

August 18, 2016

A regular meeting of the Allendale Planning Board was held in the Municipal Building, 500 West Crescent Avenue, Allendale, NJ on August 18, 2016. Chairman Quinn called the meeting to order at 8:02 p.m., and then announced that the Open Public Meetings Act requirements were met by the required posting and notice to publications.

Roll call was taken and the following members answered present: Ms. White, Mr. Sasso, Mr. Scherb, Mr. Quinn, Mr. Sirico, Mr. O'Connell, Mr. Daloisio, Mr. Zambrotta. Absent: Mr. Bonifacic, Ms. Checki.

The oath of office was administered to Mr. O'Toole as Alternate #2. He was sworn in by Mr. Botta, Planning Board Attorney.

Next on the agenda was approval of the minutes from the meetings on May 16th, May 19th, June 16th regular meeting and June 16th closed meeting.

A motion to approve the minutes from May 16, 2016 was made by Ms. White, seconded Mr. Scherb.

In Favor: Mayor White, Mr. Sasso, Chief Scherb, Mr. Quinn, Mr. Sirico, Mr. Daloisio.

Abstain: Mr. O'Connell, Mr. Zambrotta, and Mr. O'Toole.

A motion to approve the minutes from May 19, 2016 was made by Mr. O'Connell, seconded by Mr. Daloisio.

In Favor: Mayor White, Mr. Sasso, Chief Scherb, Mr. Quinn, Mr. Sirico, Mr. O'Connell, Mr. Daloisio, Mr. Zambrotta.

Abstain: Mr. O'Toole.

A motion to approve the minutes from June 16, 2016 was made by Mayor White, seconded by Mr. Zambrotta.

In Favor: Mayor White, Mr. Sasso, Mr. Quinn, Mr. Sirico, Mr. Zambrotta.

Abstain: Chief Scherb, Mr. O'Connell, Mr. Daloisio, and Mr. O'Toole.

June 16th closed meeting notes; a motion to approve was made by Mr. Sasso, seconded by Mr. Sirico.

In Favor: Mayor White, Mr. Sasso, Mr. Quinn, Mr. Sirico, Mr. Zambrotta.

Abstain: Chief Scherb, Mr. O'Connell, Mr. Daloisio, and Mr. O'Toole.

Public hearing on application PB-2016-02 by Fieldstone Square, LLC for an amended site plan for the property located at 317 Franklin Turnpike, Allendale, NJ, Block: 1806 Lot: 8.01 with a legal address of 317-321 Franklin Turnpike, Allendale, NJ. Mr. Whitaker, attorney for the applicant began the presentation. The application was for an amended site plan Lush is currently occupying part of the site and now a new application for Art Rock Studio, which would occupy the other portion of the building. There is no original site plan on file to refer to as the building was built 70 years ago before there were ordinances. There are certain non-conforming elements to the site. The applicant would like to give the building a better feel and thus is proposing to extend the paving and striping with regard to parking. No other changes such as drainage or improvements are proposed because these are already in place. Currently there are 20 paved and striped spaces, with the plan to install up to 54 spaces. The applicant is proposing 54 parking spaces when 35 are required per code. Four spaces will be reserved for the residents on the property. This property is a non-conforming in its impervious surface coverage. The Zoning Officer has referred the applicant to the Planning Board for review of the proposed parking for this site.

Kenneth Degennaro, professional civil engineer of Brooker Engineering located at 74 Lafayette Avenue, Suite 501, Suffern, NY was sworn in by Mr. Botta and qualified as an expert witness. Mr. Whitaker began with asking Mr. Degennaro about the survey and proposed plan created by him. Mr. Degennaro was asked about visiting the site and the project created by him, Fieldstone Square Site Plan dated 7/27/16 which he answered in the affirmative. Mr. Whitaker asked Mr. Degennaro to explain the plan and what is proposed for the site. Mr. Degennaro pointed out the existing buildings and conditions on the plan metric and topographic survey of the site submitted, thus the map shows no land disturbances. Currently 20 spaces on the site and part of the property is in use by a landscape company for storing their vehicles. Mr. Degennaro is proposing a change in the traffic patterns, a one way in a westerly direction along with 54 parking spaces where only 35 are required. The new plan will better define the parking with complete circulation instead of the current helter skelter lay out. There will be no change in the overall impervious existing surface. The southern section of the property will not be paved. In connection with parking on the northern end it overlaps the property of Mr. Thurston's home. The proposal is for 50 spaces for the retail building and 2 spaces on each side of the parking reserved for the residents, Mr. Thurston and his daughter. The current size parking stall is 9 x 18 where 10 x 20 are required but 9 x 18 is the generally accepted size parking stall. No drainage or expansion is proposed. Mr. Whitaker noted that the southern access is 2 way. Mr. Sirico noted that only 12 foot wide access for 1/2 a car length, would that be feasible? Mr. Degennaro agreed but explained there is excellent site distance. Mr. Zambrotta asked how that would be delineated with respect to the wall and loading dock next to the building. Mr. Sirico asked about barriers to prevent someone from driving over the wall. Mr. Degennaro stated there is a door to another business. Mayor White asked if the encroachment with the Allendale Commons property will be restored with grass. Mr. Degennaro stated it would. Mr. O'Connell asked how many handicap parking spots will be designated, and will there be more than 2 added to the 2 already existing? Mr. Whitaker stated only 2 are required by ADA law and no more will be added. Mr. O'Connell asked about the fire trucks ability to enter and exit around the entire building and overall tactical plan. Mr. Degennaro answered he is willing to work with the templates to determine the access and noted that it is an existing site. Mr. Degennaro said he is willing to work with the fire department for any necessary improvements. Chief Scherb asked about the space again between the bollard and the driving lane for the two

way traffic. Mr. Degennaro confirmed the 24 feet. Chief Scherb noted right up to the wall will be paved on the adjoining property. Mr. Quinn inquired about the size of the parking stall of 9 x 18 ft. which Mr. Whitaker answered that has been historically that size and will continue that way. Mr. Zambrotta asked about the 10 foot easement on the plan. Mr. Whitaker noted that the owner of the property also owns the private residence and the easement will be documented on the deed for the home if it is ever sold. Mr. Quinn questioned again the size of the parking spaces are adequate for today's vehicles and stipulated on the record that no more landscaping vehicles be parked overnight on the property. Mr. Quinn asked if any other questions by the board, hearing none he inquired of Mr. Vreeland for questions for this application. Mr. Vreeland noted ordinance section 270-42 for parking lots and landscape green areas requiring buffers between parking lots and residential use. Mr. Degennaro stated the north and south adjacent properties are owned by the Fieldstone Square owner and his daughter. Mr. Vreeland had a concern about the buffer with the Allendale Commons community along with existing encroachments, which he feels should have an appropriate buffer and the encroachment removed. Mr. Whitaker answered that the application can stipulate plantings. Mr. Vreeland noted the ordinance regarding lighting and and ask if existing lighting is sufficient for business at the site operating at night, if insufficient lighting exists it may preclude anyone from parking in the back for safety. Mr. Whitaker answered he did not believe it was ever a concern for prior tenants. Mr. Vreeland noted ordinance section 127:48 ordinance stated a 24 wide aisle with 90 degree parking and noted the existing northern paved parking lot has 2 dead end narrow aisles that do not allow adequate turn around, this may be improved if re-stripped and loop circulation created with angle parking. Mr. Degennaro stated he can make that modification. Mr. Vreeland asked for a guide rail protection to the stone wall space due to the drop off and people should be aware of this drop with additional signage. Mayor White inquired how high the wall is. Mr. Degennaro noted the stone wall was at least 4 1/2 feet high at maximum. There will be proposed parking underneath the building overhang, currently enclosed with the chain link fence, Mr. Vreeland asked if the fence will be removed. Mr. Degennaro agreed that parking under the overhang could reduce impervious coverage with no net loss in parking. Mr. Vreeland inquired about the overhang that extends over the proposed 3 parking stalls a potential of 2,000 square feet eliminated to the impervious coverage on the perimeter and utilizing parking below overhang to keep to 50 maximum parking spaces. Mr. Vreeland suggested removing the last three spaces on the southern part of the property by the Allendale Commons. Thus reducing the impervious coverage and providing more space between the two locations. Mr. Degennaro stated not an issue. Mr. Whitaker argued the current storage building could to be converted to retail space, which has come and gone inside the building in the past, it is their intention to have the maximum possible parking spaces to accommodate future opportunities for Fieldstone Square, LLC and avoid another meeting with the Zoning Officer. Mayor White inquired about the future planning of snow removal on the property and Mr Degennaro stated that the southeast and southwest corners of the parcel could store the excess snow. Mr. Degennaro gave Mayor White exact points on the map for snow storage during the winter. Mr. Botta marked the site plan as A-1 dated July 27, 2016. Mr. Whitaker also stipulated a guard rail or device or planting by the raised portion on the corner of the building and removal of the chain link fence by the overhang in the back of the building. Mr. Vreeland requested a provision for the dumpster or containers. Mr. Quinn called upon Mr. Snieckus, the Borough Planner, for any additional questions. Mr. Snieckus asked about additional signage being necessary to the building for all the new tenants? Mr. Whitaker answered it would conform as it is now. Mr. Quinn called upon Mr. Cassidy next about the new parking lot design. Mr. Cassidy was sworn in by Mr. Botta as the Fire Official for the Borough of Allendale. Mr. Cassidy responded

he has responded to this property in the past as both as a driver and a white hat, then noted the pumper does fit but the ladder will not in the back of the building due to the sharp angle of the building. Mr. Cassidy inquired about access to the rear storage area for any rentals that are using storage. Mr. Whitaker answered any such usage will require new permits. Fire Department will need access to sprinkler system in the storage building. Another concern Mr. Cassidy brought up was the 4 inch diameter poles in the back where the overhand is located. Maybe they should be part of the building official review for the final approval in case they are struck.

Mr. Quinn opened the meeting to the public for any other questions for this witness or public comments. Hearing none, Mr. Quinn closed the meeting and brought it back to the board for Mr. Whitaker to continue his presentation. At this point Mr. Whitaker called as a witness, Mr. Thurston, the principal of Fieldstone Square LLC. He was sworn in by Mr. Botta. Mr. Thurston of 323 Franklin Turnpike, Allendale, NJ went on to give the history of the property. Mr. Thurston stated it has been in his family for 120 years. He personally lives next to the site in question. It has been stipulated the landscape trucks be removed and part of the main landscaping items will be removed also. There are two utility poles on the property installed and maintained by Orange and Rockland that have specific dusk to dawn lights on them. One is located in the front of the property and on in the rear of the property which both have provided ample lighting. He never has had complaints from prior tenants regarding the lighting. Mr. Vreeland inquired about any complaints from neighbors, from the house adjacent or special housing on the other adjoining parcel. Mr. Thurston said due to the location and wattage it has never been an issue. Mr. Whitaker clarified that a lease agreement has been signed with 2 new clients and eager to get started. The first pole is on the north east corner by the door of Lush Spa. The second one is directly in back of the building on the other side of the brook and angled down to shine only on his parking area. Mr. Vreeland inquired about the lights further if they shine at the Allendale Commons which Mr. Thurston stated the spill is blocked by his daughter's house. Mayor White inquired if Chief Scherb had any questions which he stated none at this time. Mr. Quinn asked the hours of usage and Mr. Whitaker answered it has already been settled with the Lush Spa application. The plan indicates additional parking that will not be striped, in back. Mr. Vreeland inquired about some spaces not marked with striping which, Mr. Thurston hopes to leave pavers as they are on the property, and the pavers will be striped also. Mr. Vreeland wanted to clarify if every space will be striped. The loading dock removed and dress it up with steps out of sight of the parking and put only one dumpster there thus the other two dumpsters currently there, will be leaving the property. Mr. Quinn asked the question if the plan is over the current ordinance on impervious coverage which both Mr. Vreeland and Mr. Whitaker in consensus answered no. Mr. Quinn asked about the 2 way traffic and how that will be addressed. There will be signage for exit, entrance along with 2 do not enter signs on the back of the building. The circulation around the building will be counter clockwise. Mr. Sirico pressed further about the 2 way direction on the side by Lush Day Spa and the space for vehicles to pass each other and safely.

Mr. Vreeland concurred with Mr. Sirico that one way is better for the entire site which was agreed by all parties. Mr. Whitaker finalized that it will be one way to eliminate any confusion or backup on to Franklin Turnpike resulting from two-way traffic on the Lush Day Spa side of the building.

Mr. Quinn again opened the meeting for the public comment, questions or concerns for this witness. Hearing none, Mr. Quinn brought it back to the board. Mr. Whitaker final person to testify, the new tenant of Art Rock

School. He was sworn in by Mr. Botta and accepted as a witness. Mr. Ross located at 49 9th Dean Street, Englewood, NJ. Art Rock School LLC is the business and the franchise itself is called One River Art School. Mr. Ross explained his concept of the One River Art School and creating art classrooms, for K-12, adults, digital classes as well as an art gallery and small supply store of natural materials to be sold in this location. It is a genuine art program. He started the School of Rock music and in 2010 left to launch his own concept for visual arts because it is so under served at this time. If this location is a success, he is looking to franchise more locations throughout the country. Mr. Quinn opened the meeting for the board to ask any questions of this witness. Mr. Sirico questioned how many people attend on average and what will be the maximum occupancy at any given time? Mr. Ross answered that the limit is for 15 students at 3 studios with staggered class times. There is a 15-minute buffer between each class scheduled with students being dropped off and picked up. The average attendance is approximately 8 students give or take. Mr. Ross went on to say it is a beautiful building and this he intends to be a rally point for the community. He signed the lease in April and is anxious to begin construction. Mr. Sirico asked about the one-way circulation pattern regarding the drop offs with the age range of clients and Mr. Ross agreed it creates clarity, clean access to the building. Mr. Ross agreed the signage will be conforming to the site, however would like to present a sign package to the Building Code Official for approval. Mr. Ross testified he feels Mr. Thurston can be taken on his word. Mr. Quinn opened the meeting again was open to the public for any questions, comments or concerns for this witness. Mr. Cassidy inquired about the type of art supplies being sold and stored. Mr. Ross answered they are going to be the most natural, environment friendly materials. Hearing no further questions, the meeting was brought back to the board for Mr. Whitaker's final presentation.

Mr. Whitaker concluded the plan upgrades a truly non-conforming site to create a site with additional positive upgrades for future occupants. Mr. Whitaker requests that the plan be accepted as presented. Mr. Quinn confirmed 4 spaces will be reserved for the Fieldstone Square LLC. Mr. Botta commented the notice requirements have been met along with the proof of publication. He went advised the board has the ability to approve the application tonight and recommends to approve the plan as presented and modified tonight. Mayor White stated that Mr. Thurston has been a great asset to the community and looks forward to bringing the site into an improved state. Mr. Whitaker inquired about the demolition permit so the tenant can get in sooner based upon the conditional approve pending memorializing of the application. The board agreed to notify the Zoning Official who will be able to assist Mr. Thurston. Mr. Botta stated that a motion be made for the amended site plan. Mayor White made a motion. Mr. Botta stated the motion would be that the approval for the amended site plan, along with the stipulations that have been placed on record that will be memorialized, along with the existing nonconformity. The application will be prepared by the board attorney for the next meeting for a vote to memorialize PB-2016-02. Mr. Sirico seconded the motion. Mr. Sasso interjected that no overnight parking be allowed except for the Fieldstone Square LLC residents. All present voted in favor of the application.

Mr. Snieckus was the final person on the agenda. He was present to review the three new ordinances in consortium with the Town Council for consistence to the master plan.

Mr. Snieckus began with reading the house of worship ordinance 16-22. The foundation for this ordinance was to get into more detail to deal with issues identified in other municipalities regarding these locations in

town. The Borough would like to clearly define the house of worship, their principal structures and ancillary buildings, plus the activity on the sites. Mr. Snieckus went on to state the ordinances are always written to be defensible. As Mr. Snieckus read through the ordinance a discussion ensued about the appropriate amount of space of seating in relation to parking. Adequate space for a family along with how many inches one adult occupies in a pew or bleacher. Mr. Daloisio also questioned about outside activities and the maximal occupancy for any of those activities. Mr. Botta answered a special use permit from the zoning department would be required for outdoor activities. In conclusion Mr. Zambrotta conferred the primary use along with statutory guidelines would be for assemblage. Mr. Quinn questioned Mr. Snieckus that by this new ordinance definition do the houses of worship in town conform? Mr. Snieckus answered that all current Houses of Worship would be grandfathered and felt all other locations would conform.

The next ordinance to be introduced is 16-23 related to houses of worship and parking. The ordinance was to be in concert with the houses of worship ordinance and parking with all citations back to the various uses and criteria for those properties in town. Again the seating width was discussed and the variation in the size allowed per person, which Mr. Zambrotta questioned. It was agreed to amend this ordinance to bring it into consistency with the prior ordinance.

The final ordinance for review was 16-24 for time of businesses to operate in town. This is to avoid noises and hazards to the town residents surrounding the business district. It was deemed between the hours of 2 a.m. through 5 a.m. no business is to be conducted in the Borough. Mr. Zambrotta asked about 24 hour ATM machines. Mr. Snieckus stated most in town are pre-existing, therefore will be grandfathered. The intent of this ordinance is preserving the residential zones and consistency with the current MLUL.

In conclusion of the readings, Mr. Quinn called for any final comments and a vote. All present voted in favor with no one abstaining. It was agreed the changes be made to the 3 ordinances presented tonight for consistency, and corrections to formatting of the documents as discussed with the Planning Board.

Mr. Quinn asked if there were any further discussions for the Planning Board, which Mr. Botta mentioned the lights at Northern Highlands and the latest ruling with the permitted use restrictions to the lights and the school scheduled activities. It is still in question if the lights are permanent structures or not.

Mr. Quinn asked for a motion to conclude the meeting. A motion was made by Mr. O'Connell, seconded by Mr. Daloisio, the meeting was adjourned at 10:20 p.m.

Respectfully submitted,

Christina Montanye