

**MINUTES – ZONING BOARD – MAY 3, 2021**

**The Cranford Zoning Board of Adjustment meeting scheduled for Monday, May 3, 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 7:32 p.m. by Ms. Daly, Chair.

**ROLL CALL:**

**Members Present:**

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

**Members Absent:**

Mr. Ashrafi

**Alternates Present:**

Ms. Oliver  
Mr. Rees

**Alternates Absent:**

None

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

**COMMUNICATIONS:**

None

**MINUTES:**

None

**RESOLUTIONS:**

Application # ZBA 21-001  
Richard & Antonia Cleaveland  
25 Dartmouth Road  
Block: 130 Lot: 31 R-3 Zone

The applicant is appealing the Zoning Officer’s determination that decks attached to the principal structure are to count towards the maximum building coverage permitted by ordinance §255-38A(5).

Should the request for the appeal be denied, the applicant is requesting a c(2) variance. The maximum permitted square footage is 2,100 (28% of the total lot area) where 1,929 sq. ft. (25.7%) exists and 2,239 sq. ft. (29.85%) is proposed §255-34 Attachment 1, Schedule 1.

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

Affirmative: Ms. Daly, Mr. Marotta, Mr. Lucas, Mr. Quinn, Mr. Salomon

Opposed: None

### **OLD/NEW BUSINESS**

The workshop portion of the meeting concluded at 7:40 p.m.

### **PUBLIC PORTION:**

A public meeting of the Cranford Board of Adjustment was called to order by Ms. Daly on May 3, 2021 at 7:45 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 21-004  
Tesla Inc.  
370 North Avenue East  
Block: 319 Lot: 11 C-2 Zone

The applicant is proposing the installation of twelve (12) Tesla Supercharges and is seeking amended site plan approval, a c(1) hardship variance, a c(2) variance for a rear yard setback where the minimum is 25 feet and 1 foot is proposed; a c(2) variance for front yard setback where the minimum is 20 feet and 3 feet is proposed; a c(2) for maximum lot impervious coverage where 75% is the maximum, 90% exists and 90.5% is proposed; §255-34, a c(2) variance for Permitted Accessory Uses and Structures where no accessory structure shall be located in the front yard but the proposed charging stations would be located in the front yard along North Avenue East frontage §255-38A(3); a design waiver/exception where parking area minimum setback is 20 feet from right-of-way and 3 feet is proposed for new parking stalls/EV charging locations §255-26G(3)(a); a design waiver/exception where the minimum parking space area of 180 sf is required and 162 sf is proposed §255-26G(3)(a)(1); and a design waiver/exception for parking space dimensions where 10 feet by 18 feet is required and 9 feet by 18 feet is proposed §255-26.G(3)(A)(1) along with any other relief the Board may deem necessary.

Duncan Prime, Esq. appeared on behalf of the applicant. Stated he will have two witnesses this evening. Reviewed the application for amended site plan approval. Location is the current QuickChek site which was approved in 2016. The only change to the site is to the oversized vehicle area. Requesting to install 12 Tesla Supercharger stations and the necessary equipment for the stations. This is an accessory use to the QuickChek.

Jesse Karp appeared and was sworn in. Stated he is the Deployment Lead for Tesla in the Northeast.

Questions from Mr. Prime to Mr. Karp ascertain the following:

Reviewed his responsibilities with Tesla. Working throughout New Jersey. Stated the Tesla Supercharges are for Tesla car owners to provide them with charging while on the road. Most of the stations are collocated with a convenience store in New Jersey. Usually takes between 20 to 25 minutes to charge. There are locations in Springfield, Elizabeth, Edison, Woodbridge and Basking Ridge. This spot has been looked at for some time. Tesla stations provide a sense of comfort and eliminates range anxiety when driving an electric vehicle. This is proprietary to Tesla vehicles, not universal; but at some point, in the future, may be available to other electric cars. A user could expect to be on the premise for about 20 to 25 minutes, which puts about 200 + miles on the vehicle. A full charge could take an hour. There are idle fees incurred after a certain amount of time to encourage vehicles to move on.

Questions from the Board to Mr. Karp ascertain the following:

PSE&G has been involved with the project and it is fully approved. There will also be an easement with the property owner. There is signage that is proposed at every other post indicating Tesla only charging vehicles. 12 stations is the number they want to achieve and will relieve congestion. Aiming for five to seven charging sessions per day. The equipment is built in blocks of four. Doing ten would not maximize the site. If they were to scale back, it would be eight, and would be hard to get approved for eight in this location. Could see the cyber truck charging in this location. There is a 24/7 mobile support network. Issues they have seen have been running out of charge before reaching the station, or a customer cannot disconnect from the charger. Techs are located in NJ and there is also an 800 number on the post. Local first responders are trained on how to turn off the system, if requested. This station would not be able to accept more than a cyber truck due to the port configuration. A cyber truck is similar to an F150. Vehicles will back into the stalls. Puts Cranford on the map as an electric vehicle proponent. Also, Cranford users who do not have a home charging option, could use the facility. Breakdown is around 25% local, 75% long distance users. Idling fees will kick in when the station is over 50% utilized and is \$1.00 per minute and won't stop till the vehicle is unplugged. They do not install charging stations for their competitors, but they would not have an issue with another application using the other side of the QuickChek or using the same transformer service. QuickChek provided excess parking and has not had a lot of usage, which why they have been favorable to Tesla using this site. QuickChek saw mostly landscape trucks in this area. Can look at signage to restrict to a certain length vehicle in the area. 9 foot is the standard stall. There would be two to three feet of space between Tesla vehicles if sitting side by side. There is no contingency plan for the charges. If the QuickChek goes out, so do the chargers.

Mr. Prime stated that they design for the maximum to avoid the que. Also stated, they would agree to a condition of no larger than a cyber truck charging at the site or they would need to come back to the Board with a revised layout. Stated the application is for 12 stalls and not considering anything less at this time.

Questions from Phil Abramson, Board Planner to Mr. Karp ascertained the following:

There are about 20,000 global superchargers. Majority are in retail facilities and they work with malls in the area. Exception would be travel plazas, which are government owned. Tesla could not wait for others to build the network. Built network and brought down the level of range anxiety, which is a barrier to

purchasing an electric vehicle. A truck would not be able to navigate into the stalls and would not be able to connect to the network.

Ms. Daly asked if the Public had any questions for Mr. Karp, no one appeared.

David Revette appeared and was sworn in. His credentials were presented to the Board and he was accepted as an expert in Civil Engineering.

Questions from Mr. Prime to Mr. Revette ascertain the following:

Reviewed the existing conditions on the site. Presented Exhibit A-1 as the Site Plan dated 3-22-21. It is a 1.3-acre property and fronts North Ave East, near the Garden State Parkway. The proposed location is on the eastern side. Reducing the net impervious with a landscaped area. Presented Exhibit A-2 as Existing Conditions Site Plan. Presented Exhibit A-3 as Equipment and Charging Plan. There is a minor change to the stiped area. Equipment will be in a landscaped bed with bollards. There is adequate existing site lighting. Designed a walkway and there is a crosswalk with a push button and motion sensors. Presented Exhibit A-4 as Equipment and Charging Elevations. Reviewed the equipment, with every other stall having a bollard and a sign. Bollards are three feet tall and sign is six feet tall. Discussed the comments from the Town professionals. Could add an additional row of hedge for additional landscaping. Presented Exhibit A-5 as Truck Turning Radius Plan and reviewed how a truck would be able to turn around. There are no other alterations on the site as it relates to the QuickChek.

Questions from the Board tor Mr. Revette ascertained the following:

Shifted drive aisle so there is a 25-foot drive aisle. Does not believe a gasoline tanker could get through safely. Charger has LED light on both sides. Signage on bollard is single sided. Site name will be "Cranford NJ". They can do a row of evergreen screening along the side of equipment and can bump out curb and provide screening around the equipment in existing median and in a U-shape around the equipment. They cannot screen the transformer, due to access issues. By the charge posts, there will be small plantings or hedge row. Described how someone would walk from charger to store. Stated they would pull in and there is a proposed walkway to the street light and crosswalk. They could put fencing or guard rail by equipment to the curb. They are standard Tesla size stalls. These are not considered parking spots, but fueling spots and are conforming to the barrier free subcode and access to the charge posts. Stall 3D will be a compliant stall with an access aisle. Not adding parking count to the site. There is no alternative power. Will have to discuss the right-of-way walkway with DOT and could also discuss the landscaping. Not comfortable placing landscaping in the median.

Questions from Phil Abramson, Board Planner, to Mr. Revette ascertained the following:

Applicant has agreed to provide landscaping/buffering along the street. A condition of approval would be to review the site lighting and provide the results and if insufficient, they would supplement the lighting.

Questions from Jacqueline Dirmann, Board Engineer, to Mr. Revette ascertained the following:

Proposing the 12 stalls so there would be no queuing. Will be monitoring the charging. Existing level of service will not change. Will only need DOT approval for the right-of-way.

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

Mr. Prime summarized the application. Stated the applicant is very excited. This is one of the top priority sites in the region. Looking forward to getting the chargers installed and up and running.

Ms. Daly asked if the Public had any comments about the application, no one appeared.

2. **DELIBERATION** of Application # ZBA 21-004  
Tesla Inc.  
370 North Avenue East  
Block: 319 Lot: 11 C-2 Zone

The applicant is proposing the installation of twelve (12) Tesla Supercharges and is seeking amended site plan approval, a c(1) hardship variance, a c(2) variance for a rear yard setback where the minimum is 25 feet and 1 foot is proposed; a c(2) variance for front yard setback where the minimum is 20 feet and 3 feet is proposed; a c(2) for maximum lot impervious coverage where 75% is the maximum, 90% exists and 90.5% is proposed; §255-34, a c(2) variance for Permitted Accessory Uses and Structures where no accessory structure shall be located in the front yard but the proposed charging stations would be located in the front yard along North Avenue East frontage §255-38A(3); a design waiver/exception where parking area minimum setback is 20 feet from right-of-way and 3 feet is proposed for new parking stalls/EV charging locations §255-26G(3)(a); a design waiver/exception where the minimum parking space area of 180 sf is required and 162 sf is proposed §255-26G(3)(a)(1); and a design waiver/exception for parking space dimensions where 10 feet by 18 feet is required and 9 feet by 18 feet is proposed §255-26.G(3)(A)(1) along with any other relief the Board may deem necessary.

Board Comments consisted of the following:

Concerned about density. Looks tight for backing in. Does not feel Tesla would design spaces that are not adequate. Valuable addition to Cranford. Landscaping in median would help. Important addition to the site. Pedestrian area and walkway are worrisome. Would like a barrier along the driveway area. Feels site was made for it. Landscape trucks go over to the other side. Good application. In favor of application. Applicant should take comments seriously. Provides a good service and beneficial to the Town.

A motion to approve the application was made by Mr. Marotta, seconded by Mr. Aschenbach, with the conditions including verify lighting on property, signage as submitted, landscaping will have proper shielding, small wooden structure around equipment, texturize the passage for pedestrians to the QuickChek, and lines will be marked in the lot, was passed on roll call vote:

Affirmative: Ms. Daly, Mr. Marotta, Mr. Aschenbach, Mr. Lucas, Mr. Quinn, Ms. Oliver

Opposed: Mr. Salomon

**PUBLIC PORTION:**

Marlene Buckman – 24 Colby Lane appeared. Asked about the Cell Tower resolution and the timing.

Mr. Rothman stated the resolution will be on the agenda for the May 10<sup>th</sup> meeting any other information would need to be requested via an OPRA with the Clerk's office.

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CONCLUSION:

There being no further business, a motion to adjourn the meeting was regularly made, seconded and passes. The meeting concluded at 9:28 p.m.

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Daniel Aschenbach, Secretary