

Victory Gardens Planning Board Minutes  
July 21, 2021

Harry Bami called the meeting to order.

Meeting started at 7:00 P.M.

Pledge of Allegiance to the Flag of our Country.

This meeting has been advertised in one newspaper, The Daily Record, in compliance with the New Jersey Open Meeting Act.

**IN ATTENDANCE:** Mayor Dave Holeman Harry Bami John Cegelka  
Manuel Venero Jim Glass Kevin Lewthwaite

Attorney: Phillip LaPorta, ESQ of Eric. M. Bernstein & Assoc., LLC  
Planner: Aaron Kardln, of J. Caldwell and Assoc.  
Engineer: Leon Hall

**ABSENT:** Anne Davis, Diane Feola

**MINUTES: from January 20, 2021**

Jim Glass made the motion to accept the minutes from the January 20, 2021 meeting. Dave Holeman seconded it.

A roll call vote was taken:

Mayor Dave Holeman	Yes
Harry Bami	Yes
Diane Feola	Absent
John Cegelka	Abstain
Manuel Venero	Yes
Anne Davis	Absent
Jim Glass	Yes
Kevin Lewthwaite	Yes

Minutes were approved with six "ayes."

**RESOLUTIONS:** None

**CORRESPONDENCES:** None

**BILLS:** None

**OLD BUSINESS:** None

**APPLICATIONS:** Nourish NJ, Inc. Presenting an application to operate a community food bank with accessory office space at 347 South Salem Street, Victory Gardens, NJ

**Applicants Attorney:** Michael T. Lavigne of Fox Rothschild, LLP  
49 Market Street  
Morristown, NJ 07960-5122  
973-992-4800

Michael Lavigne explained the applicant, Nourish NJ, Inc. is looking to purchase and occupy the old "ShowPlace" at 347 South Salem Street and Michael is their attorney representing them. Michael will explain in detail what Nourish NJ, Inc is and how they operate.

They will be seeking a use variance. Due to the fact that their specific use is not written as a permitted use within the B zone. They understand they need a minor site plan use approval as well due to a change of use that the Borough requires. They have submitting engineering site plans written up by:

Bohler Engineering NJ, LLC, 30 Independence Blvd., Suite 200, Warren, NJ 07059. 908.668.8300.

They will also provide testimony from four different people.

Kevin said there were some items that were not addressed in the original plans that were submitted. Leon Hall, Borough Engineer wrote up a completeness determination letter which addresses the items that were missing from the original plans.

#1

Building Mounted Signage. There was none proposed. There is no information at this time regarding signage however that information will be submitted. The old sign that was there has been removed. Kevin stated a sign permit will be needed

Before continuing Bohler Engineering representative gave a brief description of his qualifications. Bradford Bohler of Bohler Engineering, 30 Independence Blvd., Warren, NJ. BA in Civil Engineer and have been working in New Jersey for 13 years. Licensed in a few different states.

Referring back to the items on the completeness determination letter:

#2

Signage: At this time, Bradford states they are not proposing signage. Kevin asked even on the building itself? Yes, no signage. Michael Lavigne, the attorney for the applicant, states if the application requires a sign, then he will have to reach out to the applicant and discuss it with them. Kevin stated that there should be some sort of signage on the building that states what business is there. He said it is not a deal breaker that there is no signage but it has to be addressed. He states it needs to be on the site plan.

#3

Approval signature lines must be added to the Site Plan. Attorney Lavigne stated they will be added.

#4

Tax Certification: Inaudible of what is needed and what will be done. From the letter of completeness determination: The May 10, 2021 taxes were not paid in full as of the date of this letter. The applicant has been asked to request an updated tax certification form the tax collector and submit it to the Planning Board for its file upon receipt.

Affidavit for Board Members to Enter Subject Property: was submitted with original application.

Signed statement of certification from site plan preparer – Leon Hall, Borough Engineer explained that it needs to be signed and sealed by the New Jersey licensed professional engineer. The project engineer will provide additional certification.

#5

There were previous approvals on this property and they did appear before this board seeking such. The owner Hondo Inc. should be able to produce all past Resolutions of approval or denial. The applicant was concern with a time line of receiving such info due to the time constraint they are on to close on this property. The attorney asked if the board had any such information as to the use variance for this specific application. Kevin gave an answer but it was inaudible.

#6

Refusal from Zoning Officer, was received, certification of taxes was discussed earlier and affidavit for Board members to enter onto subject property was received but previously missed by Leon.

#7.

Item e: A signed sate of certification from the Site Plan preparer. Something Victory Gardens requested, basically stating that the site plan preparer has reviewed plans and are accurate.

Item g: Approval signature lines, Leon stated something, inaudible.

Item j: Existing tax map sheet numbers and zone district boundary lines are on the plans.

Item l: Attorney Lavigne stated something with regards to the location of all existing structures, both within the tract an within two hundred (200) feet of its boundary, including all paved surfaces, driveways and sidewalks, was inaudible.

Items m and q: Various waiver requests and deferred to the Board. Leon suggested they go thru each of those. The location of all watercourses, floodplains, wetlands, wetland transition areas, soil

classifications and slopes over fifteen (15%) percent, both within the tract and within two hundred (200) feet of its boundary. Leon says the site is flat and Kevin says it is acceptable to him and the board.

Item z: Plans of proposed improvements and utility layouts including sewers, storm drains and water lines and feasible connections to gas, telephone and electrical utility systems. If service will be provided by an existing utility company, in lieu of detailed plans, a letter from that company stating that service will be available before occupancy will be sufficient. Additionally, letters from the appropriate County and State agencies granting approval for the extension of utility service(s) under their respective jurisdiction shall be submitted with the application. Leon says he will assume there will be no need for this due to the fact that there is an existing structure there and all utilities are in place and in operational. The attorney for the applicant stated that was correct, no changes being made in this area.

Item bb: Protective covenants, deed restrictions or easements, that may have effect the property have not been submitted. The applicant did file a search of the property and there is nothing on site.

Item cc: Permanent monuments per Map Filing Law not indicated on Site Plan. When a survey of the property is done, owner may grant a waiver, thereby requesting that monuments and pin markers not be set, that is permitted according to some board, inaudible. Leon stated he did not know if the applicant requested such waiver to omit these on the survey. The applicant's attorney responded, that the applicant did request, inaudible.

Item dd: Number of shifts, number of employees per shift and hours of operation. The applicant's attorney stated they will call a witness to give all that information further in this meeting.

Item hh: Copy of Morris County Planning Board application. This was completed and comments were received. These comments will have to be reviewed and will require site plan revision. One was regarding the signage, that was discussed earlier and the old sign was dismantled and removed. Another was when the driver comes out onto South Salem Street, the County wants that to be one way out only and right turn out only. This will require signage and striping and things like that. That will affect the site plan you have before you tonight. The last item the County had is the 3 to 4 parking spaces immediately adjacent to South Salem Street, the County wants those spaces eliminated. These comments required a site plan revision. Right now, the plans you have before you do not address these County comments. The question for the Board is: do you feel comfortable moving forward with this application knowing that there are site plan revisions with regards to the County comments? Attorney Lavigne said they are aware of the County comments and have spoken with them and he continue but inaudible. Kevin states that most of these things are minor compared to the scope of the application. He believes the alterations to the parking will be a positive from what he saw in the plans. He believes the Board can work around it as long as the testimony they are about to hear addresses it. Kevin asked how the rest of the Board feels? He said let us take a vote on it, that the items in question are not so detriment that the application cannot continue to move forward and we hear testimony on the application. Obviously, there are questions with regards to the driveway and alterations to the plans, are we comfortable enough to move forward on this and hear additional testimony knowing there will be revisions to the site plan? Everyone was in agreement with taking a vote on moving forward with this application.

Jim Glass made the motion to deem this complete enough to move forward on this application knowing there are changes to be made. John Cegelka seconded it.

A roll call vote was taken:	Mayor Dave Holeman	Yes
	Harry Bami	Yes
	Diane Feola	Absent
	John Cegelka	Yes
	Manuel Venero	Yes
	Jim Glass	Yes
	Kevin Lewthwaite	Yes

It was approved with six "ayes" to allow the applicant to move forward with some items that still need to be addressed and corrected with the site plans.

Attorney Michael Lavigne will swear in the witnesses.

First witness: Teresa Connolly, 821 Bound Brook Avenue, Raritan NJ. CEO of Nourish NJ. Been with them for 25 years. Masters in Social Work and a license Clinical Social Worker. The organization has been in existence for 35 years and operating out of Morristown, NJ currently. We are looking to expand

throughout Morris County. Our mission is to provide solutions to poverty and food insecurity. We do that thru direct food services: with prepared meals, through low-income child-care centers, senior housing, and we offer free farmers markets for families who are struggling to make ends meet and we also offer social services in housing, employment, health and mental health. So really wrap around services for people who are really struggling. The Attorney asked if there were any services, they offered around Victory Gardens? Teresa said yes, about 5 months ago we started a free farmers market at Dover Middle School. It is done every Monday night and we work with the school district. They asked us to come in and assist them because there were not enough people utilizing the free lunch program they had been offering. So, we offer our free farmers market and our wrap around services and since we have started there, we have been able to double their number of families who were accessing their free and reduce lunch program. We have helped a few people gain employment and get back into the work force, we have done a lot of mental health work with some people and helped a lot of families with connections to resources. We have joined forces with Zufell Health Center to offer the free farmers market up at the Victory Gardens Firehouse, one in July and one in August. Again, with those attached services we offer and resources some may need.

With regards to this location, you are interested in, what services are you planning? This would be our headquarter for Morris County and social services piece of it will be housing, employment and mental health services. Teresa went on to explain how the process works with these various services. The services are individualized according the needs of the client(s) and or family(ies).

Attorney Lavigne asked what other staff will be on hand. Teresa said there will be two shifts, six (6) to eight (8) people with less on the weekends. There will be six (6) full time personnel and four (4) volunteers. This will be a combination of social workers, outreach workers, people working in the kitchens, janitorial staff and two chefs. Hours of operation will be 8 am to 8 pm, Monday thru Friday and on 9 am to 3 pm on Saturday and Sundays. There will be two shifts, 8 am to 2 pm and 12 pm to 8 pm.

Attorney Lavigne asked some questions, which were inaudible. Teresa went on to explain the two main food programs they have: Meals they prepare on site and then distribute to various people who need it, they may deliver the prepared meals to satellite locations who then distribute the meals. So, the food will be prepared at this location and then sent out in Morris County. They also have meals on site, if people coming in were looking for that, grab and go type of food. And the second food program they have are free farmers markets. This food is either purchased and or donated to them. Basically, the farmers markets are set up like you already see around. People can come by and pick and choose what they want, which is free. Attorney Lavigne asked if this would be set up with tables and chairs? Teresa said no, this is all grab and go, so they will not have large numbers of people sitting together and having a meal. Attorney asked how the food is sent out and or delivered to these satellite locations. Teresa said they do have a minivan and a 16-foot refrigerator truck and plan on purchasing another one. These vehicles are how they would deliver the food out to people. Attorney Lavigne asked for clarification on how the food is delivered out to the community. Teresa states they do purchase food from some food suppliers and those trucks are coming in with deliveries twice a week. These trucks are not full-size tractor trailers they are box trucks a little bigger than the 16 foot we use now. We may need to increase the delivery of food to three (3) times a week due to the size of this location. Our van and refrigerator truck does make the rounds of various stores in which we purchase food as well. Janitorial supplies and paper goods will be coming in thru a company but the trucks being use for that will not be of tractor trailer size. That would be a weekly delivery. The attorney asked about how many parking spaces they will be needed. Theresa said she thinks no more than about twenty (20) parking spaces. Due to the two different shifts the employees will be working. She believes most of the people who will be coming to them for food and or services with either be walking in and or using the public transportation services. They believe this will be their hub and most of the food will be delivered to other locations for it to be distributed among their people who need it. They will operate out of this facility and go out to the other communities to deliver food and assist with the various services they offer. She believes many of the residents in Victory Gardens who seek their services will walk in and that has been their experience in the last 35 years. They know that most people who need their services do not own cars so therefore there will be more foot traffic than vehicle traffic.

The Attorney did reference something with regards to the parking and the planner, but in audible.

Kevin Lewthwaite asked if the vehicles they have will be parked overnight. Theresa went on to say currently they cannot park at the location they are in and are paying to park the vehicles overnight

offsite. Kevin explained his concern with the vehicles on site and reducing the number of available parking spots. If this were the case then the parking would have to be re-vamped. Theresa said the trucks will be in -use during the day and they will not be utilizing the parking. Kevin went on to say his concern is with the size of the vehicles and making the turn around the building. The spaces may need to be looked at so they will have no problem making the turn. He would like to see a demonstration that it will be navigable. He also believes more people will be driving to the location than what she expects because he believes most people have cars now. He thinks there is parking issues and it needs to be looked at. He would like to see parallel parking on the back side to allow for the extra room needed. He said they are going to need to see how many they will use, what the county is asking, the turning radius of the trucks and the loading dock area, how will you make all this work with what is there and what you need. He also asked about the ten (10) foot door, the garage door, what is the purpose of that? Is this for the trash? Teresa said no. Kevin went on with questions about trash, where and how it will be contained, he believes they will be generating plenty of trash.

Attorney asked based on all the activities that you will have planned on there, how many parking spaces do you think you will need?

The attorney made reference to the site plan and number of parking spots, not fully audible.

Kevin says the parking situation is not a deal breaker but the parking situation will need to be revamped.

Kevin says we need to see a revision of the site plan with regards to the parking.

The trash would be outside stated Teresa, but Kevin says it is not show on the site plan. The attorney stated the dumpster location and the parking, the rest is audible.

The attorney asked Teresa based on what your experience and familiarity with this operation what kind of trash receptacle will you be utilizing? She said they anticipate they will need a six (6) to eight (8) yard trash dumpster and a four (4) to six (6) yard recycling dumpster. She believes that is what has been built into the space of the dumpster enclosure.

Jim Glass asks how do you plan on unloading the trucks without a loading dock? Teresa said they will manually unload the trucks. She says the truck will pull up to the "sorting area" and the product will be taken off the truck and placed in this "sorting area" and then manually gone thru and placed accordingly into the building. Jim also asked what is a powder room. Teresa went onto explain that with food stamps you cannot purchase toiletries, paper goods, toilet paper and such and this is the room that such items will be stored in for families to go into and take what they need. The clothing room is a room with the same idea; it will house clothes that people will need to go into the work force. Jim also asked about chemicals and or janitorial products, lawnmower, gasoline for such items. She said there was not much grass but for snow removal they would contract that out. Kevin asked about a bathroom and the shower that is inside the bathroom. The shower is for people who are released from a hospital, sometimes in their hospital gowns and with their papers in a bag and released to them, she says she was not sure why but it does happen and the shower allows these people to take a shower if need be. Jim also asked what they planned on storing in the basement, there really is not much on the plans for this area. Teresa says it is a bit rough down there and it will have shelving units for janitorial supplies, paper goods, things like that. She does not believe food can be stored down there.

Mayor Holeman asked if they would be relocating people also that need their assistance. She said they are hopeful to help prevent homelessness as a result of Covid. Yes, they have assisted hundreds of people to find housing connecting them with housing vouchers, getting them into apartments, getting them into rooming houses. She feels this problem has gotten a lot better in Morris County within the past 10 years. The people who find themselves homeless has declined a lot. The vast majority of people they serve are stably housed and we assist them in staying this way. Mayor Holeman also asked about those people who have mental issues, how do you plan on helping them, a doctor on staff or sending them somewhere. She says, both. Their philosophy is if there is a program out there that can help the person then they will assist in sending them in that direction. She says they find that some need counseling and some of these places have a wait time to get into so they will be doing one on one counseling with those people. Mayor Holeman also asked about drugs and alcohol counseling. Teresa says they use to do this work a long time ago but there are many other organizations that have stepped up and taken on this area, such as the Sheriff's office and they are doing a great job with that so Nourish has stepped back from this area. He also asked about treatment programs and would they assist people with that. She says yes, they help with finding a location for them and if they cannot they will reach out to the Sheriff's office for some help with it.

Kevin asked with all this said, what about security and dealing with that. With people coming in with some of these concerns, do you have experience with that. Theresa went on to say that one of the staff will be a security position. He has past experience in this area and has been working at the Morristown location and will be looking to transfer to this location. They are proactive in the sense that they try and learn about their people coming in and become familiar with them. She said they have had very few incidents in all the many years she has been there where they really needed additional help to deescalate a situation. The few times they did have something occur this security person was able to diffuse the situation with no outside help. Jim Glass had asked if there were enough exit doors. Kevin went onto say that this board is the big picture guys and once they get passed this board then construction officials will have to look at all the nuts and bolts and see that what is required is built and addressed.

Kevin had asked about the kitchen and the size. His concern was with what is going on today and if the economy takes a turn for the worse, their business will grow. Kevin says with the business growth his concern is the parking situation. Teresa said the demographic of people from years ago that did come in and sit and eat has shifted from families to older population being on fixed incomes. These people today do not want to come in and sit and eat. This company is looking to be a resource not the place where they come and stay for long period of time. A place where they can come and have access to fresh and healthy foods, access to meals if they need them, there will be small tables for maybe two people to sit, have a cup of coffee and speak with a social worker. We want to go out into the communities and use those locations to help support people. Jim asked if they had housing to place people. Teresa said no, we work with the office of temporary assistance and place people into hotels and or assist them with housing. Most shelters now are placing people into hotels. We also work with landlords in placing people. We are a 24/7 (24 hours, 7 days a week) operation. So, if a situation arises where the landlord(s) has a need to call us, they can and we will go out and work with the people to find a solution to whatever the situation may be.

Someone asked with regards to the staffing and the rest is in audible. They also asked about the hours of operation. They did ask about how many tables and chairs will you have. Teresa said about ten (10) small tables. Kevin said this is something that should be a stipulation and written in the plan. He does not want to see that they start out with a small number and then eventually they increase to a number that is just not feasible. His concern is the traffic and the possible increase in the number of people seeking assistance. Hari asked about how many people will be coming into the location on a daily basis. Teresa says they have about fifty (50) to seventy (70) volunteers but most of them will be at satellite locations. The hours will be 8 to 8, Monday thru Friday, with two shifts. There will be four (4) volunteers to a shift.

Kevin wanted to address the interior, overhead, ten by ten (10 x 10) door, going into the kitchen area, what is the purpose of that. Teresa says if she can defer that to her engineer.

Kevin wanted some clarification on the satellite locations. Teresa said it is just a smaller location of what they have now and plan to have here, where they can do the same, pick-up meals, fresh fruit and or food, access the services they provide. The plan is to use this location as the hub and then go out into the communities, with a mobile unit, like they do now at Dover Middle School and with the use of folding tables, provide and offer fresh fruits and food and some of the services they offer. These will be manned by some of their volunteers and social workers. They plan on going out into Butler, Wharton, Mt. Olive and Parsippany. She said the staff workers would come here and pick up what they need and with the vehicles Nourish owns, they would then go out to the various locations, where the volunteers will meet them. The volunteers, for the most part will not come to this location. Teresa went onto say as the need increases they will ..... in audible. Dave said you did say that you will be preparing meals in the kitchen here. Yes, we will be preparing meals and we have prepared meals that we will purchase as well. Jim asked how many meals will you being preparing, she said about 200 meals but we anticipate going to 300 a day. Jim said you will need rather large refrigeration for all this, will you have a backup generator. Teresa said they have not talk about those details. The mayor asked about how many vehicles do you plan on having. He did not think that one vehicle will be sufficient, will they be using their own vehicles, he is concern with the traffic and all these vehicles. Teresa said they have a van and one refrigerator truck and plans are to purchase another refrigerator truck. She believes they will be able to run multiple markets at once. For food safety purposes the staff only will be transporting the food.

Kevin came back to the parking issue again. He says you will have three (3) trucks and the drivers will be coming there and parking their own vehicles. Then you have eight (8) people on staff, so that is about ten (10) to eleven (11) spots taken up by the staff. He says you have an overabundance of parking right now and will lose some once revisions are done, he just wants to make sure you will have enough parking. Teresa says we have been working on only two parking spots for many years now, so she does not see an issue with the parking. If they had to put limits on people coming in, then they will do so. He asked if they will delineate parking for the staff specifically. She says she has not thought about that and if need be, the staff would park off site so they will have the parking for the clients. She says they currently rent parking spaces off site now. Kevin suggested if additional parking is needed, there is the Randolph shopping center across the way and maybe you could work out some sort of agreement with them to park there, if the need arises. Teresa has finished up with her testimony.

Kevin made the motion to open the meeting to the public. John Cegelka seconds the motion. A verbal vote is taken and all is in favor of it.

Deborah Evans asked how many bathrooms will there be. Jim Glass answered there are four (4) bathrooms and one shower according to the plans. Kevin stated it looks as if two are employee related and two are public related. Deb also asked about laundry availability and Teresa said yes there will be laundry machines there. Deb also asked if anyone will be living there and Teresa answered no, no one will be living there. Deb also asked about the taxes. She stated that they were before Council and said they will be paying taxes even though you are nonprofit and she wanted it on record that this was the case and Teresa said yes, we will be paying taxes. Kevin just wanted to clarify that they would be paying the going assessed value and increased rate of the property taxes and Teresa said yes, we would have to go into an agreement. The attorney voiced his concern with this being the first time he is hearing of this and has not heard or seen the transcript of the discussion of taxes prior. His discussion on this is in audible. If this information is needed in the future, anyone may listen to the recording of the meeting and try and decipher what Attorney Lavigne says with regards to the taxes. Teresa went on to say she was not certain what the mechanism is by which we would do that. However whatever mechanism we need to do, we understand it is a large ratable for Victory Gardens and taking that off the tax rolls would be a big loss and we are very much in being a good neighbor and part of the community.

Mayor Holeman asked if there were any other questions. Too many were talking to hear what was being discussed. Jim Janone, a resident asked a few questions. At one point Teresa says the studio will become the kitchen. He asked about outdoor lighting. Too many people heard discussing too many items. There was something about an ordinance that was asked. There was a reference made to parking again. Kevin expressed his concern again, and wondered if they large vehicles will have to be parked off site. Teresa said that is what they do now and if it was not in the ordinance then they would figure something out with regards to parking of the large trucks. More discussion but inaudible. Something about deliveries and something about overnight deliveries being made. Teresa answered no to overnight deliveries.

Jim Glass made a motion to close the meeting to the public. John Cegelka seconded the motion. All were in favor.

Attorney Lavigne introduced Bradford Bohler of Bohler Engineering, NJ LLC, 30 Independence Blvd., Suite 200, Warren, NJ 07059. Bradford was sworn in earlier in the meeting.

Brad went on to speak about a bunch of items but not fully understandable. He went onto speak about the County letter and what they were asking to be done. Stripe and sign South Salem Street exit and make it a right turn only. The next was to remove the four (4) parking spaces and sign along South Salem Street. The sign has been removed. With regards to the trash dumpster and location. It will be placed where the current one is and there will be a ten (10) by fifteen (15) foot fence in area. There was more discussion on the parking area but not fully understandable and professional spoke too quickly. There was discussion on the garbage pick up and how that was to be done. Kevin was still concern with how the parking and the trucks were going to navigate the parking lot and navigate around the building. The trash will be picked up generally 7 to 7:30 am and therefore there should be minimal problems with regards to other vehicles in the parking lot. Kevin said he has no issues with the trash but the trucks navigating the building with cars parked on the side of the building. Brad went to explain that when they know a delivery is coming in, they will ask the employees not to park there and or if they have to move their vehicles for the deliveries and or the packing of their own vehicles, he does not feel this will be a problem to do that. Kevin did do some measuring with his own vehicles and compared them to what is on the plans now. He does not see how there will be enough room for parking on an angle and

the trucks navigating around the building. Keven did make the suggestion of changing the angle parking to parallel parking. Kevin did say you have enough parking that changing this situation should not impeded having enough parking. Bradford did go on to explain some of what he saw with regards to this. Kevin also suggested maybe make this parking, along the side of the building, next to the fence, employee parking only, this way customers / clients will not have to be asked to move their vehicles. Brad agreed to look further into this. There was discussion on the loading area and how the trucks will be parked with regards to the parking. Kevin asked about marking the area out for loading and possibly marking some of the area with no parking. He also made reference to the door being free of any parking for emergency purposes. There was reference to how far from the building the truck was going to be parked when loading and or unloading from the building. There was discussion about the fence and landscaping but inaudible. Kevin asked if Brad was comfortable with the front parking that borders Franklin Road. Brad answered yes for what this location is going to be used for and a low turnover rate of people, compared to a retail store. Kevin also suggested having the entire location being only a one-way direction. Brad did not think this made sense for a number of reasons. Jim Glass about the parallel parking along the fence and the striping of the loading dock area.

Leon Hall, Borough Engineer, had a number of questions: there is a storm drain located between 337 and 327 South Salem Street that is totally collapsed that needs to be addressed. Handicap parking, ADA requires two parking spaces and this site currently only has one. He also made reference to striping and correct foot requirements. Leon said even if two handicap parking spaces are not required, he suggested they put in two due to the type of clients they have been told that will visit this location according to previous testimony. Kevin said he is in agreement with that. Leon also made reference to the location of the generator. He said it was important to obtain data on where it should be located and the noise it would generate due to the location of the residential homes to the north of this site. Leon went on to say with regards to the garbage truck it should be a condition that they do not come on site before 7 a.m., again due to the residents to the north of this location. The pavement needs to be looked at and some repairs made. There are cracks with grass growing up thru them. The grass should be killed and the cracks filled in and sealed, water tight. The entire parking lot should be swept up, nice and clean. Regarding the three parking lights that are on the utility poles, there should be a timer set so the lights go off at 9 p.m., one (1) hour after closing. I don't think those lights should be on all night long and again being mindful of the residents to the north. Jim Glass asked about the sign for the location should that go off at 9 p.m. also. Leon answered yes, but we do not know what that sign looks like yet because there is no application or information about that right now. Jim also asked about storing janitorial supplies in the basement is that ok. Leon answered that will fall under the building / construction department.

Leon went on about the parking spaces size and striping. They are currently eight (8) feet wide. The ordinance requires the spaces to be ten (10) feet wide by twenty (20) feet wide. There are currently forty-six spaces (46) now and thirty-two (32) are required, so that leaves fourteen (14) extra to adjust for enlarging the parking spaces. He would like to see all the parking spaces between the building and Franklin Road, all re-striped at nine (9) feet wide. He has no problem with the size of the spaces behind and on the side of the building. Kevin agreed with the increase of one foot on the parking space size. Attorney Levigne asked if things in questioned could be grouped and not individually discussed and to mindful that the more the board asks the applicant to do, the more money they may have to spend and that will take away from what they are ultimately offering the people coming in. He would like the board to think about how crucial they are to the project and the applicant receiving final approval. Kevin, understands what he is saying, we want this work and would be a great thing for this community. Kevin is willing to negotiate the second handicapped parking space, knowing that adding this may take away additional parking space they will need. But they need to understand you may need the second handicap parking space due to the clientele you will see coming into the location. The attorney, said they believe mass transit will be utilized for accessing the facility and he believes parking will not be an issued. Mayor Holeman seemed to disagree and felt the need for the extra handicap spot will be necessary. Leon had one last comment, any striping / markings be done with long life thermoplastic paint. It is much more durable, lasts longer and does cost more money.

Kevin did reiterate that he is sensitive to the needs of this non-profit organization but we have to be concern with the safety aspect of it. We just have to make sure we do not have a problem moving forward. I know it is going to be an expense to restripe the parking lot but we need a parking lot that is going to be functional. Kevin states that this area is not negotiable. He just does not see how the project can move forward without the changes to the parking lot. He went on to explain you are coming in with



a new use for the building, you are making changes to it and it is not the same building that it use to be. The parking lot is going to require changes made as well. The parking is a big concern with Kevin.

Attorney Lavigne or Brad Bohler asked if the board will be following up with a substitute memo? He asked the board if they had enough information to have a full understanding of the project to move forward. Some of the board members could be heard saying yes

Jim Glass made a motion to open the meeting to the public. Kevin Lewthwaite seconded it. A verbal vote was taken and all were in favor of it.

Jim Janone asked something with regards to the dumpster. Will it be controlled, gate doors closed, and pest control? He also asked if there will be parking barriers placed along the Franklin Road spaces due to the sidewalk being right there. He thinks it should be something that is stipulated for the safety of people walking on that sidewalk, woman with strollers walking along there and such.

Someone asked about how often the garbage will be picked up. They are looking at twice a week.

Kevin Lewthwaite made the motion to close the meeting to the public. John Cegelka seconded it. A verbal vote was taken and all were in favor of it.

Attorney Lavigne introduced Jeffery MacEnke. A registered architect. Most of his information was inaudible due to the shuffling of papers on the dais by the board members. Some of what was asked and answered in audible. This typist believes he is the one who drew the plans up for this project. He explained what he drew. There are two main separate uses of the building. The kitchen area where the food will be prepped, packaged, organized, product received and stored, etc. Break room and locker rooms. Then we have the community area where people coming in can meet with counselors, shop for clothing, powder room, accessory office spaces. There will be a fair amount of interior work that needs to be done inside. The exterior for the most part will, again inaudible to shuffling of papers. The main entrance will be maintained. You are still going to see the stone on the side and the flat roof. The overhead door which was discussed earlier, inaudible, again due to the shuffling of papers. The outdoor lights, I believe he said will remain the same. New windows. Leon asked about the kitchen, Jeffery said it will be a full-service kitchen. Leon also asked if the existing HVAC system is adequate. The answer was inaudible.

Kevin Lewthwaite made the motion to open the meeting to the public. Mayor Holeman seconded it. A verbal vote was taken and all were in favor of it.

No one from the public spoke.

Kevin Lewthwaite made the motion to close the meeting to the public. John Cegelka seconded it. A verbal vote was taken and all were in favor of it.

One last witness. Attorney Lavigne called Matt Flynn, of Morris Plains, NJ. Professional Planner. Discussion is with regards to the applicant applying for a "use variance." Matt gave a description of the location and that the new use would be beneficial to the town. We are requesting a use variance for a food bank, with counseling service which is not expressly permitted in the zone. The form of the building will remain the same, we are going to dress it up nicely. He feels this is ideally suited, simply because they are retrofitting the current building. The location is easily accessible from the two highways located nearby. Looking back at what it previously was and compare it to what it will be used for, it will be a more positive look on the Borough. There are a number of municipal land use requirements that this location satisfies and will be beneficial to the Borough. This will be a positive transformation of the location. No large-scale demolition will be taking place. We are staying within the b zone of the location in which it currently is. He believes the parking issued will be worked out, so that is not a negative factor here. He believes this application complies with all the planning requirements. This is a very positive application and certainly an upgrade to what is there now.

Kevin believes they have met the criteria with the use. Kevin will defer the parking situation to both engineers and believes it can be worked out and sees no problem in trying to move forward with this application. The board in general are ok with moving forward on this.

Kevin Lewthwaite made the motion to open the meeting to the public. Jim Glass seconded it. A verbal vote was taken and all were in favor of it.

No one from the public spoke.

Jim Glass made the motion to close the meeting to the public. Kevin Lewthwaite seconded it. A verbal vote was taken and all were in favor of it.

The attorney Michael Lavigne said something about moving forward and what else needs to be done, but due to his low voice volume and the shuffling of papers, inaudible.

He did say we have reached the junction on how to proceed from here on out. Kevin's main sticking point on this application is the parking. It needs to be resolved so the board feels comfortable with it. There are a number of issues that need to be resolved with regards to the parking. He defers to the engineer to look at. Leon says he agrees the issues with the parking need to be resolved. Attorney Lavigne, says they will look at it and work on it with the board. He does not want to commit to something they cannot deliver or regret.

Kevin asked something of the building, could not decipher what it was.

Kevin said we should adjourn now, receive revised drawings on the outside and come back to meet again. All the professionals do not need to come back. The engineers will need to return.

Leon stated something about the applicant and the attorney, a letter and revised drawings, could not understand exactly what he said.

Attorney Lavigne said the board will need five (5) members of the board to vote. He wanted to make sure that those who are qualified to vote will be here to vote. One board member is absent and that board member will need to listen to the recording and read thru the minutes. Kevin said yes, he will make sure all the criteria are met on who is eligible to vote.

Kevin stated this will be continued with another meeting, that will be held on Wednesday, August 18, 2021, 7 p.m., here at Borough Hall.

Mayor Dave Holeman made the motion to adjourn the meeting. Jim Glass seconded it. A verbal vote was taken and all were in favor of it.

Minutes type by Debbie Devery