**PLANNING BOARD**

**MINUTES**

**Regular Meeting May 20, 2024 at 7:08 PM**

I. Open Public Meeting Act Legal Notice:

This meeting is being held in accordance with the rules and regulations of the Open Public Meetings Act of the State of New Jersey. Adequate notice of this meeting was provided by forwarding a Sunshine notice which included the time, date and location of this public meeting of the Planning Board. Notice was provided at least 48 hours prior to this meeting.

II. Roll Call – Sandra Bellucci, Donna Bocchino, John Cristiano, Gabe Fiore, Jr., Tom Maleski, Sandra Muldoon and George Rosko

Absent- Michael Close, Frank Marfino and Donald O'Neill

III. Also present: Colleen Villani, Board Administrative Secretary and Board Attorney, Ian Doris,

IV. Salute to Flag

V. Old Business None

VI. Approval of Meeting Minutes

Regular Meeting- April 15, 2024

Introduced by: Gabe Fiore
Seconded by: Donna Bocchino
Roll call: AYES: Sandra Bellucci, Donna Bocchino, John Cristiano, Gabe Fiore**,** Jr., Tom Maleski, Sandra Muldoon and George Rosko

Tom Maleski: We are going to go out of order, we will start with 356-360 Belleville Turnpike.

Donna Bocchino recused herself.

VII. Application: Preliminary site plan and variances for proposed 12 unit apartment building by Adam and Myriam Len for 356-360 Belleville Turnpike, North Arlington, NJ 07031, Block 107 Lots 18 & 19.

Gary Bennett: 356-360 Belleville Turnpike, 12 unit apartment building between Chestnut and Devon Streets, next to a bar and a single family home. We re-tooled the application and addressed the comments. Specifically, the rear yard has been addressed, moved forward. The alley way between bar, slid the building Westerly to address that. Drainage/flooding purposed 2 seepage pits, now 4 seepage pits. Trash removal will also be addressed. Building stays the same size and units but in a better position. Traffic, we can't change traffic flow. A study was done with the DOT since it is a state road. Most residents will use mass transit, Uber etc. We will meet the parking criteria; EV parking spots must be provided. I want to take you all from beginning to end.

Anthony Guzzo- 608 Ridge Road, Lyndhurst, NJ- Architect

Ian Doris swore in Mr. Guzzo, Mr. Guzzo is considered an expert.

Anthony Guzzo- I'd like to walk the Board through the drawings. #P1.01- rev. #2- 10/27/23- lower level plan, 1st Floor and second floor plan and building data.

Gary Bennett- we will mark it exhibit #1

Guzzo- we took a lot of the comments, we moved the building westerly and moved it forward so the rear yard is larger. We did lose some square footage and reduced the impervious coverage.

- 3 story building, lobby with stairs and elevator. Enter into main lobby off the pike. Utility and trash rooms. Parking area, larger break screened and aluminum façade to give more separation.
- Trash and recycling on the 1st floor. Compactor not feasible so shoot to trash bin. 12 units, 6 units per floor.
- Lobby area will have mailboxes and counterspace for deliveries. Easy pick-ups.
- 2nd floor plan- 4 units in back, 2 units in front, these two will be a little larger. Living room, dining room, laundry, bedroom, utility room, bathroom. 1 unit does have an office, will be owner occupied or management will use it.
- 3rd floor- almost mirror image to the 2nd floor except no unit with an office. Each trash room on each floor will have recycling, trash shoot and slop sink.

Drawing P1.03-rev.2- 10/27/2023
Overall renovations, changes made. Cast stone base, more formal with metal canopy providing protection. Brick to highlight segments, signage. No name provided yet, will be filed at a later date. Windows, cement boarding, brick creating bookend look. Remaining elevations, front right side is East, minimal windows. Left, West will be brick element with open bottom parking in back.

Bennett: No further questions.

John Cristiano: Left side will be up against the bar?

Guzzo: yes, but have somethings to figure out, we will get as close as possible.

David Troast, DMR: do the colors represent what will be used?

Guzzo: yes

Sandra Muldoon: Visual barriers will be discussed?

Guzzo: yes, coming later.

William Stimmel- PO Box 280, Rutherford, NJ 07070
Ian swore in Mr. Stimmel, he is considered an expert witness.

Stimmel- discussed survey dated 9/22, explained what buildings sit on property now. Majority of site is paved parking, small, landscaped area, drainage. 2 site driveways, 1 wide enough for 1 car, other wide enough for two.

Preliminary & final site plan dated 2/13/2024 by Stimmel.
Located in a C1 zone on Belleville Turnpike. Shows purposed construction 100x100/ 10,000 square feet, 12 units. Small building footprint, Western driveway will be eliminated. 9x18feet parking spaces, 1 handicapped parking spot and 3 EV parking spaces to comply with the State. 70.1% coverage. 20 parking spaces total including the handicap & Ev spaces.

Sheet 4- Plan site lighting and landscaping. Ceiling lighting into parking lot, no spillage to adjoining properties. Landscaping is limited, shade tree and ground cover.

Sheet 5- Sediment Control Plan- we are over 5,000 square feet threshold. We will provide a soil report if approved.

Sheet 6- Standard Site Construction

Gabe Fiore: the drainage? The current compared to; last year's proposal.

Stimmel: I doubled it.

Cristiano: the end to back of the property, what is that and will there be buffering?

Stimmel: 19.4 feet closer to the Belleville Turnpike.

Muldoon: what kind of fencing?

Stimmel: white vinyl but are open and would like to work with the neighbors.

George Rosko: all runoff retained?

Stimmel: all runoff will be in seepage pits. Overflow, if any will go to Belleville Turnpike.

Borough Engineer: EV parking spaces, will you be shifting them per the Fire Department?

Stimmel: Yes, will comply with them. Not sure where they want them.

Borough Engineer: Ballards will need to keep 4 feet clear ADA.

Stimmel: good point, we can do that.

Engineer: Where is loading/unloading taking place? How will trash be removed?

Stimmel: Guzzo needs to answer that.

Guzzo: taken out and then picked up by Municipal garbage company. There are garbage shoots for trash and recycling.

Stimmel: Loading and unloading will be daytime most likely, they will take up a space. If not available they will need to find street parking.

Guzzo- 9 feet clearance for parking lot. Could be increased if needed.

Borough Planner: will that accommodate Amazon, UPS, Fedex?

Guzzo: Yes

Gabe: what was last years height?

Guzzo it may have been same.

Gabe: I hope more than last May for ambulance, tow truck and fire department.

Guzzo: Max height 9.6 is not an issue.

Bennett: 12 units, limited deliveries because it is a small building. 9 feet is sufficient for many vehicles.

George: will it be prominently marked?

Stimmel: Yes

Muldoon: will fire department and apparatus load be adjusted?

Guzzo: yes.

Stimmel: C1 Zone, variety of uses and purposed use is permitted in this zone. Building complies with bulks. Will need variances and waivers.

George: trip estimate?

Stimmel: about .6 at peak hour. Access to transit, 1 in front and 3 on Ridge Road.

Bennett: any questions?

Ian Doris: Fire departments letter, Chief is asking to accommodate 5 fire fighters.

Guzzo: will have people load, will hold multiple fire fighters.

Ian: recommendations radio coverage, will you accommodate?

Guzzo: yes.

Gabe: about 1,000lbs.

Guzzo: per square foot loading will be done, will far exceed, it can be accommodated.

Bennett: no further witnesses. The Len's are if any questions for them.

Tom: screening on cast wall, is that wall open?

Stimmel: screen on Belleville Turnpike, all others will have PVC fencing or any other recommendations.

Tom: can there be a combination? Depending on elevation.

Stimmel: can probably do some shade trees on Northern side, others would go right through parking lot.

Tom: window size?

Guzzo: can probably reduce by a foot and maintain fire safety, egress requirements will be met.

Cristiano: cars in back, half under half out?

Guzzo: small portion of car will be out.

Stimmel: 4.7 feet, curb to property line.

Planner: maybe grow something vertical to give extra coverage.

Bennett: the office unit will be owner occupied so someone always in site, watering of plants not an issue.

Planner: if they put a triangle where that doesn't impede a car you could open up and put a small tree to give breakup of the structure visible to the neighboring homes. Gives extra buffering, just a suggestion.

Tom: Neglia Engineering please run through parking requirements.

David @Neglia: 22 required spaces. Ev credit, 1 equals 2 per State law. 3 EV spots, only taking credit for 2 and they have a full ADA spot.

Tom: any questions?

George: 198 spots plus 2 equals 22 then subtract for EV…OK.

Gabe: onsite Super?

Bennett: yes, and maybe a maintenance person.

Tom: Open Public Comments

VIII. Open Public Comments

Introduced by: Gabe Fiore
Seconded by: Sandra Muldoon
Roll call: AYES: Sandra Bellucci, Donna Bocchino, John Cristiano, Gabe Fiore**,** Jr., Tom Maleski, and George Rosko

John Doyle 9 Devon Street
Ian swore in Mr. Doyle.

John Doyle: same pig, different lipstick. Drainage issues, lack of maintenance consistently by the owners. How can attitude change? It's poor. Property is only this far from my backyard; we are longtime residents this benefits no one. Would you build this next to your house? Would you like people looking into your yard? These will not be long term renters. This is not beneficial to our neighborhood only to the owner. Why not single-family homes? We were told our neighborhood is not desirable, they don't respect our property or our privacy. Look from our perspective we pay taxes, look after our interest, our privacy, our homes.

Andrew Doherty 18 Devon Street
Ian swore in Mr. Doherty

Andrew Doherty: we have emergency parking issues already. I have no driveway; we have Kearny people parking on our street. It's a very nice street, nice area, I have lived here for 20

years. 20 spots do not account for guests, it doesn't work. Please consider the people that live here. My wife has lived here for 50 years, please consider us.

Maria Geraci 18 Devon Street
Ian swore in Ms. Geraci

Maria Geraci: those Amazon drivers won't pull in to the lot, they will double park. Moved here when I was one week old, this is my family, I raised my children here. I am insulted, this is a neighborhood, it does not fit. Would you want to live next to this? No! What will it do to our sun, yards? Please vote against this, it does not fit.

Audriana Holowao 10 Chestnut Street
Ian swore in Ms. Holowao

Audriana Holowao: my house is directly in the back. Building is too big, they want variances. The bar has deliveries double parking, already dealing with the noise from the bar. Now we will deal with noise from 12 units. Building is too big, please vote against this.

Ian Doris: the Board has to consider your concerns, but they also have legal obligations. It is a permitted Use. Board will make a decision on all criteria.

John Doyle: North Arlington has rules, this development is asking for several variances, "rules shouldn't apply to me" attitude. No one would be here if they complied. These rules are put into place to protect our houses, all of our houses. You can build within the code, you don't have to give variances. The reason North Arlington is North Arlington is because we have codes. Please comply to the regulations.

IX. Close Public Comments

Introduced by: Gabe Fiore
Seconded by: Sandra Muldoon
Roll call: AYES: Sandra Bellucci, Donna Bocchino, John Cristiano, Gabe Fiore**,** Jr., Tom Maleski, and George Rosko

Gary Bennett: this property is in a C1, Commercial uses, not on Chestnut and Devon Streets, that are beautiful neighborhoods. This property could be commercial uses, bars, restaurants, etc. These are beautiful 1-bedroom units not a bar. It's a beautiful new building. This is a use that's needed in today society. Nothing that goes here will reduce the value of their homes. This property is worn out. 37 feet high, not a monstrosity. Putting people in 1-bedroom apartments will not ruin your community. We believe we have given all the reasons to allow this building. Flooding issue will go away. Comments did not fall on deaf ears. We respectfully request you act upon this.

Neglia Engineering confirmed that storm reports were given.

Ian Doris: before the Board votes, Variances and Waivers, be reminded of the criteria. If the benefits substantially outweigh the negative. Also design waivers need to be considered.

Maleski: we need a synopsis.

Ian: want to start with design waivers.

Stimmel: **Design waivers:**

- Parking space waiver
- Minimum parking space dimensions
- Minimum parking set back
- Landscaping requirements
- Pedestrian walkways, no formal walkways.

**C-Variances:**

- Minimum lot area
- Minimum frint yard set back
- Minimum side yard set back
- Rear setback
- Building height
- Maximum building coverage
- Canopy protection

Maleski: Thank you. Any comments from the Board?

Ian: Motion to approve.

Introduced by: George Rosko
Seconded by: Sandra Muldoon
Roll call:YES: Sandra Bellucci, John Cristiano, Gabe Fiore**,** Jr., Sandra Muldoon and George Rosko
NO: Tom Maleski

Tom Maleski: my no is because of the rear yard. Take a short break.

**Meeting restarted at 9:15PM.**
Tom Maleski: **268-280 River Road-Gambari Inc**.. I am leaving this to George Rosko, I have a prior agreement.

Gary Bennett: appearing for Gambari, Inc.. We cane before the Board in 2017- 20 Unit, Board granted site plan for 20 units but in flood plain. Mr. Ashford passed away and then Covid. We addressed size of plan, now asking for approval of 15 units with 1 ingress and egress from Stover Avenue. Scaled down and redesigned. Testimony from Jorge Fernandez, Architect and the owner of Gambari, Inc. also here. We maximized parking.

Jorge Fernandez 75 Parkhurst Street, Newark, NJ
Ian swore in Mr. Fernandez. Mr. Fernandez considered expert architect witness.

Fernandez: A1- purposed rendering. Lobby entrance on Eagle Street, parking off of Stover Avenue. Gable parapet, have variances because of depth. Proposed site plan entrance change because of DEP Proposal because of flood plan. Ingress and egress on Stover Avenue because of flood plain/elevation.

Bennett: if you developed 2 family homes you couldn't enter from River Road, an easement would need to be made across properties.

Fernandez: 2 rows of parking, do not have 2 feet buffers. Columns on Easterly side. Spaces 9 feet wide, handicap space as close to the lobby as possible, EV spaces will be placed closer to parking entrance per Fire Department request.

Access to trash and recycling will be behind the building. Will try to push North to keep from existing house. Will be enclosed. Prvate hauler will come 3 times a week and brought to curb.

Stairs and handicapped ramp. Street trees on River Road, 2 on Eagle Street and1 on Stover. Evergreens on River Road, planting along rear of property is difficult. Wont be appropriate because of the trash.

2nd Floor: lobby elevator and access to stairs, gym over the garage and apartments.

3rd Floor: 6, 1 bedroom, 2, 2 bedrooms and a common space. All have laundry and all are handicapped accessible.

Roof Plan: flat roof will have gable parapet to hide generators and HVAC.

Elevation: Masonry and stucco, balconies. Front door- 35 feet, top of parapet. 8 foot ceilings in the apartments. Trash enclosure.

Bennett: what is the reasoning to reduce?

Fernandez: because of the flooding. No need for Variances or deviations. 25 parking spots.

Gabe: can you show page2, hope that has Stover Avenue view? How tall is the garage entrance?

Fernandez; 9 feet

Gabe: can it be taller?
Fernandez: I will need to reduce the parapet but could make it 10 feet if that is done.

Gabe: Fire Chief requested shutoff.

Fernandez: yes, we will comply.

Bocchino: residents will have to drag trash to the back of the building. Can it be moved?

Fernandez: it can go under the stairs.

Cristiano: so 15 units, some 2 bedrooms, on a hot Summer day your dragging garbage all around the street?

Gabe: you need to reexamine that. Not fair to the neighbors, too small.

Troast: you didn't want to put a buffer but you have 5 feet, why not put trees and buffering? That makes no sense.

Bennett: makes sense, may be moved.

Troast: where is the grading plan?

Silva: we need more in our office as well.

Troast: you can't vote on this application. I don't care what the DEP has approved. We need drainage calculations.

Bennett: I tend to agree, can't act almost impossible. Can you vote on size in scale and scope?

Gabe: you need to make smaller apartments, space for garbage.

Cristiano: you have two bedrooms, 15 units, not enough space.

Bennett: so needs to scale down even smaller than this? This needs to be redeveloped but costs exceeds. How far can we go and still have reasonable development for residential purposes.

Cristiano: I agree, you need to have balance.

Bennett: scale is too excessive if we ensure drainage?

Bocchino: can you go over the parking regulations again, Neglia?

Silva: 26 spaces, they are purposing 25 spaces.

Bennett: let us retool this and carry the application. We have been here once and it becomes expensive. We will take a look, asking to adjourn to next meeting.

Ian Doris: Motion to carry.

Introduced by: George Rosko
Seconded by: Gabe Fiore
Roll call: AYES: Sandra Bellucci, John Cristiano, Gabe Fiore**,** Jr., Sandra Muldoon and George Rosko

**DT Construction 165-173 Ridge Road- asking for Extension**

Gary Bennett: DT Construction 165-173 Ridge Road, RESO extension. Contracts in place, approached time frame and the tenant had a lease then became a litigation. Went to Law Division, we tried to help resolve the litigation it took 18 months. A settled agreement we went to Guzzo so we could get moving on the construction. Plans in place, ready to get permits, tested soils, ready to demolish. Requesting extension.

Rosko: when did you close on 173?

Bennett: closed right away and 165 closed in late 2023. In redevelopment zone, just delayed, completely out of our control.

Bocchino: why wasn't extension asked for prior to expiration?

Bennett: we thought we would be done to pull necessary permits.

Ian: just asking for extension?

Bennett: they are ready to go now.

Ian: I provided the Board my knowledge, you can still request extension. Extension would be from when expired.

Bocchino: changes were made to the RRR plan, you understand that right?

Bennett: we understand that. We ask from equitable point of view to grant this because only 1 month.

Bocchino: parking calculations have been changed.

Troast: I did not speak to Dan about this. I think the EV is of the State.

Bennett: this has been scaled down and I think unanimously approved. This is outside of our control.

Ian: Motion to vote to gran extension.

Introduced by: Donna Bocchino
Seconded by: John Cristiano
Roll call: NO: Sandra Bellucci, Donna Bocchino, John Cristiano, Gabe Fiore**,** Jr., and George Rosko

XII. New Business: None

XIII. Adjournment

Introduced by: Sandra Muldoon
Seconded by: Sandra Bellucci
Roll call: AYES: Sandra Bellucci, Donna Bocchino, John Cristiano, Gabe Fiore**,** Jr., and George Rosko

The next Planning Board meeting is June 17, 2024.