

**A SUMMARY OF THE MINUTES OF THE
GLEN RIDGE PLANNING BOARD
HELD IN THE MUNICIPAL BUILDING**

August 17, 2016

OPMA & Roll Call

The meeting was called to order at 8:00 p.m. and Mr. Zichelli read the Sunshine Act Notice.

The roll was called.

PRESENT: Mason, Chair
 Hegarty
 Mehrotra
 Councilperson Morrow
 R. Morrow

 Trembulak, Esq.
 Zichelli, Secretary

ABSENT: Borgers
 Fields
 Murphy
 Rohal
 Turiano

Adoption of the July 13, 2016 Minutes

On motion by Councilwoman Morrow, seconded by Mr. Mehrotra, the Minutes of the July 13, 2016 meeting were adopted, Mr. Hegarty abstaining.

Adoption of the Memorializing Resolution

The Domus Augusta Family Limited

946 Bloomfield Avenue

On motion by Mr. Mehrotra, seconded by Councilwoman Morrow, the following memorializing resolution was adopted, Mr. Hegarty abstaining:

WHEREAS, Domus Augusta Family Limited ("Applicant"), owner of property located at 946 Bloomfield Avenue, filed an application with the Planning Board of the Borough of Glen Ridge for preliminary and final site plan approval to construct a parking structure in the rear of the property; and

WHEREAS, in connection with the proposed site plan, the Applicant also applied for the following variances:

(a) A variance from Glen Ridge Code Section 17.12.050.B.2 to permit a buffer of 4.2 feet between the onsite parking structure and an adjoining residential use whereas the ordinance requires a minimum buffer of 12 feet;

(b) A variance from Glen Ridge Code Section 17.12.050.B.5 to permit impervious surface coverage of 68.4% whereas the ordinance requires maximum impervious coverage of 60%;

(c) A variance from Glen Ridge Code Section 17.12.050.E.2 to permit a building height of 24.33 feet for the parking structure whereas the maximum height permitted by the ordinance is 15 feet;

(d) A variance from Glen Ridge Code Section 17.12.050.H.4 to permit a parking area to be located 4.2 feet from a property line whereas the ordinance requires that parking areas be set back at least 8 feet from adjoining property lines; and

(e) A variance from Glen Ridge Code Section 17.20.020.B.2 to permit a side yard setback of 10.4 feet for the parking structure whereas a minimum setback of 30 feet is required by the ordinance; and

(f) A variance from Glen Ridge Code Section 17.20.020.B.3 to permit an accessory structure covering 58.4% of the rear yard whereas the maximum permitted coverage under the ordinance is 40%; and

WHEREAS, the Applicant also applied for a waiver from the site plan ordinance, Glen Ridge Code Section 16.24.130.B.8, to permit 9 feet x 18 feet parking spaces whereas the ordinance requires that parking spaces measure 9 feet x 20 feet; and

WHEREAS, the Applicant submitted a Site Plan prepared by Neglia Engineering Associates, dated May 17, 2016, architectural plans prepared by RSC Architects, dated May 17, 2016, and a Drainage Calculation Report prepared by Neglia Engineering Associates, dated May 17, 2016; and

WHEREAS, the Planning Board conducted a public hearing on this application at its regular meeting on July 13, 2016 at which time it was established that legal notice of this application had been published and that property owners within 200 feet of the subject property had been served with notice; and

WHEREAS, the Planning Board carefully reviewed and considered the Applicant's plans and the testimony and other evidence presented in connection with this application, and made the following findings of fact:

1. The subject property is located in the R-5 Zone which permits professional office building with accessory parking structures and parking areas.

2. On October 21, 1998, the Planning Board granted preliminary and final site plan approval for construction of a three-story office building on the property with an accessory parking lot.

3. On October 15, 2003, the Planning Board granted amended site plan approval to permit the installation of a back-up generator on the property.

4. On July 20, 2005, the Board granted a further amendment to the site plan to permit construction of a detached garage in the rear of the property.

5. As authorized by the Board's prior Resolutions, the subject property contains a three-story medical office building with approximately 19,089 square feet of gross floor area and an

accessory parking area containing 75 parking spaces. The entire office building is occupied by a medical practice specializing in cardiology whose principal, Bart DeGregorio, M.D., is also a principal of the Applicant. The medical practice includes eight doctors and approximately 50 employees. The medical practice has grown substantially over the years and the office presently schedules an average of 200 patient appointments on each business day.

6. Pursuant to the Glen Ridge zoning ordinance, a total of 96 parking spaces is required for the subject building (one space for every 200 square feet of floor area). However, the Board previously granted a variance to permit the 75 parking spaces currently provided on site.

7. The Applicant proposes to construct a parking structure in the rear of the property to provide 39 additional parking spaces on the property, for a total of 114 parking spaces. The new structure will contain 92 parking spaces and the existing parking area in front of the property will be reconfigured to provide 22 parking spaces, including 5 handicapped spaces to comply with ADA requirements. The new parking structure will be partially below-grade and partially above-grade and will be clad with precast panels and other architectural details matching the existing office building.

8. The Applicant also proposes to provide significant landscaping improvements, including a dense landscape buffer along the easterly and westerly sides of the property consisting of evergreens, white pines, red maples, bushes and other plantings, as well as drainage improvements, including eight new seepage pits to be installed in front of the property to replace five seepage pits currently located to the rear of the building, thereby increasing the property's stormwater management capacity to approximately 22,000 gallons per day. The Applicant also agreed to relocate the new seepage pits to the westerly side of the front parking area at the request of an adjoining property owner.

9. The Applicant's witnesses testified that the purpose of constructing the parking structure is to provide much-needed additional on-site parking for the thriving medical practice which has inadequate parking for its staff and patients, many of whom are required to park on the opposite side of Bloomfield Avenue, a busy four-lane county thoroughfare, and cross the street to get to the office building.

10. The proposed parking structure will provide 39 additional onsite parking spaces which will alleviate the need for office staff and patients to rely on off-site parking spaces and cross Bloomfield Avenue to access the office building, and thereby provide a significant safety benefit and a much safer and more efficient parking arrangement with adequate on-site parking to meet the parking demands of the medical office.

11. The existing parking area in the rear of the property is located approximately 6 feet from the easterly property line. Most of the new parking structure will be located approximately 11 feet from the property line, thereby increasing the buffer/setback by 5 feet. However, the proposed stairway will be setback 4.2 feet from the property line, thereby triggering variances from the buffer and minimum setback requirements set forth in Glen Ridge Code Sections 17.12.050.B.2 and 17.12.050.H.4. Similarly, the parking structure will intrude into the 30-foot setback area on westerly side of the property required by Glen Ridge Code Section 17.12.020.B.2; however, the structure will be setback 10.4 feet which is greater than the setback of the existing parking area.

12. The Board finds that the benefits of providing additional onsite parking and a safer and much more efficient parking arrangement substantially outweigh any detriment resulting from the granting of buffer and setback variances, especially in light of the fact that a substantial portion of the new parking structure will be setback further from the adjoining property lines than the existing parking lot and any potential impact of the structure on adjoining properties will be mitigated by the

substantial landscape improvements to be provided by the Applicant along the perimeter of the property.

13. The Board also concludes that, for similar reasons, a variance from Glen Ridge Code Section 17.12.050.B.3 is justified to permit the parking structure to cover approximately 58.4% of the rear yard of the property which exceeds the 40% maximum coverage permitted by the ordinance. The benefits achieved by the additional onsite parking, combined with the landscaping and drainage improvements, significantly outweigh any detriments that ensue from the granting of this variance.

14. The maximum permitted height for accessory buildings in the R-5 Zone is 15 feet. The height of the proposed parking structure complies with the height limitation, except for the stairwells which will be 24.33 feet high. The stairwells will not be visible from Bloomfield Avenue and the visual impact on the adjoining neighbors, if any, is adequately mitigated by the additional landscaping to be provided by the Applicant and the design of the stairwells is visually appealing and architecturally compatible with the office building.

15. The Applicant revised its original plans to provide significantly more green space and landscaping improvements which reduced the impervious coverage to 60.4% – an increase of only 300 square feet above the existing coverage but slightly more than the 60% maximum permitted by Glen Ridge Code Section 17.12.050.B.5. The variance required to exceed the maximum impervious coverage is de minimus and substantially mitigated by the landscaping and other site improvements to be provided by the Applicant.

WHEREAS, based on the aforementioned findings, the Board concluded that the applicant proved that the purposes of the Municipal Land Use Law will be advanced by the requested deviations from the zoning ordinance requirements and that the benefits of such deviations will substantially outweigh any detriments, and will not cause substantial detriment to the public good or substantially impair the intent and purpose of the zone plan or zoning ordinance pursuant to N.J.S.A. 40:55D-70c(2); and

WHEREAS, based on the aforementioned findings, the Board also concluded that the site plan waiver requested by the Applicant is reasonable and within the general purpose and intent of the site plan ordinance, and that literal enforcement of the ordinance requirement is impracticable and would exact undue hardship on the Applicant.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Glen Ridge that the within application of Domus Augusta Family Limited for preliminary and final site plan approval and variances be and is hereby approved in strict accordance with the Site Plan prepared by Neglia Engineering Associates, dated May 17, 2016, architectural plans prepared by RSC Architects, dated May 17, 2016, and a Drainage Calculation Report prepared by Neglia Engineering Associates, dated May 17, 2016, subject to the following conditions:

1. The Applicant shall comply with all conditions and requirements set forth in the Planning Board's prior Resolutions, dated October 21, 1998, October 15, 2003, AND July 20, 2005 to the extent applicable.

2. The Applicant will comply with all comments and recommendations contained in the Memorandum from the Borough Engineer.

3. The Applicant shall submit a staging plan for review and approval by the Borough Engineer.

4. The location of the handicap parking spaces are subject to review and approval by the Borough Engineer.

5. The Applicant shall submit an amended site plan incorporating all changes and revisions discussed during the hearing which plan shall be subject to review and approval by the Borough Engineer.

6. The Applicant's landscaping plans shall be subject to review and approval by the Borough Forrester, and all landscaped areas shall be properly irrigated at all times.

7. The Applicant shall maintain at least 22 onsite parking spaces at all times during construction of the parking structure.

8. The proposed standpipes shall be subject to review and approval by the Fire Department.

9. The Applicant shall comply with all applicable requirements for protection of adjoining properties during construction set forth in N.J.A.C. 5:23-2.34.

10. The Applicant shall obtain all permits and approvals required by other governmental agencies in connection with this project, including Essex County Planning Board approval, and comply with all conditions of said permits and approvals.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted to the applicant, the Borough Administrator, the Borough Council, the Borough Engineer, the Borough Tax Assessor and the Construction Code Official.

Subdivision Ordinance Update

Mr. Zichelli stated that the Mayor and Council considered the proposed modifications to the R-1 Zone that would change some of the lot size requirements. Upon review, members of the Council stated some concerns regarding the creation of nonconforming lots. Mr. Zichelli stated that a subcommittee will review this concern and report back to the Mayor and Council.

Public Comment

Chair Mason called for general public comments. None were made.

Adjournment

On motion by Mr. Mehrotra, seconded by Mr. Hegarty, the Planning Board unanimously agreed to adjourn the regular meeting.

Respectfully Submitted,

Michael P. Zichelli, AICP/PP
Secretary