

Present: Martinelly, Canonico, Daly, Roache, Akerblom, Henderson, Ciongoli
Kennedy (Attorney)
Cranmer (Engineer)
Absent: Murphy

All saluted the flag, and the Presiding Officer's Statement was read

Minutes:

A motion was made by Ms. Canonico, seconded by Mr. Henderson to adopt the minutes of the January 10, 2019 as submitted. All approved.

Planning Board Rep: none

Zoning Board Business:

A motion was made by Ms. Canonico, seconded by Ms. Akerblom to approve the 2018 Project Summary and forward to report to Mayor & Council. All approve

Unfinished Business: None

New Business:

Erin Cornett:

468 Broad St

Bl: 14, Lots: 13, 14, & 15

Amended Preliminary/Final Site Plan Approval

Mr. Kennedy announced that he has reviewed service in this matter and finds it to be adequate and the board has jurisdiction to hear this matter.

No board members had any conflicts or concerns on the service of this application.

Mr. David Cranmer, Engineer/Zoning Officer was sworn.

Mr. Cranmer gave a brief summary of the application:

- Use variance & Preliminary & Final Site Plan was granted by this board, subject to outside agency approvals.
- The New Jersey Department of Transportation has jurisdiction over Rt. 35 Highway Access component of the application, there were substantial changes made by the NJDOT which sent the applicant back to the board will hear testimony on the amended site plan application. The use variance is un-effective by the changes.

Mr. Kennedy explained that the application before the board is a new application, if members were not present in the first application you may participate in the new application. The 3 members who were not present for the first application were asked to listen to the 11/4/2018 tapes, which they did (Daly, Akerblom, Ciongoli) and have signed certifications.

Mr. Kennedy marked the following into evidence:

- A-1: Standard Development Application, dated 2/13/2019
- A-2: Preliminary & Final Major Site Plan, prepared by Kennedy Consulting Engineer, dated 7/18/2018
- A-3: Storm Water Management Report – James A Kennedy PE, 8/24/2018 – rev 2/4/2019
- A-4: Cranmer Engineering Review – 2/28/2019
- A-5: Resolution – 11/7/2018, adopted 1/10/2019

- B-1: Review Memo: Chief of Police – 2/18/2019
- B-2: Review Memo: Fire Prevention – 2/13/2019
- B-3: Certification Tapes 11/4/2018 meeting – member: Ciongoli
- B-4: Certification Tapes 11/4/2018 meeting – Daly
- B-5: Certification Tapes 11/4/2018 meeting – Akerblom

Mr. Michael Herbert, Parker McCay, represents the applicant Erin Cornette.

Mr. Herbert advised that both Erin Cornett & Andrew Comi, Engineer, Kennedy Consulting will testify tonight, and both were sworn.

Mr. Andrew Comi, Civil Engineer – Kennedy Consulting Engineer, 211 Maple Ave, Red Bank NJ gave his professional & educational background and was accepted as an expert witness in engineering.

Mr. Kennedy marked the following into evidence:

- A-6: Aerial Exhibit: Sheet Ex-1, prepared by Kennedy Consulting Engineer, 9/5/2018
 - A-7: Site Plan Rendering, prepared by Kennedy Consulting Engineer, dated 3/6/2019
 - A-8: Architectural Rendering of the proposed site, prepared by Richard Villano
- Mr. Comi handed out 11" x 17" versions of A-6 & A-7 to board members.

Mr. Herbert gave a brief history of the application:

- Resolution confirmed the previously approval
- Returning for approval at the review & request of the NJDOT reconfiguration of the driveway as well as the changes to the connection of the parking areas, changes to Stormwater & landscaping, and circulation of the site.

Mr. Andrew Comi gave a brief summary of what the proposed changes:

- 2 buildings: 22,314 sq. ft. (vacant building 2,900 sq. ft. nail salon – 1,700 sq. ft.)
- Current 2 way access off of Broad St & Thomas Ave
- Thomas is 1 way going in an easterly direction (toward Broad St.)
- Current lots are primarily paved, and not delineated
- 3rd lot on the southern end will be converted into a parking area
- Referred to A6 & A7 – shows the lots in existing condition
- A-7 – proposed revised plan – November 18, 2018 – Mr. Comi explained that the parking areas have been reconfigured to provide parking areas and drive aisles which are defined. Previously they proposed 2 way access on Broad Street.

- DOT did not accept the entrance location vs a 1 way 18' wide entrance only off Broad Street aligned with White Road, which will be controlled by the light. These plans have been resubmitted to DOT and the Borough.
- Previously – 2 separate parking areas: “L” shaped area at the front of the main building, and a smaller parking area off Thomas Ave, separated with a new landscaped area between the 2 buildings.
- They are now proposing a 16' wide one way asphalt driveway between the two buildings, in a westerly direction.
- There will not be an exit onto Broad Street, the only exit will be onto Thomas Ave, one way going in an easterly direction towards Broad Street. Coverage is basically the same as presented in November.
- Cars entering can park in the “L” shaped area or go to the Thomas Ave parking area, 8 ½' wide where 10' is required, for employees only, in order to maintain the 25 parking stalls the stalls must be 8 ½' wide, 1 barrier free parking stall is proposed.
- Site identification sign is relocated to the adjacent one way entrance off Broad Street, 10' back from the ROW, where 6' was proposed & approved in November for the sign, a variance was issued where 20' is required. Current sign is 1 ½' back where they are now proposing 10'.
- There is a small turn-around for cars at the end of the parking row.
- Board members had a brief discussion on the flow of traffic on site – concerns on the one way driveway to be used by customers going both way, signage will be posted
- Dumpster is not proposed, private hauler will be used for the 2 uses on site.
- Mr. Cranmer reminded board members that this is an adapted use on an existing site, and if there was a use that would work well on the site, there would be one, instead of a vacant building. This proposal will take advantage of the grassed lot to provide additional parking. Whatever use goes in you will not see a traffic circulation where you don't have the “dead end” turn around. Does the redevelopment of the site yield more positive than negative, which is the question that has to be answered.
- It was pointed out that the client will educate themselves on the traffic flow of the site.
- Early afternoon may have some parking issues, but the gym does have different hours than the nail salon.
- The new one-way driveway did increase the lot coverage from 72.4% to 75.0% which will increase the variance request.
- The will provide the site triangles on Thomas Ave going in a western direction, and provide any striping that is requested.
- Mr. Comi agreed to agree to all of Mr. Cranmer's review comments, and comply with all the recommendations and additional information.
- Mr. Comi did revise the underground detention system due to the increase in driveway coverage.
- Mr. Cranmer pointed out that the previously approved driveway is now a “green landscaped area”.
- Mr. Cranmer stated that 10' setback from the property line is a good setback for the sign.
- Number of clients at one time will be approximately 8min to 20 max, but the average would be 14, and in the evening when the nail salon is open the classes will be smaller, approximately 10 clients.

Mr. Kennedy asked Ms. Cornette if she certified that her previous testimony from November 2018 remains the same, Ms. Cornette said yes it is...

Ms. Martinelly asked if there will be designated parking for the salon or is it open parking? Ms. Cornette said no, only the employee space.

Mr. Cranmer described the variances that are being requested:

- Variance – size of parking spaces of 8 ½’
- Impervious coverage 74.2% increased to 75% (due to reconfiguration on site, one way driveway) mitigation has been adjusted to accommodate the increase
- All variances are reviewed in his review letter

Mr. Kennedy asked Mr. Comi if all of the information that was testified to, will that change or invalidate or compromise the validity of the extensive traffic testimony that the board accepted at the last meeting. Mr. Comi said with the exception of the change to the traffic, no.

Mr. Comi testified, again the DOT will only allow one-way entrance only, no exiting. The access permit was submitted with a sketch of what they will approve, including the signage. Ms. Canonico feels that this intersection is dangerous and the DOT doesn't understand this intersection, and to be able to make a left into the site is unsafe. Mr. Kennedy stated that the proposed "sketch" is what the DOT is going to allow. Ms. Canonico also has concerns with pedestrians traversing the parking lot to get to the salon, as well as not having the ability to turn around when there is a full parking lot. Board had a discussion on the left turn in, and the possible change of occupancy on the nail salon and possible additional intensity on the site.

Mr. Cranmer explained that this application is for a "use variance" if another permitted use wants to occupy the space they get a "free pass", but a change of use would bring anyone back to this board, without the obligation to approve the new use. He explained that the use and site improvements that this board is approving, are based on this specific evidence. If the board finds that a larger nail salon, with a change in the hours, different traffic patterns, and they don't have the synergy between the two uses, the board would have the jurisdiction to deny the application even if it is a permitted use. If a new application changes in any way you, as the board, have new jurisdiction.

Mr. Kennedy explained that when the board adopted the last resolution, **condition H**, read the condition into the record.....the use will not exceed to what was testified to etc within the resolution of approval. This is the board intensity regulator.

A motion was made by Mr. Daly, seconded by Mr. Roache to open the meeting to the public. All approved.

Stuart Minis, 35 Thomas Ave, was sworn. He stated that clients will be leaving the site at Thomas and will attempt to turn left (east), asked if there is anything else that they can do to defer people from making a left onto Thomas? Mr. Comi indicated that there is a turn arrow on site with the One-Way across from the exit, which was requested by the Traffic Safety, there will be a One-Way sign on site and the turn arrow. Mr. Cranmer referred to 2.9 of his review letter: Do not Enter signs will be placed on Thomas Ave, west of the driveway. Mr. Comi agreed, and he will comply with the request of Mr. Cranmer's review.

A motion was made by Mr. Daly, seconded by Ms. Canonico to close the meeting to the public. All approved.

Mr. Herbert advised that his application is complete:

Mr. Kennedy summarized the Amended Site Plan Application:

- All promises & commitments made during the public hearing process
- Compliance with A-5
- Compliance with Mr. Cranmer's Review letter
- Lot Consolidation
- Site Triangle Easement & Striping if necessary
- Compliance with the "Intensity Regulator" condition
- Compliance with review B-1 Traffic Safety, B-2 – Fire Official recommendations
- Compliance with 2.9 of Cranmer Review letter for signage

A motion was made by Ms. Akerblom, seconded by Mr. Roache to approve the Amended Preliminary & Final Site Plan for Erin Cornette, with conditions, based on the modifications.

Roll Call:

Affirmative: Martinelly, Canonico, Daly, Roache, Akerblom, Henderson, Ciongoli

Negative: None

Approval & Adoption of Resolution:

Mr. Kennedy read a resolution of approval into the record:

A motion was made by Mr. Daly, seconded by Ms. Akerblom to adopt & memorialize the resolution of approval for Amended Preliminary/Final Site Plan Approval with condition:

Roll Call:

Affirmative: Martinelly, Canonico, Daly, Roache, Akerblom, Henderson, Ciongoli

Negative: None

A motion was made by Ms. Canonico, seconded by Mr. Daly to adjourn the meeting at 9:00pm. All approved.