

PLANNING BOARD MINUTES  
PUBLIC MEETING  
NOVEMBER 8, 2018 - 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:

Thomas Connolly, John Madden, Sandra Coira, Lee Haymon, Nicholas DiLandro, Dan Hagberg, Elaine T. Rowin, John Morris, Councilman Levy, Mayor Linda H. Schwager and Chairman Thomas Potash.

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

Present Members: Mrs. Coira, Messrs. Madden, DiLandro, Haymon, Hagberg, Morris, Councilman Levy, Mayor Schwager and Chairman Potash.

Absent Members: Messrs. Connolly, Haymon, and Mrs. Rowin.

Motioned by Mrs. Coira and seconded by Councilman Levy, to excuse the absence of Messrs. Connolly and Haymon, and Mrs. Rowin was voted unanimously by the Board.

Mr. Madden sitting in for Mrs. Rowin.

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

Mr. DiLandro enters the meeting at 7:05 p.m.

OPEN TO THE PUBLIC:

Motioned by Mr. Morris and seconded by Councilman Levy, to open the meeting to the public regarding matters not on the agenda was voted unanimously by the Board.

No comments

Motioned by Councilman Levy and seconded by Mayor Schwager, to close the meeting to the public regarding matters not on the agenda was voted unanimously by the Board.

1. 5 Thornton Road Associates, LLC (Kushner Properties) – 5 Thornton Road, Block 3203, Lot 1. Public hearing for an amended site plan.

Ms. Lindsay Cambron, Esq. was before the Board on behalf of the applicant. She explained that this was an application for the installation of two concrete pads to store above-ground storage tanks which will require a setback of 43-feet where 50-feet is required. She introduced her first witness.

Mr. Torsten Thaler was sworn in and testified that he is the managing agent for Westminster Management, LLC which manages over 20 of the applicant's properties.

The subject property has an existing single-story warehouse building with two tenants. Platinum Press is the primary tenant which manufactures printed packaging for the healthcare industry.

Mr. Thaler informed the Board that they would install bollards to protect a transformer on the property located 10-feet from the street. He explained that lighting for the site was sufficient and any unused signs will be removed or painted. During the removal of the tanks, some trees will be removed. They plan to plant additional trees on the property and remove stumps.

Garden State Lumber uses a portion of the warehouse for storage. A discussion ensued concerning the storage of tractor trailers owned by Garden State Lumber in the parking lot and a need for property cleanup. Chairman Potash explained that in this zone, overnight parking of tractor trailers is not permitted. He asked what was being stored in the trailers. Mr. Thaler responded he was not sure. Chairman Potash informed Mr. Thaler that Garden State Lumber will need to remove the tractor trailers permanently.

Ms. Cambron offered the testimony of Mr. Joel Rogers a licensed civil engineer. He explained that he is the Vice President and partner of Impact Environmental Engineering, LLC. Mr. Rogers offered his credentials and the Board accepted his qualifications. He entered an exhibit.

Exhibit A-1, Site Plan prepared by Impact Environmental Engineering, LLC dated August 20, 2018 last revised September 21, 2018.

He explained that they are removing a 1,000 gallon tank used for a diesel generator, a 12,000 gallon tank, out of service, to collect emergency spills and a 25,000 gallon tank for wash down. They have filed permits with the NJDEP and construction department for removal of these tanks.

The 1,000 gallon tank used for diesel will be replaced by a 275 gallon double walled steel AST to be placed on a 7' X 5' concrete pad, the 12,000 gallon tank will not be replaced and the 25,000 gallon tank will be replaced with a 500 gallon double walled steel AST for wastewater will be located on a 9' X 6' concrete pad. Nearby, an underground wet well is being installed.

Chairman Potash discussed the security measures being taken for the AST tanks and the variance being requested. Mr. Rogers explained that the tank causing the variance cannot be pushed back any further eliminating the variance but he would agree to add a fence and some landscape to buffer and secure the tanks.

Mr. Yakimik reviewed his report with the applicant. He requested plans be submitted with a raised seal, he questioned plans for striping the parking area, fencing, signs and electrical equipment in the southwest corner. Mr. Rogers agreed to install bollards and landscaping to buffer the electrical equipment. A discussion ensued concerning the need for bollards. Chairman Potash suggested that landscaping to buffer that area would be fine unless there is a security issue. He questioned what is located in the southwest corner. Mr. Rogers responded that there is an existing generator, a fuel tank and electrical cabinet. They will screen the area with landscaping.

A discussion ensued concerning the history of what the tanks being removed were used for and how often the generator is tested. Mr. Rogers responded that the generator is tested monthly and the tanks being removed were used by one of the older tenants, Este Lauder.

Ms. Cambron offered her last witness, Mr. Salazar Hernandel. Mr. Hernandel offered his credentials and the Board accepted his qualifications.

Mr. Hernandel explained the materials used and the process of the underground wet well to be installed.

Mr. Hagberg questioned the time of day the generator is exercised, if the tanks will be labeled and proposed lighting for the exterior doors facing Van Vooren Drive. Mr. Hernandel responded that the tanks will be labeled and sufficient exterior lighting exists. He entered the remaining exhibits.

Exhibit A-2, New Installation Layout prepared by Impact Environmental Engineering, LLC dated August 20, 2018, last revised September 21, 2018.

Exhibit A-3, Detail Sheet of Foundation and Wet Well Installation prepared by Impact Environmental Engineering, LLC dated August 20, 2018, last revised September 21, 2018.

Exhibit A-4, Property Survey prepared by Stires Associates, P.A. dated October 9, 2003.

No further questions were asked of the witness. Chairman Potash entertained a motion to open the meeting to the public.

Motioned by Mr. Morris and seconded by Councilman Levy, to open the meeting to the public regarding matters concerning the testimony of Messrs. Thaler, Rogers and Hernandel was voted unanimously by the Board.

No comments.

Motioned by Mr. Morris and seconded by Councilman Levy, to open the meeting to the public regarding matters concerning the testimony of Messrs. Thaler, Rogers and Hernandel was voted unanimously by the Board.

Mr. Russo reviewed with the Board and applicant all the conditions of approval that were agreed upon.

- Repair or re-paint signs.
- Remove all signs not in use.
- Install bollards around the electrical transformer along Van Vooren Drive.
- Remove existing stumps and plant shade trees in place of trees removed.
- Repair, re-pave and re-stripe the areas where the underground storage tanks were removed.
- All trailers used for storage will need to be removed within 30 days.
- A raised seal needs to be affixed to the plans.
- Signs indicating hazardous material shall be installed near the 2 above-ground storage tanks.
- Electrical equipment at the southwest corner of the building shall be screened with appropriate landscaping.
- Testing hours for the existing generator shall be conducted during normal business hours.
- The doors adjacent to Van Vooren Drive shall be appropriately lit.

The Mayor expressed her dissatisfaction to some of the answers given to the Boards questions. No further questions. Chairman Potash entertained a motion.

Motioned by Mr. Morris and seconded by Councilman Levy, to approve the 5 Thornton Road Associates, LLC application.

Roll Call Vote: Ayes: Mrs. Coira, Messrs. Madden, DiLandro, Hagberg, Morris  
Councilman Levy, Mayor Schwager and Chairman Potash.  
Nays: None  
Abstain: None  
Absent: Mrs. Rowin, Messrs. Haymon and Connolly

#### MEMORIALIZATIONS:

1. Interstate Outdoor Advertising, LLC – 50 Edison Avenue, Block 201, Lot 2.  
Approval to erect a billboard sign.

Eligible voters: Mrs. Rowin, Messrs. Madden, Connolly, DiLandro, Haymon, Hagberg, Morris, Councilman Levy and Mayor Schwager.

Mr. Russo discussed amendments to the resolution. Mr. Morris entertained a motion.

Motioned by Councilman Levy and seconded by Mr. DiLandro, to memorialize the above resolution of approval.

Roll Call Vote: Ayes: Messrs. Madden, DiLandro, Hagberg, Morris, Councilman Levy and Mayor Schwager.  
Nays: None  
Abstain: None  
Absent: Mrs. Rowin, Messrs. Haymon and Connolly

#### APPROVAL OF MINUTES:

None.

#### NEW BUSINESS:

For a few months, the Planning Board meetings will be held at the Council/Court Chambers due to improvements being made at the Senior Center.

#### OLD BUSINESS:

Review POD/Accessory Structure Ordinance:

Motioned by Mr. Morris and seconded by Councilman Levy, to authorize Mr. Russo to draft a letter of recommendation to adopt the POD/Accessory Structure Ordinance.

Roll Call Vote: Ayes: Mrs. Coira, Messrs. Madden, DiLandro, Hagberg, Morris  
Councilman Levy, Mayor Schwager and Chairman Potash.  
Nays: None

Abstain: None

Absent: Mrs. Rowin, Messrs. Haymon and Connolly

PUBLIC MEETING ADJOURNED AT 8:20 P.M.

Motioned by Mr. Morris and seconded by Mayor Schwager, 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 December 13, 2018.