

Borough of Pine Hill
Meeting
Planning and Zoning Board of Adjustments
March 08, 2018

- Call to order:** **Call to Order by Mr. Felix James 7:41pm**
- Pledge of the Flag:** **Led by Mr. James**
- Sunshine Law:** This is a regularly scheduled meeting of the Pine Hill Planning and Zoning Board. This meeting has been duly advertised and is in full compliance with the Sunshine Law.
- Roll Call:** **Present:** Mr. James, Mr. Waddington, Mr. Castor, Mr. Ford, Mr. Hagy, Mrs. Ciotto, Mr. Green, Mrs. Jones, Mrs. Gilson
Absent: Mayor Green, Councilman Robb (Both in Borough Budget Meeting)
Professionals: Solicitor: Mr. Stephen Parrey, Planner: Mr. Luste,
- Correspondence:** **Mr. James:** There is no correspondence
- Approval of Minutes:** **Mr. James:** If everyone has had the chance to read the February 8th minutes I will entertain a motion
Mr. Castor: Motion to approve; seconded by Mr. Hagy
Roll Call: Mrs. Jones abstained; all others "aye". Motion Carried
- Application 2018-1:** **Mr. James:** Next we have application 2018-1; 315 West Branch Ave, LLC; Block 78 Lot 1-28; Use Variance
Leo Manos: Good Evening ladies and gentlemen of the board my name is Leo Manos; from Manos Law Firm LLC I will be representing the applicant tonight which is West Branch Ave LLC. Just a brief preliminary matter the application was filed by Kristopher Facenda, Esq. whom could not be here tonight and asked me to fill in; we do not work together, different Law Firms; but obviously the applicant has consented to me being here for that representation. This application

concerns the property located at 315 West Branch Avenue which is Block 78 Lots 1-28 on Pine Hill Tax Map located in the Pine Hill Limited Business District or LBD District. What we are proposing a self-storage unit containing 13 separate buildings with approximately 75,000 square feet. The LBD District does not specifically permit self-storage facilities and also does not prohibit them and it has been determined we need a use variance. What we are here for tonight is that the Use Variance with 1 C Bulk Variance for a side yard setback that I will get to in a moment; but the main thrust of our applicant is simply the Use Variance. If we are fortunate to be approved for the Use Variance and come back next month or so for Preliminary and Final Site Plan Approval so for tonight it is primary just the Use.

Mr. Manos proceeded to describe to the board the surrounding area and the types of uses that border the property such as residential and commercial, and the buffers that are and will be in place between his applicant and the existing properties. He then introduced the witness' to appear before the board; Engineer and Planner Mr. Bruce McKenna; Planner Mr. Addison Bradley and Applicant Mr. Matt Portnoy.

Mr. Parrey: Swore in the three that would testify then Mr. McKenna and Mr. Bradley gave their qualifications and experience to the board to show their qualifications as experts.

The Board then agreed to their expertise in the matters of Land Use and the testimony proceeded

Mr. McKenna was the first to testify giving he view on the positive and negative criteria and impact of the area with what the Applicant had proposed for the use of the site and he producing exhibits A-1 thru A-3 projected plan of the property, picture of what the buildings would look like and aerial shot of the location of current self-storage units in the surrounding 5 mile area. He then proceeded to testify to the need of the C Bulk variance and their negative and positive criteria.

Mr. Monas again pointed out that there just here tonight for the Use Variance and C Bulk Variance this night and if they were fortunate enough to be granted that they would be back for the site plan approvals. He then went over the Pennoni's review letter having Mr. McKenna answer any concerns from the review.

Mr. Waddington had a question as to where the parking would be on the premises

Mr. McKenna said there would be 5 parking spaces at the front of the property and that there was no space of allowance of outside storage of vehicles

Mr. Luste requested how many employees

Mr. Monas stated only 2 employees working different shifts

Mr. Luste suggested they check the ITE Manual on the parking requirements; but that would be at the site plan level

Discussion was had on the storage of vehicles in the storage units. The professionals for the Applicant were stressing parking of collectable or classic vehicles the board was stressing their concern with any vehicle parking inside of storage units since they could not be monitored on the frequency of in and out of vehicles and being able to prevent maintenance of vehicles on site and storage of liquids on site particularly flammable liquids inside of the vehicles.

Mr. Portnoy then stated he would be the sole owner of the property. His experience with self-storage units and then he went over the hours of operation and the security of the property (the lighting and cameras)

Mr. James questioned how the storage and repair of vehicles would be monitored and controlled by the property owner. With the employees not there 24/7 and not there during the entire hours of operation how can they ensure people are not coming in with one car and leaving with another.

Mr. Portnoy answered with some people don't come in for 8 months to a year and others only drive it on Sundays. He also reassured the board that during the hours that the employees were working they would monitor the coming and going of vehicles from 9 am to 6 pm.

Mr. James and Mr. Hagy said they had no confidence process of monitoring working

Mr. Portnoy provided statistics on the number of people in the surrounding 5 square miles and that 5 square feet of storage per person is needed

Mr. Bradley then gave his testimony on the negative and positive criteria of the application and in his opinion why it is the right fit for this property as opposed to other establishments that could build on the property such as hotels and other permitted uses. He stated the only negative would be the traffic that would be generated.

Mr. Waddington had a question on the setback they were asking a waiver on about eliminating the one building along the back of the small strip store building and be replaced with a fence as to not have the need of any setback.

Mr. James made a comment on Mr. Bradley's Testimony of permitted uses in that Zone; he read from Pennoni's review letter and stated that the hotels and malls that Mr. Bradley commented one were not part of the permitted uses listed.

Mr. Portnoy gave more testimony to the traffic stating when he had lunch at the site during one hour he counted 46 vehicles coming in and out of the pizza shop and convenient shop during that time and it would take 2 or more days for the self-storage to generate that much traffic with his experience in operating self-storage facilities.

Mr. Luste made a comment as to the study in the ITE he would have to agree with that statement on traffic. The peak hours are between 4 and 5 pm and they do not compete with the traffic of commercial businesses. He then questioned if they would have any large trucks such as Semi's or trailers (anything too big to fit in units)

Mr. Portnoy stated only U-Haul box trucks and things of that sort dropping off at storage units nothing staying there

Mr. Castor: Are you going to have any trucks there to rent?

Mr. Portnoy: One truck; Yes

Mr. Waddington had a question on the entrance to the south as to how it would be monitored

Mr. Portnoy answered that it would be closed and locked at all times and that the Fire Company would have the combination to the lock. He also stated there would be about 18 cameras on the site providing full coverage

Mr. Castor asked about alarms

Mr. Portnoy replied that there would be individual alarms on each unit

Question was brought up about lighting

Mr. Portnoy replied 75 watt wall packs on each building with the possibility of one or two site poles and that would be addressed at site plan if variance is approved

Mr. Waddington questioned if the office building would have inside storage

Mr. Portnoy stated that it would have conditioned space storage in side that building as well as outside access storage

Mrs. Jones questioned how they were going to address the erosion of the hill behind the fence

Mr. Portnoy replied he was going to install a 12 inch pored concrete wall and it would be engineered to help stop the erosion

Mr. McKenna went over the proposed retention wall and storm drains that would catch the run off and deliver to the retention pond

Open Meeting to the Public: **Mr. James:** At this time I would entertain a motion to open the floor to the public

Mr. Castor: Motion; Seconded by Mr. Waddington

Mr. Rolf Worthman from; 118 W 2nd addressed the Board; we was disappointed that the board was considering allowing this storage facility when we needed something to generate more money coming into the town. He wanted to know if anyone knew what the assessment or taxes would be on the property and he lived up the hill and went to bed by 9 PM and did not want the noise keeping him up; that he built there because it was quiet and he paid a lot of taxes for that quiet and less traffic not more.

Pietro and Gino Randazzo owners of 321 West Branch Ave addressed the board with their concerns of the impact on their property. They were in favor of the property being developed but wanted more of an explanation on how it would affect them and the closeness of one of the building to their property line.

Close Meeting to the Public: **Mr. James:** Anyone else? Seeing no one motion to close

Mr. Castor: Motion; seconded by Mr. Waddington

Mr. James: All in favor; all "aye" floor closed

Mr. James gave the applicant a chance to further explain the impact; Mr. Bradley explained the setback variance requested and how it would impact 321 West Branch Ave showing on exhibit A-1 the properties and how their property would not be affected at all if the variance was approved and how the applicant would work with them to show he was a good neighbor with proper landscaping between the two properties.

Mr. Randazzo then questioned about the run off from storm water and Mr. Bradley showed where catch basins for the storm water would be placed to move the water to the retention area away from his property. Mr. Randazzo then expressed he thought their building would still be too close to him and also had concern of only 5 parking spaces he did not want overflow coming into his parking lot.

Mr. Manos: I have nothing else for the board at this time

Mr. Castor: You need to explain the hours of operation the first resident thought you were a 24/7 operation

Mr. Manos: 6 PM to 10 PM

Mr. Castor: Did you hear him sir

Mr. Worthman: Still to long for me I like to go to bed at 9 not at 10, I would rather see residential it is better than commercial in a few years you are going to be looking for residential land and you won't find any

Mr. Manos: Mr. Chairman I know at least you and one other board member had a concern about storage of vehicles and would ask that we address the variance tonight and if we are fortunate enough to be approved address the vehicles at the site plan to the board's satisfaction next month.

Mr. Randazzo: I still think our building being surrounded by brick will not work seeing the hill and trees is a better view

Mr. Bradley: We can address that next month at the site plan hearing, but prior to the plan we can meet with them and show how we feel what we are proposing to do and then when we meet next month they like what we are going to do and we do it.

Mr. James: Can I have a motion from the board to accept the use variance

Mr. Castor: Make a motion to approve

Mr. James: Is there a second

Mrs. Ciotto: Second

Mr. James: Roll call please:

Mr. Gallagher: This roll call is on the use variance only: All “aye” motion passed

Mr. Manos: May I have one moment to confer with my client? Mr. Chairman we would be willing to defer the vote on the side yard setback variance till after the site plan approval

Mr. Castor asked the solicitor if we had to vote on tabling this since it was on the agenda

Mr. Parrey: Do you mean a postponement on the Bulk Variance? I suppose you could. Mr. Manos you could bring it back but I believe you would have to re-notice

Mr. Manos: It is a major site plan approval so we are going to have to re-notice anyway. So we will re-notice for major site plan approval and Bulk Variance

Old Business:

Mr. James: I there any old business

Mr. Waddington: I don't know if anybody drives past Branch and Hickstown Road; the gas station we granted approval for the used car lot. I know it was on the record that the guard rail would remain and no parking would be on the other side of the guard rail. I have been by there every day for the last week and the guard rail is down and cars are on the grass parking more vehicles on there then we granted. He also said he was going to put a dumpster in the space between. Well there is no dumpster and the guard rails are gone. I guess we need to notify our inspector.

Mr. Castor: What about the truck parking on Cross Keys Road have we heard anything I was just checking?

New Business:

Mr. James: does anyone have any new business?

Mr. James: Just a reminder the next meeting is April 12th at 7:30 pm

Open Meeting to the Public: **Mr. James:** Do I have a motion to open the floor to the public?

Mr. Castor: So moved; Second by Mr. Ford

Close Meeting to the Public: **Mr. James:** Seeing no public do I have a motion to close the meeting to the public

Mr. Castor: Motion to close: seconded by Mr. Ford

Mr. James: all in favor; all "aye"

Motion to Adjourn: **Mr. James:** can I get a motion to adjourn

Mr. Castor: Motion Seconded by Mrs. Ciotto

Mr. James: all in favor: all "aye" motion carried