stated. Mr. Houghton made motion, seconded by Council President White. Those in favor: Mayor Anesh; Council President White; Mr. Bythel; Ms. Lepore; Mr. Pellegrino; Vice Chairman Houghton and Chairman Ackerman. Opposed: None. Recused: Mr. Butrico and Mr. Pedersen.

**Old Business:** None

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**Committee Reports:**

- A. **Street Naming Committee** – Bob Ackerman – report progress.
- B. **Environmental Committee** – Rich Houghton & Bryan Bythell – report progress.
- C. **Council Reports** – Council President White – report progress.
- D. **Mayoral Updates** - Mayor Anesh – report progress.

**Minor Site Plan:** None

**New Business:** None

**Correspondence:** None

**Audience Comments:** None

**Executive Session:** None

Chairman Ackerman stated currently no hearings scheduled for January or February. Has had email communication with Mr. & Mrs. Castanca's Attorney. Requesting the Applicant to respond to Board reports. May return to virtual meetings.

**Adjournment:** 8:20 pm.

Respectfully Submitted,  
Joanne Broderick  
Planning Board Secretary