

PLANNING BOARD MINUTES
PUBLIC MEETING
SEPTEMBER 10, 2009 - 7:00 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 7:06 P.M., ROLL CALL:

Present: Mrs. Rowin, Messrs. Colyer, Baczewski, Hagberg, Councilwoman Marcalus, and Chairman Potash.
Absent: Mr. Morris and Mayor Szabo

Also in attendance, Joseph Russo, Esq., (Board Attorney) and Kevin Tichacek, (Boswell Engineering)

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 Councilwoman Marcalus, 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.

PUBLIC HEARING:

- 1. Vacuum Truck Rental, LLC**– 45 Edison Avenue, Block 201, Lot 8 & 9.
Public Hearing for a Certificate of Occupancy.

Chairman Potash recused himself from the above referenced application. Mrs. Rowin sat in as Chairperson.

Mr. Kenneth Rush, Esq. with Dilorenzo & Rush located in Hackensack, New Jersey was before the Board to represent the Vacuum Truck Rental, LLC application. Mr. Rush entered exhibits into evidence.

Exhibit A-1, Proposed Tenant Layout for Evan Transport, Oakland, NJ, prepared by Wells Associates dated October 31, 1986.

Mr. B.T. Steadman, owner and president of Vacuum Truck Rentals, LLC was sworn in. Mr. Rush questioned Mr. Steadman on the specifics of his company.

Mr. Steadman testified that he has been the owner and president of Vacuum Truck Rentals, LLC for 11 years. The company specializes in the rental services of vacuum and compact roll-off trucks to contractors and municipalities.

There would be enough parking spaces to accommodate a maximum of 30 trucks. However, Mr. Steadman expressed that he is hoping that at least 50 percent of the trucks would be rented at a one time. The average length of truck rental time would be anywhere from two weeks to one month.

The Applicant would occupy 1,200 square feet of office space and 2,800 square feet of shop area, totaling 4,000 square feet. The shop area on site would be used for routine maintenance of the rental trucks.

Approximately four employees would be present at the site and one of those employees would be out of the office most of the time.

Mr. Rush referred to questions in Boswell Engineering's report. Mr. Steadman reviewed the steps taken for cleaning and servicing the vehicles. He explained that vehicles are washed in "plastic berms" used to collect the water. The water and oil are then collected and pumped into holding tanks that are transported off site by an outside contractor.

The Board questioned if there were any proposed signage. Mr. Steadman responded that no signage is being proposed at this time. Mr. Russo informed Mr. Steadman that any signs being proposed in the future that did not meet the Borough's requirements would need to come back before the Board. Mr. Steadman agreed.

Mr. Rush entered more exhibits.

Exhibit A-2, Property Survey dated December 4, 1995 prepared by David Hals, P.E.

Exhibit A-3, Photographs depicting aerial views of the property.

Exhibit A-4, 5, 6 and 7, Photographs of the four types of trucks to be parked at the site.

The Board questioned the approximate size of the trucks. Mr. Steadman responded that the trucks are shorter than a school bus which is 37-feet.

The Board questioned the types of materials that would be stored on the premises. Mr. Steadman responded that hand tools, small racks for storage, rags and towels would be the only items stored at the site. He explained that a 1,000-gallon fuel tank is also on site for refueling vehicles if necessary.

The Board questioned the amount of parking. Mr. Tichacek responded that he did not get a layout of the building so calculations were done under the assumption that the building was all office space. In actuality, the office space is 1,200 square feet of the total 4,000 square feet. The Applicant has been assigned 18 parking spaces which would satisfy the Borough's ordinance.

The Board questioned about outdoor storage. Mr. Steadman responded that nothing but the parked trucks would be outside.

A discussion ensued concerning the removal of a gas tank on the site. Mr. Russo suggested that the owner, Dominick Quitadamo, be sworn in and testify on behalf of the status of the tank removal.

Mr. Quitadamo was sworn in and testified that the previous tenant, Murphy Bus Company, was required to remove the underground storage tank. The tank was removed two weeks ago and Mr. Quitadamo explained that he obtained all the necessary state and local permits. Soil tests were conducted and he expects to receive a certificate of removal shortly.

The Board questioned if an accredited company was hired to remove the underground storage tank. Mr. Hagberg responded that the Building Department regulates all the tank removals within the Borough.

Motioned by Mr. Colyer and seconded by Councilwoman Marcalus, to open the meeting to the public regarding matters concerning the Vacuum Truck Rental application was voted unanimously by the Board.

No comments.

Motioned by Mr. Colyer and seconded by Mr. Baczewski, to close the meeting to the public regarding matters concerning the Vacuum Truck Rental application was voted unanimously by the Board.

Motioned by Councilwoman Marcalus and seconded by Mr. Hagberg to approve the Vacuum Truck Rental Company contingent to:

1. All trucks to be washed within a "plastic berm."
2. All changed oil on-site be pumped into drums and removed by a third party.
3. Any sign proposed at a later date, would have to comply with the Borough's ordinance or come back before the Board.
4. Arrangement to contain waste.
5. No outdoor storage.
6. No blocking emergency exits.

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

MEMORIALIZATION:

1. **Pinnacle Communities, Ltd (Bi-County Development Corp.)** - Long Hill Road, Block 3001, Lot 6 (f.k.a. Block 3102, Lot 3 & 1). Approval for a Request of Extension of minor subdivision approval.

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

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

2. **New Cingular Wireless** - 97 Yawpo Avenue, Block 3411, Lot 1. Approval for a conditional use and minor site plan.

Motioned by Mrs. Rowin and seconded by Councilwoman Marcalus, to memorialize the above mentioned resolution of approval.

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

APPROVAL OF MINUTES:

Motioned by Mayor Szabo and seconded by Councilwoman Marcalus, to approve the August 13, 2009 Minutes.

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

NEW BUSINESS:

Councilwoman Marcalus requested that all agendas and minutes be forwarded to the Board via computer.

OLD BUSINESS:

The Board requested that the Board Secretary schedule a representative from the Highlands Council to come to the October 8, 2009 public hearing to give a brief presentation and be available to answer questions regarding the Conformance Plan.

PUBLIC MEETING ADJOURNED AT 8:00 P.M.

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

Respectfully submitted by,

Kathlyn Gurney/Administrative Assistant