

MINUTES – ZONING BOARD – December 6, 2021

The Cranford Zoning Board of Adjustment meeting scheduled for Monday, December 6, 2021 at 7:30 p.m. was conducted virtually in order to avoid potential impacts from Covid-19.

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.

The workshop portion of the meeting was called to order at 7:33 p.m. by Ms. Daly, Chair.

ROLL CALL:

Members Present:

Ms. Daly
Mr. Marotta
Mr. Aschenbach
Mr. Ashrafi
Mr. Lucas
Mr. Salomon

Members Absent:

Mr. Quinn

Alternates Present:

Mr. Rees

Alternates Absent:

Ms. Oliver

Also in attendance: for Mark Rothman, Esq., and Kathy Lenahan, Board Administrator, Jacqueline Dirmann, Board Engineer, Phil Abramson, Board Planner

COMMUNICATIONS:

None

A motion was made to go into Executive Session by Mr. Marotta, seconded by Mr. Salomon and passed on roll call vote:

Affirmative: Ms. Daly, Mr. Marotta, Mr. Aschenbach, Mr. Ashrafi, Mr. Lucas, Mr. Salomon, Mr. Rees

Opposed: None

A motion was made to come out of Executive Session by Mr. Marotta, seconded by Mr. Aschenbach and passed on unanimous voice vote.

MINUTES:

Motion to adopt minutes from the October 25, 2021 meeting was made by Mr. Marotta, seconded by Mr. Salomon and passed on unanimous voice vote.

RESOLUTION:

1. Application #ZBA 20-0039
Applicant: Cranford Harrison Developers, LLC
24 South Avenue West
Block: 474 Lot: 1, D-B Zone

Applicant is seeking a d(3) conditional use variance, where maximum density permitted is 10 units/acre and 100 units/acre is proposed §255-39B(22)(g); a d(5) density variance where maximum density permitted is 10 units/acre and 100 units/acre is proposed §255-39B(22)(g); A c(2) variance for impervious coverage where 80% is the maximum permitted, and 52% exists and 86% is proposed §255-34; a c(2) variance for building height where 3 stories – 45' is permitted and 4 stories – 45' is proposed §255-34; a c(2) variance for front yard setback where 5' is required and 0' exists and 0' is proposed §255-34; and a waiver for parking where 142 parking spaces are required and 76 parking spaces are proposed §255-44A & B.

The Resolution of Memorialization was reviewed by the Board. After discussion, a motion to approve the resolution, was made by Mr. Salomon, seconded by Mr. Aschenbach and passed by roll call vote:

Affirmative: Ms. Daly, Mr. Marotta, Mr. Aschenbach, Mr. Ashrafi, Mr. Salomon

Opposed: None

OLD/NEW BUSINESS

Discussion was held regarding the date for the Reorganization meeting. Decision was made to hold the Reorganization meeting on Monday, January 10th at 7:30 p.m. Meeting will be held virtually. A motion that January 10, 2022 at 7:30 p.m. would be date and time of Reorganization meeting, was made by Mr. Marotta, seconded by Mr. Aschenbach and passed on unanimous voice vote.

Jacqueline Dirmann, Board Engineer appeared and discussed the new stormwater regulations. Stated the DEP requested the Town adopt their stormwater ordinance; however, Cranford's stormwater ordinance is more stringent than the DEP's. Reviewed how to determine if stormwater is required for an application by the DEP and by Cranford's ordinance. Referred to a stormwater flow chart. Stated that Chapter 365 is the new State model ordinance and the only difference Cranford made was to keep the lower threshold for the definition of a major development.

There were no questions from the Board members.

The workshop portion of the meeting concluded at 8:16 p.m.

PUBLIC PORTION:

A public meeting of the Cranford Board of Adjustment was called to order by Ms. Daly on December 6, 2021 at 8:16 p.m. via Google Meet. Ms. Daly 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.

Ms. Daly explained the protocol, purpose and procedure that will be followed during the hearing.

1. Application # ZBA Applicant #ZBA 21-010
Owner: 354N Garwood LLC
245 North Avenue West
Block: 177 Lot: 4.01 ORC Zone
249 North Avenue West
Block: 177 Lot: 2.01 ORC Zone

Applicant is requesting Minor Site Plan approval, a d(1) use variance §255-36C.(1); a variance for Maximum Lot Impervious Coverage where 75% is the maximum, 75% exists, and 77.8% is proposed §255-34; a variance for front yard setback where the minimum required is 30 feet, 5 feet exists and 5.2 feet is proposed; and a variance for an accessory structure in the front yard §255-38A(1). The applicant is seeking to renovate and re-purpose the existing structure on vacant property as an animal hospital, along with an addition and to replace existing signage.

Stephen Hehl appeared. Explained the application. Stated the applicant is looking to repurpose the bank building which has been vacant. Applicant wants to keep the business in Cranford and the business services many people in Cranford and the surrounding community. They received feedback from the DRC and made revisions to the plans. Feels the intensity of this use will be less than with the previous bank. Reviewed the list of witnesses he will call.

Dr. Nazar Pereymybidia appeared and was sworn in.

Questions from Mr. Hehl to Dr. Nazar ascertained the following:

He has been practicing since 2014 at this location. He has over 15 years of experience. It is a general small practice. The building was purchased to provide a more comfortable space. The space is limited where they are now and is difficult to accommodate the patients. They do not have any parking at their current location. The new building will provide ample parking and will have extra space and a lot of windows. The practice will have no change in the type of services. They do perform surgeries, but usually patients go home same day; from time to time a patient will stay overnight. Hours are weekdays 8 to 6 and Saturdays 8 to 4. Sundays they are closed. In general, their work is done by appointment. They have about 15 appointments per day. There are 6 to 7 employees at one time. Stated about 60% of his customers are from Cranford. Feels the parking at the new location is more than adequate. They have two deliveries a week, which is usually Fed Ex or UPS in box trucks. Once every two weeks, they get a food delivery, still in same type of trucks. The medical waste is arranged through a service and the volume is small.

Questions from the Board for Dr. Nazar ascertained the following:

There will be no bereavement services for pets at this new location. There will be a grass space but not a designated area for pets to go. There are 6 to 7 employees and usually one doctor at a time. During Covid, owners waited in the parking lot; now they can come into the facility with their pets.

Mr. Rothman asked about overnight services.

Dr. Nazar stated there are usually no overnights, but if there were, they would be kept inside not outside.

There were no questions from the Public for this witness.

Robert Weissman appeared and was sworn in. His credentials were presented to the Board and he was accepted as an expert in the field of Engineering. Presented Exhibit A-1 as Existing Conditions Plan. Reviewed the existing conditions of the site. Presented Exhibit A-2 as Site Plan. Reviewed the Site Plan which included: bank building will remain, putting an addition on west side and eliminating the drive-thru. The access lane will be replaced with grass and landscaping, existing wall will remain. Modifying the parking to provide parking spaces. All access points will remain except for the exit onto North Avenue on west side. Dumpster will have screening around it. Addition is to west side of existing building. Reconfiguring parking behind the building addition and the south side of westly portion of lot. Parking spaces will be 10 x 18 feet with a 24-foot aisle. There are no drainage improvements since reducing impervious area by 108 sq ft. Flat lot with west to east drainage. Will provide an analysis of existing drainage system. All utilities will remain as of today. There will be no generator, due to the battery backups. The air conditioning units will stay on top of the building, trash and recycling will be on dumpster pad with screening provided. Front yard setback is pre-existing non-conforming. Lighting plan will be modified to accommodate the change in parking area behind the building. There will be no light shading onto neighboring properties. The exit door toward west side of addition in the rear will be relocated to the side of the addition and grass area will be alongside of building. Walkway and curbing area behind building will be eliminated and become an employee space. Existing landscaping will remain. Reviewed the comments from the professionals including preparing a consolidation deed and for the two existing inlets by North Avenue, they will remove the "B" inlets and put in "E" inlets. Will also provide a stormwater analysis and parking lot striping will be revised. Stated they will comply with engineer's letter of November 30th.

Questions from the Board for this witness ascertained the following:

One space in rear is ADA compliant with signage and striping, no other ADA spaces are proposed. The property is free and clear of any contamination. The dumpster will have PVC fencing for screening and a 5-foot-high fence. Existing fence remains around the property. There is an entrance on the easterly side of North Avenue. Two "Do Not Enter" signs will be removed. Signage will be similar to what was there before. There will be twenty-two parking spaces, where twenty-one are required for this use. Can eliminate one space and make an island. If more ADA spacing is needed, they could make the space next to the ADA space also a compliant space. Belgin block will be used for the replacement of the curbing.

Questions from Phil Abrams, Board Planner, for this witness ascertained the following:

All mechanicals are on the roof. Believes height of the lighting is 15 feet high. Will shield so light is not shading on neighboring properties. Loading space is not included, due to deliveries are only Fed Ex and UPS, about two times a week.

Questions from Jacqueline Dirmann, Board Engineer for this witness ascertained the following:

Continuing the existing drainage pattern. This property is in the low-risk flood area, Zone X. Will confirm whether or not there is underground stormwater detention.

Ms. Daly asked if anyone from the Public had questions for this witness, the following appeared:

Steve Olivera – 243 North Ave West appeared. Asked about entrance to the addition and the green space. Asked about the light by retaining wall and about fencing and signage.

Mr. Weissmann stated that there will not be an entrance from the addition, only an emergency egress. There are other areas back by the dumpster where people could take their animals, but it would be seldom that people would be out in that area. There is a light that will be relocated from a pole onto the rear of the building. No lighting on the left or west side of the building. Dumpster area will be screened with white PVC, any other fencing will remain. The signage on Lincoln will remain.

Rene Gonzalez - 244 North Ave West appeared. Asked about entrance on North Avenue before intersection and a traffic study. Asked about lighting on North Avenue.

Mr. Weissmann stated there is a traffic expert who will testify. Stated use is far less than the bank. Lighting on signage is to only illuminate the sign.

Jeff Grogan – appeared and was sworn in. His credentials were presented to the Board and he was accepted as an expert in the field of Architecture.

Dana Cabey - appeared and was sworn in. Presented her qualifications as a designer and drafter. Stated her role is to supplement testimony of Mr. Grogan, she is not being qualified as an expert.

Mr. Grogan presented Proposed Site Plan A-1 marked as Exhibit A-3. Reviewed the existing building and the addition to be built. Described the building as having four exam rooms, two seating areas, lobby, various treatment rooms and other offices. Current design is a faux classic brick building. Cannot match the brick, so they decided to change the look of addition and make it blend in and also enlarge the windows. Drive-in will be eliminated and will add an addition. HVAC will stay on roof.

Ms. Cabey reviewed the signage as similar to the bank signage. Will be surface mounted and will have exterior lighting. Left signage is 30 sq. feet, front elevation is 13 sq. ft., right signage 20 sq. ft. The existing monument sign is 8.25 sq. ft and will be where previous signage was. Reviewed A-2 Proposed Lighting Plan marked as Exhibit A-4. Stated they will be reusing the existing lighting.

Questions from Board for this witness ascertained the follow:

There will be no generator, they use a battery backup system. It could be housed in the storage space in the addition. Each piece of equipment comes with its own battery system.

Board asked if the applicant will have to come back for approval for signage.

Mr. Rothman stated they might have to come back, since the signage is not complete.

Mr. Hehl stated the applicant's signage is well below what is required. Would provide as a condition of approval, an exhibit showing the signage.

Ms. Cabey stated surface mounted signs will be used, not raised letters.

Dr. Nazar stated the signage will have logo of dog and cat and sign will be similar to what bank has. The colors are dark blue to stand out on white background. Font is not finalized. There is no internal lighting. The name is Cranford Animal Hospital. They use battery backup now, which is sufficient.

Questions from Phil Abrams, Board Planner ascertained the following:

Could offset the one façade by 6 to 8 inches. Does not think you need to go two feet.

Ms. Daly asked if anyone from the Public had questions for this witness, no one appeared.

Corey Chase appeared and was sworn in. His credentials were presented to the Board and he was accepted as an expert in the field of Traffic Engineering.

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

Presented Exhibit A-2 (Sheet 3) Site Plan. Maintaining the right turn only along North Avenue. "Do Not Enter" sign on eastern drive on North Avenue will be eliminated. The "No Left Turn" on westerly North Avenue drive which will be maintained along with the curb cut along Lincoln Ave West. Looked at traffic

impact for the application, will generate a maximum of 14 trips at peak hours. Will generate less traffic than the former bank building and will be reducing the number of driveways.

Questions from Board for this witness ascertained the following:

DOT will be approving the removal of the driveway on easternly side and associated signage. There is limited delivery activity and he can work with Dr. Nazar for a patient drop off area. Moving the location will not have a significant impact on traffic in the area. Practice is by appointment only. No markings for pedestrians in the parking lot are proposed. Directional arrows will appear on the macadam.

Ms. Daly asked if there were any questions from the Public for this witness, no one appeared.

Nicholas Graviano appeared and was sworn in. His credentials were presented to the Board and he was accepted as an expert in the field of Professional Planning.

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

Reviewed the variances the applicant is requesting. Neighborhood is mixture of commercial and residential. Parcel is in the ORC zone. Reviewed uses allowed in the zone. Stated existing commercial space allows for easy reuse of building. Site can meet necessary parking requirements. Advances Purpose A of MLUL. Reduced impervious coverage and is providing some green space. Also, Purpose G which meets the needs of citizens. Application does not substantially impair the zone ordinance or zone plan. Commercial uses are permitted on site; this is an office used to care for pets. No detriment to the public good. It is a quite use with reasonable hours.

Questions from Board for this witness ascertained the following:

Existing conditions are for the light fixtures. Light fixtures are decorative. No substantial impact to zone plan with height of the lights.

Mr. Weissman stated there is no spillage to neighbor's property. Proposing to screen the dumpster area from neighbor's view. There is a chain link fence in rear. They could add additional PVC screening near chain link fencing.

Mr. Graviano showed a Google image of site, stated there could be screening around dumpster area.

Mr. Weissman stated the fence is in middle of the lawn. Could put evergreens around fence area.

Ms. Daly asked if there were any questions from the Public for this witness, no one appeared.

Discussion was held whether to proceed or to continue application to the next hearing on December 13th. Consensus was to continue hearing next Monday.

Board requested the applicant provide a rendering of the proposed signage at the next hearing.

PUBLIC PORTION:
None

CONCLUSION:

There being no further business, a motion to adjourn the meeting was regularly made, seconded and passed. The meeting concluded at 10:56 p.m.

Daniel Aschenbach, Secretary