

**MINUTES OF THE PLANNING BOARD MEETING**  
**Tuesday August 18, 2020**

**Present:**

Chairman Larry Lonergan

Mayor Jack McEvoy

Mr. Jason Hyndman

Mr. Steven Neale

Ms. Melissa Collins

Mr. David Freschi

Ashley Neale, Planning Board Secretary

Mr. Jim Kirby

Deputy Mayor Alex Roman

Ms. Jessica Pearson

Mr. Tim Camuti

Mr. Al DeOld

Mr. Greg Mascera, Planning Board Attorney

Mr. Glen Beckmeyer, Township Engineer

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Meeting called to order at 7:39 P.M. by Chairman Lonergan. This meeting was held via Zoom Video Conferencing due to COVID-19 pandemic.

**Pledge of Allegiance:**

Chairman Lonergan reads Open Public Meetings Act Statement and explains how the public can raise their virtual hands to participate in the meeting. Chairman Lonergan notes that Mr. DeOld and Mr. Camuti have extended their terms on the Board and have become Class IV members, he also welcomes Mr. Freschi and Mr. Hyndman to the Board as alternate members.

**Public Hearing**

Chairman Lonergan asks if anyone from the public would like to address the board on topics not on this meeting's agenda. No public participation.

**Hearing Site Plan & Minor Subdivision Application 2020-02**

Block 2301 Lots 11,12, 14-19 for PHIRL Developers.

Mr. Mascera explains that the application is for Preliminary Site Plan approval, and notes that if they are granted Preliminary approval, the applicant has 3 years to come back to the Board for Final approval. He also notes that the application is not pursuant to the Verona Zoning Ordinance, but the Redevelopment Plan. The Board then marks their exhibits into the record. They are as follows:

B1- Township Construction Code Official Comments

B2- Township Engineer Comments

B3- Township Environmental Commission Comments

B4- Township Fire Official Comments

B5- Township Zoning Official Comments

B6- Benecke Economics- Signage Clarification Memo 8-25-2020

Chairman Lonergan asks for a motion to move the Boards exhibits into the record. Deputy Mayor Roman makes the motion, Mr. Camuti seconds. All in favor. Aye.

Mr. Cavallo notes Ms. Chelsea Gleis, the planner from Benecke Economics who has been appointed by the Township Council as the Redevelopment Counsel on this project.

Ms. Kate Coffey the attorney on behalf of the PHIRL Developers begins by explaining the applicant is seeking Preliminary Site Plan approval from the mentioned properties. She notes that the Township is currently the owner of the property and will be conveying the land to PHIRL for use as an affordable housing development. She notes that the minor subdivision being proposed it to split Lot 18, a portion would remain Township property and the other portion would merge with lots 11, 12 and 14-19. She adds that on the development site, the applicant is proposing a multi-family residential housing development, which will consist of three buildings as well as parking. There's a total of 95 low- and moderate-income housing units, common amenity spaces, including a play area and lawn areas, a shed, signage, storm water improvements and lighting. The Zoning Official designated this

Ms. Coffey continues by noting, three requirements, meaning, 8, 9, and 31, are conditionally waived but will be required as part of the applicant's final site plans and minor subdivision application. She adds, the applicant is requesting a variance from the front yard setback requirement for a proposed accessory shed. The Redevelopment Plan does not have a provision that governs accessory structures within the front yard setback, and so, we default to the underlying zoning, which is why the variance is being required. The applicant is also requesting that the Board apply an alternative parking standard as compared to the Residential Site Improvements Standards.

Ms. Coffey briefly introduces some of the experts that are present to testify on behalf of the applicant. There is discussion on if the shed being in the front yard would be considered a variance or deviation from the Redevelopment Plan.

Ms. Coffey introduces the applicants first witness, Mr. Jay Kruse from ESE Consultants, the project engineer. He goes through his background and qualifications for the Board. Mr. Mascera swears him in as an expert witness. Ms. Coffey proceeds by questioning Mr. Kruse.

Exhibit A1- Existing Aerial View of the Site, was marked into the record.

Mr. Kruse testifies that the site is roughly, a 5.02-acre compilation of a multitude of lots. As Ms. Coffey mentioned earlier, we're talking about merging eight lots into one and subdividing a portion out. The project is located with three project frontages. He adds, the project itself is a mix of commercial and residential properties. The properties more towards the intersection of Bloomfield Avenue and Linn Drive are commercial. As you can see, the one large property in the center is the old Cameco Development, which is a commercial, light-industrial facility with a large parking area in addition to a couple of residential properties which extend along Pine Street to the east, which is closer to Depot Street, so we have a mix of uses.

Exhibit A2- Landscape Plan- Colored Rendering was marked into the record.

Mr. Kruse continues by explaining exhibit A2. He notes, the main portion of the project is the buildings that are proposed on site. They're proposing three buildings labeled Building A, B and C. Building A, which is the main building, you can see that pop up on your screen. Building A is the main building. It's a 71-unit four-story structure. It's, roughly, 49 feet 6 inches tall from the slab to the top of the parapet wall, parapet roof. The remaining two buildings are Buildings B and Building C. Those buildings are more residential type buildings with 12 units each and are three-story buildings with a height from the slab from 38 feet 6 inches to the top of the parapet wall. That brings us to a total of 12 units in each Buildings B and C and the 71 unit as total is Unit A to an overall unit count and yield of 95 affordable units for the project itself. As part of the development, they're proposing two access points for internal access to the parking areas and circulation. The first access point, is at the Pine Street right of way frontage, and that access point is also full circulation. The other access point is towards the rear of the property on the Linn Drive frontage. That access point is also left in, left out, right in, right out, for full-access movement.

Mr. Kruse describes a proposed sign at the access point to Linn Drive, we're also proposing a site sign. The site sign is, basically, in the area of what they are considering one of the main entrances to the development. It's a freestanding sign that is, roughly, 6 feet high and 7 long. It's a metal panel with pin-mounted letters, halo lighting and black and green colors to match the logo from the PIRHL. They are proposing 143 parking spaces, which complies with the 1.5 spaces required per affordable unit and that complies with the Redevelopment Plan.

He continues by discussing storm water, noting there are three facets of the storm water management regulations. There is quantity control, which is reducing your peak runoff rates. There is water quality control or treatment, which is providing water quality measures to treat the total suspended solids from the proposed paved areas on site, and then, the final requirement is for ground recharge to maintain the recharge in the post-developed condition similar or equal to or greater than the pre-developed condition. He adds, one facet that they have included to help with the quantity control, the rate reduction, is an underground pipe storage system, which is located between Buildings B and C under the parking area and, the remaining collection system, discharge could flow into that system. They are also proposing two bio-retention/rain garden areas. The rain garden/ bio-retention area No. 1 is to collect and treat, for total suspended solids, a portion of the paved area from the parking lot. There's a second bio-retention area near Building C. That is also collecting a majority of storm water runoff from the paved area of the parking lot between Building C out to Linn Drive to provide water quality treatment before the storm water enters the underground storage system. The proposal for groundwater recharge is two underground storage pipes that are perforated that accept roof runoff in the areas adjacent to Building A.

Mr. Kruse address the trash enclosure proposed for the property. He testifies that the mason trash enclosure will be utilized by the residents of Buildings B and C, they will collect their trash and deliver it to the trash enclosure. He adds, Building A has its own internal trash compactor room so all the trash is collected internally through chutes and an internal collection system to the trash compactor room.

He concludes by discussing proposed lighting, they're proposing LED, low impact lighting, low-energy, low-wattage lighting to help with energy requirements. To minimize the potential for glare or light spillover, they are proposing a more residential type mounting height, which is 15 feet, so that you keep glare and spillover to adjacent properties to a minimum and they're spaced throughout the site to make sure we provide ample coverage.

Chairman Lonergan asks if any members of the Board have questions for Mr. Kruse. Deputy Mayor Roman asks about the topography and grading of the property, he asks if the applicant intends to put retaining walls anywhere. Mr. Kruse responds by noting, they are not changing any existing grade along that property boundaries with retaining walls. They are proposing to meet existing grade to keep the impact of neighbors to a minimum, so at all property extents, they are not proposing any retaining walls. The retaining walls will all be kept internal to the project itself. Chairman Lonergan asks about the trash enclosure, being so far from the buildings, and how the developments residents would utilize this. Mr. Camuti and Ms. Pearson agree, noting there is not even a sidewalk from the buildings to the enclosure to safely walk on.

Ms. Coffey introduces Mr. Lara Schwager, from PHIRL Developers to speak on the management of the property. Mr. Mascera swears in Mr. Schwager. Ms. Schwager notes that this is the way trash collection is handled in many projects she has worked on, whether they have affordable housing elements or are market rate properties. She notes that they have noticed the lack of sidewalk and will look into adding one in that area before they return for Final Site Plan approval.

Mr. Hyndman asks if there are any age restrictions on the property. Ms. Coffey notes there are not, these are all family units. Mr. Hyndman also asks if there was any intention to add lighting to the street corner of Bloomfield Avenue. Mr. Kruse responds that they are not proposing any addition lighting other than those depicted internally on the property. Ms. Collins asks why it is possible to have the trash compactor in Building A but not in B and C. Ms. Schwager responds with, a four-story building, an elevated building, that's where you normally see a trash compactor situation because people have to carry it down the hallways and you don't want that trash dragging down the hallways and

things of that nature. As it relates to garden-style walk-up buildings, it's not typical or standard to put a trash compactor in a door where you have your apartment, you walk out of the front door and you're outside. Ms. Pearson asks if consideration was taken into using the parking lot islands as swales for additional rainwater collection. Mr. Kruse notes that the applicant looked at those areas and due to grading constraints it would be difficult to put bio-swales in those areas. Mayor McEvoy asks about the height of the retaining wall intended on the property. Mr. Kruse notes the height is 8 feet, but after viewing letters from the Township professionals with notes that they can not exceed 6 feet, they will adjust the grading to make the wall no higher than 6 feet in the Final Site Plan. He also adds a 4 foot fence will be added on top of the wall. Mayor McEvoy also asks about the sign located where you enter the property on Linn Drive, being in the site triangle, blocking views of drivers. Mr. Kruse notes there is flexibility for relocated that sign.

Ms. Gleis asks if there is a fence proposed around the playground area, as it is close to the parking lot and street. Mr. Kruse notes the Landscape Planner can testify for certain, but he does not believe one is proposed. There is continued discussion on the placement of the trash container and its accessibility for the residents.

At 9:05 Chairman Lonergan calls for a 10 minute break. Board is reconvened at 9:15.

Ms. Coffey continues by noting the applicant agrees to comply with all comments made by the Township Officials except the ones about to be discussed. Mr. Kruse testifies, comments, 2-B, 2-C and D, from Exhibit B2, are comments that will be addressed as they get into more detailed preparation of actual installation drawings for the retaining walls, they'll demonstrate where the connection points are for any drainage behind the walls, and if there's not drainage present in the proximity, there'll be weep holes in accordance with standard industry practice, and then, all retaining walls over the 4 feet will have the decorative fence for fall protection purposes as well. Comment 3-A, this is regarding the radii of the curb sweeps on the Pine Street. Mr. Kruse notes there's a utility pole right along the existing Pine Street frontage at that location so we are proposing to reduce that curb return from the 20-foot typical, for all the other curb returns, to 15 feet. Next comment 4B from Exhibit B2, Mr. Kruse states, the existing drainage system within Pine Street, consists of an existing inlet, located in front of the adjacent residential lot, eastward 75 feet from the proposed entrance. That's where all the storm water flow from this site area goes to now and there's an existing 21-inch pipe that takes discharge from that inlet across the street going further south to the opposite side. That pipe has sufficient capacity for all our post-develop flow.

Ms. Coffey continues with the next comment, which is 4C from Exhibit B2. She states, this is a question about assuming the TC's (Time of Concentration) and the timing associated with them and my understanding is that we intend to comply with the RSIS, meaning Residential Site Improvement Standard Requirement, which is ten minutes, correct? Mr. Kruse responds, that is correct, the calculation used was 10 minutes. Ms. Coffey addresses the next comment being 4D from the same exhibit, regarding the existing pipe inlet at the old railroad right of way, and the question is whether the pipe inlet is being demolished, and if so, how runoff will be captured in the area. Mr. Kruse responds, there's a low area there that captured runoff from the previous railroad right of way and, then, transmitted that flow down towards the inlet that was referenced on Pine Street that they are connecting into and carried all the flow towards that inlet via underground piping.

Ms. Coffey continues with 4E. How parking lot runoff can be infiltrated into the ground without pretreatment and still comply with the NJDEP requirements? Mr. Kruse answers, since they are proposing underground storage that isn't providing infiltration, they're not proposing any pretreatment because it's only providing detention. It's not providing infiltration with the medium so Mr. Becmeyer is concerned that, the pipe being perforated and the stone around it that the DEP still, in that mechanism, would require pretreatment but they agreed that they would discuss it with the DEP and get verification. Ms. Coffey address comment 4I noting that a storm water maintenance plan will be submitted with Final Site Plan approval.

Ms. Coffey continues on Exhibit B2, addressing comment 5A, is whether a treatment works approval, is needed from the New Jersey Department of Environmental Protection, the NJ DEP? Mr. Kruse notes, Yes. The treatment

works approval is for the state approval of your sanitary sewer discharge from the project and we're over the gallons-per-day threshold so we would need that approval from the DEP.

There is some discussion from the Board on how the Redevelopment Plan reads in regards to the sign at the entrance of the property. Ms. Coffey notes that, it was the applicant's understanding, is that 26 square feet is permitted on each side of a two-sided sign and that that area excludes any foundation used to support the sign.

Ms. Pearson asks Mr. Kruse if there be environment easements or deeds issued for the storm protection of areas such as the bio-retention basins. Mr. Kruse notes that all DEP standards will be complied with.

Ms. Coffey moves on to Exhibit B3. Comment about keeping existing trees and planting of new trees. Mr. Kruse notes that, as they understand, the municipality will be responsible for all clearing and demolition of the property before the developer takes over and proceeds with their development so all that proposed demolition and tree clearing will be done at the discretion and the direction of the municipality. She moves to comments number 5 and 6, regarding impervious coverage and storm water management. Mr. Kruse explains the different methods used to calculate run off from the site. There is some discussion on the different methods and why some were used versus the others. She address comment 7 about soil movement, she notes that the Township is responsible for turning the site over to the applicant clean, therefore they cannot speak to that issue. She continues with comment number 10, asking about necessity of an additional inlet. Mr. Kruse goes into detail about the inlet and outlet system, as well as the underground storage system for water runoff. Ms. Pearson notes that the Commissions main concern sheet flow off the site from the frontage of building A. Mr. Kruse explains, that is uncontrolled and sheet flows over to that inlet and it's expected to, the majority of that, to be captured by the surface area of that inlet. They are taking 3.64 acres of that 4.15 acres that goes there and goes to the top of that inlet, the surface of that inlet, and we are containing that in our on-site storm water management system.

Ms. Coffey addresses Exhibit B5. She specifically notes, comments 2, 4 and 8 noting they have all already been discussed throughout the testimony and subsequent questioning. She moves on to Exhibit B1, noting comment number 9 about grills and barbeques, she testifies that PHIRL does not permit these on their properties.

Chairman Lonergan asks if any members of the public have questions for this witness. Christy DiBartolo from 34 Oakridge Road, asks about the placement of Building A. Mr. Kruse states the building is placed there for parking and grading reasons on the site. Shawn DiBartolo from 34 Oakridge Road, asks what the material of the shed and trash enclosures would be. Mr. Kruse answers, the shed would be wood clad with vinyl siding, and the trash enclosure is brick faced.

The Board discusses having an additional meeting on this topic, and having the meeting start earlier. The Board agrees to carry this application to a special meeting on Tuesday, August 25, starting at 6:30 PM, and scheduling a second special meeting for Tuesday, September 1 at 6:30, in case there is a need for it.

### **Adjourn**

After a motion made by Mr. Camuti and seconded by Ms. Pearson, there was a unanimous vote to adjourn at 11:11 PM.

Respectfully submitted,

Ashley Neale  
Planning Board Secretary

*PLEASE NOTE: Meeting minutes are a summation of the hearing. If you are interested in a verbatim transcript from this or any proceeding, please contact the Planning Board office at 973-857-4805.*