

**Borough of Caldwell
Planning Board Meeting
August 11, 2021
Minutes**

A Public Meeting of the Borough of Caldwell Planning Board was called to order on August 11, 2021 at 7:10pm via Zoom Meetings.

ROLL CALL: Mayor Kelley, Mr. Mihalik, Mr. McGowan, Mr. Mescia, and Councilman Rodgers. Mr. Trembulak and Mr. Beckmeyer were also in attendance.

ABSENT: Mr. Sandor, Mr. Byrne, and Mr. Banazynski, and Mr. Gardner

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 14, 2021 were approved.

NEW BUSINESS

Application P21-001

S & S Caldwell Village LLC, 14 Lane Avenue, Block 41, Lot 3; 18 Lane Avenue, Block 41, Lot 4; 12 Lane Avenue, Block 41, Lot 3.021; and 4 Lane Avenue, Block 41, Lot 2.

Preliminary and Final Site Plan Approval

Mr. Tom Scrivo introduced himself as the attorney for the redeveloper, S&S Caldwell, LLC. Mr. Scrivo introduced the application and the applicant, Mr. Meka. He also gave a brief summation of the background this application has, and its prior approval with the Borough Council.

Mr. Trembulak brought up an email he received from Michael Rubin, requesting to be heard before the application. He feels that there is a jurisdictional issue that should be heard before the application.

Tom Scrivo reminded the Board that there is a section at the end of the meeting for public comment, therefore he would request that the application be heard first. Mr. Rubin can voice their concerns during the public portion at the end of the meeting. It is highly unusual that a member of the public is allowed to comment before an applicant is even presented to the Board.

Mr. Trembulak said that his only concern is that he is presenting a legal concern on the application.

Mayor Kelley thought it would be inappropriate to allow a resident to comment before the applicant has a change to present their application.

Mayor Kelley made a motion to proceed with the agenda as presented. The motion was seconded by Councilman Rodgers.

Mayor Kelley	Yes
Councilman Rodgers	Yes
Mr. Mihalik	Yes
Mr. McGowan	No
Mr. Mescia	No

Motion Passes 3-2-0

Mr. Scrivo introduced Mr. McLellan, the applicant's licensed Engineer.

Patrick McClellan - Licensed Engineer

- Presented his education and credentials

Presentation interrupted because Mr. McClellan lost power due to the storm. Resumed 7:45pm

Parking

- Added Exhibit A1 - Bike rack specification
- 132 Parking Spaces
 - Bottom level enclosed parking
 - Additional parking on the second floor
- 30 bicycle parking spots available
- 8 handicap stalls proposed
 - 4 van accessible, 4 car accessible

Utilities and Grading

- Drainage system that was previously designed will remain.
- Less impervious coverage due to revisions on the property
- 2 levels of sheltered parking, that will not be exposed to the elements and not create more run off
- Outlet control structure, and water purification system
- Lowest level of parking is buried
- Second level is at grade

Lighting Plan

- Lighting in courtyard all face into the courtyard
- LED lights
- Outdoor lights will be designed to not spill into the neighbors' yards
- Street lights proposed along Lane Ave
- All enclosed parking lots will have ceiling mounted lights

Landscaping Plan

- Proposing to keep natural vegetation that is behind the building
- Lawn and landscaping in the front of the property
- 13 trees along the front of Lane Avenue
- No objection to including native plants

All walls will be 6 feet or lower per topology review

QUESTIONS/COMMENTS FROM THE BOARD:

Mr. Mihalik asked about steep slope - Mr. McClellan said that they are actually below the maximum of the steep slope ordinance that the Borough has in place

Mr. Mihalik asked about impervious pavement - Mr. McClellan said that they are still trying to decide if it is a sensible option, but are certainly open to the idea of utilizing it in this project.

Mr. Mihalik asked about a more detailed landscape plan - Mr. McClellan said that sheet 7 has a plant list and has the landscape plan. Will work with the green infrastructure list to add native plants. Can enhance the details in the plans.

Mr. Mihalik asked about the #12 building being extremely close to the new building - Mr. McClellan said that the architect would be better to answer that question

Mr. McGowan asked if the storm water analysis meet the code of the new codes from March? – Mr. McClellan said that the only thing they need to look into regarding the new codes, is to confirm whether or not they have to perforate the pipes.

Mr. Mescia said that lots 3&4 are going to have 100% of the new units. 40 units per acre allowed in the ordinance. You will be having 93 new units where you should have 73 units.
Mr. McClellan asked that the Planner address that question

COMMENTS FROM PROFESSIONALS:

Golda Speyer - Topology:

- Asked for more testimony on the refuse. 1 refuse servicing all 3 buildings
 - Mr. Clellan said that the location is pretty central but does favor the easterly side. Strategy is to have the tenants bring the trash to the refuse area, which is the common way to do that. Indoor refuse often present ventilation issues. Access to the refuse from the new building is found along the backside of the building. They can add crosswalks to allow for safer passage to the refuse. Will be picked up by a private contractor, so the schedule can change if needed.
- Landscape Plans originally showed a recreational area and walkway. That seems to no longer be on the plans. Why were they removed from the plans?
 - Mr. McClellan said that the previous plans showed that there could be a walking path in the undisturbed area. Had passive recreation plans marked out, but were removed. We can still put the passive recreation marks back on the plans
 -

Glenn Beckmeyer – Board Engineer:

- The applicant's engineer didn't update the drainage calculations since the submission in February. Reads that there is a high point at the southern portion of the property. Concerned that everything from both drainage units will be going south and worried about the invert of that existing manhole. Not sure that there is enough invert and would like to see revised drainage calculations. Would like to see some of these catch basins have more green structure. What are the specifications of the refuse area, and what materials will it be made out of. The pathway to refuse area needs to be ADA compliant.

Ms. Speyer:

- Utilities often take issues with buildings that are 4 stories or less having internal mechanical rooms. Are you aware of this possible issue/have you reached out to the utilities to find out? Is there a transformer proposed on the property?
 - Mr. McClellan said that they anticipate having a transformer on the northwest corner of the building. They are waiting to hear what PSEG wants/needs to see for the final location.
- Retaining walls should be constructed in stone or brick or an aesthetic material to comply with the redevelopment plan.
 - Mr. McClellan will make sure that the walls comply with the redevelopment plan
- Keep in mind the Redevelopment Plan prohibits chain link fences
 - Mr. McClellan said that they will comply with that

Mr. Clellan responds to Mr. Beckmeyer:

- Comprehensive Geotechnical work will be done
- Some existing walks in the rear will work in our favor in terms of water flow. Final water flow designs will be reviewed by Mr. Beckmeyer
- Connection points – they had discussed connecting to the drainage closer to Bloomfield Ave, however, they would have had to extend the actual sewer drainage piping. They will take a look at the green infrastructure ideas for drainage to see how they may be implicated on the project. Roof runoff is considered clean runoff and that will be the majority of the drainage.

Mr. Mescia asked why wasn't geo-testing done before appearing before the plans appeared before the Board.

Mr. McClellan said that a land use approval on the land is preferred to have before the testing is done. It can often cause issues before approval because it is thought to be

Mr. McGowan:

- Are the concerns that Glenn has, something that he is comfortable with having as a condition to the resolution, or is it something that he believes that application cannot be approved with it.
 - Mr. Beckmeyer said that he does not feel comfortable not having the updated drainage calculations in front of him. He won't sign the plans unless he thinks that the drainage won't have an adverse effect on the current drainage.
 - Mr. McClellan has worked on other projects in other towns when Mr. Beckmeyer supervises as Board Engineer, and we are happy to work with and comply with his needs.
 - Mr. Scrivo said the applicant is happy to work with Mr. Beckmeyer to address all of the concerns that he raises not only tonight, but throughout the whole process

OPENT TO PUBLIC COMMENT:

MEL HARCLERODE, 14 Magnolia Lane, when it comes to electrical load, and storm water management is there any consideration for future use and impact.

- *Mr. McClellan said that the design is consistent with the proper statures. There is a water quality enhancement unit that is needed, and we will be using a majority of rooftop drainage. Sheltered parking is a positive water quality feature. 2 Incorporated hydrodynamic separators have been proposed to clean and purify the water runoff*

Rich Rutolo, 15 Highview Road, what is going to happen to the trees that are directly on the other side of my property line? Some trees are lively and green while others are dead.

- *Mr. McClellan said that the greenery in the back of the property will be left as is.*
- **Mr Rutolo asked what are the plans for the existing chain link fence?**
- *The plan is to leave that area as is, so we will not be touching the area around the fence. He is not a tree expert so he was not sure what the status of those existing trees in the back of the property is.*
- *Mayor Kelley asked if what the resident is asking, is if the applicant will clean up that back part of the property. Maybe get rid of the chain link fence and dead trees.*
- *Mr. Scrivo said that the applicant will clean up the back of that lot.*

Michael Rubin , 77 Brookside Avenue, how many parking spaces are on the site of the new building.

- *Mr. Clellan said that there are 96 spots on the basement level, and 93 on the upper level and 2 in the courtyard area.*
- **Mr. Rubin asked if there are 2 spaces per unit, as required by ordinance? If there are 2 spaces required by ordinance where are the extra 5 spaces that are unaccounted for.**
- *Mr. McClellan said that the unsheltered parking by the existing buildings will be available for all residents of the new and existing buildings*
- **Mr. Rubin asked if there are guidelines for the refuse are, and the size for the containers?**
- *Mr. McClellan said that the size of container would be determined by the management. The area of the refuse is sufficient, as he has have testified.*
- **Mr. Rubin asked if the walls being constructed into the hills can be built without damaging the hill?**
- *Mr. McClellan said that there is space behind to allow for disturbances, and 10 ft have been designated.*

John Erwin, 17 Highview Road, trees in the back of the property have damaged the fence that he had installed.

Board has decided to end the meeting around 10/10:15pm this evening and resume at another time.

Mr. Scrivo suggested moving forward with at least one additional witness. Can we have a second meeting next week.

Mr. Scrivo introduced the Licensed architect for the applicant, Steve Corso.

Steven Corso - Licensed Architect

- Sworn in and provided background on his education and professional experience.

Application

- Described the architectural layout

- Building will be brick with stucco trim and fiberglass shingles.
- Courtyard in the middle of the building
- Fourth floor is full of dormer windows from the outside
- 4 lane avenue - 12 units and 2 story
- 14 Lane - 4 apartments and 2 story
- The building will be using matching materials as the existing buildings to the left.
- 98 units, 66 1-bedroom, 20 - 2 bedrooms, 5- 3 bedrooms units

Response to Professionals report:

- Transparency measurements and their calculations are on the plans.
- Showed the 2 exits sting buildings and their new plans
- Windows are no longer directly across from each other and the walls are more than 8ft apart.
- Lease restrictions can be put in place so the studies cannot be used as bedrooms.

COMMENTS/ QUESTIONS FROM THE BOARD:

Mr. Mihalik said that the new building is 11ft from existing building. How are you addressing that?

- Mr. Corso said that they do comply with fire code requirements between buildings.

Mr. Mihalik asked why are we planning a building that is only 11ft from an existing building?

- Mr. Corso reiterated that Building Code allows for this spacing. It is a matter of how everything fits on the site

Mr. McGowan asked how will refuse get to the refuse area outside of the building?

- Mr. Corso said that tenants will have to bring their garbage outside to the refuse area. No garbage areas inside the building.

M. McGowan suggested that this could lead to tenants letting their garbage buildup and possible rodent issues.

- Mr. Corso said that has not been an issue for other buildings the applicant owns, that has outdoor refuse areas only.

Mr. McGowan asked what the storage looks like for the individual units.

- Mr. Corso said that all apartments have closets and while provide more than enough storage space.

Mr. McGowan asked for confirmation that the studies do not have closets.

- Mr. Corso said that they do not

Mr. Mescia said that a 40-unit density per acre is allowed by Ordinance. How do you justify the compact spaces within the apartments?

- Mr. Corso said that the planner would be better suited to answer that question
- We are using the whole site, and there is nothing that regulates how you use the site.

PROFESSIONAL'S COMMENTS:

Mr. Beckmeyer asked where he can find the transparency calculations?

- Mr. Corso said that a description of how it is calculated, is on the plans. I can provide the actual calculations as well.

Mr. Beckmeyer asked what type of construction material is being used for the Garage.

- Mr. Corso said they will use steel and concrete

Mr. Beckmeyer asked if the parking units all enclosed?

- Mr. Corso said they are.

Mr. Beckmeyer asked how the garage will be vented?

- Mr. Corso said that the venting will be going up through the roof.

Mr. Beckmeyer asked about the roof height. What is the actual elevation of the rooftop? Utilities, PSEG is going through and requiring high pressure lines, so you should look into that to see if that will affect your plans.

- Mr. Corso said that if that is required, we can make provisions to comply with their requirements.

Mr. Mihalik asked if each apartment will have its own meter? Will there be enough room in the mechanical room?

- Mr. Corso said that yes, each room will have a meter and yes, we have enough space in the mechanical room.

Ms. Speyer expressed concerns with the units that are in light shafts. There are a total of 4 bedrooms that are facing an interior courtyard.

- Mr. Corso said that the windows will be buffered to some extent. Windows that oppose each other are 17ft apart. Courtyard is 72ft long, 14ft wide, and 2 stories high.
 - Mr. McGowan asked if there will be provisions to clean and maintain the courtyard to prevent possible buildup.

Ms. Speyer asked if there is any opportunity to use color change to visually change the long frontage of the building? Help ease and soften the frontage

- Mr. Corso said that yes, there are steps that we could take to break it up. Extend the horizontal line

Ms. Speyer said that some of the 2-bedroom units are actually larger than the 3 bedrooms. Units need to be equitably distributed throughout the floor.

- Mr. Corso said that next to the 3 bedroom there is a large 2 bedroom. I can shift some things around to make a larger bathroom and increase the square footage of the unit. That would make all the units equitable in size.

Mr. McGowan asked why the Gym is on the 4th floor and not the first residential floor?

- Structural consideration, and it allows for us to have an entrance through the courtyard on the second floor.

Mr. McGowan asked what other amenities are there in the new building?

- Mr. Corso said that there is just the parking and fitness center. The room themselves will have nice amenities as well.

Mr. McGowan asked if the applicant consider adding amenities such as community rooms?

- Mr. Corso said that they could take space from the Gym to make a community space.

Mr. Mescia asked if all units are equal in terms of amenities?

- Mr. Corso said they are.

Mr. Beckmeyer said that the refuse area needs to be in closed and ADA compliant. Could there be an extra ADA Compliant door for access to the Refuse?

- Mr. Scrivo said that there will be provisions to make everything ADA Compliant
- Mr. Corso said they can add a door to make it for ADA compliance

Mr. Mihalik asked if the slope is compliant?

- Mr. Corso said it is.

Public Questions for Architect:

Rich Rutolo, what is the decibel units of the A/C?

- Mr. Corso said that they meet requirement of 50 decibel units. We have 49.
-

Donna Filken, 8 Magnolia Lane, what is the front setback?

- Mr. Corso said it is 22ft

Ms. Filken asked if this would this be the average of surrounding buildings?

- Mr. Corso said it is.
- **ADJOURNMENT to August 18th at 7 pm**

Meeting adjourned at 10:36pm

Respectfully Submitted,
Brittany Heun
Planning Board Secretary