

PLANNING BOARD MINUTES  
PUBLIC MEETING  
NOVEMBER 6, 2008 - 7:30 P.M.  
HELD AT OAKLAND SENIOR CENTER  
20 Lawlor Drive, Oakland, New Jersey

Pursuant to Chapter 231, Public Law 1975 (Open Public Meetings Act) adequate notice of this meeting has been provided by:

- Adoption of an annual schedule of meetings
- Posting copy of same at Borough Hall
- Forwarding copy of same to the Record
- Mailing a copy to any person requesting same

\*\* MEETINGS CONCLUDE AT 10:30 P.M., THEREFORE, NO TESTIMONY WILL BE TAKEN AFTER 10:00 P.M.

**PLANNING BOARD MEMBERS:**

Elaine T. Rowin, Barry Colyer, Christopher Baczewski, Daniel Hagberg, John Morris, Councilwoman Marcalus, Mayor John Szabo and Chairman Thomas Potash.

FLAG SALUTE, MEETING OPENED AT 7:37 P.M., ROLL CALL:

Present: Messrs. Colyer, Baczewski, Hagberg, Morris, Councilwoman Marcalus and Chairman Potash.

Absent: Mrs. Rowin and Mayor Szabo.

Also in attendance, Joseph Russo, Esq., (Board Attorney), Kevin Tichacek, (Board Engineer) and John Castiglione, CSR (Board Stenographer).

**PUBLIC HEARING BEGINS:**

Motioned by Councilwoman Marcalus and seconded by Mr. Morris, to open the meeting to the public for matters not on the agenda was voted unanimously by the Board.

No comments

Motioned by Councilwoman Marcalus and seconded by Mr. Colyer, to close this portion of the meeting to the public for matters not on the agenda and to continue with matters on the agenda was voted unanimously by the Board.

1. **Topcon America Corp.** – 111 Bauer Drive, Block 3203, Lot 4. Public hearing For an Amended Site Plan and Certificate of Occupancy.

Mr. Paul Drobbin, Esq. from LeClair & Ryan located in Newark, New Jersey was before the Board to represent the above referenced application. Mr. Drobbin explained that he would be representing both the Amended site plan and Certificate of Occupancy applications simultaneously.

Mr. Paul Anderson, licensed Engineer with Pennoni Associates, Inc. located in Cedar Knolls, New Jersey and Mr. Gene Barbone, VP for Topcon America Corporation located in Paramus, New Jersey, were sworn in.

Mr. Anderson reviewed his credentials and the Board accepted his qualifications.

Mr. Anderson informed the Board that the property is a compatible use in the Industrial Park zone. He entered exhibits into evidence.

Exhibit A-1, Site Plan dated September 12, 2008.

Mr. Anderson explained the proposed improvements to the facade of the building that would require variance relief. The improvements include, canopies over the two front entrances, two signs mounted on the front of the building, reframing of the monument sign and a reduction in size to the parking space.

He explained that in the front of the building there is a pre-existing nonconforming encroachment to the setback that would be improved with the façade change. The ordinance allows for one sign on front of the building and the Applicant is requesting two signs as well as proposing a higher standing monument sign. The Applicant is also proposing 9'X18' parking stalls where the ordinance allows 10'X20'.

Mr. Anderson reviewed comments from the various agencies within the Borough. He explained that the Health Department had concerns with the one of the canopy footings and the location of the septic system. This issue has since been satisfied with revised drawings and a letter of approval from the Health Department.

A discussion ensued concerning a two-way ingress and egress driveway less than the required 24 feet in width. Mr. Anderson responded that the driveway is pre-existing and would remain the same.

The Board questioned the number of parking spaces and whether there would be enough parking for a second tenant. Mr. Anderson responded that the Applicant is required to have approximately 190 spaces and there are 236 spaces provided in total. If the space were to be leased, it would be up to the proposed tenant to get Planning Board approval. The Board informed Mr. Anderson that more handicapped spaces would be required.

Mr. Kurt Kolafsky with Aztec Architects, LLC located in Iselin, New Jersey was sworn in. Mr. Kolafsky reviewed his credentials and the Board accepted his qualifications.

He entered exhibits into evidence.

Exhibit A-3, Site plan of first floor.  
Exhibit A-4, Site plan of second floor.  
Exhibit A-5, Elevations of entrances.  
Exhibit A-6, Exterior elevations.  
Exhibit A-7, Existing monument sign.

Mr. Kolafsky explained that the two proposed signs together would be less than the 30 square feet allowed by ordinance for one sign.

He informed the Board that the front of the first floor would consist of offices.

The Board questioned how the signs would be illuminated on the front of the building. Mr. Kolafsky responded that the lighting would be a subtle light behind the sign.

Mr. Gene Barbone was sworn in. Mr. Barbone testified that he is the Vice-president of operations for 19 years with Topcon America. He explained that his company is moving from Paramus, New Jersey to Oakland.

The company is proposing to occupy 8,400 square feet of office and warehouse space to conduct sales and distribution of medical instruments manufactured in Japan.

Currently, there are 125 employees which could increase to 175 employees. Mr. Barbone explained that there would be an occasional sales person, doctor or visitor during one shift between the hours of 8 a.m. to 7 p.m., Monday through Friday.

The Board questioned the number of trucks to visit the site. Mr. Barbone responded that approximately 8 trucks daily with an occasional 18 wheeler tractor-trailer.

The Board questioned where the product was to be assembled. Mr. Barbone responded that there would be light assembly on the premises such as small cameras attached to ophthalmology equipment.

The Board questioned if there would be any hazards on the premises. Mr. Barbone responded that no hazards would be present.

A discussion ensued concerning the disposal of garbage and dumpsters. Mr. Barbone responded that most of the garbage would be recycled paper and there are two dumpsters on the premises.

Motioned by Councilwoman Marcalus and seconded by Mr. Baczewski, to open the meeting to the public regarding matters concerning the testimony of Mr. Kolafsky and Mr. Barbone.

No comment.

Motioned by Councilwoman Marcalus and seconded by Mr. Baczewski, to close the meeting to the public regarding matters concerning the testimony of Mr. Kolafsky and Mr. Barbone.

Mr. Russo informed the Board that one of the two side yard setbacks would be lessened and that the two signs proposed together would be less than the required 30 square feet for one sign. Mr. Tichacek added that the Applicant be required to add an additional three handicapped parking spaces.

Motioned by Mr. Morris and seconded by Councilwoman Marcalus, to approve the Topcon America application for an Amended site plan and Certificate of Occupancy. This application has adequate parking and approval would be contingent upon the Applicant acknowledging that if they intend to lease a portion of this building, the applicant leasing would be required to come before the Board for parking requirements and Certificate of Occupancy.

Roll Call Vote:                   Ayes: Messrs. Colyer, Baczewski, Hagberg, Morris,  
                                          Councilwoman Marcalus and Chairman Potash.  
                                          Nays: None  
                                          Abstain: None  
                                          Absent: Mrs. Rowin and Mayor Szabo.

2. **Merison, USA, LLC** – 7 Fir Court, Block 2302, Lot 19 (f.k.a. 2212/1.08)  
Public hearing for a Certificate of Occupancy.

Mr. Conrad Olear from Strasser & Associates located in Paramus, New Jersey was before the Board to represent the Applicant. Mr. Olear introduced Mr. Robert Reidel as the company's CFO. Mr. Reidel was sworn in and testified.

Mr. Reidel testified that the company imports and distributes tables with ceramic tops. There would be approximately 13 employees between the hours of 8:30 a.m. and 5:00 p.m. Warehouse space would consist of 8,900 square feet and 1,100 square feet of office space.

The Board questioned the number of trucks that would be visiting the site. Mr. Riedel responded that approximately one UPS truck and a mail truck daily. Visitors would consist of one or two vendors a month and an auditor four times a year.

A discussion ensued concerning the site plan used by the owner of the building. Mr. Tichacek informed the Board that the owner of the building would need to update the site plan of the building for future applications before submitting to the Board. He indicated that there were discrepancies with this site plan that dates back to 1973.

Motioned by Councilwoman Marcalus and seconded by Mr. Baczewski, to open the meeting to the public regarding matters concerning the testimony of Mr. Reidel was voted unanimously by the Board.

No comments.

Motioned by Councilwoman Marcalus and seconded by Mr. Baczewski, to close the meeting to the public regarding matters concerning the testimony of Mr. Reidel was voted unanimously by the Board.

Mr. Reidel questioned whether he could receive a temporary Certificate of Occupancy so that he could move in before the memorialization. The Board questioned Mr. Hagberg if this would be permitted. Mr. Hagberg responded that the Building Department would authorize a temporary occupancy.

Motioned by Councilwoman Marcalus and seconded by Mr. Morris, to approve the Merison USA, LLC application and authorize the Applicant a temporary Certificate of Occupancy.

Roll Call Vote:                   Ayes: Messrs. Colyer, Baczewski, Hagberg, Morris,  
                                          Councilwoman Marcalus and Chairman Potash.  
                                          Nays: None  
                                          Abstain: None  
                                          Absent: Mrs. Rowin and Mayor Szabo.

**MEMORIALIZATION:**

1. Eden Oakland, LLC – Ramapo Valley Road and West Oakland Avenue, Block 2404, Lots 1, 2 and 3, Block 2302.01, Lots 3, 4, 5 and 5.02. Public Approval for a Final Site Plan approval.

Mr. Hagberg questioned whether the projects subdivision of four lots could be sold off separately and what would happen if one of the proposed buildings were never constructed. Mr. Russo responded subject to the site plan approval this could happen. However, the Performance Bond that is required from the applicant would cover any unfinished construction.

Motioned by Mr. Colyer and seconded by Mr. Baczewski, to memorialize the above resolution of approval.

Roll Call Vote:                   Ayes: Messrs. Colyer, Baczewski, Hagberg and Chairman  
                                          Potash.  
                                          Nays: None  
                                          Abstain: None  
                                          Absent: Mrs. Rowin

2. Celentano – 655 Ramapo Valley Road, Block 1301, Lot 32.03. (f.k.a. 2503/5.03). Approval for a major Soil Move.

Mr. Russo informed the Board that at a Rotary Club meeting, he viewed a presentation on “Power Pony” of which Mr. Celentano is a Board member for. He commented that the organization is impressive for aiding autistic and severely handicapped children.

Motioned by Councilwoman Marcalus and Mr. Baczewski, to memorialize the above resolution of approval.

Roll Call Vote: Ayes: Messrs. Colyer, Baczewski, Hagberg and Councilwoman Marcalus  
Nays: None  
Abstain: None  
Absent: Mrs. Rowin

**APPROVAL OF PAYMENT OF BILLS:**

Motioned by Councilwoman Marcalus and seconded by Mr. Morris, to approve payment of bills subject to the availability of funds.

Roll Call Vote: Ayes: Messrs. Colyer, Baczewski, Hagberg, Morris, Councilwoman Marcalus and Chairman Potash.  
Nays: None  
Abstain: None  
Absent: Mrs. Rowin and Mayor Szabo

**APPROVAL OF MINUTES:**

Motioned by Councilwoman Marcalus and seconded by Mr. Baczewski, to approve the October 16, 2008 Minutes.

Roll Call Vote: Ayes: Messrs. Colyer, Baczewski, Hagberg, Morris, Councilwoman Marcalus and Chairman Potash.  
Nays: None  
Abstain: Mr. Morris  
Absent: Mrs. Rowin and Mayor Szabo

**NEW BUSINESS:**

None

**OLD BUSINESS:**

Mr. Russo informed the Board that a draft letter has been sent to Mayor and Council clarifying the “Schedule A” footnotes

**PUBLIC MEETING ADJOURNED AT 9:00 P.M.**

Motioned by Councilwoman Marcalus and seconded by Mr. Baczewski to adjourn the meeting by a unanimous vote by the Board.

Respectfully submitted by,

---

Kathlyn Gurney/Administrative Assistant