

MINUTES - PLANNING BOARD

Workshop meeting of February 6, 2019

WORKSHOP PORTION. Ms. Murray called workshop portion of the meeting to order at 7:31 P.M.

1. COMMUNICATIONS

None

2. RESOLUTIONS OF MEMORIALIZATION

None

3. MINUTES

None

4. OLD BUSINESS/NEW BUSINESS

Ms. Murray announced that Bill Masol, the Township Engineer is leaving the Township on March 1, 2019.

Reviewed the dates for the next few Hartz hearings and stated that on February 20th the real estate expert, the traffic engineer and the Township engineer will testify. On the March 6th the Planner and an environmental specialist will testify and on March 20th the Board of Education will appear.

Ms., Murray stated that the April 17th scheduled meeting falls within the school's spring break and may be cancelled unless there is another application to be heard.

- 5.** Motion to move into executive session was made by Mr. Cossa, seconded by Dr. Chapman and approved on unanimous voice vote.

- 6.** Motion to return to the workshop session was made by Dr. Chapman, seconded by Mr. Cossa and approved and unanimous voice vote.

PUBLIC HEARING - ROOM 107

1. STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Ms. Murray called a public meeting of the Cranford Planning Board to order on February 6, 2019 at 8:06 p.m. in Room 107 of the Municipal Building, 8 Springfield Avenue, Cranford, New Jersey. Ms. Lenahan announced this meeting is in compliance with the "Open Public Meetings Act" as adequate notice of this meeting has been provided by publishing of the Board's annual schedule of meetings in the Westfield Leader and the Star Ledger with the agenda specifying the time, place and matters to be heard having been posted on a bulletin Board in the Town Hall reserved for such announcements and the filing of said agenda with the Township Clerk of Cranford. Formal action may be taken at this meeting.

2. FLAG SALUTE

3. ROLL CALL:

Members Present:

Ms. Murray
Dr. Chapman
Mr. Cossa
Deputy Mayor Dooley
Mayor Giblin
Ms. Pedde
Mr. Taylor

Members Absent:

Ms. Anderson
Ms. Feder

Alternates Present:

Mr. Aschenbach
Ms. Didzbalis

Alternates Absent:

None

Also present:

Jonathan Drill, Esq., Kathy Lenahan, Board Administrator/Scribe

- 4. Application # PBA-18-00006**
National Christmas Tree Products Inc. d/b/a National Tree Company
70 Jackson Drive
Block 637 Lot 6.01, C-1 Zone
Applicant in this matter is seeking amended final site plan approval.

Russell Finestein, Esq. appeared on behalf of the applicant. He explained the application. Stated the applicant received approval in 2017 and is back with some requested changes.

Michael Lanzafama appeared and was sworn in. His credentials were already presented to the Board in 2017 and he was accepted as an expert witness in the field of engineering/planning.

He testified to the following through questions posed by Mr. Finestein:

Described a colorized version of sheet 3A in the plan set which was marked Exhibit A-1 dated 12/17/18 titled Landscape and Lighting Plan. Described the changes from the original plan.

Described Exhibit A-2 as a sheet from the original plan set of May 3, 2017 as original Landscape and Lighting Plan. Discussed the first change as landscaping on Jackson Drive. Original plan was to have green giant arborvitaes, however they are not deer resistant so instead they are proposing intermingling 4 ½ foot high holly bushes for screening. Along eastern boundary they are proposing a grouping of various trees that will screen to the residential properties in Linden and proposing a 6 foot high board on board fence. Original plan had existing dumpster in northeast corner of site off rear of building. Existing enclosure had a compactor they reconfigured. Removed the compactor and replaced with conventional dumpsters with an enclosure which is a 6 foot high chain link fence with green slates. Photograph of existing dumpsters marked Exhibit A-3 dated November 2018. Original approval required applicant to relocate the dumpster. After speaking with neighbors, neighbors felt it was ok to leave it in existing location provided applicant did what they stated they would do.

Applicant is here tonight to ask Board to amend prior resolution to rescind relocating the dumpster, and leave in original location without the compactor with appropriate fencing and evergreen screening.

Described the dumpster for Anderson Windows location. Asking to relocate and expand that enclosure to 65 feet x 25 feet. Larger enclosure would be for sufficient storage and to keep area cleaner. Would like to increase from 4 to 6 dumpsters and increase the size of the enclosure. There will be 6 roll out dumpsters on the concrete pad. Area will have same 6-foot-high slated fence. There will be 5 dumpsters and one dumpster for the switch off.

Proposed screening along northern boundary with evergreen trees and a 6 foot solid fence for additional screening for neighbors. Only difference in plans is the lot coverage is 183 sq. ft. less and 2 additional parking spaces. Increasing total landscaping from 97 trees to 172 trees.

Applicant has responded to all comments in the Engineer's letter. Planner had question about site lighting and spillage. Spillage is from PSE&G lights. Only new lighting is on perimeter and lights are directed downward with no spillage to property owners. Planner also asked about the monument sign which is 35 x 84. Presented an 8 ½ x 11 monument sign with dimensions, color and logo marked Exhibit A-4.

Questions posed by the Board ascertained the following:

The original size of the dumpster area for Anderson is 35 x 40. Property owner pays for the PSE&G lighting. Lightening is on a lease. Tree types along north side are Leland Cypress, Norway Spruce, shade trees are Red Maple and White Oak. Will fill in with holly on south side which will grow to 7 or 8 feet. Gaps shown on plan are existing trees in good condition and will remain. Will plant in the spring. All of the dumpsters will be in the enclosure. Drawing is to scale. Light spillage is .5 to .25-foot candles. Material in dumpster on Exhibit A-3 is office/warehouse refuse. Improved the site drainage by installing a catch basin and added trench drains. Has a management plan for detention basin.

Ms. Murray opened the application to the public for questions of the witness, the following appeared:

Bruce Jacob – 69 Berlant Avenue, Linden – Lives 20 feet behind the dumpster. Now there are 6 dumpsters in the parking lot. Window contractor is throwing old windows in dumpster at 5:50 am till 7:00 pm and noise is very disturbing and a violation of the Cranford noise ordinance. Asked if this has to be done at this time of the morning and evening or can it be according to the noise ordinance.

Mr. Lanzafama stated he is not familiar with the Cranford noise ordinance and does not know the schedule.

Mr. Finestein stated he has someone who can answer that question. Is not aware of any noise violations being issued.

Paul Saldanha – 72 Pallant Avenue, Linden – Asked about new plantings and the fence.

Kira Trocciola – 122 Myrtle Street, Cranford – Asked about a concrete enclosure around the dumpsters and why it is now a fence.

Mr. Lanzafama stated the Township Engineer pointed out that the concrete walls would require footings. There is also a water main, so cannot do that type of enclosure.

Board member asked about a concrete enclosure and the sound.

Mr. Lanzafama stated walls are 6 feet high and would be minimal. Anderson is going to have someone watching the subcontractors and how they are placing the windows in the dumpsters.

Mr. Finestein stated there were not concrete walls in the original plan.

Bruce Jacob - 69 Berlant Avenue, Linden – Asked about trees and who will water and maintain them.

Mr. Lanzafama stated Mr. Puleo has hired a landscape contractor and his job is to maintain all the plantings. Submitted a tree maintenance plan to the Town.

Larry Landes – Appeared and was sworn in. Stated he is the president of Renewal by Anderson.

He testified to the following through questions posed by Mr. Finestein:

Stated that 6 containers will minimize the frequency of pick up. Arranged for an employee to be outside at 6:30 am or 7:00 am to monitor the subcontractors so they are not throwing the windows in the dumpster. Enclosure around the dumpster will help the noise, plus the plantings will also help. Stated there have been some complaints from neighbors.

Questions posed by the Board ascertained the following:

Mr. Landes is familiar with the noise ordinance in Cranford. He is willing to start at 7:00 am.

Trucks are loaded with debris from the current day. Subcontractors live and travel all over.

Not feasible to come in after a job. Perimeter fence will be locked in evening but open during the

day. There will be six dumpsters with a change out spot.

Mr. Drill reviewed Cranford's noise ordinance. The ordinance states construction or demolition is from 7:00 am to 6:00 pm during the week and 9:00 am to 6:00 pm on weekends. Asked Mr. Landes if he would agree to those times.

Mr. Landes stated that would present a problem. Stated weekends they would have a problem with 9:00 am. Stated they have been there since 2003 and have not had any violations for sound or dumping. Tried to accommodate and be a good neighbor.

Mr. Finestein stated Renewal has been compliant and if Building or Health Department wants to send someone out to monitor, they can do so and issue a violation.

Bruce Jacob – 69 Berlant Avenue, Linden – Asked why they can't abide by the ordinance. Why can't dumpsters be kept together. Has heard the glass breaking on Sundays.

Mr. Landes stated Renewal's dumpsters will be together.

Mr. Drill asked how many feet away are the dumpsters from the closest residential property line. Board needs to decide what is reasonable, and can impose conditions on the owner and the tenants of the property. Asked Anderson to make a proposal for the weekends.

Mr. LanzaFama stated that Lot 5.01 is 50 feet away and the other one is 20 feet away.

Jackie Lodge –Appeared and was sworn in. Stated she is the VP of Operations. She grew up in Cranford. Stated the installers work 12-hour days. Described a Saturday with a 9:00 am start time and how much shorter the day would be and would turn into a 2 day job instead of a 1 day job. Stated a simple process is now more complicated. Feels for both the subcontractors and the residents. Proposal is having a lock on the enclosure and have someone unlock it at 7:00 am.

Mr. Landes proposed Saturdays from 7:00 am to 6:00 pm and Sundays from 8:30 am to 6:00 pm. Stated this could be restrictive to the business. A one day job will become a two day job.

Paul Saldanha - 72 Pallant Avenue, Linden - Asked to speak with Mr. Landes and the other residents.

Mr. Landes stated they would do weekdays 7 am to 6 pm, Saturdays 7 am to 6 pm and Sundays 8:30 am to 6 pm. Described the dumpsters they are using and they will continue to monitor how they put the debris in the dumpsters.

Nick Dickerson, Planner for the Township, appeared and was sworn in. Stated they issued several letters. Would like to clarify the number of plantings and that the smaller dumpster area is to be enclosed. Asked about movement of larger enclosure away from the water main and about the number of parking spaces. Also asked about any airborne material being disposed of.

Mr. Lanzafama stated plantings are 3 feet away from the water main. Parking spaces are based on use of business and some of the business is seasonal.

Mr. Landes stated there is no airborne material that he is aware of.

Bruce Jacob – 69 Berlant Avenue, Linden – Appeared and was sworn in. Stated there is a dumpster 20 feet behind his backyard and why can't it be moved with all the other dumpsters.

Paul Saldanha – 72 Pallant Avenue, Linden – Appeared and was sworn in. Stated since they could not get an agreement with the applicant, they are leaving it up to the Town ordinance.

Kevin Trocciola - 122 Myrtle Street, Cranford - Appeared and was sworn in. Stated his concern is that there is a noise ordinance on the books and hopes it is enforced. Also plans were changed and not completely in agreement with them. Noise is an issue and also the environmental impact. A lot of trees were removed and only what is necessary is being proposed and nothing beyond that. If applicant wanted to control noise, they would propose more trees for noise control.

Kira Trocciola – 122 Myrtle Street, Cranford - Appeared and was sworn in. Applicant stated no noise violations have been issued. That is because the dumping happens quickly and there is no way to prove it is happening. Not comfortable with the noise.

Mr. Drill asked Mr. Dickerson, Township Planner if there are any waivers or variances that are needed by the applicant for what they are proposing. Asked about lightening and glare.

Mr. Dickerson stated they noted in the review that a waiver might be needed for the bicycle parking requirement.

Mr. Finestein stated they put in the bicycle parking spots.

Mr. Lanzafama stated on Exhibit A-1 the bicycle rack is noted.

Mr. Finestein gave his closing statement. Stated that the new plan is an improvement. There is more screening for the neighbors, more landscaping and more fencing. Stated they will, to the extent possible, add a tree by the water main.

No one else appeared and this portion of the hearing was closed with the matter referred back to the Board.

**5. DELIBERATION of Application # PBA-18-00006
National Christmas Tree Products Inc. d/b/a National Tree Company
70 Jackson Drive
Block 637 Lot 6.01, C-1 Zone
Applicant in this matter is seeking amended final site plan approval.**

Ms. Murray reviewed the testimony presented.
Board Comments consisted of the following:

Appreciate everything applicant has done to improve the application. Locked enclosure and hours be enforced. Good business in Cranford. Sunday is a challenge. 8:30 am sounds early. Happy to have the business in town. Residents are important too. Not in a position to give a waiver from the existing ordinance. Follow the ordinance or give a concession on Sunday.

Motion to grant approval for application # PBA-18-00006 with the following conditions: 9:00 am start time on Sunday, PSE&G lights to be switched out, no dumpsters outside the enclosure, will provide a storm water manual, no demolition debris placed in dumpster earlier than 7 am or after 6 pm Monday through Saturday and on Sundays no earlier than 9:00 am or after 6 pm, add a tree if possible by water main, enclosure unlocked at 7 am Monday through Saturday and at 9 am on Sunday, and submit a landscaping maintenance plan, was made by Dr. Chapman, seconded by Mr. Aschenbach with the following voting in favor of motion: Ms. Murray, Dr. Chapman, Mr. Cossa, Deputy Mayor Dooley, Mayor Giblin, Ms. Pedde, Mr. Taylor, Mr. Aschenbach and Ms. Didzbalis.

8. PUBLIC PORTION

Rita LaBrutto – 104 Arlington Road – Asked where and when did the Board work on the Affordable Housing Plan, does not see it in any minutes or agendas. Also asked about the affordable housing units for Hartz and if there are transcripts from the hearing with Judge Kennedy.

Ms. Murray stated they hired a firm to prepare the plan and the plan was discussed publicly.

Mr. Drill stated the questions being asked are about a pending zoning application. Stated that the OPMA requires public questions for the Governing Body and the Board of Education, not the Board of Adjustment or Planning Board. Stated various planning boards do it differently. Stated when you do it in a way that exposed the plan, it exposed it to potential developers.

Deputy Mayor Dooley stated that transcripts need to be ordered and they did not order them.

Jose Candeias – 2911 North Wood Avenue, Linden – Asked about a ditch collecting water on his property. Stated he was told Cranford maintains that ditch but has never seen anyone maintain it.

Mayor Giblin stated he would look into it for Mr. Candeias.

Teresa Pires-Ramos – 615 Hory Street – Asked what the Planning Board gets involved in. Feels handling application by application and missing the big picture is worrisome. Need to keep the residents in mind. Asked how will the roads accommodate all the extra cars.

Has seen minimal changes. Centennial Avenue traffic has increased. Asked if the Police Department addresses the traffic issues. Asked about density and cars on the roads.

There being no further business, a motion to adjourn the meeting was regularly made, seconded and passed. The meeting concluded at 10:32 P.M.

Donna Pedde, Secretary