

**Planning Board Minutes  
Borough of Kenilworth  
March 9, 2017**

The meeting began with an affirmation of the Open Public Meetings Act. The schedule of meetings is on file in the Borough Clerks' office, was posted on the bulletin board, and has been mailed to the Local Source, and the Star Ledger.

Pledge of Allegiance was led by Chairman Rich Picerno.

Oath of Office was administered by Ernest Bongiovanni to Frank Mazzeo.

**Roll Call: Present: Councilman Clementi, Mr. Picerno, A. Cuppari, Mr. David, Mr. Grimaldi, Mr. Schielke. Mr. Mazzeo and Mr. Pantina, Mr. Ladauti was excused. Also present were Mr. Bongiovanni, Planning Board Attorney, Kevin O'Brien, Planner and Victor Vinegra, Borough Engineer.**

**Approval of January 12, 2017 Minutes**

Motion was made by Mr. Cuppari, seconded by Mr. Clementi. All in favor.

**Communications:** Madonna Bogus resigned via e-mail to Mr. Picerno.

**Resolutions:** Approve paying Planning Board Attorney

Motion was made by Mr. Schielke, seconded by Mr. Grimaldi to approve a resolution to pay the Planning Board Attorney: Roll Call: Mr. Clementi voted yes, Mr. Picerno voted yes, Mr. Cuppari voted yes, Mr. Pantina voted yes and Mr. Mazzeo voted yes.

**New Business:**     **Application #356-1-17  
Boright Realty, LLC  
Block 6, Lot 3**

Ms. Francis Panzini-Romeo, Falkin & Panzini-Romeo     Ms. Romeo said her client proposes to demolish and replace an existing 32,400 sq. ft. warehouse manufacturing facility with a new modern first class 54,000 sq. ft. warehouse building. The existing building is 58 years old, in need of substantial structural repair and given the upgrades in that area, 10 Boright and 50 Boright is not in keeping the way it is now with the surrounding structure's. The proposed building will be constructed of built up concrete with 32 ft. high ceilings. This type of structure is attractive to internet warehouse applications which utilizes sophisticated equipment in their distribution process and

require ready access to avenues of distribution such as Newark Airport. The proposed design of the building is aesthetically pleasing which would upgrade the appearance of the industrial area. The loading areas which were housed in front of the building will be relocated to the back of the building and not visible from the street making it have a much nicer clean appearance. The architectural design and detail will create an extremely attractive structure which will fit in with the new updates in the area and expand economic activity. In addition to preliminary and final site plan approval, the applicant requires variances for parking and impervious coverage minimum open space.

Mr. Bongiovanni gave the Oath of Office to Mr. O'Brien and Mr. Vinegra.

Since Mr. Lanzafama has previously appeared before the Board, Mr. O'Brien asked him if he is still licensed and Mr. Lanzafama replied yes.

Michael Lanzafama said he is a licensed professional engineer, land surveyor and planner, licensed in the State of New Jersey and he is a principal with the firm of Casey & Keller, Inc. 258 Main Street, Milburn, N.J.

Mr. Picerno stated that he received an e-mail this morning that there was another plan that was amended and revised. He asked Mr. O'Brien and Mr. Vinegra if they received the plan and did they have enough time to review the plans.

Mr. Picerno said the Board did not have time to review the plans and Mr. Picerno said he wanted to make sure that everything the Planner and Engineer were looking for was there. He said he is at a point again where he has asked many applicants as well as our professionals that if they are going to ask for something, please make sure the Board has it ahead of time so that we have the opportunity to look at that information.

Mr. O'Brien said he received the plans as did the Chairman, some changes were made to the Site Plan that were suggested. He said he should make his case as to what changes they accepted from both of our reports and what changes they did not. He said these address some very specific recommendations that he is sure Mr. Lanzafama will discuss. Mr. Picerno asked Mr. O'Brien if there was a time frame on the information that he requested from them?.....because he feels like he got it at the 11<sup>th</sup> hour. Mr. Lanzafama said he was trying to be responsive to Mr. O'Brien's and Mr. Vinegra's memorandums. We sat down with our design team and worked through the various letters and what we saw and felt that was important to convey to the Board because it could have had an impact on one of our variances he was taking Mr. O'Brien's recommendations with regard to creating a one-way pattern and by doing that maybe taking advantage of reducing the width of the driveways. We circulated a modification to our design to address that one particular issue. We circulated that to both of the professionals and Mr. O'Brien suggested that I send it to the secretary of the Board and she would distribute it to you folks. He said he brought colorized hard copies to give out. He said the point is that they were trying to be responsive to your professionals

concerns. He said what is significant about this was first it was an excellent idea and second it reduced the extent of the coverage variance from over 5,000 sq. ft. of impervious coverage down to less than 2,000 sq. ft. of impervious coverage. He thought it would be important because it was a variance for the Board to see something in their hand this evening, rather than just testifying to it by saying what we would do so now we are showing you exactly what we are going to do, he said he knows it was not 10 days prior.

Mr. O'Brien said his report did not go out until Monday morning.

Mr. Picerno said he just came out of a work shop meeting where we were trying to make sure we all had the same paperwork in on time so that we can make the proper decision. He said it is important for us to get as much information as we can ahead of time so that we are not fumbling with papers up here.

Mr. Vinegra said it does not affect his letter, his letter remains the same because the loading docks were on an angle, he said Kevin picked it up and he thinks it's an excellent recommendation if the loading docks were on an angle and you made it into a common one-way because you can't service it the other way anyway, you can't back in.

Mr. Picerno said he read it and he thought it was good but for the sake of the Board we need to know these things.

Mr. Lanzafama presented Exhibit A-1.

Mr. Lanzafama said this drawing demonstrates how Mr. O'Brien's suggestion might work and also so we can quantify the extent of the variance because we thought that was very important to the Board. They also showed truck movements and car movements on the site in and out of the parking stalls since we are looking at reducing the width of the driveways. The plan also shows a one way traffic pattern as suggested.

Mr. Lanzafama said the site is an existing warehouse facility located in the Industrial Zone, the property is approximately 420 ft. wide and about 264 ft. deep, 110,566 sq. ft. in about 2.53 acre in total land area. It is a one story warehouse and office facility centrally located on the lot and has 2 existing loading doors directly off Boright Avenue. There is parking on the right side of the building and there is an extensive amount of the terminus area to the north and the west. The property is surrounded by commercial uses to the east, west and south and to the north is the Union County property parkland. The building and the pavement that currently cover the site total approximately 32,000 sq. ft. on the building and with the total impervious area that exists is approximately 60% of lot area or about 66,000 sq. ft. The proposal is to demolish the existing structure and remove all of the existing pavement that is currently on the site.

Mr. Lanzafama referred to Exhibit A-1 and how they plan to improve the site and build their new structure. The building is centrally located on the lot and it is 171 ft. deep, 322 ft. wide for a total of 54,051 sq. ft. There are two small office spaces, about 1,000 sq. ft. each on the east and west side of the building because the thought is that it could possibly become a 2 tenant building. If we can get 1 tenant it would be great. The design concept was that because of the shallow nature of the lot, we wanted to utilize the back area for loading and put it on a saw tooth pattern so we can facilitate movement of the trucks around the site. We have created the new one-way pattern which is a counter clockwise circulation, vehicles coming in from North 14<sup>th</sup> Street would make the right hand turn into the site, they would navigate around to the back, pull into the angled loading bays, which there are 10 of them, and then they could pull out once they are done loading and exit back onto Boright Avenue and eventually out to North 14<sup>th</sup> Street. The impact of creating the loading areas and parking for 47 parking spaces is that we end up with a lot coverage that is 81.8% of the total lot area. In the I zone we are only allowed to have 80%. The design of the site is such that we tried to develop a very efficient design and as much as keeping the parking count reasonable, and we will talk about the variance that we need for that in a moment, and also as we pointed out we tried to reduce the impervious areas anywhere we could but we are still slightly over. It is important to recognize in the overall design concept that the building itself we are proposing is compliant with regards to set-backs, FAR specifications and building coverage. The building coverage limitation to this zone is 50 % and we are at 49.8% and that includes a small canopy that will exist over the saw tooth loading bay so you get some protection. The overall impervious coverage ends up at 81.8%. The 40 ft. is permitted for building height under the ordinance, and we would be at 37% so again we are compliant. Also important to recognize is the FAR criteria for this zone which is 125% of the lot area so if we have a building that is significantly less than what the maximum that would be permitted it comes out to about 48.9% of the lot. The important issue that we have to remember on the overall design concept is that the building itself is fully compliant with regard to front yard set back, side yard set backs and rear setbacks and exceeds all the minimums that are required by the ordinance. It provides a quality building within this area of the community. One of the obvious goals and objectives of your Master Plan was to increase the opportunity to develop the industrial and commercial areas of the site. Goal B1 under the Master Plan is to expand the allowed usage in Industrial zone to permit more economic activity and generate employment opportunities and this building would certainly do that. Goal B5 is to promote Borough pride by upgrading the appearance of the Industrial area. Goal F1 to maintain and improve Kenilworth's character and identity by promoting pride in the appearance of residential neighborhoods and commercial areas. He said he thinks they have done that here because you are looking at a building that will certainly beautify that area. It is a modern building with high ceilings which allows for a variety of warehousing opportunities that exist in this area. This has good opportunities to highway systems and to Newark Airport so it is an excellent use in this area. As to the coverage variance itself, he thinks they are over by about just under 2000 sq. ft. He

said they have a storm water detention facility proposed for the front area of the site it's in the front lawn area and will be a depression in the ground. They are utilizing the retaining walls to create the volume we need to store the necessary run off. In our design we haven't just met the standards, we have exceeded them, for example, in the Best Management Practices you have to reduce the 2 year storm by 50%, the 10 year storm by 25% and the 100 year storm by 20% but we have taken it a step further, the 2 yr. storm based upon our analysis would have an allowable discharge of 2.75 cfs, our discharge from our basin is proposed to be .6 cfs so it is not just a 50% reduction it is much greater. For the 10 year storm our allowable discharge is 6.97 and we are going to be at 2.69 cfs, for the 100 year storm we are allowed to be at 13.55 and we are going to be at 5.08. You are reaping a significant benefit in storm water management by reducing peak flows from this property into the municipal collection system located within Boright Avenue. The second benefit that you are gaining is that the existing run off from the site is totally uncontrolled, it just basically sheet flows either to the adjoining properties or to the collection system. He said they have a sand filtration system proposed in their design that will purify the water coming from the parking areas and the loading areas so that we will get 80% tss removal and purify the water. He said not only are we getting the benefit of reduced peak flows you are also getting an improvement in the water quality. He said, in his opinion, that certainly outweighs any detriment associated with the 2000 sq. ft. exceeding the allowable coverage by 2000 sq. ft.

Mr. Lanzafama said parking that we are providing is for 47 cars, under your ordinance we are required to have 60 parking spaces so we are looking for a 13 parking variance. He said you might think that sounds like a large number but we have done some investigation into these types of buildings and what the parking demand is in a variety of locations and the Urban Land Institute and the Institute of Traffic Engineers recommend that for warehouses such as this, the parking ration should be .67 cars per thousand sq. ft. of gross floor area. For small office areas associated with them it should be 3.8 cars per 1000 sq. ft. and that would equate to 43 parking spaces and we have 47. In his opinion, based upon two factors 1) the desire to keep the impervious coverage as far down as possible as close to the 80% maximum as allowed 2) to provide sufficient parking based on a number of studies that have been done so it demonstrates that this 47 parking spaces can clearly support this building. The advantage of improving the area, keeping the coverage low and providing for 47 parking spaces is more than adequate for our needs. The part of the overall enhancement to the property is improved landscaping. There have been a number of recommendations in both Mr. O'Brien's and Harbors memos and we will be cooperating with them and revising the plan to enhance the landscaping, not only around the foundation of the building but along the frontage as well. One of the issues that came up was a question concerning the refuse area which is in the northeast corner of the site. We are proposing a single refuse area, one of the recommendations was for it to be broken up but we feel it would work better in a single location, we think it is large enough to support the entire building even if it is broken up into 2 tenants. We will be revising the enclosure, we currently

show a 6 ft. high chain link fence with slats and we will be revising that to be a concrete block enclosure that would match the façade of the building. We think aesthetically that would look a lot better and would be much sturdier.

As far as lighting we are using all LED fixtures that would be mounted to the building. There will be 2 fixtures on the east and west sides of the building and 4 fixtures along the northern edge. Although our lighting plan did not depict them, there will be lighting at each of the entry points into the building along the handicapped ramps as well as the entry doors. The lighting levels are adequate, they meet the standards, there was a question raised about possible spillage into the park property but we can certainly adjust the LED fixtures to make sure that we get full cut off at the property line. He said that is the beauty of working with LED fixtures, you can control where they are aimed because they are a series of rays that we can redirect in any way shape or form that we need to insure that we get good coverage and that we don't get spillage or glare onto any adjoining properties. All of the light fixtures are directed downward, the mounting height is 18 ft. for all of the fixtures and mounted to the façade of the building.

Mr. Lanzafama said it is their intention to amend the plans to comply with Mr. O'Brien's and Mr. Vinegra's memo's, you will be hearing from the architect who will provide some insight as to the buildings façade which might address some of the questions raised in both of their memo's regarding the architecture. He said he believes the grounds exist for the granting of the variances that we are requesting for the coverage of parking based upon the C2 criteria of the Municipal Land Use law and that the benefits of improving the area, improving storm water management, improving landscaping outweigh any detriment associated with relatively small variances in his opinion. We have support from other agencies, the Institute of Traffic Engineers and Urban Land Institute regarding the number of parking spaces required that helps support the fact that there will not be a negative impact on the area or on the intent and purpose of the zone plan resulting from the granting of the variance of 13 parking spaces.

Mr. Mazzeo said it was his understanding that you were going to comply with all the comments from both letters.....are we not going to go through them line by line?

Mr. Lanzafama said there wasn't anything that was in the memorandums that would be problematic, one of the things that came up was adding curbing along the edges of the parking lot to help redirect the drainage and we will be happy to do that, it makes a lot of sense. As far as providing structural calculations for the retaining walls, we perhaps didn't point out, the retaining walls that are in the front yard are technically not permitted and he thinks that is a design waiver, not a variance, those walls are depressed and are about 30 inches high so there is no need to put fencing along them, that was one of Victor's questions.....if they were over 4 ft. high should they have fencing but they are not they are very shallow walls. We feel there was nothing in either memorandum's that caused us pause.

Mr. Mazzeo asked how the tree plantings relate to the retaining walls. Mr. Lanzafama said they are only 30 inch walls and the street trees will work well in this area. He said they have to be cognoscente of any utilities that might exist in the right of way, we can try and push them a little closer to our property line then where they currently exist, right now we are showing the six trees that are proposed and are about 2 ft. into the right of way, we can squeeze that back. We have pulled the retaining wall 4 ft. off the building and are already showing a hedge all along the front façade of the building. We will be coming back with a more detailed landscape plan that will address the sides and some of the rear island areas with some additional landscape.

Mr. Picerno said he will hear from the architect and then the Board will ask their questions.

Mr. Steven Beltz, was sworn in by Mr. Bongiovanni.

Mr. Steven Beltz said he is a registered architect in New Jersey and is the owner of Warren Beltz Architects. Mr. Beltz said the building floor plan is 54,051 sq. ft. and the building will be used for storage and warehousing. We have 21,000 sq. ft. office spaces at either end. The building will have a ceiling height of 32 ft. and a sprinkler system that will allow for this high rack storage. The loading is in the back of the building and we have the loading docks recessed in with the top of the building running across the top to add weather protection for the loading docks. All the roof drainage is going to be interior so there will be no downspouts on the exterior of the building. We have 2 entrances to the two office spaces with steps up to a landing, above each landing the township requested a canopy and we are going to add that canopy. Also requested was to add a canopy over the ramp, for esthetic reasons we would like to not do that but we are going to wrap the ramps around the building so it will have a much gentler slope then a normal handicapped ramp. The building's exterior is going to be a tilt up precast panel, we selected a panel that has 3 release bands that are going to be of a different color and then a metal coping at the top that will be the same color as the release bands. The field color of the panel is going to be a light grey (Mr. Beltz showed the Board an example of the colored panel) and the stripping is going to be a medium grey. Mr. Beltz had a picture of another building using the same panels. He said he feels strongly that a building of this size with the detailed band really gives proportions for this type of building.

A-2 was presented by Mr. Beltz and distributed to the Board.

Mr. Beltz said the changes to this building are the canopy's added over the 2 entrance ways. He said there will be two condensing units, 30" x 30" and with his calculations

they will stick above the roof by 12 inches and they are back 25 ft. and they will not be seen from the street.

Mr. Pantina said this is new to us, is it also new to our professionals?

Mr. O'Brien said yes even though it is labeled A-2 it has a different revision date, the last one we had was 12/29/16, he asked Mr. Beltz what is the revision date on A-2 and he replied 3/8/17. Mr. O'Brien said we did not see this. Mr. Beltz said the only changes are that he added a roof plan and he added the canopy's over the 2 entrance ways.

Mr. Vinegra said that was his request in his letter to put some more identification on the entrance to the office area and the architect has since incorporated some of the suggestions in his and Kevin's review letters, that is why they are submitting it after the fact. They read our review letters and incorporated some of those comments.

Mr. O'Brien asked Mr. Beltz if he had copies for the Board and he said he has 2 copies which he gave to the Board.

Mr. Beltz said the only thing that changed on A-1 is he added the extra green space around the building and another suggestion was to move the mechanical room further to the front of the building so we moved it from the upper right hand corner to the lower left hand corner.

Mr. Picerno asked if they should be working on the one that he just gave them and not the one that we were given to review prior to tonight? Mr. Beltz replied yes.

Mr. David asked if there was a canopy over the door and Mr. Beltz said yes there is a canopy over this door, our canopy is going to project all the way out to the end of the land and it shows on the elevation sheet.

Mr. Clementi asked if the canopy will be the same color as the bands? Mr. Beltz said it is going to be an aluminum color and it will also match the aluminum frames at the store front, the windows and also the railings.

Mr. Schielke asked to see the colors of the panels.

Mr. Beltz said the big thing he left out was they are going to do this façade on all four sides, it will not just be on Boright Avenue.

Kevin O'Brien asked Mr. Lanzafama to describe his planning comment A on page 4 where you talk about the number of employees, hours and dates of operation.



Mr. Lanzafama said as far as the number of employees and potential users, it is a speculative building, we do not have a tenant in mind yet. As far as the hours of operation it could be more than one shift, it depends upon the user, whatever is permitted in the zone is what we are planning on doing. As far as the number of employees, typically these types of buildings do not yield a great number of employees. We have 1,000 sq. ft. office space and we could potentially have 3 or 4 employees in the office space, and we have 50,000 sq. ft. of warehouse area and a lot of these high rack warehouse facilities tend to be mechanized although this is relatively small compared to some of the larger ones so you may tend to have more employees here but he thinks it is safe to say approximately 20 employees in the warehouse and as many as 3 to 4 employees in the office space.

Mr. O'Brien asked if the building was laid out the way it is so that it can be split in half? Mr. Lanzafama said yes.

Mr. O'Brien said in terms of parking, you were given the ITE numbers, he is an ITE member, so those numbers are readily available. He said you also read out some Urban Land Institute numbers and he asked Mr. Lanzafama to provide that reference to the Board, after the hearing or tomorrow. Mr. Lanzafama said yes and it is basically the same numbers as the ITE. Mr. O'Brien asked if he would conform with the ordinance in terms of the dumpster enclosure.

Mr. O'Brien said he has some architectural questions but he thinks they are primarily for the Board. He said to take a look at page 6 of his report, Item D actually cites our current ordinance in Section 225 and talks about the types of materials that would be suggested and also talks about providing canopy's, making entrances identifiable. And under E1 that last sentence with appropriate texture and trim to prevent large undifferentiated façade of the same material. You have got this split horizontally but that also means that you have 200 ft. of a band that is not broken up in any way. The question for the Board to consider is whether or not you feel that is an undifferentiated façade or if you consider that fact that those horizontal bands are enough to break that up and give it some type of interest. The idea here in the ordinance is to provide something that is going to be aesthetically pleasing to an area, something that folks can look at and not mistake for perhaps Northern State Prison (Ha Ha). He said that is a question for the Board and whether you want to discuss that with the architect.

Mr. David said he is curious as to, even if you are going to split the building, why you could not put the doors in the center of the building so that it looks more like one central entrance and that would split up that 200 ft..

Mr. Lanzafama said for one thing the parking and then we have that retention pond along the front. He said each entrance is going to have a canopy with cable supports. He said the driving force on the entrance was the parking because then you have to

travel a distance, especially for the handicapped, to get to the entrance so this made the most sense. He said he thinks it breaks up the building by splitting the entrances. He said they are planting a significant number of trees along the street scape so when you drive by, as those mature, the vision will be broken up somewhat by the street scape we are proposing and we are going to be adding to that as well.

Mr. Vinegra said he is very familiar with this type of building, he has reviewed and designed almost 100 of these. He said they generally put the offices on the corners, especially if you have ADA, the parking should be closer to the doors, this is very standard. The one thing he said in his letter was possibly changing the panel color for the office area on the first floor to break it up so that it is not so monolithic. Mr. Lanzafama said that is something he could do. Mr. Vinegra said a different color would identify the offices and it also helps people when they come to the facility to see the different color and the awning and they see the entrance. Mr. Vinegra said the air-conditioning units are on the roof? Mr. Lanzafama said yes there are two condensers for the office space and they are further back and you won't see them. Mr. Vinegra said you showed the mechanical room in the back and he asked if they were going to change it. Mr. Lanzafama said they moved that up to the front. Mr. Lanzafama said the mechanical room does not work along the front, you are going to need access to it, there will be an outside meter so right now they have it in the front. Mr. Vinegra said in the previous plans and if you saw my review letter that said if there were problems with the lines there is a retention basin and it would be under a retaining wall if it was where you originally put it. Mr. Lanzafama said also for the Fire Marshall. Mr. Vinegra said now it will be an easy repair so you don't have to rip out some landscaping.

Mr. Vinegra said under the tension basin? Mr. Lanzafama it is not an infiltration basin, we were proposing a sand filtration with a perforated pipe underneath it but we will do a couple of tests runs to make sure the seasonal high water table is...Mr. Vinegra said it should still be above the seasonal high water table by a couple of feet and he asked what is the thought process for planting? Mr. Lanzafama said the center portion of it is where the sand filtration system is going to have a 30" high wall and then we have a small slope of another two feet and on that slope we can do some planting materials that are wet tolerant. Mr. Vinegra said that should lack any maintenance and he said you can grow wild type flowers that do not need any mowing and it looks good growing naturally. Mr. Vinegra asked if the client had a problem with doing that and Mr. Lanzafama said no that would not be a problem. Mr. Vinegra said it's a little flat, less than ½% and Mr. Lanzafama said that's the idea of the sand filters, it is completely flat and we have it coming in from two sides we have the 4 bays that goes through the stone barrier and over the sand and that is where it pecculates for purification. Mr. Vinegra asked how tall is the retaining wall in the front yard? Mr. Lanzafama said it's going to be 30 inches. Mr. Vinegra said the ordinance states you can do up to 4 ft. so you don't need a variance. Mr. Vinegra asked to see the site plan. Mr. Vinegra said he is glad it will curve around the entire site Mr. Lanzafama said he was going to start from the refuse area and come down and from the end of the last stall. He pointed to

an area that would be draining toward the inlets they have. Mr. Vinegra said as much as possible now we are looking at having the water drain naturally if it can, the rear of the property we don't care, if they plow snow and they push it in the back it would drain naturally onto the County property and into a river and that always goes through a hard pipe. He said the reason he did not specify going with hard curve back there is that it doesn't affect neighboring properties. You do have property on both sides, He said he looked at the situation and he looked at the neighboring properties and he felt that a little curve would re-direct it and would make a good neighbor. Mr. Vinegra said if you plant the trees we have to watch out for the sewers we have in the front and Mr. Lanzafama said we are going to pull that as far away as we could. Mr. Vinegra said if the trees have to be in municipal property, this Board does have authority to approve moving the trees more forward because there is an easement there, we don't want to plant those trees directly on top of the sewer easement and if we have to service the sewer line we would have a tree root problem. He said those are his main concerns, he is glad the lightings are all LED because what is nice about LED is that after hours you can dim LED's, you can't dim mercury lights. Mr. Lanzafama said that is not a problem. Mr. Vinegra thanked Mr. Lanzafama for making those revisions.

Mr. O'Brien asked what is the status of the applications to the County? Mr. Lanzafama said it is still pending, we have not heard back yet. Mr. O'Brien asked if it has been submitted and Mr. Lanzafama said yes he believes it has. Mr. O'Brien asked Mr. Lanzafama to please forward him a copy.

Mr. Grimaldi asked what is the caliber and size of the trees in the front that you are proposing? Mr. Lanzafama said the caliber of the trees in the front are 3-3 ½" caliber and the evergreens that we are proposing would be 6ft. to 8 ft. at planting. Mr. Grimaldi said the positioning of the existing mature trees that are in front, there are 3 that are in relatively good health and are there, they are probably 50 year old trees. He said with the positioning of your catch basin, it doesn't look like they would be impacted any different and if you went in there and cut these three down, you would already have that root base that would impact the ground and he is not exactly sure how your new trees would grow very well. He asked if there was a possibility that we could keep those 3 mature trees and then have the additional trees that you were planning along side of them. He asked even if you had to work the retaining wall around them? Mr. Lanzafama said you are absolutely right, he said the retaining wall that we were proposing is about 3-3 ½ ft. off of the property line and what we can do is, as you pointed out, close to the root system we can bow out the wall as you come around so that we can make sure that we preserve that tree and then we can plant the new trees in sequence with the mature trees, we can make the adjustment in the design, he sees no reason what we can't keep those three trees. Mr. Grimaldi said the property is not well maintained and he does not know where your border line is back there between what is your property and what is the County's, whoever is in that building had a nice little office set up with chairs looking out across the County Park and a few other things

going on back there. He said he has seen at other construction sites that areas like that end up becoming worse after your construction because, not that anyone in this room would want it that way, inevitably the make shift lunch area gets built out into the woods area, he doesn't know if we can legislate it but if we could have a good faith statement that you will try and clean up the property that is immediately adjacent to it? Mr. Lanzafama said we are going to be cleaning up obviously up to the property line because of the construction and loading area and the small retaining wall in the back and the refuse area and all the area that we have control over, if it turns out that some of that is on the County property, that is not under our control. Obviously if it turns out that some of that is on the County property that is not under our control but obviously if it was thrown there by whoever was on the property, that we could clean up.

Mr. O'Brien said, if the Board wishes, in certain cases like this you may wish to put in the resolution a post inspection which would be prior to a final CO being issued so that you can make sure that the County lands are not affected and that any debris spill over would not be there.

Mr. Grimaldi asked if helping with the design of the doors and to give a little more character to it and to protect and cover the handicapped weather of ice and snow build up is it possible to have the canopy continuous from the side door to the front door as a complete wrap around. Mr. Lanzafama said there is no side door. Mr. Lanzafama said what we are trying to do is stretch out the ramp so that it is not such a steep ramp and we are trying to get a little bit of a vertical element in here and we just feel that wrapping that around is too much. Mr. Grimaldi said the building is 322 ft. and he is only talking about probably another 20 ft. of canopy across from the doors to the end of the building and it is from a safety standpoint of the future tenants that are going in there so that it would protect from the elements. Mr. Lanzafama said he is not sure the canopy would necessarily do that an extension of the canopy, if it came all the way down through here and wrap it around the entire building and run it along the eastern and western sides? Mr. Grimaldi said just a suggestion. Mr. Lanzafama said as the architect pointed out, he would rather not do that, we have windows to try and break the area up, you would not even see it from the street, it would be along the eastern and western facades. Mr. Grimaldi said you would see it from the street. Mr. Lanzafama said the back door is an emergency exit for the warehouse area and we would not want that to be confused with the main entrance. He said we can consider it but esthetically we would want to try and just have that canopy over the front door.

Mr. Picerno said we will come back to that point for the sake of hearing everyone on the Board.

Mr. Clementi asked if one refuse area was enough, with two tenants?

Mr. Lanzafama said we think it will be and we would rather have it in one centralized location for ease of maintenance and security. If it needs to be expanded we will take a look at that but we would rather have it in one location.

Mr. David said all of his questions have been answered; his biggest concern after going down to look at the property is the esthetics. He thinks Mr. Vinegra's suggestion to introduce the third color would add to the esthetics and if we go forward he would like to see that as a condition.

Mr. Pantina commended the professionals for their reports because they were very detailed in what they did in bringing this all together. Also the recommendations regarding narrowing the driveway and cutting down on impervious coverage and he knows you said it is only less than 2000 sq. ft. over the maximum required impervious coverage and you did get it down 81.8 from 84.4 but someone came up with that standard of point of 80% and he is curious why if its only less than a little bit over 2000 sq. ft. why you can't maybe take 7 ft. off the building and make it 163 ft. deep instead of 171 ft. deep and then you would make that 80% and that would be one less variance you need.

Mr. Lanzafama said the building is compliant as to coverage with FAR what we were trying to do is provide sufficient parking with a little bit of a buffer. We could perhaps look at knocking off one or two parking spaces, he thinks there are certainly grounds to support a larger variance for the number of parking spaces. He said what they have done successfully in places like Fairfield, who has a lot of flooding problems, is that we have actually gone to grass pavers on some of the parking stalls. He said if you take a 9 x 18 stall about 2000 sq. ft. so you would have 6-8 parking spaces converted to grass pavers you would come very close if not compliant with the coverage. He said as an alternative he would propose that but also keep in mind that we have overdesigned the retention facility as well so that we are reducing run off rates even further than what we are required to do.

Mr. Pantina said his question is purely for the impervious coverage, not necessarily the building. He said in the beginning of your response, reducing the parking would not necessarily help your case because you would be under and would need more of a variance on it but as far as the grass blocks or making it not impervious he would think that that would be better as far as meeting one of the standards and anything you can reduce as far as your variances. The other item he had and he noticed in your open space comment and it was mentioned in Mr. O'Briens report did that change with your reduction in the driveway and what is that number at now? It was at 15.6. Mr. Lanzafama said it's at 18.2 because all it is, the open space is what is left green on the site, he said it is 100% minus whatever the coverage is. Mr. Pantina said when he was reading the reports, 80 and 20 are conveniently 100 so 84.4 and 15.6 is like why can't you balance one out and wipe out 2 variances, if you can get one down to 80 and the other one up to 20 you would just be at parking. He said with the support you gave with

ITA of which he is also a member is credible and that could work too. Mr. Lanzafama said we would have no problem in offering the grass pavers for some of the parking spots, especially since we feel that they may not be necessary or even banking some of those parking spaces and just leaving it. He said we showed 47 on the plan but if we had 43 or 44 it would be more than enough, that is not quite going to get us to the compliance with the 80% we would have to incorporate some grass pavers and allocate some parking spaces of the 44. He said we could take a look at trying to eke out some other paved area somewhere, there might be some other opportunities to shave off a few hundred sq. ft. here or there but again in support of a variance the benefits outweigh the detriments. He said we have to go back and look at some of the goals and objectives of the Master Plan to try and rejuvenate this area, get more quality structures here, invite in employment opportunities and you are doing all that and the impact on the community as a result of that, even though we are violating the coverage, it is still benefits because the detention system is over designed. He said he thinks it is a win win for everyone.

Mr. Pantina said he appreciates Mr. Lanzafamas comments and research and testimony on it and he said in his opinion he thinks it would be a win win since it's minimal. He said the detention basin will still be oversized and cutting out a little more impervious coverage if it's on the building, again he is not criticizing your building design but its 2000 sq. ft. it's minimal whether it's on the building or the parking or whether you put grass blocks in but if you can lower it, you are at 8.1% over.

Mr. Bongiovanni said even though he is submitting a plan that has fewer variances it could be argued that we would have to continue the hearing if he is going to provide a new plan with one less variance so we may have to continue this at the next meeting.

Mr. Schielke asked if the use changed and they need more office space would they have to come before us for parking? Mr. Bongiovanni said yes because it is being approved as a warehouse/office.

Mr. Cuppari asked why is there no fence proposed in the back, it seems logical, all the other properties along the County property have fences, he said it seems like it's protected from wild life. Mr. Lanzafama said they could provide a fence. Mr. Cuppari asked what does it look like when you have 10 loading bays and then 2 lawn areas...are there doors in between the 2 lawn areas? Mr. Lanzafama said there is a drive in door at either end, 10 loading bays and then there are main doors at the back of the building. Mr. Cuppari asked how high is the little curbing around the lawn area? Mr. Lanzafama said it is a 6" high curb. Mr. Cuppari asked if that lawn area was too close because he can see an 18 wheeler truck backing up and with the lawn area right there and if someone was out there on a nice day it could be dangerous. Mr. Lanzafama said they could put a timber guide rail there as a protective measure in case some employees are out lunching in that area.

Mr. Picerno said everyone raised some interesting issues and he was wondering if we should discuss this further before we hear from the public.

Mr. David asked if they wanted to wait and see if the public has anything that we might want to then discuss.

Mr. Picerno said he needs to take a recess for 5 minutes.

Motion was made by Mr. David, seconded by Mr. Clementi for the Board to take a 5 minute recess. All in favor.

Motion was made by Mr. David, seconded by Mr. Clementi for the Board to resume the meeting. All in favor.

Motion was made by Mr. David, seconded by Mr. Cuppari to open the meeting to the public. All in favor.

No one wished to speak.

Motion made by Mr. David, seconded by Mr. Clementi to close the meeting to the public. All in favor.

Mr. Picerno said he has some thoughts and suggestions and they are in total harmony with what the Board and the professionals have to say. He said he likes the style of the building because it is a nice clean straight lined look and he likes what Mr. Vinegra brought up about the adding another color to the front which makes the building pop. He said prior to what Mr. Vinegra said he was thinking about doing something at the top to take that same third color that was around the windows and maybe bringing it around the trim work to make that cornice look nice, just a suggestion, not another thing that he is asking you to do but something to think about because now it's not so stark. He said that would enhance the building as not to look like San Quinton. He said the one item that we need to address is the one that Mr. Pantina mentioned and he referred that item to Mr. O'Brien to see if there is any other solution to pick up that percentage or what can we do to see how we can resolve this.

Mr. O'Brien said he and Mr. Vinegra had a conversation about this and given that this is a speculative building and they are not quite sure exactly what is going to go in there, we thought that to maintain complete flexibility for now and in the future we would suggest banking some parking spaces. For instance, if we took approximately 3 or 4 on the left and 6 or 7 on the right side for a total of 10 and let them remain green right now, the applicant would have the right to pave them in the future if needed and they would

not have to come back for site plan approval if the Board so wished. It would increase the green space probably put them over the 20%.

Mr. Mazzeo asked what if we saw a need in the future that parking was required? Mr. O'Brien asked if the Borough found that out? And Mr. Mazzeo said yes. Mr. Bongiovanni said yes we could put that in the resolution that if inspection by the Borough reveals that the parking is inadequate we could request they be added but with the understanding that they are going to exceed the impervious coverage at that point. Mr. O'Brien said so that would be a granted variance? Mr. Bongiovanni said yes based on our own request. Mr. Pantina said as an extra to that, the banking idea sounds pretty good and would satisfy the criteria now but if we did need the parking and it did have to go back into effect can we do it in grass blocks and if we did it in grass blocks, the question is, typical 9 x 18 spot does the grass block give you 100% pervious coverage or is it 100% minus whatever the block material is and then would that still put you over the 80%.

Mr. Vinegra said he does not mind going with the grass block. Mr. O'Brien said as a caution and as an industrial site, you are going to have 80,000 lb. tractor trailers rolling around and whatever you put down is going to take a beating. Mr. Pantina said he is just asking, not being trivial, but what you just said about the grass blocks, he thinks Mountainside did this in their parking lot, they are not grass blocks, they are made out of some membrane and they open up and you fill them with sand. Mr. Lanzafama said they are referred to as gravel pave.

Mr. Bongiovanni said the idea is to bank a certain number, we would put that number in the resolution, and then if the need for the parking arises, they would be made of this pervious material. He does not know if they have to name in the resolution the exact pervious material. Mr. Vinegra said it would be set at 80% and he asked Mike if he could work with that and he said yes. He said now the person that comes in next door if they say they want 85% it has to be 80% it's not a bad way to handle this. Mr. Picerno said we answered some questions and came up with a solution. Mr. Bongiovanni asked how many spaces and it was 10 spaces. Mr. Vinegra said to make 80% and the other advantage is that sometimes they have abundant asphalt areas they intend to be trailers that come from somewhere and never leave so the more green you have the better.

The next discussion is Mr. Grimaldi's request to put a canopy to cover more of the ADA accessible area. He asked if this applies in a warehouse environment?

Mr. Cuppari said the more friendly and attractive it is to get into the building the better it is, it doesn't sound like it's going to be a big expense or problem unless you guys can come up with something to make it more accessible. He said do it.

Mr. Schielke said whatever you do on the left side you should also do on the right side.



Mr. Lanzafama said the conditions are the same on both sides.

Mr. David said he said it's a good suggestion, if the applicant is amenable to it that's great but for him he does not see needing it as a condition of approving the variance.

Mr. Lanzafama said he just conferred with his client and he would agree to extending the canopy but we seriously feel it would distract from the building but if the Board feels strongly about it, we would do it.

Mr. Picerno said he feels the way Mr. David feels, it would take away from the building and the focal point becomes the canopy and not the building and the building is done tastefully. He said he is in the ADA business and he is very conscious of that but in this environment he doesn't know if you need the canopy wrapped around on both sides, it is something that does not enhance the building and is not a necessity. He needs to make sure that the Board is in harmony with that and if not we need to talk about it or take a vote.

Mr. Grimaldi said somebody coming into that street enhancing it and spending the money that you are spending he said Thank You. He would like to see this because that building has been there since he was riding his bike and being chased by the deer.....it was just a suggestion, it's your building. He said we are glad to see the site cleaned up which is his main concern, also if you can save the big trees that's great.

Mr. Picerno said there was one other thing that he heard early on that he wanted to discuss, the lighting, the lighting was not shown of wall packs on the plans but you are going to draw it in on the revised?

Mr. Lanzafama said they did not show the units over the doors at the front entrance, that was the added in.

Mr. Picerno asked Mr. O'Brien to recite the conditions so that we are all on the same page when we make the motion.

Mr. O'Brien said the landscaping plan, the lighting plan, the architectural plans will all be revised to comply with the Borough Engineers letter and the Borough Planners letter both dated the 6<sup>th</sup> of March. In addition to those letters, a rear fence will be added to the property, a third color will be added to the office area of the façade, a guide rail will be added to the edges of the lawn near the truck parking spaces and 10 parking spaces will be banked and if needed will be paved with pervious pavement with the understanding that no more than 80% shall be impervious. He said the stuff that was in the letters is included in that but he is not specifying.

Mr. Picerno asked if there was anything here that this Board thinks that Mr. O'Brien may have missed? Mr. Grimaldi said post inspection? Mr. Vinegra said we normally, before the building inspector signs off on any TCO's or CO's, his office does the final inspection. Mr. O'Brien asked if we need that specified? Mr. Vinegra said it could be that the engineer will do the inspection prior to the Certificate of Occupancy.

Mr. Schielke said the fence in the rear, he is not for or against it either way but would that hinder snow removal in the winter because that is where we want the water to drain. Mr. Vinegra said it's a chain link fence.

**Motion was made by Mr. David seconded by Mr. Mazzeo to approve Application #356 & 1-17 based upon the conditions set forth here tonight and the conditions that Kevin O'Brien just recited.**

**Mr. Clementi voted yes, Mr. Picerno voted yes, Mr. Cuppari voted yes, Mr. David voted yes, Mr. Grimaldi voted yes, Mr. Schielke voted yes, Mr. Pantina voted yes and Mr. Mazzeo voted yes.**

**Comments for the Good of the Board**

No comments

**Meeting to the Public**

Motion made by Councilman Clementi, seconded by Mr. David to open the meeting to the public. All in favor.

No one wished to speak.

Motion made by Mr. David, seconded by Mr. Schielke to close the meeting to the public. All in favor.

**Adjournment**

Motion made by Mr. Clementi, seconded by Mr. Grimaldi to adjourn the meeting.

Respectfully submitted by:

Kathleen Moschitta  
Recording Secretary