

BOROUGH OF BOUND BROOK
PLANNING BOARD
NOVEMBER 13, 2003

CALL TO ORDER

The meeting was called to order by chairman Robert Fazen at 7:40 p.m.

ROLL CALL

Present were: Mr. Dietrich, Mr. Gaglia, Mr. Fazen, Mr. Shive, Mr. Krauser, Ms. Ackerman, Mr. Fasanello and Mrs. Pournaras. Mr. Thompson arrived at 8:00 p.m.

Also present were: Michael Rodgers, Esq., board attorney; and Mrs. Malone, recording secretary.

COMPLIANCE STATEMENT

This meeting is being held in compliance with the "Open Public Meetings Law." The requirements of the Law have been met. The Meeting Notice has been posted in the Municipal Building, filed with the Municipal Clerk, and forwarded to the Bound Brook Chronicle in January 2003.

SALUTE TO THE FLAG

MINUTES OF PREVIOUS MEETING:

Motion presented by Mr. Shive, seconded by Mr. Gaglia, to approve the minutes of the October 23, 2003 meeting. Motion passed unanimously.

ANNOUNCEMENTS

Mr. Fazen announced that there were several items to be distributed to members at tonight's meeting.

COMPLIANCE REVIEW BOARD

Mrs. Pournaras had e-mailed Mr. Fazen about a couple of concerns. When properties are not in compliance, Mr. Fazen suggested that the construction office should be informed after running it by Mr. Rodgers for legal implications.

AGENDA

- #13-03, Talmage Commons, will be reviewed for completeness.
- #14-03, Tran, Nail Salon (Request for Site Plan Waiver)
- #15-03, Scagliotta (application distributed at meeting)
- #16-03, Efingers (application distributed at meeting)
- #17-03, JFC Technologies -- request to be heard in December

OPEN TO PUBLIC (NON-AGENDA ITEMS)

None at this time.

PUBLIC HEARINGS

#14-03, Tran, Nail Salon (formerly Farmers Market)

Applicant Nhanh Tran was sworn in to give testimony. He explained that he is applying for a site plan waiver. Mr. Fazen explained that it is a change in use, which requires a full site plan with architectural and engineering plans. The board is being asked to waive that requirement.

Mr. Tran explained that the business is a nail salon for manicures and pedicures. A couple of pedicure chairs will be installed and a waxing room will be closed off, as well as a lunchroom in the rear. Plumbing is already in place.

Mrs. Pournaras asked if the applicant is licensed; he indicated he is, as well as his employees. Mr. Fasanello asked if the wall will go to the ceiling; Mr. Tran said it will, for privacy. Mrs. Pournaras asked how many employees will be hired; he replied that it will depend on the amount of business. Employees are expected to buy parking decals, and some will carpool.

Mr. Fazen asked if there are any health issues to be addressed. Mr. Tran explained that exhaust fans will be installed to ventilate fumes. Mr. Shive explained that exhaust fans have to be accompanied by fresh air intake. Mrs. Pournaras asked about garbage removal; Mr. Tran is planning to rent a dumpster.

Mr. Gaglia advised that permits are required to install roof ventilators. Plumbing and electrical permits will be obtained also. Mr. Fasanello pointed out that there is another nail salon about two doors away.

Motion by Mr. Krauser, seconded by Mr. Shive, to approve the application, noting that construction permits are to be obtained. Mr. Tran was also cautioned that signs have to comply with building code. Motion passed unanimously.

Talmage Commons (completeness review)

The board received a letter from Mrs. Doyle addressing the issue of completeness.

Motion presented by Mr. Shive, seconded by Mr. Fasanello, to deem the application incomplete based on Mrs. Doyle's recommendation. Unanimous.

Scagliotta, Efingers and JFC Technologies

Mr. Fazen advised the board to review the other applications they have received. He reminded the board that JFC Technologies involves a tall storage unit.

Compliance Review Board

Mr. Rodgers sent out a letter in June with his thoughts. He will re-send it if the board would like, but the key thing is the format. His suggestion, based on the 2000 board's lengthy discussion, indicated notices would be signed by the

Compliance Review Committee. The purpose was to make the recommendation anonymous.

At that time, notice would be sent to the zoning officer. Notification of anyone else would depend. Some letters were copied to the borough council, and there was talk of copying them to the press. With the board's confidence in new personnel, sending it to the zoning officer should suffice.

A form letter will have blanks to be filled in for street address, lot and block, zone, a paragraph describing the alleged violation, and a citation to what (resolution, site plan or ordinance) is being violated, and a photo if possible.

Citing the ordinance might involve some work for the committee. It was felt that it was important to point out the reference and make sure the committee had checked carefully. Mr. Fazen noted that when the resolutions are posted on the internet it will be a lot easier to search them. He will write up a form letter with his signature to be completed by the committee. He will provide lot and block numbers. There should be some idea what is in the file, which might require coming to Borough Hall to research.

Mr. Fazen suggested going into Joanne's office with the committee and showing them where files are kept. There was a hearing before the council for a permit for a taxi service; Mr. Rodgers said the applicant needs a variance for that business on Winsor Street. The issue before the council was licensing.

Mr. Rodgers brought up an example, such as a taxi service in the Schindler building. There is no resolution to refer to. The committee was to consider any violation, and that involves finding the ordinance if there is no resolution.

The zoning ordinance was tabled at the council meeting last night. There is some work to be done (discrepancies to be fixed) and it may be heard on December 11. Mr. Thompson said there are minor conflicts with international BOCA code.

Mrs. Pournaras asked if this type of historic ordinance could hamper redevelopment in some way. Mr. Fazen feels it is quite the opposite; it gives the ordinance some direction. If a developer feels he needs to buy adjacent property that would fall under historic preservation

Mr. Fazen explained that it takes a long time for a property to be designated historic. Consider the vacuum man building as an example. A member of the commission recommends that the building become a historic building in Bound Brook. It is in a redevelopment area, and the borough council is fully cognizant of that. They can say no because it is in a redevelopment area. The council has whole authority as to whether or not a site is designated historic.

The architectural guidelines of the redevelopment plan are almost identical for new construction. Redevelopment guidelines would probably be adopted almost entirely by the historic preservation commission. It would be redundant to start again.

A form letter will be run by Mr. Rodgers and tried out on a couple of test cases. All letters should be approved by the board before being sent out.

CURRENT APPLICATIONS LIST

Mr. Fazen reviewed them and there is nothing that needs to be addressed on the list.

FUTURE APPLICATION SCHEDULE

December 11 – JFC Technologies

ADJOURNMENT

Motion presented by Mr. Dietrich, seconded by Mr. Gaglia, to adjourn the meeting at 8:10 p.m. Unanimous.

Respectfully submitted,

Barbara Malone
Recording Secretary