

MINUTES

PLANNING BOARD **TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY**

Regular Meeting

April 1, 2020

The Regular Meeting of the Planning Board was called to order at 7:30 PM by Michael Einbinder at the meeting conducted electronically using the Zoom virtual meeting service due to the COVID-19 outbreak.

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 on the Township Website -- along with instructions for participating in the meeting using Zoom -- and sent to The Courier News and the Star Ledger 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.

Roll Call:

Members present were Mr. Einbinder, Mr. Johnson, Mr. Niceforo, Mr. Hall, Ms. Schwarz, Mr. Mangold, Ms. Poage, Ms. Greenwald and Mr. Cunningham. Mr. Robertson, Board Attorney, was also present.

Mr. Robertson briefly explained the reason for conducting the meeting using Zoom including the Governor's Executive Order No. 107 and added that the meeting was properly noticed and was being held in conformance with the Open Public Meetings Act.

Adoption of Minutes:

March 4, 2020 Regular Meeting

A motion was made by Mr. Einbinder, seconded by Mr. Johnson, to adopt the Minutes of the Regular Meeting of March 4, 2020 as presented. The voice vote was unanimous.

Application for Review:

CARRIED TO MAY 20, 2020, WITH NO FURTHER NOTICE REQUIRED:

**App.#SP-2-20: Lockhern Associates, L.L.C., 428-432 Springfield Avenue,
Block 702, Lot 17, Unit B (C00B) (DD-Zone)**

Proposed renovation to the exterior façade of the existing shopping plaza building; replacement of the existing, four-sided plaza sign with a new, shorter, two-sided plaza sign; and resurfacing the existing retaining wall with cultured stone. Various variances and waivers are being sought.

Mr. Einbinder announced that the application has been carried to May 20, 2020 with no further notice required. Mr. Robertson stated that the public hearing of the Lockhern application was carried to May 20 due to the unusual circumstances and had the consent of the applicant. Mr. Robertson also explained that the meeting on May 20 would take place at 7:30 p.m. either at Berkeley Heights Town Hall or through the Zoom virtual meeting service.

Referral:

Township Council Resolution No. 115-2020 authorizing the Planning Board to undertake an investigation, pursuant to N.J.S.A. 40A:12A-6, of the property identified as Block 502, Lot 3, in order to determine, and recommend to the Township Council, whether this property, or any portion thereof, constitutes a non-condemnation area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.

Mr. Robertson stated that this lot which is the subject of the proposed preliminary investigation is a single lot adjacent to the Berkeley Crossing project that was previously declared an area in need of redevelopment. This Resolution would authorize the Planners to prepare the preliminary investigation which will be presented to the Board at a later time.

Adoption of Resolution:

A motion was made by Mr. Einbinder, seconded by Mr. Johnson, to authorize a preliminary investigation utilizing Phillips, Preiss, Grygiel, Leheny, Hughes, LLC, Township Planners, of the property identified as Block 502, Lot 3, in order to recommend to the Township Council whether this property, or any portion thereof, constitutes a non-condemnation area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5 and to adopt the Resolution memorializing the Board's action. The roll call vote was 8-0 with Mr. Einbinder, Mr. Johnson, Mr. Niceforo, Mr. Hall, Mr. Mangold, Ms. Poage, Ms. Greenwald, and Mr. Cunningham voting in favor. There were none opposed.

Adoption of Resolution:

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.

Mr. Robertson mentioned that in his discussions with Mr. Hoff, the attorney for the applicant, a condition of approval was added to the Resolution requiring the applicant to make payment into the Tree Trust Fund for any deficiency in replacement plantings in accordance with Section 12.16.053 of the Berkeley Heights Municipal Code.

A motion was made by Mr. Einbinder, seconded by Mr. Johnson, to adopt the above Resolution. The roll call vote was 7 – 0 with Mr. Einbinder, Mr. Johnson, Mr. Hall, Ms. Schwarz, Mr. Mangold, Ms. Poage, and Mr. Cunningham voting in favor. There were none opposed.

Adoption of Resolution:

App.#SP-10-19: Enginuity, LLC, 550 Springfield Avenue/128 Station Street, Block 612, Lot 1 & Block 609, Lot 10 (HB-3 Zone)

The former tenant at this site, the YMCA, has moved to a new building. Enginuity, LLC, the owner of the property, has signed a lease for a portion of the 550 Springfield Avenue building with a children's autism therapy center. (A tenant for the remainder of the space is unknown at this time.) The use is permitted in the zone but is subject to Planning Board site plan review and approval as per Section 10.1.2 Submission and Approval of Site Plan Required; Alterations. The applicant requests an exemption from details pursuant to Section 10.1.3.A and waiver of site plan hearing pursuant to Section 10.1.3B.

A motion was made by Mr. Einbinder, seconded by Mr. Mangold, to adopt the above Resolution. The roll call vote was 6 – 0 with Mr. Einbinder, Ms. Schwarz, Mr. Mangold, Ms. Poage, Ms. Greenwald, and Mr. Cunningham voting in favor. There were none opposed.

Adjournment:

A motion was made by Mr. Einbinder, seconded by Mr. Niceforo, to adjourn the meeting. The voice vote was unanimous and the meeting adjourned at approximately 7:50 p.m.

Connie Valenti, Secretary