

## MINUTES - PLANNING BOARD

### Workshop meeting of June 3, 2020

A public meeting of the Cranford Planning Board was called to order by Ms. Murray on June 3, 2020 at 7:33 p.m. via **Google Meet**. Ms. Lenahan 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. Formal action may be taken.

This meeting is being both audio and video recorded.

### 1. ROLL CALL

#### Members Present Via Google Meet:

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

#### Members Absent:

Ms. Feder

#### Alternates Present via Google Meet:

Ms. Kellett  
Mr. Walton

#### Alternates Absent:

None

#### Also present via Google Meet:

Jonathan Drill Esq., Jason Bottcher, Zoning Officer, Kathy Lenahan, Board Administrator Nick Dickerson, Board Planner, Jacqueline Dirmann, Board Engineer, Kellen Murphy, Esq., Attorney for the Applicant, Lisa and Anthony Carbone, Applicants, and Ken Abrams, Architect

### 2. RESOLUTIONS

None

### 3. MINUTES

Motion to adopt the minutes of the Executive Session of May 6, 2020 was made by Ms. Pedde, seconded by Mr. Taylor and passed on roll call vote:

Affirmative: Ms. Murray, Ms. Pedde, Mr. Cossa, Ms. Didzbalis, Deputy Mayor Prunty, Mr. Taylor, Ms. Kellett and Mr. Walton

Motion to adopt the minutes of the Workshop/Official meeting of May 6, 2020 was made by Ms. Pedde, seconded by Ms. Didzbalis and passed on roll call vote:

Affirmative: Ms. Murray, Ms. Pedde, Mr. Cossa, Ms. Didzbalis, Deputy Mayor Prunty, Mr. Taylor, and Ms. Kellett

Opposed: None

**4. COMMUNICATIONS**

None

**5. OLD BUSINESS/NEW BUSINESS**

1. Review of Township Ordinance 2020-06 Public Improvement (Capital Budget).

The Board reviewed Township Ordinance 2020-06 and found that it is not inconsistent with the Master Plan.

A motion was made by Ms. Murray, seconded by Dr. Chapman to favorably recommend to the Township Committee and passed on roll call vote:

Affirmative: Ms. Murray, Ms. Pedde, Dr. Chapman, Mr. Cossa, Ms. Didzbalis, Deputy Mayor Prunty, Mayor Giblin, Mr. Taylor and Ms. Kellett

Ms. Lenahan will prepare the memo for Mr. Drill to review before sending it to the Township Committee.

2. Review of Township Ordinance 2020-09 – Temporarily delegating certain Planning Board duties to a Code Review Committee.

Mr. Bottcher reviewed the ordinance. Stated ordinance provides the ability to grant site plan waivers by a Code Review Committee, due to restrictions with indoor dining. Anyone wishing to put up a permanent structure will still need to come before the Board for approval. Ordinance has a Sunset date of Dec. 1, 2020.

Mr. Dickerson, Board Planner reviewed the Ordinance and determined it was not inconsistent with the Master Plan.

Comments from the Board included:

This is not limited to Downtown food establishments. Any food establishments in Cranford can participate. This is only for on-site food establishment, not sidewalks or streets. Sidewalk cafes have a different approval process.

The Board reviewed the Township Ordinance 2020-09 and found that it is not inconsistent

with the Master Plan.

A motion was made by Ms. Murray, seconded by Deputy Mayor Prunty to favorably recommend to the Township Committee and passed on roll call vote:

Affirmative: Ms. Murray, Ms. Pedde, Dr. Chapman, Mr. Cossa, Ms. Didzbalis, Deputy Mayor Prunty, Mayor Giblin, Mr. Taylor and Ms. Kellett

Ms. Lenahan will prepare the memo for Mr. Drill to review before sending it to the Township Committee.

Mayor Giblin stated there will be a Special Meeting of the Township Committee for a Public Hearing on Township Ordinance 2020-09 on June 15<sup>th</sup> at 11:00 a.m.

## **PUBLIC HEARING**

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

Ms. Murray called a public meeting of the Cranford Planning Board to order on June 3, 2020 at 8:05 p.m. via **Google Meet**. Ms. Lenahan 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, also said notice has been posted on all outside doors of the Municipal Building 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 Via Google Meet**

Ms. Murray  
Ms. Pedde  
Mr. Cossa  
Ms. Didzbalis  
Deputy Mayor Prunty  
Mr. Taylor

#### **Members Absent:**

Ms. Feder  
Dr. Chapman – recused himself from hearing  
Mayor Giblin – recused himself from hearing

**Alternates Present via Google Meet:**

Ms. Kellett  
Mr. Walton

**Alternates Absent:**

None

**Also present:**

Jonathan Drill Esq., Jason Bottcher, Zoning Officer, Kathy Lenahan, Board Administrator Nick Dickerson, Board Planner, Jacqueline Dirmann, Board Engineer, Kellen Murphy, Esq., Attorney for the Applicant, Lisa and Anthony Carbone, Applicants, and Ken Abrams, Architect

**4. Application # PB-20-003  
Loft Homes, LLC  
194 North Avenue East  
Block 314 Lot 5 O-2 Zone**

**The applicant in this matter is seeking Minor Site Plan approval to convert an existing single family structure to office space for a primary business location.**

Kellen Murphy, Esq. appeared on behalf of the applicant. Mr. Drill swore in all witnesses.

For the Board:  
Jason Bottcher, Zoning Officer  
Nick Dickerson, Board Planner  
Jacqueline Dirmann – Board Engineer

For the Applicant:  
Ken Abrams, Architect  
Lisa Carbone  
Anthony Carbone

Mr. Murphy explained the application. Applicant is requesting conversion of an existing residential property to administrative offices for his company.

Mr. Abrams appeared and his credentials were presented to the Board. He was accepted as an expert in the field of Architecture.

He testified to the following as posed by Mr. Murphy:

The project is to convert a non-confirming use to a permitted use of office space. Renovations to the site would be minimum; most renovations would be to modernize the space. Space will be occupied by three people, one would be part-time. There would not be much foot traffic in or out of the office, there is no showroom and meetings would be by appointment only. There will be three cars parked in lot during the day and one van parked overnight.

Major changes to site will be to conform to the guidelines for the space. Existing items to be removed would be: walkways to front sidewalk, gravel pits, covered raised concrete platform in rear of the house, gravel driveway and shed in back. To conform to office guidelines, there are five parking spaces, one will be handicapped, which will be in the rear of the building. Lighting will be provided in parking lot. Lighting will be shielded so there is no spillage to the residential house to the right. There will be a landscape buffer between the residential side and the parking lot. A drainage pit will be installed at the end of the parking lot for the additional impervious coverage being added. It will be calculated and sized accordingly once permits are applied for.

Mr. Abrams reviewed the Board Planner's comments in the letter of May 21, 2020:

- Parking spots are required to be 10 x 18 but the drawing indicates 9 x 18; applicant will expand to meet the 10 foot requirement if requested by the Board.
- Gutters and leaders will be tied into the drainage pit (#4 on Engineering report)
- Requesting a waiver for the onsite loading, since there is none at the site.
- Applicant will provide a bike rack – no waiver required.

Mr. Abrams commented on the following in Mr. Dickerson's letter:

#2 – Block and curbing will stay as is. Will maintain the existing driveway and expand in the back.

#3 – Exterior improvements – signage will be at a later date; they will submit permits for signage. At front of site, adjustments to walkway and gravel beds. Exterior of house may be painted.

There will be two sets of lights in back lot; on backside of house, one on a pole on the right side; shielding on both for no spillage.

Mr. Abrams reviewed the Engineer's comments in the report dated May 22, 2020.

Stated applicant will comply with #1, 2, 3, 5, 6, 10, 11, 12, 14, 15 & 16

#4 – Leaders will be maintained as is in front, but the one or two leaders adjacent to or on the parking lot will tie into the pit.

#7 – will comply with trash bin, except for the waiver for no loading – there are no deliveries

to the office.

#8 – Will maintain what is there – requesting a waiver – keep in current condition.

#9 – Owner to speak to right of way improvements.

#13 Owner to speak to repairing any damage in the right of way.

Ms. Dirmann stated there should be a maintenance plan for the seepage pit. Asked that it be a condition of the application.

Mr. Drill asked Mr. Murphy exactly what relief is the applicant seeking tonight. Mr. Murphy stated the applicant is requesting minor site plan approval. Mr. Drill stated minor site plan is final site plan approval and there are four elements to satisfy for site plan approval:

- 1 - Potable water
- 2 - Sewer
- 3 - Traffic/parking
- 4 - Stormwater

Mr. Drill asked if the Board is comfortable approving an application without knowing about the soil conditions and if the stormwater management system will work.

Mr. Dickerson asked a question about the bulk variances.

Mr. Murphy stated there are four bulk variances that were identified as pre-existing, non-conforming.

Ms. Dirmann stated there are some details missing on the plan such as: paving, landscaping, lighting, roof leader drains and utility trench details; asking that the construction details be on the revised set of plans.

Mr. Abrams stated revised plans will be provided.

Questions from the Board ascertained the following:

9 x 18 foot wide parking spaces would be sufficient for parking lot to reduce impervious coverage.

Mr. Murphy stated applicant would then be seeking a waiver for the parking spaces to better accommodate the stormwater.

Anthony Carbone appeared. Stated he is a local general contractor and currently rents office space in another location.

He testified to the following as posed by Mr. Murphy:

The mailing address for the business is a box at the UPS store. All deliveries go to that address and will continue to go there. They have a storage yard in Kenilworth and nothing will be stored on this property.

Applicant does not currently own the space and if he does not receive approval for this application, they will not purchase property.

Reviewed the comments from the Planner and Engineer's letters that Mr. Abrams did not address:

He has one employee that uses a company vehicle and leaves his car in the parking lot. There are three office employees including himself.

Most appointments are at customers' homes. Does not sell retail products. Customers would be by appointment only.

Applicant has not addressed any issues with the neighbors since he does not own the property yet.

Applicant will be responsible for all development fees.

Questions from the Board ascertained the following:  
Applicant will correct the curb encroachment on Lot 6.

Mr. Dickerson stated all his comments have been addressed.

Mr. Carbone reviewed the following Engineering comments:

Will comply with the stormwater ordinance. Would be agreeable to pervious paving materials if recommended.

Deliveries do not come to the office. They will comply with the 50 gallon garbage can and will also have a recycle can.

Cannot make the driveway any bigger. There is a physical limitation to making it any larger.

Not proposing any improvements on the right of way. Existing sidewalk does not need to be repaired. Curbing and apron will be addressed in the future.

Applicant is aware that it is his responsibility to repair any damage to improvements within the Township right of way.

Ms. Dirmann had no other questions.

Board had no further questions.

Mr. Murphy summarized the application. Stated applicant is bringing a non-conforming use into a conforming use and aligning with the Zone plan. Will agree to all conditions discussed. Requesting a waiver for the parking spaces to be 9 x 18. Requesting that the Board approve the application.

Mr. Drill stated a straw poll should be taken regarding the following issues:

- Minimum driveway width;
- Exception from loading space – no deliveries to site;
- Parking space dimensions – 9 x 18 for less impervious surface;
- Condition #9 in the Engineering report - sidewalk repair or curbing – applicant requesting not to do these items at the present time.

Mr. Bottcher stated that the sidewalk looks to be in good condition. However, for the apron and curbing he would want the Engineer to weigh in.

Ms. Dirmann stated she is concerned with driveway and lack of curb more than with the sidewalk. Stated the existing conditions on North Avenue look like the driveway holds water. Feels applicant should install curbing and put in concrete apron.

Mr. Carbone stated he would be willing to replace asphalt apron.

Ms. Dirmann feels there should be curbing and be able to withstand the new use.

## **5. DELIBERATION OF Application # PB-20-003**

**Application # PB-20-003  
Loft Homes, LLC  
194 North Avenue East  
Block 314 Lot 5 O-2 Zone**

**The applicant in this matter is seeking Minor Site Plan approval to convert an existing single family structure to office space for a primary business location.**

A straw poll was taken and the consensus of Board was that the applicant should provide a concrete apron and curbing alongside the driveway (condition of approval).

A second straw poll was taken and the consensus of Board was to delegate the stormwater management review to the Engineer.



Mr. Drill reviewed the conditions of the application.

Motion to grant approval to Application # PB-20-003 for Minor Site Plan including all bulk variances and subject to all the conditions stated, was made by Deputy Mayor Prunty, seconded by Mr. Taylor with the following voting in favor of motion:

Affirmative: Ms. Murray, Ms. Pedde, Mr. Cossa, Ms. Didzbalis, Deputy Mayor Prunty, Mr. Taylor, Ms. Kellett and Mr. Walton

Opposed: None

**6. PUBLIC PORTION**

No members of the Public were on the call.

**7. CLOSED SESSION**

BE IT RESOLVED that the Planning Board will go into Executive Session to obtain attorney client privileged advice where confidentiality is required for the Board attorney to exercise his ethical duties as a lawyer to provide advice regarding the preparation of a Conditional Use Audit.

Motion to close this portion of the meeting and move into Executive Session was made by Ms. Didzbalis, seconded by Ms. Pedde and passed on roll call vote.

Affirmative: Ms. Murray, Ms. Pedde, Mr. Cossa, Ms. Didzbalis, Deputy Mayor Prunty, Mr. Taylor, Ms. Kellett and Mr. Walton

Opposed: None

This portion of the meeting concluded at 9:36 p.m.

Meeting came back into Open Session at 10:30 p.m.

There being no further business, a motion to adjourn the meeting was regularly made, seconded and passed.

Meeting concluded at 10:34 p.m.

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Kathleen Murray