

TOWN OF DOVER PLANNING BOARD

- Rafael Rivera –Chairman
- Scott Miller – Vice Chairman
- William Isselin
- Eric German
- David Garland
- James Visioli
- Thomas Incera

COUNTY OF MORRIS
Mailing Address
37 NORTH SUSSEX STREET
DOVER, NEW JERSEY 07801
Office Location
100 Princeton Avenue
Water Works Park

- James P. Dodd - Mayor
- Ruben Gilgorri - Mayor's Rep
- AB Santana - Council Member
- - Alternate I
- - Alternate II
- Glenn C. Kienz - Board Attorney
- Tamara E. Bross - Clerk/Secretary
- Stephen Hoyt PE– Board Engineer

Telephone: 973-366-2200 (Ext. 2141)
Secretary email: tbross@dover.NJ.US

MINUTES July 18, 2024

CALL TO ORDER: Ms. Bross called the meeting to order at 7:30pm as Chairman Rivera and Vice Chairman Miller were not present.

ROLL CALL:

PRESENT: Commissioners Isselin, Garland, German, Visioli, Incera, Council Member Santana and Mayor Dodd

ABSENT: Chairman Rivera and Vice Chairman Miller

ALSO PRESENT: Tamara E. Bross, Board Secretary and Glenn Kienz Esq. Board Attorney, Stephen Hoyt Board Engineer and Matthew Flynn of John McDonough Associates

PLEDGE OF ALLEGIANCE was recited by all.

ADEQUATE NOTICE OF MEETING was read by Ms. Bross. *“This meeting is being held in accordance with the Open Public meetings Act, also known as the Sunshine Law, N.J.S.A. 10:4-6. Notice of this meeting schedule was sent to the Citizen, the Star Ledger and the Daily Record and published in the Daily Record on January 24th 2024. This annual meeting list was also posted on the municipal bulletin board in Town Hall, on the Town of Dover website and submitted to the Town Clerk. As a reminder there is no smoking in this building; there are 2 exits in case of emergency and this meeting is streaming live on the Town of Dover FaceBook page.”*

A motion was made by Mayor Dodd to nominate Eric German as Chairman for meeting and was seconded by Commissioner Isselin.

MINUTES: Ms. Bross requested that the June 20, 2024 minutes be carried.

RESOLUTIONS –

P23-15 Dover Tubular Alloys LLC; Block 703 Lot 6; also known as **200 West Clinton Street**, located in the IND (industrial) zone. **Preliminary & Final Major Site Plan and Minor Subdivision.** *Approved on 12/13/23* – Minor Subdivision approval expires 190 days from date of

adoption 1/18/2024 which is July 29, 2024- Applicant is requesting a 190 day extension of minor subdivision approval and a 1 year extension of the site plan approval. Request

APPROVED 6/20/24

Commissioner Isselin made a motion to approve resolution as written with a second by Council member Santana **APPROVED 5-0** by those that were present at that meeting.

P24-02 Lorena Tamayo; Block 1203 Lot 2; also known as 9-11 Bassett Hwy, located in the BHRP (Bassett Hwy Redevelopment Plan)Zone. **Waiver of Site Plan** Applicant seeks approval for a Change of Use from salon/spa to restaurant - which is a permitted use in the BHRP zone.

APPROVED 6/20/24

Council Member Santana made a motion to approve resolution as written with a second by Commissioner Visioli. **APPROVED 5-0** by those that were present at that meeting.

P24-03 Harold Garcia; Block 1218 Lot 12 also known as **32-34 W Blackwell St Units 32J & 34J**, located in the D2 (Blackwell St Historic) Zone. **Waiver of Site Plan** – Applicant seeks approval for a Change of Use from an office to a church – which is a permitted use in the D2 zone.

APPROVED 6/20/24

Commissioner Isselin made a motion to approve resolution as written with a second by Commissioner Garland. **APPROVED 5-0** by those that were present at that meeting.

Preliminary Investigation Non-Condemnation Area in Need of Redevelopment – Block 2317 Lots 1, 2 and 3; also known as 333, 337 & 341 E Blackwell St. presentation given by John McDonough of John McDonough Associates, LLC **APPROVED 6/20/2**

Commissioner Isselin made a motion to approve resolution as written with a second by Council Member Santana. **APPROVED 5-0** by those that were present at that meeting.

CASES –

P23-07 Diego Ocampo, Block 2108 Lot 16; also known as **94 Brook Drive**; located in the R-2 (residential) zone. **Minor Subdivision with c variances**. *Approved 5/24/23* Applicant is requesting a 190 day extension of minor subdivision approval.

Lee Levitt Esq. appeared for the Applicant and offered to the Board the following:

- Requesting an extension for the plot plan
- The forms were filed with the County and there were delays
- A new deed will be filed with plans submitted to be signed to get this project underway.

Mr. Hoyt did not have any issues with the Board granting the extension so that the deeds could be filed.

Commissioner German asked the Board Members if there were any questions or discussion Seeing none the meeting was then open to the Public – seeing none meeting was closed to the Public.

Council Member Santana made a motion to approve extension and was seconded by Commissioner Garland

P23-21 Harry L. Schwarz & Co; Block 1325 Lots 10 & 17, Block 1208 Lot 1; also known as **40-42 N. Sussex St. and 28-30 N Sussex St.**, located in the C-1 (Retail/Commercial) Zone. **Minor Subdivision/ Lot Line Adjustment.** Applicant seeks approval to allow an adjustment of the property lines by and between the two properties to subdivide a portion of the land, including a garage, to annex and become part of Block 1208 Lot 1. Applicant is also proposing cross-easements between the two properties.

Jason Rittie Esq. of Einhorn Barbarito appeared for the Applicant and offered to the Board the following:

- Applicant is seeking a minor subdivision/ lot line adjustment along with any variances that may occur
- The subdivision will allow the two properties to divide and a portion of the land including the garage becomes a part of Block 1208 Lot 1.
- Cross-easements between the 2 properties are also proposed
- The subdivision will help facilitate distinction if the properties go for sale.

Robert Schwarz, Applicant and principal owner was sworn in; offered the following testimony and answered questions of the Board:

- Property was purchased in 1872 by Great Grandfather
- The railroad purchased a corridor of property from the Schwartz family in early 1900s which is why property is divided.
- The existing tin garage has 2 bays and a dirt floor, used for storage of supplies for property management company
- The dumpster sits along side of the garage; the trash truck does not go across the railroad tracks
- Mr. Schwarz agreed that the newly created lot will stay with lot 1 and to cross-easements between properties

Mr. Fred Meola PE and PP was sworn in and accepted as a licensed engineer and planner; offered the following testimony and answered questions of the Board:

EXHIBIT A-1 – submitted in response to Engineer report dated 7/17/24 – existing coverage corrected – 200' list added – owners of adjoining property added – deed book page and number added

- Subdivision will eliminate an encroachment and allow the garage which straddles two lots to exist on its own lot.
- The cross-easement will not cause any physical change
- The subdivision does not bring about any and bulk relief
- The subdivision / lot line adjustment provides a logical less confusing map plot for both properties.
- This simply eliminates lot 17 creating 10.02

Mr. Hoyt reviewed report dated 7/17/2024 and Applicant agreed with all comments.

Commissioner Isselin asked if the garage would be considered an accessory use; was agreed that the resolution will be part of the deed filing.

Matthew Flynn of John McDonough Associates was sworn in; for the rest of the year – for the record – accepted as a licensed planner in the state of NJ offered the following:

- Reviewed his report
- This seems like a logical solution

Commissioner German asked the Board Members if there were any questions or discussion Seeing none the meeting was then open to the Public – seeing none meeting was closed to the Public.

Mayor Dodd made a motion to approve subdivision with conditions and was seconded by Council Member Santana.

P23-17 IOPD Dover QOZB Urban Renewal LLC; Block 1902 Lots 22-28; also known as 218-220 & 228 E Blackwell St., located in the SSRP (Scattered Site Redevelopment Plan) Zone.

Applicant is requesting **Amended Preliminary Approval and Final Site Plan** for following project: demolish existing commercial buildings and construct two five-story multi-family residential buildings with a connection on the second floor, each consisting of 130 units for a total of 260 units. As per agreement, 26 units are set aside for 55+ affordable units and construction of on-site flood mitigation. Applicant proposes 332 off street parking spaces along with indoor and outdoor amenities.

Rebecca Maioriello Esq. of Connell Foley appeared for the Applicant and offered to the Board the following:

- The meeting for preliminary and final was noticed on 5/30/24
- A request to carry on was made on 6/20/24 and that brings applicant before PB tonight
- Testimony will be given by Engineer with respect to flood chamber
- Testimony will be given by Architect to review fire safety
- Testimony will be given by Josh Sternberg to show landscaping and amenity spaces.
- As a reminder there are no variances requested for this application.

Paul Munch of Stonefield Engineering was sworn in and accepted as a licensed engineer; offered the Board the following testimony and answers to questions:

EXHIBIT A-1 –ground water/ storm water exhibit dated 7/16/2024

- Focused on eliminating the flooding in intersection of Blackwell St and Salem St.
- Chamber will be 2-3 feet deeper than originally submitted
- Installing duckbill apparatus that allows water to come into chamber and cannot flow out
- Agreement in place to allow emergency exit along southern property line

- Overhead wire is currently not supplying site and working with utility company to reroute
- There will be no phasing with this project – one continuous build
- The red hatch on the exterior plan highlights the storm water plan – impervious stone
- The chamber will be paved with 2” thickness of pavement will not be stone or concrete
- Chamber will be gently sloped in a way that ponding will not be an issue

Commissioner German opened the meeting to the Public for this witness – seeing none closed the portion to the Public.

Conrad Roncati AA of Architectura was sworn in and accepted as a licensed architect; offered the Board the following testimony and answers to questions:

EXHIBIT A-2 – Pages A100 & A101 small changes were made to these 2 original plans.

- Shows answers to Fire Dept. memo that includes access to building, small enclosed lobby on each floor, fire doors installed in hallway on 2nd floor
- Annunciator, video and stand pipes will be installed
- Central stairway was not possible but issue was resolved
- Will install windows that reduce noise – especially on southern facing windows that are parallel with the railroad
- Applicant proposes gazebos, outdoor grills, and landscaping
- Would like the option to install a courtyard pool – depending on market, cost and water table

Both Mr. Hoyt and Mr. Flynn did not have questions for this witness.

Commissioner German opened the meeting to the Public for this witness – seeing none closed this portion to the Public.

Joshua Steinberg, co-manager of IronOre was sworn in; offered the Board the following testimony and answers to questions:

EXHIBIT A-3 – 7 pages / photos of amenities @ Plainfield location finished built 4/2023 to give Board the benefit of the type of amenities IronOre has installed.

- Reviewed photos – professionally landscaped, 2 grill stations, pergolas with seating areas, fire pit with green Adirondack chairs
- Pool is still a possibility – still in engineering stage.
- Indoor amenities include gym, flex office space, club/community room
- Gym will have quality machines
- Construction start plans for Spring 2025

Mayor Dodd stated that he is concerned about amenities. If project is sold what guarantees do we have that the new owner will install the same as testified – asked for submission of possibilities.

Mr. Hoyt asked about turf areas if there are any heat problems and was satisfied with response that there have been no issues with product used at current properties.

Matt Flynn had no questions and was satisfied with testimony.

The signage was discussed at length for the corner of Blackwell and Salem Streets....a “gateway sign” is requested and asked the Applicant to come back with something that the DEP will approve.

Commissioner German opened the meeting to the Public for this witness – seeing none closed the portion to the Public.

Rebecca Maioriello Esq. offered the following as a summary:

- A litany of conditions have been addressed from previous resolution
- Request to approve amended preliminary with additional submissions
- Request that the final site plan approval be carried until the September 19th meeting

After some discussion among Board members Commissioner Garland made a motion to approve the preliminary site plan with list of conditions and was seconded by Commissioner Isselin.

OLD BUSINESS – none

NEW BUSINESS – Mayor Dodd invited the Board to a ribbon cutting for 62 S. Morris St. on 7/30/24 at 6:00 pm

BOARD MEMBER DISCUSSION – none

PUBLIC DISCUSSION –none

Motion to adjourn was made by Council Member Santana and seconded by Commissioner Visioli.

Meeting adjourned 9:45PM

Respectfully Submitted,


Tamara E. Bross, Planning Board Secretary

Date approved August 15, 2024