

CITY OF SOUTH AMBOY
PLANNING BOARD
REGULAR MEETING/MINUTES
OCTOBER 23, 2013

Members present: Michael Wilday, James Riehl, Councilwoman Noble, Thomas Kelly, Richard Moran, Bette Leibowitz, Darcy McCabe-Brew, Robert Paulukiewicz

Members absent: Mayor Fred Henry, Frank Milatta, Francis Mulvey, Peggy Scarillo

Also present: Angelo Valetutto. Planner; Joseph Maraziti, 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 Richard Moran to accept the Minutes of the September 25, 2013 meeting as written. Motion carried 5-0, 3 abstentions.

Completeness Committee

28 Fulton Realty LLC – Application 338-13

Completeness Committee Chairman Moran recommended that the application be deemed complete and schedule for the November meeting. Motion by Michael Wilday, seconded by Richard Moran. Motion carried 2-0.

Ewa & Tomaz Wisniowski - Application 337-13

Mr. Maraziti recommended that Councilwoman Noble remove herself from the dais because this is a use variance and it could ultimately go before the governing body for consideration and the Councilwoman would not be able to vote.

Mr. Tomasz Wisniowski, 119 Whitehead Avenue, Sayreville, NJ and Angelo Valetutto were sworn in.

Mr. Wisniowski stated he would like to add one bedroom to the second floor on each side of the duplex at 353-355 Raritan Street.

Mr. Valetutto stated he issued a report dated October 18, 2013. Mr. Wisniewski stated he has received the letter and does not have a problem with it being made part of the record without giving up his right to dispute or comment against the report.

Mr. Wisniewski stated presently there is one bedroom and a den in each unit. He is looking to add a second bedroom.

Mr. Maraziti stated the Board does have jurisdiction on this application.

The applicant does not plan on living in this duplex, it will be his retirement property. There are no existing tenants in the units and there is no off-street parking available.

Mr. Wisniewski stated he is looking to add the one bedroom because most tenants are looking for two bedrooms.

Mr. Riehl explained to the applicant that he will need architectural drawings because he is not living in the units.

Mrs. Ewa Wisniewski was sworn in. Mrs. Wisniewski stated the size of the lot is 5000 sf.

Mr. Riehl questioned if the deck would remain. Mr. Wisniewski stated they will keep the foundation of the building and go straight up.

The applicant's survey was marked into evidence as Exhibit A-1 and copies were distributed.

Ms. Leibowitz questioned the parking situation. Mr. Wisniewski stated parking is on the street.

Mr. Valetutto stated two off-street parking spaces could be accomplished by creating a driveway to the right of the house. Two cars could be stacked in this location so the depth of the driveway is good. This way the neighborhood would not be adversely impacted. Currently there is no curb cut, the applicant would need to go to the City's Engineering Department to apply for a curb cut. There is a sidewalk in front of the house. The curb cut can be a condition of approval.

Mr. Riehl questioned the siding, will it be consistent from top to bottom. Mr. Wisniewski stated he has not determined what he plans to do. Mr. Kelly stated the façade of the building as it is now is a little rough, a little beat up. The building is in need of something because of the exterior finish has been neglected for many years. He stated the applicant may want to look into siding the entire home or matching the finish that is on the home and painting the entire home.

Mr. Wisniowski stated he is not sure what he will propose. Chairman Wilday stated if the Board could get a small commitment from the applicant, it would help the Board to be favorably with this application. Chairman Wilday stated we want to make the neighborhood attractive for the people who do live there. Mr. Wisniowski agreed.

Mr. Wisniowski stated he is a home contractor and he will do most of the work but he will sub-contract some portions out. Mr. Wisniowski is a licensed home improvement contractor.

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

Mr. Maraziti summarized that the conditions of the resolution will consist of parking for two cars to the right side of the building utilizing the existing gravel area with an approved curb cut and to require compliance with the recommendations of Mr. Valetutto's report and subject to the City's Engineer review of the curb cut, a permit if required.

Mr. Kelly questioned if the Ordinance requires that the driveway be paved. Mr. Valetutto agreed, they would need to have a waiver by this Board if they choose to have it not paved or concrete. Mr. Valetutto stated the reason for that is to control the run-off from the driveway. Mr. Wisniowski stated he will concrete or pave the driveway, it will be better for him. Chairman Wilday stated it will be a condition of the approval that the driveway is paved or concrete.

Mr. Maraziti reiterated the conditions of the approval as follows. The motion is to approve the application for bulk variances to construct an additional bedroom in each of the two units subject to the conditions that the area to the right side of the house will be paved with concrete, asphalt or block pavers to be use for parking two vehicles to serve the structure subject to the requirement to get a curb cut from the appropriate entity and also subject to complying with the conditions set up in Mr. Valetutto's report.

Motion by Bette Leibowitz, seconded by James Riehl to approve the application subject to the stated conditions. Motion carried 7-0.

Resolution PB-10-13 Wojciech Zeromski

Motion by James Riehl, seconded by Bette Leibowitz to accept the resolution as written. Motion carried 5-0, 2 abstentions.

Mr. Maraziti reported that regarding the prospective litigation brought by 234 First Street, as you know they lost their case and he had been hearing that there was going to be an appeal.

He has spoken with their Counsel, there is not going to be an appeal, they are going to proceed to find a commercial or industrial tenant for the site.

Chairman Wilday opened the meeting to the public. Motion by Bette Leibowitz, seconded by James Riehl to close the public portion.

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

Mr. Valetutto reminded the Board members that the November meeting is Tuesday, November 19th.

Linda Garnett