

MINUTES

PLANNING BOARD

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Regular Meeting

April 6, 2016

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. Johnson, Mr. Niceforo, Mr. Graziano, Mr. Beal, Ms. Kingsley, Mr. Bocchino and Mr. Cunningham. Mr. Willard, Board Attorney, and Thomas Solfaro, Board Engineer, were also present.

Adoption of Minutes:

March 16, 2016

A motion was made by Mr. Einbinder, seconded by Mr. Niceforo, to adopt the Minutes of the Regular Meeting of March 16, 2016 as presented. The voice vote was unanimous.

Adoption of Resolution:

App.#SP-1-16: Chemtrade Logistics, 235 Snyder Ave., Bl. 703, L. 6 (DMX-Zone)

Seeking minor site plan approval pertaining to *interior* renovations which are needed to meet modern safety and manufacturing standards. No new buildings are proposed; a marginal increase in employees or traffic is expected. Site plan approval is required due to the significant cost of these upgrades (approx. \$7.3 Million). (Under Township Ordinance, Section 10.1.2.A.2. "no site plan approval shall be required if the cost of the work does not exceed \$10,000.00 and does not create more than one thousand (1,000) square feet of additional impervious surface.") In addition, the applicant is requesting that the site plan application be classified as a Minor Site Plan and the requirement of notice and public hearing be waived under Section 10.1.3.B. Chemtrade Logistics, the successor of General Chemical, LLC, is a manufacturer of adjuvants, the inactive ingredient which binds the chemicals used in vaccines, prescription and nonprescription

fills. General Chemical was granted approval in 2012 by the Planning Board for preliminary and final major site plan approval in connection with the construction of additional material storage and staging buildings on the property.

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

Informal Concept Review:

CoCo Family Trust, 482 Springfield Avenue, Block 613, Lot 7 (DD-Zone)

Applicant is proposing to use the existing building and add approx. 520 sq. ft. of new space to the front of the structure for a hair and beauty salon, retail sales and residential use.

August Santore, attorney for the applicant, stated that the proposal is for a 4-chair beauty salon. The existing tenant will remain on the site. There are variances required including front yard setback and parking. The property is currently being used for a dance studio and before that it was a beauty salon so the proposal is to return it to a permitted use. Mr. Santore stated that he is a tenant in the building currently being used for the hair salon and shares the parking on that site. He has been a tenant since 1996 and has first-hand knowledge of how the parking works. He has not experienced any problems with parking caused by the beauty salon.

Mr. Santore further stated that the site is currently used as a dance studio and the beauty salon will be an appointment-based business. For a beauty salon three parking spaces are required per chair so the required parking is 12. Right now there are eight spaces on site and two on the street for a total of 10. Mr. Santore indicated the location of the parking on the photo provided and stated that the applicant will provide testimony at the hearing regarding the peak times of operation.

Applications for Review:

App.P&F#1-15: Westminster Presbyterian Church, 725 Mountain Ave., Bl. 2006, L. 32

The property currently has a two-story church building and parking lot located on the Mountain Avenue frontage and a single family residence with a detached garage on the Plainfield Avenue frontage. The applicant is proposing to remove the existing residential dwelling and subdivide the property into five (5) lots: a 2.96 acre lot for church use and four (4) residential lots ranging in size from 0.45 to 0.97 acre. A short cul-de-sac, Westminster Court, approximately 380 feet long, will be constructed off of Plainfield Avenue to provide the required lot frontage for the four (4) new lots. (R-15 Zone)

Mr. Cunningham recused himself from this application as a member of the Westminster Presbyterian Church.

Mr. Niceforo recused himself from this application as a property owner within 200’.

Mr. Johnson left the meeting (7:50 p.m.).

Anthony Rinaldo, attorney for the applicant, stated that at the last hearing on this application it was determined that the Police Department, Fire Department and EMS should be contacted with regard to safety issues. The Police Department deferred to the County and the Fire Department made some recommendations that the applicant has agreed to. He has not seen a report from EMS but the applicant will honor any reasonable requests from them. The applicant has hired a traffic expert, Gary Dean of Dolan & Dolan, who will report to the County with regard to the line of sight issue and submit a traffic impact study.

Mr. Rinaldo requested that the Board grant preliminary approval of the application subject to the conditions outlined and agreed to by the applicant at the last hearing. The approval will be subject to County review and if approved by the County the applicant will return to the Board for final approval.

Discussion took place regarding the procedure to be followed for preliminary approval subject to County review. Mr. Einbinder stated that the approval would be subject to County approval and the applicant will be required to return to the Board for final approval. At that time the hearing will be opened to the public for questions and comments. Mr. Rinaldo noted that the same people will receive notices of the public hearing for the application for final approval. He further stated that if the County does not approve the four-lot subdivision the applicant would amend the plans accordingly.

Mr. Willard advised that the two main issues of concern to the public were the line of sight and drainage. He noted that when the applicant comes back for final approval those issues will have to be addressed. He also advised that the public has the right to attend the County hearings.

A motion was made by Mr. Einbinder, seconded by Mr. Graziano, to approve App.P&F#1-15: Westminster Presbyterian Church, 725 Mountain Ave., Bl. 2006, L. 32 for subdivision approval, including variances for lot coverage and impervious coverage, subject to the recommendations of the Board professionals and the conditions discussed and further subject to the requirements, restrictions and limitations that shall be set forth in a Resolution of Memorialization to be adopted by the Board at a future meeting. This approval will also be subject to the applicant obtaining approval from Union County.

The Motion was carried 5-0 with Mr. Einbinder, Mr. Graziano, Mr. Beal, Ms. Kingsley and Mr. Bocchino voting in favor. There were none opposed.

Adjournment:

A motion was made by Mr. Einbinder, seconded by Mr. Beal, to adjourn the meeting. The voice vote was unanimous and the meeting adjourned at 8:15 p.m.

Regina Giardina, Secretary Pro-Tem