

**MINUTES OF THE MARCH 15, 2022 PLANNING BOARD  
REGULAR MEETING**

The following are the minutes of the March 15, 2022 Regular Meeting of the Planning Board of the Borough of Pompton Lakes that was held in the Municipal Building, 25 Lenox Avenue and called to order at 8:00 P.M.

Chairman Simone read the Open Public Meeting Law Statement of Compliance and led participants in saluting the flag.

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

Councilman DeLine was excused.

Dr. William Pendexter was absent.

Also present were Andrew Brewer, Board Attorney; Lori Clinton, Redevelopment Secretary and Carmelina Fusaro, Board Secretary.

**MINUTES:**

Regular Meeting Minutes dated February 15, 2022.

Motion moved by Mr. Troast and seconded by Mr. Edgeller to approve minutes with changes.  
**All eligible voted in favor.**

**CORRESPONDENCE:**

- BOROUGH OF OAKLAND ORDINANCE NO. 22-CODE-877.
- BOROUGH OF BLOOMINGDALE - ‘Notice of Introduction’ of Bloomingdale Ordinance No. 4-2022, introduced on March 1, 2022 – Amending Chapter 92 “ZONING”
  
- BOROUGH OF BLOOMINGDALE - Notice of Adoption Ordinance No. 2-2022 – Amending Chapter 92 “ZONING”.
- Passaic County Historic Preservation Master Plan.
- County of Passaic - Re: Site Plan Review – Tesla Pompton Lakes; 1-55 Wanaque Avenue, Pompton Lakes; Block 100, Lot 8 (Passaic County File Number SP-21-060)

**APPLICATIONS: None.**

**RESOLUTIONS:**

1. **PB 21-03 Tesla Inc.**  
1-55, 63 Wanaque Avenue (Block 100, Lot 8)  
Preliminary and Final Site Plan Application

Motion moved by Mr. Edgeller and seconded by Mr. Troast approval of application.

**Roll Call:** Chairman Simone, **Yes**; Mr. Fracaro, **Present**; Mr. Soojian, **Present**; Ms. Michael, **Present**; Mr. Otto, **Yes**; Mr. Edgeller, **Yes**; Mayor Serra, **Yes**; and Mr. Keating, **Yes**.

**OTHER BUSINESS:**

Chairman Simone informed the board that he observed that the some elements of Car Wash building site do not match the site plan that was approved on December 19, 2021.

He indicated things in particular that are inconsistent with the approved plans:

1. The vacuum units are much larger in appearance than they are depicted on the approved plans.
2. There are landscaping and lighting features added that do not appear on the approved plans.
3. A portion of vacuum system that was supposed to be inside of the building was built outside.

Chairman Simone provided more detail to the board.

Mr. Brewer stated the owners will have to come before the board with an amended site plan before the board can take any action.

Mayor Serra stated there are details on the structural plans that do not normally appear on site plans. He added that the changes are more extensive than the usual expected amount. Typically, when this is the issue the applicant is referred back to the Planning Board for amended site plan approval.

There was extensive discussion about the interaction between the building department and the board when there are discrepancies between the approved site plan and the structural plans submitted to the building department.

Mayor Serra there is a meeting scheduled to discuss the project with the Borough Engineer, the Construction Official, Chairman Simone and the Car Wash owners. After that meeting, the Car Wash owners will have to come back before the Planning board with an amended site plan application.

Mr. Brewer discussed the possibility of granting a temporary CCO with the board.

There was extensive discussion about the parts of the site that would be covered by the temporary CCO so the car wash can open. The vacuum units and anything associated with it (including additional lighting and canvas covering) will not be part of that temporary CCO.

Motion to open to the public by Mr. Troast and seconded by Ms. Michael. **All voted in favor.**

Erion Lenas, owner, thanked the board for their time and stated there was no bad intention when the changes were made. He stated they should have provided more detail at the time of the site plan application and would have it the board requested it.

Mr. Lenas said they are open to suggestions from the board to find a solution. He stated that he would like the temporary CCO to include the vacuums.

Spyros Lenas, owner, stated he and his brother would work with the town to resolve the discrepancies so they can open.

Motion to close the public session moved by Mr. Fracaro and seconded by Mr. Troast. **All voted in favor.**

Chairman Simone said that he would like the property owners to come back to the board with an amended site plan. Mr. Brewer stated that the board can't act until proper public notice has been done and an amended site plan has submitted.

There was extensive discussion about the appearance of the vacuum stands.

The board members asked that the public session be reopened.

Motion to open the public session moved by Mr. Fracaro and seconded by Mr. Troast. **All voted in favor.**

The board asked the applicant to explain why some piping and the vacuum systems was changed from the original submission when they come back for their formal hearing.

Motion to close the public session moved by Mr. Fracaro and seconded by Mr. Edgeller. **All voted in favor.**

Mr. Brewer stated that the Construction Official will make the determination regarding the temporary CCO and directing the applicant back to the board for a formal site plan.

There was discussion between the board members about the dangerous condition of the pavement at intersection of Ringwood Ave. and Hamburg Tpk.

There was request that structural plans for projects heard by the board be available for board members to review. Mayor Serra said he would discuss with the construction official.

**PUBLIC DISCUSSION:**

Chairman Simone opened the meeting to the public. There were no comments and the public session was closed.

**ADJOURNMENT:**

Motion to adjourn moved by Mr. Troast and seconded by Mr. Soojian. **All voted in favor.** Meeting adjourned at 9:13 pm. Next meeting scheduled for April 19<sup>th</sup>, 2022.

Carmelina Fusaro, Board Secretary