

MINUTES - ZONING BOARD

March 21, 2016

The reorganization meeting was called to order at 8:05 P.M. by Mr. Marotta, Chairman.

ROLL CALL:

Members Present:

Mr. Marotta
Mr. Bovasso
Ms. Hay
Mr. Higgins
Mr. Illing
Mr. Salomon

Members Absent:

Mr. Pistol

Alternates Present:

Mr. Weisgerber
Ms. Dehnhard

Alternates Absent:

None

Also in attendance: Ruthanne Della Serra, Robert Hudak and David Weeks, Esquire.

COMMUNICATIONS:

1. None

RESOLUTIONS OF MEMORIALIZATION:

Carried to next meeting

MINUTES:

Motion to approve the minutes of November 9, 2015 (as amended) was made by Mr. Bovasso, seconded by Ms. Hay and passed on unanimous voice vote.

OLD/NEW BUSINESS

None

The workshop portion of the meeting concluded at 8:09 P.M.

PUBLIC MEETING:

A public meeting of the Cranford Board of Adjustment was called to order by Mr. Marotta on March 21, 2016 at 8:15 P.M. in Room 107 of the Municipal Building, 8 Springfield Avenue, Cranford, New Jersey. Mr. Marotta announced in accordance with the terms and conditions of the Open Public Meetings Act, the Westfield Leader or Star Ledger has been notified and the agenda posted in the municipal building as required.

Mr. Marotta explained the protocol, purpose and procedure that will be followed during the hearing.

Application #ZBA-15-026:

310 Centennial Avenue, LLC, Applicant

310 Centennial Avenue, Block 525, Lot 5, VC Zone

Site plan approval to permit construction of a new mixed-use building with the following variances: to exceed the maximum allowable height and number of stories (§136-30 Schedule 1, Attachment 1) and NJSA40:55D-70(1); less than the minimum required area for a parking space (§136-23.6(3)[a][1]; tree island breaks not provided (§136-23.6(8)[c]; granite block curbing not provided (§136-23.6(8)[g]; loading/unloading zone not provided (§136-23.6(12); less than the minimum required front yard setback (§136-30 Schedule 1 Attachment 1 (front yard setback); less than the minimum required rear yard setback (§136-30 Schedule 1 Attachment 1 (rear yard setback); less than the minimum required number of on-site parking spaces provided (§136-39A(1) (parking schedule 1); and less than the minimum required distance from a residential zone for parking (§136-23.6(3)(a).

Kevin Illing recused himself as he received notice of the hearing. Mr. Weisgerber signed a certification that he has reviewed the application, hearing of January 11, 2016 and is able to participate in hearing and deliberation process of the application.

Joseph J. Triarsi, Esquire appeared on behalf of the applicant. Second night of testimony with witnesses to include Ed Dec, site engineer; Joseph Steiger, traffic engineer; and Michael Tobia, planner. Board must weigh benefits of the proposed development versus what can be built on the site.

Previous witnesses:

Gehane Triarsi, spokesman on behalf of Applicant
Joseph Steiger, Traffic Engineer
Ed Dec, Engineer

Exhibits:

Exhibit A-1 rendering of project when developed

Exhibit A-2 dated July 6, 2015 consisting of all architectural drawings, 7 sheets A-01 through A-06

Ed Dec, Guarriello & Dec, Appeared and remained sworn. Last hearing there were several items needing to be addressed and/or clarified.

Trash removal - height at exit, receptacle, truck, method of removal. Met with principle of local trash hauler who indicated there are several ways to collect and remove the refuse. Applicant is proposing individual receptacles for tenants. Number of collections would depend on amount of trash produced. Pick up would be during low high traffic period. Receptacle would be manually brought to typical garbage truck.

Lighting at exit of parking area – Mounted lights were originally proposed. Revised to Bollard lighting on driveway itself. In the lot will have lights along the side and rear of 12' shoe box type. Should the Board wish can be amended to decorative style with shields. Can meet minimum foot candles with zero on adjoining properties.

Plants – Landscaping of dark Arbor Vitae planted at 8 feet along the rear to create a natural barrier together with a fence. Along North Lehigh Avenue will be low lying plants (Azaleas, Huckleberry). Applicant will incorporate the Environmental Commission's recommendations.

Questions posed by the Board ascertained the following:

Will be 12 large receptacles the same size as a stall. Will also include recycling receptacles. May be more than 12 depending on carrier and need. $3 \times 3 = 6$ on each side resulting in 12 cans. Pick-up would be adjusted based on how often it is required. Carrier also picks up recycling. Receptacle would not be side or rear loader. Trash compacters would also reduce the volume of garbage. Pick-up times can be scheduled during non-rush hours and are usually well before traffic and school starts. Area light will be completely eliminated. Overall height from grade would be 12 feet and if recommended would be LED. Building mounted lights will be removed.

There were no further questions posed by the Board.

Mr. Marotta opened the application to the public for questions of the witness with no one appearing

Lee Robinson – Asked who pays for garbage. Advised cost is included as part of rent for the apartments or retails space, tenants and owner of building pay. Does not fall onto the town taxes.

Thomas Boger-O'Bryan – Questioned with regard to garbage and one space 9X18 for 20 units plus retail. He is a pretty heavier recycler and has two recycling cans and one for garbage. Recycling is currently provided by the municipality once every two weeks while he would prefer pick up every week. Questioned one space of 12 cans, how many cans will be for recycling and garbage and will it be sufficient to cover all tenants, also municipal policy is side or rear yard pick up, will line of cans be seen on street?

Number of cans will depend on number of pick-ups, recycling will also be factor of number of pick-ups that will be determined as the site is occupied, may require 2X or 3X, recycling may require once or twice a week or more for both.

Lee Robinson – Confirmed this building will not impact taxes. Reiterated any garbage or recycling cost will be direct cost of the land owner and performed by the private hauler.

Paul Donovan - Advised he manages Salem Management Company. Why not install one or two 3 – 4-yard plastic containers to roll out and same for recycling, believes that will handle 20 apartments and suggested if more can alter size of the container. Not a question -- testifying

Mr. Weeks explained procedure of testimony of witnesses, questions, then public comments.

Mr. Triarsi indicated open to other suggestions such as those made by Mr. Donovan, if will resolve.

Michael Chuley – Saying recycling would be picked up once or twice with garbage 3 times a week – could be more or less. Need of each will be determined. Proposed times of pick up will be off peak hours and something that is discussed and confirmed with private hauler, most times in the morning and possibly before 7 in the morning.

Christine Dailey – Alluded to trash pick-up discussion with hauler. Gary's Trash Removal and will also pick up recycling. Is not aware of what they do with it after pick up.

Brenden Deoliveira - Asked how tall are fence is around trash area – 6 feet high. Worried about noise at 6:00 AM for pick up. Noise can be mitigated by plastic containers, and type of truck, small pick-up and manually dumped into the vehicle.

William Montani – Confirmed rear fence will be 6 feet, white vinyl. Dark Arbor Vitae will be along entire length of fence at 8 feet when planted. Centennial plantings would consist of Azaleas, Hues, etc. Hues would be foundation planting – more like a variety of plantings and species, not row after row, try to break-up for natural type of look,

would be between side walk and building itself, not raised. Width from foundation would be from 3 to 5 feet.

Victor Pereira – Indicated recently health inspector visited entire block, has very innovative critters invading garbage cans – will there be someone on site to clean and manage the area? Yes, there will be a site management and will follow all Health regulations. Will be an enclosed area.

No one else appeared and this portion of the hearing was closed with the matter referred back to the Board.

Joseph Staiger, Dynamic Traffic, Appeared and was sworn. His credentials were presented to the Board and he was accepted as an expert witness in the field of traffic engineering.

Through questioning from Mr. Triarsi, Mr. Staiger testified to the following:

Examination started by preparing a traffic impact analysis – evaluation of existing conditions, taking a projection of traffic change with proposed plan and mitigation of same, working with site engineer establishing a proper design so suite operates safely and efficiently. Study submitted as part of application.

Peak hours of volume, residential project with small retail component – functionally looking at proposed uses as well as existing – between 7 and 9 AM and 4 to 6 PM on weekdays. NJ DOT traffic counts along Centennial Avenue also reviewed.

Amount of traffic site will generate as well as amount of parking required. Variance requested as to parking requirements. Site had been utilized as an auto service, two driveways on Centennial and one on Lehigh and generated traffic in the past when operational. Looked at net increase from planning aspect. Proposing 20 units, 6 one-bedroom and 14 two-bedroom plus 1900+ square foot retail. Residential trips generated will be 10 trips in the morning peak (leaving) and 12 in the evening peak hours (returning). Low due to most people leave and return at a variety of hours, large windows. Office use would be more intensive as most arrive and leave at same hours. Retail component would be 2 trips in the morning hour and 7 in the evening. Not looking to occupy the retail component with a high trip generator use or parking requirement. If another use wants to come in, would be required to return before the Board. Specialty retail, not high intensity use. Total trips would be 12 in morning and 19 in evening.

Automotive use would be 6 trips in the morning and 8 in the evening. Understand Lehigh and Centennial is heavily trafficked area, but small increase would not substantially impact. Also some aspect of mass transit, while not within walking

distance is within reasonable distance. Convenient location with bus lines an easy walking distance, but was not taken into consideration.

In terms of parking, are a number of sources to determine, 39 spaces required for residential portion that will be rental units, not owner/occupied in terms of parking generated. Based upon published reports and US census data, in Cranford 1.39 spaces are required for rental units which would result in 28 spaces being required for the proposed rental units. ITE recommends 1.1 space per unit, as well as NJ Transit Village and NJ DOT and confirms this site will have sufficient parking with 35 spaces provided. Ordinance also allows for on-street parking along frontage. Currently two driveways on Centennial with one being closed down and provides additional 3 to 4 parking spaces which the ordinance allows for credit of same. Fire Department requested no parking along Lehigh and applicant will abide by that request. 39 spaces required and is providing 39 spaces with shared parking on site between residential and retail that do not peak at the same time. Proposal of shared parking fits within the ordinance.

If all said is incorrect, there is a minimum 112 vacant parking spaces available when residential parking peaks on the streets within the area. Two municipal lots in area with some restrictions, Lot 4 = 34 spaces, Lot 10=16 spaces and has only seen them a 1/3 full.

With regard to ingress and egress, Centennial is a county road and will require their approval. Presently two driveways at each end and both are being closed and centralized on the site further away from the intersection. Driveway on Lehigh will be shortened to a more standardized design. Will not adversely affect traffic at main intersection of Centennial and Lehigh. Good dispersion of traffic, not all going through the intersection. Recognize very nominal increase in traffic and better configuration of site access will mitigate that increase.

Traffic impact of this proposal based on traffic and ability to accommodate sufficient parking – and would not be a significant impact for reasons stated. More than sufficient parking based on statistics, personal experience. Site meets all standards. Believes site will be self-sufficient as to parking. Some retail may choose to use parking along Centennial Avenue, but parking will also be available on site.

Trash removal – has designed, analyzed and performed post development projects, and they do operate very well with regard to trash removal, are private and these type of developments use pick-up trucks as opposed to standard garbage truck. Come every other day on average. Agrees with Mr. Dec with regard to not expecting high volume of garbage. Trash generation is usually very light.

No negative connotations, increase very nominal and if one were to look at traffic growth within Cranford about 1 – 2% per year, intersection of Centennial and Lehigh will be less than that. Site in a zone that allows for mixed use and is consistent with the zoning ordinance. Reason before the Board is density.

Questions posed by the Board ascertained the following:

Confirmed 10 trips in the morning peak hours (7-9 AM) and 12 in the evening peak hours (4:45-5:45 PM) with hour before and after will see less. 4 hour window and will then see those 20 trips. Counts explained were taken every 15 minutes. No 2015 NJDOT study available. Did not take into account mass transit influence, as not having a readily accessible mass transit. Believes bus lines #59 Newark and Elizabeth, #113 Dunellen and Cranford, #113x New York. Confirmed Centennial Avenue is entrance only and is what was used in traffic report, with full driveway on Lehigh. Parking on Centennial is not anticipated for overnight use as sufficient parking within the garage. Parking management plan is not yet formulated, but believes will be one space per unit and is a plan in progress, with remaining used as overflow and will be shared with retail during the day. Centennial does not permit overnight parking and is 1 ½ hour limit. Available off street parking, lots have 34 and 16 spaces and is within walking distance, however same limitations as Centennial Avenue, no overnight parking. Standard system used when taking counts – between 12 and 2 PM and parking counts on surrounding streets from 10 PM to after midnight as most residents in the area are home at that time. Two lots are empty at night due to restrictions and 1/3 full at any given time. Traffic counts were taken in August, did adjust those since were performed in middle of the summer, can seasonally adjust from summer volumes to other times of the year as well as considering NJ DOT traffic counts. Was out there watching during school hours and new light only facilitates existing volumes, does not divert traffic, and counts were not taken after after light installation. Truck traffic thru Winans, Lehigh and Centennial were counted. Does not breakdown parking requirements per one or two bedroom units and differential is very minimal 1.8 to 2.0 spaces per unit would be off by possibly 3 spaces.

There were no further questions posed by the Board.

Mr. Marotta opened the application to the public for questions of the witness with no one appearing

Brian McCarthy – Confirmed counts were taken on August 8, 2015, parking counts also in August, returned November 9, 2015 and February 9 2016. School gets out at 2:50 and large increase in traffic at that time, DOT has 24 hour volumes on Centennial Avenue and between 2 and 3 PM traffic volume is heavy, running about 1100 two-way vehicles per hour, 5 to 6 PM is over 1200 vehicles per hour. Also residents will not be

coming home between 2 to 3. What is total number of left hand turns on Lehigh Avenue or Elm – Centennial onto Lehigh during peak hours is 18 in morning and 22 in evening.

Chi Siliato – Questioned pedestrian traffic? How will vehicular traffic affect pedestrian – will function and will not cause any delays, very light activity. Key is adequate site visibility and that was determined in redesigning the driveway. Traffic engineers love to see people walk and encourage people walking, with this site was designed to do so. Parking will be available for tenants during shared times, plan mentioned to Board is plan in progress and will need to be finetuned over time. First thought is 1 space per unit, leaving 15 as a pool to be utilized for guests, second car, as well as customers for retail use. Over half of the parking is covered by a roof, and will have storage onsite. Confirmed 35 spaces on site, with 4 on street and at peak time will require 28 and extreme snow storms can be accommodated, if excessive, it will have to be trucked out from the site. No exit onto Centennial Avenue. Analysis takes into account that the site is currently vacant.

Robert Salvatore – Asked if there was any consideration for installing a traffic light at Lehigh. Explained there is certain warrants/criteria for installation of a traffic signal, volume and school children, will be increase but is nominal and does not rise to level of installation of a traffic signal. Parking - employees, residents and customers were all taken into account when determining need. Low activity retail space. Reiterated parking plan at initial phase, won't be forced on park on Winans.

Robert Wave – Will people intentionally avoid traffic? Exit on property is on North Lehigh and may not make left but rather a right towards High Street? Have option. Numbers of cars that can be stacked from Lehigh exit to Centennial is possibly 3 vehicles. Will make a condition of approval for "no right hand turn" from Lehigh Exit and willing to provide title 39 authority to the Township.

Christine Daly – Always acknowledged there would be a traffic change of 12 and 19 vehicles during peak hour times and not all at once, spread out over the hour and made both for comparisons only. Empirical data was used to establish the need for the project, not imaginary numbers. Always stated majority of residents will travel during those hours, not all. During the day, half of the cars will leave, half will probably stay, at night more. Parking is underneath the building which requires raising of the building – no height variance is being requested only number of stories.

Lee Robinson – Has two-family house has two cars and afraid they will not have a parking available, what happens then? Not going to see 60 people in the apartments at any one time, but these are public roadways and anyone can park on the streets. In his professional opinion, will have maximum demand of 28 spaces. No one can guarantee the spaces and doesn't control parking on public roadways. No meters will be installed. No traffic light is proposed.

Brandon Deoliveira – Were local restaurants taken into consideration of peak hours? Did take into consideration, but retail activity diminishes after 5 o'clock. No restaurant use is proposed. More boutique retail – middle of the day will be main activity.

Louis Kleeman - Fire zone on lead up to existing driveway on Lehigh Avenue – rather elongated driveway on Lehigh and parking on Lehigh will be removed at the recommendation of the Fire Department. Residents will now have to find somewhere else to park as will be a loss of 2.5 spaces. Initial plan, stop sign proposed with no right hand turn onto Lehigh, consideration of back up on site at peak hours? At peak times, Lehigh does back up beyond driveway, and will have to wait. Entrance only on Centennial Avenue, and left hand turn into entrance will be allowed. Gap study was performed and level of service would be an "A" delay of less than 10 seconds on average.

Diana Melchionna – Questioned handicapped parking and weekend overflow parking. Two handicapped spaces are provided per law. Retail is less than 2,000 square feet and over weekend traffic generations are further spread out not just during peak hours.

Marie Mayer – Property as exists has substantial setback, new building is .91 from Centennial Avenue sidewalk, consideration in change of sight lines? Sight lines are measured 14.5 feet from edge of travel and back for driver's eye and proposal is actually 6.5 feet over – did strike line and can see all the way up Centennial Avenue. Building will not impede as it is away from North Lehigh Avenue.

Maria Soma – Asked if parking requirements have changed since her application was heard. Confirmed 1.8 spaces required for one-bedroom, 2 spaces for two-bedroom. Mr. Triarsi explained all units are handicapped accessible per code.

Ingrid Chuley – Asked is traffic study considered concern potential of increased predators? Does not have any statistics or study in that regard.

Micheal Chuley – Study performed in August, knowing schools are open in September, would it be better to conducted then? Better yes, not necessary due to seasonable adjustments and having DOT assessments. No limit on vehicles tenant's may own. Testimony presented is not theoretical, based on empirical data. Same shared parking can be applied to the weekends.

Brian McCarthy – Referred to pictures taken and asked for traffic explanation traffic – line of cars on Centennial Avenue towards pizzeria and then towards Hillside Avenue light. Taken last Thursday at 5:30.

Marie and Mark Mayer – Explained has recorded easement from northerly end of property that provides for 8 feet from the property line for the driveway and plans have

not been modified to address. Mr. Triarsi indicated could not find record of the easement. Mr. & Ms. Mayer stated located in deed book 1197 at page 74. Mr. Triarsi advised will review and will confirm, applicant will not change the easement under any circumstances.

No else appeared and this portion of the hearing was closed with the matter referred back to the Board.

The hearing was continued to May 9, 2016. No further notice is required.

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 11:00 P.M.

Jeff Pistol, Secretary