

Township of Millburn
Minutes of the Planning Board
February 5, 2020

A regular meeting of the Township of Millburn Planning Board was held on **Wednesday, February 5, 2020** at 7:30 PM in Millburn Town Hall.

Chairwoman Beth Zall opened the meeting by reading Section 5 of the Open Public Meetings Act.

Board Attorney, Edward Buzak, administered the oaths of office to Marc Matsil and Shaunak Tanna.

The following members were present for the meeting:

Daniel Baer
Dianne Eglow
Gaston Hauptert
Jorge Mastropietro
Marc Matsil
Tara Prupis
Joseph Steinberg
David Morrow
Shaunak Tanna
Miriam Salerno, Vice Chairwoman
Beth Zall, Chairwoman

Also present:

Edward Buzak, Board Attorney
Eric Fishman, Court Reporter
Eileen Davitt, Zoning Officer/Board Secretary

APPROVAL OF MINUTES

A motion to approve the minutes of December 4, 2019 was made by Dianne Eglow, seconded by Gaston Hauptert, and carried with a unanimous voice vote.

A motion to approve the minutes of January 15, 2020 was made by Miriam Salerno, seconded by Dianne Eglow, and carried with a unanimous voice vote.

NEW BUSINESS

Proposed amendment to the Land Use Element of the Master Plan

Chairwoman Beth Zall stated that the Township Planner, Paul Phillips, will present the proposed amendment to the Land Use Element of the Master Plan. The intent of tonight's meeting is for the Township Planner to present the proposed amendment and take any questions the Board may have at this time. The matter will not be open for public discussion at this time. If the Board decides to move forward with the amendment, the matter will be properly noticed for a future public meeting.

Paul Phillips, Township Planner, stated that the proposal is to amend the Land Use Element of the Master Plan to enable redevelopment of the property known as block 1211, lots 1 and 7 to provide for multi-family inclusionary development with a required set aside for low- and moderate-income units which will assist the Township in meeting its fair share housing obligation. The area in question is proposed to be re-zoned from the current B-4 designation to a new designation known as RMF-AH2.

The subject lots comprise approximately 1.5 acres and were most recently used for a Wells Fargo banking facility. The property is currently vacant. The lots are located at the westerly end of the existing B-4 Central Business District. Millburn Avenue, in this location has begun to transition from primarily retail use to residential use. In addition the properties directly across from the subject property on Millburn Avenue and Douglas Street are improved with residential uses.

Several Board members were concerned that this plan reduces the retail space in the downtown. They felt the plan should allow for the flexibility to permit, but not require, retail on the ground floor frontages along Millburn Avenue and Essex Street.

Paul Phillips stated that he would make that revision to the document.

Chairwoman Beth Zall stated that the document will be revised and will be voted on at the upcoming March 4, 2020 meeting.

APPLICATIONS

APPL#19-016, 40 E. WILLOW, LLC, 30 E. WILLOW STREET, MILLBURN

*Joseph Steinberg recused and left the meeting.

Michael Kaplonski, Attorney for the applicant, stated his appearance.

James Weill, Architect, appeared and was sworn. His credentials were presented and accepted by the Board. He gave a brief descriptions of the applicant's proposal.

Entered as A-1: rendering of proposed building
Entered as A-2: sheet 1 of 1 (submitted plans)

The proposed building is 7,953 SF in area and is proposed to be used for medical office space. The total area of the site is 30,000 SF.

Entered as A-3: existing building at Millburn/Lackawanna
Entered as A-4: existing building at 306 Main Street
Entered as A-5: existing building at Essex/Lackawanna
Entered as A-6: existing building on Morris Avenue next to Benihana

James Weill gave a description of the proposed floor plans.

Entered as A-7: aerial map of subject area

Mr. Weill described the streetscape of the properties along E. Willow Street.

Entered as A-8: existing building at 10 E. Willow Street
Entered as A-9: existing building at 10 E. Willow Street
Entered as A-10: existing building at 10 E. Willow Street

The building proposed is 7,953 SF in area and is proposed to be used as medical office. At this time, there is no specific tenant for the building. The front portion of the building will be 2 stories, with both floors serving as an elevator lobby area and storage/trash rooms. The majority of the building will be a 1-story elevated building supported by columns above the parking area.

He indicated that the building had to be elevated in order to meet the flood hazard requirements. However, it has been elevated more than required in order to accommodate a reasonably sized building with parking under the building. The narrowness of the lot creates a hardship that can be relieved by allowing the under-building parking. This also allows for the unimpeded free flow of water in a flood event.

Michael Lanzafama, P. E., P. P., appeared and was sworn. His credentials were presented and accepted by the Board.

Entered as A-11: colorized version of site plan
Entered as A-12: colorized version of landscape/lighting plan

The applicant is seeking preliminary and final site plan approval. The applicant is also seeking variance relief from section 607.2 to provide 43 parking spaces where 53 spaces are required. In addition, section 606.9f does not allow the off-street parking requirement to be met under the building in the CMO zone. The applicant is proposing 21 surface parking spaces under the building. Mr. Lanzafama testified that the Urban Land Institute standards would result in a parking requirement of 36 spaces, as opposed to the 53 spaces required by the ordinance.

In response to issues raised by the Environmental Commission, the applicant has reduced the exterior lighting to 3,000K from the originally proposed 4,000K. In addition, the building mounted lights have been removed and replaced with poles. A design waiver is still required to allow 1.4 foot candle average where the ordinance permits 1 foot candle.

Plant species were changed to include more native species and permeable gravel pavement is proposed for the parking spaces along the south property line and for the back half of the designated loading space.

Finally, the applicant is seeking a waiver to allow the center line of the access drives to be less than 30 feet from the side yard property lines.

Upon a motion made by Dianne Eglow, seconded by Jorge Mastropietro, and with a roll-call vote as follows:

- Daniel Baer – no
- Dianne Eglow – yes
- Gaston Hauptert – no
- Jorge Mastropietro – yes
- Marc Matsil – yes
- Tara Prupis – abstain
- David Morrow – yes
- Miriam Salerno – yes
- Beth Zall – yes

Appl#19-016, 40 E. Willow LLC, 30 E. Willow Street, preliminary and final site plan approval with design waivers was **GRANTED** with the following conditions: 1) applicant shall comply with requests of Township Forester’s 10/30/19 memo; 2) applicant shall install a rain garden in the graveled area of the rear parking spaces to capture at least 1-1/4 inches of rain per storm event; 3) applicant shall direct any contractor working on site to adhere to Best Management Practices for the disposal of construction debris; 4) applicant shall comply with requirements of Township Fire Marshal.

ADJOURNMENT

A motion to adjourn was made by Miriam Salerno, seconded by Dianne Eglow, and carried with a unanimous voice vote. (10:00 PM)

Eileen Davitt
Board Secretary

Motion: JS
Second: DE
Date Adopted: 3/4/2020