

MINUTES

PLANNING BOARD

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Regular Meeting

September 17, 2014

The Regular Meeting of the Planning Board was called to order at 7:30 PM by Michael Einbinder in the Public Meeting Room.

Mr. Einbinder confirmed that the meeting was being held in conformance with all regulations of the SUNSHINE LAW and proper notice had been given to the Courier News; also, the Agenda had been posted in Town Hall, Board Office, and supplied to the Township Clerk at least forty-eight hours prior to the meeting. The Agenda items will not necessarily be heard in the order listed and the meeting will not continue significantly past 10:30 PM.

Roll Call:

Members present were Mr. Einbinder, Mr. Bruno, Mr. Niceforo, Mr. Graziano, Mr. Beal, Mr. Bocchino, Mr. Cunningham and Ms. Perna . Mr. Johnson, Mr. Hall and Mr. Monaco were absent. Mr. Willard, Board Attorney, and Mr. Solfaro of Neglia Engineering were also present.

Adoption of Minutes:

August 6, 2014

A motion was made by Mr. Einbinder, seconded by Mr. Bruno, to adopt the Minutes of the Regular Meeting of August 6, 2014 as presented. The voice vote was 8-0.

Adoption of Resolution of Denial:

App.#M-1-14: Bob McEwan Construction Corp., 27 Washington Ave., Block 1802, Lot 2

Requesting approval of minor subdivision of Block 1802, Lot 2 into two non-conforming lots (proposed Lots 2.01 and 2.02) along with various "bulk" variances. (R-15 Zone)

A motion was made by Mr. Einbinder, seconded by Mr. Bruno, to adopt the above Resolution. The voice vote was unanimous with Mr. Einbinder, Mr. Bruno, Mr. Niceforo, Mr. Beal and Mr. Bocchino voting in favor. There were none opposed.

Application for Review:

App.#SP-2-14 Connell Hospitality LLC and The Connell Company, 250 Connell Drive, Block 4301, Lots 1.011 & 1.012 (OR-B Zone) and Block 4102, Lot 1 (OR-A Zone)

Seeking amended preliminary and final major site plan approval and bulk variances to install a pylon sign to support its approved hotel to be constructed in Berkeley Heights. The proposed illuminated pylon sign measures 15' x 35' with a total sign area of 525 sq. ft. The top of the sign is proposed to be 110 feet from the ground. Variance relief is needed because the proposed sign area of 525 sq. ft. exceeds the maximum allowed 170 sq. ft. The proposed sign height would be 110 ft., which exceeds the maximum allowed height of 8 ft.

Douglas Janecek, attorney for the applicant, stated that the Board previously granted approval for the Embassy Suites hotel. As part of that process there was a pylon sign proposed but that was withdrawn as part of the application. The applicant has done some homework in order to provide the Board with evidence of the need for the sign and that it will be a good addition to the site. The applicant conducted a balloon test to make sure that the sign would not be a detriment to anyone. Numerous photographs were taken from the residential areas to insure that what they are proposing is something that will not be a detriment to the surrounding neighborhood.

Joseph Venezia of Maser Consulting, engineer and planner for the applicant, was sworn and accepted as an expert witness. Mr. Venezia presented Exhibit A-4 – overall site plan of the Connell complex, and Exhibit A-5 – colorized rendering of the Embassy Suites site. He indicated the location of the proposed Embassy Suites hotel and noted that it is insulated within the complex with limited visibility from Route 78. He also indicated the location of the various buildings on the complex and the proposed location of the pylon sign. Mr. Venezia stated that variances are being requested for the height and size of the sign and for the overall signage.

Mr. Venezia presented Exhibit A-6 – rendering of the proposed sign which will be 110' high and 15' x 35'. The sign will be 525 square feet where 170 square feet are permitted by the ordinance.

Mr. Venezia explained how the balloon test was conducted with numerous photographs taken from various locations. He presented Exhibits A-1, A-2 and A-3 – map showing the location at which various photographs were taken and photographs from those locations. Mr. Venezia stated that at the last hearing the Board members expressed concern about what the sign would look like as well as the potential impact on residential areas. The applicant wanted to make sure it would not have an impact on the neighbors.

The sign is intended to be seen by Route 78 travelers to identify and guide them to the site.

In response to questions from the Board, Mr. Venezia stated that the sign will not be visible from residential areas and the applicant will agree to install additional landscaping if necessary. The sign will be internally illuminated and the colors will be tan with a green emblem. The posts will be earth tone and will blend with the trees. The material of the sign will be aluminum with steel supports.

Mr. Venezia indicated the location of landscaping throughout the complex that will block the view of the sign from Oak Way and Twin Falls Road. He stated that the applicant believes the sign is critical to the success of the hotel.

In response to further questions, Mr. Venezia stated that the sign will only be visible from Route 78. The approximate cost of the sign is \$400,000. There are approximately 4-5 trees that will be removed for the sign and the tree replacement has already been accounted for in the original application. Mr. Venezia's firm will not be doing the structural engineering for the sign; that will probably be done by the sign company. There will be directional signage for travelers to follow after exiting the highway that will bring them to the hotel and approval is being sought from the State for signage on the highway.

From the planning perspective, Mr. Venezia testified that the hotel is a permitted use and the hotel will have signage. Visibility is needed from the highway and he believes the proposed pylon sign is appropriate for the site. The sign will not be visible from any of the residential areas and there is no negative impact. The slope of the property and distance from Route 78 present a hardship that meets the C-2 variance criteria and the benefits outweigh the detriments.

In response to further questions, Mr. Venezia stated that there are no plans at this time to advertise anything other than the hotel on the sign, the sign will be tan in color, metal and steel and internally illuminated. He does not believe the granting of approval for this sign will set any precedent since this type of sign is exclusive to Route 78. The hotel will be known as Embassy Suites Berkeley Heights. Mr. Venezia said he believes there was testimony at the previous hearing that a large number of the hotel guests will be business travelers who will be pre-reserved.

Mr. Janecek stated that if the hotel were to close and a new user wanted to use the sign they would have to come back to the Board for approval.

Open to the Public

There were no members of the public present.

Board Discussion

Mr. Bruno stated that he believes the hotel needs the sign in order to be successful. Notice of the hearing was made to the public and no one is here to object. The sign looks like it will be tastefully done and it will be on property that the applicant owns. The hotel will be an improvement to town and he is in favor of the project.

Mr. Niceforo said he agrees with Mr. Bruno. The sign will have very little negative impact and no neighbors or residents will be adversely affected by the sign.

Mr. Graziano stated that the applicant has addressed the Board's concerns from the last hearing and he will vote in favor.

Ms. Perna said she is happy to see the sign rather than no sign since it will make people aware of the hotel.

Mr. Beal said he was opposed to the sign at the last meeting and he is still opposed to it. The sign will identify that there is a hotel but the sign itself will not get the people to the site if they do not know where they are going. He thinks there will be a precedent set and other businesses in town might also want such a sign.

Mr. Bocchino said he was apprehensive about the sign but thinks the applicant has addressed the questions about visibility from the residential areas.

Mr. Einbinder stated that most of the downtown merchants have signs. He does not think any harmful precedent will be set. The hotel is good for the office complex and will benefit Berkeley Heights.

Mr. Janecek stated that the applicant has reviewed the Board Engineer's report and will comply with its requirements.

A motion was made by Mr. Graziano, seconded by Mr. Bruno, to approve App. #SP-2-14 Connell Hospitality LLC and The Connell Company, 250 Connell Drive, Block 4301, Lots 1.011 & 1.012 (OR-B Zone) and Block 4102, Lot 1 (OR-A Zone) for amended preliminary and final major site plan approval and bulk variances to install a pylon sign to support its approved hotel to be constructed in Berkeley Heights, subject to standard conditions and those specified on the record.

The Motion was carried 7-1 with Mr. Einbinder, Mr. Bruno, Mr. Niceforo, Mr. Graziano, Mr. Bocchino, Mr. Cunningham and Ms. Perna voting in favor. Mr. Beal was opposed.

Adjournment:

A motion was made by Mr. Einbinder, seconded by Mr. Graziano, to adjourn the meeting. The voice vote was unanimous and the meeting adjourned at 8:31 p.m.

Regina Giardina, Secretary Pro-Tem