

WHARTON PLANNING BOARD  
REGULARLY SCHEDULED MEETING  
November 10, 2020

The regularly scheduled meeting of the Wharton Planning Board was held virtually and was called to order with Chairman Ken Loury reading the Open Meeting Statement as required by law as well as a statement regarding allowing the remote meeting and the Judicial Proceeding Statement.

ROLL CALL was taken and the following members were present: Chairman Ken Loury, Mayor William J. Chegwiddden, Councilwoman Wickenheisser, Mr. Roger Steele, Mr. Marc Harris, Mr. Peter Rathjens, Mr. Brian Bosworth, Mr. Patrick O'Brien, Ms. Barb Chiappa. and Mr. Christopher Fleischman. Also present were Attorney Alan Zakin, Planner Jessica Caldwell, Engineer Christopher Borinski and Secretary Patricia Craven. Excused was Ms. Charlotte Kelly.

The pledge allegiance to the American Flag was next.

The reading of the bills was next. A Motion was made by Mr. Bosworth and Seconded by Mr. O'Brien to approve the bills. YEA - 10 NAY - 0

Under Old Business was the minutes of the October 20, 2020 Planning Board meeting. A Motion was made by Mr. Harris and Seconded by Mr. Steele to approve the minutes.  
YEA – 10 NAY – 0

Engineer Borinski updated the Board on Wharton Industrial. Work on Building G is progressing to get the building enclosed before the winter. They are grading around the building. They are still waiting for JCP&L to move some poles. They will be working on water and sewer connections in the next few weeks.

Next was the continuation of the application for 170 N. Main Street Redevelopment Site. Attorney Inglesino gave a brief synopsis of the application. They are applying for a multi-family development with a retail component. It is a 4-story mixed use with 75 apartments and ground floor retail. They are seeking a variance for parking. They feel they will meet the parking criteria based upon the mixed use and shared parking. There were other variances requested at the last meeting but they are revising their plans to eliminate the other variances. Their Engineer will not be available tonight but will be at the December meeting as well as their traffic expert and planner.

Architect Peter Wells was sworn in and qualified as an expert witness. Mr. Wells was visible on zoom.

Marked into evidence was Exhibit A-3, 11-10-20 – colorized version of sheet A-109 of the plans that were submitted. Mr. Wells explained that this was submitted as an exhibit because it was not submitted within the 10-day period with the other sheets. They have revised the drawings in response to comments regarding the historical significance of the building across the street as well as the input from the Borough Planner. They were working to match the brick and pitched roof of the mill building across the street. The maximum height to the highest roof ridge is 55'9" with a calculated average of 52 ft which is compliant and still less than what is permitted. The

building works well with the curve of Main Street. According to Mr. Wells, the tower will be iconic and something very special to highlight this part of Main Street. It will help bring attention to the Mill building and the new intersection.

To address a concern by the Fire Dept. for apparatus clearance they have increased the height under the outdoor deck from 11'6" to 13 ft. and the garage will have the same clearances.

There are no variances needed for the building. They have revised the elevation based on comments from the last hearing. They extended the height of the tower. They changed the proposed stone to brick and increased some areas of brick. They have proposed arched headers, trim details and garage louvers. The colors will be a red brick to match the Mill building, sandstone stucco, white siding and a charcoal shingled flat roof. Light fixtures, aluminum rails, louvers, window and door frames will be black. The window and door frames will have a sandstone trim. The HVAC units on the flat roof will be screened by the gables. The apartments will all be 1 story units with 9 ft. tall flat ceilings. 118,975 is the total square foot of the building, the first floor is 27,055 sq. ft. of which 10,775 is commercial space. There are 8 commercial spaces on the ground floor, 2 of which may be restaurants, Space C is 1541 sq. ft and space F is 1415 sq. ft.

Mr. Wells went on to explain Sheets A101- A110

Referencing Sheet A-101, the short wing on the east side which faces N. Main St. and has the commercial spaces and the tower

Referencing Sheet A-102, the long wing which faces and runs parallel to the N. Main St. Extension and has the parking garage and parking garage entrance and exit. There are 43 parking spaces in the garage.

Referencing Sheet A-103, shows the 2nd floor plan of the short wing that has a view of the pond as well as the bike path and outdoor 2<sup>nd</sup> floor deck. Most units have a small outdoor balcony. There is an exercise room and common space on each floor. There are 4 stair cases and 2 elevators that are positioned to access the parking lots.

Referencing Sheet A-104, shows the second entrance.

Marked into evidence was Exhibit A-4, 11-10-20 – Colorized version of the upper right corner of Sheet A-105, Unit Plan Legend. They are proposing 25 apartments on each floor x 3 floors = 75 apartments. There will be 54 – 1 bedroom, 12 – 2 bedroom and 9 – 3 bedroom apartments. 12 of the apartments will be affordable units of which there will be 2 – 1 bedroom, 7 – 2 bedroom and 3 – 3 bedrooms units. They will be built and furnished the same as the fair market value units and mixed into the floor plan. This is what is favored under the COAH regulations. Attorney Inglesino stated that as a condition of approval they will comply with all the COAH regulations that are applicable to this project.

Mr. Wells stated that the largest floor area is the second floor with 33,520 sq. ft. which includes the deck of 6,465 sq. ft. The 3<sup>rd</sup> and 4<sup>th</sup> floors are both 27,020 sq. ft.

Referencing Sheet A-101 -each commercial space has a front and rear door to allow for deliveries. The apartment entrance is in the rear of the building under the 2<sup>nd</sup> floor patio overhang which is private, secure and close to many parking spaces not typically used by the commercial units. Trash collection for the apartments will be by way of an interior chute coming down from each floor to a room in the covered parking area. There are 2 chutes on each floor, 1

for trash and 1 for recyclable. They will then be placed into the dumpsters by the maintenance staff, monitored by an on-site superintendent and picked up by a private hauler. The dumpsters will have lids and be sealed so that they cannot discharge any liquids. The dumpster that was located close to the building will be moved. The engineer will address the dumpster relocation at the next hearing. Each apartment and commercial businesses will have their own utilities.

Referencing A-110 Signage – each commercial space will have their own sign over their storefront and lit with gooseneck lights. There will be 2 wall signs on the building, one on the rear of the building and one on the tower and will also be lit with goose neck lights. There will be 2 free standing monument signs located on the site plan that will have goose neck lighting. No variances are need for the proposed signs. Also shown on this plan is the planting detail and garage louvers. The planting detail and the 58 ft setback from the road will soften the appearance from the road. The building will not look like it is close to the street instead it will provide a full wide focal point as you travel on N. Main St.

Referencing Exhibit, A-3 – the proposed building is to be barrier free and building code compliant and will include NFPA13 fire sprinkler suppression system.

Referencing Sheet A-105 – Mr. Wells went over the square footage of the apartment units which were listed on sheet A105. Mr. Inglesino stated that as a condition of approval they will deed restrict the affordable units. Mr. Wells stated that the affordable units will be intermixed with the fair market units. All the units will be the same whether they are fair market or affordable you will not be able to tell the difference. Chairman Loury and the Board agreed that the units should be intermixed and not delineated.

Referencing Sheet A-110 - they are proposing the same wall detail for the trash enclosures that they are proposing along Ross St.

The architectural design of the building will be in compliance with the NJ Construction Code.

Chairman Loury stated that the new façade and signage is much nicer and more fitting for this location. Mr. Loury asked if any of the 43 covered parking spaces were going to be reserved or paid for spots. Mr. Wells stated that they are for tenants only. Attorney Inglesino stated that he has not discussed this with his client. He stated that his client may charge for covered parking. Attorney Zakin stated that consistently with this type of development the Board has asked that there be no paid parking because that tends to make people park on the street and not pay for parking. Attorney Inglesino stated that they could agree to a condition that all tenants park on site. Mr. Loury stated that the issue with paid or reserved parking is that it skews the calculation of the RSIS study. Attorney Inglesino stated that it is not uncommon to have 1 space reserved for a unit but will defer to the Planner. Parking undercover is an amenity and there could be a charge. Mr. Loury stated that parking on the site is an issue and they are requesting a variance, so the less impact to that the better the application. Mr. Zakin stated that the other sites did not differentiate between on site parking spots and covered parking spots. Mr. Steele agreed that when you start charging for parking spots people will look for parking on the street, especially where there are not enough parking spots. The last 3 projects that were approved had no fees for parking. If there is not enough parking why not then reduce the number of units. Mayor Chegwiddden stated that that was what happened at Avalon Bay. People were parking on the streets because they did not want to pay for parking.

Chairman Loury asked about the design of the garage louvers. He would like to see horizontal louvers and not vertical louvers. This was an issue with another development on Main Street where the approved plan had horizontal louvers and the developer put in vertical louvers that looked like the bars of a jail. Mr. Wells is familiar with the other development. The vertical louvers they had were an open grid and what they are proposing will be a solid vertical louver like the horizontal louvers on the Main Street building which are a solid horizontal louver. The reason he is proposing vertical instead of horizontal louvers is because they would work well with the aesthetics of the building and reduces the appearance of height. They will not look like bars in the design of this particular building. You would never see any direct light through these louvers. The air flow meets the code. Mr. Wells will supply the specs for the vertical louvers. Mr. Inglesino stated that they will work with Planner Caldwell to develop a satisfactory design.

Chairman Loury asked if there was a pool and hot tub on the deck. Mr. Wells stated that is what was planned but it is open to consideration. The plans show a 4 ft. shallow pool and hot tub.

Chairman Loury asked about the retail front and back entries, are the customers going to be entering from the back. Mr. Wells stated no they would not. The entrance to the apartments is at the rear of the building. The full time on-site superintendent will not live on site. He has an office on the ground floor and will be on site during the day.

Chairman Loury stated that he was glad they are moving the dumpster. Mr. Wells stated that the original dumpster that was close to the building would be for the retail and will be moved away from the building. The residential dumpsters will be furthest from the building.

Chairman Loury asked about the location of the monument signs. Mr. Wells stated that one will be at the corner of N. Main St. and Ross St. and the other at the side entrance of the N. Main Street Extension. They are shown on Sheet 3 of 10.

Chairman Loury asked if there is still an under-deck driveway. Mr. Wells stated that there is a 13 ft. clearance under the deck to accommodate cars as well as emergency vehicles. There are 4 steps that go up from that driveway to the main entrance to the apartments under the deck.

Mayor Chegwiddden asked if the balconies were useable balconies. Mr. Wells stated that they come out about 4 ft. and are about 6 ft. across.

Mayor Chegwiddden would like to see the same type of brick that is on the building across the street. It is imperative and will bring everything together. Mr. Wells stated that it will be the same red brick and they can supply a sample board of the brick to our Planner for her review. Attorney Zakin asked if they could submit a color photo as well to be put on the website. Mr. Inglesino agreed and this would be a condition and also part of the redevelopment agreement.

Mr. Steele asked if there were any outside grills available for tenant use. Will there be a restriction for grills on the balconies? Mr. Wells stated that the balconies are too small for outdoor grills and would not be permitted on the balconies. There might possibly be grills on the outdoor deck.

Planner Caldwell stated that they do not need a variance for the 2 monument signs. 1 sign per entrance is allowed.

Mr. Wells explained that the HVAC units would be located on the flat roof of the building and would not be visible from the front or the rear of the building.

Mr. Rathjens asked if they could add more brick to the front facade near the entrance at the front of the building. Mr. Wells stated that they could add more brick to the front on either side of the entrance. The Board liked this suggestion and the applicant agreed to implement it.

Chairman Loury stated that he did not see anything on these plans about the walls that deflect the car lights. Mr. Wells stated that they are on the site plan but he did show the trash enclosures which will have similar detail to the walls. The enclosure will be brick with a 3 ft. vinyl fence on top which will create a 6 ft visible barrier between this property and the Ross St. residences and anything else on the site. The wall throughout the site will not be as tall as the trash enclosures.

Planner Caldwell stated that she has been working with Mr. Wells over the last couple weeks. There are no variances needed for the signs. She agrees with adding more brick to the front of the building, working with Mr. Wells on the louvers and also the idea of a sample board.

Engineer Borinski asked about the mechanical room on Sheet A-101 – Mr. Wells stated that it is the mechanical room for the entire building. Tenant G, because of its size, is not required to have a 2<sup>nd</sup> door. Tenant A does not require 2 entrances but does have a side door. There is some open space on that side of the building which Mr. Wells thought a tenant might want to access for possible outdoor dining. There is a sidewalk as well. The side entrance can also be used for deliveries.

The meeting was open to the public.

Michael Elardo of 21 Ross St. asked Mr. Wells to explain barrier free. Mr. Wells stated that barrier free is a code requirement so that a building can accommodate a handicapped person. Mr. Elardo asked for a rendering of the building looking at it from his house, which is the last residential home on Ross St. Attorney Inglesino thinks that is beyond what the applicant should be prepared to do. They're responsibility is to demonstrate that they comply with the standards enacted by the Borough Redevelopment plan as it relates to the architectural design, footprint and height of the building. He does not feel that what they are asking for is appropriate. Mr. Elardo then asked for a rendering of the fence that they are proposing along Ross St. which will be across from his home. Attorney Inglesino stated that the engineer will be providing that at the next meeting. Mr. Harris asked that that be on the elevation view as well. Mr. Inglesino stated that they will make a note of that.

The meeting was closed to the public.

Attorney Inglesino stated that they will providing the material color boards as well as the spec sheet for the louvers. Chairman Loury asked that for our next meeting all the professionals be in attendance to give testimony. He would also like them to address the Fire Chiefs memo. Attorney Inglesino stated that the Engineer will address that at the next meeting. Mr. Wells stated that one of the concerns of the Fire Chief was the clearance under the second-floor deck

and the parking garages. Because of this concern they have raised the clearance to 13 ft. They also have included a MP13 fire suppression system which is in excess of what the code requires. Mr. Harris asked that they supply the test well readings for the next meeting. Mr. Inglesino agreed.

Attorney Inglesino asked that their application be carried to the December 8, 2020 Planning Board meeting at 7:00 pm without notice. There will be a new zoom link posted on the Borough website.

A Motion was made by Mark Harris and Seconded by Brian Bosworth to carry this application to the December 8, 2020 Planning Board meeting without notice. YEA 10 NAY 0

A Motion was made by Patrick O'Brien and Seconded by Chris Fleischman to adjourn.  
YEA 10 NAY 0

Meeting adjourned at 8:42 pm.

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Patricia M. Craven – Secretary

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Ken Loury - Chairman