

**BOROUGH OF MIDLAND PARK – PLANNING BOARD MINUTES**  
**DECEMBER 19, 2022**

PLEASE TAKE NOTE:

ON MONDAY, DECEMBER 19, 2022, THE PLANNING BOARD OF THE BOROUGH OF MIDLAND PARK HELD A REGULARLY SCHEDULED MEETING IN THE MIDLAND PARK COUNCIL CHAMBERS, 280 GODWIN AVE., MIDLAND PARK, NJ. THE FORMAL MEETING BEGAN AT 7:30 P.M.

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SUNSHINE LAW STATEMENT: This meeting is being held in accordance with the Sunshine Law, notice having been published according to law with a copy on file in the Borough Clerk's Office and a copy posted on the bulletin board in the Municipal Building.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Kent Rigg	present	Ms. Stephanie Pantale	excused
Councilman Ken Kruis	present	Mr. Robert Mulder	present
Mayor Harry Shortway, Jr.	present	Alt. #1 Ms. Isabel Duffy	present
Mr. Michael Rau	present	Alt. #2 Mr. Bruce Goldsmith	present
Mr. David Wostbrock	present		

Attendance by Board Professionals: D. Siss, Attorney; E. Boe, Engineer

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**PUBLIC HEARINGS:**

**Ridgewood Water – 32 Birch Street – BL 32 LT 4 – Preliminary/Final Site Plan Review – Wortendyke PFAS Treatment Facility** - Applicant requested to carry to January 23, 2023, meeting. Motion to carry made by Mr. Rau. Seconded by Mr. Wostbrock; all voted in favor.

**MJ Prospect Holdings LLC dba Ohana Dental LLC – 30 Prospect Street – BL 13 LT 1 – final site plan approval, bulk, and parking variances for a 1-story addition to a dental office** – David Repetto of Harwood Lloyd on behalf of the applicant; notices are in order.

**Roger Schlicht, Architect** – sworn in. **Exhibit A1** - V-1 First & Second Floor Plans, exterior elevations, same as submitted. Dated 12/22/21, revised 8/25/22; and V-2 Existing site photos, existing and proposed square footage, 2 sheets. Mr. Schlicht reviewed the proposed changes to the building – the front steps will be removed and the front porch area filled in to align with the existing exterior wall on the first floor, handicap ramp to be removed with an addition to the building constructed in that area. The new building entry will be at parking lot level with a set of interior stairs and an ADA lift and a new waiting area. The addition will create 2 new treatment rooms on the first floor, and an oversized office on the second floor is to be divided to create a third new treatment room. The overhang on the proposed entrance will be reduced by 18" from what is shown on the plans to remove any encroachment on the parking area. The square footage on the first floor is 898 SF with 1334 SF proposed, the second floor will remain at 677 SF.

Mr. Wostbrock clarified what the proposed plans are; the addition is approximately 4 to 5" off of where the current ADA ramp is. Mr. Rau confirmed there is only one entrance and one egress, only one egress required for this building. Mr. Mulder brought up a concern about vehicles hitting the corners of the proposed addition as the circulate around the site, which the engineer will speak to. Mr. Rigg clarified the amount of existing and proposed treatment rooms; there are currently 3 on the first floor, 5 on the first floor and 1 on the second floor are proposed. Ms. Duffy confirmed the flow of traffic entering and exiting the site; Prospect Street is an entrance only and vehicles can only make a left turn out of the parking lot onto E. Center Street.

Meeting opened to the public for questions of Mr. Schlicht, with none, meeting closed to the public.

**Thomas G Stearns III, Engineer** – sworn in. **Exhibit A2** - Site Plan submitted with application, dated 7/5/22, revised 12/2/22, 1 sheet. Mr. Stearns reviewed the site and parking; both driveways have a 24' aisle width, 12 oversized parking spaces were existing, but the spaces will be reconfigured to add a van-accessible ADA space without losing any spaces. Mr. Stearns also reviewed the proposed addition, a striped handicap access route to the van accessible space will be added, as well as bollards at the corners of the

building. Existing site buffers of plantings and mature evergreens are to remain. The removal of the existing steps will result in a 0.3% decrease in impervious coverage on the site, and Mr. Stearns further discussed the existing drainage which he believes will continue to be sufficient. There was a question about a corner wall, a portion of which is over the 30" permitted; it is an existing non-conforming condition but the decorative portion over 30" can be removed. Mr. Stearns had 2,252 SF on his plans but is deferring to Mr. Schlicht's 2011 SF, which creates a requirement of 21 parking spaces. 3 EV spaces are provided giving a 10% overall reduction in the spaces required, or 19 spaces. This application provides 12 spaces so a variance for 7 spaces is needed. A variance is also needed for the front yard setback on Prospect Street for the addition, it is an existing non-conformity that they are not exacerbating of 28.18' where 30' is required. Lot coverage is being slightly reduced but does still require a variance as well. Mr. Stearns reviewed some concerns raised in Mr. Boe's report; existing building mounted lights are adequate for safety and security without going onto neighboring properties, the van accessible space provided is the minimum required and the accessible route will be ADA compliant, applicant has no issue with adding a Knox box, and no changes are proposed to the height of the building, the trash/recycling procedures, or the monument sign.

Mr. Wostbrock questioned which way the door will open; it will inswing so not out into the walkway. Mr. Mulder questioned the plantings on site, the driveway width, and the drainage; plantings are all in fair condition and sufficient for the site, 24' driveway aisle width is also sufficient, all drainage has been working properly and the seepage pits are not full. Extensive discussion occurred with the Board, Mr. Repetto, and Mr. Stearns regarding the EV space requirements, especially considering one of the EV spaces is proposed to be the handicap space. Mr. Repetto to discuss with his clients further prior to their testimony.

Meeting opened to the public for questions of Mr. Stearns, with none, meeting closed to the public.

**Donna Holmqvist, Planner** – sworn in. **Exhibit A3** - Aerial Photo of the premises, dated 12/25/22, 1 sheet. Ms. Holmqvist discussed surrounding zoning and existing site, which is a complying use in the B-2 zone, and reviewed the variances that are part of this application. There are existing non-conformities that are not changing including lot depth parking in the front yard, the retaining wall, trash and recycling, site lighting, the buffer on the easterly side, and parking in the buffer. The existing building is 1,575 SF with 12 parking spaces; the site is already deficient by 4 spaces. The proposed conditions with the addition of 436 SF will require 21 parking spaces which is a 9-space deficiency. Per the ITE, 8.6 – 9 spaces are what is typically needed for a medical/dental office of this size, and 11 spaces are required based on a medical/dental office with the proposed number of employees. The 12 parking spaces proposed is more than sufficient for this use on the site based on square footage and number of employees. Ms. Holmqvist performed a physical count of the number of cars at the site on a Thursday, Friday, and Saturday; the average was 7-8 cars with a peak of 9 cars. The use of street parking should not be necessary, but some is available on Center Street.

The main goals of the Master Plan that pertain to this development proposal are appropriate buffering – exists on the site today and will remain, adequate circulation – dimensions of circulation aisles and parking stalls are all standard and there is no awkward maneuvering around the site, providing sufficient parking – ITE data and field observations support that there will be sufficient parking; per Ms. Holmqvist, this application is consistent with those goals. There are no lighting changes proposed, no intrusion onto adjoining residential properties, and the existing vegetation on site will be maintained. This proposal promotes the public health, safety, and welfare and provides a desirable visual environment. The C2 variance is justified by the benefits not outweighing the detriments; this is a modest expansion, will promote economic development, and the existing separations between residential use and circulation elements will remain. There will be no substantial detriment to the public good as there will be an improved site appearance, elimination of confusion about the location of the main entrance, enhancement to the look of the site, and no parking issues even with the shortfall. This application is not exacerbating any existing non-conformities and promotes economic activity, so there will be no substantial impact to the zone plan.

Mr. Mulder asked if the ITE considers parking requirements per treatment room; they do not. Mr. Wostbrock expressed concern about the peak count of 9 vehicles if the ITE gave a peak of 7; the ITE also gives a peak based on employees, which is 11, so the 9 vehicles is still within a projected demand for parking. Mr. Rigg confirmed that the ITE data was all based on the specific use of medical/dental office. Discussion continued

regarding the actual parking counter per hour in the field and ITE data. Ms. Holmqvist stated she is comfortable with the amount of parking provided for this business under existing and proposed conditions.

Meeting opened to the public for questions of Ms. Holmqvist, with none, meeting closed to the public.

Atty. Repetto requested a recess at 8:55 PM, meeting resumed at 9:03 PM

**Drs. Misato Fukuda and James Venuti, owners** – sworn in. Dr. Fukuda testified. Drs. Fukuda and Venuti do not intend to have all 6 treatment rooms filled at the same time; the goal is to have an extra room for an assistant to set up for the next patient. The additional treatment room on the second floor is to be used for cosmetic injections, to provide clients privacy. The intention is to have a maximum of 4 patients in the chair at one time, not to use all the rooms at the same time. Currently there are 6 total staff members including a doctor in the office at one time and there has never been a parking issue. Hygiene patients are scheduled by the hour which provides a cushion in between patients and if both doctors come in they carpool. Under the proposed conditions, there will be a maximum of 8 employees and 4 patients on site at one time, with patient turnover staggered. Dr. Fukuda believes the parking provided will be sufficient for their needs. Fedex/USPS deliveries are made in standard trucks and trash is stored in cans and picked up by the municipality. Applicant would be agreeable to striping in the lot to help cushion the building and reducing or removing the amount of EV spaces proposed.

Mr. Mulder asked about the hours of operation; Monday 9AM–7PM, Tuesday 9AM–6PM, Wednesdays are closed except for one per month when a visiting endodontist comes to the practice, Thursday 7:30AM–5:30PM, Friday 8AM–2PM, and every other Saturday 8AM–1PM. Mr. Wostbrock questioned the staggering of rooms; the additional rooms give a hygienist the opportunity to work out of two rooms, more about improving the flow for the staff. Councilman Kruis asked if they have ever had staff park on the street; they have never needed to. Mr. Wostbrock asked how long the practice has been operating on this site; 4 years. Dr. Fukuda hopes to stay in Midland Park and continue practicing here, has no intention of moving.

Meeting opened to the public for questions of Dr. Fukuda, with none, meeting closed to the public.

Mr. Wostbrock had a concern regarding the lighting with the new roof line; applicant is willing to add low level lights on the addition that should prevent shadows. Per Mr. Boe, the plan will need to be updated to show light levels at the property line and the Board will have the standard 6-month review. Mr. Boe and the Board discussed the EV space requirements, limitations, and the possibility of make-ready spaces. Mr. Boe also discussed minor plan changes contained in his letter, which will be references in the resolution as a condition of approval.

Motion to approve the application without EV spaces and the lighting updates with the condition that all things referenced in Mr. Boe's letter be addressed made by Mr. Wostbrock. Seconded by Mr. Mulder; all voted in favor.

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## **COMMUNICATIONS:**

**1 Godwin LLC/Sola Salon – 1 Godwin Ave – BL 3 LT 24.01 – LAN Letter – As-Built Plan Review** – Informational, no action taken.

**Follow-Up on Retaining Walls** – Mr. Boe went through sample ordinances, brought up some points for the Board to consider including: height limitations, engineering review, guidelines for slope control, landscape requirements, drainage, height calculations. Board discussed. Mr. Boe to re-write the draft ordinance accordingly. No action taken.

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Meeting adjourned – 9:49 PM  
Jessica Harmon