

**City of Northfield Planning Board
1600 Shore Road
Northfield, New Jersey 08225
Telephone (609) 641-2832, ext. 127
Fax (609) 646-7175**

Minutes: July 5, 2012

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, filed with the City Clerk, and posted on the City website, 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, July 5, 2012 in Council Chambers, City Hall, Northfield, was opened by Chairman Richard Levitt at 7:07 p.m. and the following members were present or absent as noted:

**Councilman Greg DeWees-absent
Linda Dyrek-absent
Denise Kintish-absent
Dr. Richard Levitt
Mayor Vincent Mazzeo
Lou Milone
Sgt. Paul Newman-absent
Henry Notaro
Ron Roegiers-absent
Derek Rowe
Clem Scharff-absent
Jim Shippen**

**Matthew Doran, Professional Engineer
Norman Zlotnick, Solicitor**

There was a short recess at the start of the meeting to allow for five voting members to be present since a use variance was on the agenda for this evening. The meeting resumed at 7:17 p.m.

The application on the agenda was Gerald Bird Development Co., LLC, Block 95, Lot 16 at the location of 1600 New Road. The site is in the OP-B zone. Stephen R. Nehmad of Nehmad, Perillo & Davis of Egg Harbor Township was present as the attorney for the applicant. He gave a brief description of the site which previously was JJ Nugent Manufacturing Company and subsequently Camden Flooring. The previous owners ceased utilizing the site recently and it was acquired by Gerald Bird. The applicant wants to adaptively re-use the existing building and will not be constructing an entirely new building, but they want to establish a "new looking" building.

The applicant intends to construct a professional office building and wants approval that the building could be all medical if necessary. The new building will be 8000 sf and they will be doing away with the non-conforming use of a warehouse. They propose a 660 sf portion to be devoted to a coffee shop. The shop would involve the retail sale of coffee, tea and muffins and would not be a typical restaurant which is not permitted. Mr. Nehmad said the shop would be more in line with a miscellaneous retail use which would sell items for takeout. Since the vast majority of items sold would be for take out, he said it can be interpreted to be under miscellaneous sales and will not be an old style coffee shop.

Mr. Nehmad noted that they will be reducing the footprint of the building on the site and the plan shows an atrium area which creates light. They are proposing 5800 sf of leasable office space which includes the coffee shop. He said the Ordinance measures the building by building size and if the Board looks at strictly leasable space, they will have plenty of parking due to the atrium and other common areas being free space. They intend to make the site appear to be new construction and he described some of the new structures and landscaping.

Mr. Nehmad said he has several witnesses here tonight including Gerald Bird who has developed office buildings at Mill and New Roads in Northfield as well as an office building in Linwood at Central Avenue and New Road. Both are handsome additions to the community. Also present are Craig R. Hurless, Professional Engineer and William McLees, Architect. Dr. Levitt swore in the witnesses.

Craig R. Hurless described his credentials first. He has a background in Civil Engineering and is a licensed Professional Engineer since 1995. He has appeared before numerous Boards including Northfield. He is currently the Planning Board Engineer for Ventnor City, Cape May, and Galloway. Chairman Levitt accepted Mr. Hurless as a licensed professional. Mr. Hurless prepared the site plan for this project.

Mr. Hurless described the existing conditions and had an exhibit list which he gave to Mr. Zlotnick to be incorporated into the resolution. Exhibit A-1 showed an aerial view of the area and he described the businesses in the area. The site is located between New Road and Northfield Avenue. Surrounding businesses include Adams-Perfect Funeral Home, Eastern Dental, Balsley Losco Real Estate, Eurocolor Salon and Spa, Law Offices and Ronnie's Garden Center. Across the street is the Morgan Stanley building and the Diner. Exhibit A-2 contains 16 photographs of existing conditions at the site which is currently a non-conforming use. The building is a metal two-story structure used mostly for warehousing and has existed since the 1950's. Camden Flooring was a warehouse and Distribution company and JJ Nugent was a General Contractor. The building is currently 9030 sf.

Mr. Hurless continued by saying the redevelopment is an adaptive reuse of the building with partial demolition. The warehouse section will be demolished as well

as the stick-built office at the southwest corner. The mid-section area will be retained.

Exhibits A-3 and A-4 show the old and new site plans. They are proposing a two story structure with three units on each floor. They are seeking a use variance for the coffee shop portion which will be located in front. The remaining units will be professional office space. Medical office space was used to formulate the parking ratio to use the most intensive type of use possible.

Mr. Hurless discussed the egress and ingress driveways to the north and south of the site and the common shared 25 ft. access easement shared by Lot 15 to the south. This is the primary principle egress for two way traffic. They will be matching up paving and grades in the drive aisles. There is development on all sides. They will be providing parking in front, on the side and a bank of parking at the rear of the site. There will be new landscaping, lighting, a storm water package, new signage and they will keep development in line with the neighbors. They will preserve the pine trees at the rear of the site as a buffer.

Mr. Hurless addressed storm water management. He said lot coverage is presently 74% and they are proposing to reduce impervious coverage and to reduce this percentage to 73%. The site is flat and to remedy ponding problems, they will provide a 2 ft. deep swale at the rear of the property and include additional collection inlets to help with draining which will discharge to an existing New Road inlet. The storm water system will reduce volumes to 51.5%, 60.3%, and 76.2% for 1, 2, and 10 year storms and will reduce peak flows 41%, 53.7%, and 66.8 % for the same storms. There will be a significant reduction in storm water runoff from the site. This is a desirable goal and there will be no negative impacts to neighbors as they will be retaining the existing drainage path which will empty to the inlet on New Road at the western portion of the site.

He added that the site is zoned O-PB and all the uses considered are clearly permitted except for the coffee shop. Before continuing, Dr. Levitt asked for more information concerning the swale. He said it is not desirable to have water remain on the site and there is concern about mosquito breeding. He asked if borings have been completed. Mr. Hurless said they have not been done yet but it is noted on the plans that they ensure K-5 sand material will be used beneath the basin to allow for proper fill. He noted that the swale is 2 ft. deep and water must drain within 72 hours. Mr. Doran noted that the swale requires a design waiver as all storm water is required to be stored underground. Mr. Nehmad stated that the DEP has new standards requiring engineers to practice best management practices and are encouraged to use shallow depressed swales to enhance water quality. Mr. Hurless said they will assure that all material is suitable and the swale will drain within 72 hours or the material will be removed. He added that he is a firm believer that the entire basin bottom needs to be removed along with all clay material and that it is to be replaced with sand. These swales tend to work in the beginning and fail to be maintained and that is when problems occur. They want to create a landscaped area and he said it will be a well maintained basin. He said there is a similar swale

at the Central Avenue site. Dr. Levitt said the City has had problems with swales and there is a lot of clay in the soil in this area. Mr. Nehmad said this is a commercial property and not a residential development. The owner of the property is responsible to maintain the swale. Mr. Doran noted that the Balsley Losco site next door has a similar swale that operates off the back and this is of a similar type. Mr. Hurless added that the majority of storm water will never see the swale because the building will take care of it first. Dr. Levitt asked how and Mr. Hurless said the roof leaders will be connected to the pipe and stone trench portion of the building.

Mr. Hurless discussed the new 8 ft. x 10 ft. solid waste enclosure which will be in the same position as the former. The setbacks are being improved. The setback was 18 ft. and the applicant is proposing 20 ft. This lessens the non-conformity.

Mr. Hurless said there is no opportunity to provide buffers on either side of the site due to shared paving. This is an existing non-conformity.

The proposed new free standing sign was discussed. The sign will be placed in the western corner of the building in a grassed landscaped island. The sign will be setback 30.51 ft. and will be 36 sf in size and 15 ft. high. Free standing signs are not permitted in the O-PB zone, but are permitted in all other commercial zones. Dr. Levitt noted that the new Land Use proposed changes will permit them in the O-PB zone.

Mr. Hurless addressed the parking variance. Mr. Nehmad passed out a handout to the Board clearly showing the parking requirements per Ordinance and the parking variance justification. Mr. Nehmad stated the total building measuring the outside perimeter of the building totals 8,397 sf. In taking this literal approach, 62 parking spaces will be needed and they are proposing 49 spaces. The measurement includes the coffee shop. They do not believe the parking requirement should be measured that way. The building has a great deal of common open area. This space should not be included in calculations. These areas include the stairwells, the atrium, elevators and other common areas which do not generate employees or constitute visitor trips.

Mr. Hurless prepared the hand out and described the top portion showing the parking requirements per Northfield Ordinance. Mr. Hurless said the net leasable area measures 5,802 sf (665 sf for the coffee shop and 5,137 sf for the medical offices). This is the area that will generate the parking demand. Only 74.7% of the gross floor area is leasable area. Using the Ordinance approach, the medical office area would require 52 spaces using the measurement of 7,732 sf and 1 space per 150 sf. The coffee shop would require 10 spaces using 665 sf with 30 seats (1 space per 3 seats). This totals 62 required parking spaces. Describing the parking variance justification section of the handout and using the net leasable area approach, which is the area that will generate the parking demand, it should be calculated at 10 spaces for the coffee shop and only 34.2 spaces for the medical offices. This would require only 44.2 parking spaces for the leasable area. The applicant is proposing 49 spaces including 20 spaces for the coffee store and 1

space per 131.7 sf for the medical leasable area where 1 space per 150 sf is required. Mr. Hurlless concluded that 49 spaces are more than sufficient using the total medical use approach requiring the most parking. Other types of offices would require less parking.

Dr. Levitt commented that different types of medical uses require diverse amounts of necessary parking. Some medical uses may overflow the capacity. Mr. Bird said he has been a contractor for 35 years and he wants to have an appropriate mix of tenants and is very particular about who he leases to. The wrong tenants can cause problems. Mayor Mazzeo asked if they had a particular tenant in mind for the coffee shop and who does he think will utilize the shop. Mr. Bird said they in contemplating the issue and expect the coffee shop to be used by both tenants and neighbors. They can assure that the tenant will not be a franchise such as Starbucks and they would also entertain the idea of renting the entire first floor as office space if a tenant requested such. Dr. Levitt said the present trend is that people are looking for smaller offices.

Mr. Nehmad said that take out coffee stores typically have very short dwell time and they hope to reserve a few spaces for high turnover for the coffee shop. Dr. Levitt suggested employee parking should be in the rear of the site. He also suggested moving two of the four handicapped spaces in front since there is a doorway at the rear of the building and the spaces could be located there. Mr. Hurlless agreed. Dr. Levitt also suggested increasing the greenery. Mr. Hurlless said they intend to enhance the landscaping. Dr. Levitt asked about traffic flow. Mr. Hurlless said the 25 ft. two-way driveway is maintained the full length of the site on the southern side lot. Dr. Levitt asked if it could be a condition of leases that the tenants would take the rear most parking spots first. They agreed, but said they do not want to sign the spaces for employee parking in case an open spot was needed for a client or visitor. Dr. Levitt commented that there could be a problem if the applicant leased to a pediatrician or an orthopedic surgeon. Mr. Nehmad answered that is why they assumed all medical occupancy for the office space for the worse case scenario. Dr. Levitt said that could be the condition we end up with since medical is the demand right now. Mr. Nehmad said Mr. Bird is aware of that. Those types of medical use are high parking generators but they feel they have high parking per square feet and have an extraordinary amount of common space. It is typical for developers of office buildings to want to generate as much leasable space as possible, but given the desire to adaptively reuse this building, there was a trade off of leasable space for common space which did result in cost savings in building materials. Dr. Levitt asked if there was a basement on site. Mr. Hurlless said no. The building is on a slab on grade. Dr. Levitt asked about air conditioning units and mechanicals. Mr. Nehmad said the architect will address those issues.

Mr. Shippen mentioned the ambulance problems at the Dialysis Center at the old House and Garden site. He said they will want to restrict hours of operation. Mr. Bird said hours of operation will be 8:00 a.m. to 5:00 p.m. or 6:00 p.m. which is similar to his other buildings. Dr. Levitt said the sensitivity is for the neighbors at the rear of the property. Ambulances with back up alarms have to remain in the front of the

site and not to the back of the site due to the neighbors. Certain medical offices may have a need for ambulances, but they need to limit where they will park and enter the site.

Dr. Levitt looked at the circulation on site and said there is one Do Not Enter sign and there will be arrows painted on the pavement. He asked about the distance between the driveways and whether or not they have State permits. Mr. Nehmad said they have not obtained them yet but do not see a problem with the driveways since the two currently exist. Dr. Levitt asked how a trash truck will get to the dumpster. Mr. Hurless said they will arrange for trash pick up after business hours. Dr. Levitt asked Mr. Bird to respect the noise level for the neighbors. Mr. Bird said he has trash pick up at other sites and this has not posed a problem. Usually trash pick up occurs before the businesses open. Dr. Levitt suggested trash pick after 7 a.m. They agreed.

Mr. Hurless discussed the coffee store. The store, at 665 sf, will include a counter area and rest rooms, but no cooking facilities. Coffee and associated beverages will be served as well as pre-prepared food. The vast majority of items will be taken off site after purchase. There will be complimentary seats which can be used by patients who may be waiting to see physicians. It is not a restaurant in any way and the facility will be $\frac{1}{3}$ to $\frac{1}{4}$ smaller than Starbucks. Mr. Bird agreed there would be no cooking at the facility and 75% will be takeout. The coffee shop will be an amenity to the building for both tenants and neighbors. Mr. Hurless said it can be considered more of a retail facility categorized under the Misc. retail section of the Ordinance. Mr. Nehmad said they applied for a Use variance as a judgment call.

Mr. Nehmad and Mr. Hurless discussed the Use Variance and the necessity to meet the four purposes of zoning. They are improving aesthetics by developing a building with a new, contemporary look, they are eliminating a non-conforming use, the project involves solid planning, and the building will be an asset to the community by leasing small offices and providing medical benefits. They discussed negative impact and negative criteria and said there are none. Additionally they are improving storm water runoff, there will be no lighting impacts to the neighbors, there will be no more warehousing at the site and the building does not extend as far to the rear of the site.

Dr. Levitt asked how they are enhancing the landscaping and Mr. Hurless said they can blend in shade trees and add more landscaping with decorative planters in the patio area to improve the aesthetic view from New Road. Mr. Zlotnick said they can submit an updated landscaping plan to Mr. Doran for approval. Dr. Levitt said the site is very stark at present and needs landscaping improvements. Mr. Hurless said they are also proposing an irrigation system.

Mr. Nehmad called William C. McLees, the architect with the project. Mr. Zlotnick said for the record that he shares a client with Mr. McLees, but that it in no way presents a conflict of interest. Mr. McLees gave his architectural qualifications and was accepted as a professional by the Board.

Mr. McLees said his role is to redesign the building while re-using the roof and part of the structure. The current office space and warehouse in the back will be demolished. He presented Exhibit A-5 which is a site rendition and he noted that the coffee shop will activate the front of the building. Exhibit A-6 is a floor plan showing the leasable areas in yellow and the common areas including the atrium, grand stairway, safety exit stairway, and elevators. He displayed Exhibit A-8 next which is a drawing of the building and then Exhibit A-7 which showed a front view of the building exemplifying the glazing and signage. Exhibit A-8 shows the free standing sign which will display tenant names and the address. Mr. McLees said the building will be Class A office construction which will resemble all new construction and exterior improvements. This site currently has too much unusable and un-leasable space. Mr. Nehmad passed around the exhibit for the Board members to review. Mr. McLees said the mechanicals will be located inside the attic area or mounted on flat roof areas and screened from the street. Dr. Levitt asked about restrooms. Mr. McLees said they will be located in each suite, but that will be determined by the tenants.

Dr. Levitt asked about parking lot lighting. Mr. Hurless said they will provide pole lighting. Mr. Doran said he asked for additional building mounted lighting in his report and any glare on the adjoining residential properties will be shielded. Dr. Levitt expressed concerns about the parking. He said if all units were to be medical suites, they would be limited to about 8 spaces per unit. Mr. Nehmad said the average unit is 500 sf to 1000 sf and this is considered to be a very tiny office space that could only provide space for one professional.

Mr. Rowe asked about hours for the coffee store. Mr. Bird said approximately 7:00 a.m. to 7:00 p.m. or 8:00 p.m. at night. He said it would be open no later than 9:00 p.m.

Mr. Doran read areas of his report that had not been addressed. He said the applicant has agreed to additional landscaping and in the rear buffer area, there are some blank areas and he would like to see some pines added in the areas where the houses can be viewed. He noted that extra large lighting shields would also be a benefit and is a requirement. As to the parking, Mr. Doran's measurements are 7,100 sf for the medical office space and 665 sf for the coffee shop. This would require 10 spaces for the coffee shop and 47.3 spaces for the medical offices for a total of 57.3 spaces. Mr. Zlotnick said he would incorporate this into the resolution. Mr. Doran said the turn radius will not handle large trucks, but this is not a site that would require large trucks. Mr. Doran read the definition of restaurants from the Ordinance which states that a restaurant is where food is sold for consumption on premises and he feels a variance is required for this use. Dr. Levitt noted that the variance for the coffee shop includes the conditions of no cooking facilities on site including no dishwashers or griddles, but a microwave would be acceptable.

Dr. Levitt opened the public session. George Hornberger of 805 Adele Street was sworn in. He referred to the Kiejdan building, the former Boston Market, and the other businesses in that area on Tilton Road and when they were being built,

construction materials were dropped off at 4:00 a.m. in the morning. He heard noise from tractor trailers and bull dozers before 7:00 a.m. and they would not stop until after 10:00 p.m. There are air conditioning condensers at the back of the building that he can hear from his bedroom. Trash is picked up from 4:00 a.m. to 6:00 a.m. on Tilton Road and this is not being enforced. He wants to know why the City isn't doing anything about this. Dr. Levitt explained that the Board has no enforcement authority and he would need to bring his complaints to the Code Enforcement Officer. Mr. Hornberger asked if they would have grassy areas on site. Mr. Nehmad said yes. Mr. Hornberger noted that landscapers can't start before 8:00 a.m. He has concerns for the neighborhood. Dr. Levitt said the Board appreciates and is sensitive to these conditions and believes the Board has addressed these concerns by questioning the applicant on these issues. Mr. Nehmad said the State has a Noise Control Act affecting the hours between 10:00 p.m. and 7:00 a.m. and none of the activities in question would take place during these hours. Dr. Levitt closed the public session.

Dr. Levitt asked for a motion for the use variance for the coffee store. Mr. Notaro made the motion and Mr. Shippen seconded the motion.

The roll call vote was as follows:

Councilman DeWees-absent, Mrs. Dyrek-absent, Mrs. Kintish-absent, Mayor Mazzeo-no vote as elected official, Mr. Milone=yes, Sgt. Newman-absent, Mr. Notaro=yes, Mr. Roegiers-absent, Mr. Rowe=yes, Mr. Scharff-absent, Mr. Shippen=yes, Chairman Levitt=yes. The motion for the (D) Use variance carries.

The second vote was for the site plan and "C" Variances. Dr. Levitt noted that the design waivers in Mr. Doran's report are included by reference. Additionally two handicapped parking spaces would be moved to the rear of the site, additional landscaping would be approved administratively by Mr. Doran, plants would be added to the patio area, the applicant and the tenants would abide by all noise ordinance items, tenants and employees will park in the rear of the site first, ambulance pick up will be in the front of the site, soil borings will be completed and the swale will drain in 72 hours or corrections will be made.

Mr. Shippen made the motion and Mr. Milone seconded.

The roll call vote was as follows:

Councilman DeWees-absent, Mrs. Dyrek-absent, Mrs. Kintish-absent, Mayor Mazzeo=yes, Mr. Milone=yes, Sgt. Newman-absent, Mr. Notaro=yes, Mr. Roegiers-absent, Mr. Rowe=yes, Mr. Scharff-absent, Mr. Shippen=yes, Chairman Levitt=yes. The motion for the site plan, "C" Variances and design waivers carries.

Mr. Nehmad inquired about the August meeting and whether the resolution will be memorialized at that meeting. He said Mr. Bird already owns the property and wants to commence development as soon as possible. He cannot publish the notice of decision and start the appeal period without the resolution being memorialized. A majority of those present this evening will be necessary at the regularly scheduled meeting next month. Dr. Levitt asked that at least four Board members attend the meeting to memorialize the resolution.

Mr. Shippen made the motion to adjourn the meeting. Mr. Milone seconded the motion. Chairman Levitt closed the meeting at 9:09 p.m.

Respectfully submitted,

Robin Atlas

Robin Atlas, Secretary to the Board