

MINUTES
BOROUGH OF MADISON ZONING BOARD OF ADJUSTMENT
Special (Virtual Zoom) Meeting, February 25, 2021 at 7:30 P.M.,
Hartley Dodge Memorial Building, 50 Kings Road, Madison, New Jersey.

1. CALL TO ORDER BY CHAIRPERSON

2. ANNOUNCEMENT OF NOTICE (STATEMENT OF COMPLIANCE)

Let the minutes reflect that adequate notice of this meeting has been provided in the following manner:

At a Special Meeting of the Board held on January 28, 2021, the Board by Resolution adopted a special meeting.

On January 29, 2021, a copy of the schedule of this meeting was posted at the bulletin board at the main entrance of the Hartley Dodge Memorial Building, was sent to the Madison Eagle and the Daily Record and filed with the Borough Clerk, all in accordance with the *Open Public Meetings Act*.

Beginning in **April 2020**, in response to public safety considerations and legal authorization, the Board of Adjustment began conducting its monthly meetings on the previously noticed dates remotely using the Zoom platform, and subsequently separate notices have been published each month advising of this change and indicating that the procedures and requirements for monitoring such meetings and for making public comment, along with an explanation of the audio muting function of the electronic communications platform being utilized, is provided with detailed information on “How to Use Zoom and Participate” found on the Rosenet Webpage Communications / Virtual Meetings at [HTTP://www.rosenet.org/1273/Virtual-Meetings](http://www.rosenet.org/1273/Virtual-Meetings).

3. ROLL CALL

PRESENT: Mr. DiIonno, Mr. Fitzsimmons, Ms. Kaar, Dr. Paetzell, Ms. Salko, Mr. Santoro, Mr. Foster and Ms. Tiritilli

ABSENT: Mrs. Driscoll

EXCUSED:

RECUSED:

ALSO PRESENT: Gary Hall, ZBA Attorney
Dennis Harrington, Board Engineer
Russell Stern, Board Planner
Frances Boardman, Board Secretary

4. PLEDGE OF ALLEGIANCE

5. MINUTES FOR APPROVAL – Regular minutes of February 11, 2021

The above referenced minutes were distributed to all Board members for their review. A voice vote of aye was heard from all eligible voting Board members in approval of the minutes as presented.

6. RESOLUTIONS FOR MEMORIALIZATION – None

7. SCHEDULING AND PROCEDURAL MATTERS –

8. OLD BUSINESS –

9. NEW BUSINESS -

CASE NO. Z 20-006

297 Main Street, LLC

Block: 5101 Lot: 25 & 26

295 & 297 Main Street

A transcript of this evening's meeting was prepared by Candice Carucci.

Applicant is seeking Preliminary and Final Site Plan Approval, to demolish the current structures on the property and construct a Mixed Use Building requiring Use and Bulk Variance Approval on Property located at 295 & 297 Main Street in the CC (Community Commercial) Zone.

Mr. Steven Azzolini, Esq. was introduced as the attorney for the applicant and began to provide a summary of the application to the Board.

An overview of the proposed application included the details of a 3 Story Mixed Use Building with retail proposed on the bottom floor. The impervious lot coverage will increase on 295 Main Street and that is why it is included in this application. FAR Variances along with additional "C" variances and waivers will be discussed for both lots 25 & 26.

The following experts were sworn in to testify this evening: Andrew Clarke, and John McDonough. The following exhibits were marked into evidence:

Exhibit A-1: Site Plan, last revised 11-23-2020 prepared by Andrew Clarke, Sheets SP1-SP6

Exhibit A-2: Landscape Plan Sheet L-1, Dated: 7/6/2020 prepared by Blooms, Birds and Bees, LLC

Exhibit A-3: Architectural Plans prepared by Robert Coleman, last revised 11-23-2020, Sheets A1-A10

Exhibit A-4: Color photos of 295 Main Street and 297 Main Street, 4 photos on each sheet.

Mr. Clarke was accepted as an expert witness and began his testimony. Mr. Clarke shared his screen using the exhibits that were marked as A-1. Mr. Clarke provided the current site conditions for 295 Main Street and 297 Main Street. Mr. Clarke provided testimony that the site grades from back to front so all runoff pitches toward Main Street. 295 Main Street has several trench drains in the rear of the property in a section of the parking lot. There are also two manholes that Mr. Clarke was unable to open but he believes they contain drywells.

Mr. Clarke stated that the existing building located at 295 Main Street will remain as it is, however; some building lighting will be added to help light the drive aisle in the rear parking lot area. The parking area will be reconstructed and the drive aisle will be widened. The new proposed mixed-use building was discussed at this time. Mr. Clarke stated that DOT approval would need to be submitted if the Zoning Board looks favorably on this application.

Parking was discussed at length for Lot 25. Mr. Clarke state that he had a conversation with Mr. Dennis Harrington, Assistant Borough Engineer regarding the handicap parking spaces. It was discussed that the space be ADA van accessible.

Site lighting was discussed. LED wall packs are proposed and are controllable. The lights are intended to be down lighting and no glare should be seen from any other properties except for .1 foot candle out along Main Street and a small area on Lot 27. There is ambient light from Main Street.

Tandem parking at 295 Main Street was discussed and Mr. Stern stated that relief from the Borough Code was needed. Mr. Azzolini responded that a waiver was being requested for the tandem parking on this site.

Grading and drainage improvements are proposed. Three drywell systems proposed will capture all roof area runoff and the parking area at 297 Main Street. Over 6,000 square feet of impervious coverage is primarily being captured on site.

Mr. Harrington suggested an additional drain on each lot. Mr. Clarke stated that he would look into this.

The railroad tie retaining wall in the rear of the property will be replaced with a new 4ft retaining wall. The proposed sign will be externally illuminated. Mr. Stern asked how deliveries will be addressed at the site. Mr. Clarke stated that office supplies would be delivered with no impediment to the traffic flow on the site. Refuse removal will be scheduled.

Mr. Frank Russo's memorandum dated December 29, 2020 was discussed and Mr. Clarke stated that all issues raised in this memorandum would be complied with. He stated that the existing stockade fence would be replaced with a more traditional PVC fence. The 10% landscape requirement in the parking area was discussed.

Mr. Jon Parker, applicant was sworn in at this time to testify. He stated that the landscaping would be looked into and that they will implement the recommendations of Mr. Stern. Mr. Clarke stated that he had consulted with the Fire Chief, Lou DeRosa, regarding the Knox box and the sprinkling of the building.

The signage facing the drive aisle was discussed. Mr. Stern commented that the signage should be shown on the architectural drawings and all signage details should be provided.

Mr. Stern's memorandum dated February 1, 2021 was discussed in detail. Including but not limited to the utilities placed underground, steep slope calculations, trash enclosure, circulation and parking.

Mr. Parker testified that he would be taking the entire first floor of the building, which is 1,800 square feet. He will have three employees with very few customers. His hours of operation will be from 9:00am to 5:00pm. The first floor tenant will utilize the basement for storage and utilities only.

Sidewalk conditions were discussed and attention will be given to the sidewalks. The street trees along Main Street were also discussed. The hours of illumination of the lighting was touched upon and it was determined that the lights would be shutoff at 10:00pm. Lighting details are necessary.

Having no further testimony Mr. Santoro opened the floor to the Board for questions. Ms. Kaar asked if the applicant had any flexibility in the parking issue. The board determined that any tenant would need to make the parking situation work.

Seeing no further questions from the Board Mr. Santoro opened the hearing to the public for questions, seeing none that portion of the hearing was closed.

A five-minute break was taken at 9:32pm. The meeting reconvened with all Board members and Professionals present at 9:40pm.

Mr. Robert Coleman sworn in at the beginning of the meeting provided the Board with his credentials and was accepted as an expert witness.

Mr. Coleman began his testimony utilizing the shared screen function and brought up Exhibit A-3 the architectural plans for 297 Main Street. The view from Main Street was discussed as well as the façade facing 299 Main Street. The materials to be used on the building were described at length. Mr. Coleman was reminded that signage details will need to be submitted on the revised drawings. Air conditioning units will be placed in the rear of the building. The basement plan was shown with the utility room facing Main Street and the remaining unfinished space will remain for storage.

The first floor retail space floor plan was discussed, as well as the second and third floor plans showing the residential units. Mr. Stern's memo from February 1, 2021 was discussed. Mr. Coleman stated that all mechanical equipment will be in the rear of the building. Mr. Stern would like to see the signage and details of the building clock being proposed.

Ms. Kaar asked what the ceiling heights were in the residential units. Mr. Coleman stated that the ceilings are in the 8-9 foot range.

Mr. DiIunno questioned the windows facing 299 Main Street stating that these residential windows are very close to the neighboring building. Mr. Coleman stated that frosted windows could possibly be used on this façade..

Mr. Hall questioned the stairs leading to the basement. The only entrance to the basement area is through the commercial retail space, which may cause a problem if utilized by the residential units. Mr. Coleman stated he would look into this.

The floor details of 295 Main Street were discussed but Mr. Coleman stated that no physical changes were being made to this building.

Mr. Coleman had no further testimony and Mr. Santoro asked the Board members if they had any questions, seeing none Mr. Santoro opened the floor to the public. Seeing no hands raised for questions that portion of the hearing was closed.

Mr. John McDonough was sworn in as the Landscape Architect. He is testifying on plans prepared by Lynda Bevere of Blooms, Birds and Bees dated July 6, 2020.

Mr. McDonough stated that this landscape plan complements the building to soften the edges of the proposed building. This building will be a great asset to the Main Street Corridor. There is a variety of colorful plantings with will include perennial wild flowers and ornamental grasses. There will be a substantial beautification to the site. Irrigation of the landscaping is not a part of this proposal. There being no questions from the Board the meeting was opened to the public for questions of Mr. McDonough. Seeing none, that portion of the hearing was closed.

A review of items that need to be addressed was discussed with the applicant's professionals. It was determined that these revisions be made and that the applicant come back at a special meeting of the Zoning Board that has been scheduled for March 25, 2021 without further notice.

10. OTHER BUSINESS – Mr. Hall explained that the special meeting to be held on March 4, 2021 for the Madison Movie Development will provide testimony from the applicant's Traffic Expert and Architect.

11. ADJOURNMENT – The meeting was adjourned at 10:45 pm with a motion made by Mrs. Tiritilli and seconded by Dr. Paetzell

Respectfully submitted,

Frances Boardman
Board Secretary