

REGULAR MEETING OF THE PLANNING BOARD OF THE BOROUGH OF KENILWORTH HELD ON THURSDAY EVENING, APRIL 12, 2018. CHAIRMAN PICERNO PRESIDED.

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 Picerno.

Roll Call: Present: Mr. Schielke, Mr. Picerno, Mr. David, Mr. Grimaldi, Mr. Pantina, Mr. Pinto, Mr. Ladauti, Mr. Callelo, Mr. Mazzeo, Mr. Jones. Mr. Cuppari was excused. Also present were Borough Planner, Kevin O'Brien, Louis Rago, Planning Board Attorney and Mr. Christian Cueto, Planning Board Engineer.

Approval of March 8, 2018 Minutes

Motion was made by Mr. David, seconded by Mr. Grimaldi. All in favor.

Communications: None

Resolutions: Application #367 & 5-19 Site Plan/Variance
Wanderli Fonseca
618 North Michigan Avenue
Block 2, Lot 12

Mr. Rago stated to the Board that this resolution is different than what they are used to and this is what he normally uses and he finds that it works. He said if they have a problem with it he can tweak it.

Mr. Picerno said this is Mr. Rago's first resolution for this Board and he asked if any Board Members if they had any concerns. None

Motion made by Mr. David seconded by Mr. Schielke to approve the resolution for Application #367 & 5-19, Wanderli Fonseca.

Roll Call: Mr. Schielke voted yes, Mr. David voted yes, Mr. Grimaldi voted yes, Mr. Ladauti voted yes, Mr. Callelo voted yes and Mr. Mazzeo voted yes.

New Business: Application #366 & 5-18 Site Plan & Variance
Precision Escalator Products, Inc.
2 Mark Road
Block 3, Lot 6

Meredith Marcus, Esq., from Hehl & Hehl on behalf of the applicant Precision Escalator Products, Inc. Ms. Marcus said she is requesting site plan and variance approval to construct a one story warehouse at 2 Mark Road, Kenilworth. We are requesting relief from 3 dimensional variances, lot depth which is a pre-existing condition, front yard set-back and building coverage, all which will be discussed by our engineer and planner. We are also requesting approval for a parking variance. We are providing 15 spaces where 23 are required. Our engineer Eric Bellou will discuss parking, the company operations and all the options we looked at to provide and

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meet the parking variance. We will have 3 witnesses tonight, David Collins, Architect, Eric Ballou, Engineer and Greg Maroukian from Precision Escalator.

Mr. Rago said he reviewed the notice of publication and it appeared to be in order.

Mr. Kevin O'Brien, Borough Planner and Mr. Christian Cueto, Borough Engineer were sworn in by Mr. Rago, Esq.

Ms. Marcus reported she is in receipt of review letters from Mr. O'Brien, the latest one dated April 9, 2018 and from Harbor Consultants dated April 4, 2018.

Mr. David Collins said he has a Bachelor of Architecture from ...University and is licensed to practice architecture in New Jersey and New York. He has been in front of many boards throughout the State, Planning Boards, Historic Commissions, Zoning Boards. Mr. Collins said he has never appeared before this Board.

Mr. Rago asked Mr. Collins is what you are going to be referring to the same plans that we have? Mr. Collins replied yes. Mr. Rago said you don't need to mark the exhibit if it is the same thing we have. When you reach something we don't have then you can mark it at that time.

Mr. Collins said Exhibit A101 is part of the packet that you received and this drawing shows conceptual floor plan and elevations for the proposed project. The top of the drawing is where Mark Road is and what we are proposing generally is a warehouse area and an area for assembly. To the left side of the drawing we are showing a depressed loading dock so the trucks can back inside the building, with a 4 ft. difference in grade so that things can be unloaded off the truck within the building, directly onto that grade. We are also showing an at grade drive in door on the left side of the building as well. On the right side of the building we are showing, dotted in, a concept of what an office could be in this building. We are showing a percentage of the building as being able to be used as office. We have a main entrance and an open office area, some private offices and a conference room with some restrooms. The idea for now is that this building is just going to be used as a warehouse and fabrication area...this office area will not be constructed at first, but could be constructed later. Drawing number 3 is a north exterior elevation, this is the elevation that faces Mark Road. On the left we have the main entrance with the glass façade, side lights and Hanson lights over it, we have a sign directly over the entrance and we have a series of windows up high on the façade to bring light more deeply into the warehouse space. On the right side you can see there is a change in grade as you go down Mark Road. There is a wide drive in door for the trucks so the trucks can drive into the building into the loading dock area and the windows continue across the top. The materials for the building we are proposing are decorative split faced concrete block for the bottom section of the building and the top portion is metal panels. Mr. Collins passed around a sample of both sidings. Samples were marked A-1. We also have series of leaders and gutters across the top, the shallow pitched roof is going to be a standing seam metal roof?...so the roof really won't be visible from the street because of the building height, but what you will be able to see is the gutter across the top and all the leaders that we brought down in between the sets of windows. On the east façade we have a series of windows for the office area to bring natural light into that side of the building. On the west side of the building the façade is decorative block on the bottom and metal panels on the top and the drive out door and this is the façade that will face the parking lot and be sandwiched in between our building and the adjacent buildings. On the south or rear elevation which is the opposite side of Mark Road again we have the windows across the top to bring natural light in, decorative block on the bottom, metal panels on the top and the leaders and gutters. Talking about how to get in and out of the building quickly, the

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main entrance has double glass doors and egress doors towards the back, a secondary employee entrance at the backside of the parking lot and we also have a door that leads out towards Mark Road and this will allow people to come from the trucks either internally inside the building and up the set of stairs or from the outside come out to meet someone backing into the loading dock area.

Mr. Collins said there is a slight discrepancy between the architectural drawings and the civil engineering drawings which we will correct. He said his drawings show the warehouse space at 13,077 sq. ft. which also includes the loading dock area which is technically not storage space but it's all included in that area and we show 2,040 square feet. The way the engineer's drawings look it makes it appear that we are off by quite a bit but there is actually just a minor discrepancy, it's just in the way it was presented on the engineers drawings and it appears that what was only warehouse really was the entire building. He said he will let the engineer talk about the minor discrepancy but these are the correct numbers and these are the numbers we are proposing tonight and that we will follow, 13,077 sq. ft. in the warehouse and 2,040 in the future office space.

The next item that was brought up was the façade and he said not surprisingly the industrial building in the industrial zone looks industrial. He said it is an industrial building and he believes the best approach is to be honest about things and he thinks that the building will fit in very nicely on Mark Road. It is an obvious improvement from the existing conditions that are there. We tried to keep the building clean and simple and somewhat economical and we are complying with all the codes. We have a lot going into the building to make the building function well and the decorative block is a very traditional use of materials. They have windows to break up the façade and provide natural light for people who are working in the building.

Mr. Picerno asked if you have 2,040 sq. ft. of proposed office space or it could be office space? Mr. Collins said future office space. He said we are not proposing to build the office space now and the area that we are dedicating toward that use which obviously has other implications that the engineer will talk about, is that 2040 sq. ft.

Mr. Grimaldi asked if the utilities were all internal? Mr. Collins said we are not proposing any units on the roof, everything will be hung from the ceilings inside the building.

Mr. Grimaldi said you have a bump in the building and he asked if there is a specific need for that depth of the loading dock? He asked if that is why we have the extension off the front of the building? Mr. Collins said yes that is why the building is as forward as we could, we tried to respect the rear set back line and we brought a small piece forward so that we could fit more truck types within the building. We still have an issue that the engineer will discuss a little bit with you. We have an apron that is out in front and larger trucks when they come in the nose will be just outside within that apron but just outside that garage door, we would have loved to have 5 more feet but we were trying to respect the rear set back.

Mr. David said he knows we are in an industrial zone but it looks like a series of garage doors.....was there any other look considered besides that? Mr. Collins said no we did not consider any other looks, this is fairly standard for an industrial building, pre-engineered steel buildings are pretty standard construction type. He said they looked at it from a lot of aspects like durability and things like that. He said one of the other problems we have is that we have a fairly narrow strip across the front and we are trying to introduce some landscaping, which the engineer will talk about so if we had jogged the building in and out it would have taken away from some of that space and some of the things that we did on the site side.

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Mr. Grimaldi said he agrees with Mr. David because we recently had a similar situation, he said he respects the economic need and requirement of building this and he thanked them for building this and for building a new building in our town. He asked if there could be dome type of demarcation of the area.

Mr. Picerno said we will take Mr. Grimaldi's comments under consideration and once we hear the rest of the testimony we can see if there is something we can do with a design that is feasible in an industrial area that does not take away from your footprint but can also enhance the curb appeal of the project.

Mr. O'Brien said in his report, in addition to breaking up that north façade, something be done with the west that faces the parking lot. The Board may wish to think about that, right now it is a pretty vast blank wall with nothing breaking it up vertically or horizontally. He made a couple of suggestions but the Board may want to think about that and offer suggestions to the applicant if they think it is necessary.

Mr. Cueto asked if all the drains will be connected to the detention system? Mr. Collins said the engineer will address that.

Mr. O'Brien asked if there was anything being done about the main doors that are just sort of isolated. Mr. Collins asked what he would like to see done? Mr. O'Brien said any demarcation, any lighting? Mr. Collins said there will be emergency lighting for the doors inside and out. Mr. O'Brien said that is not shown. Mr. Collins said we can definitely add that. Mr. O'Brien said there is no delineation, like you see in the front door there are glass panels to denote an entry. He asked if the doors were exit doors only, he said Mr. Collins mentioned that the one in the front was the one to help with the trucks? Mr. Collins pointed to the office door where employee enter and exit....another door will only be used for a means of egress and the other door will also be a means of egress. Mr. O'Brien said the back is all grass and asked if employees will exit onto grass? Mr. Collins said there is a concrete pad outside the doors. Mr. O'Brien asked if they were going to add lights and Mr. Collins said yes they will add lights.

Mr. Picerno asked if the lights were part of the plan and Mr. O'Brien said no.... but they can add them later. Mr. Picerno said then that would be a condition and that is what we are trying to get away from.

Mr. Cueto asked at the front entrance of the building is for ADA access? The doors swing out and there is a narrow typical ADA width of about 4 ft. so someone in the wheelchair or operating some sort of scooter while trying to get in, if the doors come out they cannot go in. Mr. Collins said he can switch the doors to swing in and still make the egress code.

Mr. Picerno said just for the record, he would like to be clear that those kind of things that we just talked about where we can make an adjustment for the swing to go in and out, the door is already on the plan so he does not take issue with a condition to make that happen.....what he does have a problem with is that we are continuing to see plans that don't have things that should be on it, like lighting. We don't want to have to come back and look at that, we, as a Board, have spent many hours talking about the simple things that should be implemented on a plan, like lighting, drainage and the aesthetics. He is sure the Board is in agreement with him.....he asked the professionals to pick up on that before the plans get here.

Mr. Eric Ballou, Engineer was sworn in by Mr. Rago.

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Mr. Eric Ballou, Engineer – Mr. Ballou said he has a Bachelor’s Degree from the University of Massachusetts. He has been doing this for about 27 years and he has not testified in front of this Board but he has testified in front of numerous municipalities including Newark, Harrison, Jersey City, Piscataway and Long Branch.

Exhibit A2 - Mr. Ballou presented Exhibit A-2 which is labeled existing conditions which is true if it was 2017 prior to demolition, this exhibit shows the conditions that existed on that property prior to demolition. The reason he brought this up is to show how we are revitalizing this project and making a lot of improvements. He said what was there before was a 17,000 sq. ft. building and it exceeded building coverage, it exceeded front, rear and side set-backs, it violated impervious coverage and violated open space and was pretty much a non-conforming building. The building to the west was basically built within 2 or 3 feet of that existing building, basically right up against it.

Exhibit A3 -Mr. Ballou presented Exhibit A3 which is an existing photo of the building prior to demolition, they used poor materials, broken windows, soil and the site was a complete mess and something definitely had to be done. He said he wanted to give some context to what we started out with and what we are going to turn it into.

Exhibit A4 – Mr. Ballou said this is a color rendering of the proposed development.

Mr. Ballou said the reason we are here tonight is that the existing business, Precision Escalator is being successful and they are looking to expand their operations. They are a parts store for escalators and also manufacture parts and they rehabilitate some of the original parts on escalators. If you go to the web site, they have over 1,000 different components associated with escalators. He said part of this project is to expand the facility, hire more people and continue to grow. This project up was dictated based upon the cross street of Sidney Road. Mark Road makes it difficult for the larger tractor trailers to get in so we had to strategically locate this building to allow Sidney Road to help us make those turn movements for the very large trucks.

Exhibit A5 – Mr. Ballou said this is a turning movement plan for W40 vehicles for trailers that are 33 ft., which is one of the smaller tractor trailers sizes that you will see. The exhibit shows that a tractor trailer goes to the left turn and back in perfectly into the loading area and then pull out and easily leave. He said with the smaller size tractor trailers you can see with that provided loading area they are all fully enclosed. He said even the next size up truck will easily fit in that area.

Exhibit A6 – Mr. Ballou said this is a turning movement plan for a W67 which are the biggest tractor trailers. This shows that even the largest tractor trailers can use same that same K turn type of movement to get into the garage but the cab sticks out slightly beyond the building but not within the public right of way, so it is within the curb line.

Mr. O’Brien asked if Mr. Ballou would show how that truck exits? Mr. Ballou said on the larger trailer trucks, they pull up and then do a K turn out and then leave.....so they can’t just move because they are so largethey can’t just immediately take the right and leave, they will have to pull up, back up and then go to the end. The good part about the site where it is located within the Industrial District is that we are basically on a large cul-de-sac so the area to the west is really a dead end industrial area so there is not a lot of heavy cross traffic thru there. These

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types of movements would occur either 4 or 5 times a day in total, he is not sure how many would be the larger trucks but this is the movement of the trucks.

Mr. Ballou said since we pulled the building almost 70 ft. back away from that existing building where it was very tight, we placed a standard parking lot which comes with 24 ft. isles, 9x18 stalls, ADA compliant and the parking lot also allows at grade access into the warehouse. The dock is 4 ft. low but beyond that there is actually the same floor elevation so you can run a forklift.

Mr. Ballou said we had the developmental review committee meeting and that resulted in changes and we actually ended up adding a bike rack to the project as well as a picnic table for the employees, those are a couple of changes that came through the review process. He said before that our building was up against all the property lines and we actually met all the set-backs except for the front set-back we have only about 25% in the building is in noncompliance, so the majority of the building respects that. He pointed to the loading dock area where it is zero and said they tried to enclose as much of the vehicle. We also have an irregular lot at the corner where Mark Road takes a bend and right at that corner it's about 4 ft. so that is one of the front set-back reliefs that we are looking for. To off-set some of the setbacks we are proposing landscaping, we have a few trees and shrubs. He said another thing that came out of the development review committee meeting was that we changed some species because of deer resistance. He said he underestimated that when he first selected the species and went to the Fruters (?) document that list species A to D, D being severely damaged and A rarely damaged.... we picked A-B type of species. We will also add a note to the planners request about deer resistance in case plant substitution occurs. As far as lighting, we have the proposed parking lot and we need to provide lighting so we are proposing one long mounted light that is attached to the warehouse and up about 30 ft. He said that gives us about ½ foot candle of coverage for the entire paved surface. He said there were some concerns in the review letter that maybe, even though it is ½ ft. at the parking stalls, there still might be some light admitting onto the adjacent property, so we have agreed to tweak the lighting by changing the wattage or the elevation of the lights to minimize the impact which is still very minimal with the present design.

Storm Lot requirements - Mr. Ballou said because we went from a site that was almost fully covered we have reduced our impervious area, so just by doing a good land plan, we have met our storm lot requirements. He said after the DRC meeting we strived to do even more than that so what we are proposing is an underground detention system within the parking lot that will take a lot of the roof water and slow it down even further and then discharge it into the Mark Road storm sewer system. There was a comment in regards to picking up the roof drains, the building is quite long so we are picking up ½ of the roof and the other half will be directly connected to inlets because of the length, we could maybe run some pipes and get it all connected to the retention basin, we will definitely take that into consideration.

Mr. Picerno asked if you are going to pick up 50% of the roof into the retaining system? Mr. Ballou said yes that is correct. The reason why is the limitations of trying to get the other half, since it is almost 180 ft. building, it's really a grade change, the Mark Road storm system is relatively shallow so it is hard to run the flow from one end to the other. Mr. Picerno asked how big is the retainer basin? Mr. Ballou said it basically almost takes ¾ of the parking lot as underground storage, we made the detention system to be water tight (?). Mr. O'Brien said you mentioned before that you were going to revise the plans to allow more storm water going into the basin? Mr. Ballou said yes, right now we have the design, when you look at the storm water report, you have a drainage area that goes about ½ the building and shows that going through a

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pipe into that basin so we will take a look and see if maybe we can extend some pipes along to pick up the roof leaders to see if we can get it all connected, if not it will still have quite a reduction over the existing conditions that are out there.

Parking – Mr. Ballou said they have 13,077 sq. ft. of warehouse and 2,040 sq. ft. of office area. The office area may not initially be built initially but that area could be used for light assembly/manufacturing. The reason why we went with the office square footage vs. light manufacturing/assembly is that office has the most demanding parking requirements. Warehouse is one per thousand so at 13,000 sq. ft. we need 13 spaces, for office space with 2,000 square feet you need 1 space for 200 sq. feet and that turns into another 10 spaces for 23 spaces for the site. We labeled this area as light manufacturing/assembly and you need 1 space per 400 sq. ft. it is almost double for office then you would need for light assembly/manufacturing. We thought it best to show the highest demand parking and then talk about it from that standpoint is our mindset.

Exhibit A7 – Mr. Ballou said they were concerned about the Board's concern about having less parking so they went back. We have a plan have that has not been presented to the Board or the Professionals. He thought this plan should be presented as a potential solution to gain more parking on the site. This is a colored rendering entitled Alternate Site layout. He said when you drive up and down Mark Road everyone basically uses Mark Road as a drive-up, everyone parks perpendicular along that road which is not safe especially when you have trailer trucks going down that road all the time. What we looked at was actually indenting the curbing to provide parallel parking which would provide us with approximately 4 spaces and at the same time still giving us an area of actual plantings between the building and the roadway. We could increase from 15 to 19 which is very close. He said also built in very conservatively is that we are actually providing parking for the loading area so that also added to conservatism to our site. We wanted to present to the Board an option to get closer into compliance and judge your thoughts on that.

Mr. O'Brien asked if someone was going to give testimony concerning the number of employees and the shifts which would speak to the necessity for parking? Mr. Ballou said he can provide that.

Mr. Ballou said we had a handicap ramp to provide access and we took that handicap ramp and put it on the eastern side of the building so that took away the space being utilized and then, since we had more space in that area, that is how we were able to accommodate the parking. Mr. Rago asked if there would be less landscaping? Mr. Ballou said not much less, they have about 5 treesthey can add another 2 trees to accommodate very similar landscaping. Mr. Pantina said this doesn't affect the building shape size or the turning movements of the W67. Mr. Ballou said that is correct, we did not shift the building we only adjusted the curb line. Mr. Pantina said you didn't adjust the curb line, you adjusted the uses within the right of way, you are not moving the curb line, you are just parking within the curb line. Mr. Ballou said we are doing protected parking. Mr. David said that was his question, he looks at it as you indent the curb and then that is going to appear as part of the right of way and your neighbors can say this is public parking.....how are you going to restrict that only your employees can park there. Mr. Ballou said that since we do have a portion of the parking on our property we would request some kind of signage on there that would be restrictive to this facility.

Mr. Picerno said he would like to take another look at the site layout which seems to be much more appealing on the curb appeal side and then talk about the relief for the parking because this is what the Board has been looking for....more of the greenery....more buffering the building

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and maybe we could deal with the parking later. He understands your concept but he has to agree that there will be an issue with other people in town. Mr. Ballou said the operation will be Monday to Friday, 6AM to 8PM with approximately 20 employees, not necessarily working all the same time, there could be a couple of overlaps of shifts and part-time workers and things of that nature. He said the vision right now is 20 employees but like anyone who has a growing business there is always a concern that potentially in the future as the business gets more successful there may be a need to add more. He said if this was being considered by the Board it could be like a green banking situation where we would actually construct it out and maybe jog the walkway back and build a curb but in the future we would set it up so that we could remove the curb, connect it up and have those spaces. Mr. O'Brien asked how many maximum employees would you have at any one time? Ms. Marcus said we will wait for the applicant for that information.

Mr. Grimaldi asked if there was parking allowed on Mark Road? Mr. Ballou said he thinks it should not be allowed. Mr. Picerno said it is his understanding that it is illegal to park on Mark Road. Mr. O'Brien asked if we know that for a fact and Mr. Picerno said he does not know it as a fact but he does not see any parking there because it is a narrow road and it would cause congestion on both sides, he said he is down there quite a bit. Mr. O'Brien said he is looking for restrictive signs on the roadway and he is not finding any. Mr. Grimaldi said the other industries have angel parking and we are trying to eliminate that faction but if it's allowed.... the alternate is shifting, the allowable onto his private property but we could further that discussion if it needs to be.

Mr. Picerno asked which plan Mr. Ballou wants to stick with, the alternate plan or the original site plan. Ms. Marcus said this is the more flexible site plan and she said this would be the more preferable one but she knows that they just introduced it tonight.... but this would be the one.

Mr. Ballou said parking is one of the items we are going for a variance tonight, another one was the front set-back we discussed on Mark Road. The other one is building coverage, your zoning requires up to 50% of building coverage...what was out there previously was about 67%, it was a larger building, we are down to 57% building coverage. He said we are actually exceeding what you allow for a building coverage standpoint but we are much less than before. He said, most importantly, you also have a second coverage requirement which is 80% maximum impervious coverage so you take the pavement, the sidewalks and add it to the building you can go up to 80 and we complied with that. He said even though we have a slightly bigger building than what was anticipated in the zoning requirements, more importantly, we meet the overall open space impervious limitations. The other one was, access drive separation and the intention of that was that you had one driveway entrance here and one driveway entrance there, not to have them closer within 30 ft. because of your competing traffic. We wanted to be conservative so we asked for this waiver to have our loading area to be approximately 27 ft. from our parking area so it is a difference of approximately 3 ft. and we are going to be formally requesting that to make sure it is clear. He said they can accommodate the 30 ft. if he took the parking lot that has a 5 ft. buffer for the additional building if I took that parking lot and moved it toward the other guys building they could be compliant but they felt it was best to provide a little bit of separation from that adjacent building. Existing non-conformity, we have lot depth, your ordinance requires 100 ft. of lot depth, we need it for the entire area except where we have the angle point and Mark Road so this is an existing hardship based up the existing property dimensions. If you look at the size of the small depth decrease compared to the overall property it really is very minimal.

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One of the goals of the Master Plan is retaining existing commercial establishment by fostering a positive regulatory climate, this is an existing active commercial business within this community, at the same time we are looking to increase that. He said as far as cooperation he thinks they accomplished a lot through the DRC meetings, the adding of a bike rack, adding picnic table, deer tolerant species of plants...they followed the Master Plan goal. Strengthen the appearance of commercial districts by adopting landscape design ordinance, in this situation we are not adopting any ordinances but he believes that when you drive through this project will have more landscaping then what you have seen in the past on Mark Road, we are raising the bar with landscaping on this project. Encourage the development of the Borough's economic base by generating employment growth, increase property values and improvement of underutilized properties, we looked at the initial photos of the building and that was very unutilized and this is going to employ almost 20 employees. He said with the building down it is just a vacant piece of property that has no value so we feel that we are definitely keeping the Master Plan goals. To promote pride and appearance, the building with this amount of landscaping is definitely increasing the standard in the area. He said from a planning perspective we are definitely promoting adequate light, air and open space and by us exceeding a lot of the set-backs around the building it is definitely going to create a much better fit for this project in this area. One of the goals is to promote a desirable visual environment, when you compare the old elevation to the new elevation it is quite obvious that this will definitely be an improvement over what we have seen in that area in the past. Are any of these variances going to negatively affect our neighbors? We do not feel that is the case because when we are doing things like making the setbacks decrease we are not getting closer to our neighbors, building coverage is very little and we think we are being very respectful of our neighbors by pulling our building away...we are doing a good job by not impacting them, at the same time this is an industrial district and that is where this project should go. We feel that by putting this use in this area it is overall very beneficial to the community. We feel these variances could be granted if you choose to do that without any detriment to public good or welfare and Kenilworth itself.

Mr. Ballou said the initial concepts were to store the solid waste internally but it looks like after speaking with the client in detail, we are going to have to put an outside enclosed solid waste dumpster on the facility which they can accommodate without losing any parking spaces.

Mr. O'Brien said our original discussion had the garbage inside and he asked if there was enough space for an enclosure? Mr. Ballou said yes we have 10 ft. for 8 yard dumpster, about 24 ft. for 2 8 yard dumpsters. Mr. O'Brien said you may need a variance. He said this is a new aspect and he is disappointed that it's not inside like we thought and this is a different wrinkle on what the parking lot will look like.

Ms. Markus said the engineer's report said the site plan should be revised to identify the proposed curbing to transition back. Mr. Ballou said we agree to comply with all the requirements of both letters. Ms. Marcus asked Mr. Ballou to explain the sewer flow, existing vs. the proposed. Mr. Ballou said it will be more since the facility has not been in operation for so long there will definitely be an increase in sewer ...there are really no activities that generate sewer flow except the employees themselves, the sewer and water demand will be minimal.

Mr. David said the proposed maximum building coverage is 56.9% and it requires 50% and his question is did you consider reducing the building footprint by 6.9% so that you would comply and that would lower the parking requirements possibly bringing you into compliance with that and if you did consider it...why did you reject it? Mr. Ballou said he thinks that is an owner question but his understanding is that we really needed the space to really fit the operations necessary for the operations end. Mr. David said if you reduce it by 6.9% how much square

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footage would you reduce the building by? Mr. Pantina said 1060 and Mr. Ballou said 15000 sq. ft. and 10% is 1500 sq. ft.

Mr. Grimaldi said right now the depth of that is 70 ft. to the back of the loading dock and the largest tractor trailer will still edge out? Mr. Ballou said yes it will be out of the building within the curb line. Mr. Grimaldi asked how many trucks will be delivering during the day...he said if that was in-line with the rest of the building and then the cab is sitting out...how many of those trucks are we looking at so that we don't have this front yard setback because he knows it is a short distance and not much of the road left but you are still blocking the road with the building, we have zero clearance right now...it is a tight road. Mr. Ballou said the truck will still be within the curb line so it won't be blocking the paving area but it would be across the walkway area, it won't be blocking traffic in and out...it will really just be encroaching into that side area.

Mr. Picerno said he would like to hear from the owner for questions like how many trucks are coming in, how long does it take to off load, how is it impacting? He said it is a tight road but it is not a main thoroughfare, all of those things come into play.

Mr. Pantina said from A5 & A6 when you talk about the turning movements for the 33 and the 67 and you are going to get into how many trucks and this and that.....you said it works for the site...he asked how does it work for Mark Road and Sidney Roads in making those movements. Mr. Ballou said some of those moves are a little conservative. Mr. Pantina asked as far as the building coverage we have ordinances in place for consistency and you are proposing a brand new building from nothing and you are making all these improvements, would you possibly increase the loading dock? Mr. Pantina said you are providing testimony that it workshas issuesbut it could work to have the bump out. He would like to hear more testimony from the applicant. He said he would go with the alternate parking plan.

Mr. Greg Maroukian was sworn in by Mr. Rago.

Mr. Maroukian said he is president and owner of Precision Escalator and has been in business for 32 years and he makes all the spare parts and replacement parts for all escalators and they ship all over the county, Canada, Mexico, South American, Australia and Europe. He said 147 North Michigan Avenue is his main facility and he has close to 100 employees. Mr. Maroukian said at the Mark Road facility he is proposing a step operation which is refurbishing escalator steps for Washington Metro, Rapid Transit, LA and all over the County. He said currently that is going on at 147 North Michigan Avenue and that is what he would like to bring over to Mark Road. He said there is a chance we would use this building for inventory, things change, he said he put a contract on this site almost 3 years ago and then 515 came up and we brought that site. Mr. Maroukian anticipates having 20 employees at one time at this facility, not office, just operations. Mr. Rago asked if Mr. Maroukian if he did not intend to utilize that space as an office. Ms. Marcus said we don't know yet. Ms. Marcus said the office was put in as the most intensive use for the parking, we proposed the office but right now the office is not going to be built into it immediately but by the time this is built it might change. Mr. Picerno said but you are asking the Board if we approve this application it is with the intent that an office may be in that space so that we would have to take that into consideration for parking.

Mr. Pantina asked with the office being used how much is the required parking vs. no office space. Mr. O'Brien said the plan presented has 23, and that is 2000 ft. of office so they could eliminate 8 parking spaces. Ms. Marcus said that is why we did it that way so that it was the most intensive use so that we would not have to come back and say we need more.

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Mr. Maroukian said the hours would be Monday to Friday 7AM to 5PM and Saturdays 7AM to 1PM. Ms. Marcus said as far as building coverage, there has been a lot of discussion before the DRC about the size of the building and whether you needed this much space. Mr. Maroukian said we definitely need as much space as we can get...we need space to maintain the work flow, everything they do is bulky. He said whatever we have here, we will still need more. Mr. Maroukian said the reason for putting the loading dock inside was to facilitate everything for the town because the only real way to get the trucks in here is to go up to Sidney Road and then back in, otherwise you would just be blocking the whole street. He said he thought that was the only option unless someone had a better idea. Ms. Marcus reiterated that the reason the internal loading dock is placed where it is...is because the truck would not block the entire road. Mr. Maroukian said at 147 he gets several trucks per day, he doesn't know if they will be 54 footers because you don't know what Fed Ex or UPS comes in with.....sometimes they come with straight jobs and sometimes they come with 54 footers it depends on what is being shipped. On average 3 per day, not big trucks, maybe 1 54 footer per day.

Mr. Picerno said you will have a 54 foot truck that comes into this loading dock which is going to be sticking out in the bump out.....how long does it take on average to off load the 54 foot truck.....does it take an hour or two? Mr. Maroukian said it could take an hour or two....Mr. Maroukian asked if they could move this back 5 ft. and get rid of the part in the front.....he said that would make everything a lot easier. Mr. David said it might be a better variance. Mr. Picerno said Mr. David is right it may be a better variance but let us hear from our Planner.

Mr. O'Brien said he is wondering if at the end of this conversation with the Board and Mr. Maroukian if we all might be better served if Mr. Maroukian and his team went back and presented another plan which would reflect what you really want, rather than us guessing as to what might be here or what might be there.....at the end of this conversation so we can all get a feel for how the Board looks upon this? Mr. Picerno asked if you want him to go back and do another plan and come before us again? Mr. O'Brien said it is looking like that might be best from the Board's perspective. Ms. Marcus said she does not disagree because we did throw a lot of new things at you and they are hard to visualize....if it makes it easier for the Board to see itshe said we really just wanted to get your input.

Mr. Picerno said he likes what he is hearing....he sees the alternate site layout and he also sees that this gentleman is going above and beyond to try and meet almost every requirement there is, putting the truck inside and doing everything with the buffer zone and he sees that our review process is working and he is putting his best foot forward.....he sees that Mr. Maroukian has been here a long time and we see that you are investing and will continue to invest in Kenilworth. He said with that being said...a little latitude here to take another look at another plan with all out suggestions that you heard here tonight might be in the best interest for your application.

Ms. Marcus said without the internal loading dock then we need the building coverage.

Mr. Grimaldi said you have an opportunity of taking off that whole section of the building and then it is just the dock and the doors at the back....it's better to do it this way.

Mr. Picerno said, if the Board agrees, he said he would like to hear the rest of the testimony from our professionals and get a full scope of what is happening so that when you come back most of those things will be done....he asked if the Board agreed with that and the Board affirmed.

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Mr. Schielke asked if there was any overnight parking? Mr. Maroukian said no they do not have shift work and the trucks do not park overnight. Ms. Marcus said we can certainly have a condition that there is no truck parking issues.

Mr. David asked if there was ever a situation where tractors are stacked, meaning one is sitting on Mark Road while the other one is already in the dock and no one's moving on Mark Road? Mr. Maroukian said he guesses it could happen, you can't really arrange when Fed Ex or UPS comes or the truckers come but he doesn't foresee that happening. Mr. David asked that if at 147 do you have situations where there are two long tractors waiting to unload or pick up.....Mr. Maroukian said he has 7 loading docks so they can park inside. Mr. Picerno asked if there were trucks backed up would they be able to park at 147 for holding before it comes over so that we are congesting the street and Mr. Maroukian said yes.

Mr. Rago asked if any employees carpool? Mr. Maroukian said some do. Mr. Rago said there are 20 employees so on average how many cars would there be? Mr. Maroukian said about 18. Ms. Marcus said they calculated at 147 that out of 100 employees how many cars are in the parking lotthey did the calculations and it came out to about 30 or 40% that either car pooled or used public transportation. Mr. Rago said other than the workers does anyone come to the building? Mr. Maroukian said once in a while.

Ms. Marcus asked Mr. Maroukian why the trash has to be outside? Mr. Maroukian said part of the reason is that it might smell up the place but Dave had a good suggestion which was to put a dumpster in here and any other garbage maybe get a trash can to put outside. Mr. Picerno said so cardboard or anything related to your business would go inside and your food trash would go outside.

Mr. Grimaldi said your 1000 sq. ft. if there was just the loading dock at the back and did not enclose the truck...he gets his 1000 sq. ft. back to bring the 5600 down to 50. He said you have a large enough space in there to store your manufacturing waste.....you can have a little tote outside, you don't need a surround or anything else in there because typically that is how your loading dock ends up getting used. He said going the next step is that we should clarify the conditions that we would like to see so that all of our time is used well to come back with a cleaned up version.

Mr. Picerno said the east portion of the building where it curves off.....it is what it is. Those little tweaks make things work a lot better and it is much more palatable to look at the next go around. Mr. Grimaldi said he wants to make sure you are happy with the town as much as the town is happy with you. Mr. Picerno said we need to hear from our professionals.

Mr. Cueto said they addressed most of his comments and they said they agree with all that was in his report. The only thing left to address was the timing of the post lighting...being the same time as the hours of operation....were they going to be on timers and the door swing. Ms. Marcus said they would revise their lighting plan. Mr. Cueto said there were a couple of button up items in the report.....if he could just address his letter of April 4th. Mr. Picerno said the way this is going...with your letter and Mr. O'Brien's recommendation, that letter now should be squelched to almost nothing...everything should be on the plans for the Board to see and may some new items will come up.....he does not think you need another review.....we will just get this fast tracked into your office.

Mr. O'Brien said the Board may want to give some advice on that façade that faces the parking lot, right now it has large blank expanse so perhaps your comments would be helpful to the applicant, whether or not you are satisfied with that façade that faces Mark Road, if you are

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that's fine or if you would like to see something else, now is the time to say something. He said as Mr. Cueto pointed out the lighting will be revised on the next go round and also we need to give guidance to the parallel parking on Mark Road...whether or not that is something you would like to see or not like to see....there are safety advantages to it however it is removing a considerable right of way access but that is a balance for policy makers to decide. His question about the 8 pole lights was never answered so that should be address in the revised lighting plan. Ms. Marcus said OK.

Mr. Rago said the applicant was going to add more roof leaders to try and put more water into the retention basin. Mr. O'Brien said correct. Mr. Rago asked if the prospect still in play where the applicant might put the bump out in the rear of the building as opposed to on Mark Road? Mr. Pantina said instead of having a bump out...take the bump out and pull the whole building back 5 ft. so now instead of having a set back of 10 ft. it will be fine 5 ft.and then you will not have the trucks sticking out 5 ft. on the sidewalk. Mr. Grimaldi said take the rear yard set-back from 10 ft. to 5 ft. and loose the appendage. Mr. O'Brien said the applicant may want to consider if that bump out is going to be changed of elongating that internal dock towards the rear overhead door to eliminate that couple of feet of trucks sticking out onto the street. The comment was that if the dock was pushed back a little bit, not to get in the way of the rear overhead door but to get closer that would give you a few more feet.

Mr. Picerno said as far as the façade of the building...it is like a big blank wall... the architect needs to present and tell us what their thought process is.....they got a lot of good suggestions and comments from the Board.....we made our comments and suggestions and we need to see what they come back with.

Mr. David said he would like to see the building pushed back as opposed to having the bump out in the front so that is a step in the right direction. He said he is not crazy about what is presented.....he said we had a building of similar nature that is brand new being built on Boright....you can go down and look at it, when it was presented in front of us the renderings looked quite nice but now seeing it built it is so much worse. He said he liked it when we saw it on drawings but when we saw it in reality...not so much. He said he is not crazy about seeing what is on this drawing...whatever can be done to try and improve that would be the architect's expertise. Ms. Marcus said they can look at a color. Mr. Picerno said with the pre-fab structures there is a lot you can do with a freeze board...something that wraps the building that doesn't lend itself to be so stark....well I'm in an industrial zone so I am going to be...we have to give it a little kick. Mr. Grimaldi said the side that is blank to the parking lot maybe a light or additional window but it is somewhat protected, you don't see it so he does not know if he would want to add that much breakable access to the building. Mr. O'Brien said when you take a look at the other buildings on Mark.....the newer ones have done more in the way of treatment and he thinks this side is going to be somewhat visible because of the width of the parking lot so maybe an improvement...not full scale. Mr. Grimaldi said if the building does move back 5 ft. maybe the man door could swing around the side and leave that space blank because then you have very little to get in and out of the man doors...right now you have 10 ft. and if you move it back 5 ft. you have the door and the property line so that maybe the doors swing around to get them away from that. He said embellish the façade at least at the entrance and maybe the doors could be recessed and they still could swing out, you are provided protection for the door and it's at least a break in the building.

Mr. Picerno said it's your job to do what you have to do... the Board is just making suggestions. The Board will recommend that it is your responsibility to find out whether there is parking on

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Mark Road or not.....that is not the leg work of the Board or our professionals so that when you present you should have that information all ready and in order.

Mr. O'Brien said we are going to have to consider timing on whether we make the next meeting or not and the submission of new plans.

Open Meeting to the Public on Application #366 & 5-18

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

Mr. Frank Servino, 207 Cranford Avenue, Cranford, NJ – Mr. Servino is President of United Fire Protection, 1 Mark Road and he brought his building about 12 years ago. The building was in bad shape and he rehabilitated it to a very beautiful building. He said there seems to be a lot of requests for variances from the zoning ordinance, there is the front yard setback which goes from 10 ft. to 0 ft., the coverage goes from the minimum of 50 to 57%, the parking which the minimum required goes from 23 to...it's a little ambiguous because the application for the variance states 17 and he has a certified letter that says 16 and someone who testified said 15. He said obviously we are short on the necessary parking and it was noted that the calculation was done conservatively in terms of there are offices that were figured in but there probably won't be offices to start but when you look at the percent of offices that were figured in it is only 13% of the total amount of the building. The overall parking calculation is really not very conservative, it is based on a warehouse occupancy which is not very stringent. The parking calculation for 23...it really should be much higher. He said if you look at 15 spots which was testified, if you subtract out 2 for hand cap parking, that only leaves 13 parking spots for that building. They already acknowledged there will be 20 people there and he said no that many people car pool, most people drive to work. He said none of his employees car pool. He said if you have 20 people now and then probably office coming down the road and if you don't have any hand cap people and you have 13 spots, you have a big parking problem...you are not even in the ball park as far as the parking requirement. He said a lot was talked about the old building and this is supposed to be a big improvement ...he said the old building had parking along the entire front of the building and there were about 30 spots. He said you have an empty lot right now and there is no reason why we can conform to the standards. It seems like someone wants to cover the whole surface area of that lot with a building when you really don't have to. He said he considered buying that building and when he made the offer he looked at the existing building that was there and he was thinking maybe he would rehabilitate the building but it was too far gone but in his considerations he said we have set-backs and parking and he could put an 8,000 sq. ft. building and comply with all of the requirements. He said now we are going into 15, 000 sq. ft. building...why when we have ordinances that we should be abiding by. He said the candidate is saying that they have a business and they want to grow the business...we have 20 people and more office people coming and where are all these people going to park? They have 13 spots after you subtract the hand cap spaces. The building is going to be there for 75 or 100 years and the planning board has to plan for the facts that there are going to changes, there are going to be other occupants of that building using it in different ways and there is going to be some times when 13 parking spots is just not enough and you are going to have a big overflow with regard to parking. He said the alternate plan of using the public roadway is improper because we are using public property for private use and that should not be considered. He said percentage wise if you have 15 parking spaces and 23 are required, even if you count the whole 15 which you should not because you have hand capped, you only have 65% of the minimum required. That is based on most of it being not very restrictive, 87% is considered warehouse which is only 400 sq. ft. vs. 200. He said right now

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you have a clean slate, an empty lot and he said you should build a building that complies.....if people need a little bit of slack....maybe they are off by 3% fine you help people but if you are off by 1/3 you are out of bounds...there is no reason why a compliant building cannot be built there. You are going to make a bad situation worse he said when he moved in there half the buildings were vacant and now all the buildings are full, the economy is going very well so there is not enough parking as it is and what we are going to do is make a bad situation much much worse. He said he hopes we don't have a situation where in 5 or 10 years from now when there are cars all over the place double parked creating a hazard people don't say what were they thinking when they allowed this building to completely cover all that land. He asked the Board to please follow the ordinances because there is no reason why you should not.

Mr. O'Brien said that Mr. Savino mention there is not enough parking now and he asked if people are parking on the street now? Mr. Savino said yes...on the south side of Mark Road as you come down off of Michigan Avenue there is a very large building on the left and there are some people parking there.....he said he has some pictures.....he said there is no street parking anymore. He said there is no parking on land, he said his building is fully occupied, he has employees on the street and it's getting worse and he is worried where we are going to go...he can't hire any more people. He would suggest the Board take a ride down there one morning and see what the situation is it is not good. He said sometimes you have tractor trailers that are backed up into some of the properties and it is creating a safety hazard....he is trying to get to work and there is a truck trying to unload and he has to wait but if there is an emergency vehicle that has to get through it could be a problem.

Close the Meeting to the Public on application #366 & 5-18

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

Mr. Rago said we need to give a specific hearing date so that the applicant does not have to re-notice and he asked the Board Secretary if they were within the 120 days. Mr. O'Brien asked if we could get an extension on the record. Mr. Rago said it depends how much time you are going to need so we can back up to a hearing date.....if you say you can have everything to our consultants in 2 weeks then maybe May is doable...if it is going to take you a month then it may be June. Ms. Marcus said she was told by her professionals that they can have it done...do you want it to you 10 days before or 2 weeks? Kevin said everything goes to us 2 weeks before so that would be April 26, 2018 to have the plans to everyone and the hearing date would be May 10, 2018. Mr. Rago said the applicant should have the plans to Harbor and Kevin within 2 weeks and if that is the case then we can carry it if the Board so chooses to May 10, 2018 right here and no further notice required and we will extend time to the June meeting. Mr. Picerno said as long as we can have the plans 2 weeks in advance we won't have a problem.

Motion was made by Mr. Grimaldi, seconded by Mr. Schielke, to extend Application #366 & 5-18 to the May 10, 2018 meeting and if they are not prepared we will go to the June 14, 2018 meeting. Roll Call: All in favor.

Comments for the Good of the Board

Mr. Picerno congratulated Harbor and Shamrock because he noticed tonight that there has been a great change in the way the presentations are being made with respect to the review. It made it a little easier and he thinks our process is working.

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Open Meeting to the Public

Motion made by Mr. David, seconded by Mr. Schielke to open the meeting to the public.
All in favor.
No one wished to speak.

Close Meeting to the Public

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

Adjournment

Motion to adjourn was made by Mr. David, seconded by Mr. Schielke. All in favor.

Respectfully submitted by:
Kathleen Moschitta
Recording Secretary