

**SPARTA TOWNSHIP
ZONING BOARD OF ADJUSTMENT
MEETING OF MAY 9, 2018**

The Zoning Board of Adjustment Meeting of the Township of Sparta was held in the Sparta Township Municipal Building and was called to order by Chairman Wilbur Goldschmidt at 7:30 PM, with announcement that adequate notice of this meeting had been given to the public and the press under provision of the “Open Public Meetings Act”.

Members Present: William Makowitz, Thomas Molski, Tim Parker, Randy Burke, Michael Jozefczyk, Kenneth Laury, Richard LaRuffa and Wilbur Goldschmidt

Members Absent: Ellen Maloney

Others Present: Angela Paternastro-Pfister, Esq.
David Simmons, P.E.
David Manhardt, P.P.
Maureen R. Donnelly, Zoning Officer

**SCHEDULED APPLICATIONS:
CAPTIVA LIFESTYLES LLC # 8-18**

MINUTES APPROVED:

Mr. Laury made a motion to approve the minutes of April 11, 2018. Dr. Parker seconded the motion and the roll was as follows:

Mr. Makowitz	Yes	Dr. Parker	Yes
Mr. Molski	Yes	Mr. Jozefczyk	Yes
Mr. Burke	Yes	Mr. Laury	Yes
Mr. LaRuffa	Yes	Ch. Goldschmidt	Yes

RESOLUTION MEMORIALIZED:

Dr. Parker made a motion to memorialize the resolution Denying the application of Andrzej Tomaszewski # 4-18 relating to Block 26001 Lot 99 decided on March 28, 2018. Mr. Laury seconded the motion and the roll was as follows:

Mr. Makowitz	Yes	Mr. Jozefczyk	Yes
Dr. Parker	Yes	Mr. Laury	Yes
Ch. Goldschmidt	Yes		

**PUBLIC HEARING:
CAPTIVA LIFESTYLES LLC # 8-18
53A SPARTA AVENUE**

Sean McGowan Esq. of the firm Bertone Piccini represented the Applicants for the multi-family project and explained that after meeting and working with the Township staff for the past year, they will present testimony from various witnesses including the Architect, Engineer, Traffic Engineer and Planner to show the special reasons why this lot is well suited for this project. The Architect and Engineer will provide testimony this meeting.

Jose Carballo licensed Architect of Hackensack who owns his own architectural firm and has been licensed in New Jersey since 1986, was sworn in to testify. He specializes in designing multi-family housing developments in Hudson, Bergen and Passaic Counties. The Board accepted his professional qualifications.

Mr. Carballo referred to the cover page of the plan set and described the layout of the property which will have a single gated entrance with access from a Sparta Avenue driveway that goes up the hill and enters the southern courtyard to two buildings with parking underneath and next to the building. There is a circular entrance for the building and a courtyard with a common building including a community room and fitness center with outdoor amenities under a trellis area which will create a neighborhood. He referred to a photo exhibit of the trellis area which was marked as Exhibit A-1 and indicates an overview of the buildings and the trellis. Ex. A-2 is the view of the courtyard and open area near the trellis, A-3 is the detailed area under the trellis that includes grills, seating tables and benches and gathering areas that include shuffleboard. A-4 is a photo of the fitness room, A-5 is the Community room and A-6 is the Lobby, which are located in the one story middle building. The community room will have seating area, a TV, fireplace and small kitchen for social events. The buildings have large windows and open wood ceilings. The design is geared towards long term residents who are college educated millennials and empty nesters that are downsizing. A-7 is a depiction of the circle in front of the buildings which will have materials such as stone and wood siding in keeping with the Sparta architectural style in the Town Center including towers, hardy board, trim and decorative concrete over the windows. Exhibit A-8 a material sample board was submitted and shows the stone and siding colors. The windows will be double pane, energy efficient and the roof will be shingled. The entire building will be sprinkled and a dry fire suppression system will be in the garage that will meet all fire safety and building codes.

Mr. Makowitz asked if they considered ownership rather than rentals?

Mr. Carballo explained that he has not done a condo project in 10 years due to the market crash and since then rentals have taken over the market rather than ownership.

Mr. McGowan referred to the memo from the Fire Marshall and asked if the building will meet those requirements?

Mr. Carballo stated the system is standard for a multi-family building and they will meet all codes. They will eliminate the center aisle as recommended and will meet all the issues in the report. The parking garage will be sprinkled with the dry system, exhausted and alarmed as per the International Fire and Building Code. He then reviewed the floor plans for the 70 apartments which will have 29 units in one building and 41 in the other. They will consist of 32 one bedroom units, 36 two bedroom units and 2 three bedroom units with 11 affordable units to meet the COAH obligation. Some of the units will have a loft which will be 150-180 square feet and is not a bedroom but can be an office or library. There are 151 parking spaces proposed with 134 required with 17 extra for guest parking outside. The lower parking garages are built into the slope of the land and will include a Utility area, handicap van accessible spaces, elevators to all levels and stairs. The spaces are 9x18 which meets RSIS and a bicycle storage area is planned in the corners of the building.

Mr. LaRuffa asked if the building is one building with 2 wings rather than 3 buildings? He also asked a question regarding the parking space sizes and the HVAC.

Mr. Carballo replied yes they could be considered one building since they are all connected. He reviewed the parking spaces and handicap aisle width stating they conform. The HVAC will be individual wall units in each unit which will have a grill under the center window and will match the siding. All the windows will open as well.

Mr. Manhardt advised that the ordinance requires 9 x 20 foot spaces.

Mr. McGowan requested the design waiver for the 9x18 spaces and stated that due to the change in the bedroom counts there are 136 spaces required and 15 extra.

Dr. Parker asked if a generator is proposed?

Mr. Carballo replied they are considering adding one.

Mr. Simmons asked what the height of the garage is and if emergency vehicles can enter?

Mr. Carballo explained that fire trucks and Ambulances can use the front circle to enter and not the garage but the upper level will be 8 foot 2 inches high for ADA access and each level will have separation doors. All the units are ADA accessible or easily converted for handicap access and each unit will have a stacked washer/dryer and hot water heater.

Ch. Goldschmidt asked how trash removal will be handled?

Mr. Carballo referred to the first floor plan which is sheet A2 of 8 and indicated the area next to the stairwell for the trash room. Each floor will have a chute to the first floor where trash and recyclables will be compacted and discarded by regular trash pickup.

Dr. Parker asked if there are additional storage areas?

Mr. Carballo replied no, the units have walk-in closets and entry closets. The one bedroom is 820 square feet, the two bedroom unit is 1,011 square feet and the 3 bedroom is 1,216 square feet and some have the lofts. These are larger designs than most of the others he has done in New Jersey.

Mr. LaRuffa recommended they provide a layout of the apartments indicating the washer/dryer units and the trash room. He also asked that they address snow removal.

Mr. McGowan asked if he could review the height of the buildings.

Mr. Carballo explained that from the driveway and courtyard you will see the garage exposures and the three stories. It is actually 5 levels but they are partially buried. The peak of the roof is 61.7 feet high which is calculated per Sparta ordinances, however most towns measure to the midpoint of the roof.

The hearing was opened to the public for questions of the Architect. None were heard.

The Board took a five minute recess at this time and reconvened at 9:25 PM. Mr. Manhardt recommended that a nighttime rendering be provided for review along with testimony on the lighting details.

Mark Gimigliano P.E. of Dykstra Walker Design Group was sworn in to testify. He reviewed his professional qualifications stating he graduated from NJIT with a degree in Civil Engineering and has 20 years of experience. He has testified before numerous Boards including this Board. The Board accepted his qualifications.

Mr. Gimigliano reviewed an Existing Conditions Aerial Photo taken on 5/9/18 which was marked as Exhibit E-1 and shows the flag lot off of Sparta Avenue with a 33 foot stem and paved driveway behind the Burger King and Wells Fargo Bank. The property was the location of the previous assisted living facility and there are remains of the foundation and driveway along with some wooded areas. The prior approvals for the property consist of age restricted apartments in 2006 and a proposed commercial development in 2008, however neither was built. The property is located in the TCC Zone where apartments are permitted on the second floor and a Use variance is requested. An aerial photo with the proposed site plan on it was marked as Exhibit E-2 and includes a 3 story, 70 unit apartment building over 2 parking garages. The buildings are horseshoe shaped and the driveway will be improved with a crosswalk and bar added since it is also used for the Burger King drive thru. The Site Plan Layout sheet was marked as Exhibit E-3 and includes the landscaping and some changes from the original plan after meetings with the Township Officials and in conjunction with the proposed development on the adjacent property. They have added a gate and widened the entrance from 24 feet to 30 feet wide to accommodate the fire trucks access. This will increase the impervious coverage and they will provide the updated figures. A Fire Truck Maneuver Plan was marked as Exhibit E-4 and indicates the curve radius has been increased and they will continue to work with the Fire Marshall to address his concerns.

Dr. Parker asked if there are any proposed connections to the adjacent proposed Wawa development?

Mr. Gimigliano reviewed an Overall Development Aerial Exhibit marked as E-5 and includes the proposed Wawa Concept development on the adjacent lot. He explained that there are no proposed walkways or other driveways due to the slopes however; there could be a potential secondary access for emergency vehicles.

Mr. McGowan confirmed there are no plans for offsite improvements at this time.

Mr. Gimigliano described the access gate and the parking garages which will have 35 spaces on the lower level and 96 on the upper level. With the 26 on the surface, there are 151 provided. The spaces will be numbered and assigned to each unit. They will be 9x18 foot and have the 2 foot overhang on the surface spaces. Two loading spaces are proposed near the entrance for deliveries, where 4 are required and they request a design waiver. The trash collection will be centralized and loaded on the truck.

Mr. Jozefczyk asked how the deliveries and garbage trucks will access and if there could be a back up on the driveway? He also asked about the trucks for the construction operations.

Mr. Gimigliano explained the operations will be set up for their access and the residents will have “fobs” to enter. Since there is a 60 foot elevation drop from the south to the west, there will be excavation on the north west side and soil removed after the lot is cleared. They estimate approximately 20-25 trucks per day for removal. The property will be landscaped after construction with evergreen trees around the perimeter and deciduous trees throughout the development. The light fixtures will be similar decorative fixtures to match Main Street and Sparta Avenue and they will ensure that no spillage will leave the site. There are 3 signs proposed including an Identification sign and entrance monument sign. A colored rendering was marked as Exhibit E-6 and depicts the 4 x 2 foot ID sign on Sparta Ave and the 6x3.5 foot monument sign with external illumination and a third directional sign after the gate to direct traffic to the parking areas.

Mr. Manhardt asked if the stone on the sign will match the building and if there is a planter on the Sparta Ave sign?

Mr. Gimigliano replied yes the stone will match and no a planter is not proposed, but they will landscape around it. The Utilities will be extended from Sparta Avenue to the Utility Room inside the building. The Fire flow test has been done in response to the Utility Director’s report and the results area adequate but they need to add flow for fire protection and will coordinate that with the Utility. He described the infiltration system for the drainage which will include water quality measures. The revised plan will eliminate the retaining walls and add a generator to that area and they will update the coverage calculations.

Mr. LaRuffa asked if there are floor drains in the garage?

Mr. Gimigliano replied yes and an oil/water separator will be installed.

Mr. Makowitz asked if the building will be visible from the Mohawk House and other areas of town? He also asked if a visual is available?

Mr. Gimigliano replied yes, it will be visible from there and the proposed Wawa on the bypass will be about 20 feet lower than the building. It will also be seen from S & S and the Cemetery. They can provide a visual exhibit for the Board. He reviewed the variances required including; use, impervious coverage of 72%, height f 61.7 feet and number of stories. He explained that there are 3 levels of apartments and one garage level for a total of 4 stories.

Ch. Goldschmidt asked Mr. Manhardt if he could confirm the number of stories?

Mr. Manhardt stated that the percentage of area buried underground determines the number of stories and he will verify it according to the ordinance definitions.

Mr. Laury asked how they will handle snow removal?

Mr. Gimigliano explained they have addressed the Fire Marshall’s concerns for the courtyard and will remove and pile the snow near the outdoor amenities area.

The Board discussed this and Ch. Goldschmidt stated the area for snow removal may be insufficient and calculations should be provided for a 24 inch snowfall.

Mr. Gimigliano agreed and explained that there are several revisions to the plan and they will provide them to Mr. Simmons for his review.

Mr. LaRuffa asked if they are planning a balloon test for the visibility?

Mr. Gimigliano replied, they will do a simulation to show various views.

The hearing was opened to the public at this time.

Randy Earl of 12 Schindler Drive came forward and stated that he is a member of the Cemetery Board and has concerns with the excavations on the cemetery side as well as runoff from the drainage.

Mr. Gimigliano stated there is no excavation planned near the cemetery and they will “shore up” the area as required and provide details on the construction drawings. Protections will be in place to protect the cemetery property from erosion. The drainage is designed to be self-contained and directed to the detention basin.

At this time, Mr. McGowan explained that they will address the Board’s comments and will conduct a simulation or balloon test as requested.

Ms. Paternastro-Pfister recommended the several tests be done for small groups or a Photo simulation be provided.

The application was adjourned to June 27, 2018 without further notice.

Mr. Manhardt announced his resignation effective June 30, 2018.

With no further business, the meeting was adjourned at 10:30 PM.

Respectfully submitted,

Maureen R. Donnelly
Land Use Administrator