

THESE MINUTES HAVE NOT BEEN APPROVED AND ARE SUBJECT TO CHANGE AT THE NEXT
REGULAR MEETING OF THE BOARD

MINUTES OF THE WORK SESSION MEETING OF THE PLANNING BOARD

OF THE BOROUGH OF METUCHEN HELD ON FEBRUARY 16, 1978

The meeting was called to order at 8:20 p.m. by Chairman James Conlon, who read the opening statement attached. On roll call those present were Messrs. Conlon, Owen, Palmeto, Pozycski, Terwilliger and Mrs. Yarrow. Also present was Jerald D. Baranoff, Esq., for the Board's attorney Mr. Sills.

Site Plan Committee - Resolution of Chris A. Nelson

The Board discussed with the applicant and his attorney, Clark W. Convery, Esquire, the form of resolution submitted by the applicant. They also reviewed the revised site plan submitted, with revision date to February 13, 1978. Mr. Baranoff explained that a verbal resolution had been passed at the last meeting of the Board. He also suggested that the hardship criterion was vaguely defined. After discussion, the Board requested the following amendments to the form of resolution presented:

- (a) reference to the February 13, 1978 revision date on the site plan
- (b) inclusion of reference to the exemption from action by the Edison Township Planning Board as the third "whereas" clause
- (c) deletion of the word "would" in paragraph 4, and allowing for the word "provides" therein
- (d) paragraph 5 - "is to" to become "shall" and the addition of the words "as approved by the Construction Code Official of the Borough of Metuchen"
- (e) the words "is to" to become "shall" in paragraphs 5, 6, 7, 8, 9, 10, 11
- (f) the words "is to" to become "has submitted" and the addition dated as at February 13, 1978 included
- (g) the words "is to" to become "shall" in paragraph 13
- (h) the following paragraph to be inserted in lieu of the proposed paragraph 15:

By reason of the nonconforming dwelling and the fact that the size of the lot would require the applicant, were he to comply with the strict parking requirements, to virtually pave over the entire lot, and the objection of the neighboring property owners to such paving, and the Board's finding that the testimony presented by the experts of the applicant to the effect that no more than eight spaces would be necessary was found to be credible, the Board found that compliance with the requirements of the Zoning Ordinance would constitute a hardship upon the applicant and would be in derogation of the general public interest

- (i) the revision date of the resolution as of February 16, 1978.

The resolution, as amended, was moved by Mr. Owen, which motion was seconded by Mr. Pozycki and unanimously carried on roll call vote.

Application of John Polakowski

Mr. Convery, also representing the within applicant, reviewed with the Board a form of proposed resolution, upon which a vote would not be taken, as the matter was not on the agenda for the meeting. Mr. Convery indicated that the resolution would be re-drafted in accordance with the wishes of the Board, and resubmitted for consideration at the March 2, 1978 meeting.

Old Business

Applicatin of Joan Eosso - resolution


Mr. Conlon indicated that the resolution was being resubmitted due to lack of definitive vote at the last meeting of the Board, although the subdivision was approved by a vote of 5-0 at the January meeting of the Board. Mr. Palmeter, who had attended the meeting at which the matter was heard, reviewed the resolution and affirmed his vote after such reading. The secretary was requested to indicate to the applicant's attorney that a vote of 3-0 was now reflected in the minutes of the Board. Mr. Lawrence Silberstein, an affected property owner, inquired if an amendment to the resolution would be possible at this time, as he wished a provision concerning buffer zone of planting between his property and the proposed parking lot. On advice of counsel, the chairman advised Mr. Silberstein that the passage of the resolution was a ministerial act, and that the approval had actually been given at the January meeting and voted on originally at the February 2nd meeting. He also advised Mr. Silberstein of the possible appeal procedures within the courts.

The Board then discussed the communication from the Borough Council and Fred Kieser, Jr., Esquire, concerning the possible vacation of a portion of High Street. Upon such discussion, it was moved that the Board indicate to the Council that the Planning Board does not object to the vacation of the westerly 112.89 feet of High Street, provided that the applicant construct, at its expense, a cul de sac conforming to all municipal ordinances. Said motion was duly seconded and unanimously carried.

Mr. Conlon indicated that the Green Acres program requested all municipal committees to submit a five-year plan of action for proposed projects and he requested that that matter be placed on the agenda for the March 2nd meeting of the Board.

The Chairman then indicated that Mr. Sills did not wish to act as attorney for the Board, and introduced Craig W. McKeown, Esq. whom he intended to nominate to assume that responsibility. Mr. McKeown addressed the Board and made himself available to any questions by the members of the Board.

There being no further business to come before the meeting, the same was duly adjourned.


EILEEN M. ROBINSON, Secretary
Metuchen Planning Board

"Pursuant to the requirements of the Open Public Meetings Act, known as Chapter 231 of the Public Laws of New Jersey 1975, approved October 21, 1975, effective January 19, 1976:

BE ADVISED that adequate notice of this meeting was provided in that:

(1) At the Annual Reorganization Meeting of March 3, 1977, this Board did post and has maintained posted on the bulletin board in Borough Hall a schedule of the regular meetings and work session or agenda meetings to be held from March 3, 1977 to March 2, 1978. Said schedule contains the location of each meeting to the extent known and the time and date of each meeting.

(2) The aforesaid schedule was mailed to the following newspapers:

The Daily Home News, New Brunswick, New Jersey
The News Tribune, Woodbridge, New Jersey
The Sunday Sentinel, East Brunswick, New Jersey

(3) The aforesaid schedule has been filed with the clerk of the municipality.

(4) All of the procedures were completed within seven days following the annual reorganization meeting."