

**TOWNSHIP OF MAHWAH PLANNING BOARD
REGULAR/WORK SESSION MEETING MINUTES
MUNICIPAL BUILDING, 475 CORPORATE DRIVE, MAHWAH, N.J.
MONDAY, MARCH 23, 2015 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 7:33 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.

The following individuals were present:

Mayor Laforet
Ms. Ariemma
Mr. Bagatelle
Mr. Crean
Mr. Donigian
Mr. Jandris
Mr. Marcus
Mr. Sherer
Mr. Van Duren

Professionals: Peter J. Scandariato, Esq., Michael Kelly, P.E., David Roberts, P.P.

The following individuals were absent:

Mr. Weixeldorfer
Mr. Mordaga

II. APPROVAL OF BILLS:

Phillips Nizer	02/09/15	General	\$75.00
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Motion to approve the bills was made by Mr. Marcus and seconded by Mr. Donigian. A roll call of members present revealed 9 aye votes by Mayor Laforet, Ms. Ariemma, Mr. Bagatelle, Mr. Crean, Mr. Donigian, Mr. Jandris, Mr. Marcus, Mr. Sherer, and Mr. Van Duren.

III. APPROVAL OF MINUTES: February 23, 2015

Motion to approve the minutes was made by Mr. Marcus and seconded by Mr. Donigian. A roll call of members present revealed 7 aye votes by Mayor Laforet, Ms. Ariemma, Mr. Crean, Mr. Donigian, Mr. Marcus, Mr. Sherer, and Mr. Van Duren.

IV. RESOLUTION FOR MEMORIALIZATION:

- 1. E-BD-216-2776 – Mahwah NL Cedars Developer, LLC** 2 Tree Farm Lane, Block 126, Lot 130.01, Resolution of Approval

Mr. Scandariato informed a minor change was made to the resolution: the original date was changed to 3/9/15.

Motion to approve the resolution was made by Mr. Donigian and seconded by Mr. Van Duren. A roll call of members present revealed 6 aye votes by Mayor Laforet, Ms. Ariemma, Mr. Donigian, Mr. Jandris, Mr. Marcus, and Mr. Van Duren.

- 2. E-BD-216-2777 – Mahwah NL Cedars Developer, LLC** 6 Tree Farm Lane, Block 126, Lot 130.02, Resolution of Approval

Mr. Scandariato informed a minor change was made to the resolution: the original date was changed to 3/9/15.

Motion to approve the resolution was made by Mr. Donigian and seconded by Mr. Marcus. A roll call of members present revealed 6 aye votes by Mayor Laforet, Ms. Ariemma, Mr. Donigian, Mr. Jandris, Mr. Marcus, and Mr. Van Duren.

- 3. Docket #562 – Albert Papanian** 135 & 137 Third Street, Block 54, Lots 20 & 21, Resolution of Approval

Mr. Scandariato informed two minor changes were made to the resolution: the depth was changed to 150 ft. from 100 ft. and “his” was corrected to “hers.”

Motion to approve the resolution was made by Mr. Marcus and seconded by Mr. Van Duren. A roll call of members present revealed 6 aye votes by Mayor Laforet, Ms. Ariemma, Mr. Donigian, Mr. Jandris, Mr. Marcus, and Mr. Van Duren.

V. OPEN TO THE PUBLIC – 15 MINUTES

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

VI. PUBLIC HEARING:

- 1. Docket #524A Mahwah NL Cedar Developer, LLC** Block 126, Lots 127, 129.01 – 129.03, 129.06, 129.07 Amended Major Subdivision Application & Soil Movement Permit Application

At this time, Mr. Crean and Mr. Bagatelle excused themselves from the hearing.

James Jaworski, Wells Jaworski & Liebmann, appeared before the Board and gave brief summary of the application. The applicant would be picking up another property (Lot 127), eliminating access from that property onto Airmont and Masonicus and extending Arbor Lane 80 ft. No new lots were being proposed; water connection would be from Tree Farm Lane and no variances were being requested.

Tibor Latincics, P.E., Conklin Associates, marked exhibits. He explained the lots lines were slightly shifted because of the roadway extension along the concentric cul-de-sac. All lots would have conforming frontage. A waiver was being requested for lot lines not being radial between Lots 129.01 and 129.02 as well as between Lots 129.06 and 129.07. The drainage is still the approved subsurface detention basin and the water main easement is present. Most of the soil being excavated would remain on the greater site to construct birms. Gravity sewer would be provided for 129.01 and 129.02, with 127.01's septic being removed. The applicant requested a waiver for slopes 1:3. The applicant agreed to address all comments by Boswell Engineering and have submitted revised plans; the applicant is also moving forward with the County's requests.

Mr. Kelly noted there were no concerns with the waiver requests, and there was a benefit of looping the water main. In response to Mr. Kelly, Mr. Latincics noted a large berm was constructed along Masonicus and there is a stone wall, which they proposed to remove. Mr. Kelly noted that would be subject to the Historic Preservation Commission's approval. Mr. Latincics informed there was no change to the tree removal numbers. In response to Mr. Sherer, Mr. Kelly concurred there should only be access to one roadway from lot 127, and preferred to have access to the cul-de-sac rather than the main roadway.

Mr. Jandris expressed concern regarding the lot becoming a flag lot and Mr. Sherer questioned improvement for emergency vehicle access. Mr. Jaworski informed the home could be seen from Arbor Lane and Mr. Latincics added large driveway pillars with large address numbers and lights could be installed. In response to Mr. Donigian, Mr. Latincics noted that lots 127, 129.01 and 129.02 could be gravity sewer, however the rest remained injected. Mr. Roberts informed the application allows for the main road access removal, increasing safety; the application is also Highlands exempt.

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

Erwin Kooy, resident at Lot 128, informed the rock walls should remain between his property and lot 129.01. Mr. Latincics noted they would preserve the rock walls if possible, as they were 6-8 ft. wide. Mr. Jaworski stated this preservation should be recorded so future property owners are not permitted to remove it.

In response to Mr. Kooy, Mr. Latincics informed the driveway of lot 129.01 was altered, but they cannot be sure as to the actual specific driveway location or specifications.

Chris Kelly, 58 Masonicus Rd., questioned if the sewer drainage moved to the Airmont location. Mr. Latincics noted this was the case and confirmed the soil movement would be along the western side of the subdivision only.

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

Motion to approve the application was made by Mr. Donigian and seconded by Mr. Marcus. A roll call of members present revealed 6 aye votes by Mayor Laforet, Ms. Ariemma, Mr. Donigian, Mr. Marcus, Mr. Sherer, and Mr. Van Duren, with one nay by Mr. Jandris.

VII. WORK SESSION:

A) COMMITTEE REPORTS

B) OLD BUSINESS

C) NEW BUSINESS

1. Docket #563 – Wendy Mechanic, Mechanic Properties, LLC 180 Franklin Turnpike, Block 71, Lot 10 Amended Site Plan Application

Wendy Levine, owner, and Richard Davidson, representative for the applicant, appeared before the Board. Mr. Davidson informed this was for installation of an elevator. He informed the proposal would extend the vestibule out eight feet, losing six parking spaces and dividing the handicapped spaces. The general appearance would remain the same.

In response to Mr. Kelly, Ms. Levine explained the ten parking spaces provided for Bon Appetit and the Café were very generous, with an additional 14 allotted to Jun Lung. Their total parking would reduce to 83 from 89. Mr. Kelly advised this was sufficient parking and they would need a waiver for 83 spaces; he noted concern regarding the onsite circulation. Mr. Davidson explained the 16 ft. needed to be maintained between the curb and the parking spaces. Mr. Kelly advised installing a curb at both sides of the driveway aisle with hatching so drivers are cautious of the area.

In response to Mr. Jandris, Mr. Davidson informed the traffic is two-way. Mr. Kelly reiterated the sides needed to be curbed and the width includes the fire lane; Mr. Davidson concurred the Fire Department reviewed and accepted the application. Ms. Levine informed the elevator was being installed on the north side of the building and it was not feasible to have the location of it elsewhere. Mr. Roberts concurred the curbing would aide in the circulation issue and noted additional parking could not be added, as the property abuts the railroad. In response to Mr. Donigian, the applicant agreed to install bollards. Mr. Jandris advised installing a crosswalk along the handicapped spaces to slow drivers down. The applicant agreed to replant the removed tree along Franklin Turnpike.

Motion to approve the application was made by Mr. Crean and seconded by Mayor Laforet. A roll call of members present revealed 9 aye votes by Mayor Laforet, Ms. Ariemma, Mr. Bagatelle, Mr. Crean, Mr. Donigian, Mr. Jandris, Mr. Marcus, Mr. Sherer, and Mr. Van Duren.

VIII. ADJOURNMENT

Motion to adjourn the meeting at 9:09 p.m. was made by Mr. Donigian, seconded by Mr. Van Duren and declared unanimously carried by Mr. Donigian.

Provided to the Planning Board
on May 15, 2015 for approval at
the Regular Meeting to be held
May 18, 2015



Donelle Bright DeCouto
Planning Board Recording Secretary