

City of Northfield Planning & Zoning Board
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Minutes: November 6, 2008

Notice of this meeting had been given in accordance with Chapter 231 Public Law 1975, otherwise known as the Open Public Meetings Act. Notice of this meeting had been given to The Press, posted on the bulletin board in City Hall, and filed with the City Clerk, stating the date, time and place of the meeting and the agenda to the extent known.

The regular meeting of the Northfield Planning & Zoning Board, held on Thursday, November 6, 2008 in Council Chambers, City Hall, Northfield, was opened by Chairman Richard Levitt at 7:27p.m. and the following members were present:

Dr. Richard Levitt-Chairman
Clem Scharff-Vice Chairman
Mayor Vincent Mazzeo
Jason O'Grady, Councilman
Chief Robert James-absent
Lou Milone
John Clifford
Ron Roegiers
Henry Notaro
Jim Shippen-absent
Linda Dyrek-absent

Norman Zlotnick, Solicitor
Matt Doran, PE-Engineer

There were two applications scheduled for this evening. The first was for Gary & Virginia Wolf who reside at 311 Franklin Avenue, Block 133, Lot 1.02. The application is for a "C" variance for a constructed fence. Mr. Wolf was present. Due to a family illness, the applicant did not mail copies of the application and plans to the Board members and Professionals for review. The application needed to be rescheduled and a date of December 4, 2008 was determined and announcement of the change at this meeting served as notice to the public.

The second application was for 2605 Shore Road, LLC, Block 78, Lot 14, 2605 Shore Road in the R-3 Zone. The application was rescheduled from various dates and is for an amended site plan, "C" variance & "D" Variance.

Mr. Nicholas Talvacchia, Esq. of Cooper Levenson in Atlantic City is the Attorney representing the applicant. Mr. Talvacchia began with recent history of the property. Approvals were granted in 2005 for the previous House & Garden store, which is now Coastal Design. The property has been renovated into a first class facility. The original approvals excluded medical use. They are proposing a medical use that is not typical of medical facilities. The proposed Dialysis Center and Kidney Disease support center is predictable concerning patients and scheduling. There will be three shifts of patients and they will know how many cars will be on site at any time. The applicant, whose store is now named Coastal Design, wants to get the building moving further. Mr. Talvacchia continued by saying that the use will be of a beneficial nature and will satisfy

criteria for special reasons. They are also seeking approval for a sign on Shore Road which will replace the existing free standing sign and they plan to move 13,000 sf of office space to a portion of the second floor since there is little demand for retail at this time.

The applicant's project architect was sworn in. His name is Daniel Scott Mascione of Northfield and he testified in 2005 and is involved with the overall building design. Exhibit A-1 showed before and after photographs of interior renovation pictures, previous retail compared with newly stocked areas, the new elevator, and the entryway. Exhibit A-2 showed no signage on the Shore Road side of the building and a digital rendition of the proposed new free standing sign. The reason for the sign placement, height, and configuration is to identify the building coming from the south to the north. There used to be two curb cuts and the new site plan has only one. Once past the curb cut, a traveler would be beyond the building. The idea is to place the sign between the curb cut and to frame the entry to the building. The sign will match the building with the same materials, colors and moldings. Mr. Talvacchia said no signage was approved for the Shore Road side of the building and they are not altering that. Dr. Levitt, Mr. Mascione and Mr. Doran discussed the square footage of the sign as 66 sf. Mr. Doran told the Board that the ordinance requires squaring off the face of the sign. Mr. Mascione said it is important that the sign readily identifies the building from either direction and to have the entry framed. He added that the area of the proposed Dialysis Center is to the right of the entryway, furthest from Shore Road. The square footage for the Dialysis Center is 13,000 sf and they are proposing only minor changes to the entryway and plan to extend one of the awnings to protect patients entering and exiting from weather.

The next expert to testify was Jon CuvIELLO, a representative for Shore Memorial Hospital, and he was sworn in. He told the Board that the Dialysis Center will be similar to the Somers Point operation and will have 21 stations and they schedule at 80% capacity (18 patients at a time). He described the Dialysis patients as coming to the center in three shifts and each patient will stay for a maximum of 3 to 4 hours. Patients will come to the center by ambulance, County van service or will be dropped off. The Center will be open Monday through Saturday from 5:30 a.m. to 11:30 p.m. and patients will arrive at 6:a.m. and the last will leave at 10:00 p.m. There will be two shifts for the staff (5:00 a.m. to 3:00 p.m. and 1:30 p.m. to 10:30 p.m.). There will be 20 staff members on the first shift and 12 on the second shift. Sunday may be used as a day to be open due to holidays during the week. Travel to the center (by 18 patients) will be approximately 44% by transport and private ambulance, 33% will self-drive and 12% will be dropped off by family. The center will deal with the same patients and staff over time and the usage will be stable. The staff includes administrators, nurses, techs, dieticians, and social workers. Mr. CuvIELLO said the maximum capacity for patients is 21. Chairman Levitt asked about parking spots. Each shift will need about 20 spots for staff and 10 for patients. Mr. CuvIELLO added that transports do not wait on site. Dr. Levitt said he sees about 35 to 40 spots being needed as the maximum per shift. Mr. CuvIELLO said there is a one and a half hour time overlap period at 1:30 p.m. Mr. Talvacchia said they estimated 40 parking spots per shift.

Mr. Jon Barnhart, Engineer and Planner, with Arthur W. Ponzio & Associates of Atlantic City, was sworn in to testify next. He commented that the site plan changes are very minor. To accomplish the needs of the hospital facility, they need to extend a new canopy at the entryway further out for rain cover at the drop off point. Two parking spaces will be designated for that use. They will also be adding additional sidewalk at the front of the building. An emergency generator will be required and will be quiet most of the time. It runs for 20 minutes once a month by State standards to make sure it is operational.

Mr. Barnhart described the sign proposal and said it is not out of scale with the building. He addressed drainage issues previously approved. Mr. Doran included in his report certain site plan issues, one of them being the drainage system in the rear of the building. They have submitted plans to Mr. Doran, which he has approved, and they now need to be implemented in the field. Mr. Talvacchia added that the generator is enclosed and Mr. Mascione said it is equipped with a sound baffling system. Mr. Barnhart said these items are the only outside site items that will be

noticed. Chairman Levitt asked about the 27 parking spaces on Oakcrest Avenue and was told they would be used for staff. Also, the two retail stores on Oakcrest Avenue are not included in this current application and will be left as is for now. Mr. Barnhart said that only 13,000 sf of the 2nd floor will be used for office space which was previously all approved for retail. This area is above the Dialysis Center. Mr. Talvacchia added that the upstairs will not have any medical offices, but is to include all other office use except medical use. Mr. Barnhart said the parking analysis fits in with the previous approval and feels this is a perfect use since they know how many patients will be there at a time. The applicant has been marketing this building for three years and he recognizes that there will be a peak parking situation of about 1 ½ hours or a time of the day when 40 to even 45 spaces may be needed. But since there will be a number of different users in the building and there will be a shared parking situation, there will be more spaces available at certain times which would not exist with a stand alone facility. Mr. Talvacchia commented that the retail section upstairs (Coastal Design) is a minor use. Mr. Barnhart said with the addition of the Dialysis Center, the building will be half occupied and parking use will be slightly less than half.

Mr. Barnhart addressed the use variance. These patients receive dialysis three times per week until a transplant is available. The hospital likes this location for the center and he noted that it is a beautiful first class building. The patients won't have to go to the hospital for treatments.

Mr. Talvacchia asked about any detriment to the zone plan. Mr. Barnhart said the use granted in 2005 has already been proven and the potential detriment before boiled down to parking and he feels the applicant has met that burden and that parking is sufficient for this application.

Mr. Talvacchia asked Mr. Barnhart to address the sign which is not allowed in a residential zone, but since it is an accessory, it would require a "C" variance. He added that the setback is 15 ft. from a right of way and they are proposing 10 ft. Mr. Barnhart said the location was chosen so as to be out of the neighbor's site triangle but still improve the existing condition and the aesthetics. The size is necessary to promote traffic safety and will frame the entrance to the facility. It fits in with the character of the building. He added that the ordinance requirement is 15 ft. in height and they are asking for 17 ft. They will need a two ft. variance. Dr. Levitt reminded that it is a objective of the Board to preserve the residential character of Shore Road and he has concerns with brightness of the sign and also how the sign will be back lit and coloring. Mr. Mascione said the sign will have back lit lettering and said the building is not lit brightly at night, but emits a subtle glow. Mr. Mascione referred to future tenant signs. He said they have a style guide for signage and they will generally look the same. Dr. Levitt said he would not like to see any neon or bright white lights. Mr. Mascione said the signs would be similar to the current Coastal Design sign which is a blue channel letter style and they plan to keep with the same idea. Chairman Levitt asked Mr. Cuvillo if they have sufficient parking at their Somers Point site and he answered yes. Mr. Talvacchia said this completes their application.

Mr. Doran referred to his Engineer's report. He agrees there is an inherently beneficial use and he feels the "D" variance is straightforward. Mr. Doran said ample testimony for the "C" variances for parking & signage has been provided. He said the applicants have answered all in his review and there are no current site issues. The site issues from before concerning the drainage on Oakcrest Avenue have been agreed to.

Chairman Levitt opened the public session. Mr. Paul String was sworn in. His mother-in-law lives on the corner of Oakcrest and Erie Avenue. He said she has concerns with traffic and wants to know if additional electrical poles will be needed for this facility. Mr. Barnhart said the electrical service is adequate. He also stated that the parking situation is awful. Chairman Levitt said that is due to Palombo's. Mr. Barnhart addressed the Erie Avenue area and said it has been closed off and improved with curbing and sidewalks. All traffic is coming from the Palombo's location. The Dialysis Center will not generate any traffic on Erie Avenue. Traffic from this center will not have a negative impact. Mr. String said that they now have a trash problem. Mr. Talvacchia said it is not coming from this applicant.

Mrs. Dorothy Sauerbrey was sworn in next. She is Mr. String's mother-in-law and resides at 103 W. Oakcrest Avenue. She has lived on the corner for over 50 years. She commented that parking on Erie Avenue is bumper to bumper and ten cars deep. Not only do they park along Erie Avenue, but also in front of her house. Dr. Levitt told her the parking problem is coming from the pharmacy and she needs to file a complaint with Zoning in the Building Department and that the Planning Board is not an enforcement agent. Mayor Mazzeo offered to speak with the Zoning Officer about the problem and he added that the problems are not coming from the applicant's facility. Mr. Sauerbrey added that the problems start at 7:00 in the morning and it would be ok if they stayed in their lot, but they cannot spill out into the streets. The Mayor assured her he would look into it. Mr. Barnhart added that their lot is sufficient for all their proposed usages.

Mr. Derrick Rowe of 2610 Shore Road, which is across the street from 2605 Shore Road, was sworn in next. He is pleased with the way the facility looks and understands that times are tough. He feels that people may park in the neighborhood and parking is the main concern. He believes that 20 staff members arriving at 5:00 a.m. may disrupt the neighborhood. He also commented that medical waste generated has not been addressed. He also has concerns about there being only one driveway in and out and the transports will be turning in and out near a treacherous intersection at Oakcrest Avenue. Mr. CuvIELLO addressed the medical waste issue. Under law, blood by-products are heavily controlled and any blood products are returned to the patient. Medical waste is picked up once a week and is stored inside the building. They follow strict regulations and sharps containers are kept in locked rooms. Mr. CuvIELLO then addressed the traffic issue. The traffic expected to be generated will be the same as in the original application approved. The size of the driveway is more than adequate for a single form of ingress and egress. There will be only two vans at any given time using the driveway. Traffic impacts have already been approved and he believes an unsafe condition will not be created. Multiple riders will be transported in the vans.

Mr. Roegiers asked about the sign lighting. Mr. Mascione said the sign will back lit lettering as is currently on the building facing the lot and the free standing sign could be restricted. Dr. Levitt suggested 11:00 p.m. and Mr. Mascione said they would even agree to 10:00 p.m. Dr. Levitt said the office professional and retail signs can be on until 10:00 and the address portion of the sign can stay on all the time. Mr. Scharff asked how the generator was powered. Mr. Talvacchia said the generator uses diesel and Mr. CuvIELLO noted that the tank is underneath.

Mr. Scharff asked if they were still considering solar insulation for the building. Mr. Talvacchia said that is a separate plan. Mr. Scharff also noted that the free standing sign is closer to the neighboring church than to their building. Mr. Talvacchia suggested that they could slide the sign closer to their building. Mr. Mascione said that for sight reasons and to frame the building, they put their sign at this location. It is important to see the sign and the Board was adamant about not putting signage on the front of the building. Mr. Scharff also had concerns about the height of the sign at 17 ft. Mr. Talvacchia suggested that they could make the sign 15 ft. in height. Mr. Clifford agreed with Mr. Mascione. Mr. Scharff stressed that the sign is obscuring the church and that travelers may turn into the church due to the sign being near their driveway. Dr. Levitt felt the building is substantial and people won't mistake the church entryway for the building entryway. Mr. Mascione said if the sign is too close to the building, the sign won't be as visible to drivers. Dr. Levitt suggested a 15 ft. sign at the proposed location. Mr. Scharff had an issue with the sign's proposed location and felt the sign was too close to the church and it will look like the sign is attached to the church driveway. Mr. Roegiers commented that once you know where the Dialysis Center is located, you will know where to enter. Mayor Mazzeo added that the patients are repeat patients. Mr. Scharff said that there are other uses in the building. Mr. Mascione said that Coastal Design only uses an average of ten spaces at a time. Mr. Clifford suggested an entry sign at the driveway, but Mr. Barnhart said that would be in the site triangle. Mr. Notaro commented that the church driveway is very small. Mr. Scharff said he would think they would want a sign as close to their driveway as possible. Mr. Talvacchia said they don't want the sign to be obscured by the building. Mr. Barnhart addressed Mr. Scharff's concerns and said they want as much setback

from the road as possible and if they moved the sign closer to the building, it would be closer to the road.

Mr. Barnhart brought up a point which Nick Droboniku mentioned to him that involves the line of future County right of way and that this is the third aspect which determined where they would place the sign. They need to apply to the County with an amended site plan and they cannot build within this right of way. Dr. Levitt mentioned that the County will likely never use this right of way since the road would be running in to the building, but if they built a new sign it would mean a whole new application at the County level. At this point, Chairman Levitt closed the public sessions since no one else wished to speak.

Mr. Clifford asked if it would be a possibility to lease space to the pharmacy for parking. Mr. Talacchia said the applicant was told not to do that by the Board back in 2005. They have enough parking for their purposes and leasing would create other problems. Mr. Scharff asked if Shore Memorial would be leasing space and was told yes and that ownership hasn't changed. Mr. Milone asked about taxes and Mr. Talvacchia said there would be no affect on taxes paid. Mr. Milone asked if the storm water draining system could be installed. Mr. Doran said the main storm water system under the parking lot is in place in front, the problem is with the back system. Mr. Talvacchia said before gaining a TCO for the dialysis use, they will install the back system and finish those requirements. Mr. Roegiers mentioned that the sign will stay in the proposed location at a height of 15 ft.

The first vote was for the use variance for the dialysis use. Mr. Scharff made the motion and Mr. Roegiers seconded. Mayor Mazzeo and Mr. O'Grady abstained as they are elected officials. The other present members voted by roll call in favor of the variance. The second vote was for the sign and parking. The motion was for 147 spaces where 340 are required. This is a three space reduction from the 2005 approval for 150 spaces. The motion was made by Mr. Scharff and seconded by Mr. Clifford. All members present voted unanimously in favor. The third vote was for the amended site plan. The conditions included modification or revision of the site plan for 13,000 sf of general, non-medical office space on the second floor above the Dialysis Center in the space not occupied by Coastal Design (upstairs), construction of an awning and generator, parking space for delivery vans, and to finish drainage in back to satisfaction of the Engineer prior to obtaining a TCO. The area which housed a Dance Studio and a Beauty Parlor has been deleted from this application and stays as is. Mr. Milone made the motion and Mr. Notaro seconded. A roll call vote of all members was unanimous in favor.

Dr. Levitt and Mayor Mazzeo addressed the parking situation on Erie Avenue and it was suggested that the area could be designated residential parking only and sticker permits could be issued to the residents on the block.

There were three resolutions to memorialize. The first was for John Mirenda, LLC for "C" Variances, "D" Variance, and Preliminary and Final Site Plan. Mr. Scharff and Mr. Notaro abstained. A voice vote of the remaining members was all in favor. The next two resolutions were for Benjamin Podolnick for a minor subdivision and for Cricket Communications for co-location on an existing cell tower. All members present were eligible to vote and voted unanimously in favor by voice vote.

Mr. Doran said he will call Lance Vandgraf about the Ordinance committee and will give a progress report at a future meeting.

Chairman Levitt closed the meeting at 9:16 p.m. with a motion from Mr. Roegiers and a second from Mr. Clifford.

Respectfully submitted,

Robin Atlas, Secretary to the Board

