

## **MINUTES - PLANNING BOARD**

### **Workshop meeting of September 5, 2018**

**WORKSHOP PORTION.** Ms. Murray called the workshop portion of the meeting to order at 7:41 P.M.

**1. COMMUNICATIONS**

None

**2. RESOLUTIONS OF MEMORIALIZATION**

None

**3. MINUTES**

Motion to adopt the minutes of the July 18, 2018 Regular Meeting, and the Executive Session/Regular Minutes of August 1, 2018 was made by Mayor Hannen, seconded by Ms. Didizbalis and passed on unanimous voice vote.

**4. OLD BUSINESS/NEW BUSINESS**

A discussion was held regarding Township Ordinance No. 2018-07. A motion to favorably recommend the ordinance to the Township Committee was made by Dr. Chapman, seconded by Ms. Pedde and passed on 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 September 5, 2018 at 8:03 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  
Ms. Anderson  
Dr. Chapman  
Deputy Mayor Dooley  
Mayor Hannen  
Ms. Pedde  
Mr. Taylor

**Members Absent**

Ms. Feder  
Mr. Cossa

**Alternates Present:**

Ms. Didzbalis

**Alternates Absent:**

Mr. Aschenbach

**Also present:**

Mark Rothman, Esquire; Kathy Lenahan, Administrator/Scribe

Ron Johnson, Zoning Officer and Bill Masol, Engineer were absent.

Ms. Murray made the following announcements:

There will be a Special Meeting on September 12<sup>th</sup> to continue the Hartz Mountain – 750 Walnut Avenue hearing. There will be no meeting on September 19<sup>th</sup> as previously scheduled and the meeting tonight will conclude no later than 11:00 p.m.

Mr. Rothman stated there was a previous request for records. Listed the request as a pending EIS, a revision for the green space and a statement regarding the current and proposed footprint for the site from the applicant's engineer.

Mr. Rhatican stated the applicant's engineer is making revisions based on comments from the Board and the public. It is not ready yet, but Mr. Martell will be back to explain the revisions as soon as they are ready.

Ms. Murray stated that a Fiscal Impact Report was delivered to the Board today which is a very detailed report. Questioned if the Planner will be providing testimony on that this evening. Requested that the Planner be available to come back for questions after the Board has had time to review the report.

Mr. Rhatican stated this was a revised study and the Planner will be discussing this evening, time permitted. Will also be available to come back to address questions. Stated there was a letter sent along with the Fiscal Impact Report with regard to parking and parking sizes, wants to make sure it is part of the record.

4. **Application # PBA-17-00004- Continued from August 1, 2018**  
**Hartz Mountain Industries**  
**750 Walnut Avenue**  
**Block: 541, Lot: 2, C-3 Zone**  
**Applicant is seeking to rezone the subject property to eliminate the office and warehousing uses in favor of multi-family residential use (§136-13).**

James Rhatican, appeared on behalf of the applicant. He explained the application.

Keenan Hughes, appeared and was sworn in. His credentials were presented to the Board and after various questions by the Board to clarify his experience, he was accepted as an expert witness in the field of planning.

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

He was tasked with evaluating the proposed concept for the site as well as preparing a zoning ordinance amendment. He became familiar with the site and the proposed zoning. Described the site as over 30 acres, triangularly shaped in the southern portion of the Township in the C-3 Zone. It is adjacent to a residential neighborhood across the rail line, and adjacent to the Hyatt Hills Golf Course. Across Walnut Avenue are single family detached residential neighborhoods. The rail to the North serves as a buffer along with the berm along Walnut Avenue. Described the C-3 Zone and the permitted uses allowed in that zone.

Stated that C-3 zones allow for Class A office space. He is of the opinion, along with experts that have already testified, that the lack of development options for the property is due to the existing zoning. Stated there are difficulties in converting the existing building to Class A office space, and the lack of industrial and warehouse uses given its location. Described weakness in the suburban office market. Not well positioned from a location standpoint. Described the bulk standards for the property. Feels the permitted uses are not conducive to the property.

Described why he feels multi-family is the appropriate use for this property. Stated that due to the size and shape of the property, that it is well buffered and the physical separation of the rail line along with the golf course, it is an appropriate location for multi-family development.

Described the proposed zoning. Defined both the Planned Unit Development (PUD) and Planned Unit Residential Development (PURD) options for the site from the MLUL. Described the phasing of the project, where the first half is developed with residential and the back half is retained for existing commercial/industrial use (PUD). The full build out would be the (PURD), completely residential.

Stated that the maximum development would be 30 units per acre and 15% of the total dwelling units would be set aside for affordable housing. Described the accessory uses as off-street parking, swimming pools, clubhouses, streets and driveways.

Described Phase One (PUD) with the FAR being 0.9 for residential and 0.4 for office/industrial district. Maximum building residential height would be 5 stories – 67 feet; office would be 3 stories – 45 feet. Maximum impervious coverage in residential would be 55% and in the office/industrial would be 70%. A minimum of 10,000 sq. ft. of outdoor amenity space not including the swimming pools or clubhouses, would need to be provided. The existing buffering and landscaping would be preserved in the ordinance for the C-3 Zone. Described the off-street parking consistent with the RSIS standards. Requesting one free standing monument sign at each driveway entrance and basic directional signage within the site.

Described Phase Two (PURD) being the full build out. The FAR would be 1.0. Maximum building height 5 stories – 67 feet; maximum impervious coverage is 60%. Minimum of 30,000 sq. ft. outdoor amenity space shall be provided. Parking is RSIS standard. Each unit will have at least one parking space within the enclosed parking facility. Balance of spaces would be in surface parking lots. Same signage standards.

Described a General Development Plan Option (MLUL40:55D-45.3) which allows the Township and the Developer to establish a mutual development agreement for the phasing and build out of the project. Can remain in place for up to 20 years. Planning Board would have to approve the plan.

Stated the 5 criteria for a rezoning application:

1. Necessity
2. Consistent with Master Plan or adopt an amendment to the plan
3. Modification – Application granted in whole or part
4. Affect of current zoning – zone into inutility
5. Benefit the Municipality

Cited several Purposes from the MLUL which he feels furthers the proposed rezoning ordinance.

Stated that the proposed density of 30 units per acre is less than the density of other existing multi-family developments in Cranford.

Mr. Rhatican asked how Mr. Hughes arrived at 30 units per acre.

Mr. Hughes stated he researched the density of other developments within Cranford: Cranford Crossing, Woodmont Station and Riverfront Crossing. Average density came out to 39 units per acre.

Board requested more time to review the updated Fiscal Impact Report since the members only received the document today.

Questions posed by the Board ascertained the following:

It is his opinion the 30 units per acre can be managed and mitigated under the proposed development. Provided the calculations for the average of 39 units per acre:

Woodmont Station 5.04 acres – 163 units – 32.39 density; Cranford Crossing 1.3 acres – 50 units – 38.9 density; Riverfront 2.7 acres - 126 units - 46 density. Only looked at those 3 comparables. They are closer to downtown and are mixed use. He did not identify any significant detrimental impacts that cannot be mitigated on site. One potential impact was the height of the buildings which is why the 5 stories are toward the back of the property. Stated there are no sensitive environmental features such as wetlands or endangered species.

Described the buffer as a physical separation between the property and the residential areas to the North. The berm on Walnut Avenue will be maintained. Stated that Mr. Martell is aware of retaining the berm on Walnut Avenue. The proposed zoning ordinance included keeping of the existing berm. The project's size and shape can be accommodated on this site. Feels it is consistent and compatible with the surrounding neighbor and environment. Having substantial vacancies at the site has a negative visual impact on the community. Possible loss of tax revenue to the Town. Has not done a study on property values in the area. Does not know the total population of any of the 3 properties he used for comparisons. Total population would be talked about in the Fiscal Impact Report.

Suburbs with downtowns and sidewalks are still viable. Site is not walking distance to the train station. Not aware of other options that were looked at for the underutilized part of the site. Feels residential makes sense. Single family residential did not make sense in his opinion on the site. Community benefits by providing more diverse housing options. Birchwood was not considered in the analysis. Not familiar with the Walnut Avenue project planned in Clark or the ones in Garwood or Roselle.

Stated that a self-contained site means a site where services are being provided by the internal operators of the building. Residents will be participating in the community. Larger public spaces were not considered for the public at large. Focusing on empty nesters, singles and millennials. There will be a shuttle to the train station. Developer will need to address their target market. The intent is not to make it a particularly family friendly type of community. Not trying to attract families with large number of school age children to the project. Rail line to property line provides a physical barrier. Question regarding why not for sale vs. rental would be a question for the developer. He has worked on for sale projects. Another question for applicant would be why not age restricted. Applicant wanted to pursue multi-family. From a planning standpoint, it was an appropriate density and appropriate height. Any multi-family development that sets aside a percentage of affordable housing is considered inclusionary. As a Planner, stated that when dealing with residential land use, the RSIS standards govern. His interpretation as a Planner is that the RSIS supersedes the Township standards.

Stated 5 stories is based on the area and the frontage along the golf course. Development can be accommodated on the site because of the buffering, the setbacks and surrounding land uses. The employment growth is during Phase One with the retention of the existing users on the industrial property in the rear. Is a unique site within the area. From a land use perspective, consistency does not mean the same exact use as across the street, but integrating a residential use is consistent and compatible.

His opinion is that 30 units per acre can be accommodated on the property without creating substantial detriments to the community. It is in line and less than other multi-family developments in Town. It is a density that works for the site.

To “prove” a concept is to address the 5 criteria which the Township has put forth for a rezoning request.

Stated the homes with their backyards to the project have existing vegetation. The vegetation will be maintained along the rail line. There will be vegetation on the subject property, the rail line and the rail right of way. Buildings will also be setback. These site and traffic engineers designed the placement of the driveways. He will evaluate the Birchwood density. Did not do a comparative zoning density analysis on any other multi-family developments outside of Cranford.

Board member stated that Birchwood is 15 acres with 225 units which equals 15 units per acre. Birchwood is similar to subject property since it is not near downtown or the train station.

Mr. Hughes stated it is up to the Planning Board to review the project and determine if they meet the criteria set forth in the ordinance. Board needs to hear all of the testimony and the end analysis will be: is 30 units per acre appropriate for the property. Other expert testimony will show there is no impact that cannot be managed.

If the ordinance is adopted, the site plan has to be fully compliant with regard to the buffering for the site. Existing berm is to screen the visual appearance of the taller buildings on the site. Buildings will not appear imposing.

Mr. Rhatican stated that the civil engineer is redoing the entire plan set including the landscaping sheet and also a rendering of what site will look like from Walnut Avenue. Also stated they would work with the Town with regard to the phasing in of the project. Hoping to sit down with the Town to determine a number collectively. Using 5 years as a placeholder. Stated that Mr. Reese testified that LabCorp had a 5-year option to renew by June 30<sup>th</sup> and they did not exercise that renewal by the deadline. PSE&G has 22,000 sq. ft. in the back. Believes it is a two-phase approach and will try and lease the back area which is more industrial/commercial then office.

Mr. Hughes stated the project he worked on in Montclair called Valley in Bloom is in their downtown with views of NYC skyline. Downtown environment. He is not aware of how far away the applicant’s project is to Rt. 1 in Linden.

Board member stated that Linden is 3 miles away and has gone through a large renovation of industrial space on Stiles Street in Linden and new businesses further down Rt.1. Asked what makes this project site not like those properties in Linden.

Mr. Hughes stated that there is better access to the Turnpike and would defer to the industrial expert.

Ms. Murray stated the plan was to stop at 11:00 p.m. Township's planner has questions for Mr. Hughes and the public needs to be able to also ask questions. Recommends adjourning now and picking up on September 12<sup>th</sup>.

Mr. Rhatican stated that the next witness should have been Traffic Consultant but he was not available today, so he would be able to testify on September 12<sup>th</sup>. Mr. Hughes would return on October 3<sup>rd</sup>. Also stated there will be an industrial expert on September 12<sup>th</sup>.

There being no further business, a motion to adjourn the meeting was regularly made, seconded and passed. The meeting concluded at 10:52 P.M.

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Donna Pedde, Secretary