

BOROUGH OF BOUND BROOK  
**PLANNING BOARD**  
June 25, 2009

**CALL TO ORDER**

The meeting was called to order by Chairman Bob Fazen at 7:30 p.m. at Borough Hall.

**ROLL CALL:**

Present were: Mr. Thompson, Mr. Fazen, Mr. Cerminara, Ms. Ackerman, Ms Brnicevic Mr. Pilato and Mr. Gayeski.

Also present were the following staff members: Mrs. Velazquez, recording secretary applicant; Mr. Rodgers, board attorney; Mr. Miller, engineer; and Mrs. Doyle, planner.

**COMPLIANCE STATEMENT**

This meeting is being held in compliance with the "Open Public Meetings Law." The requirements of the Law have been met. The Annual Meeting Notice has been posted in the Municipal Building, filed with the Municipal Clerk, and forwarded to the Courier-News and the Star Ledger in January, 2009.

**SALUTE TO THE FLAG**

**MINUTES OF PREVIOUS MEETING(S)**

Motion to accept the minutes of the June 11, 2009 made by Ms. Ackerman, seconded by Mr. Gayeski and carried out unanimously.

**ANNOUNCEMENTS & COMMUNICATIONS**

- Somerset County Planning Board

Mrs. Doyle presented Mr. Fazen with a memo containing an updated list of escrow funds. She suggested that if he likes the way it is presented maybe it is something that the secretary should prepare before a planning board meeting as to be more informed on the status. Mr. Fazen stated that he does keep track of that information but the memo presented was appreciated and he said it was good.

Mr. Pilato wanted to know how to proceed going forward to get escrow funds collected; Mr. Bahr is going to follow up. Mr. Fazen advised that a meeting was held earlier that day. Mr. Fazen discussed with Mr. Bahr about making sure that the applicant is contacted about not having enough funds in their escrow account.

Mr. Rodgers thinks that if an application is submitted, deemed complete and there is insufficient escrow, legally it is not enough to delay the application indefinitely. Mrs. Doyle stated that the board is required to give notice within 45 days of receiving the application. Mrs. Doyle stated that if it is deemed to be complete, in most cases the next letter states, if you don't have sufficient escrow funds our professional support can not be provided. Mr. Miller added that initial review should be done to check that all items needed are present. Mrs. Doyle adds that it would save the borough a lot of money to not have to have a professional planner or engineer hired to conduct the initial review for completeness.

Mr. Fazen explained that on February 12, 2009 the Verizon application was deemed incomplete. The next step would be for Verizon to complete the shortfalls on the

application and contact the chairman for a review. There was no correspondence after that. Verizon never called except to mention the letter that stated that they resubmitted and now we are past the 45 days and needed to have already responded therefore it must be deemed complete. Mrs. Doyle said if in fact they did resubmit we would have 45 days to respond. Mr. Fazen stated that there was never a second letter received. Mr. Pilato stated that Verizon should send that letter as proof of submittal. Mr. Fazen stated that there was a submittal from Verizon on April 30, 2009, but there were inaccurate funds in escrow. Mr. Rodgers said that is not grounds to delay the application indefinitely.

Mr. Fazen advised that he helped draft the letter that was sent to Verizon that wanted to know why Verizon is requesting another site, does that mean that there are now two sites. That letter was never answered by Verizon.

Mr. Pilato wanted to know when an application is filed and the initial fee is paid, shouldn't it include enough to cover the completeness review. Mr. Fazen wants to double the initial application fee for that reason. Mr. Pilato said that there are other county municipalities that raised the fees. Mr. Fazen advised that some fees are mandated. The fee schedule Mr. Fazen handed out shows the fee and escrow requirements.

There will be a meeting on Monday, July, 13, 2009 from 7:45 p.m. until 9:30 p.m. The meeting will be concerning county wide waste water, energy and economic development. Please notify Mr. Pilato if interested in attending.

Mrs. Doyle asked if the town is considering renewable energy (solar). She said that there would be a lot of money for the borough if we used solar energy. Mr. Pilato stated that we are not a 35,000 citizen community like Bridgewater and only block would be available to us.

- Mayor & Borough Council

Mr. Pilato reported that there has been some movement of the dirt pile. The Army Corp being unable to use the soil because it does not have high clay content, which is what is needed to support the levy. Brook Industrial is using a pretty big screen for sifting the soil and moving debris and soil separately. There are two potential sites for the soil to be relocated so far. One of the sites is the STS construction site, they had to remove soil in Bridgewater for a building project so they will use 20 – 30 thousand yards. The other site location will be to create a foundation by filling in a hollow basement with the soil that the DEP deemed allowable.

Mr. Fazen wanted to know who is doing the removal, Mr. Pilato answered that Brook Industrial is conducting the removal and relocation. They will still have 20 – 25 thousand yards to deal with. There are a couple of other sites that the DEP will be helping us with as much as they can.

Ms. Brnicevic wanted to know if there is report of the soil analysis for her to view; Mr. Pilato will put her in contact with the correct person at the DEP. Mr. Pilato stated that the soil is almost residential quality, off by a grade. There was cinderblock and chunks of cement and rock found in the soil.

There will be a Farmers Market on Saturday from 9 a.m. till 2 p.m.

Somerset County Business Partnership will be conducting a business continuity seminar on Tuesday June 30, 2009 which will have Mayor Pilato as a kick off as a speaker.

Bound Brook will be sponsoring a Community Festival on September 12, 2009.

Hopefully the Brook Theater will be reopened by September 19, 2009.

At the mention of the Brook Theater, Mr. Fazen being involved with the project encouraged the board members to come and visit, just give him a call and he will arrange an agreeable time.

He reported that three 30 yard dumpsters were needed to remove the junk from inside the theater. The inside entrance has terrazzo floors, the walls have been re-plastered, whatever walls were severely deteriorated will remain brick. They are restoring and applying gold leaf to the interior billboard frames. There will be new floral carpet with brook red running throughout. The walls will be repainted to be significant with the carpeting. Hopefully that will be ready by mid July. The targeted opening is September 17, 2009.

The theatre has a permit application for the following seating arrangements; there is seating for 475 people with a partition, the seating is going to be totally temporary. Mr. Fazen made example to the Wellmont Theater in Montclair that has similar seating. They are hoping to have heavy entertainment bookings for spring. They could eventually have a capacity for 950 seats without the partition or for concerts up to 1500 people with some of the seating removed. This capability should be in compliance with the Fire Code as far as he knows.

Ms. Ackerman asked if anyone looked into the acoustics. Mr. Fazen answered that when the partition comes down it will be incredible. Mr. Cerminara agreed that the theatre is what is known as a "whisper zone".

Mr. Fazen described the organ as being in 2 chambers. The organ is one of the better theater organs in the United States. The organ can be played from the orchestra pit; the console will be in the pit upon a hydraulic lift. There are all kinds of great things.

Mr. Fazen felt that what should be targeted now is to book smaller concerts to bring in revenue. Mr. Pilato also suggested that they look into comedy acts as well.

#### **OPEN TO PUBLIC:                   NON-AGENDA ITEMS**

A person from the public was curious about how she would know if an application was actually being heard at a particular meeting. Mr. Fazen advised that the application would be on the agenda that is posted in Borough Hall. If the application for one of many reasons can not be heard, the only way it can be known is to show up to the meeting. There are some instances that the applicant, lawyer or other relevant party can not make it due to last minute circumstances.

**COMPLETENESS DECLARATION (Recommendations from Planner & Engineer):**

**19-08: D'Angelo - 47 W. Maple**

Review was requested for completeness by Mr. Fazen. Rescheduled for 7/9/09

**20-08: Stein - 45 W. Maple**

Review was requested for completeness by Mr. Fazen. Rescheduled for 7/9/09

**06-09: Sarra - Brazilian Dermal Group - 20 Hamilton Street**

Review was requested for completeness by Mr. Fazen. Rescheduled for 7/9/09

**07-09: Estate of Robert Billion – 128 E. High Street**

Review was requested for completeness by Mr. Fazen. Rescheduled for 7/9/09

**08-09: Joseph & Charissa Poklikuha – 541 E. Second Street**

Review was requested for completeness by Mr. Fazen. Rescheduled for 7/9/09

**PUBLIC HEARINGS:** None

**NEW BUSINESS:**

Mr. Fazen informed everyone on the information that he had pertaining to the new board secretary position. The board was told that whom ever is hired would review both physically and electronically the application and deem if it is complete. The new position would be structured differently not only recording secretary duties would be expected. The position would involve coming into Borough Hall as often as needed during the week to ensure proper communication between the various departments at the borough.

Mr. Bahr and Ms. Godleski will meet to discuss salary offer. In the past one lump sum payment for the meeting in the amount of \$140 was paid, which paid for recording the meeting as well as various clerical duties before and after the planning board meetings.

The new board secretary would do the initial completeness review of the applications. Mrs. Doyle offered to train in the process free of charge for the borough.

Mr. Thompson asked if the application is deemed incomplete what then. Mr. Fazen stated that the new board secretary would contact the applicant and let them know that their application is incomplete. Once the application is deemed complete the chairman would then put the application on the schedule.

**REPORTS OF OFFICERS AND COMMITTEES**

**Compliance Review Committee**

Mr. Fazen and Ms. Brnicevic have a few more communications via e-mail to have completed the reviews. Mr. Fazen thanked Ms. Brnicevic for all her efforts.

**Bills**

Mr. Fazen and Mr. Bahr met to discuss escrow and the situation is being dealt with.

**Site Plan Review**

None

**Architectural Review Committee**

None

**By-Laws**

The By-laws are final. A clean copy was requested by Mr. Thompson from Mr. Rodgers.

**Redevelopment (PPS Response)**

No updates.

**Historic Preservation Ordinance Implementation**

No updates.

**Sign Ordinance Review**

No updates.

**Records Management Program**

No updates.

**Transit-Oriented Design Plan**

No updates.

**ADJOURNMENT**

Motion to adjourn the meeting at 8:05 p.m. was made by Mr. Cerminara, seconded by Mr. Gayeski and carried out unanimously.

**NEXT MEETING:** July 9, 2009

Respectfully submitted,

Samantha Velazquez  
Secretary Pro Tem