

BOARD OF ADJUSTMENT  
Minutes of  
September 16, 2015

Present:

Mr. Bermudez  
Mr. D'Armiento  
Mr. Estrella  
Mr. Fowler  
Mr. Jackson  
Mr. Lewis  
Chairman Tighe

Absent:

Mr. Kenderdine  
Mr. Marino

Also present were Attorney Brian Schwartz, Borough Engineer David Testa, Borough Planner Paul Greigel and Recording Secretary Maryann Thorpey. Chairman Tighe called the meeting to order at 7:35PM, the compliance statement was read and roll call was taken. The minutes of August 5 were unanimously approved.

BA-15-003-Metro Storage. (Mr. D'Armiento has listened to the tape from the previous hearing.) John Wyciskala, attorney for the applicant, reviewed what transpired at the previous hearing. He said he heard from American Tower Co., owner of the monopole tower. They do not believe the proposed building will interfere with their operation. Mr. Schwartz asked him to provide a signed copy of their agreement with the monopole owner. Mr. Wyciskala said they would comply.

Paul Ricci, applicant's planner, gave the Board copies of a photo key map and photo of the current building with the balloon testers. He described and explained what was pictured. Mr. Fowler said he would like to see a cherry picker at that height to get a more accurate visual.

Laura Nonaghan, 39 Technology Drive, Warren, licensed civil engineer and project manager, Bohler Engineering, was sworn in. She testified their project is 10' lower than the Avalon property. Route 22 is a 14' grade differential. Their site is 7' lower by the retaining wall. It ranges from 7'-10' difference between the 2 properties. There is a 20'-25' grade differential at the back (right) of the property; the back left is similar.

Mr. Fowler asked how old the existing building is. Mr. Heilman, Metro Storage, testified the building was built in the mid-1960's. He said the building is sound. They prefer to not take down an established building.

Mr. Fowler asked Mr. Ricci if they would take down the older established trees. He said no, they will work with just the existing structure. They will leave and improve the existing walls. Mr. Bermudez questioned the driveway. He asked if it was wide enough

to accommodate a fire truck. The NFPD said it met their standards. Chairman Tighe said he spoke with the Assistant Fire Chief who told him the FD will have to be able to access the roof without a ladder.

This new business will provide 4 new jobs.

Paul Grygiel, 3341 Newark Street, Hoboken, licensed planner, representing North Plainfield, was sworn in. He gave his opinion of the project. He said the property is rather unique. Self-storage is not allowed on this property, and so a use variance is needed. There will be no substantial impact to the community or to the Master Plan. The primary concern of this application is the use and height.

Chairman Tighe asked Mr. Grygiel to talk about the height of this building versus the Avalon building. He said the Avalon buildings in the rear, due to the topography, will appear to be the same height or possibly higher. Chairman Tighe asked what could be built on that site. Mr. Grygiel said due to the size of the property it is very limited as to what could be built there. He doesn't think it is an appropriate location for an office building, due to the fact that it is primarily a residential area. Chairman Tighe said he doesn't object to the business, just the height. Mr. Fowler asked if he is aware of other towns that zone for self-storage. Mr. Grygiel said he is not aware of any zoning in particular for storage use; he said there are ordinances that allow; but most do not. He said it is not a disturbing use to the surrounding area. Mr. Schwartz said he is not aware of any storage facility higher than 2 or 3 stories. He asked Mr. Grygiel to give pro and cons for this business on that site.

Mr. Grygiel said it won't "stick out like a sore thumb" due to the topography. A facility of this height is more likely to be found in an urban area. He said 2 or 3 stories are more likely in a suburban location. He said it will not cast shadows on the apartment complex to the west and should not cast shadows on the Avalon buildings due to its own height. He said the major impact would be to the condo property to the west. Mr. Schwartz asked him about parking. Mr. Grygiel said the proposed number of spaces is adequate; he said very few vehicles will be parked there.

Mr. Bermudez questioned the size of the sign on the building. Mr. Testa said it is compliant. The building will be off white. Mr. Fowler asked to analyze the difference between 4 and 5 stories. He was told 10'. He said it is a big difference between 2 and 5 stories, but not so much between 4 and 5. If it was reduced from 5 to 4 stories it would be reduced by 10'.

Open to the public for questions. None.

Open to the public for comments. None.

At 8:55pm a break was taken, the meeting resumed at 9:00pm, all present.

Mr. Wyciskala summarized.

Mr. Schwartz commented on the application. He said there are 3 issues – use, bulk variance and height.

The Board deliberated. Mr. Fowler commented he doesn't believe the applicant must prove a financial burden reducing the height from 5-4 stories. Chairman Tighe discussed the use, and questioned what else could go on that piece of property. If the applicant is denied, it could be a long time before another application comes along. The height is a concern. He said he drove Route 22 and could not see the balloons. He said he is convinced 4 or 5 stories won't make a difference. Mr. Fowler said an office building is permitted; however, there wouldn't be enough room for parking to accommodate the size of the building. Retail is not a permitted use. Mr. Jackson said driving along Route 22, retail and office businesses are all seeking leases. Mr. Lewis asked about tax implications between 4 and 5 stories. Chairman Tighe said the tax accessor said 5 stories are positive for the Borough. He said until you are on top of the space you will not see the building. Mr. Fowler said he was surprised no one from the public was here to protest this application. Mr. Schwartz read the conditions.

Mr. D'Armiento moved to accept the application with conditions, Mr. Bermudez seconded, unanimous decision.

The minutes of August 5, 2015 were moved by Mr. Estrella, seconded by Mr. Jackson, unanimous approval by Messrs. Estrella, Jackson, Lewis & Tighe.

Mr. D'Armiento moved to adjourn, seconded by Mr. Bermudez, meeting adjourned at 9:45pm.