

PUBLIC MEETING
JANUARY 31, 2008 – 7:45 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 11:00 P.M., THEREFORE, NO TESTIMONY WILL BE TAKEN AFTER 10:30 P.M.

PLANNING BOARD MEMBERS:

Elaine T. Rowin, Donna Kurdock, Christoper Baczewski, Frank Rotonda, John Morris, Thomas Potash, Daniel Hagberg, Councilwoman Marcalus, Mayor John Szabo and Chairman Thomas Buonocore.

FLAG SALUTE, MEETING OPENED, ROLL CALL:

Present: Mrs. Rowin, Ms. Kurdock, Messrs. Baczewski, Hagberg, Morris, Potash, Councilwoman Marcalus, Mayor Szabo and Chairman Buonocore.
Absent: Mr. Rotonda.

Also in attendance, Joseph Russo, Esq., Kevin Tichacek, Boswell McClave Engineering, Steve Lydon, Burgis Associates and John Castiglione, C.S.R.

PUBLIC HEARING BEGINS:

Motioned by Mrs. Rowin and seconded by Mr. Potash, to open the meeting to the public for matters not on the agenda was voted unanimously by the Board.

Mr. Michael Kozack, member of the Environmental Commission, questioned whether the Planning Board would incorporate green building code into the master plan. Mayor Szabo responded that this is a separate element which would be brought forward by Mayor and Council and not the Planning Board.

Mayor Szabo explained that he plans to educate the community with an event, called “Green Day.” This event would provide vendors and displays to the community on ways to incorporate green building on a municipality level.

Mr. Kozack explained that, Green Meets Green, a conference program at Ramapo College that he attended was informative. He informed the Board that according to U.S. Green, a non-profit organization, green building involves a broad spectrum of energy efficient ideas and incentive grants.

The Board commented that some business within the Borough have already gone in the green building direction by installing solar panels for energy.

Motioned by Mrs. Rowin and seconded by Mr. Potash, 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.

REORGANIZATION OF THE BOARD BEGINS:

A motion was entertained for Chairman of the Board.

Motioned by Mrs. Rowin and seconded by Councilwoman Marcalus, nominating Thomas Buonocore as Chairman of the Board.

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

Chairman Buonocore entertained a motion to appoint Vice-Chairman of the Board.

Motioned by Ms. Kurdock and seconded by Mr. Morris, nominating Thomas Potash as Vice-Chairman of the Board.

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

Chairman Buonocore entertained a motion to appoint Secretary of the Board.

Motioned by Mr. Potash and seconded by Councilwoman Marcalus, nominating Elaine Rowin as Secretary of the Board.

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

Chairman Buonocore informed the Board that there was one candidate for this position and entertained a motion to appoint the Board Attorney.

Motioned by Mr. Potash and seconded by Mr. Morris, nominating Joseph Russo as Board Attorney.

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

Chairman Buonocore informed the Board that there was more than one candidate for the position of Board Engineer. He appointed a committee to review the Request for Qualification forms for Board Engineer and entertained a motion to table the vote until the February 14, 2008 public hearing.

Motioned by Mrs. Rowin and seconded by Mr. Potash, to table the vote for Board Engineer until the February 14, 2008 public hearing.

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

Chairman Buonocore entertained a motion to appoint Board Planner.

A discussion ensued concerning billing amounts by the professionals. Mr. Lydon responded that meetings are charged to the applicant through escrow at an hourly rate.

Motioned by Mr. Potash and seconded by Councilwoman Marcalus, nominating Burgis Associates as Board Planner.

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

Chairman Buonocore entertained a motion to appoint Administrative Assistant to the Board.

Motioned by Mrs. Rowin and seconded by Ms. Kurdock, nominating Kathlyn Gurney as Administrative Assistant to the Board.

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

Chairman Buonocore entertained a motion to appoint Board Stenographer.

Motioned by Mrs. Rowin and seconded by Mr. Potash, nominating John Castiglione and Kathy Sabino as Board Stenographers.

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

Chairman Buonocore entertained a motion to appoint the official newspaper of the Board.

Motioned by Mayor Szabo and seconded by Mrs. Rowin, nominating The Record as the official newspaper of the Board.

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

Chairman Buonocore entertained a motion to adopt the By-Laws for the Board.

Mayor Szabo suggested that the By-Laws be tabled to the February 14, 2008 public hearing. He informed the Board that he had a rough draft updating the By-Laws and would like the Board Secretary to review them before a vote is taken.

Motioned by Mayor Szabo and seconded by Councilwoman Marcalus, to table the vote on the By-Laws until the February 14, 2008 public hearing.

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

Chairman Buonocore expressed that he would like to acknowledge that Mr. Gilbert's term was up and he has stepped down from the Board. The Board expressed their appreciation for Mr. Gilbert's participation and efforts.

Mrs. Rowin commented that Mr. Gilbert was committed to the meetings as well as good attendance. She suggested in the future that a Board members attendance be taken into consideration when being appointed to class a IV positions.

The Board agreed that a certificate be awarded to Mr. Gilbert acknowledging his service and commitment to the Board. A discussion ensued concerning persons from other committees being candidates for appointment to the Planning Board.

1. Café L'Amore (Poula, LLC) – 445 Ramapo Valley Road, Block 2403, Lots 7 & 9. Requesting a one-year extension of approval.

Mr. Ben Cascio, Esq. located in Franklin Lakes, New Jersey was before the Board representing the Applicant.

Mr. Cascio commented regarding the previous discussion of the Board. He advised that this could be a conflict allowing persons sitting on other committees to be a part of the Planning Board.

Mr. Cascio explained that he was before the Board requesting an extension for his client. An approval that the Applicant had received in January of 2005 has expired due to a delay in approvals from the Department of Environmental Protection (DEP).

The Board agreed that according to statute, it is not the fault of the Applicant when approved applications are being delayed to move forward by certain agencies.

Mr. Gary Grey was sworn in. He explained that due to the inconsistency with the current Waste Water Management Plan now in place, they have been unable to get their septic system design approved.

Mr. Grey explained that this may require that the Applicant amend their plans by scaling back on the capacity of seating for the building and take out a local septic system permit. The Board questioned how much of a reduction would be made. Mr. Grey responded that with a local septic system permit you need below 2,000 gallons per day of water flow or 35 gallons per seat which means they would have to reduce the capacity from 96 to 60 seats. However, he expressed that the restaurant does not use this much water and if they can prove the actual usage, they may allow more seating.

The Board questioned whether the Applicant would need to come back before the Board for an amended site plan. Mr. Cascio responded that there would be no change to the footprint of the building. Therefore, this matter would be determined between the Health Department and the Building Department.

Mr. Russo clarified that an extension of time is the Applicant's protection period given by statute for state and county approvals once an application is approved. This does not affect the approvals they received by the Planning Board

Chairman Buonocore entertained a motion to approve the extension for one year to January 13, 2009.

Motioned by Mayor Szabo and seconded by Mr. Potash, to approve Café L' Amore a one year extension to the date of January 13, 2009.

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

2. Robert Michael Shopping Center, Inc. – 332 – 340 Ramapo Valley Road, Block 3906, Lot 2. Public hearing for a minor site plan.

Mr. Ben Cascio, Esq. located in Franklin Lakes, New Jersey was before the Board representing the Applicant.

Mr. Cascio explained that this was a minor site plan to improve the facade of the building. There would be no changes to the footprint of the building or the parking.

Mr. Albert Dattoli of Albert Dattoli Architect located in Montvale was sworn in and reviewed his credentials with the Board. The Board accepted Mr. Dattoli's qualifications.

Mr. Cascio entered two exhibits.

Exhibit A-1, Alterations to Shopping Center, dated June 8, 2007, revised September 14, 2007.

Exhibit A-2, Photograph of the existing façade of the building.

Mr. Dattoli explained that they propose to remove the existing brown metal siding and replace it with a new stucco finish. A new roof and a canopy/overhang with brick columns would protect the existing sidewalk. The entrance doors for the Drug Fair would be relocated to the center of the building with a gable style roof at that location.

The Board questioned if there would be footings for the brick columns. Mr. Dattoli responded that they have submitted plans showing the location of the footings and that there would be no disturbance to any septic system lines running underneath.

The Board questioned how the Applicant plans to repave or patch the concrete sidewalks after the installation of the columns. Mr. Dattoli responded that they would be covering the existing concrete with stamp concrete.

The Board suggested that the Applicant have a corral in place for the shopping carts.

A discussion ensued concerning landscaping and the presence of flowers and greens. The Applicant agreed to place planters along the front of the shopping center filled with plants.

The Board questioned Mr. Dattoli what the signage proposal was for the businesses. Mr. Dattoli responded that they are proposing to move the existing signs out onto the front of the façade. A discussion ensued concerning the presence of more decorative signs with indirect lighting which would follow the guidelines of the downtown plan. Mr. Cascio responded that the businesses at this shopping center are national companies with their own sign requirements. Mr. Dattoli responded that the Applicant would agree to use the indirect lighting on the existing signs.

The Board suggested that the parking lot be re-stripped with directional arrows and the Applicant comply with the Borough's ordinance regarding the number and size of handicapped parking spaces.

The Board requested that air-conditioning units on top of the roof of the building be screened where they would be noticed and a cigarette butt receptacle be placed in the front of the shopping center.

Mr. Hagberg mentioned that he has noticed vehicles for sale in this parking lot and that outdoor storage is not permitted in this zone. Mr. Cascio responded that the Applicant would make sure the car be removed.

Motioned by Mrs. Rowin and seconded by Councilwoman Marcalus, to open the meeting to the public regarding matters concerning the Robert Michael Shopping Center was voted unanimously by the Board.

Mr. Michail Kozack, commented on the columns at the Copper Tree Mall. He explained that these columns go right to the end of the curbing causing a detriment to pedestrians heading out to the parking lot. He suggested that the columns be placed a certain distance from the edge of the curbing.

Mr. Kozack informed the Board that recycling bins are not commonly placed outside commercial properties and suggested that a recycling bin also be placed in the front of the shopping center. He also agreed on planters being placed in the front of the shopping center as well as the Applicant consulting with the U.S. Green Building for any other suggestions.

Motioned by Mrs. Rowin and seconded by Councilwoman Marcalus, to close the meeting to the public regarding matters concerning the Robert Michael Shopping Center was voted unanimously by the Board.

The Board agreed that the proposed change to the façade and the suggestions such as planters, recycle cans and indirect lighting would be an improvement. Mr. Russo verified that all signage would be universal with indirect lighting and in accordance with the Borough's Ordinance.

Motioned by Councilwoman Marcalus and seconded by Mr. Potash, to approve the Robert Michael Shopping Center application.

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

3. Media Sciences, Inc. – 88 Allerman Road, Block 4003, Lot 1. Public hearing for an amended site plan.

Mr. Ben Cascio, Esq. located in Franklin Lakes, New Jersey was before the Board representing the Applicant.

He explained that the Applicant received approval from the Board in January 2005 for a Certificate of Occupancy and is currently proposing to pave a portion in the rear of the building for additional parking.

Mr. Leo Vanordin and Mr. Joseph Glembocki were sworn in. Mr. Glembocki reviewed his credentials and the Board accepted his qualifications.

Mr. Glembocki explained that Media Science, Inc. is warehousing and manufacturer of solid ink and toner cartridges which has increased in size of business and employees.

They are proposing to pave over a dirt area in the rear of the building to handle the overflow of vehicles. The proposal includes the addition of 25 parking spaces which will total 78 parking spaces, 71 parking spaces are required by code. The area will be re-stripped and include four handicapped spaces by code.

Mr. Cascio entered exhibit A-1 into evidence.

Exhibit A-1, Parking addition site plan dated October 23, 2007, revised January 3, 2008.

A discussion ensued concerning the affects with the increase of impervious coverage. Mr. Glembocki responded that the Applicant proposes to add a stormwater retention system to address the runoff from the new parking area. The Board questioned affects of drainage from the parking lot containing oil and grease. Mr. Glembocki responded that the detention system will include a flow guard to filter contaminates.

The Board questioned 12 parking spaces adjacent to the Susquehanna and Western Railroad. Chairman Buonocore suggested that it be added to the resolution that these 12 parking spaces may be in the railroads right-of-way which could result in the elimination of these spaces at the request of the railroad.

Mr. Hagberg suggested that applicant provide a fire lane in order for the fire truck to continue around the building without having to back out. Mayor Szabo added that this could be done with grasscrete pavers.

Motioned by Mrs. Rowin and seconded by Mr. Potash, to open the meeting to the public regarding matters concerning the Media Science, Inc. application was voted unanimously by the Board.

No comments.

Motioned by Mrs. Rowin and seconded by Mr. Potash, to close the meeting to the public regarding matters concerning the Media Science, Inc. application was voted unanimously by the Board.

Chairman Buonocore entertained a motion to approve the Media Science Inc. application contingent upon the Applicant making efforts to include a fire lane with grasscrete pavers.

Motioned by Mr. Potash and seconded by Mr. Hagberg, to approve the Media Science, Inc. application contingent upon the Applicant making efforts to include a fire lane with grasscrete pavers.

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

4. Master Plan Re-Examination Review.

Mr. Lydon explained that they left off at the November meeting suggesting that Board members email him their comments so that he could include them in the review. He informed the Board that through comments and suggestions he made the adjustments.

A discussion ensued concerning the objective of a Master Plan review. Some of the Board members expressed that in the past their experience was that the Board met on a number of occasions discussing the goals and objectives for the direction of the Borough.

Mayor Szabo explained that the Master Plan Re-examination is a state mandated review that lays out changes that are required by the Municipal Land Use Laws for the Borough to follow. He expressed that there is a time limit to complete and adopt the re-examination review and the Board is now under pressure. The re-examination is not written in stone and goals and objectives mentioned by Board members can still be discussed and achieved at a future date.

Mr. Russo commented that after next month, there are no applications pending making this a perfect time to discuss goals and objectives for the town.

Chairman Buonocore announced that this matter would be carried to the February 14, 2008 public hearing.

MEMORIALIZATION:

None

APPROVAL OF PAYMENT OF BILLS:

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

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

Absent: Mr. Rotonda

APPROVAL OF MINUTES:

Approval of the November 1, 2007 Minutes:

Motioned by Mr. Potash and seconded by Mrs. Rowin, to approve the November 1, 2007 Minutes was voted unanimously by the Board.

Mr. Morris abstained from voting on the November 1, 2007 Minutes.

ADOPTING THE 2008 PUBLIC MEETING SCHEDULE:

Motioned by Mr. Morris and seconded by Councilwoman Marcalus, to adopt the 2008 public meeting schedule was voted unanimously by the Board.

OLD BUSINESS:

Mr. Russo informed the Board that he had a phone conversation with Ms. Wendy Berger requesting an extension for Tomjac/Heritage Hills. This application was approved in 1999 but still faces issues with Department of Environmental Protection (DEP).

Chairman Buonocore commented that this would be their third extension and requested that Ms. Berger and the professionals involved with this application come before the Board to inform the Board of the reasons for the delay.

NEW BUSINESS:

None

PUBLIC MEETING ADJOURNED AT 9:50 P.M.

Motioned by Mr. Potash and seconded by Mayor Szabo to adjourn the meeting by a unanimous vote by the Board.

Respectfully submitted by,

Kathlyn Gurney/Administrative Assistant