

Joint Land Use Board
1200 Mountain Ave., Middlesex, NJ 08846
Minutes
May 11, 2022

1. Call to Order

Chairperson Conahan called the meeting to order at 7:10 pm.

2. Open Public Meeting Act Statement

Chairperson Conahan read the Open Public Meeting Act Statement.

3. Roll Call

The following members were present:

CLASS IV MEMBERS:

FRANK RYAN DEC/2024 [PRESENT]	MARK KRANZ DEC/2023 [PRESENT]
JOSEPH DESCENZA DEC/2024 [PRESENT]	MICHAEL CONAHAN DEC/2022 [PRESENT]
ROBERT SHERR DEC/2022 [PRESENT]	PAUL WOSKA DEC/2023 [PRESENT]
JOSEPH CARUSO DEC/2023 [ABSENT] ALTERNATE 1	
TODD NICOLAY DEC/2022 [ABSENT] ALTERNATE 2	

ROBERT DESSINO DEC/2023 [PRESENT] CLASS I MEMBER
STEPHEN GRECO DEC/2022 [PRESENT] CLASS II MEMBER
JEREMIAH CARNES DEC/2022 [PRESENT] CLASS III MEMBER

ALSO PRESENT: BOARD ATTORNEY-MR. BILL ROBERTSON
BOARD PLANNER-MR. PAUL RICCI
ZONING OFFICER-MR. JOE COSTA
BOARD ENGINEER-MR. JOE VENEZIA

4. Minutes

Member Sherr made a motion to approve the April 13, 2022 minutes, seconded by Member Kranz. Vote: Member Sherr-yes, Member Ryan-yes, Member Woska-yes, Member Kranz-yes, Member Descenza- abstain, Member Conahan-yes, Member Carnes-yes, Member Dessino- abstain, Member Greco-yes. Motion approved.

5. Borough of Middlesex Master Plan Reexamination presented by Paul Ricci

Mr. Paul Ricci stated that the Master Plan is a long-range plan, recommendations and proposals for the Borough. The Master Plan was adopted in 2002 and reviewed in 2012. The state statute dictates that the Master Plan be reexamined every ten years.

Mr. Ricci reviewed the overview of major changes to the assumption, objectives, and recommendations to the Master Plan:

- Greenbrook Flood Control Plan
- Train station near Lincoln/ Mountain Ave is no longer in plan
- Having William St to be a viable connection to I- 287 is no longer a consideration
- Demographics
- Lincoln Park Statue
- Cannabis Use
- Storm System Improvement
- Old Landfill site contamination issues
- Redevelopment to Lincoln Blvd, Former Union Carbide, South Ave
- Climate change and storm resiliency
- Local redevelopment and housing law amendment

Issues Identified by Subcommittee:

- Borough circulation
- School capacity issues
- Sanitary sewer flow discussion with Piscataway
- Update Lincoln Blvd Redevelopment Plan
- Appropriate development intensity and scale
- Needed land uses-grocery stores, pharmacies, medical offices etc.
- Open space planning
- Affordable housing
- Evaluate conversion of commercial uses to 2 family
- Encourage solar
- Revitalization of Old Pathmark, Burger Tubing, Presbyterian Church
- Streetscape projects

Recommended Changes to Development Regulations to proposed zoning:

- DPW on Main St.
- Hancock Ave to R-75
- Increase Lot Sizes for 2 family
- Townhouses near old McDonalds site
- Lincoln Park to Municipal zone
- Update parking and sign regulations
- Update tree save ordinances
- Decrease permitted impervious coverages
- Increase building coverage in residential
- Create structural improvements -ex. Rain Garden or drywell
- Multi family inspections

Recommendations for Redevelopment:

- Lincoln Blvd to be mix use component
- 3 story scale or less
- Increase open space and recreation amenities
- Permit townhouse development

- Increase minimum apartment sizes
- South Ave as potential redevelopment

Chairperson Conahan asked the Board Members for questions or comments.

Member Ryan commented the changes in Route 28 over the years and properties that had character are disappearing such as Fisk property that was subdivided. He stated his concerns about the town turning into two family developments.

Member Descenza agreed with Member Ryan and he also thanked the subcommittee.

Member Woska commented that there had been problems with property owners working with FEMA for access to properties regarding Green Brook Flood Control Plan.

Member Greco questioned recreational open space and felt Middlesex was losing space.

Member Carnes asked where electric vehicle parking would be located.

Mr. Ricci stated that electric vehicle parking would be in commercial areas such as shopping area and Quick Chek.

Mayor Madden commented that the Army Corp has received 496 million to finish the Flood Control Project.

Mr. Costa stated that NJDEP and FEMA have new regulations and an extensive ordinance will need to be adopted by the Borough.

Chairperson Conahan opened the meeting to the public.

Rich Rutkowski asked if the same presentation would be on May 25, 2022.

Mr. Ricci stated there would be a draft plan in some form and then once the finalized plan is adopted by the Board it goes to the Mayor and Council to be adopted.

Emil Vogt commented that the Borough can't live in the past and asked why the Board approved the Fisk subdivision.

Mr. Ricci stated that the project was fully conforming subdivision.

Mr. Vogt asked why the Board was concerned with having two family dwelling along Route 28 but encouraging town houses across from the high school, asked why the Borough doesn't have a supermarket, asked about R60B conversions into two family dwelling, asked about the annual inspection proposed and fees.

Member Ryan was in favor of having rental inspection and stated reasons.

Mr. Costa explained he did not know the fees as it was a proposal, and fees had not been drafted or an ordinance.

Vinnie Lella, 150 Oak Dr, was not in favor of an additional inspection and stated that every time you get a new tenant you pay and get an inspection from the Borough.

Emil Vogt asked about redevelopment on South Ave.

Mayor Madden stated that the foundry building needs redevelopment.

Mr. Lella stated he was not in favor of townhouses across from High School and wanted commercial development.

There being no further discussion of Master Plan presentation the Board continued with the agenda.

6. Old Business

Memorialize Resolution

JLUB 2022-002
David Williams
342 N. Lincoln Ave
Block 25 Lot 9

Member Greco made a motion to approve the Resolution, seconded by Member Woska. Vote: Member Sherr-yes, Member Ryan-yes, Member Woska-yes, Member Kranz-yes, Member Descenza-abstain, Chairperson Conahan-yes, Member Carnes-yes, Member Dessino-abstain, Member Greco-yes. Motion passed.

7. New Business

JLUB 2022-003
Joseph Zimbardo and Jeffrey Zimbardo Variance for lot area and lot width
Cook Ave
Block 174 Lot 37.01

Mr. Sullivan stated that he is representing the applicants, and that they are the contract purchasers of the property.

Mr. Sullivan stated that the property:

- is located in the R75 zone
- the lot area has 6,000 sq.ft which 7,500 sq.ft is required
- The lot width is 60 ft. where 75 ft. is required

Mr. Sullivan stated that the current owner has a deed restriction on the property which has just been removed.

Mr. Robertson duly swore in Mr. Steve Druga, Architect, 250 Stelton Rd Suite 6. He stated his education and experience.

The Board accept Mr. Druga as an expert witness.

Mr. Druga stated that the lot is currently vacant.

Mr. Druga stated that the applicant is proposing a 2-story house with full basement.

The first floor has 1,024 sq. ft and the second floor has 1,269 sq.ft., there will be a deck and recessed porch and garage on the left side, the house will not exceed 29ft.

There were no questions for Mr. Druga and the Board continued with the application.

Mr. Robertson duly swore in Mr. Steve Parker, Engineer of Somerville, NJ.

Mr. Parker stated his experience and the Board accepted Mr. Parker as an expert witness.

Mr. Parker stated that there are no curbs or sidewalks proposed, a two-story house and there are no variances for setbacks.

The Board reviewed the Colliers Engineering letter dated April 8, 2022

The applicant is requesting a waiver of sidewalks and the applicant will be installing shrubs for the landscaping.

The Board reviewed the April 21, 2022 Ricci Planning memo; Mr. Ricci questioned the street trees.

The applicant agreed to plant a tree in the front and rear of the property as a condition of approval.

Mr. Costa questioned the deck on the survey, would the deck need a setback variance.

The applicant will remove the deck and will revise the plans to show no deck.

Member Woska asked if the garage is a single car garage.

The Board was informed that the house will have 4 bedrooms, 2 ½ parking spaces.

Members questioned how this house will look in this area.

The Planner and Mr. Zimbardo will address this concern.

Member Ryan asked if the red maple on the property could be saved and if can't be saved that a contribution be made to the Borough Tree Fund.

The applicant will plant a tree in front of the property and the rear of the property.

Mr. Bill Robertson duly swore in Mr. John Chadwick, Planner for the applicant.

Mr. Chadwick stated his experience and the Board accepted as an expert witness.

Mr. Chadwick stated that this house will add diversity and compliments the neighborhood. The house is the same height as others in the neighborhood just turned a little different.

Mr. Chadwick stated the overall planning benefits of granting the variance and stated that there are three other undersized lots in the neighborhood, the Borough had a deed restriction on this property, but it has been removed.

Mr. Ricci stated that the applicant can't acquire any additional land.

Member Ryan asked about the square footage of the house.

Board Members asked about the deed restriction removal.

Mayor Madden asked questions regarding tree protection zone and deed restriction.

The applicant will be planting a tree in the front of the property and in the rear of the property and must follow tree protection drip lines.

Mr. Robertson stated that the Borough removed the deed restriction first then the Board hears the application.

Chairperson Conahan opened the meeting to the public for questions.

Susan Neal, 128 Cook Ave stated her concerns about the trees that overhang onto her property.

The applicant agreed to remove the trees by the fence that the neighbor identified.

Member Sherr made a motion to approve the variance for lot area and width with the conditions that that deck be removed and stairs will be built, applicant to plant tree in front of property and rear of property, provide plot and grading plan, remove two trees along fence line identified by neighbor and one tree outside the fence identified by the neighbor, record release of deed restriction, seconded by Member Greco. Vote: Member Sherr-yes, Member Ryan-yes, Member Woska-yes, Member Kranz-yes, Member Descenza-yes, Chairperson Conahan-yes, Member Carnes-yes, Member Dessino-yes, Member Greco-yes. Motion passed.

At 9:20pm Member Dessino and Member Carnes left meeting due to upcoming application; ineligibility to vote.

JLUB 2021-015
Middlesex Congregation of Jehovah's Witnesses
772 William St and 776 William St
Block 292 Lots 28 and 32

Major Preliminary and Final Site Plan with
Minor Subdivision

Mr. Sullivan stated that he is representing Middlesex Congregation of Jehovah's Witnesses, religious organization.

He stated that 776 William St. (Block 292 Lot 32) is the house of worship, and 772 William St (Block 292 Lot 28) is owned by Claire Sheehy and Daniel Klyn.

He stated that the properties are in the IND zone and both are non-conforming so they are expanding non-conforming use so makes this a D (use) variance, also seeking a minor subdivision as 18.25ft of property from 772 Williams St will be transferred to Jehovah Witnesses so that they can expand parking lot.

Mr. Robertson duly swore in Mr. Morgan, member of the Congregation since 1974.

Mr. Morgan stated that the Congregation acquired the property in 1956 and the church has been on the property since 1958.

He explained how the site operates; there is a main auditorium (classroom), no kitchen on the premises.

The Church has services Tuesday, Wednesday and Thursdays 7:30-9:15 and then on Saturdays and Sundays.

He stated that there are no hall rentals, no catering, and no kitchens.

He stated there are no employees they are strictly volunteers.

He stated that the church has a 155-seat capacity; there is a virtual option for services so maximum members attending has been 120.

He stated the need for parking as currently there are 35 to 40 vehicles that do park in the street.

Mr. Morgan stated that the vehicles do not park on William St.

He stated that once a month is a delivery of bible-based literature.

He stated that no dumpster is proposed.

Chairperson Conahan opened the meeting for questions, there being none the Board continued with the application.

Mr. Robertson duly swore in Mr. Corenzo Wilkerson, Engineer for the Congregation.

Mr. Wilkerson stated his education and that he prepared the drawings, the Board accepted him as an expert witness.

He stated that he is a member of the Congregation of Jehovah Witnesses, not this location.

He stated that 776 William St (Block 292 Lot 32) worship site has 18,750 sq. ft area, has lot width of 125 sq. ft., and lot depth of 150 sq.ft, has one story building, the entrance and exit is on Blackford Ave., and has an asphalt lot.

He stated that 772 William St (Block 292 Lot 28) residence next door has a 12,500 sq. ft area has a lot width of 100 sq.ft., and has a lot depth of 125 sq.ft.

Mr. Wilkerson stated that 18.25ft of lot 28 would be given to lot 22 to create additional parking spaces on the northern side of the property, this would not impact the setbacks or catch basins.

Mr. Wilkerson stated that 776 William St (Block 292 Lot 32) would then have a new lot area of 21,013.25 sq. ft.

Mr. Wilkerson stated that 772 William St (Block 292 Lot 28) would have a new lot area of 10,218.37 sq.ft.

Mr. Wilkerson stated that there would be 10 new parking spaces, also ADA spaces and outside lights.

The Board started to review the Colliers Engineering letter dated April 27, 2022.

The application is to add parking and so that there will be less parking on the street.

The applicant is not proposing sidewalks and there are no connecting sidewalks, no trees are proposed as powerlines would restrict adding trees, no dumpster is proposed, the applicant will add striping to ADA parking space, applicant will make it comply so that a ladder fire truck will be able to enter and exit the facility, no plantings are proposed due to the limited amount of space in the northeast corner, LED lighting will not spill onto the neighbors.

The Board reviewed the Fire Marshal letter and Police Department letter.

The Board reviewed the Shade Tree Commission letter.

The Board reviewed the Ricci Planning memo dated January 17, 2022.

Mr. Ricci questioned if the 6ft fence was being replaced.

The applicant will extend the fence 3ft and install one LED light.

Mr. Ricci commented on the different fence types and it would be an opportunity to have the same fencing installed.

Member Descenza asked about the curbing for the new parking area.

The Board was informed that the curb will be 5 inches and curb is on the detail sheet.

The applicant will install all white fencing.

Mr. Robertson duly swore in Mr. Pessolano, applicant's Planner.

Mr. Pessolano stated his education and experience, the Board accepted Mr. Pessolano as an expert witness.

Exhibit A1 5/11/2022 was entered as a five page planning exhibit

- Page 1 colorized tax map subject properties highlighted in yellow.
- Page 2 Aerial image with tax lines highlighted in yellow.
- Page 3 Aerial image with the subject properties highlighted in yellow with parcel of land to be transferred highlighted with black border
- Page 4 Ground photos showing subject property (Place of worship) from different views
- Page 5 Ground photos showing subject dwelling (772 William St.) and land uses surrounding the subject properties.

Mr. Pessolano stated that the project will improve the parking supply, the properties are preexisting non-conforming and stated how the site and area has been built and used.

Mr. Pessolano stated the positive vs negative criteria and summarized how approving the application advances the purposes of zoning.

Mr. Costa stated that both properties should receive a certificate of non-conformity.

Chairperson Conahan opened the meeting to the public.

Mayor Madden, 39 Ramsey Rd, asked a question about a waiver and flood hazard area question and questioned if Freehold Soil permit would be required.

The applicant soil disturbance would be less than 5,000 sq. ft; no permit would be needed.

Member Descenza made a motion to approved the application with compliance with Planning and Engineering letters, obtaining outside approvals, replace fencing, approve the minor subdivision, approve the use variance, approve the waivers, issue a certificate of non conformity for both properties, seconded by Member Kranz. Vote: Member

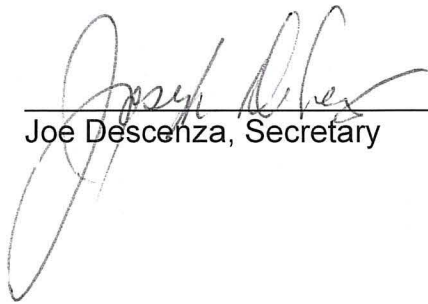
Sherr-yes, Member Ryan-yes, Member Woska-yes, Member Kranz-yes, Member Descenza-yes, Chairperson Conahan-yes, Member Greco-yes. Motion passed.

8. Correspondence

None.

Chairperson Conahan announce the next meeting will be May 25,2022 at 7pm in the Library Community Room.

There being no further business Member Greco made a motion to adjourn the meeting at 10:16pm, seconded by Member Kranz. Vote: All in favor. Meeting adjourned.



Joe Descenza, Secretary



Karen Wick, Board Clerk