

**TOWNSHIP OF MAHWAH PLANNING BOARD
REGULAR/WORK SESSION MEETING MINUTES
MUNICIPAL BUILDING, 475 CORPORATE DRIVE, MAHWAH, N.J.
MONDAY, NOVEMBER 10, 2014 AT 7:30 P.M.**

I. CHAIRMAN’S OPENING STATEMENT, ROLL CALL, 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 7:43 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.

The following individuals were present:

- Mr. Bagatelle
- Mr. Crean
- Mr. Donigian
- Mr. Rudolph
- Mr. Sherer
- Mr. Marcus

Professionals: Peter J. Scandariato, Esq., Michael Kelly, P.E., Joseph Layton, P.P.

The following individuals were absent:

- Mayor Laforet
- Mr. Jandris
- Mr. Van Duren
- Mr. Weixeldorfer
- Mr. Mordaga

II. APPROVAL OF BILLS:

Peter Scandariato, Esq.	10/06/14	Meeting Attendance	\$ 200.00
Peter Scandariato, Esq.	10/20/14	Meeting Attendance	\$ 200.00

Motion to approve the bills was made by Mr. Crean and seconded by Mr. Donigian. A roll call of members present revealed 6 aye votes by Mr. Bagatelle, Mr. Crean, Mr. Donigian, Mr. Rudolph, Mr. Sherer, and Mr. Marcus.

III. APPROVAL OF MINUTES: None to present.

IV. RESOLUTION FOR MEMORIALIZATION:

- 1. Docket #557, Michael Steinbruch, Executor of the Estate of Richard Steinbruch**
111 Armour Road, Block 106, Lots 9 & 19, Resolution of Approval

Motion to approve the resolution was made by Mr. Bagatelle and seconded by Mr. Rudolph. A roll call of members present revealed 5 aye votes by Mr. Bagatelle, Mr. Crean, Mr. Donigian, Mr. Rudolph, and Mr. Sherer.

V. OPEN TO THE PUBLIC – 15 MINUTES

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

VI. PUBLIC HEARING: None to present

VII. WORK SESSION:

- A) COMMITTEE REPORTS
- B) OLD BUSINESS
- C) NEW BUSINESS

- 1. Docket #558, Sitex Group, LLC** 10 Sharp Plaza, Block 26, Lot 1, Minor Subdivision
Application to create two lots

Paul Conciatori, Esq., appeared on behalf of the applicant and gave brief explanation of the application for subdivision.

Botond Farkas, Senior Vice President of the Sitex Group, appeared before the Board. He explained the entity was a private equity firm specializing in real estate development of commercial industrial properties with no interest in retail spaces. Mr. Farkas explained Sharp and Amazing Savings would be leasing from Sitex directly after the purchase. The application was to request a split of the property according to the uses: office and warehouse space. This split makes it easier for financing for the project. The split would be the dividing roadway between the two physical buildings. After some discussion regarding Crossroads and concerns about future retail development at the Sharp site, Mr. Farkas reiterated that the Sitex Group focused on industrial uses, not retail.

In response to Mr. Crean, Mr. Kelly explained the location was never developed as two lots originally. Mr. Kelly also mentioned the warehouse location had a variance approved for parking, but there were no other issues. In response to Mr. Crean, Mr. Scandariato explained the property would need to be rezoned or be granted a use variance if Crossroads would wish to purchase it and convert it to retail space.

Gary Veenstra, P.E. of Langan Engineering, marked exhibits on behalf of the applicant. He described the existing conditions of the site and explained the subdivision line would run along the curbs between the two existing buildings. There will be an easement along the property line for lot 1 to benefit lot 2. The easement will end at the rear ends of the parking lot with the

approval of the Township Engineer. In response to Mr. Donigian, Mr. Conciatori explained any property has permission to request for subdivision. The lot was approved for two uses in 1984. In response to Mr. Kelly, the lots would be subdivided by deed and all Boswell comments will be addressed. In response to Mr. Donigian, Mr. Conciatori further added that the water and sewer easements (as well as the new easements) would remain and stay with the properties.

In response to Mr. Crean, Mr. Kelly explained the buildings were approved for up to 25 stories, but the applicant never expanded. Mr. Veenstra noted the applicant was not anticipating making any changes to the existing structures on site.

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. Bagatelle, Mr. Crean, Mr. Donigian, Mr. Rudolph, Mr. Sherer, and Mr. Marcus.

2. Docket #560, Mahwah Center, LLC 241 & 251 New Jersey State Highway Route 17, Block 59, Lots 18 & 19 Conceptual Review - Preliminary Site Plan

Bruce Whitaker of McDonnell & Whitaker, LLP, appeared on behalf of the applicant. He explained they requested an informal review of the aforementioned site. However, after making a submission to the Highlands Council for review, the applicant was informed the proposed site plans (including one retail space, one restaurant, and one fast food space) would not be feasible. The development space has shrunk to 1.3-1.4 acres. Mr. Layton noted the Township petitioned this area along Route 17 as a planning area. Also, it would be included in the planning center as well, which should remove any other constraints.

In response to Mr. Sherer, Mr. Kelly advised seeking attendance by the Highlands Council to a Board meeting to discuss how the town centers affect things. He expressed concern regarding the Township being able to use their own zoning regulations for future application that the Board understood did not need to seek Highlands' approval if present in the planning center. Mr. Whitaker advised other townships have opted into Highlands and then opted out when developers were balking at development in Highlands towns due to severe restrictions, even in planning areas.

Mr. Sherer suggested confirming with the Highlands Council that the applicant's understanding of their determination that the centers do not change the Highlands' decision process. He wished to then express concerns regarding this issue, as he believed the Board and Township should have control over the planning areas/centers.

In response to Mr. Whitaker, Mr. Crean noted the Board has not approved multiple buildings on one lot in the past. Mr. Kelly explained if the size permitted multiple buildings and there was consistency and cohesion through the site, it could be requested and it would be up to the Board to approve. The Board would see this type of application on a case by case basis and the presence of one ingress and one egress could help the application.

The Board took no action on this application.

At this time, Mr. Kelly noted there were no items on the agenda for the meeting of 11/24/14 and suggested cancellation if nothing is going to be added. He also explained the Apple Ridge application would be before the Board within 4-6 weeks; he will provide the Board with the application two weeks prior to the hearing. In response to Mr. Donigian, Mr. Kelly explained the application was not yet deemed complete by the Planning office and they are still reviewing the water

and sewer issues. In response to Mr. Donigian, Mr. Kelly informed Crossroads Developers were in discussions with NJDOT for approval. The Bolla applicants were also awaiting NJDOT approval.

VIII. ADJOURNMENT

Motion to adjourn the meeting at 8:38 p.m. was made by Mr. Crean, seconded by Mr. Donigian and declared unanimously carried by Mr. Sherer.

Provided to the Planning Board
on December 19, 2014 for
approval at the Regular Meeting
to be held December 22, 2014



Donelle DeCouto
Planning Board Recording Secretary