

**TOWNSHIP OF MAHWAH PLANNING BOARD  
REGULAR/WORK SESSION MEETING MINUTES  
MUNICIPAL BUILDING, 475 CORPORATE DRIVE, MAHWAH, N.J.  
MONDAY, MARCH 13, 2017 AT 7:30 P.M.**

**I. CHAIRMAN’S OPENING STATEMENT AND FLAG SALUTE**

The combined public/work session meeting of the Planning Board of the Township of Mahwah held at the Municipal Building, 475 Corporate Dr., Mahwah, N.J. was called to order at 7:33 p.m. by Mr. Sherer. The Opening Statement was read according to the Sunshine Law followed by the flag salute.

These minutes are a synopsis of the meeting. A verbatim audio recording is on file at the Planning Board Office, 475 Corporate Dr., Mahwah, N. J. Copies may be purchased for a fee.

**II. ROLL CALL**

The following individuals were present:

- Mayor Laforet
- Mr. Crean
- Mr. Ervin
- Mr. Donigian (in at 7:38 p.m.)
- Mr. Sherer
- Mr. Howard (in at 7:36 p.m.)
- Mr. Lo Iacono

Professionals: Peter J. Scandariato, Esq., Michael Kelly, P.E. (in at 7:59 p.m.)

The following individuals were absent:

- Mr. Bagatelle
- Mr. Grewal
- Mr. Van Duren

**III. APPROVAL OF BILLS:**

Peter Scandariato, Esq.	02/13/17	Meeting Attendance	\$250.00
Peter Scandariato, Esq.	02/27/17	Meeting Attendance	\$250.00

Motion to approve the bills was made by Mr. Crean and seconded by Mr. Lo Iacono. A roll call of members present revealed 5 aye votes by Mayor Laforet, Mr. Crean, Mr. Ervin, Mr. Sherer, Mr. Van Duren.

**IV. APPROVAL OF MINUTES:**

- 1) January 23, 2017

Motion to approve the minutes was made by Mayor Laforet and seconded by Mr. Ervin. A roll call of members present revealed 4 aye votes by Mayor Laforet, Mr. Ervin, Mr. Sherer, and Mr. Lo Iacono.

2) February 13, 2017

Motion to approve the minutes was made by Mr. Crean and seconded by Mr. Lo Iacono. A roll call of members present revealed 4 aye votes by Mr. Crean, Mr. Ervin, Mr. Sherer, and Mr. Lo Iacono.

3) February 27, 2017

Motion to approve the minutes was made by Mr. Crean and seconded by Mr. Lo Iacono. A roll call of members present revealed 5 aye votes by Mayor Laforet, Mr. Crean, Mr. Ervin, Mr. Sherer, and Mr. Lo Iacono.

**V. RESOLUTION FOR MEMORIALIZATION:**

- 1) **Docket #580- Gerdaneu, Inc. (Owner); Resource Control Consultants, LLC (Applicant)**  
4 Leisure Lane, Block 26, Lot 4 Trailer Application, Resolution of Approval

Motion to approve the resolution was made by Mr. Mayor Laforet and seconded by Mr. Crean. A roll call of members present revealed 5 aye votes by Mayor Laforet, Mr. Crean, Mr. Ervin, Mr. Sherer, and Mr. Lo Iacono.

**VI. OPEN TO THE PUBLIC – 15 MINUTES**

Motion to open the meeting to the public was made by Mr. Crean, seconded by Mayor Laforet and declared unanimously carried by Mr. Sherer.

No one wishing to be heard, motion to close the meeting to the public was made by Mayor Laforet, seconded by Mr. Crean and declared unanimously carried by Mr. Sherer.

**VII. PUBLIC HEARING:**

- 1) **Docket #417(S) – Peterson Place, LLC** 70 Peterson Place, Block 139, Lot 50 Township of Mahwah Soil Movement Permit Application

Bruce Whitaker, McDonnell Whitaker, LLC, appeared on behalf of the applicant. They have made changes as requested by Boswell Engineering. The number of trees for the roadway will be shown on the revised plan and will be a condition of approval. Due to the construction of the roadway, there will be temporary slopes above 1:4, but that will be addressed and corrected once all grading is completed across the lots.

Thomas Donohue, P.E. of Donohue Engineering, 19 Spear Rd. Ramsey, NJ, appeared on behalf of the applicant and marked exhibits. He detailed the existing conditions at the property and explained the applicant was seeking to construct the roadway and drainage improvements for the subdivision, as well as a temporary waiver for slopes at 1:2 until all grading is complete. Total soil movement numbers include 3,104 cubic yards. In response to Mr. Whitaker, Mr. Donohue

provided the copy of the Bergen County Soil Conservation District approval and marked same as an exhibit.

Mr. Donohue explained he would look into the wetlands buffer. Mr. Donigian noted that the LOI was dated 1998/1999. Mr. Donohue advised he would have to check with Mr. Weissman to determine if the LOI is out of date; if it needs to be updated it will be updated. Mr. Donigian suggested any Board approval be subject to an update to the wetlands delineation renewal, which he believed must be updated every few years. In response to Mr. Donigian, Mr. Whitaker informed that the applicant did issue public notice regarding this soil movement permit application.

In response to Mr. Donigian's concern regarding homeowners maintenance for the detention basins, Mr. Whitaker informed this was approved with the subdivision in 1998. The current proposal is to hook into the sewer line that has been installed since the approval. Water would still be well-access, but the once-proposed septic systems may not be installed. Mr. Lo Iacono and Mr. Sherer expressed concern regarding lack of maintenance of the detention basins. Mr. Whitaker advised the Township would then perform the maintenance and charge the homeowner.

Mr. Kelly entered the meeting at this time.

Mr. Kelly explained this type of maintenance is typical in the township. He noted the applicants have to come in for each individual lot for soil movement permits. In response to Mr. Crean, Mr. Whitaker confirmed the detention basin for the roadway will be constructed prior to the homes. Mr. Kelly explained each home will have seepage pits to control the detention on individual lots. In response to Mr. Howard's suggestion to tie the water hydrants on Whispering Pines Drive into Peterson Place, Mr. Kelly advised the condo association would not grant easements to connect the water.

Motion to open the meeting to the public was made by Mr. Crean, seconded by Mr. Howard and declared unanimously carried by Mr. Sherer.

Frederick Mason questioned the amount of soil to be removed. He commented that the roadway was in terrible condition. Mr. Whitaker informed a portion of the soil movement is being used as fill; there are only 349 cubic yards proposed for removal.

Corinne Carlson, 3206 Stowe Lane, expressed concern regarding the tree removal and drainage. In response to her question about setbacks, Mr. Whitaker informed there was a 20ft. setback from the side yard (house to property line) and 45-60 ft. to some of the condo units themselves. Mr. Kelly noted setbacks could vary because there are different streets the development abuts. Mr. Kelly informed the Township required the applicant to mark out the property line and not permit disturbance beyond the property line during construction. Mr. Whitaker informed a series of evergreens would be planted on the border of Myrtle Ave.

Barbara Rushnick, Stowe Lane, noted the parking area adjacent to a property line of one home being built. She expressed concern regarding the proposed trees and drainage. Mr. Kelly informed the applicant would be installing a drainage system and will provide 1 tree for every 4

trees removed as per the requirement; these would be in addition to the installation of street trees. In response Ms. Rushnick, Mr. Whitaker advised the applicant received subdivision approval in 1999 and there will be sewers.

Motion to close the meeting to the public was made by Mr. Howard, seconded by Mr. Donigian and declared unanimously carried by Mr. Sherer.

Motion to approve the application with the condition that the wetlands delineation would be updated was made Mayor Laforet and seconded by Mr. Donigian. A roll call of members present revealed 7 aye votes by Mayor Laforet, Mr. Crean, Mr. Ervin, Mr. Donigian, Mr. Sherer, Mr. Howard, and Mr. Lo Iacono.

**VIII. WORK SESSION:**

**A) NEW BUSINESS**

- 1) Tenant Application #17-0016 – Starbucks Coffee Co.** Block 137, Lot 4, 380 State Highway 17 South

Mayor Laforet recused himself from this application.

Daniel Steinhagen appeared on behalf of the applicant, Coremark, noting that the tenants for Item Nos. VIII.A)1) and 2) were previously discussed at the initial application for the property and development.

Motion to approve the application was made by Mr. Donigian and seconded by Mr. Crean. A roll call of members present revealed 6 aye votes by Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Sherer, Mr. Howard, and Mr. Lo Iacono.

- 2) Tenant Application #17-0017 – AT&T.** Block 137, Lot 4, 380 State Highway 17 South

Mayor Laforet recused himself from this application.

Motion to approve the application was made by Mr. Howard and seconded by Mr. Crean. A roll call of members present revealed 6 aye votes by Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Sherer, Mr. Howard, and Mr. Lo Iacono.

- 3) Mahwah NL Cedars Developer LLC.** Block 126, Lots 127.01, 129.01,-129.07, & 130.01-130.03, Signing of Final Plat

**B) OLD BUSINESS**

**C) COMMITTEE REPORTS**

**IX. ADJOURNMENT**

Motion to adjourn the meeting at 8:19 p.m. was made by Mr. Donigian, seconded by Mr. Howard and declared unanimously carried by Mr. Sherer.

Provided to the Planning Board  
on August 11, 2017 for approval  
at the Regular Meeting to be held  
August 14, 2017



Donelle Bright DeCouto  
Planning Board Recording Secretary