

**MINUTES
PLANNING BOARD OF THE BOROUGH OF MADISON
REGULAR SCHEDULED MEETING FEBRUARY 4, 2020**

A regular meeting of the Planning Board of the Borough of Madison was held on the 4th day of February 2020 at 7:30 P.M., in the Court Room, Hartley Dodge Memorial, 50 Kings Road, Madison, NJ.

The meeting was called to order by Planning Board Chairman, Mr. Steve Tombalakian.

Mr. Tombalakian requested the reading of the Public Meeting Notice.

Ms. Boardman read the following statement in accordance with the Open Public Meetings Act.

“Let the minutes reflect that adequate notice of this meeting has been provided in the following manner: At the reorganization meeting of the Board held on January 15, 2019, the Board by Resolution adopted a schedule of meetings.

On January 16, 2019, a copy of the schedule of meetings will be posted at the bulletin board at the entrance to the Hartley Dodge Memorial, sent to the Madison Eagle and the Daily Record, and filed with the Borough Clerk all in accordance with the “Open Public Meetings Act”.

The following roll call was recorded:

Present: Astri Baillie, John Forte, Tom Lewis, Alfredo Garibay, George Limbach and Steve Tombalakian

Excused: Mayor Conley, Ann Huber, and Peter Flemming

Absent: None

Also Present: Vince Loughlin, Planning Board Attorney
Susan Blickstein, Board Planner
Frank Russo, Assistant Borough Engineer
Frances Boardman, Board Secretary

Approval of Minutes:

Copies of the minutes of the January 21, 2020 re-organization and regular meetings were distributed to all Board members for their review prior to this meeting. A motion to approve the minutes as presented was made by Ms. Baillie, seconded by Mr. Lewis. A voice vote of “Aye” was heard by all eligible voting members and recorded.

Comments by the Public:

Mr. Tombalakian opened the floor to the public for anyone that wished to be heard on any matter not on this evening’s agenda. Seeing none, that portion of the meeting was closed.

RESOLUTIONS FOR MEMORIALIZATION –

CASE NO. P 19-008 Resolution granting the Minor Subdivision with Variances to Meredith Felice and Michael Coviello, located at 44 Brooklake Road, commonly known on the Borough Tax Map as Block: 2304, Lot: 15.

The draft resolution was sent to the applicant’s attorney, Mr. Justin Calta, Esq., as well as the Board members and Professionals. Mr. Calta sent back several edits that Mr. Loughlin discussed with the Professionals and approved.

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Mr. Tombalakian asked the Board if they had any further comments or questions concerning the resolution. Mr. Tombalakian asked for a motion to approve the resolution this evening, a motion was made by Mr. Lewis, seconded by Ms. Baillie. A voice vote of “Aye” was heard by all eligible voting members and recorded.

NEW BUSINESS –

CASE NO. P 19-009
Minor Subdivision
Borough of Madison
50 Central Avenue
Block: 1601, Lot: 1

Ms. Astri Baillie recused herself from this application.

Mr. Salvatore Alfieri, Esq. began by giving a brief overview of the application before the Board.

The applicant is seeking a Minor Subdivision approval for the purpose of creating two lots from the Central Avenue School property. The applicant is seeking to subdivide the subject property for the purpose of constructing affordable housing as part of the Green Village Road School Land Transfer Contract dated May 2014.

Mr. Alfieri called his first witness. Mr. Frank Russo, Assistant Borough Engineer, was sworn in to testify. The Board accepted Mr. Russo as an expert witness.

Exhibit A-1- Colorized Subdivision Plan for Central Avenue School

In using, the exhibit Mr. Russo explained that the green highlighted on the subdivision map was the existing one story brick school, while the blue shown on the map is the dedicated parcel piece to be subdivided. Mr. Russo explained that this new lot would be accessed from Community Place. This is a conforming subdivision and no bulk requirements are necessary.

Mr. Alfieri stated that there is no proposed plan for development at this time. Mr. Tombalakian asked if the Board or its professionals had any questions for Mr. Russo, seeing none he opened the floor to the public. Seeing none that portion of the hearing was closed.

There were no further comments from the board or the public. The Board began their deliberations.

Mr. Tombalakian asked for a motion to approve the Minor Subdivision to the Borough of Madison. Motion to approve was made by Mr. Forte, seconded by Mr. Lewis; the following roll call was recorded:

“Ayes” – Mr. Forte, Mr. Garibay, Mr. Lewis Mr. Limbach and Mr. Tombalakian

“Nays” – None

“Abstain” – None

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OLD BUSINESS –

CASE NO. P 19-005

Preliminary and Final Site Plan with Variances

16 Waverly Place, LLC

16 Waverly Place

Block: 2702, Lot: 28

Ms. Baillie resumes her seat at the dais for this application. Mr. Garibay has read the previous transcript, signed an affidavit of missed hearing, and is eligible to vote on this application.

A transcript of this evenings proceeding is being prepared by Hall of Fame Deposition Services, Inc.

Mr. Steve Azzolini, attorney for the applicant handed out a chronology timeline on this application. This timeline was marked as Exhibit A-3 and handed to all Board members and Professionals.

Mr. Azzolini began a recap of the previous proceedings. Mr. Azzolini stated that his client and the surrounding property owners were unable to come to an amicable agreement, and his client would like to proceed with this application this evening.

Mr. Peter Korzen previously sworn remains under oath. Mr. Korzen provided an outline of the changes that had been made to the previous plans, which included a rear yard dumpster proposed in the rear of the building as well as an air conditioning unit to the left of the dumpster for the commercial space. Mr. Tombalakian asked Mr. Sam DeAngelis representing the owners of Lots 26 and 29 if he would like to cross-examine Mr. Korzen. Mr. DeAngelis had no questions for Mr. Korzen.

Mr. Tombalakian asked the Board and its professionals if they had any questions for Mr. Korzen, seeing none the floor was open to the public for questions. Seeing none that portion of the hearing was closed.

Mr. Marc Marion, previously sworn remains under oath. A color rendering marked at the last meeting as Exhibit A-1 was reused for this evening's testimony.

Exhibit A-4: Material Board

A discussion on the proposed materials took place, with Mr. Marion giving full detail to the materials that will be used on this project. Mr. Marion then began to explain the changes to the application since the last meeting. The main change takes place on the main level, with the addition of a corridor leading to the back of the building. The second level still shows two units each having two-bedrooms and the third floor will have one unit containing three-bedrooms.

It was determined that the building facades of Lot 29 which is immediately adjacent to lot 28 has a mere 4 to 6 inches of space between the buildings. A discussion pursued regarding the issue of sunlight that would be blocked on Lot 29.

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Mr. Marion had no further testimony. Mr. Tombalakian asked the Board and its professionals if they had any questions for Mr. Marion, seeing none Mr. DeAngelis was given a change to cross examine.

Mr. DeAngelis asked Mr. Marion if the proposed building would shutter in the windows on Lot 29. Mr. Marion answered "yes". Mr. DeAngelis asked if the applicant had considered making the building smaller to allow for ingress and egress from the windows on Lot 29. Mr. Marion stated that it had been considered but there were some issues.

The legality of having someone come onto your property was discussed at length. Mr. DeAngelis had no further questions. Mr. Azzolini had a few follow up questions for Mr. Marion. Again, the discussion regarding ingress and egress continued at length.

Exhibit A-5: OPRA response to Building Permits

Mr. Azzolini stated that in his search there is nothing regarding egress or fire code for Lot 29.

Mr. Tombalakian asked if the Board or professionals had any further questions for Mr. Marion, seeing none the floor was opened to the public, seeing no one with questions from the public that portion of the hearing was closed.

Mr. Azzolini requested a five-minute recess before calling his next witness. A five-minute recess was taken at 8:08pm. The Board hearing resumed at 8:15pm with all members present.

Mr. Andy Jofolla, traffic and parking expert was the next to testify. Mr. Jofolla was sworn in at the last hearing and remains under oath.

Mr. Azzolini restated that at the last meeting an issue regarding access to at the rear of the property had been discussed. The issue has yet to be resolved with the property owner of Lot 26. The access issue was discussed at length. It was determined that there is no easement or access agreement to this property from Lot 26.

It was determined that a parking variance would now be necessary since the three parking spaces shown on the applicant's property could not be accessed without an agreement from Mr. Simonson. Mr. Jofolla stated that per Borough Code three offsite parking spaces would be available for the applicant. In Mr. Jofolla's opinion that would be sufficient for this application.

Garbage pickup was discussed at length. RSIS conditions were also discussed. Mr. Jofolla stated that units in a downtown area would attract someone that wants to live in that part of town having access to the train station and the downtown area.

At this time, Mr. DeAngelis began his cross-examination of Mr. Joffola.

Mr. DeAngelis again questioned the garbage situation as well as the three necessary parking spaces need for this application.

Exhibit O-1: Copy of Borough of Madison Tax Map

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Mr. DeAngelis distributed the exhibit to all Board members showing Mr. Simonson's lot along with the access that belongs to him. He also showed the applicant's lot as well as lot 29, owned by the Donato's. Discussion continued regarding the rear access to the property.

Mr. Tombalakian asked how construction access was going to be handled. Mr. Azzolini stated that he is not giving up on obtaining an access agreement. Mr. Tombalakian stated that the issues at hand are very relevant to this Board and these significant issues need to be addressed.

A brief recess was taken at 9:00pm. The Board returned at 9:09pm with all members present.

At the request of the applicant's attorney, Mr. Steve Azzolini, this application will be carried to the February 18, 2020 Planning Board meeting. No further noticing will be provided. Mr. Azzolini granted the Board an Extension of time on this application.

PLANNING DISCUSSION – None

CORRESPONDENCE – None

Since there was no further business to come before the Board, Mr. Tombalakian asked for a motion to adjourn the regular meeting at 9:35 pm.; seconded by Mr. Forte. A voice vote of "aye" was heard by all members present and carried.

Respectfully submitted,

Frances Boardman
Board Secretary