

BOROUGH of GARWOOD
PLANNING BOARD

MEETING of May 24, 2023

Chair Stephen Greet opened the meeting at 7:30 p.m. and read the following:

Pursuant to the Open Public Meeting Law, this is to state for the record that adequate notice of this meeting has been provided to the public by publication in the Union County Hawk on December 29, 2022 and by filing of said notice in the office of the Municipal Clerk. This is a regularly scheduled meeting of the Board.

Flag Salute – Moment of Silence

ROLL CALL

Present: Stephen Greet, Kathleen Villaggio, Ken Capobianco, William Nierstedt, Richard McCormack, Paul Tarantino, Stephanie Bianco, Steve Barcan (Alt. I) (Alt. III) Alt. IV - VACANT

Absent: None

Excused: Mayor Jen Blumenstock, Councilman Vincent Kearney, Mary Ann Hay (Alt II)

Also present were Board Attorney Donald Fraser, Victor Vinegra, P.E., P.P. and Board Secretary Adele Lewis.

MINUTES

• **MINUTES OF THE APRIL 12, 2023 PLANNING BOARD MEETING**

On a motion by Ken Capobianco, and seconded by Kathy Villaggio, the Board voted by general consent to adopt the minutes of the April 12, 2023 Planning Board meeting.

RESOLUTION

Case PB22-05

267 Spruce Avenue

Block 511 Lot 1 R-A Zone

Applicant: Frank Kelly, Jr.

Granting a Certificate of non-conformity for a two-family

Residence in the R-A / single family zone.

Mr. Nierstedt stated that he would like to see the conditions of approval addressed prior to the issuance of a Zoning Certificate.

Mr. Fraser stated that he was unaware of any further issuance from the Borough and recommended the Board follow the normal course of resolution memorialization.

On a motion by William Nierstedt and seconded by Kathy Villaggio, the Board voted Affirmative Chair Stephen Greet, Kathleen Villaggio, Ken Capobianco, William Nierstedt, Richard McCormack, Paul Tarantino, Steve Barcan, to memorialize the wording of the resolution granting the certificate of Non-Conformity for a two-family house with the stipulation of the removal of the shed and the property maintenance as previously testified by the applicant that he will remove the dead plants in front of house, masonry to be repaired, fence be painted, remove the boards covering the windows and replace missing windows, garage repaired, clean up the side yard.

APPLICATION

Case PB23-01

10 South Avenue (Continuation)

Block 501.01 Lot 8 C/C Zone

Applicant: Garwood Chicken, LLC

Seeking D Variances to permit drive-through window/service and to permit more than one principal structure or use per lot, together with Major Preliminary & Final Site Plan approval with C variances for rear yard setback & signage

Board Attorney Fraser announced that he spoke with the attorney representing Popeye's who requested the application be carried to adequately address the new review letter from Harbor Consultants. It was noted that the applicant revised the plans to address several recommendations made by the Board at the previous meeting, necessitating a detailed review. Mr. Fraser stated he felt this was a reasonable request and further recommended that the penalty fee for late adjournment requests be waived and that no further notice/publication be required of the applicant. It was noted that there are a few previously scheduled applications for the June 28th meeting of the Planning Board and the application would be carried to the July 26th meeting.

On a motion by Rich McCormack and seconded by Chair Greet, the Board voted Affirmative: Stephen Greet, Kathleen Villaggio, Ken Capobianco, William Nierstedt, Richard McCormack, Paul Tarantino, Stephanie Bianco, Steve Barcan to waive the monetary penalty for late adjournment, and to carry the application to the July 26th meeting. without the need for further notice.

Board Attorney Fraser repeated the announcement that the application would be carried to the July 26th meeting without the need for further notice.

NEW BUSINESS

Kathy Villaggio noted that a resident indicated that the fees should be examined at a recent Council meeting. She noted that she spearheaded the most recent revisions for the fees and offered to do so again. She recommended a subcommittee. Ken Capobianco and Stephanie Bianco offered to assist her.

Paul Tarantino stated that he feels 115 Winslow Avenue is not being constructed in accordance with the plans approved by the Planning Board. The matter will be looked into.

INVITATION TO ADDRESS THE BOARD

Ms. Maryanne Macintyre, inquired on the process of resolution compliance. She noted that some of the conditions were vague. Board Attorney Fraser explained the Certificate of Non-Conformity.

CLAIMS-

Inv# 03277 from the escrow of 10 South Ave./Popeyes in the amount of \$7250.00

Inv# 03275 from the escrow of 2 North Ave/Dittrichs in the amount of \$767.50

Inv# 03276 from the escrow of 247 Second Ave in the amount of \$145.00

ADJOURNMENT - There being no further business, the Board adjourned 8:05 p.m.
The next meeting will be June 28, 2023.

Respectfully Submitted,
Adele C. Lewis, Board Secretary