

MINUTES
BOROUGH OF MADISON ZONING BOARD OF ADJUSTMENT
Special (Zoom) Meeting, August 31, 2020 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 the Regular Meeting of the Board held on August 13, 2020, the Board by Resolution adopted a special meeting.

On August 14, 2020, a copy of the scheduled 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*.

3. ROLL CALL

PRESENT: Mrs. DeRosa, Mrs. Driscoll, Mr. Santoro, Mr. Fitzsimmons, Ms. Kaar, Mr. DiIonna,
Ms. Salko and Dr. Paetzell.

EXCUSED: Mr. Foster

ALSO PRESENT: Gary Hall, ZBA Attorney
Frances Boardman, Board Secretary
Frank Russo, Assistant Borough Engineer
Russell Stern, Borough Planner

4. PLEDGE OF ALLEGIANCE

5. MINUTES FOR APPROVAL – None

6. RESOLUTIONS FOR MEMORIALIZATION – None

7. SCHEDULING AND PROCEDURAL MATTERS –

8. OLD BUSINESS –

CASE NO.Z19-027

Heller Property Partners

Block: 2001, Lots: 19 through 23

176, 178 & 180 Main Street

Applicant is seeking Preliminary and Final Site Plan with Variances along with Lot Consolidation to construct a 2-Story Office Building in the Community Commercial Zone requiring relief from Maximum Floor Area Ratio, Minimum Front Yard Setback, Maximum Principal Building Coverage, Minimum Number of Parking Spaces, Steep Slope Disturbance, Signage and other bulk variances.

This application was started at the Regular ZBOA Meeting held on December 12, 2019 and continued at the ZBOA meeting of January 9, 2020 but not concluded.

A transcript of this evening proceeding is being completed by Patricia Pucciarello of Veritext.

Mr. Racioppi began by providing a brief history of the owner and the site before the Board this evening. This site plan will mirror the image of the building next door that is also owned by the applicant.

Mr. Bryan Ehnes of Bohler Engineering, was sworn in previously and remains under oath. Mr. Ehnes stated that since the last hearing there had been revisions made to the site plan. All comments made by the Borough Professionals, Mr. Russo and Mr. Stern were taken into account with these revisions.

The following exhibits were marked into evidence:

Exhibit A-14: Colorized Site Plan prepared by Bohler Engineering, dated June 17, 2020

Exhibit A-15: Color rendering prepared by Bohler Engineering, dated August 27, 2020

Mr. Ehnes went through all revisions, these revisions include the elimination of the left turn onto Main Street from the driveway, the restriction of mechanicals only in the basement of the new building, the shifting of the light poles from the rear of the property line further into the Heller property, additional storm-water, an increase in landscaping and a substantial reconfiguration of the rear parking lot.

Mr. Ehnes stated that the lights in the rear of the property would be turned off at 11:00pm. The fence in the rear of the property is staying and a double staggered row of landscaping will be added to enhance the buffering for the rear neighbors.

Mr. Ehnes addressed the variances and waivers being sought with this application. He stated that they have received County Exemption that this site plan would not have an adverse effect upon County Roads, they are also currently working with the DOT and the Borough of Madison Fire Chief.

Mr. Stern's memorandum dated June 27, 2020 was discussed. A response from Bohler Engineering to this memorandum was received on August 3, 2020. The applicant will provide an affordable housing fee in accordance with Section 195-46.

Due to the poor condition of the rear fence Mr. Stern suggested that it be replaced with a new solid fence. Mr. Stern will appraise all landscaping and fencing for this project. Mr. Stern suggested that the applicant accommodate several additional trees on site. The applicant is amenable to this suggestion.

A brief overview of the proposed signage was presented. More details regarding signage would be offered by Planner testimony.

Mr. Russo's memorandum of July 2, 2020 was discussed. Steep slopes were discussed and Mr. Russo was satisfied with what had been submitted.

Mr. Ehnes was asked what type of lawn was being proposed, and he replied that the lawn would be sod and irrigation installed.

Mr. Santoro asked the Board and professionals if they had any further questions, seeing none he opened the floor to the public. There being no public questions that portion of the meeting was closed.

Mr. Paul Going, Atlantic Traffic was sworn in, provided his qualifications and was accepted as an expert witness this evening.

Discussed was the traffic statement prepared by Atlantic Traffic and Design along with the reports prepared by Hamal Associates. Peak generation was discussed with Mr. Going adding that there will be no significant adverse effect on traffic with this project. Parking was discussed at length with the project proposing 82 parking spaces where 106 are required. Mr. Going felt that the 82 spaces proposed would be adequate parking for this site.

Mr. Santoro asked the Board and professionals if they had any further questions for Mr. Going, seeing none he opened the meeting up to the public for questions of Mr. Going. Seeing none that portion of the hearing was closed.

Mr. John McDonough, Professional Planner was sworn in to testify. He provided the Board with his qualifications and accepted as an expert witness.

Mr. McDonough stated that this project is a beautiful addition to Main Street. He provided the Board with variance justifications. The following exhibits were marked into evidence:

Exhibit A -16: Sheets 1 through 8 as prepared by John McDonough.

This exhibit was shown as individual sheets by Mr. McDonough and discussed.

Exhibit A – 17: Google image of prior subject site.

Exhibit A- 18: View of subject site

Mr. McDonough informed the Board that adequate air and light will be provided and that a positive aesthetic and appeal on Main Street would be seen with this project. The office use being proposed is a fully permitted use in the Community Commercial Zone.

The relief that is being sought can be granted without substantial detriment to the public good or the intent and purpose of the zone plane and zoning ordinances. Mr. McDonough stated that there had been a positive interaction with all Borough Professionals. 499 new plants are being incorporated which will provide for a robust landscaping.

The new proposed monument sign was discussed. This sign will be replacing the monument sign that is currently on site. LED ground mounted lights are being proposed. The new sign will be placed closer to the drive and only provide the address of 178-180 Main Street.

A 2” x 3” directory sign will be mounted in the rear of each building.

Hairpin markings in the parking lot area were discussed. It was agreed upon that hairpin markings would be utilized in the parking lot.

Mr. Santoro opened the floor to any Board member or its professionals for questions of Mr. McDonough. Mrs. Driscoll inquired about the turn off time of 11:00pm for the rear lights; she feels that turning them off at 11:00 pm is excessive and not very neighborly. After some discussion, the applicant has agreed that the lights in the rear of the parking lot will go off at 10:00pm.

Mrs. DeRosa questioned the fence and why it could not be placed in the rear of the buildings only and not come all the way up to the front. Seeing as the landscape design proposed is beautiful and enhances the look of the buildings. The applicant was amenable with having the fence only run to the rear of the building.

Mr. Santoro then opened the meeting to the public, seeing none that portion of the meeting was closed.

Mr. Racioppi gave his closing statement. The Board began its deliberation. The consensus of the Board was to approve the application this evening. A motion to approve the application with all conditions as discussed this evening was made by Ms. Kaar, seconded by Mrs. DeRosa. A roll call vote was requested and recorded as follows:

AYES: Mrs. De Rosa, Mrs. Driscoll, Mr. Fitzsimmons, Ms. Kaar, Dr. Paetzell, Ms. Salko and Mr. Santoro

9. NEW BUSINESS - None

10. OTHER BUSINESS – None

11. ADJOURNMENT – The meeting was adjourned at 9:50 pm with a motion made by Ms. Kaar and seconded by Mrs. Driscoll.

Respectfully submitted,

Frances Boardman
Board Secretary