

Joint Land Use Board
1200 Mountain Ave., Middlesex, NJ 08846
Minutes
April 14, 2021

1. Call to Order

Chairperson Conahan called the meeting to order at 7:08 pm.

2. Open Public Meeting Act Statement

Chairperson Conahan read the Open Public Meeting Act Statement.

3. Roll Call

The following members were present:

CLASS IV MEMBERS:
FRANK RYAN DEC/2024 [PRESENT] MARK KRANZ DEC/2023 [PRESENT]
JOSEPH DESCENZA DEC/2021 [PRESENT] MICHAEL CONAHAN DEC/2022 [PRESENT]
ROBERT SHERR DEC/2022 [PRESENT] PAUL WOSKA DEC/2023 [PRESENT]
JOSEPH CARUSO DEC/2021 [PRESENT] ALTERNATE 1
JOHN SWEENEY DEC/2021 [ABSENT] ALTERNATE 2

ROBERT DESSINO DEC/2023 [PRESENT] CLASS I MEMBER
STEPHEN GRECO DEC/2021 [PRESENT] CLASS II MEMBER
JEREMIAH CARNES DEC/2021 [PRESENT] CLASS III MEMBER

ALSO PRESENT: BOARD ATTORNEY-MR. BILL ROBERTSON
BOARD ENGINEER- MR.BOB BUCCO
BOARD PLANNER- MR. PAUL RICCI
ZONING OFFICER- MR. JOE COSTA

4. Minutes

Member Descenza made a motion to approve the March 24,2021 meeting minutes, seconded by Member Sherr. Vote: All in favor. Motion passed.

5. New Business

JLUB 2021-002

Bifurcated-Use Variance and site plan

Facciponti

585 Union Ave

Block 86.08 Lot 1.01

Mr. Robertson explained that due to the "D" Variance being sought the Class I and Class III members can't participate and explained the state statue. The applicant will need to have 5 affirmative votes for the use variance.

Mr. Sullivan stated that he agreed with Mr. Robertson regarding the procedure.

Mr. Sullivan stated that the applicant is seeking a use variance and their plan is conceptual.

Mr. Sullivan stated that there were changes to the plan to address Mr. Ricci's memo.

Mr. Sullivan stated that the property has been owned since 1997 by Charles and Delores Facciponti, it is located on the west bound side of Rt 28 between Ferris Bros Wholesale and Biondi's Florist.

Mr. Sullivan stated that the front 2/3 of the property is in the RT zone and the rear 1/3 is in the R75 zone.

Mr. Sullivan stated that currently there is a single family dwelling and garage on the site.

Mr. Sullivan stated that the plan is to remove the old buildings, fencing and driveways and build a new building.

Mr. Robertson duly swore in Michael Pessolano, the applicant's Planner.

Mr. Pessolano stated his education and credentials, the board accepted as an expert witness.

Exhibit A1 4/14/21 was entered as a six page packet containing:

- Page 1 of 6 as an aerial view of the tax map subject property highlighted
- Page 2 of 6 as an aerial view of the tax map showing commercial properties and residential properties
- Page 3 of 6 as the tax map with subject property highlighted in yellow
- Page 4 of 6 containing 4 photographs from ground view of single family dwelling on property, property next door Biondi's, property next door Ferris Bros, and office building on corner of Shearn Dr.
- Page 5 of 6 containing the zoning map
- Page 6 of 6 containing the google maps 3D view of subject property

Mr. Robertson duly swore in Mr. Brian Taylor, applicant's Architect.

Mr. Taylor stated his education and credentials, the board accepted as an expert witness.

Mr. Taylor explained that the plans are conceptual plans and stated that there is a house and garage on the site and several fences.

Mr. Taylor stated that there would be a 3 story building containing 38 (2) Bedroom units, approximately 55,000 sq ft, with entrance at the ground floor lobby, containing amenity space such as a multi-purpose room.

Mr. Taylor used the plans page A100 to show the floor plan layout.

Mr. Taylor used drawing SK-1 to show general scale of the building's character.

Mr. Taylor stated that the drawing SK-1 was conceptual and could be changed.

The Board started to review the Najarian Engineering report dated 2/23/21.

The plans were changed to show flood hazard area Zone X.

The Board reviewed the Fire Department memo from Chief David Bird.

The memo stated that the Fire Department needs access around building for Emergency vehicles, the parking area needs room for ladder truck access, needs to know where the fire department connections are located.

The Board was informed that there are two fire hydrants- one located by Mauger School and one located by the Dollar Tree.

The Board was informed that the building would be fully sprinklered, fire separation between units and elevator.

The Police memo date March 31, 2021 will be responded by the Traffic Engineer.

The Board started to review the Ricci Planning memo dated April 9,2021.

Mr. Ricci started with item #5G- Buffering, Landscaping and Lighting.

Mr. Taylor stated that the applicant will provide buffering and landscaping in front of the building and in the rear of the building. The building will have mounted lights and the parking lot will be lit.

Item #5H(2) Architecture/Floor Plans (2) amenity area. The memo asks about the anticipated amenity area.

Mr. Taylor stated that there will be a large multi- purpose room that can be used as a conference room/game room. He stated there will be outdoor amenity space toward rear of patio with a pergola.

Item #5H(3)Architecture/Floor Plans the memo asks why a 2 bedroom apartment was chosen.

Mr. Taylor informed the Board that was a marketing decision by the owner of the property.

Mr. Bucco stated his concerns about off street parking, there is no parking on Route 28

Mr. Bucco wanted to see the site circulation for delivery trucks, fire and emergency vehicles.

Mr. Bucco stated his concerns with drainage since it was a major development, he explained stormwater regulations have changed. The applicant will have to follow the old regulations.

Mr. Bucco and Mr. Ricci wanted to hear more testimony.

Mr. Robertson duly swore in Robert Bucco, Board Engineer and Paul Ricci Board Planner.

Mr. Ricci confirmed that the parking stalls would be 9 x 18, there would be 24ft drive isle and the building would be 300ft long. He stated that this length of the building is very long usually there are 3 to 5 townhouses then a break. He stated that the Board needed to consider the mass and the length of the building. He questioned the overall projects amenities since there would not be a lot of space left.

Mr. Robertson duly swore in Mr. Robert Pollara, Lieutenant of Middlesex Fire Department.

Lt. Pollara used drawings SK-1 and A100 to show that there was no access space behind the building even with the smallest Fire Department vehicles would not be able to access the rear of the building. He stated the Fire Department would need access through the front of the building. He asked what the width of drive isle access way as the Fire Department needs 24ft. He asked what is the length of the building.

Mr. Taylor stated that the length of the building is 300ft, hydrants are across the street and will provide truck access and turning radius.

Chairperson Conahan asked if Board Members had questions.

Member Woska asked a question regarding storm water and flooding.

Mr. Bucco stated that the applicant will have to provide pre and post drainage studies.

Member Descenza commented that the project was like fitting 10lbs into a 2lb bag and would like the project brought down in scale.

Member Caruso stated that there were no parking spaces included on the conceptual plan.

Mr. Costa asked about the impact on the school system and had concerns regarding traffic.

Member Sherr commented that the project was too big for the lot.

Member Greco asked if something could be placed in the middle of the building for egress access such as a stairway. He asked if there would be sidewalk in the front and had concerns regarding parking.

Member Kranz stated that based on the concept plans the building was massive and will stand out. He stated he had concerns with parking that 76 vehicles in this area would be congested.

Member Ryan stated that he agreed with Member Kranz and stated the building is overwhelming for area. He asked where would company/friends park? Would the builder consider scaling back the project?

Member Woska commented that the building looked like a 1950's high school.

Mr. Taylor stated that if the use variance gets approved, he can make changes to the look of the front of the building. He appreciated the feedback.

Mr. Costa stated that a "D" variance is the toughest variance to get approved. He stated that part of the burden of proof is on the applicant to prove the project makes the neighborhood better. He stated that the applicant must tell the Board how it fits into the Master Plan.

Member Sherr based on the variance stated that there is not enough information to grant variance.

Chairperson Conahan opened the meeting to the public for questions to Mr. Taylor.

Mayor Madden, 39 Ramsey Rd, asked about the location of the dumpster, how many dumpsters would be on site, the setbacks for the building. He asked Mr. Bucco about stormwater regulations that would need to be followed. He asked Mr. Taylor about the percentage of impervious coverage.

Mr. Bucco stated that the builder would have to follow the previous regulations not the new regulations.

Mr. Taylor stated the dumpster would be on the north side of the property, he didn't know how many dumpsters would be needed. He stated the setbacks are 13 ft on the west side and the other side is 35 ft. He stated that the property would have 60% impervious coverage.

Mr. Ricci commented that the Board will review the permitted standards when they review the use variance. He stated that in other areas in the Borough the standards are more significant. He stated in the R4 zone a building this size would need to have a 50ft setback. The setbacks in the zone are not designated for these types of buildings and should have a greater setback.

James Eodice, 1017 Hazelwood Ave. asked what was the difference between condo and an apartment. He asked if these would be rental units or owner occupied.

Mr. Taylor stated that the difference is the structure of ownership.

Ms. Judy Morrison, 28 Edward Ave asked if the applicant had talked to the Fire Dept, asked about the impact on the residents of Shearn Dr. and Orchard Rd. She asked if single family homes had been considered. She stated that the project was in front of 2 schools and parking is horrendous.

Mr. Sullivan stated that the applicant is not proposing single family dwellings.

Mr. Taylor stated that they were here to get feedback and would work with the fire department to make the project work.

Ms. Morrison stated she is not in favor of condos would like single family dwellings.

Ms. Donna Lutes, 18 Shearn Dr. asked if the project had to be 3 levels, was concerned with the third level looking into resident's backyards, asked if there would be parking underneath the building.

The Board professionals suggested having a full application, with reduced building and more parking, having a conceptual plan showing where the detention basin would be, landscaping and lighting.

Member Ryan was in favor of applicant returning with a better plan.

Member Descenza stated the project is humongous for the site.

Lt. Pollara stated that the Fire Department needs to get a ladder truck around the building.

Mr. Ricci stated that this is a density variance and a use variance the applicant needs to show more proofs.

Member Caruso stated that plan needs to be more detailed and not estimated on the traffic report.

Mr. Bucco agreed with the Traffic Safety Officer memo.

Member Greco needed more information with the traffic report regarding trip generator.

The applicant agreed with the Board request regarding changing plan and adding more details. The applicant will return to the Board on June 23, 2021 at 7pm at Recreation Center without further notice. If the applicant is not able to attend on June 23, 2021 they will need to re-notice.

The Board took a five minute break at 8:45pm.

The Board returned from break at 8:50pm roll call was taken:

FRANK RYAN DEC/2024 [PRESENT]	MARK KRANZ DEC/2023 [PRESENT]
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6. Correspondence

A. Templin Letter

Chairperson Conahan read the letter requesting an extension due to the state back log. The board agreed to the request and granted a 60 day extension.

7. Board Comments

Member Woska commented on the Joy Transportation, Lincoln Blvd. He stated that the gates are not black and do not match. Mr. Costa stated he has been in contact with the Borough Engineer.

8. Public Comments

Mayor Madden asked about a feasibility study regarding the application that was heard tonight.

Mr. Costa stated that he has been contacted about medical marijuana and a possible applicant coming to the Board for an Alternate Treatment Center.

Ann Marie Kleiber, 116 Chestnut St. stated her concerns about parking and lives by 150 Lincoln Blvd which does not have enough parking and has impacted the neighborhood.

Member Woska asked about the parking requirements for the Borough as they were increased after 150 Lincoln Blvd was built.

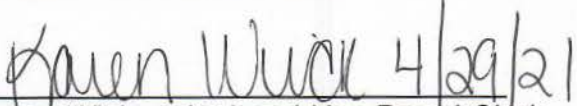
9. Executive Session

There was no executive session

There being no further business Member Greco made a motion to adjourn the meeting at 9:19, seconded by Member Caruso. Vote: All in favor. Meeting adjourned.



Joe Descenza, Secretary



Karen Wick, Joint Land Use Board Clerk