

City of Northfield Planning Board
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Minutes: September 1, 2011

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 Board, held on Thursday, September 1, 2011 in Council Chambers, City Hall, Northfield, was opened by Dr. Richard Levitt at 6:59 p.m. and the following members were present or absent as noted:

Linda Dyrek-absent
Chief Robert James-absent
Denise Kintish
Dr. Richard Levitt
Mayor Vincent Mazzeo
Lou Milone
Henry Notaro
Ron Roegiers
Clem Scharff
Jim Shippen-absent
Councilman Steven Vain

Matthew Doran, Professional Engineer
Norman Zlotnick, Solicitor

There are two applications on the agenda this evening. The first is from Northfield residents William & Sydelle Driscoll who live at 102 Fifield Avenue, Block 104, Lots 21 & 22. The zone is R-2.

Mr. & Mrs. Driscoll were sworn in by Chairman Levitt. Jon Barnhart, PE, PP was also sworn in. Mr. Driscoll introduced his wife Sydelle and said they have been residents for 29 years. His wife is a retired special services school teacher and he is a teacher at MRHS and has volunteered for All Sports for many years. They want to retire in their Fifield Avenue residence and they need assistance or it will not be possible. Block 22 currently exists as a vacant lot and Lot 21 contains the existing two-story

house. He said the house is tired and needs extensive rehabilitation which could cost \$75,000 to \$100,000. He said he may be able to borrow the money, but the home wouldn't be an appropriate retirement home as it would not afford a first floor master bedroom and the home would still need a lot of maintenance. He would like to sell the existing dwelling to his son and assist him in rehabilitating it and construct a new home for himself and his wife. He plans to use the deed for the vacant lot as collateral to obtain a construction loan to accomplish this. This project will enable three things-the Driscolls will be able to retire in Northfield, this son, who works two jobs, would be able to own his own home and to raise his child, Kyle Ann, in Northfield and would be able to have his daughter attend the Northfield Community School.

Mr. Driscoll explained the variances they are seeking. They currently have 100 ft. frontage where 70 ft. is required. They are proposing two lot each with 50 ft. lots widths. They are requesting variances for lot size. 7,500 sf is required and they are proposing 6,759 sf for each lot. There is one setback variance proposed. One of the lots will have a side setback of 7.74 ft. where 10 ft. is required. They plan to adjust for this by putting the new home 15 ft. off the line which will add open space. They also will create more open space by demolishing a detached garage, which they will not replace, and will also pull up a concrete basketball court. They have shown the type of house they would like to build to their neighbors and have had good responses and they believe this new home is comparable to other homes nearby and will increase property values for the neighborhood as well as affording his family all the items mentioned.

Mr. Barnhart gave planning testimony and explained the technical aspects for what he noted is an appropriate subdivision. He stated that the property is located between Wabash Avenue and Shore Road, Lots 21 and 22 on the tax map, which consists of a two-story dwelling on Lot 21 and Lot 22 is vacant land. He presented Exhibit A-1 which is a site plan exhibit showing 100 ft. frontage on Fifield Avenue and a lot depth of 135 ft. The plan is to re-establish the lots that were originally there. The parcel was originally developed to have a home on one lot and the second lot to be vacant. This project's goal is to go back to separate Lots 21 & 22. He proceeded to display Exhibit A-2 which is a neighborhood exhibit dated September 1, 2011, and to explain why this division of lots would be appropriate for the neighborhood. The exhibit is a rendition of the tax map of the area which shows 26 undersized lots in this neighborhood. He pointed out that most of the interior lots have 50 ft. frontage. He added that the development pattern was to establish 50 ft. lots that are narrow and deep. The neighborhood is mature and established and is accustomed to 50 ft. lots. He discussed meeting the test of the variances by justifying C2 benefits over detriments with the renovation of the

existing home. He said it needs dramatic rehabilitation. He testified the detached frame garage will be removed and not replaced and this will open up the lots considerably. He added that his family will be able to remain in the community and they will be able to retire here.

Mr. Barnhart discussed positive criteria and referred to the Land Use Ordinance in that if these lots had been purchased by different people 40 years ago and you bring the situation to current day, they would meet the land use ordinance requirements for existing lots of record with regard to development ability. The ordinance says a 50 ft. wide lot with at least 5,000 sf of land area is a buildable lot, but since the Driscoll's own both lots, they are essentially the only people not allowed to build on the vacant lot. In this neighborhood, developing this lot would not create intensity or a density situation. The block can handle it.

Mr. Barnhart addressed negative criteria and said the applicant would not be impairing the zoning plan or the ordinance. Lot 22 will meet required setbacks. He has visited the neighborhood and has seen a pattern of nicely kept older homes on 50 ft. lots and does not see an on-street parking issue. The existing and proposed homes will both have off-street parking. There are nine trees on the property and they intend to only remove one of them and will add shade trees at the street. They will meet all aspects of a non-conforming lot of record. The new and existing home will be modestly-sized homes that will fit in with the neighborhood and he felt there would be no negative impact.

As an alternative development plan, the lots are really a 100 ft. wide lot and development of a 100 ft. wide lot would be out of character in this neighborhood. Construction of a large home would overshadow homes nearby and would be a detriment to the public good.

Mr. Barnhart reviewed the variance numbers as stated by Mr. Driscoll and said the Lot size is only 10% shy of meeting the ordinance. Mr. Roegiers asked if they were considering a common driveway. Mr. Driscoll answered that the current driveway in the center of the lots would be removed and landscaped and two new small driveways would be built on the far sides of each lot. Dr. Levitt asked if 10 ft. was large enough to build a driveway. Mr. Doran said yes and that Lot 21 has 18 ft. Mr. Barnhart added for the record that he feels the side yard setback variance is diminimous in that the ordinance required 10 ft. and they are proposing 7.4 ft. on one side. The ordinance requires 10 ft., and if both sides were added together, they would more that meet the ordinance. The sides are simply proportioned differently and there is more open space on one side of the two lots than the other.

Mr. Zlotnick asked Mr. Barnhart to refer to Exhibit 2-A and to tell the Board how many property owners are in the same situation as the Driscoll's. Mr. Barnhart said he knows of three and two own three lots (B104, L17,18,19 and B105, L5,6,7). Dr. Levitt asked how many have similar situations to the Driscoll's and could request similar 50 ft. frontage lot subdivisions. He asked this for a precedence-setting view. Mr. Barnhart said there are two (B105, L13,14 and B105, L8,9). Dr. Levitt said so there are two other residents who could also subdivide. Mr. Barnhart said he has not surveyed those properties and factors could be different. Mr. Zlotnick asked how many open lots have single ownership. Mr. Barnhart said he is not sure, but probably very few if any. He noted that the block is short. Mr. Zlotnick asked if they could guarantee that the Driscoll's would renovate the existing house and not simply sell off the second lot to another person. Mr. Driscoll said he gave his word under oath and has testified that he would be selling the home to his son and does plan to renovate the home after getting the loan and he said he would be willing to obtain a deed restriction stating that only he can build on the lot, that it would be owned for "X" amount of years and the existing home would belong to his son. Mr. Zlotnick asked for specifics on how they would finance construction of the new home. Mr. Driscoll said his son will buy the existing home. He will go to the bank for a construction loan using the vacant lot as collateral, which would no longer have a lien on it, and then give his son some of the money to improve the older home and the construction loan would be a new mortgage for the Driscoll's which would allow them to construct the new home. Dr. Levitt asked if they planned a one-story constructed home. Mr. Driscoll said he is planning to build a two-story home.

Chairman Levitt opened the public session. Ray Martin, who did not give his address, but noted that he lives at Lot 20 (42 Fifield Avenue) which is next door to the subject property, noted that he reviewed the plans and it said on the plans that they intended to demolish the existing house. Mr. Barnhart said that actually referred to the shed or garage which they intend to demolish. Mr. Driscoll added that their original intention was to construct two new homes, but after reviewing their financial situation, his son felt he wanted to rehabilitate the home and not to demolish it. Mr. Martin's second question had to do with a discrepancy on the side setback being 7 ft. or 8 ft. Mr. Driscoll said there is no variance requested for the setback he is referring to. Dr. Levitt said it seems the only impact for Mr. Martin would be the driveway being moved from the west to the east side more towards his property. Mr. Driscoll said he plans to have a conversation with them concerning the driveway that will be next to their home. Dr. Levitt suggested discussing buffering and shrubs. Mr. Driscoll said they want to do the appropriate thing for everyone. Dr. Levitt closed the public session seeing that no one else wished to speak.

Mr. Roegiers asked for clarification as to the placement of the new driveways. Mr. Driscoll said they will each be placed on the outsides of the lots. They want to create as much open space as possible. Dr. Levitt asked Mr. Barnhart for the setback to the dwelling on lot 23. He said approximately 15 ft. and there is 25 ft. between the houses.

Mr. Doran read his Engineer's report. The plans show curbs and sidewalks along the front of the property as required. Street trees need to be discussed. Lot 21 has two onsite parking spaces and the new lot will require them also once the house is constructed. To comply with the Map Filing Law, the plan needs revision to include coordinate values and monuments, Road Opening Permits will be required for any new utility connections for the new house, and size and location of any specimen trees onsite is required by the Tree Ordinance. Dr. Levitt commented that he felt there is only room for one shade tree 30 ft. on center. A discussion developed between Dr. Levitt, Mr. Barnhart and Mr. Doran about the shade trees, landscaped areas, placing the trees on the property, not the curb side, and tree removal which is allowed if they are in the way of new construction, but this does not pertain to subdivisions. It was agreed that one shade tree per lot would fit as they do not want to overcrowd the trees since they need room to grow. The final outcome of this discussion was that there will be three shade trees total between the two lots at their discretion on the property, not on the curb side.

Dr. Levitt re-opened the public session to allow Nancy Cosenza of 110 Fifield Avenue (Block 104, Lot 23) to ask a question. She lives on the opposite side of the proposed subdivision than Mr. Martin. She noted that there are two dead pines and her driveway is cracked due to the roots from the old trees. The roots are undermining her driveway and house. Mr. Driscoll said he would take care of the trees. Dr. Levitt closed the public session again.

Mr. Martin addressed the Board again and said he was unaware that the driveway was being moved. Mr. Barnhart stated that 18.5 ft. is more than adequate for the driveway. Mr. Martin said he is concerned about additional runoff. Mr. Barnhart said it is the responsibility of Mr. Driscoll to see that it is installed correctly and the Engineer will review it. Dr. Levitt added that additional runoff is not permitted. Mr. Barnhart said that net runoff will be reduced on the property.

Dr. Levitt commented that having served on the Board for a long time; he has seen many applications with good intent. But he asked the Board to remember that they are not approving applications for a certain individual and no matter how meritorious their service may be to the community or how great their financial needs are, these are not the

primary considerations. There are other considerations such as the existing nature of the community and positive and negative criteria as pointed out by the Engineers. The Board cannot approve for a specific individual, but for the City's plan and conformance to our Ordinance in perpetuity. What the Board decides will be here for generations to come and will be in effect long after we and the individuals involved are no longer here. He asked the Board to keep in mind that decisions are made strictly by the law, the positive and negative criteria presented, existing conditions in the neighborhood, how light, air and open space will be affected, and overcrowding in the school system, more so than our empathy for an one individual.

The motion for the minor subdivision with variances for lot area, lot width, and a side yard setback as required was made by Mr. Scharff. A discussion took place as to whether or not a deed restriction is necessary. Mr. Zlotnick recommended to the Board that they do not need to require a deed restriction as he will take care of the conditions and structure the resolution as such that Mr. Driscoll will proceed with the project as promised and will not simply turn around and sell the lot off. Permits for renovation will be applied for with the Building Department after finances are secure and accordingly, construction and renovation will begin. Mr. Driscoll has given his word that he will not immediately sell the proposed lot and this contingency will be taken care of in the resolution. A deed restriction would put a restraint on alienation and Mr. Scharff pointed out that in a hundred years there will be two completely different owners of these two 50 ft. lots. Mr. Milone seconded the motion.

The roll call vote was as follows:

Mrs. Dyrek-absent, Chief James-absent, Mrs. Kintish-yes, Mayor Mazzeo-yes, Mr. Milone-yes, Mr. Notaro-yes, Mr. Roegiers-abstain, Mr. Scharff-yes, Mr. Shippen-absent, Councilman Vain-yes, Chairman Levitt-yes. Dr. Levitt added that this was a difficult one in that 75 ft. to ft. 50 ft. frontage is a substantial deviation of the Land Use Ordinance, but Mr. Barnhart did convince him that this is the nature of this neighborhood. The motion for the minor subdivision with "C" variances carries.

The second application is Nikmehr Properties, LLC, Block 27, Lot 22.01, located at 2323 New Road for "C" variances and Preliminary and Final Major Site Plan. The property is located in the C-B zone. The attorney for the applicant is John H. Rosenberger of Linwood and the Engineer is Thomas C. Roesch of Duffy, Dolcy, McManus & Roesch of Galloway.

Mr. Rosenberger addressed the Board and explained that the property most recently was the site of the Owl Tree Restaurant and Bar and A.J. Kemp's for a short time after that and the site no longer has a liquor

license. They plan to demolish the existing building which has been vacant for years and is falling apart and cannot be renovated. They are seeking major site plan approval with design waivers and bulk variances and the retail use they are seeking is a permitted use. Mr. Rosenberger said the owner, Dr. Ali Salartash, is present but will not be testifying. Chairman Levitt swore in Mr. Roesch and his credentials were accepted by the Board.

Mr. Roesch began by describing Exhibit A-1, a survey of the property located on the west side of Route 9. The site was formally the Owl Tree Restaurant and Bar and most recently J.J. Kemp's. It is located in the C-B district. Zoning areas surrounding the site are C-B to the south and east, O-P to the north and northeast, R-2 to the north and northwest and R-1 to the west. Area businesses and properties in the immediate area include Ridgewood Plaza which contains retail and offices, Allstate Insurance Agency, Tender Care Pediatrics, Northfield Transmission, a dentist office and residential dwellings. The property in question is 150 ft. deep and has a width of 200 ft. Impervious coverage is 96%. There are currently 55 parking spaces and the existing bar/restaurant is a 4,200 sf building. The site has two driveway accesses to Route 9 and vehicles can travel completely around the building. Mr. Roesch noted that a 50 ft. length tractor trailer can make it around the building. The site is surrounded by a 6 ft. stockade fence on the north side, the west or rear side contains a 6 ft. stockade fence. The south border has an existing concrete retaining wall and this is needed due to a higher change in the grade. He noted that the existing structure is deteriorating.

Mr. Roesch continued with Exhibit A-2 which was a color version of the site plan showing proposed landscaping and lighting. The new retail building is proposed to be 5,900 sf, 84 ft. in width parallel to Route 9 and 70 ft. 2 inches perpendicular to Route 9. Proposed are four tenant spaces approximately 20 ft. wide not including wall thicknesses. The front and sides of the building will be roughly in the same place as currently exists and the rear will need a variance. Mr. Rosenberger noted that the new building appears larger since it will be squared off.

Mr. Roesch said the applicant plans to remove an aging building that was a restaurant/bar with late hours. Operating hours will be more amenable to a residential neighborhood. They will be reducing impervious coverage to 88%. Traffic will be reduced compared to a busy restaurant and parking will be reduced from 55 to 30 spaces. The existing parking at the front of the property on Route 9 will be removed from the right of way and they will have wider access to the site. Access to the site is now 20 ft. wide and will increase to 25 ft. wide. They will be adding three landscaped islands in front of the site, another landscaped area next to

the building and increasing green space. They plan to improve the lighting with 20 ft. light poles which will be adequate for the site and will comply with the ordinance and they will be reducing impervious coverage and adding a sidewalk along Route 9. A few similarities to current conditions include retaining the two drive aisles on Route 9 and they will keep the free standing sign. It is now located in the middle of one of the drive aisles. The sign is proposed to be located within one of the landscaped isles and surrounded by curbing which will help to eliminate a hazardous driving condition. They plan to maintain the current movement around the building.

Mr. Rosenberger and Mr. Roesch discussed design waivers. The first is that there is no buffering between the adjoining commercial uses of Ridgewood Plaza. The second waiver is for the southerly driveway which is located within the side yard setback. It is supposed to be outside of the setback and they are requesting a waiver to keep it where it is. Landscaping will be increased to 12%, but 15% is required and they will need a waiver. Dr. Levitt asked if there was any room in back for landscaping and Mr. Roesch said there is not since they want to keep the existing circulation. The trash enclosure was previously located in a fenced area at the northwest corner of the existing building. They intend to locate the new trash enclosure at the southwest corner of the property. Mr. Roesch said it will be a three-sided enclosure with a front gate. Mr. Rosenberger said there is a design standard for 4 ft. of exterior perimeter landscaping around the trash enclosure. Mr. Roesch said this would not be possible with the concrete retaining wall.

Mr. Roesch continued and said all cars will be parked on the property owned by the applicant and will no longer be in the state right-of-way with the removal of the parking spaces along New Road. There are three other waivers to discuss. They include parking within 50 ft. of a residential zone, parking within 20 ft. of a street, and uncurbed parking areas. Landscaping will be increased by 12% on the site. Mr. Roesch displayed Exhibit A-3 which was the architectural renderings. The building will be stucco and of a light color including yellow, cream & tan and will have a red-shingled roof with 27 ft. to 29 ft. peaks. Dr. Levitt noted that mechanicals are required to be screened. Mr. Roesch said they have this noted, but are not sure where they will be placed specifically. Mr. Rosenberger said the mechanicals are designed to be on the roof and will be meet the code requirement. He also noted that they agree to no medical uses. Mr. Roegiers asked if the mechanicals will be in the center of the roof. Mr. Doran said it is noted on the plan that they will be screened. Mr. Rosenberger said they are asking for a variance for impervious coverage. 88% impervious coverage is proposed which would be an improvement over the 96% existing. 80% is required. The accessory

structure, which is the trash receptacle, requires setback variances for a 5.4 ft. rear setback and a 9.9 ft. side yard setback. If they placed the receptacle to adhere to the ordinance at 15 ft. side and 30 ft. rear, the trash area would be in the drive aisle. The gate will face the side of the building and will not face Route 9.

Mr. Rosenberger said Dr. Salartash had the opportunity to speak with the architect and the mechanicals will be in the attic and will be invisible to the street. The rear yard setback of the building is required to be 30 ft. and currently is 27.9 ft. They are proposing 28.5 ft. which again, is a slight improvement. In respect to buffering with the adjoining residential areas, 15 ft. is required and they are proposing 2 ft. and this currently exists. Mr. Doran suggested possibly relocating the landscaping area next to the building and locating it at the side. Mr. Roesch said they would have to relocate the parking and truck circulation would be affected. They feel it is better for pedestrians, cars, and trucks to have the parking on the perimeter.

Signage was discussed. The signage on the building will comply with the ordinance. The freestanding sign will stay in the same location and will be the same size. It will display the address and is an existing non-conformity that will continue. The sign is now located at 7 ft. from the property line and is not able to be located at 15 ft. The sign will be a fixed sign.

Mr. Rosenberger asked Mr. Roesch to discuss the C2 variances and positive and negative criteria. Mr. Roesch commented that impervious coverage would be decreased, circulation will improve, there will be more landscaping, they plan to demolish an obsolete building and construct a new building, there will be less traffic on site, and will be a positive benefit and improvement to the area. No cars will be parked in the New Road right-of-way. Currently there is no sidewalk and they will be installing a new 5 ft. sidewalk along Route 9. This will be a safety enhancement for pedestrians. The building will also operate as a permitted use and no longer as a non-conforming Restaurant & Bar. Mr. Rosenberger discussed legalities and for the purpose of zoning advancement, he said the development is consistent with the zoning ordinance as it will promote public health, safety, and the general welfare and will provide light, air, and open space and will be a desirable visual improvement. Mr. Roesch said there is no substantial detriment to the general welfare or to the zone or Master Plan. Mr. Rosenberger summarized this discussion by saying they plan to upgrade the facility along a city thoroughfare.

Dr. Levitt congratulated Mr. Roesch for his work on this plan and for Exhibit A-4 which is a summarized form of the project including the waivers, variances criteria and variance analysis which he passed along to all the Board members at the meeting. He also commended Dr. Salartash for improving what is a white elephant in the city.

Mr. Doran reviewed his Engineer's letter. His report agrees with the variances and design waivers. He had been checking back and forth all through the testimony and has found all to be consistent and noted that the applicant's professionals have given good testimony. He gave a review of what they proposed. Mr. Doran said there have been many complaints about draining issues at this site in the past. Water runs toward the back of the property. Years ago, the Owl Tree had purchased the back lot and now this traps a lot of water on site which affects the neighbor's properties. Mr. Doran suggested they install more drainage at the low area at the rear corner and also install additional underground storage. Mr. Doran said they can work on this together. Mr. Rosenberger said they will accept this as a condition of approval to improve the drainage and will see that the Engineers meet on this. As included in Mr. Doran's report, the applicant will be required to obtain approvals from various county and state agencies as well as the Northfield Fire & Sewer departments as well as to post Performance Guarantees and Inspection fees with the municipality.

Mr. Roesch discussed curbs and concrete aprons. Mr. Doran said the ordinance requires curbs and concrete aprons and they will need a waiver or have them installed. Mr. Roesch said they request a waiver and want to keep the driveways as they are or remove and replace the asphalt in order to be able to obtain a letter of no interest. Mr. Doran said the driveways have been used for years as they are and the applicants will be cutting this use in half, especially at night. He had no problem with the driveways as they are, but said the ordinance does require concrete aprons.

Councilman Vain expressed concern about the area on site where the trash receptacle will be located, the setback variance, and the impact on neighbors. Mr. Doran said the area is now paved asphalt and Dr. Levitt said they won't be operating a restaurant with food items and there shouldn't be smells from food or cooking or the need for more frequent trash pick ups. Mr. Vain asked about a business such as a bakery went in the retail stores and Mr. Rosenberg said he is confident this won't happen since there is one directly next store. Dr. Levitt said the site needs to be economically viable and asked the applicant to attest that they will not allow trash to blow around and will control any trash smells and keep the

area free of vermin. Mr. Rosenberg said they want to work to comply with any issues.

Mr. Doran continued discussing the design waivers pertaining to landscaping. The ordinance requires 15% landscaping on site and they are proposing 12%. A waiver is also needed for the 4 ft. planted area requirement around the exterior perimeter of buildings. Mr. Doran discussed the back right corner of the site where they are proposing 6 parking spaces. Drainage goes that way and pedestrians will have to walk across the driveway in order to get to the building. It would be better to add 6 parking spots along the building and add landscaping in the corner. There is currently parking now along the building and they are proposing to remove the spaces. The grass area could be placed at the other side of the lot which would create a buffer where none exists and cars would not be shining lights at night on the adjacent lot. The area floods now and grass and landscaping would mean less asphalt. Any type of buffer would be an improvement.

Mr. Roesch discussed the proposed drainage. He said they are proposing to add an inlet with a pipe going through a seepage pit for infiltration. They can't put any infiltration below any of the asphalt because they don't have adequate cover for vehicles to drive over. They need any infiltration devices to be in grassy areas in the back. Mr. Rosenberger noted, in reference to the parking spaces, that if they use the current spaces along the building, cars would be backing up into other parked cars as currently exists and they are trying to eliminate this. This will also be less aesthetic. Mayor Mazzeo asked where employees will park. They are obligated to provide thirty spaces and they will park within those spaces. The Mayor agreed with Mr. Doran's comments which may help eliminate the drainage issues that have been going on for a long time. Mr. Rosenberger said they will go along with whatever the Board prefers. Mr. Vain agreed with the increased buffer to help alleviate some of the noise for the neighbors.

Mr. Roegiers asked if it would be feasible for the traffic pattern to circulate one way. Mr. Roesch said it would work best with two way circulation. The drive aisles are 25 ft. which is standard. Most vehicles will back out of the parking lot onto Route 9 and won't have any reason to go around the back of the building. Mr. Vain commented that the new lighting should not interfere with any nearby homes. Dr. Levitt said the Ordinance has a shielding requirement. Mr. Doran said when he worked with WaWa and JoJo's they installed huge custom-made back shields that were larger than standard. Mr. Rosenberger and Mr. Roesch said they will have house-size shields on the pole lights. Dr. Levitt said it is agreed that there will not be excessive glare onto the neighboring

properties and he noted that it is the nature of Northfield to have narrow commercial strips behind which we have residences.

Mr. Doran discussed the loading area at the rear of the building which must be screened and buffered. Mr. Doran said they have the 6 ft. fence and there is not much more that can be done. Parking has been discussed. A 4 ft. sidewalk should be installed around the building for pedestrian safety. Mr. Doran said this would be a good idea if it can be done. Mr. Roesch said a sidewalk would not fit on the south side, but may be possible on the north side. Dr. Levitt said whatever you can do would be an improvement. Matt said a waiver is requested for curbing around parking areas. It exists now without it. Mr. Doran noted that parking lines should be repainted. The plans show appropriate handicapped stalls and they meet the 30 space parking requirement. Mr. Roesch said the free standing sign is presently internally lit and will continue to be so.

Dr. Levitt noted that there was no one from the public who wished to speak on this application and closed the public session.

In summary, Mr. Rosenberger said the project will advance the interest of the City by the Board granting approval for the improvements discussed. Dr. Levitt said there is substantial design waivers proposed, but this is the best and highest use for this properties and he feels the goal supersedes the design waivers. Dr. Levitt said the application is complex and they will need to reference the variances in the Engineer's letter as well as the applicant's application to include the apron waiver, no medical, no restaurants, the moving of the landscaped area, the buffers, the 50 ft. setback from residential areas, and the 20 ft. street parking setback among others.

Mr. Scharff made the motion for site plan approval subject to all the variances and waivers discussed and outlined by the Planning Board Engineer and the applicant's Engineer. Mr. Milone seconded the motion.

The roll call vote was as follows:

Mrs. Dyrek-absent, Chief James-absent, Mrs. Kintish-yes, Mayor Mazzeo-yes, Mr. Milone-yes, Mr. Notaro-yes, Mr. Roegiers-yes, Mr. Scharff-yes, Mr. Shippen-absent, Councilman Vain-yes, Chairman Levitt-yes. The motion for Site Plan approval with variances and waivers carries.

There was one resolution to memorialize for Kyle Deuter, Block 40, Lot 18.16 located at 21 Jack Sloan Court for "C" variance relief for the construction of an in-ground pool. Abstentions were Mr. Shippen, Chief James, Mrs. Kintish, Mr. Roegiers and Mr. Vain. The voice vote was all in favor of memorialization of this resolution.

Chairman Levitt asked if Chief James would still be able to sit on the Board as the City Official with his new duties as Chief of Police of not only Northfield, but the City of Linwood. Mayor Mazzeo said he will speak with the Chief about this. As to other business, Chairman Levitt asked about Keith Bonchi's status with the proposed Land Use Ordinance amendments. Mr. Doran said Mr. Bonchi has been in touch with him for clarifications over the past few weeks and he believes they are close to completion. Dr. Levitt asked Mr. Doran to review the amendments and check that the language is complete with the intent of the Board.

Mr. Roegiers made the motion to adjourn the meeting and Mr. Milone seconded. Chairman Levitt closed the meeting at 8:52 p.m.

Respectfully submitted,

Robin Atlas, Secretary to the Board