

Councilman DeHeer recused himself from the Board prior to the hearing beginning.

Hearing

J. Magnone Auto Group, LLC

29 Essex Street

Block 124, Lot 5

Calendar #2016-01

Variance Application

Since Chief David Pegg was unable to attend this meeting, Alternate #1 John McManus will hear the application. Mr. McManus attended the previous hearing on 1/7/16.

Jennifer Knarich of Price, Meese, Shulman & D'Arminio is counsel for the applicant, J. Magnone Auto Group. This is a continuation of a hearing started on 1/7/16. The property currently consists of an existing vacant warehouse which was formally occupied by Design Spree furniture store. The application is for site plan approval, use variance and bulk variances including signage and parking. The existing 1 story building is 51,830 square feet and will not be enlarged but the interior will be renovated. The business will be high end used automobile sales and servicing/detailing the automobiles that are for sale. The property is located in the limited light industrial district which permits warehouse, storage and manufacturing uses. Limited light industrial permits new car dealerships and used car dealerships as an accessory to new car dealerships. The specific relief is preliminary and final site plan approval, use variance relief and bulk variance certain for signage and parking.

To summarize the signage, two ground signs are proposed and both are already existing. The Route 17 North ground sign (#2) is proposed to remain unchanged. The Essex Street ground sign (#1) is currently 18 square feet and 14 feet in height. The applicant is proposing the same height but the square footage would increase to 63 square feet since the structure is a blade design as compared to the current lollipop design. The difference in that square footage is the base and frame of that signage, not necessarily the logo itself. Of the three proposed wall signs, two currently exist and one is new. The Essex Street wall sign (#4) is currently 136 square feet and 5 feet in height. The applicant is proposing to reduce that square footage to 85 square feet and 3 feet in height. The Demarest Place wall sign (#3) is proposed to remain unchanged. The new wall sign on Route 17 North (#5) requires a variance since the maximum permitted is 32. 32 square feet and 85 square feet is proposed (3 feet in height). The applicant has a preexisting nonconformity for parking. 200 spaces are required overall and 195 are existing and proposed.

In terms of professional reports, the Board Engineer's 2/2/16 report in response to the truck turning analysis and photograph of the car carrier provided by the applicant. Jeff Lash, the co-owner of the auto group testified previously about the daily operation of the proposed use and explained how it is comparable to a new car dealership except for the fact that they would not have full service and would have appointments only. This proposed use is significantly less intensive than the new car dealership. Mr. Conrad Roncati provided architectural testimony on the interior layout and the proposed signage. Mr. Michael Lanzafama, the applicant's engineer, provided the testimony on the overall site layout and the site plan itself.

The applicant acknowledged the concerns by the public raised during the previous hearing and, as such, brought a traffic engineer and a planner. Board Attorney Kaczynski asked what Mr. Lash's role in the business as his name is not listed on the application. Ms. Knarich explained that Mr. Javier Abreu is listed on the application as he is the co-owner and he was in attendance.

Elizabeth Dolan was sworn in. She is with Dolan & Dean Consulting Engineers in Martinsville, New Jersey. She is a licensed professional engineer in the state of New Jersey, New York, Pennsylvania and Delaware for nearly 30 years and has practiced the field of traffic engineering. She has appeared before 200 NJ municipalities. Ms. Dolan was accepted and presented the applicant's Trip Generation Comparison marked as exhibit A1. Using the Trip Generation Manual by the Institute of Transportation Engineers, daily and peak hour trip generation estimates for permitted uses in the limited light industrial zone were listed. These numbers were compared to estimated trips for the applicant based on 15 employees, 10 customers and 5 deliveries per day. The applicant's estimated trips are much lower than the estimated trips for the permitted uses.

The Truck Turn Analysis revised on 1/25/16 was marked as Exhibit A2. Ms. Knarich clarified that this version of the Truck Turn Analysis reflects the smaller car carrier that is owned by the applicant. Ms. Dolan described how the car carrier would make a left onto Demarest Place, circle the parking lot, unload car cargo, reload to have full cargo and exit the property by making a right turn onto Maywood Avenue. Deliveries from the car carrier would be scheduled once a day at off-peak times. The Truck Turn Analysis shows that there is some encroachment, but the car carrier can maneuver in and out of Demarest Place. On the property, the car carrier will crossover some parking spaces when circulating the parking lot but this will be managed by shuffling cars around or not parking in those spots. In response to the Board Engineer's report, the applicant agrees that any approvals can include signage to enforce the ordinance that trucks enter and exit to the north.

Ken Terzo asked that Truck Turn Analysis depict the car carrier traveling south and Ms. Dolan explained that the truck would be unable to make a right turn onto Demarest Place. She then clarified for Mr. Terzo which numbers on the Trip Generation Comparison were based on ITE vs. based on the information provided by the applicant. Board Attorney Kaczynski asked to clarify the length of the car carrier. By adding the dimensions provided on the Truck Turn Analysis, Ms. Dolan estimated that the car carrier to be 100 feet long. Chairman Lichtenberger noted that if business is prosperous, the number of trips to the location would increase. Ms. Knarich explained that the applicant would be bound to the resolution. When asked by Mr. Terzo, Ms. Dolan clarified that no traffic counts were done as part of her analysis. She noted the Truck Turn Analysis does not take a truck driver's expertise into consideration. She admitted that they do expect encroachment. Chairman Lichtenberger noted that the adjacent commercial property is not vacant but will be used at some point.

Mr. Terzo asked about how cars would be shuffled when the car carrier arrived and Mr. Jeff Lash explained that the cars would temporarily be moved to the employee and customer parking areas and then move them back after the truck leaves. Mr. Lash then explained that the car carrier would deliver between 11am and 3pm. Mr. Montel asked about where it would park when it is unloaded and reloaded and Mr. Lash pointed out on the Truck Turn Analysis when the

car carrier was parallel to the north side of the building. He approximated that it would take 1.5 hours to unload and reload the cars. The carrier would enter and exit full (9 cars). The cars loaded onto the car carrier leaving the facility would be those that had not sold for approximately 45 days and would be brought to an auction. Mr. Terzo asked for clarification on how sold cars exited the location. Mr. Lash said that the majority are driven away, only 20% of sold cars leave on a small flatbed tow truck. The car carrier must be straight to unload and reload.

Board Engineer Lemanowicz asked Ms. Dolan about resolution #2011-03 for the previous occupant, Design Spree. In their application, Design Spree testified that there would be 144 customer trips per week which is significantly less than what is estimated on the Trip Generation Comparison. He then asked about the car carrier encroachment into oncoming traffic when making a right turn onto Maywood Avenue when exiting the property. He specified about the queuing at the Essex Street traffic light that could prevent the car carrier from getting back in the southbound lane thereby blocking northbound traffic.

Mr. Conrad Roncati clarified that applicant's car carrier is 75 feet long and not 105 feet long as is presented in the Truck Turn Analysis. He also noted that the cab and trailer could not be separated during loading and reloading because hydraulics controlled by the cab would need to be engaged. The 75-foot truck carries 9 cars.

George Wheatle Williams was sworn in. He is with Nishuane Group, LLC in Montclair, New Jersey. He is a licensed professional planner for over 25 years. He has appeared before numerous NJ municipalities. Mr. Williams was accepted and it was noted that he had attended the first public hearing for this application on 1/7/16. As part of his research on the application, he reviewed Maywood's 1970, 1983 and 2003 Master Plans. In addition, he reviewed the reexamination reports for 1989, 1995 and 2009. He looked at the Maywood zoning ordinance within the context of the Municipal Land Use Law. Also, he did some literature and case law review because this of the uniqueness of the application in terms of new car dealerships versus used car dealerships. Mr. Williams visited the site on several occasions and conducted a photo survey. Lastly, he reviewed the Board Engineer's report dated November 21, 2015.

Mr. Williams summarized that the application is for a site plan with a use variance, signage variance and parking variance. The property has a 51,830-foot building, which would be used for the proposed dealership, showroom and limited service center. The limited service center means topping-off the fluids, tire changes and detailing, as opposed to a traditional service center mechanical work. The property is 29 Essex Street and identified in the municipal tax records as Block 124, Lot 5 in the limited light industrial district. This district has a number of intended uses according to Section 209-37; light manufacturing, processing, warehousing and enclosed storage. The new car dealership is enumerated as an "other permitted use". Used car dealerships are permitted in the zone but according to the code, as an accessory use to new car dealerships. He thinks that the testimony of the applicant was important to give a sense of the uniqueness of the proposed land use, more akin to a new dealership than a used car dealership in a traditional sense. The application is for the D1 use variance because the proposed use is deemed a used car dealership which is not included amongst the permitted uses as a principal use. The sign variance is for the wall signs, ground sign area, and number of ground signs. The parking variance is for 200 parking spaces required on site while 195 are provided and existing.

Mr. Williams then expanded on the way the code is written, "intended uses versus permitted uses". Based upon his research and the applicant's testimony, he feels that this land use that was not contemplated by the zoning ordinance or Master Plan. This is the evolution of the car industry. In terms of a comparative analysis, he believes that the light industrial district allows a number of lands uses that are much more intense than the proposed car dealership. Typically, light industrial uses refer to manufacturing activity that uses moderate amounts of partially processed materials to produce items per unit weight. The manufacturing of shoes, clothes, furniture consumer electronics and household items are a few examples of light industry. Processing, which is also permitted in this district, is a series of operations, usually in a continuous or regular action, taking place and carried on in a definite manner. The appointment-only visits to the site, limited trips to and from, and the noise nuisance of the use is considerably less intense than manufacturing, processing or warehousing. The impact of the proposed use on the surrounding area, in his professional opinion, would be less than those uses that are permitted and/or intended for this light industrial district. Finally, he feels that approval of the application would benefit the "blighted condition" of this tract as this site has been vacant for a while thereby advancing the purposes and goals of the Master Plan.

Prior to the recitation of the proofs, Mr. Williams presented the applicant's Photograph with Zone Overlay marked as Exhibit A3. He explained that it shows the site in the context of the light industrial district. The dashed blue line is the subject property, the dashed pink/fuchsia line is the zone or district boundary, and the solid yellow line is the municipal boundary. This site is part of a larger campus. There is a large amount of macadam that is already striped for standard-size parking spaces. The site is uniquely shaped as it is not a traditional rectangle or square shape. The Hackensack Fitness Center is to the right of applicant's building and the Maywood Furniture Corporation to the north of the site. He believes that it is the intent of Maywood to keep this area light industrial since it is built out for light industrial uses with the amount of asphalt and the trucks located at the other site.

Mr. Williams continued that for the granting of a DI use variance, the applicant is required to show the positive criteria and the negative criteria. The positive criteria are demonstrated by what's called the "special reasons" that the use is inherently beneficial, that the purpose of zoning will be advanced by the granting of the variance or that the use is particularly suited for the site. The negative criteria, the balancing part of this test, is two-prong. On the first prong of the negative criteria, the applicant has to show that there will be no substantial detriment to the public good. The second prong is no substantial impairment to the zone plan or ordinance. He will discuss the C variance context when he examines the signage and parking.

In terms of positive criteria for the use variance, it is his professional opinion that granting this application will advance several purposes of zoning beginning with Subsection A, "to guide the appropriate use or development of all land in the state in a manner which would promote the health, safety, morals and general welfare." He thinks that's particularly the case in this application given the fact that the use is a relatively new use, per the applicant's testimony. It doesn't fit neatly in the category of new or used; he feels that it's something of a hybrid and doesn't meet the stereotypical image or implications of a used car dealership. Subsection G is "to provide sufficient space in appropriate locations for a variety of commercial uses." He believes

that the auto industry has evolved and the code does not address this unique land use. Subsection I is "to promote a desirable, visual environment through good civic design." The applicant has focused on the aesthetic of the building, i.e., the location of signs, etc. The second part is the good civic design and testimony from the applicant's site engineer, architect and traffic engineer about efforts to make the site as maneuverable as possible to promote public safety. Mr. Williams thinks that the site is particularly suitable for the proposed use for multiple reasons. New dealerships are permitted in this district and, he believes that this site is akin to a new car dealership. The property would be particularly suitable given its proximity to Route 17, the size of the lot, pre-stripped pavement and the size of the building, which are all ideal for the showroom with minor office space and limited servicing. He feels that the character of the community has changed since the adoption of the Master Plan as there has been a number of variances approved and what is proposed is very different from what was contemplated since the zoning ordinance was drafted.

In terms of negative criteria, it is Mr. Williams' professional opinion that there will be no detriment to the public good and would not raise to the statutory nomenclature of substantial since the zone contemplated similar land use, i.e., new car dealerships. According to the applicant, the proposed use will be less intense than the permitted new car dealership and other intended land uses in this district. He believes that there would be no substantial impairment to the zone plan and several of the goals for the land use element will be advanced. For example, number 4, "Establish well-defined commercial, industrial and mixed-use areas to provide for a continuing source of employment and strength in the tax base through appropriate utilization of land." He feels that the proposed application would advance that goal and would remove a derelict property. Number 8, "Preserve and promote a balance of residential, commercial, light industrial, office, public and quasi-public recreation areas." Mr. Williams thinks that this application is in keeping with that goal. The Master Plan recommends a continuation of this zone district and suggests that the limited light industrial districts north and south of West Hunter Avenue and west of Maywood Avenue should continue. He believes that it's the legislative intent of Maywood to maintain this light industrial district. It is his opinion there are sufficient proofs, both in the affirmative and negative criteria in support of the proposed automobile dealership.

Mr. Williams noted according to the Borough code, the service center is a non-permitted use, but he asked that the Board look at the service station as accessory given the proofs for the service center are the same as those of the principal use and are far less intense than what 's normally contemplated for a service center. He reminded the Board that there's no true mechanic work going on in the way one would expect in a traditional service center. It's more about preparing the cars for final sale. Like the principal use, the service center is particularly suited for this piece of property as it's completely enclosed, not visible to property or passersby except for the one entry door and is really subordinate to the principal use, the dealership. For all those reasons, he would argue that the proofs are the same for both the dealership and the service center.

Next, Mr. Williams discussed the parking variance. In his opinion, this Board could review the parking variance of 200 spaces required, while 195 are existing and proposed. He feels that the Board could review this in the context of the flexible C2 variance which gives the Board the

opportunity to compare the benefit versus detriment and if the granting of this variance is a better zoning alternative than the strict application of the code. Specifically, the applicant could add 5 parking spaces but it would remove buffering on the site to segregate the applicant's use from the abutting uses. In his professional opinion, it's a better zoning alternative to keep those 5 spaces used for additional buffering as opposed to meeting the code requirement of 200 spaces. Additionally, he added that the applicant's testimony was that 195 parking spaces were adequate to meet their demand. He believes that under the C2 context, it's a better zoning alternative to have the 195 parking spaces as opposed to 200.

Mr. Williams next discussed the signage. There are two preexisting nonconforming signs on the site. Ground sign #2 requires a variance where 18 square feet is permitted and 63 is proposed. There is one wall sign per established business and three are proposed, two existing and one proposed requiring a variance. The wall sign has 41.45 square feet permitted and 86 square feet is proposed. The applicant is reducing one existing sign. Another wall sign has 32.32 square feet permitted and they are proposing 85 requiring a variance. He would like to group them all under the C2 context because the proofs would be the same. He cited two cases that he believes support for the variance relief. State vs. Miller where the Court recognizes that signs must be large enough to permit viewing from the road and on foot. Similarly, in Valenti vs. Planning Board the Court found that the allowance of an increase of height on the ground of the signs were more legible and visible in view of the scope and nature of the development. In that case, the shopping center was 16 acres and the applicant's property is 4.6 acres but he feels that the concept remains. The increase was necessitated to make the signs more legible and actually effectuate their purpose. The Court said, "There can be no doubt that a sign which is not large enough to be readily readable to passing vehicles can create a traffic hazard and in such cases, the grant of a variance for a larger sign may be necessary to promote public safety," which is one of the reasons of zoning. The Court continued, "The required variances advance the purpose of zoning since, for this particular site, they represent a more practical zoning alternative and allow this site to be developed in conformity with the intent of the district to encourage commercial concentrations." There's a fair amount of literature that supports those court cases that talk about the importance of right-sizing signs to promote traffic safety. He would argue to the Board that, under the context of a C2 variance, this refers to a specific piece of property and the context of the surrounding area. He feels that it would advance the purpose of zoning and the variance can be granted without substantial detriment to the public good. He noted that several of the signs that are not conforming are existing, they are proposing to continue them or reduce them. Mr. Williams thinks that the benefit of the deviation would outweigh any detriment and the proposed signage is a better zoning alternative than the strict application of the code.

In summary, Mr. Williams believes that there are adequate proofs to support the variances in terms of the affirmative criteria and the negative for the use variances and for the parking and sign variances, under the flexible C2 context. Similarly, he feels that it meets the C2 test for approval as well. In his opinion, the proposal is a less intense use and that Maywood has made a determination that this use or those intended uses should continue in that district. In keeping with that, he thinks the proposed application fits very well.

Charles Goebel reminded Mr. Williams that the application is for a used car dealership which is not permitted. While the auto industry is evolving, so is the light industrial and cases could be

made that certain light industries are less intense. Mr. Goebel felt that the word “blighted” does not accurately reflect Maywood. Mr. Williams replied that he did not intend any disrespect by using the term “blighted”. He meant to reflect that the property is vacant. Vice Chairman Paul Kuhn asked about the need to increase signage when the applicant has stated that they are not looking to have walk in customers. Mr. Williams answered that the applicant wanted the site not to look like a traditional or stereotypical used car dealership and went high-end in terms of the signage and the facade. He reminded the Board that the architect's testimony was such that, for people making traffic maneuvers, there was some value to having signs that were easily legible to these people traveling from outside of Maywood to visit the site. Mr. Roncati reiterated what Mr. Williams had already stated; the increase in signage was for identification purposes. He further explained that the ground sign on Essex Street is a replacement. The sign structure is being changed to a more modern high-quality design. The existing sign is a lollipop design; a pole and the square box and the applicant is proposing a vertical-blade sign. He explained that the jump in square footage is because the pole is being replaced with a wide width blade pole. The height is the same, 14 feet high. Board Engineer Lemanowicz reiterated Vice Chairman Kuhn's question. Why increase signage when they are not looking for drive-by customers? Mr. Roncati felt that Route 17 is a quick moving roadway so duplicate signs; ground and wall are proposed. Ms. Knarich interjected that the applicant would remove the proposed Route 17 North signage if necessary. Board Engineer Lemanowicz noted that the applicant's planner referenced two court cases but the information was not noted on the plan so the comparison may not be reasonable. He then referenced the pictures of the signs that were part of the architect's plan. He noted that trees are partially blocking the Route 17 North signs and he felt adding more signage was not the solution.

Board Engineer Lemanowicz asked about the car carrier dimensions. The picture of the car carrier shows five vehicles on the top portion. If the carrier is 75 feet long, divided by 5 cars would be only 15 feet per car which is unrealistic. Mr. Roncati clarified that the overhang is 6 feet longer than the truck. When in place, the cars are typically only a few inches apart. Mr. Terzo asked if there is a cantilever on the rear of the truck and Mr. Roncati replied no, the car carrier is 75 feet from bumper to bumper with a 6-foot overhang. Board Attorney Kaczynski asked if it is 81 feet in total and Mr. Roncati explained that the 75 footprint differentiated from the 105 feet on the diagram. Board Attorney Kaczynski asked Elizabeth Dolan to clarify the turning radius. Ms. Dolan explained that the turning radius is based upon the position of the wheels and the articulation of the vehicle. Further, anything that might be in the way of the vehicle overhang would be below the height of that overhang. She added that the car carrier is a prominent vehicle that can be seen by oncoming traffic. Chairman Lichtenberger noted that if the car carrier approaches another vehicle of equal height, it is going to articulate into oncoming traffic. Board Attorney Kaczynski noted that the Truck Turn Analysis was based upon a 105-foot truck which would be the worst-case scenario. Ms. Knarich offered to revise the Truck Turn Analysis based on of the actual truck that the applicant owns. Harry Hillenius suggested seeing a demonstration of how the actual car carrier would turn. Ms. Knarich will provide a revised Truck Turn Analysis. Board Engineer Lemanowicz asked that they improve the graphics to differentiate the path of the truck. Board Attorney Kaczynski asked for certification on the size of the car carrier. Zoning Officer Mazzer requested an interior layout of the building detailing how the cars will be parked in the showroom since he believes that 150 cars will not fit as

described. Mr. Roncati replied that they would provide the interior plan with the parking spot layout.

Fire Official Tom Tuttle was sworn in. He asked about the fire sprinkler system was designed for Design Spree. He requested a study of the existing fire suppression system, a hydraulic study with the load and the suppression rate. Mr. Roncati said that they would provide the requested documents once they receive Board approval. Once the Board approves the application, he explained that they would create a full set of construction documents with full calculation. The entire facility will go through a building code review and they will create a full set of drawings that will be submitted for permitting. Fire Official Tuttle added that the Borough would be enforcing the 2006 code of the IFC which specifies that the batteries of all the cars must be disconnected and the cars cannot have more than 5 gallons of gas in the tanks. Mr. Roncati noted that Fire Official Tuttle was citing is Section 314.4, Vehicles, of the International Fire Code 2006, New Jersey Edition and that the applicant would comply. Mr. Terzo asked if the car batteries need to be removed and Fire Official Tuttle explained that the battery needs to be disconnected, not removed. Mr. Terzo then asked about limiting the cars to less than 5 gallons of gas. Fire Official Tuttle replied that the facility can't fuel or defuel cars. If cars are delivered with more than 5 gallons of gas, they would have to defuel off-site. Mr. McManus asked if a CO sensor is required and Fire Official Tuttle responded that a CO sensor is required as part of the code review.

A short recess was taken at 9:33pm. The meeting resumed at 9:41pm with all members present.

Chairman Lichtenberger instructed the public to limit themselves to questions for the professionals that have testified. Public comment will be held until after all of the applicant's witnesses have testified.

Samantha Rhode of 50 Maywood Avenue asked to clarify the expected number of employees and the number of car carrier deliveries each day. She also asked if a traffic study was conducted. Ms. Dolan replied that traffic calculations were done based on 15 employees and 1 car carrier delivery per day. Ms. Rhode then asked about Saturday appointments. Ms. Dolan answered that Saturday appointments would be staggered throughout the day. Ms. Rhode noted that she has personally observed that traffic levels are consistently heavy without typically peak times.

Christine Ercolino of 41 Maywood Avenue asked if the applicant's traffic engineer factored in that there is parking allowed on the north side of Demarest Place. Ms. Dolan explained that the calculations prepared are simply trip generation estimates and is a comparison of this use versus permitted or the prior use. She also responded that they are aware that parking is prohibited on the south side and permitted on the north side of Demarest Place and the Truck Turn Analysis took that into consideration. Ms. Ercolino asked about the car carrier traveling south and making a right turn into Demarest Place. Ms. Dolan said that the Truck Turn Analysis would be revised and resubmitted.

Harry Hillenius had a family emergency and left the meeting at 9:54pm. Ken Terzo attended the 1/7/16 hearing and replaced Mr. Hillenius.

Ms. Ercolino continued by asking about Saturday customers and how the business owners plan to discourage walk-in customers. Mr. Jeff Lash replied that they would not be able to prevent walk-in customers but they do plan to schedule customers by appointment. Mr. Terzo clarified that walk-in customers would not be turned away and would add to the facility's traffic. Vice Chairman Kuhn asked about how this is handled at the White Plains location. Mr. Lash explained that the White Plains location is attached to a new car dealership so the comparison would not be accurate.

Calin Bontean of 85 Maywood Avenue asked how the car carrier would handle cars queuing at Maywood Avenue and Essex Street. Ms. Dolan said that the car carrier would be scheduled during off peak times and would have to wait for the queue to clear. They may have to request a "Do Not Block the Box". She added that any tenant of the property will need to receive deliveries, have truck activity and would be expected to generate traffic. Her testimony has been that this particular use would be more favorable because it wouldn't generate the higher volumes that some other uses might. Mr. Bontean asked about the zoning and Mr. Williams explained that the Planning Board determines the permitted uses in each zone. Mr. Bontean suggested the applicant move the business to Teterboro.

Doina Vizireanu of 85 Maywood Avenue asked what the structural impact of the heavy car carrier driving past residential homes and Ms. Dolan could not answer. Ms. Vizireanu wants to know the length and weight of the car carrier and Ms. Dolan replied that the Truck Turn Analysis will be revised and resubmitted. Ms. Vizireanu suggested that the applicant move his business to a less residential location. Mr. Williams explained that the reason that the applicant selected this site was because it was zoned for a use akin to what this use is, it is built out already and fits neatly into an existing structure with enough parking spaces to accommodate his realistic needs for parking on site. Maywood designated the district as light industrial. Ms. Vizireanu is concerned about car alarms. Mr. Williams reminded her that the district is zoned light industrial and the proposed use should be less bothersome than any other permitted or intended uses.

Rick DeHeer of 18 Hammel Place asked about the Essex Street exit. Ms. Dolan explained that the exit is to remain open and they have not conducted a formal impact analysis, assigning cars to the different driveways because the expected volume of traffic was low. She mentioned that any traffic using that exit would relieve the traffic on Demarest Place/Maywood Avenue. Mr. DeHeer clarified that the Trip Generation Comparison was not based on actual traffic counts. Mr. Terzo requested that the revised Truck Turn Analysis include the Essex Street exit. Chairman Lichtenberger noted that Essex Street is a county road and Ms. Knarich reminded the Board that the application requires county approval and is pending. Mr. Terzo asked if the facility can encourage their customers to exit via Essex Street to alleviate some vehicular traffic on Demarest Place.

Shekher Saud of 10 Howcroft Road asked about noise. Mr. Roncati advised that all work will be done indoors with the doors shut. Mr. Saud's property is north of the building and he asked about the gate on Howcroft Road. Mr. Roncati assured him that the gate would remain closed and be used for emergency access only.

Mr. Bontean asked if the overhead door could be relocated to the other side of the building. Mr. Roncati clarified that Mr. Bontean was asking about the service bay doors on the northwest corner of the building be moved to the west side of the building facing Route 17. After some consideration, Mr. Roncati did not believe that there was enough room in that location. He reminded the Board that they would stipulate that there would be no outside repairs and the building door would be shut.

Ms. Knarich concluded that all the applicant's witnesses had testified and they would provide the requested additional information. Chairman Lichtenberger requested copies of the transcripts for the Board Planner Michael Kauker.

Ken Terzo made the motion to adjourn the application until the 2/25/16 meeting without need to notice and John McManus seconded the motion. All eligible members voted in favor of the motion.

Councilman DeHeer rejoined the Board.

Informal Hearing None

Old Business None

New Business None

Open Meeting to the Public None

Adjournment

A motion to adjourn the meeting was made by Vice Chairman Kuhn. Ken Terzo seconded the motion. The meeting was adjourned at 10:27pm.

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary