

**BOROUGH OF SPOTSWOOD**  
**77 Summerhill Road**  
**Spotswood, New Jersey**

**Planning Board**  
**June 19, 2018**  
**7:30 PM**

The regular meeting of the Planning Board of the Borough of Spotswood was called to order by Charles McCook at the Spotswood Municipal Building, 77 Summerhill Road, Spotswood, NJ.

The notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given in the new schedule of meetings of the Spotswood Planning Board on December 20, 2017. The new schedule was transmitted to The Home News Tribune and the East Brunswick Sentinel; it was filed with the Clerk of the Borough of Spotswood and posted in the Spotswood Municipal Building, 77 Summerhill Road, Spotswood, NJ.

**The following Planning Board Members and Professionals were present at the meeting:**

Mayor Edward Seely, Business Administrator Dawn McDonald, Councilman Curtis Stollen, Charles McCook, Larry Kraemer, James Farley, Mark Koppel, Daniel Auciello, Andy Mashanski, James Kinneally, Esq., Bruce M. Koch, P.P., P.E, C.M.E.

**The following Planning Board Members and Professionals were absent from the meeting:**

Vincent Davis

**Note:** There are four alternate positions (#1, #2, #3 & #4) vacant on the Board roster.

**APPLICATIONS**

**HERITAGE OF SPOTSWOOD**

**Dora Avenue**

**Block 94, Lot 11**

Mr. Walter Toto appears on behalf of Roger Mumford Homes LLC and gave testimony. Mr. Toto began testimony stating that he gave Board Secretary affidavit of service and publication along with Mr. Kinneally to establish jurisdiction. He thanks the board for establishing a quorum for tonight's hearing and appreciates the public coming out and sharing their questions and comments regarding this hearing.

Mr. Toto begins with stating that this is an application for a preliminary and final subdivision request for 22 lots Southwest of Dora Avenue and Northwest of McKinley Avenue and asks to request that the board carry the matter until July 17, 2018. He explains that some unforeseen matters were just brought to his attention today which is substantial in nature and it has to do with water permits, water allocation to the Borough via the DEP, the DEP responded literally today about 11-11:30, Borough Engineer Koch was kind enough to share the information with them and Mr. Toto and his client feel it would be inappropriate to come before the board with resolving something that could be a substantial issue so he wishes not to waste the boards, the publics time and his client's money hiring of multiple professionals. He continues with they were all set to go tonight with a power point presentation to "wow" the board with what they were proposing along with their engineer, planner and traffic consultant. He states again about the substantial issue and that the applicant needs to take a step back and resolve the issue at hand and come back before the board fully armed and ready to answer any questions the Board and public might have.

Attorney Kinneally explains that he has reviewed the notice and that the Board has jurisdiction over the matter and that the notice was proper and if with the Boards pleasure this matter can be held over until July 17, 2018 with no further notice from the applicant.

Mr. McCook asks if Mr. Toto feels he will have the ability to proceed on that day. He states that

the only reason he is asking that question is, he does not want everyone to make an effort to come back if applicant will be asking for an adjournment and if that's an issue to please let us know in advance. He understands that Mr. Toto got hit with this information today but if it turns out that July 17, 2018 is not a viable date please let us know as soon as possible. Mr. Toto responds with "I will let you know at least a week in advance". Mr. McCook asks if anyone wants to be heard on the applicants request Mr. Kraemer answers, with being that it is the summer we need to make sure enough members of the Board are able to attend.

Mr. Kinneally advises that if Mr. Toto confers with him a week in advance that we should be able to get Board members together that night and formulate a quorum.

Mr. Kinneally states again that the matter is carried until July 17, 2018 with no further notification needed by the applicant.

Mr. Toto finishes with if there is any member of the public that wishes to speak to him they may contact him at his office to possibly arrange a meeting to discuss the application with the applicant if they wish to do so.

Mr. Kinneally asks if Mr. Toto if he will be available for discussion out in the hall for the residents that showed up to answer questions. Mr. Toto responds with "absolutely".

Mr. McCook thanks the residents for coming to the meeting and welcomes them to attend the meeting scheduled for July 17, 2018.

Mr. McCook states that there are minutes to be approved from 2 previous meeting.

**MINUTES** – A motion to approve the minutes from the December 5, 2017 reorganizational meeting was presented by Mr. Stollen and seconded by Mr. Kraemer all seconded but Ms. McDonald abstained. April 3, 2018 meeting minutes were moved by Mr. Stollen and seconded by Mr. Kraemer. All present were in favor, and the minutes were approved.

**PAYMENT OF VOUCHERS**

Vouchers were circulated to the Board. Mayor Seely moved that the vouchers be approved for payment. Mr. Kraemer seconded the motion. All present were in favor, and the vouchers were approved for payment.

**MEMORIALIZATION**

**Bulk Variance: Pool**

**Leaver, Thomas & Mary  
14 Fernhead Avenue  
Block 110.18, Lot 13**

The above resolution was circulated and a motion to approve was made by Ms. McDonald, which was seconded by Mr. Stollen. A roll call vote was taken; all eligible members were in agreement.

	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mr. McCook			X			
Mr. Kraemer						X
Mayor Seely			X			
Ms. McDonald	X		X			
Mr. Stollen		X	X			
Mr. Davis						

Mr. Farley			X			
Mr. Koppel						X
Mr. Catania						
Mr. Auciello						X

**CORRESPONDENCE**

Prior to the meeting, members received copies of correspondence for their review and comment. Correspondence did not need acted on and was for informational purposes only.

**Motion:**

Was opened to the public for discussion. No one from public in attendance

**BOARD COMMENTS**

Mr. Stollen requests that going forward to announce your name when making the motion and seconding the motion this way it is easier for the Board Secretary to record. All agree.

Mr. Koppel asks if Mr. Koch or Mr. Kinneally can advise us on the matter of Frost Woods. Mr. Kinneally states that Mr. Koch's firm is working on the matter and that he is not. Mr. Kinneally advises Board members that the hearing has been moved to a date in July and moved to the largest school in East Brunswick. Mr. Kinneally explains that they have met with developers and expressed their concerns especially for traffic, heights, number of units and are waiting to see if they get back to them with a compromised proposal. The area was rezoned back in November of 2016 to permit this. Apparently East Brunswick was letting the developer believe that they could build a 4 story building and that is not the case.

Ms. McDonald states to Board that Mr. Williamson resigned and that if anyone knows anyone that may be interested as serving as an alternate please call her office. Mr. Koppel states that he has a friend that is a surveyor who might be interested he will reach out to him.

Mr. McCook asks about July 3, 2018 meeting and asks if there is anything on agenda. He states a call may need to be made for that week since it is a holiday week and vacations may be in the works for members.

**PUBLIC COMMENT**

There were no public comments

**ADJOURNMENT**

As there was no other business before the Board, Mr. Stollen moved that this meeting be adjourned. Mr. Kraemer seconded the motion. All present were in favor, and the meeting was adjourned at 7:45 PM.

**NEXT SCHEDULED MEETING**

Tuesday, July 17, 2018 at 7:30 P.M.  
Location: Court Room, 77 Summerhill Road, Spotswood, NJ

Respectfully submitted,

*Joanna Carlson*

Joanna Carlson  
Board Secretary

Approved at meeting held on:  
July 17, 2018