

## MINUTES - PLANNING BOARD

### Meeting of March 16, 2022

A public meeting of the Cranford Planning Board was called to order by Ms. Kellett on March 16, 2022 at 7:34 p.m. Ms. Kellett announced in accordance with the terms and conditions of the Open Public Meetings Act, the Westfield Leader and the Star Ledger have been notified and the agenda posted in the municipal building as required.

#### 1. ROLL CALL

##### Members Present:

Ms. Kellett  
Mr. Nordelo  
Ms. Didzbalis  
Ms. Pedde  
Mayor Prunty  
Ms. Rappa  
Mr. Taylor

##### Members Absent:

Deputy Mayor Gareis  
Ms. Sen

##### Alternates Present:

Mr. Leber  
Mr. Pistol

##### Alternates Absent:

None

##### Also present:

Michael Sullivan Esq., Board Attorney, (appearing for Jonathan Drill), Kathy Lenahan, Board Administrator, Jacqueline Dirmann, Board Engineer, Nick Dickerson, Board Planner

#### 2. MINUTES

Motion to approve the minutes of the March 2<sup>nd</sup> meeting, as amended, was made by Mr. Nordelo, seconded by Ms. Didzbalis and passed by roll call vote:

Affirmative: Ms. Kellett, Mr. Nordelo, Ms. Didzbalis, Ms. Pedde, Ms. Rappa, Mr. Leber,  
Mr. Pistol

Opposed: None

#### 3. COMMUNICATIONS

A subdivision deed was presented to the Board for 95 James Street. The deed was signed by the chair, Ms. Kellett and the vice-chair, Mr. Nordelo.

#### 4. OLD BUSINESS/NEW BUSINESS

None

**PUBLIC MEETING - 8:00 p.m. – Council Chambers**

**1. STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT**

Ms. Kellett called a public meeting of the Cranford Planning Board to order on March 16, 2022, at 8:00 p.m. Ms. Kellett announced this meeting is in compliance with the “Open Public Meetings Act” as adequate notice of this meeting has been provided to 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. ROLL CALL:**

**Members Present:**

Ms. Kellett  
Mr. Nordelo  
Ms. Didzbalis  
Ms. Pedde  
Mayor Prunty  
Ms. Rappa  
Mr. Taylor

**Members Absent:**

Deputy Mayor Gareis  
Ms. Sen

**Alternates Present:**

Mr. Leber  
Mr. Pistol

**Alternates Absent:**

None

**Also present:**

Michael Sullivan Esq., Board Attorney, (appearing for Jonathan Drill, Esq.), Kathy Lenahan, Board Administrator, Jacqueline Dirmann, Board Engineering, Nick Dickerson Board Planner

- Application #PB-19-004/#PB 20-005
- 3.** Remarkable Foods, Inc. d/b/a/ Wonder, formerly Food Truck, Inc.  
40-42 Jackson Drive  
Block 640 Lot 6.01, C-1 Zone  
Request for Extension of Time to Obtain Permits associated with two (2) previous approvals granted by the Planning Board

Stephen Hehl, Esq. appeared. Stated the applicant is requesting an extension due to the pandemic. Reviewed his Feb. 18<sup>th</sup> letter to the Board.

Jason Bottcher appeared and was sworn in. Reviewed what the Food Truck does and stated that they were before the Board back in 2019 for the conversion of the site. They then came back for the construction of an addition. Construction of the addition did not move forward due to Covid, and issues with personnel. Asking for an additional 2 years. Believes they will have shovels in the ground by 2<sup>nd</sup> quarter of this year.

Questions from the Board for Mr. Bottcher ascertained the following:  
Completion will be end of the year. Looking for the buffer of time, due to the unforeseen circumstances. The request for two years is based on the original approval of two years.

No one from the Public had questions for this witness.

- 4. DELIBERATIONS OF:** Application #PB-19-004/#PB 20-005  
Remarkable Foods, Inc. d/b/a/ Wonder, formerly Food Truck, Inc.  
40-42 Jackson Drive  
Block 640 Lot 6.01, C-1 Zone  
Request for Extension of Time to Obtain Permits associated with two (2) previous approvals granted by the Planning Board

The Board had no comments on the application.

A motion to approve the request for an extension of time to obtain permits, was made by Mayor Prunty, seconded by Ms. Didzbalis and passed on roll call vote:

Affirmative: Ms. Kellett, Mr. Nordelo, Ms. Didzbalis, Ms. Pedde, Mayor Prunty,  
Ms. Rappa, Mr. Taylor, Mr. Leber, Mr. Pistol

Opposed: None

- 5.** Application #PB-21-004  
Applicant: Serginho & Sandra Martins  
116 Garden Street  
Block: 285 Lot: 5 R-4 Zone

The applicant in this matter is seeking minor subdivision approval, along with a c(1) hardship variance and several c(2) variances and design waivers. Applicant is proposing to subdivide the existing Lot 5 into two new lots; proposed Lot 5.01 (7,500 SF) and proposed Lot 5.02 (6,100 SF). The existing single-family dwelling will remain on Lot 5.02 and a new single-family dwelling will be constructed on Lot 5.01.

Stephen Hehl, Esq. appeared. Stated this is an application for a minor subdivision to create two new lots. Proposed is one new lot at 6100 square feet and the other lot for 7500 square feet. Applicants reside in the existing home, that they have renovated. They would like to eliminate the two-car garage and build their dream home.

Thomas Quinn appeared and was sworn in. Reviewed his qualifications and was accepted as an expert in Engineering.

Jacqueline Dirmann, Board Engineer and Nicholas Dickerson, Board Planner were also sworn in at that time.

Questions from Mr. Hehl to Mr. Quinn ascertained the following:

Reviewed the cover sheet of the site plans. Reviewed the survey (last sheet of plans). Stated the lot is oversized at 100 feet wide and the depth varies from 150 to 122 feet wide. Has a 1900 square foot building, plus accessory shed structures in rear and a double wide driveway in the front. The drainage comes from the south rear yard to the front to Garden Street. Reviewed the existing condition non-conformities. Reviewed the Subdivision Plan (Sheet 2) showing proposed lot lines which creates some non-conformities including lot width. Existing dwelling will remove the 2-car garage and will provide an 18-foot driveway for off street parking for the existing dwelling. Removing some impervious cover. New proposed dwelling will be about 1900 square feet with a 10-foot driveway and a single car garage. Reviewed the variances they are requesting and discussed the Engineer's comments regarding ground water.

Questions from the Board for this witness ascertained the following:

The existing dwelling will have the extra wide 18-foot driveway. The proposed new dwelling will have the 10-foot driveway with a one car garage. The removal of the garage was noticed by the applicant. The distance between the two proposed driveways is 35 feet, where 50 feet is required. The distance between the two new driveways and the adjacent driveways are in excess of 50 feet.

Ms. Dirmann, Board Engineer, discussed the original plan vs. the new plan the applicant is presenting. Stated there has been a reduction in impervious coverage and some additional drainage along with soil testing being done.

Mr. Quinn stated last year they were proposing more than 1000 square feet of impervious coverage, which is considered a major development. They have since reduced the footprint of the new dwelling and reduced impervious coverage to below 1000 square feet, which is now a minor development. He did soil log and permeability testing. Dug 8 feet and found no ground water; designed a dry well based on Cranford 's stormwater chart. All runoff goes to Garden Street. Took a soil sample and sent it to Rutgers where they produced a report and a K value with a range of permeability. The report had a K2 value.

Ms. Dirmann reviewed her letter of March 8, 2022, and discussed the items the applicant has since complied with since her last letter from 2021. Stated Cranford is starting to track impervious coverage and anything over 1000 square feet is considered a major development. The applicant is at 971 square feet right now. Stated Garden Street has recently been paved and there is a 5-year moratorium. Open items are 7 through 13 in her letter.

Questions for Ms. Dirmann from the Board ascertained the following:

An "as built" site plan would be a condition of approval and is signed and sealed by a licensed surveyor.

Mr. Dickerson reviewed his letter date March 7, 2022. Stated some items have been addressed by the applicant through testimony. Asked about the variance for setbacks between structures. Also discussed the ordinance that all new homes must have at least a single car garage. It is his opinion. that the intent of ordinance is not to permit removal of existing garages. Believes that 2 to 3 street trees would be required. Stated in his letter, numbers 1,2,3,4 still apply, 5 does not apply, 6 applies for 18-foot driveway, and 7 is a catch all.

Mr. Hehl stated the applicant will comply with D1, D2 & D4 in the letter.

Mr. Dickerson asked about fencing or screening proposed.

Mr. Quinn stated nothing is proposed right now. Stated the existing condition has fencing around the sides and rear of property.

Ms. Kellett asked if any members of the Public had questions for this witness, the following appeared:

Betty Crawley – 229 Cranford Avenue appeared. Asked how long the water stays in the retention basin and where does the water go. Asked about adding another drywell in the back of the property. Asked about the soil testing when fill was brought in.

Mr. Quinn stated the runoff has to evacuate in 72 hours by state standard. Believes it was about 50 hours. Water goes into the existing soil. Stated there is one drywell that accepts all the runoff. Soil testing went down 8 feet.

Jamie Mantilla - 232 Cranford Avenue appeared. Asked why do properties have AC set backs on the properties. Asked why standards are in place.

Mr. Quinn stated it is a town ordinance. Other towns may have similar ordinances.

Matthew Vozzo – 231 Cranford Avenue appeared. Asked about 971 square feet including the driveway. Asked about the slope and water draining from backyard.

Mr. Quinn stated that includes the driveway. Stated they like to have 2% lawn grading. It will drain from the back of the property to the front, but it may be slow.

Stan Palmieri – 430 North Union Avenue. Asked about rain and the overflow and the drywell. Mr. Palmeri stated there is no gutter.

Mr. Quinn stated water would bubble up through the grate in the driveway and run out to Garden Street and into gutter. Once water gets to the street it is not their jurisdiction.

Mike Neglia – 227 Cranford Avenue appeared. Asked about the way the water was running.

Mr. Quinn stated that the test pit went 8 feet and the soil sample was about 5 feet. The proposed dwelling will punch through the clay lens and be injected into the ground

Dennis Carter – 174 Garden Street appeared. Asked if it is possible to add another storm drain on the property and put in the back. Asked how big it is and if it can be made larger.

Mr. Quinn stated it is possible. If something is put in the back yard and it overflows it will fill up the backyard. The pit is 5 feet deep. They are complying with the Cranford ordinance.

Board had follow-up questions for Mr. Quinn that ascertained the following:  
Right now, the water is going into the ground. They are reducing impervious coverage on the existing lot and improving the conditions. There could be a second pit on the existing lot for drainage. For maintenance on the drywell, if it drains too slowly, they would need to pump out the sediment.

Board asked Ms. Dirmann if in her opinion, the water going out into the street would overburden the Town's infrastructure on that street.

Ms. Dirmann requested to get back to the Board after she review the drainage maps. Stated when an application is reviewed, they make sure that the applicant complies with the ordinance. Does remember that there is a trench drain across Garden Street and Cranford Avenue. They have complied from a site perspective. Stated right now, there are no storm measures on site, they are proposing to capture the storm water instead of running off into the road, it is going into the soil. Stated that while a second seepage pit is not required, punching into the soil and putting it in would be an improvement.

Mr. Hehl stated if a second drainage system would be a benefit, the applicant would be willing to add it.

Board had further follow-up questions for Mr. Quinn and ascertained the following:  
The swells are on side yards. Backyard water drains to either side of dwelling and moves through the property through the swells. He does not know about a sump pump; he did not design the house.

Ms. Dirmann stated there would be no credit for impervious coverage if they added an extra drywell.

Nicholas Graviano appeared and was sworn in. Reviewed his qualifications and was accepted as an expert in Architecture/Planning.

Questions from Mr. Hehl to Mr. Graviano ascertained the following:  
Will be using two exhibits; one is the architectural plan and an analysis of tax lots in Block 285 and an aerial image of Google Earth and photos to neighboring two houses on Garden Street. Described the proposed new home on lot 5.01. Stated the applicant is proposing an open floor plan. Access is a two-car garage, but has a single car garage door. Door matches the width of the driveway. Second floor has 3 bedrooms and laundry facilities. Applicant has decided to have attic space accessed from a pull down. Applicant is proposing a basement in the dwelling. Façade will be farmhouse style. On existing

dwelling, they are only removing the attached two car garage. Wall will be repaired and will be sided. Reviewed Exhibit A-1, which is two pages containing analysis of size of tax parcels on Block 285. Page two is an aerial of Google showing Garden Street and Cranford Avenue. Also on page two, are the dwellings at 110 & 112 Garden Street. Reviewed the request the applicant is making for the minor subdivision and (c) variances. Stated the variances requested do not impair the zoning ordinance or create a substantial impairment to the zone plan, zone ordinance or the neighbors as a whole. Stated they could also be granted under a c(2) variance where the benefits outweigh any detriments. Believes this proposal advances Purpose A and E of the MLUL.

Questions from the Board for Mr. Graviano ascertained the following:

The proposed dwelling does have a single car garage door. It is a single car garage but is the size of a two-car garage. Only a single car garage is required. Driveway is a single 10-foot driveway. There will only be storage in the attic.

Questions from Ms. Dirmann to Mr. Graviano ascertained the following:

Regarding the basement, they would prefer not to have a sump pump due to the discharge in the winter. If a sump pump is anticipated to be needed based on the design, the water cannot be pumped into the street. Asked how do they know if they will need a sump pump. Asked if they can say a sump pump is not needed. Stated they do not want ground water discharging unnecessarily.

Mr. Graviano stated if a sump pump is needed it would go to the drywell. They would need to dig deeper into the soil tests. Originally, they did not propose a basement, ground water testing did indicate a basement was viable at the proposed location. The basement would be two feet above the ground water. Basement would be 7-8 feet tall.

Questions from Mr. Dickerson to Mr. Graviano ascertained the following:

The proposed attic story will be removed. The calculation for separation between buildings has not been able to be done, and will be requesting a variance. There are three bedrooms which would require two parking space per RSIS standards. No parking variances are required.

Ms. Kellett stated that based on some of the comments that have been raised and some of the testimony, the Board will allow questions from the Public for Mr. Graviano, but the rest of the application will be carried till April 27<sup>th</sup>. At that time, all members of the Public will have an opportunity to make comments on the record.

Mr. Sullivan asked Mr. Hehl if he would consent to an extension of time for the Board to act until May 31<sup>st</sup>.

Mr. Hehl agreed to the extension.

Board requested to see a rendering of the existing structure at the next meeting.

Ms. Kellett asked if any members of the Public had questions for Mr. Graviano, the following appeared:

Jamie Mantilla - 232 Cranford Avenue appeared. Asked about a hardship to the owner.

Asked about having two houses and about adding a basement and walls.

Mr. Graviano stated that in the MLUL, there are different types of variances. Some variances are related to a piece of property. The applicant has an oversized lot and has extra square footage, more than what is need for two lots. Due to the fact that the applicant cannot provide the adequate lot width or lot depth, they need to request several variances due to shape of the lot, which is a hardship. Stated a basement does create walls.

The Board reviewed with the applicant, what variances/design waivers are still being requested.

A motion to continue this application till April 27, 2022, at 8:00 p.m. was made by Mr. Pistol, seconded by Ms. Pedde and passed by unanimous voice vote.

There being no further business, a motion to adjourn the meeting was regularly made seconded and passed. The meeting concluded at 11:04 p.m.

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Molly Hurley Kellett, Chair