

## **MINUTES - ZONING BOARD**

March 11, 2019

The workshop portion of the meeting was called to order at 7:36 P.M. by Mr. Marotta, Chairman.

### **ROLL CALL:**

#### **Members Present:**

Mr. Marotta  
Mr. Bovasso  
Mr. Aschenbach  
Mr. Ashrafi  
Ms. Drake

#### **Members Absent:**

Mr. Salomon  
Ms. Daly

#### **Alternates Present:**

Ms. Hay

#### **Alternates Absent:**

Mr. Quinn

Also in attendance: Nicholas Giuditta, Esquire, Kathy Lenahan, Administrator/Scribe

### **COMMUNICATIONS:**

None

### **MINUTES:**

None

### **RESOLUTIONS:**

1. Application # ZBA 18-028  
Applicant: Cranford Dramatic Club  
78 Winans Avenue  
Block: 528 Lot: 36, Zone R-2

Applicant is requesting a waiver for a sign which exceeds 20 sq. feet on each wall. Applicant is proposing a 36 sq. ft. sign for one wall, where the maximum permitted is two walls with each wall not to exceed 20 sq. ft. or 2% of the wall whichever is less §255-26J.6c(2); and a waiver from the requirement to submit a property survey.

The Resolution of Memorialization (attached and made part of these minutes), was reviewed by the Board. After discussion, a motion to approve the resolution, was made by Mr. Bovasso, seconded by Mr. Ashrafi and passed by unanimous voice vote.

2. Application # ZBA 18-027  
Applicant: Daiane A Resende  
832 Springfield Avenue  
Block: 197 Lot: 13, Zone R-1

Applicant is requesting a C(1) variance to permit an attic story over the existing bedroom space and to remove the garage and living room levels §255-35(2); and a variance to allow a substantial improvement (50% or more) of the existing structure where a substantial improvement is not permitted §255-36G(6)(c)(2); and a variance to increase the volume by 34% where a maximum of 25% is permitted §255-36G(6)(c)(3).

The Resolution of Memorialization (attached and made part of these minutes), was reviewed by the Board. After discussion, a motion to approve the resolution, was made by Mr. Bovasso, seconded by Mr. Ashrafi and passed by unanimous voice vote.

## **OLD/NEW BUSINESS**

### **CLOSED SESSION**

BE IT RESOLVED that the Zoning Board will go into closed session to discuss matters involving the Zoning Board, the minutes of which will be released at some time in the future at the discretion of the Zoning Board.

The workshop portion of the meeting concluded at 8:05 P.M.

### **PUBLIC PORTION:**

A public meeting of the Cranford Board of Adjustment was called to order by Mr. Marotta on March 11, 2019 at 8:13 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 19-004**  
**Applicant: Ferfeldt Investments LLC**  
**500 North Avenue East**  
**Block: 333 Lot: 2 Zone: C-2 Zone**

**Applicant is seeking amended final site plan approval and two C variances. Maximum allowable impervious coverage already approved is 82.1%, requesting 83.8%, §255-34, Attachment 1, Schedule 1, and for a vent pipe 9.7**

**feet from property line already approved, requesting 9.0 feet §255-34  
Attachment 1, Schedule 1.**

John Frieri, Esq. appeared and explained the application. Stated that the applicant is withdrawing the request for the variance for the vent pipe. The pipe will stay where it was previously approved.

Jeffrey Martell appeared and was sworn in. His credentials were presented to the Board and he was accepted as an expert witness in the field of Engineering.

Summarized the application and presented Exhibit A-1, which is a site plan that was approved in 2016. Titled Overall Site Plan with Zoning, Sheet C2, prepared 11/21/16. Plan was for a Wawa with 35 parking spaces and 6 fueling positions, a new access driveway and additional driveway into Roselle Park. There is a rail spur that bisects the two lots, one in Roselle Park and one in Cranford. Presented Exhibit A-2 which is a Site Plan with Zoning, dated 5/5/17. Applicant sought a new site plan with a parking field on the east side of the rail spur. That was approved, but the plan then stalled. That applicant is no longer involved in the project. Tonight is a new applicant, a new developer, who has a lease with Wawa. Wawa is not comfortable with crossing the rail as part of the project. They are now submitting Exhibit A-3, a new Site Plan dated 3/11/19. This plan has one change which is 9 parking spaces have been introduced in the northwest corner. Part of the area was concrete and the original approval had no parking there. Original approval had 35 stalls, the interim plan had 55 stalls, and the plan before the Board tonight has 44 stalls. Everything else remains the same and the application is still pending with DOT. Left turn lane is still the same. All signal improvements are done at expense of the applicant. Reviewed all the prior conditions of approval. The change of the parking stalls did increase the impervious coverage. Asking for 83.8% impervious in Cranford. The whole project with east and west side of spur is 61.6% impervious coverage. Zone allows 75%. Since the prior approval, there has been a change in the ordinance for parking spaces. Size of parking spaces are not being changed. All parking spaces adjacent to the building are 10 x 20 and all the spaces by the highway are 9 x 18. The new parking spaces are 9 x 18.

Questions from the Board ascertain the following:

Roselle Park area will be green under turf. There had been discussion of plantings when proposed to be a parking lot. Will all be green; may choose to do plantings around perimeter. Conrail and NJ Transit both own pieces of property. If towns decide to reactivate the lines, it is possible the freight trains would go through the area. In the top left corner of the plan, the 9 new parking spaces would be for the employees. The green space will be maintained by Wawa, it is all part of their lease. There are no street trees along North Avenue. DOT owns the center median. The applicant will sign a developer's agreement. Can initiate a conference call with the DOT and proper township officials to discuss the green areas. The lighting at the canopy is 4000k and everything else is a 3000k. Selection of light fixtures need to be in character with Cranford. Flat panel light is not in keeping with what is in Cranford. Section at gas canopy is a large flat panel, with a slope. Applicant will agree that the fixtures need to be parallel to the grade. Minimum required parking spots is 31. If they do not receive the variance and get the additional 9

parking spots, it will impact the business plan. They would lose 5 parking spots, and the project requires all 44. Wawa has a program with Tesla for electric charging stations. Sites that have this program have a lot more parking spaces. Will comply with the tree replacement requirement and there will be a storm water manual for maintenance.

Mr. Frier stated that County Planning has signed off, but this is to be considered legally one piece of property. The Cranford side is protected even if Roselle Park wanted to change the green space; they would need to come back before this Board for approval.

David Atkinson, from Neglia Engineering appeared and was sworn in. Stated he is the Township of Cranford Planner. Asked about the 9 additional parking spaces and gravel in the area. Also asked about plantings to block lighting and the impact to parking spaces during fuel deliveries. Asked about a generator and about comments from PD about site circulation.

Mr. Martell stated that the parking spaces are concrete or pavement. The closet landscaped area to tanks is usually decorative stone. Stated employees will be parking in those 9 spots. Stated Wawa contracts with a 3<sup>rd</sup> party generator vendor. The largest vehicles that Wawa uses is the fueling trucks and trucks that brings groceries. Stated that DOT and township officials have reviewed the plan regarding circulation and are comfortable with it.

There were no further questions by the Board.

Mr. Frieri summarized the application stating that it will be a great use. It will clean up an eyesore and the soft lighting will be welcoming.

Mr. Marotta asked if the Public had any questions or wished to speak for or against this application.

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

**2. DELIBERATION OF Application # ZBA 19-004**

**Applicant: Ferfeldt Investments LLC  
500 North Avenue East  
Block: 333 Lot: 2 Zone: C-2 Zone**

**Applicant is seeking amended final site plan approval and two C variances. Maximum allowable impervious coverage already approved is 82.1%, requesting 83.8%, §255-34, Attachment 1, Schedule 1, and for a vent pipe 9.7 feet from property line already approved, requesting 9.0 feet §255-34 Attachment 1, Schedule 1.**

Mr. Marotta reviewed the testimony.

Board comments consisted of the following:

De minimis change to the application from the one in 2016. 61.6% impervious coverage in Cranford. Board would like to request that Tesla/Wawa consider putting in an electric charging space. Will help the community. Is the entrance and exit to the community. Area has been neglected. Will have a favorable image.

Motion to approve Application # ZBA-19-004 was made by Mr. Bovasso with the following conditions: parking lot lighting and perimeter pole lighting fixtures need to be in character with the historical standards in Downtown Cranford. Ensure lights at the fueling canopy are parallel to the horizontal plane and lights with exception of canopy are 3000k. Applicant will meet with DOT and appropriate township officials to discuss trees along front of property and median and provide as much greenery as possible. If trees are not possible, then low height plantings to shield the headlights in parking lot. Must meet the Township Code for tree replacement and area to be maintained according Cranford ordinance. Will comply with all conditions in the Township engineer's report, seconded by Mr. Aschenbach with the following voting in favor of the motion: Mr. Marotta, Mr. Bovasso, Mr. Aschenbach, Mr. Ashrafi, Ms. Drake and Ms. Hay.

**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 9:13 P.M.

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Robert Bovasso, Secretary