

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD MINUTES
June 26, 2018**

Roll Call:

Present:

Brian Bythell; Alt. 2
Paul Grzenda
Rich Houghton
Peter Smith
Jack Pedersen; Vice Chairman
Bob Ackerman; Chairman

Absent:

Mayor Matthew Anesh
Councilman Derryck White
Stephanie Bartfalvi; Alt. 1
John Mocharski
Michael Pellegrino

Also Present: Alex Fisher, Esq.; Stan Slachetka, PP, AICP; Bob Bucco, PE, CME, CPWM

Chairman Ackerman opened the meeting at 7:00 pm stating that this meeting is being held in accordance with the Open Public Meetings Act, by posting a notice to The Observer and The Courier News and providing the same to the Borough Clerk.

It is the policy of the Borough of South Plainfield's Planning Board not to hear any new cases after 10:00 pm and no new witnesses after 10:30 pm.

Minutes: None.

Resolutions: None.

Current Files: None.

Informal Hearings: None.

Public Hearings: (2)

A. Case #18-01 - Daniel Chin
Block 318; Lot 2; R-10 Zone
303 New Market Avenue

The applicant is requesting a *Minor Subdivision* approval to construct a new home. The existing home to remain. Previously heard and carried from May 22, 2018. The following variances are being requested:

Proposed lot A: *Lot Area* – Proposed 8,090 square feet – Required 10,000 square feet - Variance 1,910 square feet; *Lot Depth* – Proposed 61.8' - Required 100' – Variance 38.2'; *Rear Setback* Proposed 19' - Required 20' – Variance 1'.

Proposed lot B: *Lot Area* – Proposed 7,500 square feet – Required 10,000 square feet - Variance 2,500 square feet; *Lot Width* – Proposed 75' - Required 100' – Variance 25'.

Mr. Fisher stated that Mr. Smith was not at the previous hearing nor listened to the tapes, therefore, he is not eligible to vote and is stepping down.

James F. Clarkin, III – Clarkin & Vignola, PC, 1100 Centennial Avenue, Suite 203, Piscataway, New Jersey – attorney for applicant addressed the Board. Last before the Board on May 22, 2018. Entire case on record at that time along with associated variances. Understood that the Board was going to approve the application but wanted additional information on the square footage of home to be on the proposed 75'X100' sized lot. Discussion what is relevant for the neighborhood. Believed Bergen, Hancock, Pitt and Pulaski were considered 'in the neighborhood'. Put together a list of properties for those four (4) streets from New Market Avenue to Amboy Avenue. Understands that the Board Secretary has distributed to the Board Members. Only listed those properties that are 75' wide. Mr.

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Clarkin distributed Exhibit A-2 - *Properties List - Chin - 75' Width Lots* - to all Board Members and Professionals. Included on the table - the year the house was built and the building square footage excluding garages and basement. The homes built in 1934 and 1953 are the smallest. The last house constructed 1919 - may have had an addition - is the second largest. The newer homes built in the 1970's through to 1980's go from one thousand six hundred (1,600) up to one thousand nine hundred eighty (1,980) square footage homes. This shows what constitutes the neighborhood on seventy-five feet (75') wide lots. Proposed two thousand three hundred (2,300) square foot home. Falls into the building envelope. The last house is over forty (40) years old and currently the floor plans are open floor plans and for larger space to live in. The size home fits comfortable on the lot, does not need variances and is not over crowded. Hopeful, if this application is granted it will spark other property owners to renovate their properties. Take older stock of homes and update them. This is one of the older streets. Street with a lot of seventy-five foot (75') wide and under lots.

Mr. Fisher stated to clarify the previous submission, there are a number of houses with smaller lots with homes of one thousand nine hundred (1,900) plus square feet such as 438 Hancock with a lot width of 37.5' with a home of one thousand nine hundred eighty (1,980) square feet.... also, 416 Hancock Street with a lot width of fifty feet (50') with a two thousand eighty-eight (2,088) square foot home.... 412 Hancock Street with a lot width of fifty feet (50') with a home of one thousand nine hundred two (1,902). Mr. Clarkin stated he stayed away from those lots because they are fifty feet (50') and may be overcrowded.

Mr. Slachetka asked what is the source of the building square footage. Per Mr. Clarkin, Board Secretary.

Chairman Ackerman stated that after the last meeting through the same source, did analysis of the streets in the area. There are many smaller homes on that street... older homes. Possibly, one (1) newer which is not that big... on a one hundred foot (100'). Mr. Fisher stated that if they were to knock that house down, they can build to the building envelope.

Chairman Ackerman asked the Board Members how they feel... discussed at the last meeting one thousand seven hundred (1,700) to one thousand eight hundred (1,800) square feet on a seventy-five (75) footer. Thought at the last meeting, started at three thousand (3,000) square feet. Mr. Clarkin stated per a comment got from Mr. Slachetka was... 'nice try Councilor.' Mr. Slachetka accepted the comment.

Vice Chairman Pedersen stated he had mentioned Beatrice because he was living close to it at the time, was noticed on that and sat out. Beatrice is an eighty (80) to eighty-two (82) foot lot, had put a two thousand four (2,400) square foot restriction. Chairman Ackerman asked Vice Chairman Pedersen if he had an issue with a two thousand two hundred (2,200) square foot on a seventy-five foot (75') wide lot. Vice Chairman Pedersen stated the foot print is more important than the square footage when garages and basements are being discussed. Does not know the restrictions... if was told to can build a two thousand two hundred (2,200) square foot house, would make half of the first floor a garage, put a 'man gave in the back with a big screen TV'. Believes the foot print is the way to go. Does not believe two thousand two hundred (2,200) to two thousand three hundred (2,300) square foot is a problem. Mr. Fisher stated that he had mentioned at the last meeting that he thought if some of the smaller houses get knocked down, that if it is too small it will become the smallest house in the neighborhood. Vice Chairman Pedersen stated he is a Real Estate Broker and there is a term in the business called 'functional obsolescence' - when a house does not meet today's standards. The houses built fifty (50) years ago do not have the closet space... not as large.... 'wear two (2) sets of clothes and leave one (1) under the bed.' Maybe the setbacks should be looked at... bigger back yard... extra room on the sides. The front yard setback wants to keep consistent. Mr. Fisher stated that at the last meeting, the Applicant agreed to comply with the setbacks with an increased rear yard setback... thirty feet (30') as to the required twenty feet (20'). Also, side yard setback increased to fifteen feet (15') where eight feet (8') is required... creating a smaller building envelope.

Chairman Ackerman stated that he has no issues with a two thousand two hundred (2,200) square foot home. Asked if any Board Members have any comments. Mr. Houghton stated he has no problem, but is concerned of the height. If there is a garage on the first floor.... Going two (2) floors or three (3) floors. Chairman Ackerman stated two (2) floors - colonial.

Mr. Bythell asked will there be a garage. Mr. Fisher stated that the garage is excluded in the square footage. Mr. Bythell stated correct but not from the setbacks. Mr. Clarkin stated if a two (2) car garage fits in the smaller

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footprint then will do a two (2) car... otherwise, one (1) car. Mr. Fisher reiterated that the Applicant agreed to a reduced building envelope with the enhanced setbacks on the side and rear as compared to other lots in the zone.

Mr. Slachetka stated that on the chart that was provided to the Board, the size measuring of the lot using a Floor Area Ratio (FAR). Explains that it is the floor area of the proposed building to total square footage of the lot. In residential areas, the average Floor Area Ratio is .5 to .3. Using the charts provided there are two (2) lots that are one hundred foot (100') wide is .2544 on the block 317 lot 14... block 319 lot 6. Reviewing the other lots discounting the larger size or the narrow lots. Reviewing block 319 lot 3... there is five thousand (5,000) square foot lot with a two thousand eighty-eight (2,088) square foot building. Mr. Fisher stated that the zoning allows a large FAR. Mr. Slachetka continued with various properties with their FAR.

Chairman Ackerman stated all setback requirements are being met with two (2) improved setbacks. Chairman Ackerman again asked the Board Members if anyone is comfortable with a two thousand two hundred (2,200) square foot home. No comments. Mr. Clarkin stated if that included the garage. Mr. Fisher stated that excludes the garage and basement.

Chairman Ackerman reconfirmed that excludes the basement and garage. The size of garage - one (1) car or two (2) car will be determined by the setbacks and location. Mr. Clarkin agreed.

Chairman Ackerman asked if Mr. Clarkin had any further testimony. Per Mr. Clarkin, does not.

Chairman Ackerman opened the discussion to the Public. No comments or concerns.

Mr. Fisher reiterated:

- Minor subdivision.
- Five (5) variances:
 - Corner lot:
 - Lot Area – Proposed 8,090 square feet – Required 10,000 square feet - Variance 1,910 square feet.
 - Rear Setback - Proposed 19' - Required 20' – Variance 1'.
 - Front Yard Setback - Existing 26.3' - Required 30' - Variance 3.7'.
 - Interior lot:
 - Lot Area – Proposed 7,500 square feet – Required 10,000 square feet - Variance 2,500 square feet.
 - Lot Width – Proposed 75' - Required 100' – Variance 25'.
- Waivers requested - Traffic Impact Statement - Environmental Impact Statement - Stormwater Calculations - Architectural Elevations.
- Conditions:
 - Reside and/or repaint existing home.
 - Pave the driveway of existing home.
 - Remove ramp of existing home at the time the existing tenant moves.
 - Install sidewalk on Bergen along frontage.
 - Repair and/or replace sidewalk to the Board Engineers satisfaction.
 - Remove existing shed and clothes line.
 - Plant at least two (2) shade trees per lot.
 - Provide enhanced side yard setback of fifteen feet (15') - interior lot.
 - Provide enhanced rear setback of thirty feet (30') both lots.
 - Provide detail grading plan to the satisfaction of Board Engineer prior to issuance of Construction Permit.
 - Comply with all requests of the Board Professionals in review.
 - Perfected by deed, maximum square footage for interior lot - two thousand two hundred (2,200).

Mr. Slachetka clarified the lot depth for the corner lot and the mean lot. Both are required... 89' where 100' is required and the mean lot required is 80.905'. Identified in his April 23, 2018 email to Mr. Clarkin which is part of the record. Also clarified that the fifteen foot (15') side yard setback is for the interior lot... lot 4.

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Chairman Ackerman called for a motion of *approval* with the conditions listed above. Vice Chairman Pedersen made motioned, seconded by Mr. Bythell. Those in favor: Mr. Bythell; Mr. Grzenda; Mr. Houghton; Vice Chairman Pedersen and Chairman Ackerman. Those oppose: None.

B. Case #17-02 - B. Bengi, LLC

Block 265; Lot 22 & 23; HDD Zone
115-117 & 119 Hamilton Boulevard

The applicant is requesting a *Preliminary and Final Major Site Plan* approval with a *Minor Subdivision* to construct two (2) buildings with retail space on the first floor and apartments on the second and third floor. Carried from May 8, 2018.

Vice Chairman Pedersen had to recuse himself.

Mr. Smith returned to the Board.

Mr. Fisher announced that the Board took jurisdiction of this case on May 8, 2018.

Robert Levinson - attorney for the Applicant - stated that in support of this application, the following are present: Ed Dec - Civil Engineer — Betsy Doyon - Traffic Engineer — one (1) of the owners Robert Bengivenga. Understands a review letter in response to Ms. Dolan's report was issued not the 22nd and informed the Board that he was unaware until ten (10) minutes ago. Did not have the opportunity to review.

Edward Dec - 131 North Michigan Avenue, Kenilworth, New Jersey - Civil Engineer - Principal with Guarriello & Dec Associates - is accepted as a Professional Engineer and is sworn in. Mr. Levinson questioned Mr. Dec:

- Prepared full set of plans with a revision date of April 20, 2018.
- Purpose of revisions:
 - Comments from the review letters.
 - Review letter dated February 22, 2018.
 - Carried the meeting to address the issues in the review letter.
 - Prepared a response and revised the plans.
 - Received most current review letter keeps the same track of the same items and listed as 'addressed', 'not addressed', 'partially addressed' or 'continuing'.
- Would like to go through variances and then waivers.

Mr. Fisher asked if Mr. Dec can do a review of the project.

Mr. Dec began to review the project using the same set of plans before the Board:

- Plans revised April 20, 2018... Before the Board.
 - Chairman Ackerman confirmed with the Board Members and Mr. Dec the date of on the plans.
- Consists of seven (7) sheets.
 - Original submission was nine (9) sheets. Eliminated several pages - subdivision.
- 115-117 & 119 Hamilton Boulevard.
- Lot 22 & 23 in Block 265
- Sheet One (1) - Over view of site, list of property owners, technical calculations for parking, zoning information, calculations for stormwater.
- Sheet two (2) - Topographic plan. Existing conditions.
 - Two (2) existing buildings.
 - Existing garage - proposed to remain.
 - Two (2) existing entrances... one (1) on the east side and one (1) south side.
 - Fences along the adjoining properties... to the north.
 - Existing railroad tile curb.
 - No separation between lot 22 & 23.
- Sheet three (3) - Geometric Plan.

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- Configuration of new building.
- Parking area.
- One (1) way circulation.
- Entrance to the north.
- Angle parking.
- Parking along the rear property line.
- Parking along the rear of the building.
- Exit on the south to Hamilton Boulevard.
- Proposing thirty-eight (38) parking stalls.
- Access to the buildings... east side - front and west side - back.
- Sidewalk along building access to Hamilton and back of building.
- Sheet four (4) - Grading and Drainage Plan.
 - Additional spot grades.
 - Direction of the run-off in the parking area.
 - Spot grades showing the ADA standards.
 - Along parking stalls.
 - Along sidewalks.
 - Proposing to connect to the existing storm sewer for the roof run-off.
 - No adverse effect to adjoining properties.
 - Connection to existing sanitary sewer.
 - Existing water, gas and electric.
 - Existing garage to remain.
 - Counting as two (2) parking stalls.
 - North-east side of parking - proposed dumpster location.
 - Fenced area.
 - Picked up by private haulers.
 - Concern regarding access to the area with garbage truck.
 - Private haulers can use smaller trucks.
 - Not large garbage truck but a small pick-up.
- Sheet five (5) - Landscape and Lighting.
 - Wall lighting on back of building.
 - Additional lighting can be made as a condition of approval.
 - Number of landscaping can be made as a condition of approval.
- Sheet six (6) - Detail Sheet.
 - Inlets.
 - Curbing.
 - Signage.
 - Handicap parking.
- Sheet seven (7) - Soil retention.

Mr. Dec began review of Mr. Bucco's Najarian Associates review letter dated June 22, 2018:

- Page 3 - Section C - Variance
 - Front yard setback - Required fifteen feet (15') - Requesting six feet (6').
 - Referred to sheet three (3) of the plans - location of the proposed buildings.
 - Side yard setback - Required ten feet (10') - Requesting zero between lots 22 and 23 - zero lot line.
 - No separation between the two (2) buildings on the two (2) proposed lots.
- Page 4 - Section C - Item 3 & 4 - Accessory Structure.
 - Existing garage to remain.
 - Existing side yard setback of eight feet (8') required - existing 1.23'.
 - Existing non-conforming structure.
- Page 4 - Section C - Item 5 - Lot Coverage.
 - Maximum is 80% - requesting 96% for lot 22 and 94.7% for lot 23.
 - Reducing lot coverage from the existing condition to proposed condition.
 - Chairman Ackerman asked what the combined coverage is. Per Mr. Dec, 93%.

Mr. Slachetka stated that Item 6 on Page 4 indicates deferment to the Planner. There are a number of requirements that are the result of the standards and requirements in the HDD district where this property is

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located. The May 8, 2018 T&M Associates review letter identify those standards and in a number of cases it is indicated for testimony or further evidence needs to be presented to make a determination that specific standard is being met or a variance required. Mr. Slachetka asked if Mr. Dec will address those comments. Mr. Dec stated he believed he did.

Mr. Fisher stated there are number of questions on page 2 of T&M Associates review letter dated May 8, 2018. Can the height be confirmed? What is the height? Mr. Dec stated does not have that information but the Applicant who is present may be able to answer that question. Mr. Dec proceeded to ask if it is because it's a two (2) or three (3) story building? Mr. Slachetka stated it is to confirm that it meets the height standard. That there is no need for a C variance or exceeded it by ten percent (10%) or more that may need a D variance. Therefore, what is the building height being proposed. Mr. Dec stated he does not know but the allowable is thirty-five feet (35'). Does not believe there is a story requirement. Mr. Slachetka stated no there is not. Mr. Dec continued... will meet the height requirement as a condition of approval. Chairman Ackerman stated that is not shown on the plans. Mr. Dec stated that is correct. Mr. Levinson stated that Mr. Bengivenga will testify to the height.

Mr. Fisher asked Mr. Slachetka if he would like him to go through the review letter. Mr. Slachetka stated yes.

Mr. Slachetka stated as indicated in the May 8, 2018 letter on page 2 has identified the various variances.

- Item 1 – Use:
 - To confirm building height that a D variance will not be required. Has been deferred to the Applicant.
- Item 2 - Design Elements:
 - Indicated that these standards are required in the HDD beyond the bulk requirements.
 - Mr. Slachetka read under comments *'that the vinyl fence detail has been removed, however, a proposed fence is still shown in the plans. The applicant should provide details of the proposed fence to confirm that is in compliance with this requirement or if a variance is required.'* The requirement being fencing for buffering and screening. Mr. Slachetka continued reading... *'We note that the plans now include a detail for the trash enclosures that measures six feet (6') in height. The plans also have been revised to remove two (2) off-street parking spaces at the entry driveway in order to provide screening of the parking are from the street, however, there are no vegetated buffer along the shared boundaries of the adjacent residential properties, therefore a variance is required.'* Mr. Slachetka asked Mr. Dec if the fence detail has been provided or will there be testimony. Mr. Dec stated believes there will be some testimony. There is an existing six foot (6') fence along the north side of the property. Mr. Dec asked Mr. Slachetka if he is referring to the south side. Mr. Slachetka read the requirement from the Ordinance... *'A landscape buffer strip of five feet (5') in depth is required along the property line when a non-residential use is contained with residential use. The buffer strip will include six foot (6') high solid fence as well as a plant material measuring a minimum of six feet (6') in height at least half of which shall be evergreen species.'* Mr. Slachetka asked Mr. Dec to clarify the properties if any are adjoining residential properties. Mr. Dec stated the one to the north is not residential. He is not sure to the south. Mr. Ackerman stated that is residential. Mr. Slachetka stated then that is in reference to the south side property line. Mr. Ackerman stated is it residential to the rear of the property. Mr. Slachetka stated that is correct. Mr. Ackerman stated there should be some type of vinyl fencing. Mr. Dec stated there is not enough room for the five foot (5') buffer. It would have to be a fence. Mr. Ackerman stated a vinyl fence at least six feet (6') high completely around the project. Mr. Dec stated that is something the Applicant can address. Mr. Levinson stated that Mr. Bengivenga will testify.
- Item B - Mr. Slachetka read... *'requires that an applicant make a reasonable effort to provide harmonious architectural relations of the front facade and signal of the applicant's side consonant with the front facade and signage of the existing structures on either side of the application site. The ordinance requires that this shall be demonstrated through, at minimum, architectural renderings and comparative photographs.'* Mr. Slachetka stated will there be testimony as to the architectural style and relationship. Mr. Levinson stated yes.
- Item C - Mr. Slachetka read... *'The HDD ordinance contains numerous guidelines for commercial signage.'* Mr. Slachetka asked if there are any signage being proposed and is that signage going to conform with the Ordinance. Per Mr. Dec, no and yes. No signs being proposed but any signage will be in accordance to the ordinance. If they are not, will return for a sign variance. Currently, none are being anticipated.

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- Item D - Mr. Slachetka read... *'Parking Lot Landscaping, Buffering and Screening - Ordinance subsection 540-52.G - The HDD Ordinance requires that the plans balance the functional requirements of parking with the provision of pedestrian amenities, and that transit areas between parking and commercial or residential uses shall be designed with texturing paving, landscaping and street furniture.'* In the most recent comment noted... *'the site plan must include a four foot (4') wide concrete sidewalk along the southern side of the proposed structure on Lot 23 to connect the parking area in the front of the proposed structures - sheet 3 of 7 - and the vegetated strips between each building and the driveways been removed - sheet 5 of 7. No details have been provided that indicated the use of any textured paving or street furniture. The Applicant should provide this additional information to confirm that the proposed development is in compliance with this requirement or if a variance is required.'* Mr. Dec asked textured pavement along the front of the building. Mr. Slachetka stated correct. Mr. Dec stated that is something the Applicant can agree to.
- Mr. Slachetka stated that the HDD Ordinance does get into a lot of details. Apologized for reading so much detail into the record.
- Item D - 1 - Mr. Slachetka read regarding Ordinance Subsection 540-52.G(1)... *'requires that the parking lot layout, landscaping, buffering and screening shall prevent direct views of parked vehicles from public view; avoid spillover light, glare, noise or exhaust fumes onto adjacent properties, in particular residential properties; and provide the parking area with a reasonable measure of shade trees. The Ordinance states that this shall be completed through the installation of a four foot (4') high visually imperious screen - six feet (6') adjacent to residential uses for parking lots exposed to public view, with reductions to height of screening were driveways approach sidewalks or walkways and shall not interfere with sight triangle requirements.'* Overlaps with the previous discussion. Mr. Slachetka stated the following comment is from May 8, 2018 review letter... *'The plans continue to show fencing from neighboring properties crossing onto the property of the subject tract, and even intersecting with the applicant's proposed fence. The Applicant's revised site plans omit the vinyl fence detail; however, no replacement is provided. We note that the plans have been revised to removed two (2) off-street parking spaces at the entry driveway in order to provide screening of the parking area from the street, however, there is no vegetated buffer along the shared boundaries of the adjacent residential and non-residential properties, therefore a variance is required.'* Again, overlaps prior comment.

Chairman Ackerman asked what type of lighting is being proposed. Mr. Dec stated recommends a metal alloyed type of lighting. Understands many people are going LED but not sure that is warranted. Whatever the Board recommends, those changes can be made. Mr. Fisher asked they have outside shields. Mr. Dec stated they are recessed fixture. The direct light source is inside a box. Cannot be seen from the side.

Mr. Slachetka continued from his review letter dated May 8, 2018:

- Item d - 2 - Ordinance Subsection 540-52.G(2). Mr. Slachetka read... *'This subsection of the HDD Ordinance requires parking lots be landscaped to provide shade and visual relief throughout the installation of protected planting islands or peninsulas with the perimeter of parking lot. For parking lots containing eleven (11) or more spaces, a minimum of one (1) deciduous shade tree for every ten (10) spaces is required.'* Mr. Slachetka stated there was a prior comment... *'We note that while the landscaping plan - sheet 5 of 7 - has been revised to remove two (2) off-street parking spaces at the entry driveway in order to provide screening of the parking area from the street, no additional landscaping to provide shade and visual relief within the perimeter of the parking lot has been proposed. The landscaping plan has also been revised to remove the proposed landscaping along the side of each building, one (1) of which was replaced with a four foot (4') wide sidewalk, which is acceptable. We should clarify that the provision for shade trees in the parking for (540-52.G(2)) is a separate and distinct requirement from the street tree requirement (540-52.K).'* Mr. Slachetka stated that it continues with the parking. However, will direct that to when parking will be addressed. As far as giving of number of spaces, the parking area should have three (3) shade trees... only two (2) are proposed - One (1) as the parking lot buffer and one (1) behind the enclosed dumpster. A variance will be required to address the shade trees. Mr. Dec asked does it need to be a peninsula island or somewhere else. Mr. Slachetka stated the issue is can it be practically addressed. Mr. Slachetka asked Mr. Dec to show the Board the location of the trees. Mr. Dec refers to sheet 5 of 7, points out the trees... landscape area north side of the site and tree shown in the rear east side by the dumpsters. Two (2) shade trees. Will look into another location or may ask for a deficient number of shade trees. Mr. Slachetka asked if there is not a practical way to provide an additional shade tree. Mr. Dec stated no.

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Chairman Ackerman asked what the hatched marks by the garage indicate. Mr. Dec stated that is a line striped hatched area for separation between parking stall fourteen (14) and garage. Chairman Ackerman asked if bushes planted in the area. Mr. Slachetka stated that is acceptable. Mr. Dec stated he would have to discuss it with the Applicant but a possibility. Mr. Fisher asked if Mr. Dec would like to discuss it with the Applicant. Mr. Bucco stated will reduce the impervious coverage.

Mr. Slachetka continued with his review letter...

- Item d - 3 - Ordinance Subsection 540-52.G(3) - Mr. Slachetka read... *'This subsection of the HDD Ordinances requires that parking lot layout take pedestrian circulation into consideration requiring pedestrian crosswalks where necessary or appropriate, and that the crosswalks be integrated into the wider network of pedestrian walkways. The ordinance also stipulates the color of parking lot lines, fire lanes and handicap stalls as well as requires pavement textures on pedestrian accessways.'* Mr. Slachetka stated without going through the whole comment but reads... *'typical parking lot lines be painted white, and that fire lanes and handicapped stalls be painted yellow, therefore a variance will be requiring. The application should provide the color information for the fire lanes, if applicable as well as the proposed pavement textures for the pedestrian access ways to confirm that the proposed development is in compliance with this requirement or if variances are required.'* Mr. Dec stated will paint the lines that are required by ordinance. Mr. Fisher asked Mr. Slachetka if there should be sidewalk hatching in any place in particular. Mr. Slachetka stated within the interior of the site area. The two (2) handicap spaces are adjacent to the building. Does not believe in the interior there is a need for crosswalks other than the texturing of the sidewalk area. The differentiate at the driveway entrance is appropriate. Mr. Dec agreed. Mr. Slachetka continued... especially the one way so there are no conflicts between pedestrian and vehicle.

Chairman Ackerman questioned that some of the parking spots on the lower left corner show parking bumpers. Will parking bumpers be placed on all parking spots... Particular along the building. Mr. Dec stated that the reason parking bumpers are being placed along the north side is to provide separation from the car area along the property line which will have a fence. The bumpers at the south east side in front of the garage not proposing any curb. Chairman Ackerman stated if there is fence going all around, shouldn't there be parking bumpers preventing people from hitting the fence. Mr. Dec stated correct. Chairman Ackerman stated even across the back and along the building sidewalk area. Mr. Dec stated yes.

Mr. Slachetka continued with his review letter...

- Item e - Loading and Service Areas Circulation - Ordinance Subsection 540-52.H. Mr. Slachetka read... *'requires that boarding docks, solid waste facilities, recycling facility and other service areas be placed to the rear or side of buildings in less visually obtrusive locations, and that screening and landscaping shall prevent direct views or loading areas and their driveways from adjacent properties and from the public view through the use of walls, fences and landscaping.'* Mr. Slachetka stated that did not direct if this is in need a variance. Mr. Slachetka read his comment... *'Note that the location of the two (2) dumpsters behind the buildings in the Northeast corner of lot 22 is acceptable. We note however, that while the revised plans include a detail for the trash enclosures, there is insufficient detail provided to evaluate if it meets the screening requirements, specifically a detail of the side and materials of the enclosure should be provided.'* Mr. Dec stated the detail enclosure is not shown on the plans. It will be a six foot (6') high fence - should be board on board wood fence. Mr. Slachetka stated that the fence is not shown all away around the dumpster on the plans. Mr. Bucco stated it does show it going all the way around but now that the white vinyl fence. Wants to make it all consistent. Mr. Dec stated will wrap all around. Mr. Bucco asked to connect it to the fence going all around the perimeter.

Mr. Slachetka stated that he has a question regarding the alignment of the dumpsters for loading and unloading and is assuming the Applicant will discuss. Mr. Dec stated yes.

Mr. Slachetka stated that the HDD Ordinance is unique with regards to the specification and design standards like no other section of the Borough Ordinance. The design of the downtown area is extremely important.

Mr. Slachetka continued with his review letter...

- Item f - Pedestrian Circulation, Sidewalks and Walkway - Ordinance Subsection 540-52.I - Mr. Slachetka read... *'Walkway design shall promote pedestrian activity within each site and throughout the district.'*

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Walkways shall be separate and distinct from motor vehicles cart ways to the greatest extent possible. Walkways should be designed to provide a pleasant route for uses, promote enjoyment of the site and encourage incidental social interaction among pedestrians. Mr. Slachetka read his comment... *'The site plans have been revised to include a four (4) foot wide concrete sidewalk along the southern side of the proposed structure on Lot 23 to connect the parking area to the front of the proposed structures.'* Mr. Slachetka stated that given the limitations of the site our perspective of the interior that adding a sidewalk is acceptable.

- Item f -2 - Mr. Slachetka read... *'Walkways shall be constructed of brick, slate, colored/textured concrete pavers or slabs, or some combination thereof that is compatible with the style, materials, colors and details of the surrounding buildings as well as with the public sidewalks. The functional, visual and tactile properties of the paving materials shall be appropriate to the proposed functions of pedestrian circulation. Walkways shall be raised and curbed along buildings and within parking lots where suitable.'* Mr. Slachetka stated that his most recent comment... *'The concrete sidewalk detail on sheet 6 of 7 of the site plans does not indicate that any color or texture is proposed for the walkways. The applicant shall provide additional information to confirm that the proposed development is in compliance with this requirement or if a variance is required.'* Mr. Dec stated will meet the requirements with the color and texture. Mr. Slachetka asked that all the information that Mr. Dec is testifying to be noted on a subsequent set of plans. Mr. Dec stated certainly.
- Item f-3 – Mr. Slachetka stated refers to barrier free walkway systems which will defer to the Board Engineer and the handicap spaces and the design of those walkways.
- Item g – Mr. Slachetka stated deals with walls and fences – Ordinance Subsection 540-52.J. Mr. Slachetka read... *'This subsection of the Ordinance requires walls and fences be designed to create visual interest, define space, differentiate spaces, public, semi-public and private, provide enclosure and guide pedestrian circulation. It requires that wall and fences be made of durable materials and shall be compatible in style, materials and color with the surrounding buildings. Brick walls with stone or cast stone cap are encouraged, while wood walls and fences, decorative metal or cast-iron fences, masonry or stucco walls and stone piers are permitted, and board on board type wooden fences are only permitted in rear and side yards, Chain link, split rail, highway style guard rail, stockade or contemporary security fenceings are prohibited.'* Mr. Slachetka read his comment... *'As described previously, the Site plan includes a proposed fence along the property line, with breaks in the area of the dumpster enclosure and at the point of the shared access with neighboring Lot 23.01. However, no details have been provided for the type of fence proposed. The vinyl fence detail has been removed from the Site Plan. We also note that the proposed fence continues to intersect with a neighboring six foot (6') high wooden fence, and a lattice fence, both of which extend onto the project tract. The Applicant shall provide additional information to confirm that the proposed development is in compliance with those requirements or if a variance is required.'* Mr. Slachetka stated that there was testimony that fencing will be provided around the rear and side internal of the site. Mr. Slachetka asked Mr. Dec if he will provide a detail of the fence. Mr. Dec stated correct.
- Item h - Mr. Slachetka reads... *'Shade Trees – Ordinance Subsection 540-52.K. This subsection of the ordinance requires shade trees along each side of all streets public or private, existing or proposed, although this may be waived on streets where healthy and mature shade trees currently exist. Furthermore, the ordinance requires a minimum caliper of 3-3.5 inches at the time of planting and a maximum spacing of thirty feet (30') on center and protected with four foot (4') square metal grates or other approved devices. The ordinance enumerates the eight (8) trees that are permitted for use as shade trees in this zone.'* Mr. Slachetka asked Mr. Dec to discuss the shade trees. Mr. Dec stated that there are four (4) shade trees in the front and are shown on the plans. Does show the protective covering and well rounded. Do not have a detail to show but will meet the Boroughs standards for both the type of tree and tree grading. Mr. Slachetka stated that in his notes there were two (2) issues... one (1) issue was the number of street trees. Providing four (4) when a minimum of six (6) are required. Mr. Dec stated that he misunderstood and would only be able to provide four (4) due to the frontage length of the site and the connectivity of the utilities. Felt that it is not required amount but showed the intent. Mr. Slachetka stated that the Applicant has a hardship due to the location of the utilities. Mr. Dec stated correct. Mr. Slachetka continued... the type that is being provided is the Columnar Sargent Cherry which is not one (1) of the eight (8) listed in the standards. Will require a variance. Mr. Dec stated that they will meet one (1) of the eight (8) listed. Mr. Slachetka reiterated that the Applicant will provide one (1) of the eight (8). Mr. Slachetka asked if the grates and street grade will be met. Mr. Dec stated will do so once the detail has been located.

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- Item I - Mr. Slachetka read... *'Street and site lighting – Ordinance Subsection 540-52.L. This subsection of the Ordinance describes the design standards for lighting. This includes the requirement of house side shields where abutting residential uses, the use of pedestrian scale decorative lampposts that provide efficient and safe illumination along walkways, and that decorative lampposts shall conform with the HDD zone requirements.'* Mr. Slachetka read his comment... *'Based on the revised Lighting and Landscaping plan sheet 5 of 7, no lighting is proposed for the front of the building. The lamp post detail shows a sixteen foot (16') high pole, with a two foot (2') high base; this is not pedestrian scale, nor does the design appear to incorporate a decorative element. The remaining outdoor lighting utilizes wall mounted lighting, however, we note that a wall mounted fixture along the entry driveway appears to be missing, as a dispersal pattern is illustrated but the fixture location is not identified. We also note that the light dispersal diagrams do not account for the proposed buildings and existing garage. The revised plans still indicate that there will be some light spillage into the adjoining residential properties; dispersal measurements should be evaluated at the half foot candle level to evaluate the extent of this spillage. Variances are required.'* Mr. Dec responded that the requirements are met based on the maximum and minimum foot candles. Will look into other types of lighting and lampposts that meet the HDD standards. Mr. Slachetka stated at a pedestrian scale. Confirmed with Mr. Dec that the Applicant will comply with those provisions. Chairman Ackerman requested a low-level light over the entrance of the garage. Mr. Dec stated that can be done.
- Item j – Mr. Slachetka read... *'Street Furniture – Ordinance Subsection 540-52.M. This subsection of the ordinance describes the types of street furniture that would be selected, and that utilitarian elements, such as utility boxes, should be discrete and either blended into the background or screened where possible.'* Mr. Slachetka read his comment... *'The applicant shall provide additional information to confirm that the proposed development is in compliance with these requirements or if variances are required.'* Mr. Slachetka asked Mr. Dec if any street furniture will be provided. Mr. Dec asked benches. Mr. Slachetka stated yes. Per Mr. Dec, no... not at this point. Mr. Dec asked if it is a requirement. Mr. Slachetka answered that the Ordinance does say that certain street furniture should be selected and that if anything is out there should be designed in the manner of the HDD district. Mr. Slachetka asked Mr. Dec if there is a spot or any potential of street furniture. Mr. Dec stated there is a six foot (6') setback and it will be in the right-a-way. Mr. Slachetka asked the width of a sidewalk. Mr. Bucco stated four feet (4'). Mr. Dec asked that the sidewalk be going from the building to the curb. Mr. Slachetka stated that there is no ability to put street furniture. Mr. Slachetka asked if trash receptacles or bicycle feature. Mr. Dec stated none are proposed.
- Mr. Slachetka stated that outdoor cafes and sidewalk displays are not relevant.
- Item m – Mr. Slachetka read... *'Architectural design and guidelines. This subsection of the ordinance provides guidelines for the design of new buildings.'* Mr. Slachetka stated that the applicant has not provided any architectural renderings. Will anticipate more testimony regarding the architecture. Mr. Dec stated correct.

Mr. Slachetka stated the remaining items are in regard to the bulk variances.

Mr. Fisher stated there are many Board Members questioning why keeping the two (2) lots versus one (1) lot... any consideration of margining the lots. Mr. Dec stated that it is a shared application. The applicants would like to remain separated.

Mr. Smith asked there will be two (2) separate buildings. Mr. Dec replied there will be a devising wall separating the properties... but that is correct. Mr. Smith stated that the zero setback creates an issue. Mr. Dec responded that that is a various they are seeking.

Mr. Fisher stated that is the biggest issue creating a number of variances. Obviously, there would be no need for the one (1) set of side setback but the answer does make sense. There are accessway easements. Mr. Dec stated that on sheet 3 there is a proposed access easement on lot 22 that provides access to lot 23... 'one is the opposite of the other'. Mr. Fisher asked if there is a shared maintenance agreement. Mr. Dec stated that is correct.

Chairman Ackerman asked the Board Members if there are questions regarding Mr. Slachetka's report. Mr. Slachetka stated there are other items on his report but wanted to highlight the HDD standards. The other comments relate to parking, circulation, elevations etc that the Board will hear testimony from other witnesses.

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Chairman Ackerman asked Mr. Bucco if questions were answered in his report. Per Mr. Bucco, yes.... Gone through variances and waivers. Site layout on page 7. Would like testimony and / or blow-up plans of the ADA parking stalls. Mr. Dec stated the plan shows the ADA accurately and clearly, however, if it is a requirement will provide. Mr. Bucco stated he would like to see that information on a separate sheet. Mr. Bucco continued through his review letter:

- Page 7 - Items 2, 3, 4 – heard testimony.
- Page 8 – Item 5 – rear entranceway for retail and apartment or both. Mr. Dec stated separate entrances for both. Applicant will provide further testimony.
- Page 8 – item 6 – Mr. Bucco read... ‘*Testimony shall be provided for the future locations of retail use entrances, specifically handicapped accessibility access and route from the handicapped parking spaces.*’ Mr. Dec stated they do show accessibility for both front and back for retail and residential including sidewalk. Mr. Bucco stated believes that Mr. Bengivenga can answer this question... including the interior.
- Page 8 – Item 7 – addressed.
- Page 8 – Item 9 – addressed.
- Page 8 – Item 10 – not applicable... there is one-way circulation.
- Page 8 – Item 11 – Mr. Dec stated on either end of the parking stalls.
- Page 9 – Item 12 – addressed.
- Page 9 – Item 13 – addressed. Will ‘clean up’ plans.
- Page 9 – Item 14 – addressed. Will provide a fence around the property and will provide signage.
- Page 9 E – Traffic – will review with Traffic Export.
- Page 14 – G – Grading/Drainage.
 - Item 1 – not required.
 - Item 2 – Mr. Bucco read his comment... ‘*At a minimum, the Applicant shall submit a pre and post runoff comparison to determine the impact of increased runoff that will not be directed to the rear of the property. The report shall include an analysis of the downstream stormwater conveyance systems capacity, as well as existing and proposed pipe calculations.*’ Mr. Bucco stated that it is recommended even though the site is almost totally impervious what we found is some of the water that was directed to Hamilton is going back. Looking for that it is dominus. We do not know the pipe size. Concerned to show the regrading is not going to affect anything. Not looking for a full-blown hydrograph... a simple drainage area. Needs to know what is happening in the rear because there are residents there.
 - Item 3 – partial address... similar to 2.
 - Item 4 – addressed.
 - Item 5 – has been provided. Received what is requested accept the pipe.
 - Item 9 - Mr. Bucco read... ‘*the Applicant has indicated additional elevations and topography will be submitted within the off-side Drainage Easement.*’ Mr. Bucco asked Mr. Dec will that be supplied. Mr. Dec stated sure.
 - Item 10 – the same thing.
 - Item 11 – addressed.
 - Item 12 – part of a report that will be submitted.
 - Item 13 – part of a report that will be submitted.
 - Item 14 – Mr. Bucco asked Mr. Dec to provide the top and bottom elevations.
 - Item 15 – spot elevations. Mr. Dec will add.
 - Item 16, 17 – part of the report.
 - Item 18 – outside approvals.
 - Item 19 – defer to the Environmental Commission.
- Page 17 – H – Landscaping:
 - Mr. Bucco stated this is in addition to Mr. Slachetka’s report.
 - Tree grades and type of tree have been discussed.
 - Landscaping comments mirror Mr. Slachetka’s comments and have all been testified too.
- Page 18 – I – Lighting:
 - Heard testimony for majority of items.
 - Mr. Bucco asked what time the lights will turn on, security lighting etc. ... believes Mr. Bengivenga would be best to answer.
- Page 19 – J – Utilities:
 - Testimony is needed for usage, existing sanitary sewage, water service connection.

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- If the buildings will be demolished, will they be properly capped.
 - Mr. Dec stated if the quality is there and the connection is still serviceable would like use the existing connection.
 - Mr. Bucco asked if the Applicant will provide the needed service for the proper fire protection. Mr. Dec stated that is correct.
 - There will be two (2) services.... One (1) for fire and one (1) for domestic. Mr. Dec stated yes.
- Sanitary sewer is self-explanatory... based on the bedrooms and retail square footage. Mr. Dec stated correct and believes still below the requirement for NJDEP. Mr. Bucco believes it is more than two (2) buildings or more than eight thousand (8,000) gallons a day.
- Applicant must meet the Fire Officials requirements.
- Applicant will be subject to the sanitary sewer connection fees.
- Page 20 – Miscellaneous Items.
 - ‘Clean up items.’
 - Property owners should be confirmed.
 - Majority already ‘cleaned up’.
 - Geographic – ‘clean up items’ – drafting errors.
 - Mr. Dec stated he did go through the comments and will correct.
- Page 25 – Needs outside approvals. Mr. Bucco asked Mr. Dec if all miscellaneous items will be done. Mr. Dec stated yes... has no objections.
- Mr. Bucco stated that the item that has not been addressed on his review letter is traffic.

Mr. Levinson requested a recess.

Chairman Ackerman called for a five (5) minute recess.

Chairman Ackerman called the meeting to order.

Chairman Ackerman asked if any Board Members have questions for Mr. Bucco.

Mr. Smith asked regarding the sidewalk on the southern side, there are dimensions of 6.6’ and 7.4’ what is it. Mr. Dec stated it is open space... stone. Mr. Smith asked Mr. Dec it is not a sidewalk. Mr. Dec stated no. Mr. Smith continued... on the other side, there is only two feet (2’) of sidewalk. Mr. Dec stated it is the same thing... decorative stone.

Mr. Fisher asked Mr. Slachetka if he has any questions for the Engineer. Mr. Slachetka stated no further questions. Chairman Ackerman asked if Mr. Bucco had any further questions. Mr. Bucco stated no.

Chairman Ackerman asked the Board Members if they have any questions for the Engineer. None.

Elizabeth Dolan – Dolan & Dean Consulting Engineers, 792 Chimney Rock Road, Martinsville, New Jersey – accepted as Traffic Engineer and is sworn in. Mr. Levinson asked Ms. Dolan if the Traffic Impact Statement dated June 15, 2018 was prepared by her. Ms. Dolan answered that is correct. Mr. Levinson asked Ms. Dolan to give the characteristics of the Traffic Report. Ms. Dolan agreed to:

- Used publication from the Institute of Transportation Engineers (ITE).
- Sixteen (16) proposed apartments.
- Approximately, seven thousand (7,000) square feet of retail space.
 - Tenants are unknown.
 - Used ITE generic shopping center trip rates.
 - Table 1 on page 3:
 - Smaller customer services.
 - Hair salon... food establishment... small offices.
 - Corporate chains would not like this location.
 - Parking and circulation behind building.
 - Boutique... lower turnover.
 - Deliveries with box trucks.

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- Space once used for: Dance Studio, Sewing Shop, UPS Store.
- Projected:
 - Ten (10) vehicles morning peak hours.
 - Up to thirty (30) vehicles evening peak hours during week day.
- Apartments – not all leave or return at the same time.
- Peak hours:
 - Morning peak hour sixteen (16) apartments:
 - Two (2) entering.
 - Five (5) outbound.
 - Evening peak hour:
 - Six (6) entering.
 - Three (3) exiting.
- Twenty (20) to forty (40) per hour trip range.
- Does not take credit for pedestrian trips.
- Retail will compliment local residents.
- Current site not generating traffic.
- Per ITE and NJDOT, get credit for prior uses.
 - One hundred (100) new trips – look at impact.
 - Higher impact retail – look at type trips.
 - Usually higher amount of ‘pass byers’.
 - Not presenting the above. Reason for Traffic Statement not Traffic Impact.
- Parking:
 - Per RSIS, thirty (30) spaces required.
 - Error – used one (1) space for three hundred (300) square feet of retail instead of one (1) space for two hundred (200) square feet of retail.
 - Per RSIS, mix use settings, shared parking shall apply.
 - Residential demand – maximum overnight.
 - Retail demand – maximum during mid-day.
 - Peak occurrence – weekends.
 - Residence home.
 - Retail open.
 - One (1) space per unit is suffice.
 - ITE ratio – for downtown areas – three (3) spaces per one thousand (1,000) square feet.
 - Sixteen (16) space.
 - ITE multi-family – 1.2 spaces per unit.
 - RSIS visitor spaces - .5 space per unit.
 - Believes Applicant not assigning parking for dwelling unit – shared parking.

Chairman Ackerman questioned Ms. Dolan:

- Any consideration for the shopping center across the street? *Did not take any credit for it but recognized it.*
- Was the traffic generated from the shopping plaza across the street considered? *It is a busy site... Dunkin, liquor store.*
- Difference between what the Borough requires and the thirty-eight (38) spaces? *Yes... if is one (1) per two hundred (200) numbers are low. Had total of fifty-four (54).*
- How is the Applicant going to address the variance? *Large amount of parking spaces. Shared parking... maximum parking demand at night for residents.... When stores or offices are closed. When the residents leave during the day, the parking spaces are freed up for the businesses. Mr. Bengivenga has specific data to answer one (1) of the comments in the Engineering Review letter. However, less than two (2) spaces per unit has been routinely accepted. The two (2) uses have the ability to share parking.*

Mr. Grzenda stated that site is close to Hamilton and Maple which get difficult during certain times of the day... there is no traffic light there. Was that considered in study? Ms. Dolan stated yes... currently there are three (3) driveways. One-way circulation is being proposed. The traffic that comes in off of Hamilton Boulevard would travel through the parking lot. The egress point is being pushed as far away from the intersection as possible. If people have to wait to exit the site that would be an onsite issue. Enough queuing in the driveway to allow stage onsite.

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This onsite development cleans up the access, provides one-way circulation and puts those outbound movements as far as possible from the area that queues up the most. Mr. Grzenda asked what about the idea of left turn only coming out not to go to Maple Avenue where the traffic problem is. Ms. Dolan stated certainly you can go around the block but the people who can turn right, turn right. That is more of an intersection issue because between two (2) traffic signals.

Chairman Ackerman stated that area is a 'bottle neck' during peak hours... particularly in the morning, afternoon and evening. There is a short distance between that intersection and the next which is light control section with truck traffic. You get truck traffic on Hamilton Boulevard trying to make the turns which are very narrow where the traffic cannot get to the cross area where cars have to back up three (3) or four (4) cars back to allow the trucks to make the turn. Ms. Dolan stated sure.... It is between two (2) signals and get queueing for both of them. Would defer to the Applicant for the turning restrictions but does not believe it will be necessary or a hardship. There is an existing roadway.

Mr. Fisher stated it is better than existing conditions with three (3) unregulated driveways in which you have people turning. Ms. Dolan stated there is inbound and outbound in three (3) locations where this keeps it clean... one way where the possibility is two (2) movements. Mr. Fisher asked in Ms. Dolan's opinion regarding egress and ingress existing condition. Ms. Dolan stated it is much better, safer, organized. Mr. Fisher reiterated safer circulation and egress and ingress. Ms. Dolan stated the site circulation with a twenty-four (24') isle and single lane driveway is much improved over the existing conditions. Mr. Fisher stated it does exist and can be reoccupied. Ms. Dolan agreed... much better and organized for traffic control for redevelopment.

Mr. Grzenda stated with the location of these buildings increase traffic. Ms. Dolan's stated it will increase slightly, if nothing is currently generated. However, there was a prior comment that there was commercial with a residential there. There will be an increase... do not know who will be the users but certainly not a Wawa capacity. A modest amount of additional traffic.

Chairman Ackerman stated there has not been anything there for years.

Mr. Fisher stated there is no reason why the buildings cannot be renovated and occupied with haphazard traffic pattern with multiple driveways.

Chairman Ackerman stated that the other concern at that intersection is the Fire Department... their main exit. That intersection is cross tabs not to block. Mr. Fisher stated how does that compare to the existing conditions. Ms. Dolan stated it is like a rail crossing... when the train comes creates gridlock. When the Fire Department has to exit the building everyone else has to stop. That is not going away whether this site is redeveloped or not. Mr. Fisher stated if they were to renovate the buildings and reoccupied the site as is without the need for variances. Ms. Dolan stated if there is activity and the Fire Department is releasing vehicles and you have three (3) unregulated driveways versus two (2) driveways one way there is less opportunity for conflicting movements... again cleaner, more organized and safer. The existing driveways are not well defined. Overall enhancement for pedestrian and vehicular movement on Hamilton Boulevard.

Chairman Ackerman stated it is not our job to discredit what you are saying, it is our job to all scenarios. Ms. Dolan stated from a redevelopment side, likes to clean up driveways... reduce conflicting points. Her understanding there was a dance studio at some point with drop off and pick up opportunity. Now, that all will happen in a confined area.

Mr. Bucco stated with all this discussion, the Board may feel more comfortable with a capacity analysis with fine figures to better understand what was testified. Ms. Dolan stated they may. The reason did not go that route is because it is a permitted use and the analysis is more likely to be limited to the driveways. Certainly, know there are capacity problems at the intersection of Maple because it is in between two (2) signals. To study all that would show that we are studying an existing condition that nothing can be done about. The analysis becomes the driveway movements. The outbound movement from the southernly would be analyzed and since there were queuing onsite. Putting the egress movement as far as possible of the queueing developing approach to Maple. Mr. Bucco reiterated... hearing the questions from the Board, those numbers may help the Board understand what really is going on. Ms. Dolan stated it might. Mr. Bucco stated it will be beneficial to the Board.

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Mr. Bucco stated that the uses need to be identified... not a Wawa but will it be a doctor's office or a dance study... what are will be the retail hours when people come home? Will the uses stay open later? Mr. Bucco suggested that the retail hours be restricted due to shared parking. The analysis will relate to the retail and residential parking. Ms. Dolan stated that is something she can commit to but it is up to the Applicant. Mr. Bucco stated that may help the Board have a better understanding.

Mr. Fisher asked if the ITE takes into account a wide range of uses. Ms. Dolan stated yes... including offices. Hour by hour breakdown parking demands for a classic shopping center which shows a mid-day peak. It also shows the residential area and that peak is 7 pm to 8 pm. Mr. Fisher asked if the shopping center numbers in ITE conservative. Ms. Dolan stated yes... for a seven thousand (7,000) square feet that is the classification that is used. Mr. Bucco stated the Board is interested in when the retail will be used and when they end their day, that the parking will be available for the residence. Mr. Levenson stated not only when the retail come to the end but the peak time for retail. Mr. Bucco stated those are the items that the Board would like to understand. Mr. Fisher stated that ITE shows some retail that peak mid-day as well as after 5 pm. Ms. Dolan stated yes... it takes into account restaurants for the dinner peak. Mr. Fisher asked if this reflects the kind of uses that may be find here. Ms. Dolan stated that since there is no defined retail, shopping center is encompassing all... it does consider a variety of types.

Chairman Ackerman asked if these two (2) retail spaces became an eating establishment the parking will be higher. Mr. Slachetka added also the time... they will be open in the evenings and weekends when the residents will be at their peak. There will be less benefits for shared parking if their peak is at the same time of the residential.

Mr. Slachetka asked that in the report, it is listed at seven thousand (7,000) square feet for retail. However, the plans indicated that the parking calculations are based on three thousand three hundred (3,300) square footage of retail per each building for a total of six thousand six hundred (6,600). However, the footprint of the plans shows closer to seven thousand (7,000) square feet. Ms. Dolan stated she used the seven thousand (7,000) square feet. Mr. Slachetka stated that when the plans are finale, the assumption would be seven thousand (7,000) square feet. Ms. Dolan stated that would be up to the Architect and the Engineer... the two (2) sets of plans she saw, there was a swing in the size. Does not believe it will be greater then seven thousand (7,000) square feet. Mr. Slachetka confirmed with Ms. Dolan that she used the RSIS standards not the Ordinance standards. Mr. Slachetka continued... Based on the space for three hundred (300) square feet, calculated to fifty-four (54) spaces rather than the fifty (50) spaces that are identified on the plan. Ms. Dolan stated went with the RSIS. Mr. Slachetka stated there is a section that refers to the parking that identifies several sections in the Ordinance. Mr. Slachetka stated that at the bottom of Page 5, Ms. Dolan wrote that many site redevelopments in New Jersey have been approved with parking ratios of 1.5 spaces per apartment. Any specific references? Ms. Dolan stated she can get a list however, recently did one in Keyport with 1.4... in New Brunswick with 1 per unit... last night did one 1.2 per unit... Fanwood was less then two (2) per unit... Morristown 1.5. Mr. Slachetka stated that at the end of Ms. Dolan's report it states that parking can be 'managed' by assigning space for each resident and the remaining twenty-two (22) spaces to be shared by retail and a resident. Is that what you are specifically recommending. Ms. Dolan stated she is not. That is something that is being discussed in an application in Montclair... Providing less then two (2) spaces per one thousand (1,000)... Maybe 1.4. The mix use development in Montclair decided to assign one (1) space per unit and remainder to be used by retail and residents. Mr. Slachetka stated that on top of page 4 of Ms. Dolan's report, it indicates that the trip generation will replace the trip generation of the six (6) bay auto repair facility. Mr. Dolan stated that is typo.

Mr. Slachetka asked to discuss off-site parking. There is a reduction of spaces that are on street spaces. There is no parking directly in front of the site. Ms. Dolan stated correct. Mr. Slachetka continued... there are three (3) spaces identified across the street with new paving and striping. Are these spaces specific to this site? Ms. Dolan stated she does not have the answer.

Chairman Ackerman asked Mr. Slachetka to expand the discussion. Mr. Slachetka stated there a general standard in the ordinance where the one (1) space for two hundred (200) for retail and two (2) spaces for two (2) bedroom units and 1.5 for one (1) bedroom. That is less then RSIS. However, HDD district there is a specific parking section in the HDD district... where one (1) per three hundred (300) square feet for retail comes into effect – subsection 540-52D.1a. It states that it supersedes the other parking. Mr. Slachetka read the subsection. Mr. Slachetka stated that the HDD standard is higher than RSIS. Specifically, those spaces must be provided on site.

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Regarding the one (1) space per three hundred (300) square foot onsite or another location. There is a reduction permitted for on street parking.

Chairman Ackerman questioned the parking spaces across the street... that it was never mentioned previously.

Mr. Slachetka stated that based on the revised plans the spaces have been reduced by two (2) spaces... down to thirty-eight (38) parking spaces. The revised plans note that there are three (3) parking spaces on the other side of the Hamilton Boulevard. In the HDD zone, there is a section of the Ordinance that reads one (1) parking space 'immediately adjacent' to the building housing with one or more uses. On street parking is not permitted on this side of the street, however, it is on the opposite side. It is to be determined by the Board if these spaces are immediately adjacent and available to the applicant. The HDD permits a reduction based on on-street parking. Mr. Slachetka asked Ms. Dolan if she took account of the three (3) spaces. Ms. Dolan stated she did not. Mr. Slachetka did the parking calculations based on the HDD standards... a total of fifty-five (55) spaces are required for the project with twenty-three (23) can by off-site location. A reduction for any on-street parking. A variance will be required for fifteen (15) spaces or fourteen (14) spaces if the off-street parking is counted.

Chairman Ackerman stated there has not been any offsite parking proposed. Chairman Ackerman calculated the same number of parking spaces using the Ordinance.... Fifteen (15) spaces.

Ms. Dolan stated she does not have any information regarding off-site parking. Could provide calculations for shared parking and/or hour by hour.

Mr. Bucco would like to review the site circulation that have not been addressed in his review letter. Mr. Bucco begins on page 11:

- 1 – was addressed
- 2 – sight distance. Ms. Dolan will work with Mr. Dec to provide.
- 3 – aisle width. Ms. Dolan will work with Mr. Dec.
- 4 – addressed.
- 5 – movability and accessibility of emergency vehicles. Ms. Dolan stated that Mr. Dec stated he is working with the turning templet. The exit driveway is in access of fourteen feet (14'). Has not reviewed with templet. Chairman Ackerman explained to Ms. Dolan that the Fire Department uses a templet for the equipment.
- 6 – same as 5.
- 7 – addressed.
- 8 – addressed.
- 9 – aisle width does not meet code. Needs variance.
- 10 – addressed.
- 11 – addressed.

Mr. Levinson requested a recess. Board granted recess.

Chairman Ackerman called meeting to order.

Chairman Ackerman reviewed the remaining Professional review letters. Middlesex County Health has no objections. Traffic and Safety has no comment or concern based on the original plans. No further comments on the revised plans. Environmental Commission stated that the impervious coverage is almost one hundred percent (100%). Would like more landscaping but understand that the property is almost one hundred percent (100%) impervious and no room to do so. Would like a clarification on solid waste since the dumpsters are behind each other. Front dumpster would need to move to get to the rear dumpster. Neither labeled for recyclables. Recyclable plan needs to be submitted. Fire Department has two (2) letters... September 26 and February 5, 2018. Want to install a NFP72 sprinkler system. Mr. Bucco stated that would be on the architectural plans. Chairman Ackerman continued... a Knox Box... FCC on Hamilton Boulevard with flush connection... protection around gas meter... Asking if the buildings will have a basement.... Designate left and right side of the building as fire lanes... install utilities underground... would like use of the buildings for training prior to being torn down.

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Robert Bengivenga – 3112 Woodland Avenue, South Plainfield, New Jersey – one (1) of the applicants is sworn in. Mr. Levinson asked if Mr. Bengivenga has prepared an architectural drawing. Mr. Bengivenga stated yes. Mr. Fisher asked if Mr. Levinson if he is qualifying Mr. Bengivenga as an Architect. Mr. Levinson stated no. Mr. Bengivenga stated it is only a drawing. Mr. Bengivenga presented Exhibit A1 – drawing and Exhibit A2 – rendering print. Mr. Bengivenga explained:

- Front and back similar.
- Four (4) possible retail units.
- Separate door both in front and back for residents.
- Each retail will have separate front and back entrances.

Mr. Smith asked there are four (4) entries... four (4) stores? Mr. Bengivenga stated four (4) entrances... maybe four (4) stores or may not. Keeping one of the retail spaces for himself. Unknown of the size. Last office approximately one thousand (1,000) square feet. Explained a barbershop in another building he owns would like to move and which would give the eatery next door more room by putting an archway between the two areas.

Mr. Bengivenga stated the building is thirty-five feet (35') in height not counting the copula which can be removed.

Chairman Ackerman asked if the balconies are functionable. Mr. Bengivenga stated it would be nice but does not need to be functional... more decorative.

Chairman Ackerman asked Mr. Bengivenga if he knows who will use the retail space besides his office. Mr. Bengivenga stated no.

Mr. Bengivenga stated that before he owned the building his daughter went to dance school. When he bought the building the dance studio remained but got sold to another individual. Was there for a longtime. In the same building UPS, K&S Appliances, a frame shop, cross stitch store and deli. Some more concentrated then others.

Mr. Bengivenga stated he has three (3) buildings in a row in the downtown area. Has dog groomer, barber shop and restaurant.... Then Sports World with batting cages upstairs, Presto Printing, hot dog restaurant and an ice cream shop that was a salon before that. Went downtown... antique cars – every Tuesday. Parking lot half filled with retail open and car show.... Spaces in street all taken by antique cars. Most of tenants have one (1) car... only one (1) tenant has two (2) cars. Another building he owns at 133 has two (2) dentists. Parking lot never filled. Upstairs has apartments. One (1) tenant works at night. Always a flow. Garbage cans on wheels.... Mr. Popik does the same.

Chairman Ackerman stated that in Dr. Tempel letter, the plans need to indicate which is recycling, which is trash and submit a recycling plan. Mr. Bengivenga defers to Mr. Lemmo, the other owner.

Mr. Levinson asked Mr. Bengivenga to answer the Fire Department review.

Mr. Fisher asked Mr. Bengivenga if a NFP72 will be installed. Mr. Bengivenga stated if it is required it will be installed. Will install Knox Box. Will have fire connection with flush mount in the front of the building. Mr. Bengivenga stated will comply with all Fire Department review letter.

Mr. Fisher read a statement from the Environmental Commission regarding if the project is too intense for the area. Mr. Bengivenga stated that on South Plainfield Avenue there is no landscaping. Emergency Management is the only building that has some shrubs. Mr. Fisher asked if this project is similar intensity as other surrounding buildings. Mr. Bengivenga stated yes.

Nick Lemmo – 134 Geary Drive, South Plainfield, New Jersey – owner, is sworn in. Mr. Lemmo stated Mr. Bengivenga covered the basis. The current buildings are a 'eyesore'. Will be tremendous improvement. Remembers when liquor store was there. There are two (2) tenants currently. Has seen people back out of the center driveway. Proposed design is a better flow.

Mr. Levinson asked Mr. Lemmo regarding the recycling plan. Mr. Lemmo stated that a recycling plan will be provided to Dr. Tempel. Separate designated containers.

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Mr. Smith asked the purpose of the maintaining the existing garage. Mr. Bengivenga stated it is a two (2) story garage. That is where he is going to put his vehicle. Mr. Smith continued... with the lack of trees possible proposal for landscape if it is not going to be used. Mr. Bengivenga stated that it would be blacktop if it was not there for two (2) spaces. Mr. Smith continued... there is the possibility that the buildings may need to be reduced if the temple – the turning radius – does not work. Mr. Lemmo asked if a full sprinkler system is being supplied, does a turning radius need to be done as well. Mr. Bucco stated that is up to the Fire Official.

Mr. Fisher stated this is one of the few review letters that the Fire Department omitted the turning temple.

Chairman Ackerman stated that it will have to be discussed with the Fire Inspectors as too if the sprinkler system is sufficient and the need for a turning temple.

Mr. Smith clarified with Mr. Bucco that the 13.2 aisle width is not wide enough per ordinance. Mr. Bucco stated a 13' wide a fire truck will fit. The Fire Department is requesting a Siamese connection on the building. Mr. Bucco believes that if the building is sprinklered and a connection is on the building, a turning temple may not be required. More concerned with an ambulance getting to the rear of the building. Mr. Smith is concerned with a possible car fire in the rear and emergency vehicles cannot make it. Mr. Fisher stated that the Fire Department did request fire lanes along both sides of the buildings. Mr. Fisher will make the Fire Department response as a condition of approval.

Mr. Grzenda asked Mr. Lemmo regarding the use is too intensive for the location. Mr. Bengivenga previously answered but would like Mr. Lemmo to answer as well. Mr. Lemmo stated it is not occupied now... but it will not be too intense for the area. It will enhance the area. Mr. Fisher asked Mr. Lemmo if the impervious coverage is being reduced. Mr. Lemmo stated yes. Mr. Bucco stated it was agreed to remove the striped area by the garage and have some plantings.

Mr. Bythell asked Mr. Lemmo if one (1) dumpster for garbage and one (1) for recycling. Per Mr. Lemmo yes. Mr. Bythell asked if that is enough for the residence and commercial uses. Mr. Lemmo stated that pick up will be three (3) days a week. Mr. Bythell asked if the Applicants have any concern regarding the building down the street... retail being empty. Mr. Bengivenga stated he believes the raised area is a deterrent. Mr. Lemmo stated it is a concern.

Mr. Smith stated that the project on Hamilton by the gas station is similar project but on a smaller scale. Mr. Bengivenga stated he had looked at the building and there were some things he liked about it and other he did not.

Chairman Ackerman stated that the parking is still an issue... fourteen (14) to fifteen (15) spaces short. Not sure if Traffic Export answered the questions. Mr. Bengivenga stated that is why he commented on the other properties he owns and the parking situation of those buildings. There will be staircases in the building which will reduce the square footage of the building. Mr. Bengivenga reiterated the amount of remaining spaces with the antique car show along with the businesses open. Until ten (10) years ago, there was never parking on his side of the street. Even with the first bagel shop in South Plainfield... people came and went.

Chairman Ackerman explained if the retail becomes eateries, the parking requirement will be larger. Looked at the shopping center across the street and their requirements. When they came in... did not know what was going in those spots. They have sixty-eight (68) which was the required parking at that time. Currently, with the eateries and count the tables, the requirement by today's ordinance would require seventy-eight (78) parking spots. That is the concern. Mr. Bengivenga stated that it is empty most of the time. Mr. Smith stated there has been times he has gone to the shopping center and there was no parking available. Chairman Ackerman stated that there is a concern from the tenants regarding their own parking. Mr. Lemmo stated that the ninety-eight (98%) of the time that it is empty.

Mr. Smith questioned the calculation of the parking spaces on the plans. It was determined thirty-eight (38) spaces... one (1) space by the dumpster.

Mr. Lemmo asked if the Board is concerned regarding the retail. Asked if the Board would prefer all apartments. Mr. Bucco stated it would go to the Zoning Board. Mr. Fisher stated it would go to the other Board. Mr. Smith

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stated he has no issue... just want to make sure all items are covered. Mr. Fisher stated the Board can restrict restaurants but all the benefits and detriments need to be addressed.

Mr. Slachetka stated there are some options for the Traffic Export. Ms. Dolan reiterated some of the options other projects have done... including shared parking. Mr. Slachetka suggested a formal presentation... maybe numbers regarding the development down the street. Chairman Ackerman agreed. Applicant agreed to do a study regarding the development down the street.

It is determined that the Applicant will return on July 24, 2018 with a traffic report submitted a week before. Mr. Fisher asked Mr. Levinson if the Applicant consents to the extension. Mr. Levinson agreed.

Mr. Smith requested that a clarification from the Fire Department at that time. Board Secretary will contact the Fire Department for a clarification.

Chairman Ackerman called for a motion to *carry* the hearing with no further notices. Mr. Smith made motioned, seconded by Mr. Bythell. Those in favor: Mr. Bythell; Mr. Grzenda; Mr. Houghton; Mr. Smith and Chairman Ackerman. Those oppose: None.

Old Business: None

Committee Reports:

- A. **Street Naming Committee** – Bob Ackerman – report progress.
- B. **Environmental Committee** – Rich Houghton & Bryan Bythell - report progress.
- C. **Council Reports** – Councilman White – report progress.
- D. **Mayoral Updates** - Mayor Anesh – report progress

Minor Site Plan: None

New Business: None

Correspondence: None

Audience Comments: None

Executive Session: None

Adjournment: 10:50 pm.

Respectfully Submitted,
Joanne Broderick
Planning Board Secretary