

## **MINUTES**

### **PLANNING BOARD**

#### **TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY**

Regular Meeting

February 19, 2020

The Regular Meeting of the Planning Board was called to order at 7:30 PM by Michael Einbinder in the Public Meeting Room.

Mr. Einbinder confirmed that the meeting was being held in conformance with all regulations of the SUNSHINE LAW and proper notice had been given to the Courier News; also, the Agenda had been posted in Town Hall, Board Office, and supplied to the Township Clerk at least forty-eight hours prior to the meeting. The Agenda items will not necessarily be heard in the order listed and the meeting will not continue significantly past 10:30 PM.

#### **Oath of Public Officers – Newly Appointed Members**

Daniel Monaco – Alternate #2 – 1-year term to end 12/31/2020

The oath of office was administered by William Robertson.

#### **Roll Call:**

Members present were Mr. Einbinder, Mr. Johnson, Mr. Graziano, Mr. Hall, Ms. Schwarz, Mr. Mangold, Ms. Poage, Ms. Greenwald, Mr. Cunningham and Mr. Monaco. Mr. Robertson, Board Attorney, Mr. Jacobs, Board Engineer, and Mr. Hughes, Township Planner, were also present.

#### **Adoption of Minutes:**

January 22, 2020 Regular Meeting

A motion was made by Mr. Einbinder, seconded by Mr. Graziano, to adopt the Minutes of the Regular Meeting of January 22, 2020 as presented. The voice vote was unanimous.

#### **Adoption of Resolutions:**

##### **App.#SP-7-19: GBS, Ltd., 321 Snyder Ave., Block 1301, Lot 16 (LI Zone)**

Proposed reconstruction and expansion of existing parking area which will require variances. The proposed project includes associated stormwater management system modifications as well as a new lighting and landscaping plan. In addition, the proposed ground sign would require a variance. The 1.063-acre site is home to an existing mixed-

Regular Meeting  
February 19, 2020

use commercial/industrial building and associated parking and loading facilities. The building is being used as primary office operations and warehouse storage for their HVAC business.

A motion was made by Mr. Einbinder, seconded by Ms. Greenwald, to adopt the above Resolution. The roll call vote was 4-0 with Mr. Einbinder, Ms. Poage, Ms. Greenwald and Mr. Cunningham voting in favor. There were none opposed.

**App.#SP-1-20: 391 Springfield Avenue, LLC, 389-391 Springfield Ave., Bl. 208, L. 20**

The applicant is proposing to convert 2<sup>nd</sup> and 3<sup>rd</sup> floor commercial office space into a total of 8 residential units. The existing first floor tenant space (business use) will remain unchanged. The second and third floors will each contain 4 residential units. Each floor shall have two 2-bedroom apartments and two studio apartments. The residential apartments would be a permitted use but require site plan approval from the Planning Board. (DD-Zone)

A motion was made by Mr. Einbinder, seconded by Mr. Graziano, to adopt the above Resolution. The roll call vote was 4-0 with Mr. Einbinder, Mr. Johnson, Mr. Graziano, Mr. Mangold, Ms. Poage and Ms. Greenwald voting in favor. There were none opposed.

**App.#M-1-19 : Thomas & Barbara Pugliese,  
Debbie Place & Mountain Avenue, Block 2401, Lots 2.01 and 4 (R-15 Zone)**

Proposed lot line adjustments to two existing lots. Applicant is also seeking approval to build a pool, a patio with pergola (15' x 15') and a shed (6' x 15') on Lot 2.01 and a new home on Lot 4. Variances will be needed for the project.

Mr. Robertson advised that with the consent of the applicant's attorney this resolution has been carried to the next meeting pending clarification of an engineering issue.

**Applications for Review:**

**App.#SP-9-19: Toll Bros., Inc., 110 Roosevelt Avenue, Block 1301, Lot 19**

Proposed residential development on the former site of the Church of the Little Flower's school and parish center in accordance with the Amended and Restated Redevelopment Plan for the Hamilton Avenue School. The project involves the demolition of the main school building, the parish center, the existing parking lot and all associated buildings and structures to allow for construction of the new residential buildings as follows: 11 market-rate residential buildings with 47 three-bedroom townhouses and 2 affordable housing buildings with 4 one-bedroom units, 12 two-bedroom units, and 4 three-bedroom units.

February 19, 2020

Richard Hoff, attorney for the applicant, stated that this project is part of the Hamilton Avenue redevelopment area and the property has been designated as suitable for redevelopment. It is also part of the affordable housing plan and involves a total of 67 units, 20 of which will be affordable. The project will comply with all the bulk standards in the Redevelopment Plan.

Jeremy Greene, architect, was sworn, gave his educational and professional background and was accepted as an expert witness. Mr. Greene presented Exhibit A-2 – colorized site plan, and Exhibit A-3 – plan of the two COAH buildings with 10 units each. Mr. Greene described the units in the COAH buildings. He also presented Exhibits A-4, A-5, A-6 and A-7 – front, side and rear elevations of the COAH buildings and he described the architectural features of the buildings. Mr. Greene presented Exhibits A-8 and A-15 – layout and elevations of the market rate units. He presented samples of the building materials and stated that the materials for the market rate units will be the same as for the affordable units.

In response to questions from the Board, Mr. Greene stated that the applicant has built similar projects in Short Hills and Franklin Lakes, NJ. The market rate units will have two car garages and two parking spaces and the affordable units will have street parking and no garages. The price range for the units has not yet been set. A standard patio configuration is offered for the market rate units with any expansion controlled by the homeowners' association. There will not be any generators allowed and the air conditioning units will be located in the rear.

Mr. Greene presented Exhibits A-13 and A-14 – elevations of market units.

In response to further questions from the Board, Mr. Greene stated that the units will be 2,500 – 2,800 square feet, the buildings will comply with height requirements and the market rate units will have basements.

### **Open to Public**

The hearing was opened to the public for questions regarding Mr. Greene's testimony. There were no members of the public who had questions.

Jay Krose, engineer, was sworn, gave his educational and professional background and was accepted as an expert witness.

Mr. Krose presented Exhibit A-1 – aerial view of the site showing existing conditions and the surrounding properties. He indicated the location of the flood hazard area and stated that permits have been obtained from the DEP. He also presented Exhibit A-2 – proposed site conditions showing the proposed layout of the project. Mr. Krose indicated

February 19, 2020

the location of the two proposed access roads at Hamilton Avenue and Roosevelt Avenue and the internal roads that will be 24' wide two-way roadways. He stated that there will be sidewalks on both sides of the roads and indicated the location of the pedestrian walkway, bike racks and benches. Mr. Krose reviewed the proposed landscaping that includes 30' buffer areas along the northern and eastern property lines.

In response to questions from the Board, Mr. Krose stated that the maximum size of the patio will be 10-12' and indicated the location of visitor and affordable unit parking spaces. There will be no charge for the affordable unit parking spaces and the affordable units will be for sale, not rental. Following discussion, Mr. Krose stated that the applicant would agree to provide designated spaces for the affordable units.

Mr. Krose stated that there is proposed to be two identification signs at the entrances to the development. He stated that there is a proposed reduction in the paved impervious area and he reviewed the proposed storm water management plan including a detention basin which is designed to improve drainage in the area.

In response to questions from the Board, Mr. Krose stated that there will not be any sump pumps since it is not anticipated that they will be necessary. Each market rate unit will have a two-car garage and a driveway which will provide 3½ parking spaces per unit. Roadways will be privately maintained and that will be the responsibility of the homeowners' association.

Mr. Krose reviewed the waiver being requested with regard to landscaping in the parking area and the proposed lighting which will provide adequate illumination.

In response to a question regarding the affordable units, Mr. Hoff stated that disbursement of the units among the market rate units was not contemplated under the settlement agreement and would not be possible with this particular project. He further stated that the homeowners' association fees will depend on the size of the unit.

### **Open to Public**

The hearing was opened to the public for questions regarding Mr. Krose's testimony. There were no members of the public who had questions.

Alan Lothian, traffic engineer, was sworn, gave his educational and professional background and was accepted as an expert witness. Mr. Lothian reviewed the traffic report and presented Exhibit A-16 – aerial photo. He stated that there will be sufficient access to the site, the site was designed according to RSIS Standards to accommodate vehicles typical to this type of development and he has no concerns about the ingress or egress of the project.

February 19, 2020

**Open to Public**

The hearing was opened to the public for questions regarding Mr. Lothian's testimony. There were no members of the public who had questions.

Mr. Hoff discussed the responsibilities of the homeowners' association. He stated that the applicant will supply a copy of the master deed to the Township for review. The applicant does not yet own the property but will acquire it once the approvals are obtained.

Mr. Krose indicated the location of the trash enclosure for the affordable units. The market rate units will have garbage collection handled by a private hauler.

The review letters from Keenan Hughes, Township Planner, and Neglia Engineering were reviewed and there were no outstanding issues. Mr. Hughes stated that he would concur that the applicant has provided sufficient justification with regard to the landscaping waiver. Mr. Jacobs raised a question with regard to loading and unloading areas.

Mr. Hoff stated that the applicant has reviewed the review letters from the Township Engineer, the Township Planner, the Environmental Commission, the sewer department, the Fire Department and the Police Department and there are no outstanding issues. With respect to tree removal, the applicant will work with the Environmental Commission and Neglia Engineering on a tree replacement plan, the applicant will provide signage requested by the fire department but the market rate buildings will not be sprinklered, there will not be any loading or unloading zones except for temporary use of the roadway for moving occupants in or out and the applicant will comply with the comments from the police department and from the sewer department.

In response to questions from the Board, Mr. Hoff stated that there will not be any solar panels allowed, the development will not have any employees on site, the bike racks will comply with requirements, the project will be ADA compliant and drainage will be maintained by the homeowners association

**Open to Public**

The hearing was opened to the public for questions or comments with regard to the application. There were no members of the public who had questions or comments.

### Board Discussion

Discussion took place and the majority of the Board members were in favor of approving the application.

Mr. Robertson reviewed the application and the conditions of approval.

A motion was made by Mr. Einbinder, seconded by Mr. Graziano, to approve App.# SP-9-19: Toll Bros., Inc., 110 Roosevelt Avenue, Block 1301, Lot 19 for preliminary and final site plan approval subject to the conditions discussed and further subject to the requirements, restrictions and limitations that shall be set forth in a Resolution of Memorialization to be adopted by the Board at a future meeting.

The Motion was carried 8-1 with Mr. Einbinder, Mr. Johnson, Mr. Graziano, Mr. Hall, Ms. Schwarz, Mr. Mangold, Ms. Poage, and Mr. Cunningham voting in favor. Ms. Greenwald was opposed.

### **Adjournment:**

A motion was made by Mr. Einbinder, seconded by Mr. Graziano, to adjourn the meeting. The voice vote was unanimous and the meeting adjourned at 10:15 p.m.

Regina Giardina, Secretary Pro-Tem