

BOROUGH of GARWOOD
PLANNING BOARD

MEETING of April 25, 2018

Vice-Chair Kathy Villaggio called the meeting to order at 7:30 p.m. and stated the following:

Meeting Notice:

Pursuant to the Open Public Meeting Law, this is to state for the record that adequate notice of this meeting has been provided to the public by publication in the Westfield Leader and by filing of said notice in the office of the Municipal Clerk. This is a regularly scheduled meeting of the Board.

MOMENT OF SILENCE AND SALUTE TO THE FLAG

ROLL CALL

Present: Mayor Charles Lombardo, William Nierstedt, Councilman Joseph Sarno, Lou Petruzzelli, Michael Vena, , Kathleen Villaggio, Paul Tarantino, Gene Jannotti Steve Napolitano (Alt, I), John Malcolm (Alt II), Denise Ridente (Alt III) Alt. IV- Vacant

Absent: None

Excused: Stephen Greet

Also present were Board Attorney Donald Fraser and Board Secretary Adele Lewis. Board Planner/Engineer Victor Vinegra P.E., P.P. from Harbor Consultants was also present.

MINUTES

- **MINUTES OF THE FEBRUARY 21, 2018 PLANNING BOARD MEETING**

On a motion by William Nierstedt and seconded by Gene Jannotti, the Board voted by general consent to adopt of the minutes of the February 21, 2018 with the transcript.

- **MINUTES OF THE MARCH 14, 2018 PLANNING BOARD MEETING**

On a motion by Mike Vena and seconded by Joe Sarno, the Board voted by general consent to adopt of the minutes of the March 14, 2018 with the revision recommended by Mr. Nierstedt.

RESOLUTIONS

Case # PB17-06

Applicant: South Ave Urban Renewal, LLC

400, 450-490 South Avenue & 50 and 70 Center Street

(B 401, Lots 1, 2, 4, 5) within the South Avenue Transit Oriented
Redevelopment Area

Granting Preliminary and Final Site Plan Approval together with a subdivision

for lot consolidation for a project which proposes to demolish the vacant former industrial buildings, remediate and redevelop the subject property with approximately 396,000 Gross SF mixed use building. The proposed building will include 298 apartment units, 19366 SF of Retail space, on-site Leasing Office, on-site amenities for residents including fitness facility and pool, a parking deck that will be wrapped by the building on three sides, and an open plaza

Board Attorney Fraser announced that the resolution would not be prepared until the next meeting.

Case #18-01

257 North Avenue B. 211 Lots 2 & 3

Applicant: Princeton Food Service, LLC

Granting Use Variance for modification of a preexisting Non-conforming drive-thru together with Site Plan Approval for a Wendy's

*On a motion by William Nierstedt and seconded by Mike Vena, the Board voted Affirmative (6) William Nierstedt, Kathy Villaggio, Paul Tarantino, Mike Vena, Lou Petruzzelli, Steve Napolitano, Negative (0) to memorialize the wording of the Resolution granting a D-2 Use Variance for modification of a preexisting Non-conforming drive-thru together with Site Plan Approval for a Wendy's **MOTION CARRIES 6-0***

APPLICATIONS

Case #PB18-02

161 Spruce Avenue (Request to carry to 5/23/18)

Block 512 Lot 2 R/A Zone

Applicant: Diane Perona

Seeking relief from Section 106-106 (e) which requires accessory structures be placed at least 3 ft. from a side yard property line to permit a generator 18 inches from the property line.

Kathy Villaggio announced that this application would not be heard this evening as the applicant, through their attorney, had requested an adjournment until the May 23, 2018 meeting without the need for further notice. The Board discussed the granting of the request.

On a motion by William Nierstedt and seconded by Joe Sarno, the Board voted Affirmative (7) William Nierstedt, Joseph Sarno, Kathy Villaggio, Paul Tarantino, Gene Jannotti, Lou Petruzzelli, Steve Napolitano, Negative (2) Mike Vena, Mayor Lombardo to carry the legal notice to the May 23, 2018 meeting. No further notice will be required.

Case #17-08

3 Lincoln Avenue

Block 211 Lot 11 General Business (GB) Zone

Applicant: DJB Holdings, LLC

Seeking Site Plan Approval for parking lot improvements

Gary Goodman, Esq. Cranford NJ represented the applicant. He provided background on the application.

Catherine Mueller, P.E., of Page Mueller Engineering, Warren NJ was sworn in and qualified. She testified to the plans she prepared dated 8/22/17 revised through 1/9/18- 2 pgs. Page 1 titled Site Plan, Page 2 titled Variance Plan.

She noted the irregularity of the lot and identified the variances needed, referring to Victor Vinegra review letter dated 10/23/17 revised on 4/25/18.

Variances requested:

- Section 106-116B (1) Screening
- Section 106-116B (3) Outdoor storage
- Section 106-116C Plantings protected from parking loading area
- Section 106-116D (1) shade tree
- Section 106-133A Lighting shielded downward
- Section 106-133B, C D Lighting requirements
- Section 106-111C (3) Overnight storage of vehicles/trailers
- Section 106-111C (2) Outdoor storage in side and rear yards
- Section 106-130 Off street parking
- Section 106-131 Off street loading
- Section 106-134 Stormwater control
- Section 106-142 Signs permitted in LI Zone

She described the proposed improvements to the site, including landscaping, street trees and shrubs. She noted the corner area which is unusable will be a landscaped area. She testified that the existing lighting is proposed to remain as it is adequate for the applicants use. She noted the two existing storage containers are proposed to remain. She stated that they are proposing concrete as asphalt will be torn up. She reviewed the parking layout and the proposed concrete sidewalk along Lincoln Avenue.

She stated that they are decreasing the impervious coverage so that they now comply with the open space requirement. She stated that they are proposing an infiltration system.

Board Attorney Fraser noted that the title survey was dated 2015 and prepared by Harbor Consultants. Mr. Vinegra stated that his firm is often retained by attorneys to prepare the title survey as part of the closing. Mr. Vinegra stated that he has no interest or conflict with application, he worked for the attorney. Mr. Fraser stated that it is a legacy issue.

Board members asked questions of Ms. Mueller and noted that this property was the Gateway into Garwood. Concern was expressed regarding the lack of physical separation between the cars and landscaping. Also the landscape plan is lacking.

Mr. Vinegra noted that the applicant must apply for NJ DOT permits, Union County soil erosion permits as well as local permits. He also questioned the amount of utilized vehicles and the placement of the vehicles on the site.

QUESTIONS FROM THE PUBLIC: There were no questions from the public.

David Busch, 3 Lincoln Avenue was sworn in. He stated that he is the owner of DJB Holdings, LLC and is the owner of the property. He stated he purchased the property in 2014 and they repair trucks. He reviewed the current conditions of the property and spoke to the proposed landscape. He stated that he wants to work with a landscaper to install low maintenance plantings that will not grow and block the business. He noted concern regarding vision and the safety of the site. He stated that they are proposing a new sidewalk.

He described his business and stated that they work on R/V's and trucks. He is proposing to park more at the rear. He stated that he is not opposed to having the lighting measured but he feels it is adequate. He expressed concern regarding moving the line further back as it will be restricting for parking. He noted that parking is a challenge on the site.

Mr. Vinegra inquired about the trailer, crane truck, motor home and old cars on-site. Mr. Vinegra stated that some vehicles have been on the property for a very long time and appears to be the storage vehicles. Mr. Busch stated that they are scheduled to be moved in the next 4-6 weeks. Mr. Busch stated that he has cosmetic improvements are planned, such as painting and new windows, as well as a new HVAC system. Mr. Vinegra also noted that the dumpster location is not shown. Mr. Busch stated that the dumpster will be relocated and will be screened. He added the fence will also be relocated. The Board also discussed a monument sign rather than a pole sign. Mr. Busch stated he is not opposed to it but reiterated his concern regarding site visibility.

Also retaining wall which contains a banner type signage. Mr. Busch stated that he repaired and reinforced the wall as it is only 4 ft. high and no permit was needed.

Mr. Vinegra stated that there are many proposed changes and it may be beneficial for have the applicant return with revised plans depicting the screened dumpster location, provide a 5 ft. screening, revised lighting, and a monument signage. They will also show the location of the fence. They will also explore the option of ballards.

QUESTIONS FROM THE PUBLIC:

Al Del Conte, 545 Locust Avenue inquired about the retaining wall and the containers. Mr. Vinegra stated that the Board cannot grant approval for the container on property not owned by the applicant. NJ Transit owns the property on which the containers are located.

The application will be continued to May 23, 2018 without the requirement for further notice.

RECESS – a brief recess was taken

ORDINANCE REVIEWS

Pursuant to N.J.S.A. 40A:12A-7(e)

- Resolution No. 18-052 Amendments to the Transit Oriented Redevelopment Plan

The Board reviewed the proposed revisions.

On a motion by William Nierstedt and seconded by Paul Tarantino, the Board voted Affirmative (8) Kathy Villaggio, Paul Tarantino, Gene Jannotti, William Nierstedt, Mike Vena, Lou Petruzzelli, Steve Napolitano, John Malcolm, Denise Ridente, Negative (0) to approve the revisions to the Redevelopment Plan as presented.

- Pursuant to N.J.S.A. 40:55D-26 review Ordinance No.18-08 amending fences-corner lots

The Board discussed the revision to the fence ordinance specific to corner properties which were sent to the Planning Board prior to first reading of Council. Ms. Villaggio distributed a proposed ordinance. The Board took an informal poll regarding the permissible height. A slight majority expressed a preference to permit 6 ft. fences. The Board discussed restrictions on the permitted locations and discussed the sideyard versus the building envelope. Mr. Vinegra stated that the current ordinance seems appropriate and if there is a current existing 6 ft. dilapidated fence, he signs off on it. Concern was expressed with penalizing corner property owners.

Given the lateness of the evening and the fact that the Council had tabled the ordinance, the Board tabled the discussion and will consider the ramifications of 6 ft. fences on every corner lot.

NEW BUSINESS

Board Attorney Don Fraser stated that the Superior Court of NJ affirmed the decision of the Planning Board in the matter of the litigation brought forth by Peterson/Cuccarro/Corbin regarding 484 Fourth Avenue.

CLAIMS- *The following claim was presented for payment and approved.*

- Inv. # 26323 for \$140.00 for Russo – South Ave II

Invitation to Address the Board

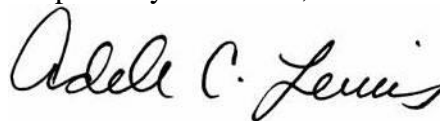
Al Del Conte, 545 Locust Ave., stated that he prefers a 6 ft. fence and right on the property line. He also noted that Russo has placed a fence right at the property line and is obstructing vision. Mr. Vinegra will contact Russo to move the fence. Mayor Lombardo stated that Russo will also be moving the fencing to allow the seniors closer access to Fire Dept.

ADJOURNMENT

The Board adjourned 9:55 p.m.

The next meeting of the Board is scheduled for May 23, 2018.

Respectfully Submitted,



Adele C. Lewis, Board Secretary