

**CITY OF SOUTH AMBOY**  
**PLANNING BOARD**  
**REGULAR MEETING/MINUTES**  
**APRIL 28, 2011**

Members present: Michael Wilday, Joseph Connors, James Riehl, Thomas Kelly, Frank Milatta, Richard Moran, Bette Leibowitz

Members absent: Mayor Henry, Francis Mulvey, Peggy Scarillo, William Tierney

Also present: Angelo Valetutto, Planner; Andrew Brewer, Esq.

Meeting was called to order by Chairman Michael Wilday followed by the salute to the Flag.

Chairman Wilday stated adequate notice of this meeting has been provided under "The Open Public Meeting Act of New Jersey" by advertisement.

Roll call was taken at this time.

Motion by James Riehl, seconded by Bette Leibowitz to accept the Minutes of the March 23<sup>rd</sup> meeting as written. Motion carried 6-0, 1 abstention.

**Completeness Committee**

Mr. Valetutto stated we have an application for Raritan Point located on Lower Main Street. However, to date we have only received the plans. Since we do not have the application, it will be carried to the May meeting.

Motion by Frank Milatta, seconded by Bette Leibowitz to carried the application for completeness to the May meeting.

**City Council Resolution #59-2011 regarding the Steep Slope Ordinance to the Planning Board for their review and report.**

Mr. Valetutto stated we received the reference Resolution #59-2011 which was a referral from the Mayor and Council and under the State Statute we have to review any ordinance that affects land use and make our recommendations back to the Mayor and Council so they can proceed with the adoption of an ordinance. In this particular instance, the City Clerk received a letter dated March 7, 2011 from the County of Middlesex stating they

are obligated underneath the State mandates Wastewater Management Plan to provide certain ordinances for each of the communities within their boundaries. Among those that we have already done was the Riparian Buffer Conservation Zone which we did at the end of last year. We did one earlier in 2010 for Stormwater Management. We were asked to consider at this time, the Steep Slope Ordinance which is defined in their letter as a slope of more than 20% or run of more than 10 foot in horizontal length. The County has provided us with a model ordinance. Mr. Valetutto stated his office went through the model ordinance essentially filling out the information and making some minor corrections in terms of the language. Mr. Valetutto stated the only other item that his office put in was with regard to enforcement. Mr. Valetutto stated the only other community to date that adopted an ordinance was Perth Amboy so just for proposes of completing the ordinance and recommendation to Mayor and Council, he included the fines that Perth Amboy established. The recommendation of this Board is to proceed with the model ordinance and when it goes back to Mayor and Council they will have the right when they review it to make any modifications. Mr. Valetutto stated the adoption of this ordinance not only is in compliance with our Master Plan it also meets the stated goal of our Master Plan by assuring the protection of sensitive area during the development of the remaining vacant properties within the City.

Mr. Riehl questioned if this restricts construction in any way. Mr. Valetutto stated it requires the obligation of the applicant to provide to us those areas with slopes and to identify the area and then we would have to ensure that their method of construction does not create any hardships or detriment when it is developed. Mr. Valetutto stated it is also followed up by Freehold Soil Conservation District who also looks at these types of things. It is just another documentation that needs to be provided on the plans so that we as the City will know where the slopes are that are being modified based on the improvements.

Chairman Wilday opened the meeting to the public on this item. There was no public wishing to speak. Motion by James Riehl, seconded by Richard Moran to close the public portion. Motion carried 7-0.

Motion by Richard Moran, seconded by James Riehl to adopt the Resolution. Motion carried 7-0.

Chairman Wilday opened the meeting to the public. Motion by Richard Moran, seconded by James Riehl to close to the public. All in favor.

Motion by Richard Moran, seconded by James Riehl to adjourn. All in favor.

Linda Garnett