

**Borough of Caldwell
Planning Board
October 12, 2016
Minutes**

The Planning Board was called to order by Mr. Gardner at 7:03PM in the Municipal Building, second floor Council Chambers.

ROLL CALL: Councilman Cascarano, Ms. Finnegan, Mr. Gardner, Mayor Dassing, Mr. McGowen, and Mr. Byrne

PRESENT: Alan Trembulak, Esq.

ABSENT AT ROLL CALL: Ms. Martin, Mr. Mihalik and Ms. Santiago

STATEMENT OF COMPLIANCE: The statement of compliance with the Open Public Meetings Act was read.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

The Public minutes of July 13, 2016 were approved.

APPROVAL OF INVOICE:

ARH Associates, invoice dated October 7, 2016 for application Z16-001, Dr. Vito Mazzoccoli, 73 Bloomfield Avenue in the amount of \$1,225.00. All in favor

NEW BUSINESS:

Application P16-001, Dr. Vito Mazzoccoli, 73-75 Bloomfield Avenue, Caldwell, NJ. Preliminary Site Plan Approval, Final site Plan Approval.

Rosemary Stone Dougherty representing applicant Dr. Vito Mazzoccoli and they are asking for preliminary and final site plan approval for his doctor's office located at 73-75 Bloomfield Avenue. The application is looking for additional parking and there are no variances that are being requested but we do have a design waiver that we will be going over.

Ms. Deborah D'Amico sworn in and qualified as a Professional Engineer.

Ms. D'Amico gave a summation:

- Ms. D'Amico met with Dr. Mazzoccoli to go over what his parking needs are.
- She was contracted to do a site plan and get as many parking spaces as she can.
- The doctor has a 10 staff office and helpers that draw blood along with a nurse practitioner.
- Procedures are done once a week.
- Dr. Mazzoccoli is a General Family Doctor. His patients are infants to elderly.
- Hours of operation are Monday, Tuesday, Wednesday, and Friday 8AM-6PM and Thursday is 8AM - 7:30PM and alternate Saturdays.
- Currently he has 8 parking spaces and 2 spaces in the Garage.
- There is no accessible parking and no on street parking available.

Ms. Dougherty testified that when procedures are done in the office there is more staff and an overlap of not all staff that is full-time. They are managing now but that was the need and that's

why the applicant has come to the Board and looking for additional parking. So there is better flow in the parking lot and more accommodations for the patients.

Mr. Trembulak testified that the Board Engineer commented that the minimum required parking based on the ordinance is eighteen (18) spaces and they are providing twenty-seven (27) parking spaces. The Engineer's report suggested that the applicant needed a design exception which is somewhat like a variance, but not quite as significant and he respectively disagrees because some ordinances provide maximum number of parking spaces but Caldwell's ordinance is typical of most ordinances which is provide a minimum requirement. The minimum is eighteen (18) parking spaces and providing more parking than the minimum is not a bad idea. He doesn't feel that they need the Boards approval to provide parking spaces than the eighteen (18) that are required by the ordinance. The current situation is non-conforming and they are now proposing a plan that not only conforms but does more than conform.

Ms. D'Amico continued her summation:

- The applicant has no problem with the wheel stops because there is no curbing on the site.
- They want to continue the drainage pattern so they don't propose any curbing.
- They will be removing the apron and putting grass down. They will repair the sidewalk where it is disrupted and construct a new apron and depressed curbing.
- The lights over the doors and the awing will stay. They are proposing pole lights that are 15 feet high.
- The applicant is willing to reduce the LED lighting or remove one of the poles if asked by the Board. Ms. D'Amico is willing to work with the Board's Engineer to get a lighting design.
- They can add a cut sheet to the plan that the base for the pole should be designed by Engineer.
- Timers can easily be put on the lights.
- They will not be changing the grades.
- The adjacent neighbor's downspouts will continue they are not changing anything that would prohibit their discharge of both leaders.
- The species of shrubs Leather Leaf and an Ink Berry. They can swipe out the Leather Leaf to a Maple Leaf.
- Construction equipment will be kept on site.

Mr. Trembulak testified that this plan will need to be reviewed by County Planning Board and they will make the decision as to whether prohibit left turns coming out of doctor's office onto Bloomfield Avenue.

Ms. Dougherty responded that the applicant has already submitted to the County and they are expecting their review comments.

Dr. Vito Mazzocoli was sworn in.

Mr. Gardner asked Dr. Mazzocoli where everyone parked with only the eight (8) parking spaces and Dr. Mazzocoli responded that there is a wooden fence and two to three extra cars would park there which is not assigned parking spaces. Mr. Gardner asked if he was appointment only and Dr. Mazzocoli responded that mostly yes but he also accepts walk-ins. He is the only doctor in the practice.

Open to Public:

None

Mr. Trembulak discussed with the Board the conditions:

- The applicant has agreed to comply with paragraphs 5 -15 on the Engineers report dated September 19, 2016 which also includes County Planning Board approval.
- The applicant will comply with the comments and requirements in the memo from the Police Department.
- Any planting should be native species.
- The Engineer indicated that she will work with the Board Engineer to come up with a suitable lighting plan.

Board members discussed the application.

Motion to approve application Z16-001 subject to the conditions as stated by Mr. Gardner, seconded by Mr. McGowen.

Councilman Cascarano	yes
Ms. Finnegan	yes
Mr. Gardner	yes
Mayor Dassing	yes
Mr. McGowen	yes
Mr. Byrne	yes

Approved 6 -0

7:32PM Open to Public

The meeting adjourned at 7:32PM

Respectfully Submitted,

Lisa O'Neill
Planning Board Secretary