

**City of Northfield  
Planning & Zoning Board  
1600 Shore Road  
Northfield, New Jersey 08225  
(609) 641-2832 Ext. 127 or 157  
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Minutes: September 6, 2007

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 has been given to The Press, posted on the bulletin board in City Hall, and filed with the City Clerk, stating the date, time and place of the meeting and the agenda to the extent known.

The regular meeting of the Northfield Planning & Zoning Board, held on Thursday, September 6, 2007 in Council Chambers, City Hall, Northfield, was opened by Chairman Richard Levitt at 7:33 p.m. and the following members were present:

Dr. Richard Levitt-Chairman  
Clem Scharff-Vice Chairman  
Mayor Frank Perri  
Jimmy Martinez, Councilman  
Jeffrey Bruckler, City Administrator  
Ron Roegiers-absent  
Nick Droboniku-absent  
Pete DaPrato  
Henry Notaro  
Guy Schlachter-absent  
Lou Milone-absent  
Jason O'Grady

Scott Zauber, Esq. substituting for Thomas Subranni, Esq., Solicitor  
Deborah L. Wahl, PE substituting for Matt Doran, PE-Engineer

There were two applications scheduled for this evening. The first application is from Steven and Susan Troiano who reside at 1205 Zion Road, Block 118, Lot 6 in the R-2 zone. They are before the Board for a "C" variance request for a rear setback. Two other non-conformities are pre-existing-the front setback at 23.2 ft. where 25 ft. is required and lot area at 6,102 sq. ft. where 7,500 sq. ft. is required. The rear setback requirement is 25 ft. and they are requesting 18 ft. (the setback variance is for 7 ft.) They want to construct a 25 ft. x 22 ft. rear addition to their existing house.

Dr. Levitt began by expressing concerns that the application was not complete. The applicants used their survey and did not show elevations, architectural renderings of what the structure will look like, adjacent properties or a table of lot coverage, etc. Mr. Scharff said they are not constructing a new house and are only asking for a rear variance. Mr. Troiano added that he has a letter from all surrounding neighbors expressing approval for the project and he read what was advertised in The Press. Dr. Levitt asked for the Board's feelings on hearing the application. Mayor Perri said he would go with the homeowner's testimony and Mr. DaPrato said he has been by the property and has no problems hearing the application. Dr. Levitt added that the Engineer needs to review applications for completeness. It is not fair to the applicants who come before the Board prepared. Consistency needs to be used for all applications before scheduling.

Dr. Levitt swore in Steve and Sue Troiano. Mr. Troiano testified that the house was built in 1901 and is not more than 16 ft. wide in any area. He lives there with his wife, Sue and their daughter. His wife is expecting another child. They need more space for their growing family and to entertain other family members. The home belonged to his grandfather. Mr. Troiano told the Board that he does not want to move his family out of Northfield. They now have a two bedroom house and with the addition, they would be able to turn the attic into a third bedroom. The proposed addition will be one story and will include a family room, a laundry area able to fit a standard-sized washer and dryer, a half bath and a closet. He referred to his building coverage calculations. He is well under 30%. Existing coverage is 9.4% and with the proposed addition, the coverage would be about 18%. Currently, there is a stone driveway and the rear of the house is a patio. Dr. Levitt told Mr. Troiano that he would need to add curbs, sidewalks and a driveway apron. He also noted the lot is undersized to begin with. Mr. Troiano said he would be left with 19 ft. of year yard and this is comparable to the new homes being built on Zion Road.

Ms. Wahl read Matt Doran's report. She noted that curbs and sidewalks would need to be installed and Mr. Troiano agreed. She also noted that two street trees are required by ordinance. Mr. Troiano said he now has one tree on the property and said he would not be removing any trees for the construction. Ms. Wahl stated that the applicant must put on record that the relief, if granted, would not propose a detriment to the zoning ordinance. He testified in answer to Ms. Wahl that he would not be creating an overuse of the property and is keeping with the architectural design of the house. He will not be a detriment to the neighbors, who are in favor of the project. His neighbor to the rear is a friend and she has a backyard that is an unkempt wooded area. Mrs. Troiano added that the current rooms are so small and they need the added space. Ms. Wahl asked if this was the only area where he could build the addition, and Mr. Troiano said that the house sits on an irregularly shaped lot on an angle to the street and this is the only area they can use. It would not be possible to add on to the front. They are proposing side windows which will fit with the house design.

Dr. Levitt asked if there was anyone from the public who wished to be heard. Seeing no one, he closed the public session. Dr. Levitt noted that adding another street tree would obscure the sight triangle and he said he would like to waive the requirement of additional trees due to the angle of the property. Curbs and sidewalks would be needed especially on Zion Road, which is a through street, and this is a public safety issue.

In summary, Mr. Troiano said he would appreciate a ruling in their favor and Mrs. Troiano said they really don't want to move. Mr. Scharff made the motion for a rear setback variance, the addition of curbs and sidewalks, a waiver for one street tree, the applicants will not remove any vegetation or trees, and the addition will be one story. Mr. O'Grady seconded the motion. Dr. Levitt reminded that professional plans are very important and he does not feel that Mr. Doran should have to do the calculations. A roll call vote of all present members was unanimously in favor.

The second application was from Giro Enterprises, Inc. located at the 1555 Zion Road Building at 1501 Zion Road, Block 95, Lots 36 & 37 in the O-P Zone. John Mirenda is the President of the Corporation. They are seeking a "C" Variance and a Revised Preliminary and Final Site Plan. Dr. Levitt expressed concerns that there is another application for the same property from T-Mobile that has not been fully approved. Mr. Zauber commented that it would be a problem if it affects parking.

The attorney for the applicant is Charles Gemmel, Esq. of Gemmel, Todd & Merenich of Linwood. He gave a brief introduction. The applicant was before this Board previously. In 1987, approval was granted for a Preliminary and Final Site Plan and in 1988, approval was granted for an

Amended Preliminary and Final Site Plan. In 2001, a Preliminary and Final Site Plan was granted for a 4,000 sq. ft. addition. The addition has not been built to this date. Included with that approval, there was a condition that no medical use or occupancy be permitted. Currently there are two medical users—a plastic surgeon and a chiropractor. The chiropractor is using 1,200 sq. ft. and the surgeon is using 2,000 sq. ft. The applicant wants to do a little tweaking of the parking and the building and wants a condition that not more than 50% be used for medical purposes in the future. At present the building is fully leased and they are only using 50 parking spaces with the two doctors in the building. They will demonstrate that at least 50% medical could exist. They want to move some of the parking spaces and the trash area and incorporate a new stairway. They will need a variance for this which was not included in the approval in 2001. The current use is for offices.

Dr. Levitt swore in the professionals. The Engineer is Steven L. Filippone, with Engineering Design Group in Oceanview, NJ, the Architect is Robert Curtain of Curtain Design Group in Northfield and John Mirenda is the owner of the building and President of Giro Enterprises, Inc.

Mr. Filippone testified first. He described the building as a well-maintained structure that is a 16,000 sq. ft. brick two-story building that fronts on Zion Road near the intersection of Tilton and Zion Roads. Currently there are 86 parking stalls. The Bank of America borders the side and rear of their site with a parking lot adjacent to the rear about 10 ft. off the property line. A satellite ATM island belonging to the bank borders on the side. Exhibits A-1 and A-2 were described by Mr. Filippone. A-1 is an aerial photo showing the building and the parking lot with the 86 stalls. A-2 is the site plan approved 5 years ago. The parking on the west side is angled parking due to the one way in with a circular pattern and one way out. The proposal in 2001 was to add a strip of asphalt and improve the parking to be on a 90 degree angle. Seven of the stalls were future designated stalls and in 2001 they received relief for the buffer to be 5 ft. from the property line. The addition received approval for a variance for a setback 15 ft. from the property line where 25 ft. is required both then and now. Exhibit A-3, a color site plan, shows the new stalls on the plan. Two stalls meet the setback of 15 ft. and five do not. The applicant also wants to move the trash enclosure to another location which will place it back-to-back with the neighbor's trash enclosure and they still want to add two parking stalls on Zion Road. He believes the revised plan to be a better layout than the previously approved plan. There is no landscaping on the inner island and they want to add trees as a buffer. The exhibit adds the new stairway that Mr. Curtain is to design. It is 10 ft. from the property line and needs a variance. Exhibit A-4 is a traffic study in relation to the parking on site. Mr. Mirenda will address this non-professional study later. Dr. Levitt asked if the cell tower was considered in the calculations for parking. Mr. Filippone answered no. Dr. Levitt expressed concerns about the complications of having two variances requested for two different applications at the same time. Dr. Levitt then asked how the tower pad will affect lot coverage and parking calculations. Mr. Filippone answered that permitted lot coverage is 80% and they are at 53% and permitted building coverage is 25% and they are at 14.3%. He is not familiar with the tower application, but feels it would have to be substantial to affect coverage. The pad is 2,500 sq. ft. and that should only affect coverage at 1% and he is completely comfortable that will comply with the ordinance. Mr. Gemmel and Mr. Filippone discussed the informal traffic study. The maximum cars on the lot at any one time were 50 cars. The test was a watch and count test. An aerial photograph shows 34 cars parked. The average was 33 cars and the maximum was 50 cars. They believe this is typical of the last 15 or 16 years. Dr. Levitt ask what might happen if uses changed in 5 years. Different types of medical doctors leasing space could affect parking. Mr. Gemmel asked Mr. Filippone if 100 parking spaces is adequate for 50% medical use. He said yes and said even with the 4,000 sq. ft. addition, they are well within the standards and there will be no negative impact. Mr. Gemmel suggested that certain doctors such as pediatricians may have a higher parking demand. Mr. Filippone stated that he does not expect pediatricians to lease space in a small portion of a large structure. They are normally found in stand alone offices. He is familiar with Mr. Mirenda's renters and he will be

leasing to doctors who do business by appointment only. Mr. Gemmel noted that all areas of the building are not available for lease, for example, 1,400 sq. ft. of the building are hallways. The applicant wants a condition of approval at 50% medical use.

Mr. Robert Curtain testified next. His firm, Curtain Design Group, designed the addition. He presented Exhibit A-5 which is a five page color rendering including: front exterior elevation drawing, new first and second floor plans, photographs of existing front and site signage, and the site of the new addition from different views on the property. The plans show the addition of an open exterior stairway to the two-story addition due to the blockage of an existing 2<sup>nd</sup> floor egress. Possibly in the future, they would like to re-activate the interior stairway. The stairs will be setback 10 ft. The stairs are located in an area where the back of one building sets back to the rear of another building and the neighbors won't be affected. Signage will exist on the arch-shaped entrance area and doesn't affect the public way. The signage is on the first floor level. Mr. Filippone added that the loading area is not used. Mr. Gemmel said deliveries are made by small trucks who deliver using the front door. Mr. Miranda said there are posted areas for fire lanes and loading only lanes and that no one uses the back area. Mr. Gemmel asked for a waiver to eliminate the loading area. Mr. Curtain added that deliveries do not back up traffic and have no affect on the public way. He said that the archway will be a continuation of the existing building and the entryway will be of a special cut to the simple, straight-forward addition. All lighting will be up to code.

Mr. Miranda spoke next. He is the President of Giro Enterprises, Inc. and he built the original building. He has been at the property since 1988. He stated that there is plenty of parking on site. He believes the two new doctors are appropriate users in the building. He won't lease to conflicting tenants. The traffic study was conducted in July 2007 when the building was fully leased. Both doctors leased space in the building at that time and the study was done in the afternoon. The time period is representative of the average parking situation. Dr. Levitt asked about the 7 parking spaces. Mr. Gemmel said the stacked parking spaces are for employees and will be designated for future use if necessary. Initially they will have 93 parking spaces. They will not use the 7 stacked spaces initially. There will be no stacked parking at the start. This is the same concept as 2001. Dr. Levitt added that in 2001, it was included that if the Zoning Officer determines that parking becomes a problem, the 7 parking spaces will be added.

Ms. Wahl read the Engineer's report which is on file. Highlights were the non-conformities. The rear yard setback is required to be 25 ft. and due to the construction of the stairs at 10 ft. (5 ft. to the stairs and 5 ft. to the building), this does not conform. The buffer also does not conform, but this variance was previously granted.

Dr. Levitt stated that the landscape plan doesn't show the 5 ft. buffering area, additional trees in the island, and the garden section near the building through the open trellis. Mr. Curtain stated that if the 7 spaces aren't constructed, the 5 ft. buffer will not exist. Mr. Miranda said the area now has pine trees which would have to be removed if the additional 7 space parking is needed. He agreed to replant the 5 ft. buffer area where the stalls are. Dr. Levitt asked that a revised landscaping plan be submitted to Mr. Doran showing these additional items. Dr. Levitt asked about the lighting. Mr. Curtain said they are required to light the area due to the stairway. Mr. Miranda said the exit door also requires lighting. Mr. Curtain said they will deal with lighting issues in the final plans. Ms. Wahl continued reading the review comments of the report. The original plan showed 5 parking stalls along the rear property line, creating stacked parking, but now they are asking for 7 spaces. It was clarified that these are not additional spaces, they are simply stalls moved from another planned area on the site. Mr. Miranda agreed to screen any medical equipment. Ms. Wahl said the plan shows a proposed trash/recycling area to be added to the rear of the property which will require landscaping. Mr. Gemmel said the applicant will

provide landscaping around the dumpster. Ms. Wahl concluded by stating Atlantic County Division of Planning approval will be required before work starts.

Dr. Levitt opened the public session. No one wished to speak, but two women who live in the residential section of the area, who did not state their names, wanted to view the photographs and site plan. Dr. Levitt again expressed concerns that a conflict exists when there are two applications for the same property. Mr. Gemmel stated that each application stands on its own. The addition is at the east end of the property and the tower will be constructed at the west end. There is no connection other than being located on the same property. Dr. Levitt asked if there was a time limit between variance requests. Mr. Gemmel said he doesn't know of any and he added that parking is not an issue with the cell tower. Mr. Mirenda stated that I-Mobile won't be allowed to affect his parking ratio or trees and if they do, there will be no cell tower. Dr. Levitt closed the public session.

Mr. Gemmel summarized and said they are simply cleaning up the 2001 approval. Mr. Martinez asked who the new tenants will be. Mr. Gemmel said Mr. Mirenda will be one of them and will be located on the second floor. A Title Company will occupy most of the first floor. There is no additional proposed medical use at this time but flexibility for the future is desired and they don't want to be limited.

Dr. Levitt addressed the waivers. They are for the Loading Zone, 50 ft. residential parking, and the 7 stacked parking spaces. These waivers were previously granted, but are being reconsidered tonight. The voice vote was all in favor of the waivers.

Mr. Scharff made the motion to vote on the preliminary and final site plan and "C" variances. A new landscaping plan will be designed and given to Mr. Doran for administrative approval. Also to be shown on the plan is trees in the buffer zone, additional parking and additional trees to be added to the island in the parking aisle, and the 7 stacked parking stalls triggered by the Fire or Zoning Departments if deemed necessary. The "C" variances are for the rear setback and buffer (previously granted). There will be a limited occupancy of the building to 50% medical use. Additional lighting is to be shown on the site plan. The number of parking spaces is to be 93 stalls plus the 7 stacked additional if necessary. Mr. Bruckler seconded the motion. All members presented voted in favor of approval.

There was one resolution to be memorialized for Palombo's Pharmacy. Mayor Perri expressed concerns about some of the language. Dr. Levitt deferred the vote until the next meeting. Mr. Scharff agreed that the Board should postpone the vote until Mr. Subranni is present to answer any questions the Board may have.

Dr. Levitt asked Ms. Wahl if she could give a report on the Master Plan progress. She said she is not involved with that project but will inform Matt of the request and he can give a report at the next meeting.

Residential applicants, who design their own plans was discussed by Dr. Levitt and Mayor Perri. Dr. Levitt would like Mr. Doran to devise a checklist as a guide. He thinks elevations, adjacent properties, % of lot coverage and building coverage need to be shown on plans as well as major trees and sidewalks. Mayor Perri agreed. Applicants need to do the legwork for their applications.

Mayor Perri made the motion to close the meeting and Mr. DaPrato seconded at 9:20 p.m.

Respectfully submitted,

Robin Atlas, Secretary to the Board

