

**BOROUGH OF MIDLAND PARK - PLANNING BOARD MINUTES**  
**AUGUST 15, 2011**

PLEASE TAKE NOTE:

ON MONDAY, AUGUST 15, 2011, THE PLANNING BOARD OF THE BOROUGH OF MIDLAND PARK HELD A REGULARLY SCHEDULED MEETING IN THE COUNCIL CHAMBERS, MUNICIPAL BUILDING, 280 GODWIN AVENUE, MIDLAND PARK, NJ. THE WORKSHOP BEGAN AT 7:50 PM AND THE FORMAL MEETING BEGAN AT 8:00 P.M.

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**WORKSHOP:**

The Children's Therapy Center- 311 Prospect St- Block 25.10 Lot 4.01- Marvin Leiken proposes to install a fence around exercise equipment. A site plan waiver application is required along with the most recent site plan which can be updated to show where the proposed fence is located.

Jeffer, Peter- 212 Godwin Ave- Block 17 Lot 13.02- Peter Jeffer submitted copies of current survey showing available parking spots; office on first floor is less than 1,000 sf and second floor apartment which requires two parking spaces; six parking spaces required and seven are provided. Building is over one hundred years old; no approved site plan on file. Propose to include an office on the first floor for retail weapon sale. A safe and alarm must be provided for the licensing. Area to be used for retail use is the floor space for a safe at approx. 20 sf; existing conference room will be used for sale. Gun purchases are by appointment only. Parking calculation for office is 4 spaces and 2 spaces for the apartment. Parking calculation for retail is 1 space for every 175 sf. CO application to be submitted to zoning officer along with signed and sealed survey.

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**FORMAL MEETING**

READING OF THE OPEN PUBLIC MEETINGS ACT  
PLEDGE OF ALLEGIANCE

**ROLL CALL:**

Mr. Kent Rigg, Chairman	present	Ms. Stephanie Pantale	present
Councilwoman Nancy Peet	present	Ms. Addie Hanna	present
Mayor Joseph Monahan	present	Alt. #1 Jeffrey Bulick	present
Mr. Michael Rau	absent	Alt. #2 (vacant)	-----
Mr. David Wostbrock	present		

Darryl Siss, Esq., board attorney and Richard Wostbrock of LAN Associates, board engineer, were present on behalf of the Board.

Minutes of the 7/18/2011 meeting were approved.

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**ZONING CERTIFICATES:**

INTEGRITY STAIRS LLC- 124A Greenwood Ave- Block 26 Lot 7.01- Bill Werner manufacturerer of wood stairs and rails. No approved site plan on file; parking plan was submitted; thirteen parking spaces are designated. R. Wostbrock estimates 1610 sf for this tenant based on plan dimensions. One employee for this tenant. Two buildings are located on this lot. Submitted plan does not have all required information; half of building is currently empty.

There is no office located in this tenant's space. Board advised secretary to notify the building owner that no further zoning certificates for new tenants will be approved prior to receiving a submission of parking analysis which is to include a floor plan, type of use and parking requirement and a signed and sealed survey. Motion to approve zoning certificate for Integrity Stairs by D. Wostbrock, with the condition that the owner submit the above stated documents prior to any further tenant approvals, seconded by Ms. Peet; all voted in favor.

Barefoot Cabinetry LLC- 80 Greenwood Ave- Block 26 Lot 5- Eddie Hulse, proposes to rent space known as suite #15; 1200 sf, and install a spray booth. Manufacturer of custom furniture and cabinetry. Previous tenant was Wyckoff Auto Body. Board has not received parking analysis breakdown which has been requested in the past. Occupancy will be Mr. Hulse and one full time employee. Board questioned issue of odors; spray booth will be exhausted through the roof and odors are all above the roof line. (Continued at end of meeting to await the appearance of the building owner.)

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### **COMMUNICATIONS:**

Northwest Bergen Utilities Authority- Ordinance 08-11, Board commented on ordinance language re: appropriate boards.

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### **PUBLIC HEARINGS:**

MZA HOLDINGS LLC / MARKET BASKET – 178 Bank St. – Block 34 Lot 4.03- Mr. Rigg and Ms. Peet recused themselves due to conflict. D. Wostbrock stepped in as acting chairman. D. Wostbrock and Ms. Peet have listened to the tapes of the previous meeting, have so certified, and are therefore eligible to vote. Les Andersen commented on LAN Assoc. letter dated 8/15/11, item #9; believes that this can be addressed to the boards satisfaction. R. Wostbrock reviewed this comment; proposing parking in the rear area with 7-8' clearance; challenging for most drivers, space is located near the cabinetry shop and envisions a truck with cabinetry and equipment trying to use it. Parking was designated in the rear; requires design waiver and variances. Doug Blauvelt, previously sworn, reviewed the use of and layout of building. Exhibit A-2, architectural plans dated 7/27/11, 2 pages titled A-1 & A2 by Cutillo Assoc. Exhibit A-3, Site Plan, 6 pages revised to 8/3/11 by Rigg Assoc. Front section of first floor is mechanic area for maintenance of market basket vehicles, mechanic will drive his vehicle or another market basket vehicle to site. Two bays can handle two vehicles inside the building. One outside parking space may be used for a third vehicle for repair. Tool and equipment area is for equipment storage and tools; whole first floor is designated for mechanic use and storage of related equipment. New upper storage area is for furniture, tires, etc. New lower second floor area is designated for carpenter; construction and repairs of cabinets and displays for stores and kitchens. Materials for projects are delivered by company truck via the ramp on the north side of building. Vintage Model-T is also stored on the second floor and will access second floor via the ramp. The ramp width is 7.5'. The parking space in the rear could be used by the carpenter; rear space could be eliminated as three are required and four are designated on plan. Board discussed other deliveries that may be made to site. Operation hours are Monday through Friday 7:00am – 3:00 pm. R. Wostbrock noted that the application is being reviewed for not this tenant specifically but for any future tenants also; will be a challenge to negotiate a 7.5' ramp. Parking category needs to be determined; if the "other" category is used, a specific finding would be made for this use and would be restricted to the conditions specified.

Board questioned what is placed on top of the six foot wall; a six foot fence is proposed. Atty. Siss reviewed ordinances for guidance as to width of access drive; none found. Meeting opened to the public, with no comments, meeting closed to the public. Brian Murphy, architect, previously sworn, reviewed changes to plan. Exterior changes are the overhang being shortened by 6 inches to 2' and added a governor board. Interior changes included addition of interior staircase, access stairs and a knee wall and gate to separate storage area on second floor. Board questioned elevations. R. Wostbrock questioned second floor access for ADA compliance. Board questioned construction class; 5B. Board discussed conditions to be met for "other" classification of parking requirement. Board questioned number of stairwells and necessity. Meeting opened to the public, with no comments, meeting closed to the public. Bruce Rigg, previously sworn, reviewed site plan, exhibit A-3. Plans were amended to include three parking spaces in the front and paved access to second floor rear door and man doors. Mr. Rigg reviewed zoning criteria; board discussed total side yard requirements in the I zone. Variances are required for side yard set back, front yard parking, distance between driveways which is a pre-existing condition, propose gravel parking areas where pavement is required. Atty Andersen advised that the application is amended to include paving of gravel areas. Coverage calculations with paved areas are still within allowable limits. Drainage system may have to be modified for increased coverage. Board discussed rear parking space and set backs. Only one pick up truck and the model-T will be using the rear ramp and parking area. Applicant will locate the rear parking space so that it will not require a variance. Accessible walkway will be paved on the northern side of the building. Retaining wall narrows access driveway to 7.5' between the inside wall to the edge of the gutter on the building. Board questioned grade changes. B. Rigg reviewed proposed grade change and landscaping plan. Applicant will change distance between trees. Board questioned the distance between neighboring structure and their property line and the height of the wall on the northerly side of the back parking lot; 6 feet with proposed fence at the top by the driveway. Doug Blauvelt discussed reason for driveway placement on the northerly side as opposed to the southerly side. Mr. Murphy, architect, discussed location of ramp at north side vs. south side. Board questioned the height of neighboring building; single story similar to applicant's building. Board questioned proposed design and whether the applicant considered expanding the first floor to increase size and eliminate the need for an elevated platform and retaining walls. Drainage system will comply with the requirements for a one hundred year storm. Board questioned architectural drawings which include a sign in the back of the building which reads that it is not for storage of vehicles. Board questioned if the vehicle could be stored on the first floor of the building. Board questioned the elevation on the north side of the site where there would be a nine foot area; will the wall be tiered? B. Rigg advised that the wall will be no higher than six feet. Applicant agreed to the location of a knox box and advised that a hydrant is not located on the plan but it will be added. The building is not designed with sprinklers but will be if it is required by code. Board engineer noted that the drainage design will require perk tests. Board asked if a six foot fence is required on top of the wall. Board asked how they will remove snow from the upper elevation and if there are any requirements for distances between retaining wall and parking area; possibly a guard rail. Top of retaining wall may act as a curb. Meeting opened to the public, with no comments, meeting closed to the public. Meeting opened to the public for comments or questions, with no comments, meeting closed to the public. Atty. Andersen believes the applicant has proposed the best solution for their use; any future tenant would require planning board approval before occupancy. Board members commented on safety concerns related to the ramp and the possibility of other reasonable alternative designs.

Motion by Ms. Pantale to deny application because of side set back and safety issue created by ramp, retaining walls and high fences, seconded by Mayor Monahan; all voted in favor of denial.

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**ZONING CERTIFICATES (continued):**

Barefoot Cabinetry LLC- 80 Greenwood Ave- Block 26 Lot 5- property owner has not submitted the parking tenant/use analysis requested by the planning board. Prior zoning certificate approval was conditioned on the receipt of this analysis. Applicant zoning certificate is for 1200 sf; owner and two employees. Motion to approve zoning certificate on the condition that the landlord submit the requested parking analysis prior to the next planning board hearing of September 19<sup>th</sup> or code official will begin to fine building owner, seconded by Ms. Pantale, all voted in favor. Board secretary to send letter to owners to advise of conditions.

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Meeting Adjourned: 10:11  
Janet Giardino