

MINUTES  
PLANNING BOARD  
BOROUGH OF NEW PROVIDENCE  
TUESDAY, SEPTEMBER 12, 2017

A. CALL TO ORDER 8:04 p.m.

B. PUBLIC NOTICE: This is a Public Meeting of the Planning Board of the Borough of New Providence, County of Union, and State of New Jersey. Adequate notice of this meeting has been given in accordance with Public Law 1975, Chapter 231, in that an Annual Notice or Revision was made in conformance with Section 13 of the Act.

C. ROLL CALL: Present: Gene Castagna, Bill Hoefling, Gary Kapner, John Keane, Mayor Morgan, Chairman Lesenwich, Robert Sartorius and Denise Torsiello, Absent: Matt Cumiskey. Also present: Susan Gruel, Borough Planner; Keith Lynch, Director of Planning and Development; Steve Warner, Board Attorney; Amanda Wolfe, Attorney, and, Margaret Koontz, Secretary

D. PLEDGE OF ALLEGIANCE

E. PUBLIC HEARING

Marion Street Properties 1280-SA LLC Application #2017-04  
1276-1282 Springfield Avenue, Block 150, Lot 18, CCD Zone, New Providence, NJ 07974  
Site plan approval to permit the renovation and updating of building facades, and installation of awnings, signage and façade lighting.

Roger Mehner of Lindabury, McCormick, Estabrook & Cooper, P.C., attorney for the applicant, introduced the application for site plan approval to renovate the façade of the building at 1280 Springfield Avenue in preparation for new tenants. There will be three tenants on the first floor. The two residential apartments on the second floor will remain with office space on the second floor as well. The applicant owns the building next door to the west: The two properties share a common driveway. The building has parking in back which is fenced. The applicant has plans for the other building and hopes to revisit the parking in the back with the Borough, Village Shopping Center and the private owner of the other parking lot about cross easements to open up the parking lot.

Richard Angel, member of Marion Street Properties, was sworn in along with Susan Gruel, Borough Planner, and Keith Lynch, Director of Planning and Development. Mr. Angel testified that Marion Street Properties is only doing exterior work until it knows what it can

do with the other building and the parking. Marion Street Properties has plans for the other building but parking is the issue. The applicant plans to demolish the building to the west. The exterior work on the subject property includes painting, awnings, signage and lighting on the front and back of the building. Permitted work is already under way.

The following exhibits were marked:

Exhibit A-1: Rear façade of the storefront renovation submitted with the application

Exhibit A-2: Front façade of the storefront renovation submitted with the application

Exhibit A-3: Board with lighting details, sample paint colors, photograph of bricks painted the color to be used on the subject property, photograph of a façade painted in the color to be used on the subject property, rendering of awnings, rendering of a storefront with awnings and signage on the awnings, and

Exhibit A-4: Copy of the survey submitted with the application

The rear of the building will be renovated so that it is similar to the facades in the Village Shopping Center with a white Azek sign band in the center, another border and signage that is similar to that in the shopping center. The bottom of the building will be two colors which be selected depending on how they appear on the stucco. The doors have to be changed.

The three first-floor tenants include George's Appliances, a current tenant, H.G. Edwards which is moving its show room from Summit and Juice House which has locations in Garwood and Long Beach Island. H. G. Edwards plans to occupy the space in mid October/November. Juice House expects to open on November 1<sup>st</sup>.

Additional improvements have been made. There is a new HVAC system for all three first-floor units as well as new storefronts. The electrical service has been upgraded and there are new offices and apartments on the second floor. H.G. Edwards will occupy one of the offices on the second floor. The apartments are rented.

Mr. Angel described the changes to the front façade. The applicant power washed the front of the building but it doesn't look much better so it proposes to paint the façade with colors recommended by Riccardi Brothers paint store. The building will be painted in Revere Pewter as shown on Exhibit A-3 and will have an accent "eyeliner" under the windows or whatever looks best to add interest. Gooseneck lights will shine down on the decorative awnings. Instead of signs, Marion Street Properties proposes to put lettering on the slanted part of the awnings rather than on the valance. The awnings will extend out less than 3' from the building so snow will not collect on the awnings.

The Board discussed the location of the "sign" on the awning for H.G. Edwards which is proposed over the showroom window rather than over the entry. Mr. Angel stated that this could be moved. The Board noted that it isn't within its purview to tell the applicant where

to place the “sign” on the awning but it must follow the Design Guidelines. Mr. Angel wasn’t planning to put numbers over each doorway because the whole building is 1280 Springfield Avenue but after discussion with the Board agreed that each storefront needs to be identified for safety reasons and will put the suite numbers above the doors. Ms. Gruel asked about the height of the lettering on the awnings. Mr. Angel proposes 18” letters and sees no reason to ask for a variance for larger letters at this time. The awnings will be black with white lettering. Mr. Lynch stated that the applicant can put the address on the valance of the awnings but the lettering has to be smaller than 18” and added that three colors are allowed per sign.

Ms. Gruel stated that a variance is required for the sign materials because the signs in back are aluminum. Mr. Angel responded that he will use the same materials as the signs at the Village Shopping Center to be in compliance.

Ms. Gruel reviewed the variances. The first two variances for the sign material and height of the lettering on the awnings have been eliminated. A variance is still required for encroachment of the awning over the sidewalk as they project 1’ – 6” where a minimum of 3’ and a maximum of 6’ are permitted. A variance is also required for the signage on the canopy portion of the awnings rather than the valance. Technically the applicant needs more parking spaces but this is an existing non-conformance.

The foot candles for the bronze gooseneck lights will conform. The lights will be on a timer and possibly a sensor. The Board discussed when the lights will be on and agreed that the lighting will be subject to the permit application. The back wall sign will be white and Mr. Angel is aware that he is limited to three colors for the lettering.

Marion Street Properties is increasing use in the rear of the property. Mr. Lynch would like to see some sort of sidewalk for the future. For now, a line could be painted to indicate that customers can’t pull up to the door. The applicant can work with Mr. Lynch on what can be done in the future beyond stripping. Mr. Lynch would like to see the white stripping done by the time the Certificate of Occupancy is issued for Juice House (November 1<sup>st</sup>).

Mr. Angel responded to questions from the Board. There is a trash enclosure in the middle. The applicant would like to talk about the trash enclosure at a future hearing. Mr. Angel is not sure that he wants to take the fence in the back down yet. There is a gate in the fence now that provides access.

The Board had no further questions and the hearing was opened to questions from the public. Being none, the hearing was opened to comments from the public.

Bruce Matthews, 1283 Springfield Avenue, was sworn in. Mr. Matthews expressed support for the application stating that the proposed changes are an upgrade to the neighborhood.

He's even more excited about what will be proposed for the building to the west.

The Board reviewed the application and variances. Variances are required for the encroachment of the awnings and the signage on the canopy of the awnings rather than on the valance. The lettering on the awnings will be 18" and the walkway at the rear will be stripped subject to review by Mr. Lynch.

Mr. Hoefling moved to approve the application with the variances as noted. Mr. Sartorius seconded the motion. Members voting in favor: Mr. Hoefling, Mr. Kapner, Mr. Keane, Mayor Morgan, Mr. Sartorius, Mr. Castagna and Chairman Lesnewich.

#### F. REVIEW AND DISCUSSION OF DOWNTOWN ORDINANCE REVISION

The Board reviewed the ordinance revisions to support the Downtown Master Plan. The goal is to bring the ordinances in line with the Downtown Plan Master Plan which was used as the basis for putting the details in the ordinances. The draft ordinances are consistent with the Downtown Master and will replace the use, bulk and Design Guidelines for the Central Commercial District. The ordinances are in a different format – form-based code – from the existing ordinances.

As a result of the application just heard, the Board suggested changes for encroachments for awnings that are decorative, lettering and signage on decorative awnings, prevailing setbacks for awnings and signs above awnings so that future applicants would not have to come back to the Board to request variances if they wanted to make changes similar to the ones just approved. The Board also discussed what applications have to come to the Board. Ms. Gruel noted that even with the changes to the ordinances which would eliminate the need for certain variances, some applications will still have to come to the Board for site plan approval. The Board agreed that the ordinances are not stagnant and as with the Downtown Master Plan, it will look at them again in the next few years to see if they need to be changed.

Mr. Lynch stated that it's important to adopt the ordinances as soon as possible so as not to delay developers such as the applicant just heard. The Board of Adjustment will hear an application for a use variance for use of the third floor at 29 South Street which is allowed in the Downtown Master Plan but not currently permitted by the existing ordinances. Had the revised ordinances been in place, the applicant would not have had to apply for the variance. The Board agreed that Council should introduce the ordinance revisions. Ms. Gruel will tweak the ordinance revisions based on the Board's discussion and will submit them to Mr. Lynch before sending them to Council. The Board will have a chance to review the ordinance revisions again once they have been introduced by Council.

G. COURTESY REVIEW – October 3, 2017

Barabash Manor Application #2017-03  
101 Academy Street, Block 50, Lot 14.02, CCD Zone, New Providence, NJ 07974  
Courtesy review for amended site plan approval with all other relief in the form of variances, waivers, or exceptions to the strict interpretation of the Borough's Zoning Ordinances which the Board deems necessary, to construct a new monument sign approximately 9 square feet.

This is a courtesy hearing for an Eagle Scout project.

H. OTHER BUSINESS

No other business.

I. MISCELLANEOUS BUSINESS

*Tide Dry Cleaners*

The façade will have a colonial look. Work has stopped on the project. Mayor Morgan believes this is because of utility service on the site.

*123 and 125 South Street*

An application for the boarded-up house next to Our Lady of Peace Church is expected in the near future. The last proposal discussed with Mr. Lynch was for five townhouses. Mr. Lynch discouraged this.

*Barth's Market Expansion*

The work will not be finished by Thanksgiving as hoped. Mr. Barth is aware of this.

*Riverbend at New Providence*

Building on the third building has started. This building has three-bedroom units which are more saleable. Mr. Parisi will be coming back to the Board to change the fourth and final building.

*Pearl Street Subdivision*

The new houses at 85 and 89 Pearl Street will be done before the end of the year.

*Sixth Street Subdivision*

The applicant is waiting for the 45-day appeal period to end before filing for permits. There are no signs of appeal to date.

*13 Crest Road*

The house has been razed and a new house will be constructed.

*39 Clinton Avenue*

The buyer paid cash for the lot and plans to tear it down.

*Corner of Springfield and Central Avenues*

Plans for two retail spaces on the site are under discussion. The residential units originally proposed above the retail space are no longer under discussion. Development on the lot is a tough sell because it's in a residential area. Mayor Morgan would like to see a two-family house on the site.

*Community Center*

The funds are in place for the kitchen at the DeCorso Community Center.

*Municipal Court Room*

The bid documents for the court room renovation will be available this week. The renovations are expected to be completed in March 2018.

*Cell Equipment on the PSE&G Tower*

Work is being done on the ground equipment in preparation for installation of the equipment on the PSE&G tower.

*McDonald's Sign Application*

The Board of Adjustment will hear an application seeking site plan and variance approval to expand the monument sign on September 18, 2017. Mr. Lynch is concerned that approval of the proposed sign could result in an electronic scrolling sign in the future.

*Sunham Property – 700 Central Avenue*

Mr. Lynch reported that there is no activity regarding this property.

*705 Central Avenue*

There has been a lot of interest in the space at the rear of 705 Central Avenue which has been auctioned twice but is for sale again. A microbrewery expressed interest. A kennel also expressed interest but this is a prohibited use in the zone.

*Fablok Mills – 140 Spring Street*

Part of the property is now occupied by a company that re-treads tires. There is no odor as there is no heating of the rubber. There is also a tire distributor in the building.

*Flodyne Controls – 48 Commerce Street*

Mr. Lynch said there is no activity regarding this property.

J. MINUTES

Mayor Morgan moved to approve the minutes of August 1, 2017, and Mr. Sartorius seconded the motion. The minutes were approved as submitted with the abstentions of Bill Hoefling and Chairman Lesnewich who were not present at the meeting on August 1, 2017.

K. ADJOURNMENT

Mayor Morgan moved and Mr. Kapner seconded the motion to adjourn. The meeting was adjourned at 9:53 p.m.

Respectfully submitted,  
Margaret Koontz  
Planning Board Secretary