

Town of Dover Board of Adjustment

- ↘ Michael Scarneo - Chairman
- ↘ Charles Franco - Vice-Chairman
- ↘ Cephas Bowles
- ↘ Robin Kline
- ↘ Joseph Corsetto
- ↘ William Cook

COUNTY OF MORRIS
37 NORTH SUSSEX STREET
DOVER, NEW JERSEY 07801

Telephone: 973-366-2200 (Ext. 115)
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- ↘ Patrick Donaghy
- ↘ Steve Wagoner (Alternate I)
- ↘ John R. Frister (Alternate II)
- ↘ Kurt Senesky - Board Attorney
- ↘ Michael Hantson - Town Engineer/Planner
- ↘ Regina Nee - Clerk/Secretary

REGULAR MEETING OF THE BOARD OF ADJUSTMENT

FEBRUARY 8, 2006

CALL TO ORDER

Chairman Scarneo called the meeting to order at 7:36PM.

ROLL CALL:

PRESENT: Commissioner Cook, Kline, Donaghy, Alternate Wagoner, Alternate Frister,
Vice-Chairman Franco and Chairman Scarneo

ABSENT: Commissioner Bowles, Corsetto

ALSO PRESENT: Board Attorney Kurt Senesky and Town Engineer and Planner, Michael Hantson.

PLEDGE OF ALLEGIANCE: was recited by all

ADEQUATE NOTICE OF MEETING was read by Clerk/Secretary Nee

APPEAL TIME was read by Clerk/Secretary Nee

APPROVAL OF MINUTES: Reorganization Meeting January 11, 2006

A motion to approve the minutes for the Reorganization meeting was made by Commissioner Cook, seconded by Commissioner Frister, and followed with a Roll Call vote.

ROLL CALL: Ayes: Commissioner Cook, Kline, Donaghy, Frister, Vice-Chairman Franco and Chairman Scarneo
Nays: None

RESOLUTIONS –

08-05- Elizabeth Davidson; Block 2102, Lot 10, also known as 8 Livingston Ave. in the R-2 Zone. The application is a Variance for the construction of a 203 SF addition, with insufficient lot area and rear yard setback, and any other variances and waivers that may be required.

The Resolution will be voted on at the next meeting.

CASES:

04-05- Regency Grande Nursing and Rehabilitation Center; Block 1311, Lot 7, also known as 65 North Sussex St., in the C-3 Zone. The application is a Use Variance, Minor Site Plan and Miscellaneous Bulk Variances for the construction of an entrance canopy, building sign, planting bed and drainage improvements, and any other variances and waivers that may be required.

A letter was received from the applicant requesting an extension to be carried without notice to the April 12, 2006 meeting.

A motion to grant the extension was made by Vice-Chairman Franco, seconded by Commissioner Cook and followed with a Roll Call vote.

ROLL CALL: Ayes: Commissioner Cook, Kline, Donaghy, Frister, Vice-Chairman Franco, Chairman Scarneo
Nays: None

10-05- 2005 Dover Associates, LLC; Block 1317, Lot 1, also known as 37 Myrtle Ave. in the C-2 Zone. The application is a Use Variance, Minor Subdivision and Preliminary & Final Major Site Plan for the construction of a Walgreens Drugstore and associated site improvements, and variances for impervious lot coverage, required parking and parking setback, and any other variances and waivers that may be required.

Joel Kobert, Attorney, was present for the applicant.

Mr. Gregory Ploussas, Engineer, was present and previously sworn in.

Nancy Ricchio, representative from Walgreens.

A-1:2/8/06 – CD

Mr. Ploussas advised that they have revised the plans (Sheet 4 of Amended Plan 1/19/06).

The major revision to the site plan is in the rear area; the access points have been reduced to twenty-five feet with one lane out and one lane in, and the aisle in the rear was increased from 24' to 25'.

Two trees will be eliminated on the Mercer Street site to gain three additional parking spaces for a total of sixty on site parking spaces for the Walgreens and maintain the eighteen spaces on site for the art school. A monument sign at the property line is requested. A dumpster pad and wooden enclosure for the art school will be provided. Sidewalks damaged during construction and those in need of repair will be replaced. Drainage coming off the existing school building will be tied into the storm drainage system. Two additional sidewalk connections have been added. A major change is the elimination of one of the drive-up windows which results in a five foot setback from the property line which eliminates one of the variances and reduces the impervious coverage. The trash compactor will be placed on a concrete slab on top of an island which will be screened with a wooden fence. The relocation of the parking area and building has allowed the applicant to slightly change the impervious coverage to 80.9 percent for both buildings. The same Use Variance is still required as well as the parking variance where the parking is located along the common lot line that is being created with the minor subdivision between the Walgreens' site and the school site. A variance for the number of parking spaces is also still required. Shade trees will be provided along Union Street, new shade trees along Mercer Street, new plantings around existing school, a buffer next to the dumpster, and the remainder of site will be sod.

William Hotz was sworn in. He is the owner of Hotz Development & Construction and will be doing the construction of Walgreens and the comprehensive renovation of the school building. The

back part of the school will be reconstructed and extensive interior and exterior renovations will be made to the existing building. Upon approval, Mr. Kubert will be owner of the school and Walgreens will be a tenant of Dover Associates, LLC.

Mr. Hantson advised that the school requires twenty-five spaces; they are providing eighteen, being short seven and making up the difference with the proposed shared parking. For the retail space seventy-two spaces are required, sixty are proposed; a variance for a deficiency of twelve spaces is required.

Nancy Ricchio, was sworn in as a witness. She advised that this store will probably employ twenty to thirty people; hours would be from eight to ten Monday through Saturday, nine to ten on Sunday, and there would be a maximum of seven employees per shift.

Discussions continued with regard to the store size, expected volume, parking, traffic, and impact to the area with the proposed construction on this site.

The meeting was opened to the Public.

Paul Smolke, voiced concern regarding additional traffic in this area.

Connie Sabona Foster, 90 Penn Avenue, questioned the lighting at the site, hours of operation, turns off of Route 46, and the fact that the school is in operation on Saturday.

Mike Spagnoli, 77 Union Street, disagrees with the interpretation of the requirements for this variance; he feels the parking is inadequate.

A five minute recess was called at 9:35PM.

The meeting was called back to order at 9:50PM

ROLL CALL: Present: Commissioner Cook, Kline, Donaghy, Wagoner, Frister, Vice-Chairman Franco, Chairman Scarneo

Still present is Board Attorney Kurt Senesky and Town Planner Mike Hantson

The public portion of this meeting was still open.

Bob Pergola, Community Pharmacy, voiced concern regarding a tractor trailer delivery. Felt traffic study should be done on Monday or Friday when traffic is very heavy.

David Kubert, 7 N Elk, questioned walk up activity and illegal parking.

Mike Cicchetti, 130 S. Salem Street, said it would be difficult for a truck to turn off of Route 46.

George Laurie, 10 Hillside Avenue, asked if traffic accidents in the area were investigated.

This portion of the meeting was closed to the Public at 10:08pm.

George Ritter, Professional Planner, was sworn in and recognized as a professional in his field. Mr. Ritter gave a power point presentation entitled, Walgreens Pharmacy.

Due to the heavy load of applications, the Board decided to carry the Walgreens' application to March 9, 2006 with no further notice being required of the applicant. A motion to carry was made by Commissioner Cook, seconded by Commissioner Kline and followed with a Roll Call vote.

ROLL CALL: Ayes: Commissioner Cook, Kline, Donaghy, Frister, Vice-Chairman Franco,

Chairman Scarneo
Nays: None

OLD BUSINESS: None

NEW BUSINESS: None

DATES: Next Regular Meeting is March 8, 2006 at 7:30PM to hear the Regency Grande application. A meeting will also be held on March 9, 2006 at 7:30PM to hear the Walgreens' application.

ADJOURNMENT: Commissioner Frister made a motion to adjourn the meeting at 11:00PM with all present in favor.

**IF ANY MEMBER CANNOT ATTEND THE MEETING, PLEASE
CALL CLERK/SECRETARY NEE AT 366-2200 Ext. 115.**

Respectfully submitted,



Regina Nee
Clerk/Secretary
Board of Adjustment