Borough of Woodland Park

Planning Board

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WOODLAND PARK PLANNING BOARD
PLANNING BOARD MINUTES
JUNE 8, 2015

Meeting called to order at 7:38 P.M. by Chairman Lepore.

OPEN PUBLIC MEETING LAW: THIS MEETING IS CALLED TO ORDER PURSUANT TO THE NEW JERSEY PUBLIC MEETING LAW, AND AS STATED IN NOTICES OF THE TIME, PLACE AND DATE PUBLICIZED IN ACCORDANCE WITH THE STATUTE. IT WAS INCLUDED IN A LIST OF MEETINGS FORWARDED TO THE HERALD NEWS AND THE RECORD AS REQUIRED NOTICES. IN ADDITION, THIS LIST HAS BEEN POSTED IN A PUBLIC PLACE BY THE BOROUGH CLERK, AND A COPY OF THIS HAS BEEN FILED IN HIS OFFICE FOR PUBLIC INSPECTION. PROPER NOTICE HAVING BEEN GIVEN, THIS MEETING IS CALLED TO ORDER AND THE CLERK IS DIRECTED TO INCLUDE THIS STATEMENT IN THE MINUTES OF THE MEETING.

MEMBERS PRESENT: BILL KARP, COUNCILMAN HOLLOWAY, KEITH TANSKI, MAYOR KAZMARK, THOMAS ADAMO, PAT LEPORE, STEVE FAZIO, JACQUELINE HERNANDEZ AND ROBERT BRIGATI

ALSO PRESENT – JOSEPH WENZEL, BOARD ATTORNEY
NORDAN MURPHY, BOARD ENGINEER
KATHRYN GREGORY, BOARD PLANNER

FLAG SALUTE

A motion to approve the minutes for 5/11/15 was made by Mr. Tanski, second by Mr. Brigati and approved.

ORDER OF BUSINESS

DOCKET # 15-01 – MT. PLEASANT ESTATES, LLC – MT. PLEASANT AVE. – BLOCK 54.01 LOT 15 – MAJOR PRELIMINARY/FINAL SUBDIVISION/BULK VARIANCES – Applicant has requested the application be carried until the 7/13/15 meeting and has waived time. Applicant must notice in order to be placed on the agenda.

DOCKET # 15-02 – R. ISSA – 732 RIFLE CAMP RD. – BLOCK 111 LOT 16.08 – MINOR SUBDIVISION/BULK VARIANCES

Mr. Wenzel updated the Board regarding the nature and extent of the easement that runs along the property that is controlled by the Westmount Country Club. He reviewed the easement and did not believe there was a legal impediment of the easement in terms of ultimately subdividing the lots, so if the Board feels they would like to grant the subdivision

the easement is not a problem. However as a result of the easement there will be certain restrictions he must comply with.

Mr. Karp said it really affects the 2nd lot which they are not building on at the present time. Mr. Wenzel said that was correct.

Mr. Murphy, Board Engineer, stated for the Board that there are 2 bulk variances required. He said the sanitary sewer is shown to connect to what the borough believes is private utilities owned by the Westmount Country Club. He believes at this time the applicant is going to withdraw that part of his application and utilize an existing connection within Rifle Camp Rd. There was a discussion about the tree removal permit and he believes that has been issued. If the application is approved all deeds must be approved by the Board Attorney and the Board Engineer.

Chairman Lepore asked about the drainage ditch. He asked if he need DEP permission. Mr. Murphy said they have reached out to DEP to see if they have jurisdiction. Chairman Lepore said it is drainage for other homes in the area. It is not his intention to increase the width of the driveway. Chairman Lepore asked about the drainage ditch and if he needed DEP permission to cover the ditch in order to widen the driveway. Mr. Murphy said at the last meeting the architect indicated that they have reached out to the DEP to see if they had jurisdiction over this channel. They have to determine the contributory area and if it exceeds a certain size it would be regulated. It is a drainage ditch for a lot of land going up stream. They have situations at other property where people have put apparatus into the drainage ditch to widen their driveways and are now causing problems. Mr. Issa said he has no intention of widening the driveway. Mr. Issa said the other lot will have its own access road from Rifle Camp Rd. Mr. Issa said he would have to put something over the ditch. Mr. Murphy said he would have to show that he is not changing the characteristics of the channel. If he is bridging it or piping it he cannot put a 10' pipe in and he has to put a pipe adequate to carry whatever flows come through. As of right now he is not changing the pipe and there should be no impact on surrounding properties. Mr. Murphy noted that the driveway for the vacant lot is subject to approval by the county. There is a pending application before the county and he has satisfied all the requirements. The approval is pending and the next meeting is on the 28th of June. The last meeting he had with the county engineer he said he does not see any problems. Chairman Lepore said he would like the resolution to show that the Borough would have to approve any thing being done to the drainage ditch if approved. Mr. Wenzel said if the DEP has jurisdiction then that would be it. Mr. Murphy agreed but if the DEP does not have jurisdiction this type of condition would protect the Borough. Mr. Issa asked what he was trying to say. Mr. Wenzel said he believes the Chairman is indicating that if any work was to be done in the area of the drainage ditch that Mr. Issa would have to come to the Borough's planning department to seek approval for those changes and that approval may be preempted if he has DEP approval for those changes. Mr. Issa said that would be no problem

PUBLIC OPEN – CLOSED

A motion to approve with conditions discussed was made by Mr. Tanski, second by Mr. Karp and approved by a vote of 7 – 0.

Chairman Lepore noted that Docket # 15-01, Mt. Pleasant Estates, is being carried until the 7/13/15 and they must notice to be placed on that agenda.

DOCKET # 15-03 – KINGSGATE CHURCH, INC. – 25 ANDREWS DR. – BLOCK 122 LOT 1.04 – PRELIM. & FINAL SITE PLAN/CERTIFICATE OF OCCUPANCY OVER 5,000 SQ. FT.

Anthony Fiorello, attorney for applicant, stated at the present time Kingsgate Church exists in the Borough in the Industrial complex on Lackawanna Ave. They have been there about 6 years and have services primarily on Sunday. They are proposing to move to 25 Andrews Dr. into an existing building. Mr. Rushton who is the owner of the property is here tonight. The Adaptive Reuse Industrial district was established by the Mayor & Council because the industrial nature of the Industrial zone was not suited for who was trying to move in. It allows for a variety of uses and also allows as a conditional use, a church. They are moving from one adaptive use area on Lackawanna to a better facility, from the congregation's point of view, on Andrews Dr. There are no variances associated with this application. It meets all the Borough Ordinances for the site.

David Grecco, pastor of Kingsgate Church, was sworn in. Mr. Grecco stated they are presently located in Woodland Park and have been there for 6 years. The space is about 8,000 sq. ft. They have 2 services on Sundays. The congregation is about 75 to 100 people in the morning and in the afternoon there about 120 to 150 people. The space is becoming too small for them and they would like a larger space. The space they are planning to occupy is 15,000 sq. ft. The Sunday services would be the same in terms of hours at the new location. The church also has 2 services during the week, on Wednesday nights and Friday nights. The also conduct Sunday school classes. The students are children of the congregation. There is going to be an assembly area to get ready for services and then there will be a sanctuary with seating. There is an area for an office for him and two small offices for those people who deal with finances and other matters of the church. There are 3 lavatory facilities. There are also a sound room and storage area. Mr. Grecco said there was an existing church across Andrews Dr. but it is no longer there.

Councilman Holloway asked if they would be having counseling sessions during the day with parishioners. Mr. Grecco said that could happen.

Ms. Gregory, Board Planner, asked how many Sunday School classes there would be and if they were at the exact same time as the services. Mr. Grecco said services start at 11:30 and Sunday School classes begin at about 12:30 so they are at the same time but not the same length of time. Ms. Gregory asked how that is orchestrated. Mr. Grecco said they want the children to be at the first part of the service for about 45 minutes and then the parents take the children to the Sunday School. Infants have to be in the nursery.

Mr. Karp asked if there would be activities during the week. Mr. Grecco said yes. Two or three times a week they would be using the facility.

Mr. Tanski asked about the kitchen area. Mr. Grecco said it is just for making coffee or light refreshments. They are not in the food business.

Chairman Lepore asked about the ADA ramp. He asked if the restrooms are ADA compliant. Mr. Grecco said the architect will testify to that.

Mr. Adamo asked if they would be having other functions not related to church. Mr. Grecco said no. Perhaps if one of the congregations marry they may have a Saturday wedding ceremony but they will not be renting it out for anything.

Mr. Wenzel said to be clear the use of this particular location would be limited to the church services, administrative needs, counseling needs or some church function. They will not be using it for anything outside of those areas.

Councilman Holloway asked if on a Friday evening if they had a teen group of 50 to 100. Mr. Grecco said there would not be that many teens but they will have services for the teenagers.

Richard Rushton, owner of 25 Andrews Dr., was sworn in. Mr. Rushton said the property has been in the family since the early 70's. They also own 228 Lackawanna Ave. He provided Mr. Kuybida with a list of tenants for 25 Andrews Dr. The tenants are Miracle Manufacturing which occupies 5,000 sq. ft., Athletic Elite All-Stars has 3000 sq. ft., Automotive Innovations has 18,000 sq. ft., Gourmet Foods has 16,000 sq. ft. and Party Time Rentals has 6,000 sq. ft. Kingsgate Church would occupy 15,000 sq. ft. Most of the facilities are warehousing in nature. Athletic Elite All Stars is a cheerleading instructing facility. The students are dropped off and most activity doesn't begin until 4:00 p.m. He said there was a church in a building across the street until there was a big snowstorm and the roof collapsed. The church is no longer in that building.

Chairman Lepore asked who was responsible for the property. Mr. Rushton said each of the individual tenants is responsible for the maintenance including the exterior. Mr. Rushton said he is responsible for the structure and the roof. Ms. Gregory asked who would be responsible for the parking area. Mr. Rushton said the tenants would be responsible for minor repairs. Ms. Gregory asked who would be responsible for snow plowing. Mr. Rushton said snow plowing is the tenants responsibility. Ms. Gregory asked how that works. Mr. Rushton said the tenants coordinate to plow the snow, sometimes they have separate companies or they all use the same. Ms. Gregory said now there is a church coming in that requires a number of spaces. She asked if it was done piecemeal by each tenant since the owner is not responsible. She thought that was odd. She felt on the weekend the church would have to plow the number of spaces they would need. Mr. Rushton said he was sure that would be coordinated and did not think it was a problem.

Mr. Wenzel asked if Mr. Rushton had knowledge as to whether or not there is a contract in place to handle those services. Mr. Rushton said he did not know. He said when they sign the leases they outline what the tenant is responsible for as far as the portion of property for snow plowing or lawn maintenance. He was sure it was something that could be coordinated. Mr. Wenzel asked if it was his intent to have the church handle the snow removal and any debris removal from their portion of the parking lot. Mr. Rushton said that was correct.

Ms. Gregory asked if there were designated parking spaces for each use and it is just that a portion of the property is what they are responsible for. Mr. Rushton said there were no designated spaces and each of them would be responsible for a certain area on the property.

Mr. Karp asked if any of the other tenants had weekend business. Mr. Rushton said he did not believe anyone worked on the weekend. Ms. Gregory asked if the All-Star cheerleading was there on the weekends. Mr. Fiorello said they would think the cheerleading would be happening on a Saturday morning and there would be no conflict with Sunday services.

Chairman Lepore stated he would be more comfortable knowing the applicant totally understands that they would be responsible for the maintenance of the property including the exterior. Mr. Fiorello said the lease agreement would make the tenant responsible for snow plowing, minor repairs and the maintenance of grass. The landlord would be responsible for the facility itself.

Michael Kuybida, architect, was sworn in. He stated his qualifications and was accepted as an expert witness. He stated he provided a zoning analysis. He referred to drawing A-1 and the zoning table. He has provided the total lot area. The church will be utilizing 15,000 square feet of the building. He prepared a parking occupancy rate analysis. The parking analysis was done by the number of employees for each tenant that was provided by the landlord. On the weekend when the church is in operation the parking required would be 91 cars. There are a total of 129 spaces and 91 are required. He reviewed the parking analysis and stated there would be sufficient parking available on Sunday when the church would need 91 spaces. On Monday and Friday when the church is operating they would need 18 spaces and the other tenant spaces would need 13. Elite has 3,000 sq. ft. and they would need 10 spaces. You would still have adequate parking. He would not expect the cheerleading to be at the space from 11:30 on Sunday while the church is operating. There is a typo on the plans and the parking number should be 129 spaces. There are two parking lots that are not connected and there is no signage to direct people. The church is on the southerly side of building. He pointed out the sidewalk that is located between the two parking lots. Based on the engineer's comments they are proposing a directional sign to show the sidewalk.

Mr. Kuybida said the lighting on the site are existing mounted wall packs. There is also a similar type on the side but on the northerly side of the site the lighting is inadequate and he is recommending changing that lighting. This could be a condition of approval.

Mr. Kuybida stated he has reviewed the Board Planner's letter dated 5/28/15. He has identified the total area of the site. The parking analysis is based on the number of employees and the planner has noted that the requirement is one space for every 300 sq. ft. He has testified to the parking requirements for each tenant and the total parking provided meets the parking requirements. There would be a total of 129 spaces. The planner has noted that the site is a through lot. Mr. Kuybida said this is not a through lot but a right of way for access. He did not believe the zoning table should be changed. He felt this was an appropriate use for the site. It is an accepted conditional use in the zone.

Mr. Tanski asked where the cheerleading tenant was located. Mr. Kuybida pointed it out and said it was next to the space the church would be in.

Chairman Lepore asked about the inadequate lighting and asked who would be responsible to maintain those lights. Mr. Kuybida said they are mounted on the building. Mr. Fiorello said it is the landlord's responsibility to maintain the lights on the building.

Mr. Fiorello submitted a sketch of the location of the tenants and marked it A-2. He marked the site plan A-1.

Ms. Gregory stated that this is a through lot. It legally has two frontages and the bulk table needs to be corrected. She understands it is an existing lot but the fact is the bulk table is wrong. Mr. Kuybida said he spoke with Mr. Esposito. Mr. Esposito indicated it was a right of way and the front yard was on Andrews Dr. If you do consider the front yard setback the requirement is 20' so on Andrews Dr. it is at 61.7' and on Lackawanna it would be 130'. So whether it is a through lot or not the setbacks comply.

Mr. Murphy said he agrees with the planner and since they are expecting revised plans any way it should not be an issue to revise the zoning table. Mr. Fiorello said they would amend the bulk tables and it would be subject to the engineer's review.

Mr. Murphy said Mr. Kuybida has indicated plus or minus dimensions and asked if there was a reason for it. Mr. Kuybida said the survey that was provided had plus or minus 3.78 acres. Mr. Murphy said there was some representation that they had 25 offsite parking spaces. Mr. Fiorello said they have withdrawn that recommendation. Mr. Murphy asked about the signage and said it should be shown on the revised plan along with the lighting plan. Mr. Fiorello agreed. Mr. Murphy said the applicant is proposing a sign and asked them to provide some testimony regarding the sign.

Mr. Kuybida said the size of the sign will be in compliance with the ordinance. The sign plan Page 2 was marked A-3. They will also revise the plan to show directional signs along the pathway.

Michael Kauker, Planner, was sworn in. He stated his qualifications and was accepted as an expert. He said he has visited the site. There are 6 other tenants on the property at the present time. They all happen to be a low intensity type of use. There is a cheerleading facility and other combinations of office and warehousing on site. The total amount of

square footage is 63,400 sq. ft. All of the parking calculations are reflective of that total. The parking for the church was based on the worst case scenario. The total amount of seats drive the parking demand for the church. There is total seating of 245. The parking is based on one space for every 3 seats. Shared parking opens up windows of opportunity for the older industrial area. He recommends the Board approve the application.

Mr. Kauker felt this type of use takes what would normally be a conflict parking situation and makes it workable. The church use would be at its peak while the other uses are at their minimum.

Chairman Lepore asked if there would be any conflict with truck traffic in an industrial area. Mr. Kauker said he visited the site on a number of occasions it did not seem that that the surrounding uses had heavy truck traffic. He felt the character of the area has transitioned from the old classical industrial area. Chairman Lepore said there are trucks in the area and asked about the safety of the church goers. Mr. Kauker said the parking on site was very minimal and the layout of the parking should not be a conflict or an impact of people's safety. The parking lot is striped. Mr. Fiorello said you would not expect truck traffic on Sundays.

Mr. Brigati asked about the parking spaces on the west side of the building. Mr. Kuybida pointed out the walkway from those spaces. The intent is to use the parking area and have a directional sign along the walkway.

Chairman Lepore asked about the ADA ramp and bathrooms. Mr. Kuybida said they will all be compliant.

PUBLIC OPEN – CLOSED

Councilman Holloway said there are comments in the packets from the Fire Dept. He read the comments. Mr. Fiorello said the applicant will comply with the Fire Department's request.

A motion to approve with conditions discussed was made by Mr. Adamo, second by Mr. Karp and approved by a vote of 8 – 0.

BREAK – Call to order 9:20 p.m.

DOCKET # 15-05 – 1225 REALTY LLC – 1225 MCBRIDE AVE. – BLOCK 96 LOT 1-CONCEPTUAL REVIEW (SIGNAGE)

Mr. Joseph Mecca, attorney for applicant, stated they want to do the right thing with the signage at 1225 McBride. Since there are different interests as far as the tenants so they could end up with a mishmash of signage. They are really not interested in doing that. They are putting it before the Board to get their comments and to talk about some of their ideas for signage.

Philip Smith, Ace Sign Co., was sworn in. He is working for the owner of the property. They are trying to come up with a plan for the multiple tenants that would be pleasing to the eye. They want to have a nice uniformed looked. It is a very big parking lot and a big building.

Mr. Wenzel said Mr. Mecca indicated to him that he has reached out through the building department and it was suggested they come here. They originally submitted an application to the Board of Adjustment and the planner suggested that it be sent to the Planning Board for a sign design review. The applicant then applied to the Planning Board and it was sent to Ms. Gregory, Planning Board planner.

Ms. Gregory said this site is in the CBD zone. The signage criteria is written for store fronts and this is obviously an office building. Mr. Esposito conferred with her and there are some issues with the way the sign requirements are written in the CBD district because it is not directly applicable to office buildings. Monument signs are not permitted in the CBD district and obviously they have a monument sign. So right now it is existing non-conforming. As part of the sign development it does talk about multi-tenant developments which states a sign design must be submitted for approval which would mean all of the signs. The applicant has submitted several photos of sign designs but it is a little confusing. Usually with a sign plan it is a part of the site plan which shows where the signs are located. Usually you actually have an elevation drawn for the signs so you know where they are located. She would consider this an overall sign plan at this point but here at a work session you could make recommendations for this site. It is a large site and she thought depending on the entrances for each use more than one sign is probably warranted. Where the signs go is really the issue. Right now they are proposing signs that are above the first floor which are actually not permitted. She thought if they provide more information and a clearer design plan they could address the multi-tenants. She said they could discuss adding to the monument sign. She does understand the need for the tenants to show the specific uses. They need directional signs to show the uses and would identify the closest entrance for a specific use. They need something comprehensive and attractive.

Mr. Wenzel asked if it would be helpful if the applicant provided blank boxes to show where the signs were planned to be. It would assist the Board and the planner to see what is appropriate signage for this building. Ms. Gregory agreed and felt through the work session they could come up with something that everyone can live with. Right now it is coming in very piecemeal and suggested a plan for the future.

Mayor Kazmark said he does not have a problem with limited signs on the side of the building even though they are above the first floor. He said his concern was if it's the intention to sign every unique business in the building.

Raj Prakash, owner of 1225 McBride, was sworn in. He said it is not their intention to give every individual tenant a sign. The tenants that are requesting signs occupy large spaces in the building. They are at about 60% tenancy in the building. Mayor Kazmark asked how much of the major tenant space is occupied. Mr. Prakash said there are 2 tenants right now who are requesting signage. They have a couple of tenants occupying very large spaces that

have not requested a sign at all. Mayor Kazmark said his concern is if you get into having continuous signs around the building it becomes an eyesore. He said he would also be reluctant to more than one sign for one tenant.

Mr. Mecca submitted a design for a monument sign on Lackawanna Ave. it was marked A-1. This sign would be for 3 tenants.

Chairman Lepore suggested a limit on the signs for the size of tenants. Mr. Prakash said there is not always that correlation. There would be one type of sign for tenants except for Carepoint.

Mayor Kazmark said he was sort of partial to the corner signs. There would be no logos except for Carepoint. Mayor Kazmark said what he has concerns about is change of tenancy. He asked Ms. Gregory is they could restrict the square footage of the corner signs. Ms. Gregory said you can put conditions on a use variance but she did not know if you could do that for signs. Mayor Kazmark said he would not like to see signs right across the building. He asked Mr. Wenzel if they could restrict the square footage of corner signs. Mr. Wenzel said if the applicant provided an elevation from various sides with a blank box and state this is where we anticipate a sign with certain dimensions. The Board could create an area of allowable signage. The owner would then know as long as it fits in those boundaries there would be no need to return to the Board. He felt they would probably do as much as they could all at once. The sign on the building, the monument sign could all be addressed at once. Ms. Gregory felt some of the signs were unattractive. Mayor Kazmark felt the application should include 3 dimensional letters.

Ms. Gregory said she has been dealing with sign applications recently. She felt branding is more attractive. She felt the next level would be to ask how many colors to you want around the building.

Chairman Lepore suggested they return to the Board with a drawn out concept with all signs on that plan so the Board can get the whole idea. Mr. Wenzel suggested submitting it to Ms. Gregory before returning to the Board. Mr. Prakash said they would put that together.

Ms. Gregory said she would like elevations and a site plan showing the monument and directional signs.

Mayor Kazmark said in the packet there is a letter dated 5/18/15 from Chief Galietti. He said he has a meeting with the county tomorrow regarding the Walgreens and Capitol One site so he asked the Board to hold off discussions until the July meeting.

A motion to adjourn was made by Councilman Holloway, second by Mayor Kazmark. All in favor, meeting adjourned.