

MINUTES - ZONING BOARD

April 22, 2019

The workshop portion of the meeting was called to order at 7:42 p.m. by Mr. Marotta, Chairman.

ROLL CALL:

Members Present:

Mr. Marotta
Ms. Daly
Mr. Aschenbach
Ms. Drake
Mr. Salomon

Members Absent:

Mr. Ashrafi
Mr. Bovasso

Alternates Present:

Mr. Quinn

Alternates Absent:

Ms. Hay

Also in attendance: Mark Rothman, Esquire, Jason Bottcher, Zoning Officer, Kathy Lenahan, Board Administrator

COMMUNICATIONS:

None

MINUTES:

Motion to adopt minutes of the April 8, 2019 meeting, as amended, was made by Ms. Daly, seconded by Mr. Salomon and passed by unanimous voice vote.

OLD/NEW BUSINESS

None

The workshop portion of the meeting concluded at 7:43 p.m.

PUBLIC PORTION:

A public meeting of the Cranford Board of Adjustment was called to order by Mr. Marotta on April 22, 2019 at 7:45 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.

1. Application # ZBA 19-001
Applicant: Iselin Realty, LLC
49 South Avenue West
Block: 473 Lot: 1, ORC Zone

Applicant is proposing a fueling station and drive-thru restaurant. Applicant is seeking minor site plan approval along with c(1) and c(2) variances, a d(1) variance and multiple design waivers. The required minimum front yard setback is 30 feet where 10 feet is proposed §255-34 Attachment 1, Schedule 1. Parking spaces shall have a usable area of not less than one-hundred eighty (180) square feet, exclusive of access drives or aisles, and shall measure not less than ten (10) feet in width and eighteen (18) feet in length and shall be of usable shape and condition. 9' x 18' stalls are being proposed §255-26(g)(3)(a)(1). All parking areas shall be lighted to provide a minimum of 1 ½ foot-candles throughout the parking area. The lighting level at any property line shall not exceed the minimum. The proposed lighting level exceeds the minimum of 1 ½ foot-candles at the property line 255-26G(9). On corner lots, fences over four feet in height shall be setback from any street right-of-way line a distance which is not less than the setback distance of the principal building on the lot. The proposed fence is along the street right-of-way line. §255-26(k)(2). In any zone, in connection with every building or building group or part thereof hereafter erected which is to be occupied by public, semipublic, office, laboratory or commercial uses, there shall be provided and maintained on the same lot with such building, in addition to any required vehicular parking, at least one off-street loading and unloading space. The proposed development does not provide any loading spaces §255-26(g)(11)(a).

James Turteltaub, Esq. appeared and stated he is aware that some of the members are not present. He would like to begin their testimony this evening, but would like to have a full board when the application is voted on.

Mr. Turteltaub explained the application. His client is proposing a gas station with a drive-thru Dunkin Donuts. This location is very important since it is the gateway into Cranford. Stated there would be a Welcome to Cranford sign and the design of building will fit into the area.

John Palus appeared and was sworn in. His credentials were presented to the Board and he was accepted as an expert in the field of Engineering and Planning.

Questions posed to Mr. Palus from Mr. Turteltaub ascertained the following:

Described Exhibit A-1 as an aerial view of the site and surrounding properties. Site has a very small frontage. The site is 0.41 acres and triangular and previously was a gas station. Does not know when it was vacated. There are two front yards. Described Exhibit A-2 as a photo of the site. Building is currently located on the east side of the property and is just under 2000 square feet. There are four driveways. Property is 85.8% impervious coverage. Described Exhibit A-3 as a colored version of the site plan. Gas station would be parallel to South Avenue with three pump islands under a canopy. The Dunkin Donuts would be about 1000 square feet. There is no seating inside or outside of the Dunkin Donuts. There are 3 parking spaces on west side of building and a handicapped space. There are two parking spaces on northwest corner and three employee spaces at the south side. Parking stalls are 9 x 18, which are industry standard. The drive-thru will have two lanes for stacking and will then merge into one lane after stop sign. Westerly driveway on South Avenue will be shifted to the east for ingress only and driveway on east will be

ingress/egress. They would eliminate one of the driveways and the driveway to the north is a right in, right out only. They have added streetscape along South Avenue. Hours for both gas station and restaurant will be 5 a.m. to 11 p.m. Loading would be done at off peak hours. Same with trash truck. Box truck will deliver donuts an hour before store opens. Proposing a 4-foot white vinyl fence from driveway on South Avenue West to Lincoln Avenue West where there is a pedestrian access opening. From there they would increase to a 6-foot vinyl fence south to the rear property line. There will be a generator on site, screened by vegetation on three sides. There will be a 10 x 20 masonry trash enclosure at south end of property. Described the bulk standard existing conditions. Canopy is an open-air structure. Reducing the impervious coverage from 85.8 to 85.5%. Described the landscaping they are proposing as two trees on Lincoln Avenue and 55 shrubs on the site. Stated the lighting would be 0 foot candle at the residential boundaries, and there will be seven ornamental mounted fixtures which would be similar to what is on South Avenue at a height of 14 feet. There will be six LED lights under canopy and four small lights around the building. Regarding storm water management, they are reducing the impervious coverage on the site. Described the proposed building as one story, 1000 square feet. There will be one free standing sign, 25 feet high with 6 foot clear. There is no signage on canopy. There will be directional signs and a Welcome to Cranford sign. Described Exhibit A-4 as a 3D rendering of the new gas station/Dunkin Donuts with signage. Described Exhibit A-5 as a 3D rendering (number 2) showing landscaping and fencing on property. Described Exhibit A-6 as a view from South Avenue looking directly from the Walgreens driveway to the proposed site. Described Exhibit A -7 as an elevated rendering over the Bank of America looking at proposed site.

Mr. Turteltaub stated that they would make it a condition of approval that the hours are 5 a.m. to 11 p.m.

Questions posed by the Board ascertained the following:

There are two exits and the one off of Lincoln Avenue is a no left turn. At the exit located off South Avenue, you can make a left out of that driveway. They are reducing the storm water run-off on the property. Between 4 a.m. to 5 a.m. would be delivery of the donuts. The bus stop would be relocated subject to NJ Transit approval. The stop would be moved 15 to 20 feet to the west. Majority of people will pull in from South Avenue and head back out to South Avenue. There is full ability to move around if needed. Truck deliveries will come in off South Avenue. There will be proposed signage for no left turns on Lincoln Avenue. Four or five cars will fit between the ordering and picking up of the food and the other 10 would be behind in the queue. Distance between the stop sign and the window for pick up is about 67 feet.

Michael O'Krepky – Maser Consulting – Stated he is the Engineer for the Board. Asked Mr. Palus questions regarding the Maser letter of April 13th about pedestrian safety and the 180 degree turn. Asked about the two queuing lines.

Mr. Palus stated they have done turning templates. Stated the two queuing lines are relatively new and the double stacking is just to get the cars into the queue.

Mr. Marotta asked if the Public had any questions for this witness and the following appeared:

Phyllis Howard – 5 Burnside Avenue – Asked about the variances the applicant is requesting. Also asked whether ordinance §255-26(j)(3)(f) was for signage or garbage. Asked about employee parking in front of the garbage area and about being able to walk into the restaurant as well as drive thru. Also asked about expanding the hours.

Mr. Bottcher stated the ordinance §255-26(j)(3)(f) should have been addressed in Maser's planning review.

Mr. Palus reviewed some of his testimony. Stated that they have control over the garbage pickup and will coordinate with the staff.

Mr. Turteltaub stated that the hours of operation could be a condition of approval.

Wendie Walsh – 24 Lincoln Avenue West – Asked what time the trash would be picked up and about access to the site on Lincoln Avenue West.

Mr. Palus stated they would coordinate with the employees to shift the vehicles when the trash would be picked up. Stated that northbound can make a right and coming from north would make a left and right into site.

Gabe Bailer – Representing Downtown Cranford – Asked about the use variance and about considering just one use.

Mr. Palus stated they did not model just one use for the site.

Dave Kaplan – 21 Burnside Avenue – Asked about the height and size of the ordering menu. Asked about lighting and about the 6-foot fence and the sound decibel. Also asked about the fencing and hedging.

Mr. Palus stated the height is 81 inches and it has a small canopy that goes over the top. Stated they will comply with municipal and state codes for noise levels. Stated they would be willing to hedge the area subject to Township approval and would go to an 8-foot fence if requested by the Board.

Keith Dorans – 2 Burnside Avenue – Asked about dumpster pick up and about fueling and delivery.

Mr. Palus stated the pickup would be at off hours and the delivery of the donuts would be in a box truck.

William Meier – 25 South Avenue – Asked about accommodating the people in line.

Mr. Palus stated the traffic engineer will be able to answer that question.

Matt Howard – 5 Burnside Avenue – Asked about the light fixtures on the site, their height and the hours they would be on. Asked about all the businesses closing at the same time. Asked

about the lighting on the building compared to the Walgreens, the trash enclosure and the generator.

Mr. Palus stated there are seven fixtures, six canopy fixtures and four fixtures on the building. The building fixtures are 10 feet, the acorn lights are 14 feet and canopy fixtures are 17 feet. The lights would go on ½ hour before operation and off ½ hour after closing. Stated the trash is a masonry structure that has a six-foot wall with a six-foot fence and the generator is less than 6 foot.

Mr. Turteltaub stated once the site is closed the lights will be off. Stated the gas station and the Dunkin Donuts will both close at 11:00 p.m.

Mr. Rothman asked about the six canopy lights going off at 11:30 p.m. and not being needed for deliveries.

Mr. Palus stated the lights will be off and are not required for deliveries. Described the canopy lights as directed straight down.

Frank Krause – 20 Pittsfield Street – Asked about the properties on Lincoln Avenue being in a residential zone.

Mr. Palus stated the site is in the ORC Zone.

Mr. Rothman asked Mr. Palus about the engineer review letter dated April 18th. Mr. Palus stated the ADA grading would be addressed, they would work with the engineer for grading with the sign if necessary, and the sight angles would be coordinated with the traffic engineer. He does not know how many pumps were there with the prior use. Stated the applicant will comply with the other conditions. He will provide information on the 100 year storm when they come back.

Questions posed by the Board members ascertained the following:

They are proposing the Welcome to Cranford as the second sign. The fence goes from 6 foot to 4 foot for better visibility on Lincoln Avenue. Dual uses are usually tied to a main street in a town. Stated that in Exhibit A-5, the tree shown on right side is proposed, on left side is an existing tree and the one all the way to the right is also an existing tree. There will be no additional road widening. They would consider a brick face instead of a fence. Operation of the gas station and restaurant will always open and close at the same time. They submitted a storm water report. They are reducing the storm water runoff by 3%.

Phyllis Howard – 5 Burnside Avenue – Asked about remediation on the site and about the pedestrian walkway. Asked about the lights in the commercial and residential zones.

Mr. Palus stated he does not have any information on remediation. Stated he has no concern with the pedestrian walkway and the lights are the same as the ones on South Avenue.

Keith Dorans - 2 Burnside Avenue – Asked about what happens if the trucks do not follow the required conditions.

Mr. Rothman stated the Zoning Office would enforce the conditions.

Nick Dickerson – Maser Consulting - Planner for the Township – Asked if there will be someone testifying on the easements on the property.

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

Mr. Rothman asked Mr. Turteltaub about information on the previous gas station and canopy.

Mr. Turteltaub stated he would check with the current owner and try and get the details of the previous gas station and canopy.

Mr. Marotta stated the next meeting to continue this hearing will be June 10th and no further notice is necessary.

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 10:27 p.m.

Robert Bovasso, Secretary