

BOROUGH of GARWOOD
PLANNING BOARD

MEETING of July 24, 2019

Stephen Greet 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 Sara Todisco, Stephen Greet, William Nierstedt, Councilman Richard McCormack, Ken Capobianco, Kathleen Villaggio, Michael Vena, Paul Tarantino, John Malcolm (Alt I), Steve Barcan, (Alt, II), Sergio Simoes (Alt III)

Absent: Peter Demato (Alt IV)

Excused: Steve Napolitano,

Also present were Board Attorney Donald Fraser, Board Secretary Adele Lewis and Leigh Fleming, P.P. from Harbor Consultants.

MINUTES

- **MINUTES OF THE MAY 22, 2019 PLANNING BOARD MEETING**

On a motion by Kathy Villaggio and seconded by Mayor Todisco, the Board by general consent to adopt the minutes of the May 22, 2019 meeting w/transcripts.

RESOLUTION

Case #PB19-03 **604 608 Willow Ave. R/B Zone Block 302 Lots 11 & 12**
Applicant: 604/ 608 Willow Ave., LLC
Granting minor subdivision

Board Attorney Fraser stated that a draft version of the resolution had been prepared by Mr. Hehl's office.

Mr. Fraser noted there were necessary revisions and the resolution will be adopted next month.

APPLICATIONS

Case #PB19- 05 **10 South Ave. Block 501.01, Lot 8**
Applicant: Lidl U.S. Operations, LLC
Preliminary & Final Site Plan w/Variations for a supermarket

Chair Greet announced that a letter had been received from Stephen Hehl, Esq. of Javerbaum Wurgaft requesting the case be carried to the August 28th meeting. Mr. Greet announced that no further notice would be required.

Case #PB19- 02

345 South Ave. Block 404 Lot 3

C/B Zone (Commercial Business)

Applicant: 345 South Ave, LLC

Seeking waiver of Site Plan to convert the second and third floor of a mixed use building from office use to residential use w/Parking Variance

Richard Brightman, Esq. Cranford, NJ continued to represent the applicant.

He noted that they had addressed the comments of the Board from the May 22, 2019 meeting.

Gregory Waga, R.A., of Waga Architecture, Rahway, NJ was previously sworn and qualified. Mr. Waga reviewed the plans he prepared dated June 5, 2018 revised through 7/12/19.

Mr. Waga stated the submitted updated plans include a proposed corridor which connects each apartment unit to both existing stairwells and provides two points of ingress/egress. The floors were also reconfigured to have two (2) 576 square foot one-bedroom units on each floor for a total of four (4) apartments in the building instead of each floor containing one (1) 499 square foot one bedroom apartment and one (1) 917 square foot apartment with a 14' x 10' den. The plans have also been changed to include a laundry/utility room on the second and third floors in place of putting a washer/dryer in each unit. This change still permits the residents to have easy access to a laundry amenity. Additionally, a trash/refuse area has been added in the front of the ground floor of the building off of the existing stairwell eliminating the need to use the adjoining property. A bicycle storage area has also been added in the rear of the ground floor off of an existing stairwell

Mr. Waga addressed the parking requirements for the First Floor Commercial, and Four one bedroom apartments which total 10.2 parking spaces. As the existing parking lot contains six (6) parking spaces, a variance is required for 4 parking spaces. Mr. Waga stated that there will be one parking space for each apartment leaving two spaces for the commercial use. He described the current use of the building and stated that Jeni-fit Gym, which operates as a personal trainer by appointment with one client, one trainer, occupies the first floor. The second floor is currently vacant and the third floor is occupied by Quick Copper. Mr. Waga stated that the site is near public transportation and located in the center of town making the parking sufficient.

Mr. Waga addressed the review letter of Victor Vinegra dated 3/22/19 revised on 6/24/19 and stated that they will comply with the requests listed on page 7.

- *The Applicant shall comply with §134-40 Sewer Connection Rates of the Borough Ordinance which states that the sewer connection rate for each equivalent dwelling unit (EDU) or sewer service unit is hereby established at \$750.*
- *The Applicant shall comply with all applicable construction and fire codes.*
- *The Applicant's professionals shall address all changes that have been made to the Architectural plans since the prior submission*

Leigh Fleming, P.P. requested that the applicant also submit plans that depict the dimensions of the "new bike storage" area and how many bicycles would reasonably fit.

Ms. Fleming also inquired if the rear parking area illuminated and suggested the applicant consider low level lighting of this area which must be the Municipal Ordinance. She noted the resolution compliant plans should also include ground level footcandles, the height of the lighting fixtures, the type/model, lumens, wattage, and address if there will dark corners or spill over to neighboring property etc.

Mr. Waga stated they will comply with the request. In addressing landscaping, Mr. Waga stated that the property is constrained and landscaping is difficult. He stated the fence will be evaluated and replaced as needed.

The Board asked questions of Mr. Waga.

Questions from the public:

Albert DelConte, 545 Locust Ave., inquired if there would be a handicap space. He also inquired about the parking requirements.

Mr. Waga stated that one of the spaces would need to be converted to a handicap space.

Giacoma Cocchiara, Watchung NJ, owner of property was sworn in. He expanded upon the first floor use occupied by Jenifit and stated that there are occasional classes such as spin class. He estimated that there are 14 people in the class. He reiterated that he has had difficulty in finding commercial tenants for the second and third floor of the building. He described the current parking situation as first come- first served. He estimates that 2 or 3 people from the gym use the parking spaces the rest use the municipal lots or on street parking. Mr. Cocchiara stated that in his efforts to rent the second floor tenant, he created a street parking map to depict available parking. He stated that a private hauler will pick up the trash as needed. He anticipates 2 times a week but will increase as needed.

Chair Greet stated that he would like to hear testimony from the first floor tenant to the parking needs of the existing gym on the first floor that is to remain and noted concerns regarding the lack of parking.

Bill Nierstedt stated that no use can provide sufficient parking in the downtown and referenced the goals of the transit village district. He noted that the site has limitation as do all the buildings in the center of town. He noted that unless we want empty building, the Board must grant the parking variance. Mr. Nierstedt also noted that the apartments are small and will likely only have one or two occupants which alleviates the concern of added school children.

Kathy Villaggio stated that she agreed with Mr. Nierstedt's assessment and cited the nearby municipal lots. She proposed having the parking for this site be restricted by hours and have the dedicated parking only through certain times. The general consensus was to keep the four parking spaces designated for the apartments and the residential use.

Mike Vena stated that Mr. Waga had misrepresented the use of the gym and noted that there are several instances in which group/classes occur such as spin, boxing and bar/ballet class.

Mr. Cocchiara stated that he has never received any complaints from the tenants regarding parking. In addressing the current leases, he noted that Jenifit has a five year lease and the other tenants are month to month.

Ken Capobianco stated that this is a multi-faceted problem. He stated that there will be issues when there is snow. He agreed that for marketability, each apartment should have a dedicated parking spot.

The Board referred to the 2005 previous D variance approval and the condition placed which prohibited residential uses on the second and third floor and noted that a parking variance had been given at the time.

Board Attorney Fraser explained the application and what was in the purview of the Board.

Mr. Brightman summarized the application for the Board. He stated that there is insufficient parking on the site however the residential use, which the zone permits, reduces the parking demand.

Comments from the public: None

The general consensus of the Board was to grant the variance with the following conditions. The applicant will comply with the requests in the letter of Victor Vinegra dated 3/22/19 revised on 6/24/19 which includes providing revised plans with a lighting plan to the satisfaction of Harbor Consultants. The applicant will include language in the lease which includes one parking space per apartment. The fence shall be replaced.

It was determined that the 8 members who were present at the May 22nd meeting would be voting on the application.

On a motion by Kathleen Villaggio and seconded by William Nierstedt, The Board voted Affirmative (7) Mayor Sara Todisco, Councilman Richard McCormack, Stephen Greet, William Nierstedt, Kathleen Villaggio, Steve Barcan, Sergio Simoes Negative (1) Ken Capobianco, to grant Site Plan approval to convert the second and third floor of a mixed use building from office use to residential use w/Parking Variance.

MOTION CARRIES 7-1

Invitation to the Public to Address the Board

Chair Stephen Greet asked if anyone would like to address the Board.- No Comments

CLAIMS

The following claims were presented for payment and approved.

To Victor Vinegra of Harbor Consultants:

- Invoice # 28480 for \$580.00 from the escrow 345 South Ave -
- Invoice # 28479 for \$1580.00 from the escrow 604/608 Willow Ave
- Invoice # 28316 for \$1015.00 from the escrow 604/608 Willow Ave
- Invoice # 28312 for \$945.00 from the escrow of Russo I-South Ave-
- Invoice # 28313 for \$2247.50.00 from the escrow of 2 North Avenue
- Invoice # 28317 for \$797.50 from the escrow of 10 South Avenue
- Invoice # 28637 for \$942.50 from the escrow of 2 North Avenue

- Invoice # 28317 for \$797.50 from the escrow of 10 South Avenue
- Invoice # 28481 for \$3190.00 from the escrow of 10 South Avenue
- Invoice # 28475 for \$145.00 from the escrow of 3 Lincoln Avenue
- Invoice # 28620 for \$997.50 from the escrow of 3 Lincoln Avenue
- Invoice # 28474 for \$1050.00 from the escrow of Russo I-South Ave-
- Invoice # 28619 for \$775.00 from the escrow of Russo I-South Ave
- Invoice # 28621 for \$870.00 from the escrow of Russo II-South Ave-

NEW BUSINESS

The Board inquired of the status of 3 Lincoln Ave as a condition of the resolution was that the work be completed by June 30th. Ms. Fleming will look into it and report back to the Board.

ADJOURNMENT

There being no further business, the Board adjourned 9:05 p.m.

The next scheduled meeting of the Board is August 28, 2019.

Respectfully Submitted,

Adele C. Lewis, Board Secretary