

**City of Northfield Planning Board**  
**1600 Shore Road**  
**Northfield, New Jersey 08225**  
**Telephone (609) 641-2832, ext. 127**  
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**Minutes: December 6, 2018**

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, December 6, 2018 in Council Chambers, City Hall, Northfield, was opened by Chairman Richard Levitt at 7:00 p.m. with the reading of the Sunshine Law and the following members present or absent as noted:

Mark Bruno-absent  
Mayor Erland Chau  
Jim Leeds  
Dr. Richard Levitt  
Joe Massari-absent  
Chief Paul Newman  
Henry Notaro-absent  
Councilman Frank Perri  
Daniel Reardon  
Ron Roegiers  
Derek Rowe-absent  
Clem Scharff  
Jim Shippen

Matthew Doran, Professional Engineer  
Norman Zlotnick, Solicitor-absent-Mark H. Stein, Esq.-filled in for Mr. Zlotnick

There were two applications on the agenda. The first was a minor subdivision from Daniel J. Lawless, Block 51 Lots 1 & 32 involving 525 Spruce Avenue and 538 Walnut Avenue in the R-3 zone. Daniel along with his wife, Elizabeth M. Lawless was sworn in as was the Surveyor, who prepared the plans, Paul Koelling. The plans are dated 11-5-18.

Mr. Lawless thanked the Board. The property is also owned by his wife's sister, Barbara Langdon. It was inherited in 1992 and they held onto it until a family member was interest in renting the home at 525 Spruce Avenue. Now they want to sell the property and feel it would be better to subdivide. In 1973 his wife's mother gave them the property at 525 Spruce Avenue. They removed the cinderblock garage. At this point, they want to sell the property and not build. Dr. Levitt noted that there are no variances involved.

Mr. Doran noted in his report that they are proposing to relocate the common property line between existing Lot 1 and Lot 32. Both sheds will be located on Lot 1 and will conform. The new Lot 32 will be subdivided into two lots (Lot 32 and Lot 32.01) and will front on Walnut Avenue. The third lot will front on Spruce and Maple Avenues. Three lots will be created from two existing lots.

Mr. Doran said all the lots meet frontage and area. There are two existing non-conformities for frontage on Maple and Walnut Avenues. He said the plan should show two on-site parking spots for each lot, curbs and sidewalks, and street trees unless a waiver is requested. There are large trees on the properties and it is not a heavily traveled neighborhood. Walnut Avenue has a 42 ft. Right-of-Way and Spruce Avenue has a 33 ft. Right-of-Way where 50 ft. is required, but it really isn't necessary in this area. The Board and Mr. Stein agreed. Mr. Doran said the current Right-of-Ways have been there a long time, and it is not a development and he doubts the street would ever need to be widened. Dr. Levitt mentioned curbs and sidewalks. Mrs. Lawless said there are none in the neighborhood except for a new house around the bend. It is a 6-year old house and other than that, there are none. Mr. Doran said there actually are two, but there are not continuous sidewalks to the property. He added the streets are old and narrow. Dr. Levitt said curbs and sidewalks can be conditional to new construction and Mr. Leeds agreed. It was agreed by all to waive them due to them being unnecessary and due to the narrow streets. Mr. Scharff added that this area is part of the early development of the City and it would be nice to keep it that way. This will minimize drainage issues and will be environmentally better.

Dr. Levitt discussed shade trees. Mr. Lawless said there are numerous shade trees. Mr. Lawless said it was farm land at one time.

Dr. Levitt opened the public session, and seeing no one who wished to speak, he closed the public session.

Mr. Roegiers asked about his sister who is a part owner. Mr. Stein said as long as one owner is present, it is allowable to proceed. Mr. Roegiers said he just wanted to make sure she wouldn't mind subdividing the property. Mr. Stein said it would be a problem in the case of a condominium, but in this case it should not be. Mr. Doran said it should be noted in the resolution that the reference to the waiver of curbs and sidewalks refer to all three lots including the vacant lot.

Mr. Scharff made the motion for the minor subdivision approval including the waiver for curbs, sidewalks, and street trees. Mr. Stein added that the plan should be revised to show the parking spaces or noted in the resolution that these will be added at time of future construction. Mr. Doran said this will be addressed at the time of building construction. Mayor Chau noted that this refers to all three lots in the resolution. Mr. Shippen seconded the motion.

The roll call vote was as follows:

Mark Bruno-absent

Mayor Chau-Yes

Jim Leeds-Yes

Joe Massari-absent

Chief Paul Newman-Yes

Henry Notaro-absent  
Councilman Frank Perri-Yes  
Daniel Reardon-Yes  
Ron Roegiers-Yes  
Derek Rowe-absent  
Clem Scharff-Yes  
Jim Shippen-Yes  
Dr. Levitt-Yes  
The motion carries.

Dr. Levitt wished them luck and asked if they would be moving out of the area. Mr. Lawless said he and his wife will be staying in their home and have lived there for much of their lives.

The second application was from Institute of Esthetics, Inc., commonly known as Esthetica located in the CenterPoint Plaza Shopping Center in Units 6-9 at 1205 Tilton Road, Block 41, Lots 4,5, and 23 in the C-B zone. They are seeking a Use Variance to permit permanent cosmetic and micropigmentation services and a site plan waiver. The attorney representing the applicant is Nicholas F. Talvacchia of Cooper Levenson in Atlantic City. Mr. Talvacchia addressed the Board and said Esthetica has been in business for over 30 years and what they are proposing is a new service of the salon. They currently have a wide range of services and the cosmetic tattooing will replace air brushing and tanning. There will be fewer customers on site at one time as tattooing involves two hours per person. Tanning has a much higher customer use rate. Cosmetic tattooing is similar to regular tattooing, but is definitely not the same. The tattooing is limited to the face and includes eyebrows, lips, and eye liner.

Mr. Talvacchia submitted a color exhibit labeled Exhibit A-1 depicting a person who has cosmetic tattoos. This type of tattooing involves enhancements due to aging, hair loss, and eye sight problems which prevent putting on makeup properly, and genuinely enhancing someone's looks. This is a relatively new procedure and the Board can grant a use variance for something not contemplated when tattoo parlors were prohibited. There will be no increase in parking needs since the service time is longer than those services being discontinued. There will not be a lot of turnaround time. Dr. Levitt asked about medical tattooing and body part replacement due to cancer. Mr. Talvacchia referred to Julie Fanelli and her partner CC Lake who were sworn in. A number of other employees were present also. Ms. Fanelli said that is not what they are anticipating. Their focus will be on eyeliner, eyebrow, and lip enhancement.

Mr. Talvacchia continued by saying they must be state licensed and the service is regulated by the Board of Health. They will be trained and this type of tattooing has a different purpose from standard tattooing which is more of a display.

Mr. Jon Barnhart PE, PP was sworn in. Mr. Talvacchia and Mr. Barnhart discussed the floor plan and said no expansion is proposed. The eye area will be in the rear and the tanning area will be eliminated. The number of seats will not change and there will be no parking increase. The new service will be

permanent cosmetics which will require two to three hours to perform whereas tanning has a 20 minute turnaround time. There will be less of a use with the changes. Dr. Levitt noted that there are typically no parking problems on the site. Mr. Barnhart said they are asking for a site plan waiver and there will be a reduction in intensity and they are requesting a use variance. Mr. Barnhart said the use is not permitted because it falls under the definition of tattooing. He believes they will be providing a service that is needed in the community and are promoting the general welfare. Also, it is a well-suited location and is a busy facility providing many services. Mr. Talvacchia added that current customers have to go elsewhere if they want this type of service, and Esthetica wants to keep the business in Northfield.

Mr. Barnhart discussed any negative criteria. He said this type of service was not contemplated when the Ordinance was written and will work well in the salon. He said there is no detriment to the public good and it will be a benefit to customers. There is no impact to the neighborhood or commercial businesses and there are no competing issues in Northfield. Mr. Talvacchia said he has additional witnesses available for testimony, but did not feel the need to prolong the hearing. Dr. Levitt said the waiver of site plan will satisfy Mr. Doran and the criteria.

Dr. Levitt opened the public session and there was no one who wished to add anything to the testimony. He closed the public session.

Mr. Stein said the vote on the site plan waiver and Use Variance can be voted on together. Mr. Talvacchia asked if the project can be started before the resolution was adopted given the nature of the application. He said Mr. Doran did not object when asked. Mr. Roegiers asked for clarification on the procedures. Mr. Stein said the resolution will limit the procedures not to exceed eyebrows, lip enhancement, and eye liner. He asked Ms. Fanelli is there would be any additional procedures and she said no. It was decided to word the resolution that the procedures would be limited to the facial area and the scope of the training. Mr. Shippen made the motion and Mr. Roegiers seconded. The Mayor wanted clarification on the scope of the beginning of the work. Mr. Talvacchia said they want to submit permits and start work in February and will just be working on the interior. Dr. Levitt asked about special Liability Insurance. Ms. Fanelli said they need certification from the NJ State Board of Health and the procedures would be covered under their current Liability Insurance.

The roll call vote was as follows:

Mark Bruno-absent

Mayor Chau-No vote as elected official

Jim Leeds-Yes

Joe Massari-absent

Chief Paul Newman-Yes

Henry Notaro-absent

Councilman Frank Perri-No vote as elected official

Daniel Reardon-Yes

Ron Roegiers-Yes

Derek Rowe-absent

Clem Scharff-Yes

Jim Shippen-Yes

Dr. Levitt-Yes

The motion carries.

Dr. Levitt began a discussion on the ongoing signage change proposals. He commended Mr. Scharff on all his work with this. It has been a very tedious process and Mr. Scharff put in a lot of hours on this. Dr. Levitt asked Mr. Scharff for an overview of the changes. Mr. Scharff said the highlights include standard signs in the Country Club Zone and are proposed to be increased from 16 sf to 20 sf, if a tree is removed to allow better visibility of the sign, then two trees will replace it, and the maximum height will be 6 ft. Mayor Chau asked if this referred to LED signs. Dr. Levitt said the Board is not making any recommendation for any LED signs on Shore Road and the proposal mentioned is for standard and conventionally lighted signs only. For message boards, the proposed change for lines of text is from 3 to 4, pictures, graphics, and logos are permitted, and as to products, only those sold on the premises. Message changes can be every 60 seconds and may display non-moving animation. Dr. Levitt said most of the changes involve LED lighting which will still be restricted from the O-PB and Residential zones. Mr. Scharff added that none will be larger than 64 sf and luminescence will be limited to 50 nits due to road safety and driving in darkness hazards.

Mayor Chau asked if the City would need to purchase a light measuring device or machine. Mr. Scharff answered no and Dr. Levitt agreed. It will be up to the applicant and sign companies to determine whether or not their sign complies. Dr. Levitt commented that the sign brightness the Board is looking for is similar to the brightness of the clock on the bike path at Tilton Road. Mayor Chau asked a question about graphic movement and how it would apply to the U.S. flag. Dr. Levitt and Mr. Scharff answered in unison that is not permitted. Mr. Scharff said plastic sandwich boards are permitted as long as they are not in any sight triangle and there is only one permitted per business. Banners are permitted for a limited amount of time. Mr. Leeds said another type of temporary sign is the Boy Scouts Christmas Tree signs and Dr. Levitt said this will be looked into at the next sign committee meeting to make sure charitable event signs are included and addressed. There was also a question about window accent lighting being a part of total square footage allowed. Mr. Perri and Dr. Levitt discussed the many new businesses that are using window accents and it is a common feature. Dr. Levitt said this will be looked at carefully when proposing the sign changes. Mr. Scharff added that these outlines cannot change color or blink. Mr. Scharff continued reading the proposed changes and said the Ordinance should allow low umbrellas, Barber poles for Barber shops, non-conforming pre-existing business A-frame signs, time and temperature allowed as part of sign calculation, and signs will be professional looking. Mayor Chau mentioned holiday signs and decorations. These are exceptions and reasonableness will be used for zoning purposes, and this is also a first amendment right.

Mayor Chau said that there are three Planning Board terms expiring. Mark Bruno has a new job and will not be remaining as an Alternate Board member. Mayor Chau has placed an advertisement on the City website and will make a recommendation. Dr. Levitt said Norman Zlotnick who has served on the Board since 2008 will be retiring. RFP advertising has commenced and Mark Stein will substitute for the

January re-organization meeting as the substitute. Mayor Chau asked if the Board would review applications as a whole or through committee. Dr. Levitt said there may be a necessity for a closed door meeting and negotiations might be necessary. The Board will wait and see what applications are submitted and decide how to proceed.

Mr. Shippen made the motion to close the meeting and Mr. Roegiers seconded. Dr. Levitt closed the meeting at 8:02 p.m.

Respectfully submitted,

Robin Atlas, Secretary to the Board