

**MINUTES
TOWNSHIP OF WEST ORANGE
ZONING BOARD OF ADJUSTMENT REGULAR MEETING**

8:00 P.M.

The West Orange Zoning Board of Adjustment held a regular meeting on May 28, 2026, commencing at 8:00 PM utilizing the virtual Zoom platform.

Chairperson Philip D. Neuer called the meeting to order at approximately 8:00 PM. It was announced that notification of this meeting was given to the Township Clerk, the West Orange Chronicle, and the Star-Ledger and posted on the Township Bulletin Board in accordance with the "Senator Byron M. Baer Open Public Meetings Act" and the "Publication Reform Act."

Chairperson Philip D. Neuer asked everyone to stand for the Pledge of Allegiance.

Ms. Kelly Carey, Esq., Board Attorney, read the opening statement.

ROLL CALL

Present: Tal Ben-Zvi, William Michael Barbee,
Laurence Cohen, Michael Dannemiller,
Todd Dubovy, Robin Miller,
Philip D. Neuer, Irv Schwarzbaum,
Brent D. Scott (8:09 PM Arrival), Marc Sussman
Absent: Alice Weiss (Excused)
Also Present: Kelly Carey, Esq., Board Attorney
Diana L. Chandler, Board Secretary
John Hess, Consultant Engineer
Christopher Dochney, Consultant Planner

Ms. Carey and Chairperson Neuer confirmed the presence of a quorum of Board Members.

ANNOUNCEMENTS

Future Meetings: June 4, 2026 (Special Meeting)
June 18, 2026 (Regular Meeting)
July 16, 2026 (Regular Meeting)
August 20, 2026 (Regular Meeting)

- Chairperson Neuer announced that upon request of the applicant, ***ZB-22-13 MPB Realty (470 Eagle Rock Avenue)*** is being carried with preservation of notice to the ***June 4, 2026, Special Meeting*** via Zoom starting at 8:00 PM.
- Chairperson Neuer announced that upon the request of the applicant, ***ZB-25-10 Seton Hall Preparatory (700 Prospect Avenue)*** is being carried with preservation of notice to the ***July 16, 2026, Regular Meeting*** via Zoom starting at 8:00 PM.

SWEARING IN

- Township Professional(s) Mr. Christopher Dochney (Consulting Planner) and Mr. John Hess (Consulting Engineer) were sworn under oath.

MINUTES

- April 16, 2026, Regular Meeting

Motion: Chairperson Neuer

Second: W.M. Barbee

Barbee:	Y	Schwarzbaum:	Y
Ben-Zvi (Alt.):	Y	Scott:	-
Cohen:	Y	Sussman (Alt.):	Y
Dannemiller (Alt.):	-	Weiss:	-
Dubovy (Alt.):	Y	Neuer:	Y
Miller:	Y		

RESOLUTIONS

- **ZB-25-12 Pullman (12 Knollwood Drive)** (Approved 4/16/2026)

Block: 161.06; **Lot** 21; **Zone:** R-4 Residential

The applicant proposes to construct a new reading room and deck in the rear of an existing ranch style single family home with a two-car garage. The property's existing rear yard setback does not conform to the R-4 bulk requirements. A bulk variance is required for a continuing encroachment into the required rear yard setback. This application was approved with conditions at the April 16, 2026, Regular Meeting.

- [ZB-25-12-Pullman-12-Knollwood-Drive-ZBA-Application-Amendment---Verification-and-Authorization-Page \(rcd-4-21-2026\)](#)
- [Addendum-1-rcd-4-28-2026](#)

Motion: Chairperson Neuer

Second: R. Miller

Barbee:	Y	Schwarzbaum:	Y
Ben-Zvi (Alt.):	Y	Scott:	-
Cohen:	Y	Sussman (Alt.):	Y
Dannemiller (Alt.):	-	Weiss:	-
Dubovy (Alt.):	Y	Neuer:	Y
Miller:	Y		

APPLICATIONS

1.) ZB-25-07 Mavis Tire 460 Prospect Avenue Block 105, Lot 64.01

The applicant proposes to remove the existing structure and construct a tire center/motor vehicle service station with seven service bays and a retail sales area encompassing 1,142 square feet including a showroom, sales counter, waiting area, and bathrooms. A d-1 use variance relief is required to permit a motor vehicle service station in the general commercial district.

PRESENTATION

- Ms. Lisa John-Basta, Esq entered the record on behalf of applicant Mavis Tire and gave a summary of the proposed application with seven (7) experts set to testify.
- Mr. Jake Wilcox and Mr. Rob Tobin were sworn under oath on behalf of Mavis, provided credentials, and were accepted by the Board as "Fact Witnesses". Ms. John-Basta confirmed that she was not seeking to have them qualified as experts.
- Mr. Wilcox confirmed that Mavis originally had a facility located at 235 Prospect Avenue, which was in business as a tire store since 1982 then Mavis acquired that as part of a larger STS acquisition in 2015 and it was operational until May of 2025. When operational, there was a high volume of customers (roughly 9,000). When the landlord elected not to renew Mavis' lease as part of the development of what is now the West Orange Plaza complex, we were left with no choice but to look at other locations in that general vicinity to not lose the built up client base. The subject site at 460 Prospect Avenue was selected due to the 4,100 customers within the two (2) mile radius. There were approximately 17 different sites throughout the years.
- Mr. Tobin confirmed that the variance required for tonight's meeting categorizes the subject use as a motor vehicle station. Ms. John-Basta read the definition of a motor vehicle station where Mr. Tobin said that this Mavis location won't be performing any major repairs (ie major engine, transmission work, dispense retail fuel or any types of fuels at all). The tasks that will be performed will be on a smaller scale (ie: tire installation, balance/wheel alignment, rotations, pressure monitor replacements, AC, suspension, brakes, oil changes, shocks, struts...) with an average turnaround time of being between an hour to two (2) hours. When waiting, usually customers patronize other areas nearby. Mr. Tobin reiterated that when the other location was operational, customers would walk to Whole Foods for shopping or go to Staples spending money in town. Mr Tobin said that based on this anticipated site that since AMC and the Essex Green are in a similar vicinity type, that the same could occur.
- Mr. Tobin confirmed that the proposed hours of operation for this site would be a seven (7) day a week operation (Monday, Tuesday, Wednesday, Friday 8:00 AM – 5:00 PM; Thursday 8:00 AM – 8:30 PM; Saturday 8:00 AM – 5:00 PM; Sunday 9:00 AM – 5:00 PM)
- Ms. John Basta referenced the Planning Review Letter (dated - March 25, 2026) asking if there was a possibility that Mavis could at an hour after the closing of the shop, be willing to reduce the lights or turn the lights down at the facility. Mr. Tobin said absolutely since the lights are on a timer, it won't be a problem to reduce it to the security lighting and or leave the wall packs on to shut off after a certain time.
- In regards to deliveries, Mr. Tobin testified stating that a tire delivery of approximately 15 tires would come in daily during daytime hours (10:30 AMish). A loading dock is not proposed so the box truck would pull up to a service bay and the tires would be rolled in. The only difference would be for scrap tires where the pick up would be every two (2) weeks and the same for parts/office supplies

- Garbage pickups would occur through a private hauler.

BOARD QUESTIONS

- Chairperson Neuer asked about the previous service of a drop-off where cars while the store was closed a prospective customer could pull in and put their keys in a lockbox and whether the applicant plans on having this service at the new location. Mr. Tobin said yes. Chairperson Neuer suggested that they eliminate the drop off feature given that it goes against previous testimony stating that there would be no cars parked overnight. Mr. Tobin said that it can be eliminated. Ms. John-Basta followed up stating that they can eliminate the key drop as a condition of approval, and also can agree that no vehicle larger than a box truck would be arriving at the site, clearly after the initial fit-out.
- Chairperson Neuer asked about deliveries and the type of truck being used and if there will be anything larger than a box truck making deliveries to the site. Mr. Tobin said that as a general practice, they only use box trucks in-house.
- Chairperson Neuer asked about fluids, waste oil removal and the name of the company, time between pickups, and how long it is kept on site. Mr. Tobin said that they would be using Crystal Clean, that at the last facility pickups were every 45 days. Chairperson followed up by asking where the fluids are kept and how they are stored. Mr. Tobin said that they are stored in a waste container that is sealed inside of the building.
- Chairperson Neuer asked about employee parking in the spaces closest to Blueberry Bend and if Mr. Tobin would accept that as a condition. Mr. Tobin said yes.
- Ms. Robin Miller asked if the scrap tires are stored inside the building. Mr. Tobin said yes. Ms. Miller asked if there is overflow where they would be stored. Mr. Tobin said that they would never leave the building.
- Ms. Miller asked about the consumerism at the previous location being different from this site as being very different due to having to cross Prospect Avenue where there are no sidewalks and if they will be installed. Ms. John-Basta answered in the affirmative.
- Mr. Brent D. Scott asked if the services at this location would be similar or the same as the one in Verona on Bloomfield Avenue. Mr. Tobin said yes.
- Mr. Scott asked if they will be doing oil changes and if so, where is the oil kept and how many are done in a week. Mr. Tobin said that he doesn't have those exact numbers on how many done in the a week but that the oil in the old building was picked up about every 45 days. That container was approximately 200 gallons with a Wi-Fi-enabled monitor that it's on the dashboard in the store, and it's monitored as well at the corporate office.
- Mr. Scott asked if a car is left after completion for more than 24 hours, what is the procedure. Mr. Tobin said that the general practice is that when the car is left overnight, it is put inside the facility.
- Mr. Irv Schwarzbaum said how long they were at their previous location. Mr. Tobin said that they originally opened as STS in 1982 and in 2015 Mavis acquired that one. Mr. Schwarzbaum followed up by asking if when they were at the previous location if there were any violations from the Township of West Orange. Mr. Tobin said that he would not be able to answer that.
- Mr. Schwarzbaum asked if free self service air is offered all of the time? Mr. Tobin said that it is something proposed.
- Dr. Tal Ben-Zvi asked if there will be parking on-site for employees. Mr. Tobin said yes.
- Dr. Ben-Zvi asked if repairing tires is also part of their facility. Mr. Tobin said yes. Dr. Ben-Zvi asked for clarifications as Mr. Tobin stated that they are not a "repair shop". To which Ms. John-Basta said that she believes the testimony was that they don't do

major repairs. That there are certain repairs that are done to tires but Mavis does not do major auto repairs.

- Chairperson Neuer asked for confirmation while referencing the Site Plan bays opening towards Blueberry Bend and that there are no bays opening either to the front of the store facing Prospect and there are no bays to the rear facing the condominium development. Mr. Tobin said, yes. Chairperson Neuer asked him to discuss with counsel as he believes that a condition should be added that there would be no bay doors opening towards Prospect Avenue and no bay doors installed facing the condominiums. Ms. John-Basta said that they can agree to that.
- Chairperson Neuer asked if when employees are working vehicles, are the bay doors left open or closed? Mr. Tobin said that it would all depend on the weather.
- Mr. Scott asked within a seven (7) day period about how many cars were you servicing at the previous location. Mr. Wilcox said that he believes Mr. Tobin testified to about 20 cars earlier.

PROFESSIONALS QUESTIONS

- Mr. John Hess asked about services provided and whether brake repairs are done. Mr. Tobin said yes that brake repairs are done. Mr. Hess asked if brake replacements, radiator flushes, and brake fluid flushes are performed. Mr. Tobin said yes.
- No questions from Mr. Christopher Dochney

PUBLIC QUESTIONS

- Kevin Malanga (Ridge Road) asked for confirmation that if when a customer brings in a car for four (4) tires, that car is assigned to one (1) technician. Mr. Tobin said yes. Mr. Malanga asked how many cars will that technician handle in one (1) day. Mr. Tobin said that it depends on their accuracy, speed, and experience.
- Mr. Malanga asked what is needed for seven (7) bays at this facility. Mr. Tobin said that seven (7) bays with four (4) technicians keep the customers flowing.
- Mr. Malanga asked how many air compressors will there be at this location. Mr. Tobin said two (2) inside the shop. Mr. Malanga followed up by asking about whether they will exhaust outside the shop. Mr. Tobin responded by stating that they are inside the shop.
- Mr. David Dockery (Counsel for the Villas at Eagle Ridge Condominiums as a corporate entity. He does not represent its individual owners.) asked Mr. Wilcox for clarification on the 17 sites proposed and an explanation as to why they were not suitable but this one was. Mr. Wilcox said that with the redevelopment of the WO Plaza they were given relatively short renewals on their lease, then were informed that the lease would not be renewed.
- Mr. Dockery asked about the characterization of whether this is a motor vehicle service station or a retail store, and confirmation of testimony from Mr. Tobin that it more closely resembled a retail store. Mr. Tobin said yes. Mr. Dockery followed up by asking for confirmation on the testimony that would be tire installation and other automotive repair services. Mr. Tobin said yes, but only tire installations and automotive maintenance services.
- Mr. Dockery asked about the tools being used on-site such as air compressors and tire installation equipment and the type of noises those tools generate. Mr. Tobin said that he cannot speak to the noise levels. Mr. Tobin said that he cannot speak to noise levels.

- Mr. Gavin Norwitz (220 Cerruti Court) asked if a car enters facility that is already leaking what is done to maintain or remove any oils from the grounds outside of the building. Mr. Tobin said that the oil leak would be contained but size of the spill would depend on the next steps as far as environmental concerns. As far as the repair, its not something normally done if it were a simple repair such as an oil filter that maybe for punctured but otherwise would be recommended to a dealership or some other automotive place that could handle repairs like that. Mr. Norwitz followed up by asking how often spills would occur. Mr. Tobin said that he would not have the numbers on that.
- Mr. Norwitz asked about the free air as one of the services offered and whether it is self service and open 24 hours. Mr. Tobin said that it is a self service machine and whether it is left open 24 hours or have an open/closed time is debatable.
- Mr. Michael Gorman (212 Cerruti Court) asked Mr. Wilcox based on testifying that the previous store had 9,000 customers serviced per year, what is the anticipated customer count for this new store. Mr. Wilcox said that he does not know that information.
- Ms. Barbara Friedman (291 Araneo Drive) asked Mr. Tobin if he could confirm the amount of oil that is stored on site until it is removed by Crystal Clear. Mr. Tobin said that the tanks hold 200-250 gallons. Ms. Friedman followed up by asking if there were ever any issues. Mr. Tobin said he does not recall.
- Ms. Susan Donas (108 Coccio Drive) asked based on the information that the business being open seven (7) days a week, when will the work requiring air compressors and assorted tools be used. Mr. Tobin answered during the workday hours.
- Ms. Stacy Harris (304 Araneo Drive) asked for clarification as to when the free air would be available. Mr. Tobin said that he was amending his previous answer to that question that it would be available during business hours.
- Ms. Mindy Feld (Zeppi Lane) asked Mr. Wilcox asked if any of the 17 locations considered were in West Orange and where exactly they were. Mr. Wilcox said that he believes that they were all in West Orange. Ms. Feld asked if any were denied because of residential complaints. Mr. Wilcox said that he is not the best person to answer that as he was not with the company at that time.
- Ms. Tyne Hunter (40 Musano Court) asked where is intended for employees to be parking. Chairperson Neuer answered stating that it was previously testified that there will be parking spaces along the what is designated as Blueberry Bend.
- Ms. Candace Wildly (31 Digaetano Terrace) asked about the selection of the site and how far they are from the residential neighborhoods. Mr. Wilcox said that he cannot provide that information.
- Ms. Eileen Toll (149 Dezenzo Lane) asked if Mavis does not get the variances it seeks, will the contract be voided? Mr. Wilcox said that he didn't feel comfortable disclosing the details of a contract between Mavis and another party.

Chairperson Neuer announced that Public Questioning is closed.

Break 9:28 PM – 9:38 PM

Upon return from the break, the Chairperson requested a roll call, and the presence of a quorum was confirmed.

PRESENTATION

- Mr. Rodman Ritchie, Civil Engineer PE entered the record, was sworn under oath and credentials were accepted as an expert in the field of Civil Engineering.
- Mr. Ritchie referenced Sheet 1 Aerial Map Exhibit (dated - May 18, 2026) explaining that the existing parcel is approximately .74 acres in size and is currently developed with an existing two (2) story commercial office building which was formerly occupied by Weichert Realtors and is presently vacant. He explained that the property is within the B2 Zone (General Business District)
- Mr. Ritchie referenced **Exhibit A1-Site Plan Rendering with Data (dated – May 18, 2026)**, More or less in the middle of the parcel. Prospect Ave to the left, running north-south, the west side of the property. Blueberry Bend is along the southern portion of the site.
 - In terms of site access, there is an existing driveway with access to Prospect Avenue that is being proposed to maintain. It's 28-foot wide, right-in, right-out driveway access to the site with a secondary access here, along the southern Portion of the property with a two (2)-way driveway on Blueberry Bend that then also connects to Prospect Ave.
 - An extension of the sidewalk along the Prospect Avenue frontage is being proposed, with a pedestrian connection to the Essex Green Shopping Center across the street, because this sidewalk extends up, to the next intersection to the north where there is a crosswalk across Prospect Avenue.
- Some of the Site Plan features were put on the record:
 - Monument sign at the driveway of the entrance (14.5 feet back from the property line.)
 - Building mounted sign which meets the area and dimensional requirements, so no relief is required.
 - In terms of building and orientation, this is a 6,205 square foot building inclusive of a 1,142 square foot retail space located generally in the front of the store. (Front meaning the Prospect Avenue side of the store.) Seven (7) bays are located along the southern side of the building and face south (towards Blueberry Bend).
 - The one exception to the bulk standards is the impervious coverage where 60 percent is permitted and this application proposes 63.3 percent.
 - 22 spaces are being sought for this lot where 25 are required which in his opinion as heard in the operational testimony the bays are actually used on a regular basis to park vehicles particularly overnight, so if those bays were counted towards the parking it would actually exceed what is required.
 - 10x10 trash enclosure located in the eastern portion of the site is proposed. Access from a trash truck is very favorable in the location proposed as a truck would pull directly in, load, unload, and then exit the site. The enclosure is located outside of the 20 foot buffer against the eastern property boundary with the belief that the size of the enclosure is adequate, as supported by the operational testimony previously heard.

- Air machine, which is for access by the general public located closer to the retail portion of the facility where general public would be able to pull up, fill their tires with air, and exit the site.
- Lighting plan for safe design with seven (7) wall mounted fixtures around the perimeter of the building at a mounting height of 12.5 feet. For pole mounted fixtures throughout the parking lot at a mounting height of 18 feet. All fixtures are proposed to be LED fixtures with a low temperature with a setting on a timer and the lighting on the site would be reduced to security lighting around the entrance for overnight hours with the fixtures to be "Dark Sky compliant". The relief sought regards the fact that there is a .5 foot candles maximum at the property line where .48 is being sought. Where this model does not account for any off-site ambient lighting.
- Fencing proposed is a six (6) feet tall solid wooden privacy fence which will run from the southeast corner of the building and connects to the side of the trash enclosure.
- Trees are being proposed to being supplemented along the eastern side within the buffer and an extensive landscaping package stating that they have done their best to minimize tree removal but despite best efforts four (4) trees will still need to be removed, but are proposing replacement based upon a tree replacement plan in accordance with the West Orange Tree Ordinance. This would include 17 new trees, 4 shade trees, 6 ornamental trees, 7 evergreen trees, and a whole host of new shrubs, ground cover, and other perennials and grasses to really make the site look nice. In Mr. Ritchie's opinion, the requirements of the tree replacement plan all have been met and are spelled out. It actually shows up on the demolition plan and the site plan package.
- Mr. Ritchie reiterated that this application is providing stormwater flow reductions, just not to the full extent that's required by ordinance. The other relief being sought is to install a non-green infrastructure practice, and that's the, underground detention pipe to slow stormwater runoff from the roof. So it's considered a clean runoff in a pipe that's controlled by a small orifice at the end, and it's being used for detention purposes only which he believes is a better alternative than a green infrastructure alternative (such as a porous pavement), for example. In his opinion, there's really no difference between an underground pipe and a porous pavement system in terms of the benefits to the environment, especially in Planning Area 1 where there's no infiltration. Infiltration is actually discouraged in Planning Area 1. Both, in Mr. Ritchie's opinion, are structural systems, a structural approach to stormwater management, and they both are, in this case, achieving the exact same goal, which is to simply reduce stormwater flows from a clean rooftop.
- Ms. John-Basta Esq., Applicant Attorney asked for confirmation that Mr. Ritchie received the Board Engineer Review Letter dated May 19, 2026, and, to the extent that there are topics not touched on or dealt with any of the comments, are there any comments in here that, are adverse to the applicant, or could the applicant comply with, the comments made by Mr. Hess? To which Mr. Ritchie answered in agreement to comply with any other comments that he didn't specifically address in testimony.

PROFESSIONALS QUESTIONS

- Mr. John Hess and Chairperson Neuer had a discussion about #41 in his memo (road and paving cross sections and profiles) stating that they are not doing anything with the street and #42 is about proposed street names, but stated that they are not creating a

street so Mr. Hess doesn't believe that it is applicable. Chairperson Neuer said in response to those questions, waivers for those issues are granted.

- Mr. Hess said that Mr. Ritchie indicated the DEP requirements that they are not a major based on one (1) acre of clearing, but wanted it on the record that the West Orange Ordinance established a disturbance of a half acre of land since February 2, 2004 so this project is a major development which is in his report. Mr. Hess also stated that since Mr. Ritchie's intention is to use a basin which does not meet the green infrastructure requirements for the underground basin and have asked for a waiver to be granted by the Board to permit the stormwater management system that is proposed which he believes that there will be no issues with it, but it is a technical issue where the applicant is not fully in compliance with the Ordinance. Mr. Hess confirmed that with the previous explanation there are no questions for Mr. Ritchie.
- Mr. Christopher Dochney had no questions.
- At a later point in the meeting, Mr. Dochney offered information stating one of the ways to rectify the impervious coverage variance is if you had shifted the parking of those 12 spaces on the south end off of Blueberry Bend if shifted, those to the south a little bit and expanded that, planted median, 60% could get achieved. But testimony was that doing that would be a less safe condition where he stated that he was not quite understanding that, because right now, the way it's designed, cars would pull in, head forward into those parking spaces, presumably, and then back out into the easement of Blueberry Bend or the private drive. Mr. Ritchie said that they would be doing it at the same movement but the separation from the travel way is greater under this condition. If the spaces shift eight (8) feet the parking space is immediately adjacent to the travel way. Mr. Dochney said that it is functioning more as a drive aisle, it's not a, high-traffic roadway there. But either way, they're going to be backing out, they're not backing out into that 8-foot strip, they're backing and doing a turn there, are they. Mr. Ritchie said that it's a matter of proximity, and having a little more space to maneuver, to back up, and be able to look to see if there's oncoming traffic. I just think this is a more safe, or a safer condition.

BOARD QUESTIONS

- I. Schwarzbaum had a question for Consultant Engineer, Mr. Hess about the detention basin not being compliant. Mr. Hess said that there are various options available in the Ordinance in order to make it compliant but technically it is not in compliance with the green infrastructure requirements. In order to make it compliant, the applicant would have to go into the Ordinance and look at one of the permitted infrastructure improvements and modify the design to incorporate that.
- T. Dubovy asked for confirmation that there would not be left turns allowed onto to Prospect from either exit points. Mr. Ritchie said that the flow would be right in, right out, only no left turns. You could not physically make that left turn unless the median was jumped which he doesn't recommend. There is no signage restricting and no physical barrier so he does not know whether left turns are allowed or not. Essex County has jurisdiction over this and an application has been submitted but they have deferred comment until the West Orange Zoning Board has acted.
- T. Ben-Zvi asked for confirmation that the applicant could comply with the 60% impervious coverage, but the preference is not to. Mr. Ritchie said that if the median is widened by eight (8) feet and the stalled are pushed further to the south that would add and then meet the 60% impervious coverage requirement. But it pushes these spaces closer to the travel way of Blueberry Bend and in his professional opinion, that is a less desirable condition. It is a less safe condition.

- T. Ben-Zvi asked about parking where only 22 parking spaces are proposed but said that if the bays are included then the applicant might be in compliance, but isn't that the other way around where the bays actually trigger the parking requirement because you need two (2) parking spaces for each bay so if you decrease the number of bays, in his opinion they would be in compliance. Mr. Ritchie said that there are a number of different ways to look at it, yes.
- M. Dannemiller asked about the drainage and the green infrastructure there are multiple ways that this application could be in compliance so was there a reason a green roof with any sort of to minimize runoff was not considered so that the thresholds that are required could have been met. Mr. Ritchie said that in his opinion a green roof really isn't going to achieve anything different than what is being proposed with the underground detention system reducing flows the runoff from the roof would be considered clean anyway so the only benefit of a green roof is to increase and improve water quality which is not something this application is seeking relief for.
- M. Dannemiller asked what size vehicle for deliveries is accommodated in this parking lot configuration (i.e.: Single Unit 40, WB50). Mr. Ritchie said that it is a box truck technically referred to as an SU30 with an overall length of 30 feet.
- M. Dannemiller asked regarding lighting and a severe variation of 4.8 to five (5) foot candles at the driveway on Prospect Avenue and asked if it could be scaled back and if he had the ability to try and get it to be more consistent across. Mr. Ritchie said that it could be done. But it is really more of a function of the light being at the driveway and that he doesn't think there is going to have a situation where drivers would be "blinded" as they are entering the property where he does not believe that is the case in the application taking place and that there are always a number of variables that have to be considered with these models. Mr. Hess joined the discussion explaining that the plan shows along the curb line that it is reduced to a maximum of 4.8 at the property line but at the curb line it is down to 1.6 and that is only in the center of the driveway and then it drops off significantly on either side of the driveway.
- M. Sussman asked whether or not Blueberry Bend is an actual street. Mr. Ritchie said yes. Based upon discussion between Mr. Sussman and Mr. Ritchie, Chairperson Neuer suggested to Ms. John-Basta that prior to the next appearance to contact the Engineering Department and see if they can get the status of Blueberry Bend, even though according to Ms. John-Basta her understanding is that Blueberry Bend is a private roadway and the town does not maintain/take ownership of it. Mr. Sussman asked if this goes through to the condos in the back. Mr. Ritchie said no.
- B. D. Scott asked for confirmation that they are taking down the existing structure there. Mr. Ritchie said yes. Mr. Scott followed up by asking what the length and width of the parking lot, including in and out of the driveway. Mr. Ritchie said that it is from the property line with approximately 30 feet to the edge of the parking stalls.
- Mr. Scott asked if Mr. Ritchie would be willing to make a condition of approval to ameliorate for a heat island effect by using lighter materials and lighter colored materials in the parking stalls. Mr. Ritchie said that he is not familiar with those kind of products but that the applicant would be open to considering options, but he is not knowledgeable enough but willing to look into it and explore options.
- Mr. Scott asked if the applicant would consider as a condition of approval including green roofing and putting something there that the residents of the condominiums would have something other to look at than the rooftop of a Mavis. Mr. Ritchie said that other than the visual benefit, there is a cost benefit analysis there and in his opinion, it isn't there as it is very expensive, with very little benefit, and he is unsure that is something the applicant would entertain. Mr. Scott asked if he has ever done green roofing before. Mr. Ritchie said that he has not.

- R. Miller asked about the proposed privacy fence between the rear of the building to the east and the garbage area confirming that there is no plan for a perimeter fencing along the eastern side abutting the condo area. Mr. Ritchie said no that they looked into that and had originally contemplated a privacy fence along the entire perimeter. But as mentioned in earlier testimony, there are a number of trees along the eastern property line and substantial vegetation along the southern portion of this eastern property line and to circumvent those trees with a new fence. But if the Board disagrees or feels differently, Mr. Ritchie believes that the applicant would be open to considering a fence along the entire way it just did not make sense at the time.
- Ms. Miller asked in reference to the Sustainability Checklist, if the applicant could agree to roofing material being light gray color instead of a dark material. Mr. Ritchie said that he's deferring to the architect to answer, but he believes the roof color being white.
- L. Cohen asked in reference to trees, to which Mr. Ritchie referenced his plans to what trees were staying as opposed to those being removed. Mr. Cohen asked about the green roof and what the costs could possibly be. Mr. Ritchie said that he hadn't looked at a green roof for this facility but from his experience they are very expensive per square foot and require structural reinforcement because they do have a load. There are a lot of other considerations that come into play with a green roof for a facility like this, but reiterated that he doesn't believe the benefits would be justified based on the cost and the other design elements/criteria involved. Adding that there is no reason from a Stormwater Management perspective to install a green roof.
- Mr. Cohen asked if when the building is being taken down, would there be a way to recycle or use those stones again instead of just throwing it in the garbage. Mr. Ritchie said that if someone was found interested in reusing it, or wanted to take it that he is sure the applicant would be willing to work with them.

PUBLIC QUESTIONS

- *(not heard and it was at this time that Chairperson Neuer announced this application ZB-25-07 Mavis – 460 Prospect Avenue is being carried with preservation of notice to the July 16, 2026, Regular Meeting via the Zoom platform, where this application will pick up with the public questioning of Engineer, Rodman Ritchie.)*

Chairperson Neuer adjourned the meeting at 10:51 PM

Adopted: 6/13/26

Diana Lyn Chandler

Diana L. Chandler, Secretary