

Otero Jennifer

#21-337

From: Greg Hitpas <opra+request-25256-887d273d@requests.opramachine.com>
Sent: Monday, August 09, 2021 12:29 PM
To: Clerk Office
Subject: OPRA request - Phase 1 Investigation

Health, Construction and Fire Departments:

Records of current and/ or historical environmental concerns (i.e. site remediation, underground storage tanks or hazardous material generation) at: 151 Washington Avenue, Carteret Block: 6601 & Lot: 14.

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-25256-887d273d@requests.opramachine.com

Is clerkoffice@carteret.net the wrong address for OPRA requests to Carteret Borough? If so, please contact us using this form:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fchange_request%2fnew%3fbody%3dcarteret_borough&c=E,1,iKIFx-eqbqAvV96_LYlwZAEukpNKR3v7aP2PQhsx1jLxAAI-hJ2jBUch4wHwUctr80eoxubGS_Dyp_IdGx7g-OZC67DVz-HpDpoWlJ9hSm276xU1WyV-REU,&typo=1

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View this OPRA request & responses online:

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Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.



Borough of Carteret

DANIEL J. REIMAN, MAYOR

DEPARTMENT OF MUNICIPAL ENGINEERING & PUBLIC WORKS

JOHN P. DUPONT P.E., C.M.E., P.P.

DIRECTOR

Working together to build a better Carteret

November 21, 2012

Mr. Anthony Neibert
Zoning Officer
Borough of Carteret
61 Cooke Avenue
Carteret, NJ 07008

**Re: Site Plan – 151 Washington Avenue
Case No. PB-07-006**

Dear Mr. Neibert:

Our office has performed several site inspections on the above referenced property to ensure that the improvements were made in compliance with the approved plan.

At this time all improvements have been completed, and our office has supported a Certificate of Occupancy for this project. The performance bond posted for this application may be released once a maintenance bond in the sum of \$1,184.00 is posted and any outstanding inspection fees have been paid.

Should you have any questions or require any additional information, please feel free to call our office.

Very truly yours,

A handwritten signature in black ink, appearing to read "John P. DuPont", with a long horizontal line extending to the right.

John P. DuPont, P.E.

cc: Ms. Gloria Lisicki
Mr. Lou Sitar

sd:\word\planning\pb-07-006final.doc



FREEHOLD SOIL CONSERVATION DISTRICT
(Serving Middlesex and Monmouth Counties)

4000 Kozloski Road, P.O. Box 5033
Freehold, New Jersey 07728-5033
Tel: (732) 683-8500
Fax: (732) 683-9140
E-mail: info@freeholdscd.org
Website: www.freeholdscd.org

11/1/2007

LOUIS STUAR
151 WASHINGTON AVENUE
CARLETON NJ 07008

Ref. #: 0012-3947
Proj.: 151 WASHINGTON AVENUE
Twp.: CARLETON
Block: 213
Lot: 14

PROJECT EXEMPTION
LESS THAN 5,000 SQUARE FEET OF SOIL DISTURBANCE

Dear LOUIS STUAR,

This is to inform you that in accordance with the New Jersey Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et. seq., Chapter 251, P.L. 1975 and as amended by C. 264, P.L. 77 and C. 459, P.L. 79, anyone disturbing more than 5,000 square feet of the surface area of land for the accommodation of construction, must file an application along with Soil Erosion and Sediment Control plans to the local District office for review and certification.

In reference to the above project, the area of land to be disturbed is less than 5,000 square feet and therefore does not require certification of a soil erosion and sediment control plan.

However, should the land disturbance exceed 5,000 square feet, submission and certification of a soil erosion and sediment control plan would be required.

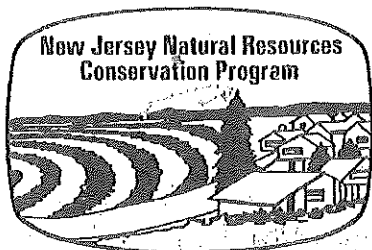
Sincerely,

Stacy Abrahamson Brady

Stacy Abrahamson Brady
Senior Resource Specialist

cc:

Carleton Municipal Planning Board
Carleton Municipal Construction Official
Carleton Municipal Engineer
ADV Engineering, Inc.
Brian Governorale ESCD Site Inspector



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Website: www.freeholdscd.org

Additional Block / Lot references: Appl. No. 0012-3947

BLOCKS	LOTS
213	15
213	16

RESOLUTION OF FINDINGS AND CONCLUSIONS

Application No. PB-07-006

WHEREAS, by Application No. PB-07-006, **LOUIS and KATHLEEN SITAR**, owners of the property located at the intersection of Washington Avenue and Cypress Street and Washington Avenue and Linden Avenue, also known as Lots 14, 15 and 16 in Block 213, request classification of and minor subdivision approval, preliminary and final site plan approval, and various variances in order to alter the lot lines of the three contiguous lots, with no new construction proposed; and

WHEREAS, a meeting was held on **August 29, 2007**; and

WHEREAS, the following members of the Borough of Carteret Planning Board heard the testimony and read the documents submitted:

Chairman Hardayal Singh
Vice-Chairman John Vesey
Mr. Donald Black
Mr. Jorge Diaz (Mayor's Alternate)
Mr. James Mancuso
Mr. Al Mantovani
Mr. Anthony Neibert
Ms. Rhoda Weissman (First Alternate)

and

WHEREAS, at said meeting all those who desired to be heard were heard, and the testimony was recorded by the Planning Board of the Borough of Carteret; and

WHEREAS, the testimony was carefully considered and the following findings of fact were made:

FINDINGS OF FACT

1. Applicants are the owners of the property located at the intersection of Washington Avenue and Cypress Street and Washington Avenue and Linden Avenue, also known as Lots 14, 15 and 16 in Block 213 on the tax map of the Borough of Carteret.

2. When taken together, the three lots maintain 200.01 feet of frontage on Washington Avenue, being the entire block between Cypress and Linden Streets, 184 feet of frontage on Linden Street and 103 feet of frontage on Cypress Street.

3. The property is improved with a gasoline service station and a one story masonry building which is separated by interior walls to house a garage with bays which is part of a service station operation; two retail stores which face Washington Avenue and a separate garage which faces Linden Street.

4. Applicant leases the gas station and garage with bays to one tenant; also rents the two retail stores; and personally utilizes the other garage for his towing and repair business.

5. The existing lot layout is indicated as a detail on the Plan Sheet prepared by AJV Engineering, Inc., dated May 21, 2007, and last revised on July 25, 2007. Similarly, the proposed lot layout is set forth as a separate detail on the same plan sheet.

6. Proposed Lot 14 is designed with 103 feet of frontage on Cypress Street, 100 feet of frontage on Washington Avenue, and is almost perfectly square. Proposed Lot 15 is designed with 50 feet of frontage on Washington Avenue and a lot depth of approximately 84 feet. Proposed Lot 16 will have an irregular shape with 50 feet of frontage on Washington Avenue, 184 feet of frontage on Linden Street, and a varying lot depth of between 50 feet and 100 feet.

7. Applicant requires the following variances:

a. Minimum lot depth for proposed Lot 15, where required is 100 feet and proposed is 83.74 feet;

b. Single and combined side yard setbacks for each of the lots, where required is 4 feet and 12 feet, and proposed for Lot 16 is 0 feet and 0.97 feet; for Lot 15 proposed is 0 feet and 3.91 feet; and proposed for Lot 14 is 0 feet and 5.88 feet;

c. Maximum impervious coverage in a front yard, where the maximum permitted is 50 percent and proposed is 100 percent for each of the three lots;

d. Parking spaces, where required for Lot 14 is 12, and proposed is 8; where required for Lot 15 is 9 spaces, and proposed is 5 spaces; and required for Lot 16 is 4 spaces, and proposed is 20 spaces.

8. The maximum impervious coverage in a front yard is an existing condition for each of the three lots. Certain of the combined side yard setbacks are also due to the location of the existing structure on the lot. The 0 foot single side yard setback for each of the lots is due to the common walls of the building where the lot lines intersect the building.

9. There are also certain other pre-existing non-conforming conditions as follows:

a. No parking spaces shall be located in a required front yard or a required buffer area, and numerous spaces are located in these areas;

b. No parking spaces shall be located within 20 feet of a building being served, and several parking spaces are within 20 feet of the building;

c. All gasoline pumps are required to be set back at least 60 feet from the street line, and the existing fuel pumps are within 15 feet of the street line.

10. All of the three proposed lots meet the lot area, lot width and lot depth requirements of the GB Zone, except that proposed Lot 15 lacks the required lot depth of 100 feet.

11. The configuration of the lots is driven by the current interior layout of the one story masonry building and the different uses which are conducted therein. The lot lines will actually pass through the walls of the building and a portion of the building will be located on each of the three lots.

12. Applicant, Louis Sitar, testified that he has a buyer for the gasoline service station which has a Racestar brand, but that there has been no closing of title.

13. The plan sheet last revised July 25, 2007 is in response to a number of comments and concerns expressed to the applicant by the Board staff. This plan sheet notes that there will be no change to the existing structure; that the storage trailer in the southwest (rear) corner of

proposed Lot 16 will be removed; and that a 6 foot high, board on board fence will be constructed along the southerly sideline of proposed Lot 16 to buffer it from the residential structure on the adjoining Lot 17 (replacing an existing 6 foot high chain link fence).

14. A discussion occurred with regard to the existing signage. Applicant was unable to clarify whether the existing signage was erected with all required variances and/or permits and the signage issues were deferred to the time of final site plan.

15. In response to concerns from the Board staff, applicant's revised plan sheet proposes an access and parking easement providing four spaces and access on proposed Lot 16, for the benefit of Lot 15. This will provide parking spaces which meet the ordinance requirement for Lot 15, without making the parking on Lot 16 non-conforming.

16. At the hearing applicant also voluntarily agreed to a "tail" condition under which the applicant and then owner of proposed Lot 14 would be required to return to this Board if, in the opinion of the Zoning Officer, there is inadequate parking considering the nature of the operations then being conducted on Lot 14. It would be anticipated that the then owner of proposed Lot 14 would be required to lease certain parking spaces from the owner of proposed Lot 16. This tail condition will be included as a restriction in the applicant's deed conveying title to proposed Lot 14 pursuant to the contract of sale to which the applicant referred at the hearing. Any leasing of spaces by the owner of proposed Lot 16 to the owner of proposed Lot 14 must be at commercially reasonable rates.

17. A lengthy discussion ensued with regard to the number of vehicles which may be stored overnight indoors in an auto repair facility. The owner of proposed Lot 14 will be required to adhere to §160-119.2(g) of the Borough of Carteret Land Development Ordinance which limits the storage of vehicles indoors overnight. Applicant and any successor owner of proposed Lot 16 will be similarly required to adhere to §160-119.2(g) with respect to the auto repair business conducted on that lot. In addition the owner of Lot 16 and any successor owner in title will also

be required if the towing business is continued to adhere to the other ordinances of the Carteret Code, not codified in the Land Development Ordinance.

18. Angelo Valetutto, applicant's engineer, reviewed the items set forth in John DuPont's engineering memorandum dated August 17, 2007. With regard to the numbered items under the sketch plat portion of the memorandum, applicant will comply with items 1 and 4 - 10. Testimony at the hearing addressed items 2 and 3. With regard to the numbered items relating to proposed Lot 16, applicant voluntarily agreed to comply with items 2 - 4 and 6. Item 1 was handled in testimony. With respect to item 5, the showing of a grass area was inaccurate. The plans will be revised and this area will have gravel with a depth of 6 inches. With respect to proposed Lot 15, applicant agreed to comply with the sole item 1 relating to that lot. With regard to proposed Lot 14, applicant voluntarily agreed to comply with items 2-4. Applicant will not be required to install depressed curbs as indicated in item 1.

19. Applicant also voluntarily agreed, as a continuing condition of the approval, to maintain the 5 foot high chain link fence with slats along the southwesterly side line of proposed Lot 14, adjacent to Lot 13.

20. Applicant also voluntarily agreed, as a condition of the approval, to prepare and record, at applicant's expense, an easement instrument memorializing an existing sanitary sewer line easement which passes through the property.

21. Mr. Valetutto, also provided planning testimony to support the new bulk variances and continuation of the existing non-conforming conditions. He explained that the proposed configuration of the lots was driven by the existing interior layout of the building and the various uses operating within that structure. He offered that the non-conforming depth of Lot 15 would not ever be discernable because the subdivision line passes through the building.

22. Mr. Valetutto also opined that with the voluntary conditions relating to providing a conforming number of parking stalls for the benefit of Lot 15 and, if necessary, Lot 14, that in reality there is no shortage of parking spaces.

23. Mr. Valetutto also provided testimony to support each of the two legs of the negative criteria. He particularly noted that the improvements proposed by applicant would substantially improve this site.

Based upon the above findings of fact, the Board concludes as follows:

CONCLUSIONS

1. The Board adopts the testimony and conclusions of the applicant's planner in support of the new variances and the continuation of the existing non-conforming conditions.

2. The new variances and existing non-conforming conditions can be continued without substantial impairment to the intent and purpose of the Borough of Carteret Zone Plan and the Land Development Ordinance. No new uses are being introduced onto the site; the lack of lot depth on proposed Lot 15 will not be discernable; and the voluntary conditions with regard to parking successfully solve the parking shortage on proposed Lots 14 and 15.

3. The new variances and continuation of the existing non-conforming conditions will not create any substantial detriment to the public good. In fact, this site will be significantly improved.

4. Both the subdivision and site plan can be granted without any negative impacts upon surrounding property owners. In fact, additional buffering will be provided for the benefit of Lots 13 and 17 which are adjoining residential properties.

NOW THEREFORE, BE IT RESOLVED, that the applicant of **LOUIS and KATHLEEN SITAR** for classification of and minor subdivision approval, preliminary site plan approval, and the variances and design waivers previously discussed, be and the same is hereby approved, subject

to the voluntary conditions in paragraphs 16, 18, 19 and 20 and the following additional conditions:

1. The subdivision must be accomplished by deed, and not by plat. The Board will execute the subdivision deed(s) after all of the site improvements are constructed by the applicant, or an appropriate bond furnished for same;
2. The deed to convey proposed Lot 14 must be reviewed and approved by the Board's attorney with respect to the "tail" condition relating to parking.
3. Both the access/parking easement on proposed Lot 16 and the sanitary sewer easement must also be reviewed and approved by the Board's attorney.
4. Applicant will prepare revised plans prior to the final site plan hearing which will incorporate all of the revisions referred to in the John DuPont engineering memorandum dated August 17, 2007 as well as the voluntary conditions agreed to by the applicant at the hearing. In addition, the issue of signage will be deferred until time of final site plan hearing.
5. Applicant shall obtain all other necessary governmental approvals;
6. Applicant shall post all bonds and pay all inspection fees;
7. Applicant shall pay the fees of the Board's professionals;
8. Applicant shall pay all real estate taxes and assessments due to the Borough of Carteret through and including the third quarter, 2007.

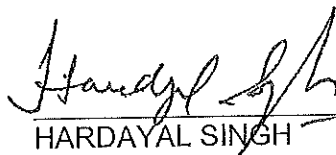
The above is a memorialization of a motion duly made and seconded on **August 29, 2007**, on the following vote:

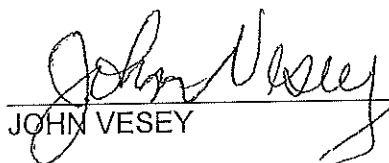
ROLL CALL VOTE

Those in Favor: Singh, Vesey, Black, Diaz, Mancuso, Mantovani, Neibert, Weissman

Opposed: None

Abstained: None


HARDAYAL SINGH, Chairman


JOHN VESEY, Secretary

Dated: 9-26-07