

**MINUTES OF THE JANUARY 15, 2019 PLANNING BOARD
REORGANIZATION AND REGULAR MEETING**

The following are the minutes of the January 15, 2019 Reorganization and Regular Meeting of the Planning Board of the Borough of Pompton Lakes that was held in the Council Meeting room of the Municipal Building, 25 Lenox Avenue, Pompton Lakes, New Jersey and was called to order at 8:00 P.M.

Mayor Michael Serra read the Open Public Meeting Law Statement of Compliance and led participants in saluting the flag.

The following members were present: Mr. Michael Simone, Mr. Richard Fracaro, Mr. Steve Soojian, Ms. Anne Marie Michael, Mr. Brian Otto, Mr. Tim Troast, Dr. William Pendexter, Mr. Steve Edgeller, Mayor Mike Serra and Councilman William Baig.

Also present were Andrew Brewer, Planning Board Attorney, Ralph Tango, Board Engineer, Debbie Lawlor, Board Planner and Lynnette Bradley, Secretary.

APPOINTMENT OF CHAIRMAN:

Motion moved by Mr. Fracaro, seconded by Mr. Soojian for the appointment of Michael Simone as Chairman of the Board.

All voted in favor.

Mayor Serra administered the oath of office to the following board members: Richard Fracaro, Steve Edgellar, William Baig and Steve Soojian.

REORGANIZATION APPOINTMENTS:

A motion was moved by Mr. Troast and seconded by Mr. Soojian to appoint the following:

Vice Chairman: The appointment of Richard Fracaro as Vice Chairman of the Board.

Secretary: The appointment of Lynnette Bradley as Secretary of the Board.

Attorney: The appointment of Andrew Brewer as Board Attorney.

Engineer: The appointment of Maser Consulting P.A. as Board Engineer.

Planner: The appointment of Maser Consulting P.A. as Board Planner.

Official Newspaper: The appointment of the Trends as the official Newspaper of the Board.

Alternate Newspaper: The appointment of the Herald as the alternate legal newspaper.

Meeting Date & Time: The Pompton Lakes Planning Board meets on the third Tuesday of each month at 8:00 P.M. in the Municipal Building, 25 Lenox Ave, Pompton Lakes, New Jersey. Unless otherwise noted. **All voted in favor.**

Motion to adjourn Reorganization Meeting moved by Mr. Troast, seconded by Mr. Fracaro. **All voted in favor.**

REGULAR MEETING

A roll call indicated the following members were present: Mr. Michael Simone, Mr. Richard Fracaro, Mr. Steve Soojian, Ms. Anne Marie Michael, Mr. Brian Otto, Mr. Tim Troast, Dr. William Pendexter, Mr. Steve Edgeller, Mayor Mike Serra and Councilman William Baig.

MINUTES:

Regular Meeting Minutes dated December 18, 2018. Motion moved by Mr. Troast and seconded by Mr. Soojian to approve. **All eligible voted in favor.**

CORRESPONDENCE:

Borough of Oakland yes we received

Letter from County of Passaic for 9 Hamburg with conditional approval

Letter of County of Passaic for 105 Hamburg Tpk., with conditional approval

Letter from Decotiis another party to discuss objection on application.

APPLICATIONS:

1. PB18-05
105 Hamburg Tpk., LLC
1534 Rt.23 N, Wayne, NJ 07470

Mr. Simone states this is a continuation from the December meeting and asks for the applicant to come forward.

Mr. Vogel comes forward and mentions that they did get a meeting with the County of Passaic for this Thursday, January 17, 2019 at 9:30am in the county office of Totowa. Ralph Tango says he will be there also. He also states they have toned the colors down as shown in Exhibit A5.

Mr. Douglas Doyle steps forward and introduces himself with the law firm of Decotiis, 500 Frank W. Burr Blvd., Teaneck, NJ representing a formal objector. We will provide traffic engineers, experts and operators in the industry, which we ask to be heard at your next meeting. Is this ok Mr. Chairman?

Mr. Simone says yes.

Mr. Vogel introduces his professional witness Jack Zyburra. Acoustical engineer with the firm Lewis S. Goodfriend & Associates.

Mr. Simone establishes him as professional.

Mr. Jack Zyburra explains the report given to the board dated 1/8/2019 as to the noise and regulations. Exhibit A6. He explains the limits apply to the sound being produced. They are under the code limit of 65 dB(A).

Mr. Simone asks in case there is a problem of being louder than proposed, this will be a condition that needs to be met or mitigation is required.

Ralph Tango asks about the section 4 of the report with respect of idling vehicles waiting to be serviced.

Mr. Zybura says according to the DEP the owner of the vehicle is responsible for their own car noise not the property owner.

Mr. Doyle asks if there are 2 ways to measure sound. Linear or point sources in doing the analysis and could you get the same results from point source compared to linear. He asks about the manufactures specs.

Mr. Zybura responds and answers the questions.

Mr. Simone asks that Mr. Doyle can come forward next to Mr. Vogel.

Mr. Doyle states he was just retained on Friday and represents Major League Auto Spa referenced in his letter as Soft Shine Car Wash, who is the objector. He states they are concerned about the traffic volume that this car wash can produce. He wants to submit a report.

Mr. Brewer asks him not to submit the report at this time it would only be hearsay. He can bring it at next month's meeting, when the professionals will be present.

Mr. Doyle says that this application is a conditional use not a permitted use. He will produce experts on the stacking issues also.

Mr. Vogel states this is not a conditional use it is a retail use permitted in the zone.

Mr. Brewer concurs that this is a permitted use.

Mr. Simone states that the use issue, testimonies and witnesses can be done at our next meeting February 19, 2019.

Mayor Serra States the town is concerned about stacking issues at both car washes.

CONCEPTUAL:

1. Michele Cortese
203 Wanaque Ave.
Tattoo Studio

Mr. Simone introduces Michele Cortese.

Ms. Cortese explains her proposal to open a tattoo/permanent makeup, piercing, micro blading studio. She will be Board Certified and licensed. She will start out with just 2 employees. She will be renting, the owner is fine with it.

Mayor Serra asks about the signage.

Ms. Cortese explains her signage.

Debbie Lawlor agrees signage is positive. She stated this is a permitted use.

Mr. Simone states it looks like something that can be achieved.

NEW/UNFINISHED BUSINESS:

Master Plan Re-Examination.

Mr. Brewer explains the Master Plan Re-Examination. DuPont is working with the town but a draft ordinance was prepared and the governing body asked the Planning Board to go forward with this.

Ms. Lawlor states she has a site visit on the 23rd. She has uses worked in the master plan and should be ironed out in about 6 weeks or so and there will be preservation land. This is a plan development looking at larger site and uses.

Mr. Troast asks if it is the whole site.

Ms. Lawlor says yes, the whole site.

Mr. Simone we're trying to move this forward.

Mr. Brewer states this would be preparing and implementing on ordinance.

Mayor Serra is hoping for DPW site.

Mr. Brewer states adding uses is not inconsistent with the master plan.

Roll call: Mr. Simone Yes, Mr. Fracaro Yes, Mr. Soojian Yes, Ms. Michael Yes, Mr. Otto Yes, Mr. Troast Yes Dr. Pendexter Yes, Mr. Edgeller Yes, Mayor Serra Yes, Councilman Baig Yes. **All in favor.**

Mr. Simone establishes the Master Plan Committee consisting of: Mr. Troast, Mr. Fracaro and Ms. Michael.

RESOLUTION:

Master Plan reexamination for Maser Consulting, P.A. to prepare a draft Ordinance providing for rezoning of the DuPont tract, consistent with the provisions of the 2017 Master Plan Re-Examination.

Motion moved to adopt the resolution by Mr. Troast and seconded by Councilman Baig. **All eligible voted in favor.**

PUBLIC DISCUSSION: None.

ADJOURNMENT:

Motion moved by Mr. Soojian, seconded by all. All voted in favor for the adjournment of the meeting at 9:15 P.M.

Lynnette Bradley, Secretary