

Township of Manalapan
120 Route 522 & Taylors Mills Road
Manalapan, NJ 07726
(732) 446-8367

Planning Board Minutes

Virtual Meeting

March 24, 2022

The meeting was called to order with the reading of the Open Public Meetings Act by Chairwoman Kathryn Kwaak at 7:30 p.m., followed by the salute to the flag.

Roll Call: Daria D'Agostino, Secretary

In attendance at the meeting: Barry Fisher, Todd Brown, John Castronovo, Alan Ginsberg, Daria D'Agostino, Kathryn Kwaak, Jack McNaboe, Barry Jacobson, Richard Hogan, Steve Kastell, Brian Shorr

Absent from meeting: All Present

Also present: Ronald D. Cucchiaro, Planning Board Attorney
Brian Boccanfuso, Planning Board Engineer
Jennifer Beahm, Planning Board Planner
Lisa Urso-Nosseir, Recording Secretary

Mr. Cucchiaro swore in Brian Boccanfuso, Professional Engineer and Jennifer Beahm, Professional Planner.

Minutes:

A Motion was made by Chief Hogan, Seconded by Mr. Fisher to approve the Minutes of March 10, 2022 as written.

Yes: Fisher, Brown, Ginsberg, Castronovo, Kwaak, McNaboe, Jacobson, Hogan
No: None
Absent: None
Abstain: None
Not Eligible: D'Agostino, Kastell, Shorr

Resolution: PPM2104 ~ Stavola Asphalt Company
Manalapan Landing
Woodward Road and Route 33
Block 7232 / Lots 1.04, 1.06 and 2.04
Bifurcated Preliminary and Final Major
Subdivision Approval
Preliminary and Final Site Plan Approval with
Ancillary Variance Relief~Residential Portion Only

A Motion was made by Mr. Fisher, Seconded by Mr. Ginsberg, to approve the Resolution of Application PPM2104 - Stavola Asphalt Company, as written.

Yes: Fisher, Brown, Ginsberg, D'Agostino, Castronovo, Kwaak,
McNaboe, Jacobson, Hogan
No: None
Absent: None
Abstain: None
Not Eligible: Kastell, Shorr

Applications: PMS2201~Mary Sulikowski
360 Pine Brook Road
Block 4.04 / Lot 12.02
Preliminary and Final Major Subdivision

Mr. Cucchiaro swore in John Ploskonka, Professional Engineer and Professional Planner who represented the applicant, Mary Sulikowski, this evening. He explained that Ms. Sulikowski has lived at 360 Pine Brook Road for 50 years and there is a single family house on her property. There is septic with city water and it is almost two acres. She would like to subdivide the property and create one additional conforming lot. Mr. Ploskonka said there was an issue where there was a flag-lot type access from Ms. Sulikowski's property to Arrowwood Drive. However, this was eliminated and the 2,000 sq ft will be part of the new lot that will be sold in the future. The new lot would be about 37,000 sq ft, and Ms. Sulikowski's lot would be about 33,000 sq ft. Mr. Ploskonka has reviewed the reports from the professionals and we do agree to everything in Mr. Boccanfuso's report with respect to this property. We are going to remove the walkway that encroaches onto the property to the North. The new dwelling will be a four bedroom home minimum with a two car garage and two cars in the driveway. The shed that is on the lot will be removed and we are going to put in a new septic system on that property. We could not bring the sewer down Arrowwood Drive because of a 12" water line and a criss cross 36" storm sewer system. There is no sidewalk or curb, but we will pay into the capital

improvement fund. We will also file a deed restriction to ensure that the future dry wells are maintained in accordance with the approved zoning. There are some overhead wires that need to be relocated.

Mr. Ploskonka continued and said he reviewed the Environmental Report asking for pesticide tests, which has been done and they are waiting for the results. There are two variances for the project. One variance is for the rear yard of the existing house, it is only 20' from the back property, where 50' is required. The other variance is for the driveway which is less than 10' from the property line, but there are two rows of healthy mature trees on both sides of that driveway that should remain.

Mr. Boccanfuso confirmed that Mr. Ploskonka did address most of the comments in his report. Mr. Boccanfuso asked about the sanitary sewer and the conflicts with the existing drainage system. He asked if he looked at the actual invert elevations in the existing sewer system which is roughly 350' to the north and verify that due to the depth of that system that you are not able to physically connect to it via gravity? Mr. Ploskonka said the first thing we did is to see if we could run the sewer up to the property. The elevation is about 5' deep and the storm sewer is about 4' deep and we couldn't get over or through that area, but we would have liked to. Mr. Boccanfuso asked Mr. Ploskonka to provide him with calculations to confirm the conflict? Mr. Ploskonka said he will do that. Mr. Boccanfuso asked him if he reviewed the MUA requirements if there is something specifically requires you to connect to that sewer? Mr. Ploskonka said he did not, since he couldn't do it by gravity. Mr. Boccanfuso asked him if he would be able to get some confirmation from WMUA that you are not in violation of any requirement that they may have in regard to the connection to the sewer system. Mr. Ploskonka said he would do that. Mr. Boccanfuso said he had a question regarding an existing driveway apron that comes out of the property onto Arrowwood. Did you consider driveway access utilizing that existing driveway apron? Mr. Ploskonka said we would consider this approach. Mr. Boccanfuso said this could possible address the conflicts with the fire hydrants and water values. Mr. Boccanfuso asked if there have been any architectural done for the new home? Mr. Ploskonka said not yet, but it will be a minimum of a four bedroom house with a two car garage and a double driveway.

Mr. Boccanfuso said he spoke with Shari Spero regarding the landscaping and we recommended that a shade tree easement be provided along both frontages of the site. Mr. Ploskonka agreed with the easements and to any comments from Ms. Spero. Mr. Ploskonka will provide a tree removal and replacement plan. Mr. Boccanfuso asked Mr. Ploskonka if the rear walkway was going to be removed and confirmed it will be. Mr. Boccanfuso added that the applicant is proposing a drywell on the new lot to collect runoff from the roof of the building which will address the stormwater management requirements which are applicable to a

non-major development which will be finalized at the time of plot plan submission which will be reviewed by the Township Engineer.

Mr. Boccanfuso asked Mr. Ploskonka to go over any outside agency approvals. Mr. Ploskonka said the Board of Health inspected the testing for the septic system and they were satisfied. They have not submitted to Freehold Soil yet. We met with the Environmental Commission and they requested a pesticide testing, which has been done and we will provide those results as soon as they are back. Mr. Boccanfuso said he read that the Health Department recommends mounding the system - how are you going to manage that? Mr. Ploskonka said we have not finalized this yet, in case we wanted to make a change in location to avoid that situation.

Ms. Beahm requested that Mr. Ploskonka put the proper Zoning Table on the plans because there were a number of inconsistencies on the table. Mr. Ploskonka agreed to amend the plans accordingly.

Mr. Brown asked for confirmation that the shed was going to be removed and Mr. Ploskonka confirmed such.

Mr. Jacobson asked if there was a WMUA connection on Pine Brook Road that would work? Mr. Ploskonka said he tried to find a way to extend the sewer on Arrowwood from an existing manhole, however the elevations we had did not allow that to be possible. There is nothing appropriate on Pine Brook Road to connect to.

Mr. Shorr asked about the setback requirements. Mr. Ploskonka said the existing house is 20' from the rear line, but it should be 50'. That is why they are requesting the variance for the rear setback.

Mr. McNaboe asked if the house is going to be slab on grade. Mr. Ploskonka said the water table may be too high for a basement. Mr. McNaboe is concerned about installing another septic tank in a small area and requested that Mr. Ploskonka look into alternate methods. Mr. Ploskonka wanted to extend the sewer from Arrowwood, but will provide the documentation that this approach will not work.

Chairwoman Kwaak said she would also like to see if Mr. Ploskonka could look again about tying into the sewer on Arrowwood. Also, did you discuss doing the hook-up with other neighbors as well? Mr. Ploskonka said he believes one of the neighbors has a sewer connection through a private easement, but we cannot tie into a lateral connection, WMUA will not allow that. Mr. Boccanfuso asked Mr. Ploskonka to look into this matter further and report back to him regarding the easements.

Chairwoman Kwaak asked about the dumpster on the property. Mr. Ploskonka said the dumpster is Ms. Sulikowski's and it will be removed. Mr. Ploskonka confirmed that the new property will not be a flag lot, and both lots will be conforming.

Chairwoman Kwaak opened the application to the public for questions and comments.

Mr. Cucchiaro swore in Louis Mezzina, 358 Pine Brook Road. He asked which direction the house would be facing. Mr. Ploskonka said the proposed house is facing Pine Brook Road, however it may be turned to face Arrowwood, but in either case, the driveway for the house will be from Arrowwood.

Seeing no other comments, the public section was closed.

A Motion was made by Ms. D'Agostino, and Seconded by Mr. Fisher for Preliminary Approval for the application of Mary Sulikowski, PMS2201, with the conditions mentioned above.

Yes: Fisher, Brown, Castronovo, D'Agostino, Kwaak, McNaboe, Jacobson,
Hogan
No: Ginsberg
Absent: None
Abstain: None
Not Eligible: Kastell, Shorr

**PFS1507-C ~ Stacar Properties of New Jersey
Kitchen and Bath Showroom
330 HWY 9 ~ Block 8 / Lot 3.01
Amended Site Plan**

Barry Fisher recused himself from this application.

Stuart Moskowitz, Esq. who represented the applicant, was having some difficulties with his audio so the Board took a five minute break to allow him to resolve the issue.

The meeting was called back to order at 8:15 pm and Mr. Moskowitz resolved his audio issues.

Mr. Moskowitz explained that this property has been before the Planning Board a number of times for different tenants. Tonight we are changing one of the tenants, and applying to have certain signs approved. Planet Dry Clean was the occupant of the space that is in question. Planet Dry Clean has closed and Kitchen and Bath would like to move in. We will deal with the parking matters,

which in the past have been issue. Kitchen and Bath will actually use less parking than Planet Dry Clean.

Mr. Cucchiaro swore in Pikria Basaria, owner of Kitchen and Bath Showroom. She explained she would like to have different kitchen brands on display with the countertops and fixtures and common items seen with kitchen and bath remodeling projects. Ms. Basaria explained that her husband owns the construction company. We are going to have the clients who are going to be designing the projects who have to choose the color or material, they would come in on an appointment basis just to look at the displays. She anticipates the hours to be 10:00 - 6:00, five-six days a week. Ms. Basaria said on a daily basis, she would be the only employee present, and she does not anticipate the need for any other employees.

Mr. Moskovitz shared the screen with the Board and reviewed the floor plan designed by the architect. Ms. Basaria would like to have one long desk for herself. There is an office in the back of the building, and she anticipates using it just for paperwork and files. Mr. Moskovitz asked Ms. Basaria about the mezzanine and if she intends on using it all. Ms. Basaria said the floor plan as it exists is sufficient and she will not have to use the mezzanine. Mr. Moskovitz asked her how many parking spots will she need at a given time? She said since her clients are going to be appointment based, maybe one or two at a time and she anticipates the peak will be Friday afternoon or Saturday until late afternoon. Each day she does not anticipate more than 5-6 cars per day. She has been working with other showrooms for several years and 5-6 cars per day seems to be accurate, with a maximum of parking spots.

Mr. Moskovitz asked Ms. Basaria to go over the delivery schedule for the store. One delivery will drop off the display items. Deliveries will not be on a daily basis, maybe just two times a year. There is a large garage-like door in the back of the building and there is a parking space there which will be suitable for deliveries. Ms. Basaria doesn't anticipate a large amount of trash, just some cardboard for recycling and there is a garbage container in the rear of the building. They will not be keeping any inventory on the site.

Mr. Moskovitz asked Ms. Basaria about the drive-thru window on the side and if she intends to use it. Ms. Basaria said she has no intention of using the drive-thru window. Mr. Moskovitz asked if she has observed other similar operations such as hers. Ms. Basaria said she has been working in a showroom on Route 18 in East Brunswick and they had limited parking, just two spaces, and they have been in business for 15 years with 4,500 sq ft. Mr. Moskovitz shared an exhibit on the screen of the proposed sign for Kitchen and Bath Showroom.

Ms. Beahm said is the facility open to the public at all? Ms. Basaria said it is open to the public, but there will be very little foot traffic. Ms. Beahm said why

are you requesting a sign then? You are not accounting for parking for someone coming in off the street. Ms. Basaria said we need a sign to identify the business. Ms. Beahm said if you need 2-3 parking spots, then you are not accounting for people seeing your sign and coming into browse. Ms. Beahm asked Ms. Basaria if she had analyzed the dry cleaner stating that they didn't need parking because they were utilizing the drive-thru window? Ms. Basaria is not aware of the dry cleaners business model and that most of their clients were using the drive-thru window. Ms. Beahm said the prior testimony of other tenants, such as the Salt Cave and Meals by Aurora, didn't need additional parking because the drive-thru for the dry cleaner mitigated that. Now there will be a parking demand for Kitchen and Bath and obviously they are not utilizing the drive-thru window. The parking demand is not adding up and she still hasn't gotten an answer regarding how many parking spaces they will have. Mr. Moskovitz said it is rare for someone to come in, but they want to they are welcome. In a worst case scenario, she will need five spaces.

Mr. Boccanfuso said there is over 10,000 sq ft, including the mezzanine, which was never brought up in any of the previous applications for this site until this one. Therefore the parking space requirement for the site is actually 51. Mr. Boccanfuso asked Ms. Basaria how big the other facilities were that she worked at previously. She said the showroom in East Brunswick is 4,500 sq ft. and she has never seen any issues regarding parking. Ms. Basaria said there is another facility on Route 9 in a stand-alone building in Old Bridge. They have more parking, but there are hardly ever cars parked there. Businesses such as this do not generate a lot of foot traffic.

Mr. Boccanfuso asked if her husband would be keeping any of his equipment or tools, vehicles, etc., at the site? Ms. Basaria said no, he has three mini vans that have his tools in them and his workers use the vans. He also owns other properties and one of them has over three acres with plenty of parking in the rear. Mr. Boccanfuso asked if she could explain the process of selling the materials. Does he send the clients to the facility to pick out cabinets? Ms. Basaria explained if a client wants to do a kitchen remodel, her husband will go to their home and do the measurements. The measurements and details are sent to the showroom, and then the client has to pick the colors and fixtures. After she creates the quote, the client will purchase it and her husband will do the installation. Up until this point, her husband has been using other showrooms, and we would like to have our own showroom. Mr. Boccanfuso said does your husband accompany the clients to the showroom? Ms. Basaria is the person will meet with the designer at the showroom and then process the order. Mr. Boccanfuso asked if there are other contractors besides her husband using the showroom. Ms. Basaria said her husband sub-contracts out work. Ms. Basaria said they would like to take on work from other contractors. Mr. Boccanfuso asked how long will a client stay in the showroom? Ms. Basaria said

anywhere from 45 minutes to two hours, it depends on how large the project is. Ms. Basaria will be the designer for the projects with no other employees.

Mr. Boccanfuso asked what type of trucks will bring the deliveries in? Ms. Basaria said countertops are delivered by the special vehicles that have the equipment to hold the slabs in place. Kitchen cabinets can be delivered by pick-up trucks, it depends on what the order is. She has never seen a truck larger than 26'.

Mr. Kastell questioned why they are putting a business in a busy spot on Route 9 if they are not anticipating walk-ins. Ms. Basaria said the other properties they own are residential properties, not retail.

Mr. Brown said he understands this isn't a typical retail store. However if a contractor has a designer, would they be permitted to walk around the showroom? Ms. Basaria wouldn't kick them out, but she would strongly suggest they make an appointment. Mr. Brown asked if her husband would ever park his van at the showroom and Ms. Basaria said it would be very rare, he always on the go.

Mr. Castronovo asked if someone wants to come and browse around to see what is new, and then decides they want you to design their kitchen, how would that work? Ms. Basaria said in her experience, a very small percentage of foot traffic works out being a potential customer. Ms. Beahm said you are still going to get people browsing and getting ideas for their own projects and therefore the concern is parking. Mr. Moskovitz said she wants to keep clients on an appointment basis.

Mr. Cucchiaro swore in Aurora LaMarca, owner of Meals by Aurora. She is seeking approvals for two of her signs. Mr. Moskovitz shared the screen to display all the proposed signs for the building. Mr. Moskovitz stated there has been issue with respect to the building and if a sign can be placed on a roof extension. Mr. Moskovitz asked Ms. LaMarca if she is planning on putting the sign on the roof extension. Ms. LaMarca said in her opinion, it is not a roof extension, rather just the design of the building and is part of the front façade. Ms. LaMarca took pictures for the Board to get a better idea of the design of the building. Mr. Moskovitz displayed her picture which showed the building at an angle. Ms. LaMarca took pictures of other stores in the area showing they have their signs in the front and Mr. Moskovitz shared the images with the Board.

Mr. Cucchiaro said this issue went before the Zoning Officer stating it is a roof and therefore the applicant needed a variance for the sign. There was no appeal to the decision, therefore the Board has to consider the variance. Mr. Moskovitz said we went back and forth and the decision was made that we would simply put all our requests in this application.

Mr. Moskovitz asked Ms. LaMarca how many parking spaces she is allotted and she said it was five. Mr. Moskovitz asked about the proper name for her business because one sign says My Way Eatery. Ms. LaMarca said we are not going with that name, we are going to stick to Meals by Aurora.

Mr. Boccanfuso asked about one the signs that was displayed and the sizes of the panels, and what are the dimensions of the sign for the pylon. Mr. Moskovitz said the panel would be 30" high x 10' wide.

Mr. Cucchiaro swore in Moodhada Ramachandran, Owner of Signarama. He created a concept plan for the proposed signs for Kitchen and Bath Showroom. Mr. Moskovitz shared on the screen the dimensions of the signs. Mr. Ramachandran stated the size of the sign isn't necessarily for foot traffic. He explained that the purpose of a sign is also for branding. He explained that his business of signs is similar to the Kitchen and Bath Showroom. He does not get foot traffic, but potential customers see his sign, and then search his business on the internet. He does all the work for them on the computer and then they only come in for the final product.

Mr. Cucchiaro swore in Jackie Barber, partial owner of Hub Sign and she did the signs for Meals by Aurora. Mr. Moskovitz shared the screen and displayed the building and sign dimensions. Ms. Barber said the existing signage is 50 sq ft. The total signable area of the building is 20%, or 411 sq ft. The proposed signs for the building is 8.8%, and 20% is permitted. The pylon would be 92 sq ft and the area would be comparable to other signs in the area. The height is 18'8" with the proposed new sign:

The Board took a ten minute break at 9:32 pm and returned at 9:42 pm.

Mr. Cucchiaro swore in Carter Troyan, owner of the building and Planet Dry Cleaning. Mr. Moskovitz said that one of the professionals mentioned that the landscaping was never done. Mr. Troyan said one of the reasons is that there was some vegetation and some paving that had to be done. In 2017, NJ DOT actually paved over the islands there which would negate any ability to put in any vegetation. Mr. Moskovitz said the whole property is paved and is there a garbage pad built in the back? Mr. Troyan said yes there is a pad. The dumpsters are supposed to go on the pad and he agrees to do everything he can to make them use the pad. Mr. Moskovitz asked him about the area in the rear and if he intends on getting a fourth tenant. Mr. Troyan knows he can only have three tenants and the space in the back is only used for filing and storage. Mr. Troyan said Planet Dry Clean closed last year. He is happy that all three tenants are women-owned businesses and the owners know to park in the back.

Ms. Beahm said the prior testimony states that the majority of customers would be appointment only, but it's not exclusive to appointment only. Mr. Moskovitz said her business model is appointment only; however if someone just walks in, she is going to recommend to them that they make a future appointment. She will not be kicking them out. Ms. Beahm said so than you can just walk in, correct? Mr. Moskovitz said yes, but she doesn't expect that to happen often. Mr. Cucchiaro said the approval that was granted for the Salt Spa says 15 spaces.

Mr. Boccanfuso asked Mr. Troyan about the landscaping in the front by Route 9, but the grassy area in the northerly area when the approved site plan called for 12 plantings. Why was the landscaping not installed there? Mr. Troyan said he can get that done. Mr. Boccanfuso said he is looking at the approved site plan right now and that landscaping needs to be installed. He's not sure how it was missed and he believes it should be a required condition of this approval. Mr. Boccanfuso asked about the dumpsters. The dumpsters are in the grassy area on the northerly side of the site, why isn't the concrete pad being used? Two dumpsters are needed here and the concrete pad is not in the appropriate location. Mr. Boccanfuso's recommendation is that if there is an approval tonight that an appropriate dumpster enclosure be installed in the area where the dumpsters are currently located and the useless concrete pad be removed. The enclosure should be a masonry block enclosure, fences just don't last. Ms. Beahm said she agrees.

Mr. Boccanfuso spoke about the drive-thru window and how it wouldn't be used for the new owner. He asked Mr. Troyan if he would be opposed to eliminating it. Mr. Troyan said he does not want to eliminate the drive-thru. It was already granted to him and he does not want to get rid of it. Ms. Beahm said the Kitchen and Bath Showroom certainly aren't going to use it. Mr. Cucchiaro said you were granted the use of the drive-thru for the use that was there - a dry cleaners, and therefore granted a variance for parking based upon the fact that you wouldn't need extra parking because clients would be using the drive-thru and not occupying parking spaces. If there is an approval tonight, one of the conditions is that the drive-thru would not be utilized. If there is a future change in tenancy and that future tenant wants to use the drive-thru, they would have to come back to the Planning Board. Mr. Moskovitz said he doesn't want to go through the expense of closing up the window, and then opening it up again with a possible future tenant. Mr. Boccanfuso said he will leave it up to the Board, but the record must be clear that if a future tenant wants to utilize the window, they will have to return to the Planning Board for approval.

Mr. Cucchiaro swore in Miguel Hernandez, licensed architect in the State of New Jersey. He created the architectural for Kitchen and Bath Showroom. Mr. Moskovitz shared architectural plans on the screen for the Board. Mr. Hernandez said the floor plans shows all existing conditions for the ground

floor and the mezzanine as well. He doesn't intend to make any modifications to the inside or outside of the building. There is no other use for the mezzanine other than storage. Mr. Hernandez drew in three front desks, but Ms. Basaria is only going to use one desk. Mr. Moskovitz asked Mr. Hernandez if the front façade is an extended roof and Mr. Hernandez said it is not a roof, it is a continuation of the façade. Mr. Cucchiaro wanted to emphasize the definition of the roof has been made by the Zoning Officer.

Mr. Boccanfuso had a question for Ms. Barber. She indicated that the maximum signable area is 20%, or 411 sq ft. Ms. Barber said total square footage of the building, length and height, minus the windows. The windows are actually 411 sq ft, so the total square footage of the entire building is 2,375 sq ft, subtract the windows of 319 sq ft and it leaves you with 2,056 sq ft, or 20% for allowable signage. Mr. Boccanfuso asked if that includes the façade treatment? Ms. Barber said yes that goes from the ground to the top. Mr. Boccanfuso said we have to treat this like it's a roof and they do need a variance.

Mr. Cucchiaro swore in Rianna Kirchhof, Professional Engineer in New Jersey, and she works at a Traffic Engineer at Dolan and Dean. She submitted the Traffic Report to assess the parking on site. She gave a projection of what the proposed use would need in terms of parking. She analyzed the peak use for the uses for all three tenants. Peak usage of one use will not cross over to peak usage of a different user. She has visited the site and has seen numerous vacant spots. Ms. Beahm said you are basing your parking analysis on the parking spots in the leases, but as Mr. Cucchiaro indicated earlier, the lease is one thing, but the Resolution is something else. Did you look at the Resolutions requiring the number of spaces per use? Ms. Kirchhof said the Resolution said the Salt Spa would have 15 spaces. Ms. Beahm said but you just said seven spaces. Would your analysis change now that you are aware there are 15 spaces? Ms. Kirchhof said yes it would, but there are still vacant spaces. Ms. Kirchhof said it is a shared parking situation, with various peak times for each business. Ms. Kirchhof has visited the site, but not a peak time. Mr. Cucchiaro said the resolution clearly states that we allowed them 15 spaces.

Mr. Boccanfuso said the 15 parking spaces were based upon the applicant's testimony for the Himalayan Salt Spa. The owner was struggling to determine how many spaces she needed until we talked her through it and she came up with the number of 15 spaces.

Mr. Boccanfuso asked Ms. Kirchhof why her office didn't analyze the facilities in East Brunswick that Ms. Basaria spoke of. Ms. Kirchhof wasn't aware of the other uses until this evening. That is why she used a furniture store as an example from the ITE. Mr. Boccanfuso reminded the Board that the ITE is based upon real world studies. Ms. Kirchhof said the proposed use is smaller than an

average furniture store. We felt we were in the ballpark to use the average rate for a furniture store for the Kitchen and Bath Showroom.

Mr. Boccanfuso asked Ms. Kirchhof about the peak times for the various uses and that she stated that they wouldn't coincide; but does that mean that they may overlap, in particular on a Saturday? Ms. Kirchhof said she does not know the exact operations of the other uses and could not testify to that. Mr. Boccanfuso asked about the delivery operations. Because we have a building area in excess of 10,000 sq ft, there is a variance that is necessary from the loading zone requirements. Did you look at these requirements? Ms. Kirchhof said her office did not look into loading operations. She stated that for the frequency that is expected, she would anticipate when that delivery can arrive. Mr. Boccanfuso said if there is an approval, it should be stated exactly when those deliveries are going to happen, since parking is always a concern. Mr. Moskovitz said the area in the back has a large door in the back and Ms. Basaria can speak again about delivery times.

Mr. Boccanfuso said he had a question for Ms. Kirchhof regarding walk-in traffic and how it would impact the parking. Ms. Kirchhof said in a worst case scenario, this business would have the need for five parking stalls. Her assumption is that the walk-in traffic would be accommodated within those five spots.

Mr. Jacobson asked Ms. Kirchhof that when she was at the site, how wide are the sides that go from Route 9 to Franklin Lane? Ms. Kirchhof said she did not measure them. Mr. Jacobson said he is going to go on the assumption that it is too narrow to put additional parking there.

Chairwoman Kwaak asked Ms. Barber if she had come up with a final calculation for the signs. Ms. Barber said we end up with 12 ½% of the allowable space, excluding the ground façade that was in question. We would end up with the proposed signage of 12 ½% of the allowable signage. That would be 181 sq ft and they are allowed 288 sq ft. Mr. Boccanfuso asked what was the total signage area that you used? Ms. Barber said the original square footage was 2,375, she excluded the two brown facades, which equal 616 together. Once she subtracted that out, she was at 1,759. The windows have to be excluded, which are 319. That left her with 1,440. Therefore 1,440 would be the area in question and 20% of that is 288 sq ft but we are at only 181 sq ft - that is 12.5% of the allowable signage. Mr. Boccanfuso said then it complies by a fairly wide margin.

Mr. Castronovo asked about the plantings that were not installed. However he was concerned that the mezzanine was never brought to Mr. Boccanfuso's attention for the calculation of square footage. Mr. Moskovitz said the mezzanine was on the original plans. Mr. Boccanfuso said it was never addressed in any of the previous resolutions. He has to assume that it was there

when it was Siperstein's Paint. It just was never addressed. It does change the parking requirement bringing it up to 51 parking spaces. It all becomes part of the equation for the calculations. It also is a concern when it comes to the loading zone. Mr. Castronovo said the Planning Board is trying to make sure we have successful businesses there for both the owners and the Town.

Chairwoman Kwaak stressed that the dumpsters need to be addressed and parking has always been an issue at this location. She has personally seen the parking lot at capacity on the weekends.

Mr. Moskovitz asked Mr. Troyan about the drive-thru. If the drive-thru was not used a drive-thru, it is wide enough for cars to pass by, correct? Mr. Troyan said yes. Mr. Moskovitz asked is it wide enough for parking spaces, and if so how many spaces could it be? Mr. Troyan said another five spaces. Mr. Moskovitz asked him if the mezzanine was there at the time he purchased the building? Mr. Troyan said the mezzanine was existing, but it's not usable space. It houses our electrical, and because it is not 7' high, it can't be useable as retail. It can be used to store boxes and shouldn't be included for parking. The building is only 8,700 sq ft.

Mr. Boccanfuso said there were never any drawings submitted with the application that showed the square footage of the building. He said in fact he reached out to Mr. Moskovitz for the square footage when he was conducting his completeness review, and he said he couldn't get them. Secondly, with regard to parking in the drive-thru lane, he does not believe there is sufficient space to park five cars and allow for safe access. If there is such space, he would need to see a plan that shows it in order to confirm that there is a sufficient area for parking. Those two representations are not true, given what he has reviewed with this application. Mr. Moskovitz said the site plan wasn't available to him for this application, but it certainly was submitted in 2015 with the original application and it is in the Planning Board's records. In reference to the five parking spaces, that wasn't just volunteered, that was a response to Mr. Jacobson's question. It was a legitimate question and Mr. Troyan answered it. There is a drive-thru there and Mr. Troyan is familiar with the area, and if he says the five spaces can be fitted there, then he is the one who has the knowledge of that. Mr. Boccanfuso asked Mr. Troyan what are the dimensions of the drive-thru aisle? Mr. Troyan said the drive-thru aisle conforms with standard width and he believes it is over 12' in width which allows for proper passage and it also allows the five parking spaces that were useable there. Mr. Boccanfuso asked what are the dimensions of that area where you say five spaces can go? Mr. Troyan said the dimensions were submitted when the drive-thru was installed and he doesn't have that in front of him, but he believes it is 12 ½' width. Mr. Boccanfuso said how is the middle car going to get out that space? Ms. Beahm said you can't stack the vehicles, they'll never be able to maneuver and get out. Ms. Beahm said if this information existed in a prior

application, it should have been re-submitted with this application so it's readily available.

Mr. Boccanfuso wanted to add that the drive-thru aisle is needed for circulation. You can't get from the front to back if the side aisles are completely open at all time.

Mr. Moskovitz asked Ms. Basaria when do you expect deliveries to be made? Ms. Basaria said usually we make arrangements ahead of time. She added that if her application is approved, she will make every effort to learn the businesses in the center and when their peak times are and would schedule deliveries around their peak times.

Chairwoman Kwaak opened the floor to the public. Seeing none, it was closed.

Chairwoman Kwaak went back to Mr. McNaboe for his questions. He said he had his questions already answered and he'll be ready to make a motion when the time comes.

A Motion was made by Mr. McNaboe, and Seconded by Ms. D'Agostino for Preliminary and Final Approval of Site Plan with the waivers and ancillary relief, the pylon sign is approved and the façade signs will be no bigger than discussed, the drive-up window will be removed and stored inside, the mezzanine will be marked no storage, the unoccupied space is for landlord use only to maintain the property and all prior requirements to include the plantings, the dumpster enclosures, and everything from the prior approvals will all be seen to fruition for application PFS1507-C.

Yes: Brown, Castronovo, Ginsberg, D'Agostino, Kwaak, McNaboe,
Jacobson, Kastell
No: None
Absent: None
Abstain: None
Not Eligible: Fisher, Hogan, Shorr

Mr. McNaboe said to Mr. Troyan and Mr. Moskovitz that the Planning Board has really worked with you to get tenants into this building, and he said the last time and he's saying it again, this has to be the end. We cannot see you here every year. Make this mix work. We want to be proud of this building - please make that happen.

Mr. McNaboe repeated for Mr. Moskovitz that both the Meals by Aurora sign and the Kitchen and Bath sign to be located on the roof/overhang will be the same size for symmetry.

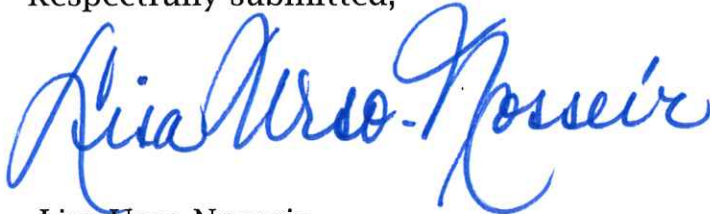
Ms. Nosseir stated there wasn't anything to share this evening. Chairwoman Kwaak opened the floor for any non-agenda items.

Vivienne asked when the minutes of this meeting would be on the website. Ms. Nosseir said they wouldn't be approved until April 14, 2022 and then upload on April 18, 2022. Mr. McNaboe said the meeting will be televised, if that would be helpful.

Mr. McNaboe said the April 14, 2022 Planning Board Meeting will be held virtually, and the April 28, 2022 meeting will be back in-person.

Ms. D'Agostino made a Motion to end the meeting at 11:10 pm and it was agreed to by all.

Respectfully submitted,



Lisa Urso-Nosseir
Recording Secretary