

**MINUTES OF THE SPECIAL PLANNING BOARD MEETING**  
**Thursday, September 22, 2022**

**Present:**

Chairperson Jessica Pearson

Mayor Alex Roman

Mr. Jason Hyndman

Mr. Jesse Lilley

Mr. Greg Mascera, Planning Board Attorney

Mr. Michael DeCarlo, Zoning Officer

Vice Chairman David Freschi

Councilman Jack McEvoy

Mr. Al DeOld

Mr. Jeremy Katzeff

Ashley Neale, Planning Board Secretary

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Meeting called to order at 7:31 PM by Chair Pearson. In addition, Aaron Schragger from Brightview Engineering are also present.

**Pledge of Allegiance:**

Chair Pearson reads Open Public Meetings Act Statement.

**Public Hearing**

Chair Pearson asks if anyone from the public would like to address the board on topics not on this meeting's agenda. No members of the public came forward.

**Minutes**

Chair Pearson asks for a motion to approve the minutes from a Special meeting held on August 9, 2022. Councilman McEvoy makes the motion and Vice Chairman Freschi seconds. All present vote in favor.

**Hearing of Application 2022-04 Preliminary and Final Site Plan Approval for 1 Sunset Avenue**

John Inglesino introduces himself as the applicant's attorney. He notes the Verona portion of the property consists of approximately 5.5 acres, and this application is proposing 200 units with amenity space for a pool, courtyards and do run. He comments that 15 units will be deed restricted as affordable housing units. He adds the project arising from a settlement agreement between the Township and the current owners of the property, Spectrum 360, LLC. Mr. Inglesino marks the following exhibits into the record.

-A1- Amended and Restate Settlement Agreement 9/22/22

-A2- Superior Court Order from Judge Gardner made on 9/15/21

-A3- Redevelopment Agreement made on 1/17/22

Mr. Inglesino notes they are not seeking any variances for this application. He comments that tonight there will be limited testimony from the engineer and architect. He notes there will be no testimony regarding storm water management or traffic tonight, and the applicant is in the process of performing tests to incorporate green infrastructure.

Mr. Inglesino calls Sean Savage, the projects civil engineer as his first witness. Mr. Mascera swears him in. Mr. Savage gives a background on his experience and education, and the Board accepts him as an expert witness in civil engineering. Mr. Savage notes the site consists of about 5 acres in Verona and another 2.9 acres in Montclair. He adds that the building, parking and all sidewalks will be located on the Verona portion, with minor grading proposed within Montclair. He continues by stating the existing conditions of the site. He notes there are two existing entrances off Sunset Avenue, that they intend to maintain. He testifies that in the drop off loop there are eight parking spaces and within the building 373 are proposed, totaling 381 spaces throughout the site. He describes the courtyard and pool



locations in relation to the buildings. Mr. Savage testifies that the allowable lot coverage is 75 percent and they are proposing approximately 40.6 percent for the whole property, which would make just the Verona portion 60 percent in coverage, which is still under the allowable. He adds that the application meets all the required setbacks, and a 30 foot required buffer from the property line.

He discusses water, gas and fire connections lines, noting they are proposing a sanitary sewer line at Afterglow Avenue. There is some discussion regarding testing of sanitary sewer systems and the approving authority. Mr. Savage notes that these tests and outside agency approvals are done in the resolution compliance stage and not typically done at this stage of the process. Mr. Mascera clarifies that the sanitary sewer capacity is something the applicant will have to ensure, but it is not required for this Board. Mr. Hyndman asks about internal circulation of the site. Mr. Savage notes that the existing access points will remain, and the lower parking area is envisioned for FedEx trucks or people moving in and out of the building. Councilman McEvoy asks if the entrance closer to Bloomfield Avenue has access to the rear of the building for emergency vehicles. Mr. Savage notes there would not be access in the rear of the building due to the sloping. He adds that the building will have all required sprinkler systems and there is frontage on two sides for emergency vehicles. Mr. Savage notes there is a 15 to 20 foot area that is relatively flat that would allow for a maintenance person, but not for anyone to drive a vehicle. Councilman McEvoy asks if they intend to put fencing along the back area that is sloped. Mr. Savage notes there is some existing fencing and they intend to add fencing where necessary. Mayor Roman asks about soil stockpiles and soil erosion plans for the project. Mr. Savage notes that if they are not included in the plans already they will provide those for the Board. Councilman McEvoy asks if there will be a basement and about excavating and soil testing for the southeast corner. Mr. Savage notes that borehole testing was done and was relatively shallow, and that they are in the process of additional testing. Mr. Inglesino notes that all requirements under the New Jersey Construction Code will be complied with. Mr. Freschi asks about blasting. Mr. Inglesino responds that blasting would be regulated per the state and township statutes.

Chair Pearson asks if any members of the public have questions for Mr. Savage.

**Erica Davila from 32 Sunset Avenue** asks about the Planning Board's authority. Mr. Mascera notes that they are here to approve the Site Plan. Ms. Davila asks about sewer capacity needed to be determined. Mr. Mascera notes it is part of the process but not part of the site plan approval but would be required when obtaining building permits. Ms. Davila notes concern for sewer and water runoff and asks for clarification on where they can go to address those. Mr. Mascera notes that this Board reviews storm water management and as mentioned, it will be discussed at a later meeting.

**Brain Conroy from 24 Sunset Avenue** asks about the TWA application, and makes further comments on the sewer system and capacity. Chair Pearson notes Mr. Savage did not testify about storm water, and therefore cannot respond. Mr. Conroy asks about auto turn movement plans for trash trucks. Mr. Savage notes that a turning radius plan will be submitted with their next submission. There is discussion regarding minimum aisle width for turning circulation. It is noted that the traffic engineer will be able to testify to these conditions. Mr. Conroy asks about erosion, drainage and swales. Mr. Savage notes they would typically run North American green through to look at stability, which has been done.

**Robert Blitz from 12 Stonewood Parkway** asks if a site plan should have a specific designation for an area as opposed to saying, "envisioned." Mr. Savage notes that he was making a point to show there were two driveways and the architect will be testifying to locations of mailrooms and where other activities would occur. Mr. Blitz asks Mr. Inglesino on his legal opinion of the question. Mr. Inglesino notes that the site plan needs to comply with the redevelopment plan.

**Maria Squilanti from 6 Belleclaire Place** asks about the fence and if it would surround the entire property. Mr. Savage notes that the fence does not go around the whole property he was referring to one particular section. Ms. Squilanti asks about the current conditions and notes that it is currently in poor condition. After extensive conversation, Mr. Savage testifies that he is referring to the 6-foot chain link fence and the applicant is agreeable to replacing the whole fence with the fencing that is part of the site plan. Ms. Squilanti asks about the size of the field that Mr. Savage mentioned earlier. Mr. Savage notes they do not have the exact measurements at this time, and it is not being utilized as part of the development.

**Natalie Farrell from 43 Afterglow Avenue** asks about the dog park and is it exclusive to residents. Mr. Savage show where the dog park is proposed and notes it would only be for resident of the development.

**Tim Foster from 10 Afterglow Avenue** asks if there are renderings of the frontal view and what the elevation of the garage is relative to the existing elevation. Mr. Savage notes the architect will be testifying to those questions.



**William Hatfield from 14 Afterglow Avenue** asks about the current impervious coverage for each lot before the proposed development. Mr. Savage notes it is just under 28 percent for the total, but the application is under the allowable percentage. Mr. Hatfield asks about building coverage versus total coverage. Mr. Inglesino notes they do not have the calculations on hand but are willing to provide them at the next meeting. Mr. Hatfield asks about how the steep slope will change with the proposed development and if any trees are going to be removed. Mr. Savage notes that the building setback on the Afterglow side is approximately 62 feet where 50 feet is required. Mr. Savage agrees to provide a figure with the overlay of the existing building.

**Chris Reilly from 60 Sunset Avenue** asks about recyclables, furniture, and snow removal from the site. Mr. Savage notes the trash will be collected inside the building and there is no external trash enclosure proposed for the property.

**Greg Stuart from 45 Afterglow Way** asks what the allowable lot coverage for the surrounding properties is. Mr. Savage notes he does not know off the top of his head, as this site was rezoned per a redevelopment agreement.

**Dan Callahan from 15 Afterglow Avenue** asks about landscaping and buffers. Mr. Inglesino notes that there is a landscape architect and she will be testifying at a future meeting. Mr. Callahan asks about lighting throughout the property. Mr. Savage notes the lighting plan was submitted and they are proposing pole mounted lights that will have shields to prevent light spillage. He adds three foot ballard lighting will be throughout the amenity area.

**Brian Conroy from 24 Sunset Avenue** asks about the lighting model on the plans does not show a light shield, but there was testimony that a shield would be provided. Mr. Savage notes that they can look into some other shield options. Mr. Conroy notes an inconsistency with lighting on the Landscape plan versus the lighting plan. Mr. Savage notes that he will coordinate with the Landscape architect to ensure consistency between the plans. Mr. Conroy asks about a vibration-monitoring plan. Mr. Savage notes that any blasting would be subject to compliance with all state and township codes. Chair Pearson that there is a blasting ordinance that would provide provisions for pre and post blast surveys.

Chair Pearson calls for a break at 9:37 PM. The meeting is called back to order at 9:48 PM. Chair Pearson asks if any other members of the public have questions.

**Nora Brenneis from 47 Afterglow Way** asks about blasting and surveys. Mr. Savage notes there is a set perimeter per the township blasting ordinance that would have to be complied to. Ms. Brenneis asked about tree removal and if any trees will be replanted. Mr. Inglesino notes that a tree removal plan was submitted and there is a tree removal ordinance that will need to comply with as well.

Mr. Inglesino calls Jack Raker the project architect as his next witness and Mr. Mascera swears him in. Mr. Raker gives a brief background on his education and experience, and is accepted by the Board as an expert witness in architecture. Mr. Inglesino marks **exhibit A4-** Colored rendering of A-02 through A-12 of originally submitted plans. Mr. Raker continues that the buildings will be stepped up along the slope, and all the building comply with allowable height of 60 feet. Mr. Raker describes the plans pointing out the dwelling units and garages. He comments that there is a centrally located chute for trash and points out the service entry and corridor. He notes that the trash will be kept internally until the scheduled pick up times that will be determined by the occupancy and frequency needs. He adds that every level of the garage has access to the corresponding level of the building. He describes the two-story lobby that will have casual seating and fireplaces. Mr. Raker shows pictures of some of the outdoor amenity spaces. He adds that the indoor amenities will include co-working spaces and gaming systems that has virtual sports and pool tables. Mr. Raker testifies that each unit has its own HVAC system with a small condenser on the roof that would be screened or hidden by a parapet. He continues by showing unit floor plans noting that all units will consist of open floor plans and granite or solid stone counter tops. He continues by showing the proposed signage on the property. Noting there is a proposed monument sign and signage above the entrance.

Mr. Katzeff asks why the three bedroom units are so small. Through questioning from Mr. Inglesino, Mr. Raker testifies that the three bedroom COAH units are consistent with what he has designed for other projects. Mr. Hyndman asks for the floor plans of the affordable units be provided for the Board. There is discussion regarding the landscaping in one of the renderings presented. Mr. Raker concludes that he will meet with the landscape architect to update any renderings as necessary and she will be testifying to any landscape design on the property, he is only testifying on the architecture of the building.

Mr. Raker testifies that there are 200 units. 92 one bedroom, 105 two bedroom and three three-bedroom units. He continues by describing the different elevations on the property, explaining the shading and different views from surrounding areas. He reiterates that all the elevations comply with the allowable building height of 60 feet.



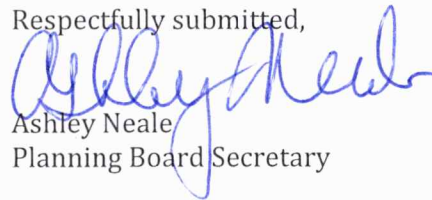
Chair Pearson asks if anyone from the Board has questions for Mr. Raker. Councilman McEvoy asks if the southwest corner closest to the Montclair border will have a basement, and how far they plan to excavate. Mr. Raker notes that those units are slab on grade, and there are not units there or basement, and the footing are currently not designed. Councilman McEvoy voices concern for any excavating in that area, and concerns for stability of the rock ledge. Mr. Raker notes that they have kept footings shallow by stepping up the building to accommodate the slopes with minimal basement areas. Chair Pearson asks how far below existing grade the storm water management be required to be and what is the grade of the lowest parking garage level. Mr. Raker notes that he does not have that information currently and will bring it for the next meeting. Councilman McEvoy asks if there will be another utility room since there was testimony stating there would be connections on Afterglow and Sunset, but the plans only show one utility room on the Sunset side of the property. Mr. Raker comments that there is another utility room in the basement level adjacent to the garage. Mr. DeCarlo asks for a breakdown on the parking spaces for residents versus guests. Mr. Raker notes that 382 spaces are proposed and the same amount is required. He adds the garage will be key carded and guests will not have access. Mr. DeCarlo asks about the height of the garage entrance. Mr. Raker notes by code it has to be a minimum of eight feet two inches. Mr. Katzeff asks about designated guest parking. Through questioning from Mr. Inglesino, Mr. Savage comments that the proposed application complies with all Residential Site Improvement Standards in all aspects. Mr. Inglesino notes that the property owner will testify to operational questions and how parking will be allocated. Mr. Hyndman asks if the roof as designed could accommodate future solar installation, and if it would be screen by the parapet. Mr. Raker responds that there is no room on the roof to accommodate any more equipment. Councilman McEvoy asks if the applicant would agree to condition the approval to prohibit future addition of wireless telecommunication antennas on the roof. Mr. Inglesino notes the applicant would agree to that condition.

There is discussion on the Boards upcoming meeting schedule and how this application will continue. Mr. Inglesino notes that Mr. Raker will continue his testimony at the Board's October meeting and defer storm water management to the December 1 meeting. He adds that traffic may or may not be discussed in October. Chair Pearson notes for the record and the public that this application will be carried to the Board's next regular meeting on October 27, at 7:30 PM at the Verona Community Center with no further notice required.

### **Adjourn**

After a motion made by Mr. Hyndman and seconded by Vice Chair Freschi there was a unanimous vote to adjourn at 10:57 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 973-857-4777.*