

PLANNING BOARD MINUTES
PUBLIC MEETING
DECEMBER 11, 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: Mrs. Rowin, Messrs. Colyer, Baczewski, Hagberg, Morris, Councilwoman Marcalus and Chairman Potash.
Absent: 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 Mrs. Rowin and seconded by Councilwoman Marcalus, to open the meeting to the public for matters not on the agenda was voted unanimously by the Board.

No comments

Motioned by Mrs. Rowin and seconded by Mr. Baczewski, 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. **Dos Santos** – 99 Monhegan Avenue, Block 5403, Lot 14 (f.k.a. 3602.02/13.)
Public hearing for a major soil move.

Mr. David Russo, Esq. from Russo & Russo located in Hackensack, New Jersey was before the Board to represent the Dos Santos applications. He introduced Mr. Steven Koestner with Koestner Associates located in Hackensack. Mr. Koestner was sworn in and reviewed his credentials and the Board accepted his qualifications.

Mr. Koestner entered exhibit A-1 into evidence.

Exhibit A-1, Topographical survey showing retaining wall dated October 21, 2008.

Mr. Koestner explained that the property is located on the corner of Monhegan Avenue and Chicasaw Drive. The Applicant is proposing to re-grade the rear yard for the replacement of an existing pool with a new in-ground pool and the addition of a 9-foot retaining wall.

A discussion ensued with Mr. Tichacek and Mr. Koestner concerning whether the grading for the retaining wall would involve any steep slopes. Mr. Koestner testified that all soil movement and grading would be in the less than 35 percent category.

Exhibit A-1, Cross sections dated October 21, 2008.

Mr. Koestner explained that the soil movement would involve approximately 612 cubic yards, of which 478 cubic yards would be imported fill. The Board questioned a discrepancy in the soil move and the number of truckloads used to move the soil. Mr. Tichacek explained the number of truckloads in a typical soil move of this type should not require any more than 31 to 32 truckloads.

The Board questioned the truck route that the Applicant would be using during the soil move. Mr. Koester responded that the fill would be imported from a relative's property around the corner on Chickasaw Drive.

The Board reminded the Applicant that Shade Tree Committee would need to be contacted if any trees are to be removed. Mr. Dos Santos agreed to contact Shade Tree Committee to obtain permits for the removal of three trees.

The Board questioned how the retaining wall would be constructed. Mr. Koestner responded that the retaining wall would be constructed by poured concrete. Mr. Tichacek informed the Applicant that any retaining wall higher than four feet would require an inspection and a certificate of approval by the Borough's engineer.

The Board informed the Applicant that according to Boswell Engineering's report, any sidewalk or curbing damaged during construction would have to be repaired within 30 days of completion of the project.

Motioned by Councilwoman Marcalus and seconded by Mrs. Rowin, to open the meeting to the public regarding matters concerning the Dos Santos application was voted unanimously by the Board.

No comments.

Motioned by Mrs. Rowin and seconded by Councilwoman Marcalus, to close the meeting to the public regarding matters concerning the Dos Santos application was voted unanimously by the Board.

Motioned by Councilwoman Marcalus and seconded by Mr. Morris, to approve the Dos Santos application contingent upon the truck route for the importing of soil be between 24 and 85 Chicasaw Drive and Monhegan Avenue, permits for tree removal to be obtained by the Shade Tree Committee, any sidewalks or curbing damaged during construction be repaired within 30 days of completion of the project and retaining wall be inspected and certified by the Borough's Engineer.

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

2. **Advanced Office Furniture** – 3 Fir Court, Block 2302, Lot 7. Public hearing for a Certificate of Occupancy.

Mr. Francis Battersby, Esq. located in Oakland was before the Board to represent the application. He explained that the Applicant is in a sublease agreement with National Electronic Alloys, Inc. and seeking to occupy 9,000 square feet for an office furniture business. The building owner is OKLD, LLC.

Ms. Moshi Albilgia was sworn in and testified that she is the president of Advanced Office Furniture, Inc. She explained that the company designs high-end office furniture which is shipped throughout the east coast.

Ms. Albilgia explained that the 9,000 square feet would be used as warehouse only for storage and light assembly of furniture.

She explained that there would be three employees at this location working between the hours of 7:00 a.m. to 5:00 p.m. Monday through Friday. They will be providing ten parking spaces, five parking spaces are required by Borough's Ordinance.

The Board questioned the number of trucks anticipated to visit the location. Ms. Albilgia responded that there would be one delivery by tractor-trailer and deliveries by 2 to 3 small trucks daily. The Board questioned if trucks would be parked overnight at the location. Ms. Albilgia responded that only 2 of the smaller trucks would be parked overnight at the existing bays.

Mr. Battersby reviewed that there would be no hazards at the location.

The Board questioned the type and where the refuse would be stored. Ms. Albilgia responded that most of the refuse is recycled and picked up twice a week by a private service. The dumpsters on the site are screened.

Mr. Russo entered exhibits into evidence.

Exhibit A-1, Architectural drawing of occupied space dated November 2000 prepared by Stanley J. Kufel, Architect.

Exhibit A-2, Site plan last revised October 15, 2001 prepared by Robert Weissmann, P.E.

Exhibit A-3, Location survey last revised February 27, 2006 prepared by EID Associates, Inc.

Motioned by Mrs. Rowin and seconded by Councilwoman Marcalus, to open the meeting to the public regarding matters concerning the Advanced Office Furniture application, was voted unanimously by the Board.

No comments.

Motioned by Mrs. Rowin and seconded by Councilwoman Marcalus, to close the meeting to the public regarding matters concerning the Advanced Office Furniture application, was voted unanimously by the Board.

Motioned by Mr. Baczewski and seconded by Councilwoman Marcalus, to approve the Advanced Office Furniture applications.

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

3. **Oak Electric Company, Inc.** – 5 Fir Court, Block 2302, Lot 6 (f.k.a. 2212/1.06.)
Public hearing for a Certificate of Occupancy.

Mr. Francis Battersby, Esq. located in Oakland was before the Board to represent the Applicant. He explained that the Applicant is seeking the occupancy of approximately 1,760 of office space and 458 square feet of common area totaling 2,218 square feet.

Ms. Gloria Brooks, Office Manager for Oak Electric Company and Edith Sauter, owner of the property were sworn in.

Ms. Brooks testified that the company is an electrical contractor servicing commercial and industrial businesses. The space would be used for their corporate office. She testified that there would be a total of 6 employees working between the hours of 7:00 a.m. and 4:00 p.m. Monday through Friday.

Mr. Battersby informed the Board that the Applicant would be providing 8 parking spaces which comply with the Borough's Ordinance. There would be no tractor-trailer truck deliveries, but daily UPS and Federal Express deliveries.

The Board questioned if there would be any storage of equipment. Ms. Brook responded that any parts or equipment would be delivered to the job site.

Mr. Battersby entered exhibits into evidence.

Exhibit A-1, Location Survey last revised May 13, 2008.

Motioned by Mrs. Rowin and seconded by Councilwoman Marcalus, to open the meeting to the public regarding matters concerning the Oak Electric Company, Inc. application was voted unanimously by the Board.

No comments.

Motioned by Mrs. Rowin and seconded by Councilwoman Marcalus, to close the meeting to the public regarding matters concerning the Oak Electric Company, Inc. application was voted unanimously by the Board.

Motioned by Mr. Morris and seconded by Councilwoman Marcalus, to approve the Oak Electric Company, Inc. application.

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

Mr. Russo recommended to Mr. Hagberg that the Applicant be granted a Temporary Certificate of Occupancy since this resolution of approval would not be memorialized until January 22, 2009. Mr. Hagberg agreed.

4. **Transtech Corporation, USA** – 5 Fir Court, Block 2302, Lot 8 (f.k.a. 2212/1.08.)
Public hearing for a Certificate of Occupancy.

Mr. Francis Battersby, Esq. located in Oakland was before the Board to represent Transtech Corporation, USA. He explained that the Applicant is seeking to occupy a total of 8,618 square

feet for a business that manufactures electronic and mechanical components for power converters servicing railroads.

Ms. Gina Vitarelli, Vice President of Transtechnik Corporation, USA and Ms. Edith Sauter, owner of the property were sworn in.

Ms. Vitarelli testified that the office would be used for marketing and sales and a portion of the warehouse would be used for light assembly of equipment. The company does most repairs on site but occasionally if a repair to a mechanical unit is unable to be done at the site, it is repaired in house.

Ms Vitarelli informed the Board that there would be 6 full-time and 2 part-time employees working between the hours of 7:00 a.m. and 5:00 p.m. Monday through Friday.

Ms. Vitarelli explained that the company would be provide 11 parking spaces which comply with the Borough's Ordinance. She anticipates one delivery from a 24-foot tractor-trailer once a week and daily deliveries from UPS and Federal Express.

Mr. Battersby entered an exhibit into evidence.

Exhibit A-1, Site plan of location revised May 13, 2008 by Fred Klenk, A.I.A.

The Board questioned if there would be any PCB's emitted. Ms. Vitarelli testified that there would be no PCB's emitted as well as any other hazards to the area.

Motioned by Mrs. Rowin and seconded by Councilwoman Marcalus, to open the meeting to the public regarding matters concerning the Transtechnik Corporation, USA applications was voted unanimously by the Board.

No comments.

Motioned by Mrs. Rowin and seconded by Councilwoman Marcalus, to close the meeting to the public regarding matters concerning the Transtechnik Corporation, USA applications was voted unanimously by the Board.

Motioned by Mr. Colyer and seconded by Mr. Baczewski, to approve the Trantechnik Corporation, USA application.

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

MEMORIALIZATION:

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

Motioned by Councilwoman Marcalus and seconded by Mr. Colyer, to memorialize the above referenced resolution of approval.

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

Absent: None

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

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

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

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

APPROVAL OF MINUTES:

Motioned by Councilwoman Marcalus and seconded by Mr. Colyer, to approve the November 6, 2008 Minutes.

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

NEW BUSINESS:

Chairman Potash informed the Board that the Borough would no longer be budgeting for a Court Stenographer. Mr. Russo added that this Borough is one of few boroughs that supply the applicant with stenography services. Due to the economy, towns are budgeting much tighter. The Board expressed their appreciation to John Castiglione for his many years of service.

OLD BUSINESS:

None

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