

MINUTES OF THE BOARD OF ADJUSTMENT
November 30, 2006

PRESENT: Chair Harrison, Ms. English, Vice Chair Fleischer, Mr. Flood, Mr. Haizel, Ms. Holloway, and Mr. Whipple; also, Ms. John, Esq., and Mr. Charreun, Assistant Secretary

ABSENT: Ms. Cockey, Mr. Susswein, and Mr. Franco, Assistant Planner

Assistant Secretary Charreun called the roll and announced the special meeting of the Montclair Board of Adjustment. Notice had been given in accordance with the Open Public Meetings Act.

On motion by Mr. Whipple, seconded by Mr. Fleischer, the **Minutes of the July 26, 2006** meeting were adopted. On motion by Mr. Whipple, seconded by Mr. Fleischer, the **Minutes of the August 2, 2006** meeting were adopted as modified, Mr. Haizel and Ms. Holloway abstaining.

Mr. Flood joined the meeting.

Chair Harrison called the continuation of the application of **Alter Family, LLC for the Deron School (II), 130 Grove Street**. Jerry Friedland, Esq. appeared as attorney for the applicant and stated that they would proceed this evening with the 6 members that are present. The Board members who were not at the first meeting confirmed that they had listened to the recording of the first meeting. Mr. Friedland called Richard Jarmel, who was sworn and stated his qualifications as a Professional Engineer. Mr. Jarmel described the existing site and the proposed development. He stated that the existing parking lot has no drainage improvements and that the plan would improve that condition. He stated that the County is concerned with the existing lack of drainage since the runoff from the site contributes to flooding and icing on Grove Street. He further stated that it is his understanding that the new stormwater regulations are only applicable to residential development and not the proposed development. Mr. Jarmel continued by describing the development plan and related site work in detail. He stated that the Oxford Street lot presently drains over the ground surface to a catch basin at the corner of Grove Street and that no drainage structures are proposed for this area, because the excavation required would negatively affect tree roots in that area of the property and cause the loss of 3 to 4 trees. He continued by describing the lighting plan and the Board Engineer's comments on the plan in detail.

Marked into evidence were:

- A-2 Essex County Planning Board approval letter, dated October 11, 2006
- A-3 Photograph of subject property from Oxford Street, looking east

A-4 Engineering Plans, revised to September 19, 2006

A-5 Revised Drainage Calculations, September 19, 2006

The Board questioned Mr. Jarmel. He stated that a maintenance plan for the drywells has been considered and will be documented on the plan. He stated that the Board Engineer had indicated to him that the Township has only adopted the DEP regulations for residential projects. He also stated that the trench drain proposed at the Grove Street driveway has been designed to handle up to a 100-year storm. He also stated that installing a drywell in the Oxford Street parking lot could threaten tree roots and also presents a maintenance problem due to the buildup of sediment and other material on the paved surface that would eventually clog the drywell. He stated that he would have the surveyor check the contours depicted on the site plan in the area of the berm between the building and Christopher Street. He also stated that the proposed on-site lighting would be operational from dusk to dawn.

Chair Harrison called for questions from the public.

William Milczarski, 11 Cloverhill Place, asked how much additional impervious surface is proposed, and what the total impervious coverage of the site would be. Mr. Jarmel stated the proposed impervious coverage of the site would be 59.84 percent and that the existing impervious coverage on the site is 53 percent.

Dawn Candy, 38 Christopher Street, asked questions about tree removal. Mr. Jarmel stated that 2 large trees and 4 small trees are to be removed from the Christopher Street side of the property. Ms. Candy introduced a board with 9 photographs of the trees on the subject property, which was not marked as an Exhibit, and asked whether certain trees would have to be removed to accommodate the egress driveway onto Christopher Street.

Christopher Larkin, 134 Grove Street, asked if the stormwater runoff is expected to increase on the Oxford Street side of the property. He also asked if it was necessary to have the number of lights proposed on the site and if it is necessary that the lights stay on all night.

Chair Harrison called for a short recess.

Mr. Friedland recalled Matthew Jarmel, Architect, who was still under oath. Mr. Jarmel reviewed the conditions contained in the zoning ordinance that permits private schools as a conditional use and the variances requested. He stated that a Traffic Engineer would appear at the next meeting to address the required traffic study. He described the existing relief sculptures along the top of the Christopher Street façade and stated that they would be reinstalled in new locations after the addition was constructed. He also described in detail the revised architectural plans dated November 9, 2006 and the summary chart of the existing and proposed floor plans. Among other

things, he stated that the total number of classrooms would remain at 15, but that the total square footage of classroom space would increase from 11,260 square feet to 11,660 square feet, and that the general office space would increase from 1,980 square feet to 2,624 square feet. He also stated that approximately one third of the total floor space of the building as proposed is dedicated to circulation space.

Mr. Jarmel described the rendering of the south elevation. He stated that the façade of the proposed addition would consist of a stone veneer made of a concrete material that is colored and textured to look like natural stone. He stated that this is the only realistic and cost effective alternative to simulate the granite façade that exists on the existing building. He also stated that the addition would be separated from the existing building by a vertical band of a stucco-like material called EIFS. He further stated that the other elements of the façade will also closely match that which exists on the existing building.

Marked into evidence was:

A-6 Rendering of south elevation, on a board

A-7 Cultured stone sample

The Board questioned Mr. Jarmel. Mr. Jarmel stated that the mechanical equipment would be placed on the flat roof of the addition, and would be positioned towards the middle of the roof in order to be effectively screened by the parapet. He stated that he would provide additional information on this at a subsequent meeting. He stated that the permitted height for the addition is 40 feet and that they are requesting a variance for height to match up with the horizontal band on the existing building that matches the parapet height on the addition. He also stated that the existing building has a height of 57'-6" measured to the top of gables on the roof.

Chair Harrison called for questions from the public.

Christopher Larkin, 134 Grove Street, asked if a driveway apron exist on Oxford Street. He also asked who officially classifies basement rooms as substandard for use as classrooms. Mr. Jarmel stated that there is not a driveway apron on Oxford Street and that it is his opinion that the basement classrooms are substandard.

William Milczarski, 11 Cloverhill Place, asked what the building coverage of the site would be. He also asked if State regulations distinguish specialty classrooms from regular or typical classrooms. Mr. Jarmel stated that the proposed building coverage on the site is 24.65 percent.

Dawn Candy, 38 Christopher Street, asked whether other ways were considered to make the building handicapped accessible as an alternative to constructing the addition.

Mr. Friedland called Ronald Alter, Executive Director of the Deron School, who was sworn. Mr. Alter stated that they have been at the current location since 1990 and that over the years they have needed to do many upgrades and maintenance work on the building which is very old and was in a state of disrepair when they purchased it. He stated that they presently have 151 multiply disabled students from several Counties in northern New Jersey and that their goal with the current proposal is to provide a safer and modern facility that is in compliance with the Department of Education requirements. He stated that the building is not accessible to wheelchair or otherwise physically disabled individuals and that the modernizations and improvements proposed as part of the addition are needed. He also stated that the trailer in the parking lot would be removed and that the new office space provided would improve their operations and benefits their students.

The Board questioned Mr. Alter. Mr. Alter stated that they do allow employees of the Grove Pharmacy to park in their lot when the school is closed, although there is no lease for this arrangement. Chair Harrison called for questions from the public. None were offered.

Chair Harrison stated that the application would be continued at a special meeting of the Board to be held on Thursday, December 7, 2006, and that no further notice would be given. On motion by Mr. Fleischer, seconded by Ms. English the meeting was adjourned.