

MINUTES
TUESDAY, FEBRUARY 14, 2017

The 776th meeting of the Planning Board of the Township of Maplewood was held in the Conference room of the Maplewood Municipal Building on Tuesday, February 14, 2017.

Chair Ryan called the meeting to order at 8:00 p.m. He read the following statement:

“Pursuant to Section 5, P.L. 1975, this is to state for the record that adequate notice of this meeting has been provided to the public by notification to the News Record in December 2016, posting on the municipal web-site and by filing of said notice in the office of the Municipal Clerk.”

ROLL CALL

The roll was taken.

Board members present were: Victor DeLuca (Class I), Class II–Vacant, Nancy Adams (Class III), Jerry Ryan, Thomas Carlson, John Branigan, Edward Bolden, Tammy Haynie, John Larrier, James Nathenson (Alt I), Karen Pisciotta (Alt II)

Excused: None

Absent: None

Also present were Board Counsel Michael Edelson, Board Secretary Adele Lewis and Board Consultant Robert Bratt, P.E., P.P.

Chair Ryan read the following:

“WHEREAS, Section 7 provides that the Planning Board has the discretion to permit, prohibit or regulate the active participation of the Public at any meeting.

WHEREAS, it is the desire of this Planning Board to comply with the provisions of this act and at the same time to conduct its business in an orderly and expeditious manner:

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Township of Maplewood, that it does prohibit, except as set forth in the formal agenda, active participation in the deliberations of the Planning Board at all of its regular meetings.”

A motion was made by John Branigan and seconded by Edward Bolden and passed unanimously to adopt the operating procedures for the meeting

MINUTES

• **MINUTES OF JANUARY 10, 2017 REGULAR MEETING**

On a motion by Mayor DeLuca and seconded by Edward Bolden, the Board voted to adopt the minutes of the January 10, 2017 regular meeting.

APPLICATION
Case #PB 15-03 (A)

156-160 Maplewood Avenue (continuation)
Applicant: Maplewood Redevelopers, L.L.C.
B 13.09 LOTS 180, 181, 185 B 13.10 LOT 178
(POST OFFICE REDEVELOPMENT)

*SEEKING AMENDED PRELIMINARY & FINAL SITE PLAN APPROVAL
TO RELOCATE DUMPSTER OUTDOORS, RELOCATE BIKE RACKS AND
BENCHES AND WAIVER FOR A PARKING STALL*

Chair Ryan stated that a motion had been made and asked Mr. Edelson to comment on procedure. Mr. Edelson informed the Board that at the December meeting, there was a motion and second, and deliberations began but were suspended. As the application has been amended with a revised location for the enclosure opposite the building garage entrance, he felt there was no need to act on the initial motion. He added that all witnesses that were previously sworn and qualified were still under oath.

Andy Norin, Esq. of Drinker Biddle continued to represent the applicant and informed that plans have been resubmitted in response to the comments from the December meeting and concerns with the location of the dumpster in the parking lot and Lot 185. He stated that attempts to move the dumpster enclosure behind Village Coffee were unsuccessful. It has been moved to the rear of the JMF building. As the proposal no longer includes Village Coffee, the enclosure has been made smaller which allowed them to deal with the grading and add landscaping.

William Hamilton, P.P., reviewed the revisions to the plans. He stated that the dumpster enclosure has been relocated and reduced in size. He stated that since the enclosure will now only service the restaurant, it has been reduced. The new dumpster enclosure is 15 ft. wide by 16 ft. deep. (outside dimensions). It was clarified that A-7 is a colorized version of the e-mail transmittal to the Board a few days ago in which the dumpster was made smaller than depicted on the plans filed February 3rd. He stated the enclosure remains constructed of masonry brick. He noted due to the geometry of the parking design, the enclosure will utilize three parking spaces.

He reviewed the parking configuration and stated that the new proposal results in a loss of three parking stalls and noted that the applicant proposes the use of three additional “Merchant Permits” to offset the loss of the onsite stalls. He stated that landscaping will soften the look. He continued that the grease trap has been moved from adjacent to the walkway to the northeast location away from the walkway to further address concerns expressed.

EXHIBITS MARKED

- A-7 site plan- trash enclosure detail dated 2/10/17 (revised page 3 of plans)

Questions from the Board:

Mr. Hamilton was asked to clarify the landscaping. He stated there will be shrubs, a variety of evergreen and lower shrubs on both sides and to the rear, to be reviewed and approved by Mr. Bratt.

Has the grade issue been addressed? Mr. Hamilton stated that flattening out the landscape area will correct the grade issue. Additionally, the smaller size of the enclosure makes this proposal feasible.

Mr. Hamilton addressed the letter dated 2/14/17 from the Maplewood Village Alliance (MVA) Design Review Committee (DRC). They reviewed the amended site plan for the dumpster enclosure, revision dated February 10, 2017 and noted they appreciate the reduced size and believe new placement of the dumpster enclosure and as well as associated landscaping are an improvement over the initial proposals. They expressed an opinion that it would be preferable to make it wider and less deep, in order to reduce the profile of the enclosure when looking northeast from the pedestrian underpass plaza.

Mr. Hamilton stated that the depth is needed for access to the three dumpsters. He stated that they would like to keep the orientation as presented.

Concern was expressed with the blocked drive aisle and the loss of the three parking spaces.

There was discussion regarding the orientation of the enclosure and if moved, could one space be salvaged. Mr. Hamilton explained that had been considered but angling the enclosure would cause it to protrude. He continued that the narrower version contemplated by the Alliance would present operational challenges.

Can the dumpster be located inside the building with refrigeration? Mr. Hamilton stated the restaurant operator will testify to this.

Questions from the public:

Dave Helmkamp - 571 Prospect Avenue inquired about operational functions of the ground grease interceptor and the removal process.

Inda Sechzer – 57 Euclid Avenue inquired about the view from the tunnel and train platform. She asked about the delineation of responsibility for clean-up around the enclosure as it is part of the easement agreement with the Township. Mr. Norin stated that it will be addressed with the Town. She asked about the lost parking and inquired why the dumpster cannot go into the garage.

Ms. Adams reiterated her question of why the dumpster cannot be located in the garage other than preference and economic considerations.

Eric Hammerberg, 93 Oakview Avenue inquired if the dumpsters could be staggered to fit into two parking spaces. Mr. Hamilton stated that access to the dumpsters would be compromised. He also inquired if three spaces have been added within the building for a zero net gain. Mr. Hamilton responded there had not.

Jennifer Carlin, 56 Salter Place described the operations of the dumpster and grease container pick up and stated that in her experience with a similar larger enclosure the process takes less than 10 minutes. She stated that there will be three different pickups and the companies can be given limitations per township requirements. She stated that the grease trap cleanup takes approximately 20 minutes and she anticipates twice a month for this location. She testified that it is cost prohibitive to place refrigerated dumpsters within the building and referenced three locations in Summit under her purview which have their dumpsters outdoors.

The Board discussed the cleanup of the enclosure and surrounding area. Ms. Carlin stated that it will be kept very clean and checked twice a day every day.

QUESTIONS FROM THE PUBLIC:

Dave Helmkamp - 571 Prospect Avenue inquired about feasibility of an indoor compactor. Ms. Carlin stated that an indoor compactor would still need to be refrigerated.

Inda Sechzer – 57 Euclid Avenue inquired how much more refrigerated dumpster would cost. Ms. Carlin stated that she was not certain. She asked if the Board could require a cost analysis.

Mr. Norin stated that the applicant has spent months and significant expense to accommodate the Board, the Village Alliance and public. He added that the first proposal was not desirable. The second proposal was not submitted to the Board, as an agreement the owner of Village Coffee building could not be reached. Mr. Norin feels this proposal incorporates the input and concerns received from the previous meetings.

Mr. Edelson stated that economics of the operation of the business is not within the Boards purview.

COMMENTS FROM MEMBERS OF THE PUBLIC: (previously sworn)

Dave Helmkamp - 571 Prospect Avenue stated that he feels this proposal is a vast improvement but encouraged the Board to explore an alternative enclosure or buffer which would mitigate the height of the structure. He feels it would be desirable to follow the Village Alliance recommendation. He added that the Board should consider the wide open view walking north and from Ricalton Square and the train platform. He recommended a tree canopy. He added that the Maplewood Village Alliance should also review the landscaping.

EXHIBITS MARKED

- O-4 Dave Helmkamp handout/sketch

Inda Sechzer – 57 Euclid Avenue stated that there is uncertainty regarding the availability in the garage and the parking and space in the building for the dumpsters trash/refuse in the basement. She stressed the impact of losing 3 more parking spaces. She questioned the easement agreement from JMF to the town for a public parking area as well maintenance of the area. She opined that renderings should be required for the view from Ricalton Square as well as from the train platform. She reiterated her security issues with the tunnel effect for the length of the enclosure.

DELIBERATIONS OF THE BOARD

Nancy Adams stated that she is fine with the location but doesn't feel this needs to be a masonry structure and a fence might be better.

Mayor DeLuca read the Redevelopment Plan and stated that the structure material be reconsidered, but the Board should agree upon the location. Mayor DeLuca suggested the Board approve the location and have the Village Alliance work with the applicant to finalize.

Tom Carlson stated the proposed location is acceptable as this is the business end of the building. He is satisfied with the location and would feel comfortable empowering others to approve the final design.

James Nathenson stated that he is less concerned with aesthetics but has some concerns with traffic flow and recommended moving the enclosure towards Village Coffee to allow easier ingress and egress into the garage and move towards the sidewalk to accommodate better traffic flow. He expressed concern about the garage being blocked.

Mayor DeLuca stated that would be monitored and if problematic, it would be an enforcement matter for the police.

Edward Bolden stated that he is not concerned about the loss of parking spaces. He added that a parking study had been performed and there is sufficient parking with plenty of parking on the other side of the tracks. He will support the proposal and agrees that the applicant should work with the Village Alliance for the final design.

John Branigan recommended that the footings not be poured to determine if the size can be slightly reduced so as to minimally project into the drive aisle. He added that this may also reduce the size of the visual obstruction created by the dumpster enclosure especially for the northeastern sight line from the pedestrian underpass plaza.

Mr. Bratt suggested that the Board place constraints and restrictions on the materials used to prevent any misunderstanding. He also referenced the Alliance review letter and advised for a barricade inside the enclosure such as bollards for safety. He concluded that the final changes should be incorporated into the entire set of plans.

Chair Ryan summarized that the consensus of the Board was to move away from a masonry structure. They further agreed to the location, the maximum footprint and to empower Mr. Bratt and the Village Alliance to approve the design and materials. Mayor DeLuca stated that the materials must be consistent with the Redevelopment Plan. The Board agreed to approve the location of the dumpsters, the maximum footprint to accommodate the three – 2 cubic yard dumpsters, and suggest that it not be a masonry structure, authorize the Village Alliance to approve the materials consistent with the Redevelopment Plan.

On a motion by Mayor DeLuca and seconded by Edward Bolden, the Board voted affirmative (9) Mayor DeLuca, Nancy Adams, John Branigan, Tammy Haynie, John Larrier, Tom Carlson, Edward Bolden, James Nathenson, Chair Jerry Ryan, Negative (0) to grant amended site plan approval to relocate the dumpster enclosure outdoors. The Applicant will work with the Village Alliance and Mr. Bratt to finalize the landscaping, design and materials consistent with the redevelopment plan.

MOTION CARRIES 9-0

A BRIEF RECESS WAS TAKEN 9:40- 9:45

INFORMAL REVIEW

Case #PB 17-01

67- 79 Dunnell Road - B 17.16 LOTS 157, 158,161

DUNNELL ROAD LLC

REQUEST FOR AN INFORMAL REVIEW

Chair Ryan explained that this was an informal review and the comments were non-binding for either the applicant or the Board.

David Popkin introduced himself and stated that he had recently acquired the subject property with his partner Jon Flax. He reviewed the previous approval from 2014. They prepared a preliminary site plan and elevations after meetings with officials for a proposed a multi-family building at the Dunnell Road property.

Mr. Popkin introduced Nelson Benavides, R.A., who stated that his firm in Jersey City specializes in historic structures. Mr. Benavides reviewed the current site and R-2-4 zoning. He noted the transitional zone and the “urban fabric” of the neighborhood. He stated that they are proposing a four story building which will contain 38 units with five COAH units. They are proposing ground floor parking and a roof garden amenity. They reviewed the elevations and stated that they are striving for an urban industrial/factory feel to incorporate the history of the site. The majority will be one and two bedroom units which will not attract families but appeal to commuters. They described the proposed materials to be used including loft like windows.

Board members provided input and stated that the density is a concern as is the industrial look in near the Park. It was noted that the historical structure reference is not an appropriate style for this area of Maplewood in proximity with Memorial Park and Town Hall. The height and mass is also a concern. It was also noted that there are many new apartment buildings and additional rentals may not be sustainable. It was noted that this is a transitional lot and an abrupt change does not honor the concept and respect the adjacent residents. The 40 ft. building is not appropriate for this neighborhood.

Mr. Bratt referenced his memo and listed the number of variances which would be required. He also noted that this would be a Zoning Board application as multi-family uses are not a permitted use. The Board inquired if the previous approval has expired. Mr. Popkin stated that it had. Mr. Edelson clarified that the approval has not expired, however the protection from a zone change has expired. He also explained the constraints upon the Zoning Board for the granting of a Use Variance.

Mr. Popkin thanked the Board and stated he would consider his options.

Chair Ryan called for a motion to adjourn. THE NEXT MEETING OF THE BOARD IS TUESDAY, MARCH 14, 2017

ADJOURNMENT

The Board adjourned at 10:30 p.m.

Respectfully Submitted,

Adele C. Lewis, Board Secretary