

**TOWNSHIP OF MAHWAH PLANNING BOARD
REGULAR/WORK SESSION MEETING MINUTES
MUNICIPAL BUILDING, 475 CORPORATE DRIVE, MAHWAH, N.J.
MONDAY, SEPTEMBER 25, 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 7:34 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. Donigian
- Mr. Ervin
- Mr. Grewal
- Mr. Sherer
- Mr. Van Duren
- Mr. Lo Iacono

Professionals: Peter J. Scandariato, Esq., Michael Kelly, P.E., Ms. Kristin Russell, P.P.

The following individuals were absent:

- Mr. Howard

III. APPROVAL OF BILLS:

Peter Scandariato, Esq.	06/12/17	Meeting Attendance	\$ 250.00
Peter Scandariato, Esq.	08/14/17	Meeting Attendance	\$ 250.00
Peter Scandariato, Esq.	08/28/17	Meeting Attendance	\$ 250.00

Motion to approve the bills was made by Mr. Donigian and seconded by Mr. Crean. A roll call of members present revealed 8 aye votes by Mayor Laforet, Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Grewal, Mr. Sherer, Mr. Van Duren, and Mr. Lo Iacono.

IV. APPROVAL OF MINUTES: August 28, 2017

Motion to approve the minutes was made by Mr. Ervin and seconded by Mr. Donigian. A roll call of members present revealed 5 aye votes by Mayor Laforet, Mr. Donigian, Mr. Ervin, Mr. Grewal, and Mr. Van Duren.

V. RESOLUTION FOR MEMORIALIZATION:

- A) **Docket #571T- Mahwah Properties I, LLC (The Valley Hospital)** 1300 Macarthur Boulevard, Block 139, Lot 3.01 Trailer Application, does not meet required setbacks, Resolution of Approval

Motion to approve the resolution was made by Mr. Van Duren and seconded by Mr. Grewal. A roll call of members present revealed 5 aye votes by Mayor Laforet, Mr. Donigian, Mr. Ervin, Mr. Grewal, and Mr. Van Duren.

VI. OPEN TO THE PUBLIC – 15 MINUTES

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

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

VII. PUBLIC HEARING: None to present.

VIII. WORK SESSION:

A) NEW BUSINESS

1. **Docket #568PF-A – TWJ Mahwah Real Estate, LLC** 64 Ramapo Valley Road, Block 40, Lots 25 & 57 Amendment to the Preliminary and Final Site Plan Approval and Soil Movement Approval

Mayor Laforet and Mr. Grewal recused themselves.

Bruce Whitaker, of McDonnell & Whitaker LLC, appeared on behalf of the applicant and noted this application was for an amendment for their prior approval. The applicant was previously requested to obtain approval for parking from the DEP; the applicant received this approval. However, the applicant was required to return to the Board for the amended site plan. They are required to provide a deed to the DEP for recording purposes. The applicant made some modifications to the restaurant that are less intensive than was initially proposed. They are proposing the elimination of the basement as initially proposed. Instead of using the basement for food prep, the applicant is proposing a second floor for food preparation. This does not change the seat count or configuration and all conditions will remain the same. This change eliminates concerns regarding excavation and disturbing the water table; also, the overall size of the building will be reduced. No new variance approval is being requested.

Jeffrey Doolittle, P.P., appeared on behalf the applicant and detailed the modifications on the plan. The overall footprint of the plan has been reduced by 95 sq.ft. The main entrance will come directly off the parking lot, resulting in a better presentation. Soil calculations were reduced to include 190 cubic yards of cut, 54 cubic yards of fill, 22 cubic yards of import and 158 cubic yards of export; resulting in 212 cubic yards total soil movement. The NJDEP is permitting the applicant to construct 18ft. parking stalls, taking the parking space 8 feet to

northeast so whole parking space is outside of the municipal right-of-way. They would still require the design waiver for the parking stall to remain at 18ft. The NJDEP has required a fence to be installed to prevent people from entering the conservation easement. The application meets all setback requirements and all other conditions have been or can be met. The applicant stipulated all requests by the engineer's letter will be met.

In response to Mr. Crean, Mr. Doolittle confirmed the depressed curb would be installed. A split rail fence will be provided as per the DEP requirements. He further confirmed shielding will be installed on all pole lighting. The applicant will comply with all lighting conditions and which can be revisited by the Township six months after install. Mr. Kelly advised the applicant would require a waiver for parking space size in addition to the previously approved items. The County had suggested eliminating one of the parking spaces. Mr. Whitaker noted the first parking stall was designated for employee parking only and requested this remain so as to not create a hardship.

Mr. Kelly reviewed the application's prior approval items. He noted they were to request that Council pass an ordinance to provide parking on Brakeshoe Place as resident-parking only. Mr. Whitaker informed a letter was sent to the Township Clerk regarding this. Mr. Donigian noted that signs posted are not enforceable. Mr. Kelly reminded the Board expressed concerns regarding traffic and parking; they approved with the condition to provide 10 spaces off site for use by employees. Valet parking will be provided Friday and Saturday evenings as needed and queueing for valet will be on site and not on Brakeshoe Place. The applicant will request customers to relocate vehicles if patrons are parked on Brakeshoe Place. The applicant will provide signage indicating no parking is permitted on Brakeshoe Place. The garage will be renovated to resemble the restaurant. Lighting review is six months after installations.

Ms. Russell reiterated that the prior conditions remain in effect and must be met. Mr. Donigian noted a parking space is 18x10 as proposed and part of the 20 ft. includes the 2 ft. overhang; he expressed concerns regarding larger vehicles with higher ground clearance. Mr. Doolittle confirmed gravel will be installed as well as a drop curb the whole length of the lot. The garage remains as two parking spots for employees and the third employee spot is in the lot. Mr. Doolittle explained the site triangle was revised and approved by the County; he also noted the historical sign will remain on site.

Mr. Donigian noted the refuse receptacle remains in the same spot; the applicant confirmed this was the best possible location. Mr. Doolittle informed the existing fence would be removed to allow cars to enter into the property through the back and exit the area closer to the corner. The queue is large enough for two cars with a maximum 50 ft area. He noted the handicapped entrance is adjacent to the regular entrance.

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

Valerie O'Connell, 110 Brakeshoe Place, informed she owned the property to the right of the garage. She expressed concerns about parking in front of her home. She expressed her desire for Council to prohibit parking and was concerned about enforcement. She also noted concern regarding lighting on the property. Mr. Doolittle informed the lighting as anticipated will comply with the lighting requirements and the Township is permitted a six month review should any adjustments be required. He added that the site lighting is not flood lighting and the light is directed downward towards the parking spaces. Mr. Sherer recommended Ms. O'Connell see Mike Kelly regarding making adjustments if she experiences anything that would need adjusting.

Mr. Ervin stated he did not foresee passing this type of ordinance being an issue; the area should be resident parking only. Mr. Kelly noted that enforcement is the concern; the Township does not want the Police ticketing guests of the residents. If there was an ordinance, there would be street sign installed; the applicant will install no parking signs as a condition of approval. Mr. Scandariato advised there was no traffic issue on this application. The Board's jurisdiction is limited as this is a concern for parking on a public street, which can only go to the Council for consideration. In response to Mr. Crean, Mr. Whitaker informed he would send a reminder to the Mayor and Council regarding the ordinance.

Ron Solachuk, 107 Brakeshoe Place, appeared before the Board and expressed his concerns regarding parking and snow removal. Mr. Whitaker explained snow will be physically removed (plowed and carted off). Mr. Doolittle informed the fence on the roadway will be removed. Mr. Solachuk informed people were parking along the street adjacent to the fencing currently. Mr. Sherer informed there will only be resident parking permitted. Mr. Scandariato reminded the applicant had ten additional spaces at the self-storage facility across the street available on the weekends (with a valet for this). He also reminded the applicant would be required to reduce seats if those additional spaces are no longer available for use in the future.

Motion to close the meeting to the public was made by Mr. Crean, seconded by Mr. Van Duren and declared unanimously carried by Mr. Sherer.

Mr. Crean suggested using 15ft lighting poles instead of 20 ft. as proposed.

Motion to approve the application with conditions was made by Mr. Crean and seconded by Mr. Donigian. A roll call of members present revealed 5 aye votes by Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Sherer, and Mr. Van Duren.

B) OLD BUSINESS

Mr. Kelly informed that as part of the approval for Landcorp, a detention basin was proposed as part of one of the lots. The basin is now in a new location under the roadway. He was not comfortable regarding drainage under the roadway, so he suggested the applicant go to the County for approval. He also recommended this require traditional approval rather than his administrative approval, as this was a Township roadway.

Mr. Kelly reminded Board members regarding OPRA requests and emails. He advised to contact the Township Clerk regarding OPRA requests for member email documents.

C) COMMITTEE REPORTS

IX. ADJOURNMENT

Motion to adjourn the meeting at 8:31 p.m. was made by Mr. Van Duren, seconded by Mr. Crean and declared unanimously carried by Mr. Sherer.

Provided to the Planning Board
on December 15, 2017 for
approval at the Regular Meeting
to be held
December 18, 2017



Donelle Bright DeCouto
Planning Board Recording Secretary