

CITY OF SOUTH AMBOY
PLANNING BOARD
REGULAR MEETING/MINUTES
NOVEMBER 30, 2011

Members present: Michael Wilday, Thomas Kelly, Francis Mulvey, Mayor Fred Henry, Frank Milatta, James Riehl, Bette Leibowitz

Members absent: Joseph Connors, Peggy Scarillo, Richard Moran

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

Meeting was called to order by Chairman 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 Frank Milatta to accept the Minutes of the September 27, 2011 meeting. Motion carried 7-0.

Completeness Committee

Motion by Frank Milatta, seconded by Michael Wilday to deem the Alan Meszaros Application (#323-11) complete and to be heard this evening. Motion carried 2-0.

Motion by Frank Milatta, seconded by Michael Wilday to deem the 234 First Street LLC (#322-11) complete and schedule for the January 25, 2012 meeting. Motion carried 2-0.

Christ Church Application 321-11

Mr. Valetutto stated he has had some discussions with the applicant, Father Campbell, regarding the application. The applicant has not notice for this meeting. Mr. Valetutto stated it would be appropriate to carry the application to the next meeting whether it be December or January and we will communicate with Father Campbell before the next meeting. Father Campbell had given some thought that he may just show up this evening and talk to the Board in general.

Alan Meszaros Application #323-11

Mr. Robert W. Dill, architect for the applicant, applicant Alan Meszaros and Angelo J. Valetutto were sworn in.

Mr. Valetutto stated he has advised the applicant that their application is a use variance because it has to be considered a billboard since it is advertising uses that are not on the property even though it's behind where the sign is proposed.

Mr. Valetutto stated his office has prepared a report dated November 18, 2011 which will be placed into the record.

Mr. Dill stated the present place is identified as Lot 22.01, 22.02 and 28.01 and are the three lots that their application is concerned with. The present building, Rumors 35, is located in front of the property on Lots 22.01 and 22.02. There is a building in the rear of the lot which is a T-shaped lot which was approved for a residential as well as commercial use back in 2005/2006. They are attempting to provide some signage out on Route 35 for the rear building. There are two commercial uses that presently exist in that building, CRT Support as well as Regal Limousine. They are seeking to put a sign out on Route 35 so that these people in the rear of the property about 100' away from Route 35 can have some recognition and people know that this is where the businesses are located. Mr. Dill stated Rumors 35 is being added as an additional business mentioned on this sign, the reason for that is where it is located at the southerly end of the property, roughly 300' away from the building itself and 350' away from the northerly driveway. They feel if they don't alert people that there is this first initial driveway there, that they will pass up the building until they reach the existing lit sign, go pass the building and then have to make a U-turn further down the road which they would like to avoid if at all possible.

Mr. Dill stated in reviewing the other items on Mr. Valetutto's report, he agrees and further stipulates should the Board entertain approving this application, that they will have not only landscaping under the sign but they will construct a planter type of base around the sign if it is so approved.

Mr. Dill stated the 25' setback is not achievable because of a fence on the adjoining piece of property that is located just 23' back from the lot line along Route 35. Mr. Dill explained that if you move it back from the line as much as they can which is 10'2" and the 4' for the sign, 5 or 6' is only left to they get to the fence. They don't want to tuck the sign behind the fence, it would probably lose parking spaces and it would be partially hidden behind the fence so it would need to be made higher which they do not want to do.

There will be three businesses advertised on the sign, Rumors 35, CRT Support and Regal Limousine.

Mr. Valetutto recommended that as a condition the sign can only be used for the businesses located on the site.

The sign will be printed on both sides and will not be illuminated.

The sign will be constructed of fiber plastic, unbreakable with a metal frame. The planter will be roughly 3' beyond the extremities of the sign to allow enough planting space. It will be a brick or masonry planter, possible Allen block with a mixture of junipers.

Mr. Riehl questioned who resides in the apartments because of an approval granted by the South Amboy Board of Adjustment which stated that Mr. Meszaro's father and brother were to reside in it. Mr. Meszaros stated his father passed away before he got the occupancy permit. His brother Mel lived there since then. Just recently Mel moved to a retirement village so he sold the building back to him. The fellow who has Rumors 35 rents the apartment. Mr. Brewer stated he would have to see the resolution. We can act on this application without jeopardizing what has been previously approved. If we research it and if there is a violation they would have to return to us in the future. We can proceed with this application.

Mr. Kelly questioned parking on the site. Mr. Meszaros stated the person across the street has been told and a letter has been sent to the individual informing him to stop parking his cars on this property. The limo business has eight vehicles and is restricted to the back parking lot only.

Chairman Wilday opened the application to the public. There was no public wishing to speak. Motion by Francis Mulvey, seconded by Bette Leibowitz to close the public portion. Motion carried 5-0, 1 abstention.

Motion by Frank Milatta, seconded by Francis Mulvey to approve the use variance and setback variances subjected to the conditions of landscaping 36" or more, the planter box that was described in the testimony and the conditions that the advertising on the sign will only be for businesses which reside on the property in question. Those businesses may change but the only businesses to be advertised are the ones located on the property. Motion carried 5-0, 1 abstention.

The Board discussed the possibility of an informal hearing by Jeffrey Zak. The Board will entertain an Informal Hearing by Jeffrey Zak at their January 25, 2012 meeting.

Chairman Wilday stated that the Board will cancel their December 28th meeting.

Chairman Wilday opened the meeting to the public. There was no public wishing to speak. Motion by James Riehl, seconded by Frank Milatta to close the public portion of the meeting. Motion carried 6-0.

Motion by Bette Leibowitz, seconded by James Riehl to adjourn. All in favor.

Linda Garnett