

MINUTES

PLANNING BOARD

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

SPECIAL MEETING Virtual Online Public Meeting

July 9, 2020

A Special Meeting of the Planning Board was called to order at 7:30 PM by Michael Einbinder via Zoom virtual meeting service.

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. The Agenda for the meeting, as well as instructions for public participation in the meeting, have also been posted on the Township website and sent to the newspaper of record. 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, Ms. Poage, Ms. Greenwald and Mr. Cunningham. Mr. Robertson, Board Attorney, Mr. Solfaro, Township Engineer, and Mr. Hughes, Township Planner, were also present.

Adoption of Resolution:

App.#SP-3-20: Gennaro Raimo & Elizabeth Fernandez, 462 Springfield Ave., Block 702, Lot 3 (DD-Zone)

Proposed retail coffee roastery on the ground floor. The proposed establishment of 900 square feet would be used to sell fresh roasted coffee by the cup and bag as well as coffee related items (no seating). The plans include the demolition of the two-car garage in order to provide five parking spaces. The upstairs apartment would remain unchanged.

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. Niceforo, Mr. Hall, Ms. Schwarz, Ms. Poage, and Mr. Cunningham voting in favor. There were none opposed.

Informal Concept Review:

Jerry Cheng, 110 Circleview Avenue, Block 3401, Lot 48 (R-20 Zone)

Proposed minor subdivision

August Santore, attorney representing Mr. Cheng, stated that the applicant purchased the property that currently contains two structures in rundown condition. He is proposing to demolish the structures and build two homes for which a subdivision is required. The ordinance provides that in order for a subdivision approval to be granted the properties need to have access to public water. The property currently has a well and it is not economically feasible to obtain public water. An easement has been obtained in order to connect to the sewer. The proposed subdivision conforms to the ordinance in all other respects but the applicant does not want to pursue an application unless the water issue is addressed.

Mr. Solfaro advised that he has communicated with the applicant and his attorney regarding this issue and the Township has no objection to the installation of two wells or the use of the existing well if it is usable.

Mr. Robertson advised that the Board cannot take any official action at this time but the applicant would be seeking a waiver with regard to completion and then would present its case seeking relief of the ordinance requirement for public water.

Mr. Santore stated that the applicant would like some feedback from the Board on the water issue before spending any money on an application.

In response to questions from the Board, Mr. Cheng stated that in order to get public water it would be necessary to go through someone's property at Cinnamon Ridge for about 700 feet to get to the water source. There is also an issue of obtaining pressure because of the elevation of the property.

Discussion took place regarding the existing well and potential problems with drilling a well on the property. It was the consensus of the Board that the Board would consider an application that includes wells. Mr. Solfaro noted that each house would have to have its own well.

Application for Review:

App. SP-4-20 : 528 Springfield Ave, LLC, 528 Springfield Ave., Bl. 612, L. 4 (DD-Zone)

Applicant is seeking preliminary and final site plan approval and variances for a mixed-use building comprised of a bakery on the first floor and a total of four residential apartments to be located on the 2nd and 3rd floors.

August Santore, attorney for the applicant, was present

Nick Nikolopoulos, applicant, was sworn and stated that he is the owner of the property and the bakery business. He purchased the property after looking at various other properties and he believes he can create something the town and the residents will be proud of. He currently operates a gluten-free bakery in Stirling and wants to move that operation to Berkeley Heights. The business is mostly wholesale with a small amount of retail. There are no seats or tables and no wait service. There will be no loading dock and deliveries would be between 8 a.m. and 10 p.m. There are 5-6 employees on the premises at a time and most of the employees are local. The hours of operation will be Tuesday thru Friday 9-6 and Saturday 9-5. They currently do not plan to open on Sundays but that is subject to change. The name of the bakery will be Two Fields Bake Shop. The second and third stories of the proposed building will be for residential apartment units. The existing structure on the property will be removed.

In response to questions from the Board professionals and the Board members, Mr. Nikolopoulos stated that the busiest day for customer activity is Saturday, the amount of customer traffic will be similar to the existing dry cleaner and there will be no sit down service. He does not believe there will be a parking issue since the business is mostly pick-up.

Discussion took place regarding parking. Mr. Santore stated that the requirement is 14 spaces and they have 11. The engineer will address the parking.

Christian Kastrud, engineer, was sworn, provided his educational and professional background and was accepted as an expert witness. Mr. Kastrud reviewed the existing site conditions and the proposed improvements and changes. He stated that the building will be placed on the footprint of the existing building and there will be a slight modification of the curb line to make the parking lot more accessible. There will be 10 regular parking spaces and one ADA compliant space. The landscaping and lighting will conform to the downtown district standards. Mr. Kastrud further stated that the residential units will be three 2-bedroom units and one 1-bedroom unit.

Discussion took place regarding the parking requirements for the proposed building and possible use of the train station parking on weekends. It was suggested that the applicant look into parking options including negotiation with neighboring owners to insure that there is sufficient parking for the tenants.

In response to questions, Mr. Kastrud stated that the parking lot will be milled and paved and it might be necessary for the lot to be redone after construction. The sidewalk will be brick pavers and will comply with the downtown district standards. With respect to the Neglia letter, Mr. Kastrud stated that they will comply with most of the issues raised including stormwater management.

Open to Public

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

Tom Vierschilling, architect, was sworn, provided his educational and professional background and was accepted as an expert witness. Mr. Vierschilling reviewed the building design and the floor plans indicating the location of the dumpster area, parking, storage area, balconies on the apartment units, the roof plan and the mechanical units. He reviewed the building elevations, the proposed signage, exterior materials and architectural elements of the building. He presented a rendering of the proposed building and reviewed the landscaping plan.

Mr. Santore stated that the applicant is willing to work with the township officials regarding the exterior materials for the building and the landscaping.

Discussion took place regarding the height of the building and the requirement of the ordinance that the third story be built into a pitched roof to give the appearance of a 2½ story building. It was also noted that the ordinance only allows one sign and no signs are permitted above the first story.

Mr. Santore stated that the applicant will comply as to the size of the signs and consider the Board's preference as to location. The applicant will take the Board's comments regarding signage into consideration and come back with some alternatives.

Mr. Vierschilling gave the size of the apartment units as follows: second floor apartment #1 – 925 square feet, #2 (h/c) 670 square feet; third floor apartment #3 – 814 square feet, #4 – 618 square feet. The measurements are from the interior walls and do not include the balconies.

In response to questions, Mr. Vierschilling stated that there will be a garbage dumpster that the tenants will have access to. Mr. Nikolopoulos stated that the signage will be whatever the Beautification Committee and the Board want. Mr. Vierschilling stated that the proposed building is being placed on the same footprint and will have little impact on the buildings behind it and next to it as shown on the rendering that was marked as Exhibit A-3. The storage area for the tenants is proposed to be 54' where 80' is required. The applicant agreed to look at this and try to increase the size and also to provide an area for recycling.

Open to Public

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

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

The hearing of the application was carried to a Zoom virtual meeting on August 19, 2020 with no further notice required. At that time the applicant will provide information regarding its efforts to obtain parking for the tenants, revised signage, and information regarding odors and its ventilation system.

Adjournment:

A motion was made by Mr. Einbinder, seconded by Mr. Johnson, to adjourn the meeting. The voice vote was unanimous and the meeting adjourned at 10:35 p.m.

Regina Giardina, Secretary Pro-Tem