

WARREN TOWNSHIP ZONING BOARD OF ADJUSTMENT

REGULAR MEETING MINUTES APRIL 6, 2015

The regular meeting of the Board of Adjustment was called to order at 7:05 p.m. by Chairman Cooper in the Municipal Court, 44 Mountain Blvd., Warren.

THOSE PRESENT AT ROLL CALL: John Villani, George Dealaman, Richard Hewson, Fernando Castanheira, and Foster Cooper

Also present was Steven Warner, Attorney for the Board.

THOSE ABSENT: Frank Rica, and Donald Huber , Scott Bowen, and Clerio Martins

ANNOUNCEMENT:

Adequate notice of this meeting has been provided by posting Public Notice on the Municipal Bulletin Board on the main floor of the Municipal Building, and sending a copy to the Courier News and Echoes Sentinel, and filing a copy with the Municipal Clerk, all on January 16, 2015.

FLAG SALUTE:

MINUTES:

The minutes of the 1/15/15 re-organization meeting were forwarded to members for review.

Motion was made by Mr. Villani, seconded by Mr. Hewson to approve. All in favor.

The minutes of the March 2, 2015 meeting were forwarded to members for review.

Motion was made by Mr. Villani, seconded by Mr. Hewson to approve. All in favor.

COMMUNICATIONS:

January/February issue of THE NEW JERSEY PLANNER

OPEN THE PRIVILEGE OF THE FOOR PORTION OF THE MEETING

Mr. Cooper asked if any member of the public wished to make a statement, which is unrelated to tonight's agenda.

There was none.

He closed that portion of the meeting.

Memorialization of Resolution for Case BA14-05(A) Plasner/DeTorres 6 Old Stirling Road

Motion Mr. Villani, seconded by Mr. Hewson to memorialize the resolution.

Roll Call

For: Mr. Villani, Mr. Dealaman, Mr. Hewson, Mr. Castanheira, and Mr. Cooper

Against: None.

Memorialization of Resolution for Case BA14-14 Christopher Laurent, 55 Broadway Road

Motion was made by Mr. Villani, seconded by Mr. Hewson to memorialize the resolution.

Roll Call

For: Mr. Villani, Mr. Hewson, Mr. Castanheira, and Mr. Cooper

Against: None.

AGENDA:

CASE NO. BA14-10 ALLESANDRA DI NUZZO
 BLOCK 93, LOT 5
 8 OLD STIRLING ROAD

Application to construct a new single family dwelling in the R-20(v) zone - minimum lot width, minimum side yard, minimum both side yards, floor area ratio 0.125% vs. 0.15% proposed. Continued from March 2, 2015 meeting.

Mr. Sasso came forward and stated his case was relatively short but they did require a d variance and asked to carry it to the next meeting without notice. An extension of time was given until the end of next month. It was carried to May 4, 2015 meeting at 7:00 p.m. in the court room. They discussed that the option could also be to go forward and then the members not present could listen and the vote could be taken then. It was carried.

CASE NO. BA14-15 TRUESDALE NURSERY & GARDEN CENTER
 Block 96, Lot 42
 51 STIRLING ROAD

Application for a use variance revision to operate a landscaping business previously approved in 1995-hard surface area is an expansion of original approval, display area is an expansion or original approval.

Mr. Jay Bohn came forward as the legal representative for the application. He explained they also were asking for d variance; a use variance, needing five positive votes. Mr. Cooper suggested they could hear and decide if want to wait on a vote, but if carried it would not be until a June meeting. The decision could be made later in the hearing.

Mr. Bohn explained there would be two witnesses, Ralph Dinizo, the principal of the applicant, and Jim Watson, the surveyor and planner for the applicant. Mr. Watson will describe the site and Mr. Dinizo would go over what they would like to do with the site.

Maryann Cammarota, from Cammarota and Prout, swore in James Watson, 328 Park Ave., Scotch Plains, NJ., Ralph DiNizo, 31 Harrison Ave., North Plainfield, NJ, John Chadwick, Township Planner, and Chris Kastrud, Township Engineer.

Mr. Watson gave his qualifications and was accepted by the board. He would testify for this case as a planner and a surveyor. Mr. Watson went over the plans, a Preliminary and Final Site Plan, and they are the plans that were submitted to the board. They have two pre-existing nonconformancies. Lot area requirement is 80,000SF and they have 47, 500SF, and the other is the minimum front yard setback of 60ft and existing structure is at 56 ft. from the property line.

Mr. Watson went over the grading plan dated September 9, 2014 with a revision date of October 21, 2014. There is a landscape display area shown. There was some regrading shown at the northwesterly end. There are some proposed parking spaces; five along the northwest line and three along the rear line and another four in between the dwelling and the landscape area. There are existing bins for bulk storage. The site is a display area and a storage area for landscape business.

Mr. Watson went over the topography sheet dated August 21, 2014 with a revision date of September 24, 2014. It is the site as it is, there is some stone riprap at the crest of the hill. Stirling Road is lower than the entire site. The rocks slow down the water down towards the road. A one and a half story framed building is at the northwesterly end of the site and immediately behind that is paved all the way around and the traffic comes

in and out of the site on the one driveway located at the northerly corner. They would be changes some grade at the suggestion of the county and striping some spaces.

Mr. Cooper asked if any members of the public had questions. None came forward.

Mr. Chadwick stated the property had obtained a use variance about twenty years ago for landscape design and retail sales, in January 1995. Over time the property evolved to a more commercial operation as opposed to retail. There was additional hard surface installed and various violations issued several years ago. A lot of the material that was stock piled on the site was then removed. The current applicant is not the same user as 1995. So if it is not identical it must be called a use variance. It is in the BR-80 zone; office, mixed zone, residential. The applicant is eliminating the retail aspect of what was originally approved.

The board asked what the property is being used for. Mr. Dinizo stated his business, but there is another business onsite, which is the current owner's son, who is running a lawn maintenance company. Mr. DiNizo has cleaned it up and does not plan on retail sales, but wholesale for contractors and also be able to be able to bring people in after plans are done (he has a design and build company) to show them bigger material. Mr. Dinizo also said he has another site in Plainfield and the operation runs out of North Plainfield where he has offices and truck and equipment. This site (on Stirling Road) would be used for bigger material and would be an easier way to show to clients and to sell to contractors. No pots, no flowers would be sold.

Mr. Warner went over the applicant's site plan check list waivers. They are listed as existing and proposed storm sewer system, existing and proposed sanitary sewer system, and existing and proposed water mains and hydrants, existing and proposed gas lines, existing and proposed electric lines, and existing and proposed telephone lines. The applicants request is that no construction is being proposed as a result of the application and consequently they'll be no change or disturbance of these existing facilities or any new utilities. Mr. Warner asked for confirmation of that and Mr. Bohn confirmed. Mr. Chadwick recommended they grant those waivers. Mr. Warner stated the board could grant those waivers. A motion was made by Mr. Villani, seconded by Mr. Hewson to grant those waivers. All were in favor.

Mr. Warner asked who owned the property currently. It is Ron Roman and it is his son who is operating there now but not after the new owner, Mr. Dinizo will buy the property. He is a contract purchaser.

There was discussion on the storm water management and Mr. Kastrud brought up that there was discussion at the TCC meeting and he spoke with Mr. Quinn who had done a report on it.

Mr. Kastrud discussed the parking area and a dumpster location and an issue that needs a variance from the Board of Health or will they comply with the requirement to provide for a dumpster enclosure. The applicant will address it later in hearing.

Mr. Kastrud stated he did not see a calculation table for parking. There is no table but there will be testimony as to how many people and what goes on during the day on the site. Mr. Watson feels that the 12 spaces are more than enough to handle parking.

Mr. Kastrud reminded the applicant that if there is anything to do with the construction department, they immediately look at compliance for NJ barrier free or ADA requirements. They are not on plans. Mr. Watson stated they are not open to general public, but they have a way to comply and will provide more information to the Engineer.

Mr. Kastrud discussed the lighting. There will be no more lighting but is there enough lighting? There will be testimony to that also. Mr. Kastrud also brought up that there is now an additional enclosure on site, along with the white one that has been on site. The white one is enclosure for top soil and the green one has been used by the owner's son operates and will be removed after they sell.

The white structure is approximately 18 feet, enough for a truck to back in and dump. Mr. Chadwick stated that the 18 feet complies if it is classified as an accessory structure, 20 feet is allowed.

Mr. Kastrud talked about the storm water and he agrees with the calculation, however, the Town will need something to ensure that the area that is designated for the storm water, that it continues to be used for storm water. An easement would need to be placed on it; and the applicant stipulated to the placement of easement for storm water.

Mr. Kastrud spoke about the area of regrading they discussed earlier. Was it to comply with the County. Mr. Watson said yes the county asked for a maximum of 6% coming in and it will be able to be done, with minimal change to the site.

Mr. Bohn asked questions of Mr. Dinizo. Mr. Dinizo said the company is Truesdale Nursery and Landscape Services. There is a lease of the property, a little over half of it. The lease gives an option to purchase the property. If the application is approved Mr. DiNizo will own all the property. He would like to hold bigger material and have bulk storage of top soil covered under roof not wet, bulk mulches, and be able to bring a client in after their design is complete to walk through. They would like to sell to contractors. He would like to fix the house and garage, as they are falling down. Just fix it up. He has cleaned it up quite a bit and spent money on it.

Mr. Foster asked about the larger material and what else that would include. Mr. Dinizo said trees, maybe 18 to 20 feet tall, live plants. No chemicals, no bagged items. There would be a forklift, a loader, and a delivery truck now and then (would come from other locations). Mr. Bohn asked how many employees they expect. He stated one in the office, two in the field, and one driver. No lighting is proposed to the site. The hours are 7a.m. to 4 p.m. There is lighting off the house. The customers that come to see design materials would be by appointment, not drop in.

Mr. Bohn then asked about the storm water. Mr. Dinizo discussed a retention pit and a storm water sewer in the driveway. They took a truck with 700 gallons and pumped it in and nothing came out, he then let a hose run from 9 a.m to around 3 p.m and nothing came back out so it does work. Mr. Dinizo talked about the site and it had been a dump site before they arrived. They cut the grade down a bit and have taken out of the site at least 30 yards of debris to fix the grades. They ripped the hill all around and leveled it off on the top. There were bins all the way across that were wood and they removed them and installed concrete bins. There was pavement in place but they did it over and re-did it and stoned the rest of the area for plant storage. They stopped at the garage. He wants approval before he continues fixing the rest.

Mr. Dinizo discussed his company; that he started in Berkeley Heights, a five acre project and he did sell the land. They ended up in Plainfield and business got bad and then picked up and is on the rise. They are clean contractors and anyone could visit any of his sites.

The neighbor is Sa & Son and he likes what they have done, and the property adjacent to the Gun Club was cleaned up.

Mr. Chadwick discussed the fencing, it runs along the property. Will there be a new fence. There is a fence from the gun club. There is a proposal to continue the fence along the

road, in the front of the property to the driveway. It would be about five feet split rail. Across the driveway would be if needed for security.

Mr. Warner brought up that It is an undersized lot; is the argument that it cannot be brought closer or to conformity because there are no adjacent property available? Mr. Bohn said yes. Mr. Chadwick stated there are no conforming lots in the zone, so they would not be able to sell.

Mr. Cooper asked if anyone from the public had any questions to ask of Mr. Dinizo.

Seeing none, closed the portion.

Mr. Kastrud asked where the vehicles will be stored; a forklift, a loader, and a delivery truck. Mr. Dinizo stated the delivery truck will be stored in North Plainfield at night. The loader and forklift will hopefully be in the garage after repair of garage.

Mr. Kastrud went over the one office employee, (possibly) three field employees, and one driver, so will need five spaces dedicated to them. They are providing twelve and if construction office were to require one ADA space, they could go from twelve to eleven, and can show that on the topo.

There was discussion on the lights. The hours will be Monday through Saturday from 7 a.m. to 4 p.m. and the applicant stipulated to this with site plan approval. The sign on the property is used by the son, and they will use that space. Currently there is a sign on the opposite side so truckers will know where they are.

Mr. Kastrud spoke about the detention pit and it should be surveyed and it should be included in the storm water easement. They do not know what is under there. There will be a note on the plans to show it.

Mr. Cooper asked if any members of the public had questions for this witness. Seeing none, he continued.

Mr. Bohn suggested to go over the professional reports. Mr. Chadwick went over his report from November 13, 2014. All the issues have been addressed except for the testimony for the use.

Mr. Kastrud discussed his memo from February 2, 2015 and through the questioning they have addressed the items.

Mr. Watson discussed the use variance, the pre-existing bulk deficiencies are not repairable c variances. There are special reasons under I, M, and to a lesser extent G. I promote a desirable visual environment, good civic design.

Mr. Watson spoke about the application variances and for bulk variances the pre-existing deviations cannot be corrected due to no land available to purchase. The property will be improved, with good design. It is a more efficient use of land, repurposing with no new infrastructure needed. The storm water runoff is still good with additional coverage. It is appropriate use of the property due to prior approvals for a similar use. For the negative criteria which may be noise is lessened due to the hours of business of 7 a.m. to 4 p.m. and no Sunday hours. Traffic is minimal and it is on a county road and it can handle it. Mr. Watson sees no detriment to the zoning plan or master plan.

Mr. Cooper asked the public had questions for the witness. Seeing none, he closed out that portion of the meeting.

Mr. Cooper asked if there were any comments from the public on this application. Seeing none, he closed this portion and asked Mr. Bohn if he had any closing comments.

Mr. Bohn stated it concluded the case.

Mr. Warner gave a run down on what would be deliberated. They seek site plan approval and they received site plan check list waivers. The d(1) use variance for commercial industry use not permitted and required five affirmative votes. The other variances sought are c variances. Those are pre-existing lot area, 47,500 vs required 80,000SF, front yard setback of 56 ft vs required 60 ft., and there was discussion on the impervious coverage that was increased from the original approval, but still meets the 50% maximum. It would be (with the proposed improvements) it will be 47.9%.

Mr. Chadwick reminded the board and applicant that they still need a relief from the prior approval that restricted it to 25%. The dwelling would be less than 2500SF for an office. Mr. Chadwick thought the BR-80 was ok with that.

Mr. Foster requested deliberation from the board. Mr. Hewson felt it is a fine idea. He has seen the site in North Plainfield and it is clean. Mr. Dealaman felt it is an improvement to the property. Mr. Castanheira felt there is no negative to the Town, as it is a similar use. Mr. Villani felt it is much better than it was. Mr. Cooper felt it is an improvement.

Mr. Warner read a Motion for Truesdale Nursery and Garden Center for Minor Site Plan and checklist waiver and variances for use variance, pre-existing lot area, variance for front yard setback of 56 ft vs. 60 ft., and a modification of the prior Resolution from February 1995 for impervious coverage limited to 25% and now permit an increase to 47.9%

A motion was made by Mr. Castanheira, seconded by Mr. Vallani to approve the application.

Roll Call

For Mr. Villani, Mr. Dealaman, Mr. Hewson, Mr. Castanheira, and Mr. Cooper.
Against: None.

CASE BA14-13 GREEN FOREST ASSOCAITION
 BLOCK 87, LOT 1.01
 94 MOUNT BETHEL ROAD

Application for a use variance for a medical office in the R-20(V) zone, which was previously approved in 1980-variance for front yard parking, number of parking spaces—required 21 vs 20 proposed—variance for business sign in a residential zone—total coverage 20% required vs. 30.94% proposed.

Mr. Cooper went over the case and asked Mr. Schnitzer to continue. Mr. Erwin Schnitzer representing the applicant also mentioned it is a use variance expansion, he will also need five affirmative votes. He proposed that he would like to present the case and see if they would take a vote. Constance Salustro, address 74 Chimney Rock Road, Martinsville, NJ; Mr. Robert Gazzale, 631 Union Ave., Middlesex, NJ; Dr. Oleg Drut, 385 Prospect Ave., Hackensack, NJ; John Madden, Union Township, NJ, John Chadwick, Warren Township Planner, and Chris Kastrud, Warren Township Engineer were sworn in.

Mr. Schnitzer introduced the resolution from April, 1980 into evidence for the board, it was marked as Exhibit A-1. The property is located at 94 Mount Bethel Road and the applicant in 1980 was Mr. Iorillo and proposed use for a professional office; such as a dentist, lawyer. An approval was granted providing no more than two more tenants would be permitted.

Mr. Schnitzer questioned Dr. Drut, and Dr. Drut would like to expand the use and have an orthodontist practice. Dr. Drut has practiced for about 15 years in New Jersey, in Bergen and Hudson County. There will be only one orthodontist on site each day. There is usually three assistants and one office/desk person. The hours of operation will be no more than Monday through Saturday from 10a.m. to 6 p.m. Lights would only be security lights after 6 p.m.

Dr. Drut continued that they make teeth straight, no sharps, mostly children as patients. There is no biohazardous waste, no amalgam on site. The assistants are licensed to do x-rays, impressions, and they will help run the practice.

Mr. Warner clarified it will be just one tenant. It is not a franchise.

Mr. Cooper asked if the public had any questions for the witness. Seeing none they close that portion.

Mr. Schnitzer called up Mr. Gazzale and he was accepted by the board as an experienced civil engineer. Mr. Gazzale gave an overview of the property location and conditions on Mount Bethel and Hillcrest Blvd. The site is 33,735 SF and is located in the R-20V zone. It has an office and a parking lot on it. There is currently a septic system that will be abandoned, and connected to public sewer. All other utilities are public. They propose two underground detention systems that would drain to Somerset County facilities (and has been approved).

The new building will be 3,107 SF. The parking would be at approximately the same as is currently installed, it will contain twenty spots with two being ADA compliant. It will be curbed and paved. It will be illuminated with LED lighting, lighting near residential property will be shielded. An evergreen landscape plan and buffer is proposed. There would be a small widening along Hillcrest Blvd to widen the road to Township standard from centerline and will be curbed.

There is a request for a sign variance for a sign in a residential zone, but meets the size requirements. Mr. Bohn asked if they could preserve some of the existing trees in the back. Mr. Gazalle stated they would preserve much of the trees, the plan is Preliminary and Final Site Plan, 94 Mount Bethel Road, dated September 1, 2014, with latest revision of January 15, 2015 as a result of Somerset County and TCC comments.

There are 21 parking spaces required but only 20 proposed. The variance for front yard set back is an existing condition, it is currently 38.21 and proposed is 30.21 and is a result of an 8 foot ROW dedication that Somerset County required.

Mr. Cooper clarified that it is a change due to ROW not change in location of the road.

Mr. Gazzale also brought up the variance for parking in the front yard. Mr. Chadwick clarified that the front yard parking is on Hillcrest and was granted in the prior application. There is an impervious coverage variance also. The coverage allowed is 20% and the coverage is 30.94%.

They discussed the building and keeping the existing building intact. Ms. Salustro explained that the building has issues and it is not an addition. It will be taken down to the existing foundation. It will be residential in nature.

Mr. Gazzale discussed the drainage and it will go to the storm water detention basin. The footprint of the building is 3100SF, one story. There was discussion on one doctor for 3100SF. There is an open space concept inside the waiting room. Many appointments are at the same time, as nurses can do procedures. It is a single doctor operation.

There was discussion on the location of the building and possibly moving it back. Behind it is a single family house.

Mr. Cooper asked if any members of the public had questions of the witness on the testimony just given. Seeing none, he closed that portion.

Mr. Kastrud asked about the grading plan for the detention system and notes are required on the plan. They agreed to easements and a storm water operation and maintenance manual. The detailed sequence of construction will need to be in place before bonding and the developer's agreement.

Mr. Chadwick went over his report and stated most of the comments have been addressed but wanted to discuss the sign. Ms. Salustro introduced herself (as the applicant's architect) and was accepted by the board. Ms. Salustro introduced two exhibits, A-2 and A-3, dated October 10, 2014. A-2 is a diagram of the first floor plan, and A-3 is the west elevation which faces Mount Bethel Road.

Mr. Bohn directed Ms. Salustro to discuss the plans, which she designed. Ms. Salustro stated they originally thought they would use the current structure but after the field work was completed, they discovered many deficiencies making it unsuitable for most business use. The existing first floor plan is arranged with little rooms in a railroad car layout. Most partitions would have to be removed and they were load bearing. It was complicated. The building had other code and structural issues. It was determined that the foundation was ok. It was discussed that if the building was moved, the parking would move back and be closer to the residential area.

Ms. Salustro stated the original footprint was about 1225SF and the second floor is additional 600 plus feet so a little over 1850 SF building area. The proposed building area is 3107Sf in floor area and does meet the requirements for maximum building coverage and the floor area ratio. The proposed building is one story. There will be a basement for storage and mechanical purposes and there will be no attic.

Ms. Salustro went over exhibit A-2, the floor plan, the main entrance will be in the back of the building and within barrier free compliance. There is a large waiting area. There is often a sibling with the patient and parent, and therefore larger areas for waiting are needed. She went over the rooms. They have a secondary entrance in the front of the building, more for staff and deliveries, and a stairway for basement area.

Ms. Salustro went over exhibit A-3, the Mount Bethel Road view that the public will see. She also went to the other side of the building in the plans submitted and it looks very similar with a portico entrance. It has HIP roof area and gable dormers set into it. She continued with the description of the building and the residential character.

For total coverage there is a variance needed but not for building coverage. Ms. Salustro feels the building has outlived its usefulness, the systems need to be redone. It is believed that it has been vacant off and on for many years.

Ms. Salustro described the proposed sign. It has a face area of 41.5 SF and is internally lighted. The sign is 6 x 12 ft and sits on a planter area that is 2 feet high. Ms. Salustro compared a sign they designed at 24 Mountain Blvd as similar in the building and sign. Mr. Chadwick commented that Mountain Blvd and Mount Bethel are different and it is too large for Mount Bethel. The sign size can be reduced. The sign

will be subject to the review of the Township Planner. It will be ground lighting and the applicant stipulated to both size reduction and ground lighting.

Mr. Cooper is concerned with the landscape plan, residential buffering, and a parking buffering. The applicant agreed to a plan subject to the approval of the Township Planner. Norway Spruce, Colorado Spruce, Birch trees, some lower plantings are proposed along the parking and residential property line. Much of it will not be disturbed. There was discussion about the proposed deciduous trees and that it takes a long time to grow and in the winter it may not block the lights.

Mr. Cooper asked if the public had any questions on the testimony just provided, the architect and landscape. Seeing none, the portion was closed.

Mr. Schnitzer brought up Mr. Madden, the applicant's planner, and he asked to accept him and he was. Mr. Madden stated that the use variance is requested is an expansion of a use variance granted in 1980. The building will be a d(1) use variance, a front yard setback to Mount Bethel, a maximum lot coverage variance for 30.94% instead of 20% max permitted.

The parking calculates to 20.5 parking spaces and it is required for 21. The parking setback needs a variance, and a sign is nonconforming due to nonresidential site. The applicant will work with the town on the sign.

Mr. Madden brought in Exhibit, A-4, an aerial photograph with the zoning and existing land uses. It showed that there are other medical offices in the area. It is across the street from a service station. The property is in a residential zone, below the FAR as required for a residential building. The architecture is attractive and residential in nature. This is a transitional area. He feels it would not revert back to residential due to the activity and the traffic.

The lot is larger than required and there are no environmental constraints on the property. He feels it is an appropriate use. In terms of special reasons, he argued that it promotes public health, is convenient, has sufficient space for the use, and promotes desirable visual environment. In terms of the negative criteria, he did not see any substantial detriment to the public good. An enhanced landscape grading will improve the site. In 1980 the board did feel it was a suitable site for office use, including allowing two tenants.

Mr. Madden went to the c(2) variance of maximum lot coverage and parking setback, due to the expansion of the building. The parking is in the same location other than intruding into the front yard on Hillcrest. It is more desirable to put near Hillcrest instead of putting it closer to the residential home. For the number of parking places, there is one professional, and five support people, so they meet the requirement for customers, leaving 14 spaces for patients. There will not be an overflow of parking.

Mr. Warner asked about the d(1) and the positive and negative criteria -- or the d(2). Mr. Madden stated he believes they have satisfied the positive and negative criteria for a d(1) and a d (2). They are not abandoning the use, they are expanding the use.

Mr. Cooper asked if anyone had questions on the testimony just given. Noreen Merainer, from 7 Isabella Way, came forward. She asked about traffic and how much will be generated. Mr. Madden stated that there will be more traffic. There was discussion on traffic measurement. Mr. Madden stated the traffic will be spread out during the day, maybe more in the late morning, or early afternoon.

Dr. Drut stated there is usually 30 to 50 patients a day in the busiest practice. He will not be open every day initially.

Mr. Cooper asked Dr. Drut if this would be the third location he would have. Dr. Drut works at two locations but he has more locations in New Jersey in Hudson and Bergen County.

Mr. Cooper asked if it would just be one doctor, not necessarily Dr. Drut but only one out of the office. Dr. Drut stated yes and it could be different doctors on different days. Dr. Drut stipulated there would only be one doctor at a time in the facility.

Mr. Cooper asked if there were questions for Dr. Drut on testimony. None.

This portion was closed and it was opened up for the public for any comments.

Ms. Merainer was sworn in, Noreen Merainer, from 7 Isabella Way. Ms. Merainer stated the Hillcrest Blvd neighborhood has grown. There is a proposal for ten more houses. There is more and more traffic and the Hillcrest Blvd entrance is the only access they have, there is close to a hundred residences back there. She is concerned with the traffic. The current timing for that light only allows about one to two cars to go south at any given time. She asks that the board ask the county if something can be done about the timing of the light. With a thriving practice it will back up. Can they ask

for a stipulation that at no time construction vehicles ever block Hillcrest Blvd. It would be very difficult at the intersection. She also asked that no landscape vehicles park on Hillcrest Blvd in that area.

Mr. Chadwick talked about the county and that there is planning on installing real-time controls on Mount Bethel Road so that traffic could be monitored and green time could be adjusted based on current conditions. Easton Avenue will be before Warren Township.

The public portion of the hearing was closed.

Mr. Warner went over the variances. It is a d(1)/d(2) use requiring five confirmative votes. It is an expansion of a previous approved professional office. As well as five c variance, proposed front yard setback 30.21 ft. vs. 38.21 ft. existing, and minimum required is 50ft. Next c variance is impervious coverage of 30.9% vs. 20%, and 20 parking spaces vs. 21, and variance for free standing business sign in a residential zone, and parking in front yard of the property (which was previously granted in 1980 but is expanded).

DELIBERATIONS:

Mr. Villani felt it was a well presented case and does not have a problem, but would like to ask the county to adjust the light, would like to keep construction vehicles out of the road area, but is still surprised that the space is needed for one doctor. The parking is pushed up and out of the way and thinks it is good.

Mr. Castanheira felt it is a good use, it was approved and this will improve the site but he understands that the traffic is a problem.

Mr. Dealaman agrees, the building looks very nice.

Mr. Hewson has no problem with the application.

Mr. Cooper likes the look of the building but would like it moved back, the sign is too large and will be reduced, the variance should be clear that it is an orthodontist not medical use in general. One orthodontist should be stated in the resolution. The applicant stipulates to that condition.

Landscaping will be approved and provide good buffering.

Motion to be made for Preliminary and Site Plan approval with a d(1) use, and c variances with conditions.

Motion was made by Mr. Dealaman, seconded by Mr. Hewson to approve.

Roll Call

For: Mr. Villani, Mr. Dealaman, Mr. Hewson, Mr. Castanheira, and Mr. Cooper

Against: None.

Motion was made to adjourn by Mr. Dealaman, seconded by Mr. Hewson. All in favor.
Meeting adjourned at 9:35

Respectfully submitted,

Maryellen Vautin ,
Acting Board of Adjustment Clerk