

**MINUTES OF THE March 19, 2019 PLANNING BOARD
REGULAR MEETING**

The following are the minutes of the March 19, 2019 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.

Mr. Michael Simone 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, Ms. Anne Marie Michael, Mr. Brian Otto, Mr. Tim Troast, Dr. William Pendexter, Mr. Steve Edgeller, Mayor Mike Serra and Councilman William Baig, Mr. John Keating.

Mr. Steve Soojian was excused from the meeting.

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

MINUTES:

Regular Meeting Minutes dated February 19, 2019. Motion moved by Ms. Michael and seconded by Mr. Fracaro to approve. **All eligible voted in favor.**

CORRESPONDENCE:

Borough Of Wanaque – Ordinance adopting redevelopment plan for properties situated in the vicinity of Susquehanna Ave. near Twin Lakes.

APPLICATIONS:

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

2. PB 18-09
9 Hamburg Tpk. LLC
12-24 River Road
Fair Lawn, NJ 07410

Mr. Simone introduces the first application which is PB18-05 105 Hamburg Tpk. Which is a continuation of the previous meetings.

Mr. Vogel the applicant's attorney comes forward he states the board's engineer and the applicants engineer had the opportunity to interact and have reached some accommodations in respect to the radius. The record is complete. We are here for anything else you need from us. He mentions that the opposing attorney Mr. Doyle indicated he will not be appearing tonight.

Mr. Tango explains the 30 foot radius possibly 35 feet radius as built on the corner they are just waiting to hear from the county.

Mr. Brewer states that the applicant will be amendable to minimum of a 30 foot radius.

Mr. Simone states that no standing and stopping signs need to be replaced. Also the police chief recommended Right turn only out of the driveway with signage and Title 39 enforcement.

Mr. Vogel states he has no objection with replacing the signs and Title 39 the police right to enforce traffic rules but the right turn only was not recommended in the traffic study, the police chief recommended it but did not make it a condition.

Mr. Simone states the chief requests no left turn out of the driveway.

Mr. Vogel states we don't feel that it would have adverse impact on traffic and would like it to continue the way it is.

Mr. Simone Opens to public comments. Motion made by Mr. Otto Seconded by Mr. Fracaro. **All in Favor**

Pat Ciancitto 246 Midland Ave. steps up and states he wants change to the zoning in the area because of the traffic.

Mr. Simone states the planning board does not create zoning ordinance only makes recommendations. The applicant has a viable application to the existing B2 zone.

Michael Riga 56 Spruce St. Steps up and states he lives within a block and doesn't feel a car wash would be appropriate in that location.

Bruce Egan 1034 Ringwood Ave. steps up states he lives on the road by the proposed carwash on the south side and said he was never informed and would like a traffic study and more information. He wants his taxes lowered for this business going in his neighborhood and is concerned about resale value.

Mr. Simone stated he was probably outside of verification range, the 200 foot range and it was published in the newspaper. He states it is unfortunate you were not aware of this project.

Mr. Simone closes the public comments session.

Mr. Simone states we will entertain a motion for or against the approval of the project as presented. We will take a vote.

Mr. Brewer suggests an open discussion from the board. States approval is subject to conditions placed on the record and signs as discussed.

Ms. Michael asks about the bus stops, would they be relocated.

Mr. Simone states they can be relocated with coordination of the police and NJ Transit. The applicant has no objection to this.

Mayor Serra States that the no standing signs will alleviate concern.

Mr. Tango states once approval is in place it will be difficult to modify, so now is the time to establish restrictions.

Councilman Baig asks if the county has approved the revisions.

Mr. Tango the revisions need to be formalized as regards to driveway widths and locations. They are subject to county approval.

Mayor Serra states he is concerned about making a left turn during rush hour. Would like to have signs no left turn between 4:00 – 6:00pm. Also no standing signs on Ringwood Ave. subject to enforcement.

Mr. Otto states he spoke with the police chief and is concerned about left turns.

Mr. Troast knows the applicant is against no left turns, this can be a condition of the vote that they must meet with the police chief and discuss the concerns.

Mr. Keating states that queuing is the nature of the business and doesn't feel Ringwood Ave. intersection is good for the queuing.

Mr. Edgeller feels that there could be adequate space for queuing on the facility 12- 18 spaces.

Mr. Fracaro states that the time limits for the left turn is not a bad idea.

Mr. Simone states it meets the zone, variances are reasonable we have concessions from the applicant. As for traffic light it is a problem for tractor trailers. He feels the no standing signs will help. As to the left turns he sees advantages to the restriction signs.

Mr. Vogel introduces their engineer Mr. Istranyi. He states the county gave conditional approval currently left in and out of the site. Off peak hours it is easy to make the left turns and peak hours they just have to wait for the traffic signal.

Mr. Tango suggests to restrict left turns during peak hours.

Mr. Simone states they can have a sign no left turns between 4:00pm – 6:00pm.

Mayor Serra agrees.

Mr. Vogel states he prefers unfettered access but we would not be objectable to the 4:00pm-6:00pm left turn restriction.

Mayor Serra asks if the county can approve the signs.

Mr. Brewer states they can approve the signs.

Mr. Simone would like the colors to be reviewed to make sure they are what they had recommended. He wants the noise test to be done during operation to check the decibel level.

Dr. Pendexter states he has been through a similar car wash and says it moves quite quickly and feels it's less of an issue of backing up.

Motion to approve application with conditions by Mr. Edgeller seconded by Ms. Michael.

Mr. Brewer goes through the conditions before they vote.

- Bus Stop relocation
- From Chief no standing signs replaced
- No standing and stopping signs
- No left turn into sight 4:00-6:00pm Monday through Friday
- Conditional approval subject to county for the radius at least 30 ft.
- Colors match second rendering

- Full test of noise levels to be in compliance
- Title 39 consent with property.

Roll Call: Mr. Simone Yes, Ms. Michael Yes, Mr. Otto No, Mr. Troast Yes, Dr. Pendexter Yes, Mr. Edgeller Yes, Mayor Serra Yes, Councilman Baig Yes. 7 Votes

Mr. Vogel thanks the board.

Mr. Simone introduces the next application PB18-09 9 Hamburg Urban Renewal LLC.

Ms. Lindsay Janel, Law Office of Lindsay Janel LLC 260 Wanaque Ave. Pompton Lakes, attorney for the applicant comes forward. She states she has two experts Mr. Perry Frenzel engineer and Mr. James Cutillo architect and has them sworn in.

Ms. Janel states they went before the council. She presents key dates:

- 5/23/2018 Authorized for redevelopment
- 6/19/2018 adopted resolution
- 8/15/2018 Dept. of Community Affairs approved as 9 Hamburg Renewal LLC
- 9/27/2018 Maser provided comprehensive redevelopment plan
- 10/2018 Planning Board would hear from council
- 1/15/2019 Hudson Essex Passaic Soil certifies plan
- 1/17/2019 Applicant appeared before redevelopment agency
- 1/31/2019 Special Meeting with Redevelopment agreement entered
- 2/22/2019 Passaic County Planning Board gave unconditional approval

Ms. Janel introduces Mr. Perry Frenzel a licensed engineer with Azzolina & Feury Engineering Inc 30 Madison Ave., Paramus, NJ.

Mr. Simone establishes him as professional.

Mr. Frenzel explains the site plan. He states the current structure on site is in need of attention, to put it nicely, He goes over the plans of a 7 Unit structure and shows the access points, parking toward the rear of the building. Three one bedroom units and four two bedroom units. Underground drainage structure with catch basin on lowest point. A 4 foot high wall will shield from Paterson Hamburg Tpk. It will have a bike rack to hold 7 bikes. Lighting fixtures are typical acorn type fixtures with shields to reduce glare to adjacent properties. There will be arborvitaes for privacy.

Mr. Tango states he has a letter dated March 14, 2019 that has conditions of approval. Especially sections: 2 Lighting Plans, 3 Landscape Plans, 7 Signage, 9 Dumpster enclosure, and 13 Storm water management.

Ms. Lawlor agrees conditions must be met.

Mr. Brewer states we can vote next month hear everything tonight and vote at our next meeting.

Mr. Simone asks about the driveway, if there is joint driveway or easement.

Mr. Frenzel states no easements.

Mr. Simone is concerned about the electric wires that will be running across their driveway, they need to be looked into moving.

Mr. Frenzel states he will have the electric company look into this.

Mr. James Cutillo comes forward he introduces himself as the architect for over 32 years from James Cutillo Associates 593 Newark Pompton Tpk, Pompton Plains, NJ.

Mr. Simone establishes him as professional.

Mr. Cutillo describes the proposed 3 story building. He describes the units. The sign is within ordinance and describes the building materials. The first level is stone veneer. The windows, roofing and siding are all residential type. He has Exhibit A1 a diagram of the proposed structure.

Mr. Edgeller asks questions about the windows and how the overhang will obstruct the light.

Mr. Cutillo states there will be enough light reflective light and that the windows on the side were added as per request of the redevelopment agency. He states it is up to the occupant to control the light and privacy with blinds or curtains.

Mr. Simone asks how close the windows are to the curb from Hamburg Tpk. And the sidewalk.

Mr. Cutillo states 10 to 17, 18 feet and it will be landscaped.

Mr. Simone states it is an attractive building and asks if any variances will be needed.

Ms. Janel states no variances.

Mr. Keating asks about the location of the building. You will see the building and then pull into the driveway.

Mr. Cutillo states it is in conformance with all zoning requirements, not to have parking in front.

Mr. Edgeller asks if the bike rack will be covered against the elements.

Mr. Cutillo states that covering would require a building structure.

Mr. Keating asks why the address is 7 – 9 Hamburg Tpk. and not just 9 Hamburg Tpk.

Ms. Janel states that was the legal address for this property.

Mr. Simone opens session to public. Motion made by Mr. Troast, seconded by Mr. Fracaro. **All in Favor.**

Nancy Marshall 5 Hamburg Tpk. Steps up and asks about storm water. She asks about a privacy fence. She asks what she can do if she hooks up to sewer she will need an easement.

Mr. Frenzel explains about the catch basin. He explains about the arborvitaes & shrubs for privacy. There is no easement with the property.

Ms. Janel says she can come and discuss the issue.

Henry Maliborski 2 Spruce St. Steps up and asks how far the building is from the masonic temple. He says he is concerned with the building height.

Irish Maliborski 2 Spruce St. Steps up and asks if there will be parking for visitors.

Dave 107B Federal Hill Rd. Steps up and asks if it will only be one building.

Mr. Cutillo explains the height of the building is 42 feet in a 45 foot zone. A typical house is 35 feet so it is only a seven foot difference. Parking regulations are with state standard.

Mr. Simone closes public session.

Mayor Serra thinks it's a nice looking project making the town better.

RESOLUTIONS: None

CONCEPTUAL: None

NEW/UNFINISHED BUSINESS:

Master Plan Re-Examination.

Redevelopment Plan

Ms. Lawlor states they have 2 redevelopment plans in the works, DuPont and Passaic County Housing.

ADJOURNMENT:

Motion moved by Mr. Troast, seconded by Mr. Fracaro. All voted in favor for the adjournment of the meeting at 10:13 P.M.

Lynnette Bradley, Secretary