

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)
Fax: 973-366-0039

- ↘ 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

MARCH 9, 2006

CALL TO ORDER

Chairman Scarneo called the meeting to order at 7:45PM.

ROLL CALL:

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

Chairman Scarneo

ABSENT: Commissioner Bowles, Corsetto, Wagoner

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: None

CASES:

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.

Lawrence Cohen, Attorney, was present for the applicant.

B-1: Historical Society Newsletter

An amended plan has been submitted; the building footprint has been significantly reduced and the parking has been increased. They are looking for approval of the use variance.

Mr. Gregory Ploussas, Engineer, reviewed the submitted changes. The building foot print has been reduced to 100x106 for a total of 10,800 square feet plus a rear area mezzanine which measures

3,710 square feet for a total of 14,708 square feet. Nine parking spaces have been added for a total of eighty-seven parking spaces. The lot line has been reconfigured; the size of the school lot has been increased and the size of the Walgreen's lot has been decreased to 49,107 square feet. Front yard setback remains at 76.5 feet, side yard setback at 30.5 feet and rear yard setback at 59 feet.

Louis Brandt, 151 Grove Street, Clifton, NJ, was sworn in and recognized as a professional licensed architect. Architectural elements have been added to blend with the characteristics of the town. Signage would be located on the Route 46 and Mercer Street sides of the building. Building will be 29 feet high; the entrance tower will be thirty-five feet high; and the sales areas have been reduced.

Kenneth Fears, Professional Engineer, was previously sworn. He reviewed additional data collected regarding traffic patterns at various Walgreen locations. The proposed parking for the site is well above what is needed; shared parking is proposed for seven parking spaces for the school.

This portion of the meeting was opened to the Public:

Doug Johnson, his office is located at 77 Union Street and he has a concern regarding parallel parking on the street and the loss of spaces.

Bob Pergola, Community Pharmacy, asked if there was a shoulder that cars would come off of; he was advised that there was not.

George Laurie asked about the diner patrons and if they would use the parking spaces.

This portion of the meeting was closed to the Public.

A ten minute recess was taken at 8:51PM...

The meeting was called back to order at 9:01PM.

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

Also present is Board Attorney Kurt Senesky and Town Engineer Mike Hantson.

Kenneth Fox, Architect, was sworn in and recognized as an expert in his field. He redesigned the school for this project. He began by reviewing the current building as it exists and reviewed the proposed renovations. The 1918 portion of the building will be retained; the 1936 addition will be removed. Improvements include handicap accessibility, installation of an elevator, new ceilings will be installed, energy efficient windows will be installed, the air conditioning system will be upgraded and bathrooms will be renovated.

This portion of the meeting was opened to the Public.

Richard Skull, Attorney, presenting a neighbor, MJS Architects, Inc., questioned the number of classrooms and was told there were approximately twenty-one rooms that could be used as classrooms.

George Laurie, will apartments be constructed at this site? He was told no.

This portion of the meeting was closed to the Public.

George Ritter, Professional Planner, previously sworn, reinforced the fact that this was a very positive proposal for this site.

Mr. Hantson advised that a significant amount of pedestrian circulation has been added to this site and it is good planning to address the concern posed by Commissioner Kline.

This portion of the meeting was opened to the Public.

Richard Skull asked if the Master Plan was reviewed and was advised in the affirmative.

George Laurie read a prepared statement for the record.

Bob Pergola, owner of Goodale Pharmacy, questioned why the town needed another pharmacy in town.

Richard Skull called Liz Buckley, a Professional Planner, to testify. Ms. Buckley gave her viewpoint of the proposed development at this site. Mr. Cohen cross-examined Ms. Buckley.

This portion of the meeting was closed to the Public.

Mr. Cohen presented his summation; the applicant requires a technical use variance because of the type of retail use that is proposed, it will result in the refurbishment of an important building that exists in this town, the requests of the Board were addressed taking into consideration all of your concerns.

This portion of the meeting was opened to the Public.

Mr. Skull presented his summation; is the general welfare served by this application; is this site suitable for this use – take into consideration parking and site plan issues that are endemic to this site. There is a substantial detriment to the zone plan and the Master Plan.

This portion of the meeting was closed to the Public.

A motion to approve the Use Variance subject to site plan approval was made by Commissioner Cook, seconded by Vice-Chairman Franco and followed with a Roll Call vote.

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

The next meeting for this application will be held on Thursday, April 13, 2006 with no further notice.

OLD BUSINESS: None

NEW BUSINESS: None

DATES: The next meeting will be held Wednesday, April 12, 2006 at 7:30PM.

ADJOURNMENT: A motion to adjourn was made by Commissioner Cook at 11:29 P.M. with all in favor.

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

Respectfully submitted,

A handwritten signature in black ink that reads "Regina Nee". The signature is written in a cursive style with a large, looped initial 'R'.

Regina Nee
Clerk/Secretary
Board of Adjustment