

**PLANNING BOARD
REGULAR MEETING
MINUTES**

February 28, 2023

**CALL TO
ORDER**

The Regular meeting was called to order at 7:04 p.m.
1 City Hall Plaza
Rahway, NJ 07065

Adequate notice of this meeting, as required by the New Jersey Open Public Meetings Act, also known as the Sunshine Law, has been provided by an Annual Notice sent to the City's official newspaper NJ Star Ledger on January 12th, 2023 and posted on the bulletin board of the Municipal Complex, posted on the City website, and filed with the Clerk of the City.

FLAG SALUTE

The Board will then salute the flag.

ROLL CALL

On a call of the roll, the following Board Members and Officials should be present:

BOARD

BOARD

Mr. Raymond Giacobbe, Mayor; or,
Mr. Eric Miles, Mayor's Designee
Mr. Jeremy Mojica, Commissioner
Mr. Kyle Gustofson, Commissioner
Ms. Karla Timmons, Commissioner
Mr. Robert Simon, Commissioner
Ms. Ruta Padulo, Commissioner
Mr. Alexander Shipley, Commissioner
Mr. William Cladek, 1st Alternate Commissioner
Mr. Christopher Brown, 2nd Alternate Commissioner
Mr. William Hering, Commissioner
Mr. Jeffrey Robinson, Commissioner
Mr. Karl P. Kemm, Esq, Board Attorney
Ms. Jacqueline Dirmann, Board Engineer
Ms. Leigh Fleming, Board Planner
Mr. Steven Decker, Board Secretary

*Board Engineer Kevin Boyer was present in place of Board Engineer
Jacqueline Dirmann

Absent from this meeting: Commissioner Timmons with excused absences.

SWEARING IN:

Board attorney Karl Kemm swore in reappointed board member Mr. Jeremy Mojica.

The meeting was called to order at 7:04pm.

Chairman Robinson opened the meeting with the regulations and reading of the agenda into the record.

The following action took place.

REGULAR MEETING:

1206 Westfield Ave. LLC.
1206 Westfield Ave.
Application #5/22
Block 189 Lot 44
Applicant seeking a Minor Subdivision

Board Planner Leigh Fleming and Board Engineer Kevin Boyer were sworn in.

Karl Kemm put on record that three board members, commissioners Ruta Padulo, Kyle Gustofson, and Jeremy Mojica confirmed they had reviewed the transcripts from the previous appearance of 1206 Westfield Avenue.

The attorney introduced the application to the board. This application previously appeared before the board in December 2022.

Paul Fletcher was qualified as an engineer and planner. He is addressing the changes from the previous meeting. It was suggested at the previous board meeting to have the conforming lot as corner lot and the interior as the non conforming 44.04ft x 100ft. This change was made. Both houses are now the same dimensions they are each 32' wide. This movement of the lots increased the setback on Westfield Avenue from 7.8ft to 13.9ft. The AC units on the rear of the house have also been moved. Both ACs will not be visible from the street. Both driveways have been made double wide. They will need a variance for a driveway larger than 10ft on the non conforming lot. Applicant also is revising the slope of the property to either have a retaining wall or the slope will be lowered down. A retaining wall has been added to back yard.

Mr. Fletcher believes this property qualifies as a C2 criteria, the benefits outweigh the detriments. It will provide two new homes for residents. The AC units meet the C1 criteria for a variance because of undue hardship.

Board Planner Leigh Fleming wanted to confirm the driveways are 5ft away from the property line. Mr. Fletcher confirmed they are.

Commissioner Shipley asked about the four trees on the property. The tree on Westfield will be removed, and one tree in the driveway will be removed. The other two trees will be saved.

Commissioner Shipley asked about a yellow no parking curb on Kline Place. Mr. Fletcher said that they do not intend on parking in front of the corner lot. If it is no parking now, it will stay that way.

Chairman Robinson commented that it looks like parking has been increased on each property with the addition of driveways and garage.

Commissioner Brown asked about an architectural plan for the 2 car garage.

Joseph Javier was sworn in as the architect. He is a licensed architect and works as the architect for Jersey City. He was qualified as an expert.

Mr. Javier testified that there will be 2 two car garages. Exhibit B1 was shown. This was a color architectural that shows the garage plan. This will be the same plan on each house.

The Board Engineer asked for testimony regarding the driveway.

Mr. Javier explained that the driveway is 30ft from the curb line. The stop sign is 5 or 6 ft from the curb line. He believes it is adequate room to the stop sign. They moved the driveway as far as possible from the stop sign.

Board Planner Leigh Fleming stated that the applicant has addressed all of her comments from the letter. There are bulk schedule adjustments that need to be made as part of resolution compliance.

Attorney Kemm clarified that any damaged curb or sidewalk needs to be replaced. The applicant agreed to this.

Meeting was opened to the public.

Bill Jackson 1285 Kline Pl was sworn in. Mr. Jackson explained that there are 39 lots on Kline Place. 38 conform to 5,000 sq ft. 1 house from 1967 does not comply. He also noted that there is a stop sign by the yellow curbing. He believes around 65 ft of yellow curbing that can't be parked on. Mr. Jackson has 100ft of frontage. There are usually 2 to 3 cars parked in front of his house. These are not his cars. The other houses on the block are parking many cars in the street, most neighbors do not use the garages. The road is very busy from the schools. The school entrances are blocked and the South side of Kline place is used as a dropoff zone. During snow events cars are not allowed to park on the street.

Mr. Fletcher commented that the design complies with RSIS parking requirements. They are required to have 2 spaces per house, and the applicant is providing 4 spaces per house.

Mr. Bill Jackson would like to speak against the application due to congestion and it being a school street.

Public portion of the meeting was closed.

The applicant's attorney believes this application will create 2 nearly conforming lots, that fit in with the character of the neighborhood and the benefits outweigh any potential detriments.

Commissioner Hering stated he realizes that there are parking issues in the town, and it's hard to control where people park and how many cars they have. However, he believes that the applicant meets all parking requirements.

Commissioner Hering motioned to approve the application.

Motion: Commissioner Hering

Second: Commissioner Simon

Yes: Commissioners Miles, Mojica, Padulo, Simon, Shipley, Gustofson, Cladek, Brown, Hering and Chairman Robinson

No: none

Abstain: none

Absent: Commissioner Timmons

Motion Approved

MEMORIALIZE

Amdendment to the resolution:

ABC Billing Management LLC
961 New Brunswick Ave.
Application 9/22
Block 284 Lot 12
Applicant seeking a Major Site Plan and Bulk “C” variance

Karl Kemm revised paragraph 8 for what needs to be replaced for curbs and sidewalks. This was a slight change from requiring the applicant to replace all curbs and sidewalks at the site.

Chairman Robinson believes the resolution was improved.

Commissioner Simon motioned to memorialize the amended resolution.

Motion: Commissioner Simon Second: Commissioner Shipley
Yes: Commissioners Miles, Simon, Shipley, Cladek, Brown, Hering and Chairman Robinson
No: none
Abstain: Commissioners Mojica, Padulo, Gustofson
Absent: Commissioner Timmons

MINUTES: Any necessary changes to the Planning Board meeting minutes of January 24, 2023 shall be made and approved by action of the Commissioners

Motion: Commissioner Simon Second: Commissioner Cladek
Yes: Commissioners Padulo, Simon, Shipley, Gustofson, Cladek, Brown, Hering and Chairman Robinson
No: none
Abstain: Commissioners Miles and Mojica
Absent: Commissioner Timmons

Minutes Approved

Commissioner Hering gave an update of the Zoning Board.

Chairman Robinson announced the council approved acquirement of 2223 St. Georges Ave. the Bachmann’s tavern property. The city will either purchase or use eminent domain to take over the site.

Commissioner Hering made a motion to adjourn the meeting.

Motion: Commissioner Hering Second: Commissioner Simon
Yes: Commissioners Miles, Mojica, Padulo, Simon, Shipley, Gustofson, Cladek, Brown, Hering and Chairman Robinson
No: none
Abstain: none
Absent: Commissioner Timmons

ADJOURN: There being no further business; the meeting was adjourned at 7:49pm.