

CHATHAM BOROUGH ZONING BOARD OF ADJUSTMENT
February 27, 2019 7:30 p.m.

Chairman Michael A. Cifelli called this Regular Meeting of the Zoning Board of Adjustment to order at 7:30 p.m. in the Council Chambers, Chatham Municipal Building. He stated that adequate notice for this Zoning Board of Adjustment meeting were given as required by the Open Public Meetings Act.

Names	Present	Absent
Michael A. Cifelli	X	
Helen Kecskemety	X	
Frederick Infante	X	
Douglas Herbert	X	
H.H. Montague		X
Jean-Eudes Haeringer	X	
Patrick Tobia	X	
Alida Kass		X
William DeRosa	X	
Patrick Dwyer, Esq.	X	

Also present:
Kendra Leili, Planner for the Zoning Board
Robert C. Brightly, P.E., Engineer for the Zoning Board

Public Comment
There was none.

Resolution #ZB 2019-09
The Zoning Board of Adjustment minutes for February 13, 2019 were not ready yet. They will be reviewed and voted on at a future meeting.

Returning and New Applications
Chrmn. Cifelli announced that the following will be carried to the March 18, 2019 Zoning Board of Adjustment meeting:
Application ZB #16-006: 8 Watchung Avenue, LLC
Application ZB #18-22: 246 Main Street, LLC

Chrmn. Cifelli announced the following applications will be heard tonight, time permitting:

Application ZB #17-13: First Student, Inc. – 29 River Road
Application ZB #19-02: Embersit – 4 Jackson Avenue
Application ZB #19-03: Neo-Princeton Investment, LLC – 27 Center St.
Application ZB #19-04: Crosta – 6 Mercer Avenue

Application ZB #17-13

First Student, Inc.
29 River Road
Block 140, Lot 7.01, 8, 9 & 10
Amendments to Approved Site plans/
Associated Variances to Park Buses

Michael J. Oliveira, Esq., attorney for the applicant, gave an introductory statement. Attorney Oliveira stated that the proposed use is something that exists there presently. An expansion of a pre-existing non-conforming use is being proposed. A significant portion of the subject property is already being used as a bus parking facility with an office and a maintenance building.

Attorney Oliveira stated that the applicant is seeking to increase and re-configure the parking on Lots 7.01, 8 and 10. Attorney Oliveira reviewed the variances being sought. Three witnesses will be testifying tonight.

The three witnesses were sworn in to testify:

Michael Cline
Matthew Secler
Dylan Ryan

Chrmn. Cifelli asked Attorney Oliveira about his statement that the property had a pre-existing non-conforming use.

Attorney Oliveira explained that in 1992 the Zoning Board had granted a “D” variance for the use of the bus parking. He had a copy of the 1992 resolution.

Mr. Cline testified that he was employed by First Group America, the parent company who owns First Student, Inc. First Student owns the property at 29 River Road. Mr. Cline stated that he is the Senior Property Projects Manager with First Group America. He is involved in building, zoning, and permitted uses for every one of his company’s 1400 facilities across the country. Laidlaw was the previous owner of 29 River Road.

Mr. Cline stated that First Student is seeking to obtain formal approval for the expansion from their existing site plan in order to have in place an amended site plan approved to handle the number of buses on the site, existing and possibly into the future.

Mr. Cline testified that First Student Inc. is the largest school bus operator in North America. Their site at 29 River Rd. runs full bus operations, maintenance, office space, and dispatch for several school districts. First Student primarily operate buses for the School District of the Chathams, both Chatham Borough and Township, Berkeley Heights, Harding Township, and a multitude of private schools. First Student wants to have their facilities in the center region, the hub, of these school systems. 29 River Road serves that purpose.

At Attorney Oliveira’s suggestion, Mr. Cline explained a typical day of activities at 29 River Road. Between 5:30 a.m. and 7 a.m., all the buses go out. They return about 8:30 or 9:30 a.m. A lull in the schedule then occurs. The afternoon dispatch of buses will take place from 1:45 p.m. to 2:30 p.m. The buses go back out again and pick up the students from their schools and drive them home. The buses return to the site between 4:30 p.m. to 5:30 p.m.

Mr. Cline testified that the site has approximately 40 large buses on their River Rd. site. Also, there are 11 van-sized buses. About 43 employees also currently park on the site.

Chrmn. Cifelli asked what the Zoning Board resolution had given the bus company approval for in 1992.

Mr. Cline and Attorney Oliveira answered approval was given for 66 cars and 37 vans for Lots 7 and 8.

Chrmn. Cifelli asked what is a “bus company vehicle”?

Mr. Cline answered that would be any bus owned by First Student, including charter buses.

Chrmn. Cifelli felt that Board members should be given the sizes of the buses, to ensure that what is being proposed won't overwhelm the subject property. He asked what the 40 bus company vehicles, proposed for Lots 8 and 7.01, were made of.

Mr. Cline testified that the large school buses are 40 feet long with an over-all width of 9 ½ feet. A charter bus is slightly larger.

Returning to the count, Mr. Cline clarified that there would be 40 large buses and 11 vans. The vans are approximately 24 feet in length and 9 ½ feet in width. The incremental increase would be the 40 buses.

Mr. Infante confirmed with Mr. Cline that his company is not in compliance with the variance they already have.

Attorney Oliveira confirmed with Mr. Cline that he had not been aware that his property was not in compliance with the ordinance, until he had received a letter from Mr. DeNave, the Borough Zoning Officer and Borough Engineer. At that time, Mr. Cline engaged the services of an engineer to draw up the plans that are before the Board this evening. Mr. Cline stated that he had spent a great deal of time trying to get the owner of Lot 9 include himself as part of this application. He has also been back and forth with Mr. DeNave on how to move forward with this application. Some modifications were made on the plans before they were submitted to the Zoning Board of Adjustment.

Chrmn. Cifelli suggested that the two variances be addressed separately. One variance is proposing an expansion of a nonconforming use that exists. Another variance concerns an original nonconforming use. Both are D-1 variances.

Attorney Oliviera suggested that the applicant's engineer be called forward.

After further discussion, Attorney Dwyer felt the Board would like to know the operation of the buses when the schools are closed.

Mr. Cline answered that he did not have that information tonight. He will provide that information as needed.

Mr. Haeringer asked what other school districts, if any, were served by First Student.

Mr. Cline answered that the only school districts served by First Student are the School District of the Chathams, Harding Township, Berkeley Heights, and a multitude of private schools.

Mr. DeRosa asked what was the incremental need for more buses on the site.

Mr. Cline answered the existing site, when the earlier approval was granted in 1991, had no need for the number of buses that are needed currently. The business has since changed dynamically.

Mr. Herbert asked if First Student had grown. Is there more of a demand for their buses? What is the factor that is demanding more buses to be on this site?

Mr. Cline testified that First Student's contracts have increased, therefore additional vehicles are needed.

Mr. DeRosa asked if all the additional buses would be for prospective businesses or current businesses who have contracts with First Student.

Mr. Cline answered that some of the buses are for current businesses. First Student has already exceeded the existing approved amount.

Mr. DeRosa asked how many of the buses were for prospective business versus current businesses.

Mr. Cline answered approximately 10 large buses.

Chrnm. Cifelli asked if there was any maintenance currently being performed on Lots 7 and 8?

Mr. Cline answered no. There are no plans in the future to do maintenance work on those lots. All the maintenance work will take place on the first floor of the building or in the basement where the bays are located.

Mr. Haeringer asked what would be First Student's radius of bus operations per mile from its hub?

Mr. Cline answered that he did not know off hand. He will find out.

Mr. Haeringer asked Mr. Cline if First Student was the only bus company that provides services to the area schools?

Mr. Cline answered that as far as he knows, First Student is the only bus company that provides buses to the School District of the Chathams, Harding Township, and Berkeley Heights NJ. First Student has a 100% market share.

Mr. Herbert confirmed with Mr. Cline that First Student does some of its parking on Lot 9, as it exists today. First Student has an agreement with the owner of Lot 9 regarding this parking.

Chrmn. Cifelli stated that he assumed that if the variances were approved, especially for Lot 10. The buses would then be removed from Lot 9, and parked on Lot 10.

Mr. Infante asked Mr. Cline if First Student had a lease for Lot 9.

Mr. Cline answered yes.

Chrmn. Cifelli suggested bifurcating the application between Lot 10 on one side, and Lots 7 and 8 on the other side. Attorney Oliveira agreed. He asked the applicant's engineer to come forward to testify.

Dylan Ryan, the applicant's engineer, came forward. Mr. Ryan submitted his educational and professional credentials to the Board. The Board accepted them.

Mr. Ryan put Sheet 3 of 5 of the Site Plan on the easel.

Chrmn. Cifelli suggested Mr. Ryan testify only on Lots 7 and 8 right now.

Mr. Ryan testified that both Lots 7 and 8 front onto River Road. Currently these lots are used for bus parking; however, a great deal of it is not striped for parking. The proposed improvements include striping the proposed parking spaces. He pointed out where pedestrian vehicles would be parked. The rest of the site will be used for school bus parking and 3 charter buses to be parked. The two existing entrances will remain. The existing chain-link fence currently running along River Road will be replaced with a black aluminum fence, including two aluminum black fence gates at the entrances.

Chrmn. Cifelli asked whether the fences will have slots, or will they be solid?

Mr. Ryan answered that the fence will have gaps. In the front, Juniper shrubs will be planted to provide additional screening. The existing chain link fences along the other lot boundaries will remain. Mr. Ryan pointed out the existing trees and shrubs along the lot lines closer to River Road.

Regarding Lots 7 and 8, Mr. Ryan testified that there are parking spaces proposed for 33 cars, 38 buses, and 3 charter buses. No vans will be parked on Lots 7 and 8. Along the frontage of these two lots, on River Road, a sidewalk is being proposed. A series of ADA ramps are being proposed at the driveway crossings.

Chrmn. Cifelli asked if there would be sufficient space for the vehicles to turn around on the property?

Mr. Ryan answered yes. He explained how the last buses of the day would enter the property and safely back up into their parking spaces.

Mr. Herbert felt that the parking lot was jammed with buses. It seemed like an accident waiting to happen. Did First Student have a reason for putting so many buses on this lot?

Mr. Ryan answered that was the purpose of the parking lot – to maximize its use.

Mr. DeRosa asked how emergency services could reach the back of this lot at 5:00 a.m. in the morning.

Mr. Ryan showed a drive aisle on the lot that would never be encumbered by parked vehicles. However, he noted that it wasn't clear if a fire truck could fit, driving down the corridor. Regarding the corridor's width, Mr. Ryan reviewed the measurements with Chrmn. Cifelli.

Mrs. Kecskemety asked where the bus drivers would park their own personal vehicles when coming to work.

Mr. Ryan answered that the bus drivers will be utilizing the car spaces on the plans.

Board members and Mr. Ryan further discussed the situation of emergency vehicles being able to access the parking lot.

Attorney Oliveira confirmed with Mr. Ryan that during the day there would be adequate space on site for vehicular maneuvers because the buses are not there. Mr. Ryan noted that when the buses are off the property during the day, the car parking spaces are full. The opposite happens when the buses come back to the property.

Mr. Herbert referred Mr. Ryan to Lot 8 where the car entrance and exit onto River Road. Will that car entrance for the employee parking lot be also used for buses to enter and exit?

Mr. Cline returned to the microphone. He testified that buses will not be using the entrance and exit designated for cars.

Answering questions from Chrmn. Cifelli, Mr. Cline testified that the employees' parking spaces will not be assigned spaces. Also, the buses will not have assigned spaces. Mr. Cline also testified that it would be very rare to have all the buses and all the personal cars parked at the same time on this site.

Mr. DeRosa asked how many hours per day would a school bus be on the road during the school year.

Mr. Cline answered possibly 7 hours.

Mr. Haeringer asked Mr. Cline if he could obtain a list of 10 other sites operated by First Group America. Mr. Cline agreed to obtain this list. Chrmn. Cifelli explained to Mr. Cline that Mr.

Haeringer is interested to see if the other sites have the same density as to what is being proposed in this application. Mr. Cline stated that the property on River Road will be maximized as best as possible.

Mr. Kass arrived at the Board table at this point, at 8:30 p.m.

Mr. Herbert noted that most of the proposals seemed acceptable, except for the five buses blocking the exit to leave Lot 7. He asked Mr. Cline if there will be an overflow of parking into the back of Lot 9. Or will Lot 9 not be used at all for the parking?

Mr. Cline answered that First Student would like to use Lot 9 for parking.

Attorney Oliveira clarified that First Student cannot park buses on Lot 9 because they don't have the approval to do so. Originally the applicant was going to make the application for Lot 9; however, the owner of Lot 9 would not sign the application.

Mr. Herbert noted that it appears, on Photo 17, that landscaping equipment appears. Does First Student own equipment other than buses? Is this photo showing the back of Lot 9?

Mr. Cline answered that photo was taken from Lot 9, facing Lot 8. The equipment is associated with Lot 9.

Attorney Dwyer asked Mr. Cline, when the buses return to the company site during rush hour, has a queue ever formed as the buses back into their parking spaces.

Mr. Cline answered that he didn't have that information. He can obtain that info. However, Mr. Cline knew that there was ample room for a bus, entering the site, to maneuver around.

Mr. Haeringer asked Mr. Ryan, under current conditions, how many buses could enter the bus company site at the same time.

Mr. Ryan answered currently three buses could enter the site at the same time; however, based on the operations, there are only two entrances that are used by buses. He pointed out the two bus entrances on the plans. These entrances will not change.

Mr. Haeringer asked if the proposed new arrangement would create a que of First Student buses on River Road, waiting their turn to enter the subject site.

Mr. Cline didn't believe so. He explained the traffic pattern the buses will take. When the buses return to the First Student lot, they are parked with their noses facing out, ready to pull out the next day. These buses do not have assigned spaces. They take any parking space that is available. After further discussion, Mr. Cline stated that there is always room throughout the day for the buses, because of the different school times and school distances they have to deal with.

Attorney Oliveira asked Mr. Ryan to describe the proposed landscaping and proposed lighting.

Mr. Ryan testified that the existing spread of asphalt will remain. However, shrubs will be added along the front to enhance the screening for River Road. The existing light poles on Lots 7 and 8 will remain. The height of these poles are 20 feet are compliant and will remain.

Attorney Oliveira asked Mr. Ryan to explain the light poles attached to the building that need variance relief.

Mr. Ryan stated that along the rear of the applicant's building on Lot 10 there are several building-mounted light fixtures that currently exist at a height of 25 feet, which is not compliant with Borough regulations. The applicant wants these lights to remain as is. Mr. Ryan testified that these particular lights do not create a hazard or any issue for neighboring properties. These lights are centered basically to illuminate the garage bay space. Mr. Ryan believed they do not spill out towards the property line.

Attorney Oliveira asked Mr. Ryan to testify on the proposed ADA ramps and the proposed sidewalk.

Mr. Ryan testified that there is existing Belgian block curbing along the roadway. Some asphalt exists as sort of a walkway, but is crumbling away. A dirt pathway has been created by foot traffic. The applicant is proposing to replace the Belgian block along the frontage and install new concrete sidewalks and ADA ramps. Mr. Ryan noted that currently the property has no ADA complaint ramps.

Attorney Oliveira asked Mr. Ryan about a sidewalk in front of Lot 9. In the Borough engineering review, Mr. Brightly had made comments about this sidewalk situation.

Mr. Ryan testified that currently there is no sidewalk along Lot 9 frontage. A gap results along Lots 7 and 9. The applicant is willing to install a sidewalk along the Lot 9 frontage to make the sidewalk contiguous.

Mr. Ryan testified that he had reviewed the memorandum submitted by the Planning Board's planner, Ms. Lelie, who had submitted her comments on the proposed plan.

Attorney Oliveira asked Mr. Ryan to review this memorandum, point by point, noting that the applicant will comply with these recommendations.

Mr. Ryan testified that the lot coverage is an existing non-conformity which the applicant is proposing to keep in its current state. No outdoor storage is being proposed by the applicant. Mr. Ryan testified that the existing yard setbacks for the building are all compliant. No revisions will be made to the building. Mr. Ryan stated that some of the buses will be parked at the side and the rear yard setbacks.

Ms. Lelie pointed out that the parking for the buses have been interpreted as storage.

Mr. Ryan answered that a variance will therefore be sought for this storage of buses.

Returning to the list in Ms. Lelie's memorandum, Mr. Ryan testified that the existing chain-link fence will be replaced with a black aluminum fence. Screenings and plantings will be inserted along Lots 7 and 8. Shade trees are being proposed along Lot 10, along with some ground plantings. Mr. Ryan believed that 50% of some sections of side yard will be taken up by bus parking, which does not comply with Borough regulations.

Returning to the screening situation, Ms. Lelie had concerns about the bus gate not being solid. Charter buses will be seen through the gate being proposed. Obviously, landscaping cannot be planted in front of the gate area. Ms. Lelie asked that some thought be given to installing an opaque material for the bus gate. She also recommended that the landscape material for the screening be red cedar, constructed at a height of 7 to 8 feet. Ms. Lelie asked that the applicant consider planting shade trees in that area.

Mr. Ryan testified that the applicant had considered planting shade trees in that area with the screening shrubs. However, the applicant's landscape architect felt that it would make sense to combine both the shade trees and the screening shrubs.

Ms. Lelie still recommended that at least two shade trees be planted at that location. These trees would help the streetscape and provide buffering for the larger vehicles that have a height of 10 ft. to 13 ft. Mr. Ryan agreed to review this suggestion.

Mr. Haeringer asked what the applicant's plans for snow removal were.

Mr. Cline answered that the snow will be pushed up along the sides of the property lines, as it sits today.

Going up to the site plans, Mr. Cline said there was a possibility that the snow could be put on Lot 9.

Returning to Ms. Lelie's memo, Mr. Ryan noted that the landscaping within the parking area is not being proposed. All of the parking, in all three lots, will be entirely enclosed within the facility. The applicant did not feel planting additional landscaping within the parking area themselves would be beneficial.

Mr. Haeringer asked what if the applicant does not have his lease renewed for Lot 9. How would that affect First Student's parking?

Mr. Cline answered it would be difficult; however, parking could still function on Lots 7, 8, and 10. Mr. Cline will investigate how the snow will be plowed should Lot 9 ever be eliminated,

Mr. Ryan testified that granite block curbing is being proposed for the front of the site. A timber curb will be installed in the interior of the site. Mr. Ryan believed that the delineating of parking spaces would not be applicable for the interior of the site.

Ms. Lelie confirmed with Mr. Ryan that variances were being sought for:

1) Landscape islands for Lot 7.01 and 8.

2) Curbing for off-street parking.

Mr. Ryan asked Ms. Lelie if one of her recommendations was screening for the dumpster. Ms. Lelie answered yes and asked if the applicant will be seeking a variance for this screening. Mr. Cline agreed to supply this screening.

Chrmn. Cifelli asked where the applicant's property is in relationship to the JCP & L powerlines is.

Mr. Cline answered that the powerlines were behind the subject property.

Mr. Ryan noted that a variance will be sought for the non-compliant lighting fixtures installed at the rear of the building.

Chrmn. Cifelli asked why it is necessary to have these lights installed at 25 feet instead of the accepted 20 feet.

Mr. Ryan explained that the higher the lights in that particular area, the better the lights will transfer to the garage base.

The Board and Mr. Brightly discussed the lighting of the site with Mr. Ryan. Mr. Ryan agreed with a comment made by Mrs. Kecskemety that there were some portions of the site that receive almost no light from the existing poles.

Ms. Lelie asked if the applicant would be willing to add an additional light in the back corner of the property to make conditions safer. Mr. Cline agreed to add that light.

At 9:05 p.m. a break was taken in the meeting.

At 9:20 p.m. the meeting resumed.

Robert C. Brightly, P.E., P.P., CME, of Ferriero Engineering Inc., the Engineer for the Zoning Board of Adjustment, was sworn in by Attorney Dwyer for the new year, 2019.

Mr. Ryan testified that the applicant will be seeking a variance for the average lighting illumination.

Regarding the lighting, Mr. Haeringer had concerns that some time in the future some of the neighboring properties would become residential properties and be impacted by First Student's lighting arrangement.

At Ms. Lelie's suggestion, Mr. Ryan agreed to look into some kind of light shielding to correct the existing lights.

Mr. Brightly asked what type of light fixtures are being used. Spot-lights? Mr. Brightly pointed out that the applicant does not have a break-down of the lighting intensities by lot. Only an average is given.

Mr. Brightly suggested a uniformity ratio to show the Board where the hot spots are located.

Mr. Ryan noted that the Board had wanted to know what the light fixtures will look like. He had only technical information on the fixtures. Unfortunately, he cannot testify on the appearance of the lights. Mr. Ryan stated that if the lights could not be shielded, then the applicant could replace the lights with lights that could be shielded.

Attorney Oliveira noted that concerns had been expressed about the security of the buses once the property lights were shut down at a certain hour as specified by Borough regulations. Attorney Oliveira asked if the Board would be amenable to the installation of motion sensory light?

Chrmn. Cifelli confirmed with Attorney Oliviera that First Student had their lot lights on all night. Attorney Oliveira stated that the applicant would prefer to keep the lighting on all night; however, is now offering the motion sensor lighting.

Chrmn. Cifelli wasn't sure that the motion sensor lighting would be all that effective.

Mr. Ryan and Mr. Cline discussed the situation of their neighboring business using parking spaces that extent over the lot line of Lot 9. The applicant has no problem with that situation. First Student buses and employee vehicles do not park in that section.

Agreeing with a suggestion made by Ms. Lelei, Mr. Ryan agreed to update the plans to show that parking is no longer allowable on Lot 9.

Mr. DeRosa expressed interest in the details of the lease that the applicant had concerning the use of Lot 9.

Mr. Cline was willing to obtain those lease details.

Attorney Dwyer asked Mr. Cline if it was fair to say that the lease allows First Student to occupy Lot 9. Is Lot 9 part of the applicant's circulation plan for the proposed site plan?

Mr. Ryan answered that everything the applicant is proposing is functional without accessing Lot 9.

Chrmn. Cifelli felt that the concern about Lot 9 is that with its access, it would eventually become a thorough-fare. He believed that the testimony is that the lots, as proposed in the site plan, are self-contained. There are no plans for circulation through or in between Lot 9.

Mrs. Kass believed the real question to ask is what is the intended use for Lot 9? As long as the applicant is seeking variances for the adjacent lots, not Lot 9, what would the intended use for Lot 9?

Mr. Cline stated that ultimately the portion of Lot 9, under discussion, greatly helps First Student to operate its business more effectively. It is a great help to allow for the buses to drive through Lot 9. If Lot 9 ever disappeared, First Student could still operate using Lots 10, 7, and 8, if need be.

Mr. Brightly had a question for the applicant's engineer. How will the buses using the five parking spaces along the southerly property exit the site early in the morning?

Mr. Cline explained how those buses would do a K-turn on the property. The parking spaces behind the charter buses would have to be cleared out.

Chrmn. Cifelli confirmed with Mr. Cline that all of the buses had diesel engines. He asked if the buses had to be warmed up before pulling out, especially in the wintertime.

Mr. Cline believed so, according to the weather. He didn't know how long it takes a bus to warm up in cold weather. He'll check with the maintenance team.

Chrmn. Cifelli asked what type of maintenance work was done on Lot 10 in the bays below the applicant's building.

Mr. Cline answered preventative maintenance work – changing brakes, tires, etc. More major maintenance work gets sourced out.

Attorney Oliveira stated that if the Board was amenable to the idea of an easement on Lot 9, the owner would be amenable to such an arrangement.

Chrmn. Cifelli suggested a poll be taken among Board members of who would be in favor of an easement for Lot 9.

Mr. DeRosa wanted to know exactly where Lot 9 fits in with this application, and how egress and ingress and parking are functioning on that property. He would like this easement situation for Lot 9 be formerly included in the application.

Mr. Infante supported the idea of an easement. The applicant's property with the proposed variances would become more usable.

Mr. Haeringer, Mr. Tobia, Mrs. Kecskemety, and Mrs. Kass were in favor of obtaining of an easement for Lot 9.

Mr. Herbert and Chrmn. Cifelli were not in favor of the easement for Lot 9. Mr. Herbert explained that he would be willing to proceed with this application without an easement for Lot 9.

Attorney Oliveira asked to confer with Mr. Cline and Mr. Ryan in private. The Board consented.

At 9:50 p.m. Attorney Oliveira, Mr. Cline, and Mr. Ryan left the room to confer in the hallway.

While these three gentlemen were in conference, the Board voted on the resolution memorializing the decision made on Application ZB #18-01: Hume – 233 Fairmount Avenue. Attorney Dwyer summarized the application which proposed construction on a lot that was constrained by its size and slope. The application did not obtain the needed five affirmative votes from the Board. A “yes” vote tonight would approve the resolution, denying the application. A roll call vote was taken:

Mr. Haeringer	-	yes
Mrs. Kecskemety	-	yes
Mr. DeRosa	-	yes

The resolution denying Application ZB #18-01: Hume – 233 Fairmount Avenue was approved.

At 10:04 p.m. Attorney Oliveira, Mr. Cline, and Mr. Ryan returned to the meeting room.

Attorney Oliveira reported that he and the three other gentlemen had tried to pull up the lease for Lot 9 on Mr. Cline’s computer without success. Attorney Oliveira did not know if there was any benefit to stopping the application at this point in time. He was not sure if an easement could be granted. He wasn’t sure what the lease said. Attorney Oliveira asked if Mr. Ryan could finish his testimony tonight. The applicant’s planner could give testimony at a future hearing. In the interim, the needed information for Lot 9 could be obtained. Further information on the light fixtures will be obtained. The Board consented to this request.

Mr. Ryan returned to Ms. Lelie’s list of recommendations to the applicant.

Mr. Ryan testified that the existing asphalt in front of the building will be removed. Additional details for the proposed plantings at that location will be provided.

Attorney Oliveira referred the Board to Mr. Brightly’s letter, dated February 26, 2019, listing recommendations.

Mr. Ryan discussed the following recommendations made by Mr. Brightly:

- 1) The applicant agrees to revise the signature legends on Sheet 1 to indicate the approving authority is the Zoning Board of Adjustment
- 2) Regarding recommendation #4 on page 2, the applicant does not plan on installing additional pavement for the buses.
- 3) Mr. Ryan will re-check the proposed impervious calculation for the front of Lot 10. He agreed with Mr. Brightly that this particular impervious coverage will be reduced.
- 4) Mr. Ryan will make notification, for Mr. Brightly, the specific square footages of the locations where the impervious coverage will be removed.
- 5) The plans will be updated to show that 10 personal/staff parking spaces will be provided on Lot 10.
- 6) The applicant will install a sidewalk along Lot 9 for safety reasons

Mr. Brightly asked if the employee parking lot is full, where would the employee park?

Mr. Cline answered that the employee could then park in a bus parking space on Lot 10 or Lot 7.08 if a space is available.

Mr. Brightly noted that the lot is full at 5:30 a.m. on Monday mornings. He confirmed with Mr. Cline that the spaces behind the charter buses will have to exit the property first. Do these buses return last? How much jockeying around do the buses have to do before the next dispatch occurs.

Mr. Cline answered that there would be substantial jockeying around on any of First Student sites in order to prepare for the next dispatch. The charter buses may sometimes end up, parking perpendicular facing Lot 9. The charter buses aren't used as often as the school buses.

Moving on, Mr. Ryan stated that the applicant will provide the turning templates for the various vehicle movements. A supplemental figure can be provided showing the procedure that will be followed to get buses in and out of the First Student property.

Mr. Ryan brought up Mr. Brightly's question asked in #6 of his letter. Mr. Brightly had questioned how critical was the use of the rear portion of Lot 9 for bus circulation. Mr. Ryan noted that all the spaces shown on the plans could be accessed without utilizing Lot 9.

Mr. Ryan noted that in #7, of Mr. Brightly's letter, a request was made for more information regarding the garage bays. Mr. Ryan testified that the garage bays are used for service operations for the buses.

Regarding #8, Mr. Ryan agreed to include in the plans the area where existing asphalt will be removed along River Road and in front of the building on Lot 10. Also, information on the treatment of the ground under this asphalt will be supplied by the applicant.

Mr. Herbert asked how busy the garage bays would be. How many full-time mechanics would work at these bays?

Mr. Cline answered the amount of activity at the garage bays would depend on the mileage of the buses. He believed approximately 3 full-time mechanics would work at the garage bays.

Mr. Ryan brought up the narrow asphalt corridor to the north of the First Student building, as mentioned in Item #10 of Mr. Brightly's letter. Mr. Ryan testified that asphalt area can be removed and landscaping could be planted in its place. Mr. Brightly pointed out that one of the ADA ramps on the plans could then be eliminated. Mr. Ryan also agreed to look into the suggestion of providing 90-degree parking for the buses at this location.

Regarding Item #11, Mr. Ryan explained that ADA accessible parking spaces will not be provided on Lot 10, because the general public has no reason to visit this First Student site. However, the proposed sidewalks along River Road will have ADA compliant ramps installed.

Mr. Infante asked where would applicants park on the site when they are applying for a job at First Student.

Mr. Cline answered the front property on Lot 10. He further explained that the bus company does its recruiting at various sites throughout the city. There is always a shortage of bus drivers. Applicants can fill out employment application online, which would lessen the need to visit the bus facility.

Mr. Haeringer asked where parents would park to pick up items left behind by students on the buses.

Mr. Cline said he was aware of these particular visits, but wasn't sure where the parents parked.

Regarding Item #14, Mr. Ryan stated that the applicant is willing to move the sidewalk 2 feet away from the curb to allow the creation of the grass strip between the curb and the sidewalk.

Regarding Item #15, Mr. Ryan testified that all of the recommendations made for the ADA ramps will be completed

Regarding Item #16, Mr. Ryan stated that Concrete sidewalk Note 5 will be revised to indicate that materials will be conforming to the 2007 NJDOT Standard Specifications.

Regarding Item #19, Mr. Ryan agreed to add a note that the several monitoring wells on Lot 10 will be protected and maintained during the asphalt removal process and installation of landscaping.

Regarding Item #20, Mr. Ryan agreed to obtain the necessary approval or exemption from the Morris County Planning Board.

Mr. Brightly asked Mr. Cline if the buses ever backed in from River Road.

Mr. Cline answered no. All of the buses enter the property nose first, and exit nose first.

There were no questions from the public for tonight's witnesses.

Chrmn. Cifelli announced that Application ZB #17-13: First Student, Inc. will continue to the Regular Zoning Board of Adjustment meeting on March 27, 2019.

At 10:30 p.m. the meeting adjourned.

A Special Zoning Board of Adjustment meeting will be held Monday, March 18, 2019, 7:30 p.m., in the Council Chambers, Chatham Borough Hall.

The next Regular Zoning Board of Adjustment meeting will be held on Wednesday, March 27, 2019, 7:30 p.m., in the Council Chambers, Chatham Borough Hall.

Respectfully submitted:

Elizabeth Holler
Recording Secretary