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**PENNINGTON BOROUGH
REGULAR PLANNING BOARD MEETING MINUTES
JUNE 9, 2010**

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Chairman Thompson called the meeting to order at 7:30 p.m. and compliance with the provisions of the Open Public Meetings Act was announced.

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Board Members Present: Mark Blackwell, Jeanne Donlon, Eileen Heinzl, William B. Meytrott, Katherine O'Neill, James Reilly, William Reuter, Winn Thompson, Chairman, Thomas Ogren, Mayor's Designee Absent: Anthony Persichilli, Mayor, Josh M. Levy, Alternate #1, Alternate #2 vacant.

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Also Present: Edwin W. Schmierer, Board Attorney, Mason, Griffin & Pierson; John Flemming, Zoning Officer; Mary W. Mistretta, Planning Board Secretary.

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Absent: Cindy Coppola, Borough Planner; Kent Scully, Planning Board Engineer

OPEN TIME FOR PUBLIC ADDRESS – Mr. Thompson asked if there was anything that the public would like to address that was not on the agenda. There being no comments, the public portion of the meeting was closed.

APPLICATIONS

Sun Bank, Block 301, Lots 1, 2 & 52, 1 North Main Street, Town Center Zone, Preliminary/Final Site Plan.

Present: Damien O. Del Duca, Del Duca Law Firm, Applicant's Attorney; Joseph C. Sparone, PE, Dynamic Engineering; Damian Melo, TSC Design, Francisco Cotilla, Vice President Sun National Bank

Mr. Schmierer announced that Proof of Publication and Proof of Notice were in order and the Board could take jurisdiction. Mr. Del Duca stated that Sun Bank was requesting site plan approval to relocate the ATM machine that is currently located at the northeast corner of the building to a new vestibule at the southeast corner of the building. The vestibule will be within the current footprint of the building. Mr. Del Duca stated that they do not require any variances or design waivers. He stated that they received a review memorandum from Coppola & Coppola dated May 26th and Mr. Sparone has provided the Board with a response dated May 27th addressing Ms. Coppola's comments. Mr. Joseph Sparone, Dynamic Engineering, was sworn in and gave his qualifications to the Board. Mr. Sparone referred to the Site Plan, Dynamic Engineering and reviewed the existing conditions. There are 28 parking spaces at the rear of the building, a drive-up teller lane and a walk-up ATM machine. The drive-up window is accessed from N. Main Street and exits on to W. Delaware where there is also access to the parking lot. The existing ATM machine is located in the rear of the building and is not visible from the street. Mr. Sparone stated that they would like to move the ATM to a more visible location which will provide added security. A portion of the existing building would be removed and replaced with glass and it would be visible from W. Delaware Avenue. Other site improvements include additional striping to improve traffic flow in the area of the ATM vestibule and a new walkway that would be ADA compliant. New bollards will be added by the door for safety. No additional signage or exterior lighting is proposed. The area will be illuminated by existing fixtures that are flush in the roof overhang. The roof leaders will be slightly redesigned, but the existing runoff patterns will be maintained.

Mr. Damian Melo, architect, TSC Design, was sworn in and gave the Board his qualifications. Mr. Melo described the proposed vestibule which will have a glass front. The

1 pneumatic vacuum tube system for the drive-up will remain. Ms. Donlon asked if the
2 configuration of the glass was consistent with the architecture of the building. Mr. Melo
3 stated that the vestibule was proposed in a newer addition to the building and he feels that
4 the glass is an improvement to that section of the building, although it does not mimic the
5 main building. Ms. Donlon asked if there was anything that could be done to have the glass
6 more consistent with the architecture of the building. Mr. Melo stated that they have kept
7 some of the brick to help it stay consistent with the main building. Mr. Ogren suggested that
8 keeping a low brick wall instead of all the glass would help keep the character of the
9 building. Mr. Thompson asked if the windows could somehow mimic the windows of the
10 main building. Mr. Melo explained that when adding to a historic building there should be a
11 time line progression of the architecture and they would not want to copy the original
12 features.

13
14 Mr. Francesco Cotilla, was sworn in. Mr. Del Duca entered into evidence Demolition Plan &
15 Proposed Space Plan, SA-1, TSC Design, revised June 9, 2010 (two copies of the plan was
16 shared by the Board). The revised elevation showed that a partial height of the existing
17 brick was being kept. Mr. Blackwell felt that replacing the glass with brick on the lower
18 portion would be practical for snow plowing. Mr. Cotilla stated that the Bank was agreeable
19 to using a brick kneewall. Mr. Melo explained that they were trying to work within the
20 confines of what exists and he feels that the partial brick wall will help provide continuity on
21 the elevations. Mr. Meytrott asked if the vestibule door was controlled and if there was
22 access to the bank from the vestibule and Mr. Melo responded that it was a controlled door
23 and a card would be needed to access the vestibule, but there would not be any access to
24 the bank from the vestibule. In response to questions from Board members, Mr. Melo stated
25 that there will not be any additional exterior lighting. The interior lighting would be
26 fluorescent, flush with the dropped ceiling and would remain on for safety. They are required
27 to have a minimum of two foot candles. The exterior soffit lights come on from approximately
28 7:00 p.m. until 1:00 a.m. Mr. Reuter stated that there are concerns regarding stormwater
29 runoff and he suggested that engineer's approval be required for the drainage and
30 stormwater plan. Mr. Thompson asked about the usage of the ATM and the applicant
31 responded that usage was about 65-75 transactions per week and felt that relocating it will
32 increase the volume by 40-50%. Mr. Thompson had concerns regarding the impact to the
33 neighbor on the east side and suggested screening. Mr. Cotilla stated that they had met with
34 the neighbor and they did not feel that additional screening was necessary. Mr. Thompson
35 asked if there was anyone in the public who wished to comment on the application. Mrs.
36 Susan L. Porcella, 11 East Delaware Avenue, was sworn in. She stated that Mr. Cotilla had
37 met with her regarding the application. She stated that she has heavy curtains and blinds
38 and she would not be annoyed by the lights and realized that there are lighting standards for
39 banks. She stated that the bank offered additional screening, but she would rather not have
40 the area cluttered. There being no other comments the public portion of the meeting was
41 closed.

42
43 Mr. Reuter asked if the wall of the proposed vestibule facing Main Street could remain brick.
44 There was discussion regarding this and the applicant agreed to keep the wall brick and
45 stated that they would square off the interior area of the vestibule to eliminate the nook that
46 would be created. They would also make brick knee walls on the other two walls and the
47 windows would remain the same. Mr. Reuter suggested that the applicant submit revised
48 plans to the Board for their review. He also felt that the applicant should seek the Borough
49 Engineer's comments on the drainage system as the Planner suggested. Mr. Reilly made a
50 motion, seconded by Ms. Heinzl subject to conditions including a brick knee wall, keeping
51 wall facing Main Street brick, drainage review by the Borough Engineer, include interior

1 lighting specifications on final plan, submit final plan for the Board's review. Voting yes:
2 Blackwell, Donlon, Heinzl, Meytrott, O'Neill, Ogren, Reilly, Reuter, Thompson. Absent:
3 Levy, Persichilli. The hearing ended at 9:10 p.m.

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5 **MEMORIALIZATION OF RESOLUTION**

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7 **Laura Huntsman & Stephen LeMenager**, Block 205, Lot 14, 40 North Main Street, Town
8 Center Buffer Zone. Variance Application P10-002 – to be adopted at the July 14th meeting.

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10 **Capital Project – Hopewell Township, Teen Center**, Block 102, Lot 1, Capital Health
11 Systems, Inc. Site, Pennington Borough.

12 Ms. Donlon made a motion seconded by Mr. Reilly to adopt the resolution. Voting yes:
13 Donlon, Heinzl, Reilly, Reuter, Thompson. Not voting: Blackwell, Meytrott, Ogren, O'Neill.
14 Absent: Levy, Persichilli.

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16 **ZONING OFFICER'S REPORT**

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18 Mr. Flemming stated that he felt it was a good idea for the Board to review the revised final
19 plans for Sun Bank. He suggested that the Board should always request revised plans when
20 changes are made. Mr. Thompson asked if it would be helpful to say that they should be
21 submitted within 30 days. Mr. Flemming also feels that as-builts should be requested before
22 a CO (Certificate of Occupancy) is issued. Mr. Flemming stated that he would bring this
23 issue up at the subcommittee meeting.

24
25 Mr. Flemming will be collecting election signs and other signs that are around the town.

26
27 Mr. Flemming explained that the owner of 132 Voorhees received variance approval in
28 2001. Air conditioning condensers were shown on the plans, but because of different issues
29 all the work was not completed and the condensers were not installed. They would now like
30 to complete the project and Mr. Flemming questioned if the approvals were still good. Mr.
31 Schmierer stated that if work was started on some of the approvals within a year they
32 usually could continue within a reasonable amount of time. He stated that this was not a
33 reasonable amount of time, but if the conditions have not changed he did not feel there
34 would be any harm in allowing the condensers to be installed as originally approved.

35
36 Mr. Flemming stated that there was a problem with open resolutions and the filing system.
37 He feels that if a timeline was established it would prevent the resolutions from lingering with
38 open conditions. Mr. Thompson suggested that it might help if Mr. Flemming sent letters to
39 the applicants of the open resolutions. Mr. Flemming stated that there should be a system in
40 place as regards to a time line and responsibility for conditions of a resolution. Ms. Mistretta
41 noted that the Construction Office now checks conditions before they issue a CO which had
42 not been done a few years ago. She also noted that files have to be sent to the archives as
43 the main files are full and there is no room to expand. Mr. Schmierer stated that a variance
44 approval gives one year to start work or obtain an extension, however, there is now the
45 Permit Extension Act that automatically extends approvals to July of 2012.

46
47 Shoppes of Pennington would like to put up a 8 ft. x 10 ft. shed. Mr. Flemming asked if a
48 shed for a commercial property should go before the Board. The Board agreed that for
49 commercial properties sheds should go before the Board.

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1 Mr. Flemming stated that he has a question regarding a batting cage. The cage is 10 ft. high
2 with netting with an automatic ball pitch and it is temporary. There was discussion regarding
3 this and whether the netting should be considered fencing. Mr. Schmierer stated that the
4 netting is not a fence and doesn't fit the description and he feels that it would not be
5 considered a zoning violation. Mr. Flemming will report that the Borough does not regulate
6 recreational items of this type.

7
8 Ms. Donlon stated that she thought there was an ordinance regulating parking in the front
9 yard. Mr. Flemming stated that that there is an ordinance about storing vehicles in the front
10 yard, but nothing regarding parking. Mr. Ogren stated that there have been discussions
11 regarding a property on S. Main Street that has parking in the front yard. Mr. Ogren stated
12 that he has calculated the impervious coverage on the property and feels that it is close
13 enough that it could not be challenged. Mr. Ogren suggested an amendment that would not
14 only set limits to impervious to the entire lot, but also limit impervious for the front yard itself.
15 Mr. Blackwell stated that the Board allowed the parking in the front of that house in a
16 previous application. Ms. Donlon agreed that the ordinance should be amended. Mr.
17 Flemming stated that a permit is not required to install a turn-around area. It was suggested
18 that the committee discuss Mr. Ogren's suggestion.

19
20 Mr. Reuter stated that he agreed with Mr. Flemming's suggestion regarding a revised set of
21 plans that could be referenced showing the changes at the hearing and he suggested that
22 this should be a condition of approval. The plans and elevations should be approved by the
23 Board before the resolution is adopted. Mr. Reuter also asked how the finished attic at 228
24 S. Main Street would be controlled and Mr. Schmierer stated that he had reviewed the
25 language in the deed restriction. Mr. Schmierer also stated that the new house on Hale
26 Street would have a deed restriction regarding the area over the garage. They will be giving
27 Mr. Schmierer a copy of the recorded Deed which he will give to the Borough.

28
29 Ms. Heinzl reported that Mr. Lawver stated that the range of bids for liquor licenses in other
30 municipalities has been between \$150,000 to \$600,000. He is still working on setting a
31 minimum bid and expects to have a resolution ready for September or October. The license
32 would be for restaurants.

33
34 Ms. Heinzl reported that John Salyerds, who received approval to construct a new dwelling
35 on Sked Street, was appealing Engineering invoices regarding problems with pooling water
36 on Sked Street. Mr. Salyerds was not aware that he had to do anything regarding this and
37 told Council that the water previously ran off the road onto his property until he installed the
38 required sidewalk which now caused the water to pool on the street. Ms. Heinzl stated that
39 the ice cream store on Delaware Avenue was reopening and is called Uncle Ed's Creamery.

40
41 Mr. Ogren reported that new shade trees were being planted in the downtown area and S.
42 Main Street. Ms. Donlon stated that she has seen pavers being used around the trees and
43 felt that it was a good solution.

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45 Ms. Donlon made a motion, seconded by Mr. Reuter to adjourn the meeting at 10:20 p.m.

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47 Respectfully submitted,

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50 _____
51 Mary W. Mistretta
Planning Board Secretary