

SAYREVILLE PLANNING BOARD

MINUTES OF January 16, 2019

The Re-organization meeting of the Sayreville Planning Board was called to order by Michael Macagnone, whom is the chairman pro tem for the purpose of conducting the re-organization meeting and opened with a salute to the flag. The meeting was being conducted in accordance with the Open Public Meeting Law P.L. 1975, c231, Public Law, 1975.

Members of the Planning Board present were: Mr. Chodkiewicz, Councilman Dalina, Ms. Lee, Mr. Kelly, Mr. Macagnone, Ms. O'Leary and Ms. Mantilla

Absent Members: Mr. Davis, Mr. Volosin, and Chairman Tighe

Also present were: Mr. Marc Rogoff, Attorney, Mr. Cornell, Engineer and Mr. Leoncavallo, Planner.

AT THIS TIME, THE RE-ORGANIZATION MEETING WAS OPENED:

Mr. Macagnone asked the Planning Board Secretary if the board meeting was being conducted under the Sunshine Law and if all publications were notified, the secretary had stated, yes.

Mr. Chodkiewicz and Ms. O'Leary attended the meeting shortly after the pledge of allegiance.

Mr. Rogoff sworn in Mr. Macagnone as a Class IV Member for a four (4) year term expiring 12/31/2022.

Mr. Rogoff sworn in Ms. Lee as a Class II Member for a one (1) year term expiring 12/31/2019.

Mr. Rogoff sworn in Ms. Mantilla as an Alternate II Member for a two (2) year term expiring 12/31/2020.

Mr. Rogoff sworn in Mr. Kelly as a Class IV Member for a four (4) year term expiring 12/31/2020.

Mr. Rogoff sworn in Councilman Dalina as a Class III Member for a one (1) year term expiring 12/31/2019.

Mr. Chodkiewicz nominated Tom Tighe as the Chairman of the board, seconded by Ms. Lee. Roll Call:

YES – Chodkiewicz, Dalina, Kelly, Lee, Macagnone, O’Leary, Mantilla

NO – none

Ms. Lee nominated Michael Macagnone as the Vice Chairman of the board, seconded by Ms. O’Leary. Roll Call:

YES – Chodkiewicz, Dalina, Kelly, Lee, Macagnone, O’Leary, Mantilla

NO – none

Ms. Lee nominated Beth Magnani as the Board Secretary, seconded by Ms. Mantilla. Roll Call:

YES – Chodkiewicz, Dalina, Kelly, Lee, Macagnone, O’Leary, Mantilla

NO – none

Mr. Chodkiewicz nominated John Leoncavallo as Planning Board Planner, seconded by Ms. Lee. Roll Call:

YES – Chodkiewicz, Dalina, Kelly, Lee, Macagnone, O’Leary, Mantilla

NO – none

Mr. Chodkiewicz nominated CME Associates as Planning Board Engineer, seconded by Ms. Lee. Roll Call:

YES – Chodkiewicz, Dalina, Kelly, Lee, Macagnone, O’Leary, Mantilla

NO – none

Ms. Lee nominated Marc Rogoff, Esq. as Planning Board Attorney, seconded by Mr. Chodkiewicz. Roll Call:

YES – Chodkiewicz, Dalina, Kelly, Lee, Macagnone, O’Leary, Mantilla

NO – none

Mr. Macagnone requested to close the re-organization meeting. Ms. Lee made the motion, seconded by Mr. Chodkiewicz; the decision was unanimous.

Respectfully submitted,

**Beth Magnani
Planning Board Secretary**

SAYREVILLE PLANNING BOARD

MINUTES OF January 16, 2019

The regular meeting of the Sayreville Planning Board was called to order by Michael Macagnone, Vice Chairman and opened with a salute to the flag. The meeting was being conducted in accordance with the Open Public Meeting Law P.L. 1975, c231, Public Law, 1975.

Members of the Planning Board present were: Mr. Chodkiewicz, Councilman Dalina, Ms. Lee, Mr. Kelly, Mr. Macagnone, Ms. O'Leary and Ms. Mantilla

Absent Members: Mr. Davis, Mr. Volosin, and Chairman Tighe

Also present were: Mr. Marc Rogoff, Attorney, Mr. Cornell, Engineer and Mr. Leoncavallo, Planner.

AT THIS TIME, THE RE-ORGANIZATION MEETING WAS OPENED:

Mr. Macagnone asked the Planning Board Secretary if the board meeting was being conducted under the Sunshine Law and if all publications were notified, the secretary had stated, yes.

MEMORIALIZATION OF RESOLUTION:

None

ACCEPTANCE OF MINUTES:

Mr. Macagnone requested a motion to accept the minutes of December 5, 2018 meeting.

Ms. Lee made a motion to accept; seconded by Mr. Chodkiewicz; Roll Call:

YES: Macagnone, Chodkiewicz, Kelly, Lee, Mantilla

NO: none

SITE PLANS/SUBDIVISION HEARINGS:

Robert Downey II ~ Minor Subdivision

Blk 337, Lot 2.02

Atty: Mr. George W. Pressler, Esq.

Law Office of George W. Pressler

322 Cranbury Road

East Brunswick, NJ 08816

Mr. George Pressler, attorney of law in the state of New Jersey whom has an office located in East Brunswick, NJ. He represents the applicant, Mr. Robert Downey who is located in the second row to his right. Mr. Pressler provided the board secretary two (2) deeds for the record. Noted as A-1; deed between Ms. Brzezinski to Mr. Downey. Noted as A-2 deed from Mr. Downey to his corporation Robert Downey, LLC. Additional reports to be stipulated into evidence the Engineer Report of CME dated 12/5/2018 and Planner Report of John Leoncavallo dated 12/5/2018 into the record; Mr. Pressler agreed.

The applicant owns Blk 337, Lot 2.02; the property is located on Warwick, Yorkshire Place and part of Washington Road. This application is a minor subdivision to subdivide into 3 lots. There are no request of any variances, and the 3 lots comply with the current zone. Mr. Rogoff asked if there are any relief of the ordinance including design waiver. Mr. Pressler stated, no. Mr. Cornell referenced his report noting that the plan did not show sidewalks to be installed on the frontage; which is a requirement and will request a waiver; the applicant agreed to comply and this should be a condition of approval that he installs sidewalks in front of his property upon development in the future. Technical Review Item #2.

Mr. Rogoff asked Mr. Pressler if his applicant agrees to comply with all terms and conditions of the engineer report, he stated yes. And with all terms and conditions of the planner report, he stated yes.

Mr. Cornell noted when the initial subdivision plan was approved, the existing property owner was concerned about drainage and run off. The approval included that Mr. Downey provide a grading plan prior to any construction permits being issued. The same conditions will be required, as well as, soil erosion & sediment control plan and a tree Preservation plan prior to the development of the property. These items must be satisfied with CME's office prior to any building permits being issued.

Mr. Macagnone opened the public portion and requested that anyone whom had any questions or concerns about this application to come forward.

Mr. Casper Boehm, Esq.
Attorney of Law office on Main Street, Sayreville

He is speaking on behalf of his client, Nancy Ann Brzezinski owner of 3365 Washington Road, Parlin, NJ. His client would like to review drainage plans. Per a previous engineer report that his client has, notes the highest point is 106' and her property is 26' below at 82'. This is their concern that this subdivision being approved without the board review with drainage. He is asking the board to defer action and have the applicant submit drainage plans prior to subdivision approval. He refers to Armstrong vs. Francis case out of Monmouth County; which is an older case in NJ in which states you do not have to accept the channeling of the water or increase of speed of the water. He is asking that the plans must come before the board for a public hearing for his client to review and submit to their own engineer if they desire or if the planning board approves the subdivision to place in the resolution that the plans be reviewed by this owner.

Mr. Macagnone requested that Mr. Cornell states the process of the building plans. Mr. Cornell states the plan would be submitted to the Zoning officer; a copy of all plans would be provided for review to CME to include drainage, erosion and tree. Per Mr. Cornell, there are a number of ways of the run off to be address. Mr. Downey does not know what he is building at this time. Again, Mr. Boehm wants the plans to be shared with his client to be reviewed prior to any construction approval is granted. Mr. Rogoff asked Mr. Pressler, if his client would agree to share a drainage plan prior to submitting to the Borough. Mr. Pressler, stated no.

No further comments from the public. Mr. Macagnone closes the public portion.

Mr. Macagnone requests a motion on the application; Mr. Chodkiewicz make the motion to approve the application; Seconded by Ms. Lee.

Roll Call:

YES: Chodkiewicz, Dalina, Kelly, Lee, Macagnone, O'Leary, Mantilla

NO: none

ABSTAIN: none

**CPV Keasbey, LLC ~ Preliminary/Final Major Site Plan
Raritan River, Borough of Sayreville
Blk 257.01, Lots 3.01 & 5; Blk 62.011, Lot 20
Blk 257, Lots 1.05, 1.06 & 7; Blk 256.01, Lot 1.05
Atty: Mr. Robert W. Buckman, Jr. Esq.
Archer & Greiner, PC
One Centennial Square, Haddonfield, NJ 08033**

Mr. Cornell stated his office has a conflict of interest and will be stepping down on this application. CME did work for this applicant in Twp. Of Woodbridge. Mr. Cornell left his seat and is sitting in the audience. Due to this conflict, Mr. Leoncavallo reviewed the plans and provided a detail review to the members.

Niall J. O'Brien, Esq is representing this applicant's waiver of site plan approval. Mr. O'Brien is from Archer & Greiner, PC located in Haddonfield, NJ (Camden County). The application from CPV Keasbey, LLC is an installation of underground waste water utility line from the MCUA, cross their property, under Raritan Conrail and SERA property, as well as, under the Raritan River and cross under varies properties in Woodbridge. This board approved a similar application that came across in March of 2013 for a facility in Woodbridge. The application in front of the board is requiring 1 approval, not 2 (with the March of 2013) due to the connection to PSEG of Metuchen instead of JCP&L substation in Sayreville. The gray water line will basically be side by side to the existing one that was approved in 2013. The Keasbey property is located in the water front redevelopment zoning district and facilities are associated with the MCUA infrastructure and are permitted uses with the redevelopment plan.

The report from Mr. Leoncavallo dated 1/16/19 was received and reviewed and they have agreed to make this part of the record. They have complied with all conditions within the report and will discuss further within their exhibits.

They are seeking waiver site plan or the alternative site plan if the board does not agree on a waiver. Mr. Leoncavallo states he has review the application and deems it complete and the waivers are reasonable based on size required within our ordinance. There is no objection to the site plan waiver request. The waivers will be granted in their discretion, this is a permitted use.

The exhibit currently on the board is A-1 – Overall Permit Aerial Plan Showing Pipeline Route. It shows the existing Woodbridge Plan to vacant land where the Keasbey facility will be.

Two (2) witnesses;

Mr. Andrew Urquhart, Competitive Power Ventures, 50 Braintree Hill Office Park, Suite 300, Braintree, MA 02184. He is a fact witness and Mr. Rogoff sworn him in. Mr. Urquhart is a manager, this company specialize in clean energy and the waste water is a component to this type of energy. CPV's senior management with over 20 year of experience, \$15B of investment, asset management with managing over 30 GWTZ of energy, 80 employees, over 600 construction jobs.

CPV has decided to move forward to the Keasbey site to provide a strong market for benefits and more reliable energy generation. The new facility will expand the availability and number of clean operators and facilities within the state and is in line with the NJ clean energy master plan. Connecting to the PSEG site in Metuchen which will provide connecting to a different utility company in NJ. 500-600 construction job and 6-8 full time jobs. Timing of this construction will be 30 month period. Gray water line will be 12-14 months. The start of this project will be the backend of 2019 or beginning 2020 once all permits and paperwork have been approved.

Jess Dougherty, PE is the second witness. Marathon Engineering & Environmental Service, Inc. 553 Beckett Road, Suite 608, Swedesboro, NJ 08085. Mr. Rogoff sworn him in. Bachelor/Master of Degree of Science Engineering of Rowan University. Mr. Dougherty sits on the Executive Board of the Builder's League of NJ. He has been qualified before to speak to other towns. The board accepts his qualifications.

Mr. Dougherty provides an explanation of A-1 Over permit Aerial and shows the proposed route which drilling under the Raritan River. The purpose of reclaim, remove the need of the cooling towers at the plant. It is a contained system with majority of the water is boiled off into steam. It's a one way pipeline. They are purchasing the water from MCUA. Surface disturbance is an open trench on the MCUA property; showing Exhibit A2 noting the gray water line is a maximum 24"; drilling 70' underground into the bedrock – DEP shows on the pink line on the plan; outside of the wetlands plan noting as a dash line. The opening of the trench area will be restored with grass surface, pit areas compilation of gravel, stone and grass areas on both side of the river. The only visional on the Sayreville side will be the above ground tie in connection of the discharge flu to the Raritan River.

Mr. Chodkiewicz made a motion to approve the application with no waivers; Ms. Lee seconded.

YES: Chodkiewicz, Dalina, Kelly, Lee, Macagnone, O'Leary, Mantilla
NO: none

ABSTAIN: none

OLD BUSINESS/NEW BUSINESS/ADMINISTRATIVE MATTERS:

Our next meeting February 13, 2019 to discuss two (2) minor subdivisions. February 20th meeting has nothing scheduled and our attorney has a conflict. We will discuss further at the 13th meeting.

Mr. Macagnone made a motion to adjourn, motion accepted by Ms. Lee; Mr. Chodkiewicz seconded.

Respectfully submitted,

**Beth Magnani
Planning Board Secretary**