

BOROUGH OF SOUTH PLAINFIELD  
ZONING BOARD OF ADJUSTMENT MINUTES  
December 3, 2019

**Chairman Leonardis** opened the meeting at 7:00 pm.

Please stand for the PLEDGE OF ALLEGIANCE.

This meeting was held in accordance with the Open Public Meeting Act and as such, proper notice of this meeting was published in The Observer, The Courier News and The Star Ledger providing same to the Borough Clerk.

It is the policy of the South Plainfield Zoning Board of Adjustments, not to hear any new applications after 10:00 pm and no new witnesses after 10:30 pm.

**ROLL CALL:**

**Present:**

Gino Leonardis, Chairman  
James Gustafson, Vice Chairman  
Ken Bonanno  
Maria Campagna  
Cindy Eichler  
Frank Lemos  
April Wasnick, 1<sup>st</sup> Alternate  
Joseph Scudato, 2<sup>nd</sup> Alternate

**Absent:**

Darlene Cullen

Also attending, John Wiley, Esq.; Bob Bucco, PE, CME, CPWM; Jeff Cucinotta, PP

**MINUTES:**

August 20, 2019

Chairman Leonardis called for a motion to **approve** the above listed minutes. Mrs. Eichler made motion, seconded by Mrs. Campagna. Those in favor: Mrs. Campagna; Mrs. Eichler; Mrs. Wasnick and Mr. Scudato. Those oppose: None.

September 17, 2019

Chairman Leonardis called for a motion to **approve** the above listed minutes. Mrs. Eichler made motion, seconded by Mrs. Campagna. Those in favor: Mr. Bonanno; Mrs. Campagna; Mrs. Eichler; Mr. Lemos; Mrs. Wasnick; Mr. Scudato and Chairman Leonardis. Those oppose: None.

**RESOLUTIONS:**

**A. Case #14-19 – Debbie Malecki  
Block 212: Lot 15: R-7.5 Zone  
125 Avon Avenue**

The applicant requested to construct a 34' X 28' X 15' – 952 square foot detached garage which requires a variance. Maximum size allowed – 576 square feet; Proposing 952 square feet; Variance 376 square feet.

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Chairman Leonardis called for a motion to **approve** the above listed resolution. Mrs. Eichler made motion, seconded by Mrs. Campagna. Those in favor: Mr. Bonanno; Mrs. Campagna; Mrs. Eichler; Mr. Lemos; Mrs. Wasnick; Mr. Scudato and Chairman Leonardis. Those oppose: None.

**B. Case #38-18 – Jain Vishwa Bharti of North America, Inc.**  
**Block 267: Lot 9: HDD Zone**  
**155 Front Street**

The applicant requested an Amended Preliminary and Final Site Plan with Conditional Use & Bulk Variances to construct two two-story additions – 590 square feet and 1,488 square feet.

Chairman Leonardis called for a motion to **approve** the above listed minutes. Mrs. Eichler made motion, seconded by Ms. Lemos. Those in favor: Mrs. Campagna; Mrs. Eichler; Mr. Lemos; Mrs. Wasnick; Mr. Scudato and Chairman Leonardis. Those oppose: None.

**HEARING:** (1 residential — 1 Commercial)

**A. Case #16-19 – Guy Moretti**  
**Block 399: Lot 3: R 10 Zone**  
**Kosciusko Avenue**

The applicant is requesting to construct a 1,788 square foot single family home that requires the following bulk variances. Lot Area: Required 10,000 sq. ft. – Proposing 5,000 sq. ft. – Variance 5,000 sq. ft.; Lot Width: Required 100' – Proposing 50' – Variance 50'; Second Front Yard Setback: Required 30' – Proposing 14' – Variance 16'; Building Coverage: Required 25% - Proposing 20.4% - Variance 4.6%.

Chairman Leonardis read a letter addressed to the Board Secretary from James F. Clarkin, III the Applicants Attorney...

*This letter shall confirm my previous conversation with you earlier today adjourning the public hearing in connection with the above-captioned application. As I indicated to you, the Borough is giving consideration to vacating Smith Street. If that comes to pass, then one-half of the paper street will merge with Mr. Moretti's lot and a revised application will need to be filed. Please carry the matter, tentatively, to the February 4, 2020 meetings date assuming this is one of the days selected when the 2020 calendar is adopted. Thank you. Very Truly Yours, James F. Clarkin, III'*

Chairman Leonardis announced to the Public if anyone is present for the Guy Moretti hearing, it is carried tentative to February 4, 2020.

**B. Case #17-19 – Lucas Grzech**  
**Block 60: Lot 32.02: OBC-1 (R 7.5) Zone**  
**Redding Avenue**

The applicant is requesting to construct a 2,163 square foot single family home with a loft that requires the following bulk variances. Lot Area: Required 7,500 sq. ft. – Proposing 5,150 sq. ft. – Variance 2,350 sq. ft.; Lot Width: Required 75' – Proposing 50' – Variance 25'; Front Yard Setback: Required 30' – Proposing 25.8' – Variance 4.2'; Building Coverage: Required (25%) 1,303 sq. ft. - Proposing 1,302 square feet - Variance 1 sq. ft.

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Lucas Grzech - 10 Virginia Street, South River, New Jersey - Applicant, is sworn in and addressed the Board Members. Under contract to purchase lot from the current owners who live next door. The lot is 50' X 100'. Would like to build a single family house. Need variance for undersize lot. Designed the house to meet all other setbacks. Would like to line the house with the other houses on the block which will not meet the thirty foot (30') setback. Can push house back but thought would look better in the neighborhood. Submitted survey and architectural drawings.

Chairman Leonardis asked Mr. Grzech to describe the lot, the surrounding area and if he had any pictures. Mr. Grzech responded that he did not have any pictures. First house on the left from Park onto Redding. Commercial building next door. Street is single family homes. In the OBC-1 zone, but next door to R 7.5 zone. Several fifty foot (50') lots in the neighborhood.

Chairman Leonardis questioned Mr. Grzech:

- Is the house for sale? *No... just the empty lot.*
- Is there a For Sale sign? *Yes.*
- What commercial property is it next too? *Does not know. Behind the commercial property that faces Park Avenue.*
  - Raymond Moskal - 115 Redding Avenue - is sworn in. Property next to the lot. Property behind strip mall with Bruno's Pizza Factory, Mini Mart and nail salon. Diagonal from Rita's.
- How many bedrooms? *Four (4) bedroom house.*
- How many stories? *Two (2)... two (2) and a half with an attic.*
- What is in the attic? *Planning to finish it into a loft. Otherwise, four (4) bedrooms on the second floor. Living room, dining room, kitchen and garage on the first floor.*
- Proposing a full bathroom in the loft? *Yes... showing a bathroom. Saves a trip down the stairs.*

Chairman Leonardis reiterated the rooms of the proposed house. Is concerned that the loft can be a fifth bedroom. Mr. Grzech stated it will be conditioned space.

Chairman Leonardis stated proposing a large house on a small lot with five (5) potential bedrooms. Chairman Leonardis asked about parking. Mr. Grzech replied, the garage and driveway. Store one (1) car in the garage and two (2) in a single driveway. Can do a double driveway which will hold four (4) cars. There is also street parking. Will have five (5) spots in the driveway. Chairman Leonardis asked for the depth of the driveway. Per Mr. Grzech, twenty-five (25) feet. Chairman Leonardis asked for the width. Per Mr. Grzech, twenty (20). Two (2) cars can fit comfortably. Chairman Leonardis asked if any traffic counts were made. Mr. Grzech stated no. Chairman Leonardis asked if Mr. Grzech has studied the traffic near the commercial property. Mr. Grzech stated the only vehicles that go down the street are the residences. Very residential. Not a through street.

Chairman Leonardis stated the house will be forty feet (40') deep.

Chairman Leonardis asked Mr. Grzech to discuss the front yard setback. Mr. Grzech advised he is aware that the front yard setback is thirty feet (30'). The house to the right is 25.8'. The houses along the street are aligned. Likes the bigger back yard. Can move back to thirty feet (30'). Chairman Leonardis asked if Mr. Grzech is suggesting that all the neighbors' homes are out of the front yard setback. Mr. Grzech states he has the exact measurement for the house next door... 25.8'. Chairman Leonardis asked if there are any curbs. Mr. Grzech stated there are curbs but no sidewalk. Chairman Leonardis asked if Mr. Grzech knows the distance between the curb and the property line. Mr. Grzech stated roughly ten feet (10'). Beyond that twenty-five feet (25'). From the curb to the house, approximately thirty-five feet (35').

Chairman Leonardis calculated the rear yard setback if the house is to be moved back. Meets setback requirement.

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Vice Chairman Gustafson questioned the R-10 listing on the survey versus the R-7.5. However, it is in the OBC-1 zone. Mr. Grzech stated it is an error.

Vice Chairman Gustafson asked Mr. Bucco what are the parking requirements for R-7.5. Mr. Bucco stated he would have to look. Mr. Wiley stated RSIS would require two (2) for a four (4) bedroom. Vice Chairman Gustafson stated that a R-7.5 has a five foot (5') distance from property line for paving of a driveway.

Chairman Leonardis asked Mr. Grzech to describe the construction. Per Mr. Grzech:

- Typical wood frame construction.
- Poured concrete foundation.
- Vinyl Siding.
- Full finished basement... eight foot (8').
- In front, a combination of stone, veneer and siding.
- Attic does not have to be finished.

Chairman Leonardis asked to describe the house of the right. Per Mr. Grzech, Cape Cod. Most of the homes are Cape Cods.... 1.5 stories.

Chairman Leonardis asked how many windows are on the right side. Per Mr. Grzech eight (8). Chairman Leonardis stated the plans show two (2) windows. Mr. Grzech stated realistically, bedroom and living room will have one. The drawings are an example. Chairman Leonardis stated the drawings are what will be approved, not suggested. Building a house almost a story taller than the neighbor's house. Wants to make sure not looking inside the neighbor's house. Mr. Grzech stated that if go by the plans, the plans are showing only one (1) windows. No need for side window for bedrooms and living room... have windows in the back. Can keep to one (1) window. Chairman Leonardis stated there are two (2) windows. Mr. Grzech realized there is a window in the attic.... Two (2) windows. House to house roughly eighteen feet (18').

Mr. Lemos asked what side of the house is the neighbors window. Mr. Moskal stated looking from the street it is on the right side of the house.

Chairman Leonardis asked what rooms are on the left side of Mr. Moskal's house. Mr. Moskal replied, first floor two (2) bedrooms. Second floor an attic.

Mr. Wiley asked who owns the lot in question and who owns the lot with the house. Mr. Moskal replied, he does. Mr. Wiley asked that a subdivision is not being requested. Mr. Moskal stated when he bought it, it was two (2) separate lots. Mr. Wiley asked from a prior approval. Mr. Moskal believes it did. Gets two (2) separate tax bills. Chairman Leonardis asked to have it confirmed as two (2) separate lots.

Mr. Scrudato asked Mr. Grzech if he will live in the house or rent. Mr. Grzech replied that it will be for sale.

Chairman Leonardis asked Mr. Grzech what is the plan for the basement. Mr. Grzech replied it will remain unfinished. Will have furnace and water heater. Will leave it open.

Chairman Leonardis asked if there will be Belco doors. Mr. Grzech stated no.... Inside steps. Chairman Leonardis asked if there will be a means of egress from the basement. Mr. Grzech stated no... only from the first floor.

Chairman Leonardis asked Mr. Grzech why he believes the proposed house will fit into the neighborhood. Mr. Grzech stated that every house on the street are single family. Does not believe commercial or multifamily is allowed. Tried not to go over lot coverage. Tried to make it fit.

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Vice Chairman Gustafson stated the neighbors across the street are split levels, cape cods and ranches. Asked if this house is conforming to the neighborhood. Mr. Grzech stated that being a single family house, a slight larger. Vice Chairman Gustafson asked if there is any indication of how many homes are on a 50' X 100' lots. Mr. Grzech believes twenty percent (20%) but did not count. Chairman Leonardis stated would like to know. Vice Chairman Gustafson stated that the area is R 7.5 and does not believe there are many lots smaller.

Vice Chairman Gustafson stated the Applicant needs to return. Does not meet parking calculations. Cannot pave up to property line. Mr. Grzech stated does not have to pave with the eight foot (8') setback but can be even with the house. Vice Chairman Gustafson stated if the owner of the home was before us, it would be a different application. Would like to hear what the neighbors have to say in the public portion of the hearing.

Mr. Wiley asked if there was one (1) deed or two (2) deeds. Mr. Moskal believes has one (1) deed. Purchased the home October 2017. Mr. Grzech stated he believes does not need a subdivision. It is its own lot. Mr. Wiley stated need additional information.

Chairman Leonardis opened the discussion to the Public

Public Comment -- Anthony Caltaldo - 122 Fairmount Avenue, South Plainfield, New Jersey - is sworn in. Lifelong resident of the Borough. 126 Fairmont Avenue was a pumping station for Middlesex Water. The area was continually under water. Now there are storm drains. The previous owner wanted to put a garage on the property and the Borough denied it. The property goes with the 113 Redding Avenue. Only person who will profit from this house would be the builder and Borough. Does not believe the property should be separated and have a house built. Congested area. Would like this application denied.

Public Comment -- Christina Forrock - 116 Fairmount Avenue, South Plainfield, New Jersey - is sworn in. Lives behind the lot. Tremendous traffic. Strip mall does not accommodate parking for the shops. Park on the street. At times has had to take other routes from the area due to the congestion. Two (2) story house will be an out of sorts with the area. Most of the other homes are cape cods and ranches. Chairman Leonardis asked what type of a house Ms. Forrock owns. Mr. Forrock replied a cape cod. Chairman Leonardis asked how much space between her house and the property in question. She believes twenty-five feet (25'). Garbage truck comes 3:45 am to 4:00 am which wakes the neighborhood. Mr. Grzech questioned how much congestion one (1) house can cause. Chairman Leonardis explained that the neighbor is describing the traffic and parking in the area caused by the commercial property next door.

Chairman Leonardis asked for professional data to support Mr. Grzech's position. Would like the Board to take a closer look at the area. Would like a reduction in size of the house... excessive for the lot. Mr. Grzech does not believe it is too large. Chairman Leonardis stated that the proposed number of bedrooms is more than others in the neighborhood. Prove to the Board traffic would not be an issue.

Mr. Wiley stated should get a tax map and highlight the smaller lots. Need more data for the Board to make a decision.

Mr. Scudato questioned the traffic. The Applicant has no control of the strip mall or Rita's. Believes most of the house have three (3) cars. Does not believe a traffic impact statement is required.

Mrs. Campagna stated the house is to be built to the envelope. If move the house back to the setback, leaves a small backyard. If the purchaser wants to put a deck on, would have to come to the Board. Believes the size of the house is too big and too high for the neighborhood. Does not recall seeing a two (2) story house in the neighborhood.

Ms. Forrock stated the strip mall is one (1) story and the homes are one (1) story.

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Vice Chairman Gustafson stated believes there is an easement behind the house.

Chairman Leonardis opened the discussion to the Public.

Mr. Moskal stated that except a few summer nights, there is usually no traffic even when Rita's open.

Chairman Leonardis advised Mr. Grzech that he is to return with the size of lots of the neighborhood, updated house plans, lot situation if one (1) deed or two (2) deed.

Mr. Wiley stated that the hearing is being carried to January 7, 2010 tentative since the 2020 dates have not been established.

**B. Case #36-18 -- 1335 Associates LLC**  
**Block 3: Lot 29: OBC-1 Zone (Overlay)**  
**1335 West 7<sup>th</sup> Street**

The applicant is requesting a Preliminary and Final Site Plan with a Use Variance to construct a 3 story mixed use building - First floor retail – Second and third floor twelve (12) apartments in total that require variances. **Bifurcated** application – Use Variance only. Variances being requested: Front Yard Setback: Required 15' – Proposing 3.82' – Variance 11.18'; Impervious Coverage: Maximum 80% - Proposing 80%; Density: Maximum 6 residential units – Proposing 12 residential units – Variance 6 residential units; Parking: Required 35 spaces – Proposing 22 – Variance 13.

Walter K. Abrams - 2201 South Clinton Avenue, South Plainfield, New Jersey - attorney for Applicant, addressed the Board Members. Heard a few months ago. Has revised the plans. Bifurcated application... use and variances only.

Joseph Villani, who was previously sworn in addressed the Board. Made changes to the plan.

- Reduced retail from four thousand (4,000) square feet to one thousand seven hundred twenty-six (1,726) square feet. Cut into two (2) small spaces.
- Reduced residential from twelve (12) units to eleven (11) units.
  - Space from the twelfth (12th) unit made the eleventh (11th) unit a three (3) bedroom for COAH.
- Added parking.

Mr. Abrams stated by reducing the retail, has removed the parking variance. Have more spaces then required.

Vice Chairman Gustafson asked if the parking will be under the building. Mr. Villani replied that some will be. Vice Chairman Gustafson confirmed with Mr. Villani that eight (8) stalls are under the building. Mr. Villani stated a total of thirty-four (34) parking spots.

Chairman Leonardis asked Mr. Villani to review the apartments. Mr. Villani stated:

- Originally, eight (8) two (2) bedroom apartments and four (4) one (1) bedroom apartments.
  - Configured to eight (8) two (2) bedroom apartments, two (2) one (1) bedroom apartment and one (1) three (3) bedroom apartment.
  - Chairman Leonardis stated that the plans still show twelve (12) apartments. Mr. Villani stated that is an error.

Chairman Leonardis asked what the COHA requirement is. Mr. Abrams stated two (2) units. Mr. Cucinotta stated it is calculated at a fifteen percent (15%) set-a-side which is 1.6 units.... Round up to two (2) affordable units.

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Mr. Wiley asked if one (1) will be moderate and one (1) low. Mr. Abrams stated must comply with the COHA regulations.

Vice Chairman Gustafson asked what is the price point for the units. Mr. Villani stated the two (2) bedroom units would be approximately one thousand six hundred (\$1,600) to one thousand seven hundred (\$1,700). One (1) bedroom units would be approximately one thousand two hundred (\$1,200) to one thousand five hundred (\$1,500). Vice Chairman Gustafson asked if the COHA units are based off of income or cost of the unit. Mr. Villani believes both. Mr. Wiley stated it is based on a State formula. Mr. Villani stated that previously, the State had told him what the unit will be going for. Vice Chairman Gustafson stated that this is the first overlay that the Board has heard. Mr. Abrams stated that Mr. Slachetka stated the same to him.

Vice Chairman Gustafson asked if the parking calculations change due to the fact that the plans state seven (7) compact cars. Per Mr. Bucco... no. There are seven (7) additional spaces. Provided for additional parking. Mr. Villani stated the stalls are compact due to the setback of the residential zone behind. Mr. Bucco stated regular parking stalls are 9' X 18'. Compact is 8.5' X 16.

Mr. Abrams calls upon Applicants' Traffic Engineer.

Corey Chase, previously sworn. Mr. Chase addressed the Board Members:

- Retail has been reduced.
- Apartments have been reduced.
- Last testimony.... Proposed building traffic would be less than current traffic.
  - Remains the same with the reduction of units and retail.
- Previous hearing... request parking variance.
  - Now providing thirty-four (34) parking stalls. Surplus of seven (7) stalls.
  - RSIS requirement for apartments - twenty-two (22) stalls. Retail requirement 5.2 stalls.
- Ingress only driveway on Trinity Street.
- Egress only driveway on West 7th Street.
- Front yard setback variance is being required.
  - Adequate sight lines will be provided for egress onto West 7th street.

Richard J. Lapinski – 554 Crompton Avenue, Perth Amboy, New Jersey – is accepted as a Professional Planner and is sworn in. Mr. Lapinski addressed the Board:

- Three (3) story building.
- Corner of West 7th Street and Trinity Street.
- Retail reduced by fifty-nine percent (59%) in floor area.
- Apartments reduced by one (1) unit.
- Improvements shown on sketch plan. If application approved, will be shown in detail on site plan during Site Plan Approval hearing.
- OBC-1 zone - overlay district.
- Variance - D5 - density. Requesting 26.8 per acre in density. Permitted sixteen (16) per acre.
  - Jeff Cucinotta stated that in order to be under the density, maximum of six (6) units.
- Variance - front yard setback. Requesting 3.2 feet. Required is fifteen feet (15').
- Variance - impervious coverage. Requesting 83.3%. Maximum of 80%. Equates to five hundred (500) square feet.
- Parking variance eliminated with the additional parking.
- Currently, property used as a car wash.
- OBC-1 zone
- West and South - R-10 residential zone.
- Lots in vicinity.... Vacant lot to the east. Behind that gas station and shopping center.
- Adjacent property - covered house to a commercial use. Unknown type of commercial.

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- Across West 7th Street is commercial.
- Off street parking has been eliminated with revised plan.
- Would advance 40:55D2m of the Municipal Land Use. Efficient use of property.
- Affordable housing is benefit to the public good.
- Moving the building further back, would create a curb cut closer to the corner. Not advisable by Traffic Engineer. More intrusive to the residential zone.
- C-1 - hardship. To fit the size building safely. Relief from the front yard setback.
- C-2 - flexible C. Advances traffic safety. Curb cut on Trinity away from the corner.
- Impervious coverage - to control surface water for engineering purposes.
- Both bulk variances satisfied by C-1 and C-2 criteria.
- No negative impact. Front yard setback can be accommodated regarding sight triangle. Corner of building will be fifteen feet (15') from curb.
- Use self-contained to the property.
- Parking accommodating use.
- Removal of non-conforming use - car wash. Proposed use more conforming to the zone.
- No detriments.
- Master Plan calls for commercial development in the zone.
- No conflict with Master Plan.
- Zoning Ordinance - density variance, front yard setback variance and coverage variance.
- No precedence for other locations.
- No reconciliation justification. Use called for this zone.

Chairman Leonardis asked for an explanation regarding density and how much of the residential area was reduced. Mr. Lapinski believes the square footage of the residential area did not change. The room orientation changed. Chairman Leonardis confirmed with Mr. Lapinski that the same amount of people can live in the building.

Chairman Leonardis stated looking at the architectural plans, believes some part is cut off. Asked if third floor mirrors second floor. Mr. Villani stated that the architect tried to make it easier by putting all the information on one (1) sheet but seems to have made it harder. Only different is the three (3) bedroom unit.

Chairman Leonardis asked if the architectural of the building being represented will be what is build. Per Mr. Abrams, yes. Mr. Villani agreed.

Vice Chairman Gustafson asked Mr. Lapinski if the building is not considered dense. Mr. Lapinski replied that it is dense but the density works. The site can support the density. Usually parking is the issue. Vice Chairman Gustafson asked if density includes green space. Mr. Lapinski stated it could. OBC-1 and Overlay zone is in the same location. There is no building size limit in the OBC-1 zone. Overlay reflects some of the standards with some flexibility. Vice Chairman Gustafson questioned if it is a detriment without green space. Plans show very limited green space. Vice Chairman Gustafson asked if the footprint can be reduced and still accommodate the same number of units. Can it be done to have green space. Mr. Lapinski stated that most of the space is used for parking. Can reduce the parking to add green space. It is a commercial lot that permits fairly dense development. The current car wash doesn't have much of green space. Mr. Cucinotta agreed. Questioned if over parking requirement, can green space be added. Still not much of green space. Mr. Cucinotta explained how the number of units were established in the overlay zone. Never designed to have much green space. Chairman Leonardis

stated sixty percent (60%) over on units. Wants to understand the detriment being over by sixty percent (60%).

Chairman Leonardis asked what is the square footage of living space. It is determined approximately eight thousand (8,000) square feet. Approximately eight hundred (800) square feet per unit. Mr. Villani stated the two (2) bedroom units will be approximately eight hundred (800) to eight hundred fifty (850) per unit. One (1) bedroom unit will be approximately five hundred fifty (550) square feet. Chairman

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Leonardis asked Mr. Cucinotta what the size of the units that were used to calculate the overlay requirement. Chairman Leonardis asked who came up with the figures. Mr. Cucinotta stated Borough, T&M and Fair Share Housing during litigation. Built into the Settlement Agreement. Chairman Leonardis wants to make sure the units size used for zone calculations is closer to what is being proposed.

Mr. Villani stated this is his main business... this type of development. Standard size used for neighboring towns. Vice Chairman Gustafson asked regarding esthetics. Mr. Villani stated in Dunellen, the town wanted it all brick to blend in with some of the older buildings. Make it look old.

Mrs. Campagna asked where in Dunellen are the similar buildings. Per Mr. Villani... 364 North Avenue and 216 North Avenue.

Mr. Abrams asked for a recess.

Chairman Leonardis called for a recess.

Chairman Leonardis called the meeting to order.

Mr. Abrams would like to carry the hearing to the January 7, 2020. Asked if the Board Professionals and/or Board Members have any questions for the Professionals. Would prefer not to return with the Applicant's Professionals.

Mr. Cucinotta asked regarding deliveries for the retail. Mr. Abrams stated that with the type of commercial that would occupy, there would not be big deliveries. Mr. Chase stated with the reduction of the retail space, any deliveries would be small box truck.... UPS. Can use a parking space. No on street loading. Mr. Bucco stated if the Board approved the Use Variance, all the site plan will be addressed.

Chairman Leonardis opened the discussion to the Public. No questions or concerns.

Chairman Leonardis announced that the hearing is carried tentatively to January 7, 2020.

**C. Case #35-18 – 2271 Hamilton LLC**  
**Block 390: Lot 1 & 2: M-3 Zone**  
**2271 Hamilton Boulevard**

The applicant is requesting a Preliminary and Final Site Plan with Use and Bulk Variances to construct a 10,300 square foot retail building and 55,237 square foot warehouse.

Walter K. Abrams - 2201 South Clinton Avenue, South Plainfield, New Jersey - attorney for Applicant. Requested to have first witness sworn in.

Mani Bakshi - 60 Utica Road, Edison, New Jersey - Applicant, is sworn in. Mr. Abrams questioned Mr. Bakshi:

- Principle of 2271 Hamilton LLC.
- Owns
- a warehouse on 6 Hollywood Court, South Plainfield, New Jersey.
  - Office and warehouse. Food distribution center.
  - Five (5) years at this location.
- Father in warehouse business since 1999. Mr. Bakshi since 2015/2016.
- Proposing two (2) uses - Warehouse in back - Retail in front.
- Retail - anything... deli, coffee shop... no one particular.
- Four (4) separate units for warehouse.
- This location for lease. May use it if need additional room at 6 Hollywood Court.

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Mr. Abrams stated has other witnesses. Chairman Leonardis asked who are the other witnesses. Per Mr. Abrams, Environmental, Traffic Engineer, Planner and Engineer. Chairman Leonardis asked if there is an architect. Mr. Abrams stated no architect.

Mr. Abrams requested to have Environmental sworn in.

Shamas Kelly - 192 Woodward Avenue, Rutherford, New Jersey - is sworn in. Mr. Abrams questioned Mr. Kelly:

- Technical Director at Atlantic Environmental Solutions.
  - Environmental Consulting Company.
  - Environmental remediation for transactions
- Fourteen (14) years with company.

Chairman Leonardis asked for Mr. Kelly's credentials. Per Mr. Kelly, Environmental Consultant and licensed Subsurface Evaluator. Chairman Leonardis asked for college credentials. Per Mr. Kelly, Bachelor Degree in Environmental Studies and Master in Computing Information Systems. Chairman Leonardis questioned Mr. Bucco regarding the license of Subsurface Evaluator. Never heard of this type of license. Chairman Leonardis questioned the license. Mr. Kelly stated it is an Environmental Certification through the State. Chairman Leonardis stated will hear his testimony but will have to look into the licensing. Mr. Abrams stated he is a fact witness.

Mr. Abrams continued questioning Mr. Kelly:

- Conducted Phase I Environmental Assessment of the site.
- Worked with Mr. Bakshi and State to conduct an Administrative Consent Order for responsibility of the remediation of the site.
- Was a junk yard since 1930's
- Had a Discharge Case open since 1984 for the former operator. Petroleum contamination and BCP's.
- When the previous owner could not remediate property, State took over in 2006 at a cost of \$11,000,000.
- Idle since then.
- DEP determined remediation conducted to the required standard to meet the non-residential site soil.
- Investigated areas of concerned on site not part of the State clean-up
- Conducted remediation of soil.
- Confirmed ground water has been remediated to State standards.
- Regional plume of chlorinated solvents that move across the property migrated from outside source.
  - Reported to the State. Will investigate.
  - Not responsibility of this property.
- Monitoring wells remain on site.
  - No ground water contamination caused by the site.
  - If application approved, wells will be abandoned by a licensed driller.
- Old Boro Auto Wreckers site.

Mr. Scudato asked if a Borough official has signed off as true regarding the remediation. Per Dr. Tempel's letter dated July 26, 2019 states there is still contamination. Mr. Abrams stated he does not know where that information was received. Per DEP, all contamination is remediated. A substantial lien on the property by the State. Took many years to approve the sale. There is no further clean up required. The wells will be abandoned.

Mr. Kelly stated there has been an REO issued for ground water. The site is remediated to the restricted standard due to low levels of PCB's in the soil. DEP agreed to two (2) part per million (1,000,000) site specific standard. Site has a deed notice. A remedial action permit being reviewed by the State. Once approved, Response Action Outcome will be issued for site soils. Mr. Bucco stated he identified in the June 10, 2019 letter, the ground water contamination areas. If the testimony is correct, would like all the

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information submitted. Mr. Kelly stated it is in the Response Action Outcome. Mr. Bucco stated is aware of the former auto wrecker site and it was contaminated. It was mapped as a ground water contamination area. Classification exception by DEP. Environmental Impact Statement that was submitted there is No Further Action letter with it. It is expected to be received. Needs a copy of it. DEP website states it does have a LRSP. DEP will not issue a Response Action Outcome until it is issued by LRSP. Needs to see the documentation. Per Mr. Abrams, it was submitted. Mr. Kelly stated that the No Further Action letter is no longer issued by the State. Mr. Bucco stated correct.... Done by the LRSP. Mr. Bucco stated needs all the documentation. Mr. Kelly stated the site has been restricted to non-residential usage. There is an Engineering Control. Mr. Bucco stated needs the documentation.

Vice Chairman Gustafson asked if the DEP will dictate where the pavement and slabs are to be. Mr. Kelly responded that the entire site has been remediated to an unrestrictive standard. Going forward, the site will be capped. The location of the specific capping will be done by the redevelopment.... Not dictated by DEP. Vice Chairman Gustafson reiterated that where the caps will be... the paving and slabs... will not be dictated. Mr. Kelly stated not dictated by the State.

Mr. Lemos asked where the drains off the buildings are going. Mr. Kelly stated that is for the Engineering. Mr. Wiley stated that Mr. Kelly is not qualified to answer.

Mr. Scrudato stated that the Environmental Commission review letter stated that the property has been remediated except for some 'hot spots' which will be cleaned within several months. Mr. Scrudato asked if those 'hot spots' have been remediated. Mr. Kelly stated the one (1) area they identified has been remediated and reported to the State as of June 24, 2019.

Chairman Leonardis asked who did the remediation. Per Mr. Kelly, State of New Jersey under the Hazardous Remediation Fund. The last hot spot was done by his firm. Chairman Leonardis stated would like to review all the documents. Mr. Abrams clarified that the site is not an unrestricted use.... It is restricted. It was determined that the Environmental Commission review letter stated unrestricted use which is incorrect.

Mr. Abrams asked Mr. Kelly what the current status of the site. Mr. Kelly stated commercial use.

Chairman Leonardis advised Mr. Abrams that the Board would like to see all the Environmental reports. Mr. Abrams agreed.

Shrinath Kotoawala - 54 Oakland Mills Road, Manalapan, New Jersey - is sworn in and accepted as a Professional Engineer. Mr. Kotoawala addressed the Board Members:

- Northeast corner of Ryan Road and Hamilton Boulevard.
- 3.73 acres... triangle.
- Exhibit A1 -
  - page 1 - Current Conditions map from 2015 NJB aerial photograph.
    - Triangle shape.
    - Three (3) buildings on site.
    - Two (2) buildings against Hamilton Boulevard.
  - Proposing:
    - Two (2) buildings:
      - Retail building - ten thousand three hundred (10,300) square foot single story.
      - Warehouse building - fifty-five thousand two hundred thirty-seven (55,237) square feet - forty-nine feet (49') height.
      - Remaining site, parking.
    - Currently 2.9 acres of impervious coverage.
      - Proposing 3.2 acres of impervious coverage.
- Middlesex County Planning Board advised where the exit and entrance should be on Hamilton Boulevard.

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- No left hand turns southbound on Hamilton Boulevard.
- Circulation designed for tractor trailer. Can move about without issues.
- Stormwater system - subsurface. Underground system. Can address all comments from Board Professionals.
- Lighting Plan - will not spill onto neighbors' properties.
- Landscaping Plan - will comply with Environmental Commission review letter.
- Trash Enclosure - will comply with comments. Location to be adjusted.
- Variances - front yard setback and signs.
  - Three (3) signs.
    - One (1) at Ryan Street entrance.
    - One (1) at Hamilton Boulevard entrance.
    - One (1) in center. Monument.

Chairman Leonardis confirmed with Mr. Kotoawala that the Hamilton Boulevard entrance will be right turn in and out only. Ryan street will be left and right turns. No crossing of Hamilton Boulevard.

Chairman Leonardis questioned Mr. Kotoawala:

- Colors and materials on rendering will be built.
- Mirror and louver garage doors for the warehouse. Ventilation louvers. Bay doors for tractor trailers.
- Docks at warehouse floor level.
- 'Zipper' drains.
- Elevation at dock doors - 91.75. Depression of 2.5 feet.
- Retaining walls for the bay area.

Vice Chairman Gustafson reiterated that the County advised that the entrance be in the middle to the property on Hamilton Boulevard not at the light. Mr. Kotoawala stated that was correct. Their property partially lines up with the light. They would have to buy some property from the neighbor or do a joint effort with the neighbor. Otherwise, County stated the entrance off Hamilton Boulevard to be where shown currently on the plans. Vice Chairman Gustafson asked regarding the Ryan Street entrance, questioned if there is a queue issue with a tractor trailer pulling into the site and another waiting at the Ryan Street and Hamilton Boulevard light. Mr. Kotoawala stated the Traffic Engineer will address. Mr. Abrams stated the Traffic Engineer will speak to the circulation as well.

Chairman Leonardis asked Mr. Bakshi if there is anyone interested in the warehouse currently. Per Mr. Bakshi, there are several people interested.... 'small people'. Flex space across the street does not have loading docks. Chairman Leonardis asked how big a unit is at the flex space. Per Mr. Bakshi, they are one thousand five hundred (1,500) square feet on one side... front to back... for a total of three thousand (3,000) square feet. Approximately forty (40) units.

Vice Chairman Gustafson questioned the office in the warehouse space. Mr. Bakshi stated at his warehouse on 6 Hollywood Court, there is an office up front for administrative work. Doing the same at this warehouse. Vice Chairman Gustafson stated that there is no intention to make these all offices. Mr. Bakshi stated no. Vice Chairman Gustafson asked if the space will be retrofitted once a lease is signed. Mr. Bakshi stated no... this is what it is going to look like. Warehouse will have bathrooms and the office will have a bathroom.

Using Sheet A1 of the plans before the Board, Vice Chairman Gustafson asked where will the bay doors be in reference to the office doors. Sheet number 3 shows the doors. Vice Chairman Gustafson asked for the size of the doors. Mr. Kotoawala stated within thirty-five feet (35') there are two (2) doors. Mr. Bakshi stated in his other warehouse, the bay door is approximately nine feet (9') and the box truck door is approximately eight feet (8'). The doors are the same as the trailer. Believes 9' x 8'. Vice Chairman Gustafson asked what are the doors made from... does it match the rendering. Mr. Bakshi stated it matches the rendering. These are new type of doors that are esthetically pleasing and cheaper to fix. Mr. Kotoawala stated the color of the building will be beige. Chairman Leonardis asked if they are EIFS

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Panels. Mr. Kotoawala stated yes, for the warehouse building not the doors... gray on gray the retail will be tan and brick... Earth tones.

Mr. Lemos asked how do the fire fighters get apparatus in the back of the warehouse. Mr. Kotoawala stated they will not be able to. They cannot drive behind the building. They will have to use a hose. Fire Fighters are trained for six hundred feet (600') of hoses.

Chairman Leonardis wants to know what is going to be in the warehouse.

Mr. Cucinotta stated that in the Fire Marshall review letter, there is a question on what the rear of the warehouse would be for fire access. Chairman Leonardis stated if there is a fire in the right rear of the warehouse, a fire truck cannot get back there, not even through the neighboring yard. Thought there was an access road around back until saw the landscaping plans. The rear is all landscaped.

Mr. Bucco stated has several comments regarding stormwater management but heard testimony that they have no issue in addressing them.... Twenty-nine (29) comments in drainage.

Mr. Bucco indicated sheet by sheet in the plans in his review letter addressing the lighting. Mr. Kotoawala stated will comply will the requests.

Mr. Bucco stated issued yesterday the landscaping and lighting review letter.

Chairman Leonardis questioned if lightening is required in the rear and side of the building. Mr. Bucco stated yes. Mr. Kotoawala stated typically puts wall lighting in those areas not to spill light into the neighboring property. Chairman Leonardis stated there should be an increased lighting in the rear for security purposes. Mr. Bucco agreed. Had identified the same in his review letter.

Chairman Leonardis asked what type of egress is in the rear of the warehouse. Mr. Kotoawala stated there will be a door and small alleyway. Chairman Leonardis stated that the egress would include some sort of lighting and landing. Mr. Kotoawala agreed.

Chairman Leonardis asked what are the hours of operation. Mr. Bakshi stated proposing retail hours to be 6 am to 10 pm seven (7) days a week. Warehouse hours would be 7 am to 6 pm seven (7) days a week. Deliveries are usually at a scheduled time. Most of the time the trucks are loaded the day before. Driver parks personal vehicle and pulls the truck out to make the delivery. Not all warehouse workers will be in at the same time... administrative staff may come later and leave earlier then warehouse workers. Most warehouses are close on Saturday and Sundays but since no tenant would leave the option for seven (7) days. Chairman Leonardis asked if in the lease agreement, will the times '7 am and 6 pm' be listed. Per Mr. Bakshi, yes.

Chairman Leonardis asked if there will be restrictions on what type of warehousing will not be accepted or accepted. Mr. Bakshi replied nothing hazardous, chemicals, flammable substance, control substance... items of that nature.

Chairman Leonardis confirmed with Mr. Bakshi that there are four (4) separate units in the warehouse. Asked if Mr. Bakshi is considering to create more than four (4) units. Per Mr. Bakshi, no. Each unit needs at least two (2) loading docks so it would not work. Chairman Leonardis stated the maximum number of tenants will be four (4). Per Mr. Bakshi, yes. Chairman Leonardis asked if there will be subleasing. Mr. Bakshi stated it does happen. Does not know if it will or will not. Chairman Leonardis asked if there will be any rental of outdoor space. Mr. Bakshi stated everything will be in a parking space or loading dock. Tenants will have their parking spaces and loading docks. Mr. Chairman Leonardis stated does not want to see parking of trailers for storage. Mr. Bakshi stated does not want that. Has retail in front. Want to keep everything neat and clean.

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Vice Chairman Gustafson asked where would trucks waiting be parked. Mr. Bakshi stated that they are scheduled so they will pull into the loading docks. Boxed trucks can park in the warehouse parking stalls. Vice Chairman Gustafson asked if trucks will be parked and waiting along the fence between retail and warehouse. Mr. Bakshi stated that at times that might happen but if the truck is early, they will be directed to go to a truck stop and wait until their delivery time. Vice Chairman Gustafson asked if proposing signage stating the same. Mr. Bakshi stated that can be done. Mr. Kotoawala stated if the trucks are parked by the fence, other trucks cannot get into the loading dock. It will become an obstacle. Mr. Bakshi stated will post signs on the fence and loading docks.

Chairman Leonardis asked how are the units separated. Mr. Bakshi stated will have a common wall with a garage door. If someone uses two (2) units they can leave the door open. If two (2) different tenants, the garage door will remain closed.

Chairman Leonardis asked how the warehouse will be sprinklered. Mr. Bakshi stated it will be sprinklered throughout the warehouse. Mr. Abrams stated that is covered under the construction code. Chairman Leonardis stated that that is true, but the question is the common doors. A fire barrier is great but with an open garage door there are other concerns.

Mr. Lemos asked what the composition of the interior dividing walls will be. Per Mr. Bakshi, concrete block wall. Aluminum studs with two (2) hour fire rating.

Chairman Leonardis stated the caliper of the trees need to be increased. Mr. Kotoawala stated will comply. In the back will put smaller trees. Will meet with Fire Chief to discuss access in the rear. If warehouse needs to be shortened to accommodate the access, will do. Vice Chairman Gustafson stated would like some green space... stones. Mr. Kotoawala stated can use grass pavers. Mr. Bucco stated will get green space in. Will work with the Fire Marshall.

Mr. Cucinotta stated there are buffer requirements. The back corner adjoins a residential zone. There is a thirty foot (30') buffer required. Mr. Kotoawala stated will add a thirty-five feet (35') buffer by lot 1 in the corner near the residential zone. Will 'cut-off' the corner of the building to do so.

Jay Troutman - McDonough & Ray Associates, 105 Elm Street, Westwood, New Jersey - sworn in and accepted as Traffic Engineer. Mr. Abrams questioned Mr. Troutman:

- Did a complete Traffic Impact Study - August 7, 2019 - submitted with application.
- Can address all Professional review comments.
- Did traffic counts.
- Under Middlesex County jurisdiction for Hamilton Boulevard.
  - Per County, right in and out only on Hamilton Boulevard
- Ryan Street is Borough jurisdiction.
- Reviewed site plan - pavement areas designed to accommodate tractor trailers and vehicles for the retail circulation.
  - Uses are segregated.
  - From Ryan Street, see the distinction.
- Parking:
  - Retail meet code.
  - Warehouse per code is more intense than what is actually used.
    - IT state peak parking rate is 3.9 spaces per square feet... twenty-two (22) parking spaces.
    - Applicant providing twenty-six (26) spaces.
- Suggests white hatch marking with 'do not block' at Ryan Street entrance/exit.

Mr. Bucco asked Mr. Troutman if he had reviewed the Najarian Associates review letter of August 20, 2019. Mr. Troutman stated reviewed June 10, 2019... not August 20, 2019 letter. Would need to review those comments.

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Chairman Leonardis asked how the parking compares to the standard. Mr. Troutman stated have five (5) spaces per one thousand (1,000)... good standard for retail.

Mr. Troutman reviewed the Najarian Associates review letter dated August 20, 2019. Mr. Troutman stated can provide the documentation requested and will do a point by point response. Mr. Bucco stated can provide the word document to Mr. Abrams to distribute for responses. Mr. Abrams agreed.

Mr. Cucinotta stated there is an inconsistency between the site plans and architectural plans regarding parking calculations. Mr. Troutman stated the numbers include the office space in the warehousing.

Vice Chairman Gustafson questioned Mr. Troutman if there is a division line in parking between retail and warehouse. Mr. Troutman stated there are forty-seven (47) parking stalls from Ryan Street entrance towards Hamilton Boulevard in the retail area. Sufficient for retail. Vice Chairman Gustafson questioned the number of parking for the warehouse. Per Mr. Troutman, is twenty-nine (29). The split is forty-seven (47) and twenty-nine (29). There is a deficiency of five (5) parking spaces for retail. Vice Chairman Gustafson stated the spaces to the right of the Ryan Street entrance have the potential to be used by retail. Per Mr. Troutman, yes. Vice Chairman Gustafson does not like the idea of pedestrians walking in front of tractor trailers to cross over to retail. Needs to be adjusted. Mr. Troutman stated possible for retail employee parking. Vice Chairman Gustafson repeated still have pedestrians walking in front of tractor trailers. A safety concerns. Mr. Abrams stated the Engineer can shift the entrance closer to the warehouse and move those spots to the retail side. Vice Chairman Gustafson is in favor of the idea and it will also help with the queuing of trucks at the light. Mr. Troutman stated second truck would block the entrance on Ryan Street. If moved will give room for a tractor trailer and a car.... But not two (2) tractor trailers at the light. Vice Chairman Gustafson stated does not ever want to see retail customers crossing where tractor trailers are moving about. Chairman Leonardis agreed. Was under the assumption the five (5) spaces were for the employees of the warehouse.... Not retail. Mr. Troutman stated will move the five (5) towards retail.

Chairman Leonardis stated that the side yard setback is thirty feet (30')... proposing twenty feet (20') all around the warehouse. Asked if there is any reason to make the building smaller to meet the setbacks. Mr. Abrams stated Planner would discuss that. One (1) of the side yards is actually a rear yard which meets the setback. Asked if one side can be moved. Chairman Leonardis agreed. If one (1) side is moved, the fire apparatus will fit.

Chairman Leonardis questioned what are the other variances needed. Mr. Abrams stated the Planner will address.

James Higgins - 14 Tilton Drive, Ocean, New Jersey - is sworn in and accepted as a Professional Planner. Former Planner of the Borough. Mr. Higgins addressed the Board:

- Site has been described several times. Want go into great detail of what was already stated.
- M-3 zone.
- Retail is not permitted in zone. D-1 variance is required.
  - Use variance.
    - Site has been an eyesore for years... wrecking yard.
    - Current building on front lot line - non-conforming.
    - No interest in developing of site for long time.
    - Signalized intersection. No crossing Hamilton Boulevard.
    - Commercial use next door - Mexican Restaurant.
    - Will serve other uses in the area.
    - Site particular suitable - positive criteria for granting the variance.
- Advancing the Land Use Law:
  - To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare.

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- Eliminates an eyesore.
- To provide sufficient space in appropriate locations for a variety of use.
  - Sufficient space and uses.
- To promote a desirable visual environment through creative development techniques and good civic design and arrangement.
  - Eliminating an eyesore.
  - Proposing an attractive development.
  - Ordinance permits warehousing.
- Negative impact. No substantial impact to neighboring sites.
- Warehouse is permitted.
- Retail is commercial. Adjacent site is commercial - restaurant.
- Reconciling Master Plan and Zone Plan:
  - Site always was industrial use.
  - Area sites are industrial use.
  - Last site in area to be developed.
  - Proposed use will complement the area.
  - No substantial impact with Master Plan and Zone Plan.
- Bulk Variances:
  - Rear Yard Setback - abuts to east. Twenty feet (20') allowed.
  - Side Yard Setback - northern side functions as a side yard. Variance needed.
  - Parking for industrial use. No substantial negative impact.
  - Loading of retail use - design waiver.
  - Buffer to residential area - cutting corner to make buffer - thirty-five feet (35'). Will eliminate variance.
  - Sign Variance:
    - Two (2) monument signs to identify entrance.
    - Twenty foot (20') sign on corner to identify retail use. Typical. Visible to traffic on Hamilton Boulevard. Six foot (6') wide permitted... requesting eight foot (8') wide.

Mr. Lemos asked if there will be roof signs. Mr. Troutman stated no roof signs. Signs on the building.

Chairman Leonardis stated there is a board on board six foot (6') fence to the east yard. Runs along north side to certain point. What will be done from where that ends by the warehouse up to Hamilton Boulevard. Mr. Troutman deferred the question to the Engineer. The plans say removing existing fence. Mr. Abrams stated will continue to Hamilton Boulevard. Chairman Leonardis asked who owns the fence. Per Mr. Abrams the fence is owned by the property owner of the restaurant. Will try to discuss with them regarding removing the old fence and having the board on board extended.

Mr. Cucinotta asked what is the status of lot 3. Mr. Bakshi stated when originally purchased the property, thought lot 3 was included. Found out later it was not included in the purchase. Mr. Abrams believes that the heirs of lot 3 are in Florida. Owned by a trust.

Mr. Cucinotta asked that the fence that is shown will end at lot 3. Mr. Abrams stated yes.

Chairman Leonardis opened the discussion to the Public. No comments or questions.

Vice Chairman Gustafson questioned the application stating retail with drive through. Understood the 'drive through' as a lane to go around the building. Now understands it as a drive through for the possibility of restaurant that has window service. Thought can traverse around the building without using the warehouse area. Mr. Kotoawala stated that the drive through is for a restaurant. Vice Chairman Gustafson asked where would the window service be located. Mr. Kotoawala stated the north side... side toward the Mexican restaurant. Vice Chairman Gustafson stated that is why there are two (2) lanes... one (1) is a bypass lane. Mr. Kotoawala agreed. Chairman Leonardis stated there needs to be a window, canopy and a menu board. Vice Chairman Gustafson thought through testimony that the drive

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through lane was to traverse around the building without entering the area of the tractor trailers. Chairman Leonardis stated people with trucks and tractor trailers... big vehicles will think they can park in the warehouse lot and get a 'cup of coffee'. See warehouse, see trucks. There needs to be a way to control that. Mr. Kotoawala suggested signage. Mr. Abrams agreed. The tenants in the warehouse would not want trucks blocking their trucks, loading docks, etc.

Chairman Leonardis stated that Quick Chek put truck parking in the back area. Vice Chairman Gustafson stated that Quick Chek is known for no high speed fueling so it does not bring in the tractor trailers. It does bring box trucks and landscaping trucks. There is a rollover curb between the gas pumps and back parking area.

Vice Chairman Gustafson asked if a drive through chain have more queuing than parking. Mr. Troutman stated that the drive through system reduces parking.... Don't have to park and go into retail. There is plenty of queue. This would not handle a 'Chick-Fil-A'. People will not wait in a long line. Mr. Abrams stated 'Chick-Fil-A' is an exception.

Vice Chairman Gustafson asked if the Applicant is returning with a modified site plan. Mr. Abrams stated yes. Vice Chairman Gustafson stated the dumpster pads need to be moved.

Chairman Leonardis stated upon the Applicants return, advise the Board how snow will be handled... piles of snow. There is not a lot of grass to pile it up. Mr. Bakshi stated at his other facility, they truck the snow out. Will do the same for this site.

Mr. Abrams asked if the hearing can be carried to January 7, 2020. Chairman Leonardis agreed.

**INFORMAL HEARINGS:** None

**OLD BUSINESS:** None

**NEW BUSINESS:** None

**CORRESPONDANCE:** None

**EXECUTIVE SESSION:** None

**ADJOURNMENT:** 11:00 PM

Respectfully Submitted,  
Joanne Broderick  
Recording Secretary