

**TOWNSHIP OF MAHWAH PLANNING BOARD
REGULAR /WORK SESSION MEETING MINUTES
MUNICIPAL BUILDING, 475 CORPORATE DRIVE, MAHWAH, N.J.
MONDAY, JANUARY 14, 2019 AT 7:30 P.M.**

I. CHAIRMAN’S OPENING STATEMENT, ROLL CALL, 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 Drive, Mahwah, NJ was called to order at 7:53 p.m. by Mr. Crean. 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 Drive, Mahwah, NJ. Copies may be purchased for a fee.

II. Roll Call:

The following individuals were present:

Mayor Roth
Mr. Crean
Mr. Donigian
Mr. Ervin
Mr. Grewal
Mr. Lo Iacono
Mr. Olear
Mr. Pallotta
Mr. Van Duren (left at 8 p.m.)
Ms. Jankowski
Ms. Galow

Professionals: Peter J. Scandariato, Esq., Michael Kelly, P.E., Debbie Alaimo Lawlor, P.P., Geraldine Entrup, A.O.

III. APPROVAL OF BILLS:

Peter Scandariato, Esq.	11/19/18	Meeting Attendance	\$250.00
Phillips Nizer, LLP	Nov. 2018	General	\$181.50

A motion to approve the above bills was made by Mr. Donigian and seconded by Mr. Van Duren. A roll call of members present revealed 11 aye votes by Mayor Roth, Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Grewal, Mr. Lo Iacono, Mr. Olear, Mr. Pallotta, Mr. Van Duren, Ms. Jankowski and Ms. Galow.

IV. APPROVAL OF MINUTES: None to Present

VI. RESOLUTION(S) AUTHORIZING CONTRACTS FOR PROFESSIONALS:

1. Resolution Authorizing the Award of an Alternate Non-Fair and Open Contract for Professional **Legal Services** for the Year Jan. 1, 2019 – Dec. 31, 2019
2. Resolution Authorizing the Award of an Alternate Non-Fair and Open Contract for Professional **Engineering Services** for the Year Jan. 1, 2019 – Dec. 31, 2019
3. Resolution Authorizing the Award of an Alternate Non-Fair and Open Contract for Professional **Planning Services** for the Year Jan. 1, 2019 – Dec. 31, 2019

A motion to adopt all of the above Resolutions was made by Mr. Lo Iacono and seconded by Mr. Ervin. A roll call of members present revealed 11 aye votes by Mayor Roth, Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Grewal, Mr. Lo Iacono, Mr. Olear, Mr. Pallotta, Mr. Van Duren, Ms. Jankowski and Ms. Galow.

VI. OPEN TO THE PUBLIC – 15 MINUTES:

A motion to open the meeting to the public was made by Mr. Van Duren, seconded by Mr. Ervin. All voted in favor.

Mr. John Fesen, of 20 Falcon Court approached. Mr. Fesen congratulated and welcomed the new Planning Board Members. Mr. Fesen thanked the Board Members for stepping up to take these positions. Mr. Fesen discussed the need to update the Township Code and provided multiple examples where the code is outdated. Mr. Fesen asked the new Members to do the right thing by protecting, promoting and preserving the Township.

A motion to close the meeting to the public was made by Mr. Van Duren and seconded by Ms. Galow. All voted in favor.

VII. WORK SESSION:

A) NEW BUSINESS

1. Docket #579 – Daniel J. Barteluce

179 Island Road, Block 61, Lots 55 & 56

Request for second extension of Minor Subdivision Approval

Mr. James Jaworski of Wells, Jaworski & Liebman LLP at 12 North Route 17, Paramus, NJ, approached stating that he was representing the Applicant. Mr. Jaworski explained that the Applicant has been working with Mr. Kelly to resolve an issue with the sight distance. Mr. Jaworski explained that the Applicant may not be able to resolve this and may need to come back to the Board with an Amended Site Plan but, that has not yet been determined. Mr. Jaworski explained that in the meantime, the Applicant is asking for a second, ninety-day extension. Mr. Kelly recommended that if property lines were not being changed, it may be something that could be reviewed by Mr. Kelly's office if it

were acceptable to the Board. Mr. Crean stated that this would be acceptable to the Board.

A motion to approve a ninety-day extension was made by Mr. Donigian and seconded by Mayor Roth. A roll call of members present revealed 11 aye votes by Mayor Roth, Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Grewal, Mr. Lo Iacono, Mr. Olear, Mr. Pallotta, Mr. Van Duren, Ms. Jankowski and Ms. Galow.

VIII. PUBLIC HEARING(S):

1. Docket #541-A – VPA Associates / Jay-Jay Holding Corp. / Hytorc 333 Route 17 North, Block 63, Lot 8, Amended Site Plan Application

Mr. Grewal recused himself from Docket #541-A.

Mr. Bruce Whitaker of McDonnell & Whitaker, L.L.C of Ramsey, NJ appeared on behalf of the Applicant. Mr. Scandariato stated that the notice was in order. Mr. Whitaker provided a history of the property. Mr. Whitaker explained that the Applicant was previously approved for a proposed site plan amendment but the changes were never completed. Mr. Whitaker stated that the Applicant now proposes to move the warehouse aspect of the facility to another location while redesigning the warehouse interior creating a showcase entrance and training stations. Mr. Whitaker provided an overview of the proposed changes, the waivers and variances that the Applicant is seeking with this Amended Site Plan Application.

Mr. Jason Junkers, of 333 Route 17 North, Mahwah, NJ, approached and was sworn in. Mr. Junkers is the Chief Operating Office of Hytorc. Mr. Junkers explained that he has been involved with the company for 15 years and that it is a family business that just celebrated 50 years of establishment. Mr. Junkers explained that Hytorc provides industrial torque wrenches as a global company with the Mahwah facility as their headquarters.

Mr. Junkers agreed with Mr. Whitaker's overview. Mr. Junkers discussed what a typical training session would look like. He stated that the groups were usually no more than 12 people at a time. Mr. Junkers agreed that training would be from 9:00 p.m. – 5:00 p.m. Further testimony explained that besides a couple of regional sales representatives, trainees are from out of town. Mr. Junkers explained that transportation/hotel accommodations are made for the trainees so visitors are not driving to the location. Mr. Junkers testified that he has never observed any parking problems.

Mr. Junkers discussed the proposed showcase that would provide an area for both display of the products and training on their use. Mr. Junkers explained the importance of this impressive first impression with a hands on presentation. Mr. Junkers gave some examples of different products and the training that would occur. Mr. Junkers agreed that

all training would be given by his employees. Mr. Junkers stated that he wanted to maintain the building as a good corporate neighbor.

In response to Mr. Crean’s questions, Mr. Whitaker stated that the flag pole would remain. Mayor Roth asked if all the corporate staff was in this Mahwah office. Mr. Junkers explained where staff was located in addition to the Mahwah location.

Mayor Roth asked Mr. Kelly about the Masonicus Brook and wetlands considerations. Mr. Kelly stated that the Applicant is not proposing any parking lot improvements at this time. Mr. Kelly explained that a plan for future parking would need to go through the approval process and that this process would consider any wetlands that may be affected.

There was discussion about the ability to expand. Mr. Whitaker discussed that the previously approved proposal did include expansion. Mr. Junkers also discussed possible ways of expanding within the existing footprint. Mr. Scandariato stated, in response to Mr. Lo Iacono’s question, that an approval expires if a construction permit is not taken out within two years of the date of approval.

A motion to open the meeting to the public was made by Mr. Ervin, seconded by Ms. Galow. All voted in favor.

No one wishing to be heard, a motion to close the meeting to the public was made by Mr. Donigian and seconded by Mr. Ervin. All voted in favor.

Mr. Raymond V. Paulius, AIA, PP, LEED AP of V. Paulius & Associates in Allendale, NJ., approached and was sworn in. Mr. Paulius provided his qualifications and was accepted as an expert Professional Architect and Planner. Mr. Paulius testified that he was engaged by the Applicant to prepare the modifications to the building and property.

Mr. Paulius presented the following Exhibits during his testimony.

Exhibit	Description	Dated	Presented
Exhibit A-1	Drawing No. sp1 - Site Plan	9/11/18	Within application and Testimony
Exhibit A-2	Drawing No. a3 - Building Elevations	9/11/18	Within application and Testimony
Exhibit A-3	Drawing No. sp2 - Landscape Plan	9/11/18	Within application and Testimony
Exhibit A-4	Drawing No. a1 – Ground Floor Plan	9/11/18	Within application and Testimony
Exhibit A-5	Drawing No. a3 - Building Elevations / Signage	1/11/19	PH Testimony – Revised as per Township Engineer’s Comments dated 1/9/19.
Exhibit A-6	Drawing No. sp1 - Site Plan	1/11/19	PH Testimony – Revised as per Township Engineer’s Comments dated 1/9/19.

Exhibit A-7	Modifications to previously granted variance, waivers and conditions via docket #541. (Testimony & A-5 reflect new signage requests)	No date	Provided with application and within PH testimony regarding modifications to signage requests reflected in A-5
	Drawing No. sp2 - Landscape Plan	1/11/19	Provided from applicant at PH meeting – Revised as per Township Engineer’s Comments dated 1/9/19.

Using Exhibit A-1, Mr. Paulius reviewed the existing conditions including the existing front yard infringement. Mr. Paulius explained the proposed modifications to the site exterior, including the expansion of the front of the facility for the new showcase area. There was a detailed discussion about the various setbacks from Route 17. Mr. Paulius used Exhibit A-2 to review the upgrades including the improved insulation of the exterior walls and other architectural details for the showcase area. Mr. Paulius referred to Exhibit A-3 to review the changes in the landscaping. Mr. Paulius used Exhibit A-4 to review the interior modifications including the renovation of bathrooms and reconfiguration of the warehouse space into an enlarged breakroom hub, a training room, a corridor to the hands-on training area, and other ancillary offices. Only a small portion of materials storage will stay for research and development. Mr. Paulius discussed the removal of the non-conforming ground sign. Mr. Paulius presented Exhibit A-5 which was a revised Building Elevation Plan that had incorporated changes requested by Mr. Kelly in his report of January 9, 2019. There was lengthy discussion about the proposed signage changes that were made to be conforming. Mr. Kelly explained that a variance would be needed to have two signs (both the address number sign and the company name). There was lengthy discussion about the need to change this section of the sign ordinance.

Mayor Roth asked about the tree removal. Mr. Paulius described the size of the trees and explained that the trees were damaged and diseased and would be replaced with the new landscaping plan.

Mr. Paulius explained that the plans have been updated to reflect the equipment on the roof of the one story portion of the building. Mr. Paulius stated that the Applicant is proposing to install a screen to shield that existing equipment from Route 17. Mr. Paulius explained that the Island Road side is heavily landscaped with natural screening. Mr. Kelly was in agreement that there is sufficient shielding from Island Road.

Mr. Whitaker explained that Exhibit A-7 outlined the modifications from the previously approved application. Mr. Whitaker noted that the signage changes in Exhibit A-5 were not reflected in this document.

Mr. Paulius presented Exhibit A-6 that incorporated changes requested by Mr. Kelly in his report of January 9, 2019. Mr. Kelly stated that testimony had been given,

responding to the comments in his report. He suggested that if the Applicant agreed to comply with all the statements in his report, there was not a need to review each item individually.

There was discussion confirming that parking calculations were not needed because both warehouse and office use have the same requirements.

Mr. Whitaker stated that the applicant would agree to the same future parking condition that was proposed during the previous application. Mr. Scandariato stated that he would reference that application's proposal in the resolution. It was clarified that Mr. Kelly would revisit the parking needs after six months to determine if the previously approved future parking was needed. There was discussion about ADA compliance in terms of parking and means of egress. Mr. Paulius explained that the access is compliant and additional parking spots exceeding the requirement, are proposed.

A motion to open the meeting to the public was made by Mr. Ervin, seconded by Ms. Galow. All voted in favor.

No one wishing to be heard, a motion to close the meeting to the public was made by Mr. Donigian and seconded by Mr. Ervin. All voted in favor.

Mr. Whitaker provided a summary of the application and requested the Board's approval.

A motion to approve the application with conditions, was made by Mr. Donigian and seconded by Mr. Lo Iacono. A roll call of members present revealed 9 aye votes by Mayor Roth, Mr. Crean, Mr. Donigian, Mr. Ervin, Mr. Lo Iacono, Mr. Olear, Mr. Pallotta, Ms. Jankowski and Ms. Galow.

Mr. Kelly and Mr. Scandariato agreed that a Developers Agreement would not be needed and that the proposed work could be done under a Soil Movement Permit Application.

IX. WORK SESSION:

- A) NEW BUSINESS: None
- B) OLD BUSINESS: None
- C) COMMITTEE REPORTS: None

IX. ADJOURNMENT:

A motion to adjourn the meeting at 9:15 p.m. was made by Mr. Ervin, seconded by Ms. Galow. All voted in favor.

Township of Mahwah
Planning Board Meeting Minutes
January 14, 2019

These minutes were prepared by Mary Jo Wood, Planning Board Secretary. The minutes were provided to the Planning Board on February 8, 2019 for approval at the Regular Meeting to be held February 11, 2019.