

O/C - BAK
7/13/16

**Township of Nutley
Planning Board
Meeting Minutes
Wednesday, July 6, 2016**

A meeting of the Planning Board of the Township of Nutley was held on the third floor of the Township of Nutley Municipal Building, One Kennedy Drive, Commission Chambers. Adequate notification was published in the official newspapers of The Herald News and the Star Ledger on December 24, 2015 and the Nutley Sun on December 31, 2015.

ROLLCALL:

- Ms. Tangorra - Vice Chairperson - present
- Mr. Greengrove - present
- Mr. Arcuti, Secretary - present
- Mr. Barry - present
- Mr. Algieri - present
- Mr. Del Tufo - present
- Mr. Contella - present
- Ms. Kucinski - excused
- Mr. Kozyra - present
- Commissioner Evans - present
- Mayor Scarpelli - present
- Mr. McGovern - Chairperson - excused

Meeting Minutes:

Meeting Minutes for June 15, 2016 were approved by the Board.

Official Oath of Office

Official Oath of Office and Oath of Allegiance was recited and executed by Commissioner Thomas Evans as a Planning Board Member/Class III.

Invoices:

An invoice for Debra Fontana for attendance and preparation of the June 15, 2016 Meeting Minutes was approved by the Board.

Hoffman- LaRoche Revised June 21, 2016 Redevelopment Phase I Plan
- Approved by the Board (Vote - 9-0)

David G. Roberts of Maser Consulting, P.A. addressed the Board and explained the modifications that have been made to the original Redevelopment Plan which was adopted on October 16, 2015.

- The overall Nutley site of the Redevelopment Area will be focused on 19.346 acres.
- **Plan Overview** - the plan overview will reference both the structured and surface parking facilities.
- **Description of Redevelopment Project Area** – the total area of Phase 1 is 16.87 acres of which 5.893 acres are located in Clifton and 10.98 acres are located in Nutley.
- **Permitted Principal Uses** - The structured parking may include ancillary retail or other commercial uses integrated with the structure for users of buildings within the Phase 1 Project Area. The square footage shall not exceed 10,000 square feet and is limited in square footage to the minimum that is required for the funding of the Hackensack University Medical Center/Seton Hall facilities under either the Economic Recovery Growth Grant (ERG), the Redevelopment Area Bond (RAB) or a similar incentive program.
- **Permitted Accessory Uses** - A health club/gym can be an accessory use for the faculty, staff and students within a building containing one or more permitted principal uses. Final determination as to whether a use is permitted shall be made by the Board of Commissioners, acting as the Redevelopment entity based on a concept plan reviewed during the negotiation of a Redevelopment Agreement.
- **Minimum Parking Space Requirements** - The final determination of parking in the Phase I Project Area shall be subject to review by the Township of Nutley to ensure that there is no spillover of project parking into adjacent residential neighborhoods.
- **Minimum Lot Requirements** - The lot requirements shall not apply to tracts created for the express purpose of constructing internal roads.
- **Minimum Lot Width** - The minimum lot width for the Phase 1 Project Area shall be 125 feet.
- **Building Coverage** - The maximum building coverage shall be 50% of the Phase I Project Area.
- **Impervious Coverage** - The Board of Commissioners will seek to ensure that the concept plan achieves a campus environmental that is “park” like in nature and consistent with the adjacent residential neighborhood.
- **Signage** - Wayfinding signage shall be permitted, subject to the approval of the Planning Board through the Nutley portion of the Redevelopment Area, to guide visitors to the parking facility.

There were no public comments.

The Board recommended the following amendments to the revised June 21, 2016 Plan:

- **Permitted Principal Uses** - deleting restaurants, coffee shops and book stores.
- **Planning Objectives for Phase 1 Project Area** - adding as a planning objective extending the branding of the Redevelopment Area to integrate with and complement the existing and future commercial and retail development in Nutley.

237 Centre Street Hearing

Exhibits presented to the Board

- A-1 Affidavit of Service
- A-2 Proof of Publication
- A-3: Zoning Chart, Location map & Radius Map dated January 12, 2016
- A-4: Boundary & Topographic Survey dated January 12, 2016
- A-5: Proposed Site Plan & Site Details dated August 31, 2015
- A-6: Basement, First Floor and Mezzanine Demo Plans & Proposed Basement Plan dated January 12, 2016
- A-7: Proposed First and Second Floor Plans dated January 12, 2016
- A-8: Proposed Elevations dated January 12, 2016
- A-9: Existing Basement Plan, First Floor Plan, Mezzanine Plan & Elevations dated October 6, 2015
- A-10: Color Rendering

Thomas DiBiasi, Esq., Attorney for the Applicant

Mr. DiBiasi addressed the Board stating that the Applicant plans to take an old building (built in 1932) and renovate the building from top to bottom. The building was sold to the Applicant in May, 2015 and since that time he has been working with his redevelopment team. The Applicant also owns the property that is directly west of 237 Centre Street since 1999, that is currently occupied by a nail salon which has been at that location for 27 years, without a problem. The plans call for a second floor addition with two, one bedroom units and one, three bedroom unit. The Applicant currently has medical offices in Bloomfield and Passaic and a home that is on the market for sale in Caldwell. He plans to move to Nutley occupying the three bedroom apartment with his wife.

Joseph Haines, Architect of Dassa-Haines Architects

Mr. Haines has been working on this project for approximately one year and testified about the submitted plans. The building is located in the B-2 zone, and in need of a lot of repairs. He stated that the second floor addition will meet the height requirements for a B-2 zone. The balconies for the building will be along the south side of the property line. The basement of the building will be used for storage and the compressor for the air conditioning units will be in the middle of the roof and screened as not to be visible. The trash will be collected in the basement, the back of the building or in the alley way, that is located between the buildings. Mr. Haines then stated the trash from the building would be kept in the basement.

Joseph J. Staigar, Traffic Engineer of Dynamic Traffic

Mr. Staigar visited the area on several different occasions during the course of the year. The residential parking in the area peaks during the night and the retail parking peaks during the day. He stated he is comfortable with shared on-site parking with the retail employees, such as a manager, using three of the five parking spaces. He stated that there is also a bus stop that is located in the front of the building and that the apartments would be attractive to commuters who might have no personal cars. He feels that the proposal will have no negative impact on the neighborhood and there is adequate street parking for the retail uses

Paul Bauman, Planner

Mr. Bauman testified that the Applicant was seeking a variance pursuant to N.J.S.A. 40:55D-70c(2) and that the proposed plan advanced stated goals of the Master Plan and that the purposes of the Municipal Land Use Act would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment to the public good.

Paul Ricci, Planning Consultant

Paul Ricci referred to his report dated May 20, 2016. He recommended that the Board address the hours of operation will be (stipulated as 8:00 a.m. to 7:00 p.m.), the use of the basement, whether there will be adequate light, air and open space provided and what the negative impact will be to the neighbors regarding any overcrowding. Mr. Ricci also stated that the Master Plan recommends only two apartment units at this location.

Todd Hay, Township Engineer

Mr. Hay addressed reviewed recommendations in his May 20, 2016 report that the site plan be revised to illustrate the bay window and roof encroachments into the Centre Street and Passaic Avenue right of ways. He stated that the plans should include the curb detail, driveway apron detail and sidewalk detail, a lighting plan and that landscaping issues should be discussed with the Township Forester.

Comments from the Public

Elvira Genearo addressed the Board. She states that when someone comes into the area for retail purposes or if they leave their car to take the bus, they are parking at the yellow curbed areas. They do not see that the empty parking spots have a yellow curb, they only see an empty space. She said that had been hedges near the yellow curbs, but they were mowed down by people who are parking in the yellow curbs spots.

The Board voted 7-2 to adjourn so that the Applicant could return to next scheduled meeting on July 13, 2016 with the revised plans addressing Applicant's stipulations and the recommendations of the Board's Planning Consultant and the Township Engineer.

The meeting concluded at 10:23p.m.

The next meeting is scheduled for Wednesday, July 13, 2016 at 7:00 p.m.