

PLANNING BOARD MINUTES
PUBLIC MEETING
JANUARY 9, 2020 - 7:00 P.M.
HELD AT OAKLAND COUNCIL CHAMBERS
10 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:

Andrea Levy, Gregory Liss, Joseph Marscovetra, Michael Rose, Thomas Connolly, Sandra Coira, Lee Haymon, John Morris, Councilman Van Eck, Mayor Linda H. Schwager and Chairman Thomas Potash.

FLAG SALUTE, MEETING OPENED AT 7:04 P.M., ROLL CALL:

Present Members: Mmes. Levy and Coira, Messrs. Liss, Rose, Marscovetra, Connolly, Madden, Haymon, Hagberg, Morris, Councilman Levy, Mayor Schwager and Chairman Potash.

Absent Members: None

Mr. Joseph Russo, Esq., Board Attorney, Steve Lydon, Burgis Associates, John Yakimik, Boswell Engineering were in attendance.

BOARD PROFESSIONALS SWORN IN:

Mr. Lydon with Burgis Associates and Mr. Yakimik with Boswell Engineering.

Chairman Potash welcomed Councilman Van Eck as a member of the Board.

REORGANIZATION:

CHAIRMAN:

Chairman Potash entertained a motion.

Motioned by Mr. Connolly and seconded by Mayor Schwager, to nominate Thomas Potash to continue as Board Chairman.

Roll Call Vote: Ayes: Mrs. Coira, Messrs. Rose, Marscovetra, Connolly, Haymon,
 Councilman Van Eck, Morris and Mayor Schwager.
 Nays: None
 Abstain: None
 Absent: None

VICE CHAIRMAN:

Chairman Potash entertained a motion.

Motioned by Mayor Schwager and seconded by Mr. Connolly, nominating John Morris to continue as Board Vice Chairman.

Roll Call Vote: Ayes: Mrs. Coira, Messrs. Rose, Marscovetra, Connolly, Haymon,
 Councilman Van Eck, Mayor Schwager and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: None

SECRETARY:

Chairman Potash entertained a motion.

Motioned by Mayor Schwager and seconded by Mr. Haymon, nominating Sandra Coira as Secretary to the Board.

Roll Call Vote: Ayes: Messrs. Rose, Marscovetra, Connolly, Haymon, Morris, Councilman
 Van Eck, Mayor Schwager and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: None

Chairman Potash reminded the Board that sub-committees were formed to the review RFQ's of

professional engineers, planners and attorneys. The sub-committee met before the meeting to discuss their findings.

BOARD ATTORNEY:

Chairman Potash explained that only one proposal was received for Board Attorney from Mr. Russo. Mr. Russo has done an outstanding job for many years and the sub-committee recommended that Mr. Russo continue as Board Attorney. He entertained a motion.

Motioned by Mr. Haymon and seconded by Mr. Connolly, nominating Joseph Russo to continue as Board Attorney.

Roll Call Vote: Ayes: Mrs. Coira, Messrs. Rose, Marscovetra, Connolly, Haymon, Morris,
 Councilman Van Eck, Mayor Schwager and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: None

BOARD ENGINEER:

Chairman Potash explained that three proposals were received for Board Engineer from Neglia Engineering, Christopher Statile, PA and Boswell Engineering. All firms are reputable, highly qualified and rates are comparable. However, the sub-committee suggests that the Board continue with the services of Boswell Engineering. He entertained a motion.

Motioned by Mrs. Coira and Mayor Schwager, nominating Boswell Engineering to continue as Board Engineer.

Roll Call Vote: Ayes: Mrs. Coira, Messrs. Rose, Marscovetra, Connolly, Haymon, Morris,
 Councilman Van Eck, Mayor Schwager and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: None

BOARD PLANNER:

Chairman Potash explained that three proposals were received for Board Planner from Neglia, Christopher Statile, PA and Burgis Associates. All firms are reputable, highly qualified and rates were comparable. However, the sub-committee suggests that the Board with the services of Burgis Associates. He entertained a motion.

Motioned by Mr. Connolly and seconded by Mrs. Coira, to nominate Burgis Associates to continue as Board Planner.

Roll Call Vote: Ayes: Mrs. Coira, Messrs. Rose, Marscovetra, Connolly, Haymon, Morris,
Councilman Van Eck, Mayor Schwager and Chairman Potash.
Nays: None
Abstain: None
Absent: None

ADMINISTRATIVE ASSISTANT:

Chairman Potash entertained a motion.

Motioned by Mayor Schwager and seconded by Councilman Levy, to nominate Kathlyn Gurney to continue as Administrative Assistant to the Board.

Roll Call Vote: Ayes: Mrs. Coira, Messrs. Rose, Marscovetra, Connolly, Haymon, Morris,
Councilman Van Eck, Mayor Schwager and Chairman Potash.
Nays: None
Abstain: None
Absent: None

OFFICIAL NEWSPAPER:

Chairman Potash entertained a motion.

Motioned by Mr. Morris and seconded by Mrs. Coira, to nominate The Record as the official newspaper for the Board.

Roll Call Vote: Ayes: Mrs. Coira, Messrs. Rose, Marscovetra, Connolly, Haymon, Morris,
Councilman Van Eck, Mayor Schwager and Chairman Potash.
Nays: None
Abstain: None
Absent: None

BY-LAWS:

Chairman Potash entertained a motion.

Motioned by Mrs. Coira and seconded by Mr. Haymon, to adopt the Planning Board By-Laws.

Roll Call Vote: Ayes: Mrs. Coira, Messrs. Rose, Marscovetra, Connolly, Haymon, Morris,
Councilman Van Eck, Mayor Schwager and Chairman Potash.
Nays: None
Abstain: None
Absent: None

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

Motioned by Mr. Connolly and seconded by Mayor Schwager, to open the meeting to the public for matters not on the agenda was voted unanimously by the Board.

Mr. Ben Cascio, Esq. from Franklin Lakes approached the Board and complimented them on their choices for professionals. He expressed that his experience working with these people have been positive.

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

Motioned by Mr. Connolly and seconded by Mayor Schwager, to close the meeting to the public for matters not on the agenda was voted unanimously by the Board.

PUBLIC HEARING:

1. A & E Ventures of Oakland – 140 & 150 Ramapo Valley Road, Block 2702, Lots 1.01 & 1.02. Continued public hearing for preliminary & final site plan, minor subdivision, soil move and variances.

Chairman Potash explained that everyone should have received the draft resolution for A & E Ventures. Mr. Russo noted for the record that Mr. Van Eck and Mr. Haymon are not eligible voters and Mr. Morris and Mr. Rose, absent from the last meeting, have certified that they have listened to the recording of that meeting.

Mr. Thomas Herten, Esq. informed the Board that revised drawings were delivered to the Borough on January 2, 2020 by North Star consisting of 12 pages. He entered exhibits.

Exhibit A-12, Preliminary and final site plan dated July 19, 2019, last revised December 31 2019.
Exhibit A-13, Stormwater Management Plan dated December 31, 2019
Exhibit A-14, Color rendering of site plan, sheet 3 of 12.

Mr. Herten explained that the applicant has agreed to the terms set forth in an email sent by Chief Sanzari on January 5, 2020 expressing his concerns with a left hand turn out onto Ramapo Valley Road. The applicant has agreed that commercial and delivery trucks will be prohibited to exit left onto Ramapo Valley Road which will be part of the Developers Agreement. If problems arise with vehicles making the left turn out onto Ramapo Valley Road, the Borough will have the right to review and place further restrictions.

It was agreed that impervious coverage will improve to 69.62 percent by allowing 9 of the 68 parking spaces to be banked and if the 9 parking spaces are needed, the impervious coverage will go back up to 72.43. Mr. Herten offered further testimony of Mr. Thomas Pugsley. Mr. Russo reminded Mr. Pugsley that he was previously sworn in.

Mr. Pugsley reviewed the revisions to the site plan. He explained that 2 existing free-standing signs will be replaced by 2 monument signs, consisting of 48 square feet each, which will comply with the 15-foot setback of the right-of-ways.

Existing trees around the perimeter of the property will be replaced with new shade trees. The species of trees were decided as per the request of Ed Clark with the Shade Tree Committee. A bicycle rack to accommodate 6 bicycles will be placed in the front within the landscaped area. Irrigation will be included throughout all landscaped areas.

There will be 4 building mounted security lights, 2 lights located in the rear of the building and 1 area light located west of the building. These lights will come on during dusk and remain on until dawn. All other lighting will turn off after normal business hours.

Mr. Pugsley informed the Board that drywells are not required but they will install (4) 7-inch diameter drywells in the east area of the parking lot capable of handling water all roof runoff at a volume of a 10-year storm event. Mr. Yakimik informed the Board that drainage is still under review. An exhibit was entered.

Exhibit A-15, Colored version of Exhibit A-12, Lighting Plan, sheet 7 of 12.

Mr. Pugsley explained that he talked to a consultant Mr. Yakimik referred concerning decorative lighting and the search has not been completed. Mr. Herten informed the Board that Mr. Yakimik commented that the proposed lighting is sufficient but assured the Board that they will agree to stipulate that they will continue their search for more decorative lighting. A discussion ensued concerning the pros and cons of decorative lighting.

The crosswalk will provide access points along Ramapo Valley Road, Post Road and Plaza Road and signs associated with traffic will be in accordance with the latest version of the MUTCD.

Mr. Connolly expressed that all the sidewalks surrounding the property are in poor shape and should be replaced. Mr. Yakimik suggested that the sidewalks along Plaza Road be removed and replaced with landscape to help the impervious coverage situation and remove and replace the sidewalks along Post Road and Ramapo Valley Road. All sidewalks will have ramps and comply with ADA regulations.

A discussion ensued concerning adding more trees to buffer the rear of the building. Mr. Pugsley explained that they can increase the height of the 4-foot fence being proposed on top of the retaining wall. It was decided that a "board on board" fencing be used and the fence remain 4-foot in height.

Mr. Lydon questioned the lighting and lettering for the two monument signs. Mr. Pugsley explained that the background for both signs will be an opaque white with black lettering.

Mr. Morris verified the truck weight limit entering the site. Mr. Yakimik responded that there will

be a 5-ton weight limit. Chairman Potash entertained a motion to open the meeting to the public.

Motioned by Mr. Morris and seconded by Mr. Marscovetra, to open the meeting to the public regarding the continued testimony of Mr. Pugsley was voted unanimously by the Board.

No comments.

Motioned by Mr. Morris and seconded by Mr. Marscovetra, to closed the meeting to the public regarding the continued testimony of Mr. Pugsley was voted unanimously by the Board.

Mr. Herten closed his presentation explaining that this is an upscale project and the design has become better with the collaboration of the Board. He thanked the Board for their time and guidance and hopes that they will approve the application.

Mr. Russo reviewed the conditions, changes and the variances for approval.

- Delete subdividing lot line.
- Preliminary and final major site plan approval.
- Impervious coverage of 68.78%.
- 68 parking spaces (9 of those spaces will be banked).
- Retaining walls in the front yards which will require NJ registered professional engineer signature.
- Fire lanes with appropriate striping.
- 6 bicycle bike rack.
- Seepage pits to handle entire roof runoff for a 10-year event.
- Installation of new sidewalks (removed & replaced) along Ramapo Valley Road and Post Road.
- 2 monument signs approximately 48 square feet on the property line which requires an offset of 15-feet
- No delivery trucks will be permitted to make a left hand turn onto Ramapo Valley Road.
- Soil moving permit to move approximately 4,500 cubic yards. Truck route shall be recommended by Oakland Police Department.

Chairman Potash entertained a motion.

Motioned by Mr. Morris and seconded by Mr. Liss, to approve the A & E Ventures of Oakland, LLC contingent to the changes and stipulations discussed above.

Roll Call Vote: Ayes: Mmes. Coira and Levy, Messrs. Liss, Marscovetra, Morris and
Chairman Potash.
Nays: Messrs. Rose, Connolly and Mayor Schwager
Abstain: None

Absent: None

Meeting recessed at 9:10 p.m.

Meeting resumed at 9:20 p.m.

2. IE Holdings, Inc. – 8 Van Vooren, Block 3202, Lot 2. Public hearing for a preliminary and final site plan with variances.

Mr. Ben Cascio, Esq., located in Franklin Lakes, was before the Board to represent the application. He explained that this is an application to construct a 20,000 square foot one-story commercial building in the Industrial Park. The building warehouse will be used for manufacturing and research. The building is being built in anticipation for the future use of Collagen Matrix which is currently located adjacent to the property. The only issue is a small portion of the proposed building will encroach into some of the steep slope on the property. He introduced Mr. Vincent Lanza, property manager.

Mr. Lanza was sworn in and testified that he has a partnership with the owner and is in charge of overseeing projects. He explained that the application is for a 20,000 square foot office building that will be similar to the Collagen Matrix building adjacent from their property. Collagen Matrix CEO is the proposed tenant for the new building which will be used for research and development and consist of offices, a warehouse and storage space. They will start out with 5-10 employees with room to grow. Collagen Matrix specializes in the development of ligaments and joints for replacement. Chairman Potash questioned if they will be using the same waste procedures as Collagen Matrix. Mr. Lanza responded the medical waste will be discarded properly and removed by an appropriate contractor.

They expect deliveries from small box truck and refrigerated trucks. Mr. Haymon questioned the type of materials and chemicals. Mr. Lanza responded that the materials are collagen and mineral-based tissue used to prepare ligaments from animals and they use self-contained alcohol which is properly discarded. Mr. Haymon also verified that there was proper ventilation.

Mr. Cascio introduced Dr. Shaun-Tung Li, CEO of Collagen Matrix, to give testimony on the background of the business.

Dr. Li was sworn in and testified that he is the proposed tenant of the new building. He explained that Collagen Matrix manufactures quality collagen and mineral-based medical devices to support the body's natural ability to regenerate.

He reiterated that any chemicals and medical waste on the premises will be properly disposed and collected by an appropriate contractor. He explained that they receive deliveries every 6 months from refrigerated trucks. Currently they have 5 employees and plan to grow to 10 in the next year.

Mr. Cascio introduced Mr. Fredrick Klenk, Architect, from Franklin Lakes.

Mr. Klenk was sworn in and gave his credentials and the Board accepted his qualifications. He referred to the site plan dated October 22, 2019. The proposed building will be similar to the adjacent building. The 20,000 square foot building will have a stucco exterior, windows on 3 sides of the building and elevations of approximately 18-feet in height.

Mr. Klenk explained the interior layout. The building was designed as a one-story consisting of 4,428 square feet of warehouse space, office space and a cafeteria making it marketable for the future buyer. In addition, utilities will be placed on the rooftop with screening about 4-foot high, a sprinkler system throughout the building and the warehouse will have no windows. He entered exhibits.

Exhibit A-1, Elevations sheet 1 drafted by Fred Klenk on October 15, 2019 revised October 22, 2019.

Exhibit A-2, Building footprint sheet 2 drafted by Fred Klenk on October 15, 2019 revised October 22, 2019.

Exhibit A-3, Elevations sheet 1 drafted by Fred Klenk on October 15, 2019, revised October 22, 2019 and last revised November 25, 2019.

Exhibit A-4, Building footprint sheet 2 drafted by Fred Klenk on October 15, 2019, revised October 22, 2019 and last revised January 8, 2020.

A natural gas generator will be located near the building in the northeast portion. Chairman Potash questioned if the generator will be screened and if this triggers a variance. Mr. Klenk responded that the generator will be screened by a steel metal framed enclosure.

Mr. Cascio introduced Mr. Matthew Grecco, with McNally, Doolittle Engineering located in Oakland. Mr. Grecco was sworn in and gave his credentials and the Board accepted his qualifications.

Mr. Grecco explained to the Board that the application is to build a commercial building on a vacant 2 acre lot. The topography is basically flat and the rear drops off into the woods. He entered an exhibit.

Exhibit A-5, Site plan drafted by McNally, Doolittle Engineering, LLC August 16, 2019.

He explained the existing conditions. It is vacant property has no development. The front of the property is flat and west to east is wooded and sloped. There is access to storm sewer drainage, potable water and utilities will be installed underground.

The building being proposed is just under 20,000 square feet and a single story. The location of the building on the property was moved as far forward to avoid the steep slope and complies with all setbacks.

A single two-way driveway into the building is being proposed on the westerly side yard. The proposed parking lot will allow for 54 parking spaces and 3 loading docks in the rear. There will

be a dumpster in the rear of the building fully screened and a decorative keystone retaining wall approximately 7-feet high with a safety guide rail on top. Mr. Yakimik informed Mr. Grecco that the retaining wall calculations will need to be certified and approved by the Borough Engineer.

In the northeast portion of the property, the applicant proposes to locate a generator and transformer. Drainage off the rooftop and parking area will comply with the stormwater code be compliant with the state. There is a storm drain in front of the property and a septic system, to be installed in the front yard, will be compliant with the Borough and the State.

Mr. Grecco discussed with the Fire Official comments that were not on the initial plans. He entered an exhibit.

Exhibit A-6, Site plan drafted by McNally, Doolittle Engineering, LLC revised December 20, 2019.

The site plan shows walkout lanes but no fire lanes. The applicant agrees to include the appropriate fire lane/zone striping as per his discussion with the Fire Official. One fire hydrant will be located in the southwest corner of the property in front of the building.

The only variance the applicant is requesting is for grading that will encroach into the steep slope area. Mr. Grecco reviewed the category of steep slope encroachment. Approximately 132 square feet of 35% or greater will be encroached. The Building, paved parking area, retaining wall and septic will encroach the 25%-34.9% and 15%-24.9% category. A discussion ensued concerning moving the building forward 10-feet to encroach less into the 35% and greater and request a front yard setback. Mr. Grecco agreed and added that this is a de minimus request which will provide a better layout for the loading docks. Mr. Russo also added that it will reduce the encroachment from 132 to 39 square feet.

Mr. Lydon commented that 54 parking spaces is a lot of parking for only 5 employees. He suggested that the applicant bank parking spaces temporarily until they are ready to sell. Mr. Yakimik explained that if the applicant decides to bank some of the spaces, the drainage will still need to reflect the 54 parking spaces. They discussed banking the parking spaces along Van Voreen and moving handicapped closer to the sidewalk area with protective bollards to run along the side of the sidewalk. The applicant agreed to bank the 19 parking spaces for future parking.

Mr. Lydon questioned lighting being proposed. Mr. Grecco responded that the lighting poles will not exceed 15-feet in height and the maximum temperature for the lights will be 3,000 Kelvin. He agrees to a stipulation to revisit the light intensity in a 6 month period if there are any complaints. Chairman Potash entertained a motion to open the meeting to the public.

Motioned by Mr. Connolly and seconded by Mr. Rose, to open the meeting to the public regarding the testimony of Mr. Grecco was voted unanimously by the Board.

Mr. Edward Clark, member of the Shade Tree Committee, informed the applicant that he would like to see trees marked before removal, provide a 2-year warranty for planted trees and install an irrigation system on all landscaped areas.

Motioned by Mr. Rose and seconded by Mr. Connolly, to close the meeting to the public regarding the testimony of Mr. Grecco was voted unanimously by the Board.

Chairman Potash suggested that the Board authorize Mr. Russo to draft a resolution with the amendments and revisions so the Board can review before the next meeting. He announced that this meeting will be carried to the February 13, 2020 public hearing with no further notice.

MEMORIALIZATIONS:

None

PAYMENT OF BILLS:

Motioned by Mr. Connolly and seconded by Mr. Rose, to approve the bills list subject to the availability of funds.

Roll Call Vote: Ayes: Mrs. Coira, Messrs. Rose, Marscovetra, Connolly, Haymon, Morris, Councilman Van Eck, Mayor Schwager and Chairman Potash.
 Nays: None
 Abstain: None
 Absent: None

APPROVAL OF MINUTES:

Motioned by Mr. Connolly and seconded by Mayor Schwager, to approve the December 12, 2019 Minutes.

Roll Call Vote: Ayes: Mrs. Coira, Messrs. Marscovetra, Connolly, Mayor Schwager and Chairman Potash.
 Nays: None
 Abstain: Messrs. Rose, Haymon, Morris and Councilman Van Eck
 Absent: None

NEW BUSINESS:

Discuss meeting change for April and May.
(April 16th to April 2nd and May 14th to May 7th)

OLD BUSINESS:

Chairman Potash announced that there will be a Downtown Sub-Committee meeting at 6:00 before the regularly scheduled planning Board meeting.

PUBLIC MEETING ADJOURNED AT 10: 20 P.M.

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

Respectfully submitted by,

Kathlyn Gurney/Administrative Assistant

*Next meeting on February 14, 2019.