

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
January 7, 2020

Chairman Leonardis opened the meeting at 7:00 pm.

Please stand for the PLEDGE OF ALLEGIANCE.

This meeting was held in accordance with the Open Public Meeting Act and as such, proper notice of this meeting was published in The Observer, The Courier News and The Star Ledger providing same to the Borough Clerk.

It is the policy of the South Plainfield Zoning Board of Adjustments, not to hear any new applications after 10:00 pm and no new witnesses after 10:30 pm.

ROLL CALL:

Present:

Gino Leonardis, Chairman
James Gustafson, Vice Chairman
Ken Bonanno
Maria Campagna
Frank Lemos
April Wasnick, 1st Alternate
Joseph Scudato, 2nd Alternate

Absent:

Darlene Cullen
Cindy Eichler

Also attending: Mike O'Grodnick, Esq.; Bob Bucco, PE, CME, CPWM; Stan Slachetka, PP, AICP

MINUTES:

October 1, 2019

Chairman Leonardis called for a motion of **approval** for the above listed minutes. Mrs. Campagna made motion, seconded by Mr. Lemos. Those in favor: Mr. Bonanno; Mrs. Campagna; Mr. Lemos; Mr. Scudato; Mrs. Wasnick; Vice Chairman Gustafson and Chairman Leonardis. Those oppose: None.

RESOLUTIONS:

**A. Case #18-16 – James Felix Connors
Block 539: Lot 5: OPA-1 Zone
100 Main Street**

Chairman Leonardis called for a motion to **approve** the above listed resolution. Vice Chairman Gustafson made motion, seconded by Mrs. Campagna. Those in favor: Mr. Bonanno; Mrs. Campagna; Mr. Lemos; Mrs. Wasnick; Mr. Scudato; Vice Chairman Gustafson and Chairman Leonardis. Those oppose: None.

HEARING: (1 Residential - 2 Commercial)

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
January 7, 2020

A. Case #17-19 – Lucas Grzech
Block 60: Lot 32.02: OBC-1 (R 7.5) Zone
Redding Avenue

The applicant is requesting to construct a 2,163 square foot single family home with a loft that requires the following bulk variances. Lot Area: Required 7,500 sq. ft. – Proposing 5,150 sq. ft. – Variance 2,350 sq. ft.; Lot Width: Required 75' – Proposing 50' – Variance 25'; Front Yard Setback: Required 30' – Proposing 25.8' – Variance 4.2'; Building Coverage: Required (25%) 1,303 sq. ft. - Proposing 1,302 square feet - Variance 1 sq. ft. Carried from December 3, 2019

Lucas Grzech - 10 Virginia Street, South River, New Jersey - Applicant, understood he is still under oath from the previous hearing. Mr. Grzech addressed the Board Members. Removed the attic. Submitted Exhibit A1 - Plans with a revision date of December 29, 2019. Only has first and second floor. Removed the loft area. Chairman Leonardis asked if the footprint has changed. Per Mr. Grzech, no... the footprint will remain the same as the original plans.

Chairman Leonardis stated that an item that was discussed at the previous hearing was the deed. Asked if Mr. Grzech was able to get a copy of the deed. Per Mr. Grzech, yes. This property and the property next door are owned under the same deed but are two (2) separate lots. The maps show separate lots. Per attorney, a subdivision will not be required. Mr. Grzech stated the vacant lot is 23.02. The lot with the existing home is 23.01. Mr. Grzech presented Exhibit A2 - copy of the deed. Vice Chairman Gustafson asked whose attorney made the decision that the lot does not require subdivision. Mr. Grzech stated the homeowners' attorney who helped with the original purchase.

Mr. Scudato asked Mr. Grzech if the space of the loft will be an attic. Mr. Grzech stated it will be unfinished attic space. It may contain one (1) of the heating units. Will have pull down stairs.

Mr. Grzech submitted Exhibit A3 - Tax map of area with highlighted undersized lots and Exhibit A4 - pictures of various homes in the neighborhood.

Vice Chairman Gustafson stated that Exhibit A2 which consists of several pages. The last page lists the lot as 75' X 75'. The information from the Zoning Official indicates 50' X 103'. Mr. Grzech stated that is the lot with the existing house. Vice Chairman Gustafson stated that there is no site plan. Mr. Grzech stated that has not changed. Chairman Leonardis passed a copy of the site plan to Vice Chairman Gustafson for review.

Mr. Grzech stated has driven through the neighborhood several times. Has not seen many cars parked on the street. Mr. Scudato stated the concern is during the summer when Rita's is open. Won't see those parked cars this time of the season.

Chairman Leonardis asked Mr. Grzech how many undersized lots in the neighborhood. Mr. Grzech stated approximately fifteen percent (15%) to twenty percent (20%). Chairman Leonardis asked on these smaller lots, how many are single story homes. Mr. Grzech stated the area has a mix of single story, colonials and cape cods homes. Has photos of homes that are much larger within two (2) blocks. Chairman Leonardis reiterated that on one (1) of the pictures in Exhibit A3 shows all homes as cape cod. Mr. Grzech stated that the three (3) are cape cods. There is a home across the street that is two (2) stories. The homes on Fairmount which is directly behind are two (2) stories. Chairman Leonardis asked the lot size of the home across the street. Mr. Grzech stated the approximate size of the home is two thousand (2,000) square feet. Chairman Leonardis reiterated.... What is the lot size? Mr. Grzech stated approximately seventy-five feet (75'). Chairman Leonardis stated looking at the tax map, the lot is 100' X 100'.... Lot 5 - corner of Holly and Redding. Lot 4 is 95' X 100'. Chairman Leonardis stated that Mr. Grzech needs to convince the Board that on a smaller lot and going up, that it will not stand out. Mr.

Grzech stated it will not... it is 'only a two-story home'. Most typical construction. Under the twenty-five percent (25%) lot coverage for an undersized lot.

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
January 7, 2020

Chairman Leonardis asked Mr. Grzech how much lower is the house since the last hearing. Mr. Grzech responded that the house is not lower but can change the pitch of the roof. Chairman Leonardis stated what can be done to lower the house. Mr. Grzech stated he is still under the height variance. Chairman Leonardis asked for the height. Mr. Grzech stated 34.8'. Mr. O'Grodnick asked what is the pitch of the roof. Per Mr. Grzech eight (8). Mr. Grzech stated many of the homes on Fairmount that are on smaller lots are two (2) stories. Also, on Holly Street, there are three (3) homes at three thousand (3,000) square feet.

Mr. Lemos stated since the loft is removed, can the roof be lowered. Mr. Grzech stated it can be done.

Chairman Leonardis asked why the house cannot be pushed back to meet the thirty-foot (30') setback. Mr. Grzech stated proposing the home as it is to line up with the other homes on the street. Believes will look nicer... But can push it back.

Mr. O'Grodnick asked how was it determined the placement of the other houses. Mr. Grzech stated the survey of the house next door. Used the same setback.

Chairman Leonardis stated there are four (4) variances... Lot area, front yard setback, lot coverage and lot width.

Mrs. Campagna asked for some clarification. How many cars can the driveway hold? Mr. Grzech stated one (1) car... a one (1) car garage. Mrs. Campagna reiterated... one (1) car garage with a two (2) car driveway. Mr. Grzech stated will design the driveway for two (2) cars side by side. Garage will be on the left facing the house. Mrs. Campagna asked how far from the garage to the property line. Vice Chairman Gustafson stated it is eight feet (8') leaving a twenty-four foot (24') driveway which needs a variance for the driveway not within five feet (5') of the property line. One (1) car in driveway, one (1) car in garage and it is a four (4) bedroom house. Needs parking onsite. If doing a two (2) car wide driveway would need another variance for the five feet (5').

Mrs. Campagna stated drove up and down Redding. Majority of the homes are ranches. Many of the lots are undersized but the lots across the street are not. Needs more clarification of location of driveway, walkways etc.

Mr. Grzech questioned the Ordinance that requires a driveway to be five feet (5') from property line. Still believes he has room. Vice Chairman Gustafson stated wants to make sure there is enough room for all vehicles... it is a four (4) bedroom house. Does not want a spill over onto the street.

Chairman Leonardis stated this home is not a home the Applicant will be living in. Will be selling. Cannot testify to the number of people living in the home. A four (4) bedroom room... potential of three (3) to five (5) cars.

Vice Chairman Gustafson stated with a thirty-six foot (36') backyard setback gives the potential for an addition once the house is built. Unless a condition that cannot build onto the house. Many items to rectify. Mr. Grzech stated is above the lot coverage. If someone puts an addition on, they would have to return to the Board. Doesn't see that happening. Board Members disagreed.

Vice Chairman Gustafson stated would like to see a site plan with the driveway, walkways and buffering from commercial property. Doesn't know if there is a resolution stating must maintain a twenty foot (20') buffer from the commercial property. Believes house will enhance neighborhood. Has not rectified: parking, commercial buffering and landscaping, Mr. Grzech stated willing to make the changes. Chairman Leonardis asked which changes. Mr. Grzech stated no windows in the attic, window on right side of home and buffering from commercial property. Vice Chairman Gustafson stated that there is a retaining wall that is not shown on the plans. Mr. Grzech stated also a high fence. Vice Chairman Gustafson asked who does the fence belong to. Mr. Grzech believes the commercial property. Vice Chairman Gustafson needs to know who it does belong. Chairman Leonardis asked again, who owns the retaining wall and fence. Mr. Grzech stated has to look into it.

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
January 7, 2020

Chairman Leonardis asked about the pump house that was mentioned at the previous hearing. Mr. Grzech stated that he has always known it to be vacant land. Assumes the fence is the commercial property since there was nothing on this property.

Mrs. Campagna stated would like to see everything on the plans... not just discussion. Where will the fourth car be parked? Who owns the retaining wall? Fence? Would like to see an elevation.

Chairman Leonardis reiterated... would like to see the house on the survey, distance to property line, driveway, fence etc. Chairman Leonardis asked for the distance between the curbing and property line. Mr. Grzech does not know. Will look into it. Chairman Leonardis stated would like to see a driveway on the plans. If sidewalks are put in, will the cars be on the sidewalk. Mr. Grzech asked if parking three (3) cars would be sufficient. Chairman Leonardis stated need to account for a sidewalk. A car cannot block the sidewalk.

Chairman Leonardis listed the items that the Board would like Mr. Grzech to return with: Lower house, layout of driveway, sidewalk, how many cars can be parked in driveway, retaining wall, fence, landscaping, coverage and try to eliminate variances. Believes a very large home for the lot.

Chairman Leonardis opened the discussion to the Public.

Raymond Moskal - owner of property, is sworn in. Requesting clarification regarding sidewalks. Homes along the street are 25' back. Asked if sidewalks are put in, would that 'cripple' everyone. Chairman Leonardis stated yes. Mr. Moskal doesn't understand. Vice Chairman Gustafson asked for a clarification from Board Secretary that the ordinance states new homes require sidewalks. Mrs. Broderick agreed. Mr. Moskal understands that new construction requires sidewalks. Chairman Leonardis explained that the survey is deceiving. There are usually curbs, utility right-a-ways and sidewalks listed on the survey.

Vice Chairman Gustafson requested that the Applicant return with the items requested and the Board moves forward with the meeting. Chairman Leonardis agreed.

It is determined that Mr. Grzech will return February 4, 2020.

Mr. O'Grodnick reviewed the notice to determine that there is a 'catch all' regarding variances. Mr. O'Grodnick announced that no re-notice is required. Hearing set for February 4, 2020.

B. Case #36-18 -- 1335 Associates LLC
Block 3: Lot 29: OBC-1 Zone (Overlay)
1335 West 7th Street

The applicant is requesting a Preliminary and Final Site Plan with a Use Variance to construct a 3 story mixed use building - First floor retail – Second and third floor twelve (12) apartments in total that require variances. **Bifurcated** application – Use Variance only. Variances being requested: Front Yard Setback: Required 15' – Proposing 3.82' – Variance 11.18'; Impervious Coverage: Maximum 80% - Proposing 80%; Density: Maximum 6 residential units – Proposing 12 residential units – Variance 6 residential units; Parking: Required 35 spaces – Proposing 22 – Variance 13. Carried from October 1, 2019 and December 3, 2019.

Walter K. Abrams - 2201 South Clinton Avenue, South Plainfield, New Jersey - Attorney for Applicant, addressed the Board Members. Completed application in December 2019. Board had a question regarding the average size of the Applicants units versus the mediation calculation of the Borough regarding Affordable Housing.

Mr. Slachetka stated had spoken to Jeff who was at the previous meeting. This is an overlay district created as part of the Court approved Affordable Housing plan. Borough's policy is to encourage mix-use development with the overlay standards. The issue is not the use. The issue is the density. Mr. Slachetka

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
January 7, 2020

explained the process of the Court approved Affordable Housing, Fair Share Housing and how the overlay districts were developed. Made assumptions of the size of units and density for the Fair Share Housing litigation. Reviewed the detail what was submitted. The same density was established for all the overlay districts, not by site. Presented Exhibit P1 - a copy of the parameter that was established for the overlay districts. Mr. Slachetka explained how the numbers were arrived to. Again, for all overlay districts, not per a specific site.

Mrs. Campagna asked how much parking is under the building. Per Mr. Abrams, eight (8). Mrs. Campagna asked if the parking is under the building, does that increase the height of the building. Mr. Slachetka stated that the retail area is smaller to accommodate the parking. The height of the structure does not change.

Mr. Abrams stated that there are thirty-four (34) parking spaces. Mr. Slachetka stated the parking requirement has been met.

Chairman Leonardis opened the discussion to the Public. No questions or concerns.

Chairman Leonardis asked the Applicant, if this application is approved, when will construction begin. Mr. Abrams stated must return with site plan approval. The Applicant is ready to build when all is approved.

Mr. Abrams reminded the Board Members that the Applicant not only is developing the structure, but will also manage the property.

Mr. Slachetka stated that by exceeding the density, the Borough is receiving an additional Affordable Housing unit.

Chairman Leonardis called for a motion of **approval**. Mr. Scrudato made motion, seconded by Mrs. Wasnick. Those in favor: Mr. Bonanno; Mrs. Campagna; Mrs. Cullen; Mr. Lemos; Mrs. Wasnick; Mr. Scrudato; Vice Chairman Gustafson and Chairman Leonardis. Those oppose: None

Mr. Abrams requested to set a hearing date for the Site Plan Approval to avoid re-noticing. Mr. O'Grodnik reviewed the notice and no new notices are required.

Chairman Leonardis announced that the hearing for the Preliminary and Final Site Plan Approval is scheduled for March 3, 2020.

**C. Case #35-18 – 2271 Hamilton LLC
Block 390: Lot 1 & 2: M-3 Zone
2271 Hamilton Boulevard**

The applicant is requesting a Preliminary and Final Site Plan with Use and Bulk Variances to construct a 10,300 square foot retail building and 55,237 square foot warehouse. Carried from December 3, 2019

Walter K. Abrams - 2201 South Clinton Avenue, South Plainfield, New Jersey - Attorney for Applicant addressed the Board. This is a carry from last month.

Mr. O'Grodnick asked what Professionals were heard at the last hearing. Mr. Abrams stated the Planner, Engineer and Applicant.

Mr. Abrams stated that the Board had several requests. The Applicant did not have any issues making the changes. Returned with the revisions.

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
January 7, 2020

Shrinath Kotoawala - 54 Oakland Mills Road, Manalapan, New Jersey - Applicants Engineer, previously sworn addressed the Board Members. Revisions are:

- Northeast corner of Ryan Road and Hamilton Boulevard.
- 3.73 acres.
- Former junk yard.
- Warehouse building - proposing fifty-two thousand two hundred seventy-four (52,274) square foot building.
 - Approximately, three thousand (3,000) square feet less than previously proposed.
 - Provided additional ten feet (10') buffering.
 - Complying with setback of thirty-five feet (35').
- Layout remains the same.
- Shifted entrance from Ryan Road further east.
- Separated parking lot from retail and warehouse.
- Landscaping and lighting adjustments to accommodate the changes.
- Will comply with all Engineering comments.
- Will obtain wetlands permit.

Mr. Slachetka stated that the Applicant conforms to the setback but not to the buffer requirement. In latest review letter, there is a rear yard setback which is the furthest from Hamilton Boulevard. The setback is twenty feet (20') which the Applicant conforms to.

Mr. Kotoawala stated provided for a grass paver area around the warehouse building for fire access.

Vice Chairman Gustafson asked for the specifics regarding the Ryan Street exit/entrance. Also, does not see a template for turning of tractor trailers. Mr. Kotoawala stated shifted the exit/entrance eighteen feet (18') east away from Hamilton Boulevard. Moved one parking to retail. Radius is thirty feet (30'). Vice Chairman Gustafson stated is concerned regarding the queuing at the Hamilton Boulevard light. Trucks stopped at the light while others make the right and try to make the left onto the site. Mr. Kotoawala stated Traffic Engineer will discuss. Vice Chairman Gustafson confirmed with Mr. Kotoawala that the queuing is not identified on the plans.

Jay Troutman - McDonough & Ray Associates, 105 Elm Street, Westwood, New Jersey - Traffic Engineer, previously sworn, stated that it was discussed at the last hearing to get the one (1) retail parking onto the side of the retail which moves the entrance further away which helps with the queue. Previously agreed to do a 'do not block driveway' box. Vice Chairman Gustafson stated there is no topical view. If someone did block the entrance box, we do not know the number of trucks. Mr. Troutman stated that at the previous hearing, there is room for one (1) truck to the 'box'.... Then the next behind the box. Vice Chairman Gustafson stated would like to know exactly where it stops. Wants the area cleaned up but does not want to create a separate traffic situation. Mr. Troutman stated can fit one (1) truck waiting to turn into the site and another truck behind without being on Hamilton Boulevard. Mr. Abrams stated there will be a limited amount of trucks coming to the site. Mrs. Wasnick replied that is unknown since do not know what type of businesses will be at the site. Mr. Abrams stated that is true but knows the size of the warehouse with four (4) units. Vice Chairman Gustafson stated that the walls can be removed and have a fifty-four thousand (54,000) square foot warehouse... still unknown.

Mr. Marsden stated that there are a lot of plan revisions to be made. Showing all the revisions on the plans would help the Board Members to understand.

Vice Chairman Gustafson stated does not want to see trucks queuing on Hamilton Boulevard. Does not want to make a bad situation worse.

Chairman Leonardis asked to review Mr. Bucco's Najarian Associates review letter. Mr. Abrams and Mr. Kotoawala stated they will comply with all items in the letter.

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
January 7, 2020

Mr. Kotoawala stated will meet with Dr. Tempel to add more trees to Hamilton Boulevard. Chairman Leonardis stated would like the site to have a 'very fresh new look.' Mr. Kotoawala stated the Applicant is willing to do so.

Vice Chairman Gustafson asked what the revision date of the landscaping plans are. Mr. Kotoawala stated plan 5 of 10 with a revision date of December 23, 2019. Vice Chairman Gustafson questioned landscaping along the sidewalk. Mr. Kotoawala stated it is not shown on the plans but will put grass area with high / low shrubs. Vice Chairman Gustafson asked if there is no transition space between sidewalk and pavement. Mr. Kotoawala stated may make the sidewalk smaller or cut back the retail. No sprinklers are needed for retail under ten thousand (10,000) square feet. He may reduce the building by three hundred (300) square feet and put grass strip. Vice Chairman Gustafson asked Mr. Kotoawala to look at the United Rentals site on Hamilton Boulevard by the bridge. Retail and warehouse can coexist in the correct way. Two concerns... Gateway into town. Hamilton Boulevard and Ryan Street corner needs to be landscaped. Mr. Kotoawala stated he will talk the County regarding reducing the width of sidewalk.

**C. Case #36-18 – All Season Sports Academy, LLC
Block 476: Lot 3: M-3 Zone
2700 Hamilton Boulevard**

The applicant is requesting an expansion of the Use Variance and Site plan Approval to construct a multipurpose recreational field and additional parking.

Mr. Abrams, Attorney for the Applicant, requested an adjournment. Mr. Bucco did not get a copy of the plans. Would like to move to the February 4, 2020 agenda. Waives any limitation that may apply under the Municipal Land Use Law. Would like it announced so there will be no need for republication.

Chairman Leonardis announced that All Seasons Sports Academy, LLC will be heard on February 4, 2020 and no new notices will be required.

Mr. Slachetka asked Mr. Abrams if he is only providing a set of plans to Mr. Bucco and not providing any additional information. Mr. Abrams stated no, want Mr. Bucco to have time to review the plans and everything moves forwarded accordingly.

INFORMAL HEARINGS: None

OLD BUSINESS: None

NEW BUSINESS: None

CORRESPONDANCE: None

EXECUTIVE SESSION: None

ADJOURNMENT: 10:00 PM

Respectfully Submitted,
Joanne Broderick
Recording Secretary