

Approved 2/25/15

**Township of Nutley
Planning Board
Meeting Minutes
Wednesday, February 4, 2015**

A meeting of the Planning Board of the Township of Nutley was held on the second floor of the Township Hall. Adequate notification was published in the official newspapers of the Township of Nutley and the Star Ledger on December 11, 2014.

ROLLCALL:

Ms. Tangorra - Vice Chairperson - Present
Mrs. Eisenfelder - Secretary - Present
Mr. Greengrove - Present
Mr. Arcuti - Present
Mr. Ritacco - Excused
Mr. Barry - Present
Mr. Algieri - Excused
Mr. Contella - Present
Commissioner Scarpelli - Excused
Ms. Kucinski - Excused
Mr. McGovern - Chairman - Present
Mr. Kozyra – Attorney - Present

Minutes from the January 21, 2015 meeting were approved by all the Board Members.

The public meeting ended at 7:10 p.m. and the Board moved to go into Executive Session. The purpose of the Executive Session was to secure legal advice as to the Roche Redevelopment Study Area Determination of Need Hearing.

[Minutes of the Executive Session will be available ...]

The Public Meeting resumed at 7:46 p.m.

A Contract and Resolution for the appointment of Recording Secretary, Debra Fontana, was reviewed and approved by all Board Members.

599 Franklin Avenue Application Presentation

The applicant was represented by Thomas DiBiasi, Esq. and he addressed the Board regarding the application for 599 Franklin Avenue. He presented testimony from Jeffrey Blank (the Applicant), Joseph Haines (Architect) and Joseph Staiger (Traffic Engineer).

Mr. DiBiasi stated that the objection letters submitted by objectors should not have been distributed to the Board. He stated that the neighbors are concerned about the parking and have stated that the building is too large. He stated that he will present the testimony of Joseph Haines and Joseph Staiger regarding the parking and that the proposed building is based on the dimensions that are allowed by the town. He stated that the building will be utilized for a salon and nine (9) one bedroom apartments.

Jeffrey Blank (applicant) testified that has worked as a home builder and mason contractor for 25 years and has done a lot of his work in Nutley. He has built eight houses in Nutley and one building is located at 4 Franklin Avenue, which has already been built and sold. Mr. Blank bought 599 Franklin Avenue about two years ago and it has been a rental for the last two years. He stated that he had conversations with neighbors and told them that he wanted to build a nice looking building and believes that they will not have an issue with the parking. Mr. Blank took the neighbor's concerns serious.

Comments from the Board and Public

Dr. Thomas Testa questioned Mr. Blank about whether there will be only one car per apartment.

Michael Zack questioned what would happen if there are stay at home moms and/or if the tenants of the apartment work from their home, that could make the parking lot crowded? Mr. Zack stated that there will be a problem with the parking if people are stay at home moms and/or work from home.

Mr. Blank stated he will advise the tenants that they are allowed one parking space in the parking lot.

There were no other questions from the public for Mr. Blank.

Joseph Haines (Architect) testified that when Mr. Blank came to him with this project, he wanted to design a building with both the characteristics of Nutley and a modern commercial look. Mr. Haines knows the neighborhood very well. The existing building is a two family building with an existing attic and has six bedrooms. This building is not ideal for what Mr. Blank has planned for the building.

The design of this building will be a three story building with an entrance on the left hand side similar to what is on the existing building. Mr. Haines and Mr. Blank looked at the design of the building and how it would look from the street so that the building will have a more residential appeal. The building will be a commercial tenant on the first floor (proposed to be Mr. Blank's wife's hair salon) and one bedroom apartments (six apartments on the second floor and three apartments on the third floor). The apartments will have high quality finishes, cabinets and hardwood floors. There will be a two way driveway under the building with a total of fourteen spaces (one will be a handicapped parking space and two will be compact parking spaces). There are no homes directly behind the building and only one of the apartment units will be facing the rear of the building.

He stated that they will remove the soil from the building site and by removing the soil and bringing the building down, it will help with the exit and entrance of the building, the handicapped accessibility and there will only be two steps to enter the building. Mr. Haines stated that there is more demand for residential apartments in the area than for office space and that the nine apartments will feed into the businesses in the neighborhood. There will be minimal headlights from the cars entering and exiting the building towards Mr. Garruto's neighboring building. Mr. Blank seeks to rent the apartments to high end professionals with no children and that he always had a plan for one bedroom apartments. He stated that the color scheme of the building in proposed drawings is similar to the color scheme of the existing building.

Mr. DiBiasi stated that Mr. Blank will not discriminate against anyone but will be looking for professionals as tenants for the apartments.

Questions from the Board and Public

Ms. Suzanne Beadle questioned the rear and side yard setback variances and if the applicant will plan on keeping the trees. Mr. Haines stated that there are two trees, one on the neighbor's property and one on the side of the property and that those trees may be removed. There will be replacement trees placed in the front of the property. Ms. Beadle requested to see the picture of the street marked as an exhibit and Mr. Haines provided for her review.

Dr. Testa asked where the air conditioning units will be located and Mr. Haines stated that they will be located on the south side, elevated on the right hand side on the roof.

Mr. Haines and Mr. DiBiasi stipulated to using the design and materials as shown on the exhibits which were marked.

Joseph Staiger (Traffic Engineer) assessed that there would be no impact on the traffic flow and that the building's exits offer easy sight and visibility. He stated that fifty percent of the spaces in the building will be available during the day when the tenants of the apartment complex will be at work. He stated that there will be a shared parking arrangement for the salon and the apartment complex. Nine of the fourteen parking spaces will be designed for the number of the apartment and for certain time periods. The parking spaces can be used during the day for the salon when the person is not home. There will be five spaces open for guests. There is also parking available on the street during the day and there is also a local municipal parking lot. Tenants can also purchase a daily permit, night permit or a 24 hour permit at \$60.00/\$70.00/\$100.00 per month. Residential parking will be minimal at the building during the daily work day and will peak at night. Holiday and Sunday parking will be different than a normal day, but that is also when people will be away for the holidays and there are five guest parking spaces available.

Mr. DiBiasi stated the salon will be closed at 7:30 p.m.

Questions from the Board and Public

Suzanne Beadle addressed asked if there was full access for emergency vehicles. Mr. Staiger stated that emergency vehicles will have full access in the parking lot except for a hook and ladder fire truck, but they will have access from the street.

The proposed date of March 18, 2015 was agreed upon for the continuation hearing for the 599 Franklin Avenue application.

The meeting concluded at 9:45 p.m.

The next meeting is scheduled for Tuesday, February 24, 2015 at 7:00 p.m. in the Commission Chambers.