

**TOWNSHIP OF FRANKLIN
ZONING BOARD OF ADJUSTMENT
COUNTY OF SOMERSET, NEW JERSEY**

**REGULAR MEETING
July 19, 2018**

This Regular Meeting of the Township of Franklin Zoning Board of Adjustment was held at 475 DeMott Lane, Somerset, New Jersey and was called to order by Robert Thomas, Chairperson, at 7:30 p.m. The Sunshine Law was read and the roll was called as follows:

PRESENT: Bruce McCracken, Anthony Caldwell, Gary Rosenthal, Joel Reiss and Chairman Thomas

ABSENT: Laura Graumann, Donald Johnson, Alan Rich, Robert Shepherd and Cheryl Bergailo

ALSO PRESENT: Mr. James Kinneally, Zoning Board Attorney, Mark Healey, Planning Director, and Christine Woodbury, Planning & Zoning Secretary

RESOLUTIONS:

DISCUSSION:

Vouchers:

- **Marriott Callahan & Blair –NJ Chinese Community Center, Inc. - \$818.00**

Chairman Thomas made a motion to approve the Vouchers as submitted and Mr. McCracken seconded the motion. All were in favor.

HEARINGS:

- **SURINDER & RANO SINGH / ZBA-17-00020**

Hardship Variance in which the Applicant was seeking a variance due to his going 1,070 sq. ft. over the previously approved impervious coverage at 3 Buell Street, Somerset; Block 83, Lot 1.04, in an R-20 Zone – **CARRIED TO SEPTEMBER 6, 2018 – with no further notification required.**

- **MERIDIAN DEVELOPERS, LLC / ZBA-18-00007**

Applicant proposes demolishing the existing buildings and constructing a two-story apartment building with 14-space parking lot at 52 Norma Avenue, Somerset; Block 234, Lots 2 & 8, in the O-P Zone – **CARRIED TO SEPTEMBER 6, 2018 – with no further notification required.**

DL 10/16/2018

- **GENNARO COSTABILE & JAXGENNARO, LLC / ZBA-18-00004**

Mr. Peter U. Lanfrit, Esq., Attorney, appeared before the Board on behalf of the applicant Gennaro Costabile & JaxGennaro, LLC. Mr. Lanfrit explained that there was a Use Variance D(1) & Site Plan w/Variations in which the Applicant will convert a 2-story dwelling on Lot 16 into a restaurant; construct a small 1-story addition between the structures on Lot 16 & 17 at 6 Laurel Avenue & 4585 & 4587 Route #27, Kingston; Block 3, Lots 14, 16 & 17, in the NB Zone - **CARRIED TO JULY 19, 2018 – with no further notification needed.**

Mr. Healey's Planning report included the following descriptions and required approvals:

Descriptions:

- Conversion of the 2-story dwelling on Lot 16 into a restaurant.
- Construction of a small one-story addition between the structures on Lot 16 and 17.
- Interconnection of the lots to create a 21-space parking lot with vehicular access to the site proposed as follows:
 - One-way in-only curb cut and driveway from Route 27
 - Two-way curb cut on Laurel Avenue
- Lots 16 and 17 would be consolidated into a new lot while Lot 14 would remain separate with "cross access easements on all lots to be recorded as may be required".

Required Approvals:

1. D(1) Use Variance: Residential uses are not permitted in the N-B Zone – Applicant seeks Use Variance for the 4-unit residential building on Lot 14.
2. Site Plan Approval: for the site modifications described above.
3. Variations:
 - New Variations:*
 - *Parking: 23 spaces required – 21 spaces proposed.*
 - *Impervious Coverage: 80% max. permitted – 88% proposed (consolidated Lot 16 & 17).*
 - *Parking Lot Setback: 3 ft. minimum required – 94-89 ft. existing/proposed (Lot 14) and 63.81 ft. proposed (consolidated Lot 16 & 17).*

Existing or Related to Lot Consolidation:

- Lot Area: 20,000 sq. ft. min. required – 10,444 sq. ft. existing/proposed (Lot 14) and 12,330 sq. ft. proposed (consolidated Lot 16 & 17).
- Lot Frontage: 100 ft. min. required – 94,89 ft. existing/proposed (Lot 14) and 63.81 ft. proposed (consolidated Lot 16 & 17).
- Front Yard Setback: 10 ft. min. required – 6.9 ft. proposed (Lot 14) and 3.3 ft. existing/proposed (consolidated Lot 16 & 17).
- Side Yard Setback: 10 ft. min. required – 3.5 ft. existing/proposed (Lot 14) and 2.4 ft. existing/proposed (consolidated Lot 16 & 17).
- Total Side Yard Setback: 25 ft. min. required – 21.5 ft. existing (Lot 14).
- Parking Lot Aisle Width – 26 ft. required – 21.5 ft. existing (Lot 14).
- Driveway Width – 12 ft. required – 10.4 ft. existing/proposed (consolidated Lot 16 & 17).

Also included in Mr. Healey's Planning report was the notation that the Applicant sought waivers from the following Site Plan submittal requirements:

- No curbing provided around perimeter of parking lot (concrete wheel stops proposed instead).
- Use of mixed surfaces for parking lot (existing and proposed pavement and pavers).

Mr. Lanfrit was made aware that there was only a 5-member Board that evening and chose to present testimony that evening, reserving the right to determine whether it would be prudent to allow a vote that evening or carry the hearing.

Mr. Lanfrit explained that the hearing that evening was a fairly straightforward Application for the connection of two buildings along Rte. 27 and to construct parking to service the buildings. He then went into a discussion regarding the history of the proposed site. Mr. Lanfrit indicated that the Applicant purchased the property to the right side of his market in 2016 and went before the Planning Board about three (3) years ago when he purchased the market and received Site Plan approval for the market. He added that when the property adjacent to the market became available, the Applicant purchased that building as well for the purpose making a connection between the two buildings and to use the building that was recently purchased for a restaurant. Mr. Lanfrit then went on to explain to the Board that the other piece of property that was part of the Application that evening was a property that fronted on Laurel Avenue which the Applicant also purchased within the last year and a half and contained a four-family dwelling. He then noted that they were not proposing any changes to the dwelling and that the dwelling was an existing non-conforming use because it was still in the business zone and was a residential use. Mr. Lanfrit then stated that because they were planning on using the residential property for egress and parking arrangement, technically, the Application became a (D) variance that was being sought.

Mr. Gennaro Costabile, Applicant, 36 Union Street, Kingston, NJ, came forward and was sworn in. Mr. Costabile agreed with Mr. Lanfrit's description of the properties involved in the Application before the Board that evening. In describing the market property, he noted that there were 15 seats in the market, presently, with hours of operation set at 7 days a week, closing at 7:00 p.m. He noted that on Saturdays, Sundays and Mondays they closed the market at 5:00 p.m. Mr. Costabile indicated that they purchase the adjoining property from an attorney, who had received a Use Variance in 1987 for the use of the property as a law office.

He then explained to the Board that he then purchased the property that fronted on Laurel Avenue, which was a 4-unit, two-bedroom apartment building. He then told the Board that the attorney's office property had an access driveway from Rte. 27 with parking provided in the rear of the property and that the apartment building property also had parking provided on-site. (currently 8 parking spaces). Mr. Costabile stated that he proposed to have a total of 45 seats in the proposed restaurant, including the market, which would leave 30 seats in the restaurant. He then told the Board that he had been in the restaurant business almost 40 years, with a restaurant in Hillsborough from 1995 to 2005, one in Princeton on Rte. 206 from 1999 to 2017. He told the Board that he operated a café in a pharmaceutical building in Plainsboro as well. Mr. Costabile indicated that the proposed restaurant would be considered a fine dining restaurant, with reservation only seating on the weekends. He told the Board that there was a kitchen in the current market building and that he was planning on doing all the cooking for the market as well as the proposed restaurant from that same kitchen through the proposed building connection for kitchen staff only. He then drew the Board's attention to the fact that the current market was handicapped accessible as well as the restroom facility in the market building. Mr. Costabile then told the Board that the building that they were planning to convert into a restaurant was not currently handicapped accessible. He told the Board that there would be no other changes to the restaurant building except that they were going to add one additional bathroom. Mr. Costabile then discussed the apartment that was above the previous attorney's office that was not permitted, telling the Board that he had decided not to use that apartment as a residence, but just for offices for his businesses. He testified that he would not be leasing out any of the space on the second floor to third parties. Mr. Costabile then told the Board that the proposed hours for the new restaurant would be 5:00 p.m. to 9:00 p.m. six (6) days a week. He then spoke about some tables/chairs in front of the existing market as well as some tables/chairs in front of the house that would be converted into a restaurant. Mr. Costabile explained to the Board that those were currently being used for the market for people who want to sit outside to eat the sandwiches they purchased at the market. He testified to the Board that those outdoor seating places would not be used for the restaurant.

Mr. Healey indicated that there was a discrepancy regarding the 30 seats Mr. Costabile testified would be in the new restaurant and 15 that he said would be in the existing market as compared to what was being shown on the architectural plans that were submitted with the Application. Mr. Healey noted that the plans show 34 in the new restaurant and 10 in the existing market. Mr. Costabile indicated that there might be some shifting of seating, but they were seeking approval for a combined total of 45 seats in both buildings. A discussion ensued among the Board. The Applicant agreed to revise the architectural plans to reflect what Mr. Costabile testified to.

Mr. Rosenthal asked if they planned to make the restaurant handicap accessible, and Mr. Lanfrit answered that they were not at that time. He explained that the house had a lot of character and that would be destroyed by putting in ramps, etc. Chairman Thomas asked if they would be serving food at both establishments at the same time, and Mr. Costabile answered in the affirmative.

Mr. Caldwell opened a discussion regarding the overlap in hours between the two establishments. Mr. Costabile indicated that lunch would stop being served at 3:00 p.m. at the market and would only be open until 7:00 p.m. where most people would stop in to pick up dinner, but most likely would not stay to eat.

Mr. Christopher Melick, Planner and Land Surveyor employed by Van Cleef Engineering, 32 Brower Drive, Hillsborough, NJ, came forward and was sworn in. The Board accepted his qualifications. Mr. Melick indicated that he prepared the plans presented to the Township under the guidance of Mr. Michael Ford, and were the third iteration of the plan after meetings with the Township staff. Mr. Melick then drew the Board's attention to the Existing Conditions Plan. Mr. Melick reiterated some of the same testimony given by Mr. Costabile, indicating that there were two buildings that had frontage along Rte. 27 (the existing market and the proposed restaurant). Utilizing the Township's electronic equipment, Mr. Melick showed the Board the locations of those buildings on the plan. He also discussed and showed the Board the proposed addition that would connect the two buildings. Mr. Melick showed the current gravel driveway behind the market building and the existing brick pavers behind the proposed restaurant building. He then spoke of the third building, the 4-unit apartment building, which fronts on Laurel Avenue, which had its own ingress and egress and an existing non-delineated parking area. Mr. Melick then showed the Board the aerial of the area with the Site Plan superimposed. He showed the Board the two-way driveway into that building, with ten (10) delineated parking spaces on that lot and an additional parking space on the other side of the building. He then showed the Board the four (4) additional parking spaces on Lot 16 that would be added along the rear of what was the former law office as well as one (1) parking space that was on Lot 14. Mr. Melick then described the parking that would be provided behind the market building, including one (1) handicapped spot and five additional parking spots, for a total of six (6) parking spots. He testified that there would be a total of 23 parking spaces for all three buildings. Mr. Melick indicated that there were two (2) additional parking spaces originally, but were removed to provide better site circulation. He noted that the ten (10) parking spaces were already paved, but would just be striped with wheel stops added. Mr. Melick then showed the Board a decorative retaining wall behind the old law office building that separated the parking area from a small patio. He indicated that the parking spots in this area contained stone at the present time and were proposed to have porous pavement and the brick pavers near the building were proposed to remain. Mr. Melick then indicated that the pavement behind the market building was currently gravel would be a combination of regular pavement and porous pavement in order to infiltrate the run-off in that area a little better. Mr. Melick stated that that parking area would also have storm water management solutions (drainage inlets) to tie into an existing basin on the adjoining property. He noted that the drainage inlets would not be located on their property. Mr. Melick then drew the Board's attention to the landscaping that was proposed to buffer the parking area for the residential area to the north and a solid white vinyl fence that currently existed along the property line to separate the property from the adjoining property owner's lot. He then indicated that the fencing was on the adjoining property owner's lot and was owned by them. He noted that additional plantings would be placed along that rear property line as well. He then spoke of some additional landscaping that was planned between the existing pavement that would be utilized for parking and the existing fence for Lot 15. Mr. Melick then showed the Lighting Plan, with minimal light spillage that could be corrected and directed onto the subject property.

Mr. Melick then drew the Board's attention to the staff reports, addressing the report from the Police Dept. regarding the recommendation to remove the two parking spaces in front of the driveway leading up from Rte. 27 as well as the removal of the existing PVC fence for sight distance purposes.. Also included in the report, according to Mr. Melick, was the request for demonstration of adequate sight lines for driveway egress onto Laurel Avenue. He indicated that they could comply.

Mr. Melick then discussed the site circulation on the property, with two way access onto Laurel Avenue, one-way entrance on Rte. 27 as well as a connection with the adjoining property owner. Mr. Lanfrit then marked into evidence as Exhibit A-1, a letter from the adjoining property owner (restaurant) indicating that he was agreeable to granting a connection to the storm water management system on the Applicant's property which will be handled by a formal easement agreement. Additionally, the letter gave the Applicant access to his property to share his parking lot, thereby leasing the Applicant 10 parking spaces. Mr. Lanfrit stated that he had in his possession an executed 10-year lease with an open commencement date. Mr. Melick then showed the Board the location of those leased parking spaces.

Mr. Melick then spoke of comments from Somerset County because Laurel Avenue was a County roadway. He noted their comments regarding sight distance and also comments about the existing drainage structure in Laurel Avenue. He stated their concern of the widening of the driveway was positioned such that the drainage structure would be located in the middle of the driveway, which was prohibited. He then discussed working with the County to relocate the inlet structure, but after seeing the difficulty in doing so, he suggested that they could make the two-way driveway a one-way driveway going out in order to eliminate the need to widen the driveway. The suggestion Mr. Melick came up with was to utilize the cross access easement with the adjoining property owner to utilize their driveway for an additional ingress. He then discussed how deliveries were currently made to the market, stating that the wider driveway for the adjoining property owner (restaurant) was being utilized. Mr. Healey questioned how that would be done, considering the proposal for landscaping in that area. Mr. Melick described how trucks would access the property and unload items from the truck. He then noted that they would have to provide an area through the landscaped portion for hand carried or hand cart deliveries or an alternate area by extending the pavement down from the parking area.

Mr. Melick then drew the Board's attention to the Township Engineer's report, noting that they would comply with all of the comments. Just for the record, he indicated that the NJDOT did not have any interest in the Application and that the Delaware & Raritan Canal Commission accepted the design of the storm water management system with the porous pavement. He then discussed Mr. Healey's Planning report, noting that they would be consolidating Lots 16 & 17, but also stating that the two lots on the property were undersized for the area. He then discussed the numerous bulk variances due to the existing conditions of the two lots along Rte. 27. Mr. Melick stated that by combining the two lots, some of the conditions on the site would be made better. He noted that they required a D variance for the house on the property because they would be utilizing part of that parking lot for the use of the restaurant and would technically be an expansion of the non-conforming use. Mr. Melick then spoke about the location of the driveway with variance that they were seeking approval for. He indicated that the width of the driveway was 12 ft. in one small area, but increased to 12.6 ft. as it neared Rte. 27 as well as in the rear by the planter area. He stated that they would have to reach an agreement with the adjoining property owner, with documentation provided, that they would be able to keep the encroachment of the driveway on that property, which was noted on the plan.

Mr. Melick then discussed the impervious coverage variance that they were seeking, noting that the zone requirement was no higher than 80% and they were at 88% on the combined lots (Lots 16 & 17) and 61.9% on Lot 14. He indicated that when averaged out over the entire site, they were at 76%, which was under the zone requirements.

Mr. Healey brought up the point that when adding the connection area for deliveries, the Applicant might want to protect themselves and declare the impervious coverage percentage including that area as well. Mr. Melick indicated that there were a few ways to mitigate that small area, particularly if they remove some pavement to make only a one-way out egress onto Laurel Avenue as opposed to the two-way driveway originally proposed. Also suggested was an area in the parking spaces to straighten out the aisle width, which would also reduce the impervious coverage. He did note that the offset might not be on the same lot as the area that would be added for deliveries, but the percentage of impervious coverage would not exceed what they were currently asking for. Mr. Melick then used that opportunity to also state that he misspoke earlier in his testimony regarding the number of parking spaces on the site. He testified that there were 23 parking spaces, when they were providing 21 on the site where 23 were required. He also added that that number did not include the ten (10) parking spaces that they would be able to use on the adjoining property.

Mr. Caldwell then asked if there would be identified parking spaces for the residential area. Mr. Costabile indicated that in the year and a half that he has owned the property there were only two (2) cars generated from the 4-unit apartment building that was completely occupied. He stated that there were two professors who commuted to Princeton University by bus and students living in the apartments. Mr. Lanfrit felt it better to leave the parking spaces undelineated at this juncture since there was little need for the required 8 parking spaces. A discussion ensued among the Board. Mr. Thomas brought up the possibility of restaurant parking signage, and Mr. Lanfrit indicated that they could put up signage for the portion of the residential parking area that could be used as well as signage for additional parking availability on the adjoining property if the Board felt it was appropriate. A discussion ensued regarding the capacity of the adjoining parking area to accommodate for both uses. Mr. Lanfrit testified that when there was an Application to add an office building behind that adjoining restaurant, there was adequate parking for both that restaurant as well as the office building needs.

Mr. Kinneally, Board Attorney, stated that they should provide a signed lease as well as an easement for the use of 10 parking spaces on the adjoining property. Mr. Lanfrit stated that they already have a signed lease and would provide the easement should the Board act favorably on the Application.

Mr. Melick reiterated that they were only seeking a D (2) variance for the use of the residential parking lot for the restaurant and didn't feel that utilizing that parking area for the commercial use would diminish the four (4) apartment units. He also noted that the building for the restaurant was not being enlarged, and would therefore not create an intensive use.

Mr. Healey asked for clarification regarding what the D variance they were seeking was for as he thought they were seeking a D variance for the 4-unit apartment building since it was not a permitted use in the NB Zone. Mr. Healey then stated that he thought their Application was for a D(1) Use Variance for the 4-unit apartment building. Mr. Lanfrit produced a search from the Township Tax office, entered into the record as Exhibit A-2, showing that the apartment building was built in 1920, before zoning. Mr. Healey discussed the fact that his report included language that stated the Applicant was asking for a D(1) Use Variance because residential structures were not a permitted use in the zone and that it should have been addressed before the evening's hearing. Mr. Lanfrit stated that he thought the D(1) Use Variance referenced in Mr. Healey's report was referencing the apartment above the proposed restaurant and didn't feel it was an issue any longer since they were not going to use the

apartment as a residential use, but for offices related to Mr. Costabile's businesses located there. Mr. Lanfrit then marked into evidence as Exhibit A-3, a certification submitted to the Township that was dated April 26, 2018 and signed by Mr. Costabile indicating that the residential building was a 4-unit apartment building.

Mr. Kinneally then opined that if the residential building was a non-conforming use in the zone, there were two options. He stated that you either had to provide a certificate of pre-existing non-conforming use or a Use Variance Application. A discussion ensued. Mr. Healey then looked back through the Application paperwork, stating that the Applicant noticed for a D(1) Variance. Mr. Lanfrit responded that he could have his Applicant testify that evening that the residential building had been used as a 4-unit apartment for the past 28 years, but would be unable to take the history of the building back to 1959 when zoning was put in place.

Mr. Lanfrit then asked Mr. Costabile where he lived, and he answered that he lived in Kingston, about three (3) blocks away from the subject property. Mr. Costabile testified that his 31 year old daughter's friend used to live in the 4-unit apartment building when she was eight (8) years old and was familiar with the property for the past 25-30 years. He stated that to his knowledge, it had always been a 4-unit dwelling. He explained that there were two apartments upstairs and two apartments downstairs that were divided by a stairway. Mr. Costabile stated that the two doors on the first floor accessed the downstairs apartments and the third door was access to the two upstairs apartments. Mr. Lanfrit then asked to amend the Application to include a Site Plan and D (1) variance for the apartment building. Mr. Melick then testified that the residential building did not have access to Rte. 27 as the other commercial buildings did. He testified that all of the uses on Laurel Avenue adjacent to the residential use and across the street from the residential building were residential uses. He added that the residential use of the 4-unit apartment building was most appropriate to use as a residential use. Mr. Melick opined that he did not see it being a detriment to the surrounding area by keeping it as a residential use

For the record, Mr. Healey read the portion of the Application that was submitted to the Township to include the ratification of the residential uses on the property and required a D (1) Variance. Mr. Healey stated that the hearing was properly noticed and the request for the variance was written in Mr. Healey's Planning report.

Ms. Elizabeth Dolan, Traffic Engineer and Principal of Dolan & Dean, 181 W. High Street, Somerville, NJ, came forward and was sworn in. The Board accepted her qualifications. Ms. Dolan told the Board that she prepared a report, dated February 20, 2018. She then opined regarding the County approval of making the driveway onto Laurel Avenue outbound in one direction and didn't see any detriment to the site circulation or access. Ms. Dolan then testified that the site was a very low traffic volume generator, with even the combination of the four (4) apartments, restaurant and the market. She added that it was a high quality restaurant open later at night with reservations required that was a nominal traffic generator. Ms. Dolan then discussed the fact that the four (4) unit apartment building did not generate much traffic as it only had two (2) vehicles on-site at the present time. She then indicated that even if the apartments did have five (5) or six (6) cars on-site, it would be a small generator of traffic. She then noted that the site circulation already included a one-way ingress from Rte. 27 and that they had shared the plans and trip generation calculations with NJDOT, who issued a letter of no interest and recognize that it was a relatively quiet site in terms of traffic. Ms. Dolan then told the Board that the close proximity of parking to the restaurant was a bonus, especially with

the inclusion of the 10 leased parking spaces next door, and mentioned that no one had mentioned the on-street parking that was available as well. Ms. Dolan then detailed the trip generations from the restaurant at peak hour, with a maximum of 22 trips in the busiest hour which occurred on a Saturday night. She then stated that it was not the peak hour of traffic on Rte. 27. Ms. Dolan then addressed the width of the entrance driveway, which was in non-conformance with the ordinance. She stated that she felt that it was adequate for one way traffic and had been accommodating the traffic and certainly could accommodate the nominal increase in driveway volumes. Mr. Lanfrit indicated that there all of their parking was to the rear of the property and the handicapped access was through the market at the front of the property. He noted that there was street parking along Rte. 27, and Ms. Dolan concurred. Mr. Lanfrit then asked Ms. Dolan if there was the ability to provide a handicapped parking spot on Rte. 27 to service the subject property and other businesses along the roadway if the municipality or the Zoning Board recommends to the governing body to do so. Ms. Dolan testified that the municipality would have to pass an ordinance for that space and obtain an occupancy permit from the regional DOT office to physically paint the emblem and install the appropriate signage. She also noted that those types of permits were fairly routinely granted by the NJDOT. Ms. Dolan then discussed how the circulation to the rear of the property would benefit the restaurant by posting signage at the rear of the property directing motorists that they could park near the residences as well as some signage for overflow parking to the restaurant next door. She felt that both of those suggestions were good ideas. Ms. Dolan agreed with Mr. Melick's suggestion to go from a two-way to a one-way driveway and take out one additional parking space and widen the connection between the subject site and the restaurant next door. Ms. Dolan then stated that the suggestion did make sense and liked the idea of the shared parking with the adjacent property and improving circulation between the two properties. She added that she didn't believe that losing one space in order to accomplish that would not present a hardship. In summary, she indicated that she felt that the Applicant was providing ample circulation, ample parking as well as the bonus of the shared parking and the on-street parking available. Ms. Dolan also agreed that removing some shrubbery and relocating the fence would improve the sight lines onto Laurel Avenue.

Mr. Caldwell opened a discussion regarding signage along Rte. 27. Mr. Lanfrit indicated that there was no signage for the former law office and that they were only proposing two small signs, one in the front and one in the back, which would designate as being a restaurant. For the record, Mr. Lanfrit indicated that they did appear before the Historic Commission, which approved the connection as well as the proposed conforming signage.

Mr. McCracken then opened a discussion regarding handicapped access to the market from the rear of the building. Ms. Dolan stated that there was no handicapped access from the rear, which would make the addition of a handicapped street parking space valuable and desirable for all the businesses there. Chairman Thomas stated that he felt that the inclusion of a handicapped parking space on the street should be included in any resolution. A discussion ensued.

Chairman Thomas made a notation that there did not appear to be any public to open the meeting to.

Mr. Lanfrit then gave his final summation and respectfully requested that the Site Plan be granted, along with the D variances and bulk variances.

Mr. McCracken made a motion to approve the Application with Variances, including all of the items discussed during the hearing as well as the County and Delaware & Raritan Canal Commission approvals and comments in the staff reports. Also included in the approval would be the use of the residential parking area to be used by the commercial spaces and the inclusion of a handicapped space on the street on Rte. 27. Additionally, the changes to the variance for impervious coverage would include a tradeoff between the two sites to offset the extra impervious coverage on one site as well as providing for 20 parking spaces instead of 21, with a requirement for 23 in order to provide the separation from pedestrian and vehicles. Mr. Caldwell seconded the motion and the roll was called as follows:

FOR: Mr. McCracken, Mr. Caldwell, Mr. Rosenthal, Mr. Reiss and Chairman Thomas

AGAINST: None

WORKSESSION/NEW BUSINESS

MEETING ADJOURNED

Mr. McCracken made a motion to adjourn the meeting at 9:15 p.m. Mr. Caldwell seconded the motion and all were in favor.

Respectfully submitted,

Kathleen Murphy, Recording Secretary
August 22, 2018