

TOWNSHIP OF SADDLE BROOK
ZONING BOARD OF ADJUSTMENT MINUTES
March 2, 2026 Regular Meeting

The Saddle Brook Zoning Board of Adjustment will hold a regular meeting 7:00 p.m. on Monday March 2, 2026 at **(Saddle Brook Municipal Complex, 55 Mayhill 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, Ms. Nobile, Mr. Latona, Mr. Schmelz, Mr. Duffy – Present.
Mr. Tokosh, Mr. Burbano, Mr. Francin and Mr. Gjorgievski are absent.
Mr. Cialone the Board Attorney Mr. Kurus the Board Engineer and Mr. Paporozzi the Board Planner are also in attendance.
Mr. Latona sits in for Mr. Tokosh and Mr. Schmelz sits in for Mr. Burbano.

5. NEW BUSINESS

A.) Betty Ferreiras, 353 First Street, Block 109, Lot 13

The Applicant proposes an open front portico over an existing concrete platform that does not conform to the zoning ordinance for the Township of Saddle Brook as it exists today.

Mr. Cialone confirms the notice is in order and she may proceed.
Mr. Cialone swears in Betty Ferreiras she gives her address as 353 First Street in Saddle Brook.
Mr. Duffy – Can you tell us what you are looking to accomplish.
Ms. Ferreiras – It’s an open portico for my front entrance.
Mr. Duffy – Right now you have.
Ms. Ferreiras – There’s nothing right now I had an awning.
Mr. Duffy – You had an aluminum awning okay. The only variance this would require is the open front porch setback which the code calls for 20 feet and yours would be 11 feet.
Ms. Ferreiras – Correct.
Mr. Duffy – Do any Board members have any questions?
There are no questions.
Mr. Duffy – If no one has any questions can I have a motion to open to the public.
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. Schilp makes a motion seconded by Ms. Murray to approve the application.
Roll call - Ms. Murray, Mr. Mazzer, Mr. Schilp, Ms. Nobile, Mr. Latona, Mr. Schmelz, Mr. Duffy – YES.

B.) Michelle & Stephen Wiessner, 31 Cogger Street, Block 515, Lot 9

The Applicant proposes to install a new 6-foot-high solid privacy fence within the front yard of the property along the South Street frontage. The fence is proposed along a portion of the westerly property line and continues along the southern property line, terminating at the southwestern corner of the existing dwelling where a gate is proposed.

Mr. Cialone confirms that the notice is in order and they may proceed.

Mr. Cialone swears in Stephen and Michelle Wiessner. They give their address as 31 Cogger Street in Saddle Brook.

Mr. Duffy – Could you explain to the Board what’s going on with the fence and the property.

Mr. Wiessner – We have a current four foot fence in our front yard and we’re requesting that we have a six foot privacy fence installed.

Mr. Duffy – Your house is fronted on Cogger so this is on the South Street side?

Mr. Wiessner – Correct.

Mr. Duffy – Just the one side or wrapping all the way to the other?

Mr. Wiessner – Not all around just one side and then a couple of small sections along the Cogger Street side.

Mr. Duffy – Okay.

Mrs. Wiessner – It’s set back it’s about 55 feet back from the corner.

Mr. Duffy – From Cogger.

Mrs. Wiessner – From Cogger yeah.

Mr. Duffy – So that ends approximately at the back of the house.

Mr. Wiessner – Yes.

Mr. Duffy – Always the concern with this is will it create an obstruction. The location of that doesn’t appear to be doing that at all.

Mr. Wiessner – Correct.

Mr. Duffy – Do any Board members have any questions?

Mr. Schilp – How wide are you going to make the gates?

Mr. Wiessner – I believe it would be a four foot gate.

Mr. Duffy – Seeing no one else has any questions can I have a motion to open to the public?

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. Schilp makes a motion seconded by Ms. Nobile to approve the application.

Roll call - Ms. Murray, Mr. Mazzer, Mr. Schilp, Ms. Nobile, Mr. Latona, Mr. Schmelz, Mr. Duffy – YES.

C.) Puccio IV, LLC, 487 Market Street, Block 705, Lot 29

The Applicant proposes to construct a 93 square foot illuminated wall sign to identify the building, in addition to the existing retail/commercial signs for the ground floor tenants that were approved on April 1, 2024 under a separate Zoning Board of Adjustment Application.

Allyson Kasetta is the attorney representing this application and she comes forward.

Mr. Cialone confirms the notice is in order and that they may proceed.

Ms. Kasetta – This is the property at 487 Market Street it’s located in the B2 zone and the AHOZ-2 affordable housing overlay. You may recall we were before you about 2 years ago and in April of 2024 this Board granted site plan approval and variance relief for both an upgrade to the existing retail shopping center on the ground floor and a small addition to the building and conversion of the second floor into 4 residential units. What we’re here for tonight is to request a waiver of site plan approval as well as variance relief for a building identification sign. I know you’re all familiar with the property there are many commercial and retail signs for the tenants on the ground floor but the applicant is seeking to install a separate sign just to identify the building itself and the Zoning Officer determined that it is not permitted under the zoning ordinance. So we’re here to request that variance. Just a couple of brief points I wanted to make. The zoning ordinance the way it’s written doesn’t really contemplate a shopping center like this. It permits one wall sign and the square footage is based on the frontage of the property. This shopping center has been there for a very long time and many of these signs, although they’ve been replaced as the tenants have changed the signs have also been there a long time. The provision of the ordinance doesn’t really contemplate a building of this type because it only speaks to one sign. So that’s part of the relief that we’re seeking and when I reviewed the reports of the Board Professionals Mr. Pappozzi had

asked for the square footage of the existing tenant signs. Like I said many of them have been there for a very long time. So I did submit an OPRA request to the Township. They had specifications for 4 of the 10 signs so I did share them with Mr. Paparozzi and I think we can sort of estimate or take an average of the size of the remaining signs and sort of estimate the total square footage but unfortunately we don't have the exact numbers and I did discuss that with him so he understands what the issue is. I believe our sign designer is here but I have not met him in person before so I'll ask if he is in the audience.

No one comes forward.

Ms. Kasetta – Not seeing anyone which is a problem. What I can do is just point you to the specifications that we submitted. He is not an architect. We did have his specifications superimposed on the architectural elevations that were approved previously but you should have in your packet a set of drawings that looks like this. It's pretty straight forward I did make sure that he included all of the relevant dimensions. He included the mounting information, the projection, the illumination and I know there was a request from both professionals that we confirm compliance with certain sections of the ordinance on illumination. Since our sign designer isn't here what I would propose to do is stipulate compliance with these sections. They are 206-69, 70. I think those were the two relevant ones correct me if I'm wrong.

Mr. Duffy – They're in Mr. Kurus's report.

Ms. Kasetta – They're in both reports and what we can do is make sure that whatever gets submitted to the Building Department for permits has all of the necessary specifications so that the Building Department can verify that we comply. There's no intention for blinking lights or anything of the sort or lights that project far from the building. This is just like I said to identify the building itself.

Mr. Paparozzi – I did discuss that with Ms. Kasetta. There is a possibility of a second variance for square footage being over but we don't have that number. I asked just to put on the record to be safe rather than sorry and include it just in case because we don't have those numbers. The square footage also includes the marquis according to code. So with the signs the ten signs and the marquis I know there's a big frontage so the square footage is a lot but there is a lot of signs. I added that in my report just as a cautionary measure. So there may be a second variance for that but that's part of what Ms. Kasetta just alluded to in her opening statement.

Ms. Kasetta – We do have a professional planner to give the planning proofs. It's just I'm trying to improvise on the sign details.

Mr. Mazzer – Don't you think that's a little big? It's a huge thing.

Ms. Kasetta – The proposed sign is only 93 square feet. If you look at the architectural elevation that we submitted you can see it superimposed on the left side.

Mr. Mazzer – It's seven and a half foot wide by nine. Okay it's backlit letters any lighting from the building to the sign anything like that?

Ms. Kasetta – Let me check the specifications.

Mr. Mazzer – I mean it's just to mark the location of the place. To me it's overkill.

Ms. Kasetta – So you're recommending that the sign be made a little bit smaller?

Mr. Mazzer – Yes.

Ms. Kasetta – Understood.

Mr. Mazzer – It's only marking the address. I don't know what does our planner think?

Mr. Paparozzi – It's twelve and a half by seven and a half roughly. The address is on the marquis sign so there is one if the Board is looking at that because of the address.

Ms. Nobile – The signage is this to promote the address or the business? It says Market Place of Saddle Brook so is it to promote the whole?

Ms. Kasetta – The development itself particularly because we now have residential units in there in addition to the stores. So all the restaurants and stores have their own signs.

Ms. Nobile – Right so I'm just trying to figure out what's the difference why do we need a sign to promote the Market Place of Saddle Brook when they're just tenants.

Ms. Kasetta – Market Place of Saddle Brook is the name of the development itself so that's not.

Ms. Nobile – Yeah so you're just promoting your name?

Mr. Cialone swears in Fred Puccio who is a principal of the applicant.

Mr. Puccio – It's just a building signifier and just to name the whole property so if someone says I live at the Market Place at Saddle Brook it's easy to find versus if you're putting in the address it won't come up any other way. So we're just trying to describe the whole development as a whole much like you said. Just basically as a whole where we're seeing the whole property the four additional units that are on top as well as the retail spaces on the bottom.

Ms. Murray – Is there a time limit on the lighting?

Mr. Puccio – We'll follow whatever the ordinances are of the Town.

Ms. Murray – Or if it's going to be on is there a dimmer so it's not too bright?

Mr. Puccio – Yeah.

Ms. Kasetta – I think they can always be equipped with dimmers.

Mr. Puccio – Yeah that can be adjusted and of course we're going to follow whatever the Town ordinances are for illumination. If you want it dimmer than where it's at then absolutely.

Ms. Kasetta – I did speak with Mr. Puccio and if the Board feels that the sign is too large we would be amenable to reducing it a bit if that makes it more palatable to grant the variances.

Mr. Duffy – So what is a bit?

Ms. Kasetta – Two feet this way two feet this way.

Mr. Mazzer – I just had a question with the apartments I get it so if you're in one of the apartments you would say I'm at 487 Market Street.

Mr. Puccio – Yes.

Mr. Mazzer – Now when you get in the mall area they're going to be A B C D E something like that?

Mr. Puccio – You mean the unit designations?

Mr. Mazzer – Yeah. Or are they going to be 487A or what?

Mr. Puccio – I don't know if we've decided if they're going to be A B C or D or 1 2 3 4 I'M NOT sure but they are going to be separately designated. I just don't know what that designation is going to be as of yet.

Mr. Mazzer – So this will get people into your square area.

Mr. Puccio – Yes.

Ms. Kasetta – I think that's a good point. This kind of identifies the residential section of the building as opposed to the retail.

Mr. Schmelz – Are there any tenants in there yet?

Mr. Puccio – No.

Mr. Schmelz – So it wasn't requested by them.

Mr. Puccio – No. I believe it was just something that was missed it was always part of the project putting some type of designated sign on there but we're here now to rectify that it wasn't part of the original package.

Mr. Duffy – I don't know if it helps with deliveries but it does fill in a big area that otherwise would just be brick right.

Mr. Puccio – True.

Mr. Duffy – So part of it's an aesthetic beside the functional aspect.

Mr. Puccio – Yeah it helps with the overall aesthetic of the sign.

Ms. Kasetta – Our planner can speak further to that.

Mr. Duffy – I think we would like to hear from your planner.

Mr. Schilp – It used to have a sign that said Terra Mini Mall. I'm trying to remember for the life of me where it was and I can't. Was that on the post sign as you drive in on the right or was that on the building?

Mr. Puccio – On the monument sign I think that's where it was but that's going back many years now but I do remember that.

Ms. Kasetta – I just want Mr. Puccio to address one thing from Mr. Paparozzi's report while he's up here. There was a comment about the paving and the striping. If you could just explain for the Board the difficulties that you faced while you were getting ready to mill and pave and how we got to the middle of this harsh winter.

Mr. Puccio – The winter is the single biggest issue without a doubt. It's an unprecedented winter over and above the snowfall everything was subfreezing consistently for probably six weeks and you can't do work like that in that type of weather and even have the application stay effectively on the ground. It would

all be popping out of the ground by the next season. It would be just throwing money away. It wasn't for any other reason than the weather wouldn't allow for this work to get finished.

Ms. Kasetta – I believe even before the weather turned you encountered an underground tank that you weren't expecting and there was an issue with the sewer line.

Mr. Puccio – That too, a few unaccounted for things that when you dig you find them unfortunately.

Ms. Kasetta – Could we stipulate a condition of any approval that all paving and striping would be completed say 90 days from tonight

Mr. Puccio – That's all again dependent on the weather but I think you could probably say that.

Ms. Kasetta – That's all I have for Mr. Puccio.

Mr. Cialone – It wasn't a condition it was on the site plan.

Ms. Kasetta – Correct it was always something that was supposed to be done.

Mr. Duffy – I just wanted to make sure that it wasn't a condition so we could do it properly. Is your planner going to speak to letter size on the sign?

Ms. Kasetta – The letter size is shown on the sign and again the other witness not being here threw me for a loop.

Mr. Duffy – So now who will speak to the lettering if there's a reduction in size what happens to the letters is it proportional?

Ms. Kasetta – I would say yes the lettering would get proportionally smaller which we could work out with the professionals after the fact.

Mr. Duffy – We'd have to decide what would be the appropriate size that could be approved and then percentage wise you would have to reduce the letters according to that.

Ms. Kasetta – Understood.

Mr. Duffy – You can have your planner come up and then I'll open the meeting to the public.

Katherine Gregory is the planner for this application. She comes up and is sworn in by Mr. Cialone.

Ms. Gregory gives her credentials and is accepted as a witness.

Ms. Gregory – I have a handout this is a photograph of the building.

The exhibit is marked as A1.

Ms. Gregory – A1 is just a photograph of the new building under construction. The reason I have this I know there is a discussion about the sign being too large. As a planner I write ordinances regarding signs and I also testify for variances regarding signs and as Ms. Kasetta already stated the ordinance did not contemplate a multi-tenant building number one. The sign ordinance itself talks about business and industrial zones altogether. So it doesn't consider any specific business zone or any specific industrial zone it's all sort of just grouped together. So when you're talking about one sign 336 square feet on a building would be massive but what we have here is a multi-tenant building so we have a lot of individual signs and as you can see when you take a look at this they all of them together even don't even seem very large. What we have at the end of the building now that we did a renovation, addition and a conversion we do have a very large blank surface. As was discussed before with trying to identify where the residences are versus the retail we're trying to sort of fill that space. For me I know that everyone looks at signs like oh it's a bad thing that there's a sign. The way that I look at it is that the signs become part of the architecture of the building and this sign is going to fill that void. It's going to identify it's already turning out to be a signature building along Market and this is also going to make it pop even more. While I don't believe it's too big it can actually be reduced in size and the proportions would stay the same but I do think that this spot on the building needs something. So when we talk about the criteria for the granting of a bulk variance there's a C1 and a C2. I do believe the benefits outweigh the detriments in terms of a C2. I think that we are going to promote a desirable visual environment which is purpose "I" but I also feel like we could also almost say we have a hardship because we have a legal existing building and I know the shopping center probably predates the zoning for all I know. It's been there a really long time. So we are dealing with a little bit of a hardship because we're only allowed to have one sign but we've always been a multi-tenant building. So I feel like this could be a flexible C1, C2. In terms of the negative criteria I don't think there's any substantial detriment for the public good by allowing this additional sign on the building to ID where the residences are and also to fill that void in the architecture on the building. Just as well I don't think that there's any substantial impairment to the intent and purpose of the zone plan and zoning ordinance. Your last reexamination was back in 2014 and one of the goals

is still to encourage the maintenance and upgrading the businesses along Market Street as well as Route 46 and I would say that is what we're continuing to do here. Obviously the applicant has already come in for that site plan application and the renovation of the building and now this is sort of just putting the cherry on the top.

Mr. Duffy – What is the size of that area?

Ms. Gregory – Are you talking about...

Mr. Duffy – Where the sign is not the sign itself.

Ms. Kasetta – The blank area he's talking about.

Ms. Gregory – That's a good question. Side to side is twelve feet eight inches.

Mr. Kurus asks whether removing the old signs and reinstalled if that is a variance and is it already approved.

Ms. Kasetta – What I did was I had the architect from the previous approval take their elevation as it was approved. So we're not proposing anything now with the tenant signs. Those were handled by permit with the Building Department either reinstalled or when new tenants came in they just I believe either stayed within the previous dimensions.

Mr. Paparozzi – Additionally there were two vacant spots that they have to put signs for.

Mr. Kurus – Okay.

Mr. Paparozzi – So they're adding to what was there because the two buildings were empty at the time of the 2024 application. I'm assuming either they're rented or they will be.

Mr. Kurus – The reason I asked was it would have been nice to have the opportunity for a more uniform signage across the whole shopping center.

Mr. Paparozzi – That works in some areas but let's say that Dunkin Donuts wants orange and red certain people want their colors but in some towns they're all the same color and same size.

Mr. Paparozzi – I picked this up and I don't know if it matters. The address is 487 Market Street and the sign says 487 Market Place. I understand they're trying to name the building but people are going to look at Market Place thinking it's not Market Street I don't know. It just struck me as a little different. If you're driving and you just see the 487 Market Place now you're looking for Market Street it could be a little confusing. I understand the intent of the applicant they want to call the development Market Place but it's a little confusing.

Mr. Duffy – The marquis calls it 487 Market Place so it's consistent with what's there.

Ms. Nobile – I appreciate the improvement of the area because I think it was a great improvement however there's a lot of signage overall in this area so for myself I'm a little hesitant because there's again more signage. Like the planner said it's a blank canvas and we throw a sign on. I don't really think that's the answer. I mean if you wanted to decorate it and add design I understand but throwing a big sign to say 487 Market Place of Saddle Brook when you know we're in Saddle Brook it seems a little much.

Mr. Mazzer – Why did you pick the side instead of the front? Most signs just go in the front.

Ms. Kasetta – You mean instead of just the free standing sign?

Mr. Mazzer – No she's got it on the side of the building. If you're coming from Midland Avenue you won't see it.

Ms. Kasetta – Oh I see instead of the elevation that faces the building.

Mr. Mazzer – You only see it when you're going west. It's just a question why did you put it there rather than in the front where you can see it both ways?

Ms. Kasetta – That would be a better question for Mr. Puccio.

Ms. Gregory finishes her calculations and says that the area that Mr. Duffy was asking what the size was is approximately 240 square feet. That does not include the ground floor just the area that is boxed out where the sign is going to go not the ground floor because the ground floor has a different material.

Mr. Duffy – So it's about 40% of the coverage. I would like to ask Mr. Puccio why the lighting then. Sometimes just looking at the size of the sign if the sign wasn't lit would that have a bearing on how some of the Board members might feel?

Mr. Puccio – What was the question?

Mr. Duffy – Some of the members of the Board have a problem with the size of the sign. We haven't even delved into the lighting of it. Would not lighting it have an impact on some of their opinions and why did

you come up with the lighting because the lighting it's not going to be lit all day. It's going to be at night and then there's going to be only several hours at night that it can be lit.

Mr. Puccio – It's partially for an aesthetic choice you want the sign to be lit and then the other part is you want to be able to see it at night.

Mr. Duffy – That place is pretty well lit at night now.

Mr. Puccio – I'm not a hundred percent familiar with the materials but the sign is on black and the letters I don't know if they're going to be white or clear or if they're metallic. You may not see them at night. I know what you're saying but a little bit of light would help with the visual for the evening.

Mr. Schilp – The only thing you're really going to light up are the numbers and letters. It's going to be backlit so you're only going to see those numbers and letters.

Mr. Puccio – Correct. It's low impact lighting.

Mr. Duffy – Do any Board members have any questions?

There are no more questions.

Mr. Duffy – Can I have a motion to open the meeting to the public?

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

Steve Mariconda of 24 Harrison Avenue comes forward and is sworn in by Mr. Cialone.

Mr. Mariconda – We have a separate ordinance for lighting from signage it's a newer ordinance. Part of it is that on all unnecessary lighting is turned off one hour after business closure. So I guess in the proposed plan for this sign is it intended that it will be turned off after the businesses are closed in the shopping center?

Mr. Puccio – We'll follow whatever the ordinance is. The sign can go off one hour after the last business in the mall closes. I don't see why that would be an issue.

Mr. Duffy – Okay who closes last probably the pizzeria right.

Mr. Puccio – I'm assuming the pizzeria probably closes last. So let's just say they close at 10:00 then the sign can go off at 11:00 I don't see that to be an issue.

Mr. Duffy – I know you were instrumental with that ordinance that complies?

Mr. Mariconda – I think that's reasonable.

Mr. Duffy – Thank you. Seeing no one else.

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

Ms. Nobile – Was the size determined yet?

Mr. Duffy – No and that's just what I was going to bring up. So is it two feet in two feet down is that acceptable?

Mr. Schilp – If you shrunk it in side to side a foot on each side and I'm sure when the planner did this with the architect they sat down and said if it's this wide it should be this high. If we say we want to shrink it a foot on each side and proportionally shrink it down.

Ms. Gregory – There is a proportion to it because if you're trying to get all those letters across once you shrink it this way it will automatically shrink the other way.

Ms. Gregory – It's 38.75% of the total space.

Mr. Duffy – I think we have to decide whether to reduce it by percentage or reduce it by a foot on each side which will automatically shrink the top and bottom correct.

Ms. Murray – If the sign is twelve foot eight inches and you shrink it a foot on each side that means the largest width could be is ten foot eight inches. So then you can work on it from there and use that as you face to shrink it proportionally.

Mr. Duffy – So we're going to have it shrunk by a foot on each side.

Ms. Kasetta – So it would be a maximum of ten feet eight inches wide correct.

Mr. Duffy – Correct and that automatically.

Ms. Gregory – What's going to end up happening is the 89 inches will become approximately 75 inches it's 74.94.

Mr. Duffy – Then the letters will be reduced as well?

Ms. Gregory – Yes when we have the overall sign being reduced in order to get Market Place across those letters will have to shrink.

Mr. Duffy – This project has done a lot for how that area looks and I think it made a great impact. That little garage is gone?

Mr. Puccio – Yes.

Mr. Duffy – The fencing in the back I don't know if that was taken care of yet.

Mr. Puccio – That may be waiting for the spring.

Mr. Duffy – Can I Have a motion to open the meeting to the public?

Ms. Murray makes a motion seconded by Mr. Schilp 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. Duffy – I make a motion that we approve the application with the stipulation that the sign is reduced by one foot on each side which proportionally reduces the height of the sign and will also reduce the size of the lettering itself. The reduction will go from 13.4 inches to whatever is appropriate in the reduction. The sign off one hour after the last door closes.

Mr. Pappozzi – The paving I guess within 90 days. That was what was suggested.

Mr. Duffy – I would want to give them a little more time so I would say 120 days from today.

Ms. Kasetta – To clarify you are also talking about striping as well.

Mr. Cialone – Is that from today or when the resolution is adopted?

Mr. Duffy – Resolution is adopted so that gives you a little extra. There's a motion on the floor.

Mr. Schilp seconds the motion.

Roll call - Ms. Murray, Mr. Mazzer, Mr. Schilp, Ms. Nobile, Mr. Latona, Mr. Schmelz, Mr. Duffy – YES.

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

Applicant is proposing to amend the September 12, 2022 Zoning Board of Adjustment Approval to:

a. Implement a modified layout of the accessory (refuse) area; and b. Eliminate condition (F) of the prior approval which states: "A maximum of one 15 amp circuit per unit regardless of size".

Mr. Cialone confirms that the notice is in order and they may proceed.

Simone Calli is the attorney for this application she comes forward and asks if there are 7 members to hear the application and Mr. Duffy confirms that there are 7 members and the ones who were not present for the prior appearances have listened to the recordings of the meetings and have signed written certifications to that effect.

Ms. Calli – Last we were here was back in June. We began our testimony for this amended approval and modification to the condition of approval that you just stated Mr. Chairman. However at the time we were advised as to the numerous issues on site and lack of compliance with that prior approval. So we regrouped ownership of the applicant entity got involved immediately and we've spent the past many months undertaking various site improvements and compliance initiatives to address all of the concerns that the Board had back in June. We only have two witnesses with us this evening. The principal of the applicant entity who I will call first to go through all of those compliance initiatives and then we also have our project engineer who will discuss the modification to the layout of the refuse area.

Ms. Calli calls up Kevin Petrovic who is the principal of the applicant and he is sworn in by Mr. Cialone. He gives his business address as 1919 Vineburn Avenue, Los Angeles, California.

Ms. Calli – Can you remind the Board of your connection with the applicant entity?

Mr. Petrovic – I am the CEO and part owner of the group that operates the site at 575 North Midland Avenue.

Ms. Calli – Can you take us through all of what I'm calling the compliance initiatives that you've undertaken in the past many months.

Mr. Petrovic – I figure I don't need to ask if anyone recalls the June hearing. I'm sure we all do very well and we heard you loud and clear. At that hearing I promised that we would show you we're going to do as we say and so what I'd like to do with my summary of concerns and notes that I have in front of me that's prepared from the last hearing and kind of the transcript of that. I prepared some packets of information one of which we can pass up to you all for the record that shows that we have in fact addressed all of those concerns. At least I believe I have and I hope I will convince you of the same. Number one there was concern about the tenants filing for the CO applications. I have a two page table of all the business names who have submitted applications. It's a total of 95 of them and I also have

check copies of the three checks that we provided to the Township cashier totaling \$19,000 for those 95 CO applications. Next there was concern about the parking lot.

Mr. Duffy – You're referencing different points so each one has to be entered into evidence.

Ms. Calli – Let's start with your chart that you referenced. I don't see any exhibits marked from the last hearing.

Mr. Duffy – No start with A1. Then the next will be A2.

Ms. Calli – Okay.

Mr. Cialone – A1 is the table of tenants that applied for the CO's.

Mr. Duffy – This is part of the package also.

Mr. Petrovic – Yeah I couldn't staple them all together because it's too many pages for a single staple.

Mr. Cialone – A1 is a table of tenants that have applied for CCO's and copies of checks.

Mr. Duffy – Checks are part of the same.

Mr. Petrovic – Yes demonstrating that we applied for the CO's. Next one of the original conditions of approval was paving the large parking lot on the southwest side of the site and putting in guard rails lighting and striping. That was on the site plan from Dynamic. We did that and my next exhibit shows four different pictures of that same parking lot from Tuesday, Wednesday, Thursday and Friday of last week and the reason we did that was that there was also concerns from the Board that there were trucks being stored on the lot trailers or box trucks or something like that. You can see in the pictures that while there are box trucks on the site in various days they are not parked in the same place and it's not the same trucks. We did that to demonstrate that those vehicles are going to be used in connection with the tenant uses in the building as opposed to being stored there on a long term basis.

Mr. Duffy – Where did that tractor trailer do? They don't have a trailer I was there yesterday so I saw and you can just barely see them on that first photo on the left side there's a couple of.

Mr. Petrovic – Those would be in connection with the uses but they're definitely moving around on a regular basis. Those four pictures of the parking lot are the next exhibit.

Mr. Cialone – We're going to mark those as A2 the four photos of the parking lot.

Mr. Duffy – There was something that stuck out but I can't seem to find it. There is signage about parking. You put up one sign it's roughly about twelve by twelve inches. It says the parking is only for tenants and visitor use I believe it said. I just can't find anything if we required any more than that. Does that ring a bell anybody?

Mr. Petrovic – I'm not familiar with that sign.

Mr. Duffy – It was one sign it's on a post. It's a nice little sign but it's a little sign.

Mr. Petrovic – Someone can correct me if I'm wrong but I don't think that was in the conditions. That would probably be like an operational.

Mr. Duffy – I don't see it either I've been looking through and I don't It's an observation.

Mr. Petrovic – Okay. My next exhibit pertains to the house on the site. I believe in the last meeting.

Mr. Cialone – The next photo I have after the parking lot is dumpsters.

Mr. Petrovic – They may be out of order.

Mr. Cialone – Okay I see that the photos of the house are marked A3.

Mr. Petrovic – Last time there was a concern that the house was occupied and or it needed to be cleaned up. So we shared with the Board that the house wasn't part of our lease of the premises but there was still a concern that the house was occupied. I think because someone had seen some delivery bags on the doorstep. That does happen sometimes. If any of you receive Amazon or Walmart deliveries you probably know that they don't always follow the delivery instructions. I did manage to take two photos from the outside of the house looking in to show the condition that the interior of the house is in. I think one can conclude from those photos that it's not occupied. So I encourage the Board or the Town to contact the property owner to address the house further. Again it's not part of our lease and we can't do anything about that but it's not occupied. Next I have two photos. First is this one and then this one of the refuse containers. This is to address two issues. Number one I believe both the Board and a nearby property owner expressed that the waste containers were publicly visible from the street and an eyesore I would say. It took us a little while to move them but we did move them away to the drive aisle as one of the Board members suggested but we were able to relocate those containers to that drive aisle in the back. If any of you recall this is the area where the truck repair depot was that you were concerned by so

we made sure that person's license agreement was terminated and all that's there now is the containers. I know that we need to build an enclosure for those containers. That's one of the two items that we are requesting in the plan amendment.

Mr. Paparozzi – The dumpsters need to have a separation recycling and refuse. So there should be a fence between them and labeled so they are not comingled.

The dumpster photos are labeled A4.

Mr. Petrovic – I wasn't aware of that requirement but perhaps our plan shows that and we can speak to that in a bit. My next exhibit here is the compliance review from Neglia. I'm sure this is already in the record but I included it just in case in my package because.

Mr. Cialone – We can label that A5.

Mr. Petrovic – I do know that the drainage ditch on the property was a concern in the sense that it had standing water in it. I believe Neglia came out to the site and met with me and other Ready Spaces representatives to review the ditch. I believe what was concluded I don't want to incorrectly speak to the report but the ditch basically is not a channel for water to flow through it's for water to collect in from both sides. The inlets on both sides are actually higher than the ditch so there's no way water can flow there. So I believe it acts as a small retention area where water can collect and evaporate over time. The Neglia report states that condition of the original approval was addressed. Finally the last exhibit that's the packet with the associated fire heading on the first page. This is just a bundle of fire inspection reports for both the sprinkler and the fire alarm. It's a report from the Fire Official who came through the site Mr. Seitz and our correspondence with Mr. Seitz via our site manager whose name is Duane regarding the issues that Mr. Seitz found and the ongoing correction and addressing of those. There's a few emails that I sampled over the past six months or so from that. There's plenty more of course. I know one of the concerns before was making sure the Fire Official had clear access to the site to be able to perform inspections. That we were meeting the obligations that we have in terms of fire safety and things like that. I hope these documents evidence that we have been both addressing issues and allowing access as appropriate.

Mr. Cialone – We are going to mark those documents as A6.

Mr. Petrovic – Finally I forgot to put one additional photo in the packet. There were conditions regarding the off hours work and loading and unloading in the original approval and we did post signage all throughout the loading areas and repeatedly inform customers of those regulations. The signs do include a note that the regulation is per the Town ordinance and when we do notice activity on the security cameras outside of those hours we issue that customer a fine as a way to prevent future occurrences.

Mr. Duffy – Has it been successful?

Mr. Petrovic – I don't have the data on the fines but as far as I know largely yes. I did review the entry logs into the building last week to make sure things were looking good and there doesn't appear to be much activity with the roll up doors outside of those hours if any. I'm happy to talk through any other concerns that were raised but we've invested a considerable amount of money doing all these things. The parking lot alone was nearly a quarter million dollars and we've continued to invest in other pieces in the building including \$650,000 in cooperation with the property owner on a new roof for the whole building and close to \$50,000 on a drainage system and pump system for rain water that was accumulating around the property in some areas. Overall I hope we've shown that we've done our best to meet the conditions. If the Board feels that there are other opportunities to improve the site I'm happy to take any recommendations that aren't going to break the bank and I'm also happy to speak to why we're really here which is the two amendments to the original approval.

Mr. Kurus – I think we heard that some of the paving was completed and drainage was installed. We're going to get that on an as-built survey at some point to review and make sure that it was constructed in compliance with the plans that was one of our comments. Are we going to get any testimony from anybody else?

Ms. Calli – Yes we have our site engineer he's next.

Mr. Kurus – That's all I have for the owner.

Mr. Duffy – In your report from December Mr. Kurus item number 6 the applicant shall provide ready confirmation that all tenant activities comply with the approved flexible warehouse storage use and that no manufacturing, fabrication or similar prohibited use will take place on site. This shall address observed

activities suggesting noncompliant uses including welding, printing, fabrication or other industrial operations. Has that been provided?

Ms. Calli – Written confirmation I don't recall a submission with anything written but can you stipulate to this point?

Mr. Duffy – Mr. Kurus's report from December 17, 2025 page 5 four comments from the June 2, 2025 meeting and item number 6 is the one we're addressing. You addressed the other items in this but not number 6. Did you have that? I can show it to you if you like.

Mr. Petrovic – I suppose we treated number 6 and number 7 together because number 7 states that the applicant shall submit a current tenant list with the current description of the tenant's activities with the status of the Certificate of Occupancy. I believe someone at the Town received that in an email. If we need to provide confirmation otherwise we can do that. I think the Certificates of Occupancy or the list were never reviewed as far as I know by the Town because they were waiting on our Certificate of Occupancy to be issued for that to be done.

Mr. Duffy – A1 is the listing of CO's and it does nothing to go to cross reference number 6 which is where we wanted to make sure because there was a number of people that when I toured were doing activities that were outside what we had approved and I wasn't the only one who saw it. So we definitely want to confirm that. Now if this has been confirmed as a process of getting the CO then we can have that discussion with the Building Code Official. I am going to ask that get provided so we can verify that somebody is not pushing outside of what we approved. They've done it to you before by staying later than they are supposed to and coming back so forth.

Mr. Petrovic – Absolutely we'll provide a list to the Board. I think someone on Township staff has received such a list but we'll make sure we get it to you.

Mr. Duffy – Okay. Does anybody have any questions for Mr. Petrovic?

Mr. Latona – You mentioned you're fining people if they're there after hours. Those bay doors how are they operated after hours? Are they locked?

Mr. Petrovic – The bay doors are all electronic openers. I don't believe there's any sort of restriction on the doors opening and closing based on time. We can certainly look into whether that's possible. I'm not sure they look like just heavy duty garage openers so I'm not sure what capabilities there are there.

Mr. Latona – I drove by on Friday it was probably 9:00 pm and all the bays were open and with a tractor trailer back there.

Mr. Petrovic – Yeah so that's more of a symptom of people not closing the doors when they're done because they're lazy. This is actually a companywide problem and we've been exploring different solutions to address that. In terms of timers and automated things and stuff like that. Challenges that we've had the doors get damaged and crushed for various reasons so we don't have a universal solution but yeah I would say 99% of the time that should be the reason for that.

Ms. Murray – What we approved for you and what the proposed occupancy which was proposed for equipment into our last approval was that it was going to be a multi-tenant flex warehouse. I've been reading up on Ready Spaces and Ready Spaces you don't make any distinguishes from any one of your properties but you tell people you provide industrial workspace, ecommerce warehousing, over flow storage space and commercial storage. So there's no distinction that Saddle Brook is just storage as what it was proposed to be and under some of the industrial it says light manufacturing, packaging and assembly and R&D. Some of that stuff doesn't sound like flex to me flexible warehousing space and storage and we were also assured people would not be working in there. We were told it wasn't temperature controlled so my concern is that while you have a list of businesses you provided now what happens tomorrow and the next week and the next week do they have to keep on going do you check what kind of work they're doing in that site to make sure that they're staying because to be honest with you anybody can be doing almost anything in those spaces based on the pictures because you can't see into them. I don't think the place was approved to have people working in there as I guess manufacturing spaces. It was proposed as being overflow storage. My concern here is that some of this while it's good you made the property improvements that we asked for I don't see too much difference in what the businesses are inside that are warehouse. I still see people working in there as well at night. For me I don't understand if your business plan is to do this then I'm just not understanding it. You came in with a flexible warehouse space and it doesn't seem to be flexible warehouse space.

Mr. Petrovic – Those are some good questions. I'll start with the comment about the website. The website again we have 38 of these properties soon to be 39 and there are unique restrictions and conditions in many of the sites. You can probably imagine that there are some jurisdictions that love R&D high tech type of uses and would love the whole building to be that type of use if we could find enough tenants and people who love craft manufacturing and then jurisdictions that are less of a fan of that because of the building because of the area for whatever reason the jurisdiction may have for being that. So the website on the home page and the general pages definitely talks about a variety of uses but if you click into the specific location pages we have some feature functionality that I think turns off certain words or certain types of uses associated with certain locations. I'm not sure exactly what pages you were on so if we missed something I'd be happy to fix it but the bottom line is when someone comes looking to rent space they don't get an agreement sign it and then that's the end of the interaction with us. They first call or email they speak to someone on the business development team that learns about their use that makes sure that it's a fit for the building both in terms of our general company policies like you can't have live animals in any of the buildings for example but then sort of qualifies it on specific things related to the building whether it be because of the sprinkler system's capabilities. Some buildings we can't accommodate tire related uses or tire storage. In other buildings we can't accommodate more exotic uses like R&D like in this building. So they qualify the potential customer's interest and use before they get sent to a tour for the facility and then the facility manager learns more about that customer and what they're planning on doing and his site does have a full time site manager. His name is Duane and he is in the building every day every business day Monday through Friday watching the operation so he definitely does have a good sense of what those people are doing in there. Of course he isn't omniscient and he's not in the building at 10:59 pm I'll admit that but I think by and large he has a pretty good sense of the customers. I agree you made the point about the list of customers, tenants, members that are in the building today might not be what it is in two weeks and that's totally true. We provided the list that's what was submitted and that will change but all of those uses are screened according to the criteria. I guess you're welcome to call the business development team and talk to them about your R&D use and see what they tell you. You'll probably be redirected to one of our other New Jersey or New York area sites that do permit that type of use but I think we try to be as compliant as we can in terms of vetting the uses and making sure people are following what we're allowed to do in the buildings. You also if I may close one more point. You spoke about the people doing work and I think that's sort of a more hazy issue from my perspective because when someone says it's a warehouse well the product doesn't move itself in and it doesn't move itself out at least not this warehouse maybe an Amazon one but not this one. So people have to be doing that work and moving that product in and taking it out and packing orders and things like that. There's certainly no one that's in the warehouse sitting with desks of computers doing office work in there. Are there people printing shipping labels and putting stuff in boxes for sure that is definitely happening. There are people in the building handling the product and doing that add to us that's sort of what a warehouse is.

Ms. Murray – I can certainly understand that I wasn't saying the boxes would move itself out when I'm talking about working I'm talking about staying in the building six, seven, eight hours and working with a desk and a computer. So we don't know that we can't see that.

Mr. Duffy – Actually I can because I saw it on a number of their locations within there that I toured and they were quite shocked that I could see in. So they were sitting there they had tables set up they had computers on the tables. I get in a warehouse situation you have a little printer to print labels that makes absolute sense to me but not three four monitors on cell phones and additional electrical cords in order to power all this. This was absolutely going on and this was not what was agreed upon or approved. I do have a question you have a hundred tenants in there now are all these active right now? The CO only tells me that they put in the paper but I don't know if they're all in there.

Mr. Petrovic – This is the list that we submitted is it possible yeah I'm sure that some of these have moved out since this submission but 95 to 100 sounds about right in terms of the total count.

Ms. Murray – Like I said I can understand what that is but I was talking about other things. You also do parking rental are you doing any parking rental in Saddle Brook because when I clicked on the Saddle Brook link in your website it does say standard car parking, box truck parking and tractor trailer parking and it indicates Saddle Brook is a location that that happens at.

Mr. Petrovic – yeah that's true but it's not for long term storage. You can rent your space and bring your car in but you can't bring 20 box trucks to the space even if they're related to your business without paying extra for that because it would overwhelm the parking lot.

Ms. Murray – You're saying this is for a person who is driving up every day they get one spot with their inside location they get two spots they get a tractor trailer with their inside rental. Parking rental I mean usually it's a lease comes and says your allowed to use so many parking spaces. It doesn't designate one. The picture here shows numbers and reserves on each one of the different sized spots so this is on Saddle Brook's site. So if you're allowing somebody to park because they have a spot inside and lease a location inside that's one thing but allowing somebody to rent a parking space because you've got parking you're going to rent a parking space that's something different and that's not what this says. It really is very vague and if I saw this and it said parking space rental and I had an RV I'd be contacting you because that's basically what it says we have spots big enough to put your stuff in. I'm just saying I did click into Saddle Brook I wanted to see what Saddle Brook says and it does say that's what it is.

Mr. Pappozzi – That would be a secondary primary use and it would be a variance and I think this Board just reviewed one on the school where the old Bennigans was it's the same issue. That would be a D variance actually for a second primary use if that is happening.

Mr. Petrovic – What I can say is there is nobody who pays for parking space who doesn't also occupy the warehouse space. That is a hundred percent certainty other than the strip of the parcel that has the fenced in contractor yard that is not part of our lease and we don't control that but the area that we control on the site the only people who are renting parking space are people who are in the building also and it's like connected to their use. There's no storage as you can see with the pictures and you can drive by the site every day and there's certainly no boats, RV's, recreational vehicles anything like that.

Mr. Duffy – I'm actually on your website right now on the Saddle Brook location. Ready Spaces Saddle Brook is equipped with everything your business needs to operate and grow. Member amenities include 24/7 access. We had a restriction on access which has already been stated in this meeting again.

Mr. Petrovic – We will get that updated on the site. Like I said I'm aware of the condition. We're checking the access logs of people trying to enter after hours.

Mr. Duffy – Also under you features we have industrial workspace which is going to advocate for welding and plumbing and whatever. Then you have this one I don't understand how you can even put this one there based upon what was approved before but a 120 volt power higher available. We only approved a 15 amp circuit per space and it was regardless of size so how could you advertise a higher voltage? You don't have the capability for it and if you do this Board certainly didn't approve it and part of the requirements for you to go for an additional outlet was to supply an electrical plan which I have not seen and I don't think anybody has seen. One of the things you're asking for is to vacate or remove condition F in the resolution which limited your power. I will go on the record and say this you have made leaps and bounds of what the condition was prior. The parking lot, the lighting, getting rid of that hut that they were fixing trucks all of that. You're being very cooperative and that's appreciated but we've still got to get over the hump.

Ms. Calli – May I address the electrical plan that was requested by this Board. We're here tonight requesting that special condition F be rescinded from the prior approval. Quite candidly we did not intend to present an electrical plan to this Board. Should you approve our request this evening that plan would be presented to the Sub Code Official.

Mr. Duffy – I understand where you're going with that but the problem I have with that is you have the capability to adjust the sizes of your spaces. So we would be approving them to go in and there's no foundation as to what would be needed in each of the because you could have 100 square feet you know what we're going to make it 250 and this customer because he needs 250 and we're going to change it to this. So how do we how does the Building Code Official say you're compliant when you could change it on a whim. So that's or maybe whim is a derogatory term you could change it as per the market dictates but code cannot change just because the market dictates.

Mr. Petrovic – Yeah and I appreciate the comments about the progress thank you. The features on the website if you look at the every other location page they list the same features. Candidly and the hours of operation are an oversight and so is the voltage. Candidly there is no other jurisdiction that has even

approached us about limiting the power so I think it just never occurred to our marketing people to adjust it.

Mr. Duffy – Don't say marketing people please. If I go back to the very first meeting we had every question we raised Mr. Maher turned around and said oh that's the marketing department's fault marketing problem. The last thing I want to hear is somebody telling me the marketing company screwed up or the marketing screwed up. Please don't do that.

Mr. Petrovic – I will have the website adjusted. As for the electrical I think I understand your question. I believe that our request is to remove the condition as opposed to get approval for a specific layout of outlets in the spaces. I believe that when we submit the list of uses and I would be happy to look into the people with multiple monitors. I'm not sure exactly which customer that is but I'm in the building frequently so that will demonstrate compliance with what I believe the conditions of approval was and the Board's intent of the uses inside the building or the nature of the uses. Our position and what we believe to be true from work with various building officials and all that is that more outlets in conduit that reduces the need for extension cords and surge protectors and whatever improves the safety of the building overall. So we believe it's a safety enhancement and obviously will increase convenience to the customers as well. I mean I'm not going to lie and say that that's not accurate.

Mr. Duffy – I understand where you're going. If you turned around and said that like in a self-storage everything is predesigned. Every cell is exactly the same size and there's different sizes available. Yours is evolutionary so it can change. So how would a Sub Code Official be able to apply a code if you change the walls if you change the sizes?

Mr. Schilp – I know when I did the walk through there was one area that was quite large and there was a woman there and she had a computer on the desk and a printer and doing whatever. I looked around and there were a couple of extension cords and as a fireman in this Town for 52 years I cringe when I see things like that. Over the course of time I thought about this a lot because I was involved in this a lot and a lot of discussions on it and one of the comments that if we got into this electrical situation tonight I was going to suggest that you get an extension cord or a drop or outlet for every so many square feet. So if somebody takes the normal 25 by 25 he gets one cord 25 by 50 maybe he keeps one but when you get 100 by 100 or I know the one that I looked at was quite large that was in there. In order to do what they got to do they without running extension cords they might need 3 drops in there and set the drops by the square footage of the rental area.

Ms. Murray – That was going to be a point that I was going to try to make. How do you determine the amount of outlets? You've got a person that's got a 500 square foot bay and they need one outlet. Maybe they start to say I need three what are they doing in there that they need three? What are they doing are they loaded up printers or they put in a whole bunch of 3D printers and it gets to the point where you've got to have something that gives a regulation as to how much square foot per outlets. You can't just put them wherever you want to when we want to because that's not going to work. It's not feasible for me to even contemplate if that would be something I could live with. I can see one for like the smallest one you have 200 or 250 square feet but then when you start to get bigger that's what we talked about. We said no matter what one but that was because it was a flexible warehouse not a manufacturing, not an assembly, not a printing, no Tee shirt screening or whatever they might be doing in there. I'm not sure how much a 3D printer takes as far as power but if you start putting a whole bunch of them in there do you know that God forbid someone is in there with 3D printing guns and shipping them out of there because we just let them have as many outlets as they want. There's got to be some kind of a guiding principal behind how much power for how much space.

Mr. Duffy – I'm going to reference page 5 of Neglia's report from the Board comments from June 2nd. On number four the final sentence says the applicant must demonstrate that increased electrical service will not facilitate prohibited manufacturing or industrial activities beyond the scope of the original approval. So I'm not even going to say that we're worried about what the Sub Code Official says. The ball is in your court. If you need us to drop that you are requesting us to take that off the resolution the prior approval and that would have been condition F. You need to demonstrate to us why and how many and that's why the electrical plan is more important to us than it is worrying about a Sub Code Official's position am I clear just make sure.

Mr. Petrovic – I understand what you're saying and what you're asking. I'm not a hundred percent sure off hand how I can demonstrate that but I'll put on my thinking cap.

Mr. Duffy – Listen I'd be surprised if you could answer that right now that would clarify so much because you'd also be quoting from a report. That's a big thing because it was one of the issues from the prior meetings and then when we got to the approval stage. That was emphatic I think every Board member had made comments about the electrical so that is important that we clarify that before that can be taken off the resolution or entertain for that I'll say it that way.

Mr. Schmelz – The Certificate of Occupancy's that were submitted were they approved by the Town? Did they actually go into each person's locker and approve it?

Mr. Petrovic – No because the Town has told us or at least my best understanding of what the Town official's position is that until Ready Spaces Certificate of Occupancy is approved they won't inspect the individual sub space or issue those certificates.

Mr. Duffy – That is all based on finalizing all of this before that can happen.

Mr. Petrovic – I believe it's based on the dumpster.

Mr. Schmelz – It gets to the fire inspection too. If he couldn't get in each locker we don't know if there's flammable liquids in there. We mentioned welding I don't know if welding has actually happened but that's another separate permit through the Fire Department. We talked about extension cords, extension cords are supposed to be temporarily only they're not supposed to be used as a permanent manufacturing and power strips people have multiple computers in there you're not supposed to put a power strip into another power strip so that would be another fire violation. Our Board member here he was talking about he saw the bay doors open that was at 9:00. He said there was a tractor trailer in there too I don't know if you heard that so they were loading or unloading after hours. It wasn't just that the doors were open he saw a truck in there.

Mr. Petrovic – I can't speak to that exact incident. As someone who deals with trucking a lot I mean I can offer an alternative explanation which is that they drop off the truck and it is unloaded and then it doesn't get picked up timely or it has to sit there a couple of days for it to be picked up. I'm not saying that that was necessarily the case that time because I don't know that for certain but I don't think that it is impossible for there to be a trailer at the dock doors not being actively loaded outside of the hours but as Mr. Latona mentioned we'll look into options for limiting the ability to open the doors outside of the hours.

Mr. Schilp – Do you keep track of everybody that goes in and out so that you know at any time during the day that there's 10 people in the building or 15. I know a couple of hundred yards up the road you have a storage facility they know who's in who's out. So if 5 people go in they know at the end of the night that 5 people are going to leave.

Mr. Petrovic – It's another constant challenge for the business. We do have access control on the doors and it's pretty high tech you need a phone to do it so you can't share the code with other people and things like that. So we do generally keep track of who comes in. We don't have any way to track people who come out and people prop doors and we have buzzers that buzz if you prop the door. It's a challenge.

Mr. Schmelz – I can say during the day you can walk right in.

Mr. Petrovic – Trust me we invest money into the security systems and it's as I said getting people to actually close the doors easier said than done.

Ms. Calli – Unless you have any questions for Mr. Petrovic and before I call our final witness I would like to advise the board that we have decided to rescind our request to amend the special condition F from our approval. We are rescinding that request tonight. We are now just asking for amended site plan for the relocation and reconfiguration of the refuse area to be clear electrical is not on the table anymore we understand.

Mr. Duffy – Okay. I don't know if I'm comfortable with that.

Ms. Calli – Was that to me or to Board counsel?

Mr. Duffy – It's my habit of thinking out loud. When I say I'm not comfortable with that is I understand and I haven't said I've accepted the rescinding at this point. I just don't want to see it become where people abuse the electrical issue and then we have a fire. I would prefer and if anybody on the Board agrees or disagrees with me please guide me a little bit. I think some type of answer to the electrical issue needs to be addressed so we don't run into an issue where we have a fire hazard. I would say you could rescind that part of the application now and you may want to come back at a later date. That might be a good

thing to do. Just keep in mind because if we I just don't want to see anybody throwing cords all over the place and daisy chaining cords and pulling current and creating a fire hazard and how do we eliminate that? This might be something that when we get through this other that we accept the rescinding of that stipulation we move forward on the other part of your application and then this is something that you could address with Mr. Seitz and then maybe you would have to come back and we might have to explore it again. So it's maybe not permanently off the table maybe that's a better way to look at it.

Mr. Petrovic – We share the concerns we're not intending to permanently drop the request. I think we understand that more work is needed in order to get the Board comfortable with a removal of that condition and we'll do that work and return. I think we're going to confer here before we come back but our challenge there was a question about the CO's we would like to get that process moving forward and as you said in order for that to happen the trash issue needs to occur and we're requesting that amendment here because I believe the Board's own request to move the containers from the former position facing the street to the area around the side. So I think that we're asking to formalize what the Board is wanting of us to do and we don't want to delay that but let us confer.

Ms. Calli – My concern is simply legal we're requesting relief from amended site plan and then to rescind a condition of approval. If both of those matters are before this Board and you're making one vote I don't want everything to go down with the ship so to speak based on the request. That's the only reason that I'm suggesting that if we remove that relief from our request tonight that's for another issue when we come back before the Board and we just focus on one so that as my client indicated we could get to almost get to the finish line to get some of this wrapped up.

Mr. Duffy – I agree and I think that would be the prudent thing to do.

Ms. Calli – It was by no means it's an issue for another day meaning we need to deal with that separate and apart from the amended approval and get you comfortable with this plan perhaps on a subsequent application.

Mr. Duffy – I just don't want to see it tossed to the side.

Ms. Calli – We completely understand that.

Mr. Duffy – Can we have a motion to open the meeting to the public?

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

Mr. Duffy – The meeting is open to the public for this witness only. Having heard none.

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

Ms. Calli – Could we ask you for a five minute break?

Mr. Duffy – Sure that's fine.

The Board takes a break at 9:07 and returns at 9:15.

Ms. Calli calls up Daniel Sehnal the site engineer. Mr. Cialone swears him he gives his qualifications and the Board accepts him as a witness.

Mr. Sehnal - The last time we saw this plan we did have a location for dumpsters proposed essentially at the eastern corner of the site. Just for orientation purposes north would be to the right hand side of the page. North Midland Avenue at the bottom of the page. There's the railroad tracks at the top of the page. The building itself is the rectangular shaped building occupying a majority of the site. The dumpsters were originally located and not within an enclosure was at the eastern corner of the building right before you get to the loading docks. That's an area that was very visible from North Midland Avenue. Although it was very convenient for the tenants and for trash pickups easily accessible. It was a bit of an eyesore from North Midland Avenue. So what we're proposing to do is relocate the dumpsters to the southern side of the building back where that truck repair facility was previously located between the truck parking area or the paved parking area and the building itself. While it's not as convenient for the tenants it does work in that location. The applicant had positioned the four dumpsters there today in a similar orientation to what we're proposing. Waste management have been informed by the management of the building they have verified that they're able to get their trucks to that location to pick up the four dumpsters located there but as I mentioned it's not currently within an enclosure. So we're proposing to enclose those dumpsters with a masonry wall just for the side that is the eastern wall enclosure and the surrounding two sides would be chain link with privacy slats to shield the dumpsters. We will have all four dumpsters between the corner of the building and the first man door that occurs on the western edge. Likely we'll have to separate the dumpster enclosure into two separate enclosures. One dumpster that will be further

to the west from the existing man door just to give waste management a little more space to access those dumpsters. We have confirmed that four is active for this use for the tenants use. It's working today and we'll just screen that to operate the same that it is today just hiding it. If there's any questions from the Board I'm happy to answer them.

Mr. Paparozzi – Just the separation for the recycling and the refuse the Township requires that.

Mr. Sehnal - I heard your comment earlier the separation will be in the enclosure itself we'll be happy to separate it.

Mr. Paparozzi – Yeah that was all I think the location is fine and it's out of sight from North Midland.

Mr. Kurus – I concur with Mr. Paparozzi this is a much better location than the original spot.

Mr. Cialone – I think I missed it the gates are going to be chain link.

Mr. Sehnal - Yes chain link with privacy slats.

Mr. Duffy – Since no one has any other questions can I have a motion to open to the public?

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

Mr. Duffy – The meeting is now open to the public for this witness only. Having heard none.

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

Ms. Calli – Mr. Chairman forgive the interruption but the applicant has made a change of plans. We would like to conclude our presentation this night with this witness. We would like to again amend our application to include our original request that was noticed to rescind condition F and come back at your next available meeting. Which hopefully is next month with an electrical plan / solution. Because the applicant would like to have this very tidy and finished in one night. I'm asking if our application could be carried without further notice as originally noticed for all relief that was originally requested and that we'll see you in one month.

Mr. Duffy – So to the Board we have a request to adjourn this application to the next meeting.

Mr. Schilp makes a motion to allow for the application to be adjourned to the April 6, 2026 meeting without further notice. Mr. Schmelz seconds the motion.

Roll call - Ms. Murray, Mr. Mazzer, Mr. Schilp, Ms. Nobile, Mr. Latona, Mr. Schmelz, Mr. Duffy – YES.

E.) Carmen Sta Maria, 145 Market Street, Block 609, Lot 9

The Applicant proposes a mixed use structure consisting of a restaurant on the first floor and apartments on the second and third floors that do not conform to the zoning ordinance for the Township of Saddle Brook as it exists today.

(Applicant was initially heard at the December 1, 2025 meeting and was carried without further notice to the January 12, 2026 meeting and then carried again to the March 2, 2026 meeting without further notice required.)

Joseph Mecca is the attorney for the applicant he comes forward.

Mr. Mecca – We presented all of the testimony and there were some concerns regarding the third story. We made some amendments to the plan still continue to have a third story however we've submitted plans that show a little different design. I have Mr. Severino here who is our architect he's going to go over those changes. There were some other concerns regarding parking. We'll get to that and I also have my client here as well to testify as to the operation. We heard the Board's concerns and I'm going to let Mr. Severino go through the changes that he's proposing. I will say this with regard to this application it's a 7500 square foot property in order for it to be economically viable and I know that's not a concern of the Board it's not a criteria. The income from two apartments is necessary. It's just the way it is. We're trying to make it so that it's in keeping with the character of the neighborhood but in order for this all of the improvements that my client is proposing including the storm water management plan, taking down the building, putting up a brand new building it's just economically necessary for there to be two apartments so we hope the Board looks at this favorably but we'll have Mr. Severino describe the changes. I know he's been previously sworn and approved do you need to swear him in again tonight?

Mr. Cialone – No Mr. Severino you're still under oath.

Mr. Mecca – You have up on the easel the plans that were submitted at least 10 days prior. I think the Board has them could you go over with the Board first of all the date of the amendment to the plan and what the plan depicts.

Mr. Severino – The date of the amendment is the 16th of February of this year. That's the five drawings we have in front of us. To go through on going to the cover sheet here and as you can see the image that is the current photograph and the image of the proposed building are taken from generally the same vantage point. So you can see basically where the massing is of the existing building and what the massing will be of the proposed building. What we're looking to do with the roof for this iteration of the plan was to bring the shoulder of the roof basically the four foot four mark of the interior wall which brings the halfway point of that top floor wall and bringing it back from that point in an abbreviated hip roof. So you'll see that the front eave is clipped to put a hip at the front piece here. There's a couple of pop up dormers for the stair and the living room on this side. On the opposite side there's a pop up for the bathroom and the kitchen and one further for the secondary bedroom which I'll get to when we look at the plan but you can see that the massing of this building is abridged in relation to the prior iteration of this and in regards to what's next to it with the nursery school the child care center and what's going on with the florist it's within keeping with what the massing of the original building is. It's within keeping what the adjacent properties show. So we're trying to be a little more I always thought it was in keeping with the neighborhood it's more in keeping with the neighborhood with the rooftop being lowered.

Mr. Mecca – The floor plans change a little bit as to the third story is that right?

Mr. Severino – So the basement and first remain the same. The second floor remains the same. On the top floor the dotted lines that are there depict the ceiling heights at any given spot so you can see the majority of the perimeter as we go along is at four foot four above the floor. It's approximately 52 inches. The bedroom in the back was centered the closets are at the periphery and the closets slope down to a four foot four it's just storage space. There's a pop up over the bed essentially where the dotted line is just so you could sit up without breaking your head and this pop up at the bathroom for the bathtub. There's a pop up here where this window is to get some light and also at the living room and the front is the front of the gable which would bring it to eight feet at that front line. That is also depicted in the roof plan which shows where all those pop up dormers are as we go around the perimeter. The shoulder height which I'll get to in the elevation of all those little pop ups and the cut to the front and rear to create that small abbreviated hip are all at the same shoulder height for some consistency which you can see in these elevations as we wrap around. Top of dormer plate is consistent at twenty nine seven and a half. Top of ridge is about where it was at thirty four three and a half. It brings the midpoint of the eaves to somewhere about thirty foot two inches. You can see where it sits in relation to the adjacent building here and you can see how it would look in regards to it's adjacency to the florist shop. We're showing the sides both in the 3D model and in the elevations. You can see where the roof was dropped to try and make it look as half story as possible and still attain something that's useable at the interior. That basically gives us the scope of the building as we wrap around it.

Mr. Mecca – I have no further questions of Mr. Severino.

Mr. Duffy – Mr. Paparozzi do you have any questions?

Mr. Paparozzi – No Mr. Chairman the variances remain the same.

Mr. Kurus – It's very similar to the other plan other than the changes to the roof right.

Mr. Severino – Essentially yes.

Mr. Duffy – Any Board members have any questions?

Mr. Mazzer – When you left last time did you get the idea that we only wanted two stories?

Mr. Mecca – We heard that comment and I understand Mr. Mazzer that that's your position.

Mr. Mazzer – The same two apartments but two stories high. There's nothing that's three stories on Market Street not the florist, not the school. This is much too big. Now you came back with almost the same thing there's no change.

Mr. Mecca – Well as testified by the architect the design is different. The height is the same height in fact it's a slightly smaller. We're within the height I know it's three stories. What was there was a building that was like a third story.

Mr. Mazzer – Well it was an attic.

Mr. Mecca – I understand.

Mr. Mazzer – I like what they're doing but I really thought that you were going to come back with some two stories with two apartments. Same two apartments we understand what you were saying before but there's no change.

Mr. Severino – Unfortunately the issue that was faced is that with the 1150 square foot floor plate once we removed the area for the stair and removed the area of the corridor to get to each apartment each of those apartments would have been approximately 450 square feet which is unfortunately too small to be comfortably livable and it would have taken away that second apartment completely. Which does then make it economically infeasible. The thought that we had behind this iteration was to bring down that roof height at the edges. To bring it down to what would appear from the exterior to be that two and a half story and to try to get it so that you still had space inside to live without showing that full three stories and a roof and as we're looking at the existing building that's in the cover sheet photograph that existing attic which I've been in had two bedrooms and a bathroom and it needed significant improvement as I looked at it but it had a lot of space up there in the existing attic that was full height stand able space and although we're providing a new building here it's not much different in mass and volume. Actually I think it's comparable in mass and volume to what exists without exaggerating that point of being taller than what you see and as we look at that photograph we have first floor, second floor and those full windows to the front sides that allow livable useable space. With a mixed use commercial no matter what you do upstairs it's always going to be sprinklered it always has to have egress windows and full stair. It'll always be considered a third story of you do anything. There is and I did check this with the Department of Community Affairs there's no such thing as a half story or habitable attic in commercial construction. So it was either completely eliminated and give you the two story which we don't have the square footage for or be something of this iteration to try to get less of a volume with a usable area.

Mr. Mazzer – What about one apartment?

Mr. Severino – That would have been the other option to just keep that and once again it becomes half of the available income that would support the building and the site and the improvements and everything else.

Mr. Mecca – It's a difficult site that's why it hasn't been developed. There are certain limitations based on the size of the lot. We believe we're doing something that is not trying to put a square peg in a round hole because we have we believe adequate parking. We have a plan that would show another space if we need to do that but it's a substantial improvement it's in keeping with the neighborhood. Quite frankly the height is ad design is not much different as Mr. Severino said from what's there now. It's just modern and it's going to be a benefit which is part of the Master Plan to try to help that downtown area. Mixed use is the way it is now.

Mr. Duffy – Mr. Mecca did you say that you have an alternative plan?

Mr. Mecca – I do I have my engineer here who has an alternative. We didn't submit it because we just looked at it yesterday and we decided let's go forward and see but we could fit another spot in the back. I'll have him testify to that when necessary. Quite frankly we don't think it's necessary we think we're adequately parked for the use that we're proposing but if you looked at the denial letter it said 9 spaces we provided 9 spaces. It was later determined that no that was incorrect it should be 10 spaces if you recall. We tried to then figure out okay can we fit a tenth space. We can in the back and we'll show you that if necessary it's an alternative plan. If you think another space is necessary we can provide that and I'll have him testify to that but again I'm philosophical about these things because I understand the Board's concern. You don't want something that's too massive. We lowered the massing it looks a lot more in keeping I think the other building looked in keeping as well but I think this is something that if you look at and you say okay we've modernized this, it's not out of character, the height is within the height of what's required. Yes it is three stories. You know across the street and down the block yes that's two stories but if you look at the height of the ceilings it seems like it could be a three story building certainly. So I don't think it's out of character but that's for the Board to determine.

Ms. Nobile – You heard our concerns about the three stories. The square footage on the third floor is exactly the same and I'm trying to understand everyone's position here but why is the third floor the exact same square footage? Why wasn't it dropped I understand they want to maximize the rent but there's a height concern so why didn't we come up with another strategy of making the third unit smaller where the frontage of the building appeared lower and then the rear is where the residential unit would reside? Is that something that was considered?

Mr. Severino – It's considered in the way of if you look at habitable square footage habitable square footage is everything seven foot and above. All of the perimeter of this space with the exception of where

the dormers are is four foot four and the seven foot line is shown on the second floor plan. You can see where that dotted line is but that seven foot line if you were to take the square footage to the seven foot line as it wraps around that real habitable square footage is significantly lower than what we had before. You're looking at interior space at four foot four which is about where my hand is and that's enough to maybe put a couch but nothing else. It's not really usable, habitable square footage it just goes to the walls. You can put a bookcase but you're not standing there. So the

Mr. Mazzer – Why are we doing that?

Mr. Severino – In essence if you went down to zero there by the time you went up to seven there's no room on that last floor to put any usable space. It would have been eight foot wide and fifty foot long because I did look at that initially and it's unusable at that point. It's just not enough to put anything that's livable and it would have completely obliterated the idea of having that extra and necessary second apartment income. It just goes away and even if you took the residential standard of a third of what's below it or half of what's below it, it would be 650 square feet minus the stair which gives you 500 square feet and once again not enough or a third would have been 430 square feet plus minus and again not enough to make a usable livable apartment that anybody would want to use other than to put boxes into. So it kind of split the difference to drop it down to that four foot four inch mark to try to get it to look like a half story and make it look like something that would be palatable.

Mr. Mecca – The issue as we understood it was he massing that it looked too massive. So we tried to reduce the mass but still had the two apartments.

Mr. Mazzer – The bottom line is you should have kept it two stories one apartment one nice apartment and their restaurant. You have to understand us we don't care about if you can't make it selling chicken or whatever you sell. You know what I'm saying?

Mr. Mecca – I do.

Mr. Mazzer – You have to look at our things that hey it's got to fit and it's got to look nice. To tell you the truth I liked the first plan better without all these cubby holes and things. I think if there's a fire up there that's a disaster.

Mr. Mecca – It's going to be fully sprinklered.

Mr. Mazzer – No I get it but still it's just too big I feel. It's only my feeling.

Mr. Mecca – We tried to address the issues given the fact that we have a 7500 square foot site with limited.

Mr. Mazzer – It's a nice lot.

Mr. Mecca – It is.

Mr. Mazzer – If you cut that top thing off you got plenty of parking.

Mr. Mecca – Well again we believe we have adequate parking anyway but I understand your position.

Mr. Mazzer – Yeah you have to add some space in the back or whatever.

Mr. Mecca – The neighbors that were noticed of this application initially there was a neighbor in the back we hopefully addressed that concern by putting a fence in the back we can add some arborvitae as well but the neighbors.

Mr. Mazzer – The neighbors are pretty good.

Mr. Mecca – Yeah and it's a nice use it just has to work but it has to work for everybody right. So it has to work for you it has to work for the applicant or whoever's going to be there. My client owns the property she wants to develop it, she wants to be a good neighbor, she wants to be there but in order for these improvements to happen it has to be economically viable and I know that's not a consideration for the Board to consider but you heard from our planner that it does work and it is something that's in keeping with the Master Plan. Which is improving the aesthetics, improving the economic climate, mixed use building and I understand your concerns Mr. Mazzer. If it was two stories yeah you'd like it a lot better. I wish I could get everything I want to but I can't. So I'd like to hear from the other members of the Board because obviously we want to know how everybody feels.

Mr. Duffy – One of my main concerns is the parking because a large percentage of her business is takeout.

Mr. Mecca – Right.

Mr. Duffy – So now we're talking about traffic in and out of that parking lot bottling up Market Street because you're going to have I guess because I looked on the other site that she has she has like Grub

Hub and Uber Food and all that other stuff and people pulling up and parking. So now we've turned around and we don't even have ample enough parking really to satisfy two apartments and the restaurant because if the restaurant is fully occupied and everybody's home you've got a full lot. Where's everybody going?

Mr. Mecca – We're one space short with the plan we have now. We could add that tenth space and be fully compliant. Again I understand the concern but if you have a business and you have tenants you need to work through that because if people can't get in and out whether they're people going to your establishment or your tenants are having issues it's not going to work. So we can add that tenth space if the Board would consider that. Also I talked to my client about making sure that the tenants have in their lease that they shall have no more than one car that's required put that in the lease. Put in that any guest parking will happen after the hours of the operation of the store so these can all be stipulations and things that are put into a lease so that they're contractually responsible to do that but again we could add that tenth space and we'd be compliant and I can show you that. Again I think the issue that I'm hearing is with the third story but I don't know if that's the entire Board's feeling. We want to work with you obviously we want this application to go forward but we want to make sure that you're satisfied that it will work properly. We believe it will be because we have a planner that says that and we understand the site but have to make sure that you as members of this Board are satisfied.

Mr. Schilp – I went over this thing a number of times where you talked about parking. There's a spot in front of the building parallel to Market Street it wouldn't cause any problem getting in and out. I think the improvements you made I think it looks a lot better. It broke it up so it really doesn't look as bad as the first time and I understand a big investment needs some kind of big investment back. I understand it and I understand where you're coming from and why he wants two apartments in the building. I think it would be a good addition to the Township bring some nice ratables in here and what have you.

Mr. Mecca – I think the Board can as I said through conditions in the resolution make sure that the parking works. We believe it does and we heard testimony that it does but we can show you the plan for the tenth space which would be in the back and it would be designated just for tenant parking. So that wouldn't be an issue with people going around the back and then be compliant with the parking as well.

Mr. Duffy – Any other questions for this witness?

No one has any questions.

Mr. Duffy – I'd like to see that other plan.

Michael Donly the engineer for this application comes forward. Mr. Cialone reminds him he is still under oath.

Mr. Mecca – The Board also had questions about the refuse area. This is a diagram of the refuse area. Just to show there is going to be separation. It's a partial plan just to show this is in the back and he'll go through it. Mr. Donly if you could just go through with the Board what's been marked as A1 and A2 if you want to start with A2 I think that would be better.

Mr. Donly – A2 is a partial plan at the rear of the building. So it shows the rear property line and a partial length of each side lot line. What we did was previously we had left a there was a decorative wall along the rear property line. We had tried to leave that in place but to gain some room we decided to remove that completely and put a fence along the rear property line. It's a little tough to see in the partial plan but there is a fence just offset from the rear property line. So we have 25 feet between the new building and the rear property line. We're proposing a 4.5 foot walkway that's for the door from the residential units and the rear door of the restaurant. So the four and a half foot wide walkway and we're proposing a ten foot wide parking space number 10. So that's a code compliant space and then that leaves us the difference from 25 minus 14 and a half is about 10 and a half feet for what we're proposing as a revised refuse and recycling area. So the plan that we're looking at you can see that there's a shaded area that's what we're proposing as the concrete pad and then there's a fence proposed with a three foot wide gate. So if you look at exhibit A1 you'll see a close-up of that area that we're proposing. So we tried to take into consideration the comments received regarding having a planting between the rear fence and the refuse area. So you can see in exhibit A1 there's a planting area between that fence and the concrete pad. Then we also received the comment to separate the refuse from the recycling so we added a fence in between those two areas.

Mr. Mecca – Those cans would be designated separately for refuse and recycling. Either a color like blue for recycling black for trash and marked as recycling only.

Mr. Donly – Yeah that would easily be done.

Mr. Mecca – It's a private hauler we're going to be using for this.

Mr. Donly – Right we gave testimony at previous meetings.

Mr. Duffy – A particular hauler right?

Mr. Donly – A specific truck a Hino 195 truck that is often used for junk removal. It's a smaller truck it's not a full sized garbage truck and it can maneuver on the site and we provided testimony to that previously.

Mr. Duffy – I'm just trying to be refreshed on that. It wasn't a particular vendor only it's you're limited to whoever the vendor is has to be able to comply with that.

Mr. Donly – So we did some research and learned that size truck is often used by junk haulers.

Mr. Duffy – Oh like Junkluggers.

Mr. Donly – Exactly so we could reach out for services from multiple vendors for that.

Mr. Mecca – Again the necessary volume being generated we took from the operations that the client presently has.

Mr. Donly – Right the restaurant in Hackensack generates a certain amount of trash and recycling with a twice weekly pickup and we're essentially mirroring that volume of trash. So the 95 gallon cans that are shown in this plan satisfy that requirement.

Mr. Mecca – If that tenth space were to be included. First of all what are the sizes of the other spaces because I know there was some question about the width of the other spaces?

Mr. Donly – So in exhibit A2 the partial site plan you can see spaces 8 and 9 are 9 feet wide. Those are now the only 9 foot wide spaces. Spaces 1 and 2 were previously 9 feet they're now 10 feet. I can explain why because we moved that rear fence back. It gave us some additional room. We picked up 2 feet for spaces 1 and 2 are now 10 feet. So the only noncompliant spaces are 8 and 9 they're 9 feet wide and that left us some room for landscaping in that left corner.

Mr. Mecca – How would that plan A2 affect the pervious coverage?

Mr. Donly – It does increase. In the previous plan that is on the board this is what we testified to last time. Previously the coverage was being reduced by 246 square feet but here adding space 10 and enlarging the refuse area we're no longer decreasing impervious coverage we're increasing by 60 square feet. So the proposed coverage is now 6121 square feet and as a percentage that's 81.5%. The existing site is 80.8%. We're increasing about one percent with this scheme. Fortunately we designed a storm water system which we can adjust for the increase in impervious but we have that system already designed for the site even though we were decreasing previously the coverage. We're now proposing 10 spaces we're not requesting a variance on the number of spaces and we've reduced the four noncompliance spaces down to two, spaces 8 and 9. The landscape buffer in the back previously we were setting the refuse area two feet from the property line now we're proposing a three foot buffer from the rear property line to the concrete pad. So that will allow some planting. The coverage we discussed. The building height we concur with Mr. Severino's calculation. The proposed height would be 30.17 feet which is 30 feet 2 inches which was previously stated. So those are the changes to the bulk schedule. We wanted to present this updated plan before updating all the drawings because we've got landscape plan, lighting plan, storm water we wanted to present this before going ahead and changing all those drawings.

Mr. Mecca – Does the Board want me to go over the previous testimony? I know we talked about the storm water plan there'll be three retention basins they'll be tied into the sump pump. We went over all of that so I'm not sure what the Board's pleasure is as far as any further testimony from our engineer.

Mr. Duffy – Mr. Kurus does any of this concern you at this point?

Mr. Kurus – I had a couple of questions about the dumpster. I guess last meeting when we talked about shifting that down o be able to provide some landscaping. So you've gone from 2 feet to 3 feet what kind of plants do you propose in that 3 feet?

Mr. Donly – We were just thinking some arborvitae that could grow above the six foot fence.

Mr. Kurus – Do you think that's enough because I think you were talking about 5 feet last time. I guess in lieu of the 5 feet you added a parking space which shrunk that down to 3.

Mr. Donly – We could change the width of space 10 from 10 feet to 9 feet and shift that refuse area an extra foot from the property line. So it's a bit of a compromise. I think we wanted to come in with a compliant parking space. I think 2 feet is enough for arborvitae.

Mr. Kurus – You have 3 feet to the property line.

Mr. Donly – There's a fence and a curb.

Mr. Kurus – There's a retaining wall.

Mr. Donly – It's a six inch wide curb.

Mr. Kurus – I don't think you're going to get much to grow in that space.

Mr. Donly – We're losing one foot so we'd have a two foot wide strip for plantings.

Mr. Kurus – Am I reading the dimensions wrong?

Mr. Donly – We're showing three feet.

Mr. Kurus – You said three feet to the property line is that not how sketch is drawn?

Mr. Donly – It's on the partial plan A2.

Mr. Kurus – Three feet from the edge of the property to the property line then you have a fence and retaining wall so it's going to be about two and change.

Mr. Donly – Yes.

Mr. Mecca – Again that would be a tenant parking space if you made it 9 feet and designated for the tenant that would work as well.

Mr. Donly – Yep.

Mr. Mecca – Initially we understood it to be a 9 space requirement but we can provide the tenth space if the Board feels that that's a better alternative.

Mr. Cialone – The tenth space would be for a tenant.

Mr. Mecca – Designated for tenant parking and probably number 9 I would assume or one of those last two spaces in the back.

Mr. Cialone – That was my other question previously the testimony last time was that parking spaces 7, 8 and 9 would be designated for residents and 1 and 2 would be takeout only. So now we're going to have 7, 8, 9 and 10 for tenants.

Mr. Mecca – We could do that. We don't quite frankly my client doesn't think she's going to need two spaces for each tenant but if the Board says we want it designated for the tenants we will do that. So 7, 8, 9 and 10 would be designated for the tenants.

Mr. Duffy – 7, 8, 9 and 10 for tenants 1 and 2 for takeout that leaves 3, 4, 5 and 6 and one of those has to be handicap correct or is it 2?

Mr. Paparozzi – That's the third space.

Mr. Duffy – Third space and they only need one handicap?

Mr. Paparozzi – Yes only one.

Mr. Duffy – So that leaves 4, 5 and 6 for the restaurant.

Mr. Mecca – It's basically a takeout type of operation and my client will testify as to what it is.

Mr. Duffy – Well not really one place is takeout the other two are living spaces.

Mr. Mecca – No I understand that but the restaurant itself is. It's not a sit down where you're going to spend hours there. She'll testify as to the operation.

Mr. Duffy – Any other members have a question?

Mr. Paparozzi – It has to be more than takeout though Mr. Mecca you're proposing 12 seats plus a bar area.

Mr. Mecca – We can also offer that as well. We had proposed initially outdoor area for seating.

Mr. Duffy – Right.

Mr. Mecca – We would eliminate that so you'd only have indoor seating. We can reduce the number of seats because her operation is basically I mean people do come in and have lunch and sit and spend a few minutes there but they don't spend hours there. That's not her operation so she doesn't need a lot of seats for the restaurant. I believe it was 12 and 6 was originally being proposed so a total of 18. We eliminate the outdoor seating it's 12 so that requires 4 spaces. Would that reduce the number of spaces?

Mr. Donly – It would yeah.

Mr. Duffy – I don't see a reason we would have to belabor the outdoor seating when the majority of the business is takeout why do you need outside seating. This might be a question for the owner do they do their own delivery?

Mr. Mecca – I can ask. I think they use Uber Eats go to their website she'll tell you.

Mr. Duffy – Well there's a lot of places that use Uber Eats and all that stuff and they have their own staff for that too. That's something we'll hold for her to testify to.

Mr. Schilp – If we can limit the number of seats and say during May to September you put 4 outside or six outside and six inside whatever but e total number of seats whether inside or outside 12 seats.

Mr. Mecca – We could limit it to 12 seats and configure them inside outside as you said. That's what we're willing to do. That would eliminate 1 space.

Mr. Donly – It's 3 seats per space so it would be 4 spaces required. There's 4 spaces on Market Street.

Mr. Mecca – As Mr. Donly mentioned there is that cutout which is quite large in front of the nursery school which is 3 or 4 spaces there.

Mr. Duffy – My personal feeling about those spaces I would not. I'm not considering them that was originally designed for the school whether they use it or not. It's a County road there's no parking up from there anyway. That was done to fix that no parking situation I wouldn't make that part of your package. I wouldn't approve that.

Mr. Mecca – We didn't put it in as part of our calculation but there is an area if somebody wants to pick up something and go in and out couldn't stop them.

Mr. Duffy – I'm not advocating it either. We do not take testimony after 10:00 and we have to hear from the owner and I don't know how long that's going to go.

Mr. Mecca asks for an adjournment to carry to the April 6th meeting without notice.

Mr. Schilp makes a motion to carry this application to the April 6th meeting without further notice required.

Mr. Schmelz seconds the motion.

Roll call - Ms. Murray, Mr. Mazzer, Mr. Schilp, Ms. Nobile, Mr. Latona, Mr. Schmelz, Mr. Duffy – YES.

6. RESOLUTIONS

None

7. MINUTES

Meeting of February 2, 2026 Regular Meeting

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

8. COMMUNICATIONS

Anthony Kurus to the Zoning Board of Adjustment, 12/17/25 (575 North Midland Avenue)

Anthony Kurus to the Zoning Board of Adjustment, 1/12/26 (353 First Street)

Anthony Kurus to the Zoning Board of Adjustment, 2/06/26 (487 Market Street)

Anthony Kurus to the Zoning Board of Adjustment, 2/10/26 (31 Cogger Street)

Gary Paporozzi to the Zoning Board of Adjustment, 2/15/26 (487 Market Street)

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

9. VOUCHERS

Neglia Engineering Assoc., 2/13/26, Qawiya, 82 Midland Avenue, Block 401, Lot 2.01 \$337.50
Neglia Engineering Assoc., 2/13/26, Carmen Sta Maria, 145 Market St., Block 609, Lot 9 \$494.00
Paparozzi Associates Inc., 1/30/26, Various Applications \$168.30
Return of Unused Escrow, R. Kelley, 22 Chelsea Drive, Block 602, Lot 24 \$19.28
Return of Unused Escrow, Matthew Kelley, 101 Graham Terrace, Block 1508, Lot 11 \$905.06
Return of Unused Escrow, Allan LaRobardier, 122 Platt Avenue, Block 506, Lot 9 \$166.00

Mr. Schilp makes a motion seconded by Mr. Duffy to pay them if the money is available. All in favor – YES.

10. OPEN AND CLOSE MEETING TO THE PUBLIC

Mr. Schilp makes a motion seconded by Ms. Murray 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.

11. ADJOURN

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

Meeting adjourned at 10:13 pm.

Respectfully submitted,
Frank Barrale