

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

Minutes: April 7, 2016

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.

This REGULAR meeting of the Northfield Planning Board, held on Thursday, April 7, 2016 in Council Chambers, City Hall, Northfield, was opened by Chairman Richard Levitt at 7:00 p.m. and the following members were present or absent as noted:

Timothy Anderson-absent
Mark Bruno
Mayor Erland Chau-absent
Jim Leeds
Dr. Richard Levitt
Lou Milone
Chief Paul Newman
Henry Notaro-absent
Councilman Frank Perri
Ron Roegiers-absent
Derek Rowe
Clem Scharff
Jim Shippen

Matthew Doran, Professional Engineer-Deborah Wahl filled in for Matt Doran
Norman Zlotnick, Solicitor

Samara Trocki-Videll, attorney for the applicant, presented Joseph Broomell, who was sworn in by Dr. Levitt. The property is located at 631 Tilton Road, Units 111 & 113, in the Mainland Professional Plaza, Block 16.01, Lot 47 in the R-C Regional Commercial Zone. The applicant is seeking approval for an Escape Room which is a themed entertainment facility and requires a "D" use variance.

Ms. Trocki-Videll referred to the Land Use code section for the R-C zone which permits such amusement and recreational services as dance halls, studios, and schools, bowling alleys, and membership sports and recreation clubs. Escape rooms, a new business concept, is not specifically mentioned in the code and will require a variance. This commercial area is surrounded by businesses. The Escape Room would operate mostly in the late afternoon and evening hours.

Dr. Levitt asked for a brief explanation as to how it would operate. Mr. Broomall said Escape Rooms operate like a Doctor's office. Appointments are booked online. The interested party makes an appointment and signs a waiver to be videotaped which will be later posted online. The participants will be in a room for up to one hour. Game Masters will greet customers and guide them to whatever theme they chose online. The Game Masters then go to an audio visual room to monitor the gamers. There are logic puzzles, brain teasers, and mystery clues to defeat which will allow them to proceed to the next step. The participants master linear concepts and then open a lock or treasure chest to proceed.

Dr. Levitt asked Mr. Broomell if this was his concept or a franchise. Mr. Broomell said the concept was first derived in Japan from video games and online escape rooms. This is considered visual reality which can be franchised, but this particular business is not. This is his own concept along with his wife. His background is business administration. He has managed a Denny's Restaurant and was a general manager at a Bennigan's Restaurant. His wife has a Master's Degree in Accounting.

Dr. Levitt asked about the types of clientele his business would attract. Mr. Broomell said the target customer is between 25 to 40 years old and families with children over 13. Also targeted are teens and twentysomethings in groups. He added that there will be a conference/birthday party room which can be used for businesses for employee teamwork exercises where they can evaluate team leaders and followers. Businesses can use this tool to see the efficiency of their employees. Dr. Levitt asked if a panic button will be available. Mr. Broomell said there would be a panic button which can be pushed to exit. The doors would then open. If the electricity goes out, the doors would automatically open. Dr. Levitt asked the Board for questions.

Mr. Zlotnick asked how many participants would be onsite at any time. Mr. Broomell said the largest amount would be 18 people with 4 employees at any one time. Each room can hold between 6 and 18 per room and they will come in groups. Parking was discussed and they would need 9 customer cars and 4 employee cars maximum. Dr. Levitt commented that he has never seen this parking area filled to maximum. Mr. Broomell said the busiest time would be 5:00 p.m. and later, but they will be open at 10:00 a.m.

Mr. Rowe asked if there would be any food preparation on site. Mr. Broomell said no, but they will possibly have a vending machine for soft drinks and he may work with Denny's in the future to provide refreshments.

Ms. Wahl said the only concern in the Engineer's Review was with the parking since there is no specific category for this type of operation. Ms. Wahl read through the report and said that there is no parking requirement outlined in the Ordinance for this type of use. The closest number that could be arrived at was a 28 space requirement since the site is approximately 2800 sf and using a formula of one parking space for each 100 sf and the possibility of overlap parking between shows, 28 is the target number. Dr. Levitt agreed with Mr. Broomell regarding his parking calculation. Ms. Wahl agreed that most likely 13 to 14 spaces would be needed.

Mr. Leeds asked what is currently occupying the two units. Mr. Broomell said they were previously medical and law offices. He added that they will not have to make many changes as separate rooms already exist. Ms. Wahl stated that she would like testimony about signage. Mr. Broomell had photographs of signage including the free standing sign on Tilton Road. He distributed the photos to the Board. Dr. Levitt asked if he would be using existing spaces on the current sign. Mr. Broomell said they would construct a colored logo box sign and are proposing no new signage and will simply be occupying the space already there.

Dr. Levitt opened the public session and there was no one who wished to speak on the application. The public session was closed.

Ms. Wahl asked for more signage information. Mr. Zlotnick stated that the signage would have to be according to Ordinance especially in regards to size and they would have to submit a sign package for a permit and this would have to conform.

Dr. Levitt asked Mr. Broomell about the costs of a game session. Mr. Broomell said the rate is \$30 per person and the conference room will be blocked for two hours at \$100.

Dr. Levitt reminded that the elected public officials cannot vote for a “D” use variance.

Mr. Scharff made the motion for the “D” variance to operate an Escape Room themed facility called “Escape at the Shore”. Mr. Shippen seconded the motion.

The roll call vote was as follows:

Mr. Anderson-absent; Mr. Bruno-yes, Mayor Chau-no vote as elected public official, Mr. Leeds-yes, Mr. Milone-yes, Chief Newman-yes, Mr. Notaro-absent, Councilman Perri-no vote as elected public official, Mr. Roegiers-absent, Mr. Rowe-yes, Mr. Scharff-yes, Mr. Shippen-yes, Chairman Levitt-yes. The motion to approve the “D” use variance carries.

There was a lengthy discussion regarding the Northfield Fire Department letter dated April 4, 2016 which was a response to information from Marathon Engineering dated March 25, 2016. Three questions were addressed. They concerned the fire hydrant locations, road surfaces, and at what phase of construction the main proposed road way would be completed to Tilton Road. Mr. Zlotnick noted that the letter was circulated to the Board by email. The Fire Department wants the through road to be constructed at the start of Phase three as this will provide access to the buildings during Phase three and four of the project. The applicant wants to complete the road during Phase four. Since they are not in agreement, more discussions are necessary. According to Mr. Plackter, they want to have a meeting with the Fire Department to discuss the situation. Another letter will need to be drafted to satisfy the condition. They do not need to come back before the Board is they can work it out. In the event that they cannot come to an agreement, of which Mr. Zlotnick felt that they could, they will have to come back before the Board for an amended site plan.

Mr. Leeds stated that he has a problem with the Fire Department recommendation and thought that there should not be any negotiations. He felt that the Board should back the Fire Department. The Fire Department letter is clear as to what they want concerning the construction of the road. Dr. Levitt said the issue is the applicant has a right to be here for the discussion and the Board can't act unilaterally without the applicant. Dr. Levitt asked Mr. Zlotnick for the legalities. Mr. Leeds said the Fire Department was not present for the application and did not hear the testimony. He felt the Board cannot memorialize the resolution this evening unless the Fire Department letter is attached to the resolution. Mr. Zlotnick said that the letter is technically attached. The details will be discussed and satisfied on both sides. Mr. Bruno said the Gurwicz family is worried about the cost measures of the road and are trying to watch every penny and don't want to build the road completely since it is possible Phase four may never happen. Mr. Leeds felt that the phase issue is a condition of approval and wants an agreement with the Fire Department. Mr. Zlotnick said the memorialization is approving the form of the resolution. Mr. Leeds said the Fire Department wants the fire hydrants tied in by Phase two and the only way to do that is to put the road in. Mr. Scharff felt they want the water looped in from Cresson Avenue and this could be done with the completion of the road. Mr. Leeds felt that the Board needs to back the Fire Department and their letter tonight and there should be no further negotiations. He added that there should not be a vote on the resolution this evening. Dr. Levitt said as far as the Planning Board is concerned, the application is complete and the fire department issues have been deferred to the Fire Department. They will back what is in their letter unless the applicant provides evidence to them that the letter should be modified. Historically the Board has deferred items such as landscaping final plans, and drainage plans to the Engineer for administrative review after the resolution has been memorialized. Mr. Milone said they cannot go forward with the development without the full approval of the Fire Department. Due to the contents of the letter, they now have to have further discussions. Mr. Zlotnick said the resolution can be passed this evening and in light of the Fire Department letter, the applicant cannot move forward until they are satisfied with the construction plans of the applicant. Mr. Leeds said he wants no further negotiations. Mr. Zlotnick said that is not what is happening here. Mr. Leeds insisted that the Fire Department verbiage be incorporated into the resolution. Mr. Zlotnick said the Fire Department letter is incorporated by reference into the resolution. Dr. Levitt said there are still details with cost implications that he would refer to the applicant and the Fire Department to work out. Each phase involves construction of multiple buildings and they need to determine what constitutes the beginning of each Phase. Mr. Zlotnick agreed that discussions will make it clearer as to the details. Mr. Leeds felt that the Fire Department was very clear. Dr. Levitt said he is satisfied that the Fire Department will do the right thing. They know the intentions of the Board and the Board does not need to micro manage and go back and forth. Let the Fire Department and the applicant work out the details.

Mr. Zlotnick said the Board is only voting on the form of the resolution and a member can vote against it if it is felt that it does not accurately represent what took place at the hearing. He added that the applicant has to respond to the Fire Department. The Board has sanctioned a process and given it to the Fire Department to get what they want and need. Mr. Bruno said he wanted to state for the record that he is against the vote due to the basin situation. He did not have a vote at the hearing for the application as an alternate voter with the number of members present above the nine vote limit. He did hear all the testimony. He is against the basins being above ground.

There was further discussion about the Fire Department letter and Mr. Zlotnick assured the Board that the Fire Department letter will be incorporated into the resolution by reference. Mr. Leeds had concerns that Matt Doran's report, especially item #47, had not been resolved. Mr. Zlotnick said all of the items in Mr. Doran's report have been discussed, handled as a condition of approval, or resolved at the hearing. Ms. Wahl stated that updated plans will have to be submitted to Mr. Doran for approval before any signing off on the plans occurs. Dr. Levitt said he appreciates the concerns by all. He felt that at some point the road will be built as it is the desire of the Fire Department that the road is completed.

Mr. Perri made the motion to memorialize the resolution and Mr. Shippen seconded.

The roll call vote was as follows. Those who did not initially vote on the application or were absent cannot vote to memorialize the resolution. Mr. Anderson-absent, Mr. Bruno-no vote, Mayor Chau-absent, Mr. Leeds-no, Mr. Milone-no vote, Chief Newman-yes, Mr. Notaro-absent, Councilman Perri-yes, Mr. Roegiers-absent, Mr. Rowe-no vote, Mr. Scharff-yes, Mr. Shippen-yes, Chairman Levitt-yes. The resolution is memorialized.

Mr. Leeds commented that he is upset that the Board did not fully back the Fire Department. Dr. Levitt respectfully disagreed and said it is in the resolution that the Board does not approve anything without the Fire Department's approval and that is fully backing the Fire Department in his opinion.

Dr. Levitt closed the meeting at 8:44 p.m. with a motion from Mr. Shippen and a second from Mr. Leeds.

Respectfully submitted,

Robin Atlas, Secretary to the Board