

**Borough of Watchung
Planning Board Meeting
May 20th, 2008
Minutes**

Chairman Speeney called the meeting to order at 7:42p.m. And stated that notice of this meeting had been posted at Borough Hall, filed with the Borough Clerk and given in the way of notice to the Courier News, Echoes Sentinel, the Reporter and Star Ledger in conformance with the N.J.S.A. 10:4-6 et seq.

Present at the call of the roll were:
Speeney [X] Boyd [x] Havas [A] Haveson [X] Addario [X]

Pennett [A] Schaefer [X] Spratford [X] Ellis [A] Pote [A]
Also present were Board Attorney Frank Linnus, and Board Engineer Tom Herits. Mayor Ellis arrived at 7:40PM and Councilman Pote arrived at 7:47PM.

Chairman Speeney said that there was a quorum present to conduct business, and that Mrs. Spratford was eligible to vote. The Chair asked for a motion to waive the reading of and approve the minutes for the meeting of April 15th, 2008. Mr. Haveson, seconded by Mr. Addario, made that motion. Hearing no discussion, the Chair asked for a voice vote approval. The motion was passed by unanimous voice vote except for Mrs. Pennett, who abstained.

Havas read: PB08-R11 Resolution granting amended site plan approval and variances to Sisto Realty
Chairman Speeney accepted the reading as a motion to approve, which was seconded by Mr. Haveson. There was no discussion and the Chair asked the Clerk called the roll for the extension through May 15th, 2008, and the vote was as follows:

Speeney [yes] Havas [yes] Haveson [yes] Ellis [yes]
The motion carried.

Havas read: _-PB07-07 Adolf Stonitsch
7 Johnston Drive Block 47.02 Lot 9
Preliminary & Final Site Plan and Variance(s)

Mr. Ted Gast of Gast & Nash was present representing the applicant. Mr. Gast said this was an application for an addition on an existing building on Johnston Drive. He presented revised plans, which brought down the impervious coverage of the site, and the replacement of the sidewalk in the front. Mr. Gast stated that there are two available parking spaces on the street, and said that he has contacted the new building on the corner to obtain some parking spaces from their lot. They are not interested. They have also contacted Valley National Bank in order to try to obtain an agreement to use a few of their parking spaces. Valley National said that they were not interested in pursuing a permanent agreement but would review it. The Chair asked Mr. Nash what variances he was seeking. Mr. Gast said that variances for lot width, lot frontage, lot area and parking would be required. Mr. Gast said that he re-notified for this meeting. Mr. Linnus swore in Mr. Stonitsch the applicant. Mr. Adolf Stonitsch resides at 249 Johnston Drive, and stated that he has owned this property since 1984. Mr. Stonitsch said that for about 8 years, he ran a business repairing expensive watches and stopped that business about 1-½ years ago. He has been trying to sell for about 4 years now. He stated that he has not been able to sell the building due to the lack of space. Mr. Gast said that was all he has at this time. Mr. Stonitsch said that he was before the Board about 10 years ago and got the approval for use as a business, and therefore has not attempted to sell the house as a home. He said it is the only home that is residential other than one home next door. The home is currently zoned for the jewelry business, so a residential use would require a variance. He purchased the property in 1984 and it was vacant for 15 years. The Chair questioned the abandonment of any prior approvals regarding use. Mr. Gast says that as he understands it, the issue of abandonment usually deals with a pre-existing non-conforming use. At a given time, the building was a jewelry business and a permitted use, so he doesn't think you could argue abandonment. There has to be, Mr. Gast said, some demonstrative evidence that you intend not

to return to that use. Mr. Herits said that he sees this as a new application in the BA zone and it should be treated as a new application. Mr. Linnus agreed. The Chair asked about limiting the use of high-density businesses. Mr. Gast said that he had no more questions of Mr. Stonitsch. Mr. Gast called his planner to the microphone. Mr. Linnus swore in Mr. James Voorheis, P. O. Box 572 Shamokin, PA 17872. Mr. Voorheis is an architect. He stated his background in architecture and engineering. He passed the architecture exam in 1982 before a college degree was necessary and is grandfathered under the license. Mr. Voorheis prepared the original plans and the revised plans. He described a 2-story house possibly 100 years old. There are 4 rooms downstairs and 4 rooms downstairs, a smaller than average home. A small amount of impervious coverage was removed from the original plans to the revised plans. A sidewalk on the right was removed. Mr. Voorheis said that this sidewalk doesn't really serve a purpose and it gets the impervious surface coverage down to an acceptable percentage. The sidewalk needs to be replaced due to some tripping hazards, and the applicant has agreed to do that. The existing garage in the back is leaning, and is proposed to be removed. The addition would be straight back on both floors with a handicap ramp behind it, opening up some spaces that would be general office. He said that the office space would be very general, and the front of the building would be spruced up. The drive width went from 15' to 12' making it possible for a swing up space for drop off. The grassy area in front is about 2' higher than the driveway width, so there would have to be some excavation, but Mr. Voorheis said that was minor. Mr. Voorheis said that they could probably squeeze out one more parking space, but at the expense of going over the limit of impervious surface coverage. Mr. Boyd asked if there was an ordinance that doesn't allow overnight parking. Mr. Gast said that there is unrestricted parking on Johnston Drive at this time. There are 5 proposed parking spaces in the back of the building, one being handicapped parking. Mrs. Schaefer asked if the 2346 sq. ft. was a combination of the first and second floor. Mrs. Schaefer asked what the walk-up attic be used for and it could be used in the future as commercial office space. Mr. Voorheis said that it was for heating and cooling units and wouldn't be used for office space. Mr. Voorheis said that the attic is intended

as storage and if the Board wanted a restriction for attic use, they would be glad to add that. Chairman Speeney said that if there was a set of conditions, he would want it stated that the attic would not be used for office space. Mr. Gast suggested that they do not open the attic between the old and the new portion, and that the access to the new portion be a square in the ceiling. Mr. Boyd suggested that wording would be in place saying that 2,346 square feet of space may be used as office space, and that will prohibit use of the attic and of the basement. Mr. Gast said that was acceptable to the applicant. Mr. Voorheis said that the bathroom in the basement could be removed if the Board would like, due to the fact that it is not necessary. A second bathroom was discussed, and Mr. Voorheis said that it would be up to the new tenants. It was decided that the bathroom would be removed in the basement. Mr. Boyd said that he thought parking was a critical issue depending on what type of business comes in to the building. There were no more questions for Mr. Voorheis.

Mr. Gast referred to the set of plans previously submitted pages one through ten dated 12/07/07 and a revised set of plans submitted within the past few weeks also one through ten. The Chair marked this revision into evidence due to the fact that it has no revision date marked A-1 dated May 20th, 2008. Mr. Linnus swore in John Chadwick of 3176 Route 27, Kendall Park, NJ. Mr. Chadwick served as this Borough's planner approximately 15 years ago. The Board accepted Mr. Chadwick as an expert in the field of planning. Mr. Chadwick offered an aerial photograph from the site, which was marked as exhibit A-2. Mr. Chadwick said there is no intent to use this building for residential purposes, and they are taking a sound structure, and coming up with a reasonable adaptive reuse. Mr. Chadwick said they are not seeking a use variance because the BA zone allows just about everything for the business use. There is no ability to expand this property. Mr. Chadwick stated that there are five spaces in the rear of the building and asked the question whether or not you could jam a few more spaces in the front and answered that probably yes it could be done. Mr. Voorheis discussed different types of business' that are allowed in the BA zone and said that there are a myriad of business that would not fit into this lot. Mr. Chadwick advised against making lists of business possibilities for

this property, and instead, letting the right business find this building knowing the amount of traffic that it could hold. He felt that this would have a self-regulating nature due to what the building is. The Chair asked Mr. Gast if the applicant was willing to accept the condition of no retail sales or food and merchandise and no medical arts. Mr. Gast said yes. The Chair recommended to the Board that two conditions previously reiterated be met. Mr. Herits stated that if the Board was willing to grant variances for parking, then possibly the applicant would be willing to improve the landscaping. Mr. Gast said they would be willing to do what they could within the confines of the space they had, and that in terms of the building, they would like to keep it looking like a house. Mr. Voorheis said that the siding will remain clapboard. It will most likely be painted with an accent trim color. The Board wanted to see continuity of the new construction and the old, and that the house keep it's charm. The Board expressed interest in seeing a more detailed and true rendering of the proposed finished front of the house. Mr. Gast offered adding shutters to the front windows. The Chair recommended the Board review this as preliminary, at the time of final it will be with the final plans and final renderings. Mr. Gast said that this is an issue of maintaining the viability of an old structure. Mr. Gast said that there is not the ability to bring this site into total conformity, but if you don't do the expansion, you affect the viability of the site. Mr. Gast said that he thinks there is a reasonable basis for allowing the deficiency in parking. He thanked the Board for their attention. The Chair said that he wanted the Board to discuss the conditions for preliminary so that they could have the attorney draft a resolution in the affirmative. There were no questions from the public and the Chair asked the Board to close the public portion of this application by voice vote. Mr. Haveson made that motion seconded by Mayor Ellis. There was no discussion and by voice vote it was unanimously approved to close the public portion. The Chair asked the Board if they wanted to have the Attorney draft a resolution in the affirmative, and the consensus of the Board was that they did not want to do that until the applicant presented more detailed renderings of the proposed finished look of the house. The Chair told Mr. Gast that he wanted more detailed renderings of the proposed building next month before moving forward. Chairman

Speeney said that he would agree with the Board to continue this application until next month. Mr. Gast asked that next month there would be a vote on this application subject to memorialization. Chairman Speeney asked the Attorney to draft what he thought the conditions were so far. Mr. Boyd asked that there be another site visit to review the parking situation. Mr. Linnus asked the Board if they would review both preliminary and final or would they require the applicant to come back at another step since he is bringing in the renderings. The Chair said that the Board is willing to consider both preliminary and final, but that it is a possibility that the Board may take action only on the preliminary. Mr. Gast granted the Board a continuation through June 30th with no need to renotice.

The Board had a discussion about COAH with Mayor Ellis recusing himself from this discussion. They discussed residential knockdowns and rebuilds and regional contribution, and the Chair adjourned the meeting at 9:50PM until the next meeting of June 17th, 2008.

Respectfully Submitted,

Carolyn Taylor
Planning Board Clerk