

Bound Brook Planning Board
Regular Meeting March 13, 1997

The regular meeting of the Planning Board was called to order by Chairman Strain at 7:40 p.m. in the Municipal Chambers, 230 Hamilton Street, Bound Brook, New Jersey.

Roll call was taken. The following members were present: W. Tuck, E. Gabrielksi, T. Gaglia, K. Krauser, M. Wilk, L. Strain & K. Slater.

Also present was Michael Rodgers, Board Attorney.

Mr. Strain read the "Open Public Meetings Law" statement. This was followed by a salute to our flag.

Board members were given copies of the minutes of the 2/27/97 meeting this evening. Mr. Strain suggested they read the minutes before the next meeting. At that time, they will be presented for approval.

The agenda was to include Mr. Luisi's application for a sign variance. However, Mr. Luisi was not advised that he must advertise in the newspaper & give notice to his neighbors. Therefore, he cannot be heard tonight. We have no formal agenda tonight.

Mr. Strain opened the meeting to the public.

Mr. Claude Mooney of 401 E. Main St. said he understood that the applicant, Universal Insurance Agency, plans to sell insurance. Did or can the Board check to see if he has a license?

Mr. Krauser remarked that the letter from his attorney stated the applicant has applicable banking licenses for New Jersey State.

Mr. Strain admitted that he did not know the law concerning this. However, there is a State Dept. of Banking & a State Dept. of Insurance. He's sure that if Mr. Moody calls them, he'll be told if the applicant comes under these jurisdictions.

Mr. Strain said we are dealing with zoning issues. Our jurisdiction is to make sure he lives up to the town zoning ordinances. Mayor Gilly, who was sitting in the audience, said the police are checking them out very carefully & thoroughly.

Mrs. Mooney asked about places like A & D and Good Times. She mentioned the store across the street from Orlando's. Don't they provide check cashing services?

Mr. Strain said he had no idea.

Mr. Gaglia said it started out as a travel agency. Then they added income tax services and passports.

Mr. Wilk stated that we asked the applicant for a full site plan. That's all we can do. We are not in the business of deciding if we like a business or not.

Mr. Strain said we have statutory responsibilities. We must see to it that applicants meet the conditions of the ordinance. Our zoning ordinance does not have anything to do with licensing. For example, a drug store must have a registered pharmacist. We can make conditions about the building and the use of the land. However, we cannot tell them how to dispense drugs, etc.

Mrs. Mooney said she was told that an applicant, who wanted to open a jewelry store, was rejected by the Planning Board. The reason was that the Board did not want too many jewelry stores in close proximity.

Mr. Strain knew of no jewelry store rejection by this Board.

Mr. Wilk said it was not true. This Board does everything possible to promote business in this town.

Mr. Strain said it's possible that he went to Mr. Gupko for a CO and was turned down for some reason. However, it would not have been because he wanted to open a jewelry store.

Mrs. Mooney did not know the man's name.

Mr. Gaglia would like to talk to him.

Mayor Gilly spoke from the audience. He said the Mayor & Council took an eminent domain against a property in town. It belonged to an older woman. The Fire Dept. felt they had to have that property. We've had many complaints, and we're sorry we did it. It was tabled at the last meeting. Now the Fire Dept. is interested in buying a piece of property across the street. It is adequate in size and will serve the purpose. It will save them quite a bit of money.

Mayor Gilly wanted the Board to understand that he is not asking for any special privileges. But we do want some kind of consideration. If they buy the property & the Board turns them down for some reason, they will be stuck with a piece of property. We have to be careful about how we treat this.

The Fire Dept. has written a letter to the Board of Education asking to buy a piece of their land. If they are unsuccessful and do not get the land, Mayor Gilly felt there would still be sufficient land to grant them whatever they wish. We don't want to grant them any special privileges. We want them to live up to any rules we have. However, they will be on a spot, if the Board finds reasons for not approving.

Mr. Strain told the Mayor that a member of the Fire Dept. called him & repeated what was said tonight. He told the Fire Dept. representative that this Board will listen to the appeal. We don't have anything yet.

Mr. Gilly said they are still negotiating with the lady for the property.

Mr. Strain said they would be wise to negotiate the sale contingent upon Planning Board approval. We will be fair & impartial.

Mr. Wilk said they may need a variance. Therefore, the neighbors would have to be notified & would become involved.

Mr. Strain asked the Board to read the minutes now, so they can be dispensed with tonight.

Resolution - Scagliotta

Mr. Wilk, concerning the resolution, said there is no real mechanism to enforce the conditions in the resolution. Who will enforce the vehicle limitation condition?

He was told that is why we have a code enforcement official.

Mr. Tuck said there was a schedule for moving the trailers. They were moved at an angle perpendicular to what was shown on the site plan. It is not even close to where we were told they would be located.

Mr. Rodgers remarked that Mr. Cilo, Mr. Strain & Mr. Wilk have to sign the site plan. The applicant will have to conform.

Mr. Wilk made a motion to approve the resolution.

It was seconded by Mr. Gaglia.

All were in favor, so moved.

Resolution - Todaro - denying the site plan waiver

Mr. Gaglia made a motion to approve, seconded by Mr. Wilk.
All were in favor, so moved.

Mr. Wilk asked if we were to assume that the Mayor was here as a private citizen.

Mr. Strain and the entire Board agreed.

Mr. Strain announced that the next meeting will be held on Holy Thursday. Some members may want to attend religious services first. Although the meeting is advertised for 7:30 p.m., we may be a bit delayed.

Mr. Wilk made a motion to approve the 2/27/97 minutes.

It was seconded by Mr. Gaglia.

All were in favor, so moved.

Mr. Strain asked if members had copies of the Committee assignments. He would like to meet with Committee chairmen.

Mr. Strain said he is concerned with the flow of applications. There is a communication gap.

Mr. Wilk said he is always available.

Mr. Rodgers said Mr. Luisi's appeal about the sign is coming up. We have a letter from the Architectural Review Board. It quotes the statute but doesn't give an opinion as to whether a variance should be granted. They should attend the meeting to defend their position.

Mr. Strain said he would contact Mr. Armas.

Mr. Rodgers felt they should attend all meetings concerning the downtown area.

Vouchers - M. Rodgers - Motyka - \$37.50
- Meeting attendance 2/13 - \$130
- Meeting attendance 2/27 - \$130
- Meeting attendance 1/9 - \$130
- Direnzo resolution - \$175

Mr. Wilk made a motion to approve, seconded by Mr. Gaglia.
All were in favor, so moved.

Mr. Krauser made a motion to adjourn, seconded by Mr. Wilk.
All were in favor, so moved.

There being no further business, the meeting was adjourned at
8:10 p.m.

Respectfully submitted,

Kathleen M. Lynch
Recording Secretary