

PLANNING BOARD MINUTES
PUBLIC MEETING
FEBRUARY 9, 2023- 7:00 P.M.
HELD AT THE OAKLAND SENIOR CENTER
20 Lawlor Drive, Oakland, NJ
www.oakland-nj.org

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 and the Borough's website
- ❑ Advertised in The Record more than 48 hours in advance of the meeting
- ❑ 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:

Sarah Michel, Andrea Levy, Joseph Marscovetra, Michael Rose, Thomas Connolly, Lee Haymon, Gregory Liss, Councilman Kulmala, Mayor Linda H. Schwager and Chairman Thomas Potash.

FLAG SALUTE, MEETING OPENED AT 7:05 P.M., ROLL CALL:

Present Members: Mmes. Michel and Levy, Messrs. Rose, Marscovetra, Connolly, Liss, Councilman Kulmala, Mayor Schwager and Chairman Potash.
Absent Members: Mr. Haymon

EXCUSE ABSENCES:

Motioned Mr. Rose and seconded by Mr. Liss, to excuse the absence of Mr. Haymon was voted unanimously by the Board.

Mr. Joseph Russo, Esq., Board Attorney, Mr. John Yakimik, Borough Engineer and Mr. Steve Lydon, Borough Planer were in attendance.

BOARD PROFESSIONALS SWORN IN:

Mr. Yakimik and Mr. Lydon were sworn in.

Chairman Potash congratulated Ms. Levy for becoming a full member and welcomed Mr. Clark as an Alternate I member. He announced that Ms. Michel will sit in for Mr. Haymon.

OPEN MEETING TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA.

Motioned by Mr. Connolly and seconded by Mr. Liss, to open the meeting to the public was voted unanimously by the Board.

No comments.

CLOSE MEETING TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA.

Motioned by Mr. Connolly and seconded by Ms. Michel, to close the meeting to the public was voted unanimously by the Board.

PUBLIC HEARING:

1. Royal Master Grinder- 143 Bauer Drive, Block 3601, Lot 35. Public hearing for preliminary and final site plan.

Mr. James Delia, Esq. was before the Board to represent the application. He explained that the subject property is located in the Industrial Park zone and approximately 3 acres in size. There is an existing one-story building consisting of 24,118 square feet. The applicant proposes to add a single-story addition to the existing building consisting of 18,379 square feet for warehousing, storage and manufacturing. He introduced Mr. John Memmelaar as his first witness.

Mr. John Memmelaar was sworn in. He testified that he is the owner/President of Royal Master Grinders, Inc. The business originated in the 1950's and then moved to their current site in 1980 to Oakland. He explained that their business is unique and the only company in the world that manufactures machinery to produce medical devices known as guidewires for needles and catheters/dilators. In addition, the applicant has developed a centerless grinder which enhances round objects with micron accuracy. Because of the uniqueness of his business, his company exports worldwide.

Mr. Memmelaar explained that with the company's growing demand, the business continues to grow and machines used for manufacturing are becoming larger. He explained that he would prefer to expand the existing building to accommodate the larger machinery and have more storage so he does not have to move out of town.

They want to expand the existing building by 18,379 square feet which will be used as additional space for warehousing, for storage and manufacturing. Presently, there are 58 employees who work from 6:00 a.m. to 2:30 p.m., overtime is occasionally offered. There will be no increase of employees as a result of the expansion. There will be an increase in manufacturing equipment. A "robotic" has been developed for the loading and unloading of guidewires which reduces the

need for additional employees. It was not feasible to expand to a second level since the weight of the equipment is a factor. As part of the expansion, Mr. Memmelaar explained that he would like to be able to store 15 of his antique cars in a separate area within the new addition allowing him to tend to them during the day.

Delivery of equipment and materials are delivered to the site via freight trucks, FedEx or UPS. Fifty percent of the manufactured equipment is exported and shipped by container or flatbed. As requested by Boswell, Mr. Memmelaar has no objection to the installation of bollards. No further testimony.

Mr. Delia introduced the next witness. Mr. Thomas Donohue with Donohue Engineering located in Montvale, N.J. Mr. Donohue was sworn in and testified that he is a licensed engineer in the state of New Jersey. He gave his credentials and the Board accepted his qualifications. An exhibit was entered.

Exhibit A-1, Preliminary and Final site plan prepared by Thomas E. Donohue dated January 16, 2023.

Mr. Donohue explained the existing conditions of the property. The property is approximately 3 acres with a one-story masonry building consisting of 24,118 square feet. There is an existing setback of 52.9-feet from Bauer Drive and 20.3-feet from Potash Road.

The parking and loading areas are north and west of the building. There are 75 parking spaces which include three barrier-free parking spaces. There are 4 parking spaces and two driveway aisles that do not comply with the Borough's code. In addition, there are three loading areas which are all accessed from the existing drive.

Mr. Donohue explained that the applicant proposes to construct a one-story addition approximately 18,379 square feet adjacent to the existing building. The wall of the existing building will be removed leaving the building whole. A dumpster enclosure area measuring 8' by 14' will be an adequate size for the business. Since they will not be increasing the number of employees, the existing parking will be adequate. In addition, the applicant proposes a 10-foot asphalt driveway leading to the area where he intends to store his vintage cars.

A variance will be required for parking. The applicant is proposing 75- parking spaces but the Borough's code requires eighty-three parking spaces for a building that size. The existing lot was recently paved and in good condition. In addition, a variance will be required for building coverage. The existing building coverage is 18-percent and the proposed will be 32.5-percent where 25-percent is the maximum building coverage permitted. Also, the impervious area for the existing coverage is 48.5-percent. The applicant proposes 63.1-percent impervious surface for the driveway to the storage area where 50-percent is the maximum impervious area permitted.

Exhibit A-2, WB-50 Truck Movement prepared by Donohue Engineering dated January 16, 2023.

Exhibit A-3, Garbage Truck Movement prepared by Donohue Engineering dated January 16, 2023.

Mr. Donohue explained how trucks circulate in and out of the site. He testified that trucks could maneuver safely in and out of the loading dock area as well as the garbage truck accessing the dumpster area. There is adequate room for circulation for passenger vehicles as well.

Mr. Donohue gave details of the grading and utility plan. They propose to install an underground infiltration basin to assure that the discharge rate will be reduced from the current discharge rate. In order to construct the addition, a soil movement application will be necessary. A total of 600 cubic yards of soil will be removed off site. The applicant is still awaiting Health Department approval for septic system improvements.

Mr. Donohue gave details of the lighting plan. The applicant proposes six wall-mounted LED fixtures which will provide adequate lighting for the existing building as well as the proposed addition. The lights will automatically go on at dusk and off at dawn.

Mr. Donohue gave details for the proposed landscape plan. Mr. Clark gave some suggestions and requirements put forth by the Shade Tree Commission. Mr. Donohue responded that the applicant is willing to work with the Borough's Shade Tree Commission for a more enhanced landscape plan.

A discussion ensued concerning impervious surface. Mr. Donohue explained that they acknowledge the plans will need to be sent to Bergen County Soil Conservation District for review. No further discussion.

Mr. Delia introduced Mr. Edward Acari to testify on behalf of the architectural design. Mr. Acari was sworn in and testified that his is with Arcari & Iovino Architects located in Little Ferry. He offered his credentials as a licensed architect in the state of New Jersey and the Board accepted his qualifications. Exhibits were entered.

Exhibit A-4, Architectural drawings prepared by Arcari & Iovino dated January 16, 2023 consisting of three sheets.

Exhibit A-5 Color rendering of subject premises prepared by Arcari & Iovino dated February 9, 2023.

He explained that the proposed additions will measure 112' by 164.1' with a height of 22'-9.5'. The addition height will be the same height of the existing building. The existing wall where the addition is proposed will be removed.

The proposed addition will be constructed with steel frame and concrete brick and the exterior material being used will match closely to the exterior of the existing building. There will be windows and lighting in the rear of the building. The roof of the addition will be flat matching the existing roof. There will be mechanical equipment installed on top of the new addition and

adequately screened. A discussion ensued concerning access to the roof for the fire department. Mr. Acari responded that there is interior roof access from the existing building as well as the proposed addition. The sprinkler system for the proposed addition will be tied into the existing system.

A discussion ensued concerning moving the storage area for the antique cars where it meets the parking area to eliminate the driveway. Mr. Memmelaar preferred to keep the vintage cars in the selected area to keep it private. No further discussion.

Mr. Delia introduced the next witness. Ms. Kathryn Gregory from Gregory Associates testified that she is a licensed Planner in the state of New Jersey. She offered her credentials, and the Board accepted her qualifications.

Ms. Gregory explained that the applicant is requesting variances for the maximum allowable building coverage of 32.5-percent where up to 25-percent is permitted and maximum allowable impervious coverage of 63.1-percent where up to 50-percent is permitted. In addition, the applicant is providing a total of 75 parking spaces including 3 ADA spaces. An exhibit was entered.

Exhibit A-6, Color rendering of existing conditions, surrounding neighborhood and characteristics prepared by Gregory Associates dated February 9, 2023.

Ms. Gregory gave justification for the variances being requested. She explained that the requested variances, it falls under the N.J.S.A 40:55D-70 (c)(2). In order to grant the variances, the applicant will have to satisfy both positive and negative criteria of the MLUL. The positive criteria being that the equipment being built by the applicant is in demand and the applicant is the only manufacturer in the world that provides this equipment.

The granting of the variances will satisfy the negative criteria and there would be no substantial detriment to the public welfare or the neighboring properties. There will be no odors or hazardous fume emanating from the proposed addition and the applicant testified that the runoff will be reduced after construction. One of the goals of the Master Plan is to preserve and protect the intent of the Industrial Park. The granting of the variances outweighs any detriment and will have no impairment to the Borough's Zoning Ordinance and its Master Plan.

A discussion ensued concerning bollards. Ms. Gregory responded that the applicant would agree to bollards or planter type bollards and a condition of approval. No further discussion. Chairman Potash entertained a motion to open the meeting to the public regarding matters concerning the Royal Master Grinder application.

Motioned by Mr. Connolly and seconded by Mayor Schwager, to open the meeting to the public regarding matters concerning the Royal Master Grinder application was voted unanimously by the Board.

No comments.

Motioned by Mr. Rose and seconded by Mr. Liss, to close the meeting to the public regarding matters concerning the Royal Master Grinder application was voted unanimously by the Board.

Mr. Delia gave his closing remarks and asked the Board to consider granting approval to the applicant. Mayor Schwager mentioned that she knew Mr. Memmelaar Sr. and admired the integrity of the family-owned business for many years and wished him the best. No further discussion.

Mr. Russo set forth the conditions.

1. Granting 3 variances
2. Shade Tree Commission approval
3. Health Department approval
4. ADA compliance
5. Non-residential COAH fee
6. Lighting adjustment period of 6 month
7. Compliance with Bergen County Soil Conservation
8. Grass-pavers used for the driveway leading to vintage cars

Chairman Potash entertained a motion.

Motioned by Mayor Schwager and seconded by Mr. Connolly, to approve Royal Master Grinders, Inc. application contingent to conditions listed above.

Roll Call Vote: Ayes: Mmes. Michel and Levy, Messrs. Rose, Marscovetra, Connolly, Liss, Councilman Kulmala, Mayor Schwager and Chairman Potash.

Nays: None

Abstain: None

Absent: Mr. Haymon

Meeting recessed at 8:46 p.m.

Meeting resumed at 8:55 p.m.

Present: Mmes. Michel and Levy, Messrs. Rose, Marscovetra, Connolly, Liss, Councilman Kulmala, Mayor Schwager and Chairman Potash.

Absent: Mr. Haymon

2. 16 Thornton NJ, LLC – 16 Thornton Road, Block 3201, Lot 2. Public hearing for preliminary and final site plan.

Mr. Aaron Brotman, Esq. was before the Board to represent the application. He entered an exhibit.

Exhibit A-1, Affidavit of Nandinne Phookan, AIA, unavailable to attend the meeting.

The applicant seeks to add four loading docks to the rear of a one-story building in the Industrial Park zone on the corner of Wright way and Thornton Road. The existing warehouse/manufacturing/office building consists of 44,255 square feet in size. Mr. Brotman introduced Mr. Jeffrey Derosier as the first witness.

Mr. Derosier gave his credentials and the Board accepted his qualifications as a licensed professional civil engineer in the state of New Jersey. He entered an exhibit.

Exhibit A-2, Minor site Plan drawing dated October 19, 2022 and last revised December 14, 2022.

The property is approximately 4.4-acres with an existing one-story building consisting of 44,256 square feet which is used by a company called Simalfi, Inc. which manufactures 100% water-based adhesives. Mr. Derosier explained that the existing impervious coverage is 59.6% and will be reduced to 59.5%.

The site currently has 135 parking spaces including 4 barrier-free spaces. It was noted that 96 parking spaces are required. The applicant proposes to remove 38 parking spaces leaving 97 parking spaces to service the building. The applicant proposes four additional loading docks in the rear of the building. This will require the space of some of the parking to allow sufficient movement for tractor trailers to access the loading docks.

Pavement in front of the loading docks will be removed and replaced with concrete along with a small area in front of the drive-in door along the eastern portion of the building. Due to some grading issues within the parking lot, a large area of pavement at the eastern end will be removed, re-graded and re-paved. In addition to the grading, two retaining walls are being proposed along the east side of both concrete areas. This will provide adequate space for trucks to maneuver the front of the proposed loading docks.

Soil Erosion & Sediment Control Plan may be required by Bergen County Soil Conservation District. Approximately 163 cubic yards will be removed and the applicant will file a soil moving permit with the Building Department. An exhibit was entered.

Exhibit A-3, Photos of site taken by Derosier Engineering.

There will be no changes to the drainage system on the property. A discussion ensued concerning lighting and bollards. Mr. Derosier informed the Board that lighting will operate on a 6:00 a.m. to 5:00 p.m. automatic schedule. He added that they will abide by the condition to reevaluate the lighting installed after a 6 month period to correct any deficiencies or light spillage impacting the area.

Mr. Derosier testified that Simalfi, Inc. has approximately 22 employees and 9 of those employees will be in the field working during the day. He verified that there will be four ADA parking stalls and indicated that location. They will comply with the requested garbage and recycling location. The company produces water soluble adhesive which will not emit any odors.

A discussion ensued concerning retaining wall requirements with guiderail, landscape recommendations, restriping the parking area and adding a stop bar with stop sign. Mr. Derosier responded that they would comply with the requests set forth by the Board. No further discussion. Chairman Potash entertained a motion to open the meeting to the public.

Motioned by Mayor Schwager and seconded by Mr. Rose, to open the meeting to the public regarding matters concerning the 16 Thornton NJ, LLC application was voted unanimously by the Board.

No comments.

Motioned by Mr. Rose and seconded by Mr. Connolly, to close the meeting to the public regarding matters concerning the 16 Thornton NJ, LLC application was voted unanimously by the Board.

Mr. Russo reviewed the conditions for the application:

1. Variance for 59.5% impervious coverage where 50% is required.
2. Reevaluation of lighting after 6 months.
3. Shade Tree approval.
4. Restripe new parking area and freshen up the rest.
5. Revised site plan adding a stop bar and a stop sign for the exit.
6. ADA compliance.
7. Retaining wall calculations and guiderail integrity.

Chairman Potash entertained a motion.

Motioned by Mr. Rose and seconded by Ms. Levy, to approve the 16 Thornton NJ, LLC application contingent to the conditions listed above.

Roll Call Vote: Ayes: Mmes. Michel and Levy, Messrs. Rose, Marscovetra, Connolly, Liss, Councilman Kulmala, Mayor Schwager and Chairman Potash.

Nays: None

Abstain: None

Absent: Mr. Haymon

MEMORIALIZATION OF PROFESSIONAL RESOLUTION:

1. Joseph Russo, Esq.

Motioned by Mr. Connolly and seconded by Mr. Liss, to memorialize the above resolution.

Roll Call Vote: Ayes: Mmes. Michel and Levy, Messrs. Rose, Marscovetra, Connolly, Liss, Councilman Kulmala, Mayor Schwager and Chairman Potash.

Nays: None

Abstain: None

Absent: Mr. Haymon

2. Boswell Engineering

Motioned by Mr. Connolly and seconded by Mr. Liss, to memorialize the above resolution.

Roll Call Vote: Ayes: Mmes. Michel and Levy, Messrs. Rose, Marscovetra, Connolly, Liss, Councilman Kulmala, Mayor Schwager and Chairman Potash.

Nays: None

Abstain: None

Absent: Mr. Haymon

3. Burgis Associates

Motioned by Mr. Connolly and seconded by Mr. Liss, to memorialize the above resolution.

Roll Call Vote: Ayes: Mmes. Michel and Levy, Messrs. Rose, Marscovetra, Connolly, Liss, Councilman Kulmala, Mayor Schwager and Chairman Potash.

Nays: None

Abstain: None

Absent: Mr. Haymon

MEMORIALIZATIONS:

1. K. Hovnanian – McCoy Road, Block 4202, Lots 1, 2 & 3. Approval for a Preliminary Site plan and Major Subdivision.

Motioned by Mr. Connolly and seconded by Mr. Liss, to memorialize the above resolution of approval.

Roll Call Vote: Ayes: Ms. Michel, Messrs. Rose, Marscovetra, Connolly, Liss, Councilman Kulmala, and Chairman Potash.

Nays: None

Abstain: Ms. Levy and Mayor Schwager

Absent: Mr. Haymon

2. Adopting Amendment to the Housing Element and Fair Share Plan.

Motioned by Mr. Connolly and seconded by Mr. Liss, to memorialize the above resolution of approval.

Roll Call Vote: Ayes: Mmes. Michel and Levy, Messrs. Rose, Mascovetra, Connolly, Liss, Councilman Kulmala, Mayor Schwager and Chairman Potash.

Nays: None

Abstain: None

Absent: Mr. Haymon

PAYMENT OF BILLS:

Motioned by Mayor Schwager and seconded by Mr. Connolly, to pay the bills subject to the availability of funds.

Roll Call Vote: Ayes: Mmes. Michel and Levy, Messrs. Rose, Mascovetra, Connolly, Liss, Councilman Kulmala, Mayor Schwager and Chairman Potash.

Nays: None

Abstain: None

Absent: Mr. Haymon

APPROVAL OF MINUTES:

January 12, 2023, Minutes:

Motioned by Mr. Connolly and seconded by Mr. Liss, to approve the January 12, 2023, minutes as amended.

Roll Call Vote: Ayes: Mmes. Michel and Levy, Messrs. Rose, Mascovetra, Connolly, Liss, Councilman Kulmala, Mayor Schwager and Chairman Potash.

Nays: None

Abstain: None

Absent: Mr. Haymon

NEW BUSINESS:

None

OLD BUSINESS:

A discussion ensued concerning the status of the Burger King site and whether approvals have expired. There was discussion that the applicant has no proposed tenants and is now stalling. Mr. Russo informed the Board that he put in a call to Mr. Herten concerning the developer's agreement but has not heard back. He believes that the applicant received County approval but he will follow up again. The variances may expire after one year but his approvals do not expire just the protection from the Zoning Ordinance.

Mr. Lydon handed out proposed ordinances to be reviewed at the next meeting. They will then be sent to Mayor and Council.

The Board requested Mr. Lydon check the bollard and sign ordinance. In addition, check the affordable housing numbers concerning senior housing.

PUBLIC MEETING ADJOURNED AT 10:07 P.M.

Motioned by Mr. Rose and seconded by Mr. Connolly, to adjourn the meeting by a unanimous vote by the Board.

Respectfully Submitted by,

Kathlyn Gurney, Administrative Assistant

*Next meeting on March 9, 2023