

MINUTES OF THE PLANNING BOARD REGULAR MEETING OF PISCATAWAY TOWNSHIP HELD ON DECEMBER 7, 2022.

The Regular Meeting of the Piscataway Planning Board was called to order at 7:30 P.M. on Zoom (online), Piscataway, New Jersey by Chairperson Brenda Smith.

Chairperson Smith stated: IN COMPLIANCE WITH THE OPEN PUBLIC MEETING ACT, ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED IN THE FOLLOWING WAYS:

- *Posted on the bulletin board of the Municipal Building and made available through the Township Clerk;
- *Notice published in the Courier News;
- *Notice sent to The Star Ledger;
- *Notice made available through the Township Librarians.

Thomas Barlow, Esq., states that he would like to place on the record that we are doing this meeting through an online meeting platform in light of the COVID-19 pandemic. In keeping with the guidelines that have been disseminated by the Department of Community Affairs, the Planning Board has tried it's best to comply with the open public meeting act and the Governor's guidelines in dealing with the current situation. In addition, the applicant whose matter will be heard this evening had the login information for the online meeting platform put forth in their notice; members of the public who wish to be heard will be afforded an opportunity as if we were in an actual, physical space. He believes we have done our absolute best to comply with the DCA guidelines and the open public meetings act.

ROLL CALL: Mayor Brian Wahler, Councilwoman Cahill, Dawn Corcoran, Rev. Henry Kenney, Alex Adkin and Chairperson Brenda Smith. **ABSENT:** Carol Saunders & Mike Foster

Also present: Thomas Barlow, Esq., Ron Reinertsen, CME and Laura Buckley, Board Clerk. It was determined that a quorum was present by roll call.

4. **PLEDGE OF ALLEGIANCE**
5. **SWEARING IN OF PROFESSIONALS:** Ron Reinersten, James Clarkin, IV, PP
6. **DULY AUDITED BILLS TO BE PAID**

MOTION was made by Rev. Henry Kenney to pay the bills; seconded by Councilwoman Cahill. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Dawn Corcoran, , Rev. Kenney, Alex Adkins, Dennis Espinosa and Chairperson Smith.

7. **CHANGES TO THE AGENDA:** None
8. **ADOPTION OF RESOLUTION TO MEMORIALIZE ACTION TAKEN ON NOV. 9, 2022:**

- (a) **22-PB-16/17V** **Tanglewood Terrace, LLC**
Preliminary & Final Site Plan; Bulk Variance
Block 2201, Lot 23.01/24; Zone: R-M
32 & 50 Old New Brunswick Road
Denied.

MOTION was made by Rev. Henry Kenney to memorialize the denied resolution for 22-PB-16/17V; seconded by Councilwoman Cahill. **ROLL CALL:** Mayor Wahler, Dawn Corcoran, Councilwoman Cahill, Rev. Kenney, Alex Adkins and Chairperson Smith voted yes on the motion.

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9. ADOPTION OF THE MINUTES FROM THE REGULAR MEETING OF OCT. 12, 2022

MOTION was made by Rev. Henry Kenney to memorialize the minutes from the September 14, 2022 meeting; seconded by Mr. Adkins. **ROLL CALL:** Mayor Wahler, Dawn Corcoran, Councilwoman Cahill, Rev. Kenney, Alex Adkins and Chairperson Smith voted yes on the motion.

10. DISCUSSION: AREA IN NEED OF REDEVELOPMENT; BLOCK 3702, LOT 1.02. ALSO KNOWN AS 10 NORMANDY DRIVE, LOCATED ON MAP PAGE 37 ON THE PISCATAWAY TOWNSHIP TAX MAP.

James Clarkin, IV, 4Site Planning, is sworn in to testify and present the presentation. Mr. Clarkin shares his screen with the Board; aerial photo of the site. It is a 35 acre piece of property in the northwestern corner of Piscataway Township. The property contains two frontages; along the northern edge on Normandy Drive and then also on the east on Hancock Road. The property is mostly vacant, lots of trees and grass, but there are some dilapidated buildings left on the property. Mr. Clarkin states that there are some parking lots and railroad tracks that still exist.

Mr. Clarkin states that this site is located in the LI-5 zone. This site has a long history in about 1965-1967 Union Carbide Corporation built a ethylene plant here which operated for about 20 years until 1987. Ownership changed hands from Union Carbide to Georgia Pacific which is the current owner. It was officially discontinued in 1989 and became vacant shortly after. The property has remained vacant for over three decades and is now in disrepair. In addition to that, there was a lot of contamination between 1967 and 1987 when it was in operation.

Mr. Clarkin states that over the last three decades, there has been an enormous effort to clean the site up; soil to groundwater to removing residual waste on the site. Remediation efforts have been successful and are nearing completion and the site may soon be able to be redeveloped. Mr. Clarkin goes over the environmental analysis of the property; wetlands, stream and contamination. On page 6 of the report, a map of the wetlands; two areas. The wetlands will limit development, but there is still significant land to be developed.

There were over ten (10) areas of concern with the remediation that they have been working on for all of these years. Efforts for soil and groundwater contamination are nearly complete and the areas of concern are remediated or in process of being complete; this allows for the site to be redeveloped. The surrounding land uses are commercial, industrial and some residential homes to the east. To the west are industrial properties and warehouses. Mr. Clarkin states that he did look at the Master Plan and this site would be consistent with the Master Plan, it's an older site, has been contaminated and has great potential for redevelopment.

During his site visit in July, he shows pictures (page 10), former control building; dilapidated. The building is two levels, graffiti, and vacant inside. There are pictures of the abandoned railroad tracks going south. The pictures show that it is underutilized, overgrown with vegetation and abandoned. The parking lot is also overgrown with vegetation and in disrepair. Mr. Clarkin explains the criteria for an area in need of redevelopment. He believes that under Criteria "A", "B", "D" and "H", (pages 17-18) the Board can grant the property to be a non-condemnation area in need of redevelopment. It is clear that the control building is unsafe and unusable for living or working. He went through the Police records for the building and found that teenagers have been hanging out in the building; beer bottles and graffiti. It has become a public safety issue and someone could get hurt.

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Chairperson Smith asks the Board if they have any questions. Councilwoman Cahill asks about the wetlands area on page 6 of the report. The report itself doesn't say that it is close to being remediated, does he have any indication when it will be done and when DEP will confirm that it is remediated. Mr. Clarkin states that the facts that he relied on are on the DEP website, most of the areas are closed out and completed. There is not a firm date, but they are close to being cleared. Once remediated, an applicant would have to come in front of the Board for site plan approval; all will be remediated at that time before they can build. Rev. Kenney states that the soil has to be removed and tested; has this been completed yet. Mr. Clarkin states that from what he has read, it has all been removed. Public open/closed.

MOTION was made by Dawn Corcoran to approve the AINOR Study; seconded by Rev. Henry Kenney. **ROLL CALL:** Mayor Wahler, Dawn Corcoran, Councilwoman Cahill, Mike Foster, Rev. Kenney, and Chairperson Smith voted yes on the motion.

Mr. Barlow states that in anticipation of the approval, all Board members have received a copy of the resolution. A vote is asked for to adopt said resolution:

MOTION was made by Rev. Kenney to memorialize the resolution for the AINOR Study; seconded by Alex Adkins. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Dawn Corcoran, Rev. Kenney, Alex Adkins, Dennis Espinosa and Chairperson Smith voted yes on the motion.

11. DISCUSSION: REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, SUPPLEMENTING CHAPTER XX1 (21), ZONING, TO AMEND SECTION 21-1102-GENERAL PARKING SCHEDULE AND CHAPTER XXIV (24) SITE PLAN REVIEW TO REMOVE SECTION 24-702.3-OTHER DESIGN CRITERIA

Dawn Corcoran states that this is in reference to the section for enclosed parking spaces is being taken out of the site plan ordinance and being added to the zoning ordinance. This is the only change that is being made. Councilwoman Cahill states that if the language is the same she has no issues and believes it belongs in zoning. Public portion open/closed.

MOTION was made by Dawn Corcoran to approve the amendment for enclosed parking; seconded by Councilwoman Cahill. **ROLL CALL:** Mayor Wahler, Dawn Corcoran, Councilwoman Cahill, Mike Foster, Rev. Kenney, and Chairperson Smith voted yes on the motion.

Mr. Barlow states that in anticipation of the approval, all Board members have received a copy of the resolution. A vote is asked for to adopt said resolution:

MOTION was made by Rev. Henry Kenney to memorialize the resolution for the ordinance amendment; seconded by Alex Adkins. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Dawn Corcoran, Rev. Kenney, Alex Adkins, Dennis Espinosa and Chairperson Smith voted yes on the motion.

- 12. 22-PB-20/21V Splendor Homes New Jersey, LLC
Minor Subdivision & Bulk Variance
Block 203, Lots 22 & 23; Zone: R-7.5
1762 & 1758 South 2nd Street
Applicant would like to subdivide property and construct a new single family home.**

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VARIANCES REQUIRED:

Proposed Lot 22

- 21-501** Required – minimum lot area 7,500 square feet
Proposed – lot area 4,500 square feet
- Required – 75 foot lot width
Proposed – 45 foot lot width
- Required – 25 foot front yard setback
Proposed – 13 foot front yard setback (Hazelwood Place)
- Required – maximum building coverage 20 percent
Proposed – 21.4 percent building coverage

- 21-613** Required – 75 foot lot frontage
Proposed – 45 foot lot frontage

- 24-702.3(d)** Required – an enclosed parking space must measure at least 12 feet in width by 20 feet in length with no obstructions
Proposed – a garage measuring less than 12 feet in width by 20 feet in length

Proposed Lot 23

- 21-501** Required – minimum lot area 7,500 square feet
Proposed – lot area 4,500 square feet
- Required – 75 foot lot width
Proposed – 45 foot lot width
- Required – maximum building coverage 20 percent
Proposed – 21.4 percent building coverage

- 21-613** Required – 75 foot lot frontage
Proposed – 45 foot lot frontage

- 24-702.3(d)** Required – an enclosed parking space must measure at least 12 feet in width by 20 feet in length with no obstructions
Proposed – a garage measuring less than 12 feet in width by 20 feet in length

Action to be taken prior to January 21, 2023

Attorney: Kevin Morse

Kevin Morse, Attorney, is here to represent the applicant. Mr. Morse states that they are here for Block 203, lots 22 and 23 on the Piscataway Township tax map. Both properties are located in the R-7.5 zone, both properties are undersized lots and they are seeking minor subdivision approval to move the lot line to make them identical in size. The applicant was a contract purchaser to purchase lot 22 which is a 40 foot lot, in reviewing the surrounding area they realized the Township owned lot 23. After communicating with the Municipality, his client came up with this application which is a benefit for both of the lots to construct two new single family homes. Publications and mailings have been received and are in order.

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Mr. Morse states that he has Craig Stires, Engineer and Angelo Valetutto, PP. Mr. Stires is sworn in to testify; 43 W High Street, Somerville, NJ. Mr. Stires states that he prepared the plans that are before the Board. The existing site is block 203, lots 22 & 23; lot 22 contains 5,000 square feet (corner lot, Township property) and lot 23 contains 4,000 square feet. Both lots are currently vacant, however, lot 23 had a 1 ½ story home on it previously; demolished the last 3-4 years. The properties are both in the R-7.5 zone, residential single family use. Mr. Stires states that the properties are surrounded by a small Church to the south, another residential lot to the northeast, a large warehouse building to the northwest across South 2nd Street and another vacant lot on Hazelwood.

Mr. Stires states that the applicant was under contract to purchase lot 23 to construct a new dwelling and as part of the submission process, they reached out to the Township and came to an agreement to purchase lot 22. In order to balance the lots, they would like to move the lot line and make two lots that are 45 feet wide; both 4,500 square feet. Mr. Morse states that both lots will be identical in size and proposed as put on the plans for two single family dwellings. Mr. Stires states that in reference to engineering, they will run off towards Hazelwood but are also installing drywells in the rear yards. There will be no negative impacts on existing properties.

Mr. Morse states that they had received reports and have revised the plans as per those reports. They have a revised report dated 11/21/2022, staff memorandum. They had the opportunity to review that with the applicant and will comply. MCPB has reviewed the plans and the application is exempt. Mr. Morse states that they received a report from CME dated 11-30-2022; they have reviewed and will comply. The applicant is required to give a 5' temporary construction easement along Hazelwood Place, curbs and sidewalks; they will comply.

Mr. Morse states that he received a letter today from Ms. Corcoran stating that in fact the 5' easement is for temporary construction. The letter also stated they want installation of blank conduit line underground for each dwelling; he would like clarification from the Board Professionals. He believes it would be between the sidewalk and the curbing along the frontage of both properties. Mayor Wahler states that it would actually go from the curbing up to where the house is for future broadband. It will be required for all new homes going forward so when the broadband comes through it will already be run underground. It's blank PVC pipe that will go right to the house so they can run the fiber-optic lines under the ground; it is for the benefit of the home owners. Mr. Morse states that they have no issues and will comply. Public portion open/closed.

Mr. Morse states that this is not a complicated application. He would like to call his Professional Planner to testify. Angelo Valetutto, PP, 424 Amboy Avenue, Woodbridge, is sworn in to testify. Mr. Valetutto states that he has reviewed the plans for this application prepared by Mr. Stires and the Zoning Ordinance and the Township's Master Plan. The surrounding area, block 203, is all residential single family except for block 4.01 directly to the south that is the Church. There are houses that have been around for a long time that are similar or smaller than what they are proposing.

Mr. Valetutto states that there are 15 houses within 200 feet that are smaller than the proposed lots; describes that smaller lots. He states that 60% of the lots in the area are smaller than what these lots will be. Mr. Valetutto states that there is also within 200' houses that are contained within the lot sizes that are 30 x 100 and 35 x 100 that contain two family homes. With regard to the bulk variances, lots 22 and 23, they will file the subdivision by deed. He lists all of the existing and proposed variances that are listed on the application. Both properties and homes have very similar variances.

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Mr. Valetutto states that in his opinion, they offer testimony that the bulk variances requested by the applicant are cognizable under the Municipal Land Use Law, C2, or under the flexible C analysis as this application meets the criteria. Number one (1) relates to a specific piece of property; subject property comprises of two side by side pre-existing undersized lots that are basically consistent with lot sizes in the area. Number two (2) that the purpose of the Municipal Land Use Law would be advanced by a deviation from the Zoning Ordinance; section 40:55d-2. The proposed new dwellings will be on lots that are similar to or larger than any of the single family dwelling lots in the area and fits within the character of the neighborhood. The Application provides new construction in an older area of the Township. The variance can be granted without substantial detriment to the neighborhood. The homes proposed are permitted uses in the zone. Chairperson Smith asks the Board if they have any further questions, none. Public portion open/closed.

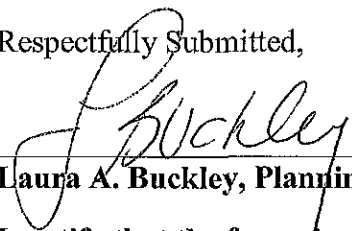
MOTION was made by Council Woman Cahill to **APPROVE** the application; seconded by Dennis Espinosa. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Dawn Corcoran, Rev. Kenney, Alex Adkins, Dennis Espinosa and Chairperson Smith voted yes on the motion.

- 13. **ADJOURNMENT: MOTION** made by Dennis Espinosa to adjourn; seconded by Ms. Saunders; All in favor. The meeting was adjourned at 8:40 P.M.

NEXT SITE PLAN WORKSHOP MEETING – DECEMBER 21, 2022 AT 2:30 P.M.


**NEXT PLANNING BOARD REORGANIZATION & REGULAR MEETING
JANUARY 11, 2023 AT 7:30 P.M.**

Respectfully Submitted,



Laura A. Buckley, Planning Board Clerk for Carol A. Saunders, Secretary

I certify that the foregoing is a true and correct copy of the Minutes of the Regular Meeting of December 7, 2022, same having been fully adopted by the Planning Board of Piscataway January 11, 2023.



CAROL SAUNDERS, SECRETARY
PISCATAWAY PLANNING BOARD