

**BOROUGH OF WESTWOOD
ZONING BOARD OF ADJUSTMENT
SPECIAL MEETING
MINUTES
JULY 21, 2014**

APPROVED 9/8/2014

1. OPENING OF THE MEETING:

The meeting was called to order at approximately 8:00 p.m.

Open Public Meetings Law Statement:

This meeting, which conforms with the Open Public Meetings Law, Chapter 231, Public Laws of 1975, is a Regular Meeting of the Westwood Zoning Board of Adjustment.

Notices have been filed with our local official newspapers and posted on the municipal bulletin board.

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL:

PRESENT: William Martin, Chairman
Vernon McKoy
Matthew Ceplo
Eric Oakes
Guy Hartman
Chris Montana
George James
H. Wayne Harper (Alt #1)
Marc Truscio (Alt #2)

ALSO PRESENT: Michele S. Austin appeared on behalf of
David Rutherford, Esq., Board Attorney
Louis Raimondi, Brooker Engineering,
Board Engineer
Kathryn M. Gregory, appeared on behalf
of Steve Lydon, Burgis Associates,
Board Planner

ABSENT: None

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MINUTES – None

CORRESPONDENCE

VOUCHERS - None

RESOLUTION - None

PENDING NEW BUSINESS - None

VARIANCES, SUBDIVISIONS AND/OR SITE PLANS, APPEALS, INTERPRETATIONS:

SWEARING IN OF BOARD PROFESSIONALS FOR PUBLIC HEARINGS

The Board Professionals were sworn in.

WW Madison Realty (West Gate) – 11 Madison & 37 Irvington

Attorney Lamb opened the meeting by distributing exhibits:

A-10 – Revised East Elevation Plan for Mixed Use

A-11 – Revised Gate to Tenants Garden

A-12 – Revised Architect Plan showing 1,000 sq. ft. office and part of operation of self-storage

A-13 – Modified Apartment Tenant Entry Details with modified lobby plans and modification to garage doors.

Witnesses expected to testify this evening include Architect Vincent J. Cioffi, Kevin Webb, Engineer, a Traffic Expert and Peter Steck on use and site plan issues, ending with a statement by applicant Bruce Meisel.

Vincent Cioffi was previously sworn. He stated that at the last meeting there were comments about lack of detail on the Easterly Elevation. He referred to Exhibit A-113. Mr. Cioffi reviewed the plan and modifications made to the brick texture. The floor plan setbacks were reviewed with a lot of stepping back and articulation. Mr. Cioffi explained the setbacks. A change that was made was not shown; to extend the parapet to screen equipment for a clean look. Vice Chairman Oakes asked for a clearer definition of “screening the equipment”. Mr. Cioffi provided details referring to the plans.

Mr. Cioffi confirmed that final architect elevation plans will be submitted. Mr. Lamb referred to Exhibit A-12 – 1000 sq. ft. designation. Mr. Cioffi stated that the original submission was for 700 sq. ft. – the actual requirement is 1000 sq. ft.

Apartment Lobby – Redesign of Garage – Mr. Cioffi referred to the plans of the entrance into the gates – the glass entrance into and out of the lobby area. Mr. Lamb

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referred to Exhibit A-11 Gate – he asked is this the actual gate proposed? Mr. Cioffi said yes and added that placement is approximately 20 ft. off the street line.

Chairman Martin asked if there were any questions by Board Members.

Vice Chairman Oakes recommended placing the mechanicals on top of the roof because of the proposed apartments. Mr. Cioffi explained that the mechanicals would be in the back towards a recessed area and screened. The Vice Chairman asked the color of the facade stucco. Mr. Cioffi responded it would be a warm gray or tan.

Ms. Gregory questioned operational issues such as mail delivery. Mr. Cioffi responded that this would be addressed.

Chris Montana commented that the architectural plans were good. He questioned however the handi-capped spots and the accessible door into the building. Mr. Lamb responded that the applicants engineer would address this matter. Mr. Raimondi commented on the parking garage stalls. Mr. Lamb responded that the applicants engineer would address parking issues.

Chairman Martin reviewed that the gate is an open wrought iron gate with a call box buzz in, when a person parks in the parking garage they will be able to see the light at the glass entrance door of the lobby. Mr. Lamb advised that the applicant's engineer will go over the lighting analysis. Chairman Martin asked if there was any thought or consideration to punching openings into the parking garage to elevate the narrowness. Mr. Cioffi responded that the intent was to establish keeping the weather conditions out. Chairman Martin then suggested some windows. Mr. Lamb thought this was a good idea and they will redesign the parking garage to allow for viability.

Chairman Martin asked if there were any questions for the applicant's architect, Mr. Cioffi. There were none.

The applicant's engineer, Kevin Webb was sworn in. His qualifications as a professional engineer licensed in New Jersey were accepted by the Board.

Site Plan Exhibit A-14 prepared by Mr. Webb and dated July 7, 2014. Mr. Lamb asked if there was a better location for the handi-capped space. Mr. Webb responded that it is the closest location to accessible route for retail, not necessary for residential. He added that we could locate it closer to the elevator and lobby door. Mr. Lamb asked are you suggesting that if handi-capped space is for the proposed 14 residential units only you would not require a handi-capped space. Mr. Webb stated that is correct. Mr. Lamb stated then it can be eliminated and it would then provide two additional regular parking spaces or it could be moved to another location closer to the lobby whichever the Board would want. Mr. Webb stated that is correct.

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Chairman Martin asked if there were questions by Board Members. Some comments were made. Chairman Martin summarized by saying that the handi-capped space may not be required for the apartments but for the retail area you may have to have to provide one. He suggested leaving the handi-capped space where it is proposed according to the plan pending input from the Construction Official. Chairman Martin commented that a handi-capped space does not have to be right on top of the area served. Mr. Webb stated that it needed to be the closest space on the accessible route but not closest to a door. Chairman Martin and the Board members agreed to leave the location as is for now.

Lou Raimondi, Board Engineer asked how many tandem parking spaces were proposed. Mr. Webb responded 7 spaces and explained egress and ingress. Mr. Raimondi requested a diagram of the parking in the rear of the garage. Mr. Webb advised that it would be provided.

Lighting – Mr. Webb advised of three – LED lights – 16 ft. high should not cause light spill. Chairman Martin asked if there were questions by Board members. Member Montana asked about an egress and ingress security / video monitor. Mr. Webb responded that there would be a security system. Mr. Lamb added that a decision has not been made on the type of system that can be installed. Chairman Martin asked what the recommended lighting level was. He felt that 1 ft. candles were low and he would like to see a higher light level like 3 ft. candles as an average. It would add to safety.

Mr. Lamb addressed setback. Mr. Webb commented that the side yard setback to the adjacent gas station property building is approximately 30 ft. The low grade was identified as a 10 ft. setback and is actually 8 ½ ft. The combined setback is also 8 ½ ft. Two 1 – bedroom and twelve 2 – bedroom units are proposed.

Pertaining to the left hand turn traveling west on Irvington Street into the site; Mr. Webb reported that the County Engineer wants to restrict westbound travel from Irvington Street and making a left turn into the proposed site so not to impact traffic back up. Mr. Lamb asked if a left turn exiting the site is permitted. Mr. Webb said yes.

Mr. Lamb spoke about the rounded corner on Washington Avenue into Madison to accommodate the right turn on to Madison. Also making modification on the easterly corner of Madison and Washington. All modifications are recommended by the County.

Mr. Lamb reported that the height plans show both buildings. The proper height is the average of 4 corners. Mr. Webb commented that height was calculated from the highest point on a roof to the lowest point. Our calculations are actually higher. Mr. Lamb asked, using the average height, what is the height proposed from the mixed use building on lot 4.01. Mr. Webb responded 33.33 ft. calculated by taking elevation of the roof and average grade. Mr. Lamb asked the same question regarding the self storage building. Mr. Webb said the building is 38.1 ft. using the elevation of the roof and

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average grade. Mr. Lamb asked why the self storage building seems to have a higher height than the building on lot 4.01. Mr. Webb responded that as Madison Avenue steps down grade, conditions are different causing a higher to lower elevation. Chairman Martin commented on a "C" variance rather than a "D" variance.

Mr. Lamb advised that a Storm Water Management Report was submitted. Mr. Webb advised that 97% impervious met state standards and there are no requirements for on-site Storm Water Management Facilities. A trench drain will be added to serve the self storage building along Madison Avenue.

Mr. Webb reported preparing a re-division moving property line from 4 lots to 2 lots creating lot 2.01 and 4.01. Mr. Lamb referred to Exhibit A-4 Landscaping proposed on Madison Avenue. Mr. Webb stated that 6 new street shade trees will be placed. Tree scape will be consistent on both sides of Madison Avenue. Pertaining to utilities Mr. Webb advised that there will be new connections for the proposed buildings.

Chairman Martin asked if there were questions by Board members.

Vice Chairman Oakes spoke about water retention and 2 new pits along the parking lot. This will be one step further to improve negative criteria.

Mr. Raimondi expressed his concern about water running off the site over a great length of time. He suggested retaining the water on site or the east side of the building. He commented that the definition of development involves permission and should be considered a major sub-division. He felt that there is a minor/major sub-division issue. Ms. Austin, Board Attorney stated that either one would be appropriate. Chairman Martin commented that the proposal is to separate two lots that already exist. By calling it a major sub-division would not affect anything.

Mr. Raimondi asked who the landscape contractor was. He was told by Mr. Webb that it is Langings. Mr. Raimondi commented that irrigation should be on the landscape plan.

Mr. James asked if the proposal was for one building or 2 buildings. Mr. Lamb responded 2 buildings and 2 lots.

Chairman Martin asked if there were any interested parties with questions. There were none.

Board recessed – 9:35 p.m. – 9:48 p.m.

The meeting reconvened.

Daniel Disario, Traffic engineer was sworn in by Board Attorney Austin. Mr. Disario presented his qualifications that were accepted by the Board. Mr. Disario testified that he is familiar with the traffic report dated May 30, 2014. He provided an overview of July 21, 2014

conclusions that were reached. The mixed use proposal is considered “smart growth” – near train station, self storage facility and very low impact on traffic. The three uses being proposed would generate a lot less traffic issues. This is an advantageous proposal. Mr. Disario reviewed peak hours:

- Saturday between 11:00 a.m. and 2:00 p.m. about 70 trips (35 in 35 out)
- Weekdays 7:00 – 9:00 a.m. – about 30 trips (15 in and 15 out)
- Weekdays 4:00 – 6:00 p.m. – about 50 trips (25 in and 25 out)

Mr. Disario reported that this proposal would not generate a significant impact. He commented on parking as being more than enough. The self storage site will not be gated. The site will operate sufficiently. This is a well designed proposal.

Chairman Martin asked if there were questions by Board members.

Member Oakes asked if large vehicles, busses and trucks were included. Mr. Disario stated that we are improving the right turn off of Madison to accommodate large vehicles. Permitted proposed left and right turns off and onto Irvington were reviewed.

Member Montana asked if an analysis of any traffic coming out of Madison north towards 99 Madison Avenue – any analysis of the number of cars that make a left and/or right turn out of those areas. Mr. Disario advised that this was recorded and counted in the analysis.

Member Harper commented if asked how to improve or minimize what would Mr. Disario recommend. Mr. Disario responded that the railroad crossing causes some traffic issues.

Member Ceplo asked about traffic flow when trains stop. Mr. Disario responded that the surge is in the traffic counts. The peak 15 minutes in a peak hour includes the surge.

Chairman Martin asked if there were interested parties with questions.

There were none.

Peter Steck, Community Planning Consultant was sworn in by Ms. Austin, Board Attorney. He presented his qualifications that were accepted by the Board.

Mr. Steck testified that he viewed the site. He referred to an aerial photograph of the property – 97% impervious coverage – vacant for 7 years. A sub-division of the property is proposed and Mr. Steck considers it a minor sub-division. Lot 2.01 will be used for self-storage and lot 4.01 – mixed use residential / resale / basement storage. The self storage building is small in terms of traffic and parking requirements. Two use variances are needed. Mr. Steck reviewed his report. He stated that the self storage facility does not

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look like a self storage building due to its unique architecture therefore signage is needed. No substantial detriment.

Chairman Martin asked if there were questions by Board members.

Member Oakes commented on the size of surrounding buildings adding that the proposal is about 5 or 10 ft. higher from a planning stand point. Mr. Steck commented that it is an isolated area. Chairman Martin added that there is a variety of different building heights in the area. Mr. Steck saw no negative results.

Member Montana commented on sign placement on the Northern side of the building facing Irvington. He mentioned horizontal vs. vertical restrictions on signs. Placement review of four (4) hanging signs took place. Kathryn Gregory commented that the proposal does not call for too much signage and the size is appropriate.

Chairman Martin asked if there were interested parties with questions. There were none.

Chairman Martin reported that the Board did not receive input from the respective departments Fire Department, Police Department, Shade Tree, and Environmental Board. Mr. Lamb was in favor of conditioning the approval subject to receiving a report from the various departments.

Bruce Meisel commented on the height of the storage facility stating that it is at the lowest it can be. Cannot function any lower than 8 – 10 ft. high ceilings.

Vice Chairman Oakes commented that climate control equipment placement is not listed on the plans. Bruce Meisel advised that climate control will be screened.

Mr. Lamb called for authorization of approval and preparation of a resolution. Chairman Martin addressed the Board stating that without any objections, a resolution can be prepared in advance with deliberations held on August 4th and conditions discussed at that time. Ms. Austin added if the Board approves the application this would also allow the applicant to move forward on August 4th.

Chairman Martin asked if there were questions by the Board of Mr. Meisel. There were none. Chairman Martin opened the meeting for interested parties.

Ann Costello came forward and was sworn in by Ms. Austin. Ms. Costello testified that the application is a great opportunity for the town; it is an odd piece of property. She commented on heights of the buildings and did not see any issues. Ms. Costello added that the finishing product would beautify Madison Avenue.

Richard Heck came forward and was sworn in by Ms. Austin. Mr. Heck feels good about the application; it is positive for the town and he sees no other use for the area. Mr. Heck advised that he is involved in the process.

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The meeting was closed for discussion.

A motion by Eric Oakes, seconded by Vernon McKoy to allow the Board attorney to draft a resolution pending input from the various departments mentioned herein, on roll call vote, all in favor, the motion carried.

The application is carried to the August 4th meeting of the Board to deliberate and vote and discuss conditions.

ADJOURNMENT – On motions, made seconded and carried, the meeting was adjourned at approx. 11:50 p.m.

Respectfully submitted,

Sylvia Kokowski, Recording Secretary