

**Planning Board Minutes
Borough of Kenilworth
April 13, 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.

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

Approval of March 9, 2017 Minutes

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

Communications: None

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

Motion was made by Mr. Schielke, seconded by Mr. Grimaldi to approve a resolution For Application #356 & #1-17: Roll Call: Mr. Pantina, Mr. Grimaldi, Mr. David, Mr. Schielke and Mr. Picerno voted yes..

New Business: **Ordinance 2017-04 – Amending Articles 4, 5 and 6 of Chapter 225 of the Municipal Code of the Borough**

Mr. Picerno said the Board did not have enough time to review the ordinance and make their recommendations so they will postpone their recommendations until the next Planning Board Meeting which is May 11, 2017.

Mayor Deluca said we want to do things right and at this time the Planning & Zoning received this Ordinance and they need more time to review and make their recommendations.

Motion was made by Mr. David, seconded by Mr. Picerno to postpone making their recommendations on Ordinance 2017-04 until the next Planning Board Meeting which is May 11, 2017. Mr. Picerno also asked that the Mayor and Council postpone their second reading of this ordinance. Roll Call: Mayor Deluca, Mr. Picerno, Mr. David, Mr. Grimaldi, Mr. Schielke, Mr. Pantina and Mr. Pinto.

Oath of Office was administered to new Planning Board Member Mr. Pinto by Mr. Bongiovanni.

**Application #2-17
Raffaele Pugliese
12 North 8th Street
Block 72, Lot 23**

Mr. Gregory Juba, 923 North Wood Avenue, Linden, New Jersey said he has been notified by Attorney Bongiovanni that the Planning Board does not have 7 voting members here tonight so, respectfully, they would like to request a continuance until the next meeting.

Mr. Schielke said, for the record, they do not have to notice.

Mr. Picerno said we will postpone Application #2-17 until the next Planning Board Meeting on May 11, 2017.

**Application #357
Johnstone Supply
386 Market Street
Block 174, Lot 3**

Mr. Michael Kaplonski attorney representing Johnstone Supply. Mr. Kaplonski said Johnstone Supply is here tonight seeking preliminary and final site plan approval as well as variances for side yard set-back, maximum impervious coverage and open space ratio as well as design standard waivers for driveway distance from the nearest intersection as well as landscape screening. The property in question is 386 Market Street, Block 174, Lot 3. He said there will only be 1 witness, Lauren Monaghan from Bohler Engineering.

Oath of Office was administered to Kevin O'Brien, Planner, Shamrock Enterprises and Victor Vinegra, Engineer, Harbor Consultants and Lauren Monaghan and P.E from Bohler Engineering by Mr. Bongiovanni.

Lauren Monaghan, Bohler Engineering, 35 Technology Drive, Warren, NJ. - Ms. Monaghan said she has been a professional engineer in the State of New Jersey for approximately 6 years and has been working as a Civil Engineer for approximately 11 years. She is licensed in the State of New Jersey, Florida and New York. Ms.

Monaghan said this is an application for Block 174, Lot 3 in the Industrial Zone. The lot area is 43,247 sq. ft. or approximately 97 acres. To the north of the property there is industrial use and to the South is Colfax Avenue, to the east is Linden Street and to the west is Market Street. It is on the boarder of the Borough of Roselle Park, the center of Colfax Avenue and there are residential uses beyond Colfax Avenue. The existing building as it sits today is approximately 17,264 sq. ft. and there is an existing non-conforming side-yard set-back which is at 0.3 ft. currently. The access to the existing building is from a curb cut on Colfax Avenue. The parking for the previous use was for auto detailing so there was a lot of cars kept on site for that purpose so the stripping is a little odd for conventional parking but it was used more for storage of those vehicles. There is parking along market street which, if you know the area, there is a lot of parking adjacent directly onto Market Street. There are 2 ADA spaces, one on Market Street and another one within the site. The current lot coverage is 90.6% however the ordinance requires 80% so it is a non- conformity today. The current open space is also 9.4% which is below the minimum of 20% required. Currently there are approximately 45-50 parking spaces, however, as she mentioned the parking is a little unconventional.

Ms. Monaghan presented the site plan sheet #3 and marked it Exhibit A-1. Their proposed condition is to modify the building, the new owner is going to completely renovate the existing structure itself, interior and some exterior modifications. The wing to the south of the building, we are removing that portion of the building to create more of a conventional parking area for employees. The new building square footage is going to be 15,753 with the removal of approximately 1500 sq. ft., of that 12495 sq. ft. will be office with 3258 for storage for office use. The existing nonconformity for the side yard set-back will remain at the .3 ft. where 5 ft. is required. As far as access is concerned, we are maintaining the existing curb cut along Colfax Avenue, however with the new parking configuration we have added a second curb cut along Colfax Avenue that lines up with the intersecting street. We made that an exit only to allow for full circulation throughout the site so there are no dead end parking conditions. Market Street parking we have maintained the same as it is today, we would restripe it but the intent is to keep it as it is there today. In total we will have 61 parking spaces where 54 are required for this use however we divide the building into 2 calculations for office use and storage use. If the tenant decides to expand into that storage use, we feel that 61 spaces would be needed for their employees. We provided ADA compliant spaces, everything will be brought up to code and compliant as far as accessibility. We eliminated one space along Market Street so all the ADA spaces will be internal to the site. We have enhanced the landscaping, there is essentially none there today, we added some parking lot screening along Linden Avenue and Colfax for a little more green space. We are still requiring that impervious coverage variance however we are increasing the green space on site. We are upgrading the lighting to LED lights, there will be building mounted lights as well as two poll mounted fixtures in the parking lot to property light the facilities. The pole mounted lights are 20 ft. high and we provided shields along the 2 poll mounted lights to shield from the neighboring properties. She said that was a comment that came up in one of the review letters. Essentially the spillage will be cut off around the center line of Colfax Avenue. She feels the light at the driveways is needed for those driveway entrances to maintain safe operation. As far as

hours of operation, it is typical office building with 7AM to 9PM, we anticipate approximately 40-50 employees. No real deliveries....just normal office supplies. As far as trash is concerned we have an overhead door on the south side of the building where we would just roll out trash bins to be accepted by a private hauler on site. All the utilities to the building will maintain the exact same locations, we are going to upgrade the electric service, other than that the utilities stay as is. As far as drainage is concerned, we have added a new inlet in Linden Street to connect to the existing drainage system, there are 2 existing dry wells on site that we maintain. She said the impervious coverage we are decreasing slightly but that is a variance that we are requesting.

Mr. Pantina said your open space is at 9%. On the plan on Linden where you have the landscape area, the long slender island coming from Colfax going to the left...what is that next area, is that a driveway? Ms. Monaghan said currently the Linden Street has no curbing at all and we wanted to leave this open for the ease of plowing to come through the site, that is why you do not see any curbing internally. She said they have stripped it so that cars will not be coming in and out. Mr. Pantina said that could increase that part and make it impervious. He asked what is the reasoning for a double driveway on the easterly side of Colfax? He said if you provided 2 singles, an ingress and egress one lane you would not need the waiver for the driveway distance that you didn't mention, it is 40 ft. and you have 31 ft. now so you would be able to double on that and increase the landscaping and maybe put some more islands in the middle. He said it would appear that there is potential to add more green space. Ms. Monaghan said she agrees that they could definitely.....the reason for the exit movement was to prevent that dead end circulation but she said they can make that other driveway an entrance only, reduce the width and increase. Mr. Pantina said the dead end of Linden where you get the plow through but if you are going to make it where you have the double driveway, you can make that an ingress only and go down probably 15 ft. and pick up your extra 9 ft. that you need for the waivers driveway. Ms. Monaghan said yes we would agree to do that, we wouldn't require loss of spaces but we would increase green space. Mr. Pantina said on that driveway to make it a single driveway and then instead of stripping, instead of having 24 ft. isle width you can go down to 15 ft. Ms. Monaghan said she would like to keep the 24 ft. because she does not want to angle the spaces because then she would lose 6 or 7 spaces. Mr. Vinegra said they need 24 ft. for the back out space. Mr. Vinegra said if you take deliveries you want that full 24 backup space. Mr. Picerno said on the Colfax side that is kind of tight to begin with and we have to think about the removal of snow, getting vehicles in and out and reducing that down to 20 ft. span from 40 really makes that congested of getting in and out. Mr. Pantina said that's a good point and the basis of why he brought it up is because there is a waiver included for the separation distance that is only at 31 ft. so he thought if they only needed another 9 ft. they can just close up the driveway. Ms. Monaghan said but in reality Linden Street is a dead end street, it doesn't continue on, there are only 3 lots that have access from Linden Street, so the 31 ft. is sufficient for that type of an intersection. Mr. Picerno said his office is right in that area and when he sees the trucks and cars and everything that comes in there, even though that is office space, emergency vehicles have to get in there and when you start making those turns to get in

and out of there, we have to be careful in shrinking that entrance, as much as we want impervious coverage. Ms. Monaghan said the amount of green space that you would gain is minimal.

Mr. Grimaldi said you mentioned something and he thinks some of us may have been under the assumption of something else. We all know Johnstone, you are a good neighbors, you have been there forever, but the other facility is going to stay and this is just for administrative so it's not the vans coming in to off load this or that. He said he understands it's been there and we are doing something to make it better there, removing part of the building, renovating the building but it would be good, we are over parked technically and he wouldn't want us to be in a position where we are looking for spots but the type of parking on the side of Market Street is not the best, its backing out within an intersection. He said he does not know if its allowed but maybe take some of that back down from Colfax going back, even if we banked some of them if there was a need for expansion but to take some of the parking away from the intersection at Colfax, if we are over parked already, if emergency vehicles coming around that corner and someone is backing out from that spot....Ms. Monaghan said we took away the one space that was closest to the intersection but the tenant would like to, in the event that they do expand to more office use, the requirement would actually be closer to what is proposed today, 62 or 63 spaces. Mr. Grimaldi said we can get some of those spots back on the other side off of Linden Avenue where you have for snow removal, even if we took 2 or 3 from the Colfax Corner and put them in the back. Ms. Monaghan said she would only get 1 additional space in the back and she feels that this is the parking that is needed for the use that is coming in, she would hate to be under parked and have people having to search for parking on the street, especially in this area. She said a lot of the uses along Market Street have that same condition today and its been operating that way for quite some time. Mr. Grimaldi they have been and at time when some of the spaces have gone through substantial renovations, this Board and other Boards have looked to make it better.

Mr. O'Brien said those spaces are within the Borough right of way and technically if this were a new application, would not be counted, in fact if it were a new application they wouldn't be there.

Mr. Grimaldi said if you could pull some of those away from the corner just from a safety standpoint. These are their employees, it's not customers coming in searching for a spot and in one month everyone will know their spots and won't be searching for anything.

Mr. Vinegra said on the parking issue, he thinks the spaces are probably pre-existing and don't have a variance, now you will be acknowledging and giving them a variance for parking in a Municipal right of way and they are over parked by 7 spaces. He said if it is there before and not conforming but it doesn't meet any ordinance, it meets no code and it is a non-conforming spot.

Mr. O'Brien said he doesn't know if we can make legal the fact that these spaces are in the Borough right of way, we have no authority on this. We are not granting a variance, we are accepting their number but it is pre-existing and we are not taking any control over. Mr. Vinegra said if we want to remove some of them we have every right to. Mr. Grimaldi said we could ignore that out of the calculation? Mr. Vinegra said yes. Mr. Grimaldi said if we take those 13 out we would be under parked by about 6. Mr. Vinegra said you can make a condition to remove 5 or 6 spaces. Mr. Grimaldi said if we are 7 over and you took those first 7 spots you would get yourself a good couple of 100 ft. away from that corner. He said you are coming down to your first egress set of stairs on the side of the building you could bring that all the way back and it can be planted and the parking can be taken away. He said you have 2 16 ft. isles in there which you are not going to put 2 9 ft. parking spots in a 16 ft. isle but he is sure the area could be re striped that a few more of those can be redone internally including the area that you were reserving for the plowing. He said he thinks if we propose to remove those and we can still leave it as a condition and just get the restriping reviewed by our professionals, I don't think you would lose as many as I'm asking to get taken away, he thinks you would gain 5 of them back so we would have a net of 2 you are losing. You might be in a situation where you are at 59 or 58 if you re-stripped and took out some of the internal blank spaces and added the green back to the side which would bring us back up on the green again, not much but we took the green out to add the handicap on the internal side which is the right thing to do to put those spots there but we could put the green on the corner which addresses the township and the public and clears up the safety issue.

Mr. Picerno asked Ms. Monaghan what her thought process is on what Mr. Grimaldi just said. Ms. Monaghan said that she knows the parking spaces are not ideal, we could ask to have them be back-in spaces only so that a person would back into the space from traveling on Market Street, that way if they are leaving those spaces they would be facing the on-coming traffic and that could be an option that we could entertain. She said she feels that the one space that was closest to the intersection was needed to be removed, which is why we did it, but the remainder of the spaces as they are there today, she feels they are not ideal but they do exist today and they do operate that way.

Mr. Grimaldi said the backing in and out slows down the traffic movements in that intersection. We can't go into the part about using the Townships property but we could also request and find out how much distance there is between the township property, could they become parallel parking at that point so that the spots are on your property?...But that would reduce it further than he thinks.

Mr. Pantina said the fact that the parking along Market Street is an existing non-conforming use and it is in the Borough's property so therefore on any other given application with major improvements we could restrict them from not putting them back. He said your position that you took out a spot or two closest to the intersection and also the position that you are roughly 7 spots over, that technically you don't need and if you were going to improve the site in the future you would come back for another site plan and propose something else by taking grass out or something like that. He said

technically it could be your opinion that this is what you would be willing to do but it could also be of the Boards opinion that we may just say get rid of the 7 spots, because it is in our property and whether your professional opinion is that the parking exists now and they work, is your opinion as well as Mr. Vinegra's and Mr. O'Brien's opinion so if the Board wants to continue on that premise, that is another point.

Mr. Bongiovanni said if we reduce the parking do they get below a number where they have to be asking for a variance for parking? Mr. Vinegra said he would recommend that it be adjusted to the point where they are at the minimum number. Ms. Monaghan said we could also angle the spaces on Market Street so that a person travelling in the correct direction, as you would see on a main street, angled parking into the site to allow for the ease of pulling in and backing out.

Mr. O'Brien said if they were to make any change in the right of way they have got to go to Council.

Mr. Picerno asked to avoid that what is that minimum number? Mr. O'Brien said 54. Mr. Schielke asked what is the minimum number if it is 100% office? Ms. Monaghan said 63.

Mr. Pantina said you could come back with another proposal and create parking.

Mr. Kaplonski said with respect to the parking, he believes it will create a situation, as most of you are probably aware Johnstone has been in Kenilworth for 30 years and is continuing to expand their operation here and it is very foreseeable that they will be back to you in not a tremendous amount of time with exactly that proposal and given the awkward situation with this existing parking within the Borough's right of way, to come back in two years to ask for that parking back again which is not going to be any different than it is today creates a problem in an area that is already a very congested and very under parked. It appears that this is in their future so it is like kicking a can down the road to create one problem at the expense of another.

Mr. Picerno said he agrees with Mr. Kaplonski as that is the way he was going and that is why he wanted to hear from our professionals and then we can shake it all out. He said he understands the growth of Johnstone and we have to be conscious of that as well. He said we all need certain things but we have to make sure we do it properly and work with everyone.

Mr. O'Brien said he does not think the testimony is concluded he raised a number of questions in his report that have not been answered.

Ms. Monaghan asked if the Board wanted to start with the planning comments on page 4, letter A, she said she thinks she discussed the hours of operation.

Mr. O'Brien asked what is the mixture of employees and uses on the site right now? He said the Board could benefit from understanding that part of it is office and part of it is

what else? Ms. Monaghan said it is storage for the office but it is essentially all office use. Mr. O'Brien said if it is all office use now why would future parking be different? Ms. Monaghan said the breakdown of how we did the parking calculation was office and storage which has 2 separate calculations. Mr. O'Brien said that you just said they were the same. Ms. Monaghan said there was an office portion of the building and a storage portion of the building which is essentially just storage for the office use. Mr. O'Brien asked if she was anticipating that the storage area might be office use in the future.

Ms. Monaghan said for letter B, the hairpin stripping we would do that, it is not an issue. The landscaping, we planted a number of shrubs and ornamental grasses, as she stated before the curbing internal to the site we were trying to eliminate for ease of maintenance of the lot with plowing and such. She said she thinks Mr. O'Brien's comment was to make the center island a landscape island for trees to be planted. Mr. O'Brien said you are very deficient in terms of plantings and you are removing a sizable green space fronting Colfax where the residences are. Ms. Monaghan said we are increasing the green space overall. Mr. O'Brien said by .2%. Mr. O'Brien said why can't we use that center island? Ms. Monaghan said they would like to keep that open for ease of plowing and maintenance throughout the site. Mr. O'Brien said it is a variance request and he will leave that to the Board as to whether they want more planting. He said if the driveway went down to 22 ft. would that still give adequate clearance and that would give them 2 more feet in isle? Mr. O'Brien said you could lose 2 ft. there and increase that island by 2 ft. and have a 6 ft. wide island....that would be a lot of green space.

Mr. David asked if the island going to be curbed. Ms. Monaghan said no it will just be stripped.

Mr. O'Brien said anyone in that situation can make that argument that we are not going to put any curbs up so we can plow it. They are not curbing for ease of maintenance but on the other hand they need a variance for green space, they are way, way down and if this adds a little bit that could soften the lights they are proposing on the back building that are going to be facing directly into those residences on Colfax, he will leave that to the Board.

Mr. Pantina said that was his sentiment before thinking that you can island the middle and green it instead of just stripping it.

Ms. Monaghan said as far as landscaping they would agree to do the 2 year guarantee.

Ms. Monaghan said the foundation plantings along Market Street, there is a lot of existing utilities and with the parking there, if the parking stays there, just the head in parking too the landscaping, we would have to install curbing, we would agree to it but we would try to dress up the building itself and make the building look pretty, a lot nicer than it does today but we are asking for that waiver for the foundation plantings.

Mr. O'Brien said the Board should be aware that there are bushes along Market Street to the left of where that green planted area is showing on the Site Plan, looks to be about 3 or 4 ft. wide, he is looking at the picture from google earth.

Ms. Monaghan said yes there are some plantings there currently. Mr. O'Brien asked why could you not continue that strip that doesn't interfere with the parking spaces you have now? Ms. Monaghan said we can look into that.

Mr. Picerno asked Kevin to give that to him again.....Mr. O'Brien said along Market Street there is an existing planting area where Ms. Monaghan has her finger and that does not apparently interfere with the parking spaces they have currently. Ms. Monaghan said it is a raised planting bed there. Mr. O'Brien said it looks like a curb there, so if that can be extended along Market Street. Ms. Monaghan said yes we can extend that to the door location. Mr. O'Brien said or even stop at the door and continue down to the next....the garage door at the end? Mr. Picerno asked what is the width of that green area? Ms. Monaghan said 4 ft. Mr. Picerno said 4 ft. the length of the building not interrupting the door or the garage? Ms. Monaghan said that would give us, the building is about 190 ft. long by 4 ft., 800 sq. ft. Mr. O'Brien said that if they did light plantings such as they have now which are low shrubs, grass and some ornamental stuff that would add some greenery to it. Ms. Monaghan said yes they would agree to that. Ms. Monaghan said as far as the lighting comment, as she mentioned, those 2 pole mounted lights have shields on them, the foot candles do extend to 0 around the center line of Colfax. The existing building only extends to about where the 11 parking spaces are internally which only blocks the intersection, these houses still do have that view today so it won't be much different from what is there currently. Mr. O'Brien said he understood from the plan, and maybe he misread it, that 6 wall packs are being proposed on the building. Ms. Monaghan said correct but there are existing wall packs that we are replacing. Mr. O'Brien asked if they could replace the wall packs with full cut off going down instead of going out? Ms. Monaghan said yes. Mr. Picerno asked Ms. Monaghan if she was agreeing with what Mr. O'Brien suggested and Ms. Monaghan said yes. Mr. O'Brien asked if there were any lights at the doors and Ms. Monaghan said there will be, she did not model those in her lighting plan but they will light up the building entrance and the sidewalk directly beneath it, there are canopy's at the doors and the lights will be under the canopy. Ms. Monaghan said for the circulation comment, she said she would propose to leave the plan as is, perhaps reduce the driveway a couple of feet to gain that additional 2 ft. of landscaping if that is what the Board decides. Mr. O'Brien said it wasn't clear in the plan when he first read it but now he realizes that the stripped area adjacent to Linden at the end of the parking lot is actually a cut through because it is flat. You already have a one way outbound at the bottom of the driveway next to the building. You have a two way further to the northeast and now it is obvious that you have an exit route out to Linden Avenue. Since the bottom is already one way out, the only advantage to having two way on that upper driveway is only for the convenience of the folks who are in that particular isle. He does not see that does an awful lot of good for you and if you were to make it one way, you would eliminate one of the variances that you are requesting because there would be two different opposed driveways. Mr. Picerno said so Kevin you mean one in and one out? Mr. O'Brien said yes, you have one out now in the proposal so since one is

already out he just does not see why having the other one in and out because you already have half the pattern now so if you eliminate that and have one in and one out you eliminate one of the variances requested as well as a potential for possible circulation problems with cars coming out at the same time. Mr. Picerno asked what would the applicant gain by doing that? Mr. O'Brien said losing a variance request as well as possibly an increase in safety. Ms. Monaghan said we would agree to make that driveway an ingress only. Mr. Picerno said that is the Colfax side and Ms. Monaghan replied yes the Colfax eastern driveway.

Mr. O'Brien said the only open thing the Board would think about would be whether or not they would like to see plantings on that island in the middle of the parking lot and possibly extended a couple of feet, it seems they do not want to do it but he is saying it is a good idea to add more green, we have already added more green but he leaves that for the Board to vote on. Mr. Picerno said he thinks it is a nightmare when you do something like that in that congested area because it just becomes a stock pile for snow, you can't clean it, it becomes a mess. Ms. Monaghan said they would prefer to keep the landscaping exterior to the site.

Mr. Schielke said by adding the plantings on Market Street, if we were going to do it, the center island and the planting on Market Street are they about the same? Mr. O'Brien said he thinks Market Street may actually be bigger because you have 190 minus 30, 150 or 160 ft. by 4 ft. Mr. Schielke said so if we only got one it would be more beneficial to have the plantings on Market Street. Mr. O'Brien said yes, that intersection is pretty industrial and some green would be good. Mr. Pantina said we are at 9 and we are looking at 20% for green space so after listening to all the comments, if they went to a single drive way and planted on Market Street would that come close? Mr. O'Brien said no. Mr. Picerno said he doesn't think we will ever get to the 20, but we will get a little bit extra green. Mr. O'Brien said about 1 ½%. Mr. Picerno said maybe 11% overall. Mr. O'Brien said they started at 9.4% and went to 11% which is an increase. Mr. Grimaldi said about the 2 spots on your plan where you have the 16 ft. wide in between the parking spaces as you are going through Linden into the parking lot. Ms. Monaghan said we left that because there is an overhead door that we would use to roll out the trash. Mr. Grimaldi asked about the other 16 ft. space? Ms. Monaghan said there is space there for the equipment for the roof top solar panel to make sure nothing gets damaged, we did not park there, she said she could add a space, maybe a compact space, it would be a little shorter and would not meet the length requirement. She said they could reduce the stripping and they could definitely add at least one or two stripes. Mr. Grimaldi said that is internal planting that you don't want to add. Mr. Picerno said he understands the need for the greenery. Mr. Grimaldi said he is looking to get another parking spot. Ms. Monaghan said she could put a space there and loose a space on Market Street. Mr. Grimaldi said they could put another tree or bush on Market Street. Mr. Picerno said he understands the ordinances and the variances and he understands the reason why we need to do what we need to do but at the end of the day sometimes when you congest an area that are supposed to impact the environment more it makes it tougher to get cars in and out of there and to clean and maintain it so you have to be careful. He said the exterior plantings around the perimeter yes but to

drop anything else in there will be a night mare. Mr. Bongiovanni asked, from the last proposal, where that space would be removed? Ms. Monaghan pointed to a space that had bollards which would be in the way and would reduce the size of it but she could reduce the size of the island and move everything up and add a space and still maintain. Mr. Bongiovanni asked, to locate that in the resolution where would he say that is located? Ms. Monaghan said the eastern façade of the building. Mr. Schielke said by the electric solar panels for the solar. Mr. Picerno asked if they were going to reduce the center island? Ms. Monaghan said the stripped island, it would need to be reduced by 1 or 2 feet.

Mr. Vinegra said he thinks the Board has been very reasonable because dealing in a number of municipalities they require all the asphalt to be removed and greenery to be placed there and he does not think this Board is going in that direction. He said they are a great tenant and they keep their buildings in great shape but also the job of the Board is to bring the site up to some conformity, maybe not 100% conformity and just because someone paved their front yard 25 years ago there is no reason to continue it, it is something you try to work out over time. He does not think the Board would be unreasonable for requesting this is grass now and this is curb now, we requested a few of the spaces be removed and have a more green area in the front and let the back be as it is. We are not requesting curbing, we are giving them the option to strip it, you would not be reaching if you asked for a few spaces to be removed, not all of them but just to improve, especially within the site triangle when cars come around the corner you really don't want cars backing out, you don't want to promote that. He said he does not mind the one way in and the one way out because if you go to the same office every day, you know your driveway, it's not open for retail. He said he thinks the Board is well within their jurisdiction to ask that some of those spaces be removed, if they so choose.

Mr. O'Brien said what we have right now is that the corner is grass but it is in the right of way so it's not shown, if you were to continue that over to where the parking spaces are and just grass that, there is no parking there and there is just asphalted right now, in fact there is a little asphalt sidewalk on the corner so between the sidewalk and the street is grass and if they were to continue that grass to the first parking space, it's not going to add to their calculation because it's on Borough's land, not theirs but it would certainly help.

Mr. Vinegra said at the conceptual meeting they removed a parking space that stuck out way into the site triangle but he said at a minimum a few of them still have to go because they are close to the site triangle and too close to the corner, they shouldn't be there. He said it would be one thing if they did not have enough parking but they are slightly over parked and he said because it is a safety issue it would be a good idea to remove a few of those additional spaces.

Mr. Picerno said he will recap, we were talking about removing that one parking space right after the green area and adding it inside where the solar panels are and you are saying take another one or two as well. Mr. Vinegra pointed to an area to make it all green area and said that would only eliminate a couple of spaces from the total count

and it would add to the safety of the area and it's not promoting front yard parking, it is not a sea of cars now in the front yard its maybe 2/3 vs. 100%.

Mr. Picerno asked from the green area on Colfax corner to the building do you have a dimension? Mr. Pantina said from the right of way it is 16ft. Mr. Picerno said if you came from the corner and went down Market right there where the green stops, how many feet is that? Ms. Monaghan said about 30 ft. to the property line and to the green about 45 ft. Mr. Picerno said you have 45 ft. to the right of way to where the green stops but what Victor is asking is to pull it down how many spaces? Mr. Vinegra said eliminate 5 and pick up one back here. Mr. Picerno asked each space is how many feet? Mr. Vinegra said 9 ft. and Mr. Picerno said so another 50 ft. that you want to go back and Mr. Vinegra said yes. Mr. Picerno said that will create enough of a buffer if cars are parking there to back out so you wouldn't be in the sight triangle and when a car is making that turn around the corner you would have enough of a buffer. Mr. Vinegra said it would only be pulling back things that have occurred in the Municipality over time. He said for a site that has ample parking in the rear to continue on with that many spaces in the front is not warranted.

Mr. Picerno said Kevin brought up bringing the grass or landscaped area right down to the bottom of the gray area and going across. Kevin said yes just the grass we don't want anything planted there because it would be in the sight triangle. Mr. Picerno said the concern he has with that is that this is a big area for trucks going up and down and when they decide to make that turn they will rip up that corner and you will have a rutted area. Mr. O'Brien said grass is already there. Mr. Pantina said there is a curb around the whole lot. Mr. Bongiovanni asked if they reduced it by another five spaces, how many spaces does that leave? Ms. Monaghan said 50 spaces. Mr. Pantina said if you take out those 5 spaces they won't be parking there and you won't need depressed curb, you will have high curb and a better barrier for the trucks. Mr. O'Brien said you would be extending what is currently there because there is a curb there now and he doesn't see any ruts from the trucks. Mr. Vinegra said they would still be over parked at 57 where only 54 are required. Mr. Grimaldi said Johnstone is a good neighbor but this is not for the public, it is for their employees. He said even the space that you want to keep open with no curb to snow plow you can still paint it for employee parking because "my spot" is going to be the one right next to the curb and that is where I am going to go for the next years. He said no customer has to learn that, it is your employee so that can be striped even to the point to where the dumpster that is getting pulled in and out, depending on when you schedule your pick-ups can be done to fit with your employee hours. He said he is sure the restriping and submission to our professionals can be done to make the 57 spots and we can approve that based upon your resubmission. He said you can make the 6 ft. island and the 4 ft. island, get your depth, again it is not for the public, it is for your private consumption. He said you guys will learn what you need to do to park in it. Ms. Monaghan said she agrees they can definitely pick up 4 spaces internally and lose 4 spaces on Market Street. She said looking at the site she does not think she can get 5, she believes she can get 4. She said they want to be over parked for the future. Mr. O'Brien asked what is the final parking number? Ms. Monaghan said 60 if we remove 5 from Market Street and add 4 inside.

Mr. Kaplonski said that Ms. Monaghan covered quite a bit of what was to be the summation but as we have discussed, the company is interested in investing in this property, improving the façade, the landscaping and the storm water management on the Linden side of the property which currently is a major issue. The side yard set-back he believes qualifies pretty clearly as a hardship, the existing structure is less than a foot from the property line and to do anything about that would be incredibly costly. The impervious and open space ratio variances that are requested create no new coverage and in fact very slightly reduce the amount by which the property currently exceeds the specifications for those respectively. He believes they have addressed the driveway within 40 ft. satisfactorily so a waiver will no longer be required? Mr. O'Brien said yes but it's a variance. Mr. Kaplonski said a variance will no longer be required. Mr. O'Brien said for that or for the one for 225-352 alpha 5 so that is 2 variances gone, with the one way in and one way out. Mr. Kaplonski said the application furthers the goals of the 2011 Master Plan with respect to the industrial and community goals that were outlined in that it creates a more esthetic and more highly ratable property within the Industrial zone. The area is currently very congested, obviously this is not an ideal application however he thinks the applicant has made a great deal of efforts to try and address all the concerns both prior to and now based on your input, to as much as possible alleviate the concerns of the Board and to try and find some happy medium between the reality of that site and that neighborhood with their application. He said if we can make the parking issue a condition of approval rather than have to appear again to address that, they would greatly appreciate that. He said the final was 60 spaces? Mr. O'Brien said yes.

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

Curtis Stolan, Spotswood, N.J. – Mr. Stolan said he is a partner in a property that is to the north of their building and he said he was very pleased to see the addition of an inlet on Linden Street since his grandparents built that building back in the 40's water has been a constant problem which Johnstone realized when they brought the UPS building and they addressed it, we contributed some of that so we could tie our downspouts into that so this is a big improvement and we are happy to see that. He requested the Board members to please not be too restrictive and be generous with the parking spaces. He said his buildings pre-existing conditions has 1 on site parking space so any tenant we have has to park on Linden Street and the last thing we want to see is that they grow and expand and there is nothing available on Linden Street.

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

Mr. Picerno asked Mr. O'Brien to read the conditions and then he will state the motion that he would like in play with the conditions attached, this way we don't have to do that twice.

Mr. O'Brien said the application in front of you is for site plan approval, a number of bulk variances including waivers so the Board would have to grant those 3 as part of a resolution of approval. The conditions he noted are the driveways will be one way in and one way out, there will be 4ft. of planting along Market Street, except for the doorways where the garage and the door currently are, the plantings will be low like the plantings that already exist, the 6 proposed wall packs will be replaced with full cut off fixtures and the proposed doorway lights will be under the canopy's. Grass will be added to the corner of Colfax and Market Streets, 5 spaces will be removed adjacent to Colfax and Market Streets, a full curb will be installed where those spaces were and at least 4 spaces will be installed in the interior parking lot to provide a minimum of 60 spaces and we allow some compact spaces of 8 ½ ft. wide, number to be determined by the applicant.

Motion was made by Mr. David seconded by Mr. Grimaldi to approve Application #357, Johnstone Supply with the statements that were made by Kevin O'Brien to be part of the conditions of the motion. Mr. Bongiovanni said as pointed out in Kevin's report about the Master Plan conformity issues which was argued by Council based on the evidence given tonight, does the Board agree with the statements of Council that the plan would further the goals that are numerated in Kevin's report, Section 5, Industrial Goal B1 expand the allowed uses in the Industrial zone, etc? Mr. Bongiovanni said that will be in the resolution.

Roll Call: Mayor Deluca voted yes, Mr. Picerno voted yes, Mr. David voted yes, Mr. Grimaldi voted yes, Mr. Schielke voted yes, Mr. Pantina voted yes and Mr. Pinto.

Comments for the Good of the Board - None

Meeting Open to the Public

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

No one wished to speak.

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

Adjournment

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

Respectfully submitted by:

Kathleen Moschitta

Recording Secretary