

MINUTES

PLANNING BOARD

TOWNSHIP OF BERKELEY HEIGHTS, NEW JERSEY

Virtual Online Public Meeting

January 19, 2022

The Regular Meeting of the Planning Board was called to order at 7:30 PM by Chairman Craig Johnson via Zoom virtual meeting service.

Mr. Johnson confirmed that the meeting was being held in conformance with all regulations of the SUNSHINE LAW and proper notice had been given to the Courier News; also, the Agenda had been posted on the Township website. The Agenda for the meeting, as well as instructions for public participation in the meeting, have also been posted on the Township website and sent to the newspaper of record. The Agenda items will not necessarily be heard in the order listed and the meeting will not continue significantly past 10:30 PM.

Roll Call:

Members present were Mr. Johnson, Mr. Hall, Mr. Graziano, Ms. Kingsley, Mr. Medeiros, Mr. Cuocci, Ms. Poage and Ms. Illis.

Adoption of Minutes:

Regular Meeting January 5, 2022

Executive Session January 5, 2022

A motion was made by Mr. Hall, seconded by Ms. Poage, to adopt the Minutes of the Regular Meeting of January 5, 2022 as presented. The voice vote was unanimous.

A motion was made by Ms. Kingsley, seconded by Mr. Hall, to adopt the Minutes of the Executive Session of January 5, 2022 as presented. The voice vote was unanimous.

Adoption of Resolutions

The firm of Schulman, Wiegmann & Associates was designated as Court Reporter, and the Resolution memorializing the same was adopted, on the motion of Ms. Kingsley, seconded by Mr. Hall, and carried by unanimous roll call vote.

App.SP-3-21: WMG Berkeley Heights Owner, LLC, 135 Industrial Rd., Bl. 1301, L. 6

Proposed construction of a two-story industrial building with associated parking areas, loading areas, and stormwater management features. The building will serve as a public storage facility, a permitted use in the LI Zone. The project site is a vacant lot. (LI-Zone)

A motion was made by Ms. Kingsley, seconded by Ms. Poage, to adopt the above Resolution as presented. The roll call vote was 4-0 with Mr. Johnson, Mr. Graziano, Ms. Kingsley and Ms. Poage voting in favor and none opposed.

Application for Review:

App.#SP-4-21: Wells Fargo Bank, N.A., 350 Springfield Ave., Block 701, Lot 1

Applicant seeks to repave the existing bank parking lot and construct, establish, and maintain new ADA-compliant improvements. (HB-2 Zone)

Michael Lario, attorney for the applicant, stated that the applicant intends to mill, pave and restripe the parking lot and install ADA compliant improvements. The application is for minor site plan approval with no variances.

William Viola, project engineer, was sworn, provided his educational and professional background and was accepted as an expert witness. Mr. Viola presented Exhibit A-1 – colored version of the site plan and reviewed the existing conditions on the site including the existing drive-thru, landscaping and 28 parking spaces that do not meet the township ordinance requirements. Mr. Viola stated that the applicant has done a lighting study and the existing light fixture will be replaced. He indicated the location of the lighting at the drive-thru and ATM location which is mandated by state law. Mr. Viola reviewed the proposed changes to the parking spaces that will make some of them fully compliant and the others closer to compliance with the ordinance. He also reviewed the proposed handicap parking spaces that will be ADA compliant. Mr. Viola stated that there are no changes proposed to the landscaping and an existing landscaping plan will be submitted. He further stated that additional paving will be installed along Snyder Avenue to cause storm water to go into the inlet and eliminate ponding.

In response to questions from the Board, Mr. Viola stated that the cross walk on the applicant's property will lead to an area of asphalt on the adjoining property and the changes to the parking spaces will not result in a reduction in the number of spaces.

Mr. Solfaro advised that there is an existing crosswalk on the adjoining property, and he will meet with Mr. Viola on the site to address any site issues that exist.

Discussion took place regarding the streetscape standards that are required by ordinance. Mr. Lario stated that the applicant believes those standards do not apply to a minor site plan application and should not be imposed on the applicant at this time. Mr. Solfaro expressed the opinion that this would be an appropriate time for the applicant to update the property to meet those standards. Mr. Robertson advised that in his opinion the design standards would apply to this application.

Further discussion took place on the issues of the importance of the downtown improvement standards, addition of a bike rack, pedestrian safety, bringing all the parking spaces into compliance, and the required number of parking spaces. Mr. Lario stated that the applicant will agree to the installation of a bike rack, additional striping for pedestrian safety and fully compliant parking spaces.

Open to the Public

The hearing was opened to the public for questions or comments.

Richard Leister, representing the Environmental Commission, suggested that the number of parking spaces be reduced to allow for construction of a rain garden.

Mr. Viola stated the opinion that the area would be too small for a rain garden.

Richard Cuccagna, Property Manager for Wells Fargo, was sworn and stated that he is not aware of any issues involving the number of parking spaces on the site and explained that the ADA improvements are required to bring the property into compliance with ADA requirements.

In response to questions from the Board, Mr. Cuccagna stated that he is not in a position to make any decisions regarding the streetscape improvements which would require review by senior management of the company.

Discussion took place regarding the streetscape improvements. Mr. Laria reiterated his opinion that the applicant is not required to comply with those requirements and Mr. Robertson reiterated his opinion that the Board would be permitted to include those requirements as conditions of approval. Board members expressed the opinion that the streetscape standards are very important and should be required.

A short recess was taken so that Mr. Laria and Mr. Cuccagna could consult with senior management on the issue.

Mr. Laria advised that as a result of his discussion with the applicant, the applicant would agree to the installation of three sidewalk lamps consistent with the streetscape standards. He further stated that the applicant would agree to meet with Mr. Solfaro on the site and to repair any broken sidewalk and to the installation of a bike rack.

Open to the Public

The hearing was opened to the public for questions or comments. There were no members of the public who had questions or comments.

Mr. Robertson reviewed the application and the conditions of approval. He also advised that in his opinion the fact that Ms. Poage is a customer of the bank does not create a conflict of interest and it is appropriate for her to vote on the application.

A motion was made by Mr. Graziano, seconded by Mr. Hall, to approve App.#SP-4-21: Wells Fargo Bank, N.A., 350 Springfield Ave., Block 701, Lot 1, subject to the conditions discussed and further subject to the requirements, restrictions and limitations that shall be set forth in a Resolution of Memorialization to be adopted by the Board at a future meeting. The roll call vote was 8-0 with Mr. Johnson, Mr. Hall, Mr. Graziano, Ms. Kingsley, Mr. Medeiros, Mr. Cuocci, Ms. Poage and Ms. Illis voting in favor. There were none opposed.

Discussion

Correspondence from the Environmental Commission for Introduction and Discussion:

Current draft of new tree ordinance for review and discussion.

Richard Leister, Environmental Commission, presented the proposed changes to the tree ordinance intended to correct existing ambiguities and bring it up to date.

Ms. Kingsley advised that the Township Council will be working with the Environmental Commission on the ordinance and it will be submitted to the Planning Board for review.

Mr. Robertson advised that the Board will be required to review the ordinance and provide comments to the Township Council.

Adjournment:

A motion was made by Mr. Graziano, seconded by Mr. Hall, to adjourn the meeting. The voice vote was unanimous and the meeting adjourned at 9:20 p.m.

Regina Giardina, Secretary Pro-Tem