

PLANNING BOARD MINUTES  
PUBLIC MEETING  
FEBRUARY 11, 2016 - 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 a copy of same at Borough Hall
- ❑ Forwarding a 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:

John Madden, Robert Knapp, Jason Shafron, Lee Haymon, Nicholas DiLandro, Dan Hagberg, Elaine T. Rowin, John Morris, Councilman Jensen, Mayor Linda H. Schwager and Chairman Thomas Potash.

FLAG SALUTE, MEETING OPENED AT 7:00 P.M., ROLL CALL:

Present: Mrs. Rowin, Messrs. Madden, Knapp, Shafron, DiLandro, Haymon, Hagberg, Morris, Councilman Jensen, Mayor Schwager and Chairman Potash.  
Absent: None

Also in attendance Mr. Joseph Russo, Esq., Board Attorney, Steve Lydon, Burgis Associates and Ms. Rebecca Mejia, Boswell Engineering also in attendance.

Motioned by Mrs. Rowin and seconded by Councilman Jensen, to open the meeting to the public regarding matters not on the agenda was voted unanimously by the Board.

Mr. Sena, 47 Thackery Road, addressed concerns he had with views expressed by some of the Board members when voting on the ordinance. He shared the possibility that Pilgrim Pipeline could end up in front of this Board in the future and the Planning Board did not have the privilege to be a part of a year worth of discussion and education on the pipeline. He was not in favor of wording used in a letter sent to Mayor and Council from the Board's Attorney and would have preferred that the Board be in unison with Mayor and Council. He reviewed percentages and examples of spills and alternate ways of oil transport. Chairman Potash thanked Mr. Sena for sharing his information with the Board.

Motioned by Councilman Jensen and seconded by Mrs. Rowin, to close the meeting to the public regarding matters not on the agenda was voted unanimously by the Board.

PUBLIC HEARING:

1. FB International – 1 Raritan Road, Block 4005, Lot 3. Public hearing for an amended site plan.

Mr. Richard Kaplan, Esq., on behalf of the application, was before the Board for an amended site plan. He explained that the subject property in the I-3 Industrial zone is a warehouse used to assemble displays for trade shows. They are proposing construction in two phase resulting in a bulk variance for building coverage from 44.7 to 48 percent. This would be a benefit to the building and have no negative impact upon the neighboring properties.

Mr. Kaplan introduced Mr. Fabrizio Bartolozzi, President and owner of FB International and he was sworn in. Mr. Bartolozzi testified that his company assembles displays for trade shows. He explained that they are proposing construction in two phases. A discussion ensued verifying the adjacent sister company, type of materials used and that no hazardous materials are on site.

Exhibit A-1, Aerial photos of the subject property.

Exhibit A-2, Close up pictures of the proposed areas of the subject property.

Mr. Bahman Izadmehar was sworn in as the licensed engineer on the project. Mr. Izadmehar shared his credentials and the Board accepted his qualifications.

Mr. Izadmehar reviewed Phase I of the construction which will begin with the extension of the rear roof providing protection from inclement weather for the employees, loading zone and garbage dumpsters. A ten-foot wide awning with a 6-foot wide sidewalk underneath will be added for the protection of a dust collector. In addition, abandoned bollards, transformer, guard rail and AC unit would be removed. An exhibit was entered.

Exhibit A-3, Site plan of building addition and awning prepared by Ace Engineering Group dated September 7, 2015 last revised January 20, 2016.

The roof extension and the awning would remain the same height as the existing roof. Mr. Lydon warned the applicant that by adding the sidewalk underneath the awning, it creates another variance for impervious coverage. A discussion ensued concerning ways to avoid the extra variance. Mr. Lydon suggested that they amend their application to include the concrete sidewalk and the extra variance for the impervious coverage. The additional variance for impervious coverage from 77.5 percent to 78.1 percent was included. Mr. Russo questioned the length of the awning. Mr. Izadmehar responded that the awning size would be approximately 210-feet by 10-feet.

Chairman Potash questioned if the applicant is proposing support columns when Phase 2 begins to that portion of the building. Mr. Izadmehar responded that they would be placing columns strategically to support the new portion of the roof.

Mr. Izadmehar reviewed that Phase II would be completed in approximately 2 to 3 years to enclose the proposed extension of the roof portion.

Mrs. Rowin informed the applicant that as part of their 2001 approval by the Board, the applicant agreed to relocate the handicapped parking as well as adding a ramp near the entrance that has not been completed. Mr. Bartolozzi responded that they hired a contractor who specializes in handicapped installations and was advised that this location was not feasible due to the existing slope and the Board's Engineer, at that time, agreed. He assured the Board that the parking is handicapped (ADA) compliant.

Mrs. Rowin also commented on the number of abandoned tractor-trailers parked in the front area. A discussion ensued and Mr. Bartolozzi agreed to remove these tractor-trailers. Exhibit A-4 was entered.

Exhibit A-4, FB International Survey prepared by McNally Engineering dated December 12, 2008.

Lastly, Mrs. Rowin informed the applicant that he owes the Building Department a Letter of Denial fee. Chairman Potash entertained a motion to open the meeting to the public.

Motioned by Councilman Jensen and seconded by Mr. Morris, to open the meeting to the public regarding matters concerning FB International, Inc. was voted unanimously by the Board.

No comments.

Motioned by Mrs. Rowin and seconded by Councilman Jensen, to close the meeting to the public regarding matters concerning FB International, Inc. was voted unanimously by the Board.

Mr. Russo reviewed the variances for building coverage and the amendment to the application for an additional variance for impervious coverage. He informed the Board that the public notice given would cover any additional variances found. Chairman Potash verified with the applicant that there would be no impact caused by stormwater runoff. He entertained a motion.

Motioned by Mr. Morris and seconded by Mrs. Rowin, to approve the application contingent to handicapped compliance, any abandoned trucks would need to be removed within 30 days, Fire code compliant and the fee for the Letter of Denial paid.

Roll call vote: Ayes: Mrs. Rowin, Messrs. Shafron, DiLandro, Haymon, Hagberg, Councilman Jensen, Morris, Mayor Schwager and Chairman Potash.

Nays: None

Abstain: None

Absent: None

Mr. Knapp sits in for Mr. DiLandro who is leaving the meeting.

2. Ramapo-Bergen Animal Refuge – 2 Shelter Lane, Block 4003, Lot 2. Public hearing for an amended site plan.

Mr. Tyler Vandervalk a licensed civil engineer, 1141 Ringwood Avenue, Greenwood Lake, New Jersey was before the Board on behalf of the applicant. He reviewed his credentials and the Board accepted his qualifications.

He explained that the applicant is proposing a natural gas generator to sit upon a 120 square foot concrete pad to be located on the east side of the building. They are requesting the generator in the event of a power outage since animals are housed at the shelter on a 24-hour, 7-day basis.

They are requesting a variance for the increase of impervious coverage from 67 percent to 67.06 percent. In addition, a front yard setback of 3.1-feet is also being requested for the location of the concrete pad and generator. This particular property is a corner lot with two front yard setbacks.

A discussion ensued concerning the location of the generator. Mr. Vandervalk explained that the location for the generator is being proposed in the front yard since that location faces Route 208 and would not be visible to anyone other than the highway.

He explained that he believes there is no negative criteria since the animal shelter is surrounded by the Railroad and Route 208. In addition, they would be willing to screen the generator with arborvitae. He explained that the positive criteria would assure the animal shelter could continue providing to the health and welfare of the animals in the shelter. Chairman Potash agreed with the applicant that this would be a favorable location for the generator. He informed the applicant that deer love arborvitae and a different plant for screening should be used. This can be discussed with the Borough Engineer.

A discussion ensued concerning debris, fencing and a shed on the adjacent property. Mr. Vandervalk responded that the shed and debris would be removed. Mr. Lydon suggested that two commercial signs in the right-of-way be relocated

Ms. Mejia questioned if the applicant applied to NJDEP for the necessary Air Quality Permit. Mr. Nicholas Gentile, construction manager, responded he has not but would apply for the necessary permits. A discussion ensued concerning safety measures that would be taken to prevent any leaks.

Motioned by Mrs. Rowin and seconded by Mr. Morris, to open the meeting to the public regarding matters concerning the Ramapo-Bergen Animal Refuge application was voted unanimously by the Board.

No comments.

Motioned by Mrs. Rowin and seconded by Mr. Morris, to close the meeting to the public regarding matters concerning the Ramapo-Bergen Animal Refuge application was voted unanimously by the Board.

Mr. Russo reviewed that the variances which would include a front yard setback for the generator and concrete pad and impervious coverage. Chairman Potash entertained a motion.

Motioned by Mayor Schwager and seconded by Mr. Haymon, to approve the Ramapo-Bergen Animal Refuge application contingent to the applicant applying to NJDEP for the appropriate Air Quality permits, removing two commercial signs from the right-of-way and complying with the setbacks that were approved.

Roll call vote: Ayes: Mrs. Rowin, Messrs. Knapp, Shafron, Haymon, Hagberg, Councilman Jensen, Morris, Mayor Schwager and Chairman Potash.  
Nays: None  
Abstain: None  
Absent: Mr. DiLandro

#### RESOLUTIONS

1. Authorized Agreement with Planning Board Attorney.
2. Authorized Agreement with Planning Board Engineer.
3. Authorized Agreement with Planning Board Planner.

Motioned by Mr. Shafron and seconded by Mayor Schwager, to Authorize Agreements with Board Attorney, Engineer and Planner.

Roll call vote: Ayes: Mrs. Rowin, Messrs. Knapp, Shafron, Haymon, Hagberg, Councilman Jensen, Morris, Mayor Schwager and Chairman Potash.  
Nays: None  
Abstain: None  
Absent: Mr. DiLandro

#### MEMORIALIZATION:

1. Pet Supplies Plus – 350 Ramapo Valley Road, Block 3301, Lot 3. Approval for an amended site plan.

Motioned by Mr. Morris and seconded by Councilman Jensen, to memorialize the above resolution of approval.

Eligible voters: Mrs. Rowin, Messrs. Madden, Shafron, DiLandro, Haymon, Hagberg, Councilman Jensen, Morris and Chairman Potash.

Roll Call Vote: Ayes: Mrs. Rowin, Messrs. Madden, Shafron, Haymon, Hagberg, Morris, Councilman Jensen and Chairman Potash.  
Nays: None  
Abstain: None  
Absent: Mr. DiLandro

Mrs. Rowin informed the Board that there is a sign inside the enclosed portion of Copper Tree Mall prohibiting dogs. She expressed that this could be an issue for shoppers wanting to patronize the pet supply store when having to park on the other side of the building. Mr. Hagberg responded that he would talk to the property manager about allowing pets in that part of the mall.

#### PAYMENT OF BILLS:

Motioned by Mr. Morris and seconded by Hagberg, for the payment of bills subject to the availability of funds.

Roll call vote: Ayes: Mrs. Rowin, Messrs. Madden, Knapp, Shafron, Hagberg, Morris, Councilman Jensen, Mayor Schwager and Chairman Potash.  
Nays: None  
Abstain: None  
Absent: Mr. DiLandro

APPROVAL OF MINUTES:

Motioned by Councilman Jensen and seconded by Mr. Haymon, to approve the November 12, 2015 minutes.

Roll call vote: Ayes: Messrs. Madden, Shafron, Haymon, Hagberg, Councilman Jensen, Morris, Mayor Schwager and Chairman Potash.  
Nays: None  
Abstain: Mrs. Rowin and Mr. Knapp  
Absent: Mr. DiLandro

Motioned by Councilman Jensen and seconded by Mr. Haymon, to table the minutes for January 14, 2016 until the March 10, 2016 public hearing was voted unanimously by the Board.

NEW BUSINESS:

Mr. Russo requested Mr. Lydon to update the Board on a letter addressed to the Mayor from the Highlands Council concerning the Module 2 Update Program.

Mr. Lydon shared that Module 2 was established two years ago which involved a build-out done by Oakland based on Growth Share Development which was discredited by the Supreme Court to go towards the affordable housing decision. As a result, Highland Council established new grant proposals such as the new Module 2 to inform us of the potential developable areas in the Borough might be which will be useful when preparing the Housing Plan which required by the courts. It also helps with the implementation of Plan Conformance.

There were very detailed instructions to follow for this update which involved going through every property in town using geodatabase. The Borough submitted all the material and the courts informed us that there are 17 potentially developable lots in the Planning Area, with the septic yield, it is debatable if those lots are developable. There were 3 lots in the Preservation Area which reflected prior approvals which he believes it could be the Bi-County property.

He, Mr. Boswell and Mr. Chewcaskie met this afternoon with the Court Master, assigned by the Superior Court judges, to assist the review of the Borough's Housing Plan. They will meet again in two weeks along with the Highlands Council staff and finalize the Housing plan with all the information. Mr. Russo confirmed that the information would be the numbers decided for the Borough's affordable housing obligation. Mr. Lydon responded that this is correct.

OLD BUSINESS:

None

PUBLIC MEETING ADJOURNED AT 8:55 P.M.

Motioned by Mr. Morris and seconded by Mr. Knapp, to adjourn the meeting by a unanimous vote by the Board.

Respectfully submitted by,

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Kathlyn Gurney/Administrative Assistant

\*Next meeting on March 10, 2016.