

**Borough of Watchung
Board of Adjustment Meeting
December 10th, 2015**

Minutes

Chairman Cronheim called the meeting to order at 7:34pm. Salute to the flag. The Chair called for a roll call. Present at the call of the roll were:
Fechtner (X) Hunsinger (X) Dallas (A) Brown (X) Kita (X) Panzarella (X)
Bell (X) Cronheim (X)

Chairman Cronheim indicated there was a quorum to conduct business. The Chair stated that this meeting was being held in compliance with N.J.S.A. 10:4-6 of the open public meetings law and proper notification of this meeting has been made.

Interpretation

BAI-15-23 Richard Genabraith

22 Sequoia Drive Block 6908 Lot 19

RR zone, business with employees not allowed in the zone

Mr. Genabraith and his daughter Erica were present. Mr. Bennett said that Mr. Genabraith was here due to a complaint of a business being run out of his home. Mr. Bennett went to the home and saw no presence of a business. He said that he went to the door and asked to see Mr. Genabraith who was not home.

Erica said her father does forceable collections and evictions. She said that this business used to be run by Mr. Genabraith and his wife. After his wife passed away, he had hired a few employees. She said this is basically a paper processing business. She said he had gone to the Clerk of the Borough originally to ask permission to run this business and said there are no customers. The Clerk at the time gave him permission to run the business out of the home. There is no advertising for this business. A shredding truck comes once every two months. Mr. Genabraith said he is a Constable for Union County, and an officer of the court. There are two full time employees and two part time college students. Mr. Hunsinger said that he heard there are often five or six cars at the property. Mr. Bennett read the allowed uses in the R-R zone. Mr. Bennett said that a resident home office can occupy no more than 25% of the home. Mr. Hunsinger said that he felt that this would require a variance. He said that the board would have more control over conditions with a variance, rather than an interpretation. Chairman Cronheim suggested that Mr. Genabraith come back with a formal application to apply for a variance that would stay with the property.

The board agreed.

Resolution

BA15-R19 Dominick Papa

208 Sunlit Drive Block 302 Lot 22

Application BA15-20

Variance relief for total side yard setback.

Mrs. Fechtner made a motion to approve the resolution, seconded by Mr. Brown. Roll call

Fechtner (yes) Hunsinger (yes) Brown (yes) Kita (yes) Panzarella (yes) Bell (yes) Cronheim (yes) The motion was approved.

Minutes- The Clerk made a correction to the previously published minutes of November 10th, on the approval vote of the Papa resolution changing Chairman Cronheim's vote on the original approval to a yes. Mr. Bell made a motion to accept the minutes with that change, and seconded by Mr. Brown, and approved by voice vote.

Application

BA15-21 Watchung Mountain Villas
708 Mountain Blvd. Block 301 Lots 32 and 32.01
Market Townhomes, site plan

Mr. Joe Sordillo, Attorney for the applicant was present. Mr. Sordillo explained that the applicant was before this board earlier in the year for a use variance for development of up to 25 market value townhomes. The application was bifurcated and the applicant now is seeking 24 units. He explained that once engineering was being done on the design, the applicant decided that they could not fit 25 units and the entryway was redesigned and now 24 are being applied for. He said there are a number of bulk variances and waiver reliefs being sought. He called the applicant's engineer Joe Jaworski, P.E. of Dynamic Engineering to the stand to testify as to the site plan and variances being sought. Mr. Jaworski was sworn in and recognized as an expert in the field of Engineering. First exhibit was a blow up of a previously submitted exhibit marked P-4, which was a survey of the 3.5 acre parcel. This is the site of what was the O'Conner's property. The front $\frac{3}{4}$ of the site is located in the B-B zone and the back corner is located in the R-R zone. The front of the site is steep, and then it levels off. The driveway is on the western edge. It goes north, and also services 3 residential properties that border the subject site. The property is one single lot. He also showed exhibit P-5 which was a color rendering of the site plan dated 10/10/15 entitled site plan rendering. There are five buildings proposed to be spread out across the site. The access will eliminate the driveway that exists to the west today. There will be only one access driveway that will also service the 3 residential homes that border the property. Each unit will have a garage and a driveway. Mr. Jaworski explained that the RSIS standards provide for 2.3 spaces per unit. That totals to 67 spaces, with 5 spaces for visitors. What the applicant proposes is a total of 91 spaces with 7 additional visitor spaces proposed. The current exhibit only shows 7 additional spaces, but future drawings will reflect the 12 visitor spaces. Mrs. Fechtner said that there is an additional space in front of each garage. Chairman Cronheim said that it's technically 96 spaces if you can fit four on each unit. The additional spaces would be the north of the site. Mr. Stires said his only concern is that it could be a long way to walk from the extra visitor spaces to the units. Mr. Hunsinger said that if there were less units, there could be

more parking. Mr. Bell said that technically it is a one lane road, and if you parked on both sides, there could be a problem. Mr. Stires said that by RSIS, the road would have to be 28' feet wide for there to be parking on one side. Mr. Jaworski said that they would not allow for parking on the road. Mr. Hunsinger said that technically, it's a private road, and asked who could enforce the no parking on the street. Mr. Sordillo said they could ask for title 39 from the Borough. Mr. Sordillo said that the residential homes would access their homes at the end of the cul de sac to the north of the site. Mr. Jaworski said they propose a 24' road coming into the site, 24' side roads to the west, and the main road that comes through the site at 20'. He said that no sidewalks are proposed. He said that was due to a request previously by the board to reduce the impervious coverage. The applicant is asking for an exception for that one foot, and also for sidewalks. Mr. Stires said that the RSIS does require sidewalks on medium intensity roads. Mr. Jaworski said that the cul de sac has a 40' radius. A design waiver is required for the road, which is 1600' from the center line of Mountain Blvd. to the top of the cul de sac which is 100' more than allowed in the ordinance.

Chairman Cronheim said that the board needs to know whether or not they are increasing the non-conformity of lot 32.01 which is in the R-R zone. Mr. Jaworski said they would look into that. Mr. Jaworski said the left turn off the main road to the west is 100' long. That is a dead end road.

Mr. Jaworski explained there would be 11 freestanding 15' high poles for lighting with 250 watt bulbs, which is low level lighting. Landscaping will include shade trees and evergreen plantings. They will be providing a berm and landscaping as part of an agreement with the neighbors. Additional landscaping will be provided along Mountain Blvd. to hide the foundation. A fence, a retaining wall on the east and the northwest corner will be provided. Mr. Stires said it sounds like the snow will have to be trucked out for every snowstorm. Mr. Brown asked what the margin of space is for snow by the cul-de-sac and how emergency vehicles could navigate during snow periods. He said that snow removal could affect the neighboring residents and who is responsible. Mr. Jaworski said that was not his testimony to give. Mr. Hunsinger questioned the change of use in the driveway to the 3 residential properties. Mr. Sordillo said it is still an access easement and that stays the same. Mr. Jaworski said that a detention system will be designed underground, and the increase in storm water runoff will be controlled and sent to the outlet on Mountain Blvd.

Mr. Jaworski explained that as to utilities, there would be a 8" water main, an 8" sanitary sewer main which would be connected to the stub behind the curb line on Mountain Blvd. Electric and gas would be underground, and there would be a monument sign near the entrance on Mountain Blvd. which would comply with the ordinance. There would be four fire hydrants.

Mr. Sordillo entered exhibit P-6, which was a blowup of the bulk requirement comparison that compared the B-B zone to the R-R zone which is on the plan. He explained that all variances comply with the B-B zone and are requested for the R-R zone entitled Bulk Requirement Comparison. Mr. Sordillo identified the previous exhibits from the use variance marked P-1, which was a 3-D architectural rendering and looking

down into the site.

P-2 was an architectural rendering looking from Mountain Blvd. into the site.

P-3 was a rendering of the units within the site.

P-1 and P-2 have been changed since the first use application due to the design change, and P-3 remains the same.

Mr. Stires questioned Mr. Jaworski about areas where the road was 20' wide, that normally, for backing out of a driveway, 24' is required. He also questioned the height of the wall at the northeast corner of the site. He said that the wall at the back reaches a height of 9' and wanted to know if the height of that wall could be reduced. Mr. Jaworski said that as far as the road width, they do have the ability to make that road 21' wide, or even 22'. He said if the board was concerned, they could do that, but they were trying to keep the impervious coverage down. He said that the road entering the site is configured the way it is due to the slope at the front of the site, and for a smooth transition. He said at a peak hour, this site might generate 10 or 12 cars. He said it was also a natural way to slow cars down. Mr. Stires asked if the applicant has submitted to the County. Mr. Jaworski said not yet.

Hearing no more questions from the board, Chairman Cronheim opened the meeting to questions from the public. Mr. Joel Cohen, of Flanzenbaum and Cohen representing Ed and Sharon Williams of 740 Mountain Blvd., neighbors to the west of the subject property came to the microphone. Mr. Cohen asked which neighbors had agreements with the applicant. Mr. Jaworski replied the 3 neighbors to the north. He asked if the neighbors to the west were considered. Mr. Jaworski said that he personally had no discussions with any of the neighbors. Mr. Cohen asked why the neighbor to the west was not depicted on the plan. Mr. Jaworski said there was not a reason that this lot was not shown on the plan. Mr. Cohen asked how far the Williams residence was from the property line on the subject property. Mr. Jaworski did not have that information. Mr. Cohen asked if it would surprise Mr. Jaworski if he told him that the Williams residence was 20' from the property line. Mr. Jaworski said no. Mr. Cohen asked how the children who live on the subject property and the surrounding residences would get to a school bus. Mr. Jaworski said he could not testify to that. Mr. Stires said that there would be an estimated 4 school age children in the original use application. Mr. Cohen asked if the existing hydrant to the west would stay where it is. Mr. Jaworski said yes. Denise Wilson of 726 Mountain Blvd. asked if there would be a retaining wall between her property and the complex. Mr. Jaworski said yes. Mr. Cohen asked if lighting would spill over to the home to the west. Mr. Jaworski said that it was low level and would not spill over.

At this point, Chairman Cronheim called for a 10 minute recess.

Chairman Cronheim reconvened the meeting with all present.

Joe Sordillo called Douglas Polyniak P.E. to testify. Mr. Polyniak was sworn in and recognized as an expert in the field of Traffic Engineering. Mr. Polyniak said he has been involved in this project for about 10 years. He testified that there would be an average of approximately 1 vehicle entering or exiting the site every 3-4 minutes. He said that the opening of the road to the site is approximately 30' wide, and tapers down

to a 20' width.

Mr. Stires asked Mr. Polyniak to touch on the design waivers.

Mr. Polyniak said that radius along a curve is deficient 100' required by the RSIS and 40' to 60' feet proposed. He said the cul-de-sac requires a design waiver from the Borough's ordinance but it does meet the RSIS standards. From the center line of Mountain Blvd. to the top of the cul-de-sac is 1600' feet. Mr. Hunsinger asked when the last traffic studies were done, and how it differed now from what traffic patterns were then. Mr. Polyniak did not know that it made a big difference. Mr. Polyniak said that at the highest peak hour of traffic, you could have 14 vehicles exiting or entering during that hour. He said it was an average. Mr. Hunsinger said he thought these units would most likely be sold to professionals and since it is not age restricted, most residents in his opinion, would be working, which would generate a lot more traffic than an age restricted complex. Mr. Polyniak did not agree. Mr. Hunsinger thought that a cul de sac is a place where people naturally park. Mr. Sordillo said that the Association could post rules and apply fines if need be. Mr. McDonald asked if the applicant plans for any turning restrictions at the entrance. Mr. Polyniak said no.

Hearing no more questions from the Board, the Chair opened up questions from the public. Mr. Cohen asked what the plan was for where children who needed to get to a school bus stop would stand. Mr. Polyniak said there was no plan for that. He asked how cars could be stacked of parents of school age children who had to stay with their children to wait for the bus. Mr. Polyniak said they would have to go back and look at that issue. Denise Wilson of 726 Mountain Blvd. asked when the last study was done on traffic. Mr. Polyniak said about 10 years ago. Chairman Cronheim asked where they plan to put the snow. Mr. Polyniak said he did not know what the applicant planned to do about snow removal. Mr. Polyniak said that maybe a bus stop or standing area pad will be needed.

Hearing no more questions, Mr. Sordillo called Marc Marion, R.A. of Architecture Plus to testify. Mr. Marion was sworn in and recognized as an expert in the field of Architecture. Mr. Marion testified that he prepared the architectural plans and went over them. He described the two different types of units. The interior units were accessed from the front, and the end units were accessed from the ends of the buildings. He said that the end units are larger and are approximately 2870 sq. ft., where the interior units are approximately 2,785 sq. ft. The units are a combination of siding and stucco with wood decks in the rear. The buildings have asphalt roofs. There is an open layout on the first floor with living room, dining room fireplace, kitchen and fireplaces. Upstairs are the bedrooms and bath and laundry room. All units have basements and walkouts. The units are separated by a 2 hour fire wall. There is an optional elevator. Mr. Hunsinger asked what the square footage of the basement is. Mr. Marion said about 1,000 sq. ft. The siding in the back will be hardy plank. Mr. Hunsinger asked what the difference between a bedroom and a room is. Mr. Marion said the closet is the difference. Mr. McDonald asked the height of the basement. Mr. Marion said 8' to 9' high. All units will be no more than 2 bedrooms. Hearing no more questions, Chairman Cronheim opened up questions of this witness to the public. Mr. Cohen asked what the height of the unit to the west would be. Mr. Marion answered 35

feet. Denise Wilson of 726 Mountain Blvd. asked where the heating and cooling units located. Mr. Marion said in the rear of the buildings. He said the units were all residential units. She asked if there would be any generators for the association. Mr. Marion said no.

Hearing no more discussion or questions, the Chair carried this meeting until the meeting of January 14th, 2016 with no further notice required. The Chair adjourned the meeting at 10:45p.m. until the next regular meeting of January 14th, 2016.

Respectfully Submitted,


Carolyn Taylor
Board of Adjustment Clerk