

TOWNSHIP OF SADDLE BROOK
ZONING BOARD OF ADJUSTMENT MINUTES
August 1, 2022 Regular Meeting

The Saddle Brook Zoning Board of Adjustment will hold a regular meeting 7:00 p.m. on Monday August 1, 2022 at **(Saddle Brook Town Hall 93 Market Street)**

1. CALL THE MEETING TO ORDER

2. FLAG SALUTE

3. OPEN PUBLIC MEETING ACT: adequate notice of this meeting has been sent to all members of the Zoning Board and to all legal newspapers in Accordance with all the Provisions of the "Open Meetings Act", Chapter 231, P.L. 1975.

4. ROLL CALL

Ms. Murray, Mr. Mazzer, Mr. Schilp, Mr. Manzo, Mr. Tokosh, and Mr. Duffy – Present. Mr. Burbano arrived at 7:05, Mr. Champy and Mr. Marz were absent. Also in attendance are Stephen Pellino the Board Attorney, Anthony Kurus the Board Engineer and Gary Paparozzi the Board Planner.

Mr. Duffy announces that the application for Budz Prime, LLC was noticed prematurely and if anyone is here for that application it will not be heard this evening and they will be notified by mail when they are set to appear.

5. NEW BUSINESS

B.) Tracey Hart, 75 Wilson Street, Block 1801, Lot 13

Applicant requests a rear first floor and garage and second floor additions with driveway extension, patio and walks that does not conform to the zoning ordinance for the Township of Saddle Brook as it exists today.

(Applicant could not be heard because the noticing was not done correctly and the application will be carried to the September 12, 2022 meeting with notice).

A.) Jean Makowka, 458 North Midland Avenue, Block 1402, Lot 53

Applicant requests to convert a single family dwelling to a two family dwelling that does not conform to the zoning ordinance for the Township of Saddle Brook as it exists today.

Craig Bossong is the attorney representing Jean Makowka. This is a Use Variance application it's for an apartment in the basement. The apartment had been utilized for 35 to 40 years and recently was discovered that it was an illegal apartment. We are before the Board seeking permission to use that basement apartment as a lawful apartment and legitimize it. I have the architect here this evening who will testify to the floor plans as well as a planner who will testify to the variances that are necessary. If there are no objections I will call the architect up.

Mr. Pellino confirms that the notice is in order for this application and they may proceed with the application.

Mr. Pellino swears in William Dahn his business address is 216 Route 17 North Rochelle Park.

Mr. Dahn gives his credentials and the Board accepts him as an expert witness.

Mr. Bossong – Mr. Dahn would you describe your drawing EX2 which is the first floor of the house.

Mr. Dahn – It's a ranch house one story with a walk out basement EX2 last revision is 3/17/22 it reflects the existing conditions on the first floor.

Mr. Bossong – There are no renovations with the exception of an egress window in the basement that are going to occur outside of the footprint of the house correct?

Mr. Dahn – That's correct.

Mr. Bossong – So the house as it stands today will be the same house as it will be after this with the exception of this potential egress window.

Mr. Dahn – That's correct.

Mr. Bossong – Can you please walk the Board through what is proposed as the basement apartment?

Mr. Dahn – EX1 shows you again also revised 3/17/22 shows you the basement and its existing configuration. The shaded area is the part of the basement that belongs to the first floor house. The unshaded area which consists of a living room, a kitchen area, a bedroom and a bathroom is unshaded and reads as white. In the lower left corner of the plan you can see where the proposal is for the new egress window. That configuration currently exists as was stated there are no plans to change anything that exists it's the existing conditions that are there now.

Mr. Bossong – With the exception of there might be the necessary when we file for building permits for fire purposes a new egress window correct?

Mr. Dahn – There will be the need for an egress window.

Mr. Bossong – That's shown on the bottom left hand side of EX1?

Mr. Dahn – That's correct.

Mr. Bossong – Unless there are questions from the Board that is all I have for the architect.

Mr. Schilp – The egress window are there going to be any stairs or anything inside there? Its three feet deep and you've got a kid he's not going to get out.

Mr. Dahn – Well they could have a ladder in there an egress ladder but the code doesn't require it until I think it gets to more than 48 inches so it's sort of up to the owner.

Mr. Schilp – You got a little kid?

Mr. Dahn – I used to.

Mr. Schilp – If he was downstairs he's going to get out of three feet?

Mr. Dahn – He's not going to get out of that egress window without help anyway.

Mr. Schilp – I think there should be a means of getting out of there you might have an old person down there I don't know who they're going to rent to.

Mr. Dahn – The egress window has to comply with applicable codes. It will comply with code but we haven't detailed it yet because we don't have the approval to do it.

Mr. Bossong – I think the comment is duly noted and the applicant will take that under advisement when filing for building permits in the construction.

Ms. Murray – I don't know if mine pertains to the architect's testimony but the concept here is how long has the apartment been like that? How long have the people owned the property? How long have they been renting it out and why all of a sudden did it come about?

Mr. Bossong – The owner is here and I can have her testify to how long it's been like that, it became aware based upon a prior tenant that called the town to inquire about the legality.

Mr. Duffy – This is not the time to talk about this let's stay with the architect and that will be addressed.

Ms. Murray – Is there only one egress window needed in the apartment?

Mr. Bossong – Yes because there is a full door and steps.

Mr. Dahn – You need one from any sleeping room.

Mr. Burbano – The window I can't tell if it's in a stairwell is that tempered or will it be changed to tempered?

Mr. Dahn – If it's required by code yeah. I think the sill is such that you probably would need to change it to tempered.

Mr. Burbano – That would be changed in the building for the Building Inspector to pick up right?

Mr. Dahn – Correct.

Mr. Burbano – What's the ceiling height do you know?

Mr. Dahn – About seven six.

Mr. Burbano – So it's well above the seven?

Mr. Dahn – Yes.

Mr. Bossong – Everything when the construction is done if this Board grants this will be done to code.

Mr. Burbano – That you can see.

Mr. Bossong – That's required.

Mr. Burbano – Well that you can see because it's all finished already. You don't know who finished it or what they finished it with.

Mr. Bossong – Understood.

Mr. Burbano – If we grant something we want to make sure that what is obvious to you is changed to what needs to be done.

Mr. Kurus – One question we have is there was a minor encroachment of the driveway onto the adjoining property that will remain I guess.

Mr. Bossong – Since we're going to have the owner testify I can have her she owns the neighboring property too. We can have an easement drawn up between herself and herself to cover it.

Mr. Paparozzi – There is an existing open area with five closets. I considered that a bedroom so in my parking analysis that is the same code for a bedroom so I did include that as a bedroom which the parking requirement would now be four 3.5 is what Mr. Ambrogio indicated.

There are no more questions for the architect.

Ms. Murray makes a motion seconded by Mr. Schilp to open to the public. All in favor – YES.

Mr. Duffy – Having heard none.

Ms. Murray makes a motion seconded by Mr. Schilp to close to the public. All in favor – YES.

Mr. Bossong calls up his client Jean Makowka to testify.

Mr. Pellino swears her in she gives her address as 343 John Ochs Drive in Saddle brook.

Mr. Bossong – Ms. Makowka you own the property that's before the Board this evening 458 North Midland Avenue?

Ms. Makowka – Yes.

Mr. Bossong – you also own the property to the left as you're looking at the house correct?

Ms. Makowka – Correct.

Mr. Bossong – You heard the comment earlier about the driveway encroachment you have no problem granting an easement from one property to the next to continue that driveway?

Ms. Makowka – No.

Mr. Bossong – You also heard a question from one of the Board members regarding how long this basement apartment has been in existence and been used by either yourself or your family correct?

Ms. Makowka – Right.

Mr. Bossong – Can you give a little history as far back as you can remember that it was used?

Ms. Makowka – Originally this house was my father in laws and mother in laws house and at some point she decided that she wanted to make an apartment downstairs in the basement which she did. She passed away in 1990 and I'd say they probably did this ten or twenty years previous to it.

Mr. Bossong – So roughly thirty five forty years that you can remember?

Ms. Makowka – Yeah.

Mr. Bossong – How did it come to your attention recently that it might not be a legal apartment?

Ms. Makowka – I had a tenant in there that didn't pay rent for six months so I decided I'm going to evict her and she came down and said this is not a legal apartment and I can take you to court and collect six months' rent from you. I said I didn't realize that but now that I know you're to get out and I'm going to get a lawyer to fight you and that's how I found out it was not a legal apartment. I really thought it was but because it was so long. It's been like two years now that it's been empty.

Mr. Bossong – I have nothing more for her unless the Board has more questions I think it addressed the questions that were asked.

Mr. Duffy – Does anyone from the Board have any questions?

Mr. Tokosh – The existing rooms there was it done to code and does it conform to all the rules and regulations of the construction.

Mr. Bossong – So when they came in and said it was illegal they made you tear out all the appliances and all the cabinets and everything right?

Ms. Makowka – They made me tear out the kitchen and they came back and inspected that I did so.

Mr. Tokosh – I'm just wondering if a contractor made these rooms or it was done by the homeowner.

Ms. Makowka – When I redid the apartment I took out wood paneling and we put up new sheetrock.

Mr. Bossong – You understand that you're going to have to get a contractor to replace the cabinets replace the appliances so that's going to require electrical permits which is all going to then be inspected.

Ms. Makowka – Right.

Mr. Duffy – That's not the job of this Board this evening we're not concerned about what the code is that'll be handled when that time comes if the Board rules in that favor.

Ms. Makowka – Can I also say that there's a two family on each side of that house.

Mr. Bossong – The planner will do that.

Mr. Schilp – Is one of those houses a three family because there's three mailboxes in front of one of the houses.

Ms. Makowka – No.

Mr. Duffy – You own the property north of it?

Ms. Makowka – I own on both sides.

Mr. Duffy – So you have all three. The one on the left has three mailboxes two of them are numbered and there's one larger one below the two that I believe is the one Mr. Schilp is questioning.

Ms. Makowka – My daughter's mailbox is there also.

Mr. Duffy – Okay.

Mr. Bossong – You will hear from the planner if the zone line was two over this would be conformed. That's how close it is from single family to multi family.

Mr. Paparozzi – If the application is approved the applicant needs to have her lawyer draw up an easement of encroachment for the engineer to review.

Mr. Bossong – We have no issue with that condition if approved.

Mr. Duffy asks for a motion.

Mr. Schilp makes a motion seconded by Mr. Tokosh to open to the public. All in favor – YES.

Mr. Duffy – Having heard none.

Ms. Murray makes a motion seconded by Mr. Schilp to close to the public. All in favor – YES.

Mr. Bossong calls up his planner Kate Keller.

Mr. Pellino swears in Ms. Keller she gives her address as 70 Hudson Street Suite 5B, Hoboken New Jersey.

Ms. Keller gives the Board her credentials and she is accepted as an expert witness.

Mr. Bossong – Can you go through the variances necessary and the justification.

Ms. Keller – This property had previously been used for two-family as you just heard this was never formally established with the Township so we are asking for a D1 Use Variance to permit a two-family dwelling in the RA zone where the only dwellings permitted are one-family. There is a preexisting nonconforming condition based on the side yard setbacks. The property is oversized but there is one side that is 8.7 feet where 10 feet is required no changes are proposed to that. For a D1 variance we have to satisfy the positive and the negative criteria. We have to advance special reasons. We have to show that the site is particularly suitable for the proposed use. For example showing that approving the variance would advance the general welfare etcetera. As far as the negative criteria we have to demonstrate that the variance conditions would not result in a substantial detriment to the public good or substantially impair the Township's Zone Plan or Zoning Ordinance. Then specifically because it is for a D1 use variance we also have to reconcile the fact that the approval of the variance with the fact that the zone does not specifically permit this use. In terms of the positive criteria this is a property that was historically over 40 years has been used for two-family use. It's in an area of the Township that I think can really be described as sort of transitional in that it's on North Midland that's where the access is from and it really provides along with the other two-family houses in either direction really provides a transition between the single family neighborhoods further east and then the more commercial development on the

west side of Midland. I think in that case this is a great location for this even though the zoning doesn't permit it it's really an ideal location for this type of use which I think is demonstrated by the fact that there are other two-family uses surrounding it. This site is oversized so it would meet the criteria for a two-family use in the nearby RB zone. There's a lot of zones that kind of converge here. This is RA you have multi-family to the south, you have business zones to the west, you have other multi-family development on the west side of the road. I think it fits into that character as it has for the last forty plus years. It's bringing the use in to better compliance in terms of fire safety, modernizing the structure etcetera. The negative criteria I don't believe it would result in substantial detriment to either the surrounding properties or the Township's Master Plan. No new construction is proposed, the proposed use won't be more intense than what is currently there and there won't be any impact on traffic. To speak about parking briefly Mr. Paparozzi mentioned that there may be parking relief required here I think this is almost an existing use that's functioned there. The driveway is uniquely shaped but it is over seventy feet long. If you go under the RSIS either three or four spaces are required depending on how the bedrooms are quantified. The new slash old apartment in the basement will be a one bedroom apartment and upstairs is a three bedroom apartment so when you look at the amount of parking available on the site and the fact that it has functioned over the life of this unit I don't see any substantial detriment to parking there and also no impact will be here versus what has already been on the site. In terms of the Zone Plan and Zoning Ordinance I would just go back to what I had mentioned about the fact that this is a unique area where it is RA single family but that's not a factual character of the surrounding properties. I think because no new development is proposed, no new curb cuts nothing of that nature will be happening here and it will remain identical to how it looks and how the other buildings in the vicinity look. It looks like a single family house from the outside and I don't think there will be any impact on the Zone Plan or Zoning Ordinance and I think that if you look at the conditions along Midland in this area it shows that there is a distinction between this RA zone versus the residential properties to the east which are cul-de-sacs and smaller roadways. Given these factors specific to the site I don't think the continuation of this proposed use will have any substantial detrimental impact to the Township either public good wise or on the Zone Plan.

Mr. Bossong – You also noticed that adjacent to the properties are multi-family houses as well.

Ms. Keller – Yeah there's two-family houses to the north, two-family to the south and from my review looking on line and looking on the street itself it appears that there could be a few more in the vicinity also but I can't confirm that because our client does not own those properties.

Mr. Bossong – I have nothing further Chairman.

Mr. Duffy – In response to Mr. Paparozzi's question if I understand correctly the first floor that's on EX02 and the shaded portion on EX01 is part of that first floor they're part of one unit?

Mr. Bossong – The shaded portion is part on both drawings are one unit.

Mr. Duffy – The existing open area with the five closets would the according to Mr. Paparozzi's understanding would make it a fourth bedroom. Am I right Mr. Paparozzi?

Mr. Paparozzi – That's true Chairman but that would create the need for four parking spaces. With the easement four cars can fit. Two tandem and two tandem they could fit and the parking variance would be eliminated with the easement.

Mr. Duffy – Right now it's convenient because she owns all three properties educate me a little so I know for my own.

Mr. Pellino – An easement is done by deed it runs with the land and once done it would go forever and ever no matter who buys the property.

Mr. Duffy – Okay and based on that it's fine with the parking issue.

Mr. Paparozzi – That would eliminate the parking variance.

Mr. Duffy – That would have to part of conditions. Does anyone have questions?

Mr. Schilp – If they ever use that as a bedroom you would have to put in an egress window.

Mr. Bossong – We understand what you're saying. You are correct.

Mr. Schilp – He said it could be used as bedroom so I want to make sure that they know.

Mr. Pellino – Very difficult to enforce but as part of any approval you could condition that this not be used as a bedroom if you saw fit.

Mr. Burbano – You could always ask they put in egress on the other side as well.

Mr. Duffy – Could we?

Mr. Pellino – Generally if the condition is reasonable and I think that would be reasonable we could attach Especially to a use variance. I think would go either way either you're acknowledging it could be a bedroom and we're insuring that there would be another means of egress or prohibiting it.

Mr. Schilp – It could be used as a big family room. You could have lots of people downstairs.

Mr. Mazzer – You could ask the owner if it was ever used as a bedroom to me it looks like it was just a lot of storage for winter clothes some summer clothes.

Mr. Bossong – She is the current resident if you want me to bring her up.

Mr. Duffy – I just understand that your client is taking an opportunity to get something corrected that should have been corrected many years ago so we just want to make sure if we're going to do it right that we get it right this time.

Mr. Bossong – We have no problem with a prohibition that it can't be used as a bedroom unless an egress window is put in.

Mr. Paparozzi – I agree with Ms. Keller's use explanation and criteria parking is off the table but the RA zone which is one-family is 65 foot frontage RB zone which is two-family needs 70 foot frontage so you're creating a C variance for going from a one-family to a two-family. In other words you're exacerbating the 65 foot frontage. On my report 70 feet is required and 68.54 is existing or proposed it becomes a minor C variance but it is a variance.

Mr. Pellino – That's not subsumed in the D1 variance?

Mr. Paparozzi – It is but I'm just bringing it out.

Ms. Keller – I would just add that this is existing and is a very minimal variance from the two-family it's sixty eight and a half versus seventy and no changes are proposed such as expanding the curb cut or anything like that, that would entail more frontage being utilized here.

Mr. Bossong – In reality when the easement is given it becomes more than seventy feet.

Mr. Duffy – Do we have a motion to open?

Mr. Schilp makes a motion seconded by Ms. Murray to open to the public. All in favor – YES.

Mr. Duffy – Having heard none.

Mr. Schilp makes a motion seconded by Ms. Murray to close to the public. All in favor – YES.

Mr. Bossong – That's all I have Chairman for this application unless there are any further questions.

Mr. Schilp – What's going to be around the well? Will there be a fence around the well a cover over the top of it. If somebody walks back there at night and fall in the hole. Firemen have to go back there they don't know it's there.

Mr. Dahn the architect comes back up to answer the question.

Mr. Dahn – It hasn't been designed yet but likely a cover because you don't want someone falling into the hole.

Mr. Mazzer – Normally they put a little fence around it.

Mr. Schilp makes a motion seconded by Mr. Manzo to open to the public. All in favor – YES.

Mr. Duffy – Having heard none.

Ms. Murray makes a motion seconded by Mr. Schilp to close to the public. All in favor – YES.

Mr. Duffy makes a motion to approve the application with the following conditions.

Mr. Pellino – I don't know if there was a consensus on the idea of the front room permissible to use as a bedroom or not permissible. The applicant has indicated they're comfortable with a condition that it not be used as a bedroom.

Mr. Duffy – Does anyone have an objection to that?

Mr. Burbano – If you put in that it is not being used as a bedroom that'll be deeded for the next and the next?

Mr. Pellino – It will be part of the resolution and runs with the land. It's a difficult condition to enforce but it is a condition we can put in the resolution and it would run with the land the same way the Use Variance runs with the land. That would be one the second was the easement for the driveway subject to my approval and the engineer's approval. I don't know if we wanted to make the barrier around the egress window a condition.

Mr. Duffy – That was my take on that discussion that it would be a condition.

Mr. Mazzer – That's a building permit.

Mr. Pellino – That's code Mr. Mazzer?

Mr. Mazzer – Yes. You can't just have an open hole like that.

Mr. Duffy – The only two conditions are the use of that open existing and the easement. That's the motion on the floor to approve with those two conditions.

Mr. Schilp – I'll second that motion.

Roll call - Ms. Murray, Mr. Mazzer, Mr. Schilp, Mr. Manzo, Mr. Tokosh, Mr. Burbano, Mr. Duffy – YES.

Mr. Duffy calls for a five minute recess.

C.) Ready Spaces Management, LLC, 575 North Midland Avenue, Block 1701, Lot 1.02

Applicant requests to have a self-storage facility that does not conform to the zoning ordinance for the Township of Saddle Brook as it exists today. Applicant began their presentation at the July 11th meeting and was unable to finish so they were carried to this meeting.

Lawrence Calli is the attorney representing this application.

Mr. Calli – We started off testimony at the last hearing we went through operational testimony with Mr. Maher he is here again and will testify shortly as to some takeaways and implementation we can offer after we heard the Board's comments and concerns at the last meeting. We've heard from civil engineering testimony Dan is with us again tonight. We have some site plan modifications also based upon recommendations of the Board and we went through traffic engineering testimony at the last hearing we deferred planning which we will offer this evening once you hear from Mr. Sehna and Mr. Maher again.

Mr. Calli calls up Dan Sehna their Civil Engineer who is still under oath from last meeting.

Mr. Sehna – I want to clear up a couple of items that were discussed at our last presentation. We did take the break between hearings to prepare a new exhibit which I'm ready to present this evening. I'm not sure if we've marked anything yet.

Mr. Duffy – We do not have these?

Mr. Sehna – No we just prepared it today. I will mark it A1 with today's date. It is one sheet titled "Truck Circulation Exhibit" and dated August 1, 2022. This is the same orientation as the site plan that's in front of you with North Midland Avenue at the bottom of the page. What we wanted to do was prepare a truck turning exhibit we discussed at the last hearing we wanted to make sure we have availability for trucks to back into loading areas and also work to that queuing area we touched on the last hearing. As you heard from the applicant only intending to have small vans single unit trucks that circulate here no tractor trailers. We did make sure that a WB50 tractor trailer would fit and circulate the site and be able to back into those loading spaces it certainly can but not anticipated in this use small vans and single unit trucks like U-Haul trucks. This exhibit is using a single unit forty truck a big U-Haul truck forty feet long but doesn't pivot like a tractor trailer would. This exhibit was prepared to show that a single unit truck could pull into the site in a westerly direction into that loading area and back into the overhead doors that are in that part of the site. If you remember from last hearing there are actual loading docks that are in the eastern corner of that building. The doors roll up and you have about thirty feet before you hit the raised dock. You'll see in this exhibit that the shaded truck backs in and the truck is within that building itself that is where it extends to that thirty feet before it hits the loading dock. The truck is able to back in there and you'll see as its parked there you still have full circulation around the site. We prepared the southern corner of the site there's the existing gravel area where tractor trailers are parked today and we wanted

to demonstrate that area while not anticipated could be used as a queuing area if the loading bays were occupied. We could probably fit more spaces in there but we delineated approximately sixteen forty foot long parking spaces that could house a forty foot truck as it would be waiting to load or unload. No trucks will be permitted to park there overnight this is for queuing in case one of the docks were up for grabs. The applicant would be amenable to cleaning out the existing drainage ditch. The existing two story frame dwelling at the eastern corner of the site it was confirmed that it is not occupied and the applicant will be willing to clean it up but it wouldn't be used for anything. We would not allow tenants to stay there or sleep there. It's an existing dwelling that's on the site no plans to do anything with that.

Mr. Duffy – The house is unoccupied?

Mr. Sehnal – That's correct.

Mr. Pellino – Will remain unoccupied.

Mr. Sehnal – Remain unoccupied.

Mr. Schilp – What about the trucks that belong to the tree cutting company?

Mr. Sehnal – I would have to defer to the applicant but my understanding is that when this applicant comes in the only thing that will take place there is the Ready Spaces program they wouldn't allow the storing of any other type of trucks or things not associated with Ready Spaces.

Mr. Paparozzi – The site plan I have dated 2/25/2022 does not have any bearings or distances around the property and there was no survey included in the package. There should be a survey to verify distances and offsets and size of the property. I've never seen a site plan without bearings or distances.

Mr. Sehnal – I would be happy to supply you with that survey. At the top general notes number one references the survey that the site plan was prepared on. We would be happy to provide that to the Board.

Mr. Paparozzi – It wasn't submitted with the application and I don't have it so I assume it has not been. It has to be it was in my original report dated June 25th and revised July 9th.

Mr. Calli – The site plan is based on a current site survey that's an accurate representation of the property is that right?

Mr. Sehnal – yes prepared by a licensed surveyor signed and sealed and it is a full boundary and location survey. Our general notes and lot sizes are taken from that survey.

Mr. Duffy – We did not receive a survey. We need a survey.

Mr. Calli says that he will provide the survey to the Board.

Mr. Duffy – Does anyone have any questions?

Mr. Schilp – The water tank were you involved with that water tank at all?

Mr. Sehnal – No.

Mr. Schilp – Well find somebody who knows.

Mr. Duffy – The tanks on the other property isn't it?

Mr. Calli – That's what we thought at the last hearing.

Mr. Duffy – A survey would help us with that.

Mr. Sehnal – The bold line that is on our site plan is the exact boundary from that survey. The site plan proposes no site improvements so we took that survey and placed it on the site plan and added our zoning notes it's the same survey.

Mr. Paparozzi – The ingress and egress is not twenty four feet where the parking is existing. There are no numbers on it but scaling it is not twenty four feet and twenty four feet is the requirement for two way traffic.

Mr. Sehnal – The one the truck would use is forty feet and the one to the north which trucks will not be using is about thirty four feet.

Mr. Paparozzi points on the site plan to what he is talking about and he and Mr. Sehnal have a discussion about the width of the driveway. He and Mr. Sehnal agrees to have one of the parking spaces removed so that the entrance is wide enough.

Mr. Sehnal – There were seventeen existing parking spaces that would make it sixteen.

Mr. Duffy – We haven't determined how many is required.

Mr. Paparozzi – I think we determined 204 were required.

Mr. Duffy – Okay.

Mr. Paparozzi – My chart which reflects the B3 requirements which allows self-storage to be subsumed in the application and requirement for self-storage also asks for loading docks and you need a minimum of six. Technically they are not loading docks they have bay doors.

Mr. Sehnal – We mentioned in the previous hearing the three eastern most doors have the loading docks inside.

Mr. Kurus was not at the first meeting and questions whether it is a self-storage or warehouse use.

Mr. Calli says he will have Mr. Maher come up and testify in regard to that for the benefit of Mr. Kurus and Mr. Paparozzi.

Mr. Kurus – This exhibit is new you said you're adding some parking spaces to the back area.

Mr. Sehnal – It wasn't intended to be adding parking spaces at the last hearing it was mentioned that if the loading bays are occupied by vans or trucks that might be unloading or picking up materials from their spaces. If there wasn't available doors we spoke about adding some queuing spaces so they could wait for a door to open up. Right now there is a large paved area to the southwest corner of the site and under proposed conditions we had no intentions of using it for anything but since the space was there and the need for some queuing spaces we show that we could easily fit at minimum sixteen trucks there to wait but highly doubt there would ever be sixteen trucks waiting to load or unload at the site.

Mr. Calli – Just to be clear that proposal was at the request of the Board at the prior hearing correct?

Mr. Sehnal – Yes.

Mr. Kurus – Are any improvements proposed to that back area?

Mr. Sehnal – None proposed because we didn't intend to use it for anything. We're happy to clean the stream as far as improvements but didn't plan on making any improvements to that lot.

There are no more questions for the witness.

Mr. Schilp makes a motion seconded by Mr. Tokosh to open to the public. All in favor – YES.

Mr. Duffy – Having heard none.

Mr. Schilp makes a motion seconded by Mr. Manzo to close to the public. All in favor – YES.

Mr. Calli recalls Michael Maher Director of Construction as the next witness he is still under oath.

Mr. Calli – If you could just give an overview of what we do at Ready Spaces.

Mr. Maher – We have about thirty facilities around the country we basically are a warehouse but small businesses. We rent anywhere from two hundred to five thousand square feet. They are all within a couple of miles of the facility is where they are from. It's a facility where they store their excess materials and they use it as a way station to bring the stuff in and out as a distributing place to bring all their equipment and supplies to their shops or where they have a facility.

Mr. Calli – We heard the Board had some concerns as to our proximity to residential areas. We advanced the fact that many Ready Spaces are existing adjacent to residential areas but to quell any concerns the Board might have we have considered the ability to limit overnight activity. I'll call it loading whether it be through a bay or a man door would you take the Board through the Ready Spaces proactive condition that we're ready to self-impose on ourselves here in order to satisfy that concern.

Mr. Maher – I spoke to principals and we're more than willing to have no loading of materials or equipment from 11:00 pm to 6:00 am and we're looking to make access to the loading dock doors we can put a timeframe on that too. We're thinking 8:00 pm for the outside bay doors no access after.

Mr. Calli – No loading at all from 11:00 on.

Mr. Maher – No loading at all. The only access we cannot say you can't go into the unit but we'll put in the lease no access no loading and we have cameras everywhere so we'll know if anybody does not abide by the rules.

Mr. Calli – In existing facilities how do we enforce lease violations?

Mr. Maher – We have fines and if you have three strikes they terminate your lease.

Mr. Calli – Mr. Sehnal offered testimony that we would clean up the existing residential structure on the property that is currently vacant with no intended use Ready Spaces is ready for undertaking that?

Mr. Maher – Yes.

Mr. Calli – We also discussed at the last meeting fabrication of materials before you go into the field we would agree to a condition that we're not fabricating anything here with a reminder of the Board that we limited electrical power to one fifteen amp outlet within each unit at most right?

Mr. Maher – Yes that's what we supply and again we could put that in the lease conditions. I think we sent you a copy of our typical lease conditions.

Mr. Calli – Mr. Sehnal offered the rear area of the site as being cleaned up showing an area for vehicles to queue should they need to queue and wait while they're loading. We don't plan on storing any trailers overnight in that area is that right?

Mr. Maher – That's correct. We're willing to stripe that area if necessary.

Mr. Calli – No further questions.

Mr. Duffy – I've done a lot of reading on this and this is not a self-storage. This is something completely different it's actually rather new. It's more of an it could be a lot of different things. I've been reading the website and I know you're at odds with marketing but there is also a blog on the website and one of the things on the blog they went to Ready Spaces because they could actually run their business out of there. There is a girl who makes slime. There's a guy who makes Halloween masks but he operates a business out of there and he's got showcases set up in there and there are pictures you can look at all this. My question is how do we regulate the businesses that go in there we have no idea what anybody is going to be doing and I know in testimony they would require everybody to have a CO but that doesn't help us in the beginning of this. This is opening up like I'll use this as an example and I might be stretching it a bit but pot stores are becoming the thing now and if you're working the way this is set up I could operate an online pot store out of a unit and no one would be the wiser.

Mr. Maher – I understand what you're saying but they don't bring in business we're a corrugated steel metal doors we don't anticipate people bringing in people to look at wares. It's a very simple I'm willing to bring everybody here to a warehouse in North Bergen where we have one. It's a self-storage it's a unit.

Mr. Duffy – The one in North Bergen is on the west side of Tonnelle Avenue which happens to be a big truck area because the residential is on the east side going up the hill through Guttenberg and West New York so I am familiar with how it is.

Mr. Maher – I've been in every facility and that's ninety nine percent what I see is what I see there.

Mr. Duffy – But here this one is in a different location it's in the middle of a town not Tonnelle Ave.

Mr. Maher – They pick it for proximities to highways and the intent is for...

Mr. Duffy – I get that but we're dealing with Tonnelle Ave. versus Midland Ave. are two different types of street setups so that's the concern. I'm not saying I'm totally against this concept but we're on new ground here and we need to get it clarified.

Mr. Maher – I totally understand that's why I'm here to try and answer any questions you have. We're willing to stipulations as you can see we're willing to work with you. We're not trying to hide anything we're not trying to pull nothing over you we're just trying to tell you what we do. I've been to Seattle, Orlando, Houston I've been in every one of them and its ninety nine percent people storing stuff and bringing it in and out. Some do have computers in there they do distribute out of there I won't say they don't. They will distribute whatever they sell I guess they mark what they bring out they mark what they bring in. I'm not sure what they do but again we only supply fifteen amps of electric you can only do so much. Anything else you have to try and get permits from the city and that's not going to happen we understand that. That's why we set the regulations the way we do our leases are very clean and there are different stipulations for every different facility. I'm in Boston in residential areas and we have stipulations where we'll abide by we're not that type of company. We're just trying to satisfy a need that's out there. It's all local you'll see if you went to any facility its local our average tenant is within two or three miles of the facility that's just the way it is.

Mr. Calli – Just to remind the Board we don't thermostatically control the interior.

Mr. Maher – No we do for cold we set it at fifty four degrees so we don't freeze up inside. There's no climate control there's nothing in that sense.

Mr. Pellino – No air conditioning?

Mr. Maher – No absolutely not.

Mr. Kurus – How many tenants or users can you have in the space. The existing space is one big warehouse there's eighteen parking spaces and some loading docks but the plan you have it cut up with all these partition walls.

Mr. Maher – I think this place has 94 units.

Mr. Kurus – So 94 units where is everyone going to park?

Mr. Maher – They're storage units they're generally not there I can tell you most have way less parking.

Mr. Kurus – If you're moving product in and out doesn't someone have to be there to receive it? Even if it's one person or a half a person per space when this thing is built out I feel like parking is where we had our biggest question mark.

Mr. Maher – I can tell you North Bergen has fifteen spots and there's no issues. They just don't require a lot of parking. Most of the units sit there closed and locked and people come get the stuff. There's only a few tenants that will actually come to use it daily. It's mainly people have stuff there but come get it and leave.

Mr. Calli – If you had a parking problem would you find tenants are you going to be able to rent the space out if you do have a parking issue?

Mr. Maher – Of course not. If we have to stripe more lines we will but we honestly don't feel the need but we have the room and if we have to we will.

Mr. Calli – That rear area is what we offered up which we could certainly add more striping if the Board likes but again the applicant has this business model in effect in cities throughout the country and it's simply not needed now.

Ms. Murray – Reading your business license it states that each unit has a fifteen amp outlet what if I take three units together I've got three outlets. You said every unit gets a fifteen amp outlet so if I take three of these small ones I have three outlets in a small amount of space.

Mr. Maher – If you rent a unit you'll see my electrical plan it shows one outlet every unit 94 outlets.

Ms. Murray – What if I rent three in a row?

Mr. Maher – We can put a stipulation there one per unit I can make that very clear.

Ms. Murray – I could maintain three doors and I could still run my business because I could have a computer over here and I could have something else working in the next one and someone in the next one and I've got three outlets.

Mr. Maher – I understand but it's the same for a 200 square foot or a 5000 square foot unit it's the same code one outlet. No matter what size it's the same amperage. It's part of our model.

Ms. Murray – You do say you will provide adequate lighting in the space except for outside, Wi-Fi connectivity and rest rooms. You provide electricity and appropriate heating and air conditioning to the office areas so what stops me from having a storage area and continually using the front office that's common area for my business running? I'm going to ask the question because we haven't addressed that. I have a storage unit I put my stuff in it but I work in your conference room I work in the offices that supposedly you're not going to.

Mr. Maher – There's no shared offices you can rent an office they're like a hundred square feet they're there I think there are three or four I'm not sure how many are here. The conference room we have a website that you have to sign up for the schedule when you're going to be there. That's all we have we have a kitchen area and that's for people coming in and out.

Ms. Murray – What I'm saying is I could book that conference area like forever.

Mr. Maher – I think they allow blocks of one hour but again that's a website they have set up to do that.

Mr. Calli – I don't follow the concern.

Ms. Murray – The concern is you're saying that the office area is not going to be rented but is really going to be used by all the tenants I would imagine and there's a lot of offices in there so someone could really run a business out of some of these offices.

Mr. Maher – Out of the office that's totally different.

Ms. Murray – That's where you're going to provide in the office area electricity and appropriate heating and air conditioning to the office area.

Mr. Maher – Of course.

Ms. Murray – Appropriate is appropriate for business use so that's not fifty four degrees.

Mr. Maher – Hold on let me rephrase that I'm sorry a tenant can rent an office. I'm not sure how many are here I think we have four or five in this place. A tenant can rent an office and have a set up in the office we have no problem with that and we do provide electric heat and they can rent a 120 square foot room and they can work out of there we have no issue with that.

Mr. Calli – As an office.

Mr. Maher – As an office.

Mr. Kurus – They need a parking space then.

Mr. Maher – Okay again I'm just going by the previous place that we have the parking.

Mr. Kurus – I guess the concern of the Chairman was the location of it. There is available on street parking and we wouldn't want to see the overflow onto the residential streets that's my concern.

Mr. Maher – I understand that.

Mr. Calli – We would stripe the heck out of the rear area if the Board would like for passenger vehicle spaces in the rear which I'm sure Mr. Sehnaal can find an abundance of additional spaces back there.

Mr. Kurus – It would also have to be improved, paved, striped because that area right now is probably not suitable for parking.

Mr. Maher – We're willing to do that.

Ms. Murray – Are the hours for access the same for the office areas as the storage area because that's another piece that says a member is entitled to use any common use spaces in the facility including kitchens, dining rooms, dining areas, lounge areas and meeting rooms during the hours of access. If you limit the hours of access it won't be twenty four seven like we heard I testimony.

Mr. Maher – We'll do the same thing the common area will be closed from 11 to 6:00 am.

Mr. Duffy – 6:00 am to 11:00 pm is what you're proposing as the hours of operation.

Mr. Schilp – Loading docks from 8 to 8?

Mr. Maher – 6 to 8.

Mr. Burbano – I love the business model I do storage I think it's amazing but how long have you been in business?

Mr. Maher – Five years.

Mr. Burbano – I've never heard of it and I'm in the space and what that means is a lot of people haven't heard of it yet and you're opening the door which is great to businesses that can run out of these spaces and to call yourself a self-storage when you're website and I know we're going back to the website and it says you can have your space manned to assemble products to bring products in and out. If you have half of your units have one person in there at all time that's fifty people in the space plus your office area and then the other question is and this is just because you're calling yourself storage we in the industry make sure there are zero outlets especially for partially conditioned spaces. The reason for that is a fifteen amp outlet people if they're in the space they're going to find a way to get heat and they're going to be plugging in space heaters. We have fires all the time that's why we're taking the plugs out because people are in here and they have on man in there and they're assembling stuff all day long.

Mr. Maher – I understand your concern it's an open area it's twelve foot high walls but totally open. You could not pull enough heat on a fifteen amp circuit to do anything.

Mr. Burbano – People are going to try. This concept may be working as a warehouse area now because that's what people are using it for but contractors are going to start using it as businesses it's just going to happen. It might not have caught on yet but eventually we let this in here and you get acquired and you are a great company and you don't let this happen once you get acquired by an investment group that doesn't care we have to bear the responsibility of all this extra traffic possible illegal activity. You're telling on your website that you can use it as a business. You're telling people they can do art in there and contractors can cut their materials in there to bring to site and people can man this and assemble. Some of these units are quite large you have a 5000 square foot space that's one of my warehouses where I have thirty five trucks where guys come every day and pick up hundreds of gallons of paint. I have a warehouse in Lyndhurst I think it's 5500 square feet we have thirty trucks going in and out of there there's only five parking spots in the front and probably twenty in the back and these guys all day long

and all night long are picking up paint. They're picking up paint, siding this and that and they're just little things. You could potentially be bringing in a lot of people and supplies.

Mr. Maher – There are thirty sites across the country.

Mr. Burbano – But you're a new concept.

Mr. Maher – It's a five year concept at the moment and I can tell you I can go to any facility and sit there with a camera and bring back photo evidence of what it is. We can go to North Bergen and sit there all day and see the amount of traffic.

Mr. Burbano – You haven't had any issues with fires space heaters?

Mr. Maher – Not one incident in five years.

Mr. Burbano – I love the concept I just have many concerns.

Mr. Maher – I understand your concerns that's why I'm here.

Mr. Burbano – If this was something that was around for a while and they said okay this is really not a storage facility you need to have X amount of truck parking or car parking but once we set it that's it.

Mr. Maher – We are a hybrid and we readily admit that and that's why we're here.

Mr. Burbano – Eventually they'll start putting parking restrictions they'll start making laws and rules for it but we're going to be grandfathered in at that point.

Mr. Pellino – If I understand correctly the only reason for the D Variance is because of the split lot zoning.

Mr. Maher – Yes.

Mr. Pellino – The industrial zone I think they would be in front of the Planning Board for a site plan.

Mr. Paparozzi – The industrial zone doesn't permit self-storage.

Mr. Pellino – This may not be self-storage.

Mr. Maher – We're not self-storage we're warehouse.

Mr. Duffy – Your application says otherwise.

Mr. Calli – We left the last meeting feeling very good that the Board understood the concept appreciated the strides we're trying to make and I think a lot of this can be arrested and controlled. The no overnight use of certain areas takes a lot of the concern out. The limited use of the space which is a partition it's not floor to ceiling. There's no air conditioning unit, there's limited electrical, there's onsite management all day, there's cameras all over, there's fines implemented when folks don't cooperate and this is not a fly by night operation that's just coming out. This has been tried and proven we can call it new but five years is a decent runway of operating this. These guys know what they're doing they've had no incidents to date. The biggest concern I'm hearing is more parking and we can locate that. Mr. Sehna and Dynamic are glad to do so in the rear area of the plan. The applicant's goals align with the Board's in this respect. If we think we need more parking we're right there with the Board saying we need more parking. It doesn't help this applicant's business.

Mr. Burbano – For me it's not about the parking it's about the traffic you're bringing into an already congested area.

Mr. Calli – We had a traffic impact study which says we are half of what the peak could be.

Mr. Burbano – Based on storage. If you have fifty people working there and you have the other people coming to pick stuff up can potentially this space by your own standards can somebody man two people per space for a total of a hundred and eighty people in this space at all time? Is there anything to stop them?

Mr. Maher – Is there anything to stop a storage place to have two sit in the spaces at all times.

Mr. Burbano – But you can't run a business out of a storage facility. People try it all the time and we stop them.

Mr. Maher – We've been doing this for five years it's a proven method.

Mr. Burbano – Can you potentially allow two people can you tell somebody no you can't have two people in your space at any given time?

Mr. Maher – I can put anything in our lease we're month to month we don't have a five year lease people. If we don't like you we can tell you to leave. If they don't abide by our rules.

Mr. Burbano – It's nice that they're willing to put it in there but there are going to be so many situations it's going to hinder your business model at some point.

Mr. Maher – I got these concessions from the people that own the company. I'm here on their behalf but I had to speak to them to get this. We don't have to do this other places.

Mr. Calli – Michael is here with authority and to be clear the traffic impact study was based on a traditional warehouse conservative analysis. It was not built on a leaner self-storage.

Mr. Maher – We would never have this much traffic as a warehouse.

Mr. Duffy – We could stipulate no retail we could limit certain other things too. The distribution part of it I get where you're going. There is that element in there.

Mr. Maher – I agree with that. Just on the code most of the distributions people coming in there's no one sitting there. The people are coming in bringing their truck there loading and leaving.

Mr. Duffy – You're expectation is they're servicing their own units at a business outside of there.

Mr. Maher – That's ninety percent of what I've seen.

Mr. Duffy – They're ninety day minimums right not month to month?

Mr. Maher – No month to month.

Mr. Duffy – They are month to month. Check your marketing.

Mr. Maher – I know they're month to month because we've got rid of tenants.

Mr. Duffy – You can get rid of them and they have to notify you within thirty days if they're going to leave and you have the option to get rid of them too.

Mr. Maher – I could be wrong it could be ninety day minimums when they initially sign up and then it's month to month.

Mr. Duffy – Because this may be five years for you guys it's four or five weeks for us so now we're all looking at this as okay what do they do so we go to the internet we read that stuff we look at the plans and we say this is new to us and what can happen. The other problem is if we open the door and say go ahead no problem and a year later they come back and look at us and say what did you guys allow. That's what we try to forecast and work together.

Mr. Maher – I had the same issue in Seattle and the Zoning Board came down and toured the facility and they saw what we do.

Mr. Duffy – How did they tour the facility before it was approved?

Mr. Maher – They opened before they got permits.

Mr. Duffy – We might stop right now and not do another thing until tomorrow morning so we can go look.

Mr. Maher – I walked them through and then they approved us.

Mr. Duffy – There is nothing happening right now?

Mr. Maher – No I would not do that. That's not happening anymore that was before I started.

Mr. Calli – The only thing Ready Spaces is doing right now is paying rent on this property for many months.

Mr. Duffy – I know I noticed on your marketing Saddle Brook coming soon.

Mr. Maher – They walked through and ninety percent of the units were locked. There was a couple open people there moving stuff in and out. I could send you the letter he sent me based on his walkthrough what he zoned it. I understand your concerns and we don't want that.

Mr. Duffy – I understand that you firmly believe that and I appreciate that. The electrical is an issue because you can have upwards of based on your calculations ninety four units in this structure. Is it 200 square feet or 250 your minimum?

Mr. Maher – I think it's 200.

Mr. Duffy – I think your calculation in your testimony was 200.

Mr. Maher – It could be 250.

Mr. Duffy – So now there's ninety four outlets but you only give one so if I have 400 square feet so I've taken actually two compartments.

Mr. Maher – No.

Mr. Duffy – You'll size it to one.

Mr. Maher – Yes.

Mr. Duffy – How do you do that you're electrical plan would have to have all these outlets there.

Mr. Maher – We run a cable on top and we run one box down.

Mr. Burbano – We do productions for a lot of places and everything is run through SJ Cord so you can break it down and change it.

Mr. Maher – Our walls are movable so we can make the units bigger they never get smaller people always want more space. What it is now is the maximum it will be. It will more likely be less. We can stipulate one outlet per unit.

Mr. Burbano – You're not going to be able to do much with a fifteen amp outlet.

Mr. Maher – We had this problem other places and that's why we simplified what we do. We don't give power that you can run machinery and stuff like that. These are open if they're running something here people next door if you're walking though you're going to hear everything. It's an open concept.

Mr. Burbano – You'd be very surprised. Self-storage we have twenty foot high ceilings we don't put roofs on them it's all cages people are living in there and they're putting space heaters. We have fires all the time because of space heaters.

Mr. Maher – I can sit here and say we have never had one issue that's my word of oath.

Mr. Burbano – You're not going to have people living in there because it's a little different. People living in storage facilities know that there's nobody in there.

Mr. Maher – They just close the door and they don't lock it?

Mr. Burbano – They're twenty four hour access they close the door run an extension cord out into the hallways and they plug them in and the cord is fifty or a hundred foot cord the cord gets hot and lights on fire before the heater does.

Mr. Maher – Our managers do a walkthrough every hour so I think they would notice it.

Mr. Burbano – I have zero concern for people living in that space because there's too many people moving around at night time.

Mr. Maher – Our managers have time they do one loop an hour.

Mr. Schilp – You put the stipulation on that there's nobody in the building from eleven at night to six in the morning.

Mr. Burbano – They're allowed to be in the building they just can't have loading access. They're not going to be able to run a twenty four hour business and they're doing that to keep the neighbors happy.

Mr. Schilp – It's going to be open twenty four hours a day?

Mr. Maher – Just personal access.

Mr. Schilp – So you're going to have cars in and out all night long?

Mr. Maher – No there will be no loading or unloading just personal access.

Mr. Duffy – They have to drive to get there they're not going to be walking.

Mr. Maher – Yes I'm sorry I'm sure they'll be cars.

Mr. Duffy – Unless we stipulate.

Mr. Schilp – The stipulation that we thought that eleven o'clock at night the doors get locked and nobody goes inside.

Mr. Calli – You want overnight access completely restricted.

Mr. Burbano – I don't think people will be going in there at night as much as you think. In most cases they're not going to go in at night but if they forget something they want to be able to go grab it. The only thing you'll have is contractors that are going to try and start at four in the morning or they're going to come back late at night they're just going to be in and out.

Mr. Maher – that's not an issue we have at any other place.

Mr. Duffy – I don't care if the guy forgets something at four o'clock in the morning he wants to come I wouldn't want to give anybody that open endedness. I'd rather see some type of set timeframe.

Mr. Maher – Everything is on key fobs and keypads.

Ms. Murray – Any other of your buildings have as much office space as this one?

Mr. Maher – I have an office with thirty offices North Bergen has fifteen.

Ms. Murray – While somebody may not want to use their space in the warehouse they could use the offices.

Mr. Maher – No you have to have a space to have an office.

Ms. Murray – If I rent a small thing I could come in after hours after 11 pm and use the office area.

Mr. Calli – I think Mike said the common areas inclusive of the offices would not be available overnight.

Mr. Maher – Yes we said that.

Ms. Murray – What stops people from getting in there because if you're going to go in the doors are going to be open.

Mr. Maher – The doors not open the doors are activated by electronics.

Ms. Murray – I have access I have a space I can go into the office.

Mr. Calli – Not if the electronic reader doesn't allow you in certain hours.

Mr. Maher – Okay we'll agree to close from eleven to six I'll get it done eleven pm to six am.

Mr. Duffy – I believe you will. There's a number of coop office spaces all over the place that have office space and generally they do have restrictions everybody has to stop after eight o'clock at night because they don't want it going all night.

Mr. Maher – We don't either we don't want anybody in the space when someone's not there. We've never had any issues anywhere else so they don't restrict it. There are cameras everywhere and you have to check in with your unit and they know who you are and if something happens they have security deposits.

Mr. Calli – Mike said that Ready Spaces would agree to restrict access overnight 11 pm to 6 am is that right?

Mr. Maher – Yes.

Mr. Schilp – The building right now is fully sprinklered.

Mr. Maher – Yes.

Mr. Schilp – When you start moving these cubicles around.

Mr. Maher – I go the answer to that because we had to do it already. There's no ceiling but I got an affidavit from a registered engineer a sprinkler contractor and once the units are filled he comes I and he'll do an affidavit for enough sprinkler coverage going forward.

Mr. Schilp – If you move a half a dozen units does he come back?

Mr. Maher – No because the overhead coverage we have nothing covered so it doesn't matter generally. I also have a fire alarm vendor come in and do an affidavit that our egress lighting and our fire alarm is up to code for what we do.

Mr. Schilp – The water tank was put in because of the size of the building and the water supply.

Mr. Maher – I tried to get an answer to that and I didn't.

Mr. Schilp – That was put in because that was a cardboard manufacturing facility that's why that tank is there. It's not on your property so for your own good you should find out.

Mr. Maher – I will get that answer.

Mr. Paparozzi – I have a few concerns for example ninety something units if you have thirty or forty contractors going out in the morning to pick up supplies parking is a problem. If they're starting at seven and they're all there before seven to pick up and some of the bigger units as Mr. Burbano alluded to let's say 5000 square foot unit you could have two or four contractors going to pick up supplies for different jobs so now you have thirty or forty contractors within that hour they have to be able to put their vehicles someplace other than Midland Avenue. The second thing which is a concern a lot of the stipulations and conditions are frankly not enforceable. I don't know how Mr. Ambrogio can enforce some of these conditions you're talking about.

Mr. Maher – Which ones?

Mr. Paparozzi – They can't have a space heater Mr. Ambrogio isn't going to go into each unit every day.

Mr. Maher – I'm not going to say they can't have a space heater I'm saying we're not going to allow a space heater to keep going. They can have a space heater probably one but they're going to get another one and it's not going to do anything. I cannot tell you they will not have a space heater I will not agree to that stipulation

Mr. Paparozzi – It goes along with Ms. Murray's saying they can run an office out of there because they have the heat now with a propane space heater.

Mr. Maher – We don't allow flammables we don't allow that, that's in our lease.

Mr. Paparozzi – I'm not sure some of those conditions are enforceable or if the Township has the ability to do that. Parking is a big concern and the queuing of cars or vans or trucks has to be someplace and

what I think is going to happen is it's going to run off onto Midland Avenue which is already a problem in the morning.

Mr. Calli – We're showing the queuing now in the rear which was not part of the prior plan because the Board had asked for a solution and Dynamic had prepared one and Mr. Sehnal testified as such. We could add more parking and loading areas back there but we're going on actual experience in the field of what's been ongoing and it is not needed for the Ready Spaces model. We hear the Township's caution and we can certainly add more.

Mr. Maher – We did provide a traffic survey.

Mr. Paparozzi – I wasn't here for that but when the traffic survey came in for a self-storage like your application.

Mr. Maher – No we did warehouse.

Mr. Calli – The testimony said it was based on conservative traditional warehousing and the peak was half of what it could be without impacting the site.

Mr. Kurus – I don't think it contemplated the number of users it was based solely on square footage that's where the traffic report was a little bit confusing. That speaks to the uniqueness of the use I know it's new.

Mr. Maher – There's never thirty or forty contractors in the building I'll tell you that.

Mr. Duffy – We have to go based upon that they are all there. We have to look at that possibility.

Mr. Schilp – I want to make a comment on your overhead snapshot. There are 17 tractor trailers parked in that rear lot and there's also 4 more up where that house is so as far as parking is concerned as long as they strip it there's enough parking there.

Mr. Maher – The parking we're not concerned we'll work with the landlord and make that work. We have plenty of property there that we're not using.

Mr. Tokosh – you're going to stipulate no retail sales.

Mr. Maher – That's part of our lease no one does retail sales out of our place that I can say a hundred percent.

Mr. Pellino – If the Board makes a condition it's going to be a condition we're not going to rely on your lease.

Mr. Maher – No of course. Whatever you stipulate here I will put in the lease and provide a copy of the lease to the Town.

There are no more questions for Mr. Maher and Mr. Duffy asks for a motion.

Mr. Schilp makes a motion seconded by Ms. Murray to open to the public. All in favor – YES.

Mr. Ken Sullivan of 620 North Midland Avenue comes forward.

Mr. Sullivan – The overnight parking according to ordinance 133 it's supposed to only be from ten o'clock at night to six not eleven that they want. I have it right here. He reads the ordinance 133-7 paragraph four. He gives a copy to Mr. Duffy.

Mr. Calli – To remind the Board the applicant is not going to allow loading beyond 8 pm. The 11 pm to 6 am restriction is for persons coming and going from the facility that we are agreeing to limit.

Mr. Duffy reads the ordinance "loading and unloading. Loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, liquids, garbage cans, refuse or similar objects whether pneumatic or pump loading or unloading of bulk materials in liquid, gaseous, powder or pellet form or the compacting of refuse by persons in the business of scavenging or garbage collection whether private or municipal between the hours of 10 pm and 6 am the following day when the latter is a weekday and between the hours of 11 pm and 7 am the following day when the latter is a legal holiday or a weekend day except by permit when the sound therefrom creates a noise disturbance across a residential real property line".

Mr. Calli – There is no issue with the applicant's compliance with that ordinance provision.

Mr. Maher – I'm fine with that.

Mr. Duffy- Okay.

Mr. Calli – It applies anyway whether or not we agree to the condition obviously.

Mr. Schilp makes a motion seconded by Mr. Manzo to close to the public. All in favor – YES.

Mr. Calli calls up the project Planner Alexander Dougherty from McDonough Associates 101 Gibraltar Avenue Morris Plains Suite 1A. Mr. Pellino swears him in and he gives his qualifications to the Board.

The Board accepts him as an expert witness.

Mr. Calli – You’ve heard the testimony from the last meeting as well as this evening. You’re familiar with the applicant the application and the proposed use is that correct?

Mr. Dougherty – Yes.

Mr. Calli – You’re familiar with the relief sought?

Mr. Dougherty – Yes.

Mr. Calli – You’re familiar with the Township Code, Master Plan, Zoning Map and the like?

Mr. Dougherty – Yes.

Mr. Calli – Take the Board through the relief requested as well as the justifications.

Mr. Dougherty – We’ve eliminated some of the relief but generally speaking we’re here for a D1 Use Variance. A lot of the relief that is preexisting conditions particularly when we look at the site plan (he references the display) there is a checkered line that runs around and that is the setback relief here. I want to draw the Board’s attention you have a checkered line here the building extends beyond that. These are preexisting this is how it exists today whether this use is here or a future use these variances run with the build out here. The north side of the building is over the setback line and uniquely the building is actually over the property line. That’s the way it was built way back when so I just wanted to point that out as we talk about the variances but essentially what we’re here for is a D1 Use Variance and talking with the engineer we kind of vetted out some of the concerns from a negative impact standpoint but if we were to stripe this area as to conversations that we just heard we would have 118 parking stalls on site. I believe the need was 204 as we’ve heard we don’t believe we need that kind of parking demand but if so be it we can provide 118 parking spaces. We would need relief by ordinance but I think we dramatically jumped from 17 to 16 back up to 118. When you look at this use what we’re trying to do is clean this all up anyway. The freight would be out of here we’re going to visually improve this with this use and as we talk about a business model and a valuable commodity for the overall community if parking becomes that issue I think its bad business practice not to address it but if we believe we need that we’ll have 118 parking on site. This is a new use we have storage facilities for residential now we’re looking at a hybrid storage for commercial retail facilities. I believe the intent of this use here for Ready Space is what we see in planning the brick and mortar entrepreneurs the business owners that have survived regional malls survived online shopping and recently survived COVID they don’t have overhead facility storage capacity some of the rents are going through the roof. This is filling that market demand that I guess they’re ahead of the curve with. They only have thirty locations across the country. This is a new use but as we’ve talked about this use we’ve vetted a lot of what we would consider the negative criteria here. When we look at the D1 Use Variance there’s four prongs to this use variance. Site suitability a site is suitable by its condition and its context we have a large warehouse the site is a little over seven acres. When we look at the variances here minimum lot area is not the issue this is a 315,000 square foot lot we look at the B3 Zone the requirement is 20,000 when we look at the I Zone its 80,000 when we look at the BI Zone because this is a split zone. The front of the building on the eastern side is the B1 and the rest going to the rear and the gravel parking is the I Zone it’s kind of unique. I think the fact that we have residential nearby is a benefit whether this use was in an industrial zone way off on the highway that’s when we might get a lot of that riff raff that can happen in the middle of the night unseen. I think the fact this is near the community might be a benefit here to ensure that the concerns that the Board’s addressed does not happen here because it would be identified immediately. What’s unique about this is we can offer spaces as small as 200 square feet which is ten by twenty feet. I think there is a use here that can accommodate we see it as a business incubator which is certainly a benefit to the community at large. When talking to the client what he’s seen in the past five years is about a two mile radius is essentially who occupies this which is the immediate community so this would be a benefit to the community with the potential of on a small scale build out here of about 94 potential spaces. That is the best they can do and that would be again at a small storage facility. Some people may want larger a thousand five thousand but a max would be that ninety so to hear the Boards concerns planning for that Black Friday parking lot if you will we can

address 118 parking stalls on site. When I look at the condition it is a giant warehouse to make sense for some storage or warehousing when we look at this the office spaces the conference room this is I believe the intent of this use would be to use this as okay this is my inventory this is what I need to sell sit down run some numbers because these storage facilities are just that storage facilities. If you need to sit down use a desk crunch some numbers have a quick meeting I can sell you X bicycles for this or that or whatever the case may be. This is a hybrid I is new on the market I think if we looked at the idea of limiting the ability to get in to overnight parking and so forth we self-police this facility which is important as we look at the positive negative criteria. A positive here I think we add value to the community I see it as a business incubator we fill a demand I guess that they're ahead of that may be coming our way in the future years for brick and mortar and storage facilities . When I look at the general welfare I think we can certainly look at this as satisfying the municipal land use law for purposes A, G, I as well as N. I say purpose I which is desirable visual environment because we are going to improve the single dwelling that's on site even though it will not be occupied and we'll clean up the site. It is an efficient use of land and when we look at the negative criteria I think the exercise that we've done last time and this time we can say this use given the conditions and stipulations on the record the negative impact would be minimal. I think we improve the community and the health of the community from an economic standpoint and with the conditions on record access overnight parking and so forth I think we can say the negative impact is minimal if any. The way this is designed we're not going to have certain materials that can't be stored in winter time whether its fluids and things of that narrative or vegetation pot you know growing in these open roofs. There is no air conditioning the heating is the bare minimum to keep the pipes from freezing but other than that giving its conditions what we would store in this facility would essentially be what its being advertised as self-storage for commercial and retail so your overhead would go here. It's not to say some riff raffs might not try something but I think we regulate that by the use and the hours coming in and thee overnight parking and having that access. I think the Board's done a very good job with running through the what-ifs. The touchback of some of the variances as we look at the B3 Zone we have some variances because the B3 Zone is what allows self-storage. Some of those variances here for parking 204 we would be at 118 we would have an FAR variance we would have essentially lot coverage we're at 83.1% the B3 allows for 50%. The setback relief because we're actually built over the property line so we wouldn't comply with setback in that regard. I think our minimum loading dock the number we fell on was three the B3 requires six I think we have a large facility for loading and queuing and we have the three in sight there. I think from traffic testimony last time and hours of operation this would operate I think from a logistical standpoint we need the actual intent of this use and the demand that would happen here I think we have enough queuing capacity to if we needed to wait we could wait for one of the loading docks. This is a fairly new use but I'll conclude for any questions but I believe they can be granted with minimal impact.

Ms. Murray – Are there any negative criteria?

Mr. Dougherty – I think you went through a lot of the potential negative criteria. This is a business incubator at large limiting access, not having temperature controlling we limit that. I think there's a positive that there's residential nearby so we can have the eyes on the facility it's new everyone is going to be wary about it. I think from a parking demand you'd meet the actual demand. I think this is going to be a low intense use from a planning standpoint. The residential idea of self-storage is we like them it's a very low intensity use. We understand that this can be a very high intensity use but with the hours of operation the access the lack of temperature control I think we've vetted out a lot of what the negative impacts could be just by sheer operational standpoint.

Mr. Tokosh – What kind of lighting will be used and will it interfere with the neighbors?

Mr. Calli – You mean exterior lighting?

Mr. Tokosh – Yes outside.

Mr. Calli – There is no change from what's there today.

Mr. Paparozzi – If you're going to add parking you should add some additional lighting.

Mr. Calli – Something adequate for the light throw but not over the lot line yes certainly. In that rear lot area you are right there could be and would be lighting proposed as part of a condition of improving parking in the rear lot.

Mr. Mazzer – You said before each unit is going to get its own CO?

Mr. Calli – Yes Mr. Maher testified to that that each tenant would get their own CO.

Mr. Mazzer – I think it's great you get somebody in there and one tenant is causing disruption you send Mr. Ambrogio in and he can rescind the CO and you're done.

Mr. Paparozzi – I agree with Mr. Dougherty on the D3 requirements obviously the use variance but the two variances under the B3 bulk requirements would be loading docks and the parking. Mr. Dougherty also mentioned something about FAR but there is no FAR variance here.

Mr. Dougherty – I'm sorry you're right.

Mr. Paparozzi – Based on that testimony I think the site plan should include the B3 requirements as well. I know there's a bunch of changes that have to be done but if the application should be approved that should be one of them.

Mr. Calli – We are glad to append that zone to add on to the final site plan.

Mr. Pellino – I was going to suggest in terms of the lighting we may have to add more but you say we're going to go with existing lighting maybe the Board wants to see what is existing.

Mr. Duffy – There is no lighting plan.

Mr. Calli – Right because there were no proposed conditions but if we're showing parking back there as conditional approval and the Board Engineer and Board Planner reviewing it we can source the lighting throughout the property we can show you what exists where in addition to what's proposed in the rear.

There are no more questions from the Board. Mr. Duffy asks for a motion.

Mr. Schilp makes a motion seconded by Ms. Murray to open to the public. All in favor – YES.

Mr. Duffy – Having heard none.

Mr. Schilp makes a motion seconded by Ms. Murray to close to the public. All in favor – YES.

Mr. Calli – One final question of a prior witness Mr. Sehnal just to confirm the parking numbers we heard from Mr. Dougherty. I want our engineer to confirm on the record because it is our engineer that will determine what he thinks he can locate in that rear area.

Mr. Sehnal – I quickly scaled up the rear parking area and quick math I believe total including the rear parking area in the back as well as the existing spaces at a minimum I can have about a 115 spaces. If we can find more there we certainly could once we have it laid out.

Mr. Calli –Based on the business model we think this is not necessary but we could implement it if the Board desires.

Mr. Sehnal – I highly doubt those spaces will be used but if it provides the Board with a level of comfort we'd be more than happy to stripe that and make sure it's adequately lit.

Mr. Duffy – I think the Board would like to see that plan basing it on a 115 spaces we don't know the size of the spaces the location of them.

Mr. Sehnal – I'm thinking nine by eighteen and a twenty four foot drive aisle I can get 115 minimum. I'm happy to prepare a plan.

Mr. Paparozzi – The parking requirement would be nine by twenty or ten by eighteen.

Mr. Sehnal – I can also get nine by twenties.

Mr. Tokosh – Do you expect to blacktop the whole area?

Mr. Sehnal – We weren't intending to but I believe the applicant would be willing to work with the Board on that.

Mr. Paparozzi – It would be required if you have to stripe.

Mr. Duffy – You can't stripe the gravel.

Mr. Maher – We have six loading docks coming into the building three and three.

Mr. Calli – He's speaking to the code there are six existing is what he indicated.

Mr. Maher – I just looked at my photos and there's three bays here and three bays here between the wall sorry I just looked through my photos.

There are no more questions.

Mr. Duffy – There's a few things that need to be worked out. Obviously this parking now where it's going to be some type of lighting plan the survey.

Mr. Mazzer – All done subject to approval let our engineer handle it.

Mr. Calli – The applicant is amenable to that should the Board see fit to entrust your consultants. If they have any issues and this is assuming the Board takes action tonight and it's favorable let's assume that's the case. If there are any concerns at all to what your consultants review we're glad to come back before the Board.

Mr. Duffy – Between our Planner and our Engineer tell me what you think is missing besides what I just said.

Mr. Paparozzi – The last space to show the twenty four foot aisle had to be shown. The B3 bulk requirements which permit the storage and the planner testified to should be on the site plan. The extra parking and lighting and a new survey that's what I have.

Mr. Kurus – Yes those items. The planner testified to cleaning up the site right now the site plan is existing conditions with a lot of testimony. I think the site plan would help.

Mr. Duffy – We still have the house and it's unoccupied right now but it can be used.

Mr. Calli – The tenant does not intend to use the house but will clean it up so it's not an eyesore. It is not intended to be used by Ready Spaces as part of their tenancy.

Mr. Pellino – An unoccupied house is not a good thing.

Mr. Calli – I agree.

Mr. Duffy – Take it down.

Mr. Calli – We probably would like to but raising it as a tenant we would not have that right.

Mr. Duffy – That's true I'm sorry you're just a tenant.

Mr. Schilp – That back area used to be paved years ago so I don't know if they clean up all the garbage that's on top of it. It's paved under there. They used to store paper back there.

Mr. Duffy – The other thing Mr. Sullivan brought up the loading and unloading and I read it. It's ordinance 133.7 which is from the noise ordinance that's where that comes from just so we have some context.

Mr. Schilp – I read it different but I would like the attorney to read it to see if it pertains to every loading or unloading or just as the last part of the sentence states.

Mr. Pellino – What I think makes it easy is the applicant is willing to stipulate 8 pm to 6 am if I understand correctly no loading and unloading.

Mr. Calli – Whatever the ordinance regulates it might have been 10 pm.

Mr. Duffy – No no no that's not what was said before.

Mr. Calli – The applicant will comply with the Township ordinance whether it be a noise regulation or otherwise.

Mr. Duffy – Or as stipulated by this Board.

Mr. Pellino – So we're clear Mr. Calli if I understand your clients position no access at all between 11 pm and 6 am but the loading and unloading is 8 pm to 6 am.

Mr. Calli – Exactly right.

Mr. Duffy – The noise ordinance says 10.

Mr. Calli – That's what I said Mr. Chairman.

Mr. Duffy – I didn't finish my statement it was a fragment so it doesn't quantify yet.

Mr. Duffy asks Mr. Pellino to clarify the ordinance.

Mr. Pellino – It seems to me the hours are 10 pm to 6 am when you're talking about a weekday and goes later if the following day is a holiday or a weekend. If the following day is a holiday or weekend it's 11 to 7 as opposed to 10 to 6.

Mr. Manzo – They had mentioned cleaning the ditch in the back.

Mr. Duffy – That was mentioned in the last meeting.

Mr. Maher – Yeah we're going to do that I met the landscaper there last week.

Mr. Pellino – What I'm going to suggest if the Board is inclined to move ahead with this that number one we thoroughly go over what would be the conditions and the second question is do we want to leave the

fulfillment of those conditions to the professionals or do we want the applicant to come back with that information for the Board to make a decision.

Mr. Duffy – What is our feeling this is not to put a motion out it's whether we feel that some of these questions we would leave for our professionals to handle. It would be part of the resolution we have the option of requesting this and bringing them back in September or if the Board is so inclined we can move ahead and those things we're asking about parking lighting plan and so forth would be part of the resolution and they would have to comply with.

Mr. Schilp recommends that the Board vote tonight and the professionals handle the details.

Mr. Burbano agrees with Mr. Schilp and suggests that they visit one of the sites.

Mr. Pellino says there are a boat load of conditions.

Mr. Mazzer agrees with Mr. Schilp.

There is a discussion among the members as to which route they should take. One is to vote tonight on the application and if it is approved have the professionals assume the responsibility of making sure all conditions are met. The other is to put it on the applicant to come back next month with all of the requested items such as the survey a site plan a parking and lighting plan etcetera and then take a vote.

Mr. Pellino – Here is what I have as conditions of approval from the Board. In no particular order cleaning the drainage ditch, submitting a parking plan showing 115 spaces and the area should be paved, if you're going to pave you need a drainage plan drainage calculations. We're going to stipulate no retail, we want to see a lighting plan both existing and proposed for the parking area. If I understand correctly we want to by our resolution limit 15 amp service per unit as a self-limiting factor. Every unit to get a CO every time it's rented to a new tenant. We should have a signed sealed survey. The site plan should be amended to include the B3 zoning regulations. My understanding is there would be a stipulation as to access to the unit which would be 11 pm to 6 am and then no loading between 8 pm and 6 am. The house would not be used by the applicant as part of his business and would be cleaned up by the applicant and most of these would be to the reasonable satisfaction of the Board Engineer.

Mr. Paparozzi – They have to remove that last space to make it 24 feet for ingress egress.

Mr. Pellino – It seems some of the conditions if you're agreeable are pretty easy the question really comes down to does the Board want to pass on the lighting on the parking on the drainage if you want to leave that to the engineer.

Mr. Schilp – One way or another he's got to approve it.

Mr. Duffy – He'd review the plans give us his opinion and then we would discuss it further.

Mr. Pellino – As I understand it you could pass the resolution tonight which would have those conditions and would say for instance the parking plan has to be to the reasonable satisfaction if he's satisfied it's good. The drainage has to be to Mr. Kurus's satisfaction. These are post hearing submissions that would go to the engineer who as long as he passed them then they would be able to get their permits from the Building Department. Alternatively the Board may want to look at the lighting itself and say we like the lighting we don't like the lighting we like the parking we don't like the parking that's the choice you have.

Mr. Duffy – Are those parking numbers sufficient?

Mr. Mazzer – Better than seventeen.

Mr. Paparozzi – It's going to be in the neighborhood of 115 give or take so right now the proposal is for 16 so obviously increasing it considerably.

Mr. Burbano asks about the CO process for something like this and if each unit has to be inspected for each new tenant. They would fill out the paperwork and Ready Spaces would attach a copy of the lease. The CO paperwork would also define the intended use and can be denied by the Town if it is not something that is allowed and it gives the Township a lot of control over enforcement and compliance to the resolution.

Ms. Murray – They're leasing the space correct?

Mr. Calli – Yes.

Ms. Murray – Does that stop the owner of the property from doing anything with that house?

Mr. Calli – No.

Ms. Murray – You're not leasing the house you're leasing the bigger building?

Mr. Maher – We control the whole property.
 Ms. Murray – I thought it was an owner type of thing.
 Mr. Maher – We can't I just can't tell you I wouldn't mind demoing it but I just can't tell you that.
 Ms. Murray – I just want to make sure no one else had control over the property.
 Mr. Maher – We're leasing the entire property.
 Mr. Duffy – How long is the lease?
 Mr. Maher – Ten and Ten or ten and two fives.
 Mr. Calli – Ten year first term and then two five a piece.
 Mr. Duffy – What's happening right now since you already leased the property correct?
 Mr. Calli – We're paying rent.
 Mr. Duffy – What about the trucks and the people that are there right now.
 Mr. Maher – They're just there I haven't talked to them there's a lady in an office I don't know.
 There is discussion about when the people that are using the building and the lot are going to be gone.
 Mr. Maher says they will be gone once they start construction if approved.
 Mr. Mazzer asks if they can add some landscaping to make it look nice.
 Mr. Schilp makes a motion seconded by Mr. Tokosh to open to the public. All in favor – YES.
 Mr. Duffy – Having heard none.
 Mr. Schilp makes a motion seconded by Mr. Manzo to close to the public. All in favor – YES.
 Mr. Duffy – My general feeling is the Board is willing to move on the application tonight and leave the details to our professionals.
 Mr. Pellino – I would say fulfillment of the conditions.
 Mr. Schilp – I would like to make a motion that we approve the application and I believe if I counted right there were fourteen stipulations.
 Mr. Duffy – Fifteen we added landscaping.
 Mr. Schilp – Okay so fifteen stipulations. That the information we request be provided to the three professionals on the Board and it gets approved by them.
 Mr. Duffy – For their approval. We already read all of them into the record so we have them in correct order.
 Mr. Schilp – To clarify Mr. Schilp I think your motion would be to approve subject to fulfillment of the conditions.
 Mr. Schilp – Right the fifteen conditions.
 Mr. Mazzer – I'll second it.
 Ms. Murray, Mr. Mazzer, Mr. Schilp, Mr. Manzo, Mr. Tokosh, Mr. Burbano, and Mr. Duffy – YES.
 Mr. Calli thanks the Board.

6. RESOLUTIONS

- A.) Approval for Todd & Dana Minimi, 524 Steinway Road, Block 702, Lot 3
- C.) Interpretation for Budz Prime, LLC, 249 Route 46, Block 120, Lot 5

Mr. Schilp made a motion seconded by Mr. Manzo to approve the resolutions.
 Ms. Murray, Mr. Mazzer, Mr. Schilp, Mr. Manzo, Mr. Tokosh, and Mr. Duffy - YES

- B.) Determination for BT-Newyo, LLC, 280 North Midland Avenue, Block 1202, Lots 27-29
 (This resolution was not completed in time for the meeting)

7. MINUTES

Meeting of July 11, 2022 Regular Meeting

Mr. Schilp made a motion seconded by Mr. Manzo to read and file the minutes. All in favor – YES.

8. COMMUNICATIONS

Anthony Kurus to the Zoning Board, 6/17/22

Anthony Kurus to the Zoning Board, 6/17/22 Revised 7/19/22

Anthony Kurus to the Zoning Board, 8/19/21

Anthony Kurus to the Zoning Board, 8/19/21 Revised 4/05/22

Ms. Murray makes a motion seconded by Mr. Schilp to read and file. All in favor – YES.

9. VOUCHERS

Basile Birchwale & Pellino, 7/01/22, 5th Street Associates, 77 N. Fifth Street, Block 405, Lot 3 \$1,062.50

Basile Birchwale & Pellino, 7/01/22, Santana & Mirelys, 459 Dewey Avenue, Block 703, Lot 21 \$250

Basile Birchwale & Pellino, 7/01/22, LaRobardier, 122 Platt Avenue, Block 506, Lot 9 \$250

Basile Birchwale & Pellino, 7/01/22, BT-Newyo, LLC, 280 N. Midland Ave., Blk 1202, Lots 27-29 \$62.50

Neglia Engineering Assoc., 7/14/22, Marjorie Miller, 110 Graham Terrace, Block 1509, Lot 8 \$150

Neglia Engineering Assoc., 7/14/22, Tracey Hart, 75 Wilson Street, Block 1801, Lot 13 \$225

Return of Unused Escrow, 7/13/22, 48 Rosedale Ave., LLC, 48 Rosedale Ave., Block 617, Lot 14
\$559.08

Return of Unused Escrow, 7/19/22, The Lackland Co., 635 N. Midland Ave., Block 1701, Lots 1,3,5
\$17,866.19

Ms. Murray makes a motion seconded by Mr. Tokosh to pay if the funds are available. All in favor – YES.

10. OPEN AND CLOSE MEETING TO THE PUBLIC

Mr. Schilp made a motion seconded by Ms. Murray to open to the public. All in favor – YES.

Mr. Duffy – Seeing none.

Ms. Murray makes a motion seconded by Mr. Schilp to close to the public. All in favor – YES.

11. ADJOURN

Ms. Murray makes a motion seconded by Mr. Schilp to adjourn. All in favor – YES.