

**WARREN TOWNSHIP PLANNING BOARD  
MEETING MINUTES  
7:30 P.M. – Susie B. Boyce Meeting Room – 44 Mountain Boulevard  
September 28, 2015**

**APPROVED**

**CALL TO ORDER** Meeting was called to order at 7:35

**FLAG SALUTE AND MOMENT OF SILENCE FOR OUR TROOPS**

***Statement by Presiding Officer:** Adequate notice of this meeting was posted on January 14, 2015 on the Township bulletin board and sent to the Township Clerk, Echoes Sentinel and Courier News per the Open Public Meetings Act. All Board members are duly appointed volunteers working for the good and welfare of Warren Township. We plan to adjourn no later than 10:00 p.m.*

**ROLL CALL**

Mayor Marion (excused)  
Committeeman DiNardo  
Mr. Toth  
Mr. Kaufmann  
Mr. Lindner  
Mr. Malanga

Mr Freijomil arrived 7:46  
Mr. DiBianca (excused)  
Mr. Scuderi (excused)  
Mr. Gallic (arrived 7:43)  
Mr. Villani

■ **Announcements:**  
None

■ **APPROVAL OF MINUTES:**  
August 24, 2015

Roll Call

Motion was made by Mr. Toth, seconded by Mr. Malanga to approve the minutes.

For: Committeeman DiNardo, Mr. Kaufmann, Mr. Lindner, Mr. Malanga, Mr. Toth, Mr. Villani.  
Against: None.

■ **MEMORIALIZATION OF RESOLUTIONS:**

- Memorialization of Resolution PB 15-03, 88 Round Top Road, Preliminary and Final Major Subdivision Approval, approved July 13, 2015.

Motion was made by Mr. Malanga, seconded by Mr. Kaufmann

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Roll Call

For: Committeeman DiNardo, Mr. Kaufmann, Mr. Malanga, Mr. Toth, and Mr. Villani.

Against: None.

Mr. Gallic arrived at 7:43.

■ **PROFESSIONAL STAFF REPORTS:**

**Alan Siegel, Esq., Planning Board Attorney  
John T. Chadwick, IV, P.P., Professional Planner  
Christian Kastrud, P.E., Professional Engineer  
Maryellen Vautin, Clerk**

■ **CORRESPONDENCE**

Background Studies for Warren Township Re-Examination and Master Plan Program, dated September 8, 2015.

The New Jersey Planner, July/August 2015 Vol. 76, No. 4

■ **CITIZEN'S HEARING:** (Non-Agenda Items Only)

Seeing no one come forward, this portion of the meeting was closed.

**AGENDA Items:**

**CASE # 1**                      **Case #: PB-15-04**  
                                     **Block: 90 lots: 3**  
                                     **Road: 28 Mountain Blvd.**  
**APPLICANT:**              **28 Mt. Blvd, LLC**  
**LOCATION:**                 **28 Mountain Blvd.**

**PROPOSED: 5724 SF building variance for minimum lot area (existing; minimal side yard setback(existing))**

**Carried from August 10, 2015**

Mr. Sasso came forward for the applicant and went over the application for the revised plans that were submitted. He discussed that Mr. Berlant has gone to the neighbors of the properties and there was significant changes to the plans. The building in the back was reduced in size to 2730SF and there is a fire lane on the left side of that building. Mr. Sasso stated that the dentist that wants to occupy the front building was present, Dr. Christina Mazzone. She is currently at

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55 Mountain Blvd. They also had Ms. Betsy Dolan as a traffic expert and their planner, John Madden present.

Doctor Christina Mazzone came forward and her business is at 55 Mountain Blvd. Mr. Chadwick and Mr. Kastrud were still under oath from the previous hearing. Mr. John Madden, who works for Mazer Consultants and Ms. Betsy Dolan, from Dolan and Dean Consulting in Martinsville were also sworn in.

Mr. Sasso asked questions of the dentist. Dr. Mazzone has been at 55 Mountain Blvd for nine years and it is a pediatric dental office. The proposal is to occupy the 1.5 story structure in the front of the property. There will be five dental chairs, only with herself for a dentist. There are extra chairs to “bounce” around and not fall behind schedule. The hours for the practice would be about two days a week in Warren, there is another office in Chester. The days in Warren will be either Tuesday and Friday, or Wednesday or Thursday from either 7 a.m. to 7 pm. or 7 a.m. to 2 p.m. Not often is the office open after 7 p.m. There are four chairs in her current office. She wants to stay in one building and not share space like she does now with retail below,. and not have the concerns for how the building is taken care of, or the worry about an elevator. Her patients are from age 1 to college.

Mr. Gallic asked if she would be interested in the building if it was two floors. She stated they didn't need that much space. Mr. Siegel asked about the number employees. She stated there would be herself, two hygienists, and a front desk person. Sometimes there may be an assistant, so the most would be four. The hygienists don't work without the dentist present. There are no office hours on Saturday.

Mr. Freijomil inquired about the future and possibly taking in a partner or other hygienists. The number of hygienists total she could have would be three, but she feels it is too many. It is limited to 3 hygienists per doctor. Often one parent will bring multiple children from their family. Visits are by appointment. One patient is scheduled every half hour to an hour depending on the procedure.

She agreed to maintain this set up with just three employees in the office and herself as a condition of approval. The applicant also agreed.

Mr. Chadwick verified the parking calculations and they appear correct.

Mr. Berlant came forward and Mr. Sasso asked some questions and the status of the case. Mr. Berlant has met with the fire official and reviewed the plan. They reduced the building size and created a fire lane towards the east side of the building, and Mr. Berlant has agreed to fully sprinkler the building, and it is noted on the plan. The latest revision date of the plans by Fisk Associates is September 24, 2015. There was discussion on fire trucks and making a u-turn or a k-turn. The parking lot spaces are now 30 instead of 32.

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Mr. Berlant met with the neighbors and pulled the building up a little further. Mr. Berlant had revised architect plans from Mr. Coleman, with the exhibit number A-8, dated September 28, 2015 and it is two pages. They went over the exhibit.

Mr. Gallic asked Mr. Berlant why they are persistent with two buildings instead of one. Mr. Berlant stated his lease with the dentist will be a lease with the option to buy. Mr. Berlant owns seven properties in town with a total of ten buildings and they are all one story. This scenario also allows the front building to be renovated and get the tenant in the building before the second building is done. Mr. Berlant feels the market demand is for one story. If you have a medical use, it triggers an elevator if it is a two story and that is an expense.

Mr. Sasso went over the architectural plans and said they decreased the windows that are facing neighbors. The neighbors complained about lights on buildings nearby. No night lights are required with a single story building. This will also be a residential look. He will put in window treatments also for light issues.

The revised plan reduced parking spaces by three spots (not two as earlier stated) and now will have corners to pile snow, and snow can be pushed to the back of the building. The garbage removal will be easier. Mr. Freijomil asked about the proposed parking. The rear building was reduced by 897 SF, so it is now 2730SF; this allowed for the fire lane alongside, and the building is further away from the rear property line. Mr. Berlant brought in Exhibit A-7 (labeled A-1), a plan by Douglas Coleman Architect, consisting of one page for the existing building. There was discussion on the building style. It is a French Renaissance style. The building will be rented with an option to buy and it would be made into a condo.

There was discussion of the access to the property. Mr. Berlant discussed the property next door, the deli. It now has the entrance from the west and exit to the east. The owner of the property is willing to enter on the east and Mr. Berlant would re-stripe the lot and the exit would be on the western side and if spots are all taken then they would make a left hand turn and park in the rear. If leaving they would make a right and stop before pulling out. Mr. Chadwick wanted Mrs. Dolan to address how the traffic movement would be signed to ensure clarity of flow. Mr. Chadwick also asked about the number of spaces and medical art professionals that could be allowed.

Mr. Kastrud brought up that if the neighboring property is going to be part of the application, that needs to be formally done. He is still concerned with signage, but it is very helpful the neighboring property is willing to work with Mr. Berlant. Mr. Siegel added that the property owner next store is not before the board yet, and a binding agreement would need to be in place for all traffic flow.

Mr. Gallic felt a plan on paper is needed before it can be decided on. Mr. Chadwick felt they could establish the parking space number. Mr. Sasso stated that the number of professionals could be part of the resolution for the front and back buildings. Mr. Berlant feels there is plenty of parking for the rear to be

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medical. There is five per 1000 SF. Mr. Chadwick clarified that it is five for the professional, and then five per 1000SF. There is not enough in that case. Mr. Villani said it had been discussed and there was not going to be medical office in the back building. Mr. Berlant agreed it will be general office space.

Mr. Sasso suggested revised plans be submitted and then come back to the board. Mr. Berlant brought in Exhibit A-5 (and it was handed out to the board members) by Fisk Associates with one modification. Mr. Berlant explained that the roadway will be 18 ft. Mr. Chadwick stated they require 22 ft driveways and 18 will trigger a variance. Mr. Berlant was proposing a one-way only. Mr. Chadwick believed one way is 18 ft. Mr. Sasso suggested to come back and have Ms. Dolan address these issues.

Mr. Villani opened the floor to any citizens to come forward. Mr. Rick DePinho from 11 Wilshire Road came forward and was sworn in. He discussed that he met with Mr. Berlant on Labor Day with two other neighbors. They were there eight years ago when there was a different plan. They are cautious to meet with Mr. Berlant as they feel he doesn't give the full picture of a meeting at times. There are concerns with lights especially in the winter. He is also concerned with traffic, especially because making a left turn on Wilshire in the morning is very difficult already. Adding another office building makes a bad situation worse. The neighbors were interested in hearing about adding on to the existing building or perhaps put a two story building closer to the road. Mr. DePinho feels many of the larger buildings are closer to the road. They thought fencing in the back with parking might work. He has concerns about privacy and the country feel being lost. There was nothing else in way of communication from Mr. Berlant after the meeting. He feels it will be too large of a building and too tall.

Committeeman DiNardo discussed that the size of the building does not seem very large and is not a two story building. There is a right to put something on the property and he would like to work towards being a good neighbor; maybe more landscaping.

Mr. DePinho felt that parking in the back might be better with fencing and a berm, with the building closer to the road. The road does drop down on Wilshire also so it will appear a little larger, higher up in perception.

There is some wooded area. It has been cleared out. Mr. Gallic appreciated the comments and suggests landscaping closer to the neighboring properties.

Mr. Villani felt that the applicant will be coming back and they hope for more landscaping. Mr. DiNardo also asked if they can get some clarity on where the windows will be heightwise. Mr. DePinho brought up again about having parking in back with berms.

Mr. Jonathon Wolfson from 9 Wilshire Road came forward and was sworn in. Mr. Wolfson agrees Mr. Berlant has a right to build. Mr. Wolfson also felt building closer to the front would be good and fencing would work. He is also concerned

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about runoff from the property. Mr. Kastrud wants to look at the topography of the plan and the new plan. They are handling the stormwater and discharging it to the southwesterly direction away from the properties with underground detention.

Mr. Bob Grundfest came forward from 7 Wilshire Road and was sworn in. He is directly across from the proposed back building. He has a six foot fence but the building will still show and lights may disrupt his property, especially at night in winter. He also thought parking back there would be better than a building. A lot of trees and foliage has been taken down behind the deli. Landscaping will be important.

Mr. Villani went over the process of an application and the suggestions from the board and citizens and that reasonable conditions can be part of an approval. Mr. Grundfest invited the board to come to the property and see what it looks like from his property.

Ms. Wendy DePinho came forward from 11 Wilshire Road and was sworn in. She was interested in the idea that Mr. Berlant asked for opinions on how to proceed with the lot. She felt the building in front would be better with parking in the rear. She also is concerned that the plans do not show the ideas discussed. Mr. DePinho has numerous times tried to get a No Parking sign on Wilshire from a spot on Wilshire to the intersection at Mountain Blvd. She is concerned with safety with cars entering and exiting from King George Plumbings. And then also with the nail salon and deli. The parking obstructs the view from the left. She is interested in the traffic report that is to come. Mrs. DePinho stated that the sign she worked hard to get had been pulled out and was on the ground. Mr. Kastrud will look into that.

Mr. Villani suggested that the case be carried to October 26, 2015 without any further notice.

The board decided and voted to go into Executive Session at 9:15 to discuss affordable housing and litigation.

The Planning Board came back into the public session at 9:40.

**SCHEDULE OF NEXT MEETING:**

October 26, 2015

■ **ADJOURNMENT**

Motion was made by Mr. Gallic made a motion to close the regular session, seconded by Mr. DiNardo. All in favor. Meeting adjourned at 9:45.